The London Missionary Society's report

THE London Missionary Society's REPORT OF THE PROCEEDINGS AGAINST THE LATE REV. J. SMITH, OF DEMERARA, MINISTER OF THE GOSPEL, WHO WAS TRIED UNDER MARTIAL LAW, AND CONDEMNED TO DEATH, ON A CHARGE OF AIDING AND ASSISTING IN A REBELLION OF THE NEGRO SLAVES; FROM A FULL AND CORRECT COPY, Transmitted to England by Mr. Smith's Counsel, AND INCLUDING The Documentary Evidence omitted in the Parliamentary Copy; WITH AN APPENDIX; CONTAINING The Letters and Statements of Mr. and Mrs. SMITH, Mrs. ELLIOT, Mr. ARRINDELL, &c.; and, also, the Society's Petition to the House of Commons.

THE WHOLE PUBLISHED UNDER THE AUTHORITY OF THE DIRECTORS OF THE SAID SOCIETY.

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THE LIBRARY OF CONGRESS

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PREFACE.

The Directors of the London Missionary Society, considering it a duty which they owe to themselves, to the Society, and to the whole Christian world, to publish the fullest and most accurate account, which they have been able to obtain, of the proceedings against

the late Rev. John Smith of Demerara, proceed to redeem the pledge to that effect, given in the Missionary Chronicle for May, 1824.

A copy of the Minutes of the Evidence on the Trial of Mr. Smith, with the Warrant, Charges, and Sentence, was laid before the House of Commons on the 22d of March last, and was subsequently printed by order of the House. Another Copy of the Proceedings was sent over from Demerara, for the information of the Directors, by Mr. Arrindell, the counsel employed on behalf of Mr. Smith. On comparing these two documents, it appeared, that the former was deficient in many particulars essential to a just comprehension of the nature of the proceedings; and the Directors have therefore adopted, as the text of the following narrative, the copy transmitted by Mr. Arrindell, with the exception of the first day's proceeding, which are taken from the parliamentary copy; and also, with the exception of the Assistant Judge-advocate's reply, which is taken from a copy obligingly furnished to the Directors by order of the Secretary of State for the colonial department. The Directors have to observe, that, on receiving the Copy of the iv Proceedings transmitted to them from Demerara, they immediately offered it for perusal to the colonial department; but that offer was politely declined.

In comparing the present publication with the Parliamentary Copy, attention will naturally be drawn to the *Evidence, documentary and parole;* to the *Defence* of Mr. Smith, and to the *Notes* which are appended to various parts of the proceedings.

1. Of the *documentary evidence* produced on the trial, nothing is given in the Parliamentary Copy, except the extracts from Mr. Smith's private Journal, which the prosecutor thought fit to read; and the letter from Mr. Smith to the slave, Jackey Reed.

With regard to the Journal, as the whole of it was before the Court, the Directors apprehend that, at least, a complete copy of it ought to have been transmitted to His Majesty's Government, laid before the Honorable House of Commons, and communicated to the parties aggrieved by these proceedings; but they understand it to be still detained

by the colonial authorities; and, although the Directors would earnestly desire that the whole (though never intended for communication to any person) should now be submitted to public inspection, convinced, as they are, that it would greatly redound to Mr. Smith's credit; yet, they are only able to give the same passages which are to be found in the Parliamentary Copy.

The letter to Jackey Reed is numbered seven, in the parliamentary copy, and occurs at page 51 of this compilation. The other documents, with their corresponding numbers, will be found at length in the ensuing pages, as follow:—

No. Page

1 32 Fiscaal's Order to Dr. M'Turk, 1819.

2 — Do. Do. to Mr. Smith.

3 33 Mr. Smith's Letter to Dr. M'Turk.

4 34 The Lieutenant-Governor's Order, 16th May, 1823.

5 35 Lord Liverpool's Order, 1811.

8 62 Proclamation of Martial Law, 19th August, 1823.

9 94 Letter, Mr. Hamilton to Dr. M'Turk, 1819.

10 — Reply of Dr. M'Turk.

11 98 Letter of Mr. Stewart to Mr. Smith, requesting his interference with the Slaves, 1822.

v

12 99 Letter of Mr. Stewart to Mr. Smith.

13 Letter, Do. to Do.

14 104 Certificate by Messrs. Donald and Hamilton, 1820.

15 107 Offer of Land for a Chapel, by Mr. Reed, 1822.

29 133 Petition by Mr. Smith, to the Lieutenant-Governor, for leave to build a Chapel, and Order thereof, 1822.

30 134 Letter from J. G. Abbott to Mr. Smith, respecting the conduct of a Slave, 1822.

Of the documents more briefly referred to in the ensuing sheets, it may be sufficient to observe, that No. 28, mentioned in p. 181, contained the *instructions* from the London Missionary Society; the material part of which, is to be found in the Appendix, p. 198. No. 6, mentioned in p. 39, was an order by Dr. M'Turk, relative to the Small-pox. No. 16, (p. 113) the Society's letter, respecting the price of Bibles, &c. Nos. 17 and 18, the two Catechisms. Nos. 19 to 27, and No. 31, certificates of good conduct, given by various managers of estates to slaves, for the purpose of their being baptized by Mr. Smith. These documents it is not necessary to notice more particularly.

One species of evidence, if such it may be called, is not noticed in the copy forwarded to the Directors. It appears, by the Parliamentary Copy, p. 31, that, at the close of the prosecution of Mr. Smith, five documents “were laid over to the Court, by the Assistant Judge-advocate,” containing certified copies of the charges and sentences against five slaves. What those charges and sentences were, is not stated; and what bearing they could have on the case of Mr. Smith, it is hard to conceive.

2. The report of the *parole evidence* , as here given, varies, in several respects, from that contained in the Parliamentary Copy. The latter, by omitting all the *questions* on the examination in chief, gives an impression, very far from correct, of the general effect. Several questions were rejected by the Court; these do not appear in the Parliamentary

Copy; but will be found in the following pages, 4, 38, 40, 95, 102, 109, 113, 114, 116, 117, 129, 131. Of these, the most important seem to be the questions in pages 116, 117, addressed to Mr. Elliott, respecting the declarations which Mr. vi Smith made in his presence, long before the alleged revolt, to Mr. Stewart, and even to the Fiscaal himself. Omissions and variations in the evidence given, occur in pages 18, 19, 24, 25, 26, 31, 52, 54, 97, 101, 105, &c. These, as well as the questions rejected, are marked in italics: of their importance, the reader will judge. The declarations by Mitchell and Dose, in pages 52 and 53, that they were not Christians, are material; as is that made by Elizabeth, page 47, that she did not know how old she was. The circumstances which occurred in the examination of Mr. Reed, (p. 107); the stopping of Mr. Austin, when about to relate a particular fact, (p. 111); the manner in which the latter gentleman was compelled (p. 112) to give heresay evidence; the injunction to Mr. Elliott (p. 116) not to give such evidence; and the reprimand given to Mr. Smith (p. 117, *note*) on a similar subject; will, doubtless, be regarded as illustrative of the real spirit in which the trial was conducted.

3. The Directors have deemed it essential to justice, that the passages erased from the defence by the direction, or, at the request, of the Court, should be replaced. More especially have they restored all those citations from Holy Writ which were so appropriately urged by a minister of the Gospel, and which formed so powerful an answer to the charges with which he was assailed.

4. For a similar reason, they have carefully retained the *notes* , appended by Mr. Smith himself, to various parts of the proceedings, as illustrating many points in the evidence, and, as evincing, throughout, the firmness of conscious innocence and integrity.

To the Report of the proceedings, it has been thought proper that an Appendix should be added, which might complete the history of this lamentable case. Therein will be seen what were the thoughts of Mr. Smith, at the moment that the disturbance among the slaves was going on. His letters written at that period, in the confidence of friendship, and one of them unfinished, evidently show how completely his conscience was void of offence.

His statement to the Fiscaal establishes the important fact, that he was not apprehended on any information as an evil-doer, but was arrested with circumstances of great brutality, on vague and malignant suspicion, by a neighbour who was on ill terms with him, and vii who was eager to display the “little brief authority” with which he conceived himself to be invested under Martial Law. The letters of Mr. Smith, written after his harsh sentence, and while the grave was opening beneath his feet, breathe the calmness and piety of a Christian, and cannot be read without deep emotion. Mrs. Smith's affidavit explains that, which in a legal point of view needed no explanation, the meeting between Mr. Smith and Quamina on the 20th of August; a meeting, in which the slightest degree of criminality was not proved on the trial to have existed, and which this affidavit shows to have been wholly without the shadow of blame on the part of the pious minister. The statements made by Mrs. Smith and Mrs. Elliott are of a nature, on which the Directors will not trust themselves to remark; but they certainly form main features in a history, which is stamped throughout with the characters of persecution. Lastly, the Directors have thought fit to subjoin to the other documents of the case, the humble Petition which they felt it their duty to address to the House of Commons. The Public will judge whether that Petition is not fully borne out by the facts appearing on the face of the present publication. Assuredly, the Directors did not mean to come before a branch of the Legislature hastily, unnecessarily, or without the utmost deference and respect; but they did feel that they were irresistibly called upon to avow their firm and conscientious belief in the innocence of Mr. Smith, and humbly to claim, from the wisdom and humanity of the national representatives, justice to the memory of a pious and persecuted man; and protection to all others, who engage, like him, in the blessed work of spreading christianity among the heathen.

GEO. BURDER, Sec y .

PROCEEDINGS OF A General Court-Martial, Held at the Colony-House in George Town, on Monday, the 13th day of October, 1823, by virtue of a Warrant, and in pursuance of an Order of His Excellency Major-general John Murray, Lieutenant-

governor and Commander-in-chief in and over the United Colony of *Demerara* and *Essequibo* , &c. &c.

PRESIDENT.

Lieutenant-Colonel Stephen Arthur Goodman, Half-pay 48th Regiment, and Commandant of the George Town Brigade of Militia.

MEMBERS.

Lieutenant-colonel Charles Wray, Militia Staff.

Captain Thomas William Stewart, 1st West India Regiment.

Captain Richard Daniel, Royal North British Fusileers.

Captain Thomas Fairweather, Royal North British Fusileers.

Lieutenant Thomas Cochrane Hammill, Royal North British Fusileers.

Lieutenant John Croftor Peddie, Royal North British Fusileers.

Second Lieutenant Charles O'Hara Booth, Royal North British Fusileers.

Captain William Killikelly, Half-pay 6th West India Regiment, Deputy Assistant Quarter-Master-General.

Captain Colin Campbell, Royal North British Fusileers.

Captain Lewis Charles Appelius, Royal North British Fusileers.

Lieutenant Robert Gregg, 4th or King's Own Regiment.

Lieutenant William Howe Hennis, Royal Artillery.

Second Lieutenant Alexander Gordon, Royal Engineers.

Second Lieutenant Robert Anstruther, Royal North British Fusileers.

The Warrants of His Excellency Major-general John Murray, lieutenant-governor and commander-in-chief in and over the united colony of Demerara and Essequibo, &c. &c. appointing Lieutenant Colonel Stephen Arthur Goodman, half-pay 48th regiment, and commandant of the George Town brigade of militia, president of, and His Honour Victor Amadius Heliger, to be judge advocate, and Richard Creser esq., Robert Phipps, esq., and J. L. Smith, jun., esq., to act as assistant judge advocates to a general court-martial, ordered to assemble at the colony house in George Town, on Monday the 13th instant, at ten o'clock, for the trial of such prisoners as shall A 2 then and there be brought before it, having been read in presence of the prisoner,

The Prisoner, having been asked whether he had any cause of challenge or objection to any of the members? answered, “No.”

The Court was then duly sworn, and proceeded to the trial of John Smith, a missionary, on the following CHARGES, preferred against him, by order of His Excellency Major-general John Murray, lieutenant-governor and commander-in-chief in and over the united colony of Demerara and Essequibo, &c. &c. &c.

I.—FOR that he the said John Smith, long previous to and up to the time of a certain revolt and rebellion, which broke out in this colony, on or about the 18th of August now last past, did promote, as far as in him lay, discontent and dissatisfaction in the minds of the negro slaves towards their lawful masters, managers, and overseers, he, the said John Smith, thereby intending to excite the said negroes to break out in such open revolt and rebellion against the authority of their lawful masters, managers, and overseers, contrary to his allegiance, and against the peace of our Sovereign Lord the King, his crown and dignity.

II.—For that he the said John Smith, having, about the 17th day of August last, and on divers other days and times theretofore preceding, advised, consulted, and corresponded with a certain negro named Quamina, touching and concerning a certain intended revolt and rebellion of the negro slaves within these colonies of Demerara and Essequibo; and further, after such revolt and rebellion had actually commenced, and was in a course of prosecution, he, the said John Smith, did further aid and assist in such rebellion, by advising, consulting, and corresponding, touching the same, with the said negro Quamina; to wit, on the 19th and 20th August last past, he, the said John Smith, then well knowing such revolt and rebellion to be in progress, and the said negro Quamina to be an insurgent engaged therein.

III.—For that he, the said John Smith, on the 17th August last past, and for a certain period of time thereto preceding, having come to the knowledge of a certain revolt and rebellion, intended to take place within this colony, did not make known the same to the proper authorities, which revolt and rebellion did subsequently take place; to wit, on or about the 18th of August now last past.

IV.—For that he, the said John Smith, after such revolt and rebellion had taken place, and during the existence thereof, to wit, on or about Tuesday and Wednesday the 19th and 20th of August now last past, was at Plantation Le Resouvenir in presence of and held communication with Quamina, a negro of Plantation Success, he, the said John Smith, then well knowing the said Quamina to be an insurgent engaged therein, and that he, the said John Smith, did not use his utmost endeavours to suppress the same, by securing or detaining the said insurgent Quamina, as a prisoner, or by giving information to the proper authorities, or otherwise, but, on the contrary, permitted the said insurgent Quamina to go at large and depart, without attempting to seize and detain him, and without giving any information respecting him to the proper authorities, against the peace of our Sovereign Lord the King, his crown 3 and dignity, and against the laws in force in this colony, and

in defiance of the proclamation of martial law, issued by His Excellency the lieutenant-governor.

To these charges the Prisoner pleaded Not Guilty.

The Prisoner having requested the indulgence of the Court, in order to procure the assistance of counsel, the Court adjourned until to-morrow morning at ten o'clock.

SECOND DAY, 14TH OCTOBER, 1823.

The Court having met, pursuant to adjournment, the Judge Advocate addressed the Court as follows:

“May it please the Court;

“Previous to my proceeding to the proof of the charges which have been “preferred by me against the prisoner, I feel it necessary to make a brief “statement of the case, in order to facilitate the proof of the charges “so preferred. I shall first adduce in evidence, that the prisoner, even “from the beginning of his arrival in this colony, has begun to interfere “with the complaints of the different negroes upon the estates in the “district where he has been admitted as a regular missionary. I shall “further adduce evidence, that this interference has not only related “to the negro population and their management, but also with “regard to the acts and deeds of the constituted authorities of this “colony; that this kind of interference has created discontent and “dissatisfaction amongst that part, viz. the negro population of this “colony; that even his opinion of the oppression under which they “laboured brought him to that point, that he thought it necessary to “expound to them such parts of the holy Gospel entirely relative to the “oppressed state in which he considered them to be. It shall further “appear to you in evidence, that this has led at last to breaking asunder “the ties which had formerly united master and slave; and that “open revolt was the consequence of this state of discontent in which “they had been brought, It will also appear, that before the revolt “broke out, the prisoner was aware, not only of the intended

rebellion “to take place, not only several days before, but also on the day immediately “preceding the breaking out of the revolt. It shall be proved “that it was not only a bare knowledge of this revolt, but that he “even did advise and consult them as to the difficulties which they, the “negroes, would have to encounter from his majesty's troops, and from “the white inhabitants of the colony. It shall be proved that, with this “knowledge on his mind, he never gave any communication to the constituted “authorities on this subject; that on the day of the revolt, “the prisoner was in town, but that he left town without having “made that disclosure, which, as a faithful and loyal subject, he “was bound to do: not only this, but it shall be also proved, that “during the prosecution of the revolt, not only not any attempt was “made of any disclosure on his side, but that immediately after the “revolt, on the first and second day the prisoner did correspond with “one of the insurgents at the time when he well knew that that insurgent “was in open rebellion; not only that he did correspond with him, A 2 4 “but he even did not attempt to secure that insurgent, or to give such “notice to the constituted authorities, by which that insurgent could have “been laid hold of; that though, perhaps, the Prisoner, at the moment, “might have found some difficulty of conveying this intelligence to the “proper authority, that obstruction or difficulty was entirely taken “away on the following day, when a detachment of Militia arrived at “the dwelling of the prisoner, and by which he was enabled to give such “information as a loyal subject he was obliged to give.

“This, gentlemen, is a brief statement of the case; and, according to “the course which, in calling of the Evidence, I intend to pursue.”

John Stewart, *Manager of Plantation Success, called and sworn. Examined by the* Judge Advocate.

What is your name?—John Stewart.

What are you?—Manager of Plantation Success.

Do you know the Prisoner?—Yes.

Do you know his hand-writing?—Yes, I do.

Do you believe this to be his hand-writing?—(*Here a book, which had been found in the Prisoner's house, was produced and shewn to the witness, who examined it and then answered*)—It is his hand-writing.

What reason have you to know his hand-writing?—He has frequently written letters to me to get up things by the boat.

Cross-examined by the Prisoner.

Did you ever see me write?—I cannot say I ever did.

How then can you swear that the contents of that book are in my hand-writing?—(*Not allowed to be put; the Court ,said it was already answered.*)

Extracts from the Book read.

Judge Advocate. —“The first page in this Book is inscribed as follows:”

“A Journal, containing various Occurrences at Le Resouvenir, Demrary. “Commenced in March, 1817, by John Smith, Missionary.”

On page 3, under the date of “ *Sunday, March* 30, 1817.” “Preached “at seven in the morning, from the xcii Psalm, 1 and 2 verses. Mr. “Wray preached at eleven, from John v. verse 39. After which, we “called those, who had been formerly members, together. This was “considered the most proper time for settling all old quarrels; several “husbands and wives had separated; some were jealous, and complained “of being abused for reproving disorderly brethren; Jingo, in “particular, had a sad tale to tell; he had taken a wife on another “estate, and the manager had forbidden his going to see her. The “tale was too

long, therefore it was put off. Betty, Jingo's wife, came “to our house, and brought her husband with her. The examination “took place before myself, Mrs. S. and Mr. Wray. Jingo's wife “alledged, that her husband wanted another wife. Jingo said he found “his wife with another man. She said Jingo went with another woman. “It appeared they were both in fault; and, after an hour's talking, they “were re-married by Mr. Wray. They promised to live together again. “I hope they may. Betty can go to Jingo, though he cannot go to her. “missionary must, in many instances, act the part of a civil magistrate.”

5

Under the date of “ *Sunday, July* 6, 1817,” on page 12, stands the following passage:

“While at dinner, at half past three o'clock, Lucinda came with a “very sorrowful countenance,” and, having related the mischief done by a rat to her Bible, the Journal proceeds in the following manner:

“Lucinda is a member of the church, and much affected with the gospel. “She is an old woman, and, though her manager tells her not to “come to church, she tells him she will come, even if he cuts her throat “for it.” The next passage, “ *Friday, August* 8, 1817,” runs as follows:—“A great number of people at chapel; from Gen. xv. v. 1; having “passed over the latter part of chapter 13, containing a promise of “[deliverance from]” *(these words were legible, though the pen had been drawn through them)* “the land of Canaan. I was apprehensive that “the negroes might put such a construction upon it as I would not wish, “for I tell them, that *some* of the promises, &c. which are made to “Abraham and others, will apply to the Christian state. It is easier to “make a wrong impression on their minds than a right one.”

“ *August* 30 *th,* 1817,” page 16. “The negroes of Success have “complained to me lately of excessive labour, and very severe treatment. “I told one of their overseers, that I thought they would work “their people to death.”

September 13, 1817," page 17. "This evening a negro, belonging "to the [—] *(scratched out and illegible)* came to me, saying, the "manager was so cruel to him he could not bear it. According to the "man's account, some time back, (two or three years) he, With a few "others, made complaint of the same thing to the Fiscaal; on which "account, the manager has taken a great dislike to him, and scarcely "ever meets him, without cursing him as he passes by. The punishment, "which he inflicts upon him, dreadfully severe; for every little "thing he flogs him. I believe Ned to be a quiet harmless man. I "think he does his work very well. A manager told me himself, that "he had punished many negroes merely to spite Mr. Wray. I believe "the laws of justice, which relate to the negroes, are only known by "name here, for while I am writing this, the driver is flogging the people, "neither manager nor overseer near."

" *Monday Morning, June* 30, 1818." As follows:—"Having gone "through a regular course of preaching upon the Epistle to the Ephesians, "the First Epistle of Peter occurred to my mind, as being very "suitable in their present circumstances. The Apostle seems to have "written for the comfort of Christians, who were scattered and persecuted, "which is the case with our people. After seeking divine "direction in this matter, I felt a determination to pursue my plan; I "preached from 1 Peter, chap. i. verse 1. I suppose we had about "150 hearers. After service, I had some conversation with some of our "people upon the subject of my discourse."

" *Friday, July* 10 *th,* 1818." "This evening Emanuel and Bristol, "from Chateau Margo, came to make a complaint against Cuffee of "Success. They stated, that he had used some very abusive language "to Emanuel; I declined hearing the tale out until I can see Cuffee."

" *Sunday* , 19 *th July* , 1818. Many flying showers this morning; rain "fell pretty heavy.
I felt my spirit move within me at the prayer-meeting, 6 "by hearing one of the negroes praying, most affectionately, "that God would overrule the opposition which the planters make to "religion, for his own glory. In such an unaffected strain he breathed "out his pious

complaint, and descended to so many particulars of “the various arts, which are employed to keep them from the house “of God, and to punish them for their religion, that I could not help “thinking, that the time is not far distant, when the Lord will make it “manifest, by some signal judgment, that he has heard the cry of the “oppressed. Exodus, iii. v. 7 and 8.”

“ *March* 22, 1819. While writing this, my very heart flutters at “hearing the almost incessant cracking of the whip. Having just “finished reading Mr. Walker's Letters on the West Indies, I have “thought much of the treatment of the negroes, and, likewise, of the “state of their minds. It appears to me very probable, that ere long “they will resent the injuries done to them. t should think it my duty “to state my opinion, respecting this, to some of the rulers of the “colony, but am fearful, from the conduct of the Fiscaal, in this late “affair of the negroes being worked on Sundays, that they would be “more solicitous to silence me, by requiring me to criminate some individual, “than to redress the wrongs done to the slave, by diligently “watching the conduct of the planters themselves, and bringing them “to justice, (without the intervention of missionaries) when they detect “such abuses of the law as frequently take place.”

“17 *th November,* 1821. Yesterday evening we had not more than “fifty at the chapel; indeed, I cannot expect many more, till the coffee “and cotton are gathered in; the people have scarcely any time to eat “their food; they have none to cook it; eating, for the most part, raw “yellow plantains. This would be bearable for a time; but to work at “that rate, and to be perpetually flogged, astonishes me that they will “submit to it.”

“21 *st October* , 1822. Just returned from another fruitless journey, “have been for the answer to my petition, but was again told, by the “governor's secretary, that his excellency had not given any order upon “it, but that I might expect it to-morrow. I imagine the governor “knows not how to refuse, with any colour of reason, but is determined “to give me as much trouble as possible, in the hope that I shall weary “of applying, and so let it drop; but his puny opposition shall not succeed “in *that way* , nor in any other ultimately, if I can help it. O! “that this colony should be governed by a man, who sets his face “against

the moral and religious improvement of the negro slaves! “But he himself is a party concerned, and no doubt solicitous to perpetuate “the present cruel system; and to that end, probably, adopts “the common, though [most*] false notion, that the slaves must be kept “in brutal ignorance. Were the slaves generally enlightened, they must “and would be better treated.”

* Original “not.”

“10 *th November* , 1822. Jackey, of Dochfour, and Peter, of the Hope, “came into the house, evidently much depressed in mind, to relate “what they conceived an unexampled case of persecution. It was, in “brief, that their respective managers, under a show of friendly familiarity, 7 “accosted the Christian negroes with taunting jokes, on the “subject of religion, in presence of the heathen negroes, representing “that their profession was only hypocrisy, and, that a trifling consideration “would prevail with them to abandon it; for which reason, they “ought to be treated with scorn and contempt. By Diabolism, some of “these poor negroes had been provoked to adopt language in a manner “said to be disrespectful; and, for this insolence, they had been repeatedly “flogged and confined in the stocks!! The complainants “wanted to know what they were to do in such a case. I advised them “accordingly.”

“ *Monday,* 25 *th November,* 1822. Attended once more, for the last “time, for the answer to my petition. I think I may fairly conclude the “governor does not intend to give an answer. It would be, perhaps, “best to wait a few weeks, and, should no answer then be given, (and “the secretary's assistant promised to let me know in case any order “was upon it,) to write him upon the subject. Here, as in many other “cases. I feel the want of a christian friend and counsellor. We have “missionaries from the same Society, but, fortunately for the colony, “though unfortunately for the cause of religion and just rights, the “governor and the court have bought them, the one for 100 joes, the “other for 1200 guilders per annum.”

“23 *d May* , 1823. Finding it necessary for my health to take more “exercise than I have been accustomed to do, I have not had time to “continue my Journal, as I could have wished; besides, the uncomfortable “state of my health, has disinclined me for writing: but, as it “appears to me that serious evils are likely to result from the measures “which the governor is adopting, respecting the slaves attending chapel, “I think it will not be amiss to note down such circumstances as may “come to my knowledge.”

“While at breakfast this morning, I received a communication from “the burgher captain, inclosing a printed circular from the governor, “containing, on one side, an extract from a letter of Lord Liverpool “to Governor Bentinck, dated 15th October, 1811; and, on the other “side, a command written by the colonial secretary, in the name of “Governor Murray, explaining it to their own taste. The substance “of this communication is to persuade the planters, not to allow the “slaves to attend chapel on Sunday, without a pass; and, in an indirect “manner, not to allow them to come at all in the evening; and even on “a Sunday to send an overseer with the slaves, as judges of the doctrine “we preach. The circular appears to me designed to throw an “impediment in the way of the slaves receiving instruction, under “colour of a desire to meet the wishes or rather comply with the commands “of his Majesty's Government. (See the circular amongst other “government papers.”)

“9 *th June,* 1823. Several whites were present, professedly as spies.”

“22 *d June,* 1823. Isaac of Triumph came in to ask, whether the “governor's new law, as he called it, forbid the slaves meeting together “on the estates to which they belonged, in an evening, for the purpose “of learning the catechism. Their manager, he said, had threatened ‘to punish them, if they held any meeting. I informed him, that the “law gave the manager no such power, and that it had nothing to do 8 “with that subject; still I advised him to give it up, rather than give “offence and be punished; and to take care to ask for their passes “early on Sunday morning, and come to the chapel to be catechised.”

“7 *th July,* 1823. Mr. Elliott has just left our house; he came “merely to see us, which I regard as a kindness. I was glad to hear “he had, at length, commenced evening preaching, once a week, on the “coast, on a Thursday evening. It appears the same impediments “are thrown in the way of instructing the negroes on the west coast, “as on the east; and it will be so as long as the present system prevails, “or, rather, exists.”

“15 *th July,* 1823. Mrs. De Florimont, and her two daughters, “called to take leave of us; they are going to Holland. Mrs. De Florimont “says, she is uncertain as to their return to the colony. Hamilton “the manager came in with them. His conversation immediately “turned upon the new regulations, which are expected to be in force. “He declared, that if he was prevented flogging the women, he would “keep them in solitary confinement, without food, if they were not “punctual with their work. He, however, comforted himself in the “belief, that the project of Mr. Canning will never be carried into “effect, and in this I certainly agree with him. The rigours of negro-slavery, “I believe, can never be mitigated: the system must be “abolished.”

“18 *th August* , 1823. Early this morning I went to town, to consult “Dr. Robson on the state of my health.”

Mr. Bond *called and sworn.*

What is your name?—Edmund Bond.

Where do you reside?—In New Amsterdam, Berbice.

You work in Berbice in several places?—I have no settled domicilium. I work as a carpenter in several places.

Did you ever work at plantation Profit?—I did.

Where is plantation Profit situated?—The last estate in Berbice, coming to Demerara.

What time was it that you worked upon that estate?—I cannot say; I believe about this month last year.

Look at the Prisoner; do you recollect having seen him?—I do, sir.

Can you state where and when?—It was upon plantation Profit this month last year.

Did any conversation take place between yourself, the Prisoner, and other gentlemen present there?—Yes.

Who were there?—Mr. Hutchinson, Mr. M'Watt, the Prisoner, and myself. I cannot recollect the conversation; it was generally about slavery.

Do you recollect nothing else?—I cannot remember word for word.

State the meaning.—Mr. Smith said, that negroes would do as well in the West Indies without white people. He made some allusion to Saint Domingo; what it was I forget. The answer I made I recollect, which was, did he want another such scene here as had taken place in Saint Domingo? I do not recollect his answer, nor yet the substance of it, but Mr. Smith appeared to be confounded.

[*Prisoner waived his right of cross-examination.*]

9

By leave of the Court, the Prisoner *afterwards asked these Questions:*

Did the Prisoner, in his conversation, say nothing about missionaries? —I do not remember.

Do you not recollect Mr. Hutchinson saying, that times were so bad, that they, the whites, would have to sell off, and go home; but what would become of the poor negroes? And

was it not this remark that gave rise to my observation, that they would do as well without the whites?—I do not recollect.

Mr. M'Watt *called and sworn.*

What is your name?—William M'Watt.

Where do you reside?—On plantation Helena.

Have you any occupation on that estate?—I am overseer.

Are you acquainted with Mr. Hutchinson, on plantation Profit?—Yes.

Look at the Prisoner, do you know him?—I have seen him before.

When did you see him?—I do not recollect the time; it may be twelve or fourteen months ago. Mr. Hutchinson and Mr. Bond were there, when I saw the prisoner. There was a good deal of conversation about the treatment of the slaves; the prisoner said a good deal about the cruel manner in which they were treated; and thought this country would do as well without whites at all. I replied to him at that time, that I thought the slaves were much happier than some of the working-classes at home. I also mentioned, that they were well attended in sickness, a privilege, that a number of working-people did not enjoy, at home. Prisoner then mentioned, that they would not better their situation, until something took place, such as had been done in St. Domingo. Mr. Bond then replied, would he wish to see such scenes as had taken place there? the Prisoner said, he thought that would be prevented by the missionaries.

Cross-examined by Prisoner.

Do you remember who commenced the conversation alluded to?—No.

Did I commence it?—I cannot exactly say.

Do you not remember that Mr. Hutchinson said, he regretted his inability, from the badness of the times, to subscribe to Mr. Wray's new chapel in Berbice?—No.

Do you not recollect Mr. Hutchinson saying that times were so bad that the whites would have to sell off, and go home?—No.

You say that I stated that such a scene as the one in St. Domingo, would be prevented by the missionaries; did I not, at the same time, say that the effects of the gospel would prevent such scenes?—I do not recollect.

THIRD DAY, 15 th OCTOBER, 1823.*

* William Young Playter was duly sworn, to interpret faithfully and truly.

Azor, *a Negro Slave, belonging to Plantation Vryheid's Lust.*

Is a christian; understands the nature of an oath, which was administered. B

10

What is your name?—Azor.

Belongs to Van Cooten; is a member of Bethel Chapel, Plantation Le Resouvenir; and sits round the table and takes the sacrament.

How many classes are in that chapel?—Only two or three of black, and some coloured ladies.

How many sorts or kinds of members are there?—Deacons head of all; no one under the deacons. Romeo is the first of deacons. The duty of a deacon is to hand the cup and plate, and to receive those who came to be baptized. They have no other duties. They meet on the first Sunday of the month, after service in the morning, at ten o'clock; and after service at two o'clock. The parson is present with the deacons. When the church

breaks off, they come together; and take sacrament, sing psalms, and break off, each throwing up two bitts. There are four deacons. Quamina, of Success, one; Bristol, of Chateau Margo, two; Seaton, of Success, three; Jason, of Better Hope, four; he is free. Jack, of Success, is not a member; Jack teaches creoles, and so do plenty. Mr. Smith makes them teachers; he communicates with them, to know whether they teaches good or not. They meet upon their own estates; teachers do not meet in the same manner as the deacons. The deacons meet once in the morning, again at ten; and they break off at two. First service is called “morning prayer,” in which they sing hymns and read. It is called prayer, because it is not plenty like noon, (*i. e.* not so many people, as at noon.) The two deacons pray in the morning; first, Quamina prays; second, Bristol; sometimes, next Sunday, Jason, sometimes Seaton. The praying is aloud. Every body is admitted at these prayers. White persons are admitted to come, if they please; they are not prevented. The doors were open at the time of morning prayer from 7 to 9; they remain open, and are open at the time the deacons pray. I know the prisoner; his name is Smith, and he is a parson. He is the parson of Bethel Chapel. He reads and explains passages from the Bible at all times. In the morning, he explains about David and Moses; in the noon, he explains about the text. About Saul drove David in the bush, because if he went into the house he would get trouble; and about the children of Israel in the Red Sea. David was to get trouble himself, Prisoner said something about Sunday; I heard him say that God keeps the sabbath-day holy; and that this country was a very wicked country; in England they were all free, and they all kept the sabbath-day. It was hard to work on the sabbath-day, except in the case of fire and water and coker-breaking. If half a row was left in the field, it was not fit to be worked on the sabbath-day. I was going to have said, that Moses took the children of Israel and carried them through the Red Sea; then Pharaoh gathered the soldiers and went after them to bring them back; and the Lord made darkness and thunder between the king of Israel and Moses, and when Moses had gotten over with the children of Israel, Pharoah was drowned in the sea, and Moses built a temple and prayed to God.

By the Prisoner.

Can you read?—Very little.

Are you sure Seaton is a deacon?—Yes, sir.

11

Did no one else besides the deacons pray at the morning service?—Yes, many.

Did you yourself ever see Mr. Smith with the teachers of the catechism, whilst they were teaching?—Yes, sir.

Where did the teachers of the catechism teach it, when Mr. Smith was present?—In the church.

Were the doors of the chapel open on such occasions?—Yes.

Could any white people go there, at that time, or occasion, if they liked?—Yes, sir.

What do you mean by the deacons meeting on the first Sunday in every month, after service at ten, and after service at two?—They meet to prayer, and teaching one another.

Were there any other meetings than those for the purposes of prayer or divine service?—No, sir.

Were these meetings private or public?—Public.

Where was the Prisoner when he explained about David and Moses?—In the little pulpit.

Where was the Prisoner when he explained the texts?—In the top pulpit.

When the Prisoner talked to or explained to you about the children of Israel, did he tell you, that the state or situation of the negroes was like to that of the children of Israel?—No.

Did not the Prisoner always advise the negroes from the pulpit, and otherwise, to do their own work, and obey their masters and all in authority under them?—Yes.

When the Prisoner talked to you about finishing half a row on a Sunday, did he not tell you that it was not right to finish it on a Sunday?—He did not tell us not to finish it on a Sunday, but, only, that it was not right; he told it to more besides myself.

What else did he tell you, about finishing the half row?—He called up all the members and asked them where they had been; those members, who were not in their places, when they came next Sunday he asked them where they had been; some say they had been working half row, the others said, managers gave them work; Mr. Smith said, they were fools for working on Sunday, for the sake of a few lashes.

Did he tell the negroes any thing else about finishing the half row, than what you have stated?—No, Sir.

What other negroes were present when this conversation about the one half row took place?—All the different estates negroes had met up together.

Will you state the names of some of them that were in hearing?—Some members of Endragt, some from Postlethwaite's.

Do you know the name of one?—One is a driver, he is from Postlethwaite's, I do not know his name.

Was any thing said about finishing the half row in the working days?—No.

Was the driver from Postlethwaite's in hearing at this conversation concerning the half row?—Yes. B2

By the Court.

Have you heard the Prisoner speak more than once about Pharaoh and Moses?—Yes, more than one time.

How often?—More than four or five times.

Did the deacons ever meet separately from the rest?—That I cannot tell.

Romeo, *of Le Resouvenir, called and sworn. Examined by the* Judge-Advocate.

My name is Romeo, I belong to Le Resouvenir; I am a member of Bethel chapel on Le Resouvenir, Mr. Smith is the parson of that chapel, the Prisoner is the Mr. Smith I mean; I am a deacon of that chapel; deacons teach the catechism or so (*i. e.* the like.)

Do the deacons ever meet separate from the rest?—We, the deacons, do not meet by ourselves, but in the chapel, along with the members, and others.

How many deacons are there to the chapel?—I dare say plenty; I have not counted them.

Can you name any?—Head deacon is Quamina, of Success; Bristol, of Chateau Margo; Old Jason, of Mr. Van Cooten; Jackey, of Mr. Reid; Telemachus, of Bachelor's Adventure: Billy lives in town. They are deacons to look over the church; Bill belonged to Mr. Rogers; I dare say he is free now; there are more deacons, but I forget.

Is Jack, Quamina's son, a deacon?—No, his father is; he is a wild fellow; sometimes don't go for two months; sometimes he teaches the catechism; he is not a regular teacher. Mr. Wray made me a deacon, Mr. Smith made the other ones, Mr. Smith appoints the teachers. Divine service is performed twice in the chapel on a Sunday, 7 o'clock and 11 o'clock. In the morning he reads in the old testament, then he prays, then he begins to teach. He begins from Genesis until he goes through. He read in II. Kings the last time I heard him; but I can't recollect the chapter. Every body is admitted to morning prayers.

The Prisoner does not pray alone, in the morning service; he takes two of the negroes, the members, and makes them pray first; and then the Prisoner prays afterwards; the prayers aloud. The doors are open during these prayers. Witness remembers the beginning of the revolt; it began one Monday night. The witness was at church the Sunday before the revolt. Prisoner preached from the 19th chapter of St. Luke, beginning 41st and 42d verses. The first was, “when Jesus came near the city, he wept over it;” does not remember the discourse. I saw Mr. Smith after church on the Sunday, in his own house; I cannot recollect I saw him on Monday; I saw him on Tuesday, I went in the evening to visit him; seeing the negroes were making great noise, and my heart was uneasy, I bid him good night, and he answered me good night, and asked me if I had seen Quamina or Bristol; I replied, No; he made answer, they are afraid to come to me now, and said, I wish I could see any one of them. He preached about working on a Sunday; he said, if the water-dam break be sure you must attend to your master's duty, or in case of fire; if they force you to do it, do it, and your master must answer for it; you must not grieve and be angry, but comply and do it. If any christian suffered 13 murder, or allowed thievery, that was bad also: he said, all the words in the Bible were true, and he preached very true too.

Cross-examined by the Prisoner.

Where was the Prisoner when he spoke about working on a Sunday?—In the church.

What kind of work was it that the Prisoner told you you were to do on a Sunday, if your masters forced you?—Any work; but if he does not give you work, attend the church regularly.

Do the deacons ever stay with Mr. Smith after the people are gone?—Some stay, when they have collected the money for the Missionary Society.

Are the doors of the chapel ever closed when any service is performing, or the deacons assembled therein?—No, the doors are shut only during the ordinance of the Lord's Supper, but not at any other time.

Can you read?—Yes, I can read.

Did you ever hear Mr. Smith reproach the members for being absent on a Sunday, and if so, what did he say?—Yes, he said, some go walking for pleasure, and spend their time idly; some go to market, some to back dam, and leave the church, and that was not christian-like, because God made the heavens and the earth in six days, but the seventh day was to be kept holy, that is the whole.

Did Mr. Smith say any thing else relating to working on Sundays?—No, I did not hear any thing else.

Is every one of the doors of the chapel shut during the ordinance of the Lord's Supper?—Yes.

FOURTH DAY, 16 th OCTOBER, 1823.

By the Court.

Upon the request of Captain Appelius, Romeo re-called, reminded that he is upon oath.

You have stated you were present when Mr. Smith reproached the negroes for not coming to church on Sunday, did you hear Mr. Smith tell the negroes, that they must not mind for a few lashes?—No, I did not hear him say so; he said, if their masters gave them work, to do it patiently; and if their masters punished them wrongfully, they must not grieve for it.

Have the deacons any separate meetings for the purpose of teaching the negroes, in the chapel, in their houses, or any where else?—On my master's estate, we meet sometimes;

but, since I have been lame, I have not been accustomed to do so, but have sent all the people to Mr. Smith; I do not know as to the other estates.

Were these meetings sanctioned by Mr. Smith, or did he ever attend them?—He knew of them, and said they were good, but I never saw him there.

Was you ever directed by Mr. Smith to explain his sermon to the people?—Yes, to those that did not understand it.

Was this often, or always the case?—Always.

14

Did you explain the text and the sermon preached on the Sunday before the revolt broke out?—Yes, sir.

State to the Court the explanation you gave of the text and sermon preached on the Sunday before the revolt?—On the Sunday before the revolt I did not explain the sermon. The negroes said, that Mr. Smith was making them fools; they said this in my presence, and there were many present. I heard them say, that he would not deny his own colour for sake of black people; these words grieved me, and I went away straight along; you see he teaches the people, and that was the reason I was grieved.

What text was it on the Sunday before?—Third chapter Revelations, 3d verse.

State what explanation you gave of this.—That some of the members of the Mahaica side were going to Essequibo. What you do know hold fast; God is not slack in his promises, as some men are to forgive you. I know you have some children to be instructed, that wherever they go they may not forget God; because, when they go to some strange places, they will throw away their christianity. My explanation was, if you deceive God, God will set a curse upon you and your children. I spoke no more.

Did the prisoner ever point out to you particular chapters in the Bible for you to teach?—No, sir, only the catechism. Mr. Smith never instructed me, or troubled himself about me, it was Mr. Wray.

The Negro Joe *called and sworn. Examined by the* Judge-Advocate.

What is your name?—My name is Joe, I belong to Success estate; I attend Bethel chapel, on plantation Le Resouvenir; Mr. Smith, the prisoner, preaches in that chapel. A disturbance took place on the coast, where I reside, amongst the negroes, some time back. I know Quamina, of Success; he was my brother, he was engaged in that disturbance.

What was the nature of that disturbance?—The people rose up, and put the managers and overseers in the stocks.

When did this disturbance take place?—It took place between five and six o'clock in the afternoon, on a Monday; it is about nine weeks since, by my reckoning.

Were you at Bethel chapel the day before that revolt began?—Yes, I was.

Do you recollect what the text was?—I do not recollect the text; there are some words in the chapter which I know.

State them.—He, the parson, said, “the Lord Jesus Christ sent a disciple to a village, and you will see a colt tied there, bring it unto me; and if the master of the colt should ask you what you are going to do with it, you shall say, the Lord has need of it; and they brought it to the Lord, and laid some cloth or raiment on it, and he rode it to Jerusalem: he rode it upon top of a mountain, where he could see Jerusalem all over, and he wept over Jerusalem, and he said, if they had known their peace, i.e. if they knew what belonged to them, they would believe in him. Now that trouble would come upon them;” so far I can make out.

Can you remember nothing more of this sermon?—No, I cannot.

15

By the Prisoner.

Were the words you mention as spoken by the Prisoner, read from a book, or Bible?—He read them from the Bible.

By the Court.

Where is Quamina now?—He was shot; I hear that he is gibbetted; I have not seen him.

Do you reside at or near the chapel, or do you only attend it for the purpose of divine service?—I go only once of a Sunday; I reside at Success, about 1½ mile from the chapel; I generally attend chapel every Sunday, at nine or ten o'clock, as my owners' duties would permit me.

Did Quamina, as a deacon of Bethel chapel, ever explain to you any text or chapter preached by Mr. Smith?—Sometimes.

Manuel *called and sworn. Examined by the* Judge-Advocate.

My name is Manuel, I belong to Chateau Margo. I know the Prisoner, he is the parson who preaches among us; I am a member of Bethel chapel, plantation Le Resouvenir; I am not a deacon; I am not a teacher; I cannot read.

Do you attend morning prayers on a Sunday in the chapel?—I go there.

What does the Prisoner read during morning prayers?—He reads a chapter about Moses sometimes.

What did he say about Moses?—When Moses was born in Gybbisher, (meaning Egypt) *i. e.* that place where Pharaoh was king.

What happened then when Moses was born?—When he was born the king gave orders if any boy child was born, he should put him to death; if it was a girl child, to let her live: after that Moses was about three weeks old, they took and put him in a small box, and they put him in a river where the king's daughter was washing.

Let the witness answer me, whether any thing was read about Moses, and the children of Israel?—God commanded Moses to take the children of Israel into the land of Canaan.

Was it told you why God so commanded Moses?—That was, because God did not wish that they should be made slaves.

Did he read to you how God did take them out of Egypt?—God gave Moses a painted rod to make the king afraid. God commanded Moses, that if the king's heart was hardened, Moses should say to the king, what is the reason you can't take God's advice. After that the king gave up Moses, and let them go in the promised land. After that the king wanted to follow them again, to bring them back, and then the king was drowned in there, in the sea; only so far I have tried.

Did he read any thing else about Moses?—Yes, he read something after the death of Moses.

Did he read Joshua?—Yes.

Can you recollect any particular chapter of Joshua?—No, I cannot recollect.

Did he read any thing about David?—Yes.

What did he read about him?—About God calling Samuel to make 16 him rule the people; and after that they wanted the king Samuel to speak to them, and after to rule them; and

Samuel told them to believe in the Lord, that he was the king; and God sent and put words in Samuel's mouth, and said, look at Saul, the son of Kish, and put him to be ruler over the people of Israel.

What I wish you to state is, what he said about David; did he read that part to you when David ran away from Saul?—Yes.

What?—David ran away from Saul into the town where Goliah was born, and by David's discourse they discovered he was the man that killed Goliah; and they asked David whether it was not he who killed Goliah; he feigned mad, and went into the bush.

Did he tell you why he went into the bush?—Because he was afraid to put another man into trouble.

How was he afraid to put another man into trouble?—I can't say, he told me no more than that.

Did any revolt take place upon the coast where you live, a short time ago?—Yes, sir.

How long is that ago?—Better than two months.

On what day did the war break out?—On a Monday night.

Do you recollect the Sunday immediately preceding the Monday when the revolt broke out?—Yes.

Were you in Bethel chapel on that day?—Yes.

Do you remember the text?—Yes.

What was the text?—Jesus came out, he stooped down and looked, and weeped, and wept.

On what did he look down?—On the city.

Why did he weep?—He said this city shall be destroyed this day, meaning Jerusalem.

Why was the city of Jerusalem to be destroyed?—Because they did not believe in God, that made Jesus Christ speak this word.

Do you know a negro named Quamina, of Success?—Yes.

Did you ever go with Quamina to the Prisoner's house?—Yes.

Do you recollect the last time you went with Quamina to Mr. Smith?—Yes.

Can you state when it was?—It was three Sundays before this war came.

Did any conversation take place between Quamina and Mr. Smith and yourself on that day?—Yes.

What was the conversation about?—Jack came to me one night and told me a paper had come for us about freedom. I asked Jack if he had the paper in his hand ready? Jack said no, he had not got it, but would get it. I came to Quamina and said, what is this that Jack has been telling me about a paper of freedom? and asked him if he knew any thing about it. He said no, he could not tell me yet. I told him he had better ask the parson, and he would know better about it. Quamina said, I don't believe he will tell you. I said, never mind, ask him nevertheless. I begged Quamina, if he was going, to let me go with him; Quamina said yes, follow me. I went into the parson's kitchen, to get water to drink; Quamina went into the room before me; Quamina asked the parson and said, I understand Mr. Stewart and Mr. Cort came here on Friday. Quamina asked what they came for; the parson said, they came to ask 17 if any negro ever came to ask him, the parson, about this paper; he said yes, Quamina had come to ask him, and he told him, Quamina, as far as he could. Parson said, he wanted to read the paper to the negroes inside the chapel; but Mr.

Cort told him not to do it. Mr. Cort said, he wanted to read it to the Success people, but he was afraid of the governor. The Prisoner told Quamina, that Mr. Cort and Mr. Stewart had given Quamina and the Success people a very good character; that Seaton was of good service on the estate, in teaching the people; after this, Mr. Smith told Quamina that there was no freedom in the paper at all, and that their masters could not afford to lose so much money as to let them all go free, and told Quamina there was no freedom in the paper at all. He told them to have patience, if any good was come out, it was come for the women; because the drivers were not to carry whips in the field any longer. I do not remember any more; but it is upon paper, taken down by Mr. Smith and Cort.

Did the parson say any thing about Jack and Joseph?—Quamina told Mr. Smith to take Jack and Joseph, and talk to them. Mr. Smith agreed to take them after chapel; and after one o'clock he did take them; I cannot tell what he did tell. After chapel I went to Jack, and asked what Mr. Smith had told him.

When Quamina told Mr. Smith to take Jack and Joseph and talk to them, what was he to talk to them about?—Quamina told the parson, in my hearing, that Jack and Joseph wanted to make some trouble about this affair, and to make a push for it; and for that reason he advised the parson to speak to them.

Who is Jack, and who is Joseph?—Jack lives at Success, he is the son of Quamina; Joseph is of Bachelor's Adventure, he is a teacher and member of the church; Jack is only baptized; he teaches in the chapel, and sometimes he teaches in their place, (*i. e.* their homes.)

Were you allowed to work in your own grounds on Sunday?—No, Mr. Smith did not allow that.

If you did work in your own grounds, or went to market on Sunday, did the parson reproach you for it?—I never been guilty to go to market or negro grounds.

Did you never hear the negroes say that something did not please them?—No, only so far that I heard them saying, that since Sundays was taken to serve God, they ought to have Saturday to work their grounds, or even the afternoon of Saturday.

Did you never hear of this revolt long time ago?—No, about a month and half ago, before it.

What did you hear about this war?—Jack told me about the paper of freedom I spoke to the Court about already.

Do you know what has become of Quamina?—I hear he was shot in the bush; I hear they bring him home, and chain him in the middle walk.

Did you ever hear the parson speak about working on Sundays?—If your master has any work for you to do on Sunday, it is your duty to tell him that Sunday is God's day; he said, if dam broke on Sunday, it was our duty to go and stop it; if the boat got on sand-bank on Sunday, it was their duty to shove it off; and if people got drunk on Sunday, it was right of their masters to give them work, to prevent them walking about and doing mischief. C

18

Did any one disclose to you the time that the revolt was to break out? —O yes, plenty of the people from Mahaica side, in the middle walk of Success. The whole congregation was there. I heard Jack Paris, Quamina, and them. Quamina said, you must put down your shovel, your hoe, and your cutlass, and set down. He asked if that was not the right way, and they said yes. After then, I heard Paris say, it would be better for us to take guns to guard ourselves; when I heard that, I told Quamina he had better go to the parson and tell him, for it was not good; and Quamina went away from them, with Bristol, the deacon. About four o'clock in the afternoon of the Sunday before the war began, Bristol came back; he took two bitts, and gave to a man; I don't know his name, he belongs to Vigilance, his

son is in the barracks; he told him to run and tell Joseph he must take care not to do any thing, to take away buckra gun.

In what direction did Quamina and Bristol go?—I saw him go on the path towards Mr. Smith's.

How long was it before Bristol came back?—About five o'clock; *he said, Mr. Smith said it was wrong, and they were not to do any such a thing.*

By the Prisoner.

What day was it that you and Quamina went to the parson's house?—On a Sunday.

Did the parson say nothing else than what you have stated about working on a Sunday?—He said, if any members of the church has work given to him by his master, he, the parson, won't say any thing; but that if any member of the church did any work of his own accord on a Sunday, he should not be allowed to sit among them as a member; and he would not settle that till after a month, *i. e.* he would exclude him from chapel for a month.

Did not many of the members go to work their grounds on a Sunday, and go to market?—Enough of them did.

Were those that did so excluded from the chapel?—No, sir.

Were they suspended from the communion?—They were not allowed to take it that day, but might the next.

Whom did the Prisoner tell to say to their masters that Sunday was God's day, and they were not to work on it?—I don't know.

Who was present when the parson said, if your master had any work for you to do on Sunday, it is your duty to tell him that Sunday is God's day?—Joe, Jack of Dochfour, Bristol, and Bill.

Was it once or often that the parson told you, that if your master had any work for you to do on a Sunday, it is your duty to tell him that Sunday is God's day?—Often.

How long ago was it that you heard the negroes say, that if Sunday was to be taken for the service of God, they ought to have Saturday, or even the afternoon?—About two years ago.

FIFTH DAY, 17 th OCTOBER, 1823.

Examination of Manuel *continued. By the* Court.

You have said that the Prisoner, in the morning service, read about Joshua, Moses, and David; did he read about any one else?—Yes, but I 19 can't remember the names, *(afterwards witness said)* Elijah; there were plenty of chapters and plenty of names, but I do not remember them.

Do you mean to say that the Prisoner read only the Old Testament?—Formerly, about two years past, he read in the New Testament; but since, he has read only in the Old.

Did he read it straight through, or did he pass any passages over?—He read it regularly through, but had not finished it through when the war began.

Did you ever see any whites at morning prayer?—No, *some coloured people only.*

Where was the Prisoner when you and Quamina went to him to speak to him?—Quite up in the top story of his own house, the place where he writes.

Was the door of the room shut or open?—It was shut; always when we go in there the door is shut; *always when he is there alone the door is shut.*

Was the room-door shut at the time you and the Prisoner and Quamina were in the room?—The door was shut.

Did you ever hear any of the deacons explain the texts and sermons?—Yes, Romeo, and other deacons, or members.

Did you hear all the conversation that passed at that time between Mr. Smith and Quamina?—Yes.

Bristol called and sworn.

Examined by the Judge-Advocate.

My name is Bristol, I belong to Chateau Margo; I know the Prisoner, he is Mr. Smith; I am a member of Le Resouvenoir chapel; I am a deacon: my duty as a deacon is, when the people come to be baptized, I am to see them, and carry them to Mr. Smith; when I carry them he desires me to call Quamina, and show him them too; to teach them to read, and teach them the catechism too; to ask them if they understand what it is to be baptized; then the other two deacons are to discourse with them, and when we have done with them, to carry them back to Mr. Smith, and then he discourses with them again. After discoursing with them, if they are fit to be baptized, he himself puts down their names, such and such people, from such an estate, to be baptized at such a time; and when that time is up, he baptizes them; when those that have been baptized six months before, become members of the church. When they come to ask to be made members, the deacons carry them to Mr. Smith; when we carry them, then he says, take them and discourse with them; when we have done with them, we carry them back to Mr. Smith again; he then discourses with them; then he tells us, that such and such people, from such estate, are to be admitted as members into the church; then at the church meeting

they come and sit a little way off from the rest of the members; then one of the members, or one of the deacons, get up and speak, and say, such a brother, or such a sister, (according to the sex) will you receive him, or her, into the church? at least Mr. Smith puts the question to the deacons or the members, saying, you know such an one, and must speak for him, for I have discoursed with him, and find that he has a good understanding; then C 2 20 one of us gets up and says, brethren, there is such a person to be admitted among us to-day as a member; then one gets up and speaks, that the person is one with whom no fault has been found, and if any member of his own estate is there, he gets up, and speaks too; then Mr. Smith gets up and says, if you all receive him as a member, you will hold up your right hands, and they hold them up; then Mr. Smith calls him, or whoever it is, and shakes his hand, saying, I receive you as a member of this church, and all the brethren and sisters receive him in the same way; that is one part of the duty relating to me as a deacon of the church.

Have you, as a deacon of the church, any duty relating to the other members of the church?—Yes, of a Sunday, to see about the church, whoever makes any noise, and to keep all the people as quiet as I can.

This is not what I want; I want to know whether it is a part of his duty to look after the conduct of the negroes upon other estates, and to report it to Mr. Smith?—Yes.

Have you any duties to perform with regard to the Communion, and what are they?—Yes, to hand the wine and bread round to the brothers and sisters.

Have you any duty with regard to collecting money, in or out of the church?—Yes, we collect in the church, but none otherwise.

What is the money for which you collect in the church?—To buy the wine.

What did you say about ever since Mr. Wray was here?—He was the first that gave the Ordinance here, and he left directions for throwing up the money in that manner.

What was the amount that each was to throw up?—Those who could afford threw up two bitts; who could not, one bitt.

Is this money paid every week, or only at stated times?—Only when the Ordinance is administered.

How often is the Ordinance administered?—Every four Sundays.

Do all throw up the money, or only those that take Communion?—Only those who take it, and not all of them, for some of them are not able.

Do those negroes that come to church, and do not take the Communion, do they throw up?—Not all of them; they throw up another time; but only those that understand that the money is thrown up for the Missionary Society.

If a member of the church cannot pay his two bitts, is he still allowed to come to the table?—Yes.

Is there a fixed sum stated to be paid by each member, or does each pay what he likes?—Each pays what he likes.

Is any means employed to force the members to pay this money?—No.

Did you see any members of the church pay for psalm-books, bibles, and catechisms?

(Here the Prisoner put in the following objection:)—"I am not tried for obtaining money under fraudulent pretences, and therefore object to this question, as being wholly irrelevant.

Court *advised.*

The Court conceives the objection quite inadmissible:

I have seen the members of the church pay for psalm-books, catechism-books, bibles, and other books.

Do you know whether any other support was given by the members?—Yes, fowls, yams.

To whom were they given?—To Mrs. Smith.

Who is Mrs. Smith?—The lady of the Prisoner.

Were these in lieu of money?—No, they carry them as presents, to be eaten.

Does the Prisoner always sell, and never give his bibles to the people?—A few are given as presents.

You told us that one of your duties was to superintend the conduct of negroes on other estates, and to report same to Mr. Smith; what consequence follows this report?—If he is a member, he prevents him from sitting at the table; but if he is only a Christian, they don't do him any thing.

Who is the head deacon at Bethel chapel?—Quamina, Jack's father, of Success.

Who follows after Quamina?—Jason, once of Better Hope, but now free, I believe.

Is Jason a young or old man?—Old man.

What place have you among the deacons?—Seaton holds before me; he is third, I am the fourth.

Does Jason still officiate as deacon?—Yes.

Where does Jason live?—With his daughter, in front of Turkeyn, Mr. Benney's estate.

Did the deacons have signs to know one another without speaking?—No.

You told us that when a member was proposed for admission, one of the deacons were appointed to discourse with him; what was the meaning of discoursing with him?—To ask if he knew the meaning of coming to the Ordinance.

If they do not know that meaning, are you empowered by the Prisoner to make them understand it?—Yes.

By whom are the deacons appointed?—The oldest deacons, Quamina and Jason, by Mr. Wray; Seaton and self by Mr. Smith.

Do the deacons ever meet separately before or after the church, or otherwise?—They do not meet separately.

When the morning prayers, and when the service at noon is done, do the deacons remain by themselves with the parson?—Yes, sometimes we stop in the chapel.

Do they stop after every other person is gone away?—Yes; when we stop, it is for the purpose of going into the house to reckon up money; some of the members stop besides.

What money is it that they stop to count?—The money for the Missionary Society; I mean the same I have already mentioned to the Court.

Did you ever explain any text or sermon preached by the Prisoner?—Yes; on my own estate.

Do you do so with the sanction of the Prisoner?—I don't know.

Did he tell you to do so?—He told me to catechise them, but did not tell me to explain his texts or sermon.

If the Prisoner has any thing to tell to the members of the church, does the Prisoner communicate with the people by himself, or through the deacons or members of the church?—He does it through himself.

How many deacons are in Bethel Chapel?—There are four; Quamina, Jason, Seaton, and Bristol.

Are there no more than four?—No more.

Is not Telemachus a Deacon?—No.

Is Jack of Success, son of Quamina, not a deacon?—No; he only teaches in the church sometimes.

How many teachers are there in the church?—I can't say how many, but on almost every estate is one; Romeo on plantation Le Resouvenir; Seaton at Success; a lad at Chateau Margo can read, and teaches the catechism; on La Bonne Intention, a lad called David; on Baron Van Grovestin's estate, a lad called Cornelis (Cornelius,) but on the other estates I don't go. I don't know the people except I see them in chapel, except Jackey Reed of Dochfour.

Is Jackey Reed a teacher on Dochfour?—Yes.

Who was the teacher on plantation Friendship?—A man they called Luke, I believe.

Who was the teacher on Bachelor's Adventure?—Telemachus.

Was he the only one?—Two or three more, Joseph and Prince, I dare say they teach also.

Who on Nonpareil?—Sandy; I know only those.

Do you know Paul of Friendship?—Yes.

Was he not also a teacher?—I can't tell, because I never was on the estate when they were teaching; I know Luke only.

Do you know the duty of a teacher?—Yes.

What is it?—To teach the people their catechism. I am commanded to teach the catechism.

Are the teachers appointed by Mr. Smith?—No, on my own estate I appoint them.

After you have appointed them, do you not report them to Mr. Smith?—Yes, he asked me who teaches, and I tell him.

How often is divine, service performed in Bethel chapel a day?—Twice.

At what hours?—Is the morning, a little before seven. The second service begins about twelve.

What do you call the morning prayer?—The first.

What service is performed during that morning prayer?—When first Mr. Smith goes in, he gives out a hymn; then one of the members or a deacon pray, then sing another hymn, then one more prayer after the other, then reads a chapter. He reads about Moses. I heard him read about Moses and the children of Israel, and so forth.

Do the deacons, when they pray, pray aloud?—Yes.

Are the prayers from heart or learned before, and only recited?— From our hearts, we do not learn them out of a book.

How many deacons pray in the morning?—Sometimes I pray, sometimes one of the others, sometimes a member.

Does the prisoner pray?—Yes, the last.

What was it he read about Moses and the children of Israel?—He said the time when the children of Israel was with King Pharoah, that Moses 23 went to deliver them from the hands of Pharoah, and carry them to the promised land, and before they went to the promised land Moses died.

Was it also read to you why Moses went to deliver the children of Israel?—Yes, because they were slaves under Pharoah.

Did he read Exodus to you?—Yes.

Did he read Joshua to you?—Yes.

Do you recollect any particular chapter from Exodus?—No.

Do you recollect the purport of any chapter?—No.

Do you recollect any thing from Joshua?—Joshua was the person who led the children of Israel after Moses was dead.

Was there any service performed in Bethel chapel besides on Sundays?—Once in a week besides Sunday.

On what day is that?—Thursday.

Is there no other night service but on Thursday?—Only on Thursday.

Did you ever see any whites at the morning service on a Sunday?—No.

Were they prevented?—No.

Were the doors shut during morning service?—No, the doors and windows were open.

Did you ever hear the Prisoner at prayer-meeting, or otherwise, say any thing about the treatment of the slaves?—Yes, sometimes when the people come to complain, and when they are hindered from coming to the chapel, and some of them get licked, then he tells them, well I cannot help that, but it is not right for your master to lick you and prevent you from coming to chapel.

Does the Prisoner listen to the complaints when the negroes comb to him?—Only when they come to complain of what I have just now spoken of.

Did he never advise you or others what to do in case you had any complaint?—Yes, he said if there was any such thing, we must go to the fiscaal or the governor, sometimes when the people run away or so.

Any thing else?—That if the people run away they must not let them catch them again.

Do you remember when the governor's proclamation was read to the head negroes of the estates concerning going to church?—Yes.

Did you hear the Prisoner speak about that proclamation?—Yes, he said that there was an order come out that all the people were allowed to come to chapel, that each owner was to give them a pass, and the overseer to come with them, and when they had done at the chapel, the overseer was to go back with them, and take them home; so far I heard.

Did you hear any observations upon this law, whether it was a good one or bad one?—Mr. Smith said it was a good law.

Did you ever hear the Prisoner state any thing about the people of England, and the people of England going to church?—Yes; that in this country we can't attend church as we wish, because that country is a free country, and in this we are slaves; that we must pray to God to help us, that we may be enabled to attend as far as we can.

Did you ever hear the Prisoner speak about working on a Sunday?—Yes, he said if our master gave us work to do on a Sunday, we must do it, because we could not help it: that we must not break the Sabbath in 24 doing our own work, because we must keep holy the Sabbath-day, which is a commandment of God; *that is all.*

What was the consequence, in case you did break the Sabbath, for working in your own ground?—Mr. Smith said, that God would punish us for that.

Did any revolt among the negroes break out lately?—Yes.

How long ago?—About nine weeks ago.

Were you in Bethel chapel the Sunday immediately preceding the day the revolt broke out?—Yes, at both services.

Do you recollect the text?—In the forenoon service, I believe he read something about Jesus looking upon the city of Jerusalem and weeping.

After service was over, did you go straight home?—No, I did not.

Where did you go to?—We stopped close to the chapel a little while, when we heard Jack and Joseph talking about a paper that had come from home, that the people were all to be made free. Emanuel told Quamina, that he had better go and ask Mr. Smith about it. And when Quamina was going into Mr. Smith's house, I went in with him; and when we went in, Quamina asked Mr. Smith if any freedom had come out for them. Mr. Smith said no, but that there was good law come out for them, but no freedom for them; he said, you must wait a little, and the governor and your masters will tell you about it. Quamina then said, that Jack and Joseph were speaking very much about it, and he said that they wanted to take it by force; he (Smith) told them to wait, and not to be foolish. How do you mean that they should take it by force? you cannot do any thing with the white people, because the soldiers will be more strong than you, therefore, you had better wait. He said, well, you had

better go, and tell the people, and christians particularly, that they had better have nothing to do with it, and then we came out; and I saw a man belonging to Vigilance remaining at the church; I called him; Quamina began to speak to him, and asked me if I had any money in my pocket? I told him two bitts; he told this man; then giving him the two bitts, run up as fast as you can and call down Joseph; Mr. Smith wants to see him. I then went home, and told Manuel that I had seen Mr. Smith, and that he said there was no freedom in the paper for us, and that we must tell all the people so. I told him that we bad sent to call Joseph already; a little while after, Jack and Paris came up to the back buildings of Chateau Margo, and Manuel told them that Mr. Smith had told them not to have any thing to do with this business, and that Manuel had been telling them so before; Jack and Paris said, well, do you have nothing to do with it, you are cowards.

That is all I want.

When Mr. Smith said the soldiers would be too much for them, what did Quamina say?—He said, he would drive all the white people, and make them go to town.

Did Quamina say what he would do with the soldiers?—That the report was, the soldiers would not come, they would have nothing to do with it; he did not tell Mr. Smith that, he told it after we came out from Mr. Smith.

Where did the revolt begin?—At Success.

Did you know Quamina of Success?—Yes.

Was he engaged in that revolt?—Yes, Sir.

25

How do you know?—Because I heard they took him up before the revolt begun.

Who was the leader of that revolt?—Jack and Paris; they said they would go on with it, and they went on with it.

Was any particular plan of this revolt disclosed to you?— *No, there was no particular plan that I knew of;* the plan about driving the white people to town I knew of, I spoke of it just now.

You stated that after the service was over you stayed near the chapel, and that Quamina was there; did you hear Quamina tell the people what they were to do?—No, sir.

Were you at the meeting on Success middle path?—No, sir.

Were you in that middle path on the Sunday before you went with Quamina to Mr. Smith? —No, sir, I was not there, I went direct from the chapel to Mr. Smith's house.

Did you hear Quamina tell the other negroes that on the next Monday they were all to lay down their tools, and not work?—Yes, I heard Quamina say so, a week before the revolt broke out; I saw Quamina on Wednesday after the revolt; I saw him at Success back dam.

When you saw him there was he alone?—He had some persons with him, some from Success, some from Le Resouvenir, some from Doctor M'Turk's, and from Mr. Simpson's.

What was Quamina doing there?—When I went there he told me he had been sitting up all night, and was then going to lie down under a coffee-tree.

Had the negroes of Success returned to their duty at that time?—No, they were all there aback:

Did you see him after that?—Yes, the next day.

What place did you see him then?—The same place, in Success back, half way between the canes and plantain walk.

Had he any more persons with him then?—The same people.

Had any part of that estate returned to their duty on that day?—None of them, that I know of.

What was Quamina going to do with these people?—He said they were coming down in the night to Doctor M'Turk, but they heard the soldiers were there, and did not go.

Did you see Quamina there after that day?—Yes, on Friday, in the same place.

Was he then surrounded by the same persons?—No, they had began to scatter themselves, they heard Mr. Edmonstone had come there.

How long was it that Quamina remained there?—Three days; they said some of the people had gone down to speak to Mr. Edmonstone, that Jack had gone with them. Quamina went from there, he went into the bush.

Do you know how many people he had when he went into the bush?—I cannot tell, some Success people went with him.

Did you see Quamina afterwards?—No.

Do you know what has become of him?—After I came here, I heard he was shot by the bucks, and gibbetted about Success middle path.

When you saw Quamina and the rest of the people at Success, had they arms?—Yes. D

What arms had they?—Muskets and some fowling-pieces, some had cutlasses.

Did you ever hear the people on your estate talk about having another day to themselves?—Yes, sometimes they used to talk, that if they had another day, they should not have occasion to break the sabbath.

What was the subject of your prayer at the prayer-meetings?—We prayed to God to bless and help us all, that we may be enabled to seek after Him more and more; and that He would bless our masters and the governor and fiscaal; that we might make good servants unto them, and that they might make good masters unto us; to give us health and strength to do that which it might be our duty to do; to bless all our brothers and sisters.

Do you ever pray about your master's heart?—We pray that the Lord might bless us and change our hearts, and our master's heart likewise.

Did you ever hear the estate's people speak about the fighting of the Jews?—Yes, some of the boys, when they read the bible, speak about the fighting of the Israelites when they go to war.

Did you never hear about it when the Prisoner read it?—When the Prisoner read, they go home and read about it, and then they speak about it.

How did you hear them talk about it?—They said the people of Israel used to go warring against the enemy; and then I explained the meaning of the enemy, and said, it was the people who would not believe the word of God when Moses used to preach to them.

Did the people apply any part of the history of the Israelites and Jews to themselves?—Yes, I believe they do, because when they read it then they begin to discourse about it; they said that this thing in the bible applied to us just as well as to the people of Israel; only so far I hear.

What made the people say, in reading the bible, that the history of the Jews applied to themselves?—I can't tell— *Because they read it, and their own hearts make them say so; and their ignorance, that made them not understand it.*

What was the reason the negroes took it into their heads to revolt?—Because they had no other time to wash their clothes, or to do any thing else, except on the sabbath.

Why could not the negroes wash their clothes or do any thing else on the Sunday?—Because they had to go to chapel.

SIXTH DAY, 18 th OCTOBER, 1823.

The Court met, pursuant to adjournment; but two of the Assistant Judge Advocates being unable to attend, from indisposition, it was deemed proper to adjourn to Monday, the 20th.

SEVENTH DAY, 20 th OCTOBER, 1823.

Bristol, *cross-examined by the* Prisoner.

After you wee examined on Friday last, where did you go?—I went back to the jail.

Whom did you see?—The prisoners in the jail.

Have you conversed with any gentleman since Friday last?—No.

Have you at any time been instructed by any one to say what you told the Court on Friday last?—No, it came from my own heart, and was not put into my head by any one.

Did you ever tell any one, the whole or any part of what you told the Court on Friday last, concerning me and the matter in question?—Mr. Smith, (one of the assistants to the judge-advocate,) and some gentlemen in Mrs. Mierteen's house.

Is the money, which you collect on those days when the communion or sacrament is administered, used for no other purpose than to buy wine?—I cannot recollect.

Is it not used to buy candles?—I don't know.

Are not candles sometimes used in the chapel?—Yes.

Who buys them, *i.e.* who pays for them?—I see the candles come from Mr. Smith's house, I suppose he pays for them.

Do you know with whose money he pays for them?—I cannot tell.

What is the largest sum the deacons ever collected upon a communion or sacrament Sunday?—Sometimes thirty-five guilders, sometimes thirty-four guilders.

What is the smallest sum that has been collected on the like occasions?—I don't think any smaller sum than 30 f.; I can't say really, for don't always reckon it myself.

Was the keeping or care of this money ever offered to any one else?—He never offered it to me, and I cannot say that he did to any one else.

Is the ordinance, or communion, or sacrament, administered the first or second Sunday in every month?—I think on the second.

Have you ever been present, when money has been offered to Mr. Smith for the Missionary Society?—Yes.

What took place when money has been so offered?—When the people bring the money, Mr. Smith puts down their names, and the money each throws up, opposite his name.

Has he always accepted the money so offered?—Yes.

How much have you seen paid for each and every one of the sort of books sold by Mr. Smith?—Hymn Books, some for two guilder's, some for two guilders ten stivers, and some for three guilders. The bibles which were brought last f. 14. 10. each; some of the testaments for f. 2; spelling-books, some for f. 1.10.; some of the catechisms for ten stivers, and some for five silvers; other books for four guilders and five guilders, next to the bibles.

Did the Prisoner sell the same-sized bibles to all persons at the same price?—No, there were smaller bibles at f. 12; sometimes, if you come to buy a bible for f. 14. 10, and be short 5 silvers or f. 1. he would pass over that, and let you have it without the 5 stivers or the guilder.

How large were the bibles that were sold at twelve guilders?—About the size of (royal octavo,) book produced.

Did the negroes often give fowls and yams, and such things, to Mr. Smith's lady?—Not very often.

Do the negroes keep many fowls?—Some of them have a great many, and some not; some of them don't mind any at all. D 2

28

Did Mr. or Mrs. Smith ever buy fowls, yams, or any other kind of food from the negroes?—Yes, they do buy.

When you instruct the negroes in the meaning of the ordinance, what do you say to them?—I tell them to consider what they are about; that they must pray to God; and prepare their minds; and that they must not thereafter commit sin again; that we must look to God to help us at any time, and we must consider well what we hear read in the bible every day; because, if we do partake of the ordinance and commit sin again, we have a greater

account to give when we die. So far I discoursed with them, and the rest is for Quamina and the other deacons.

To whom did you ever explain the text or sermon preached by the Prisoner?—To Manuel, and William, and Primo, and Rose, and Allan, and Nelly, and some other people that have not been baptized on same estate.

What do you mean by appointing the teachers?—To get one that can read, to teach the people the catechism.

Did you ever know Mr. Smith object to the appointment Of any teacher capable of teaching?—No.

Do you know any thing about Peter, or the first general epistle of Peter?—I have heard it read, but do not remember it.

How long ago is it since you heard the general epistle of Peter read?—I can't remember rightly.

How long is it since Mr. Smith read to you about Moses and the children of Israel; and about Pharaoh and his soldiers?—About two or three months before the rising took place.

Did Mr. Smith, when he was reading the bible, begin the next time at the place where he last left off at?—He explains what he read the Sunday before, and then goes to the next chapter.

How do you know that he began at the very next chapter to the one he last read?—Because he named the chapter read last Sunday, and then named the one he was going to read then.

You have said you cannot read, are you sure Mr. Smith never missed any chapters?—Sometimes when he is going to read, he tells us he passes over a chapter or so.

Have you learned the catechism used in the chapel?—I have learned only a part of it.

Have you learned any thing from it about Joshua and Moses, and the children of Israel?—I have not reached so far.

In what part of the bible did Mr. Smith read on Thursday evenings?—He read in a part about the Apostle Paul; when he went to a place, and they took him up, and put him in prison.

What did the people complain that they were licked for?—Some of them complained that they were licked for not doing the work given them on a sabbath.

Did they complain to Mr. Smith that they were licked for any thing else?—They might have done so, but I do not know of it.

Did Mr. Smith ever encourage any negroes or negro to run away?—I never heard he did.

What did Quamina mean when he said Jack and Joseph wanted to take their freedom by force?—I suppose that they intended to fight with the white people, or something like that.

29

Who else besides Mr. Smith and Quamina were present, or in hearing, when Quamina told Mr. Smith that the negroes were going to take their freedom by force?—I did not see any body else present; Mr. Smith was in the hall.

Where Were you and Quamina?—In the gallery, by the side of a large table.

Was there any thing said about the managers?—Yes, that they were going to drive out the managers, and drive them away to town; Mr. Smith said you had best not do so, you won't be able to go against the soldiers.

Did Mr. Smith say nothing else?—I don't remember that he said any thing else.

Did Quamina tell Mr. Smith of his own accord, or did Mr. Smith ask him any question?—Quamina told him of his own accord.

Were there any preparations made for the war before you and Quamina went to Mr. Smith?—No, I do not know of any.

Had the people no guns, or powder, or shot provided?—I did pot see any.

Did Quamina tell Mr. Smith by what means they intended to drive the white people to town?—No, sir.

Did Quamina say for what purpose they were to be driven to town?—No further than I said before, that Jack and Quamina had said their freedom had come out.

Did he, Quamina, say *when* the white people were to be driven to town?—No.

Did you hear all the conversation that passed between Quamina and Mr. Smith?—Yes.

Will you state all that Mr. Smith said, as well as all that Quamina said?—I have already stated all I know.

Did you and Quamina tell Mr. Smith that you came on purpose to tell him about Jack and Joseph, and what they intended to do?—Yes, sir, he told him he came to ask him about it, because Jack and Joseph were speaking very much about it.

Did you and Quamina and Mr. Smith talk about any thing else at that time?—No, not that I remember.

Did you talk to Mr. Smith on that Sunday about your little girl?—I believe I talked to him before that, before Quamina came in.

Was any body present when you spoke to Mr. Smith about your little girl?—Mr. and Mrs. Smith.

Did any body come in when you were talking to Mr. Smith about your little girl?—That I cannot tell; may be somebody might have come in.

Where did you go after you had talked to Mr. Smith, the prisoner, about your little girl?—I think I went to the chapel.

Where did you go then, after that?—After that I think I went home.

Did you see the Prisoner on that Sunday, after you had gone home?—No, sir.

Did you ever hear Mr, Smith talk of the people having another day to themselves, besides Sunday?—No, sir.

How long since is it that you heard the people talk of having another day to themselves, besides Sunday?—About two years; I heard more of it since they talked of the paper that come out.

30

Did you ever hear them say so in the time of Mr. Wray?—No.

Have you ever heard the people talk about any one else fighting besides the Jews or Israelites?—No, sir.

Have you ever heard of the battle of Waterloo?—No, sir.

Did you never hear of the French and English fighting?—Yes, sir.

From whom?—From plenty of people all about.

Have you ever heard the Prisoner apply the history of the Jews or Israelites to the negroes?—No.

Can you give no reason at all why the negroes, when they read the history of the Jews or Israelites, applied it to themselves?—No, sir.

Could any member of the chapel read before Mr. Smith came to live on Le Resouvenir?—But very little, one or two of them.

Did the boys, or people, ever speak about any other part of the bible than that about Moses and the children of Israel?—No, I never heard them speak about any body else.

Were the deacons taught by the Prisoner to pray with their eyes open or shut?—He told us it was best to shut our eyes.

When the communion-service is performed, are all and every one of the doors shut?—Every one is shut.

What becomes of the door through which the parson enters?—It is open, but it is in the gallery, outside of the chapel.

Is there any door between the gallery, and the chapel?—Yes.

Is that also open during the communion or sacrament?—Yes.

Do any of the congregation go in at these doors?—No, sir.

Is any one prevented from coming in at these doors during the ordinance?—Yes, sir, when we are taking the ordinance Mr. Smith told them not to let any one come in.

Had you ever any orders to refuse a white person going in during the ordinance?—No, sir.

Could any white people go in during the ordinance if they liked?—Yes.

EIGHTH DAY, 21 st OCTOBER, 1823.

The Court met, pursuant to adjournment, and the following General Order was read; viz.

Head-quarters, Camp-house, Demerara, October 21st, 1823.

General Order.

The Judge Advocate (his Honor, V. A. Heyliger) having strongly represented that his long-continued indisposition, and other circumstances, incapacitate him from performing his duties at present, and having urgently prayed to be relieved from attending to their immediate execution, these duties will devolve upon the Assistant Judge Advocate, J. L. Smith, it being necessary that the Judge Advocate should have a week's leave of absence for the recovery of his health, and the service not admitting of such delay in the proceedings now pending.

(signed) John Murrray, Commander-in-Chief.

Bristol *examined by the* Court.

Were more people than usual at the morning service on the Sunday before the war began?—Yes.

31

Was not the crowd such that many people could not get into the chapel?—Yes.

Name some who have had a present made to them of a book or books.—I did not see the books given, Quamina told me.

When you stopped behind with Mr. Smith to reckon the money, had you any talk with him except about the money?—I never had any, except about the money.

When did you first begin to assist about collecting the money?—About two or three years ago, if I am not mistaken.

How many collection sermons were preached for the society in the course of a year?—Only one.

In 1821 was not one preached in January, and another in November?—I can't remember.

Do you ever remember any sum, amounting to 300 f. or more, collected at one time?—I cannot recollect.

Do you not remember 319 f. being collected last November?—I cannot tell; we reckon the money first; Mr. Smith counts it all over; Mr. Smith puts all together, counts it over, and then puts it upon a piece of paper.

Have you ever given any fowls or yams to Mr. or Mrs. Smith?—Yes, fowls, but no yams.

Did you ever hear Quamina, or any One else, converse with Mr. Smith when you stopped behind to reckon the money?—No.

Did either you or Quamina tell Mr. Smith that the christians were so far gone that they would not stop?—No, I did not; and I don't know if Quamina did.

Has the Prisoner at any time sent you as a deacon to communicate with the people on your estate, or with any of the people on the estates who attended Bethel chapel?—No.

Is it a part of the deacon's duty to explain the text, or sermon, to people who are not capable of understanding it?—I did it because I considered it was good; but did not consider it my duty to do so.

Why did you not consider it your duty?—Because Mr. Smith never told me so.

Did you know any thing of the meeting that was held on the Sunday in Success middle walk?—No.

(Here the witness was admonished not to criminate himself; he then said,)

He knew there was to be a meeting somewhere, but he did not know of that meeting at Success.

Did you or Quamina mention the circumstance of the intended meeting to Mr. Smith?—No.

Did you know of the meeting at the time you and Quamina were with Mr. Smith?—Yes.

Did you ever see a white person in chapel during the time the sacrament was administered?—I only saw Mr. Hamilton once there, about three or four months before the rising took place, but he did not take the ordinance with us, but sat on one side.

What was it you said about England, when you were before examined?—Mr. Smith said, that in this country they could not attend chapel as they could in any free country.

32

Michael M'Turk, M.D. *called and sworn.*

Where do you reside?—Plantation Felicity.

Do you hold any situation in the militia?—Captain 1st company, 2d battalion.

Have you any command up the coast as burgher-officer; are you burgher captain?—I am.

Do you know. the Prisoner?—Yes.

Where does he reside?—Plantation Le Resouvenir.

Where is Le Resouvenir situated, with regard to plantation Felicity?—Next estate, to the eastward.

How long has the Prisoner resided there?—About seven years.

What is his occupation, or profession?—I understand he is a missionary clergyman.

Do you remember any cases of small-pox occurring on plantation Le Resouvenir, about the latter end of 1819?—I remember very well.

Did you receive any orders from government concerning the chapel on plantation Le Resouvenir?—I did, from his honor or the fiscaal.

What was the nature of this order?—The order inclosed an open letter to Mr. Smith, from his honor the fiscaal, that during the small-pox the Chapel was to be shut against all negroes, except those belonging to that estate, to prevent the disease from spreading.

Can you State at what time these orders were received?—To Mr. Smith was dated 20th November, 1819; to myself the same date.

Did you, as burgher-officer, communicate these orders to the Prisoner?—I did.

Do you know how long this restriction lasted?—I had a discretionary power; it was to remain as long as the small-pox was supposed to remain on that property.

Letter to Dr. M'Tuk,

Fiscal's Office, Demerary, 20 *th Nov.* 1819.

Sir,

The inclosed to Mr. Smith, I request you to forward; a copy of the same, signed by me, also goes herewith; and I have it in command from His Excellency the Lieutenant-

governor, to request port to devise such means, and take such steps, as in discretion you will judge necessary, to see the order duly complied with.

I have the honor to be, Sir, Your obedient humble Servant, (Signed) Heyliger, *First Fiscal.*

M. M'Turk, Esq. Capt. 1 *st C.* 2 *d. B. D. M. Plantation Felicity.*

Letter to Mr. Smith.

Fiscal's Office, Demerary. 20 *th November,* 1819.

Sir,

I have it in command, from his Excellency the Lieutenant-governor, to require that you shall shut the chapel of Plantation Le Resouvenir, for all negroes not belonging to said plantation, as long as the small-pox are on that plantation; in order to prevent, as much as possible, the danger of spreading the infection farther.

33

The captain of the division is instructed to see this ordercomplied with.

I have the honor to be, Sir, Your obedient humble servant, (Signed) Heyliger, *First Fiscal.*

The Rev. J. Smith, Plantation Le Resouvenir. True copy, (Signed) Heyliger, *First Fiscal.*

How were these orders observed by the Prisoner?—They were partially observed by the Prisoner for three weeks.

Was the restriction removed at the end of three weeks?—No, though Mr. Smith required it should be removed, as stated to me in his letter of the 11th December, 1819.

Mr. Smith's Letter put in and read.

Plantation Le Resouvenir, December 11 *th,* 1819.

Sir,

As the order of his honor the fiscal, which you forwarded to me about three weeks ago, involves me in a responsibility from which I wish to be disengaged, I shall be glad if you will write me a line, stating your opinion that the small-pox have ceased from among the negroes of the plantation, so as to render it not unsafe for other persons to come to the chapel.

I am, Sir, Your humble servant, (Signed) John Smith.

To Dr. Michael M'Turk, Burgher Captain.

Had you any communication with the Prisoner farther upon the subject?—I replied to him by letter.

Had you any conversation with him personally?—Not at that period.

Did you take off the restriction by letter at that time?—I refused it by letter.

When was the restriction actually removed?—29th January, 1820.

Had you any conversation with the Prisoner subsequently to that letter, and previously to the restriction being taken off?—I think on the 24th December, late in the evening.

Please to state the reasons.—I thought it necessary, in consequence of Mr. Smith's continuing to preach, without liberty being granted, to address a circular to the estates, within my company, desiring them not to allow their negroes to come to the chapel or estate of Le Resouvenir, in consequence of the small-pox being still there. This circular went round on the 24th of December; and, it was on the evening of that day, that Mr. Smith attacked me in rather a violent manner, in the manager's house on Plantation Le

Resouvenir. He stated, that I was acting very incorrectly; that I had no authority for what I was doing; he had authority from the fiscaal to preach to whom and when he pleased. To this I said, that if he had such liberty, as he asserted, he should produce the authority, as I would hold him responsible for any acts I might do to carry the fiscaal's order into effect, as I was not aware of any he had. To this Mr. Smith answered, that he had no communication from the fiscaal, but that I had forwarded; but said, “I have E 34 “influence over the negro minds, which influence is great; and I will “use that influence to bring the negroes of the neighbourhood to the “chapel, and preach to them in defiance of all the authority you “possess.” To this I replied, I should be extremely sorry, if I was driven to alternative means to prevent him, and cautioned him against such conduct; he persisted in stating that he would preach to the negroes. I told him I would repel any such meetings, and then went away and left him. That was the whole of the conversation that took place on that evening.

Did you subsequently this year receive any instructions from the governor respecting the negroes attending chapel?—Yes; additional instructions.

Have you those instructions with you?—I have a copy of them; I have the original.

What date do they bear?—Demerary, 16th May, 1823.

(Copy.) Government Secretary's Office, George-town, Demerary, 16th May, 1823.

Sir,

I am commanded, by his excellency the lieutenant-governor, to transmit to you the enclosed extract of a dispatch, containing the instructions of his majesty's government, relative to the religious worship of the negroes on estates; and I am to request that you do, without loss of time, distribute to the proprietors or managers, resident within your district, the accompanying copies thereof; with a view to their conveying the contents to the slaves under their charge.

His excellency has directed the general circulation of these instructions throughout the colony, in consequence of his having become acquainted with the existence of a misconception, of a very serious nature, which appears to prevail amongst the negroes, in some districts, and more particularly on the estates on the east coast, leading them to consider the permission of their master unnecessary to authorize their quitting the estates on Sundays, for the purpose of attending divine worship; a misconception of so injurious a tendency, as to render the most active measures necessary effectually to eradicate it.

You will, therefore, be pleased, at the same time that you make known to the inhabitants of your district, the wish of his excellency the lieutenant-governor, that the accompanying instructions, on this head, should be complied with in every particular; to acquaint them that his excellency, considering the beneficial consequences which cannot fail to result from the general and judicious extension of religions sentiments among the slaves, feels it a duty incumbent upon him strongly to recommend that nothing less than a very urgent necessity should induce the planters to refuse passes to such of their slaves as are disposed to attend divine worship every Sunday.

Aware of the possibility of abuses, arising out of these indulgences, his excellency would recommend a system of precaution, as preferable to that of punishment after transgression; and he is of opinion, that any possible abuse might be effectually checked, were the slaves accompanied to the place of meeting by an overseer, or other white person, which would be, in other respects, advantageous, by enabling the planters to judge of the doctrine held forth to his slaves.

35

You will further be pleased to make known to the slaves, that whilst his excellency feels a strong disposition to encourage the propagation of religious knowledge among them, by every means sanctioned by the laws; he will be found equally determined in checking frivolous and ill-founded complaints on their part, if persevered in.

I have the honor to be, Sir, Your most obedient humble servant, (Signed) John Murray, Gov. Sec.

Extract of a dispatch from his majesty's principal secretary of state for the colonies, bearing date, “Downing-street, 15th October, 1811.”

It must, in the first place, be understood, that no limitation or restraint can be enforced upon the right of instruction, and of preaching on particular estates, provided the meetings, for this purpose, take place upon the estate, and with the consent and approbation of the proprietor or overseer of such estate.

Secondly, as it has been represented that on Sundays inconvenience might arise from confining the hours of meeting in chapels, or places of general resort, to the period between sun-rise and sun-set, it may be proper, that on Sundays the power of assembling should be extended to certain hours of the day, viz. from five in the morning till nine at night; and, on the other days of the week, the slaves should be allowed to assemble for the purpose of instruction or divine worship, between the hours of seven and nine at night, on any neighbouring estate to that which they belong; provided such assembly takes place with the permission of the owner, attorney, or manager of the slaves; and of the owner, attorney, or manager of the estate on which such assembly takes place.

Thirdly, to prevent any possible abuse, it may be advisable that all chapels, and places destined for divine worship of public resort, should be required to be registered. The names of the persons officiating in them should be made known to the governor, and the doors of the places should be opened during the time of public service or instruction.

(Signed,) Liverpool.

Governor Bentinck, &c. &c. &c.

(A true extract,) John Murray, 13th May, 1823. Gov. sec.

Did you forward a copy of this to the Prisoner?—I did, on the 23d May.

Do you remember the 18th of August, last past?—I do.

Where were you on that day?—On plantation Felicity, until 5 o'clock in the afternoon.

Did any thing particular occur on that day?—I was informed, by a coloured man, about four o'clock, that the negroes intended revolting that evening; and he gave me the names of two, said to be ringleaders, viz. Cato and Quamina, of plantation Success. E 2

36

Did this revolt then break out actually on that night?—It did, about 5 o'clock, upon plantation Success.

Where is plantation Success?—Next to Le Resouvenir.

Did this revolt spread any farther?—Over the whole coast, as far down as plantation Le Reduit, and, partially, below that, on the town side. The Brothers and Felicity only exceptions.

How far up the east coast?—As far as Mahaica, I have heard.

Were the negroes on Le Resouvenir engaged in the revolt?—They were, and were particularly active.

Did this revolt continue any time?—It did.

How long?—About eight or ten days.

Were the negroes in a state of rebellion on the 19th and 20th of August?—They were, and longer, some days after.

Did you, as burgher officer, go into the Bush upon any expedition during this revolt?—I did, five times.

Did you, in any of these expeditions, see Quamina?—I did, after he was shot.

Can you state any where near the time?—(*Witness said, at first, he had not his votes, and could not remember*)—Two or three weeks after the 21st.

By whom was he shot?—By an Indian, under the command of Lieutenant Nurse.

Had the expedition, which was sent out, any reference to him?—There was a reward of 1000f. for him.

What became of Quamina?—He was hung in chains upon Plantation Success.

Were there any persons with him at the time when he was shot? —One man, Primo, of Plantation Chateau Margo.

Were they armed?—No; Quamina had a cutlass (or stick).

Did you, in any of your expeditions, take any captives?—Three, upon that occasion, besides Quamina.

Did these men state to you their intentions and object?—Primo said, that it was the intention of Quamina never to be taken alive.

Was Primo one of the prisoners?—He was.

Is your house near the road or far from it?—From 40 to 50 roods.

What is the distance of the Prisoner's residence from your's?—About 300 roods.

Extract from Journal read, by the Assistant Judge-Advocate.

“ *Saturday, October* 30, 1819. While Mrs. Smith, and Mr. and Mrs. “Wray were catechising, Quamina, Seaton, and York, three of the best “and most sensible negroes belonging to Success, came to tell me that “their manager, Mr. Stewart, had given strict orders that not one of “the slaves, belonging to that plantation, should come to the chapel; “for he had heard, that the small-pox was at Le Resouvenir. Quamina “said, he replied, that most of the people had had the small-pox, “and all the others had had the cow-pox, therefore, if the small-pox “was at Le Resouvenir, there could be no danger of people catching it; “the manager replied, ‘he did not care, for that none of them should “come to the chapel.’”

“ *Sunday, October* 31. To-day we have the smallest congregation “that I have seen at our chapel, on a fine Sunday, since I have been 37 “here, the reason of which is, most of the managers prevented their “slaves coming, under the plausible excuse, that the small pox is on “the plantation. The fact is this, there are three persons who have “the small-pox, and those three are removed to a house, more than “three miles to leeward of the chapel, quite at the back of the plantation; “a solitary place, where nobody would go if they could; so “that there is no more danger of the negroes catching the small-pox, “by coming to chapel, than there would be in going to Tunbridge Chapel, “if three people had the small-pox in a solitary house on Hampsteadhill; “the fact is, the planters are glad to lay hold of any thing, to prevent “their slaves attending to religion. I suppose, there is not one in “a hundred in the colony who has not had either the small-pox or the “cow-pox.”

“ *Friday, December* 24. I and Mrs. Smith went down to town to see “Mr. Mercer; when we returned, in the evening, we found several negroes “waiting to see me; they told me their managers had given them orders “not to come to chapel any more; and, that this order had been “given to all the negroes in the neighbourhood; they said the order was “from the fiscaal, and was carried, from one plantation to another, by “a man in a red jacket. They were in a great deal of trouble; I told “them to be easy, that I did not believe the order was from the fiscaal, “and, that I would try to find out what it was, and get it altered. I “went over to Mr. Hamilton, who told me, that it was nothing but a “request from Doctor M'Turk, that

the managers would keep their “negroes from the chapel; and the reason which M'Turk assigned to “me this evening for his conduct is, that he don't know but the smallpox “may be latent on the estate.”

Are you a medical man?—I am.

Do you practise for plantation Le Resouvenir?—Not now; at that time.

Had you any reasons to believe that they were latent on the 24th December, 1819?—I had every reason.

What were they?—Two cases in the negro-houses not reported.

Did the circumstance of their going through the negro-houses render it likely that any negroes going there would catch it?—Most assuredly.

NINTH DAY, 22 d OCTOBER, 1823.

Mr. M'Turk, *in continuation.*

Were the measures which you adopted approved of?—They were.

How do you know that?—In consequence of the first fiscaal then being sick on his estate, the farm, I did not so soon receive a communication from him as I had reason to expect, and, wishing to allow Mr. Smith to preach as soon as possible, I addressed a letter, in my capacity as burgher-captain, to Doctor Walker, the then officer of health in this colony. He replied to my communication, stating that it was unsafe to allow the negroes of the neighbouring estates to frequent the chapel at Le Resouvenir, as he considered the small-pox had by no means left that estate; that letter I forwarded to the fiscaal, with my remarks; I then received orders from the first fiscaal to put the recommendations of Dr. Walker into effect; which were, that I should instruct the medical attendant 38 of that property to examine all the negroes twice, allowing 8 days to intervene between each examination;

this I had great difficulty in accomplishing, the negroes behaving very disrespectfully, only about two thirds of them appearing on the first examination, and at the second not more than five or six. I communicated to Mr. Van Cooten, the attorney of the estate, the conduct of the negroes, who requested that I would have a third examination made, which was accordingly done, and certificates granted that the small-pox had disappeared from that estate; these certificates Mr. Van Cooten forwarded to the first fiscaal, and I was instructed to take off the restriction.

Did this restriction apply to the chapel only?—Solely to the chapel.

Did it prevent the Prisoner from preaching to the negroes on other estates?—Not at all.

Do you know whether the Prisoner was aware of this?—Yes, he was.

Did you communicate to Mr. Van Cooten, that the restriction would not prevent the Prisoner from preaching on other estates?—I did.

Did you, subsequently to the revolt of which you spoke, give any orders to Lieutenant Nurse concerning the Prisoner?—I did.

What was the purport of those orders?—I requested Lieutenant Nurse to repair to plantation Le Resouvenir, and there desire the attendance of Mr. Smith at plantation Felicity, as the accounts I continued to receive, both with regard to the intention and number of the insurgents, made it absolutely necessary to enlist every person under my command to repel them. This was on the 21st of August.

Did you give any orders respecting his papers?—I did.

What were they?—To seal them up.

What induced you to take this step?—It was a secondary step, in the event of his refusing to obey my orders.

Did he return to you with Lieutenant Nurse, in obedience to your orders?—He did not; Lieutenant Nurse reported, he had refused to comply with my orders.

Cross-examined by the Prisoner.

How many cases of small-pox occurred on Le Resouvenir, in the latter end of 1819?—Six reported, and two not reported.

What do you mean by saying that the orders you received from the fiscaal, and which you conveyed to the Prisoner, were partially observed by the Prisoner for three weeks?—Some people attended the service from Vryheids Lust.

Who were those people?—I don't know.

Did you ever correspond with any other person than the Prisoner, the fiscaal, and Doctor Walker, concerning the restriction, in consequence of the small-pox on Le Resouvenir?—Yes.

With whom?—Mr. Van Cooten, in consequence of a letter which he addressed to me.

Did you not correspond with Mr. Hamilton, then manager of that estate?—I did also.

Did you receive any letter from him on the subject?—I did.

Have you that letter, and will you produce it?—Rejected.

How long did the small-pox actually continue on Le Resouvenir?—The time is so long ago that I cannot recollect; to the best of my recollection, it was there in October.

39

Where were the negroes, that were infected, placed?—Those that reported, were placed in a house about 300 roods on the back dam of the estate.

What became of that house?—I burnt it.

When did you burn it?—I can't recollect the period, it was after those that were placed there could no longer communicate the disease.

Was it before the conversation on the 24th December—I cannot recollect, but I rather think it was.

Did the two cases of small-pox not reported, occur before or after the house was burnt?—Previous.

When the house was burnt, did you make no remark, or give any opinion as to the eradication of the disease?—None whatever.

After the house was burnt, when next you saw the manager, did you not declare that the disease had disappeared, or words to that effect?—I stated to the manager, that it had, as far as regarded those that had been set apart; but, with regard to those who remained in the negro houses, I considered them as liable to produce infection as ever.

Were not all the negroes who had been ill, at that time cured?—I could not tell, I had reasons to believe to the contrary.

Will you state those reasons?—From the circumstance of finding some of the negroes unreported.

Had you not, as well as medical attendant as burgher officer, free access to all the negro houses?—I had not, I go when required.

What do you mean by saying that the negroes were unreported?—That all cases of small-pox are to be reported under pain of £.3000; these cases were not reported, I found them only by accident myself.

How many orders did you issue, or were issued through you, to the managers of the other estates during the time of the small-pox?—Two, the last was to take off the restriction.

Will you state what was the first order?

(Order put in, and read.)

Before that, had any order to your knowledge been issued to prevent the negroes of other estates from coming upon plantation Le Resouvenir generally?—I am not aware of any.

Did Dr. Walker visit the estate, and examine into the matter upon the estate, before he gave the directions?—No; he gave no directions, he gave an opinion.

Do you know from what Dr. Walker formed his opinion?—I do.

Will you state it?—From the circumstance of my having found these negroes unreported in the negro house, and as that house could not be burnt without burning others, the disease might be still there; that was the representation I made to Dr. Walker.

Did you not, in compliance with Mr. Van Cooten's order, go on a Sunday morning to examine the negroes, and before they could be got together leave the estate without doing so?—I went by Mr. Van Cooten's order, or rather by appointment, to examine the negroes a second time. On my way thither, I met with a number of the negroes belonging to plantation Le Resouvenir, on the side line between Felicity and that estate; they had passes from their manager, Mr. Hamilton; when I went to that estate, to the manager's house, I found Mr. Hamilton in his nightgown, and on asking him why he gave these negroes passes, when he 40 must be aware that the negroes were to be examined on that morning, he observed, that the negroes had all come there in a body that morning, protesting against any such examination. I desired him to call the list of the negroes of the estate, and we went then to the Carpenter's Logie for that purpose. I waited nearly an hour, sending the drivers to call out the negroes; they would not come;

I called to them myself in vain, they would not obey me, and only five or six out of 400 made their appearance. I sent a certificate to that effect to Mr. Van Cooten, together with a letter, stating the improper conduct of the negroes, and, as Mr. Van Cooten knew the restriction laid upon the chapel could not be removed by that certificate; in consequence, he requested that I would examine the negroes on the following morning, making the third time, which I refused to do, unless he or some other person would be present whom the negroes would obey. Mr. Van Cooten attended himself, and the negroes were examined. The negroes on the estates pelted me with sticks and hard mud and abusive language.

Did you mention to Mr. Van Cooten, or to any one else, that the negroes pelted you?—I did, and Mr. Van Cooten promised to punish the individuals; I communicated it by letter, and his original answer is here.

During the small-pox, did you give the manager of plantation Le Resouvenir any order to prevent the negroes of that estate from going upon other estates, or from coming to town, by refusing them passes or otherwise?—None, that I recollect.

How do you know that people from Vryheid's Lust attended the chapel during that time?—I had an opportunity of seeing them myself.

You said you had a discretionary power, did you inform the Prisoner of this circumstance?—He knew from the circular that went round.

Who communicated that circular, or its contents, to the Prisoner?—It was sent round to the estate, as all other circulars are sent round.

Is the Prisoner a part of the estate, so that all communications to the manager must be made known to him?—Most assuredly, it cannot be supposed that the burgher-captain can communicate to every individual on an estate.

By what road would you go from your dwelling-house on plantation Felicity to the house of the Prisoner on Le Resouvenir, to make the distance only about three hundred roods?—Across the trench by the Koker it is scarcely three hundred roods, I have frequently measured it.

Did you give Lieutenant Nurse any orders respecting Mrs. Smith?—I did; that she would have every proper attention at my house if she wished to remain there, otherwise she should have a proper escort to town, or any where else, to a place of safety.

Have you stated all the conversation that passed between yourself and the Prisoner, on the 24th December?—Not all.

Did you not ridicule, or sneer, at the idea of the negroes being instructed in Religion?—Rejected.

How do you know that there were negroes with Quamina when he was shot?—From seeing them standing by him, and from the report of those that were there.

Were you with the expedition at the time Quamina was shot?—I was.

41

By the Court.

Did you observe any greater number than usual of negroes, going to plantation Le Resouvenir, on the Sunday before the revolt?—A great many more.

Were you at home on Sunday before the revolt?—I was, I dined at Chateau Margo that day.

Did you receive any communication from the Prisoner on Monday evening, or at any time, of an intended rising?—I never did.

What are your duties as burgher captain?—It is difficult for me to say.

Are you a public officer?—I am.

Do you command the district?—I do.

Do you receive any pay for those duties?—None.

So long as the small-pox was on the estate, had you power or authority to disobey the fiscaal's order?—None whatever.

Is the small-pox a very dangerous disease in this climate, when it finds its way on an estate?—I should suppose it was very dangerous.

Although a person may appear cured of the small-pox, may not the disease be within them lurking, so as to be contagious?—Most assuredly, for months even.

Is it more dangerous here, than in Europe?—I suppose it is.

You have stated that Mr. Smith addressed you in a very violent manner, on the 24th of December, pray state this.

The conversation was very desultory. He observed rather rudely, among other things, that it did not matter to him whether he preached to one or one hundred negroes, “for I am not paid by the head, as you are.” He used every kind of language to hurt my feelings. “I know, sir, that you accuse me of taking money from the negroes; can you prove it, sir? I know, sir, if you could, you would: do you know what Christmas means?” and many other questions of a similar nature.

TENTH DAY, 23 d OCTOBER, 1823.

Seaton *called and sworn. Examined by the* Judge-Advocate.

What is your name?—Seaton.

To what estate?—Success.

Do you attend the chapel where the Prisoner preaches?—Yes.

What are you in that chapel?—A member and deacon.

Did you ever know the negroes to give any thing to the parson?—Yes.

What was it?—Fowls.

Did you ever give any yourself?—One duck and one fowl.

Did you ever give more than that?—No.

Did many negroes give duck and fowls the same way?—Yes.

Do you remember the Sunday before the revolt began?—Yes.

Were you on that day in the middle walk of Success?—Yes.

Were there many persons there?—Not many.

Do you know where those persons came from?—Some from the several estates, from Le Resouvenir up towards Mahaica. F

42

What were they doing there?—Making a bargain there.

About what?—About the rising.

Did you see Quamina there?—Yes.

Was he there when you first went?—No.

I mean Quamina of Success?—The same.

Do you know where he had been?—He had been at Mr. Smith's house.

How do you know?—I left him there.

Was any body with Quamina at Mr. Smith's?—Only Bristol.

After Quamina came to the meeting, did you make any agreement as to the rising?—It was made before.

Did Quamina join in that agreement when he first came to the middle walk?—No.

Why did he refuse?—He said Mrs. Smith told him he must not rise.

Did he afterwards agree?—After the people heard what Quamina said, they would not agree.

Did the people then persist in their intention to rise?—Yes.

How long did the meeting last?—A quarter of an hour.

Where did Quamina go after that?—Into Mr. Smith's house, I saw him go there myself.

Did you see Bristol at the middle walk on that day?—No.

Did you see him after he went into Mr. Smith's house with Quamina?—No.

Did you see Emanuel that day?—Yes.

Did he go with you to the middle walk of Success?—Yes.

Where did this revolt begin?—At Success.

Were many of the negroes of Success engaged in it?—Yes.

Were they all engaged in it?—After the taking of Jack, every one rose together.

When was Jack taken?—About 4 o'clock in the afternoon, on Monday.

Who was taken with Jack?—Quamina.

Had Quamina any hand in the revolt?—He did not rise before he was taken up, but did afterwards.

Who were the leaders in this revolt?—Jack and Quamina, Paris, Jack of Vigilance, and Joseph of Bachelor's Adventure, and Telemachus of Bachelor s Adventure.

Did any of these leaders attend the Prisoner's chapel?—All of them.

Did yon remain on Success during this revolt on Monday, Tuesday, and Wednesday?—No.

When did you leave Success?—Monday evening.

Where did you go?—In front.

Where did you go when you left the estate?—To Triumph.

Did you see many of the rebel negroes?—Some, but not many.

Did you see many of those who attended the Prisoner's chapel?—Several of them went to chapel.

Did the rebels on Success, or any where else, attack the white people?—Yes, on Triumph.

What did they do?—They wanted to take up the manager and overseer, and put them in the stocks, but Jack forbid it.

43

Did you see any of the whites in the stocks?—I saw them in the stocks at Nooteus Zuyl.

Had the rebels arms?—At Triumph I saw one man with a gun; the party with guns had gone before; I saw them.

Do you know where they got the guns?—They took the guns from the managers at several estates.

How do you know that?—Because Joseph told me, I did not see it myself.

Was Joseph one of the party?—He was.

When did you return to Success?—On Wednesday.

Did you see Quamina there?—Yes, aback.

Did Quamina stay there all that night?—I saw him till evening.

When did you see him again?—In the morning.

Was any thing said on the middle walk, about taking the guns?—Yes.

What was it?—Jack and Quamina said, we must take the guns from the white people, and then drive them to town; every thing was agreed upon on Sunday, at the middle path.

Did they agree to rise on Monday evening?—Yes.

Was this before Quamina left the meeting to go to Mr. Smith for the second time?—It was.

Was the whole plan made, before Quamina left?—Yes.

Cross-examined by the Prisoner.

Have you been instructed by any one to say what you have just told the Court?—No.

Have you ever told any one before what you have just told the Court?—No, sir, I went to Mrs. Mierteen's, I said the same; and to Mr. Smith,(meaning the assistant judge advocate.)

Was what you so told, put down in writing?—Yes.

Have you since seen or heard what was so put down in writing?—No sir, I saw the paper.

Mr. Smith, (*the Assistant* Judge Advocate,) *here was sworn, and examined by the* Court.

Have you examined the witness for the purpose of this prosecution?—I have examined several of them, the witness is one. I have examined Seaton.

Have you attempted to instruct or mislead the witness?—As a witness here, I am bound to answer; but, as a professional man, I should consider, on ordinary occasions, such a question too degrading to be put to me: I answer no.

Cross-examination by the Prisoner *resumed.*

How many times did Quamina go to the Prisoner, on the Sunday to which you allude?—I know he went twice; once from the chapel, and once from the middle walk.

At what hour did the meeting on Success middle walk take place?—About two. F2

After what service was it that Quamina went to the Prisoner?—After forenoon service.

Where did you go after the noon service?—I went to the middle walk.

Who were with the Prisoner and Quamina, when Quamina went to the Prisoner, after noon service?—Bristol and myself, and Quamina and his lady.

Was any one else present with Mr. Smith, and Bristol, and Quamina?—I do not recollect.

How many times were you present with Mr. Smith and Quamina, in Mr. Smith's house, on that Sunday?—Only once with Quamina.

Whilst you were present with Quamina and Mr. Smith, did you hear any conversation between them?—Yes.

Will you state it?—Quamina went to Mr. Smith, and asked him about this paper; Mr. Smith said yes, the paper had come out so far, as to break the drivers, and that nobody should be licked any more again, and that if any body should be licked, it would be by their masters or their managers, and if any thing more than that, they were to be confined; after I heard that, Quamina told me to go with Manuel away to the middle walk of Success, and I went and stopped the people until he came.

Was any thing said about freedom having come out from England, for the negroes?—No.

How long was it after you got to Success middle walk, before Quamina came there?—About a quarter of an hour.

Did Quamina tell you, in the hearing of Mr. Smith, to go to Success middle walk?—Quamina and myself were together in the gallery, Mr. Smith was in the hall, I cannot tell if he heard.

Did any one, at the time we are now speaking of, leave Mr. Smith's house with you?—I left Mr. Smith's house without any one with me; I fell in with Emanuel on my way there.

In what part of Success middle walk was the meeting?—As far as from here to Mr. Edmonstone's house; the chapel was in sight, but nobody could see us because of the canes.

At what hour did the meeting break up?—About three or four o'clock.

Where did you go immediately after the meeting broke up?—Each went home to his own place; Quamina and myself went back again to Mr. Smith; I did not go into the house.

After you got home, where did you then go?—No where; I went home, got my supper, and went to sleep.

What did Quamina go to Mr. Smith's for, the second time?—He did not tell me properly; but he told me on the way, that he did not know what to say to Goodluck to stop him from going on; and that if he could get any person that same night, he would send to Jack, to stop the people over the coast.

Whilst Quamina went into Mr. Smith's house, where did you go?—I went to the negro house, to ask for some corn.

Did you see Quamina after he came out of Mr. Smith's house, on that night or afternoon when you and he went there as you say, after you and he came from the meeting in Success middle walk?—I and he went home together afterwards.

45

Where did you meet Quamina to go home with him, at the time mentioned in the last question?—Quamina saw me walking through the yard, and came to me.

Was it dark or light when Quamina went into, and left Mr. Smith's house, before you went in together? How long before the sun went down?—Not very long.

Did you and Quamina go straight home, and if yea, did you get home before the sun was down?—Yes, the sun was down just after we got home.

By the Court.

Were Jack of Success, Quamina, Paris, Jack of Vigilance, and Joseph, and Telemachus, of Bachelor's Adventure, teachers or deacons?—Jack of Success, a teacher; Quamina, a deacon; Paris, I don't know; Jack of Vigilance, a teacher; Joseph, a teacher; and Telemachus, a teacher.

Did Quamina make use of Mr. Smith's name, on going back to his house after the meeting?—He told me he was going back to Mr. Smith.

Did he say any thing else?—No, not that I heard.

Was Quamina first, second, or third deacon, of that chapel?—The first.

How far was Mr. Smith from you, when Quamina told you to go to Success middle walk?—About as far as that partition, (about ten or eleven paces.)

Did Quamina speak lower than common, when he gave you that order?—In an easy manner, not high nor low.

Who is Goodluck?—He belongs to a black man of the name of Peter M'Clure.

What was the purport of Quamina's first visit to Mr. Smith, from the chapel?—He went to ask about the letter that had come out.

John Baillie *called and sworn. Examined by the* Judge-Advocate.

What are you?—I have been a servant to Mr. Chapman.

Who is Mr. Chapman?—Ordnance store-keeper.

When did you leave his service?—About a week after this revolt took place.

What revolt do you mean?—The rising of the negroes.

When did that break out?—On a Monday night.

Did your master direct you to go up the coast on that Monday night?—On that Monday night, Mr. Goppy's servant was sick, and I drove a detachment up the coast; Mr. Peddie commanded.

Where did you drive them too?—Le Resouvenir; we could not get further, in consequence of the bridge being broke down.

Were there any other carriages?—Three.

What was in them?—Soldiers of the twenty-first.

What other carriages?—President Wray, Colonel Goodman, and Mrs. Hewlings.

Who drove Colonel Goodman's carriage?—Colonel Goodman's own coachman, John Aves.

When you got to the broken bridge of Le Resouvenir, what did you 46 do?—The soldiers alighted, and we were at a stand; the soldiers went on.

Where did you go?—We returned back, and went to Le Resouvenir.

Did you go in to that estate?—Yes.

Did you see any one there?—Yes.

Who was it?—Mr. Smith, the Prisoner, was the first person.

Where was he?—In his own room, up-stairs.

Was he looking out of the window?—He was looking out of the glass.

Did you speak to the Prisoner, or did he speak to you?—We had put the horses into the stable, we went to look after them, we came back to the carriages, and the Prisoner came down and asked us in; we went in, John Aves, myself, and two black men.

After you went in, did any conversation take place?—When I went in first, I said, what piece of work is all this? and he asked me what I meant by a piece of work? I said, about the negroes rising; and it is very extraordinary we should not hear of it in town before it came to the point: he made answer and said, I have known about this, this six weeks: something very strange, said I, that we could not hear of it in town, and you heard of it six weeks ago: then I asked him what he thought the grievance was? he said, he could not blame the negroes much, for they were worked day and night, and all Sunday; and that the manager on that estate had given a cat to the drivers as well as the whip, and would not allow them to go to chapel; and that there were to be no negroes flogged in the field, and no women flogged at all, only to be put in the stocks. He had papers in his house to that effect from home. I asked him what time this disturbance took place? he said, about seven o'clock, when they came from their work: he said, he had been busy writing all day, and he merely walked out about half past six to straighten his legs, and there he see the negroes well armed with muskets, cutlasses, and things like pikes; that fifty able negroes had surrounded the house, and taken six muskets, and what ammunition they could get; he said, the two overseers ran to him for protection, but the manager was away; I asked him if he was not afraid to stop in the house alone? he said no, they did not trouble such people as him; that is all.

Cross-examined by the Prisoner.

Were the two black people there, during this conversation?—They were, one belongs to Mr. Robertson.

Who is the other?—The president's coachman.

Did the Prisoner say that he *knew* , six weeks before, that the revolt would break out, or that he *apprehended* it?—He said he knew of it, that was the word.

Did the Prisoner make any, and what allusion to the newspapers from home?—He said he had papers to that effect.

On your oath, did not the Prisoner say, that as soon as he had read the papers, he knew that the revolt would take place, or words to that effect?—I don't recollect such words.

Have you been intimate with the Prisoner?—No, sir, I never saw him before that night, to the best of my knowledge.

Did the Prisoner state how he knew, six weeks before, that the revolt would take place?—No, sir.

47

Were John Aves and the two black men present, and in hearing, during all the conversation between yourself and the Prisoner?—They were all in a very small room.

John Aves *called and sworn. Examined by the* Judge-Advocate.

What are you?—Coachman to colonel Goodman.

Do you remember the 18th of August last past?—Yes.

Were you on that night on Plantation Le Resouvenir?—Yes.

Were you in any house there?—Parson Smith's house.

Do you know the Prisoner?—Yes.

Who were with you?—Mr. Chapman's groom, the president's man Cornelis, Mr. Robertson's man, I don't know his name.

Did any conversation take place?—Yes.

State it.—I said, it is a terrible thing this rising of the negroes; he said, this is a thing that has been expected these six weeks. I asked him what time it began? he said, he supposed about 7 o'clock in the evening; that the negroes, some of them rung the bell and some blowed the shell; and that was the alarm. About 50 strong able men went round the manager's house, and demanded the arms of the house; all they wanted were the arms; they did not wish to harm the managers, and they got six muskets out of the manager's house. The two overseers came over to him for protection; I asked him what the negroes wanted? he said, they wanted their Saturday and Sunday; he said, that there was an order sent out from government that all whips were to be laid down; no whips to go into the field; the whips were to be hung up in the manager's house, and if they did any thing, complaint was to be made to the manager, and he was to punish them, if he saw fit; instead of that, the manager, on that estate, gave the drivers cats with the whips; and he said, he would use them whilst he was able, and he had papers in his house to that effect. I am not positive these are the words, but these are the words I heard Mr. Smith say.

Who held the conversation with Mr. Smith?—Sometimes I asked the question, sometimes Mr. Baillie, who drew a chair next to him, and I walked about.

Did you hear all the conversation between Mr. Smith and Baillie on that evening?—No, I did not.

When you first went in, were you present and in hearing of the conversation that took place about the revolt?—I was.

Was Baillie present and in hearing of all the conversation that took place between you and Mr. Smith?—He was within hearing.

Was Baillie present, or in hearing, when Mr. Smith told you “this is “a thing that has been expected these six weeks?”—Yes, he was in the room with me.

Did you, during that evening, hear Mr. Smith say that he had known of the revolt for six weeks?—No, I did not hear that.

In what tone of voice did Mr. Smith speak on that evening?—He spoke very low; I never heard him speak before or since.

Could he be heard all over the room in which you, and he, and Baillie were talking?—I don't think so.

Had you and Baillie afterwards any conversation relative to what 48 passed on that evening at Mr. Smith's?—Baillie said, he thought Mr. Smith was a very curious sort of gentleman; he said, he asked Mr. Smith if he was not afraid to stop there by himself; and Baillie said, he told him they did not trouble such people as them; he made answer and said, he supposed him to be some Methodist parson, or something of that.

Did Baillie tell you that he, Mr. Smith, said that he knew of the revolt six weeks before?—Baillie told me he had said he knew of it six weeks before.

Had you and Baillie any difference of opinion as to whether Mr. Smith said he knew of the revolt, or had said it was a thing to be expected?—No.

When was it that Baillie first told you that Mr. Smith had told him that he knew of the revolt six weeks before?—I believe it was the next morning.

ELEVENTH DAY, 24TH OCTOBER, 1823.

Thomas Robson, *M.D. called and sworn. Examined by the* Judge-Advocate.

What is your profession?—Medical practitioner.

Do you know the residence of his excellency the governor, the president, and the quarters of colonel Leahy?—Yes.

Does the road from town go near any or all of these places?—A person cannot come from the east coast without passing near colonel Leahy's quarters, *i.e.* unless he comes on horseback.

Do you remember the 18th of August last?—I do.

Did you, on that day, see the Prisoner?—I did.

At what hour?—Between 7 and 8 in the morning.

Did he come to your door on foot, on horseback, or in a chaise?—I presume he came in a chaise; I did not see Mr. Smith arrive, but his chaise was at my door the whole time he was there.

What was the purport of his visit to you?—To consult me about a pain in his side.

Jackey Reed *called and sworn. Examined by the* Judge-Advocate.

To what estate do you belong?—Dochfour.

Do you attend Bethel chapel?—Yes.

What are you there?—I am a member of that chapel.

Did your master allow you to attend the chapel?—When I first attended, my master was not in the colony; on his return, he did not prevent me.

Did you ever know any of the negroes of that estate punished for going to chapel?—No.

Or ill-treated by the manager?—No.

Were there any meetings on that estate?—Yes.

For what?—My master allowed us to keep a prayer-meeting on the estate; he said, I could meet any time I chose on the estate, provided no strangers were allowed to come there, neither myself to go abroad.

49

Did you ever mention this to the Prisoner?—I did.

Did he make any remark upon it?—He said, it was very well, but there was no harm to go abroad, or to teach strangers that came there.

Did the Prisoner ever send teachers on other estates to admonish those that did not come to chapel?—Yes.

Were you ever sent, by the Prisoner, to any estate to teach?—I was sent to Orange Nassau by Mr. Smith.

For what purpose?—He said there were a good many christians there, and they staid away from chapel; he told me to go, but not to take any hymn-book with me, or catechism, and not to go in the face of the manager. (*By the Interpreter* , “What do you mean?”)—To walk in any other way, that the manager might not ask me any questions. He said, when I go I must call for the teacher, and let him first offer up a prayer and sing a hymn; and then

I must read a chapter to the people; any chapter that I think relates to the purpose, and to ask the people why they do not attend the chapel; I did accordingly.

Who went with you to Orange Nassau?—A man named Quamina.

Was he a member of the chapel?—No.

Did he attend the chapel?—Yes.

Do you know Quamina of Success?—Yes.

What was he on the estate?—A carpenter.

Do you know his son Jack?—Yes.

What was he?—A cooper.

Head-cooper, or second-cooper, or what?—I don't know.

Did you ever receive any letter from Jack?—One letter.

When?—The Sunday night before the rising of the negroes.

Have you that letter?—No.

What did you do with it?—I sent it by Guildford to Mr. Smith, the Prisoner.

Who is Guildford?—He belongs to Dochfour.

Did you send it with any message?—I sent it with a letter from myself.

When did you send it?—I sent it on Monday, about half past two o'clock.

Why did you send it?—I did not approve of the contents of Jack's letter.

I mean, why did you send it to the Prisoner?—Because the letter from Jack Gladstone was written by the members of Bethel chapel.

Did you receive any answer?—Yes, the same Monday night, about half past nine o'clock.

Have you that answer?—No; I gave it to my master.

Is that the letter?— *(The letter was handed open to the witness, he folded it up, looked at the back, and then said)* It was like this. When Guildford gave it to me I was upon guard, I took it and carried it to my master without reading it.

Lieutenant-colonel Reed *called and sworn. Examined by the* Judge-Advocate.

What are you?—A resident of this colony.

Where do you reside?—At Dochfour east coast.

Is there a negro of that estate called Jackey?—There is. G

50

Do you remember the 18th of August last Past?—I do.

Did you see Jackey on that night?—I saw Jackey on the night of the 18th of August.

Did he give you any paper?—He did.

Is this the paper which be handed you?—It is the paper.

Are you aide-de-camp to his excellency the commander-in-chief and governor?—I am.

Did you wait on the Prisoner?—I did.

When?—On the Thursday or Friday of the first week's sitting of the court-martial.

For what purpose?—To ask him for the letter which had been written and sent on Monday of the insurrection, by Jackey Reed to the Prisoner, which letter inclosed a letter from Jack Gladstone to Jackey Reed.

Who is Jack Gladstone?—He belongs to Success.

Is he the son of Quamina?—He is.

Did you go to the Prisoner?—I did. The Prisoner acknowledged that these letters had been brought to him by a negro called Guildford, belonging to Dochfour, but told me, he had destroyed them after reading them. He further acknowledged, that he had returned a written answer by the negro Guildford. I told him, that his answer had been placed in my hands on the evening it was written; and, that I had then a copy of it about me. He begged me to favour him with a sight of it. I did so. He read it attentively and returned it, saying, that he believed it was a verbatim copy of that which he had written.

Did any thing pass, between the Prisoner and yourself, concerning the revolt?—Yes. I said to the Prisoner, I am afraid you have been preaching very improper doctrine to the negroes, as, it appears, the principal members of your chapel have been leaders in this insurrection; to this he replied, when I have been preaching, I have sometimes wished to illustrate what I was saying, by reference to the situation of a manager or overseer of an estate; and, when I have finished my discourse, I have asked some of the most intelligent of my hearers to explain what I have been saying, and they have told me that I have been abusing the manager and overseer. The Prisoner then observed, that this was not the first insurrection that had taken place in the colony. I said, it was an insurrection of a peculiar nature. He then remarked, that much blood had been shed at different periods in religious wars, or words to that effect.

Where was Mr. Smith at this time?—In the room in this house where he is confined.

Cross-examined by the Prisoner.

Did not I tell you, what you have said concerning my illustrating my remarks, by reference to the situation of a manager, or overseer, of an estate, and my having asked the negroes, afterwards, what I had said, and their saying that I had abused the managers, as an instance of the aptness of negroes to misunderstand all that is said to them?—It did appear to me, that the Prisoner wished to impress upon my mind, that if the negroes had acted rebelliously, they must have misunderstood his doctrine.

51

By the Court.

What distance is Dochfour to Le Resouvenir?—I think about fifteen miles.

At what hour did Jackey give you that letter?—Somewhere between the hours of eight and nine.

Alexander Stevenson *called and sworn. Examined by the* Judge-Advocate.

Where do you reside?—In Georgetown.

What are you?—A printer.

Do you know the Prisoner?—I do.

Do you know his hand-writing?—If I were to see it.

Is this paper his hand-writing? (*letter produced*)—I believe it is.

Have you seen him write?—I have.

Have you received letters from him?—I have.

(*Letter read.*)

To Jackey Reed,

I am ignorant of the affair you allude to, and your note is too late for me to make any inquiry. I learnt yesterday that some scheme was in agitation; without asking questions on the subject, I begged them to be quiet. I trust they will; hasty, violent, or concerted measures are quite contrary to the religion we profess, and I hope you will have nothing to do with them.

Yours, for Christ's sake, J. S.

Jackey Reed's *Examination resumed.*

The letter you received from Jack Gladstone you state you sent to the Prisoner, do you know the contents?—Yes,—“My dear brother Jackey, I hope you are well, and I write to you concerning our agreement last Sunday. I hope you will do according to your promise. This letter is written by Jack Gladstone and the rest of the brethren of Bethel chapel, and all the rest of the brothers are ready, and put their trust in you; and we hope that you will be ready also. I hope there will be no disappointment, either one or the other. We shall begin to-morrow night at the Thomas, about seven o'clock.”—that is the whole of it, as near as I can recollect.

Do you remember the contents of the letter you wrote to the Prisoner on that Sunday?—Yes, it was,—“Dear sir, Excuse the liberty I take in writing to you; I hope this letter may find yourself and Mrs. Smith well. Jack Gladstone present me a letter which appears as if I had made an agreement upon some actions, which I never did; neither did I promise him any thing; and I hope that you will see to it, and inquire of the members whatever it is they may have in view, which I am ignorant of; and to inquire after and know what it is: the time is

determined on for seven o'clock to-night."—My name was at the bottom of it. I gave my master a copy of it from memory.

When did you give him that copy of it?—About a fortnight ago.

Was Quamina of Nootenzuyl sent to Orange Nassau with you by Mr. Smith?—No, he was not; Quamina of Success sent him. G 2

52

Where is Quamina of Nootenzuyl?— *He was in the barracks some time ago;* I don't know where he is now; I believe he is executed.

Did the Prisoner ever mark down any particular chapter for you to read?—He has.

What are they?—I can't remember them now; he has marked down several chapters that relate to religion.

What chapters did you read when you went to Orange Nassau?—I can't recollect it now, but I believe it was the 6th chapter of the Epistle to the Romans, and the 136th Hymn was sung.

Guildford *called and sworn, examined by the* Assistant Judge-Advocate.

To what estate do you belong?—Dochfour.

Do you remember the Monday when the negroes began to rise?—Yes.

Did Jackey Reed, of Dochfour, give you a note that day?—Yes.

What o'clock?—About half-past two o'clock.

To whom were you to carry the letter?—To Mr. Smith, the prisoner.

Did you carry it?—Yes.

When did you get there?—A little before six.

To whom did you give the letter?—Mr. Smith.

What time did you leave the house of Mr. Smith?—At six, sun just down.

To whom did you give the answer?—To Jackey.

What time was this?—When I got there, they had not gone to bed yet; I don't know the hour.

Where was Jackey when you gave him the letter?—On guard, at Dochfour.

Did you see Jackey read the answer?—No.

By the Court.

Had the negroes risen on plantation Le Resouvenir, when you arrived at Mr. Smith's house?—No.

Mitchell *called. Sworn on the Bible, and examined by the* Assistant Judge-Advocate.

Says he is no christian.

To what estate do you belong?—Le Resouvenir.

What are you?—Horse minder.

Were you on the estate the night of the revolt, when it began?—Yes.

Did the men of Le Resouvenir rise?—Yes.

Did you remain upon the estate?—Yes.

Where did the people go?—When they took the guns from the manager's house they went to the road.

Did you see any man come on that estate the next morning?—Yes, Quamina.

What Quamina?—Of plantation Success.

Where did you see him go?—On Tuesday morning I saw him pass along the yard to Mr. Smith.

Where were you?—In the horse-stable.

What horse-stable?—Mr. Hamilton's, the manager's.

Was any body there with you?—I was alone when I saw Quamina; 53 when Dose came out of the water-side,where he had been carrying breakfast to Mr. Hamilton, I told him so.

Is that the Mr. Smith about whom you have been speaking?—Yes.

By the Prisoner.

What time on the Tuesday morning was it that you saw Quamina?—The sun was not quite high.

What yard was it that Quamina passed along?—He came from the Company path towards the Success line, through some cabbage-trees, to Mr. Smith's yard; I saw him go into the yard, but I did not see him come out.

Dose *called. Sworn and examined by the* Assistant Judge-Advocate.

Not a Christian.

Do you believe God Almighty a'top?—Yes.

What is your name?—Dose.

To what estate do you belong?—Le Resouvenir.

Were you on the estate the night the revolt broke out?—Yes.

Did the negroes attack Mr. Hamilton's house?—Yes, they came round it, and came in the house at the time Mr. Hamilton surrendered his arms to the negroes; the Prisoner was walking in the middle path; it was a little after sun down, the sun had just gone down.

Was any one with Mr. Smith?—He came down with Mrs. Smith, and stood before Mr. Hamilton's door; they had been walking before, and did not come direct from their home to Mr. Hamilton's.

Did the Prisoner say any thing, in your hearing, to Mr. Hamilton, or any one else?—Yes.

At the time the negroes were round the house, did he speak to Mr. Hamilton?—Yes.

What did he say to him?—I don't know.

Did the Prisoner and his wife go away together?—Yes.

Were you on the estate the next morning?—Yes.

Were any of the men of Le Resouvenir about the negro yard?—No.

Do you know the groom?—Yes.

What is his name?—Mitchell.

Where was Mr. Hamilton that morning?—In the front house, on the water-side.

Did you go to him there that morning?—Yes.

Did you carry him any thing?—Yes, breakfast.

Did you see Quamina?—No.

Did you see Mitchell that morning, when you returned from carrying the breakfast?—Yes.

Did he tell you any thing?—Yes.

What?—He told me he saw Quamina come to Mr. Smith.

How far is Mr. Hamilton's horse-stable from Mr. Smith's house?—A little farther than St. Andrew's church, (about 100 yards.)

By the Prisoner.

Did you see the negroes pushing Mr. Smith away from the manager's house?—No.

54

Antje Ankey *called and sworn. Examined by the* Assistant Judge-Advocate.

Are you free?—No.

To whom do you belong?—Le Resouvenir.

Were you on that estate the Tuesday after the revolt?—Yes.

Do you know the Prisoner and his wife?—Yes.

Did you see Mrs. Smith on that Tuesday?—Yes.

Where?—At her house.

At what time?—Between twelve and two o'clock.

Did you go to her of your own accord, or did she send for you?—She sent for me.

Did she say any thing to you?—She asked me what was the matter, that the people were doing so?

Did you make any reply?—I said, I don't know, ma'am; the people wish to get their liberty.

Did Mrs. Smith say any thing more?—Mrs. Smith said the people did not behave well, for black people could not fight against whites. She said, she had been afraid the whole night, and had not slept. I answered, I was so afraid too, I did not know where to go, into the great house or the negro house. Mrs. Smith said, don't be afraid, they won't hurt you. Then she went to lie down, and told me she wished to see Quamina or Bristol very much. I did not know any thing about it; but I then got a boy, to send aback to bring Quamina to the lady.

Did Mrs. Smith say any thing in that conversation about which would conquer?—No, nothing further.

Did she say any thing about the mode in which the negroes were to carry on the war?—No.

What boy did you get to go aback?—Andrew of Le Resouvenir.

What time did you tell Andrew to go?—In the evening.

Did you see Andrew the next day?—Yes.

What time was it when you saw him?—In the night, he came and called me.

For what?—He told me that Quamina was come.

Where were you?—In my house.

Did you go out?—Yes.

Did you see Quamina?—Yes.

Did you say any thing to him?—I told him good night. Quamina told me to go and see if any one was in Mr. Smith's house.

Was any one with you, or near you, at that time?—Jenny Grant was in my house; and when I went out she went with me.

Who is Jenny Grant?—A free woman, in town.

Were did you go?—I went over to Mr. Smith's house, and saw a lady, named Miss Kitty Stewart, a cob woman.

Did you go into the house?—I went into Mr. Smith's house, and told Mrs. Smith that Quamina was come; then I took over Miss Kitty Stewart to my house.

When you went into the house did you see any one besides Kitty Stewart and Mrs. Smith?—I saw Mr. Smith; I said nothing to him but good night.

Where was he?—He was sitting on the sofa.

55

In what part of the house?—In the hall.

Where was Mrs. Smith?—In the front gallery.

Did Miss Kitty Stewart appear willing to go with you at first?—No.

How came you to take her?—Mrs. Smith told me that I must take her over to my house, and she would not come.

How was she prevailed upon to come at last?—I said, come along with me so, before you sit by yourself so. Mrs. Smith said, she would not go to bed. Mrs. Smith said, that if Miss Kitty went over with me, when Mrs. Smith wanted to go to bed, she would send and call her.

Did Mrs. Smith appear anxious that Miss Kitty should go over?—That I can't tell; she stood over, and bid her to go with me.

Did Miss Kitty then go away with you?—Yes.

Where to?—My house.

Where did you go after?—I went to look for Quamina, but did not meet him. I saw him after that go before me into Mr. Smith's house.

After he went in was the door left open, or was it shut?—Mrs. Smith stood at the door, and as Quamina went in she shut the door. I went to my house.

By the Court.

Was Mr. Smith there when Mrs. Smith was talking to Miss Kitty about going to your house?—He was there, but could not hear, because we were talking secret.

Was the door Mrs. Smith shut, the door of the room where you saw Mr. Smith?—Quamina went in at the back door, near the kitchen side.

Did the door he went in at lead to the hall?—You go through that door to go to the hall, but there is another door that leads to the hall.

What time of night was it when Andrew called you, and told you Quamina had come?—About eight o'clock, I can't be very sure.

Could Mr. Smith hear you telling Mrs. Smith that Quamina had arrived?—No, sir, Mr. Smith did not hear.

Negro Andrew *called and sworn. Examined by the* Assistant Judge-Advocate.

Do you understand the nature of an oath?—Yes.

To what estate do you belong?—Plantation Le Resouvenir.

Do you know Antje Ankey, who lives on same estate?—Yes.

Do you know Quamina, of Success?—Yes.

Did Antje Ankey ever give you a message?—Yes, on Tuesday *evening.*

What Tuesday?—The day after the war began.

What did she tell you?—She told me, that if I saw Quamina I must tell him morrow, and say Mr. Smith wanted to see him. I did. I saw Quamina; I gave him the message about eight o'clock on Wednesday morning.

What did he say?—Yes, and he came down on Wednesday night, about eight o'clock.

Where did he come from?—He came from a coffee piece, when he came from Success ground.

Did he speak to you?—Yes.

What did he say?—He asked if I brought the message to him? I said, yes.

Where is the coffee-piece?—A small distance at the back of the negro houses.

Where did he go then?—To Le Resouvenir buildings.

Did you go with him?—I remained behind and followed; he told me I must go and call Ankey (Antje.)

Did you call Ankey? (Antje.)—I did call her.

Where did you go after that?—To my house.

Did you, after that, see Quamina again?—Yes.

That same night I mean?—Yes.

Where did you see him?—He was coming from the front to the back dam, with a bottle in his hand.

Did you go back with Quamina?—Yes.

Did Quamina go aback?—Yes.

Where did you go?—When we reached our negro-houses I stayed there, and he went away.

Did he carry the bottle all the time?—No, sir, he gave me the bottle.

Was the bottle empty?—No.

What was in it?—He told me it was porter.

What was the space of time between the time when Quamina came to go to Mr. Smith's house, and when you saw him again?—A good full hour.

Have any of the negroes on that estate porter?—No, sir, they have not got any.

When you came down with Quamina was any body else with you?—A man named Cupido, of Le Resouvenir.

After you got aback where did Quamina go?—Straight onward to his own estate, Success.

Did Quamina say where he got the bottle of porter?—No.

Did he take it when he went away?—Yes, sir.

TWELFTH DAY, 25 th OCTOBER, 1823.

Cupido, *Negro, called, sworn, and examined by the* Assistant Judge-Advocate.

To what estate do you belong; and what is your name?—My name is Cupido, I belong to Le Resouvenir.

Were you on the estate the Wednesday after the revolt?—Yes.

Do you know Quamina, of Success?—Yes.

Did you see him that night?—Yes, when he and I came from aback.

Where to?—We came as far as the negro-houses of Le Resouvenir, when Andrew went to call Miss Ankey (Antje), to tell her that Quamina had come.

Did Quamina remain with you?—No, he went with Miss Ankey (Antje.)

Where did you stay?—I sat down at the door mouth of Romeo.

Did you see Quamina again that night?—I saw him again afterwards, the same night.

How long was it after he went with Ankey, (Antje?)—Half an hour; he did not stop too long.

When he came back had he any thing in his hand?—Yes, a bottle.

Had he the bottle when he came to Le Resouvenir from aback?—No.

57

Did you see where he came from with the bottle?—I cannot swear where he came from.

Where did you go?—Myself and Andrew went aback of Le Resouvenir, and Quamina went to Success.

Did Quamina carry the bottle the whole way?—No, he gave it to Andrew.

Did he leave it with Andrew?—No, he took it away with him.

Do you know what time of night this was?—Between six and seven.

Was it light or dark?—Moonshine; we came from the back dam about seven o'clock; it was moonshine when we came from and went to the back dam.

Jenny, *alias* Jane Grant, *called and sworn. Examined by the* Assistant Judge-Advocate.

Where do you reside?—In town; my name is Jane Grant.

Were you on Le Resouvenir on Wednesday night, after the revolt broke out?—Yes.

Do you know a man named Andrew of that estate?—Yes.

Did you see him that night?—Yes, I saw him come to Miss Ankey (Antje); I was sitting down at Ankey's (Antje's) door.

Where did Andrew go to?—I saw Andrew come into Miss Ankey's (Antje's) house, and then I saw them go out.

Did you follow them?—I went and peeped, to see where they were going to.

Did you then see any one else?—I saw them going, and I took a turn and saw Quamina on the dam.

What Quamina?—Quamina of Success.

Did Quamina speak to you?—As I peeped in his face he first bid me good night, and I spoke to him.

Did he say any thing more to you?—Nothing else.

He did not tell you where he was going?—No.

After this did you remain with Quamina?—No.

Where did you go?—To the house where I had been sitting down.

Have you known Quamina a long time?—Yes, three or four years.

Did you know, at that time, that Quamina had any thing to do with the revolt?—I did not; I had just come from town, and was going up to sell things.

Elizabeth, *of Industry, a little Girl, called and sworn. Examined by the* Judge-Advocate.

Does not know how old she is.

What is your name?—Elizabeth.

Where do you belong to?—Industry.

Where have you been living lately?—I lived with Mrs. Smith, the Parson's wife.

Let the witness look at the Prisoner, and say if that is the person.—Yes, it is Mr. Smith.

Do you remember the night when the war broke out among the negroes?—Yes.

Were you at the Prisoner's on that night?—Yes, I was in his house.

Did you see any body come there that afternoon with a letter?—Yes. II

58

Do you know where he came from?—I believe from Dochfour.

What makes you believe he came from Dochfour?—Because I have seen that man who came with the letter in town since.

What time was it?—It was just after dinner. Sun was high a little bit, it was most down.

What time does Mr. Smith dine?—About four o'clock.

Did that boy stay there long then?—He sat down upon the steps a little long.

Did the Prisoner remain in his house after that boy went away?—When he went away, the Prisoner went to walk a little bit in the middle path.

Was any one with him?—Only him and his wife.

Did the negroes rise upon the estate that night?—Yes, that night.

How long was it after the boy had brought the letter?—It was about seven o'clock.

Was you in Mr. Smith's house the Tuesday and Wednesday?—Yes.

Do you know Quamina, of Success?—Yes.

Did you see him there that Wednesday night?—Yes.

Where did you see him?—In the parson's house.

In what part of the house was Quamina?—Inside of the hall.

Was any one with him?—Mr. Smith and Mrs. Smith were there.

Where was Mr. Smith at that time?—He was sitting down in the hall, close to the table, on a chair.

Was Quamina near him?—He stood a little near him.

Was any one else in the room besides?—Quamina and Mr. and Mrs. Smith, only they.

Did Mrs. Smith remain in the room all the time that Quamina was there?—Yes.

Did she ever come to the front door during that time?—I did not see her go to the front door.

Did you see Quamina talk to Mr. Smith, or Mr. Smith to Quamina?—I heard them talk together.

How long did Quamina stay there?—He stood longer than I have been before the court. (*About ten minutes, or a quarter of an hour.*)

Did you see him go out?—Yes, I saw him when he went out.

After he went away, did you see Mrs. Smith?—Yes, I saw her.

Did she say any thing to you?—Yes.

What?—Mrs. Smith said that I must not tell any body that I saw Quamina in the house; and if I told any body she would lick me.

During this revolt, did she see any of the negroes come to trouble the Prisoner?—No, I did not see any one come there for that purpose.

By the Court.

Has the Prisoner a boy servant?—Yes.

Was Mr. Smith's horse in the stable when the man brought the note on Monday night?—Yes.

Do you know the way to Dr. M'Turk's, at Felicity?—Yes.

Did you see the Prisoner, or his wife, give Quamina any thing?—I did not see either of them give any thing.

You say you saw Quamina go out, did you see any thing in his hands?—He had a stick, upon which was hung a bundle.

59

Kitty Stewart, *or* Cuming, *called and sworn. Examined by the* Assistant Judge-Advocate.

What is your name?—Kitty Stewart.

Where do you reside?—At Success, with Mr. Stewart.

Were you there at the time the revolt broke out?—I was at Success.

Did you remain there on the Wednesday evening?—No, I went over to Le Resouvenir.

Had you any reason for going there?—The people of Success were all moving away, and going to the back, and I was afraid of remaining there alone, and that caused me to go over to Le Resouvenir.

Did you see the Prisoner on the Wednesday night, when you went to Le Resouvenir?—Yes.

Where did you see him?—In his house.

Were you in his house?—Yes.

Did you remain there all night?—No, when I first went there and asked them to lodge there, they said yes, I was welcome, and I stopped there. While I was sitting down at the door, Ankey (Antje) came to me; she said, Miss Kitty, you are lonesome here, you had better come over and stop with me, till Mrs. Smith goes to bed, and then she'll send and call you. I was not at all wishful of going with her at first; then Mrs. Smith said, go over with Ankey (Antje); whenever I am ready to go to bed, I will send to call you; and I went with her.

Did you return to the Prisoner's house that night?—I stood at a door where I went and sat down about an hour and a half, in that time Mrs. Smith sent to call me, and I went back.

At the time when you went over, were the negroes of Success in a state of rebellion?—They were going away, and moving their things a back.

Lieutenant Nurse *called and sworn. Examined by the* Assistant Judge-Advocate.

To what corps do you belong?—1st battalion Demerara militia.

Were you on duty at Felicity, on Thursday after the revolt broke out?—I was.

Who was commanding officer?—Captain M'Turk.

Did he give you any order on that day?—He commanded me to repair to Mr. Smith, and demand his immediate attendance at plantation Felicity; for the reports which he received, concerning the strength and intention of the insurgent negroes in the neighbourhood, were of so alarming a nature as to call for the assistance of every white and free coloured person in the district, to bring them back to their allegiance, and restore tranquillity to the country. I was also desired to state to Prisoner, that if he had no arms of his own, he should be supplied with them at the post Felicity; and that the duty which he should be required to perform, should be made as easy and comfortable for him, as circumstances would allow. That, with respect to his lady, she could if she pleased accompany him to Felicity; where a comfortable apartment should be provided for her accommodation, and every respect and civility be shewn her, or, if she wished to be removed to George Town, or to any H 2 60 estate, an escort of troops would be appointed to conduct her there in safety.

Did you deliver these orders to the Prisoner?—I did, in person.

Where?—At his residence on plantation Le Resouvenir.

What reply did the Prisoner make?—His reply was, that he would not obey the order of Captain M'Turk; that he had no authority to issue such an order; and that if he had, he would not obey it, as his clerical character, or vocation, exempted him from militia duty. He concluded, by saying, that he was much obliged to Captain M'Turk for his kind promise of civility to his lady and himself, but that he should not avail himself of it. That their circle of acquaintance was small, and he had no wish that his lady should he removed from Le Resouvenir, or to quit it himself: for, notwithstanding the disturbed state of the country, and of that estate in particular, on which there were no other whites than Mrs. Smith and himself; he considered he was as safe there, as he would be in George Town, or in any other house or estate in the colony.

Did he then persist in his refusal to obey you?—I repeated my order; and, finding that he persisted in disobeying it, I asked him whether he knew that martial law had been proclaimed by the governor? He replied, he did; and then asked him if he had seen *one of the proclamations?* He said, he had. I begged to know if he had it in the house at that time? He answered in the affirmative. I asked him to shew it to me; he said he would, quitted the room, went up-stairs, and returned with the proclamation, which I read to him. I reasoned with him on the impropriety of his conduct, and his refusal to obey Captain M'Turk's order, when he knew that the law was now absolute, and admitted of no distinction, as appeared by the proclamation of the commander-in-chief. He persisted in his refusal to obey, and told me, that, for his part, he did not know what martial law meant. That, after he had read the general's proclamation, he referred to his Enclycopedia for the definition of the term martial law; and, when he had read the explanation given of it in that work, he was just as wise as when he had finished the perusal of the general's proclamation. I again warned him of the consequences of his conduct, and requested, that he would allow me to explain what martial law was; and, perhaps, he would understand it better from me than he had done from his Encyclopedia. He said, he had no objection to hear my definition of it; and, when I had explained to him the positive and absolute nature of the law, and that it was his duty to comply with the orders of Captain M'Turk, or of any other officer, employed by the commander-in-chief; that his clerical vocation did not exempt him, the inhabitants of the colony being called upon without distinction, to take up arms. He answered, I differ from you in opinion, and I do not intend to join any troop or company, or to do any militia duty.

Did Captain M'Turk give you any further orders?—Yes; that in the event of his refusing to join the post at Felicity, not to enforce that order *by personal violence or arrest* , but to ask the Prisoner for his papers and manuscripts, for the purpose of being sealed up; and, if he refused to comply with that order, I must resort to force, and carry it into execution. The Prisoner agreed that I should seal his papers up, observing, that he had nothing to fear from a fair and impartial examination of them.

During your conversation was there any thing particular in his manner?—It was very supercilious.

Did you go alone?—No, I carried a serjeant and twelve men.

Did you seal up the papers?—I did.

What were your further proceedings?—He made several observations as to Captain M'Turk and my conduct in doing so; telling me, that we did it at our peril. He asked permission to retain several manuscripts, among which were several sheets sown together, which he called his class-books. These, he observed, would be of very little consequence to us, or our purpose, as they contained private memorandums as to the names of several negroes, who had attended the chapel regularly, and had contributed, by pecuniary aid, to its support; that these periodical donations were set opposite to their respective names. I told him, I supposed he would feel no reluctance in giving up these documents for examination, as, upon enquiry, I had no doubt that those negroes, who possessed the advantage of a regular attendance at his chapel, would be found to be much improved, and benefited by his religious instructions, as to have taken no part in the revolt. He smiled, and answered, that I would be mistaken, as he knew that would not be the case. He was, also, reluctant to give up a letter, which he stated he had received, a short time previous, and had not yet replied to it. I insisted on taking every thing in manuscript; and, after some further hesitation, he gave me up the letter in question, observing, that it was from his friend and brother Mr. Wray, of Berbice; that it contained pleasing information, as to the manner in which the inhabitants of that colony had met the views of the government and the people of England, in ameliorating and improving the condition of these slaves; and by allowing them the part or whole of Saturday. I don't recollect whether he said the part or whole; and, if the people of this colony had acted with the same liberal and generous feeling, the revolt which had occurred would never have taken place. I proceeded to collect his papers, and put them in a desk and drawer, which

I sealed up; and, having cautioned him against a violation of those seals, I proceeded to Felicity, and reported to Captain M'Turk. He ordered me to go to the Brothers and tell Captain Simpson, that he had refused to obey his orders; and, that he was to come up to Felicity, with his troop, as it would be necessary to arrest the Prisoner, and send him to head-quarters.

Did you return to the Prisoner's house?—I did.

Did Captain Simpson accompany you?—He did.

Was the Prisoner then arrested?—He was; and, with his papers, given in charge to Captain Simpson and his troop of cavalry.

By the Prisoner.

Did I not tell you, that I was willing to give my services in any way, except that of taking arms?—No.

By the Court.

Is that a copy of the proclamation which you read to the Prisoner?—It is, sir.

62

PROCLAMATION.

By his Excellency Major-General John Murray, Lieutenant-Governor

Demerary. (L.S.) *John Murray.*

and Commander-in-Chief in and over the United Colony of Demerary and Essequibo, &c. &c. &c.

By virtue of the power and authority in me vested by our Sovereign Lord the King, and whereas the disturbed state of the Colony appears to me to be such, as to require the

most vigorous and decided steps to be taken for the protection of His Majesty's Subjects and their Property—I have thought fit to issue this my Proclamation, hereby declaring, in the name of our Sovereign Lord King George the Fourth, the United Colony of Demerary and Essequibo to be, from and after the issuing of this my Proclamation, under MARTIAL LAW: and I do hereby enjoin all Faithful Subjects of His Majesty within this United Colony, to govern themselves accordingly, and to be aiding and assisting, to the utmost of their abilities, in restoring the peace of the country, and in protecting their fellow-subjects. And it is further our will and absolute command, in consideration of the premises, that no person or persons do, on any pretence whatsoever, quit George Town, without Special Leave first had and obtained for so doing; all persons, without distinction, capable of bearing Arms, being required immediately to enroll themselves in some Troop or Company of the George-Town Brigade of Militia. And it is further ordered and enjoined, that all Slaves within the different districts of George Town, be detained by their Masters or Owners within their own premises—not suffering them to leave such their premises on any pretence whatsoever, unless on the indispensable business of their Masters or Owners.

Given under my Hand and Seal of Office, at the King's House, in George Town, this 19th day of August, 1823, and in the fourth Year of His Majesty's reign.

God Save the King!

By Command of His Excellency the Lieutenant-Governor, John Murray, Gov. Sec.

Here ended the Case for the Prosecution.

THIRTEENTH DAY, 31 st OCTOBER, 1823.

The Prisoner being called upon for his defence, stated, that in consequence of the indisposition of himself and his counsel, he had not been able to complete his defence; but that at ten o'clock to-morrow morning he should be quite prepared.

FOURTEENTH DAY, 1 st NOVEMBER, 1823. PRISONER'S DEFENCE.

Mr. President,

Before I enter upon the immediate defence of my conduct, from the charges which have been preferred against me, I beg leave to call the attention of the Court to a few preliminary observations. The Court is well aware that, by profession, I am a Minister of the Gospel, ordained and sanctioned by the Missionary Society, a most respectable body of men, well known to, and sanctioned by the Government at home; whose sole object is of a religious nature, the conversion of the heathen and other unenlightened nations, to the Christian faith. With the civil or political state of those countries, where its Missionaries labour, it has nothing to do. Under the patronage of this Society, I chose to engage in the difficult and self-denying work of instructing the benighted negroes in the principles of our holy religion. With this avowed intention, I arrived here, in February, 1817, and, having obtained permission of his Excellency, the Governor, to preach to, and catechise the slaves, I commenced my labours with a full determination to keep to the letter of my instructions from the Society, in having nothing to do with the temporal condition of those who might be placed under my ministerial care.

To this determination I uniformly adhered. So much was I impressed with the necessity of acting up to this resolution, that, soon after my arrival, I requested permission to remove the chapel to the side of the public road, that I might be farther from the Negroes, and know less of what was transacted on the estate. The object of my mission, like that of my predecessor, was very differently regarded by the Planters; some of them, from the time of my arrival, and long before, were strongly prejudiced against the instruction of the Negroes, and have uniformly opposed it; but with others this was not the case. They allowed their people to attend the chapel, and observed, and, from time to time, commended their general behaviour, and have repeatedly given proof of their approbation

of the Mission, not only by words, but also by deeds, by contributing to the Missionary Society.

The manner in which I have pursued the object of my mission, deserves some notice: Having learned what kind of services had been performed by Mr. Wray, my predecessor, I endeavoured to adopt and follow his plan.

There were five services in the week in the chapel, three on the Sunday, one on Tuesday, and another on Friday. The Negroes belonging to the estates were catechised on other evenings, in the school-room attached to the house.

After about twelve mouths I discontinued the Sunday evenings' service; all the others were regularly continued till the end of last year, when I gave up one of the week-day evening services; since then, we have had three public services in the week, and a catechetical meeting or school, on one evening in the week. A great part of the interval between the morning and the noon services on the Sabbath, was occupied in catechising the Negroes, in the chapel. This department was superintended 64 intended chiefly by Mrs. Smith; white persons were often present; I was generally engaged, at the same time, in the school-room, catechising candidates for baptism.

All these services were of a public nature, we had no private meetings; the plantation bell was rung to call the people, the doors were always open, and the place accessible to all. The constitution of the church was formed by Mr. Wray, and was what is usually called Congregational. There were four Deacons; their duties were to assist in the administration of the Lord's Supper, by handing the bread and wine to the members, to keep order in the congregation, to make enquiry into the moral conduct of such as applied for baptism, or admission into the church, and to collect the money, spoken of in the evidence for the prosecution. They were not teachers by virtue of their office, nor did they, as such, ever teach any one to my knowledge. Seaton was indeed the teacher at Success, but he was

that long previous to his acting as Deacon. In point of authority, they were in no respect superior to any other member.

As to the teachers, they were wholly unconnected with the church. The people themselves chose them, on their respective estates, without my interference.

Their chief qualification was a knowledge of the Catechism.

I would now submit to the Court a few observations respecting the Journal, from which some extracts were read by the Judge-Advocate. The Missionary Society wished me to keep a Journal. On my arrival I commenced one, but soon found that there was too little variety in my labours, to render it a matter of consideration to the Society; yet I continued it, merely for my own private use, as must be pretty evident, from the careless and irregular manner in which it has been kept, and from the nature of several of the notes and reflections therein contained. One or two extracts only have been given to the Society, which merely referred to the moral or spiritual state of the congregation.

No other part of the Journal was even read by, or to any one, besides myself, till it was taken from me. The contents of it were unknown even to Mrs. Smith, and the greater part I myself had forgotten.

The notes in the Journal relate chiefly to my ministerial labours among the congregation over which I was placed. Facts, and what were reported to me as such, are briefly stated, and such reflections sometimes subjoined, as naturally arose out of them. Some parts refer to conversations with Negroes, and are brought forward by the Judge-Advocate, to prove that I have interfered with their treatment.

As to conversations with Negroes, the Christians in particular, from the very nature of my office, it was both natural and necessary that I should converse with them, to a certain extent. No Missionary, or other Minister of the Gospel, can properly discharge his sacred functions, without having some other intercourse with his people, besides that of public

teaching. He has to watch for the soul of every individual of his charge. (See Ezek. ch. xxxiii. 7, 8.) " *So thou, O son of man! I have set thee a watchman "unto the house of Israel; therefore, thou shalt hear the word at "my mouth, and warn them from me. When I say unto the wicked, O "wicked man, thou shalt surely die; if thou dost not speak to warn the "wicked from his way, that wicked man shall die in his iniquity; but "his blood will I require at thy hand.* " Heb. ch. xiii. v. 17. " *Obey "them that have the rule over you, and submit yourselves: for they* 65 " *watch for your souls, as they that must give account; that they may "do it with joy, and not with grief: for that is unprofitable for you.* ")

He is commanded to be instant in season, and out of season. (2 Tim. ch. 4. v. 2. " *Preach the word, be instant in season, out of season, reprove, "rebuke, exhort with all long-suffering and doctrine.* " If any of his flock go astray, it is his duty to seek after them, he must know the cause of their declensions in religion, ere he can rebuke and exhort them; and, as I could not have access to them, on the plantations (though enjoined by the instructions of the Society, which his Excellency has seen and read, to visit them in their houses,) it was necessary that I should either make enquiry of others concerning such, or send for them to come themselves, with another member. The latter mode I always preferred when practicable. In all such conversations, I have abstained from making any remarks respecting their masters, and have uniformly exhorted them to a dutiful submission, as some of the witnesses for the prosecution have proved, and multitudes of the congregation can testify.

This brings me to the charges which are exhibited against me—They are four:

The first is, "That long previous to, and up to the time of a certain "revolt and rebellion, which broke out in this colony on or about the "18th August last past, I did promote, as far as in me lay, discontent "and dissatisfaction in the minds of the Negro slaves; towards their lawful "masters, managers, and overseers, thereby intending to excite the "said Negroes to break out in such open revolt and rebellion against the "authority of their lawful

masters, managers, and overseers, contrary to “my allegiance, and against the peace of our Sovereign Lord the King, “his Crown, and Dignity.”

The second is, “That I, having about the 17th day of August last, and “on divers other days and times theretofore preceding, advised, consulted, “and corresponded with a certain Negro named Quamina, touching and “concerning a certain intended revolt and rebellion of the Negro slaves, “within these colonies of Demerara and Essequibo; and further, after “such revolt and rebellion had actually commenced, and was in a course of “prosecution, I, the said John Smith, did further aid and assist in such “rebellion, by advising, consulting, and corresponding, touching the “same, with the said Negro Quamina, to wit, on the 19th and 20th August “last past, I then well knowing such revolt and rebellion to be in progress, “and the said Negro Quamina to be an insurgent engaged therein.”

The third is, “That on the 17th of August last past, and for a certain “period of time thereto preceding, I, having come to the knowledge of a “certain revolt and rebellion intended to take place within this colony, did “not make known the same to the proper authorities; which revolt and “rebellion did subsequently take place, to wit, on or about the 18th of “August now last past.”

Fourth, “That I, after such revolt and rebellion had taken place, and “during the existence thereof, to wit, on or about Tuesday and Wednesday, “the 19th and 20th August last past, was at plantation Le Resouvenir, “in presence of, and held communication with Quamina, a Negro “of plantation Success, I then well knowing the said Quamina to be an “insurgent engaged therein, and that I did not use my utmost endeavours “to suppress the same, by securing or detaining the said insurgent Quamina “as a prisoner, or by giving information to the proper authorities I 66 “or otherwise, but, on the contrary, permitted the said insurgent Quamina “to go at large and depart, without attempting to seize and detain “him, and without giving any information respecting him to the proper “authorities, against the peace of our Sovereign Lord the King, his “Crown and Dignity, and against the laws

in force in this colony, and in “defiance of the proclamation of martial law issued by his Excellency “the Lieutenant-Governor.”

The prosecutor, in his address to the Court, enlarged upon these charges, and endeavoured to impress upon the Court a belief that my conduct had been more guilty, my alleged offences greater, and more heinous, than even these charges represent them to be. I am aware, at least I trust so, that the prosecutor is bound to adhere strictly to the charges of which a copy has been regularly served upon me, and with this trust I should have rested satisfied, had not the prosecutor endeavoured to prove his own version of the charges, thereby attempting to draw down upon my character infamy and opprobrium. As it is, he has completely failed to make good his assertions, and I shall therefore but briefly notice them in the course of my defence.

I shall now take the charges in the order they stand.

To make good the first, the prosecutor has endeavoured to prove,

1st. That I have an aversion to slavery.

2dly. That I have endeavoured to mislead the Negroes, by misinterpreting and perverting the Scriptures.

3dly. That I have taken money and presents from the Negroes.

4thly. That I have sold them books.

5thly. That I have interfered with their treatment.

6thly. That I have taught them to disobey their masters.

7thly. That I have taught them that it was sinful to work or go to market on the Sabbath day.

And 1st. That I have an aversion to slavery.

That I have an aversion to slavery I cannot deny, for if it be a crime to cherish such an aversion, then I have as my associates in guilt the most liberal and best part of mankind. After the recent recognition, by the House of Commons, and the British Government, of the proposition that “Slavery is repugnant to Christianity,” it cannot be necessary for me, a minister of the Gospel, to enter into any justification of my sentiments on this subject.

2d. That I have endeavoured to mislead the Negroes, by misinterpreting and perverting the Scriptures.

To prove this, my Journal, that Journal which has been dragged forth from the privacy in which it was buried, has been produced, and several passages read from it. Witnesses have been called, and what have they all proved? the very opposite thing to that desired by my prosecutors. It has been objected to me that I expounded those parts of the sacred Scriptures which allude to the condition of slaves.

Here it must be remembered, that it is a minister's duty to feed his people with knowledge and understanding. (Jer. ch. iii. v. 15. “ *And I “will give you pastor's according to mine heart, which shall feed you “with knowledge and understanding.* ”*

* I think it was while reading this quotation that the president observed, that “the “Court did not conceive that these passages of Scripture bore at all upon the charges, “and that they might be dispensed with.” Lieut. T. C. Hammill, however, observing that “he saw no objection to their being, read,” the Court was cleared, and after a long consultation, probably three quarters of an hour, on re-entering, I was informed by the Judge-Advocate, that the Court considered the quotations unnecessary for my defence, and begged that I would omit them. Consequently, all the Scripture quotations, or nearly all, were afterwards torn out of the original copy of the defence handed over to the Judge-Advocate. They are here retained, but marked to note their emission. J.S.

It was the boast of the Apostle Paul, that he had not shunned to declare *all* the counsel of God. Acts, ch. 20. v. 27. Didactic discourses alone are not sufficient to enlarge the minds of a Negro congregation. The biographical sketches, and the historical incidents recorded in the Bible, are far better adapted to their capacities, as striking examples of virtue and of vice powerfully impress the memory, and furnish reflections and motives to duty, far more efficacious than mere abstract lessons.

With this view of the subject, I commenced, about the middle of 1820, a regular course of historical reading and exposition, taking the Old Testament for the morning service, and the New Testament for the evening. I began in the Old Testament with Genesis; and in the New Testament with the Gospel of St. Matthew. The Old Testament I read in order, with the omission of such chapters as appeared to me liable to be misinterpreted by the Negroes. The passage which has been read from the Journal, under date “8th August, 1817,” says, that “I *omitted* “to read or expound to the Negroes a passage of Scripture, (latter part “of Gen. xiii.) which I apprehended they might misconstrue. It contains “a promise of the land of Canaan to Abraham's posterity.” The Journal adds the reason why I omitted the passage, viz. “that I was “fearful it might make a wrong impression on their minds, as I tell them “ *some* of the promises, &c. which were made to Abraham, &c. will “apply to the Christian state.” This proves that I was very cautious *not to apply to the Negroes* those parts of Scripture which relate to temporal possessions, and were peculiar to the patriarchs. That some of the promises and precepts made to them apply to the Christian state, is evident from the New Testament; compare Romans, ch. iv. v. 23. to the end. The Apostle, speaking of Abraham's faith being imputed to him for righteousness, says, “now it was not written for his sake alone that it was imputed to him, but for us also,” &c.

Great stress has been laid on my reading of the deliverance of the Israelites from Egypt. Had that part of the Holy Writ been omitted, the history of the church of God could not

have been understood. The mercy, the power, and the providence of God, are signally displayed in that part of sacred history, and cannot fail to impress, with a sense of religious fear and trust, even the stupid mind of a Negro. For this reason I suppose the Apostle Paul, in 1 Cor. ch. x. v. 1—11., presses upon our particular attention this very portion of the Scriptures. (“ *Moreover, “brethren, I would not that ye should be ignorant, how that all our “fathers were under the cloud, and all passed through the sea; and were “all baptized unto Moses in the cloud, and in the sea; and did all eat the “same spiritual meat; and did all drink the same spiritual drink: (for “they drank of that spiritual rock that followed them; and that rock “was Christ:) but with many of them God was not well pleased; for “they were overthown in the wilderness. Now these things were our “examples, to the intent we should not lust after evil things, as they also “lusted. Neither be ye idolaters, as were some of them; as it is written,* 68 “ *The people sat down to eat and drink, and rose up to play. Neither “let us commit fornication, as some of them committed, and fell in one “day three and twenty thousand. Neither let us tempt Christ, as some “of them also tempted, and were destroyed of serpents. Neither murmur “ye, as some of them murmured, and were destroyed of the destroyer. “Now all these things happened unto them for examples: and “they are written for our admonition, upon whom the ends of the world “are come.* ”) In reading the portions of Scripture partially related by the witnesses, care was always taken to guard against perversion or misapplication; such reflections only being made, at the end of the chapter, as were of a moral and religious nature.* Even those witnesses for the prosecution, whose memories were so very tenacious on the subject of Moses and Pharaoh, and the children of Israel, though it is two years since, I (have) read to them about these persons, have stated that “they “never heard me apply the history of the Israelites to the condition of “negroes.” If they themselves read the Bible and so applied it, the fault must be charged to their ignorance; (*as Bristol very properly stated before the Court, though it was not taken down;*)† and shews the necessity of their having more instruction. It is to the ignorance of men that the Apostle Peter imputes the perversion of the Scriptures. (In his second Epistle, ch. iii. v. 16. where speaking of St. Paul's Epistles,

he says, “In “which are some things hard to be understood, which they that are “unlearned and unstable wrest, as they do also the other Scriptures, unto “their own destruction.”)

* Mary Chisholm, in her evidence, gives two specimens of these expositions and reflections.

† The Court ordered this passage to be erased; and it is not in their copy.

The deacons praying extempore at the morning service, is repeatedly brought forward in evidence for the prosecution; whereby it appears that an attempt was made to shew, that I taught them in an insidious and artful manner, to reflect upon their masters, and thereby to infuse into the negroes a spirit of dissatisfaction. Extempore prayer is practised, I believe, in every Christian church, except those of England and of Rome; and among most, if not all classes of Protestant dissenters. The deacons and members pray at meetings of that nature; with us it was not the deacons only that prayed, but any of the male members, whom I judged capable of so doing. They prayed aloud, and were taught by me to pray with their eyes shut. This was for the purpose of abstraction; but surely it proves that I could not have taught, nor allowed them, to introduce any thing offensive in their prayers; for whilst they were praying with their eyes shut, any black, coloured, or white person might have entered the chapel, as the doors were always open during such prayer meetings. Instead of the witnesses having proved that I perverted and misapplied the Scriptures, let the evidence be examined, and if it be viewed with an impartial eye, it will clearly shew, that the prayers and doctrines I taught them, were calculated to instruct them in nothing but what was good, moral, and religious. One of them, Bristol, has given a specimen of the prayers used by them, and what is it? He said, “he “prayed to God to bless and help them all, that they may be enabled “to seek after him more and more, and that he would bless their masters, “and the governor, and fiscaal. That they (the negroes) might make “good servants unto them, and that they might make good masters unto 69 “them (the negroes), to give them health and strength to do that which “it might be their duty to do; to bless all their brothers and sisters.”

Bristol was then asked, “if the negroes ever prayed about their masters' “hearts?” He answered, that “they prayed that the Lord might “bless them, and change their hearts, and their masters' hearts also.” This is surely not wrong. (Jeremiah, ch. xvii. v. 9. declares that, “ *the “heart is deceitful above all things, and desperately wicked,* ” and in the Psalm li. v. 10. are these words, “ *Create in me a clean heart, O God! “and renew a right spirit within me.* ” So the Lord, by Ezekiel, promising spiritual blessings, declares, in ch. xxxvi. v. 26. “ *A new heart also “will I give you, and a new spirit will I put within you; and I will “take away the stoney heart out of your flesh, and I will give you a “heart of flesh.* ” And in v. 37, “ *Thus saith the Lord God, I will yet “for this be enquired of.* ”

He was asked, if these prayers were taught him? he answered, “No,” he prayed of himself, out of his own heart.

The memories of the negroes, Azor and Manuel, appear to have been tenacious of that part of sacred history concerning the deliverance of the children of Israel. This cannot be imputed to me as a crime, for there is not a chapter upon this subject that I have read to them twice; I went regularly through, except in omitting, from caution, such chapters as I thought might be misunderstood. Emanuel was asked, “was it told y ou “why God so commanded Moses?” he answered, “That was because “God did not wish that they should be *made slaves.* ” I certainly did not tell the negroes this. I read the lessons from the small pulpit, as Azor proves, and my sermons were delivered from the upper pulpit. It was not likely that, in a mixed congregation, assembled with open doors, I should expound doctrines in a manner objectionable to the community at large. I boldly put the question to this very witness, Azor, “When the “prisoner talked or explained to you about the children of Israel, did he “tell you that the state or situation of the negroes was like to that of the “children of Israel?” His answer was “No.” Had I been conscious that this question could have been answered in any other way, would I have dared to put it?

3dly. It is alledged that I took money and presents of the negroes. This I suppose is to shew that, by so doing, I impoverished them, and hence made them dissatisfied with their

condition. The evidence for the prosecution clearly proves, that whatever money was contributed, was entirely voluntary on the part of the contributors. Once a month, after the Sacrament, a collection was made, amounting, as Bristol states, to from 30f. to 35f. I believe the average amount was about 30f.* With this money bread and wine for the communion, and candles for the use of the chapel, were purchased; I presume no one will suppose that I was much the richer for that. Bristol further says, “Some that could afford it gave “two bitts, some one bitt, and some nothing; but whether they gave or “gave not, still they were welcome to partake.“† I never said a syllable to them about collecting it. They had, I believe, been in the habit of doing so from the time of Mr. Post.

* Jason says, sometimes it was 24 guilders, and sometimes 23, and that wine, bread, and candle, for the use of the chapel, were purchased with it.

† Jason proves that no one paid for his seat in the chapel.

70

It is further said, that I took money of the negroes for the Missionary Society; I did so—it was by the Society's request, and with the knowledge of their masters, some of whom approved of it. On commencing this contribution, I explained, from the pulpit, the nature and object of the Society, and the necessity of their being supplied with money, to enable them to carry on their design, and invited those who chose to become contributors. Many gave me their names; some of whom paid their subscriptions regularly, while others scarcely ever paid at all. A collection was made, about once a year, in the chapel. The money was reckoned by the deacons, the sum put down by myself, and the year's amount remitted to the Society, as is apparent by the Society's publications and letters. These contributions were entirely voluntary, No negro was asked personally to subscribe, they did it cheerfully on being appealed to from the pulpit. This is not only according to the usage of all churches, but agreeable to the Scripture, as appears from Saint Mark, ch. xii. v. 41. et sequentibus, “ *And Jesus sat over against the treasury, and beheld how the*

people “cast money into the treasury: and many that were rich cast in much. “And there came a certain poor widow, and she threw in two mites, “which make a farthing. And he called unto him his disciples, and “saith unto them, verify, I say unto you, that this poor widow hath “cast more in than all they which have cast into the treasury: for “all theft did cast in of their abundance; but she of her want did cast “in all that she had, even all her living. ”

Concerning the fowls and yams which the negroes gave us, I can only say, it was very seldom they gave us one or the other; at the holidays three or four of the people would bring each a fowl, or duck, or yam, to Mrs. Smith; and, in return for this, when they were sick, they would send to ask for wine; generally half a bottle was given. The quantity of wine thus given, from time to time, I am pretty sure, more than overpaid every trifling present made by the negroes.

4thly, My selling books to the negroes has been spoken of with disapprobation; the books were, Bibles, Testaments, Hymn-books, Spelling-books, and Catechisms. The Bibles and Testaments were from the Bible Society; they were sent with invoices of cost and charges, allowing me, however, a discretionary power in the disposal of them. When it appeared to me that the applicants could afford to pay the full value of the book, I charged a guilder for a shilling in the invoice, which, with the charges and difference of exchange, was about their value. When the applicants could not afford to pay the full price, they had the book for what they could afford, frequently for half price.

Testaments I sometimes gave away; but for the Bibles something, I believe, was always paid. No one, to my recollection, ever said he could not afford to pay either the whole or part of the price; though I frequently asked them when they applied. The other books I was obliged to pay for before they came from England, of course I could not afford to give those away, and charged for them at the same rate, of a guilder for a shilling.

Of catechisms I have given away at least 1000. Had I sold a thousand Bibles, and each of them at double the price I did sell them at, yet, I would ask, what would that have to do with the charges? The negroes *purchased* them voluntarily, and had I forced them to purchase, and discontent had arisen therefrom, surely the consequences of that discontent would have fallen upon myself, and not upon their masters.

71

In selling the Bibles, I have done no more than follow the instructions of the Bible Society, and the practice of many clergymen of-the Church of England—one of whom feared not to sell Bibles in this colony.

5thly. That I have interfered with the treatment of the negroes.

I have not interfered in any manner with the temporal concerns of the negroes, save in such cases as were intimately blended with their spiritual concerns; as, for instance, in settling their disputes, in rebuking the members for offensive language, taking two wives, and immoral conduct in general; and giving them such advice, as I thought calculated to render them comfortable and happy.

This is what is meant by the passage read—That a missionary must sometimes act the part of a civil magistrate. That this was proper anti correct, no one can deny, for the Scripture injoins it in the 18th chap. of Matthew, ver. 15, " *Moreover, if thy brother shall trespass against thee, "go and tell him his fault between thee and him alone; if he shall hear "thee, thou hast gained thy brother. But if he will not hear thee, then "take with thee one or two more, that in the mouth of two or three "witnesses, every word may be established. And if he shall neglect to "hear them—tell it unto the church.* "

It is not, however, necessary to have recourse to subtleties or specious arguments, to disprove that I have interfered in the treatment of the negroes; there has been no evidence adduced, in support of this assertion of the prosecutor. Nay, my own Journal, under date

21st March, 1819," ought to be sufficient evidence on my behalf. "I wish the negroes would "say nothing to me of their troubles, which arise from the severe usage "of their managers, &c; as it is not my business to interfere in such "concerns; and only obliges me to treat such conduct with apparent "indifference, and behave with coolness to those who relate it."—In corroboration, Bristol, one of the deacons, a constant attendant of the chapel, and continually present at the services, swears, "That some people complained "of being licked for not doing the work on a Sabbath; they "might have complained to Mr. Smith for something else, but I do not "know it"—"The prisoner does not listen to the complaints of the negroes, "only when they come to complain of what I have just spoken. He "said, if there was any such thing" (*i. e.* flogging the negroes for coming to chapel) "he, the negro, must go to the fiscaal or governor." Some of the planters have referred the quarrels of the negroes to me to be settled.*

* John Stewart is an instance.

6thly. That I have taught them to disobey their masters.

In support of this, Azor states, that I called up all the members, and enquired where they had been. Some said working half row, others said their managers gave them work; and that I thereupon remarked, "that "they were fools for working on a Sunday, for the sake of a few "lashes."† This witness was asked, who was present, and he was requested to name some one of them. He declared that he knew no one; but, upon being pressed, said a driver of Mr. Postlethwaite's estate. That this witness is not to be believed, is evident from the fact of his declaring,

† This was said in answer to a question from me. But had I been aware such an answer could have been given with truth (as I must have been, had I said it) I would never have put a question that would bring it out.

72 that he knew not the names of the members present, although he is one of the oldest members, and is as well, if not better, acquainted with every member of the chapel than

myself.* His reason of forgetfulness, on this head, is obvious. He knew he was telling an untruth, and that if he mentioned any individual by name, that individual would be called to disprove his statements. Admit, however, that he has declared the truth; that his veracity is not to be questioned; how shall we reconcile this part of his evidence with that which followed? wherein he swears, that “I always taught the people, from the pulpit and otherwise, to do “their work, obey their masters, and all in authority over them.” The part of this evidence, to be believed, can be easily ascertained, by reference to the evidence of Romeo, a man that was present on every occasion, and who, upon his cross-examination, being asked “if he had “ever heard me tell the negroes they must not mind for a few lashes,” answered “no;” and added, “I did not hear him say so. He said, if “their masters gave them work, to do it patiently, and if their masters “punished them wrongfully, they must not grieve for it.” Bristol also states, that he has heard me speak about working of a Sunday; and, that I said, “if their masters gave them work to do on Sunday, they “must do it, because, they could not help it; that they were not to “break the sabbath-day in doing their own work, because, they must “keep holy the sabbath-day, which is a commandment of God;” and, he emphatically added, “that is all.”

* Proved by Jason and Mary Chisholm. The judge-advocate, in his remarks on the evidence, at the close of the trial, dwelt much on the circumstance of my not having called this driver, especially as my list of witnesses contained the name of Adam, a driver belonging to Mr. Postlethwaite's estate. It is to be observed, that there were two drivers belonging to that estate, Liverpool and Adam, and both members of the church I put down Adam in the list of witnesses, at a venture, (for Liverpool might have been the person intended). Adam never made his appearance; and, towards the end of the trial, some of the members of the court became so restless and impatient, that, to quiet them, I was, in a manner, obliged to tell them, I would call but two more witnesses, though it was my intention to have called at least four or five more. I yielded, because the evidence, which the others would have given, Adam among the rest, appeared, both to me and my counsel, to be not very material.

7thly. That I have taught the negroes that it was sinful to work or traffic on the sabbath.

Every member of the Court will, I am sure, allow, that, in doing so, I taught one of the first precepts inculcated in that holy book, on which they have sworn to do justice. *To set this subject in the clearest possible light, I will read a few extracts from the sacred scriptures,*† *relative to the obligation of men, of every condition of life, to abstain from labour on the sabbath, and to keep it in a religious manner:* —Exodus, ch. xx. 8, 11. " *Remember the sabbath day to keep it holy. Six days shalt "thou labour, and do all thy work: But the seventh day is the sabbath "of the Lord thy God: in it thou shalt not do any work, thou, nor thy "son, nor thy daughter, thy man-servant, nor thy maid-servant, nor thy*

† While reading this sentence, I was stopped by the president, who said, it was quite unnecessary. Every member of the court could, if he chose, read the Scriptures at home. I replied, that I was accused of perverting the Scriptures, and that I had no other way of disproving it, than by shewing, from Scripture, that the doctrines I taught were plainly inculcated in the Bible. The president answered, you have heard the determination, and nothing further can he said on the subject.

73 " *cattle, nor the stranger that is within thy gates: For in six days the "Lord made heaven and earth, the sea, and all that in them is, and "rested the seventh day: wherefore the Lord blessed the sabbath-day, "and hallowed it.* " Jeremiah, ch. xvii. v. 21 and 22.—" *Thus saith "the Lord, Take heed unto yourselves, and bear no burden on the sabbath-day, "nor bring it in by the gates of Jerusalem: neither carry forth "a burden out of your houses on the sabbath-day. Neither do ye "any work; but hallow ye the sabbath-day, as I commanded your "fathers.* " Nehemiah, chap. xiii. v. 15, 18.—" *In those days saw I in "Judah, some treading wine-presses on the sabbath, and bringing in "sheaves, and lading asses; as also wine, grapes, and figs, and all "manner of burdens, which they brought into Jerusalem on the sabbath-day: "and I testified against them on the day wherein they sold "victuals. There dwelt men of Tyre also therein, which brought fish, "and all manner of ware, and sold on the sabbath unto the children of "Judah, and in Jerusalem. Then I contended with the*

nobles of Judah, “and said unto them, what evil thing is this that ye do, and profane “the sabbath-day? Did not your fathers thus, and did not our God “bring all this evil upon us, and upon this city? Yet ye bring more “wrath upon Israel by profaning the sabbath. ” Ezek. ch. xx. v. 12 and “13.—“ *Moreover also, I gave them my sabbaths, to be a sign between “me and them, that they might know that I am the Lord that sanctifies “them. But the house of Israel rebelled against me in the wilderness: “they walked not in my statutes, and they despised my judgments, “(which if a man do, he shall live in them;) and my sabbaths they “greatly polluted: then I said, I would pour out my fury upon them in “the wilderness to consume them.* ” Isa. ch. lviii, v. 13, 14.—“ *If thou “turn away thy foot from the sabbath, from doing thy pleasure on my “holy-day; and call the sabbath a delight, the holy of the Lord, honourable; “and shalt honour him, not doing thine own ways, nor finding “thine own pleasure, nor speaking thine own words; then shalt thou “delight thyself in the Lord; and I will cause thee to ride upon the “high places of the earth, and feed thee with the heritage of Jacob thy “father; for the mouth of the Lord hath spoken it.* ” Luke, ch. xxiii. “v. 54 and 56.—“ *And that day was the preparation, and the sabbath “drew on. And the women also, which came with him from Galilee, “followed after, and beheld the sepulchre, and how his body was laid. “And they returned and prepared spices and ointments; and rested the “sabbath-day according to the commandment.* ”

From many passages, which might be quoted,* it is obvious, that the violation of the sabbath, by voluntary labour, which is not absolutely necessary, is regarded by our Maker as a heinous sin; and, on the contrary, the keeping of it in a religious manner is considered a virtue, and accepted as such, through the merits of the Redeemer. In the face of so many precepts, could *I* tell the negroes there was no harm in working their ground, or in going to market on the sabbath? was it for *me* to dispense with the commandments of God? surely not. Voluntary K

* The original was, “From all these, and many more passages which might be “quoted,” &c.; but, upon the Court's ordering all the quotations to be struck out, this passage was altered to its present state.

74 and unnecessary labour on the Sabbath, I disallowed. I considered it a sin, and told them so; and if they are properly provided, by their owners, with the necessaries of life, as is asserted by all the planters, they can have no absolute necessity for going to market on the sabbath. One of the witnesses has stated, that he heard me say, “if your master “has any work for you to do on a Sunday, it is your duty to tell him “that Sunday is God's day,” and that I said it “often.” Even admitting this to be true,* which I by no means do, I would ask what crime have I committed? Are their masters greater than God? The very reverse is the case. Romeo and Bristol abundantly prove, that I taught the negroes to obey their masters if they were commanded to work even on a Sunday. Azor has sworn that I told the negroes, that if half a row was left, it was not right to finish it on a Sunday; and, upon cross-examination proved, that I did not tell them not to finish the half row, but merely said it was not right: And who is there present that can truly say I was not justified in this remark?

* The laws of the colony secure to the slaves an exemption from involuntary labour on the sabbath. If a planter makes his slaves work on a Sunday, he is liable to a penalty of 600 guilders, for every slave so worked. I never heard of its being enforced, unless the case of Mr. Benny, mentioned to me by the fiscaal, is to be considered an instance.

Azor and Bristol say, they have heard me speak about the people of England going to church. The former says, he has heard me say, that this country was a very wicked country; in England they were all free, and they all kept the Sabbath. Bristol says, he has heard me speak about the people of England going to church. “In this country we “can't attend church as we would wish, because that is a free country, “and in this we are slaves; that we must pray to God to help us, that “we may be enabled to attend as far as we can.”—“In this country “they could not attend chapel, as they could in any free

country." The allusion made by me, to the churches in England, or any free country, was merely for the purpose of showing some of the members, whose conduct was very faulty, that such behaviour in members would not be allowed in a free country; and it was only the consideration of their being slaves that made me tolerate many things in them, which are not agreeable to the christian religion; and for which, in a free country, they would be excommunicated. But that they must not make their condition in life an excuse for breaking the commandments, and neglecting religious duties; but they must pray to God to help them to serve him to the best of their power. I could never imagine that such an illusion to a free country would be construed into a crime. I think it necessary to notice here the assertion of the prosecutor, that my interference related to the acts and deeds of the constituted authorities of this colony. To prove which were produced, some extracts from the Journal, and two witnesses, Doctor M'Turk and Lieutenant Nurse.

There is not one word of this in the charges, and I defy the most subtle ingenuity to show that the evidence, on this point, can be noticed by the Court. However, extracts were read; one of them stated, "that I believed the laws of Justice, which related to the negroes, were only known by name here." Hearing of the cruelty of some manager 75 to a negro, and soon after seeing the driver flog a negro, in the absence of the manager and overseer, occasioned this remark. Here it is evident, that the laws of Justice refer to the arbitrary punishments inflicted by managers, and to the drivers flogging negroes in the absence of a master. That these things were common on some estates, at the time this was written, viz. in September, 1817, is too well known to be denied.*

* Shute proves the fact, without reference to time. I know it to have been practised up to the time of the revolt.

I am truly sorry to be obliged, in my own defence, to touch upon what I must now state; but I am not the aggressor. I did not bring the Journal forward; it has been produced, and those passages read. I am obliged, therefore, in duty to myself, to explain them.

The extract, under date “March 22d, 1819,” is, “that, from the “grumbling of the negroes, I was apprehensive of some disturbance; “that I felt inclined to state my opinion to some of the rulers of the “colony; but thought no notice would be taken of it unless I criminated “some one, *i.e.* lodged a complaint against some planter, for “violating the law in respect to the slaves.” The following facts will, I trust, sufficiently explain this passage:—about October, 1818, the Missionary Society printed an extract from a letter of mine, in which it was stated, “that the congregation at Le Resouvenir had lately decreased “in number, owing to the planters working the slaves on “Sundays.”—The fiscaal saw this, sent for me, and insisted on my bringing forward legal proof of the planters working their slaves on Sundays, that he might prosecute the offenders. My object having been merely to account to the Society, for the cause of such decrease in the congregation, and not the prosecution of the planters, I declined bringing such proof. The fiscaal then acknowledged that he knew the negroes were worked on a Sunday, and that he had twice fined Mr. Benny for this offence; but, that he wanted legal proof of other instances, or words to that effect. The matter passed over, and the congregation continued to suffer from the same alleged cause. Hence arose my reflection.

Under date “October 21st, 1822;” were read some remarks, on the trouble I had respecting a petition, which I had presented to his excellency the governor, to permit the erection of a place of public worship, on a piece of land which Mr. Reed, of Dochfour, had given for that purpose, on condition that his excellency would approve of it. The first petition, (for I presented a second) was returned with a refusal, two complaints against me being assigned as the reason of the refusal. These complaints were made by Dr. M'Turk. Lieutenant Hammill† can prove, that my first petition was referred to Dr. M'Turk for him to report upon it.

† Lieutenant Hammill was a member of the court-martial, and was called upon by me to answer some questions on the subject of these petitions. He would willingly have proved that the petition was referred to Dr. M'Turk, but my question, that would have elicited the

answer, touching the fact, was objected to by the president, and two or three that sat near him. It was alleged, that the governor had, no doubt, his reasons for acting as he had done. Lieutenant H. proved, however, that I called, at least half-a-dozen times, for an answer, but to no purpose.

The second petition, which contained answers to the objections made K 2 76 to the first, was immediately presented; it was presented on the 27th of September, 1822; and, although as my journal, and the governor's then secretary, will prove, I continued to call at intervals for it, until the 25th November, 1822. I never could obtain an order. I even waited upon his excellency, but to no purpose. Besides this, I feel it necessary to state, in justification of myself, that on my arrival in this colony I was introduced to his excellency, by Mr. Elliot; his excellency being informed of the object of my coming to the colony, asked, “in what way I “proposed to instruct the negroes?” I answered, by preaching, catechizing, and teaching them to read. His excellency sharply replied— “ *If I ever know you teach the slaves to read, I will banish you from “the colony.* ”* “An application had been made to his excellency, by “Messrs. Davies and Mercer, two of the missionaries, for leave to “erect a place of worship on some one of the company paths, at a “suitable distance between Bethel Chapel and Mahaica. They were, “in my hearing, by his excellency, referred to the planters for their “approbation. The reference to the planters was made, backed by a “recommendation from Mr. Van Cooten; it was unsuccessful. I must “here again revert to Mr. Reed: on presenting to me the deed of gift “of the land, he stated, that he thought it a compliment due to his “excellency, that it should be submitted for his consideration, and “made that a condition of the grant. I observed, that I could have “no doubt of obtaining that, as his excellency had already said, that if “the planters were willing that a chapel should be built, he should not “object to it. Mr. Reed then said, that he had understood that the “governor was not very favourable; for he, the governor, thought we “‘gave the negroes too much light.’ The fate of my petition following “all these circumstances, led me to the reflection noted in the journal, “that his excellency was not

favourable to the instruction of the slaves. “Whether I was justified in these reflections will be shewn, by proving “what I have stated.”

* Here I was stopped by the president, on the motion of (I think) Captain Campbell. Captain Appelius said, the Court did not sit there to try General Murray, and that I ought to be stopped. I appealed to the Court; and, after half-an-hour's consultation, I was told, (on re-entering,) that the Court had decided, that it could hear nothing which tended to criminate, or reflect on, a third person. Hence, this paragraph was erased in the original copy.

My journal, however, was the depository merely of my own thoughts; and I never promulgated its contents. Had I done so, there would have been witnesses found to prove it.

“The extract of May 28d, 1823, relates to a printed paper, issued by “his excellency the governor, to the planters, respecting the slaves attending “chapel; and expresses an apprehension, that serious evils might “result from the measures therein recommended. The negroes had been “in the habit of attending the chapel, during the last fourteen or fifteen “years, without passes;† many attended whose managers did not approve

† The judge-advocate, in his remarks on the evidence, defended this circular. He said, the law of the land required, that no negro should walk about without a pass: and that these passes were to protect the slaves on the road to chapel!!

It was equally the law of the land, that the slaves should not be made to work on Sundays. If regard to the law of the land was the consideration, it should certainly have extended to all negroes that walked in the public road, but it was confined to those who attended the chapel.

77 “of their so doing, though few of them, I believe, ever punished them for “it; yet some it seems did so. To require that the slaves must first “obtain of their respective managers

a written pass, every time they came “to chapel, was putting it into the power of the managers to prevent their “coming at all, or at so late an hour as to lose the opportunity of being “catechized; many of the planters did not choose to avail themselves of “this discretionary power granted by the circular, and their people “attended regularly as before; but with some, it was otherwise, as I apprehended “it would be. Some of the negroes, we were told, could not “get passes, because they were old; if they could not work, they could “not walk to chapel; others could not get them till such and such work “was done; bricks carried, timber hauled, shells or wattle fetched, fish “caught for the master's table, or till the manager had done breakfast at a “late hour. This was just as I expected it would be; it occasioned a good “deal of dissatisfaction, though I believe it was wearing away; for the “planters were getting weary of being troubled for passes, and allowed “the negroes to come without them. Whether his excellency's publication “is a just exposition of Lord Liverpool's dispatch, every one to whom “it was addressed might, I presume, judge for himself. I certainly “thought it was not, though that opinion was kept to myself. I recommended “the negroes, both from the pulpit and otherwise, to act up to “the letter of it; as it was sent to me for that purpose. Bristol has already “stated, in his evidence for the prosecution, that I told the people it was “a good law.”

I shall now take Dr. M'Turk's evidence: It relates to two points.

1st, The small-pox.

2nd, My arrest.

He could not prove any thing of recent occurrence, but he must prove something, and therefore had recourse to an affair that occurred in the year 1819, nearly four years ago. He has said much upon this subject; in fact, all that he could devise. It is unnecessary for me to go through his verbose evidence; its inconsistencies alone will I attack. He says, that the small-pox occurred, or first broke out, upon the estate, in October, 1819; on the 20th November, he received a letter, or order, from his honour the first fiscaal, inclosing

one for me, bearing even date with his own. The letter to him, desires him “to devise such means, and “take such steps, as in discretion he should judge necessary; to see the “order duly complied with.” The order to me was, that “I should “shut the chapel of plantation Le Resouvenir from all negroes, not belonging “to said plantation, as long as the small-pox was upon that “plantation,” adding the reason, “in order to prevent, as much as possible, “the danger of spreading the infection further.” The order was conditional, and Dr. M'Turk had a discretionary power; not only the letter states the doctor's discretionary power, but he has sworn he possessed it. Doctor M'Turk was, at that time, the medical practitioner of the estate; he was also burgher-captain, and residing on the very next estate. He had known of the small-pox in October; not till the 20th November was any step whatever taken by him, to prevent the disease spreading. On the 20th November, however, this order, the first and only step taken, was given to me; I complied with it. Dr. M'Turk says 78 partially, I shall come to that directly. No order was then issued to the managers to prevent negroes of other plantations from coming to Le Resouvenir; or to the manager of Le Resouvenir, to prevent the negroes from going to other estates, or going to town. On the very day I received this order, the negroes were assembling for chapel, (for it was on a Sunday,) I instantly dismissed those that were present, and employed persons to tell those who should come rather late, that they were not to stay, and to inform them of the cause. About three weeks from the 20th of November elapsed. The infected negroes, who had been placed at the back of the estate, were pronounced by Dr. M'Turk to be cured; they were allowed to return among the other negroes of the estate, and the house they had occupied was burnt. The cases not reported are admitted by Dr. M'Turk, in his evidence, to have happened previously to the house being burnt. The disease was considered by every person on the estate to have been eradicated. This can be proved by Mr. Hamilton, then manager on Le Resouvenir, who at the time addressed a letter to Dr. M'Turk on the subject.

Some of the negroes then began to attend the chapel as usual, nor did I prevent them. On the 24th of December, an order is issued to the managers of the estates, to prevent

the negroes in general from coming to the chapel, and to Le Resouvenir; even then no order is given to the manager of Le Resouvenir, to prevent the negroes from going to other estates, or going to town. No order is given to the managers of other estates, to prevent the negroes of Le Resouvenir from visiting these negroes. Yet Dr. M'Turk, the medical attendant, burgher-captain, and invested with discretionary power, to carry the orders of the fiscaal into effect, under oath, supposes the disease is very dangerous, supposes that it is more dangerous here than in Europe, and swears that most assuredly a person may appear cured of the small-pox for months, and yet the disease may be lurking within him, so as to be contagious. It is not necessary for me to seek after the cause of these extraordinary inconsistencies; Dr. M'Turk has told the Court, under oath, that the restriction applied " *solely to the chapel.* "

He has said, that the orders were partially observed for three weeks; Hamilton, in his letter says, "to my certain knowledge, there was no "attendance by any negroes of the neighbouring estates to the chapel; "until the small-pox was considered by you and me, and every person "on this estate, as demolished. Dr. M'Turk was asked, who were the negroes that attended during the three weeks; he answered, some negroes from Vryheid's Lust. Vryheid's Lust is the property of H. Van Cooten, the attorney of Le Resouvenir, and is to leeward, not far distant from Le Resouvenir. Had the negroes attended, H. Van Cooten, the owner of one, and attorney of the other estate, would most likely have known it; Hamilton's letter, however, is an answer to this. Then we have a tale of Dr. M'Turk's application to Dr. Walker, and his *anxiety* to get the fiscaal's permission to remove the restriction. The first is answered in his cross-examination, where he declares "that Dr. Walker never himself "examined into the state of the negroes; but gave his opinion upon "his (Dr. M'Turk's) statement." With respect to the second, if it was necessary for Dr. M'Turk to obtain permission of the fiscaal, to remove 79 the restriction; what became of the condition contained in the order of the 20th November, 1819? and of the discretionary power, vested in Dr. M'Turk, with respect to that order?

Dr. M'Turk then relates an attack, as he calls it, which I made upon him; but he did not say that he provoked any apparent disrespectful language I may have used on that occasion. He has not told the Court, what I shall prove, that he sneered at me, and mocked the idea of the negroes being instructed in the tenets of our holy religion.

With respect, however, to the whole of Dr. M'Turk's evidence on this subject, I have two objections:—

1st, That if the whole of it were true, and taken in the spirit he gave it, still it cannot be received in evidence, under any of the charges exhibited against me.

2dly, That it occurred upwards of three years ago, and by the 158th section of the mutiny act, all prosecution or trial, on account of it, is barred.

With respect to my arrest, I shall take the latter part of Dr. M'Turk's evidence, and that of Lieutenant Nurse together. I am described as setting at defiance the commands of Captain M'Turk at the time; that is, on Thursday, when Lieutenant Nurse ordered me to enrol myself in the militia, under Doctor or Captain M'Turk. I did consider myself exempted from duty on account of my profession. That I was mistaken, is my misfortune: I knew that, by act of parliament, all ministers of the gospel were exempted from bearing arms, and I considered that applied to my case in this colony. My counsel has since explained to me, and further told me, that, in the eye of the law, ignorance is no excuse. Lieutenant Nurse says, he explained the nature of martial-law to me; I deny that he did; I suspected the offer of Dr. M'Turk, and more particularly as Mrs. Smith was mentioned in the instruction of a man who was my avowed enemy. I readily submitted to the sealing up of my papers. But when, what I have since learned is known, viz. that Dr. M'Turk's object was to arrest me, that he did not want me for the purpose of bearing arms; let me ask, in the name of candour and truth, what is all this evidence about my disobedience of orders brought forward for? Had not Dr. M'Turk, had not Lieutenant Nurse himself, sufficient force to have arrested fifty individuals like myself? Why did they not do so? No, if I refused, Lieutenant

Nurse was not to use force; had Dr. M'Turk wanted me merely for a soldier, I should not have been left by the lieutenant in the first instance. After all, am t tried for disobedience of orders? The charges say nothing about this offence, even had I committed it; and I humbly trust the Court will view the evidence of these men in its proper light.

It has been stated, that I remained at my house during the (whole) revolt in safety, and without fear. I did so, but why? I possess no slaves, or slave; I am not conscious of ever having wronged one they had. On the first night of the revolt, when I went over to Mr. Hamilton's, they requested me to return to my home, as it was not their intention to hurt any one, and I believed their assertions. Perhaps I placed more faith in the promise of the negroes, than it was politic to do, or than others would have done; but too much reliance on such a promise, surely cannot be an offence.

80

I have, I think, now stated sufficient to prove the fallacy, and failure, of the attempt of the prosecutor, to prove that I was the cause of the revolt.

The prosecutor, however, in his zeal to throw the whole blame upon me, appears not to have foreseen the consequences of this attempt. *There must be a cause for the revolt. It has been attempted to be shewn that I was the cause. This attempt having failed, and the prosecutor having by this attempt proved that even he thought there must be a cause of revolt, has plainly admitted that some cause or other does exist. Now what is that cause? It is not one cause, but many.*

1 *st, Immoderate labour.*

2 *dly, Severity of treatment.*

3 *dly, Opposition to religious instructions.*

4 *thly, Withholding the instructions concerning the whips.*

The whole of these causes I can and will prove, provided the Court will allow me to go into the evidence. * I shall now come to that part of the charges, which regard the allegation of my having had knowledge of the revolt; and not having informed the constituted authorities of the same. As the first part of the second charge, and the third charge, appears to relate to the same supposed offence, in fact, to be one and the same, I will take them together. The first part of the second charge is, “that *having* about the 17th day of August last, and on divers other “days and times theretofore preceding, advised, consulted, and corresponded “with a certain negro, named Quamina, touching and concerning “a certain intended revolt and rebellion of the negro slaves, within “these colonies of Demerara and Essequibo.” The third is, “for that “he, the said John Smith, on the 17th of August last past, and for a “certain period of time thereto preceding, having come to the knowledge “of a certain revolt and rebellion, intended to take place within “this colony, did not make known the same to the proper authorities; “which revolt and rebellion did subsequently take place, to wit, on or “about the 18th of August now last past.”

* I was prepared to go into the proof of these facts, but being admonished by the president, to confine myself to the charges, it was omitted.

With respect to the first part of the second (supposed) charge, it is impossible to make sense of it, either alone or joined with the second part of the second charge. It does not charge me directly and positively with any offence, but appears to have been an introductory recital to the charge of some offence, which the learned prosecutor might have intended to make. An offence ought to be stated in clear, positive, and direct terms; the offender ought to be charged with the offence in such a manner as to enable him to meet it; it ought not to be set forth as introductory matter, or by way of recital, for the law of England allows not this, in criminal prosecutions, in any of its Courts.

With respect to the third charge, the offence of which I am therein accused, is expressly confined to the 17th of August last past, and for a certain period of time thereto *preceding.*

The prosecutor is bound to confine his evidence to facts, within the limits of that period; and although he may have attempted to introduce evidence of facts, which, he says, occurred on a day subsequent to the 17th; yet I do most 81 solemnly protest against such evidence being taken into consideration by the Court; and I feel convinced the Court will allow the validity of my objections.

I shall, it is true, notice all the evidence; but I shall do so, merely to explain it, that it may not hereafter prove injurious to my character; protesting, however, against its being noticed by the Court in any other way, under the charges preferred against me. I have told the Court, that I wish to meet all the charges in a fair and impartial manner. I will endeavour to do so; but I will meet *only* the charges, for, I am not bound to answer any extraneous matter, or any facts, not happening within the time the prosecutor has stated. He has had many weeks to draw up his charges, and collect his evidence; and, if he had not, still the law will not permit him now to supply defects.

The evidence under this head is threefold.

1st. To prove that positive information was given me of the revolt, on the 17th of August, and for a certain period of time thereto preceding.

2d. That, after the revolt broke out, I confessed or admitted a previous knowledge.

3d. That I was, on the 18th, informed of the intended revolt, &c.

The witnesses on the first point are Emanuel, to prove that I knew of it three Sundays before; and Seaton and Bristol, to prove that I was informed by Quamina on the Sunday immediately preceding. Manuel states that, three Sundays before this war came, Quamina, accompanied by him, (Manuel) came to my house to make enquiry respecting a paper of freedom, of which Manuel had heard Jack speak; that Quamina asked, why Mr. Cort and Mr. Stewart had called on me the preceding Friday, and was answered, to enquire whether any of the negroes ever came to ask me about this paper; and further,

that Quamina told me, in his hearing, to take Jack and Joseph and talk to them, because they wanted to make trouble about this affair. This statement is altogether false; Quamina never opened his lips to me about this paper, (as they speak) except on the 25th of July. This witness says, it was three Sundays before the revolt, *i. e.* the ad of August, that Quamina and he came to make the enquiry alluded to, and to ask why Mr. Cort and Mr. Stewart had called upon me. Now Mr. Cort and Mr. Stewart did not call upon me till the 8th of August; and how is it possible that, on the 3d of August, any conversation could have passed relative to Mr. Cort and Mr. Stewart having called upon me on the 8th. From what he says, respecting Mr. Cort and Mr. Stewart having called upon me, it may be thought that Manuel made a mistake as to the particular day, and meant two Sundays instead of three. Could the Court be brought to allow any validity to the testimony of so incompetent a witness, I think I can satisfactorily prove that, on the second Sunday before the revolt, I was not in my study,* unless merely to fetch any thing out of it, from before seven in the morning, an earlier hour than he came to chapel, until past fire in the afternoon, long after all the negroes had returned home. The second Sunday before the revolt was our Sacrament day, and, on those. days, for many months past, I had no time for retirement after leaving my study, at seven in the morning. The morning service continued from L

* The place where he represents the conversation to have passed.

82 about half past seven until nine; from thence till ten, I was fully engaged catechising candidates for baptism. Breakfast followed, and then, immediately after, the meeting of the deacons and myself, and the members, mentioned by Azor, as taking place at ten o'clock on the first Sunday of the month. This was a prayer meeting preparatory to the communion. On the conclusion of this service, the noon service was commenced, which was followed by the administration of the Lord's Supper. These services concluded about three or half past three o'clock,* and I resumed the catechising of such of the candidates for baptism, as had been omitted in the morning for want of time. And I find it noted in the journal, that, on that day, I had been fully engaged from seven in the morning till half past four; thus it was impossible for me to have been sitting in my study on that Sunday.

This witness is also in another place inconsistent with himself; he says, he heard all the conversation that passed between Quamina and me at that time; and yet, while he went into the parson's kitchen to get water to drink, Quamina was in the room. He could not get water in the kitchen to drink; he must either have gone somewhere else for it, or, which is more likely, have waited till some one fetched it for him.

* Bill says near four, which I believe is nearly correct.

Again Manuel says, “Quamina went away from there” (the meeting in the middle path of Success) “with Bristol the deacon, about four o'clock “on the Sunday before the war began. I saw them go on the path, “towards Mr. Smith's. *Bristol came back about five o'clock* , he said it “was wrong, and they were not to do any such a thing.” With this it is necessary to compare the testimonies of Bristol and Seaton. The former of whom says, “I was not at the meeting in Success middle path, “was not in that middle path on the Sunday before the revolt. “I went with Quamina to Mr. Smith, I went direct from the chapel to “Mr. Smith's house. After I had talked to Mr. Smith about my girl “went to the chapel; after that I think I went home.” Seaton says, “I did not see Bristol at the middle walk on that day.” Again, Manuel says, that the whole congregation was at the meeting in Success middle walk. Seaton says, “not many people were there;” lastly, this witness Manuel says, that “he heard of the revolt a month and a half ago before it;” and, in another part of his evidence, he makes it appear that he only “just heard Jack speak about the free paper, and asked Quamina if he “knew about it, who said follow me, and that he immediately came with “Quamina to me to make the enquiry.”

The simple facts of my supposed knowledge on the 17th of August are these: On that day, it being Sunday, I had been in the discharge of my ministerial duties in the chapel to a very late hour; it was at least four o'clock before I finally left the chapel to go to my dwelling-house. On arriving there I found Bristol talking with Mrs. Smith, about a little girl, a daughter of his, whom he wished to place under Mrs. Smith's care. I joined in their conversation, and found that the girl had the meazles, from the effects of which she was

then stated to be only just recovering. On this ground, I objected to her being brought to the house, until she was perfectly recovered, as there were negroes on the estate, whom she might have infected with the complaint. Whilst I was conversing with 83 Bristol, Quamina and Seaton, according to custom, came in, and were soon followed by two others. Their coming in was nothing unusual, it was not a circumstance to excite any particular notice, they seldom went away on a Sunday, without coming in to the back gallery to bid us good bye. This was the case with many of the people, and I considered that they came in, on that occasion, merely for that purpose. They were all standing together, and I went into the hall to get a glass of wine; while drinking it, I heard Quamina and Seaton, who were talking together in a low tone of voice, use the words “manager,” and “new law.” This induced me to rebuke them, for talking about such things. Quamina said, “O, it is nothing, particular, sir, we were only saying it would be good to “send our managers to town to fetch up the new law.” I immediately replied, that such conversation was improper, that they would be fools to say any thing to their managers about it, for they were not the lawmakers; that if there was any thing for them, they should wait patiently and they would no doubt soon hear of it, either from the governor or from their masters; but that, if they behaved insolently to their managers, they would lose their religious character, and would provoke the governor here, and the government at home. Quamina replied, “very well, sir, “we will say nothing about it, for we should be very sorry to vex the “king and the people at home.” They then went out all together, each bidding me and Mrs. Smith good afternoon. From all that passed, I had not the slightest idea that they intended to revolt. The receipt of Jackey's note, on Monday evening, brought to my recollection what I had heard the day before, and induced me to attach to it a meaning which I had not attached to it before. *Upon these simple facts, what a mass of exaggeration and falsehood has been piled!* I will examine the evidence given by the Witnesses for the Prosecution; and will not only content myself with pointing out the inconsistency and improbability of the whole, but endeavour to prove the facts as they really occurred. Bristol is the only witness to prove that I was informed of the revolt on the 17th of August. Bristol says, on the Sunday before the revolt, Quamina and he came into our house, to ask me about a

paper, that had come from home to make the people free. When we went in, Quamina asked Mr. Smith if any freedom had come out for them; Mr. Smith told him “no.” Quamina said, Jack and Joseph were speaking very much about it, and wanted to take it by force; Mr. Smith told them to wait and not to be foolish, how do you mean to take it by force? You cannot do any thing with the white people, because the soldiers will be stronger than you, therefore, you had better wait. He said, well, you had better go and tell the people, and Christians particularly, to have nothing to do with it.

Seaton says, “Quamina came back to our house from the Success middle walk;” it is possible he might have done so, but I neither saw nor heard of his coming to my house a second time. When Quamina and the others left, I immediately sat down to dinner; after which, we took a longer walk than usual, and returned in company with Mr. Hamilton and Mr. Van Ness, who remained with us till between eight and nine o'clock. The statements of Bristol and Seaton are very incorrect, and, in a great measure, false. They say that Quamina came to ask if there was any paper of freedom come out. It was very unlikely that Quamina should have come to ask such a question, when he had been L 3 84 told by me, in answer to his own enquiry on the 25th of July, that the report of freedom having come out was false, and must not be believed; for the king could not make them free. Bristol states, that Quamina told me, Jack and Joseph wanted to take their freedom by force. Seaton represents himself as being present, at least at the beginning of the conversation, when, according to Bristol, Quamina said, Jack and Joseph wanted to take their freedom by force; but Seaton is silent on that head, and swears, that nothing was said on that occasion, about freedom having come out from England for the negroes. In his cross-examination, he is pointedly asked the question, Was any thing said about freedom having come out from England for the negroes? and he answered, “No.” I shall prove that Seaton was there during the whole of the conversation, although he says that he went away alone.

A mere cursory review of this part of Bristol's evidence, will be sufficient to detect its prevarication and falsehood. He says, “when Quamina was going into Mr. Smith's house,

I went with him”—and in another place he says, “I believe I talked to Mrs. Smith about my little “girl, before Quamina came in. Mr. Smith was present—I can't tell “whether any body came in, while I was talking to Mr. Smith about my “girl; may-be somebody might have come in—After I had talked to “Mr. Smith about my girl, I went to the chapel. After that, I think I “went home—I did not see Mr. Smith after I went home.—When “Quamina told Mr. Smith that the negroes were going to take their “freedom by force, I did not see any body else present.” Although three other negroes were in the room during the conversation, Seaton says, there was no one else there but Quamina and Bristol and himself.

I cannot dismiss this part of my defence, without noticing the extreme scantiness of the evidence produced, to prove a previous knowledge of the revolt, and a previous correspondence with Quamina. Bristol, the only witness, as to the communication of Quamina with me, on the 17th of August, upon his cross-examination, was asked by me, “Were there any preparations made for the war before you and Quamina “went to Mr. Smith?” “No, I do not know of any.”—“Had the “people no guns or powder or shot provided?” “I did not see any.”— “Did Quamina tell Mr. Smith by what means they intended to drive the “white people to town?” “No, sir, no further than I said before, that “Jack and Joseph had said their freedom had come out.”—“Did he, “Quamina, say when the white people were to be driven to town?” “No.”—Did you hear all the conversation that passed between Quamina “and Mr. Smith?” “Yes.”—Will you state all that Mr. Smith said, as “well as all that Quamina said?” “I have already stated all I know.”—With the exception of the story about Jack and Joseph, which I will prove did not occur, what is the whole of this tale? Why, that there was some sort of grumbling among the negroes; but was I to infer from this circumstance more than was inferred by others, from things of greater magnitude? Does this evidence prove that I had a knowledge of the revolt? It would have been strange if such knowledge could have been derived without any mention of place, time, or circumstance.

The most that this evidence, were it at all true, could prove, would be, that what passed might have awakened my suspicions. Had my suspicions been awakened, that was not

knowledge, and I am not aware of any obligation 85 I labour under to impart suspicions, when I was not likely to meet with attention; especially as suspicions were at that time entertained by almost all persons in the colony.

Many questions were put to the witnesses, relative to the sermon I preached on the Sunday preceding the revolt: there is no length to which perversion will not lead men: neither the text nor the sermon could have, nor had in my mind, any reference to an event of which I was as totally ignorant as any member of the Court. It is a text which is frequently selected by ministers. I have myself preached from it before, and I am pretty sure in the same chapel. The circumstance of a number of our congregation being advertised for sale by auction, some on the day of the revolt, if I am not mistaken, and others soon after, was the cause of my choosing that text, as it certainly was on the second Sunday before the revolt. I expected that many of the people would be removed far from the means of religious instruction, and would probably never again enjoy the privilege they had, in too many cases, abused or neglected. The sermon was delivered to a large congregation, though not larger than usual; notwithstanding Dr. M'Turk swears he observed a great many more than usual going to Le Resouvenir that Sunday. There were many white gentlemen present; and surely, if any thing had been advanced indicative of what was about to take place, some of them would have come forward and testified it to the Court. But strong as is the current of prejudice against me, no one has intimated any thing on that subject. Had I been aware of the intended rebellion, surely, I must have been an idiot to have chosen a text which it was possible for the ingenuity of my enemies to turn against me.

2d. That after the revolt broke out I confessed, or admitted, a previous knowledge.

To prove this, two witnesses were called, John Baillie and John Aves.

John Baillie states, that, on the first evening, or night, of the revolt, he called at my house, where he saw me for the first time; that he said, what a piece of work is all this! That,

thereupon, I asked what he meant by a piece of work? that he answered, about the negroes rising, and remarked, that it was very extraordinary they should not hear of it in town before it came to the point. And that I made answer and said, “I have known about this this six weeks.” Were the evidence of this man borne out by that of John Aves, and had I even said that I had known about the revolt for six weeks, to what would it have amounted? Does the word “know” necessarily imply knowledge, derived upon information, or participation? Does it not also, very often, imply an opinion grounded upon certain data. But the truth is, that I did not use the word “know.” I might have said “this was to be *expected* six weeks “ago,” or words to that effect. Indeed, John Aves declared that such was the expression used to him. John Baillie swears, that John Aves and the two black men were present, in a very small room, during the whole conversation between me and himself. John Aves gives a different account of this, and says, that I said, this is a thing been expected these six weeks. Let the account, given by each of these witnesses, of their conversation with me, be read, and it will be found that they so exactly agree in all things, save the words “know” and “expected,” that no one can for a moment doubt that they were together during the 86 whole conversation upon this subject. They both of them saw me for the first time, and this lasted about a quarter of an hour, during which time it would appear, that, upon a subject of such importance, I held to two persons two different conversations, those persons being in hearing of each other, if they chose to listen to what was said. From the evidence of the negroes, the revolt was not planned until Sunday, the 17th, and yet I could, on the 18th, declare, according to John Baillie's evidence, that I had known of it for six weeks. Gentlemen, such an event was not surprising to me, although I had no information or participation in the matter.

The negroes had, on various occasions, manifested a spirit of dissatisfaction; instances of this I will prove. These instances were known to the different managers and attornies, for some of them communicated them to me. Mr. Cort and Mr. Stewart, men well acquainted with the negro character (in consequence of my having voluntarily mentioned that Quamina had been to inquire of me about the report of freedom,* to Mr. Stewart on the

preceding day,) had called upon me to inquire whether I knew the state of their minds regarding the report which had got into circulation among them, concerning the then last instructions from home. Mr. Cort can prove, that I felt disposed to tell them from the pulpit that the report was false; which he advised me not to do, as it might give offence.

* Mr. Stewart, manager of plantation Success, told me, in the presence of Mr. Elliot, that a day or two ago,(*i. e.* about the 6th or 5th of August,) he heard the head driver of Le Resouvenir tell the negroes under him to “work, for they were not free yet.” This fact Mr. Elliot would have proved in evidence; but the question I put to him to bring it out, was objected to; and it was not allowed to be put. I noticed this, in my remarks on the evidence, in support of the defence; but at the instance of the Court, I reluctantly erased it; they said, it was a reflection on the Court.

The negroes knew that some instructions had come out for them;* their being held back, gave rise to an opinion that it was unconditional freedom. I was asked about it by Quamina; I told the truth concerning the instructions regarding the whip; informed him that there was no freedom; and gave such advice on the occasion as has been stated by several of them, to wait with patience.

* The negro Jack was informed of it, by one of the governor's servants, who, it seems, heard his master speak to some gentlemen concerning the instructions, about the time he received them. This was the source from which the information was first derived by the negroes. The judge-advocate says, in his remarks on the evidence, that, *for aught that appears to the contrary*, (in the evidence,) the Prisoner was the first who informed the negroes of these instructions!

As far back as under date “21st March, 1819,” my Journal contains a passage, where, reflecting upon the murmuring and dissatisfaction of the negroes, I say, “nor should I wonder if it were to break out in open “rebellion.” It is a wonder that this had not been brought forward to prove my knowledge of the revolt in August 1823. It was not myself

alone that entertained fears and suspicions, others did; and I will prove that his excellency was told, months before the revolt, that the minds of the negroes on the east coast were in a state of dissatisfaction, and the informer apprehended serious consequences would ensue. I knew not all this when I was arrested, but is it not a grievous hard case, that an attempt should be made to prove my knowledge of the revolt, and to punish me for not telling what I did not know, when the heads of the 87 departments knew ten times as many facts, upon which to ground their suspicions or expectations. I had suspicions only, and what would have been said to me, a poor despised missionary, had I imparted those suspicions, and they had proved groundless?

3d. That I was, on the 18th, informed of the revolt.

I have already stated, that all the evidence produced on this point is extraneous and inadmissible. The period of time in the charges, is confined to the 17th day of August, and a certain period of time thereto preceding; and the evidence must also be limitted to the 17th August; it cannot be extended to acts of the 18th, for I am not charged with having committed any act on the 18th. Allowing, however, for argument sake, that such evidence might have been admitted, might have been taken into consideration by the Court, so clear and conclusive, as to satisfy the minds of any Court, [that I so wilfully and illegally kept to myself what knowledge I possessed, as to have incurred the penalty assigned by law for offences of the most serious nature.] What are the facts attempted to be proved? That about six o'clock a letter was sent to me, that at half-past six the revolt occurred, and I had not given notice of it to Dr. M'Turk. The first intimation I had that the negroes had any improper intention, was given me by Jackey's note. I have already stated, that the contents of that note made me attach, to what I had heard, on the preceding day, a meaning which I did not attach to it before.

When Guildford arrived with the note, I and Mrs. Smith were going out for a short walk; she had her bonnet on, and was waiting for me. It was just six o'clock. Having read the notes, I inquired if he knew their contents, and who carried the inclosed note to Jackey. He

prevaricated so much that I could learn nothing. I delivered to him a verbal message; I told him to return, making all possible haste, and tell Jackey that I was surprised, and vexed, and grieved, to find that the people were meditating (this) mischief; and that I hoped that he would have nothing to do with the project, whatever it might be, and endeavour to keep the people quiet. Just as he was going away it occurred to me, that Guildford might pervert the message, if he was so inclined; to prevent which, I told him to wait, and I would write an answer. It was too dark to examine the nib of a pen, I therefore wrote it, in great haste, with a pencil; when I gave the note to Guildford it was about a quarter past six. I put the notes in my pocket, and went a little way up the middle path with Mrs. Smith, consulting together as to the best step to be taken: we had not proceeded more than 70 or 80 roods, when we heard a tumultuous noise at the manager's house; we immediately turned back, and went to Mr. Hamilton's door. Seeing the negroes behave roughly to me, for endeavouring to quiet them, Mrs. Smith ran away, to get somebody to fetch me away. She returned, and when the negroes had retired we went home together.

This is a simple and faithful statement of the facts of the case, upon which I will not trouble the Court with evidence, unless the Court should think, a thing, hardly possible, the evidence of the Prosecutor on this point admissible. But suppose, then, that the evidence was admissible, what does it prove, that I have done any more wrong than the burgher-captains M'Turk and Spencer, or Hamilton, the manager of Le Resouvenir.

88

M'Turk swears, that he knew it at four o'clock; Hamilton was informed of it in the morning; and though the one lived on the very next estate to Le Resouvenir, and the other on Resouvenir, neither of them imparted a syllable of it to me.

Captain Spencer* was informed of it by Captain Simpson, yet did not believe it, and did not assemble the militia, nor even informed the managers of the different estates, to be on their guard. Now here are men that had knowledge four hours before it broke out; I knew

of it one quarter of an hour only, and because I had not presence of mind, or even time, to catch my horse (for he was loose) and ride about the country, I am to be tried.

* Mr. Schmidt, who was to have proved Spencer's previous knowledge of the intended revolt, sent a certificate that he was sick, and could not attend.

The reason of my tearing up the notes was, because, as the rebellion had broken out already, the communication of them to any one could not prevent it; and it never occurred to me, that they might be otherwise useful.

I have at length arrived at the fourth and last charge, though, properly speaking, it is only the third offence alleged against me.

It consists of two parts:

1st, That, on Tuesday morning, Quamina was seen by the boy Mitchell coming to my house.

2dly, That I held correspondence with him on the night of the 20th, well knowing him to be an insurgent, and engaged in the revolt, without using my utmost endeavours to detain and secure him; and without informing the constituted authorities of his having been at my house; and the second part of the second charge is to the same effect, and I shall take them together.

The boy Mitchell is of notorious bad character, and I verily believe his testimony is altogether false; *he does not understand the sacred obligation of an oath,* and if he did, what does his evidence amount to? that he saw Quamina come into my yard on Tuesday morning, in open daylight, when the sun was high. I do not believe the boy, and I most solemnly declare, I never saw Quamina on the Tuesday morning; he may have gone into the yard, or he may not; I never saw him, nor had I ever any direct or indirect knowledge of his being there, until I heard the evidence of Mitchell in Court.

On the second point, viz. That I held correspondence,&c, with Quamina on the 20th of August, well knowing him to be an insurgent, and engaged in the revolt, without using my utmost endeavors to detain and secure him, and without informing the constituted authorities of his having been at my house. Let us examine the evidence. Ankey (Antje) says, that on Tuesday (between twelve and two o'clock) Mrs. Smith sent for her; that she went, and on her arrival Mrs. Smith entered into conversation with her, and inquired of her what was the matter, that the people were doing so. Ankey (Antje) said, I do not know, Ma'am; the people wish to get their liberty. Mrs. Smith said, the people did not behave well, for black people could not fight against whites. She said she had been afraid the whole night, and could not sleep; that she Ankey (Antje) was so afraid too, that she did not know where to go, either into the great house or the negro-house. Mrs. Smith said, don't be afraid, they won't 89 hurt you; then she went to lie down, and told me she wished to see Quamina or Bristol very much. I did not know any thing about it; but I then got a boy to send aback to bring Quamina to the lady. Mrs. Smith said nothing in that conversation about which would conquer. She said nothing further; she said nothing about the mode in which the negroes were to carry on the war.

By her evidence, it appears that the next evening Quamina came to her, and she conducted him to my house, informing Mrs. Smith only, and that without my knowledge, and out of my hearing, that Quamina was come; that she then conducted Quamina to my house, and that Mrs. Smith received him and shut the door. The girl Elizabeth* says, she was in my house on Tuesday and Wednesday; knows Quamina, of Success, and saw him on Wednesday night inside the hall; that myself and Mrs. Smith were there; that I was stting down in the hall, close to the table, on a chair; that Quamina stood a little near me;† that no one else was in the room besides Quamina and Mr. and Mrs. Smith. That Mrs. Smith remained in the hall all the time that Quamina was there. “I did not see her go to the front door during that time. I heard Quamina “and Mr. Smith talk together;‡ that Quamina staid there “a little “longer than she had been before the Court;” that she saw him when he

went out; that after Quamina went away, she saw Mrs. Smith; she said I must not tell any body that I saw Quamina in the house, and if I told any body she (Mrs. Smith) would lick me. Did not see the Prisoner or Mrs. Smith give Quamina any thing; when he went he had a stick, upon which there was a bundle.—Even though the whole of this evidence were true, there is nothing in it to shew that I am guilty of the offence for which I am charged.

* Elizabeth is about 12 years old.

† A little near means, in negro dialect, not very near.

‡ In her evidence in support of the defence, Elizabeth says, while Quamina was in the house, I was in the kitchen; the kitchen is not attached to the house; it is an out-house. From the table in the hall, where I was sitting, to the kitchen-door, is at least 20 paces. This was not mentioned in the defence, because the situation of the kitchen was well known to the Court generally.

1st, It is not proved that Quamina was a rebel.

2d, That I had any knowledge at the time of his being an insurgent.

3d, Nor does it appear that I gave him any intelligence, or held any such correspondence with him as can subject me to punishment.

In the first place, it is not shewn that Quamina was a rebel. Some questions have been asked, and answers given, to shew that Quamina was engaged in the revolt; but this is not sufficient, it ought to have been shewn that he had been *convicted* as such. It is laid down in Hale's Pleas of the Crown, 234, that, “If a person be arrested for treason, he “that rescues him is guilty of treason.” But, according to the same author, 235, this case is not at all now in force nor binding. “That, “therefore, at this day if one be committed for suspicion of treason, and “another break jail to let him out, yet unless the party imprisoned were “really a traitor, this is no treason at this day.” The same author, in page 237, says, “He

that rescueth a person imprisoned for treason, “or suffers him voluntarily to escape, *shall not be arraigned for that* “ *offence, till the principal offender be convicted of that offence;* for if he “be acquitted of the principal offence, the jailer that suffered the escape, M 90 “and he that made the rescue, shall be discharged; and the reason is, “because though rescuing a person charged with treason, or suffering “him wilfully to escape, be a great misdemeanour, yet it is not treason, “unless, in truth and reality, he were a traitor; *for a man may be “arrested or imprisoned under a charge of treason, and yet be no “traitor.* ” Again, in page 238, “And though the receiver of a traitor “ *knowingly* be a principal traitor, and shall not be said an accessary, “yet thus much he partakes of an accessary; that if he be indicted by a “several indictment, he shall not be tried till the principal be convicted; “upon the reason of the jailer and rescuer before given; for the principal “may be acquitted, and then he is discharged of the crime of “receipt of him. If he be indicted specially of the receipt in the same “indictment with the principal offender, as he may be, yet the Jury “must first be charged to inquire of the principal offender, and if they “find him guilty, then to inquire of the receipt; and if the principal be “not guilty, then to acquit both: and accordingly it was ruled in Arden's “case. For though in law they be both principals in treason, and “possibly process of outlawry may go on against him that receives, at “the same time as against him that did the fact, and though the principal “appear, process may go against the other; yet, in truth, he is “thus far an accessary, that he cannot be guilty if the principal be “innocent.”

Gentlemen, I say that it has not been proved that Quamina was a rebel. I maintain, that to establish this, *conviction* was necessary: even when he was shot he had no arms, nor had any one that was with him, according to the testimony of Dr. M'Turk;* and surely implicit reliance cannot be placed upon evidence of such witnesses as the negroes brought against me. The man was never tried, and however strong the presumption may be against him, still there is no saying, that had he been tried, he might, upon cross-examination of the witnesses against him, and by the evidence of his own witnesses, have so explained his conduct as to have shewn that he was innocent. He might have been

carried aback by force, for any thing that appears to the contrary. It is contrary to the first principle of English law, to believe a man guilty until he shall have been proved to be so, that is, *fairly tried and convicted.*

* Mr. Stewart, Quamina's manager, says, in his evidence, I did not see Quamina do any thing improper. He was keeping the people back from doing any harm to me.

2dly, It is not shewn that I had any knowledge of Quamina's being an insurgent at the time he was at my house, on Wednesday, the 20th.

Criminality, in this case, entirely depends upon the *knowledge* I had of Quamina's being an insurgent. The Prosecutor has been aware of this, and has accordingly averred it. This averment was not only important, but necessary; for, in a case of this kind, the very essence of the crime consists in the *guilty knowledge* of the defendant.—Starkie's Crim. Pleadings, 153. “so the receiver of a traitor *knowingly* , makes “the receiver a traitor”—Hale's Pleas of the Crown, 237. It may be said, that this knowledge may be implied. Implications and presumption, however, are not to supply the place of positive evidence, where there exists a possibility of their being wrong.

There are three circumstances which deserve notice: 91

1st.—Mrs. Smith requesting Kitty Stewart to accompany Ankey (Antje.)

2d.—Mrs. Smith shutting the door (as stated by Ankey.)

3d.—Mrs. Smith's threat to Elizabeth, (as stated by Elizabeth.)

I believe that a husband is responsible, in civil courts, for the acts of his wife; but that he is not responsible for any crime committed by her, (I do not mean that it should be inferred, that Mrs. Smith is guilty of crime, for I am sure she could explain her conduct.)

Mrs. Smith is my wife, but I solemnly declare, that I never knew any one of the three circumstances, just enumerated, until they were detailed in evidence. They relate not to *me* , and whatever suspicion they may carry with them, if believed, still that suspicion ought not in justice to operate against me.

Ankey swears, that she knew nothing about the revolt; and Jane Grant also swears, that she did not know that Quamina had any thing to do with it. If, then, so many persons about me were ignorant of this fact, it surely could not have been notorious in my immediate circle. Notorious or not, I did not know it; had I known it, and desired to have a secret meeting with Quamina, I should certainly not have chosen my own house for that purpose; at all events, I should have sent all the servants away.

3dly.—“It is necessary that the correspondence or communication “should at least have a tendency to direct or embolden the “enemy, in his attack; or to weaken the effects of the resistance prepared “against him,”—see Samuel on Courts'-martial, 581. It is surely necessary then to prove, in some manner or other, that my communication was of this tendency; but the Prosecutor has been wholly silent, and surely the mere act of having seen an individual, can never be construed into an aiding and assisting in rebellion, according to the second charge. It has not been proved that Quamina was a rebel; if he was, I did not know of it; I did not send for him, nor did I know any thing of his arrival: I gave him no communication, touching and concerning the revolt, for I had nothing to communicate; and if I had, still I would not have done any thing so improper. It was not until I asked him, where he had then come from? that his manner became changed, and, without answering me, he suddenly turned round and went away. Mrs. Smith was the only person present, and if the Court could admit her testimony, she could explain the whole. One of the facts which appear to militate against me, I will prove is incorrect, viz. “That Mrs. Smith shut the door.” I can do this, because I have a witness. With regard to the other two points, I could explain them also, had I any other witness than Mrs. Smith to support my statement.

From the nature of the whole evidence against me, explained and contradicted as it will be, I feel assured, gentlemen, *that whatever suspicion may have hitherto attached to me, it will not be possible for any gentleman to declare upon his oath, or upon his honor, that I am guilty.* I have cleared up, I think, every point, except one, “(*and to “men free from prejudice, to gentlemen of honor*)”* it will be apparent, that even that one, could be cleared up also, did not the policy of the law, and the rules of evidence, prohibit my wife from bearing testimony. M 2

* At the instance of the Court, these expressions were erased in the original.

92

With respect to my not attempting to secure the man, I did not know that he was even a *reputed* rebel; and if I had known this, gentlemen, look at me, and ask yourselves, how it was possible for me, unarmed, to secure the man? The attempt, therefore, would have been vain and ridiculous. It will be asked, why I did not give information? my answer is, again, that I knew not that the man was even a reputed rebel; and suppose that I had known this, of what utility could such information have been, when the man had gone I knew not whither?

Before I conclude, I feel it my duty to observe upon the nature of the evidence brought against me. It is either the evidence of slaves, or of persons, with very few exceptions, grossly prejudiced against me. Prejudiced from motives of interest, i. e. from imagining that the diffusion of knowledge among the negroes will render them less valuable as property.

The first class of witnesses consists of persons extremely ignorant, and decidedly under the influence of their owners. It cannot be expected that the love of truth and justice will render them superior to the fear which must exist in the minds of men, by whom their fellow-labourers have been punished, even for attending divine worship. Some of them are extremely ignorant and savage, as the boy Mitchell, who did not even pretend to understand the nature of an oath, until he was asked “if he believed God Almighty a-

top?" Of course he answered "yes," and he was *legally* sworn. I am aware, that however necessary the policy of colonial governments, in this hemisphere, may have thought it, to exclude negro evidence, still, in a court-martial, it is strictly legal to admit it. In admitting it, however, the Court ought to be well aware of the negro character, and to be very cautious as to the degree of credibility to be attached to their evidence. Nothing can be more evident, even from the evidence before the Court, than that negroes have but little idea of the obligation of an oath; hence the prevarications, and falsehoods, and contradictions, so apparent in their evidence; they have no notion of time or circumstance; and, it is but too clear, that their evidence has been made up of 'shreds and patches,' obtained from conversations, from hearsay, and from their own misinterpretations of what has been propounded to them. They are, generally, incapable of narrating a transaction; neither can they relate, with any tolerable accuracy, even the shortest conversation. So well-known is this, that they are seldom entrusted to deliver a verbal message; notwithstanding all this, what has the prosecutor been able to produce against me? Divest the evidence of all that I shall prove to be exaggerated, misrepresented, and false, and nothing will remain to prove me criminal, either in a moral, religions, or legal view.

With respect to the other class of witnesses, I will abstain from saying more than requesting a perusal of their evidence; and, if its tenor, as well as the questions put by the judge-advocate, do not bear me out in asserting, that a spirit of prejudice does exist against me, then I am incapable of forming an estimate of men's opinions from their words.

My journal must not be omitted. Its origin and nature I have explained. Whether it be evidence or not against me is not now a question to be determined. I am not ashamed of it; but I do feel aggrieved at its contents having been made public, for they were never intended 93 for that purpose. Not only those parts of its contents, read in Court, have been known, but other parts, the publication of which, however true the facts contained in my statements, may wound the feelings of many persons. Whether this would have a tendency to prejudice men's minds against me, I leave to the consideration of the Court.

In conclusion.—Upon a fair and candid review of the whole evidence, it is not apparent that I am guilty of any one of the charges, and it might almost seem that my *opinions,* and not myself, have been tried; those opinions are founded upon the Gospel, that which hath withstood for ages all persecutions. Its promulgation has increased from opposition, and its truths been made manifest by investigation. It has prospered, and will prosper, and its prosperity will impart happiness to all those who seek knowledge from it. It has already produced a material alteration for the better in the minds of the negroes.

The love of religion is already so strongly implanted in them,* that the power of man will not be able to eradicate it. I have been informed, and can prove, that even in the midst of the revolt, whilst the negroes were all assembled, all in arms, some of them were heard to say, “we “will shed no blood, for it is contrary to the religion we have been “taught.” Which of the negroes said this? not the lowest class of Africans, not the heathen, but the christian negroes. This revolt has been unlike every other I ever heard or read of. In former revolts, in this colony, in Jamaica, in Grenada, and in Barbadoes, blood and massacre were the formidable features. In this a mildness and forbearance, worthy of the faith they professed, (however wrong their conduct may have been) were the characteristics. Even the attempts at bloodshed in this, have been confined to the Africans, who were not yet baptized. This is apparent from the evidence, already before the Court.

* The judge-advocate insisted much on what he called the inconsistency of my representing the negroes as being very ignorant, and having but little idea of the obligation of an oath, and, afterwards, saying the love of religion is strongly implanted in them. That the love of religion is really strongly implanted in vast multitudes of the slaves, is sufficiently evident. Their not better understanding the nature and obligation of an oath, merely proves that they require more instruction.

(Signed) John Smith.

FIFTEENTH DAY, 3 d NOVEMBER, 1823.

Michael M'Turk, *M. D., Burgher-Captain, and Captain in the Demerara Militia, called, sworn, and examined by the* Prisoner.

What is your name?—Michael M'Turk.

Are you the same witness that appeared on this trial before?—I am.

Have you brought with you the letter required in the summons?—I have.

Will you produce it?— *Produced.*

Are you acquainted with the hand-writing of the person whose signature it bears?—I am.

Is that letter in the hand-writing of John Hamilton?—I believe so; 94 and, particularly, from the reason of its being an answer to one I addressed to him.

When you received the letter, where did John Hamilton reside, and in what capacity?—At Le Resouvenir, and as manager.

Did you receive it on or about the day it bears date?—I think it was on or about the day.

By request of the Court, *letter read.*

Plantation Le Resouvenir, 19th Dec. 1819.

Sir,

In answer to your letter, received this morning, I have to inform you, that, from the time I reported to you the last two negroes, as having the small-pox, to my certain knowledge, there was no attendance by any negroes from the neighbouring estates to the chapel, until the small-pox was considered by you, and me, and every person on the estate, as

demolished; but, since that time, there have been people attending frequently, which you have had the opportunity to see, as well as myself, for I have not been in the chapel lately.

I am, sir, Your obedient humble servant, (Signed) John Hamilton.

To Captain M'Turk, Commander of 2d bat. Demerara militia.

By the Judge-Advocate.

Did you reply to that letter?—I did, by stating that it was incorrect; first, with respect to what he said I had stated; secondly, to the two cases not having been reported.

(Copy of M'Turk's reply read.)

Felicity, 20th Dec. 1819.

Sir,

Your reply to my letter of yesterday morning, is neither explicit nor satisfactory; it is not for you to enter into the merits of a case which you are not acquainted with, and of course ignorant, particularly of my instructions from the executive government.

Your assertion, as to my opinion of the small-pox being eradicated from Plantation Le Resouvenir, and your report of the two last cases (which you refer to, but which I never received) is incorrect, and entirely irrelevant to the nature of my request.

What your opinion and others on Le Resouvenir may be, regarding that disease, is a matter of no consequence; but, as it is a subject which government has taken up, (and a prudent one it is,) and by its commands a restriction has been laid on these meetings, for a time; it is, therefore, your duty to give every facility in forwarding the object it has in view, adopted solely for the benefit of the community.

I conclude, therefore, and understand by your letter, that meetings of the negroes, from the neighbouring estates, have taken place at the chapel of Le Resouvenir, anterior to the date hereof.

In consequence of which, I have to direct that you make yourself acquainted with the days of meeting (and nights also,) and ascertain whether they continue to be frequented by negroes not belonging to the estate, and report to me accordingly in case they 95 are, that measures may be adopted to prevent the violation and wanton abuse of government orders.

I have the honour to be, Sir, Your obedient servant, (Signed) Michael M'Turk, Captain 1st comp., 2d bat. D. M.

To Mr. Hamilton, Manager, Plantation Le Resouvenir.

By the Court.

Is that a true copy of the answer sent?—It is a correct copy.

Hendrick Van Cooten *called, sworn, and examined by the* Prisoner.

Where do you reside?—Upon Plantation Vryheid's Lust.

What is your calling in life?—Planter.

Do you you know the Prisoner?—Yes, I do.

Do you remember his arrival in this colony?—Yes; but cannot speak about the date.

After his arrival, do you remember the Prisoner's expressing any particular wish concerning the chapel?—No, not shortly after his arrival.

Do you remember any thing being said by the Prisoner, about the removal of the chapel to the road side?—Yes, I do; Mr. Smith requested me to write to the owner, to obtain leave to remove the chapel to the road-side.

Did you ever attend the Prisoner's chapel?—Yes, frequently.

When you have so attended, what has been the tenor of his discourses?—I have not attended for the last twelve months.

Do your negroes attend the chapel?—Yes, several of them.

Is this with your approbation?—Yes, certainly it was.

What sort of negroes are those which so attended?—The principal one was a carpenter; Azor, now in jail, and many others out of the field.

Do you know any white persons in this colony, that subscribe to the Missionary Society?—I have been myself a subscriber, when I was asked by Mr. Smith, and so have several on the coast.

Is that the Society to which the Prisoner belongs?—Yes.

Will you be pleased to state your reasons for subscribing to that Society?—Rejected.

Have you perceived any alteration in the behaviour of your negroes, since their attending the chapel?—Yes, I think so; that is to say, they have been more obedient than they were formerly.

Did you ever tell this to any one?—Yes, I have told it sometimes to gentlemen; but can't recollect to whom.

Did you ever tell it to the Prisoner?—Yes, I think I have, upon his asking me.

Were you acquainted with the fact of the negroes purchasing books from the Prisoner?—I can't say as to their purchasing them, but that they have books from the Prisoner, I think I recollect.

Did you allow your negroes to have books from the prisoner, and, if 96 yea, why?—I have not objected to it, and I thought there was no harm in it.

Were you acquainted with the fact of the negroes throwing up money in the chapel?—I have heard of it, but do not particularly know it.

Were you ever present when money has been therein collected;—I don't recollect.

Did you ever hear Mr. Davies preach a collection sermon in the chapel?—I do not recollect.

Where were you when you gave the first donation for the Missionary Society?—On my estate.

Was it your name or draft for the money, that you gave on your estate?—It was my draft.

Did you ever give any draft for the Society when you were in the chapel?—No.

Had you any suspicion previous to the revolt, that such an event would take place?—No, I had not.

Did you hear of any thing particular among the negroes of Le Resouvenir about 10 or 12 days before the revolt?—Yes, there was something of a complaint respecting the manager.

Did you hear any thing about the negroes laying down their tools and refusing to work? if yea, state what it was?—It seems, that there were some unwilling, but they did not refuse to work; there were a few who absented themselves, but came back the next day.

Was there any particular reason for their returning?—Not that I know of; they came with a complaint about the manager; and when that was settled they came back.

Did you hear of any one of your sons or son-in-law going aback to expostulate with them?—No, I did not.

Did you hear any thing of a report, which was said to be among the negroes, concerning their freedom, which they imagined had come out?—Some time before the revolt I think there was a report, among the negroes, that something was to be done for them, when the Court of Policy was sitting. They had a confused idea, but generally expected some amelioration.

Did this not raise any doubt or suspicion in your mind concerning the negroes remaining quiet?—Rejected.

How many years have you been in this country?—Fifty years past.

How much of that time have you been in the habit of observing the character of the negroes?—I suppose from the beginning of it.

Are they in general capable of relating correctly any conversation that has taken place in their hearing?—Very badly in general, there may be some more capable than others.

Is it customary to send negroes with verbal messages, where accuracy is required?—It is not, at least I would not.

For what reason would you not send such messages?

Because I think the negroes, in general, are bad messengers; ten to one if they'd bring it home correctly.

Who is the attorney of Plantation Le Resouvenir?—Myself.

Do you consider yourself, or the manager, bound to communicate to the Prisoner all official orders, regarding the negroes in general, which may be sent to either of you?—No.

97

Were your negroes, who attended the chapel, in worse circumstances than before they attended the chapel?—No.

Were they, that attended the chapel, in appearance cleaner or better dressed, after they attended the chapel, than they were before?—I do not know of any difference.

By the Court.

In your judgment would not any negroes remember the substance of what passed about a revolt, and the soldiers being more strong than they?—I think they might.

Do you know Bristol, Seaton, or Emanuel, witnesses on this trial?—I do not know any of them.

Were the negroes of Le Resouvenir rather more obedient since they attended, than those of Vryheid's Lust?—I have not found any difference upon Le Resouvenir; but the negroes upon Le Resouvenir did not attend chapel so well as the negroes of other estates.

How did you know that?—That I heard from the Prisoner.

How did Le Resouvenir negroes behave during the revolt?—They came into the house, and forced the arms from the manager; I was not present.

Did the negroes of Le Resouvenir join in the revolt?—According to reports, they certainly did.

Would you, at any time, when Bethel chapel was shut, have prevented Mr. Smith from preaching to or instructing the negroes on Vryheid's Lust?—I would not have prevented the negroes had I been asked.

In your opinion could the negroes remember the heads of a short discourse, and take up the meaning of the lecturer?—I think some of them might.

SIXTEENTH DAY, 4 th NOVEMBER, 1823.

John Stewart.

What is your name, place of residence, and calling in life?—John Stewart, manager of plantation Success.

Had you an opportunity, before you became manager of Success, of observing the behaviour of other negroes?—I had.

Did you observe any difference between the behaviour of the Success negroes, and that of the negroes of other estates? if yea, what difference?—I don't recollect that I observed any difference in them in particular.

What was the general conduct of those of the Success negroes, who attend the chapel?—Some of them were good, some bad.

Did any one ever inquire of you concerning the behaviour of the Success negroes? if yea, who?—I don't recollect; I remember Mr. Smith asking me about the character of Quamina.

Did you ever commend the behaviour of the negroes on Success, who regularly attended the chapel, to Mr. Smith?—I may have done it; but really don't recollect. *The question sent by Mr. Cuming to me, about Jack, of Success, I referred to Mr. Smith.* N

Did you ever refer any quarrel or misdeed of a negro to Mr. Smith to settle?—I think I have.

Is this letter in your hand-writing?—Yes, it is.

(Court cleared, letter admitted.)

Success, 5th Feb. 1822.

Dear Sir,

I desired Quamina yesterday, as I understood he was to go over last night, to mention to you, that I received rather an unpleasant letter from Mr. Cumings on Sunday, regarding his son Jack and his wives; and I now beg leave to inclose the same letter for your perusal. Besides those Mr. C. mentions, Mr. Munsen told me yesterday, he knew of two or three other women on Chateau Margo, Jack occasionally cohabited with. As for my woman Gracy, he has ruined her; she hardly does any thing for me, and I shall now be under the necessity of sending her to work in the task-gang, although I know she has not been accustomed to such work, but I cannot help it; I have told Jack and her repeatedly of the impropriety of their connections, and once punished them, by confining them both in the stocks for some time, when they declared they should never be guilty of the same crime after that period; and, I believe I have been told, you once or twice gave them a severe lecture on this subject. His father, Quamina, seems to be very much hurt at his son's shameful conduct, although he acted rather hastily to me yesterday morning, for which I found it necessary to confine him for a short period, and if I had punished him I would have been justified, and certainly his son was the original cause of all this. Under all these circumstances, I feel it incumbent on me to request you to chastise Jack and Gracy as far as becomes you, as a minister; the idea of a married man turning out his wife, and bringing in another woman in her presence, and to her own bed, is to me horrid; with hopes you will

excuse me for thus troubling you, and that you will consider it as meant for both Jack and Gracy's future good,

My best respects to Mrs. Smith.

The Rev. J. Smith, Plant. Le Resouvenir.

I am, dear sir, Your's, very respectfully, (Signed) John Stewart.

Did you ever recommend any of the negroes of Success to the Prisoner to be baptized?—Several.

What were the qualifications upon which you recommended them?—General conduct as to the duty of the estate.

Were the negroes, who regularly attended the chapel, insolent or obedient?—Some of them were insolent and some obedient.

Were there more or fewer of such negroes disobedient than obedient?—More obedient than disobedient; I refer to the whole gang, and to those who attend the chapel.

Were the majority of those negroes who attended the chapel, for I am now speaking of those only, obedient or disobedient in general?—Obedient.

Would you have recommended a bad disposed negro to be baptized?—No, I would not.

Did not the hope of obtaining your recommendation for baptism, stimulate them to good conduct?—I cannot say.

Is this letter in your hand-writing?—Yes.

99

(Letter read.)

Plantation Success, 14th Dec. 1822.

Dear Sir,

The bearers, Leon and Dingwall, have been applying to me for two or three weeks back, in order to get a note to you, so as to be baptized; and I always told them their conduct some time ago have been such, which I suppose you recollect, as put it out of my power to give them good characters. However, as they both seem now to be sorry for it, I have no objection that they may be admitted, provided you think it proper,

I am, dear sir, Your's respectfully, (Signed) John Stewart.

Rev. J. Smith, Plant. Le Resouvenir.

Did the prisoner ever send to you a man who had absented himself?—I don't recollect.

Is this letter your hand-writing?—It is.

(Letter read.)

Plantation Success, 12th April, 1822.

Dear Sir,

I knew nothing of Ben being absent from his master's work yesterday, till about seven oclock this morning, when Cooper Jack, who took upon himself to send him, came and told me, he sent Ben to the water-side yesterday; and that he did not return—I suppose he must have heard of what happened, or I should not have been informed anything upon the subject. It was certainly a bold attempt of Mr. Ben, ever to enter your yard at such a late hour at night, and much more what you mention. You may depend on it, he shall not pass without punishment for this; and I shall do my best to prevent him from troubling you again on a similar occasion: the fellow cohabits with one of the finest and best disposed girls on

Success, but it seems she is not enough for him. I have often seen him coming from them early in the morning, but he always made me believe he was over learning to read; I think Matthew ought to be punished also, he had no business to receive such people into his house; with best respects to Mrs. Smith,

I return your book with many thanks.

The Rev. J. Smith, Plant. Le Resouvenir.

I am, dear sir, Your's, very respectfully (Signed) John Stewart.

About how many negroes have you recommended to the prisoner for baptism?—I don't recollect, it is impossible to remember for seven or eight years.

Have you recommended few or many?—A good many.

Were you ever at Bethel chapel on a Sunday?—Yes, I have been on a Sunday.

Did you ever see there a larger congregation than the chapel could hold?—I have seen some outside the chapel; I don't know whether more than it could hold.

What was the reason the people remained outside? I don't know.

Did you make any observation or remarks to the Prisoner concerning the crowd that was in or about the chapel, the last time you were there?—I can't recollect the last time I was there.

Did you not on one occasion tell the Prisoner, that there were as many outside, as inside of the chapel?—I may have done so, but I don't recollect. N 2

L. of C.

Were you ever present in the chapel when money has been therein collected?—Yes, I was.

For what purpose did you understand that such collection was made?—For the support of the Society to which Prisoner belongs, the African Society.

What do you mean by the African Society?—The Missionary Society.

Did you contribute any thing, or give your name?—I did, once or twice.

Did the negroes who attended the chapel appear poorer or more miserable than those who did not attend?—I can't point out any particular difference that I observed in them; there are very few of Success negroes but attended the chapel occasionally.

Do you remember there existing, previously to the revolt, a rumour among the negroes concerning the instructions which had been then lately received by the governor regarding them?—The Prisoner mentioned something of that kind to me some weeks previous to the revolt.

Did you ever hear anything of a report before the communication of the Prisoner to you?—Never, that I recollect.

Did you previously to the revolt, hear or know of any acts of the negroes, by which they showed discontent and dissatisfaction?—I did not.

Do you know any thing of the behaviour of some of the negroes on Le Resouvenir, about the period of which I have just spoken?—Yes, I heard from the manager, that ten or twelve left their work.

Did you communicate what you so heard from the manager, to any one?—Yes, I asked Mr. Smith if he had heard it.

Will you be pleased to state Mr. Smith's answer, and all that passed between you and him, when you asked him this?—He told me that he had not heard that the negroes had left their work; that he hoped it was not on account of the instructions that had come out; that several negroes had come to him, to inquire of him, and that Quamina was amongst the first—that he had told them that their freedom had not come out, but that there was something good for them.

Do you remember the Prisoner calling upon you a short time before the revolt?—Yes.

Was he alone, or accompanied by any one?—Mr. Elliot, the Missionary, was with him.

Do you remember upon what day, and in what month, this was?—I don't recollect the day, I think it must have been in August.

Did you, on that occasion, tell the Prisoner any thing that you had heard the head-driver of Le Resouvenir say to the negroes?—I don't recollect.

Did you inform any one of what the Prisoner told you concerning the inquiry of Quamina as to the instructions that had been received from home concerning the negroes?—I told Mr. Cort of it.

Who is Mr. Cort, and what notice did he take of it?—The attorney of the estate; he went over to Mr. Smith with myself, to inquire further into what I told him that Mr. Smith told me.

Did any, and what conversation, take place on this occasion?—When Mr. Cort went over, he stated to the Prisoner what I had told him, and asked if it was correct; he said yes, it was. *He said several of them had asked him if their freedom had come out; that Quamina, of Success, was the first who asked him.* Mr. Cort asked him, if some of the negroes really had the idea that their freedom had come out; he said 101 yes, that several of them had put the direct question to him, among the first, Quamina, of Success—Mr. Cort pressed him to know how the negroes came to learn that. He said, that they might hear it in various

ways, for instance, negroes could hear it from sailors, when they had come down for produce; that the sailors would introduce into their songs that they were great fools to be slaves; that they could also hear it from town, from hucksters. Mr. Cort still pressed him further, if he knew of any other person that had told the negroes; he declined giving a direct answer to that, as he did not wish to criminate any one. He told Mr. Cort, that he had an inclination to tell the negroes from the pulpit, that the idea of freedom was erroneous, and to tell them what he believed it was—Mr. Cort told him, that it would be as well for him nut to take any thing of that sort upon himself; that it might be exaggerated to his own prejudice, and I think Mr. Cort said, that if he did mention it, it should be to the proper authority. Mr. Cort also stated, that the reason why the court of policy did not do something previous to that was, that one of the members of the court of policy was sick, and another Out of town; that they were then sitting, and he was sure something would be done very soon, regarding the instructions sent from home.

Was any one present during the whole conversation between yourself and the Prisoner? If yea, who was present?—Mr. Elliot.

You said something just now, about the head-driver having told you something, what was it?—He told Re that the negroes were turning out late, and that the manager had come down and ordered them to be punished with a cat; and that he did not know whether it was from that account that they ran away, or from their own bad hearts.

What rank did you and Mr. Cort at that time held in the militia?—Mr. Cort, I believe, was second lieutenant, and I was serjeant.

By the Court.

What were Quamina and Jack on the estate?—Quamina was head-carpenter, and Jack was head-cooper.

Were not all the negroes of Success engaged in the revolt?—I believe they were; *I cannot say, for I was not there.*

For what period of time did the negroes on Le Resouvenir leave their work?—I cannot say.

Was the communication the Prisoner made to you concerning Quamina, the only communication he made to you about the revolt?—Yes, the only one, but he made it twice.

Were the negroes, Quamina and Ben and Jack, mentioned in the letters read to the Court, attendants of the chapel?—I believe they were.

Did Quamina, Jack, Bethney, Britton, Dick, Frank, Hamilton, Jessamine, Quaco, Ralph, and Windsor, belong to plantation Success, at the time of the revolt?—Yes.

Did any of these attend the chapel?—The whole of these except Ralph.

Have the whole, or any of these, except Quamina, been tried by a court-martial, and proved to have been actually engaged in the rebellion?—I have been present at the trial of Ralph and Jack, and I have seen Ralph, Jack, Jessamine, and Bethney and Dick, but have heard only of the others.

What became of Quamina?—He ran away, and was shot in the bush, and is now in chains upon the front of the estate.

102

Who were the most active of the insurgents in the revolt on plantation Success?—Richard was the most desperate and dissolute; Bethney and Jessamine were very active, and all those mentioned, except Quamina and Jack, whom I did not see do any harm; they were keeping the rest back, and preventing them doing any injury to me.

Was not Quamina a reputed leader in the revolt?—I heard him to be such, but I did not see him.

Was the conversation between Mr. Cort and you, and Mr. Smith, after the 25th of July?—Yes, it was.

Did he tell you he himself had told Quamina what had come out concerning the whips?—No, he did not; he told me that he said something good had come out, but did not say what it was.

Did you make a special report to Mr. Cort of what Mr. Smith told you, or did you mention it in the course of conversation?—I mentioned it in the course of conversation.

John Hamilton *called and sworn. Examined by the* Prisoner.

What is your name, and were you manager on plantation Le Resouvenir in November and December 1819?—John Hamilton; and I was.

Do you remember any cases of small-pox among the negroes of that estate at that time?—I do, sir.

Is this letter your own diction, and are the facts contained in it true?* —Yes, sir, that is my writing, I have signed it, and I will stand to it; they are true.

* Letter of 19th December, 1819, quoted in Dr. M'Turk's evidence.

Where were the infected negroes placed?—In the plantain-walk of the estate aback.

How far was the place where they were from the chapel?—Abour 14 or 1500 roods.

Were the negroes in a house, and if yea, what became of that house?—They were in a temporary house, and after the infection was considered cured, Dr. M'Turk, the medical attendant of the estate, went aback with one of my overseers, and burnt that house.

After that house was burnt were you aware of any other of the negroes having the small-pox?—I was not myself, but Dr. M'Turk, the practitioner of the estate, was the best judge of that.

Did you ever hear any conversation between Dr. M'Turk and Mr. Smith, concerning Dr. M'Turk's sending a circular to the planters to prevent their negroes coming to chapel?—I remember a conversation that passed in my house between Dr. M'Turk and Mr. Smith, but not about the circular.

Did Dr. M'Turk, by words or manner, sneer at the Prisoner?—I do not recollect; a disagreeable conversation took place between them.

Was any certificate given concerning that conversation?—I signed a certificate concerning that conversation.

Was that certificate sworn to?—No.

Are you not aware, that as that certificate was not sworn to, you cannot be subject to any penalty for deviations from it now?—(Rejected.)

From the manner and language of the Prisoner and Dr. M'Turk, during the conversation, was it not evident that they were quarrelling?—There was improper language passed on both sides.

Did he ridicule the idea of the negroes being instructed in religion?—I don't recollect he did; he found fault with Mr. Smith for opening the chapel before the fiscaal's order was fulfilled.

Did Dr. M'Turk say that he never entertained but one opinion of religion, or words to that effect?—I can't recollect that Dr. M'Turk said that.

Have you never told any one that you recollected these things?—Not latterly; I believe not.

Were you in the habit of attending the Prisoner's chapel?—Sometimes, sir.

Did you ever see more people there than could get inside the chapel?—Yes, sir, often.

Did you ever see the negroes throw up money in the chapel?—Yes, sir.

At what hour was the noon service commonly concluded?—About two o'clock.

Did you see Mr. Smith the Sunday evening before the revolt?—I did.

Where was he when you first spoke to him that evening?—Walking in the middle walk; I was walking up, and he was walking down.

What middle walk do you mean; and what do you mean by “up” and “down”?—I mean the middle walk of Le Resouvenir; I was going to the water-side, and he was coming from it; *there was another gentleman along with me.*

Is the middle walk, where you saw the Prisoner, in front or back of the house on Le Resouvenir?—In front of all the buildings.

What time of the evening was it when you met Mr. Smith?—About six, or half-past six.

Was it light or dark?—It was gloaming, not dark.

Did you address the Prisoner, or accompany him?—His lady asked us to go into the house, and we went.

How long did you remain in the Prisoner's company on that evening?—About an hour.

Did you see the Prisoner on the evening of the revolt?—I did.

Where did you see him?—In the middle walk, in front of the house.

What time was this?—About a quarter-past six, or half-past six.

Did any thing particular happen on the estate that evening?—Yes, a revolt

What time?—That same time, about half-past six in the evening.

Did you call out the name of Mr. Smith at that time?—Yes, I called him to my assistance.

Did he come when you called him?—He did.

Did you hear what the negroes said to him?—I did hear some conversation between him and the negroes, five or six; Mr. Smith persuaded them not to trouble the manager, or any white person on the estate; they advised him to go home.

Did you hear Mr. Smith order them, or instruct them; or did he exhort them to be quiet?—He exhorted them to be quiet.

Did you consider the gang of Le Resouvenir, in general, a religious gang?—Far from it.

Were they, in general, punctual in their attendance at the services in the chapel?—A few were, but not generally speaking.

Were you not informed, on Monday, the 18th of August, of the intended revolt?—I was.

What time were you so informed, and did you inform the Prisoner of 104 what you had heard?—I was informed by Captain Simpson, on the Brickdam, about twelve or one o'clock; I did not inform the Prisoner.

SEVENTEENTH DAY, 5 th NOVEMBER, 1823.

Cross-examined by the Assistant Judge-Advocate.

Did you hear the Prisoner, at the conversation which occurred at your house with Dr. M'Turk, say any thing about his having influence on the negroes' minds?—I do not recollect any thing of the kind.

Is this your signature? (*shewing a paper*)—It is.

Is that the certificate alluded to yesterday?—It is.

(*Certificate read.*)

“We the undersigned, having been present at a conversation between “Captain M'Turk and the Rev. Mr. Smith, on the night of the 24th ult., “of which the following is the purport, and to which we are ready to “make oath:—That Mr. Smith protested against the conduct of Capt. “M'Turk, in endavouring to prevent the negroes of the neighbouring “estates from attending the chapel of plantation Le Resouvenir: that “Capt. M'Turk had no authority for so doing, and insisted that he had “such documents from the fiscaal in his possession, as authorised him “to preach to whom he pleased, and without restraint.

“When Captain M'Turk stated to Mr. Smith, that if he had such “documents from the fiscaal to the effect he asserted, to produce them, “or otherwise he would hold him responsible for any measures he might “adopt, for carrying the fiscaal's orders into effect; that he was not “aware of any communication to him (Mr. Smith) than what he (Capt. “M'Turk) had forwarded; and as he had received none, and had been “commanded to see the

restriction laid on the chapel of Le Resouvenir “duly complied with, he found it his duty to prevent that restriction “from being infringed on; and as he had informed the fiscaal of his “proceedings on the above estate, he could not allow him to convoke “the negroes of the neighbourhood, until he had heard from the fiscaal; “particularly as two cases of small-pox had occurred on the estate, and “had gone through that disease in the negro houses. Mr. Smith “allowed that he had no communication from the fiscaal, than that “which Capt. M'Turk had forwarded him; but said he had influence “over the negroes' minds, which influence was great, and he would use “that influence to bring the negroes of the neighbourhood to the chapel “the two following days (the Christmas holidays) and preach to them “in defiance of all power or authority he (Captain M'Turk) possessed.

“Capt. M'Turk then observed, that he should take good care he did “not, and cautioned him against such conduct, and said he would regret “if he was driven to alternative means to prevent him; but he,(Mr. “Smith) continued firm in his determination, when Capt. M'Turk left “him, saying, he was also determined to repel such meetings.”

(Signed)

James Donald.

John Hamilton.

Le Resouvenir, 19th January, 1820.

When did you return to Le Resouvenir after receiving the communication from Capt. Simpson?—About three or four o'clock in the afternoon.

105

What were the words he, Capt. Simpson, said to you on that occasion?—He asked me if I was going home? I said I had just come to town, and had some business to do previous

to going out of town; I had also promised a gentleman, a friend of mine, to dine in town; he advised me to go home, that something was likely to occur on the coast that evening.

Was that all that passed between you?—Yes, to the best of my recollection.

When you called to the Prisoner that evening, had he been walking out for any length of time?—I do not know how long Mr. Smith was out walking; when I first saw Mr. Smith he was coming towards the buildings, from the water-side.

In going from his house to the water-side must he not pass near your house?—No, sir.

At what distance is the residence of the Prisoner from your house?— About 100 paces.

At the time you called to him were not the negroes round your house?—They were, and in the house.

Can you then take upon yourself to say positively that it was half-past six?—I cannot pretend to say, but it was in the gloaming.

By the Court.

What distance was Mr. Smith from his house when you met him on Sunday evening?—I suppose from 100 to 150 roods.

What distance is it from Mr. Smith's house to Success buildings?— About six or 700 roods, near two miles.

Do you know if Quamina, of Success, was concerned in the revolt which took place on or about the 18th of August last, and when did you gain the information that he was so engaged in the revolt?—I did not know of it until I was informed of it on my way home, at three o'clock, by Mr. Mackay, the manager of plantation Montrose, who informed me that he had seen a letter from Quamina to Mr. Simpson's boy Joe.

Did you receive an answer to your letter of the 19th December, 1819, addressed to Dr. M'Turk, relative to the small-pox on Le Resouvenir estate; if so, did that reply acknowledge your opinion as to the smallpox being correct?—I don't recollect; *there were two letters past; Dr. M'Turk is the best judge.*

Did you ever mention to the Prisoner what Mr. Mackay told you respecting Quamina?—I never did.

Lieutenant Colonel Leahey, *called and sworn.*

What is your name and profession?—Lieutenant Colonel Leahey, commander of the twenty-first fusileers.

Do you rember the revolt of the negroes, which broke out on the east coast of this colony, in August last?—Yes.

Had you any duty to discharge on that occasion?—I was sent up the east coast, on the evening of the 19th, in consequence of the revolt of the negroes.

Did you come up with them, or meet any of the revolted negroes?— I came up with them at Bachelor's Adventure, we met there rather; they were coming down. O

106

Had you any, and what conversation, with the revolted negroes?—I had, on the morning of the 20th, at Bachelor's Adventure; they assembled outside on the road, in very great numbers on the bridge; they were armed with cutlasses, muskets, blunderbusses, and pistols; the soldiers under my command stood at their arms, and I went out to the bridge to talk to those people, to persuade them to return to their work, and lay down their arms. I was conducted to the party assembled on the night by some man, who promised nothing should occur to me; after conversing with that party, they accompanied me to the party assembled this side Bachelor's Adventure. The negroes spoke differently as to what they

wanted; some wanted three days, and the Sunday to go to church; some wanted two days, and the Sunday to go to church; some said they wanted their freedom; and some wanted to tie me up. I explained to them that I would use my endeavours with General Murray, to get them part of Saturday, and to go to church; but that first they should lay down their arms. Further, some of them said, that when they did ask leave to go to church on a Sunday, they got punished for it; got cotton to gin, and the middle paths to clear the grass away. That when they complained of it, they were told by Dr. M'Turk, that it was the governor's order; when to Mr. Spencer, that it was the fiscaal's order. I told them, of course, that they could not come into town, in consequence of martial-law; but that I would tell the general of it, and hoped they would lay down their arms; Jack and Telemachus, and Seaton, and Tom Gibson, promised to communicate to them what had been said, and I went up to my troops again. In half-an-hour afterwards, seeing that they were not inclined to lay down their arms, I went out again, and requested some of them to tell Telemachus and Tom Gibson, and some of those who were about me, to come; I wanted to know the reason why they did not lay down their arms, but the people who then came out to me said they wanted to be free; in consequence of which, I marched out the troops for the purpose of dispersing them.

Did you not make some memorandum or other of what the people told you?—I have, as near as I can recollect, made a memorandum; but have told, as near as I can, the substance to the Court; I have since destroyed it as useless.

Was their no other grievance stated by the negroes, except those you have already stated?—None that my memory can recollect.

Did you shew the memorandum to any one, before you tore it up?— Yes. I did.

To whom?—To my brother officers.

Who were those officers, or if you do not remember, what companies were there?—Captain Stewart, Captain Appelius, Mr. Peddie, Mr. Arnstruther, and *Captain Croal* ; Mr. Richard Reed saw it.

Did the negroes on that occasion, at Bachelor's Adventure, say any thing about the Prisoner?—I don't recollect hearing the Prisoner's name mentioned until I came to town.

By the Court.

Did the majority of the negroes, in the first instance, say they wanted to be free?—At first they said their freedom and three days; but afterwards all of them said their freedom; and all of them dwelt considerably upon their going to chapel on a Sunday.

107

Lieutenant-colonel John G. Reed *called and sworn. Examined by the* Prisoner.

What is your name, calling in life, and place of residence?—John Reed, planter, residing on the East Coast.

Is this your hand-writing?— *(document produced)* It is.

(Read.)

Dochfour, September 9th, 1822.

Sir,

Having given mature consideration to the subject of your request, that I would dispose of a piece of land in front of plantation Lowlands, for the purpose of erecting a chapel, for the accommodation of the negroes in this neighbourhood, I am induced to offer the same as a gift, and to aid the building of a chapel by my subscription, and any other assistance in my power on the following conditions.

1st, That such chapel, or place of meeting, shall be erected with the consent and approbation of his excellency the governor.

2d, That you bind yourself, under penalty of forfeiture and removal of the building, not to perform divine service on any evening of the week, nor on any other days except Sundays and holidays.

3d, That the second condition shall be satisfied by the directions of the London Missionary Society, to whom you refer on subjects connected with your mission.

I beg to say distinctly, that, by insisting as I do *peremptorily* on the fulfilment of the second condition, I by no means wish to check a proper sense of religion among our negroes; but that I do so from the conviction, that meetings in the evenings of week days will have a bad effect, by taking the well-disposed negroes from their homes, and furnishing those of a different character with a pretext for being absent likewise. I think, too, that the Sabbath, which is set apart by our holy ordinance, is sufficient for the purpose of public worship, particularly in a community constituted as this is.

I am, with respect, Sir, Your obedient servant, (Signed) John G. Reed.

Mr. Smith, Le Resouvenir.

Did you send the paper or letter just read, or deliver it to the Prisoner?—I delivered it to the Prisoner, to the best of my recollection.

Where were you when you so delivered it?— *I will crave the indulgence of the Court for ten minutes, whilst I reply explicitly to the Prisoner's question.*

I was on my sick bed at Dochfour. The Prisoner intruded himself at my domestic board—even at my sick bed-side; asked and obtained permission to erect a place of worship on the disinterested, though legal condition contained in that letter.

Here the witness added " *In a few days afterwards, he deliberately, "and secretly writes down a full accusation against me; an accusation "which stands recorded on the minutes of this Court, and which I have "deemed it necessary to falsify by the written testimony of the negro "Jackey; which testimony I now hold in my hand.* " The witness was prevented by the Court from reading Jackey's written testimony; O 2 108 the witness then said " *I have no other reasons than what I stated in the "letter.* "*

* The Court ordered all the words printed in Italics to be struck out of the proceedings.

How many times was the Prisoner ever at your house?—I think three or four times.

Do you remember at what time of the day, and on what occasion, did the Prisoner go first to your house?—It was early in the morning, for the purpose of obtaining leave to erect a place of worship.

Where did you on that morning meet the Prisoner, and did you invite him to stay breakfast, or did he remain without invitation?—I met him on the road leading to the estate, and I asked him to remain breakfast, I believe.

Did you present him with the deed of gift, on that occasion?—I did not.

Did you promise him to consider of it, and let him know if he came again?—I did.

What reasons did the Prisoner assign, for wishing to obtain the piece of land, for the erection of a chapel?—For the purpose of benefitting the negroes in that neighbourhood, by his presence amongst them.

Did not the Prisoner also say, that it was to save the negroes walking so far, which was a subject of complaint among some of the planters?—He said so.

Did any, and what conversation, pass between you touching or concerning the probability of his excellency's leave being obtained?—My recollection does not serve me with the conversation that passed on that occasion.

Did you give it as your opinion, that his excellency would not grant the leave desired?—I do not recollect that I did.

By the Court.

Had you any cause to withdraw your permission at Dochfour; if so, state it?—My permission depended upon his excellency's approval, and his excellency was pleased to disapprove of it, in consequence of complaints made against the Prisoner.

What do you mean, when you say the Prisoner intruded himself?— I was unacquainted with the Prisoner before, and on one occasion he brought Mrs. Smith with him; perhaps I should not have deemed it an intrusion, but from his subsequent conduct.

(Upon the request of the Prisoner.)

Did the Prisoner go into your sick bed-room without being asked?— No, he did not.

Rev. W. S. Austin, *called, sworn, and examined by the* Prisoner.

What is your name, profession, and where do you reside?—My name is Wiltshire Stanton Austin; I am a minister of the established church, and I reside in George Town.

Where do you officiate?—At St. George's Church, the only place of worship in this colony, devoted to the church of England; I am also chaplain of the garrison.

Of what kind of persons does your congregation consist?—In the morning service, of respectable white inhabitants, respectable coloured 109 inhabitants, and a very few slaves. In the afternoon service, it is composed of a few white people, a greater number

of coloured, and a considerable number of slaves; an average of about 300 slaves, principally composed of domestics.

In what manner do you read the scriptures to them, *(i. e.)* do you select chapters, or read the chapters consecutively?—In the morning services, I read the chapters appointed by the church of England; in the afternoon service, I have followed the example of my predecessor, in reading the Bible regularly through. I must observe, however, that I have occasionally omitted some chapters; and after reading them, I read a translation of Osterwald's explanation; a book sanctioned by the Society for Promoting Christian Knowledge.

Is public teaching sufficient for the instruction of the uneducated slaves?—Certainly not, *(i. e.)* in my opinion; I consider it almost the least of a minister's duty, at least with respect to that part of the population.

Have you ever had presents of any kind made you, by any part of your congregation?—(Rejected.)

Can any minister of the gospel properly discharge his sacred duties, without having some other intercourse with his congregation, besides public teaching?—I have already answered that question.

Will you be pleased to state, what other intercourse you consider necessary.—I consider that familiar intercourse must exist between a minister and his parishioners, particularly the more ignorant part of them, as would enable him to enter into their feelings, so as to explain, in a more familiar manner than he could in a public discourse, any observations which may there escape him. It would be impossible, for instance, to apply a moral lecture to the case of ever individual there assembled. It would be improper, on many accounts; an individual with whom you might converse privately, would feel insulted by being publicly reprimanded: were a minister to deny access to those humble parts of his congregation, whose ignorance require them to be instructed, he would most effectually, except under a

miracle, thwart the object of his public discourses. The spiritual wants and feelings of the humbler parts of my congregation, can only be ascertained by personal application and intercourse, and I deem that one of the most important of my ministerial duties.

Have you ever been applied to, to settle any disputes between persons of your congregation?—Frequently, between mother and daughter, and father and son, and in some instances between masters and slaves.

Have you ever had any Bibles sent out to you, by the Bible Society?—None.

Do you know whether Mr. Straghan, your predecessor, had any Bibles sent out to him by that society?—I don't know, but it will be necessary to call my sexton.

Will you have the goodness to look at the 41st and 42d verses of the 19th chapter of Luke, and say whether you consider that an improper text for a sermon?—I consider it one of the most beautiful texts of scripture.

Have you ever taken these two verses, and preached from them as a text?—I am sorry to say I have not.

Is it not a text very often preached from?—I believe so. *The passages* 110 *are very often introduced in sermons, and I believe I have introduced them myself.*

Do you remember the revolt which occurred in August last?—Yes.

Did you go up the coast on that occasion?—I did.

Did you see any of the revolted negroes? if yea, did they say any thing particular?—I saw many of the revolted negroes with Lieutenant Peddie and his party. I met two or three on Monday night. On Wednesday morning, about six o'clock, I disembarked from a schooner on the coast opposite, or nearly opposite, plantation Lowlands. I was on my way to Haslington, and met with a great number of the insurgents on the road. They were

induced to come to me principally from their ascertaining who I was. I reasoned with one or two of the more intelligent, and said I was shocked at what had occurred, and had come up with a view of saving the lives of my fellow-creatures. I was anxious to learn the cause of such extraordinary conduct, and was particular and minute in my enquiries. I had received an impression that the prisoner, Mr. Smith, was highly instrumental in the insurrection, and proceeded to enquiries. A variety of reasons were given, which I do not consider necessary to recapitulate, further than they apply to the Prisoner. I must add, that in no one instance among my numerous inquiries did it appear, or was it stated, that Mr. Smith had been in any degree instrumental to the insurrection. A hardship of being restricted from attendance on his chapel, was, however, very generally the burthen of complaint.

Will you be pleased to state the other reasons, as you have said that the restriction upon attending Mr. Smith's chapel was one?—The enquiry was either made in my presence, or by me, of one of the insurgent party. It was in answer to some observation, that bloodshed had not marked the progress of the insurrection; the answer to that was, “It is “contrary to the religion we profess; we cannot give life, and therefore “we will not take it.”

Do you remember any negroes, previous to the revolt, coming to you from the cast coast?—Yes; I do.

What was the object of their coming to you?—To make a complaint, as they termed it, of the ill-treatment they had received from an individual, whom I presume it will not be necessary to mention.

Will you state the nature of those complaints, and how many negroes there were?—The nature of their complaint was put in the shape of an appeal to me as a minister, whether it was not a very great hardship that their religious duties should be interfered with; whether they ought to be prevented attending Mr. Smith's chapel; whether their evening meetings on their estates for religious purposes were improper; whether their

reading of the Bible was improper; an instance having been quoted by one of them of his Bible having been taken from him. I first enquired why they had not gone to the governor or fiscaal with their complaint; they stated some case which had occurred, I think a short time before, of some complaints having been made, and not attended to. In hopes of settling it in a quiet and amicable manner, I waited on Mr. Harper, and stated all that had been said to me, requesting him to take it in his hand and arrange it; giving as my reason the probable indelicacy there might be in my interference between master and slave, that master being a stranger to me. Mr. Harper declined doing so, giving me very satisfactory reasons. Their complaints were uttered in a very extraordinary style and tone; and after some consideration, I thought it necessary to 111 report the circumstance to the governor; the number of negroes was considerable; I did not reckon them; the number was about twenty, men and women.

Did you ever see any of those negroes afterwards?—Not one of that party, except on the Thursday or Friday of the insurrection, when I saw two of the men on their own estate.

Did they state whether they had made their complaints to the Prisoner?—I remember asking them the question, and whether he had sent them to me. I cannot charge my memory; but I believe in neither case did they admit that they had referred their complaints to him, or that he had sent them to me. I believe I recommended them to speak to the Prisoner on the subject, thinking that as they were members of his congregation, he might have more influence in regulating their conduct than I could.

Did their complaints, and the manner of these negroes, give rise to any suspicion that any thing might ensue?—I must say I did feel serious apprehensions from that, combined with other circumstances, and communicated them to the governor.

What were those other circumstances?—A variety of little circumstances between the negroes and their masters; several reported differences between Mr. Smith and the manager, and the burgher captains. Several instances of the exercise of undue authority

by the masters over their negroes, and particularly that of punishing them for attending Divine worship; these, I must observe, were reports to me, not circumstances for the truth or validity of which I can vouch; one particular circumstance occurs to my recollection.—*Stopped by the Court.*

Is it customary to administer the Sacrament with the doors open or shut?—They were always closed, to exclude those that are not communicants, and to prevent intrusion.

EIGHTEENTH DAY, 6 th NOVEMBER, 1823.

Cross-examined by the Judge-Advocate.

You say that the negroes complained to you that their religious duties were interfered with; was such a complaint ever made to you by any negro of your congregation?—Never; the complaints I mentioned were in reference to Mr. Smith's chapel.

When was it that the negroes you alluded to came to make the complaint you stated in your evidence?—The date I cannot specify. It was about a fortnight previous to the governor's proclamation respecting the attendance at the chapel, accompanied by an extract from Lord Liverpool's dispatch.

Do you refer to their language, when you say their complaints were uttered in an extraordinary style?—I do; their language and manner. One of their expressions used was, there was an attempt made to set down their religion, and that they would sooner die than give it up.

Did you see two negroes, Sandy and Telemachus, apparently engaged as leaders in this revolt?—I did see Sandy and Telemachus, and I think, from some expressions which escaped them, and from their manners, that they were possessing considerable influence, or actual leaders. Intelligence I have, since their convictions, received, convinces me that they were.

Did not Sandy speak to you concerning the restraint upon the Prisoner's chapel, and state that this cause had been removed?—He did say words to that effect.

Was Sandy the man who said, in your presence, that they would not take life?—Sandy may have said that, but I heard the very expressions from several. I rather think Telemachus is the man upon whom I can charge it most positively.

Have you ever conversed with any of the negroes during the revolt up to the present time?—Yes; I have.

Did any of these negroes ever insinuate that their misfortunes were occasioned by the Prisoner's influence on them, or the doctrines he taught them?—I have been sitting for some time as a member of the committee of inquiry; the idea occurs to me, that circumstances have been detailed there against the Prisoner; but never to myself individually, in my ministerial capacity.

By the Court.

Can you take upon yourself to swear that you do not recollect any insinuations of that sort at the board of evidence?

(*The witness here objected to the question, because he did not conceive himself at liberty to divulge what had passed before the board of enquiry, but particularly to the* form *or* wording *of the question, which he considered highly injurious to him. The president insisted upon the witness answering the question, observing, that the Court was the best judge of the propriety of the question. The witness then respectfully requested the opinion of the Court; upon which the Court was cleared. Upon re-entering, the Assistant Judge-Advocate said, “The Court is of opinion that you “are bound to answer questions put by*

the Court, even though they relate "to matters stated before the board of evidence." The following question was then substituted for the objectionable one.)

Did you hear before the board of evidence, any negro imputing the cause of the revolt to the prisoner?—Yes; I have.

John Davies *called and sworn: Examined by the* Prisoner.

What is your name, where do you reside, and what is your profession?—My name is John Davies, I reside in George Town, and I am a Protestant missionary.

Is it customary for the members of the missionary congregations to pray extempore at the prayer-meetings held in the chapel?—Yes.

Did you ever find it necessary, as a minister, to converse with any of the individuals of your congregation?—I have.

Of What class or classes of persons does your congregation consist?— Of free people and of slaves.

Do you often converse with the slave part of your congregation, and for what purpose? —I frequently do, and for the purpose of more familiarly instructing them in the doctrines and precepts of Christianity; and also to attend to such little differences as arise among the members of the church; and further, when they come to me respecting marriages and differences which sometimes arise between man and wife.

Did you ever preach on Luke, ch. xix. v. 41, 42?—I cannot recollect it; I may have preached from it, but I cannot recollect it.

113

Is it a text frequently made use of for a sermon?—Very frequently. Some of the most famous sermons have been preached on these texts.

What do you mean by famous?—Best known; most extensively known.

Do you mean famous to be received in a good or bad sense?—Rejected.

Is it customary for missionaries to collect money of their congregations, to defray the expenses of lighting the chapel, and to purchase bread and wine for the Lord's Supper?—Yes.

Are you aware that any of the missionary congregations in this country were in the habit of contributing money to the Missionary Society?—Yes; I know my own does, and I believe that of my brother.

Was that with the approbation of the Missionary Society at home?—Yes.

Did you ever receive any Bibles and Testaments from the British and Foreign Bible Society?—Yes; many.

Are you acquainted with the hand-writing of their secretary, and are these three letters from that society?—I have received letters from that society, from two I have not received letters, from the third I have, it was signed Tarn.*

* Three letters produced—one signed Miller; another, Romeberg; the third, Tarn.

What are the instructions of the Bible Society to you concerning the disposal of the Bibles sent out to you?—Similar to those in the letters just read.

At what rate used you to sell them where the applicants appeared able to pay the full price?—Generally about a guilder for a shilling, very seldom at that rate, even when the parties have been able to buy them; for instance, Bibles that cost, including packages, costs, and charges 17s. or 18s. for 15 guilders; exchange at 14s. to 14s. 10d., others at a lower price than that.

Do you know James Mercer, missionary, now of Trinidad?—Yes.

Did you and he ever make any attempt to obtain land for him to erect a place of worship on; when was such attempt made?—We did; and I conceive, but I am not perfectly certain, that it was in 1820.

Will you detail the steps taken by you and Mr. Mercer to accomplish that object, and the ultimate fate or such step?

(By the Witness to the Court.)

“Am I obliged to answer that question?”

Ordered to answer.

I know of nothing of the ultimate success. I was in Europe at the time; as far as I had any thing to do with it, it failed.

Do you ever remember the Prisoner and yourself calling upon Mr. Cort, to request his signature to a note of Mr. Van Cooten?—Yes.

Did any, and what conversation, pass on that occasion?—There was a conversation, but it is so long since that I cannot recollect.

Was any thing said about evening meetings in the chapel of Le Resouvenir once a-week?—Yes; Mr. Cort objected to them: Mr. Smith replied, he would give them up, if the gentlemen on the coast would allow the negroes some other time for attending the ministry.

Did the Prisoner say that he would give up the evening meetings on Le Resouvenir if Mr. Cort would allow him to preach once a-week upon any P 114 of the four estates of which Mr. Cort was attorney?—To the best of my recollection he did.

Did Mr. Cort consent to this?—The impression on my mind is, he did not.

Were you ever present when money has been collected from the negroes at Bethel chapel?—I believe I have.

Do you remember any whites contributing in the chapel? and if yea, who were they?—I believe there were whites present, but I do not remember who they were; I believe Mr. Van Cooten was there, but do not remember positively.

NINETEENTH DAY, 7 th NOVEMBER, 1823.

Bristol *called and sworn. Examined by the* Prisoner.

What is your name, and to what estate do you belong?—Bristol, belonging to Chateau Margo.

Were you regular in your attendance at the services in Bethel chapel? —Yes, sir, I was.

Do you know Jack of Success, and, if yea, was he a regular attendant at the chapel?—I do know Jack, but he did not attend regularly.

How often was Jack at the morning service?—I have seen him there very seldom.

Did he attend service on Thursday evenings?—Sometimes, but very seldom.

Do you know Paris, boat-captain, and, if so, what sort of an attendant at the chapel was he?—Yes, he very seldom attends the chapel.

Was Paris baptized, or was he a christian?—That I don't know.

Do you know Beffony or Betheny-Dick, and Frank, Windsor and Quaco, Ralph, Jessamine, Richard, and Hamilton, belonging to plantation Success; were any of them christians?—I know them *all except Quaco;* and none of them are christians.

Did these people, and any of them, attend the chapel?—All of them sometimes, but not often.

Did you ever know any of the people that attended the chapel, to beg wine of the Prisoner or his wife for their sick friends? and if so, was it given?—I have known them to do so, and it was given.

Did you at any time hear the Prisoner say, “If your master has any work for you to do on a Sunday, it is your duty to tell him Sunday is God's day?”—He told us if our master gave us any work to do on a Sunday, we must do it; he never told us not to do it; he did not tell us to tell him that.

What sort of conduct was it for which the Prisoner prevented members receiving the sacrament?—Sometimes they went to do their own work on Sunday, and some again went and did things which were sinful, such as taking away a man's wife, nothing else.

Did the Prisoner ever punish the negroes who were members of his congregation, for running away from their masters?—Yes, sir, if they happened to be members of the church, they would not be allowed to come to the table any more.

When Mr. Smith said, that if the negroes ran away, they must not let their masters catch them, what did he mean thereby?—Rejected.

115

Did the Prisoner ever give you, or the people, any advice concerning your spending money at funerals?—He said, if any body died, we must not buy hogs and fowls, but rather to use our money and buy mourning.

Did the Prisoner ever say any thing to you about getting drunk at funerals?—Yes, he said we must not buy so much rum and other liquors to make the people drunk, when they come to funerals.

Do you remember the small-pox being in Le Resouvenir?—Yes.

What day was it that you first heard of its being there?—I cannot recollect it now.

Was it on a Sunday?—I can't tell if it was on a Sunday.

Do you ever remember being turned away from the chapel, and not being allowed to remain the service?—Yes, sir, on account of the small-pox; Mr. Smith told us, that the doctor said the small-pox was there, on Le Resouvenir, and we must not come.

Cross-examined by the Assistant Judge-Advocate.

Did you ever see the prisoner give wine to the negroes for their sick friends?—Yes, I have.

How often?—I can't tell how often.

To whom did you ever see him give it?—To an old man called Appia, living at Van Cooten's; he gave some to Azor when he was sick; he lives at Van Cooten's; I saw it given to others, but can't recollect their names.

Where were you when you saw this wine given?—I was in the chapel.

Was it after the ordinance?—Yes.

Did you ever see any negro punished by the Prisoner, for running away from his master?—Yes.

Who?—York, of Success; some from Mahaica-side, some christians, but I cannot recollect their names.

How long ago was this?—Almost a year now.

By the Court.

How were they punished by the Prisoner?—York was a member, and he would not allow him to come to the ordinance any more, because he ran away.

How were the christians punished?—If they ran away, they must not come to the chapel.

In what manner were the hogs and fowls disposed of at funerals?—They killed them to eat.

Richard Elliot *called and sworn. Examined by the* Prisoner.

What is your name, place of abode, and calling in life?—Richard Elliot, Ebenezer chapel on the West coast of Demerara river; I am a minister of the chapel, and a missionary.

Of what class of persons is your congregation composed?—I have two congregations, one in town, consisting of slaves and coloured people and white people; the other in the country, consisting principally of slaves.

In what order do you read and expound the Scriptures to your congregation?—Down the coast, I read the Scriptures in rotation in the morning and expound the chapters, that is, read in the Old Testament; I then read a chapter in the New Testament, not in rotation, but generally the chapter from which I take my text.

What sort of communication do you find it necessary to hold with individuals of your congregation?—I find it necessary to converse with them frequently and freely about religion.

Were you ever at Bethel chapel when money has been collected for the Missionary Society?—Yes, I have.

Did any white person contribute on those occasions?—Yes, there were some white persons who contributed.

Did you ever hear any of the planters of the East coast speak of the behaviour of those of their negroes that attended the Prisoner's chapel?—I have heard several speaking of the negroes who attended the chapel, generally saying that they behaved better, and some spoke very highly of them indeed.

Do you remember the last time you visited the Prisoner at Le Resouvenir?—Yes, on the 5th August was the last time.

How many days did your visit last?—I left him on the 7th, was with him on the 5th, 6th, and 7th.

Did you and the Prisoner go any where together during your visit?—On the morning of the 7th, previously to my leaving Le Resouvenir, Mr. Smith and I went to Success—I likewise went up the coast on the 6th, and called at Mr. Hopkinson's.

Did you see Mr. Hopkinson, and if yea, did any and what conversation take place, relative to the behaviour of the religious negroes belonging to him?—Yes, I saw him; Mr. Hopkinson was speaking of the religious negroes, and told Mr. Smith, that some of the negroes attended his chapel. Mr. Smith said, he believed not, or, if they did, he did not know their names. Mr. Hopkinson mentioned some of the names of those that attended

the chapel. Mr. Smith enquired how those that attended behaved, and Mr. Hopkinson said, they behaved remarkably well indeed.

The Assistant Judge-Advocate.

The Court has ordered me to say, that you must confine yourself to the strict rules of evidence; and that hearsay evidence will not in future be admitted.

Were you and the Prisoner at the house of Mr. Stewart on plantation Success?—Yes, we were there on the 7th of August.

Did any conversation pass on that occasion between Mr. Stewart, yourself, and the Prisoner, relative to negroes; and if so, will you relate it?—Rejected.

Did the Prisoner tell Mr. Stewart, that several of the negroes had been to inquire concerning their freedom, which they found had come out for them?—Rejected.

After you left the Prisoner's house to return home, when and where did you next see him?—The next time was in the street, after he was taken up.

Did you see him down the west coast, the week before the revolt?— Yes, I saw Mr. Smith down the west coast, the week before the revolt.

How long did the Prisoner remain on the west coast?—I am not certain; Mr. Smith went down on Monday or Tuesday before the revolt, but he came up on the Friday, I came up with him.

Did you mention to any person on the west coast, that a report was 117 among the negroes that their freedom had come out from England?—Yes, I mentioned it to Mr. Newton, the burgher-captain.

Does Mr. Newton hold any other and what rank or station in this colony?—I don't know; *but he is a planter.*

Is he a member of the court of policy?—Yes, I believe he is.

Was any one present, when you mentioned this report to Mr. Newton?—Mr. Smith was present and Mr. Alleyne; I mentioned it to Mr. Newton several times; once when Mr. Alleyne was present, though I will not be positive. Mr. Alleyne was present on the occasion that Mr. Smith was.

Were you present at any interview between the Prisoner and his honour the first fiscaal?—Yes, I was.

Did you hear any and what conversation at such interview?— *Rejected.* *

* This question did not appear, in its present shape, until a variety of modes had been tried, to get at the evidence required. At last, the Prisoner, finding all questions having a tendency to prove what he had stated in his defence, viz. that the fiscaal acknowledged he knew of the negroes being worked on Sundays, insisted upon the question being put. The Court was cleared;—upon re-entering, the assistant judge-advocate read these words: “The Court cannot but remark, that the Prisoner's persisting to “put questions of this kind, must arise either from ignorance or a worse motive.” The Prisoner requested a copy of this, the president refused it, saying, as it did not form a part of the proceedings, i.e. not entered upon the minutes, the Court could not grant a copy.

Had no Questions.

By the Court.

Who informed you that a report was in circulation among the negroes that their freedom had come out?—I heard Mr. Smith state it to Mr. Stewart; that was on the 7th August.

Philip *called and sworn. Examined by the* Prisoner.

What is your name, condition in life, and where do you reside?— Philip, cooper, I live in Cummingsburg, I am free.

Are you a member of Bethel Chapel; if yea, are you a constant attendant?—I am, and attend every Sabbath unless I am sick.

Do you know the Prisoner; and if yea, how came you acquainted with him?—I became acquainted with him after Mr. Wray; I am acquainted with him; I became acquainted with him by going to him after he began to preach.

Did you ever, on any occasion, go to the Prisoner for his advice?—Yes, I do, sir.

Do you recollect any particular instance, and will you state what passed on that occasion?—When I was at the Kitty, from changing my owner, I felt after changing the treatment very severe upon me: when I went up to Mr. Smith, and feeling myself aggravated, there was no goodness in me. I became, as it were, foolish, by not behaving myself well; when I went to Mr. Smith, and laid my case before him; after Mr. Smith had given me knowledge, and I returned home, I found myself entirely in the wrong; and, from Mr. Smith's advice to me, I became a faithful servant until I was sold.

Do you remember any of the doctrines or duties taught you and the people by the Prisoner?—He told me if my master sent me any where 118 about his duty, that I must be very particular in seeing it done; and, if I had not got this advice from Mr. Smith, I should not have been my own man this day.

Do you remember the Prisoner calling up all the members and asking them where they had been; and when they said their masters gave them work, he told them they were fools for working on a Sunday for the sake of a few lashes?—That I cannot say, I never heard any such things in my presence.

What was the advice Mr. Smith gave you?—He advised me, that a servant must be dutiful to his master, and all that are put over him.

Did you ever know any extraordinary meetings of the members at chapel?—No, sir, I do not know.

Were you at the Chapel the Sunday before the revolt?—Yes, I was.

What time did you leave on that day?—Three o'clock.

Was it customary for the deacons, or any members, to call in at Mr. Smith's house on the Sunday afternoon to bid him good bye?—I generally do it before I come away, but I do not see any other.

Did you leave before or after the others?—I always come away first.

When you used to leave, how was the Prisoner usually employed?— He generally takes his hat and goes to his house; *and I sit on the step when he comes down.*

Did he catechize the people after the service is over?—That I cannot say, I have never seen it yet.

TWENTIETH DAY, 8 th NOVEMBER, 1823.

Cross-examined by Judge-Advocate.

When did the Prisoner give you the advice you mention?—At the time Mr. Gentle lived at the Kitty, before it was sold; to the best of my memory five years.

Did your master, after this, continue to give you as much work as before?—He did, sir.

When did you obtain your freedom?—I got my free paper about two months before this revolt began.

How did you obtain it?—When I was sold, a lady of the name of Mary Lunck, (Long) bought me, and she gave me time to work for that money back again which she had given for me.

When were you sold to Mary Lunck? (Long)—At the Kitty vendue, to the best of my memory.

Jason *called and sworn. Examined by the* Prisoner.

What is your name, are you a slave or free, and where do you reside? —Jason, I was a slave at first, but, on death of my master, I became free; I now live on Turkeyn *with my grand-daughter. Mr. Van Cooten is my guardian, and takes care of me.*

Do you know the Prisoner?—Yes.

Are you a member or deacon of Bethel chapel?—I am a member and deacon.

How long have you been a deacon?—From the time that Mr. Wray first preached the Gospel.

What is your duty as a deacon?—To hand bread and wine to make 119 the people that are wishful to be baptized sensible; if any of those who are baptized are wishful of becoming members, or are wishful of coming to the sacrament, it is the duty of the deacon to teach them those things which they require; after that, it is the duty of the deacon to go round to collect the sums; half-a-bitt from one, a bitt from another, as they can afford; for the purpose of buying candle and wine; and, further, to reckon the money correct. When I reckon the money it sometimes amounts to 25f., sometimes to 24f. sometimes to 23f.

Where are those duties of the deacons to make the members understand the meaning of baptism and of becoming members, performed?—Always in the chapel.

What were the doctrines and duties which the Prisoner taught the people that used to go to the chapel—The catechism for one thing. We must believe in God; and, again, that we must obey our master in all things; that we were not to steal nor lie, which was a great evil; that whatever our masters told us to do we must perform without speaking again. I have no more to say.

Were you a regular attendant in Bethel chapel at the morning service?—Yes, except when I was sick.

How did the people know when it was time to begin the morning service?—The bell rang at seven o'clock.

Did any of the congregation of Bethel chapel ever pay for his seat?—No.

Do you remember Mr. Smith reading about the children of Israel and Moses and Pharaoh?—Yes, I heard that.

How long ago is it since you heard him read about those persons?— I must speak the truth, I cannot recollect the time.

Is it a short time or a long free since?—I heard it about two months before the negroes came to trouble.

By the Court.

How comes it that your recollection serves you now?—Because it was quite out of my thoughts.

By the Prisoner.

Do you know how much a month is?—Four weeks.

Did you ever hear the Prisoner read about David and Saul?—Yes.

How long ago was that?— *Long enough* , but can't recollect; one year, may be no more.

Were there ever more people attending divine worship at Bethel chapel than could get in?—Yes.

How often was that the case?—Every Sunday.

Could you afford to throw up the money you did for the Missionary Society?—Yes.

Did any body, to your knowledge, who could not afford, throw up money for that society?—I do not know of any.

Did you attend the services at Bethel chapel on Thursday evening?—Yes.

What did the Prisoner then read about?—About John, the forerunner of Jesus Christ, that we might believe in God and Jesus Christ too.

Do you know Azor?—I know him, he belongs to Mr. Van Cooten.

How long has he been a member of the chapel?—From Mr. Wray's time.

Is he well acquainted with the members?—Yes.

120

Do the people of Le Resouvenir attend the chapel as much as the negroes of other estates, who are in the habit of attending?—The other estates attend more than Le Resouvenir's gang.

Was it customary for any of the deacons or members to call in at Mr. Smith's house on a Sunday, when they are going home, to bid him good bye?—Yes, they called and said, how dee massa, and good bye.

Did you attend to your duties as a deacon up to the time of the revolt?—Yes, sir.

By the Prosecutor.

What is your trade, or what do you work at?—When I was in service for my master, I was driver; since then, I am a *yager.* *

* A huntsman and fisherman, a progger.

Can you recollect the time when the Prisoner told you about obeying your master?—At all times; frequently.

Was the bell rung to call the people to Thursday evening service?—No.

By the Court.

Were you at chapel the Sunday before the revolt?—I was.

Can you read?—No, sir.

Were there many people more than usual on that Sunday?—Yes, there were.

Previous to your going to chapel, were you told that plenty of people were to be there on that day?—No.

Mary Chisholm *called and sworn. Examined by* Prisoner.

What is your name, place of abode, and calling in life?—Mary; I live at Success—I make bread occasionally, and am free.

Were you a member of Bethel chapel? If so, how long have you been a member?—I am; I have been so a length of time; before Mr. Smith arrived here.

Could any of the members read in Mr. Wray's time?—Yes, sir.

Have you any slaves of your own, and did they attend on the Prisoner's ministry?—Yes.

Had you ever any fear that the Prisoner's instructions would make your slaves dissatisfied with you as their mistress?—No, sir; never had any fear of that.

Did you attend the Sunday-morning services?—Sometimes.

Were you, when you attended, attentive to the prayers offered up by the deacons and members on those occasions?—Sometimes I was.

When you were attentive, did you hear any thing particular in those prayers?—Yes, I hear that they pray for the world at large, meaning every body, the king, their masters, and for their children, themselves, and every body.

Were persons in the habit of coming in during the prayers of the deacons?—Yes, sir.

Did you hear the Prisoner read about Moses delivering the children of Israel from Egypt?—Yes, sir; I have heard Mr. Smith read of it sometimes back, not long ago—I don't recollect how long.

Can you form any idea how long ago it is since the Prisoner read about Moses delivering the children of Israel from Pharaoh and Egypt?—No, I can't rightly say.

Is it a month or two months, or a year, or longer or shorter than a year? —I can't rightly say how long it is.

What did you last hear the prisoner read about?—To my best knowledge, I think he read Luke the Sunday before the revolt.

Did you hear the Prisoner read the History of David?—Yes.

Do you remember what he read about David?—When Saul, pursued after David one night, Saul dropped asleep, and David and his men came over to Saul and took away his spear and his water-cruse, and when Saul rose up, David hallooed to the men of Saul to come for the spear; another time he pursued after Saul and cut the skirts of his coat, and then the men of David said, that they must slay Saul, and David said, God forbid that they should put their hands upon the Lord's anointed.

Were there any remarks, or comments, or reflections made by the Prisoner upon what he read? If yea, what were they?—Yes, the remarks were, what a good man David was, not to revenge upon Saul when he had it in his power to take his life, he would not do it—On one of the members observing to the Prisoner why David did not slay him, the Prisoner replied, it was better to leave him to God's mercy, to do with him as he pleased.

How long ago is it since the Prisoner read about David and Saul?—Not very long: I cannot exactly say.

Did yon ever hear the Prisoner read any thing else? if yea, what?— Yes, I heard him read of a man who had a piece of land, and the king wanted to exchange the land and buy it for money, and the man would not sell the land; and the king's wife, Jezebel, stole the king's seal and sent to his officers, saying, put a guard over such a man, and say that the man had blasphemed God and cursed the king, and then he was stoned to death for so doing; the king's wife said, rise, and go and take possession of the land, for he that would not sell it is dead; and when the prophet met with the king going to take possession of the land, he

inquired of him, have you killed, and are you going to take possession? and the king said to the prophet; my enemy have you found me, and the prophet told the king.

How did the Prisoner apply this story?—Many of us asked this question, and Mr. Smith said, it was to shew us, that if we did any thing bad, God would always find us out; that God sent the prophet to tell the king, that he should be stoned for taking away the man's land, and that if we did any thing bad, if we did not suffer for it ourselves, our children, or our grand-children would suffer.

Were you at Bethel chapel on the Sunday before the revolt?—Yes.

Did you notice any thing particular in the sermon on the Sunday before the revolt? if yea, what?—It was something about Christ going through Jerusalem; I cannot exactly tell what it was.

Were there any whites present at that sermon?—I believe there were.

After the service was over, did the people go away directly, or did they loiter about the chapel any time?—They went very quick away.

Do you know a woman named Dora, who was a member of the church?—Yes.

Had you any thing to do with her on the Sunday before the revolt? and if so, what was it?—Yes, sir, I had; the Sunday before that, Mr. Q 122 Smith turned her out of the chapel, and she got me and another free woman to speak to Mr. Smith for her.

Did the Prisoner speak to her? if yea, where?—The Prisoner spoke to her in the vestry.

Had you to wait any time before the Prisoner was ready to converse with her?—I had to wait while the Prisoner went into his house to take some refreshment, *I had to wait that time.*

How long did the Prisoner remain at his house?—About a quarter of an hour.

What hour was it when the Prisoner left conversing with Dora on that afternoon?—Between three and four o'clock.

When he came back, did he converse with you and Dora immediately? I believe there was one or two more people that he spoke to, and then he spoke to Dora.

Where were the other people to whom the Prisoner spoke, before he spoke to Dora?—In the chapel.

When the congregation broke up on the Sunday afternoon before the revolt, did you see Quamina, of Success?—Yes.

Where?—I saw him come out of the chapel, and follow the congregation, and go to the Success side.

Where were you at that time?—In the chapel.

Where was the Prisoner?—In his house.

Did the last conversation between yourself and Dora and the parson on that afternoon, pass in the vestry?—Yes.

After you saw Quamina follow the congregation, where did you go?— I went home.

Where did you go from the time you saw Quamina follow the congretion, to the time Mr. Smith spoke to you and Dora?—I was in the chapel.

What time was it that you went home?—Between three and four o'clock.

After you saw Quamina follow the congregation, in what part of the chapel were you?—I was sitting down on the side next to the road, by the Jalousie.

Where you sat, could you see any one go into the parson's yard or house?—Yes.

Did you sit there all the time the parson was in his house?—Yes.

Why did you sit there?—I was sitting there for the purpose of speaking to Mr. Smith about the woman.

Did you see any body go into Mr. Smith's yard while you sat there?— Can't say rightly, I saw some women pass through the yard.

TWENTY-FIRST DAY, 10 th NOVEMBER, 1823.

Cross-examined by the Judge-Advocate.

Can you read?—No, I cannot read.

How many slaves have you got?—Five.

What are their ages?— *I cannot say, but I will let you see the Register.* There is a little girl about eight years old; and I bought lately two stout women, an old man, and a girl pregnant with her first child.

123

Were there more people at chapel the Sunday before the revolt than usual?—Yes.

Did they go away quicker from chapel on that Sunday than usual?—Yes, they went away very quick.

Did they go away towards Success side in a large body or in small parties?—I cannot say; they went away in a large body, when I saw them there were plenty of people still going to Success side.

Were you in the chapel, or vestry, when you saw Quamina follow the congregation that day?—In the chapel.

Can you state positively, that when you saw the congregation go away, the Prisoner was in his house?—When the congregation began to go away, it was before he went into his house, and the congregation was still going away.

Did you not see Quamina follow the congregation before the Prisoner left the chapel?—Mr. Smith was in his house when Quamina followed the people.

Did you see Seaton and Bristol at church that Sunday?—For Seaton I cannot rightly say, but I saw Bristol follow Quamina.

Did not Quamina, the head-deacon, usually go into Mr. Smith's house after chapel, to wish him good-bye?—I cannot say, *I generally leave him there when I go home.*

By the Court.

Did you never see Quamina go into Mr. Smith's house after chapel on a Sunday?—Yes.

Did not Quamina go into Mr. Smith's house after chapel on Sunday *before the revolt?* —I did not see him, I don't know if he went in my absence, but I did not see him.

Did Quamina go into Mr. Smith's house, or yard, whilst you were waiting for Mr. Smith?—*He did not;* I never saw him go into the house or yard that day.

Could he not have gone into Mr. Smith's house or yard, without your seeing him?—In the place where I sat, he could not have gone in without my seeing him, had I not looked any

where else. I will not take my oath, that I did not look any where else, I was conversing at the time with Dora.

Where was Dora at that time?—Dora was sitting in the vestry, I was sitting at the window.

Where were you sitting?—I was sitting in the chapel, and then went into the vestry to sit with Dora.

What particular part of the chapel were you sitting in when you saw Quamina follow the congregation towards Success side?—I sat near the pulpit to the left.

How long did you sit there before you went into the vestry?—I sat there till almost all the people went away.

How far did you see Quamina go?—I saw him till he passed the middle path of Le Resouvenir, going towards Success.

Why did you watch him so narrowly?—I thought it wonderful for him to go with the congregation, for he generally remained behind.

Where were you on Monday, the day of the revolt?—I was at Success until about two o'clock, and leave them to come to town.

Before you went to chapel, did you hear the people say there would be 124 a large congregation at chapel on that Sunday?—No, sir; I don't live near the people—where I live is far away.

Charlotte *called and sworn. Examined by the* Prisoner.

What is your name, to whom do you belong, and where do you reside?—Charlotte, Mary Rose, I reside at North Brook.

Have you lived as servant with the Prisoner? if yea, when?—Yes, some time before Christmas last; I was still living with him, till they took him and brought him to town.

Were you mostly at the Prisoner's house on a Sunday?—Yes.

Were you at the chapel the Sunday before the revolt?—Yes.

Were there a great many more people at chapel on that day, than on any other fine Sundays?—No, sir, it was not more people than always come.

How do you know that?—There is a bench made between Mr. Smith and Mrs. Smith, and when there are too many I cannot get my own seat.

Did you get your own seat on that day?—Yes, I sat on my own seat.

Were there any white people at the chapel on that Sunday?—Yes, sir, I saw two white men in the chapel, I don't know them, in the afternoon service.

Did you remain in the chapel until service was over?—I stayed in the chapel till service was over, then I went into the house to get dinner ready.

Who cooked the Prisoner's dinner on that Sunday?—I did.

At what hour did Mr. Smith dine on that Sunday?—Between four and five.

Where was Mr. Smith whilst you were cooking the dinner?—He was in the chapel.

How long after Mr. Smith came in from the chapel was it before you carried in dinner?—As he came from the chapel I carried in the dinner.

Did Mr. Smith talk with any body on that Sunday, after he came in from the chapel?—I saw some people go into the house; Quamina was one, and Peter; but I was in the kitchen; I did not know what they had to say.

Was Bristol one?—Yes.

When they went away, which of them went first?—They all came out together.

How long did you remain in or about the Prisoner's house after dinner on that day?—After sending in the dinner, I don't wait upon them; I went to the negro-houses, about half-post five o'clock.

Did any person come to the Prisoner's house, during or after dinner, before you went to the negro-houses?—No, sir, I did not see any body.

Had any body come during that time, is it likely you would have seen them?—No, sir, if they had come at the front gate and door I could not have seen them.

When any negroes came to speak to the Prisoner, at which door did they enter the house?—Some come in at the back-door, the people that go by the road go to the front-door, those that come out of chapel go in at the back-door.

On a sacrament Sunday, when Mr. Smith first got up in a morning, what did he usually do?—I did not see him do any thing.

At what hour does Mr. Smith come down stairs on Sunday morning? 125 —After the sun has risen; I can't say rightly what o'clock, but about seven.

After the morning service on sacrament Sundays, is the Prisoner occupied with any and what people?—I cannot say.

Does he examine the people to see if they are fit for baptism, or does he catechize them?—Yes.

Does he catechize people after noon service? if yea, where?—No.

Have you ever seen Mr. Smith with any people in the chapel after the noon service?—I have seen him stay sometimes with some plantation people.

Was this often the case?—No, sir.

Did you know what Mr. Smith stayed with these people for?—No, sir.

Did the Prisoner's horse remain in the stable of an evening?—In the evenings they generally loosed the horse to walk about the yard.

At what time was he loosed?—Five o'clock.

Was this always the case?—Yes.

Was there any noise on Le Resouvenir estate on the Tuesday evening after the revolt?—No, sir, I did not hear any noise.

Were you on Le Resouvenir on that evening?—Yes.

Did you ever keep any water to drink in the kitchen?—No, sir, not at all.

Were you in the Prisoner's house on the Monday evening of the revolt?—Yes.

Did you see a man bring a letter to the Prisoner's house? if yea, who was he?—I did not see a letter, I saw a man from Dochfour.

When did that man go away?—He stayed a little while in the kitchen; as he went out of the yard the sun began to get dusk.

Did you see Mrs. Smith on that evening?—Yes.

Did Mrs. Smith say any thing to you?—No, she did not tell me any thing until the noise was made in Mr. Hamilton's house; she told me then to call Mr. Smith, but I was too frightened to go.

Did Mrs. Smith appear frightened?—Yes, sir.

Where had she been, and where did she come from, when she told you to go and call Mr. Smith?—She came from Mr. Hamilton's house.

Where did Mrs. Smith tell you to go to call Mr. Smith?—Mrs. Smith being alarmed at the noise in Mr. Hamilton's house, came from thence, and desired me to go there and call him away.

By the Assistant Judge-Advocate.

When Quamina and Bristol went to the Prisoner's house, on Sunday before the revolt, did they come directly after the church, or some time after?—They came directly after church.

Was any one there besides Quamina, Bristol, and Peter?—No, that I cannot say.

Are you certain that Seaton was not there?—I did not see him.

Where were you when they came out?—I was in the kitchen.

Did you speak to any of them when they came out?—I was getting some dinner for myself to eat, and I saw Bristol when he came out and was going away, and asked him to come and join me, but he refused, saying it was too late.

126

Was Quamina with Bristol at that time?—Yes.

Has not the Prisoner a grass-cutter in his employ?—Yes.

By the Court.

Were there not fewer people at chapel that Sunday before the revolt?—Just the same as always.

Were there any outside the chapel on that Sunday?—Yes, some were, and that is always the case.

Was not Mary Chisholm at Mr. Smith's house after chapel on that Sunday?—I did not see her.

Is not the seat where you sit railed off from the great body of the chapel?—Yes, sir.

Mars *called and sworn. Examined by the* Prisoner.

What is your name, and to what estate do you belong?—Mars; Vryheid's Lust.

Are you a member of Bethel chapel, on Le Resouvenir; if yea, are you regular in your attendance at the services in that chapel?—I am; Yes, except when I am sick.

How long have you been in the habit of attending that chapel?—From the time of Mr. Wray.

By what road had you used to go to the chapel?—There was a road Mr. Post made, which lead from our place to the chapel.

Is it still there?—They broke it up.

Who broke it up?—The white people of the estates through which it passed broke it up.

Did you ever see more people on a Sunday at the chapel than could get in?—Yes.

Were you at the chapel on the Sunday before the revolt?—Yes.

Were more people there that Sunday than on other Sundays?—Just the same.

Used every part of the chapel, including the vestry, to be filled with people on a Sunday?—Yes.

Did Mr. Smith, a few weeks before the revolt, make any observations to you about building a larger chapel?—Yes, he told them about it, and said, that if he could get money enough from the people's collection, he would put up a larger chapel, as the present one could not hold us; we said we would all set too; and speak about it.

Did you ever give any money to the Prisoner for the Missionary Society? if yea, after you had given the money did you ever feel that you wanted it back; or did you ever wish you had never given it?—No, *the people give the money willingly of themselves.*

Did you ever find that the Prisoner's reading or preaching made you unhappy or dissatisfied?—It satisfied me.

Did it ever make you satisfied with your condition as a slave?—Yes.

Was it customary, or usual, for the principal, or head people, to go into the parson's house on a Sunday, after service, to bid him good bye?—Yes, sir, sometimes.

Do you know whether the Prisoner used to catechize the people in the chapel after service?—Before the service; only those who wait to be baptized are catechized after service.

127

Cross-examined by the Assistant Judge-Advocate.

Had not the chapel been enlarged and repaired since the Prisoner was there?—They put a floor to it, and repaired it.

Was there not a gallery erected?—There was a gallery there before; but more people can go there now than before.

Did the members throw up the money to pay for these repairs?—Yes.

By the Court.

Was the gallery added before or after Mr. Smith spoke about building a larger chapel?—It was put there before.

TWENTY-SECOND DAY, 11 th NOVEMBER, 1823.

London, *called and sworn.*

What is your name, and to what plantation do you belong?—London; I belong to the Brothers.

Were you a member of Bethel chapel? if yea, were you a regular attendant?—I was, and attended regularly.

Can you read; and who taught you?—I can read; Romeo taught me a little; Mrs. Elliott a little more, till Mr. Smith came; *the teaching I had from Mr. Smith; he did not take me aside to teach me.*

Did Mr. Smith ever teach you?— *No, sir, only when he read I took a few words.*

Have you a Bible? if yea, do you ever use it in chapel?—I have, and use it in chapel.

Can you follow the parson as he reads the Bible from the pulpit? if yea, were you in the habit of doing so?—Yes, I can: and am in the habit of doing so.

Do you remember the Prisoner reading about Moses delivering the children of Israel from Pharaoh, at the morning service?—I heard him very long ago, about two years.

What books of the Bible did he read last year, at the morning services?—He began with Leviticus, then Numbers, then Deuteronomy, and others.

What books did he read this year?—He read Kings, Samuel, and Judges; he had not finished Kings.

Does Mr. Smith, at the morning service, read straight on, or does he ever turn back, to read chapters over again which he had read before?— He reads it straight forward; he does not come back; he goes on before.

Were you at chapel the Sunday before the revolt?—Yes.

Were there more people there that Sunday than were usually there upon any fine Sunday? —No; *if it is no rain, the people always the same, for the chapel no hold them.*

How many Sundays before the revolt was sacrament Sunday?—Two Sundays, including the Sunday before the revolt.

Did you learn the catechisms taught at the chapel?—Yes.

Are these the same? *(Here two copies of the catechisms used in the chapel were produced, and shown to the witness.)* —Yes.

The witness being required to read them, did so, and declared them the same.

(*Question from the* Court *to the* Prisoner.)

Are these catechisms to be read?—I wish them to be considered as part of the proceedings.

By the Prisoner.

How often were you taught the catechisms?—Every Sunday.

Was the congregation assembled when the catechisms were taught?—Yes.

Cross-examined by the Assistant Judge-Advocate.

Did not the Prisoner read Exodus to you a few days before the revolt?—No.

Did he read Joshua to you?—Yes, a little, long before the revolt began.

What did you hear him read in Joshua?—When Moses was dead, and Joshua took his place, God Almighty put him over the people.

Did he read to you about Joshua? look at the 8th chapter, and say if he read that.—No, he did not.

Will you point out the 7th chapter of Joshua to witness, and ask if he read that?—No, sir.

By the Interpreter.—"I have observed that the witness very often "substituted one word for another of the same meaning, and now he "cannot read the first verses of the 7th chapter: but the remaining "part of the chapter, which is upon the same subject at the 8th chapter, "he seems to be well acquainted with."

By the Assistant Judge-Advocate.

Have you never read the 8th chapter?—The first chapter; I tried myself, I may have seen it.

Peter *called and sworn. Examined by the* Prisoner.

What is your name, and to what plantation do you belong?—Peter; I belong to Le Resouvenir.

Are you an attendant of Bethel chapel?—Yes.

Were you at that Chapel the Sunday before the revolt?—Yes.

Did you see Quamina, of Success, on that day?—Yes.

Where did you see him?—I saw him at Mr. Smith's house.

Did you see him any where else, if yea, where?—Yes, I saw him at Success middle path, and at Mr. Smith's.

Were there any other persons present?—Bristol, Seaton, Quamina, and Shute, and Mr. Smith.

Did Quamina say any thing to the Prisoner; if yea, what was it?— Yes; he said he was going to drive all them managers from the estates to the court, to see what was the best thing they could obtain for those slaves; then Mr. Smith answered and said, that that was foolish, how will you be able to drive them white people to town? and he said, them white people try to do good for you, and that if the slaves behaved so, that they would lose their right; and he said, *Quamina* , don't bring yourself into any disgrace; that the white people were now making a law to prevent the women being flogged, but that the law had not come out yet; and the men should not get any flogging in the field, but when they were to be flogged, they should be brought to the manager, attorney, or proprietor 129 for that

purpose; then he said, Quamina, do you hear this? and then Quamina said yes, and we came out.

What did Quamina say in answer when Mr. Smith said, you hear?—He said yes, Sir.

How long were you and Quamina, and the rest, at the Prisoner's house?—We did not stop a minute.

Was Seaton with you the whole time of that conversation?—Yes, sir.

Which of you all went out of the Prisoner's house first?—We all five came out together.

Had Mr. Smith dined when you were at his house that time?—No.

How do you know?—Because he was sitting on a chair.

Was the table laid for dinner?—Yes; when we were inside the house the table was laid for dinner.

Cross-examined by the Assistant Judge-Advocate.

Did Quamina say when they were to drive the managers to town?—He did not tell the time.

Did you know of the meeting on Success middle walk?—Yes, I did, on the same day; I came from the middle walk to the Prisoner's house; I went to Success middle walk from the chapel. I then came back to tell Mr. Smith about this thing; Quamina came to tell Mr. Smith they intended to drive the white people.

Was Charlotte, Mr. Smith's servant, there?—She was in the kitchen; Quamina asked her for a little dinner, and she gave him some.

By the Court.

Did Mr. Smith say tiny thing about the Christians?—Nothing.

Did you hear Mr. Smith say any thing about the soldiers?—No, sir:

Did you hear Quamina say any thing about Jack and Joseph?— No, sir.

Did you hear Jack and Joseph's names mentioned at all?—No; he did not call any body's name.

Bill *called and sworn. Examined by* Prisoner.

What is your name, condition in life, and where do you reside?—Bill Rogers, tailor; I live in Cumingsburg; I have bought myself, but not manumitted yet.

Were you a member of Bethel chapel; if so, how long have you been a member?—Yes; about three years.

Can you read?—I can read.

Who taught you to read?—I got a little here and there, no particular master.

Did Mr. Smith teach you to read?—No, sir.

Have you a Bible; if yea, were you in the habit of using it in chapel?—I have a Bible, and was in the habit of using it in chapel.

In what order did Mr. Smith read the Bible at the Sunday morning services?—He reads a chapter, and then stops the following Sunday, sometimes the succeeding chapter, and sometimes from some other place.

When he reads a chapter in another place, was it in a part of the Bible that he had read before, or in a place that he had not read before.

Rejected. The President, for the Court, pretending not to understand it.

(*Substituted.*) Did he go forward or backward?—Forward. R

130

Did you ever hear Mr. Smith tell any of his congregation any thing likely to make them unhappy or discontented with their masters?—No, I never heard it.

Did you ever hear Mr. Smith tell the negroes, that if the masters had work for them on a Sunday, they were to say that Sunday was God's day?—No, I never heard him say so.

What time was it in general before the services were over on sacrament Sundays?—About four o'clock.

(No cross-examination.)

Neno *called and sworn. Examined by* Prisoner.

What is your name, and to what estate do you belong?—Neno; Le Resouvenir.

Were you a regular attendant at Bethel chapel on that estate?—Yes.

Can you read, and have you a Bible?—I have.

Where did you get it, and how much did you give for it?—I bought it from Mr. Smith; I gave three guilders for it; he charged me four, but he took three.

What was the usual price of the same-sized Bibles?—He might give six guilders for the same size.

What does the witness mean by the words “they might give?”—I mean that some people have given six guilders for the same-sized Bibles that I got for three.

By the Court.

What day did you buy that Bible?—It might be near Sunday, but it is so long, I can't remember the day.

What are you on the estate?—I am a field negro; when I was a little boy I minded the stock.

TWENTY-THIRD DAY, 12 th NOVEMBER, 1823.

Robert Edmonstone *called and sworn. Examined by the* Prisoner.

What is your name, calling in life, and place of abode?—Robert Edmonstone, merchant, George Town.

Are you acquainted with Frederick Cort, and his hand-writing?—I am.

Are these notes and letters in his hand-writing?—They are, to the best of my knowledge and belief.

Are you acquainted with John Stewart, manager of Success, and his hand-writing?—I am, I know his hand-writing.

Are these his hand-writing?—To the best of my knowledge and belief.

Are you acquainted with John G. Abbott, late, or at present, manager of plantation Vigilance?—I am not.

Are you acquainted with R. Murray, of Lusignan, and his handwriting?—I know Mr. Murray, but have never seen him write.

Have you received letters or orders from him?—I have received letters from him, but never saw him write.

Are these in his hand-writing?—I believe they are.

131

Were you acquainted with the hand-writing of the late W. B. Payne?—I was not.

Are you acquainted with Morrison Jack, late manager of Lusignan, and his hand-writing?—I cannot swear to his hand-writing.

Are you acquainted with L. Cumming, and his hand-writing?—I am.

Are these letters in his hand-writing?—I believe they are.

Are you acquainted with James Todd, of New Orange Nassau, and his hand-writing?—I cannot swear to it; I believe it is.

Are you acquainted with John Stewart, of North Brook, and his handwriting?—I am.

Is this is hand-writing?—I believe it is.

Are you acquainted with C. A. Van Grovestius, and his hand-writing?—I am acquainted with him, but not his hand-writing.

Are you acquainted with L. Forrestier, late manager of La Bonne Intention, and his hand-writing?—I know him, but not sufficiently to prove it.

The whole of these documents were papers or licences from the persons named, allowing the negroes to be baptized.

Lieutenant Spragg *called and sworn. Examined by the* Prisoner.

What is your name, calling in life, and place of abode?—John Spragg, merchant, George Town.

Are you acquainted with Samuel Orford, late manager of plantation Industry, and his hand-writing?—I am acquainted with Samuel Orford.

Are you acquainted with George Donaldson?—No.

Here the Court became impatient, and the Assistant Judge-Advocate allowed a number of certificates, similar to the others just mentioned, to be read, without going through the form of judicial proof. They were from

Morrison Jack

C. A. Van Grovestius

L. Forrestier, of La Bonne Intention

W. B. Payne

James Todd

John Stewart

W. D. Couchman, of Vigilance

Geo. Donaldson, of Industry

Mackie, of Lusignan

Nicholas Van Cooten, June, 1823

R. W. Matthews

Kelly, of Mort Repos

W. G. Tholen

John G. Abbott, Vigilance

Blackstock, Nooten Zuyl

J. H. Hughes

Rev. John Davies *called and sworn. Examined by the* Prisoner.

Are you acquainted with George Burder, secretary of the Missionary Society; if yea, is the signature, “George Burder,” at the end of this document, the signature of that person?—Yes; to the best of my belief it is.

[*Put in and read.*]

Do you know whether the governor of this colony ever saw those instructions; if yea, how do you know?

The Court observes, that you (the Prisoner) having stated that you called the witness to prove the hand-writing, no other question can be put. R 2

132

Shute *called and sworn. Examined by the* Prisoner.

What is your name, and to what plantation do you belong?—Shute; I belong to Le Resouvenir.

Are you an attendant of Bethel chapel?—Yes.

Were you at that chapel the Sunday before the revolt?—Yes.

Did you see Quamina, of Success, on that day?—Yes.

Where did you see him?—At chapel.

Did you see him any where else; if yea, where?—Yes; I saw him at Success middle path.

Did you see him at Mr. Smith's?—Yes; I saw him there, and I was there myself.

Was any body, and who, present when you saw him at Mr. Smith's?—Yes; Seaton, Bristol, Peter, and Quamina and myself.

Did any, and what, conversation pass on that occasion?—Quamina say to Mr. Smith he was going to drive all the managers down; Mr. Smith say no; for the white people are doing many good things for you, and if you are going to do that, you must not do that, Quamina; and he said yes, I will see, sir; and after that we all come out of the house from Mr. Smith.

Did Quamina say what he was going to drive the managers down for?—That they must come down to make a good law, and give them a day or two for themselves.

Was Seaton there all the time?—Yes.

Which of you went away from Mr. Smith's house first?—We all together, massa.

When the drivers flogged the negroes on Le Resouvenir, was the manager or overseer always present?—Sometimes they are there, and sometimes not at home.

Cross-examined by the Judge-Advocate.

How far is it from Success middle walk, where you met, to the Prisoner's house?—As far as the old barracks on the brick dam *(about one-fifth of a mile.)*

Were there many persons collected at the meeting before you left it to go to the Prisoner's house?—Plenty people been there, sir.

Were Jack of Success; and Joseph of Bachelor's Adventure there?— Jack was there, but I don't know Joseph of Bachelor's Adventure.

Why did you go to Mr. Smith after you had been in Success middle path?—Quamina sent Bristol to call me and Peter to go to Mr. Smith's house, to go there to go and tell Mr. Smith that they were going to drive all the managers.

Where did you go after you left Mr. Smith's house?—I went home, sir.

Did you know where Quamina went?—I saw him and Seaton go along together to Success, his place.

By the Court.

How long were you together in Mr. Smith's house?—It was a much shorter time than I have been before the Court. I was not there long.

The expression of the witness was, “a too much shorter time,” meaning a very short time. There arose so much difference of opinion as to 133 *the answer given, that it was read at length to the witness in the above form, and accordingly recorded.*

Polly *called and sworn. Examined by the* Prisoner.

What is your name, and to what estate do you belong?—Polly, of Mon Repos.

Were you an attendant of Bethel chapel?—Yes.

Did Mr. Smith ever catechize the negroes in classes, in the chapel on a Sunday?—Mr. Smith did not; no, sir, the lady did; I dont attend morning service.

Were the different estates people ever catechized together in the chapel after the noon service?—Yes; he puts them all down in a class in different estates. Mrs. Smith catechizes one estate's gang one Sunday; another, another; Mr. Smith catechizes them when they come round by the year, but not every Sunday.

Do you mean that Mr. Smith, or Mrs. Smith, catechizes the different estates' negroes in the chapel on a Sunday after the noon service?—I say Mrs. Smith catechizes the people before the service, and Mr. Smith catechizes the people after the service.

Did the people of your estate usually attend in time for catechizing before service?—Some of them; those that had time to come.

Why had not the others time to come?—Some of the people that were employed in the boiling-house had to wash it down; some of the women had to carry megass.

Susanna *called and sworn. Examined by* Prisoner.

What is your name, and to what estate do you belong?—Susanna; Le Resouvenir.

Do you attend Bethel chapel?—Yes.

How is the top pulpit in the chapel made, i. e. when you are sitting on one side of the pulpit, can you see under the top pulpit to the other side of the chapel?—The pulpit is round, and I can see.

Do you remember the revolt?—Yes.

Where were you the evening after it began, that is, Tuesday evening?—I was on the estate.

Did you hear any noise upon the estate that same evening?—No, sir; I don't think I heard any noise.

T. C. Hammill, *a Member of the Court, Lieutenant of 21st Regiment Royal N. B. Fusileers, late Government Secretary, duly sworn.*

Have you ever seen this petition before?—Yes, I have.

Petition and Order of the Governor produced and read.

To his Excellency, John Murray, Lieutenant-Governor and Commander-in-Chief in and over the United Colony of Demerara and Essequibo, &c. &c. &c.

THE HUMBLE PETITION OF JOHN SMITH,

Sheweth,

That your petitioner, a missionary of the London Missionary Society, residing at plantation Le Resouvenir, is desirous of extending his ministerial 134 labours more widely among the negroes on the east coast, than he has heretofore been able to do; that, to effect this object, he wishes to erect a chapel, in which he may be permitted to perform divine service: and that he has obtained of John G. Reed, Esq. the gift of a piece of land in front of plantation Lowlands, as the accompanying letter will shew.

Your Petitioner therefore humbly prays, that your Excellency would be pleased to grant permission to erect a place of worship on the said plantation Lowlands, for the accommodation of the negroes in that neighbourhood, and your Petitioner, as in duty bound, will ever pray, &c.

John Smith.

Demerara, September 17th, 1822.

(Order.)

Great complaints existing against the conduct of the Petitioner in his mission on the east coast, especially as to the hours of his flock congregating, or his chapel being open; and having perused a correspondence between the Petitioner and the burgher-captain of the district, in which the Petitioner has not evinced a conciliatory disposition, I cannot grant the prayer of this Petition, without having an opportunity of satisfying myself of the seasonableness of the Petitioner's projected system of conduct with respect to this newly-intended establishment.

King's House, Sept. 23d, 1822.

(Signed) John Murray.

By command, (Signed) T. C. Hammill, Gov. Sec.

Was a second Petition presented by the Prisoner?—Yes.

Did the Petitioner call often, and how often, for an order on the second petition?—He called often, but how many times I can't exactly say.

Did he obtain any order?—Not on the last petition, as far as my memory serves me.

TWENTY-FOURTH DAY, 13 th NOVEMBER, 1823.

Thomas Finlayson *called and sworn. Examined by the* Prisoner.

What is your name, calling in life, and place of abode?—Thomas Finlayson, merchant, George Town.

Are you acquainted with John George Abbott, manager of plantation Vigilance?—Yes.

Is this letter his hand-writing?—Yes.

[*Put in and read.*]

Plant. Vigilance, 1st July, 1822.

Dear Sir,

Your letter, by Strephon, I have received, and in answer beg leave to inform you what caused him to abscond. He was ordered as watchman to our middle path bridge, on Friday night last, and in place of acting conformable to his orders, he went carousing, in consequence of which the bridge was much injured; finding that the case, he took himself off.

Strephon transgressed at a very early period after my taking over the management of this property; but I must acknowledge that 135 he has lately behaved very well, and I was never more astonished than when he was returned as an absentee.

There is seldom a Sunday morning that himself and several others do not come and ask permission to attend service, which I make it a rule never to refuse, in the full conviction that it must prove beneficial to some of them, I cannot say all. The pardon you ask for Strephon, sir, I, of course, shall grant, and I hope you will see the justice of your admonition and wholesome advise.

An answer will oblige,

Rev. John Smith, Le Resouvenir.

Your's respectfully, (Signed) John G. Abbott.

Elizabeth *called and sworn. Examined by the* Prisoner.

What is your name, and to what estate do you belong?—My name is Elizabeth; I belong to plantation Industry.

Do you remember the evening of the revolt? if yea, did you see Mrs. Smith after she returned from Mr. Hamilton's house on that evening?— I remember; I saw when she came from Mr. Hamilton's house.

When you saw Quamina with Mr. and Mrs. Smith, on the Wednesday evening during the revolt, was the door through which Quamina had gone into the house, open or shut?—It was open.

Was Mrs. Smith alone the first time when she returned, or was Mr. Smith with her?—Mrs. Smith came home first, she then sent Romeo to call Mr. Smith.

Did she go back herself again, or did she Wait until Mr. Smith came?—She went back to Mr. Hamilton's house.

Was Mrs. Smith frightened?—Yes, she was frightened, and when she came home she was crying.

When you saw Quamina go into Mr. Smith's house, on Wednesday evening, did Mr. Smith shut the door?—When Quamina went in I did not see the door shut.

Whilst Quamina was there, was the door shut or open?—It was open; (*the back door and the hall door was open.*) (*She does not know any thing about the doors* —by Interpreter.)

Where were you when you saw Quamina with Mr. and Mrs. Smith?—In the kitchen.

Did Quamina go in at the front door or back door?—I did not see him go in at the back door; but I saw him come out at the back door.

Did Mr. Smith keep prayers every night? if yea, where?—Yes, sometimes in the house, and sometimes in the church.

When he had prayers in the house, was the hall-door usually shut or open?—Sometimes it was shut, and sometimes it was open.

Had Mr. Smith prayers that night that Quamina was there?—Yes, after Quamina went away.

Alexander Simpson *called and sworn. Examined by the* Prisoner.

What is your name, calling in life, and place of residence?—Alexander Simpson, Le Reduit, proprietor of that estate and Montrose, captain in Demerara cavalry.

136

Do you know the Prisoner? if yea, who arrested him?—I do; I did, at the request of Captain M'Turk, communicated to me by Lieutenant Nurse, on the 21st of August last.

Do you know upon what grounds the Prisoner was arrested?—On Thursday I called at Capt. M'Turk's post, at Felicity; I stated to Capt. M'Turk that it had a very bad appearance that the parson and his wife remained on an estate where the negroes were all, to a man, in a state of revolt; and that they could not remain there, his wife especially, unless they were in collusion with these negroes so revolted; that as he, Capt. M'Turk, was the burgher-officer of the district, it more properly came under his department to have them removed from the estate; but that if he would not do so, I would, by my own authority; Capt. M'Turk said he would do so.

Was the Prisoner required or wanted as a soldier?—I did not hear that he was; he stated that he would not, or rather could not, serve in a military capacity; but I never required him.

When you arrested the Prisoner, what was his behaviour?—He submitted immediately; made use of no offensive language; said, if I must submit, I will if you order me.

Were Dr. M'Turk and the Prisoner upon good terms?—No; to my knowledge they were not.

Upon what do you found that knowledge?—Objected to by the Court; Not pressed.

Further Papers, or Licences of Baptism, were here put in and read, from

W. Hague W.O. Nassau.

R. Murray Lusignan.

John Barker

John Abbott Friendship.

John Tulloh Endraght.

Joseph Kelly Mon Repos.

M. M'Kinnon Demerara.

C. F. Milnes —

Colin Campbell Cumming's Lodge.

James Todd —

W. D. Couchman Vigilance.

John M'Bean Bellefield.

John Stewart —

[*The* Prisoner's *Examination of his Witnesses here closed.*]

TWENTY-FIFTH DAY, 14 th NOVEMBER, 1823.

Mr. President, and Gentlemen,

I have now closed my defence, and will, by permission of the Court, offer a few observations upon the evidence adduced by me, in support of it. In doing this I will follow the order of the defence, dividing my observations, accordingly, into three heads.

With respect to the first charge, I shall not say much; as I consider the evidence, on that head, so clear and satisfactory, as to leave no doubt upon the mind of any unprejudiced person, that it has been, not only not made out, but that it has been completely disproved. I will, therefore, content myself with simply referring to the different sub-divisions, which I think embrace all the points contained in that charge, and note the evidence applicable to each.

My preliminary remarks are, in those cases in which it was necessary for me to adduce evidence, I trust, supported. 1. By the instructions from the Missionary Society; 2, by H. Van Cooten and the instructions; 3, by H. Van Cooten, J. Stewart, and Richard Elliot; by my Journal and Bristol; 4, by Polly, Mars, and London; by Bristol, Jason, and Azor; 5, by the instructions by the Reverend Wiltshire Stanton Austin, Richard Elliot, and John Davies; 6, by my instructions; 7, by Azor, Bill, London, Philip, Mary Chisholm, Mars, Romeo, and others.

The *first* division of the first charge requires no evidence.

The *second* , “that I have endeavoured to mislead the negroes, by misinterpreting “and perverting the scriptures,” is disproved by Romeo, Bristol, Azor, Jason, Mary Chisholm, and by London in particular.

The *third* , “that of taking money and presents from the negroes,” it is true, has been proved. But they were given voluntarily, of their own free will and accord, as many of the witnesses have proved. The money collected at the sacrament was applied, as Jason has proved, in purchasing bread and wine, and candles. The money collected for the

Missionary Society was regularly remitted. The planters knew of the collections, and, not only allowed it, but many of them were contributors, as proved by H. Van Cooten, John Stewart, and John Hamilton.

4thly.—It has been established, that the sale of the Bibles was ordered by the Bible Society; and Mr. Davies has proved, that he charged at the same rate for those he sold. I took no unfair advantage of any negro or other person in the sale of either the Bibles or other books. Neno is an instance, that I sometimes sold the Bibles at half-price.

5thly.—“That I have interfered with their treatment.” Not a single instance of interference has been produced, but evidence to the contrary has been brought forward by me in my Journal, and by Mr. Austin; independently of Bristol's evidence on this head.

6thly.—That I have taught them to disobey their masters. This is disproved by Bristol, Romeo, Jason, Mars, and Mary Chisholm, herself an owner of slaves.

7thly.—That I have taught them it was sinful to work or go to market on a Sunday. Upon this head I think it has been satisfactorily shewn, S 138 by the evidence of Romeo, Jason, Bristol, and Manuel, that though I taught the negroes, in obedience to the commandment of God, to keep holy the Sabbath, yet, that I invariably advised them to a dutiful submission in performing their work, if assigned them, even on a Sunday.

Before I enter upon the first part of the second and the third charges together, I cannot omit commenting upon some parts of the evidence introduced on the first charge; because from it, it will appear what my conduct has ever been, and, therefore, that it was impossible for me to have been guilty of the third and of the second part of the second and the fourth charges, unless I had become suddenly insensible to every obligation, moral and divine.

It is evident, from the evidence, that I have always acted with the greatest uprightness and integrity; that I have gone further, and conducted myself with prudence and caution, from the time of my arrival in the colony to the revolt; nay, Hamilton proves, that even in the

very midst of the attack on his house, I hastened to his assistance, and used all the means I possessed, in his favor; that I exhorted the negroes to be quiet—it was all I could do.

All the negroes, both for the prosecution and defence, who were questioned on this point, agree, that I always taught them to be obedient to their masters, and to submit themselves to all in authority over them; not an individual exception is there to this train of evidence. My journal, read from page to page, will not disclose any single passage emanating from bad feeling towards any individual. The vices and follies of some may have therein been reprobated; but, even the reprobation of those persons was confined to myself; I did not commit, in many instances, even their names to paper.

The certificates, from the various proprietors and managers of the estates on the west coast, abundantly shew, that, even in the performance of the rite of baptism, I was peculiarly cautious, with respect to the characters I admitted into my congregation. George Donaldson states, that “as the pass given was not sufficient, he would give another.” Nicholas Van Cooten says, that “finding I was wishful of some testimony “of the negro's character, he therefore recommended.” But had the negroes been excited to disobedience by me, would I have required testimonials of character, before I bestowed upon them, what they considered a valuable acquisition. These facts certainly carry with them conviction that I never did and never could intend, either directly or indirectly, any the least injury to their owners, to the government, or to themselves. With this conviction, I will enter upon the first part of the second, and the third charge.

It has been attempted, and, in fact, the whole drift of the prosecution of the charges, and of the questions of the Prosecutor, was to shew that the religious negroes were the most refractory and rebellious. What do the certificates of baptism say? That only they were recommended by their owners, managers, or overseers, who behaved well, who were well-disposed, and who were thought worthy of reward. Do not all these proofs, from even interested parties, clearly demonstrate, that the effect of religious instruction was beneficial? independently of this, the witnesses, H. Van Cooten himself, a proprietor of

one, and attorney of another large estate, and John Stewart, unwilling as he was to 139 answer my questions, have sworn, that the religious negroes were the most obedient in general. Every planter, every master can tell how very untractable and unruly is a dissatisfied negro. He will not be obedient. The series of written evidence proves that those negroes who were allowed to attend the chapel, conducted themselves in a dutiful manner.

Should any object that the certificates relate to the characters of negroes previous to their becoming christians, Mr. Haig's note will be a satisfactory answer; I quote from memory—He says, “I have hitherto “refused to give such and such negroes a certificate of character, in “consequence of some that were baptized by Mr. Wray, behaving amiss. “But, as they now behave better, I comply with their request, and recommend “them to you as well-disposed people,” Thus, I think, the very reverse of the first charge (that I have as far as in me lay, promoted discontent and dissatisfaction in the minds of the negroes, thereby intending to excite them to break out in open revolt and rebellion against the lawful authority, &c.) is manifest.

Dr. M'Turk's evidence is, of itself, sufficient to condemn itself; but the testimony of Messrs. Hamilton and Simpson is conclusive against him.

It is a bold assertion, but not more bold than true, that there is not a single negro-witness upon any material point, either in support of the second and third and fourth charges, or in support of the defence, who is not either contradicted by himself, or by some other witness. In some part of his evidence, Bristol contradicts himself; he is also contradicted by Emanuel, Seaton, Peter, Shute, Mary Chisholm, and Charlotte. Emanuel (or Manuel) is contradicted by Bristol, Seaton, Mr. Stewart, Mr. Elliot, Mary Chisholm, and Bill. Seaton is contradicted by Bristol, Peter, Shute, and Charlotte. Peter is contradicted by Bristol, Seaton, and Shute. Shute is contradicted by Bristol, Seaton, and Peter. Charlotte is contradicted by Peter and Shute—Ankey is contradicted by Elizabeth; and Elizabeth is contradicted by Ankey, Dora, and Mr. Hamilton.

Bristol

Contradicted.

Says he is a deacon, and one of the duties of the deacons is, to instruct candidates for baptism, and to teach them to read.

Bristol himself says he cannot read.

He was not at the middle path of Success on the 17th of August.

Manuel says Bristol was present at the meeting in the middle path of Success, on the 17th of August.

He stayed a little while after the noon service near the chapel, from whence he went direct to Mr. Smith's house with Quamina on the 17th.

Mary Chisholm says, the congregation on that day went quick away; that Quamina followed them directly from the chapel, that Bristol followed Quamina; and Bristol himself says, that he was in Mr. Smith's house talking about his little girl, when Quamina came in.

Mr. Smith told the negroes if they ran away, they must take care and not let them catch them again.

Bristol himself says, Mr. Smith never encouraged any negro to run away, and punished York for so doing.

140

Did not see any body else present during Quamina's conversation with Mr. Smith in his presence on the 17th; and makes out, that he was only once at Mr. Smith's house on that day.

Peter, Shute, Seaton, and Charlotte prove, that Peter Shute and Seaton were with Quamina and Bristol on that day at Mr. Smith's house; and, as Bristol says he was there only once, it must, of course, have been on that very occasion; and Shute says, Bristol came to call him and Peter.

He never heard the people talk about any one else fighting, but the Jews or Israelites.

Bristol says, he has heard of the French and English fighting, from people all about.

All and every one of the doors were shut during the sacrament.

Bristol says, the little door in the gallery was open, and the little door of the gallery communicating with the body of the chapel was also open.

He says, after he left Mr. Smith's house after service, he went to the chapel, from thence home.

Manuel says, Bristol came back to the middle walk at five o'clock.

When we went in, Quamina asked Mr. Smith if any freedom had come out for them? Mr. Smith said no.

Seaton says, he was present at the commencement of the conversation, and nothing was said about freedom having come out.

Jack and Joseph were speaking very much about it, i. e. freedom, and that they wanted to take it by force.

Peter answers to the question by the Court, “Did you hear any “thing about Jack and Joseph?” “No, sir.“—“Did you hear Jack “and Joseph's names mentioned “at all?—“No, sir, he did not “call any body's name.”

Mr. Smith said to Quamina, the soldiers will be more strong than you.

Peter is asked by the Court, “Did you hear Mr. Smith say any “thing about the soldiers?” He answers— “No”

Mr. Smith told Quamina, he had better go and tell the people, and christians particularly, they had better have nothing to do with it.

Peter is asked by the Court, “Did Mr. Smith say any thing “about the christians? His answer is—“Nothing.”

Quamina said, he would drive all the white people, and make them go to town.

Bristol, in his cross-examination says, it was the managers who were to be driven to town. Peter says Quamina said, he would drive all them managers from the estates to the Court; Shute also says it was the managers.

Quamina said, the white people were to be driven to town, because the negroes' freedom had come out.

Peter says, Quamina said, “they “were to drive the managers to the “Court, to see what was the best “thing they could obtain for the “slaves.” Shute was asked, “did “Quamina say what he was going “to drive the managers down for?” He answered—“They must come “down to make a good law, and give “them (the negroes) a day or two.”

141

Emanuel

Contradicted.

Says, three Sundays before the war came, he and Quamina went to Mr. Smith's house, and then he relates a conversation which he says occurred; and, amongst other things,

that Quamina asked the parson and said, I understand that Mr. Stewart and Mr. Cort came here on Friday. By this it would appear, that Mr. Cort and Stewart had called upon me on the 3d of August.

Mr. Stewart and Mr. Elliot prove, that Mr. Cort and Mr. Stewart did not come to me until the 8th of August."

He is then asked, "Did the parson say any thing about Jack and Joseph?" and though just before he could not recollect any more, and had added, it is on paper taken down by Mr. Smith and Mr. Croal; yet he immediately remembers a tale about Jack and Joseph.

If this be true, why should Bristol also state, that on the 17th Quamina told me that Jack and Joseph wanted to take their freedom by force. Bristol is contradicted, and so would Emanuel have been, had he stated there was any one present. I never saw the man with or without Quamina upon any such subject.

He heard of this revolt about a month and a half before it.

All the witnesses prove that it was only determined upon on the 17th of August, the day before it broke out; and he is then asked, "did any one disclose to you the "time that the revolt was to break "out?" He answers, "O yes, "plenty of people from Mahaica "side in the middle walk Of "Success."

He is asked who was present when the parson said, if your master had any work for you to do on Sunday, it is your duty to tell him that Sunday is God's day. He answers, "Joe, Jack of Dochfour, Bristol, and Bill."

Bill and Bristol are both pointedly asked whether they ever heard me say so, and declare they never did.

That when he went with Quamina to my house, he went in the kitchen to get water to drink.

Charlotte proved that no water was ever kept in the kitchen to drink.

Bristol was at the meeting in the Success middle-path, came away with Quamina to me, and returned to the meeting about five o'clock.

Bristol says, he was not at the meeting in the Success middle path; Seaton swears, that he left Bristol at Mr. Smith's, and did not see Bristol at the middle walk on that day, but that Manuel went with him to the middle walk.

142

Seaton

Contradicted.

Says, he was only once at Mr. Smith's house on the 17th of August, and that, on that occasion, Bristol and Quamina were present; and that only Bristol was present with Quamina and himself at that time.

Peter, Shute, and Charlotte, prove that Peter and Shute were present in Mr. Smith's house, with Quamina, Bristol, and Seaton, on the 17th of August; and as Seaton swears that he was there only once, they must have been present on that occasion.

I left Mr. Smith's house without any one with me, I fell in with Emanuel in the way.

Peter, Shute, and Charlotte, swear that Seaton left my house in company with Bristol, Quamina, Shute, and Peter.

After I heard that, meaning a conversation between Quamina and Mr. Smith, Quamina told me to go to the middle walk of Success with Emanuel; I went and stopped the people till he came.

In addition to the above, Peter is asked, “Was Seaton with you the whole time of that conversation.“—He answers, “Yes.”

Was present with Quamina and Mr. Smith in Mr. Smith's house only once on that Sunday, and that was after service, before he went to the middle walk of Success; the meeting at the middle walk took place at two o'clock.

Mary Chisholm says, she saw Quamina follow the congregation towards Success; it was between three and four, when Mr. Smith left talking to Dora; Charlotte says, when Quamina, Seaton, &c. were there, she was bringing in the dinner, and that I dined that day between four and five o'clock. Peter, when he, Seaton, &c. were in Mr. Smith's house the table was laid for dinner.

Seaton says, the meeting at Success middle walk broke up between three and four o'clock; that he then returned with Quamina to Mr. Smith, but did not go into Mr. Smith's house.

Contradicted by Charlotte, Peter, and Shute.

Two of the witnesses, Bristol and Seaton, state that the express object of Quamina's coming to me on the 17th of August was, to inquire about a paper which had come from home.

Peter and Shute say, the object of Quamina's coming, was to tell me they were going to drive the managers to town, to see what they could do for the slaves.

Peter

Contradicted

States a conversation which hesays passed on the 17th of August, between myself and Quamina, and that there were three others present, viz. Bristol, Shute, and Seaton.

By Bristol, Shute, and Seaton, not one of whom relates the conversation in he same way.

143

The parson said, Quamina do you hear this? and that Quamina answered, “Yes.”

Shute says the parson said, you must not do that, Quamina; and he said, “Yes, I will see, sir.”

Shute

Contradicted.

Says, Quamina said to Mr. Smith, he was going to drive all the managers down; and, upon being asked, “Did Quamina say what he was going to drive the managers down for? he answers, “That they “must come down to make a good law, and give them, the negroes, a day or two for themselves.”

Neither Bristol, Seaton, nor Peter, bear this witness out, and more especially with respect to the “day or two for themselves.”

Is this evidence sufficient to convict any individual of an offence, much more one of so high a nature as that with which I stand charged? It is true, that it would seem as though these various tales had some foundation. I have stated clearly in the defence, the simple facts from which all these various tales have sprung. Men who cannot remember simple facts, such as knowing whether any one was present during a conversation, or whether they left a house alone or in company with another, are not likely to be very accurate in the narration of a conversation. Which of these witnesses is the one to be believed? they are all alike, they are all at variance with each other; and whether one is to be selected in

preference to the rest, or all are to be discredited, is a matter to be determined solely by the Court. I think I have shewn, that it will require at least some discrimination to discover the one worthy of any credit. They cannot all be believed, no two of them can be believed together; three of them have certainly made use of the word drive, it was not the word that Quamina used to me, and how the negroes have got hold of it is obvious to every one. They have drivers, who drive them to their work, the word is more familiar to them than any other word, they have used it among themselves, and now they hesitate not to assert, under oath, that Quamina used it to me; but let me remark, that, under the same oath, they have asserted other parts of the conversation, which unfortunately for themselves, are contradicted by each other, in every way possible.

Seaton and Bristol state, they were standing in the back gallery, and I was in the hall at some distance from them, when Quamina made his communication. This renders it highly improbable, that the conversation with Quamina should produce any effect on my mind; for it was certainly a strange mode of making so important a communication, to be standing at a distance, which would necessarily require a louder tone of voice than ordinary.

It appears also highly improbable, that a communication of so serious a nature should be made in the hearing of Mrs. Smith and four men, 144 who were standing near him. If he said any thing about driving the managers or white people to town, it was not in my hearing. What passed between me and Quamina was in a loud tone of voice, and heard, though not heeded, by Mrs. Smith; she being at the time attending to other concerns.

I have already, in my defence, stated all that passed relative to the matter in question. How far the evidence, divested of its inconsistencies and contradictions, bears me out, I must leave to the judgment of the Court.

The evidence, in fact, is such as to render it impossible for any one to say, that, from it alone, the real truth can be ascertained. That negroes are not verbally accurate in general, is not only well known and proverbial, but has been proved by H. Van Cooten, a resident

among them for fifty years. He swears he would not intrust even a common message to the memory of any one of them, for ten to one if they would carry it correctly, though some might do so. I need not tell this Court, we do not want suppositions, but positive assertions in a case of this nature; negroes may speak to facts, but in their notions of time, and in verbal accuracy, they are miserably deficient; and, even had there been no positive evidence on this point, it would have been apparent, from the evidence of the negroes, both for the prosecution and defence.

The whole conversation occupied but two or three minutes, and I had no conception that even negroes were so ridiculous as to have chosen such a time and such a manner to have given information upon any serious subject; I did not consider it as information, or I should have acted accordingly.

My Letter to Jackey.

I have already stated in my defence, that it was Jackey's note that first made me attach any consequence to what Quamina said on the preceding day. His observation about sending the managers to town, to get the new law, was made with good-humour. None of the other negroes present spoke a syllable, except, how are you master? and “good bye master.” Jackey's note struck me with fear and terror.

In addition, however, I must observe upon Mr. Stewart's evidence. He proves that I communicated to him, unasked, the circumstance of Quamina's coming to ask me about the report of freedom; he says, I stated that several negroes had made the enquiry; I did not say several, I mentioned only Quamina, for he was the only one. *I was not allowed to rebut this part of Mr. Stewart's evidence, or the witness Elliot could have done it;* * still, from the unwillingness of the witness Stewart to answer, and from the circumstance of his denying having heard of any rumour or report of the idea of freedom having got among the negroes; and denying that he knew any acts of discontent or dissatisfaction among the negroes previously to the revolt; and afterwards admitting that he told me of the negroes of

Le Resouvenir having laid down their tools and gone aback; it is evident, that he had every inclination to disguise

* This was struck out upon the request of the Court. The prisoner at first refused to have it struck out. The Court then talked of the indulgence that had been shewn the Prisoner, and that the judge-advocate should be ordered to reply to it. It was at last thought better to submit, than irritate the Court.

145 the truth. The word “several,” being then introduced by such a witness, cannot be attended to. Stewart's and Elliot's evidence, however, prove that I made no secret of that knowledge. For it was told freely by me, to Mr. Stewart, Mr. Cort, and Mr. Elliot, the last of whom told it to Mr. Newton, a member of the Court of Policy, in my presence. Was this the behaviour of a man plotting and conspiring? Had I had the least idea of the revolt, I most assuredly should have made it known, but I had not; Jackey's note brought before me what Quamina said, in a light in which I had not viewed it before, and therefore it was that, hurried and anxious, I wrote a note, the meaning of which appeared ambiguous until explained.

My not going over immediately to Dr. M'Turk's, is explained by the evidence of Guildford, who says, that he went away just as the sun was down. At that season of the year, the sun sets at at as near six as possible; there are not as much as twenty minutes twilight in this country; yet, after Guildford went away, Mrs. Smith and myself went to walk a little bit in the middle walk, according to Elizabeth. When Hamilton saw us, as he says, it was in the gloaming, after he was attacked: what time was there for communication? Besides, the inclosure in Jackey's note to me said the negroes were to begin at the Thomas, a distance of seven miles from Le Resouvenir. How then was it possible for me, in so short a space of time, to come to a determination as to the steps to be taken, particularly as I had my wife to protect? indeed, there was no time even for reflection.

On the last Charge.

Romeo, one of the witnesses for the prosecution, says, that he came to visit me on the Tuesday evening after the revolt, (i. e.) on the 19th of August, and that I expressed a wish to see Quamina or Bristol. No one but Mrs. Smith being with me that evening, I could not bring forward a witness to prove that he did not come to me that evening; but I have proved, that the circumstance which he said occasioned his coming to me, never occurred. He said, I went to visit Mr. Smith in the evening, seeing the negroes were making a great noise, and my heart was uneasy.

Both Charlotte and Susanna have proved, that there was no noise on the estate that evening. I deny that he came to me that evening; and I further deny, that, after the revolt, I expressed any wish to see either Quamina or Bristol.

With respect to my seeing Quamina on the Wednesday, the only one of the three circumstances apparently militating against me, which was capable of being disproved, has been so, by Elizabeth. Ankey (Antje) swears, “Quamina went in at the back door, and, as he entered, Mrs, “Smith shut the door.” “Elizabeth swears, “she saw Quamina with “myself and wife, and that the back door was open all the time Quamina “was with us.” Elizabeth swears, she was in the kitchen, and yet we talked so loud that she could hear us; not a very natural tone of voice this, for a conspirator, and aider and assister of sedition and rebellion: nor was it very natural, that the door should have been left open, Ankey (Antje) was asked, “if Mrs. Smith appeared anxious that Kitty “Stewart should go over? she answered, she could not tell; but that T 146 Mrs. Smith stood over and bid her to go with me.” Kitty Stewart's evidence gives a very different colour to this: but, as I have already said, I knew nothing of these circumstances, nor can they affect me. The third circumstance is related by Elizabeth; Elizabeth said, the revolt began at seven; Dora and Mr. Hamilton, the latter of whom must certainly be credited in preference to the others, with respect to time, from circumstances, fix the attack of the revolted negroes to somewhere about a quarter of an hour after six. On that evening, it would have been dark at twenty minutes after six; yet, when the negroes revolted, it was so light as to allow Mr. Hamilton

and Dora to ascertain persons at the distance of sixty to eighty roods; I do, therefore, on this last charge, still persist that I am innocent. It has not been shewn that Quamina was a rebel; even if the Court should come to the determination that that is unnecessary, still I must insist that proof of my *knowing him to have been a rebel is necessary.*

I must observe, that it is impossible to come to a conclusion upon any one of the charges, without taking the whole evidence into consideration. If this be done, it is manifest, that neither myself nor my doctrines were the cause of the revolt; that my name, as connected with the conduct of the revolted negroes, was not even mentioned by any of them. Mr. Austin declares, he went up amongst them prejudiced against me, yet he in his examination says, “I must add, that in no one instance, “among my numerous inquiries, did it appear that Mr. Smith had been “in any degree instrumental to the insurrection.” Lieutenant-colonel Leahy, who was in command of the whole coast, was amidst the negroes on every occasion, and had every circumstance worthy of notice conveyed to him; says, “I don't recollect hearing the Prisoner's name mentioned “till I came to town.” Take then Hamilton's evidence, that of Stewart, Elliot, and Davies; and what will not their testimony weigh against a number of ignorant negroes, under the influence of their masters; under the fear of punishment for their conduct; and, therefore, glad to throw blame upon any one, rather than allow it to remain with themselves, as it really does; contradicting themselves, contradicting each other; and no two of whom agree in any material point. One would think that Quamina's motive for driving the white people to town, would have been remembered by four persons present, when he assigned it; yet Bristol says, “it was because the negroes' freedom had come out.” Peter, “to see the Court, to get.the new law;” Shute, “to get something good for the negroes, and two or three days;” and Seaton does not say any thing on this point, assigning a direct falsehood, that he was not present.

Bristol and Jason, witnesses called by me to prove when I read about Moses and Pharaoh, say about two or three months before the revolt; these witnesses could not read; London, however, who could read, whose knowledge was tried by the Court, proved that

it was two years ago, the time stated by me in my defence. This is sufficient to shew, how inaccurate is negro evidence in general.

Add to all this, the scantiness of the evidence against me, notwithstanding the immense exertions that have been used to procure it; that my defence was written before my counsel had seen the witnesses, except two, and written on my own consciousness of innocence; that many of my questions have been bold, even to rashness, from any other 147 than an innocent man; and let me ask, what evidence before the Court is it, that is sufficient to condemn me?

Gentlemen, I have done; to you my case is now confided; whatever may be your determination, I do, as a minister of the gospel, in the presence of my God, most solemnly declare my innocence.

(Signed) John Smith.

TWENTY-SIXTH DAY, 18 th NOVEMBER, 1823.

The Prosecutor, though allowed from Friday till Tuesday, to prepare his Reply, stated, that some accidental circumstances had occurred, to prevent him from delivering it this day.

TWENTY-SEVENTH DAY, 19 th NOVEMBER, 1823.

Mr. President, and Gentlemen of the Court Martial.

The Prisoner having closed his defence, the task of reviewing the evidence now devolves on me, in consequence of the absence of my learned friend, the Judge-Advocate-General. I cannot but regret, in unison with what I am aware must be the feeling of the Court, that the indisposition of the judge-advocate should have thrown this arduous task on one so little able to discharge it properly, and so new to such proceedings as myself; but I rely, Gentlemen, on your sense of the difficulties I have to contend with; and, above all, on a continuance of your kind indulgence to excuse the numberless imperfections of this

reply; and I trust you will patiently bear with me whilst I endeavour, without further preface, and with as much conciseness as time and circumstances will permit, to go through the principal and leading facts proved in the prosecution, and the points urged in the defence.

It appears in evidence, that the Prisoner commenced his labours as a Missionary at plantation Le Resouvenir, on the east coast of this colony, early in the year 1817, under special instructions from the London Missionary Society; warning him that he was sent here not for the purpose of attempting any alteration in the temporal condition, or any interference with the political state of the slaves, but simply and solely for the great end of instructing the negroes in the pure doctrines of our holy religion; and it is worthy of remark, as connected with this case, that these instructions direct his attention entirely, I might perhaps say exclusively, to the plain truths of the gospel, and never glance at or allude even most distantly to the Old Testament.

The Prisoner, however, feeling, as he avows, an aversion to slavery, soon forgot these precepts, and the great and ostensible object of his mission, and seems to have directed his whole attention to obtain over the minds of his hearers an undue influence, and gradually to dissolve the tie that bound the slave to his master. The Prisoner, in his defence, accuses the judge-advocate, who opened the case, with having gone, in his statement on this head, far beyond the charges, and having adduced evidence wholly irrelevant to them. In answer to this accusation against my learned friend, I shall content myself with referring to the statement itself, and I am convinced the perusal of it will shew that the judge-advocate, from the most honourable motives, has refrained from saying much T 2 148 he might have said, and from painting the conduct of the Prisoner in the strong colours which he might have employed.

The charge of bringing forward irrelevant evidence is easily made, but it would have been better to alledge some instance of this, to enable us to judge of the truth of the accusation; this not having been done, it would be fighting a shadow to attempt a refutation.

I am well aware, gentlemen, that the evidence, on the first charge, is very diffuse; but, I must beg that you will, at the same time, remember the tenor of the charge, and the difficulties inseparable from any attempt to establish it. These difficulties exist, and are inherent in the very nature and essence of the crime charged. The prosecutor is called on to prove, by legal evidence, that a missionary of the gospel has sown, amongst his negro flock, the seeds of dissatisfaction, with intent to rouse them to rebellion.

The crime presupposes great secresy and great caution, for the criminal is placed in a situation of extreme delicacy, where one false step, one precipitate movement, either on his own part or on the part of the negroes, may at once ruin all his projects. He must hold out one character to the world, and another to the negroes. He must endeavour to conceal even from them the end he has in view, else their rashness may betray him; and he must thus strive to poison the minds of his victims, without their being themselves aware of the hand which administers the potion.

Can it then be an easy or a simple task, to bring forward legal proof of this crime? more particularly, as all the witnesses must be taken from that very congregation, which has been for years under the thraldom of the criminal himself. Men, who, unaccustomed to investigate the operations and trace back the movements of their own minds, have for years looked up to him as their pastor, their friend, their guide to happiness, here and hereafter. These are some of the obstacles which this prosecution has had to encounter; but then, notwithstanding, there are on the records of this Court, facts, proved and incontrovertible, which seem to me to carry with them the fullest conviction of the Prisoner's guilt.

The congregation which the Prisoner collected around him, consisted of the unbaptised, of the christians, as those were more particularly termed who had been only baptised; the members of the chapel, who were admitted to the sacrament of the Lord's supper; and the deacons; besides these, there were, on the different estates, classes, each under its

own teacher, who was nominated, or at least sanctioned, by the Prisoner, as is proved by Romeo and Bristol.

With respect to admission to the chapel, it appears that the candidates, after having passed through the necessary examinations of the deacons in due order, and, lastly, of the Prisoner, was, by him, introduced into the assembly of the members, and proposed as worthy of being received amongst them. One of the members spoke in his behalf, and the Prisoner then asked them if they were willing to admit this person as a member? directing such as approved of him to hold up their right hands. When this was done, the Prisoner took him by the hand, and, shaking it, said, I receive you as a member of this church, and the various members went through the same ceremony, each saying, I receive you as a brother. Such was the mode of permitting a communicant to participate in the holiest rights of religion, or, more properly, 149 of receiving him into an association linked together under the name of Brothers, each individual of whom seems to have had a voice in the admission of others.

Above these were the deacons, whose duties were of various kinds, and necessarily gave them considerable authority and weight as to the rest of the congregation.

The Prisoner, indeed, denies this; but he himself states, that they were to keep order in the chapel; and the witnesses Azor, Romeo, Bristol, &c. prove that they, the deacons, received all candidates for baptism, and for the sacrament; that they examined them, and not till they were satisfied with them did they hand them over to the Prisoner. This alone is sufficient to mark their authority; furthermore, Bristol says, he had to keep an eye to the conduct of members, on his master's estate, and, if his report of them was unfavourable, they were excluded; and, it is evident, from the statement of Bristol, viz. that he was to shew the candidates to Quamina, that he was to instruct them in the first duties, and then hand them over to the other deacons, &c.; that even amongst these officers of the chapel there was a regular gradation of ranks.

The teachers, from their office, must also have possessed considerable influence, and they seem to have been the channel of communication to the others, and the conveners of their meetings, for when the Prisoner sent Jackey of Dochfour to the negroes of Orange Nassau, he directed him to call for the teacher, to let him commence by singing a Psalm, and praying, &c. &c., and then to open the subject of his mission.

Over the congregation thus modelled, the Prisoner, it may be supposed, soon obtained great influence. Of this he himself boasted to captain M'Turk; nor was it an empty boast, for the whole evidence before you, gentlemen, shows the truth of it. The various instances will, of course, not escape your observation, as I proceed; but, I shall not detain you by enumerating them here. I shall only point out, for the present, their contributions of money for purchase of wine for the sacrament, and the other purposes of the chapel, for repairs and enlargement of the chapel, for the Missionary Society in England, the purchase of books, the poultry, &c. and yams furnished by them to the Prisoner. The Prisoner says, as to the presents he received, he gave more wine in return than compensated for them. It is strange that he should forget, that this wine was purchased by the negroes themselves for the sacrament, as Bristol proves; how does his giving away the wine, at their expence, mend the matter? does it not make it worse? for the more he gave away, the more must they have bought.

The Prisoner says, all these contributions were voluntary, and were given in consequence, solely, of his addresses from the pulpit; but this only establishes, still more clearly, his influence. It proves, that it was so great as to make the negroes, of all people on the face of the earth, part with their money freely, and not on any principle of force. Vast, indeed, must have been his ascendancy over the negro mind, when he could induce them to contribute their money to a society for spreading the Gospel through distant regions, the very names of which were unknown to them. One of the great means, by which the Prisoner obtained this influence, was by his being, at all times, ready to listen to their complaints against their masters, and to settle their disputes amongst themselves.

These latter, which were formerly carried to their masters, were now addressed to him. He was to be the arbiter of their quarrels, or, as he terms it, to act the part of a civil magistrate amongst them. The Prisoner wishes to explain this by saying, he never received such complaints except they related to church matters; and he rests the proof of this, in his defence, on two grounds, first, on his interpretation of the evidence of Bristol, who, in his cross-examination, after having said the negroes complained to the Prisoner of their being licked for going to chapel, is asked,—“did they complain to Mr. Smith that they were licked for any thing else?” to which he answers, “they might have done so, but I do not know of it.” The second is an allusion to an extract from his journal, quoted in his defence, and under date 21st March, 1819. The whole passage is as follows:—“I wish the negroes would say nothing to me “concerning their troubles, which arise from the severe usage of the “managers, &c. as it is not my business to interfere in such concerns, “and only obliges me to treat such conduct with apparent indifference, “and behave with coolness to those who relate it. I observe, in the “slaves, a spirit of general murmuring and dissatisfaction, nor should “I wonder if it were to break out into open rebellion; however, I hope “it may not.” Bristol's testimony is no disproval of the charge; it goes only to what he himself heard. As to the passage from the journal, it admits the fact, that the negroes did complain and did continue to complain to the Prisoner of their treatment, which is borne out by many other parts of the evidence; and this once admitted, I ask no further proof. This passage, so far from proving what the Prisoner wishes, shows that the Prisoner did not treat their complaints with even apparent indifference, or listen to them with coolness, for who is there, at all conversant with the negro character, who does not know that a negro never will continue to carry his complaints to one who receives them with coolness? Is not the statement of one of the Prisoner's witnesses, that the negroes said that they would not go to the fiscaal, because once, when they went, he did not attend to them? I do not believe the statement of the negro, as to the fact, but the reason is perfectly in character. Even, then, if argument could do away with facts, the Prisoner's defence here would not avail him. To prove these facts, I do not conceive it necessary to repeat to the

Court the numerous complaints of the negroes, with which the journal is filled, not only as to religious matters but as to the other points. The complaint of Ned, the complaint of the negroes of Success, the disputes between Emanuel and Coffy, &c., they must be fresh in the recollection of the Court; and the declaration, and admission in the journal of the Prisoner himself, as to the truth of the fact, render any thing further useless. Whether these complaints were well or ill-founded is not the question, nor have we the means of knowing; but, I cannot help observing, that in the only instance where a negro was interrogated as to the complaint mentioned in the journal, he was obliged to confess it was not true. I allude to Jackey of Dochfour. The Prisoner, in the course of his defence to this part of the evidence, says, the planters themselves referred the quarrels of the negroes to me to settle. But this does not accord with what he had before stated. He has, at all events, shown no proof of it. There is an instance, and it is a solitary one, of a manager sending to him a negro to be reprimanded for immoral conduct. It is the case of Mr. 151 Stewart, of Success, who wrote to the Prisoner, telling him that Jack, a teacher of Bethel chapel, had turned his wife out of doors to bring in other women, with whom he lived, and Mr. Stewart then begs the Prisoner to reprimand these parties for their disgraceful conduct; but this case is no answer to the facts I have stated, and yet it would appear that the Prisoner can adduce nothing more, unless, indeed, the evidence of the Rev. Mr. Austin, as to the familiar intercourse which ought to subsist between the pastor and the flock; he meant to apply to this point, but, if so, the answer is stilt plain. Mr. Austin states the object of this intercourse is to discover their spiritual condition, not to listen to their complaints against their masters. In a few words, this interference, on his part, was either necessary or unnecessary. It could not be necessary, or the Prisoner would never have described himself, in his journal, a document meant for the eye of the Missionary Society, as checking these complaints: if it was unnecessary, it was clearly unjustifiable, as tending, inevitably, to destroy all confidence between master and slave. The man, who really meant to support the authority of the master, would never do any thing to lessen this confidence in the mind of the slave; he never would teach him to look to any one but his master, for the settlement of the disputes between him and his fellow slave.

As to the advice which he gave them, when such complaints were made, and the coolness with which he treated them, the Court will be further able to judge, from the following facts: Bristol says, “when the “people come to complain, or when they are hindered from coming to “chapel, and some of them get licked, then he tells them, ‘Well, I cannot “help that; but it is not right for your masters to lick you and “hinder you from coming to the chapel.’”

Manuel states, “the parson said, if your master has any work for “you on Sunday, it is your duty to tell him that Sunday is God's day; “that, if the water-dam broke on Sunday, it was our duty to go and “stop it.”

Romeo says, the Prisoner told them, “if the water-dams break, to “be sure you must attend to your masters, duty; if they force you to do “it you must do it, and your master will answer for it.”

Azor says, the Prisoner told us,“ God keeps the Sabbath-day holy; “that this country was a very wicked country; in England they were “all free, and they all kept the Sabbath-day holy; that it was very “hard to work on a Sabbath-day, but, in case of fire, or the koker giving “way, we must work; but if half a row was left, it was not fit to finish “it on a Sunday; that it was not right to work on the Sabbath; and, “that we were fools for working on a Sunday for the sake of a few “lashes.”

On this evidence a great many remarks have been made by the Prisoner; but he has never attempted to contradict the answer, which Bristol says he gave to their complaints; nor yet what Romeo asserts, about their working, not if ordered, but if forced, because their masters would have to answer for it. These, therefore, stand uncontroverted, and the spirit of them is well worthy of observation. In like manner he, admits what Manuel, Romeo, and Azor have stated, as to the necessity of their working in case of fire, or the dams breaking, &c.; he does not 152 deny his stating this, but he has attempted to deny their evidence as to some of the other points. He wishes to make it appear, that he always enjoined, on the negroes, the necessity of working on Sunday when ordered; but, if inch

were the case, why should he tell them it was incumbent to assist in repairing a breach in the dam, or putting out a fire on a Sunday? Surely, if they were directed to do all manner of work, if ordered, the Prisoner never would have deemed it necessary to point out the propriety of stopping a breach in the dam on Sunday. The very nature of the thing shews this was, as stated by Manuel and Azor, an exception to the general rule which he had laid down for them; and, as he does not deny his stating the exception, I do not see how he can contradict the general rule, for this must, in fact, be pre-supposed, otherwise, the exception is nonsense; nor do I see that the negative evidence of Bristol and Bill (who say they did not hear these words) can, especially under such circumstances, do away with the positive testimony of Manuel. The evidence of Azor is what the Prisoner principally aims at destroying; but, as far as I can judge of it, his efforts have been fruitless.

It is asserted, that Azor is not to be believed, because he could not remember the names of all who were present; yet he mentions expressly the driver of Postlethwaite's plantation, Friendship, as being there; and, on the list of the Prisoner's witnesses, there is a man of Friendship—but this man was not called. Of what importance, then, is the Prisoner's remark. The witness who can contradict the testimony of Azor, if it be false, is pointed out; the Prisoner does not examine him, but he summonses other persons, of whom Azor makes no mention, to prove that they never heard such an expression.

The Prisoner then strives to show, that if he did give such instructions, he, at the same time, directed them to finish their work on the Saturday; and, certainly, if he wished to prove that he did not encourage the negroes in idleness or disobedience, it was incumbent on him to show this; with this view, he asks Azors “Was any thing said about finishing the half-row on the working days?” to which Azor answers “ No,” and the Prisoner never again hints at this subject.

It is in points such as these that we must expect to find the true character of the Prisoner's doctrines. The general precepts of obedience, on which he so much rests, are mere shadows if they be not carried into the every-day practice of life. The negroes on the

estate where Azor lived seemed to have had a certain task assigned them; some of them did not finish it on the Saturday, and took their Sunday to it. The case comes before the Prisoner; he remains perfectly silent on the necessity of their doing their work on the Saturday, but he exclaims against them for putting, their hands to it next day, and working on Sundays, to save themselves being punished: is this a lesson of obedience? You are fools to work for the sake of a few lashes: was this intended to raise in their minds a respect for their masters, or to make them look on his indignation as a thing to be dreaded? No: they were told to despise it. And shall the man who acts thus, shelter himself behind such an excuse, as his preaching up at other times obedience to their owners?

The very nature of the punishment which he inflicted on the delinquents for Sunday work, was such as to make them look on their masters as beings under the curse of heaven.

The working voluntarily on a Sunday was considered such a crime, as 153 to render the negro unworthy of partaking of the Sacrament. In what light must the masters have been held! And is not this in accordance with the statement of Romeo—work if your masters force you—for they will have to answer for it. Could this lowering of the master in the eye of the slaves be intended to make them more obedient? Were they more likely to be submissive to men whom they believed exposed to the wrath of God?

The negroes had been told, as Bristol and Manuel prove, that the enemy the Jews fought against and conquered, meant the men that did not believe in, or fear God—that Jerusalem was to be destroyed, because the men of that city did not believe in God. Was any good point to be gained by representing their masters as of much the same character?

But, to proceed with other instances of advice;—Bristol says, the Prisoner told the negroes, “When they run away, or so, you must not let them catch you again, for they will punish you.”

The Prisoner asks him, Did I ever encourage the negroes to run away? Bristol says, “No.” I dare say he did not openly or directly do so, for where an indirect hint would answer, I

do not suppose he would go further. Bristol indeed states, in his evidence, that York, a member of Bethel chapel, was once punished by the Prisoner for running away, and that the Christians from Mahaica side, who had also run away, were told not to come to his chapel.

It moreover appears, that a negro, who had left Success in the day, and had been troublesome in the Prisoner's yard at night, was sent home by him the next morning. And also, that a negro of plantation Vigilance, who had absconded, had come to him, seemingly to get him to intercede with his master for him, which he did, and sent him home, and the negro was pardoned; but I do not see how this does away with the evil tendency of his declaration, as stated by Bristol, and which is not controverted. He is not accused of harbouring runaway negroes; surrounded as he was by the different estates, he could not have done it; and, besides, he had a character to support before the public, or his private machinations would fall to the ground. For aught that appears to the contrary, this declaration may have been made to some of these runaways whom Bristol mentions.

I shall cite only one instance further on this point. The negroes at Dochfour had obtained leave to have meetings on their estate, at any time they chose, for the purpose of learning the catechism; on two conditions, however; 1st, that they should not admit strange negroes; and, 2nd, that they themselves should not go abroad to other estates. Jackey Reed, the teacher of Dochfour, tells this to the Prisoner, and what is his remark? Is it an injunction not to abuse the indulgence of their master, but strictly to adhere to his commands? far from it; he tells them there is no harm in your letting negroes join you from other estates, and you may go abroad without doing any thing wrong.

This is precisely the tenor of his whole conduct, as far as the evidence traces it. In his public sermons he sometimes tells them to be obedient to their masters; but, when it is reduced to any one specific circumstance, he does not hesitate to hold forth the very opposite doctrine. But the Prisoner, in the present case, was not contented with merely

telling Jackey to disregard his master's order, but he actually sent him, in defiance of these orders, to a meeting of the negroes at plantation Orange Nassau. U

154

On the head of keeping the Sabbath, the Prisoner prohibited the negroes from working on that day in their own grounds, going to market, or even washing their clothes, under pain of incurring the vengeance of their Creator. Whatever he may urge on this point, I believe there is no one who looks at the constitution of society in this colony, but will, without hesitation, admit that there exist no means so well calculated to render the negroes dissatisfied as this very one, to deprive them of their Sunday, the day which they have to themselves; and you find, gentlemen, by the positive testimony of Manuel and Bristol, uncontradicted by any one witness, that this measure did produce the effect to be expected. That the negroes began to murmur, and require another day for themselves, and that this was one of the great causes of that dissatisfaction, which at length drove them to open rebellion.

The Prisoner asks Bristol, did the negroes not talk of having a day to themselves in the time of Mr. Wray? to which he receives a decided negative; by this comparison between the former missionary and the Prisoner, both placed in the same situation, both sent to teach the same religion, this discontent is most clearly and forcibly brought home to the Prisoner.

The Prisoner pleads, that he was actuated in this matter solely by a sense of religion. It is not by any one isolated act that the intention of the actor can be proved. The point in question is a part of a system, and must be judged of by the whole tenor of that system.

But if this dissatisfaction be the effect of religion, and religion only, why did not the negroes, during Mr. Wray's time, feel the same dissatisfaction, and require another day for themselves. There must have been something in the system of the Prisoner very different

from that of his predecessor; though the religion they taught was, or ought to have been, the same.

But was religion the cause also of the Prisoner's drawing an invidious comparison on this point, between the slaves of this colony, and the people of a free country?

If it be so, the Prisoner's zeal for the gospel of peace has most unfortunately led him to adopt the very measures which appear most likely to upset society, and to carry discord through the land.

I may remark, that his explanation of the above comparison, which he admits he made, might have been proved by the witnesses themselves, if that explanation were true; but the Prisoner never hazards a single question on the subject, and the inference is not to be mistaken.

There is another circumstance, which leads us to a different conclusion from that which the Prisoner wishes to be adopted. The murmuring of the negroes, as to their having another day, was not unknown to him; for he himself, within a few hours after the revolt broke out, assigned this to John Aves, as one of the causes of their rebellion; they wanted their Saturday and Sunday. This is a strong fact against the Prisoner—who told him this? it could not have been after the revolt, for you have the conversation between him and the negroes in Hamilton's evidence, and nothing of this kind is mentioned. This conversation consisted, on the part of the negroes, of a declaration that they would not hurt him; that they wanted the manager, not him; and on his part, not to injure the whites, and to go away peaceably. Nor is any thing of this kind hinted at in the interview of the negroes on the 17th. Much more might be 155 said on this part of the evidence adduced, as to this system, but I feel how impossible it is in me to pretend to give due weight to all the various parts of this mass of evidence; and the further I get on, the more reason do I find to congratulate myself, that the Court is so fully master of the subject, and that my want of knowledge, and omissions, are so little likely to lead them astray.

Further, it has also been proved, that the Prisoner did receive the negroes at his chapel, though at the time he knew they came in direct contradiction to their masters' orders. This he admits in his Journal, under date 6th July, 1817, and in many other parts. Nay, more, he taught the negroes to consider any attempt on the part of their masters to restrain them from coming to his chapel, whatever the master's motive might be, as an act of gross injustice and oppression. He aimed, in fact, at making them believe they were an oppressed and persecuted race.

He told them, as Bristol admits, that though they did come to chapel in contradiction to their master's commands, it was not right in their masters to punish them for that.

To impress on their minds his sense of these persecutions, be read to them, as he mentions in his Journal, a part of Scripture which he conceived addressed to persecuted Christians, as being best suited to their condition. And so far did this spirit go, that he permitted them to pray, in his presence, publicly in the chapel—“That God would overrule the opposition which the planters make to religion, for his own glory.” The words of the Prisoner, in his entry of this circumstance, are worthy of remark. “In such an unaffected strain he breathed out his pious complaint, “and descended to so many particulars relative to the various arts “which are employed to keep them from the house of God, and to “punish them for their firmness in religion, that I could not help thinking “that the time is not far distant, when the Lord will make it manifest, “by some signal judgment, that he hath heard the cry of the “oppressed.” Exod. iii. 7, 8.

The arts which their masters use to keep them from religion, is a curious phrase in such a situation. After all this, it would be as ridiculous to say that he did not teach them to consider themselves oppressed and persecuted, as it would be useless to bring forward any further proof of the fact.

The Prisoner makes no comment in his defence on any of these facts; he passes them over without the slightest notice, and his silence is decisive on this point. There remains

on this head one circumstance still to be noticed. I have already remarked the Prisoner's knowledge of the discontent of the negroes, as to their wanting a day; I have now to call the Court's attention to the evidence of Colonel Reed.

The witness observed to the Prisoner, he feared that he, the Prisoner, had been preaching very improper doctrines to the negroes, as the principal members of his chapel had been leaders in this insurrection; on which the Prisoner replied, by endeavouring to show, that if the negroes had acted rebelliously, they had misunderstood his doctrine; and to prove, this, he said that, on one occasion, they thought he had been abusing the manager, whilst in truth he was recommending to them obedience. And he then adds, this was not the first insurrection that had taken place in the colony. The witness said, it was one of a peculiar U 2 156 nature, and the Prisoner replied, That much blood bad been shed at different periods in religious wars, or on account of religion.

Take the whole of this, from his preaching down to the bloodshed for religion, and what is the meaning of the remark? Does it not clearly point out the connection in his mind between religion and the revolt? He best knows how he comes to have such an idea, or to attribute the revolt to their religion.

The next leading feature in the Prisoner's system, is the part of Scripture he selected for reading to the negroes at morning service; namely, the Old Testament. In justification of this, he says, that didactic discourses were of little avail; that the instances of virtue and vice in the Old Testament would make a greater impression on the negroes' minds. His instructions from the Missionary Society do not agree with him here; and they cite not speculative reasons, but practical proof, of the propriety of what they state, by referring to the success of the Moravians. But it is not a mere error in judgment that the Prisoner here committed, but something of a very different nature, as I shall endeavour to prove, by the evidence on the minutes of the Court. The first point which I shall notice, is the particular passages to which the negroes' minds seemed always ready to revert. The deliverance of the children of Israel from Pharaoh; the reason which was assigned for this deliverance

because God did not wish them to be slaves—the overthrow of Pharaoh and his soldiers in the Red Sea, and the subsequent successful engagements of the Israelites, in conquering the enemy, which, as Bristol mentions, was the people that did not believe in God.

These things have been detailed in evidence with great accuracy by the witnesses; and of their having been read to them there is the fullest proof. That the Prisoner not only read these passages to the negroes, but read them in such a manner as to impress them on the negroes' minds, is established, by their being so well remembered by men who cannot read; his intention in doing so must now be shewn. To prove that his intention was good, the Prisoner, besides alledging the above reason for reading the Old Testament in general, says, in defence of this particular part, that, without this, the history of the church of God would have been imperfect; and that the display of the power and mercy of God, in this eventful history, was most likely to impress their minds with a religious fear; and he further refers to a passage in his Journal, under date 8th August, 1817— viz. “having passed over the latter part of chap. xii., as containing a promise “of the land of Canaan, I was apprehensive the negroes might put “such a construction upon it as I would not wish —for I tell them that “some of the promises, &c. which were made to Abraham, and others, “will apply to the christian state. It is easier to make a wrong impression “upon their minds than a right one.”

This passage is like most of the writings of the Prisoner, cautiously worded, but the meaning of it is in plain English this: I have told the negroes, that the promises to Abraham, and others, will apply to them, the negroes, in this world; for, gentlemen, if he attached to the word christian state, any other meaning than what I have above given, whence could the fear in his mind arise? what chance was there of the negroes taking exclusively to themselves, in a temporal sense, for that is the only thing he could fear these promises, which they were told were meant for 157 their masters as well as to them, and applied to the world hereafter. But even supposing this interpretation wrong, let us

carefully examine the passage, and see if any other which can be given, differs very widely from it.

It is evident that the fear is founded on experience, and his reason for not reading the latter part of this chapter of Genesis to the negroes, is, because it contained a promise of deliverance from slavery, as he seems to have first intended to express it, or, as he afterwards amended it, promise of the land of Canaan. His idea was, clearly, that the negroes would take it as a promise of a change in their temporal condition; for it never could enter his mind that they were theologians enough to reason improperly on it in a spiritual sense, and adopt some heretical ideas; and then, what does this come to?—That though he had told them the promises were made to all the christians, bond and free, here and elsewhere, and that these promises alluded not to their temporal condition, but to their eternal state; the negroes were so stupid, and so apt to catch at every thing which could in the most indirect way be applied to them, that they would take these promises as meant to themselves alone, and as applicable to their state in this world. If this be the meaning, and I really can find out no other, I do not see that it is one whit more in the Prisoner's favor than the former; take it which way you will, it is certain that the Prisoner was perfectly aware that the negroes were liable and ready to misinterpret and pervert the scriptures; and yet, with this conviction on his mind, he thought proper to read to them the history of the deliverance of the Israelites. The Prisoner says, he never applied it to the negroes. It is probable that he never did in express words; but, after what he himself knew of their character, is he to impress such passages as these on their minds, and be excused, because he did not sum up by saying, this was meant for an example to you; Go ye and do likewise. What necessity was there for any such exhortations; the business was done without it—and he knew and felt this; and why should he expose himself needlessly? The application made by him, in direct words, might be repeated by a negro, and blazon the whole prematurely to the world.

There is another point connected with this, which, though in itself apparently trifling at first sight, yet, taken with the rest, seems to me to prove still further the bad faith of the Prisoner.

The witnesses, who have detailed to you the different Bible histories, have in general kept pretty fairly to the words of the original, except in the instance of this very tale of Moses. Here we find them talk of slaves and slavery, and Pharaoh's soldiers—but not one of these words, slaves, slavery, or soldiers, is to be found in this portion of the bible history; and this proves that the Prisoner, as he went along, explained the passages of the Bible, and explained them in the words which brought the tale most completely home to the negroes. He may say, it was done to make them understand it. The word servant, in the Bible, is perfectly within the comprehension of the negroes; but if the Prisoner thought it necessary to explain it to the full, what becomes of his caution—what sort of caution is that which would pass over the latter part of the chapter of Genesis, containing a promise to Abraham, and yet read to them of the deliverance of the Israelites from Egypt, explained down to the very situation 158 of the negroes themselves; represented to them as a struggle between the slaves and the soldiers, in which the former were victorious and the latter destroyed.

The same sort of thing is observed in the story of David, who is said to have run into the bush, and would not go into a friend's house for fear of trouble. Azor, when he repeated this, added, “We understand that,” and well they might.

The Prisoner has attempted to show that this reading could not have influenced the negroes, as it is so long since he read it to them; but, in this point, he has decidedly failed, for only one witness, London, says it was two years ago; but the rest all declare it was a few months before the revolt. The Prisoner rests much on London's testimony—but London's memory is not very correct; for he says, the Prisoner never read the 7th chapter of Joshua, in which he is contradicted by the Journal, 5th August, 1822.

The time which he chose for reading this part of the Bible is also to be observed; it was not at noon-service, where whites might sometimes be found—no, it was at the morning-service, when whites never came. He rests much on the circumstance that the doors were open, and that whites might have come; but the very licence under which he preached at all, bound him not to close the chapel doors; besides, the shutting of them might awaken suspicions, and experience had fully assured him, that there was no likelihood of a white coming to that service. But not only their masters were held up to the slaves as opposing religion, the highest authorities in the colony were represented as pursuing the same course; and it is impossible not to observe with how much contempt the Prisoner has generally treated the commands of government. The effects of such an example would not fail to be felt.

The conduct of the Prisoner, in the instance of the small-pox at Le Resouvenir, is a glaring proof of this.

The Prisoner received, as he acknowledges, a communication from government, through Capt. M'Turk, directing him to shut the chapel to all strange negroes, as long as the small-pox was on the estate, and informing him that the captain of the district was instructed to see the order complied with. Captain M'Turk, the captain of the district, was desired to devise such means, and take such steps as, in his discretion, he would judge necessary, to see the order duly complied with: this was on the 20th November, 1819; on the 11th December following, he writes to Capt. M'Turk to take off the restriction, which the other refused. Finding he could not obtain his end in this way, he determines on setting at naught these orders, and actually opened his chapel to the neighbourhood, in open defiance of the commands of government. Captain M'Turk then found it necessary to address a circular to the representatives of the different estates, calling on them to support the orders of government, and assist him in carrying them into effect, by preventing the negroes from attending chapel.

The Prisoner tells the negroes he did not believe the order for them to stay at home was from the fiscaal, and to make themselves easy about it, He meets Capt. M'Turk that evening, and declares to his face, that he, the Prisoner, had great influence over the negroes' minds, and that he would use it to bring them to chapel the two following days, and preach 159 to them in defiance of all the power and authority Captain M'Turk possessed. On what principle of respect for the commands of government is this to be explained?

The Prisoner wishes to represent the conduct of Capt. M'Turk in an invidious light; but government fully approved of what he had done, and the restriction was continued till the 29th of January. Had the Prisoner really felt the anxiety he pretends to have felt to preach to the negroes, he might have gone to other estates, for the restriction was only on the chapel; but this was not his object, and an opportunity of carping at government, representing it to the negroes as wishing to deprive them of the power of going to chapel, was of too much consequence to be lost.

The same spirit of rank disobedience to the orders of those in authority, marked his conduct on the Thursday after the revolt. He was ordered by Capt. M'Turk, the officer commanding the district, to repair to the post, and to remove all pretext for his not coming; an offer was made to take. Mrs. Smith to any place of safety she might point out, and, at the same time, a guard of twelve soldiers attended, to protect him on, he way to Captain M'Turk; but notwithstanding this, he flatly and positively re— fused to obey. He now pleads his ignorance. The plea might have served him better had his manner to Lieutenant Nurse, the officer who conveyed the order, been any thing but what it was, supercilious and offensive. These facts require no observations; but I cannot dismiss this part of the subject, without replying to the remarks made by the Prisoner on Capt. M'Turk's evidence. It is said to be inconsistent with itself: and, in the enumeration of his inconsistencies, the Prisoner says the small-pox first broke out in October, and the order from government is in November: that may be, but what has that to do with Captain M'Turk? Of the same style

are his remarks respecting Capt. M'Turk's not having sent round the order to the estates till the 23d December. Capt. M'Turk had to carry into effect the instructions he had received to see the chapel shut, and no more. He trusted that it would be sufficient to inform the Prisoner of it; but when he found the Prisoner openly set it at defiance, and received the negroes, as he admits, from other estates, at chapel, then Capt. M'Turk was forced to adopt other measures, and since the Prisoner would not go on quietly, he was compelled to call to his aid the whites on the neighbouring properties. But even here he was bound by his orders to a certain point, and the Prisoner charges him with inconsistency, because he did not do what the government never directed him to do.

The Prisoner next remarks on the opinion of Dr. M'Turk, as to the danger of the small-pox in this climate, and perverts a plain answer of the witness to what he did not say, to make him appear ridiculous.

Dr. M'Turk had stated, two of the negroes had gone through the small-pox in the negro-houses, and as their habitation could not be destroyed without destroying the rest of the houses, and consequently, as there was no possibility of preventing communication, there was every reason to dread the contagion spreading. He is then asked, although a person is apparently cured of small-pox, as to any outward appearance, may not the infectious or contagions powers of the disease remain?. he answers, most assuredly, even for months. What inconsistency is there here? If his opinion be incorrect, it might have been controverted by 160 that of other medical men. It was, however, confirmed by Dr. Walker, the officer of health here; who, on a statement to him of the simple fact that two of the negroes had had the small-pox in the negro-houses, deemed that ground sufficient to continue the restriction. The Prisoner next says, Dr. M'Turk pretended to be anxious to obtain the fiscaal's order for the removal of this restriction. If it was necessary for Dr. M'Turk to obtain permission of the fiscaal to remove the restriction, what became of the condition contained in the order of the 20th November, 1819; and the discretionary power vested in Dr. M'Turk, with respect to that order?

To this I answer, Dr. M'Turk was directed to use his discretion as to the means to be employed in carrying the order into effect; he could have had no power to remove the restriction whilst the small-pox continued, for that would have been in direct contradiction to the very tenor of the order; and he accordingly states, he had no power which could justify him in removing it, so long as the small-pox continued. He had a discretionary power to continue the restriction after the disease had disappeared, but certainly not to remove it whilst the disease was on the estate. At the time the Prisoner alludes to, it is evident the disease had not been eradicated; but, as Dr. M'Turk wished not to act solely on his own responsibility, he addressed the officer of health and the fiscaal on the subject; and the fiscaal directed him not to remove it then, but to examine the negroes twice, at a distance of eight days, and then, if there were no symptoms of the disease, to take off the restriction; where is the contradiction here? I may here add, that the witness J. Hamilton, who was brought forward to contradict Dr. M'Turk, has fully corroborated his testimony: in another instance, a circular was issued by his excellency the lieutenant-governor respecting the negroes attending chapel; to this was annexed an extract of a letter from Lord Liverpool on the same subject.

The Prisoner receives this on the 23d May, and he thus characteristic the circular of his excellency:—“The substance of this comment is to “persuade the planters not to allow the slaves to attend chapel on Sundays, “without a pass, and, in an indirect manner, not to allow them to “come at all in the evening; and even on a Sunday, to send an overseer “with the slaves, as judges of the doctrine we preach. The circular “appears to me designed to throw an impediment in the way of the “slaves receiving instruction, under colour of a desire to meet the wishes “or rather comply with the commands, of his majesty's government.”

The pass, Which he thus endeavours to represent as a crafty invention of the government, he was at the same time well aware is the common law of the land. No negro could, at any time, leave his estate without a pass from the manager, wherever he might be going to;

the law is, I believe, nearly co-existent with the colony, and every day's experience shows us that it is still in full vigour.

The pass was required not to permit them to go to chapel, but to protect them on the road, that they might not be taken up as runaways. Some days after this was published, Isaac, of Triumph, went to the Prisoner, as he states in his Journal, to ask him if the governor's new law forbid the negroes meeting on the estates to which they belong, for the purpose of learning the catechism. Their managers, he said, had threatened 161 to punish them if they held any meeting. The Prisoner says, “I “informed him that the law gave the manager no such power, and that “it had nothing to do with that subject; still I advised them to give it “up, rather than give offence, and be punished.”

Look, I beg you, gentlemen, at the plain words of Lord Liverpool's letter, and can any thing be more explicit; he says:—

“It must, in the first place, be understood, that no limitation or restraint “can be enforced upon the right of instruction and of preaching “on particular estates, provided the meetings for this purpose take place “upon the estate, and with consent and approbation of the proprietor “or overseer of such estate.” Yet the Prisoner would hold out to the slaves that this was not the law; that they had a right to meet when they chose, without asking any one's leave; a right, by the bye, neither their masters here, nor their masters in England, possess. Was this not in the same spirit as his other lessons on their persecuted state? Was it not telling them that their masters break through the laws, and oppress them in violation of all justice. He further accuses his excellency the lieutenant-governor, in express terms, of setting his face against moral and religious improvement of the slaves, and of being desirous of perpetuating the *present* cruel system.

I cannot help remarking here, the word on which the emphasis is directed to be laid, in the passage just read—“ the present cruel system.” A casual reader might perhaps think the word *cruel* the strongest in the sentence; but this is not what is meant—the emphatic

word is *present* —the *present* system, in contradistinction to that which is to be. The same idea seems to have dictated the passage in the Journal of July 7th, 1823, where he says, that Mr. Elliott told him he had met with opposition, as to having night-meetings of the negroes on the west coast; and he then makes this reflection, “It will be so, long as the *present* system prevails “or exists.” What the word system means, may be gathered from the next passage, of the 15th July, one month before the revolt. There, speaking of Mr. Hamilton's remark on what he terms Mr. Canning's project, and his opinion that it would not be carried into effect, he says, “In this I agree with him, the rigors of negro-slavery can never be mitigated; the system must be abolished.” Sentiments of much the same kind the Prisoner has avowed openly. In the conversation with M'Watt and Bond, he spoke of the slaves as being cruelly treated; that they would do as well without whites; that they would not better their condition till something took place, such as had been done in St. Domingo. Bond replied, would you wish to see such scenes here as had taken place there? he said, that would be prevented by two or three missionaries.

There is a strange coincidence between the last remark, respecting the missionaries, and the boast of the Prisoner in his defence,—that in the course of this revolt the baptized negroes had shed no blood. I am aware the fact is really otherwise, but I now allude to his statement of it. The treatment of the slaves, as represented by the Prisoner, I cannot now notice; but I must observe a passage in his journal, relative to this, and which shows that the Prisoner was well aware of the tendency of his own instructions.

He says, that it is a common though most false notion, that the negroes must be kept in a state of brutal ignorance; were the slaves X 162 generally enlightened, they must, and would be better treated. This remark is made by him, on his not being permitted to erect another chapel, and thus enlarge his sphere, and spread his doctrines over a wider surface.

But he speaks out still more plainly in another passage, on the same subject; when, after a sufficient quantum of abuse on the governor about this second chapel, he thinks

of applying to his brother-missionaries to aid him; but he subjoins, “fortunately for the colony, though unfortunately “for the cause of religion, and just rights, the governor and “Court have bought them, the one for 100f. and the other for 1200 *joes* “per annum.” What comment could heighten the force of this passage? What could more plainly point out his own conviction, that the interests of the colony were incompatible with the promulgation of his doctrine— with the religion he taught, and the rights which he declared to be justly due to the negroes?

And, gentlemen, the full, the fatal confirmation of this we have seen. We have beheld effects which I can attribute to no other source. Of all The negro-population of this extensive colony, there are, perhaps, none who have fewer difficulties to contend with, than the negroes of the east coast; there are but few sugar-estates there, comparatively speaking, the greater part being in cotton. With all these advantages in their favour, we find, that, on the 18th August last, they rose in arms against their masters, and broke out into open rebellion. This rebellion commenced at Le Resouvenir, the residence of the Prisoner, and Success, the next estate to windward; it spread up the coast for several miles, and down nearly to town; but it was confined entirely to the east coast, and to that part of the coast; it stopped on this side of Mahaica.

To assign, as has been attempted, the late instructions from home as the sole cause of this revolt, will never bring us to the point. This is assigning a general cause for the production of a particular effect on a particular body of men. A general cause will produce a general effect; the same in all, unless there be some circumstances in the particular body of men, different from these of the rest of the community. And, therefore, if this were the proximate cause which operated on the minds of these men, there must have been something in the state of their minds very, different from that of their fellow-colonists.

Their minds must have been predisposed—they must have been ripe for rebellion before; and, therefore, the assigning this general cause only carries us a step back, but does not assist us in explaining the problem.

If we enquire who were the rebels, we find that the principal leaders were, as nearly as I can gather from the evidence, Quamina and Jack of Success; Joseph and Telemachus of Batchelor's Adventure; Jack of Vigilance; Sandy of Nonpareil; Paul of Friendship; and Paris of Good Hope; all (save this last Paris) deacons, members, teachers, and attendants of Bethel chapel. If we carry this investigation further, we find that the congregation of Bethel chapel, previous to the revolt, went together to the middle walk of Success, and there laid their last and final plans for this rebellion; and that they were all, more or less, implicated in it. We find that plantation Success was the head-quarters of this rebellion; the estate, of which almost all the negroes attended Bethel chapel, We find, by the letter of Jack Gladstone, that all the 163 brothers of Bethel chapel were engaged in it—in fine, go which way we will, we are brought up at last with Bethel chapel. This is almost the only bond of connexion to be traced amongst the leaders of this rebellion, their being attendants of Bethel chapel. It is a staggering fact—but it is a fact proved beyond the possibility of a doubt: and these leaders—who are they? the principal tradesmen on these estates; men in the confidence and favour of their masters, who knew the hardships of slavery only by name. Be the proximate cause what it may, there must have been some predisposing cause, operating on the members of Bethel chapel—something operating on them which did not operate on the negroes of the other coast.

The Prisoner does not deny the fact of the attendants at Bethel chapel being deeply involved in it—on the contrary, he admits it in his defence, and in what he stated to Lieutenant Nurse.

But his answer to this embraces, in fact, the chief scope of his defence, which is to show, that his doctrines tended to make the negroes more obedient; that the negroes had long been discontented, and that this discontent arose from the treatment of their masters.

On the first of these points he adduces one planter, Mr. Van Cooten, who says, he thinks his negroes have been rather more obedient since they attended chapel than before; and, gentlemen, this opinion of Mr. Van Cooten is the only evidence he has produced in his

favour from amongst all the planters on the coast. Mr. Stewart sees no difference between the attendants on Bethel chapel and the rest of the gang; some were insolent, but the majority were obedient.

The evidence of Mr. Stewart goes much further, however, on the other side. What descriptions of some of these attendants at chapel—Jack and George—Ben, &c.; then the long list of Success negroes who have been tried for being engaged in this rebellion, who, though they were not a part of his baptized congregation, yet attended his chapel.

Mary Chisholm, who sometimes attended morning-service, and sometimes when she was there, listened to the prayers of the deacons, had no fear that what the Prisoner taught would make her negroes dissatisfied with her as their mistress; and she states, that the Prisoner made some moral and religious comments on passages in the history of David and Ahab.

From the manner in which this witness gave her testimony, and the inconsistencies as to what she saw at chapel on the 17th, it may, perhaps, not be necessary to notice her statement; but it seems to make little difference any way.

The same kind of testimony as to the Prisoner's doctrines is given by Bill, and Mars, and Jason; but the only one who speaks positively as to any good advice being given to him in a particular case, is Phillip; and if we are to exclude all evidence older than three years, this witness is inadmissible; as the fact to which he speaks happened five years ago. But I do not wish to deprive the Prisoner of one particle of evidence which he can adduce in his favor. There is something not very clear in this witness's statement about his master's buying him at the Kitty Vendue, and this master afterwards turns out to be Miss Mary Lennox. He says, he had too much work to do, and yet that he had time to work X 2 164 for himself; and that he actually, from the profits of his labour during this time, purchased his freedom.

These, of the whole of his congregation, are the witnesses whom the Prisoner has produced, to speak as to the purity of his doctrines; and, amongst these, is only one man who says, that in a special case the Prisoner gave him good advice. The Prisoner complains of the scantiness of the evidence for the prosecution; but what is to be said to the evidence in his favour? I might safely admit the whole of the above testimony; and what, I would ask, would it weigh against the facts proved?

It is not his sometimes preaching doctrines of obedience in the abstract, that can protect the Prisoner from the punishment due to his inculcating, at other times, the doctrine of disobedience. In one word, the Prisoner is not called on to show that he was sometimes innocent, but he must prove that he was never guilty. The Prisoner seems to rely much on Mr. Austin's testimony as to what the negroes said during the revolt; but what does the same witness state to be their feelings at a calmer moment, after the revolt, when they had leisure to reflect? why, that they imputed their misfortunes to the doctrines they had heard at Bethel chapel.

The next point relates to the negroes being in a state of great dissatisfaction. The Prisoner has declared, over and over again, he was aware of this. Does this diminish his guilt? on the contrary, it increases it an hundred-fold. The more dissatisfied the negroes were, the more caution he was bound to use. He must have known, that their minds, in that state of irritation, would be more easily affected; that a word, which, at other times would pass by unheeded, might, in such a situation, produce the most fatal consequences. On this principle, even could the Prisoner establish the third point, which he insinuates rather than attempts to prove, namely, that the discontent arose from their treatment, it would not benefit him; for he is not charged with being the sole head and origin of the revolt.

That charge, whatever might be my own conviction on the subject, it would be impossible to prove under any circumstances; all that he is charged with is exciting discontent in the minds of the negroes, as far as in him lay. He is not cleared because others did wrong;

and he must show, that whatever others may have done, he, at least, had no part or share in the transaction.

The Prisoner is to exculpate himself, and surely cannot do this, by pleading that there were others guilty besides him.

I am far, very far, from throwing out any insinuation against the planters, but I feel that I have in this trial nothing to do with their cause. The point at issue is the innocence or guilt of the Prisoner, and with that alone have I to deal.

Thus far, however, I may go, and observe that there is great inconsistency in the defence of the Prisoner; in one part he describes the negroes as the most oppressed and persecuted of human beings, who have not, in the cotton crop, fifteen minutes in the whole day to eat their food; none to cook it, and are, in fact, obliged to eat raw yellow plantains; and all this time they are constantly flogged. At the same time, gentlemen, it 165 has been proved, that these negroes, aye, even the field-negroes, can afford to make presents to him, raise money to pay the expences; nay, more—the repairs of the chapel—to buy books at an advance of 66 per cent. on the original cost in England, and to contribute to the Missionary Society, to further the propagation of the gospel in other countries. How these miserable beings contrive this, passes my comprehension. In much the same style the Prisoner accuses the planters of opposing religion, and preventing the negroes attending chapel. Yet the Prisoner hands over to you a host of passes from these planters to their negroes, to have them baptized; and he tells you, and proves it, that though his chapel had been enlarged, yet it could not contain all the congregation, and that numbers were obliged to remain outside every Sunday.

I suppose it is to this part of the subject, that Col. Leahy's testimony is meant to apply; but as Col. Leahy only speaks of what the negroes told him, it leaves the matter where it was. The same remarks may perhaps apply to what Mr. Austin relates; but were it otherwise, that witness proves at the best only this, that the planters did not wish their negroes to

attend Bethel chapel, but that they did not prevent them attending the clergyman of the established church.

They had, in the character of these clergymen, and of their situation, a guarantee against any improper doctrines being taught.

The Prisoner, however, has himself proved, that not only were complaints made against him individually, but that the complaints were of such a nature, and of such weight, as to induce the governor to withhold the permission which he sought, to erect another chapel; the Prisoner's attempt to prove, by John Davies, that Mr. Cort said he would not grant the Prisoner license to preach on his estate, is, perhaps, wholly unworthy of reply. The Prisoner summoned Mr. Cort as a witness, but he would not examine him; the reason is obvious; either the thing was not so, or, if it was, Mr. Cort could have given good reasons for his refusal. The same thing precisely took place with regard to Mr. Hopkinson, and serves to show, to what a strange mode of proceeding the Prisoner was obliged to have recourse; at all events, Mr. Austin has himself proved, that, whatever might have been the complaints, this particular one about attending Bethel chapel, was removed previous to the revolt.

Not to detain the Court longer on this branch of the subject, as to the doctrines of Bethel chapel, I shall make but one remark more. The Prisoner asserts, that he made it a rule to admit no negroes to his chapel or baptism, unless recommended by their masters as good and obedient servants. If these negroes were obedient when they first went to listen to his doctrines, and these same men afterwards rose in rebellion against their masters, what must we think of the doctrines which have been preached to them.

On the subject of the instructions from home regarding the slaves, and to which, as to the proximate cause, this revolt has been ascribed, how did these first become known to the negroes? It is proved in evidence, and admitted by the Prisoner, that Mr. Stewart heard from the Prisoner, early in the month of August, of Quamina being acquainted with these

instructions. The Prisoner states, that Quamina had come to him to ask him about them, and he told him what they were. The Prisoner is pressed to point out who first mentioned it to Quamina, and 166 he evades this by saying, he did not wish to criminate any one; this is too flimsy a pretext to deceive the most unthinking: and if the Prisoner assigns the knowledge the negroes had of these instructions as the cause of the revolt, it was at least incumbent on him to shew, that he was not the person who first gave them that knowledge or information; at present, the credit of doing so rests with him; all efforts to trace it further back are unavailing.

I have now, gentlemen, gone through the principal points, I believe, of the evidence, more peculiarly belonging to the first charges; I say more peculiarly, for the whole of the evidence on all the charges seems to me to prove more or less the intention ascribed to the Prisoner.

In the first charge, the conduct of the Prisoner through the whole appears, from beginning to end, one consistent system, one uniform plan; and, therefore, in judging of intention it may be taken altogether; but the parts which I have thus far detailed, seem to form the ground-work of the first charge; and I beg leave, ere I proceed to the next charge, to bring before you, in one vein, the various points which I conceive already proved.

These are, that the Prisoner possessed great influence over his congregation; that he was ever ready to receive and listen to the complaints of the negroes; and frequently, in these cases, advised them to disobey and disregard their masters.

That he taught them to consider their masters hostile to religion, and exposed by their conduct to the indignation of the Almighty.

Which interference with the master, and which representation of him, inevitably tended to destroy all their confidence in him, and to degrade him in their eyes.

That, further, the negroes were taught by the Prisoner to look on themselves as persecuted for religion; that there existed great irritation and dissatisfaction amongst them, and that they murmured at not having a day to themselves.

That, though the Prisoner well knew that their minds were thus irritated, and though he was well aware that they would pervert, and take, as applicable to themselves, any passage which could at all be brought to bear on their situation as slaves, he yet read to them the history of the deliverance of the Israelites from Egypt, and of the wars of the Jews, and explained it to them in words most exactly fitting their own condition, that he led them, by example and precept, to treat lightly the orders of government.

Further, that rebellion did break out amongst the negroes on the 18th August; that the attendants at Bethel chapel were deeply implicated in this rebellion; and that, in fact, some of the principal men in that chapel were the leaders or head men in it.

Should these facts be proved, the first charge is clearly made out.

I shall now proceed to the next charges. In his defence, the Prisoner mixes up the 2d charge with the 3d and 4th; but these charges are perfectly independent of each other. To shorten the matter as much as possible, however, I shall go straight through with the facts of the case, in the order of time, up to the conclusion and close—the arrest of the Prisoner; and afterwards apply them to the charges to which they belong. By what has been already stated, and by the Journal of the 23d 167 May last, it appears that the Prisoner was well aware of the discontent amongst the negroes; and also of their being informed of the arrival of the late instructions, if, indeed, he did not himself make the first communication on this head to Quamina.

It will be proper to bear these circumstances in mind, in examining the evidence on these charges; Manuel states, that on Sunday the 3d, which he had mistaken for the 10th of August, Quamina and he went to the Prisoner in his room up-stairs, where the

conversation which he then details took place. There is an accidental confirmation of the testimony of this witness, which deserves to be marked. The commencement of the conversation refers to Mr. Cort and Mr. Stewart's interview with the Prisoner, and is most fully corroborated by Mr. Stewart's own statement of that conversation. Where did Manuel learn what passed at this conversation, if not, as he states, from the Prisoner himself? Manuel, after mentioning this and some other points of minor importance about the paper, as he terms it, goes on to say, that Quamina begged the Prisoner to take Jack and Joseph and talk to them, as they wanted to make trouble about this paper; they wanted to make a push for it. That the Prisoner agreed to do so; and he declares that, after church, he saw the Prisoner take these two men aside and converse with them, namely, Jack of Success, and Joseph of Bachelor's Adventure, two noted ring-leaders in the revolt.

This conversation the Prisoner denies; but the only disproval attempted is, that he was engaged that very day from seven to past four o'clock, and therefore it could not have taken place. Even in trying to prove this defence, weak as it is, he has failed completely; and, had he proved it, there was still time enough in the day for such a conversation to have taken place.

There was no attempt to show that Manuel had not been there. As to Manuel's not finding water in the kitchen, it is unworthy of an answer.

We now come to Sunday the 17th. On this day there was a much larger congregation than usual; at least, if we are to believe the witnesses for the prosecution, together with Jason and Mary Chisholm of the defence, in preference to Charlotte, Mars, and London.

The text which the Prisoner preached from on that day, beginning at the 41st verse of the 19th chap. of Luke, he admits was a text so liable to be interpreted against him, that he argues, from this very circumstance, his ignorance of the intended revolt. Certainly, if it was by pure accident that he was led to choose a text so appropriate to the occasion, it was, to say the least of it, a most extraordinary circumstance; but when all that the

Prisoner admits, he knew of the state of the negroes' minds, and also the positive information he had already received of this intended rebellion are considered, I may be permitted to doubt this explanation of the fact.

With regard to what took place after church on this day, there is a great deal urged by the Prisoner respecting the contradictions of the witnesses on both sides, as to the time when the negroes went to the Prisoner's house; some saying they went straight from chapel, others, they went first to the middle walk of Success.

The witnesses for the prosecution may be easily reconciled with each other; the negroes coming out from chapel went across the middle walk 168 of Le Resouvenir in crowds, or in a body, to the middle walk of Success; they talked of this matter as they went along; and it is very probable that Manuel had not got out of the middle walk of Le Resouvenir, when he advised Bristol to go and speak to Mr. Smith; this simple explanation would remove the only difference between him and Bristol.

It is indeed precisely what Bristol says, and accords exactly with Seaton, who declares that Bristol did not go to the middle walk of Success; and further, that after he had heard a few words of what the Prisoner said about the paper from home, he was told by Quamina to go to the middle walk of Success, and stop the people there; that he went away, and overtook Manuel on the road to the middle walk of Success. This statement also is the one adopted by the Prisoner in his defence; that he found Bristol talking to Mrs. Smith about his little girl, and the rest of the negroes called in to bid him good-bye before they went away; his witness, Charlotte, supports this; but Peter, Shute, and Mary Chisholm deny it; but how far Mary Chisholm could see, may perhaps be doubted; and Shute is evidently wrong in his statement, for he says, he was at the middle path; and yet Quamina, who was at the middle path also, sent Bristol to come and call him and Peter, in order that they might go to the Prisoner's together.

This is in direct contradiction to the Prisoner's own statement. The testimony of Bristol seems therefore to be the most accurate, and indeed agrees best, as I observed, with the Prisoner's own account of this transaction; nor is it contradicted by any but Shute and Manuel, the former of whom is liable to great objections, and the latter easily explained. The distance of the chapel from the meeting, I may remark, was not five minutes' walk. The substance of this communication, as detailed by Bristol, is, that they plainly told the Prisoner, they intended to take their freedom by force; that the Prisoner asked them how they intended to do it, and observed that the soldiers were too strong for them; and what would they do with the whites? They answered, they would drive them to town. He told them they would not go, and the soldiers would drive them back, and, therefore, they must not do so; they, especially the christians, must have nothing to do with it. Peter states it thus; Quamina told the Prisoner they would drive all the managers of the estates to town to the courts, to see what was the best thing they could obtain for the slaves; the Prisoner said, that was foolish, how will you be able to drive the whites to town? and added, there was a good law now making for them, and they would lose it if they behaved so; and said, Quamina, don't bring yourself into any disgrace; to which Quamina answered, yes, sir.

Shute does not go so much into detail even as Peter, though to the same effect; but says, Quamina's answer was, I will see.

The statement of Bristol is more extended than those of Shute and Peter, the Prisoner's witnesses; but these witnesses all agree as to the main point, namely, their declaring to the Prisoner their intention of driving the whites to town; and if this be the only thing admitted as proved, it is quite enough for the charges which have been preferred against the Prisoner.

If all that Bristol stated about the soldiers be struck out, what remains is ample proof of the Prisoner's guilt; at the same time, the evidence 169 of Bristol seems to me the most to be relied on, from many other parts of the evidence, and from his intelligence, which was doubtless the cause of his being raised to the post of deacon; the points at variance

between the witnesses, on which almost the whole of the Prisoner's summing up turns, are of little consequence; the testimony of the negroes may not agree in the insignificant parts, but it is on all essential points the same in substance.

The disagreement, indeed, only removes all suspicion of collusion among the witnesses.

The Prisoner attacks, however, the competency of negroes to give testimony at all; and seems to argue that negroes are not admitted as evidence in our ordinary Courts here. But, gentlemen, this is contrary to the fact; and, had he thought proper to raise an objection to them at the commencement of this trial, I could have brought you the decisions of the court of justice of the colony, to show that white and free criminals have been tried and convicted on negro evidence; but the objection comes too late, and it comes with an especial bad grace from the Prisoner, who rests his own innocence principally on the testimony of these people.

His arguments, against their credibility, founded on their want of memory, are at once rebutted by the tales which they have told you from the Bible; this correctness, as to the substance of the tale, in men who cannot read, totally disproves the Prisoner's assertion. Mr. Van Cooten, though the Prisoner rests much on his testimony, gives merely his opinion on this point; and even, he says, negroes may remember a short discourse; but you, gentlemen, have yourselves seen, that they can remember a good deal more; and if the Prisoner's statement be correct, that he never read the chapters to them twice, and that it is two years since he explained the history of Moses, their memories surely cannot be called in question. I might further remark, that the Prisoner formerly held these men, whose memory and whose veracity he now so violently impeaches, in a very different light. He entrusted Bristol with the examination of the candidates for baptism; with preparing them for admission to the Lord's table, instructing them in all their duties, and he now wishes to say, that Bristol is not to be believed on oath. He tells you in one part of his defence, that the negroes have no such love for truth and justice as would induce them to tell the truth on oath; and a few pages after he most inconsistently lauds them for the love

of religion; a love so strongly implanted in them, that the power of man will not be able to eradicate it; and, he avers, that in the midst of the revolt, and whilst they were in arms, this sense of religion governed their conduct and restrained them from shedding blood. Surely these inconsistencies are much greater than those with which the negroes' evidence is charged. But the Prisoner himself admits, in his defence, that they did say something about their sending their managers to town; let it be considered that this conversation, according to the evidence of his own witnesses, Shute and Peter, if they are to be taken in preference to Bristol, was after they had been at the middle walk of Success, settling their plans, and then is it likely they should use the phrase of sending their managers to town, especially, as he himself says, they are more accustomed to the word Y 170 drive; but, even if they had used only the words which the Prisoner says, were they not sufficiently indicative of their evil intent? But, furthermore, gentlemen, that the communication of the negroes was so plain and open as to distinctly show him there was some plan on foot, we have his own admission in his letter to Jacky Reed, a point which he has carefully avoided touching on in his defence, as tending to show his knowledge on the 17th. This letter, were further proof required, demonstrates the positive knowledge of some scheme being in agitation; and, therefore, does away with the ignorance which the Prisoner now affects. There is no evading, no getting rid of this, and it carries back his knowledge to the 17th;—“I learned yesterday there was some scheme in agitation.” All the witnesses, who speak to this point, declare, that they went to the Prisoner for the express purpose of telling him what they were going to do. And is it credible that they would walk to his house with this very intent, and then not tell him what they meant to do? He says, it is not probable Quamina should tell me of a revolt in the presence of four men; but these four men went with Quamina, as his own witnesses say, for this express purpose, and would their presence then deter him from speaking out? This, however, was not the only interview he had this day with Quamina. Seaton states positively, that he returned after the meeting in Success middle-walk had finally broken up, to Le Resouvenir with Quamina, whom he saw go into the Prisoner's house; he, Seaton, went into the negro-yard, about some corn, which a woman of the name of Asia had for him. The Prisoner brings against

this testimony not the evidence of Asia, who could at once have spoken to the fact, but the evidence of Charlotte and Mr. Hamilton. Charlotte, it seems, was about the house till past five o'clock, though she admits people might have come into the house without her seeing them. Mr. Hamilton proves, he met the Prisoner walking out at a quarter or half-past six; this does not touch Seaton, who states, that when Quamina came out of Mr. Smith's house he went to Success with him, and that they reached home just as the sun went down; this would leave the Prisoner time enough before he met Mr. Hamilton. We next find, that, on the morning of the 18th, the Prisoner comes to town in his chaise, that he passes the residence of the burgher-captain of his district; the quarters of colonel Leahy, and the garrison, and very near the residence of his excellency the governor, and that of his honor the president; that he repasses all these places, on his way out of town, and that he returns home without breathing a syllable of what he had heard. If he did not make the communication it certainly was not from want of opportunity. With regard to the proof of his knowledge on the 18th, the Prisoner feels himself so completely cut off from the possibility of denying it, that he has recourse to an evasion, which cannot serve him. He has objected to the admissibility of the evidence as to what took place on the 18th, as he says, the 3d charge limits the day to the 17th. In answer to which, I refer to Phillips' Law of Evidence, p. 229. “It “is a rule in pleading, that every material fact, which is issuable and “triable, must be averred to have happened at a certain time and “place. However, it will not generally be necessary to prove the time “precisely, as laid, unless that particular time is material. This is the “constant course of proceeding in criminal prosecutions, from the highest 171 “offence to the lowest. In high-treason, evidence may be given of an “overt-act either before or after the day specified in the indictment; “the particular day is not material in point of proof, and is merely “matter of form; objections of this kind, on behalf of the Prisoner, have “been repeatedly overruled;” and, it may be remarked, that if this is the practice of ordinary Courts, how much less reason to complain has the Prisoner, in a Court-martial, where he is allowed so many days to prepare his defence, after all the evidence has been gone through, and where, of course, he cannot be taken by surprise. This objection, therefore, cannot stand. The letters of Jackey Reed and

Jack Gladstone, which were given in evidence, were too explicit to be misunderstood. The Prisoner received these letters and returned an answer to Jackey Reed before six o'clock that evening, when the messenger Guildford got out of the estate the sun was just down. The letter of Jack Gladstone pointed the writer himself out as one of the principal men in the intended insurrection, and mentioned, that the brethren of Bethel chapel were all engaged in it. This man Jack was on the next estate to the Prisoner on the one side, and the burgher-captain was on the next estate on the other side. Besides which, there was the manager on the estate and two overseers close to him; he had a horse in his stable, as Elizabeth says, which Charlotte denies, asserting it was loose in the yard, a thing not very likely, as the Prisoner had a grass-cutter in his employ; he had, at all events, three servants in the yard; the grass cutter, Charlotte, and Elizabeth; and what does he do? does he make any attempt to secure the ringleader? or to give information, even to the manager, who was within a few roods of him? no; he was so much agitated that he went out to take a walk with his wife; and the only use he makes of these letters, the proofs of the conspirators' guilt, is to destroy them.

The revolt breaks out at about half-past six, as Hamilton states, or later, as the other witnesses say; but, up to the moment of its actually breaking out, the Prisoner never gave, to any human being, the slightest hint which might put him only his guard.

He attributes this all to his agitation; yet, he was so far composed, as to write a most cautious and guarded answer to Jackey Reed.

Cautious as this answer is, and much as the Prisoner talks of his readiness to give information, do we find that he here tells Jackey to warn his master of what was to happen? not a hint of such a thing. Would it have escaped the attention of any well-meaning man to have directed Jackey to go and tell his master immediately of this plot, and put the whites around on their guard? but he is totally silent on this head.

The more this letter is considered, the more clear does the Prisoner's connection with this revolt appear; the more evident is his determination not to give information on the subject, which may lead to the discovery of it; nor even in his letter to Jacky Reed does he call on him to suppress it.

It is a strange fact, that the Prisoner seems to have taken a resolution to this effect long before. I refer to his Journal, where he says, “Having “just finished reading Mr. Walker's Letters on the West Indies, I “have thought much of the treatment of the negroes, and, likewise, “the state of their minds. It appears to me very probable, that'ere long Y 2 172 “they will resent the injuries done to them. I should think it my duty “to state my opinion respecting this, to some of the rulers of the colony, “but am fearful, from the conduct of the fiscaal in this late affair of the “negroes being worked on a Sunday, that they would be more solicitous “to silence me, by requiring me to criminate some individual, than to “redress the wrongs done to the slaves, by diligently watching the conduct “of the planters themselves, and bringing them to justice, (without “the intervention of missionaries) when they detect such abuses of the “law as so frequently take place.” So that it is plain, he had even then made up his mind, that if any thing of the kind should take place, he would let it take its course, he would not warn the authorities.

The further proofs of the Prisoner's previous knowledge of the revolt are to be found in the testimony of John Bailey and John Aves.

The cross-examination of John Aves, has clearly established that there was no mistake between these two witnesses as to the Prisoner's having declared he knew of the revolt six weeks ago. Aves says, “he was walking “in and out of the room, and sometimes spoke to the Prisoner; that “Bailey was sitting down, carrying on a conversation with him,” which does away with all the Prisoner's remarks on the subject. It must strike every observer with the same surprise as it did John Bailey, that the Prisoner should be living on the estate, the only white there, except Mrs. Smith, perfectly unmolested, and, as he said, perfectly

secure; and the suspicion of Captain Simpson, that he must have been in collusion with the negroes, is the most natural inference to be drawn from such a circumstance.

But to go beyond suspicions, we find, by the testimony of Mitchell, collaterally strengthened by that of Doos, that, on the morning of the 19th, Quamina is traced to the Prisoner's yard. At this time, Doos and Mitchell prove, that the men of the estate had all left it, and there was the less probability of Mitchell mistaking some of them passing for Quamina.

The Prisoner has said, this witness is unworthy of credit; but, he has neither attempted to make good his assertion, nor to disprove, by the testimony of his servants, this visit of Quamina.

If his only reproach to the evidence of Mitchell be, that he expressed in his negro language his belief in a God above, the reproach is nothing. Peake, in his work on evidence, page 149, says, in a late case, Mr. Justice Buller would not suffer the particular opinions of a man professing the christian religion to be examined into, but made the only question whether he believed the sanction of an oath, the being of a deity, and a future state of rewards and punishments; but a person who has no idea of the being of a God, or a future state, is not admitted. Mitchell was, therefore, a perfectly competent witness. The next visit of Quamina to the Prisoner, on the night of the 20th August, is fully admitted by the Prisoner, and, therefore, it would be waste of time to go into proof of it; the only point of difference is, with regard to the shutting of the door. Antje (Ankey) declares it to have been shut as soon as Quamina went in. Elizabeth is brought to contradict this; she says, the back door was not shut; but, she admits, she did not see Quamina go in. She only saw him in the hall, and when he came out. The fact of the door having been shut rests, therefore, uncontradicted; for all 173 that can be said of Elizabeth's evidence is, that the door was afterwards opened; but when, or by whom, whether by accident or intention, does not appear.

This fact being so fully proved by the Prisoner, in order to defend himself from the consequences of it, starts the three following objections:

1st. “He says, it is not proved that Quamina was a rebel.”

2d. “That he had not any knowledge, at the time, of his being an “insurgent.”

3d. “Nor does it appear that I gave him any intelligence, or held “any such correspondence with him, as can subject me to punishment.”

On the first point, the Prisoner admits that the evidence has gone to shew that Quamina was engaged in the revolt; it has, indeed, gone thus far, and much further, for it is proved that he was a ringleader in the rebellion, and that he was shot, by an expedition sent into the Bush in pursuit of him, with a promise of a reward of 1000 f. for his capture.

It is true, the shooting of him was, of course, subsequent to his interview with the Prisoner, and this part of the proof does not apply there; but, it alone answers all the arguments of the Prisoner, on the subject of the necessity of Quamina's being tried and convicted, before he, the Prisoner, can be punished for holding correspondence with him; for, Sir W. Blackstone, in his Commentaries, Book 4, c. 3, and c. 25, in treating of this law, as regards the trial of an accessary, points out the reason of the law to be the fear of contradiction, if the accessary were condemned to-day, and the principal acquitted tomorrow; but, he adds, by Statute of 1 Ann. c. 29: “if the principal be once convicted, and, before “attainder, delivered by pardon, the benefit of clergy, or otherwise; or “if the principal stands mute, or challenges, peremptorily, above the “legal number of jurors, so as never to be convicted at all, in any of “the cases, in which no subsequent trial can be had of the principal, “the accessary may be proceeded against as if the principal felon had “been attainted, for there is no danger of future contradiction.”

It has been proved, that Quamina was shot in open rebellion; that he is now hung in chains in Success middle-walk; and, that he declared he would never be taken alive; and can the

guilty escape, who aided him in his rebellion, because he, Quamina, was so bold a traitor as to persevere, in his desperate career, even unto death?

On the second point, of his not knowing Quamina to be a rebel.

If you, gentlemen, are to believe the conversation between the Prisoner and the negroes, on the Sunday, there can be no doubt of the Prisoner's knowledge of Quamina being engaged in this revolt; and, I beg it may be observed, that, though he says that he did not conceive that to be his meaning at the time, yet, he admits, Jackey Reed's letter opened his eyes on this point; and, therefore, he, at all events, must have been perfectly well aware of Quamina's guilt on Monday night. Besides, the rebellion, on the same Monday night, must have surely rendered it impossible for him to doubt on this point any longer. He himself tells Bailey, that the negroes were all in rebellion around him. But, besides this, Kitty Stewart, on the very Wednesday night of Quamina's visit, runs away from Success, to the estate where the Prisoner lived, and comes to the Prisoner to beg for protection, and to be allowed 174 to remain in his house, as all the negroes of Success were in a state of rebellion.

Look then at the anxiety of Mrs. Smith to get this woman out of the way, so that she might not see Quamina. The shutting of the door, after he went in, and the threat of punishment to Elizabeth if she told any one of his having been there.

The Prisoner says, these were the acts of Mrs. Smith, and do not touch him, and that he did not send for Quamina; but, if he did not send for Quamina, it was, at all events, in unison with his wish, as is proved by Romeo. An attempt has been made to invalidate Romeo's testimony, by proving that there was no noise on the estate on Tuesday evening; but this is beside the question, for the witness meant to describe the revolt, when he spoke of the noise among the negroes.

The third objection, viz. as to the kind of correspondence he had with Quamina, applies only to the second charge, and not to the fourth.

As to the precise words which at this time passed between the Prisoner and the rebel Quamina, that I cannot undertake to prove, nor indeed is it at all necessary; the friendly nature of the interview is shewn by the effect of Quamina's coming out of the Prisoner's house with a bottle of porter, which he had not when he went in: it was most probably this bottle, tied in a handkerchief, and slung at the end of his stick, that Elizabeth meant when she said he had a bundle over his shoulder. After half-an-hour's conversation at the very least, Quamina departs without let or molestation; nor did the Prisoner attempt, either before or after his departure, to give to the authorities any information as to this visit; he cannot plead the difficulty of making the communication as an excuse for his silence the next day, for on that day he saw Lieutenant Nurse at his own house, with a strong escort of soldiers, sufficient to take him to the post at Felicity; but he never hints at any thing of Quamina's visit; nor can it be passed over in silence, that the Prisoner, during this revolt, remained quietly seated in his house, and that no negro ever came near him, to offer him any insult, or to touch his property; that every other white person, within the reach of the rebels, along the coast, was treated with indignity, or forced to fly, except where protected by the soldiery.

The Prisoner, indeed, asserts, that this insurrection had been unlike any other that ever took place, either here or in Barbadoes, &c., and marked by a spirit of mildness and religion; hut in the revolt of Barbadoes, there was only one white man killed; and against this, what a frightful set-off does the insurrection here furnish; the violent assaults at Golden Grove, and elsewhere, in which many of the whites were wounded, and, above all, the murders at Nabacles; these murders took place in the presence of the very Sandy who was one of them that said “we will not take life, because we cannot give it;” and who, by his own confession, shot a negro boy; nor do I believe, that any one act of violence was committed, at which the christian leaders were not present.

In his defence, on these charges, the Prisoner avers that the negroes did not enter into a full detail of time, place, and circumstance, and, therefore, that he could not be said to have any knowledge; what he heard could excite nothing but suspicion, which suspicion he was not bound to communicate; that all persons in the colony had at that time suspicions as to the state of the negroes; the first part of this reasoning 175 merits no reply; for the communication of the intention to drive the managers to town, which all the witnesses agree in saying was made, gave the Prisoner the knowledge of the fact, and if all men's suspicions were at that time awake, ought he not to have treated this communication with more attention than if made at the time when he had no previous suspicion, otherwise the effect of suspicion must be to throw a man off his guard.

In his observations on the evidence of Aves and Bailey, he asks, does the word *know* necessarily imply knowledge, derived upon information or participation; does it not imply an opinion founded on certain data? This question answers itself; but he says, this evidence cannot affect me, for it goes to prove me to have known of the revolt six weeks before, whereas that revolt was not planned till the day preceding. The evidence of the negroes shows the revolt was planned previous even to the six weeks; the minute details may not have been told to the common people, till Sunday the 17th.

The Prisoner goes on to attempt to show that the revolt was to be expected from a variety of circumstances, and to defend himself, charges the authorities with being aware of the bad state of the negroes' minds.

Admitting, for the sake of argument, that the authorities had reason to believe the negroes were dissatisfied; does this excuse the Prisoner for not communicating to them his positive knowledge, that a rebellion was actually about to break out?

With regard to the information conveyed by Jackey's letter, the Prisoner says, admitting this, what further crime did I commit than Captain M'Turk, and others, who knew it at an earlier hour. The crime does not consist in the knowledge of the revolt, but in the

concealment of that knowledge; had he done what Captain M'Turk and the others did; had he given information, had he prepared to suppress it, he would have then stood on a more equal footing with them; but, instead of that, he never gives any warning to a human being; he writes to a negro on the subject, and never tells him to use his efforts in putting a stop to it, or to discover it to his master; and he destroys the strongest proof of the guilt of the ring-leaders; was this the conduct of Captain M'Turk?

What he asserts of Capt. Spencer and others not believing it, is not proved; if it were, it would only go to show how much less certain their knowledge was than his, who held in his hand a written declaration of the intention to revolt.

Independent, then, of what the Prisoner himself confessed, to Bailey and Aves, it has, I think, been shown that he, the Prisoner, came to the knowledge of the intended revolt amongst the negroes on the 10th of August; that he received on this subject further information on the 17th of August.

That before six o'clock in the evening of the 18th August, he had in his possession a letter from one of the ringleaders, stating the time and place, when and where the revolt was to commence; and that he never gave any information thereof to the proper authorities.

Any one of these facts being proved, establishes the 3d charge, which is confined to the mere previous knowledge.

The 4th charge is satisfied by proving the bare circumstance of his being in presence of Quamina, at his house, on the 19th and 20th August, 176 and the friendly communication which he held with him at that time, together with the interview on the 10th and 17th August, make out the second charge.

As, in going through the defence, I omitted one or two points, it is necessary for me to notice them 'ere I conclude, though, perhaps, this may not be the most proper place. On the subject of the Journal, the Prisoner dilates in many parts of his defence. He admits

it was intended for the Missionary Society, and the instructions which have been read to you, gentlemen, direct his keeping such a Journal. He admits, further, that he has sent extracts from it home; but states, that for some time past he has kept it for his private use. Whatever credence may be given to the latter part of this statement, it can have no effect on the extracts of the Journal which have been referred to in evidence, for these prove clear and distinct facts on the admission of the Prisoner himself. That some of the Prisoner's opinions have been mingled up with these facts, so that in quoting the one the other came out; and that these opinions have been invariably hostile to government and the due subordination and peace of society, is the fault not of the prosecutor but of the Prisoner. The Prisoner has himself, however, cited his opinions in the Journal in his defence, and nothing further need be said on this subject. In his reply to the first charge, the Prisoner sets out by avowing his aversion to slavery, whether it be well or ill founded; whether his opinion on this head be true or false, is not the question; but it seems to me, that no man has a right to publish sentiments which can only lead to the subversion of the society in which he lives.

The remarks on Dr. M'Turk's evidence were answered in their proper place; but the Prisoner urges two objections against this evidence altogether, which have been omitted: —first, that it cannot be received under any of the charges:—second, that it relates to matter more than three years ago, and is barred by the 158th section of the Mutiny Act.

It may be very convenient for the Prisoner to get rid of all evidence that affects his character, or that goes to show he was a bad subject, that he possessed great influence over the negroes, and determined to use that influence in defiance of the constituted authorities; but if evidence, such as this, be not admitted, how can any man be convicted of the crime here charged?

The 158th section of the Mutiny Act has, as far as I can see, nothing to do with the question. It declares, that the specific act for which a man is tried must have taken place within the three last preceding years; but it does not prohibit evidence, tending to establish

the crime, being adduced, though of a date antecedent to that. It, in fact, never hints at fixing any period as to the admissibility of evidence. Supposing a man had been for ten years gradually sapping the principles of the soldiers, with intent to excite them to mutiny, and that such mutiny had, at length, broken out in the year 1820 for instance, I should suppose he could plead this section of the Act, if tried for that specific mutiny in the year 1824—but if brought to trial within the three years, can there be any doubt of the admissibility of evidence to prove the system on which he had been acting, though that evidence went back to the very commencement of his seditious practices ten years before? The Prisoner proceeds to animadvert on Dr. M'Turk's conduct in arresting him: he says, that he was 177 not required as a soldier, and Dr. M'Turk's order was a mere pretence. To support this, he has produced captain Simpson, who says, the ground of his arrest was, that he looked on the Prisoner's remaining on the estate, alone, as a very suspicious circumstance; supposing, then, that Dr. M'Turk did not require him as a soldier, taking his own version of it, what does he make of it after all? why, that Dr. M'Turk, who, in such times had full power to arrest all suspicious characters, did not wish to use any harshness which could possibly be avoided; and chose rather to remove the Prisoner, by gentle means, without hurting his feelings, to a place of security, than to do this by a direct arrest. It was not his wish to arrest him; on the contrary, he wished to avoid it. Supposing this, does it discredit Dr. M'Turk.

I have now, gentlemen, gone through what occurred to me as the principal parts of this most important trial. No one can be more sensible than myself of the inefficient manner in which this task has been executed. But, gentlemen, I throw myself on your candour, and freely acknowledge all its defects. I have only to thank you, as I do most heartily, for the great indulgence you have shown me during these proceedings. I shall not detain you longer, but commit at once the case into your hands, fully convinced, that whether your decision be the acquittal or condemnation of the Prisoner, it will do ample justice between the parties at your bar.

(Signed) J. L. Smith, Jun.

TWENTY-EIGHTH DAY, 24 th NOVEMBER, 1823.

The Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charges preferred against the Prisoner, John Smith, as well as the statements made by him in his defence, and the evidence thereon; with respect to the first charge, to wit, “For that he, the said John Smith, long previous to and up to the “time of a certain revolt and rebellion which broke out in this colony on “or about the 18th of August, now last past, did promote, as far as in him “lay, discontent and dissatisfaction in the minds of the negro-slaves “towards their lawful masters, managers, and overseers, he, the said John “Smith, thereby intending to excite the said negroes to break out in such “open revolt and rebellion against the authority of their lawful masters, “managers, and overseers, contrary to his allegiance and against the “peace of our Sovereign Lord the King, his crown and dignity,” Is of opinion, that he, the Prisoner, John Smith, is guilty of thus much thereof, to wit, “For that he, the said John Smith, long previous to and up to “the time of a certain revolt and rebellion, which broke out in this colony “on or about the 18th of August now last past, did promote discontent “and dissatisfaction in the minds of the negro-slaves towards their lawful “masters, managers, and overseers;” but acquits him of the remainder of the said charge, for want of sufficient proof in support thereof.

With respect to the second charge, namely, “For that he, the said “John Smith, having, about the 17th day of August last, and on divers “other days and times theretofore preceding, advised, consulted, and corresponded “with a certain negro named Quamina, touching and concerning “a certain intended revolt and rebellion of the negro-slaves within these Z 178 “colonies of Demerara and Essequibo; and, further, after such revolt and “rebellion had actually commenced, and was in a course of prosecution, “he, the said John Smith, did further aid and assist in such rebellion, by “advising, consulting, and corresponding touching the same, with the “said negro Quamina, to wit, on the 19th and 20th August last past, he, “the said John Smith, then well knowing such revolt and

rebellion to be “in progress, and the said negro Quamina to be an insurgent engaged “therein,” the Court is of opinion, that he, the Prisoner, John Smith, is guilty of so much thereof as follows, viz. “For that he, the said “John Smith, having, about the 17th day of August last, and on one day “theretofore preceding, advised, consulted, and corresponded with a “certain negro named Quamina, concerning and touching a certain “intended revolt and rebellion of the negro-slaves within these colonies “of Demerara and Essequibo; and, further, after such revolt and rebellion “had actually commenced, and was in a course of prosecution, he, the “said John Smith, did further aid and assist in such rebellion, by advising, “consulting, and corresponding, touching the same, with the said “negro Quamina, to wit, on the 20th August last past, he, the said John “Smith, then well knowing such revolt and rebellion to be in progress, “and the said negro Quamina to be an insurgent engaged therein;“and acquits him of the remainder of the said charge.

With respect to the third charge, “For that he, the said John Smith, “on the 17th August last past, and for a certain period of time thereto “preceding, having come to the knowledge of a certain revolt and rebellion “intended to take place within this colony, did not make known the same “to the proper authorities; which revolt and rebellion did subsequently “take place, to wit, on or about the 18th of August now last past;” the Court is of opinion that he, the Prisoner, John Smith, is guilty thereof.

With respect to the fourth charge, viz. “For that he, the said John “Smith, after such revolt and rebellion had taken place, and during the “existence thereof, to wit, on or about Tuesday and Wednesday the 19th “and 20th August now last past, was at plantation Le Resouvenir, in “presence of and held communication with Quamina, a negro of plantation “Success, he, the said John Smith, then well knowing the said Quamina “to be an insurgent engaged therein; and that he, the said John Smith, “did not use his utmost endeavours to suppress the same, by securing or “detaining the said insurgent Quamina as a prisoner, or by giving information “to the proper authorities or otherwise; but, on the contrary, permitted “the said insurgent Quamina to go at large, and depart without “attempting to seize and detain him, and without giving any information “respecting him to

the proper authorities, against the peace of our Sovereign “Lord the King, his crown and dignity, and against the laws in “force in this colony, and in defiance of the proclamation of Martial Law “issued by his Excellency the Lieutenant-governor;” the Court is of opinion, that he, the Prisoner, John Smith, is guilty of so much thereof as follows, namely, “For that he, the said John Smith, after “such revolt and rebellion had taken place, and during the existence “thereof, to wit, on Wednesday the 20th of August now last past, was “at plantation Le Resouvenir in presence of, and held communication “with Quamina, a negro of plantation Success, he, the said John “Smith, then well knowing the said Quamina to be an insurgent engaged 179 “therein; and that he, the said John Smith, did not use his utmost endeavours “to suppress the same, by giving information to the proper “authorities, but, on the contrary, permitted the said insurgent Quamina “to go at large, and depart without giving any information respecting “him to the proper authorities, against the peace of our Sovereign Lord “the King, his crown and dignity, and against the laws in force in this “colony, and in defiance of the proclamation of Martial Law issued by “his Excellency the Lieutenant-governor,” and acquits him of the remainder of the said charge.

The Court having thus found the Prisoner, John Smith, guilty, as above specified, does therefore sentence him, the Prisoner, John Smith, to be hanged by the neck until dead, at such time and place as his excellency the lieutenant-governor and commander-in-chief may think fit to direct. But the Court, under all the circumstances of the case, begs humbly to recommend the Prisoner, John Smith, to mercy.

(Signed) S. A. Goodman, Lt. Col. and Pres.

(Signed) J. L. Smith, Jun. Assist. Judge-Advocate.

Approved, (Signed) John Murray.

180

APPENDIX

I. *Letter from Mr. Arrindell to Mrs. Smith.*

Demerara, 1st December, 1823.

Dear Madam,

I send you a copy of the proceedings required by you; they are as correctly made up as the shortness of the time will permit, and consist of—1st. The charges—2d. The opening address of the Judge-Advocate, and the evidence for the prosecution—3d. The Prisoner's Defence—4th. The Evidence in support of the defence—5th. The Prisoner's comment upon his own evidence. *The last is not* so perfect as I could wish, but, from the immense weight of matter brought forward in the cause, from the shortness of the time allowed for getting up this comment, and from the exhaustion necessarily attendant upon the great exertions I had made night and day for upwards of a month, it was impossible to have got it written in time to have a copy taken; I have, therefore, been obliged to make it up from my rough draughts, and I believe you have the whole of it pretty correct, save one paragraph, which is not very material.—6thly. The Assistant-Judge-Advocate was allowed to reply. I have not been favoured with a copy of this, and not being a stenographer, I could not take it down correctly. Be the sentence what it may, if the proceedings are sent home, according to the declaration of his Excellency's determination, I feel every confidence that the exertions of yourself, and his friends at home, will be able to obtain, from his gracious majesty, a full pardon for your most unfortunate husband. It is almost presumption in me to differ from the sentence of a Court; but, before God, I do believe Mr. Smith to be innocent; nay, I will go further, and defy any minister, of any sect whatever, to have shewn a more faithful attention to his sacred duties, than he has been proved, by the evidence on his trial, to have done. With respect to his knowledge of the revolt, I believe his defence contains the whole truth; in addition to which, the letter to Mr. Mercer, and the unfinished one to Mr. Burder, are extremely strong in his favour. With regard to his correspondence with Quamina, your affidavit is sufficiently explanatory.

As soon as the Assistant-Judge-Advocate (who is now out of town) will return, I will endeavour to procure such copies of the documents omitted, as will render the proceedings complete.

I am, dear Madam, Your obedient Servant, William Arrindell.

To Mrs. Smith.

II. *Certificate of Messrs. Van Cooten and Hamilton.*

We, the undersigned inhabitants of the East Coast, having witnessed the good effects of religious instructions on the negroes in the neighbourhood of the chapel at Le Resouvenir, where the Missionaries belonging to the Missionary Society have preached for nearly thirteen years, and, understanding that the Rev. Mr. Mercer, a Missionary belonging to the same Society, wishes to erect a chapel 181 in the vicinity of Clonbrook, cordially recommend his object to the attention of the gentlemen in that neighbourhood.

(Signed) H. V. Cooten.

John Hamilton.

Demerary, the 12th September, 1820:

A true copy of the original, in my possession, the whole of which, except the signature, “John Hamilton,” is in the hand-writing of H. Van Cooten.

William Arrindell.

III. *Letter of Mr. Smith to the First Fiscaal.*

Colony House, Demerara, 22d August, 1823.

May it please your Honour,

As your Honour kindly enquired in what manner I and my wife left our home, and, on hearing the circumstances, offered to communicate them to his Excellency the Governor, I beg leave to submit the following facts to your consideration.

Yesterday, about three o'clock, Mr. Nurse, at the head of a company of infantry, came to our house, desiring to speak to me. He enquired whether I had seen the Governor's proclamation, which placed the colony under martial law. I answered in the affirmative. Have you a copy of it? said he. Yes. Will you shew it to me? I immediately produced it. Taking it in his hand, he proceeded to read it, marking with peculiar emphasis the clause which requires every person, without distinction, capable of bearing arms, to enroll himself in the militia; and demanded whether I had complied with that order? I told him I had not. He rejoined, Then I have it in command from Captain M'Turk to require your attendance at his house, to enroll and accoutre yourself as a militia-man. I replied, that I could not comply with that command, as my profession entitled me to a legal exemption. Mr. Nurse then said, he had another command to execute, namely, to seal up all my papers. I inquired what authority he had for such proceedings? He said, the order of Captain M'Turk was his authority; and asked, if I intended to offer him any resistance? I told him, No: and, shewing him where the papers were, saw him seal them up, part in a desk, and the remainder in a drawer. Mr. Nurse and his company then went away.

In about three quarters of an hour afterwards, our house was again beset with soldiers, consisting of a troop of cavalry, under the command of Mr. Simpson, and the company of infantry, under the command of Mr. Nurse. Mr. Simpson, in the foulest language and the fiercest manner, demanded why I had dared to disobey Captain M'Turk's orders? I told him, that I was entitled to an exemption from military services. “Damn your eyes, Sir,” said he, “if you give me any of your logic, I'll sabre you in a minute; if you don't know what martial law is, I'll shew you;” at the same time brandishing his sabre in my face, in a menacing manner, and swearing that I was the cause of all this disturbance. He then

called for a file of men to seize me, while others ordered my chaise to be got ready; and Mr. Nurse, or some one by his order I suppose, went up-stairs and took away all my papers; some sealed up in a desk, and the others loose in the drawer which had been sealed. As they insisted on Mrs. Smith leaving the house, I requested Captain M'Turk to allow us five minutes to pack up some linen and lock up the place. But, in less than three minutes I apprehend, a file of soldiers came to the bottom of the stairs, and said to me, “If *you* don't fetch Mrs. Smith, by God, Sir, *we* will.” In this manner we were hurried away from our house and property, without being allowed time to bring away a change of clothes, or to lock up our doors. After keeping us in 182 the road about three quarters of an hour, they escorted us to town under a military guard.

I have the honour to be, Your Honor's Obedient humble servant, John Smith.

To His Honor V. A. Heyliger, Esquire, First Fiscaal.

IV. *Letter from Mr. Smith to Mr. Mercer.*

Demerary, 20th August, 1823.

My Dear Brother,

I wrote you about four or five months ago, and about eleven or twelve weeks ago received your's of the 7th April; hence you will find I was as ready to correspond with you as you with me.

I am sorry you still had to detail so many unpleasant circumstances connected with your life and labours; but hope, by this time, things are better with you in both respects. Your's requires no particular remark from me, except an answer to two questions. 1st. “By what means has the sum put down to the West Indies, amounted to 2684 pounds?” I wrote to Mr. Hankey on the subject. He stated that Mr. Adam's return from Trinidad to England had occasioned an *extraordinary* demand upon the Society's funds. Mrs. E. told us, about a

year ago, that the directors had voted £300 to Mr. Adam, as a compensation for his recall. 2nd. “Has Mr. Davies returned?” No. On looking over your's again, I observe another question, namely, “Has any thing been done for Legnan?” I mentioned in my last that I and Mr. E. had visited it. Mr. E. was there about 5 Sundays ago. He preached at Success. Your old house, at Baron's Bay, is taken down. Mr. Roach is discharged from Success, because, as they say, 27 negroes have lately died on the estate. To accomplish the orders of the proprietors, he overworked them. He told me, that, to make the sugar Mr. Burrows required, he should be obliged to work the negroes night and day.

The negroes are all in open rebellion on this coast. They rose all on a sudden on Monday evening last, and though not unexpectedly, yet in a way that neither I, nor any one else, I believe, ever anticipated. About half past six, on Monday evening, I and Mrs. S. were returning from a short walk, and heard a great and an unusual noise. Mr. Hamilton called out to me, in a hurried voice, to come to him. We proceeded to the great house, which we found besieged by 40 or 50 men, all naked, armed with cutlasses, &c. and looking very fierce. They forced the outer doors, and filled the lower part of the house. I entered, and asked what they wanted? They answered me by brandishing their cutlasses. I repeated the question. They replied, “We want the guns and our rights.” The former they soon obtained. While this was acting on Le Resouvenir, the neighbouring estates presented a similar scene of confusion. Some estates negroes put their managers in the stocks. They told us not to be alarmed, for they were not going to hurt any one, but they would have their rights. What they mean by their rights, I know not. But I think the causes of their rising are too obvious to be mistaken. With their rigorous and vexatious treatment you are pretty well acquainted; but, perhaps, you are not aware of the following facts, namely, that about three months ago the governor issued a printed comment upon Lord Liverpool's dispatch to Gov. Bentinck, concerning the instruction of the slaves. (See a copy of the despatch in Evan. Mag. 1812, page 317). According to this comment, the instructions from the Brit. Govt. require, that the negroes are not to quit the estates on Sundays to attend 183 public worship, without their masters' express permission, signified by a written pass.

This document was further explained to mean (not, indeed, in the printed comment, but by the oral interpretations of the Burgher officers) that the slaves were not at liberty to hold any religious meetings on their respective estates, without their masters' permission. I need not tell *you* what use many of the planters made of these expositions. Some would give only so many passes, others would not give them till about 11 o'clock, and others ordered overseers to escort the slaves to chapel. Evening meetings, on many estates, were broken up by the managers; the negroes put in the stocks, and kept there for weeks; while some took away their books; and one pious master burnt 2 hymn-books before the owners' faces. It is unnecessary to say, many of the slaves could never get a pass to come to chapel. You know how sore men are on the subject of religion. The negroes were generally dissatisfied. While in this state of mind they heard of the resolution of the British Government to abolish field-whipping, and the whipping of females altogether; and they seem to have known that the governor had received instructions to that effect, or why should they say he is withholding from them their right? However, instead of the whip disappearing in the field, it was used with as much severity as ever. Our wise manager furnished his drivers each with a cat-o'nine-tails *in addition* to the lawful whip. I understand some other managers on this coast did the same.

How all this will end I know not. I feel perfectly safe, not because we have so many soldiers patrolling about, but because I am conscious we have not wronged any one. Here I must come to a hasty close. You say, “Write me a long letter.” I am too unwell to write much at a time. Dr. Robson advises me to take a trip to Bermuda, as it is too late in the season to go to England. Some remove I shall, certainly, make ere long, either into another climate or into the grave; and, sometimes, I feel indifferent as to which of the two. To leave the country just now does not appear desirable, though I shall be of little or no use here.

Mrs. S. joins me in love to you and Mrs. Mercer. May the Lord bless and guide you.

I remain, Yours sincerely, John Smith.

P. S. When you write me again (for you will consider me as being here till you learn the contrary) please to form your letters distinctly in the proper names, for I cannot tell whether you live at Cascaj *al* , or Cascaj *oe.* Last Saturday I received a letter from Mr. Wray, in which he says, “Remember me kindly to Mr. and Mrs. Mercer when you write.” They were all well and prospering.

J. S.

V. *Unfinished Letter of Mr. Smith to the Secretary of the London Missionary Society.*

Plantation Le Resouvenir, Demerary, 21st August, 1823.

Rev. and Dear Sir,

It is not so much to inform you of the present state of this colony, as to furnish you with certain facts, which may be useful in the event of misrepresentation, as to the cause of the negroes rising on this coast, that I now write.

The whole united colony of Demerara and Essequibo is now under martial law. The negroes on this coast, at least, have seized the fire-arms belonging to the several plantations and retired: while in the act of rising they put some of their managers into the stocks, to prevent their escaping to give an alarm: but, 184 in other respects, they offered no personal violence to any one; neither did they set fire to a single building, nor rob any house that I have heard of, except of arms and ammunition.

Nor have they, I believe, to this moment, attempted any thing like an outrage, either upon persons or property. The estates are merely abandoned, the property remains as it was.

While they were tumultuously assembled on this plantation, and in the act of seizing the guns, I went to see what they were doing, and asked them what they wanted? They held up their cutlasses, and told me to go; I saw that they were infuriate and determined. On

repeating my inquiry, they said, they first wanted the guns, and then their rights. They soon obtained the guns, and, after giving a shout of triumph, ringing the plantation-bell, and firing the guns into the air, they withdrew. Since then, i. e, Monday evening, between 6 and 7 o'clock, we have neither seen them, nor heard any thing certain about them.

Similar proceedings took place, about the same time, on most of the estates upon this coast. Respecting the state of other parts of this colony I am ignorant, communication being stopt.

On seeing Mrs. Smith alarmed, they told her and me, that they did not intend to injure any one, but their rights they would have. I think they were sincere in what they said, for they had the fairest opportunity of murdering every white person on the coast.

These are the facts of the case: The causes which have brought about this state of things, are, in my opinion, too obvious to be mistaken. Ever since I have been in the colony, the slaves have been most grievously oppressed. A most immoderate quantity of work has, very generally, been exacted of them, not excepting women far advanced in pregnancy. When sick they have been commonly neglected, ill treated, or half starved. Their punishments have been frequent and severe. Redress they have so seldom been able to obtain, that many of them have long discontinued to seek it, even when they have been notoriously wronged. Although the whip has been used with an unsparing hand, still, it seems the negroes have not been more frequently nor more severely flogged of late than formerly. But the planters do not appear to have considered that the increase of knowledge among the slaves, required that an alteration should be made in the mode of treating them.

However intelligent a negro might be, still he must be ruled by terror, instead of reason! The most vexatious system of management has been generally adopted; and their religion has long rendered them obnoxious to most of the planters. On this account, many of them have suffered an almost uninterrupted series of contumely and persecution.

(True Copy.)

VI. *Letter of Mrs. Smith, addressed to the Secretary.*

Demerara, December 4th, 1823.

Rev. and Dear Sir,

You have no doubt heard of the trouble which has befallen Mr. Smith and myself, and the temporary ruin of the missionary cause in this colony, in consequence of the revolt of the negroes on the east coast. You would have been fully informed by Mr. S. of every thing relative to the mission, had not the severe nature of his imprisonment precluded the possibility of his writing to any one. The reason I have not written to you before is, that I myself have been but a few days liberated from a rigorous imprisonment of thirteen weeks with him.*

* It was stated in the Missionary Chronicle for January, that Mrs. S. was “not detained as a prisoner.” It appears, however, from subsequent information, as well as from her own language, that she regarded herself as detained in that character.— Ed.

185

On the 21st of August, the third day after the revolt, Mr. S. commenced a letter to you, in which he intended to point out the real causes of the revolt; but, before he could finish it, we were, in a forcible and brutal manner, taken away from our house by the militia. This fragment, and likewise a letter to Mr. Mercer, which Mr. S. could not send to him (or rather copies of them, the originals not being in my possession), I shall forward to you by the first opportunity, as they contain several facts illustrative of the causes of the revolt. It is impossible to detail the innumerable grievances to which the slaves generally were, (and for aught I know to the contrary still are) subject. But it was their religion that in general occasioned them the most vexatious treatment. There was no redress for them. The

burgher-officers of the district were noted for their aversion to the religious instruction of the slaves. At length, towards the latter end of last May, a communication was made by the governor, through the burgher-officers, to the planters and to the slaves, requiring that the latter must obtain a written pass of their masters every time they came to chapel. This was a rare boon to many of the planters, but a great mortification to their slaves, and a great impediment in the way of their instruction. About six weeks after this, *i. e.* the beginning of July, the slaves got information that some instructions had been sent out by the government for their benefit. This information, it appears, originated with the governor himself. It seems he freely conversed with gentlemen on the subject in the hearing of one of his servants, who immediately communicated it to the son of one of our deacons. They received an idea that they were to be made free, either in whole or in part. From all we have learned, the latter notion was most general. Hearing nothing of the affair from the authorities, on the 18th of August they revolted.

Many of the planters, I think I may say the colonists generally, apprehended that the religious instruction of the slaves was incompatible with their condition in life, and that as soon as they became a little enlightened, they would revolt; and many of them believed, or pretended, that the real object of missionary instructions was, by instilling into their minds principles of insubordination, to make them revolt; and, though the proximate and chief cause of the revolt was evidently of a political nature, yet that was overlooked, and religion substituted in its stead.

It is alleged that most of the people that attended our chapel were engaged in it. That many of them were implicated is, I am sorry to say, too true. From the nature of things it was hardly possible it should have been otherwise.* It is further said, that the plot was formed by men that attended the chapel, and that one of our deacons was a ringleader.

* It appears, that the slave to whom the communication was made by the governor's servant, respecting the instructions received from England (to which allusion is made in a former part of the above letter), belonged to *Plantation Success*, an estate

immediately contiguous to that on which Mr. Smith's chapel stands. The information thus communicated, gradually became known to the negroes on that and all the adjoining plantations, who learning generally, that the instructions in question contained, to use their own language, " *something good for them,*" and not receiving from the proper quarter any distinct explanation of the benefit intended, began to suspect that it was the design of their masters to withhold the boon from them. This suspicion acting, as was the fact, on the minds of a portion of the slave-population, smarting under *peculiar hardships*, and impatient for the removal of their grievances, caused them, at length, to resort to such means as to *them* appeared necessary for obtaining what they called "their rights." But, that the intelligence respecting the instructions from England should have been, in the *first* instance, communicated to the negroes on an estate contiguous to Mr. Smith's chapel, and that the minds of the negroes in that neighbourhood should have been previously in a state of violent irritation from the hardships they endured, were both of them circumstances, so far as the present question is concerned, *purely of an accidental nature*, and sufficiently account for the disturbances taking place in *that particular part of the colony*, without either involving the slightest imputation on the character of Mr. Smith, or subtracting, in the smallest degree, from the beneficial effects of his labours. This explanation, it is hoped, will enable our readers fully to understand the particular sentence in the letter of Mrs. Smith, to which the present note is appended.— Ed.

From all we can learn from the evidence on Mr. Smith's trial, it appears, the plot was laid by two negroes, named Jack and Paris. Jack was the son of Quamina, (one of the deacons in question) and he was the person to whom the 2 A 186 governor's servant made the communications concerning the instructions from England. Jack was a dissolute, gay young man, very irregular in his attendance at the chapel. Religion, it is to be feared, he had none. Paris was boat-captain to the plantation to which he belonged; and, had he been disposed to attend the chapel, it was out of his power to do so, at least nineteen Sundays out of twenty. His work was to take plantains to town, to sell on Sunday. I do not suppose he attended the chapel more than once a year.

As to Quamina being a ringleader, all we know about it is, from the evidence on Mr. Smith's trial. Several contradictory things are said concerning him by some negroes, (Bristol and Seaton) whose inconsistencies have been made manifest. But Mr. John Stewart, his manager, says on oath, “I did not see Quamina do any thing improper; he was keeping the rest of the people back from hurting me.” And Dr. M'Turk, a bitter enemy to Mr. Smith, says also on oath, “When Quamina was shot in the bush, he was not armed.” Hence it does not appear, from the evidence, that he was any thing more than a runaway, although he was shot and gibbeted. All we know, however, of this matter, is from the evidence produced on Mr. Smith's trial, which is already forwarded to the Society.

While the negroes belonging to the Resouvenir were in the act of rising, Mr. S. endeavoured to persuade them to desist from their purpose, and asked them what they wanted. They behaved to him with considerable rudeness (though not with violence,) and they told him it would be good for him to go to his house, that they were not going to hurt any person, but they would have their rights. We remained at quiet in our house, until the afternoon of the third day after the revolt, when we were forcibly taken from it, under a pretence, first, that Mr. Smith disobeyed the orders of a captain commanding in the district, by refusing to enrol himself in the militia, and then directly afterwards another was alleged, namely, that our remaining in our house could not be accounted for on any other principle than that of our being a party to the revolt.

Having us both in close confinement, the legal authorities and the planters set to work with all their might to rake together something in the shape of evidence to condemn us. They examined scores, I believe I might say hundreds, of persons; and after near seven weeks' labour, in this way, they preferred against Mr. S. those serious charges which they supported by the evidence you see.

How the Court-Martial could justify a conviction on such evidence, must, I think, be a wonder to every unprejudiced person. But the verdict of a Court-Martial is decided by the majority of its members: several of the members of this Court were much prejudiced

against Mr. S., two of them at least, could not refrain from showing their ill-will towards him on the trial. Here, at present, almost all are prejudiced against Mr. Smith, from the highest to the lowest.

His journal seems to have caused a great deal of enmity against him. It contains many reflections on the evils and iniquity of slavery; and some remarks on the opposition made by the authorities here, to the instruction of the slaves. Most, if not all, the passages of this nature were read by the Judge-Advocate, as evidence against Mr. S. on his trial; but they were not satisfied with this; the journal was accessible to many, probably to all the Judge-Advocate's friends. Many persons read it, and during the trial it was handed about amongst the members in open court every day.

I have mentioned the name of the Rev. Mr. Austin, and it would be base ingratitude in me not to state to the Directors, that this worthy minister has, in spite of all opposition, from nearly the commencement of this persecution, stood up as a warm friend for Mr. Smith. He is a minister of the English Church in George Town, and chaplain to the garrison. At an early period, perhaps the first week after the revolt, Mr. Austin was appointed a member of a Committee or Inquiry, a great part of whose business it was to investigate Mr. Smith's conduct. He became thoroughly convinced of Mr. Smith's innocence, and undauntedly avowed his belief. Mr. S. never saw him, to his knowledge, until 187 he appeared as a witness for him on the Court-Martial. He now visits Mr. Smith in the prison.

I cannot omit to mention also, with feelings of gratitude, how devoted the Rev. Mr. Elliot has been to the interest of Mr. S. Every thing that brotherly sympathy could suggest, or expense or labour could accomplish, he has cheerfully done, and I believe will do. I trust you will, 'ere long, see him in England.

I would tell you, sir, of the circumstances of the most material witnesses brought against Mr. S.; of the manifest partiality of the Court-Martial; of the difficulties thrown in the way of Mr. Smith's counsel; and of the opposition made by the Court to Mr. S. in conducting his

defence; but I feel that I am incompetent to go into the detail. I must, therefore, close this letter, earnestly entreating that the Directors will use every exertion in behalf of Mr. Smith, whose greatest crime was his devotedness to the object of his mission.

I am, Sir, Yours most respectfully, (Signed) Jane Smith.

VII. *Letter of Rev. John Smith, addressed to the Secretary.*

Colony Jail, Demerara, December 12, 1823.

Rev. and Dear Sir,

You will have heard, 'ere this comes to hand, of the trouble that has befallen me, and of the desolated state of the Demerara Mission, both which are occasioned by the revolt of the negroes on the East Coast. Of my own personal sufferings I shall say nothing further, than that the close and solitary nature of my imprisonment, with the disease under which I labour and have laboured for more than twelve months, have pressed very heavily upon me. I have, however, much consolation from the consideration of my innocence of the crimes with which I have been charged, and of which I now stand convicted.

I am bold to affirm, that I never gave utterance to any thing that could make the slaves dissatisfied with their condition in life. Indeed, I could have had no motive for so doing. I refer you to the evidence for the prosecution, by which it is attempted to be proved that I endeavoured, for a long time, to drive them to revolt,—with this observation, that the witnesses brought forward to prove the charge, were prisoners, on account of the revolt, under the power and authority of the fiscaal, who was the Judge-advocate on my trial, and who can order negroes to be flogged without any previous trial. What they have stated, that bears on the charge, is either wholly false or grossly misrepresented. I would earnestly recommend you to endeavour to get a sight, if possible, of the Judge-Advocate's concluding remarks on the evidence, as that document will give you a greater insight into the principles of my persecutors, and of the motives by which they were actuated, than

any thing I can say. Perhaps Earl Bathurst will, on proper application being made to him, favour the Society, or rather the directors, or their solicitor, with a sight of it. There it is laid down, apparently as a fundamental principle, that no one has any right to propagate doctrines that are opposed to the established usages and customs of the country where he resides; and that I had done this by reprobating as sinful the conduct of such of the christian negroes as spent their sabbaths in voluntary labour, and going to market. Their going to market, it is to be observed, occupies the whole day. 2 A 2

188

I was determined to exonerate the Society from all blame, whatever might be the result of the trial in regard to me. I therefore laid over my instructions from the directors, to form part of the proceedings of the Court-Martial. Many of the colonists have even roundly asserted, that the Society and its Missionaries were in alliance with the African Institution, and that our chief object was, under the mask of religion, the emancipation of the slaves. But having examined all my letters and papers, and found nothing to support their suspicions, it is to be hoped they will henceforth be silent on that subject.

For the last twelve or eighteen months previous to the revolt, the negroes attended the chapel in such numbers as alarmed, it seems, some of the planters, or rather, I suppose, aroused their enmity against God, at seeing religion prosper. Some of them gave orders, that none of their slaves should leave their respective plantations on a Sunday without a written pass: it was, of course, a matter of option with the planters, whether they would give them passes. Those who insisted on this regulation would not give passes, or at most would give them to a very few. The negroes, it appears, came to chapel without them; they were punished (flogged and put in the stocks till their wounds were healed;) they complained, they were punished again. Then came out the Governor's Circular, recommending the planters not to allow the slaves to attend chapel without passes. A copy of this circular is forwarded to the Directors. The negroes said, and I believe truly said, that an attempt was made *to put down their religion.* (See Rev. Mr. Austin's evidence for the defence.) A few weeks after this, the negroes got information that the governor

had received some instructions from England beneficial to them. About six weeks had elapsed when the slaves, impatient for the benefit of those instructions, broke out into revolt. These I imagine to be the principal causes of the revolt, namely, the persecutions they suffered on account of their religion, and the withholding from them all information concerning the instructions from Government. There were other causes, arising from their being over-worked, and ill-treated in general. Redress, according to their account, they could not obtain. This they stated to Lieutenant-colonel Leahy, as one cause of their dissatisfaction. “When,” says the Lieut.-Colonel, in his evidence, stating what the slaves told him in a body, “When they complained” (of being made to work on a Sunday, and punished for going to chapel,) “to Dr. M'Turk, they were told it was the Government's order; when they complained to Mr. Spenser, they were told it was the fiscaal's order.” None of these causes suited the colonists; I was therefore dragged in as the main cause; and, notwithstanding the negroes say, if they had kept to what they were taught by me, they never would have acted as they did; yet, because two or three of them, who were deeply concerned in the revolt, chose to pervert and misrepresent what I had said to them about working on Sundays, it is therefore settled, in the judgment of the people here, that the revolt is to be attributed to me. It is worthy of remark, that *none of the negroes who gave testimony against me, were punished.* This, of course, I learn from others. I should have added, that Dr. M'Turk and Mr. Spenser are the burgher-officers of the East Coast, and are both avowed enemies to the instruction of the slaves.

I trust the directors will seriously consider the hardship of my case, and make every effort on my behalf.

I must not omit to mention the kindness of the Rev. W. S. Austin. I am under the greatest obligations to him; and I doubt not when the directors are informed of the conduct of this excellent Clergyman, they will feel that they owe him at least a respectful acknowledgment of his kindness to me, and of his zeal in my cause.

I have been two days writing this, and now feel so ill that I must come to a close. I am satisfied that I am in the Lord's hand; and there I wish to be. O, my dear Sir, pray for me.

I remain, your obedient Servant, (Signed) John Smith.

189

VIII. *Letter of the Rev. John Smith, dated* 12 *th January, addressed to the Treasurer and Secretary.*

Colony Jail, Demerara, January 12, 1824.

Dear and Honoured Sirs,

I have just received your kind and sympathizing letter of the 19th November, and will endeavour to answer it by this packet, if my emaciated frame will enable me to bear the fatigue of so doing.

It will be the less necessary at this period for me to enter into particulars respecting the causes of the revolt, and my alleged concern in it, as you will be made fully acquainted with the latter by the documents that have been long since forwarded to the Society by Mrs. Smith, and by those which Mr. Elliot took with him.

The real causes and objects of the commotion among the negroes (“concerning which you wish me to procure and send you authentic copies of all documents which can offer the needful information”), are not, I think, very difficult to ascertain. I, rather Mrs. Smith, has sent every document which came within our reach. There are very few written documents that I know of on the subject. It is the opinion of the only *two real friends* I have in the colony at present, that a deputation sent out by government to investigate the causes of the revolt, would discover wonders, and I have no doubt of the correctness of their views.

You seem to be aware, in some measure, of the unceasing animosity

which the colonists in general, and the planters in particular, have to the instruction of the slaves, and to faithful missionaries on that account; but you can have no just idea of the rancour and fury they display against a missionary when any report is raised against him, which is not unfrequent, and always has turned out to be false, as far as my knowledge has extended. The following extract from the Guiana Chronicle of the 11th of February, 1822, may give an idea of their malicious dispositions towards missionaries:—

“We have had occasion repeatedly to express our opinion of the Sectarian Propagandists, who send forth their missionaries out of a pretended zeal for the salvation of souls. They (the missionaries), to be sure, are two wise and cunning to make direct attacks from the pulpit on public men and measures; but in respect of their wild jargon, their capricious interpretations of the Bible, and the doctrines they inculcate, although in themselves they are to be despised and slighted, yet, in point of the pernicious tendency they may have upon the minds of their hearers, we do think no caution can be too great, no vigilance too strict. Instances are not wanting of their imposture in this part of the world; their manner of raising revenue in support of their church, is not unknown; neither is the way in which the contributions are sacrilegiously squandered. That fact alone ought to weigh against all their solemn professions of being actuated solely by a pure love of godliness and apostolic zeal in the cause of Christianity. The influence they possess on the minds of the negroes is more widely ramified than is imagined, or would be readily believed. It is no longer proper to say they are insignificant. In the common acceptation of the word, they are truly so; but, from their calling and canting, they have acquired a degree of importance in this colony not attainable otherwise. Let them be looked after now more strictly than ever, and we pledge ourselves to do for them in proper colours, whenever we may be furnished with the authentic particulars of any immoral or illegal wanderings from the path of their duty.”

This extract is not selected for its singularity, (for such attacks are not unfrequent in this colony) but to show how the missionaries are regarded.

You say, “you hope I have not been left to struggle unbefriended with the power of my enemies.” Thanks be to God, I have not been left altogether without a friend. The Rev. Mr. Elliot has stood by me, and exerted himself much 190 in my behalf, and a kind Providence raised up, unexpectedly, a most warm and zealous friend in the Rev. Mr. Austin. Nor must I omit the name of Dr. Chapman, who has taken a warm interest in my cause; but the pious and independent principles of these gentlemen prevent them from having much influence in these matters; and Mr. Arrindell, whose friendship I must not forget to name.

Under my persecutions and afflictions, it affords me no small consolation, that the Directors cherish the assurance of my entire innocence. That I *am* innocent of the crimes which they have laid to my charge, I have not only the testimony of my own conscience in my favour, but the attestation of all my friends, who have made strict inquiries into my conduct relative to this affair. The instructions I received from the Society, I always endeavoured to act upon, and in order to vindicate the Society from the vile aspersions made against it by its enemies, as to its having a concealed object in view; *viz.* the ultimate liberation of the slaves—I laid over the instructions as a part of the proceedings of the Court-Martial on my trial, that publicity might be given to the real object of the Society.

It appears as if the Directors have some apprehensions of its having been possible, that I have diverted my mind, in some measure, from the real object of my mission, and entered into a correspondence and connexion with some of those societies which are formed for the gradual abolition of slavery. I can assure the Directors this is not the case, no letter or correspondence of the kind ever having occurred between me and any society. All my papers were seized without a moment's warning, and underwent a most rigid examination, by a committee of gentlemen, who were by no means my friends, and yet nothing of the kind was ever pretended to be discovered. For every other information, I beg leave to refer the Directors to the documents already forwarded, and to Mr. Elliot.

I suppose, by this time, you are at no loss to know whether I am pursuing my labours at Le Resouvenir. Indeed, had not the revolt occurred, I must have relinquished them, at

least for a considerable time, in order to seek the restoration of my declining health in a more salubrious climate; but my close imprisonment, with its innumerable privations, has prevented me from taking that step, and has brought me to the borders of the grave.

It grieves me, dear Sirs, that I am now a useless burden upon the Society. I have endeavoured from the beginning to discharge my duties faithfully. In doing so, I have met with the most unceasing opposition and reproach, until at length the adversary found occasion to triumph over me. But so far have these things been from shaking my confidence in the goodness of the cause in which I was engaged, that if I were at liberty, and my health restored, I would again proclaim (all my days) the glad tidings of salvation amidst similar opposition; but of this I see no prospect. The Lord's hand is heavy upon me; still, I can praise His name, that though outward afflictions abound towards me, yet the consolations of the Gospel abound also, and I believe He will do all things well.

I am, dear Sirs, in much affliction, Your useless, but devoted Servant, (Signed) John Smith.

IX. *Extract of a Letter from Mrs. Elliot, dated Demerara,* 14 *th Jan* 1824.

Mrs. Smith and myself have received very kind letters from the Directors; I need not say how very welcome they were to us. Our dear brother Smith is much worse, and is removed to a higher room. Dr. Chapman attends him. I 191 have permission to visit him, and go daily; poor man, he is very low. I fear he will not live to see the result. Mrs. Smith is with him day and night in the prison.

There were four negroes hung in town last week, and poor Sandy was hung, up the coast. Our good and faithful friend, Mr. Austin, hearing they intended to make out a story to answer their purpose from Sandy's confession, left town with our friend Mr. C. (Dr. Chapman). They arrived just as the troops reached the estate; but our enemies were quite disappointed, for Sandy told them that Mr. Smith *never* taught them to rebel, and died praying for poor Mr. Smith, that God would deliver him from his enemies. Achilles,

belonging to the Baron (an estate near Le Resouvenir), really, as they said, preached to them. He told them that religion had restrained them (the negroes) in this instance; and said Mr. Smith knew nothing of the rebellion until it had broke out. What he said made a great impression on all present.

X. *Affidavit of Mrs.* Jane Smith, *Wife of the Rev.* John Smith, *Missionary at Demerara; made before His Excellency Major-General* Murray, *Lieutenant-Governor and Commander-in-Chief of the Colonies of Demerara, Essequibo, &c. &c. &c.* 13 *th November* , 1823.

DEMERARA to wit.

To all to whom these Presents shall come: I, John Murray, Esquire, Major-General and Lieutenant-Governor and Commander-in-Chief of the Colonies of Demerara and Essequibo, Vice-Admiral of the same, &c. &c. &c.

(Signed) John Murray.

Do hereby Certify, That on the day of the date hereof, personally came and appeared, before me, the Deponent named in the deposition hereunto annexed, being a person well known and worthy of good credit; and by solemn oath, which the said Deponent then took before me, upon the Holy Evangelists of Almighty God, did testify and depose to be true, the several matters and things mentioned and contained in the said Deposition hereunto annexed.

In faith and testimony whereof I have hereunto set my hand and seal. Dated at the King's house, George Town, this 13th day of November 1823, and in the fourth year of His Majesty's reign.

By His Excellency's Command,

(Signed) John Murray, Gov. Sec.

PERSONALLY appeared before me, John Murray, Esq. Major-General in His Britannic Majesty's army, and Lieutenant-Governor and Commander-in-Chief in and over the united Colony of Demerara and Essequibo;

JANE , the Wife of *John Smith* , missionary, late of Le Resouvenir, on the east coast of the Colony of Demerara, at present in George Town with her said 192 husband, John Smith, prisoner under trial; which Deponent being sworn on the Holy Evangelists of Almighty God, deposeth as follows, that is to say:—That on Sunday the 17th of August of this present year 1823, about the hour of four o'clock, or rather later, Bristol, a negro belonging to plantation Chateau Margo, the said Bristol being a deacon of Bethel chapel, of which chapel her said husband, John Smith, was then the minister, was conversing with her, the said Jane Smith, concerning a little negro girl, the daughter of the said Bristol. That the said Bristol was desirous of placing the said negro girl under her, the said Jane Smith, to be taught needle-work and reading, and to be instructed in any other way she, the said Jane Smith, might think fit. That whilst she was so engaged in conversation with the said Bristol, the said John Smith, who had been, as this deponent verily believes, engaged till that hour in and about his duties as a minister in the said chapel, came in and found her and the said Bristol engaged in the conversation aforesaid. That the said John Smith, upon entering the house, came up to this deponent and the said Bristol, and joined in their conversation; that the conversation concerning the said negro girl was continued until the said John Smith learned from the said Bristol, that the said girl had had the meazles, from which she was not at that time perfectly recovered, when the said John Smith objected to this deponent's receiving the said girl for the purpose aforesaid, until she was perfectly cured. That whilst they, this deponent, the said Bristol, and the said John Smith, were still continuing to converse about the said girl, four negroes, Quamina of Success, Seaton of Success, and Peter and Shute of Le Resouvenir, came in to the back gallery of the house, and accosted this deponent and the said John Smith, with the usual salutation of “How are

you, master? how “are you, misses?” That the said John Smith then went into the hall for the purpose of taking a glass of wine, his usual custom upon coming into the house after a fatiguing day's ministry. That this deponent was then standing upon the step leading from the gallery to the hall; that her attention was then called to the servant Charlotte, whose duty it was to bring in dinner, which was then ready, and which had been waiting for her said husband. That this deponent then heard her said husband speak to the said Quamina, whose reply this deponent well remembers; the said Quamina laughed and said, “O nothing, Sir, we were only saying it would be good to send and tell the managers to go to town and get the new law;” that thereupon this deponent's husband reproved the said Quamina for so talking. The said negroes were in the gallery, to the best of this deponent's knowledge, not more than two or three minutes; that the said negroes Quamina, Bristol, Seaton, Peter, and Shute, then all went away together, each bidding this deponent and her said husband good bye. That this deponent did not remark any thing unusual in the manner or behaviour of the said last-mentioned negroes, especially as it was customary for some of the negroes attending the said chapel to call in every Sunday in a similar way, to bid this deponent and her said husband good bye. That after dinner on that same day, to wit, the said 17th day of August, this deponent and her said husband went to take a rather long walk, being out about an hour, and on their returning home from the same, about fifteen minutes after sun-set, met Mr. Hamilton and Mr. Van Ness, a young gentleman lately gone to America, as this deponent has heard, and verily believes. That deponent invited them to go home and take tea with her said husband and herself, which the said two last-mentioned persons thereupon did. That this deponent heard nothing from her said husband touching or concerning the aforesaid conversation with Quamina on the said 17th, until the following Monday, the 18th of the same month of August, when after dinner, about six o'clock in the evening, this deponent and her said husband were on the point of setting out to take a walk, a negro man of the name of Guildford, belonging to Dochfour, made his appearance and handed to deponent's said husband a note or letter; that her said husband read the said note or letter, and asked several questions concerning the said note and its contents, and who had carried a certain inclosure 193 therein to

Jackey Reed of Dochfour. That the said Guildford returned evasive and unsatisfactory answers, which this deponent attributed rather to stupidity than design: That thereupon her said husband desired the said Guildford to make haste back and tell Jackey (meaning the said Jackey Reed of Dochfour) that he, this deponent's husband, knew nothing of the matter to which the contents of the note referred; that it was too late to call any people to enquire then, none of them being then accessible to him, but if there was any thing going to happen, he begged that he (Jackey) would not have any thing to do with it. That, after delivering this message, the deponent's said husband said, Wait a little; and thereupon wrote a note, the contents of which this deponent did not see, and gave the same to the said Guildford, telling him at the same time to make haste back and run all the way. That this deponent's said husband then addressing her, said, Come, let us go a little way; and that thereupon she and her said husband proceeded to take a short walk, where he declared, that from the words and manner in which the said Quamina had answered him, he, the said deponent's husband, had not, until the receipt of the said notes on that evening, attached any importance to what the said Quamina had said on the Sunday; that this deponent's said husband appeared very much distressed and uneasy, and did in fact express himself to be so. That whilst this deponent and her said husband were continuing to walk on their way up the front middle walk of Resouvenir, going towards the sea-shore, and consulting as to what were the best steps to be taken by this deponent's said husband, they heard a great noise at the buildings of Le Resouvenir, and there-upon immediately returned, with an intention, as this deponent verily believed at the time, of going directly home to their own house. That they, however, had not proceeded many yards on their return, when John Hamilton called aloud to this deponent's husband to come and help him. That both this deponent and her husband thereupon went to the spot where the negroes had assembled in front of the said dwelling-house; when, observing their conduct to be outrageous, and by do means what this deponent ever witnessed from any negroes before, she became exceedingly alarmed. That her said husband then went forward to speak to the said negroes, who thereupon began to brandish their cutlasses, and make many threatening gesticulations, which terrified this deponent, and she ran

home to her own house; that upon arriving there, she went direct to the yard to look for some one to go and call her said husband away. That she found the servant Charlotte in the yard, whom this deponent requested to go and call her said husband, which the said servant refused to do, declaring that she was too much afraid to do so. That thereupon this deponent repaired to the spot where she had left her said husband, and there found him standing at a little distance from the said negroes, there being near him the manager and the two overseers of the estate, and that she, this deponent, besought her said husband to go home, which he did. That this deponent saw nothing more of the revolted negroes, or any of them, on that day, or the day following. That on the day following, however, all the negro-men of the estate Le Resouvenir, having left the same, and this deponent being exceedingly uneasy and alarmed at all that had occurred, was walking anxious and alone up and down the front gallery of her house, when it occurred to her, that probably Anchey, a woman of colour, living on Le Resouvenir, might be enabled to give her some information as to passing events. That previously to this, not a creature from whom she could obtain any information, had called at the house of her, this deponent. That she, this deponent, sent for the said Anchey, and enquired of her if she knew what the people were doing; if she, Anchey, thought they were going to return home. That the said Anchev appeared to be quite as ignorant as this deponent, whereupon this deponent expressed a wish that she should see Quamina or Bristol. That at the time this wish was expressed, she, this deponent, was not aware that either the said Quamina or Bristol were even reputed rebels, and that this deponent did not know this fact until after her said husband was arrested and on his trial. That the only 2 B 194 reason this deponent had for wishing to see either the said Quamina or Bristol was, that they were deacons of her said husband's chapel, and on that account she knew them better than she did the negroes in general. That this deponent then went to lie down, not having slept any part of the preceding night. That this deponent did not communicate to her said husband a single syllable of the conversation that passed between her and the said Anchey; and that she, this deponent, had not been, directly or indirectly, induced to wish to see either the said Quamina or Bristol by her said husband, or by any other person, but that such wish was

expressed by her as it arose at the moment. That on Wednesday the 20th of the same August, between seven and eight of the clock in the evening, whilst this deponent was in the front gallery of her house, her said husband was in the hall, the said Anchey came to this deponent, and told her, this deponent, that Quamina had come if she wanted to see him. That at that time a free woman, named Kitty Stewart, was sitting on the steps at the back door of her said house. That it is true, this deponent did request the said Anchey to invite the said Kitty Stewart to go home with her, and did tell the said Kitty Stewart to go with the said Anchey; but that this arose entirely from the circumstance of the said Kitty Stewart sitting alone on the said steps, apparently thoughtful. That the said Kitty Stewart and Anchey then went away, and shortly after the said Quamina came to the back door. That this deponent most perfectly remembers that she did not shut the back door. That the said Quamina accosted this deponent in his usual manner, and before entering into any conversation with her, this deponent, he, the said Quamina, seeing this deponent's husband sitting in the hall, said he would go and speak to him. That the said Quamina had crossed the back gallery and entered the hall, where deponent's said husband was sitting. That this deponent followed him. That the conversation that passed on that occasion consisted merely of enquiries respecting the health of him the said Quamina, except that Mr. Smith observed, that he was sorry and grieved to find that the people had been so foolish and wicked and mad, as to be guilty of revolting, and hoped that he was not concerned in it, to which the said Quamina made no reply. That this deponent's husband then asked him where he had been all the time, and where he had then come from; upon which the said Quamina appeared confounded and abashed, and without answering a single syllable, suddenly turned round and went away, having remained not more than two or three minutes. That upon the departure of the said Quamina, the deponent's husband said, I wonder what brought Quamina here this evening; and then, for the first time, this deponent informed her said husband, that she had expressed a wish to Anchey to see either him or Bristol. That her said husband told her she was very foolish for so doing, for that from the manner in which the said Quamina had suddenly gone away, there was no saying but that he might be also engaged in the revolt, and that if that was the case, he

never wished to see him. That this deponent then became alarmed, and might have told the little girl, Elizabeth, who, this deponent knew, had seen the said Quamina in her house that evening, that she was not to mention the circumstance, and that if she did she would whip her. That if this threat was made to the said Elizabeth, by her, this deponent, it was without the privity, consent, or knowledge, of her said husband. That this deponent was conveyed to town the following day with her said husband, with whom she has remained ever since.

(Signed) Jane Smith.

(Signed)

John Murray, Gov. Sec.

195

XI. *Extract of a Letter from Mrs. Smith, to the Secretary of the London Missionary Society, dated Demerara,* 13 *th February* , 1824.

During the first fourteen weeks of our imprisonment, we were confined in a very small room, quite in the roof of the house. This, with the want of clean linen, a thing so necessary for the preservation of health, and which it was impossible for us to get, (as they would not allow us time to take it, when we were dragged from our own house; nor would they permit any thing to be brought in or carried out of the room in which we were, except our food;) had just such an effect on Mr. Smith, as, I believe, our enemies desired. After the trial, Mr. S. was removed to a very low, damp room in the jail, where his disease gained upon him in a most astonishing manner. After remaining there until all hope of recovery was nearly extinct, he was removed into another room, where I fondly hoped for a few days he was getting better, but soon found the hope delusive.

Myself and Mr. Smith were very desirous that Mrs. Elliott should be permitted to see him, and thought our enemies would surely comply with so small a request, if made by Mrs.

Elliott herself; this she kindly did, but it was not until she had been seven times to the Secretary's office, and thirteen or fourteen days had elapsed, that permission was given, and then only for one day; but Mrs. Elliott finding Mr. S. so far gone, was determined to repeat her visits at the risk of being molested, However, by this time, Mr. Smith's recovery was impossible, and the strictness of prison rules was done away, the door of the room in which Mr. S. was, was left open, and Mrs. Elliott had the adjoining room given up to her; but it was too late.

XII. *Account of Mr. Smith's Death and Interment.*

Mr. Smith died on the 6th of February, 1824, twenty minutes after one o'clock in the morning. Mrs. Smith, Mrs. Elliott, and Mary Chisholm, a free black woman, being present.

Mr. Padmore, the keeper of the jail, was immediately informed of the event, came to view the body, and then went to inform the governor, agreeably to the orders he had previously received. He returned about eight or nine o'clock, and said that the Government Secretary (who is a son of the governor's) would be with them shortly; but he not arriving so soon as was expected, and they hearing nothing from him, Mr. Smith's friends gave orders to a Mr. Adams, to make the coffin. After which, about one or two o'clock, a person came, who said he was sent by Mr. Murray, the Government Secretary, for the same purpose; but he was informed that orders had been previously given, and that the coffin was expected at three o'clock; and it was brought accordingly.

About five in the afternoon, his Honor, the first fiscaal came, and desired Mrs. Smith and Mrs. Elliott to retire into the next room, and informed Mrs. Smith that she would be required to give her evidence respecting the cause of her husband's death. Mrs. Elliot replied, that it would be impossible for Mrs. Smith to do that on so short a notice, His Honor asked, what time would be required? Mrs. Elliot answered, until to-morrow. He rejoined, “It must be given to-day.” Mrs. Smith then requested, that she might be allowed to remain in the room where the corpse lay.” “It' you can command your feelings, madam, you may,” was

his reply; which was uttered in a harsh and forbidding manner. Mrs. Smith then said, she would endeavour to command her feeling, and was permitted to stay. 2 B 2

196

His Honor was soon followed by two members of the Court of Policy, two members of the Court of Justice, the two Colonial Secretaries, five medical gentlemen, and several other persons.

They proceeded to recognize the person of Mr. Smith; and then proposed questions to the medical gentlemen who attended him in prison—doctors Chapman and Webster—respecting the nature of his disease, and the causes of his death: they agreed that it was pulmonary.

Doctor Chapman, after stating the nature of Mr. Smith's disease, and the state in which he found him when first called to give his attendance, added, that the lowness of the room in which he was confined during the first seven weeks of his imprisonment, and its dampness, occasioned by the heavy rains, the water standing under it, and the openness of the boards, some of which were a quarter of an inch apart, had contributed to the rapid progress of the disease; and Dr. Webster confirmed this opinion. But, when the deposition of Dr. C. was read over to him, it was found to be so different from the statement he had made, that he repeatedly refused to sign it; and, at length, it was determined that what Dr. C. had stated respecting the room, should be omitted. It should here be remarked, that Dr. Chapman had declared, on his visits to Mr. Smith, that unless the floor and the windows were altered, Mrs. Smith's indisposition would certainly increase.

The fiscaal then addressed himself to Mrs. Smith, and asked her, what she considered to have been the causes of Mr. Smith's death? She replied, that he had been for some time past in a very delicate state of health; but that the false accusations which had been brought against him, the cruel persecutions he had endured, and his long imprisonment, had no doubt hastened his death. The words, “false accusations, and cruel persecutions,”

were rejected with vehemence; and one of the members of the Court of Policy said, it was not Mrs. Smith's opinion they wanted, but the cause of his death.

The fiscaal then asked Mrs. S. by whom he had been dieted and nursed for the last month? she answered, by me, and Mrs. Elliott. She was then asked, how Mr. Padmore, the jailor, had behaved to Mr. Smith? she replied, “he has treated Mr. Smith and myself with the greatest kindness.

The fiscaal then said to Mrs. Elliott, “I suppose you found no difficulty in “obtaining leave to visit Mr. Smith?” Mrs. Elliott answered, “I applied for a “fortnight together, and went seven times to the Secretary's office, before permission “was granted.”

Mrs. Elliott was then asked by the fiscaal, what she had to say respecting Mr. Smith's death? She replied, “Nothing.” The fiscaal added, “Madam, you “are required by this meeting, and you must give your evidence.” Mrs. E. replied, “I do not consider this a legal meeting, and do not feel bound to answer “any questions.” The fiscaal said, “Do not you know that I have the “arm of power, and can oblige you to speak; but I should be sorry to be put “to the painful necessity of so doing.” Mrs. E. then said, “I should be sorry “to oblige you, Sir, to do any thing repugnant to your feelings; but if you did, “I should still resist.”

Fiscaal. What are your reasons for not answering my questions?— *Mrs. Elliott.* “If I give evidence, it will be the same as Mrs. Smith's, which was not “admitted; therefore, it will be useless to repeat it.”— *Fiscaal.* “Will you substantiate “the statement given by Mrs. Smith, respecting the dieting and “nursing of Mr. Smith, and the conduct of Mr. Padmore?” Mrs. Elliott answered, she had no objection to corroborate what Mrs, Smith had said on those points.

The several depositions being sworn to, the meeting broke up.

Between eight and nine o'clock in the evening, Mr. Thompson, the second head-constable, came to the prison, and told Mrs. Smith and Mrs. Elliott, that he was ordered to inform

them, that he should come at four o'clock next morning. to demand the body of Mr. Smith for interment. Mrs. Elliott then enquired, why they were not permitted to bury Mr. S. at ten o'clock, as they 197 intended? she asked, also, Whether any persons would be allowed to follow the corpse? he answered, No. Mrs. Elliott asked, Whether Mrs. Smith and herself were included in that prohibition? he replied, Yes. Mrs. E. asked, From whom he received his orders? he answered, From His Excellency. Mrs. E. then said, “Is it possible, that General Murray can wish to prevent a poor widow from “following her husband to the grave? Surely, they do not mean to pursue their “persecutions to the grave, as they have done to death!” And she added, “If “Mrs. Smith will go, I will go with her; we are not prisoners; we may go “where we please.” He replied, “It is probable there will be soldiers there, “and something unpleasant may occur; and, therefore, I advise you not to go.” Mrs. Smith then exclaimed, in a loud and frantic voice, “General Murray shall “not prevent my following my husband to the grave, and I will go in spite of “all he can do.”

Mr. Thompson, finding they were so determined, said, “I must go to His “Excellency again.” He accordingly left them, and shortly after returned, and (as they were informed,) told a gentleman in the prison-yard, that if they attempted to follow the corpse, he had orders to confine them; and begged he would inform them, as he would gladly avoid any violence. The gentleman referred to, did make this communication; and they determined, as there was no order to prevent their leaving the prison, to meet the corpse at the grave.

They, therefore, left the jail at half past three o'clock in the morning, dark as it was, accompanied only by a free black man, with a lanthorn; and procceded to the burial-place, where they beheld the mournful spectacle; a beloved husband, and a dear friend, committed to the silent grave. The funeral service was read by the Rev. Mr. Austin.

Mrs. Smith and Mrs. Elliott are ready to confirm this statement by oath.

XIII. *On Tuesday, April* 13, 1824, *the following Petition was presented to the House of Commons, by Sir* J. Mackintosh:

To the Honorable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled,

The humble PETITION of the Treasurer, Secretary, and Directors of “THE LONDON MISSIONARY SOCIETY”

Sheweth —That your petitioners are the Officers of a Society, established in 1795, including Clergymen and Members of the Established Church, and Ministers and Laymen of different denominations among Protestant Dissenters.

That “the sole object of that Society is to spread the knowledge of Christ among Heathen and other unenlightened nations.”

That to accomplish their object, the Society send pious and self-denying men to those regions where the population need religious instruction; and at an expense exceeding 30,000 *l.* per annum to support those Missionaries, amidst labours which pure benevolence only can induce them to sustain, and which human praise never can repay.

That the Christian motives which prompt those exertions render the Society most circumspect as to the characters of the persons whom they depute; and that they might refer with cordial satisfaction and devout gratitude to many of their Missionaries, some of whom have, under the blessing of God, civilised barbarians and evangelised the idolatrous; whilst other have, by their literary labours, especially in the translation of the Holy Scriptures, reflected honor on their country, and become the benefactors of large portions of the world.

That the Dutch-ceded Colony of Demerara was selected in the year 1807 for a Missionary Station, at the request of respectable persons resident therein, and because the neglected state of a large slave population excited their compassion; 198 and their judgment has been since confirmed by official documents, which declared that “Catechists and

Teachers" were "required, to instruct that population in the elementary principles of the Christian Faith."

That notwithstanding this declaration from the highest authority in the Colony, special circumstances connected with Demerara have rendered the duties of Missionaries there peculiarly arduous and perplexing, and have occasioned difficulties which no other West-Indian Colonies in an equal degree present. But many of those obstacles were surmounted by a "patient continuance in well doing;" and Chapels have been built where numerous congregations of Negroes assembled for public worship, and those lessons of Religion, and morals, and civil subordination, were inscribed on their memories and their hearts, which many and long-continued sufferings have been unable to efface.

In the end of 1816 the Rev. John Smith was sent to Demerara. His station was at a Chapel in the Plantation called *Le Resouvenir* , on the eastern coast. A confidence in his excellent principles, and other qualifications, led the Society to select him for that appointment. But this estimate of his worth and fitness did not induce them to omit those especial instructions and cautions which their ordinary regulations, and a conviction of the difficulties connected with that station, especially required. The following instructions were therefore given:—

" *In the discharge of your Missionary duty you may meet with difficulties almost peculiar to the West-Indies or Colonies, where slaves are employed in the culture of the earth and other laborious employments. Some of the gentlemen who own the estates, the masters of the slaves, are unfriendly to their instruction; at least, they are jealous lest, by any mismanagement on the part of the Missionaries, or misunderstanding on the part of the Negroes, the public peace and safety should be endangered. You must take the utmost care to prevent the possibility of this evil; not a word must escape you, in public or private, which might render the slaves displeased with their masters or dissatisfied with their station. You are not sent to relieve them from their servile condition, but to afford them the consolations of religion, and to enforce upon them the necessity of being 'subject not only*

for wrath but for conscience sake.' Romans xiii. vi.; 1 Peter ii. 19. *The Holy Gospel you preach will render the slaves who receive it the more diligent, faithful, patient, and useful servants; will render severe discipline unnecessary, and make them the most valuable servants on the estates; and thus you will recommend yourself and your ministry even to those Gentlemen who may have been averse from the religious instruction of the Negroes. We are well assured that this happy effect has already been produced in many instances; and we trust you will be the honored instrument of producing many more.* "

To those instructions your petitioners believe, that the Rev. John Smith paid duteous and willing respect, although many acts of unkindness towards himself, and of illegal restriction and harshness towards the Negroes who attended on his Ministry, rendered implicit and uniform obedience no easy task. In that situation, surrounded by difficulties, which Christian Ministers in England have never known, and which exist in an equal degree perhaps in no other West-Indian Colony, the Rev. John Smith continued his humble and indefatigable ministry until August last. Incessant occupation in an unhealthy climate had in the mean time much impaired the health of Mr. Smith, and medical advisers had prescribed his speedy return to Europe, or his removal to a more salubrious air; and that advice, for the preservation of his life, he intended to obey.

But in August last events occurred which interrupted the execution of that purpose, and have pressed him down prematurely to the grave. On August 18th there was a commotion on several plantations on the Eastern coast: the slaves on the plantation where Mr. Smith resided, and several slaves particularly connected with his chapel, were engaged in that commotion. It appears to have been rather a riotous assemblage than a planned rebellion; and within a very few days it was easily suppressed. Many Negroes were shot and hanged, 199 though little if any injury had been done to any property, and though the life of no White man was voluntarily taken away by them.

Suppliants, rather than accusers, your petitioners do not desire to develope the remote or immediate causes of an event which they deplore; but they, upon the information

communicated to them, humbly submit, that peculiar and unwarrantable cruelties towards the slaves—that Sunday labours illegally compelled—that capricious interruptions and impediments thrown in the way of their religious duties—and especially that a long and inexplicable delay to promulgate the directions transmitted from His Majesty's Government favorable to the Negro population, and well known amongst them to have arrived, were causes sufficient to account for the effect. At the commencement of the commotion, Martial Law was proclaimed, and a non-descript Martial Law was continued not only for days or for weeks, but for several months, after all commotion had subsided, and until the 19th of January last.

This sad, though brief disturbance, appears to your petitioners to have afforded an opportunity for the manifestation of the adverse and injurious feelings of many Colonists, directed equally against the efforts of Religious Societies— against the paternal purposes of a Gracious King, and against the recorded desire of the British Parliament, to mitigate the sufferings of the Negro population, and to improve their conditions by means which Christian instruction and education might supply. But those objects of displeasure to the Colonists were distant and inaccessible; and it was on Mr. Smith, an innocent and unprotected victim, that they chiefly poured the torrent of their wrath. To your petitioners also it appears, after deliberate and careful inquiry, that His Majesty's Lieutenant-Governor allowed the sentiments of those persons to operate on his conduct—and that he has already been persuaded into acts which your petitioners ever must lament.

On the 21st of August, Mr. Smith was taken from his house; his private Journal and all his papers were seized: and, notwithstanding his ill health, he was kept closely imprisoned, prohibited from all intercourse with his friends, precluded from correspondence with this Society, and exposed to such treatment as is unknown to English prisoners, whatever be their crimes.— Martial Law was continued, and his imprisonment endured; nor was it till October the 13th, a period of nearly two months, that his trial was begun. All these proceedings were by the Special Order of his Excellency the Lieutenant-Governor and Commander-in-Chief. Against Mr. Smith, on his trial, appeared the Colonial Fiscal, as

his accuser; among the officers who composed the Court was Mr. Wray, President, or principal Judge of the Colonial Court of Justice, introduced as a military officer. The charges were four, and are already among the papers laid on the table of your Honorable House.

Of those charges your Honorable House will form its judgment; but your petitioners are advised, that they are charges not imputing any offence legally cognisable: by the Court to which they were submitted—charges which no, British Tribunal, civil or military, could lawfully entertain, and which, if they involved any violation of the Colonial Laws, should by those laws alone have been tried and determined. The long interval between the apprehension and trial of Mr. Smith had been zealously employed in finding matter of accusation against him; the trial of some slaves had been proceeded in, and means had been taken to prevail on those slaves to become his accusers, in the hope of preserving their lives. Defences, which they neither wrote nor understood, were put in as their own, not exculpating themselves, but accusing Mr. Smith of crimes which no evidence had supported; and imputations, which only party-spirit could invent, were industriously circulated. After all these investigations; after the publication of the entries made by Mr. Smith in his private Journal of his feelings and his thoughts; and after all the calumnies which the Colonial Press could circulate, there appeared not any credible evidence even to support those charges that were so anomalous and strange. It was, however, by a Court-Martial that he was tried, and of high-treason he 200 was indirectly accused, without any of those protections against that accusation which not only the merciful laws of England, but even the Colonial Laws themselves, supplied. He was tried by a Court-Martial, and the evidence of slaves was thereby introduced. The assistance of an Advocate to speak on his behalf was thereby refused, and the means of appealing from an unjust sentence were thereby precluded. Of the evidence given on this trial a judgment will be formed by your Honorable House; but to your petitioners it has appeared that much of that testimony was truly frivolous, and that the remainder affixes neither to the motives nor to the conduct of Mr. Smith any political or moral guilt. During the progress of the trial, impartiality was

not preserved, and hear-say evidence was received against Mr. Smith, while he was not allowed to produce the same species of evidence in his defence. For six weeks, from October 13 to November 24, the trial of Mr. Smith, struggling with a dire disorder, was prolonged. And at length a sentence was pronounced, which found him guilty of the charges, but with certain exceptions, which not only attenuate, but nullify some of those charges: and as to all the charges, he was recommended to mercy—as though any mercy could be deserved by a man, and that man a Minister of Peace and of Religion, who, amid a slave population, had really abused his high and righteous office, and had really excited that population to treason against the State.

After that finding, and such recommendation to mercy, and after such trial by such Tribunal, and with his knowledge of the malady which the confinement and sufferings of Mr. Smith had greatly increased, your petitioners would have expected that His Excellency the Lieutenant-Governor would readily have manifested the mercy it had been judged fit to recommend, and by allowing Mr. Smith to leave the Colony would have preserved his life. But your petitioners have with grief to state, that His Excellency preferred to order Mr. Smith to confinement in the common prison, and to transmit the proceedings to England, for the consideration and ultimate decision of his Majesty thereon.

On the perusal of those proceedings, His Majesty's Government thought proper to remit the punishment of death; but they appear to your petitioners to have given an approval of the finding of the Court, by directing that Mr. Smith should be dismissed the Colony, and should enter into recognizances never to return.

Your petitioners can conceive, and can respect motives which may have induced a decision disappointing to their hopes; but all the information they have collected, and all the legal opinions they have obtained, tend to confirm their belief, not only of the legal, but perfect moral innocence of Mr. Smith, and that the proceedings against him were as unconstitutional as incorrect. In this judgment they are supported by communications from the Colony, which evidenced that the effect of Christian principle and Christian instruction,

had been never more benignly manifested than in the proceedings of the slaves, even during the commotion—by their abstinence from the outrages usual on such occasions, and by their declarations that they were taught not to take away human life. The testimony of Mr. Arrindell, the advising Advocate of Mr. Smith, and of the Rev. Mr. Austin, the Government Chaplain to the Garrison, and a Minister of the Established Church, to this effect, are contained in the following extracts from their letters. The former of whom had stated—

" *It is almost presumptuous in me to differ from the sentence of a Court; but, before God, I do Believe Mr. Smith to be innocent; nay, I will go further, and defy any Minister of any sect whatever, to have shewn a more faithful attention to his sacred duties than he has been proved, by the evidence on his trial, to have done.* "

While the latter, in a private letter to a friend, had written—

" *I feel no hesitation in declaring, from the intimate knowledge which my most anxious inquiries have obtained, that in the late scourge which the hand* 201 *of an All-wise Creator has inflicted on this ill-fated country, nothing but those religious impressions which under Providence Mr. Smith has been instrumental in fixing—nothing but those principles of the Gospel of Peace which be has been proclaiming, could have prevented a dreadful effusion of blood here, and saved the lives of those very persons who are now (I shudder to write it) seeking his life.* "

In these their disappointments and conclusions, also, your petitioners have been further sanctioned by vast numbers of their countrymen of all religious denominations, and who partake their sorrow and surprise.

With such convictions therefore—justice and mercy—justice to their injured Missionary, and mercy to all other Missionaries and Englishmen throughout the world, did not allow

your petitioners to neglect any appropriate means to obtain not merely a remission, but a reversal of his sentence and his thorough acquittal of all guilt.

Your petitioners had accordingly informed Mr. Smith of their willingness to assist by all means in their power in supporting an appeal against the sentence, should he think fit to make one. A Memorial to his Majesty's Government had also been prepared, and legal proceedings against His Excellency the Lieutenant-Governor and the Commander-in Chief at Demerara had been advised.

But many of their wishes have been ended, and they have been filled with anguish by intelligence that on the 6th February last (before the decision of the Government could have arrived) such injuries and such imprisonment had accelerated the desolations of disease, that death had liberated the sufferer from the Prison House, and that the name of another Martyr had been inscribed on the records of the Christian Church.

Under these circumstances, to the Parliament of their country your petitioners prefer their complaint. They perceive that it is not merely the memory of Mr. Smith, nor the relief of his widow, that is involved in these transactions; but that they involve the security of those who survive in every Colony, and many important questions universally interesting of Constitutional right. New establishments in the West-Indian Colonies for the education and religious welfare of the slaves are also at last wisely proposed, and new assurances, therefore, become needful for their protection, and for the protection of all Christian Missionaries who now labour, and who may hereafter labour in those ungenial and long-neglected lands. And to your petitioners it appears that redress for the evils that are past, as well as the present protection and future security they seek, can by your Honourable House be best or alone bestowed.

Your petitioners therefore pray, that your Honourable House will institute such inquiries, or direct or adopt such measures, as may best tend to obtain the revision or rescindment of the sentence passed on Mr. Smith; and also will adopt such measures as shall insure

needful protection to Christian Missionaries in every part of the British empire throughout the world; and will afford such further relief as shall seem meet to the humanity, wisdom, and justice of your Honourable House. 2 C

INDEX.

FIRST DAY, 13 th OCTOBER, 1823. *p.* 1

Formation of the Court 1

Charges against the Prisoner 2

SECOND DAY, 14 th OCTOBER, 1823. 3

Judge-advocate's Address *p.* 3

John Stewart examined 4

Extracts from Journal *ib.*

Edmund Bond examined 8

William M'Watt examined 9

THIRD DAY, 15 th OCTOBER, 1823. 9

Azor examined 9

Wm. Young Playter sworn interpreter *ib.*

Romeo examined 12

FOURTH DAY, 16 th OCTOBER, 1823. 13

Romeo re-called 13

Joe examined 14

Manuel examined 15

FIFTH DAY, 17 th OCTOBER, 1823. 18

Manuel's examination continued 18

Bristol examined 19

SIXTH DAY, 18 th OCTOBER, 1823. 26

Adjourned 26

SEVENTH DAY, 20 th OCTOBER, 1823. 26

Bristol cross-examined by the Prisoner *ib.*

EIGHTH DAY, 21 st OCTOBER, 1823. 30

Assistant-Judge-Advocate J.L. Smith First to act as judge-advocate 30

Bristol's examination resumed *ib.*

Michael M'Turk, examined 32

First Fiscaal's letter to Dr. M'Turk *ib.*

Fiscaal's letter to the Prisoner 32

Prisoner's letter to Dr. M'Turk 33

Lieut.-governor's circular to M'Turk 34

Extractor Lord Liverpool's despatch 35

Extracts from journal 36

NINTH DAY, 22 d OCTOBER, 1823. 37

Dr. M'Turk's examination resumed 37

TENTH DAY, 23 d OCTOBER, 1823. 41

Seaton examined 41

Mr. Smith, assistant judge-advocate, examined 43

John Baillie examined 45

John Ayes examined 47

ELEVENTH DAY, 24 th OCTOBER, 1823. *p.* 48

Dr. Thomas Robson examined *p.* 48

Jackey Reed examined *ib.*

Lieut.-colonel Reed examined 49

Alexander Stephenson examined 51

Prisoner's letter to Jackey Reed *ib.*

Jackey Reed's examination resumed *ib.*

Guildford examined 52

Mitchell examined *ib.*

Dose examined 53

Antje Ankey examined 54

Negro Andrew examined 55

TWELFTH DAY, 25 th OCTOBER, 1823. 56

Cupido examined 56

Jenny, *alias* Jane Grant, examined 57

Elizabeth, a little girl, examined *ib.*

Kitty Stewart, or Cuming, examined 59

Lieutenant Nurse examined *ib.*

Proclamation of Martial Law 62

THIRTEENTH DAY, 31 st OCTOBER, 1823. 62

Adjourned 62

FOURTEENTH DAY, 1 st NOVEMBER, 1823. 63

Prisoner's Defence 63

FIFTEENTH DAY, 3 d NOVEMBER, 1823. 93

Dr. M'Turk examined 93

Mr. Hamilton's letter to Capt. M'Turk 94

Capt. M'Turk's reply to ditto 94

Hendrick Van Cooten examined 95

SIXTEENTH DAY, 4 th NOVEMBER, 1823. 97

John Stewart examined 97

Mr. Stewart's letter to the Prisoner 98

Ditto to ditto 99

Mr. Stewart's letter to the Prisoner 99

John Hamilton examined 102

SEVENTEENTH DAY, 5 th NOVEMBER, 1823. 104

John Hamilton cross-examined 104

Certificate signed by James Donald and John Hamilton 104

Lieut.-colonel Leahey examined 105

Lieut.-col. John G. Reed examined 107

Lt.-col. Reed's letter to the Prisoner *ib.*

Rev. W. S. Austin, examined 108

EIGHTEENTH DAY, 6 th NOVEMBER, 1823. 111

Rev. W. S. Austin cross-examined 111

John Davies examined 112

NINETEENTH DAY, 7 th NOVEMBER, 1823. 114

Bristol examined 114

Richard Elliot examined 115

Philip examined 117

TWENTIETH DAY, 8 th NOVEMBER, 1823. 118

Philip cross-examined 118

Jason examined *ib*

Mary Chisholm examined 120

TWENTY-FIRST DAY, 10 th NOVEMBER, 1823. 122

Mary Chisholm cross-examined 122

Charlotte examined 124

Mars examined 126

TWENTY-SECOND DAY, 11 th NOVEMBER, 1823. 127

London examined 127

Peter examined 128

Bill examined 129

Neno examined 130

204

TWENTY-THIRD DAY, 12 th NOVEMBER, 1823. *p.* 130

Robert Edmondstone examined *p.* 130

Lieutenant Spragg examined 131

Rev. John Davies examined *ib.*

Shute examined 132

Polly examined 133

Susanna examined 133

Lieutenant T. C. Hammill examined *ib.*

Petition of Mr. Smith to the lieutenant-governor *ib.*

Order from the lieutenant-governor 134

TWENTY-FOURTH DAY, 13 th NOVEMBER, 1823. 134

Thomas Finlayson examined 134

J. G. Abbott's letter to the Prisoner *ib.*

Elizabeth examined 135

Alexander Simpson examined *ib.*

TWENTY-FIFTH DAY, 14 th NOVEMBER, 1823. 137

Prisoner's remarks on the evidence for the defence *ib.*

TWENTY-SIXTH DAY, 18 th NOVEMBER, 1823. 147

Adjourned till the following day *ib.*

TWENTY-SEVENTH DAY, 19 th NOVEMBER, 1823. *ib.*

Prosecutor's reply *ib.*

TWENTY-EIGHTH DAY, 24 th NOVEMBER, 1823. 177

Judgment of the Court *ib.*

APPENDIX. 180

No. I.—Letter from Mr. Arrindell to Mrs. Smith *ib.*

II.—Certificate of Messrs. Van Cooten and Hamilton *ib.*

III.—Letter of the Prisoner to the First Fiscaal 181

IV.—Letter of the Prisoner to Mr. Mercer 182

V.—Unfinished letter of the Prisoner to the Secretary of the Missionary Society 183

VI.—Letter of Mrs. Smith to the Secretary 184

VII.—Letter of the Prisoner to the Secretary 187

VIII.—Letter of the Prisoner to the Treasurer and Secretary 189

IX.—Extract of a letter from Mrs. Elliot 190

X.—Affidavit of Mrs. Smith 19

XI.—Extract of a letter from Mrs. Smith to the Secretary 195

XII.—Account of Mr. Smith's death and interment *ib.*

XIII.—Petition of the Missionary Society to the House of Commons 197

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