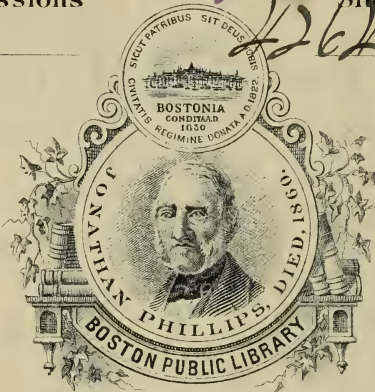




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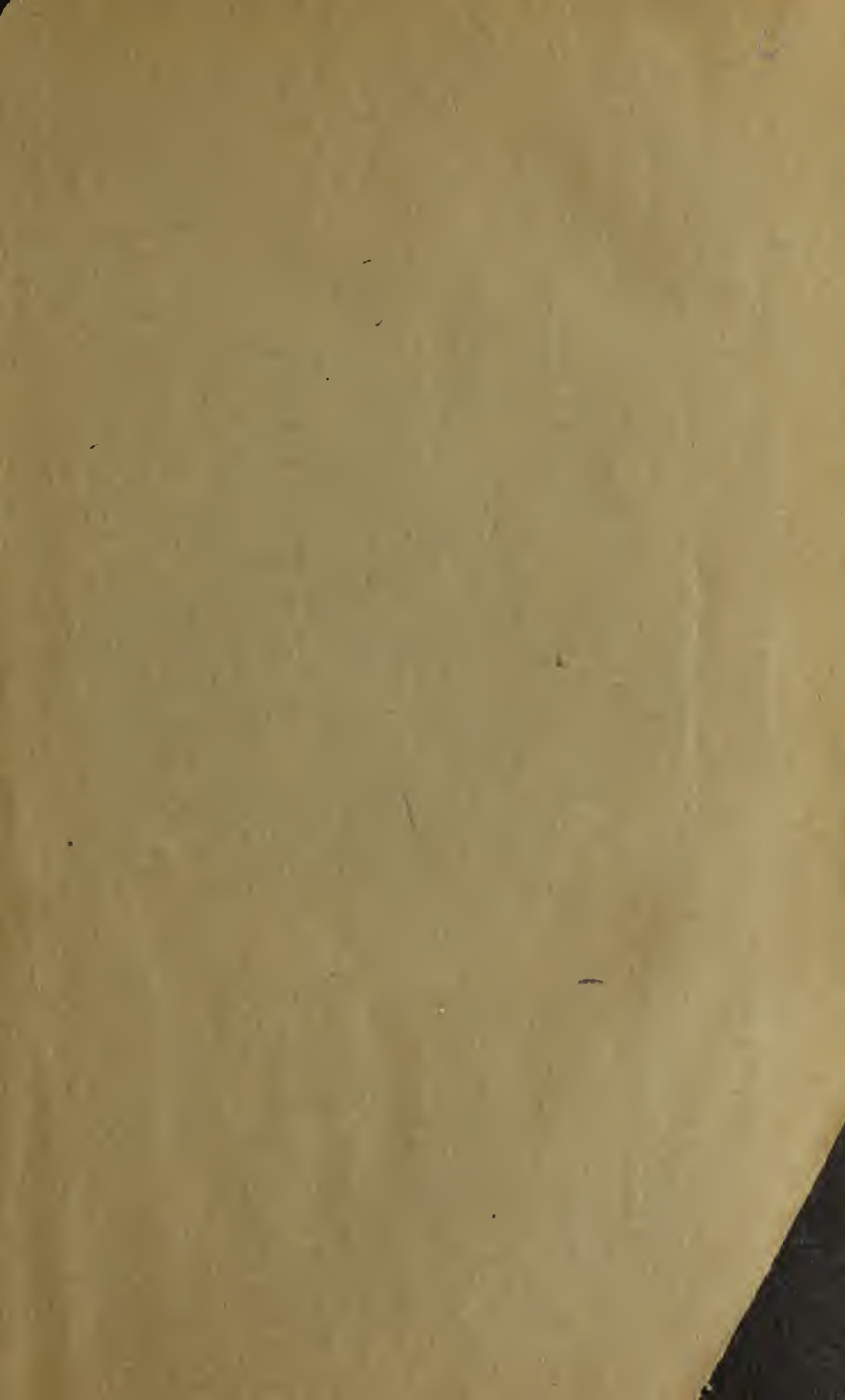
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FROM THE

Phillips Fund.

Added









A LETTER

TO THE

RIGHT HONORABLE LORD BROUGHAM,

ON THE

ALLEGED BREACH

OF THE

COLONIAL APPRENTICESHIP CONTRACT.

BY

WILLIAM BEVAN.

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TO THE

RIGHT HON. HENRY, LORD BROUGHAM AND VAUX.

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MY LORD,

IN the course of the proceedings at the adjourned meeting of the friends of Negro Emancipation, convened in Exeter Hall, on the 15th instant, it was delegated to me to present a statement of the case, as it affects the breach of contract charged upon them, in endeavouring to obtain the prompt and total abolition of the apprenticeship system. Before I could complete the execution of this trust, an intimation was given that your Lordship was anxious to proceed to your parliamentary engagements; in consequence of which it was my duty at once to retire. As no opportunity was subsequently afforded of addressing the meeting, permit me to submit to your Lordship a few brief suggestions on this question, which is one of no small importance.

The British people, when about to sanction the payment of the twenty millions' compensation to the colonists, received the positive assurance, that the negro "should forthwith be put in a situation in which he should claim every right and every privilege of a free-man, and in which he should feel no taint of a servile condition." By the several orders in council, confirming the colonial statutes, it was presumed that this principle was fully carried out; and the nation rested awhile from that vigilant supervision aforesaid exercised over the West Indian affairs: but at

this late period, they are aroused to its renewal by the exposure of evils as atrocious as those which long rested under the anathema of the wise and good. The prayer of numerous petitions, echoing the sentiments of public assemblies, has conveyed to the legislature their determination to seek justice for the oppressed. At the first raising of that voice, Lord Glenelg put himself in a posture of defence, and was joined by other professed champions of liberty, in querulous and taunting demands for proof of the statements put forth in support of the case. A few weeks elapsed,—the voice became a mighty voice,—and extorted from the noble Secretary for the Colonies the concession, that the allegations contained in your Lordship's effective speech of the 20th ult., in the House of Lords, and in the public addresses of the advocates of the negro out of doors, were "not exaggerated," but were "admitted on all hands." Accordingly, he promised, "very shortly," to introduce a measure on the subject.

If the noble lord be sincere in his admissions, he must further allow that there has been a criminal sufferance of manifest and protracted injustice, throughout the whole process of the apprenticeship system. Conclusive evidence of these facts was before him, in the Parliamentary papers of 1835 and 1836; so that, if he is called upon now to legislate in the matter, that legislation was equally imperative at an earlier date, nor can he stand clear of the charge of permitting the wrong through so long an interval; for upon his own admissions, the evil-doers have perpetrated their cruelties with impunity. He was well admonished by Lord Ellenborough, that "every hour of delay was an hour of permitted crime." For these tedious "hours of permitted crime," we are justified in demanding redress to the negro, whose injuries are too fully proved; as we formerly gave compensation to his task-masters, on the mere possibility that loss might be, by them, sustained.

The unanimous decisions of great convocations of the peo-

ple are recorded in their petitions, by which they require, not the mitigation, under a fallacious name, of an evil whose essence is radically immutable, but that their fellow-subjects of colour should be immediately declared absolutely free. Instead of conceding this act of justice, the noble lord sets himself in opposition to the voice of the people, and brings forward a bill, recognising the evil principle of the former act, and ineffectively endeavouring to meet, by palliatives, some few of the abuses which have necessarily arisen. By whose direction, and at whose request, my Lord, has this bill been proposed, in direct denial of the unanimous, respectful, urgent, and strong requests sent up, by the country, to the courts of legislature? On what prayer of counter-petitions, emanating from an overwhelming majority of British subjects, does the British colonial minister take his stand? The colonists have been heard in committees; they have been allowed full time for bringing out their case. It is declared to be "admitted, on all hands," that they are guilty; none of them have risen to complain of the declaration, or to protest that they have not merited the just indignation of an enlightened and free nation. The universal prayer is, that the means and the power of continued injustice may be removed; that wounds deeply inflicted may be healed, though no restitution may be made for the pains with which they have been received. This is refused, and the petitioners for negro rights are compelled to reject the ministerial bill with suspicion, as a criminal attempt to divert, by a side-wind, the straightforward current of public opinion; with disgust, as an act of gratuitous and outrageous contempt of the country; and with abhorrence, as a sacrifice to the extortionate oppressor. The country has been defrauded of its finances, the apprentice of his purchased immunities; and now, if we seek restitution, we are to endure insult in aggravation of the wrong.

That bill fails to ensure the freedom stipulated, and for which the apprentice is adequately prepared. It devolves a

great measure of discretionary power on the governors of the respective colonies, which, if honestly used, will subject them to increased annoyance and opposition. It professes to determine the question respecting the distribution of the hours of labour in each week, but establishes no definite principle for its regulation, leaving it open to the decision of the governors, "*by, and with the advice of the council,*" of the several colonies. It proposes to appoint official umpires for the settlement of contested appraisements of apprenticed services, but includes no proviso to prevent the consignment of this most important commission to planters, overseers, or their mercenaries. It promises protection to the honest stipendiary justices, but pronounces no penalty for any breach of the special trust which, it is admitted, is justly alleged against so many of those functionaries. It fails to give any executory principle to the act of 1833, which it is designed to amend. An act, so faulty in its principles and provisions, the country will not accept.

As experience has proved, that to prepare a man for liberty by the continuance of a state of bondage is impossible,—that to be educated *for freedom* he must be educated *in it*;—and as experience has also proved that the negro is fitted for emancipation, we maintain that it is expedient, it is necessary, to confer upon him its fullest measure. To withhold a right is to make men adversaries, to grant it is to convert them into friends.

But it is said, that in such a procedure a breach of contract is involved. But was not that alleged contract inequitable in its provisions? It placed, for the first time, upon the statute book, a recognition of the legality of the property that man had criminally held in his fellow man: it established the right of the slaveholder, and then proceeded to modify the evils of slavery; while, with the promise of freedom, it gave to the oppressor a power by which every effort to secure the accomplishment of the contemplated abolition was rendered null and void: it threw into the hands of the

one contracting party, accustomed to tyranny, an undue authority over another, long the prey of the spoiler, instead of preserving the balance in equipoise between the two: it gave up to the employer, for a definite period, a vested right in the compulsory and uncompensated services of the apprentice: it confirmed the use of the lash among male apprentices, as a penal incentive to labour, administered by order of the special justice,—and colonial laws, under its provisions, enlarged the number of stripes: it failed to obstruct the continued disgraceful and inhuman practice of flogging, collaring, and chaining females: and finally, while, on the one hand, the colonists were amply consulted in the making of the law, and advantaged by its administration, no reference whatever was made, on the other, to the unhappy negroes' assent to, or dissent from, its provisions. In these respects, it is reprobated, as being, both in principle and detail, unjust.

On what ground, then, was the engagement allowed by the country? What was the plea on which it was urged, that after the compensation—augmented from a loan of fifteen to an absolute donation of twenty millions—had been conceded to the slaveholders, this term of legalised slavery should transpire? On this, and on no other,—that the negro was not fitted for freedom, and that the transition state, mercifully administered by adepts in cruelty and iniquity, should prepare him for its enjoyment! It is in evidence, in the cases of Antigua, Bermuda, and Montserrat, in the message of the Governor and the debates of the Assembly of Barbadoes, and in the declaration of the Marquess of Sligo in the House of Lords, that he is fully prepared for liberation from bondage; and therefore—even though the contract should be broken by the adoption of the measure sought by emancipationists—the plea on which it was entered into will be fully met. It remains, then, to decide whether a bad engagement shall be uselessly and injuriously continued, or whether the good and wholesome principle, prior

to it in importance as in date, shall be humanely and righteously carried into effect. The negro beseeches the nation,—the nation prays the parliament on his behalf,—but the noble Lord, the Secretary for the Colonies, admitting the facts, denies the request founded on them, when he hears the whisper from some secret place—beware of THE BREACH OF CONTRACT!

The raising of the question against us is as dishonorable as it is untrue. Unhesitatingly do we deny that the friends of immediate emancipation are about to aspire after the enviable pre-eminence of being the first to break this covenant. Up to the present moment, on our part and on the part of the apprentices, it has been punctiliously fulfilled; whereas, “it is admitted on all hands,” that it has been systematically and wickedly violated by the parties now clamouring for its sacred inviolability. It is asserted, that to visit the sins of the few upon the whole is unfair; but the majority have been the active agents in the guilt, and the whole are implicated representatively. Not only is it matter of complaint that on single estates has the law been set at defiance, but that the Acts of legislative houses, elected by the constituencies of the whole colonies, have contained the grossest repugnancies to the Imperial Act of 1833. We, therefore, have to deal with the guilty as a body, whose members are all equally in the same condemnation of first trampling the covenant under feet.

So abundantly has it been shown, and so freely has it been granted, that the pledges of the colonists have not been redeemed, that it would be a profitless work to proceed further in substantiating the charge against them.

But it is affirmed, that though the conduct of the one party may have been worthy of just reprehension, this cannot warrant the other in setting aside their share of the obligation; and that it is only competent to us to seek the full performance of the contract by the offending party. This, however, is impossible; for, though the British people

and the colonial apprentices continue to fulfil their respective engagements, and though from this time the West Indians carry its provisions, in so far as they are concerned, into efficient operation, yet the fact of past violation cannot be removed. Unless you can destroy the fearful traces of the lash, or obliterate the memory of the acutest suffering; unless you can restore the dead children to the mourning mother, or raise the murdered from the grave, and make "the past to be as though it ne'er had been;" you cannot obtain the reparation of the breach.

But amidst the strife, Lord Glenelg steps forward with his bill, for the complete adjustment of the question. Now, that this very bill proposes to violate the engagement, can admit of no dispute. Under the abolition act, the punishment of the lash, though remitted from females, was allowed to be inflicted upon male apprenticed labourers; and, by colonial enactments, approved by the King in council, the number of stripes, for certain offences, was increased. It was part of the agreement, that this mode of coercion should be employed; which is now to be violated by Lord Glenelg's proposition to abandon and prohibit its use. Again, by the imperial act, the employer possessed an unconditional vested right in the full apprenticed service of his former slaves. After the law has been in this matter unchanged for upwards of three years, Lord Glenelg determines to introduce a condition, on the breach of which, that right shall cease; enacting, that any apprenticed labourer, who *hath been* subject to any cruelty or grievous injustice, shall be manumitted forthwith by the governor. If this has a retrospective reference, it will nullify the contract in a vast multitude of cases. His Lordship proposes first, a violation of the terms of the deed, by making that contingent which was absolute, and then a violation of its provisions, by taking away a title which was conferred without prospect of any exception or infringement. Further, by the act of 1833, the power of enacting laws in aid was given to the colonial assemblies;

and, upon the continuance of this prerogative, subject to the veto of Her Majesty in council, they have still relied. But, in the bill of the colonial secretary, that privilege is invaded, by the consignment of so large a measure of discretionary authority to the governor as he is hereafter to possess. In these respects his lordship sets aside the contract to which he professes scrupulously to adhere.

By some it is proposed to modify and amend the apprenticeship system till 1840, and then to demand that every individual shall be set free from every kind of thralldom. Be it remembered, however, that in the event of penal mulcts of time extending beyond that date to any period not exceeding seven years after the expiring of the apprenticeship, the labourer is still to be retained in a servile condition; and, that many of the children have become bound under indenture, till the age of 21 years. If, therefore, the system be continued till 1840, and then the entire population be set free, the charge may be still preferred.

That this covenant has been deceitfully and sinfully violated by the colonists, is admitted on all hands. Lord Glenelg's measure manifestly contemplates a further breach on the part of the government. And we are told, with admirable consistency, that the prayer of the people cannot be heard, because compliance with it involves a breach of contract.

The question, therefore, is not, shall it now be broken, but, having been broken, on which of three proposed measures shall the lot be cast.

1. Shall the colonists extend that cruelty and fraud, through the remaining term of the apprenticeship, which they have perpetrated through the period that has expired?

2. Shall Lord Glenelg modify that cruelty and fraud, while he retains and sanctions all the evil principles and



servile relations which promote the system of misrule and injustice? Or,

3. Shall the British people remove the oppressor from the high place of tyranny, and the oppressed from their prison-house and bonds of woe?

My Lord, to elect the first, would be to forego every dictate of humanity, every claim of justice, every principle of religion. That mystery of iniquity must no longer work; that abomination of desolation must be destroyed. To elect the second, would be to exasperate the colonists, to delude the negroes; to profess amendment, while the most flagrant abuses must still exist; and to insult the suffering, and hitherto submissive apprentice, by telling him that his education for freedom is not complete, unless cruelty reach the high point of flagrant iniquity; but that as soon as it rises to that point, his pupilage shall terminate, and he shall then be regarded as fitted for immediate emancipation. We are taught that the great spiritual adversary transforms himself into the semblance of an angel of light—but he is yet the evil one; and, though the noble Lord may throw the cloak of official protection, in all its spotlessness, over the monstrous form of slavery—there is the demon still. To elect the third, would be, not to break the contract, but only to remove that which has been broken, and to introduce a system which has been proved beneficial, not only to the employed, but the employer. It would be to remove the occasion, the incentive, the power of crime. Instead of pruning from a corrupt tree a few unhealthy and deadly fruits, it would make the tree good, that its fruit might be good also.

The feeling in some of the colonies is evidently favorable to the abolition of the apprenticeship, provided further compensation be awarded. But, my Lord, for what contemplated loss is this required? The advocate of the colonists, in the discussion which took place in Liverpool on the 20th of December last, affirmed, that the system of slave labour

was "the most expensive that had ever been invented." The negroes are not only anxious to work in their own free time, but perform that work more happily and advantageously to their masters, than when under compulsion. It is notorious, that, prior to the year 1834, the value of estates was greatly diminished, and that their value has now been considerably augmented. Nor can it be denied, that the slave-holders have been extravagantly paid out of the grant of twenty millions sterling, for an unfulfilled prophecy of the damage that they would sustain. On what account is the further claim made, seeing that a gain, over and above the predicted loss, has already been realised, and that the conferment of absolute freedom promises not only indemnity, but profit, to the proprietors of the soil? The objection is no longer maintained, that the apprentice is unprepared for freedom, nor that it is inexpedient to terminate the present system; since they are content to stipulate for his liberation, though in his character no change can possibly be wrought by the payment of an extra grant of money to his employer. The transition state was provided to secure this preparation for full liberty. If its object be accomplished, it is useless to encumber the Colonies with its continuance, and unjust towards the negro to withhold the enjoyment of his proper condition. They admit his fitness, and this, according to the principle of the Abolition Act, establishes his title to freedom. The only end which his liberators desire, is the legal recognition of that right.

The country are now so fully convinced of the fraud that has been practised upon them, and of the impossibility of reposing further confidence in their deceivers, that they will rest satisfied with no measure which fails to put beyond the reach of colonial tyranny the subjects of its blood-stained rule; and it is vain for any man, or body of men, to resist their will. They deny the claim which it is asserted the contract has upon them; and they ask the full bestowment

on their fellow-subjects of the privileges purchased for them. If the demand be still refused, it remains to be shewn whether the secret artifices of the West India interest, or the force of public opinion and Christian principle, shall prevail.

It is high time that the noble Secretary of the Colonies, and the Houses of Parliament, should fairly consider the position in which this great cause stands. Men of every political party, and of every religious denomination, are united for its defence, and have determined that no conflict of opinions on other and momentous matters shall divide them here. And such, my Lord, you are well aware, is the concentration of energy, that it behoves the legislature to pause, ere they turn a deaf ear to the voice of the British people. If that voice be unheeded, it will find an echo in the islands of the West; and the justice here denied, may there be summarily obtained. Let the oppressor beware of the elements of desolation that are collecting, in portentous heaviness, over his habitation.—Let him foresee the retribution which the oppressed may seek—the indignation to which this country may give effect,—and, above all, let him avert the curse of Heaven, which may light on him in an unexpected hour!—“For the oppression of the poor, for the sighing of the needy, now will I arise, saith the LORD; I will set him in safety from him that puffeth at him.”

The position which the friends of humanity have taken up, is one from which they are not to be driven, either by the sneers of reviewers, the indifference of legislators, the trickery of colonists, or the opposition of government. Your Lordship has rested their claim upon the fundamental principles of equity and religion, recognised in the British Constitution, and inculcated in the Word of God; in which you enjoy the confidence and support, not only of the country at large, but especially of the religious community;—of those, my Lord, who pause to consider the path of duty, ere they act, and who are not accustomed to offer sacrifices

on the altar of expediency;—whose denominational appellatives may become by-words of derision, but the might of whose moral influence cannot be withstood.

As Britons, rejoicing in freedom, our inalienable birth-right; and as Christians, the heralds of the glorious liberty of the gospel, to multitudes who are held captive by Satan at his will, we require that our fellow-subjects shall, with us, possess this birthright, and bequeath it to their latest posterity; and that every barrier may be removed by which they have been hindered from the knowledge of that Redeemer, who shall make them free indeed. Emancipate them, and they will improve in all that promotes the happiness of this life:—evangelize them, and they will prepare for the blessedness of the life that is to come.

To the result of this great experiment, other lands are directing their attention. They will profit by our example; and as they derive lessons of wisdom from our miserable failure, in endeavouring to mitigate an evil whose essence is immutable, so will they learn, from the successful issue of entire emancipation, to unite with us in proclaiming the jubilee of universal freedom.

At the present crisis, the constituencies of this great empire have conveyed their instructions to their representatives in Parliament, and they now require implicit obedience. If their sentiments be faithfully recorded there, the consummation so devoutly wished cannot be delayed. Your Lordship's house will then have to determine, whether the progress of truth and righteousness shall be obstructed by its interference, or whether its members shall enjoy the high repute of the illustrious asserters of the first and dearest right of man. It will only remain for the excellent Lady who fills the throne of these realms, to immortalise her reign, by affixing the sign and seal of irrevocable authority to the charter of negro freedom.

The light of liberty shall irradiate the sparkling tear of gladness on many a sable cheek,—the anthem of praise

shall ascend to God from every negro sanctuary,—and the blessing of them that were ready to perish shall be upon the land of their liberators.

Permit me, my Lord, to express the hope that we may speedily rejoice in witnessing the success of those efforts, on behalf of our brethren of African descent, in which you have borne so efficient and so honourable a part, while, with the greatest respect,

I have the honour to remain,

Your Lordship's obedient servant,

WILLIAM BEVAN.

LIVERPOOL, MARCH 22d, 1838.



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