



An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves.

(Concluded from our last.)

XLVI. And be it further enacted, That in case it shall appear to the said Commissioners that any Person in respect of whom Claims for Compensation under the Provisions of this Act shall have been made have been registered and held in Slavery in any of the said Colonies in this Act mentioned contrary to Law, then and in every such Case the said Commissioners shall deduct from the Sum to be appropriated as Compensation to the proprietors in such Colony such Sums as shall correspond with the estimated Value and Number of the said Persons so illegally registered and held in Slavery; and all such Sum or Sums which may be deducted as herein-before provided shall be applied towards defraying the general Expences of the Commission to be hereby appointed: Provided always, that for the Purpose of ascertaining in what Cases such Deductions shall be made, every Question which shall arise in any such Colony respecting the servile Condition of any Persons therein registered as Slaves shall be inquired of and determined by the Commissioners to be appointed under this Act according to such Rules of legal Presumption and Evidence as are or shall be established by any Law in force or which shall be in force in any such Colony.

XLVII. And whereas it is necessary that Provision should be made for the Apportionment amongst the Proprietors of the Slaves to be manumitted by virtue of this Act, in each of the said Colonies respectively, of that Part of the said Compensation Fund which shall be so assigned as aforesaid to each of the respective Colonies: And whereas the necessary Rules for that Purpose cannot be properly or safely established until after full Inquiry shall have been made into the several Circumstances which ought to be taken into consideration in making such apportionment; be it therefore enacted, That it shall be the Duty of the said Commissioners, and they are hereby authorized and required, to institute a full and exact Inquiry into all the Circumstances connected with each of the said several Colonies which in the Judgment of the said Commissioners ought, in Justice and Equity, to regulate or affect the Apportionment within the same of that Part of the said general Compensation Fund which shall in manner aforesaid be assigned to each of the said Colonies respectively; and especially such Commissioners shall have regard to the relative Value of prædial Slaves and of unattached Slaves in every such Colony; and such Commissioners shall distinguish such Slaves, whether prædial or unattached, into as many distinct Classes as, regard being had to the Circumstances of each Colony, shall appear just: and such Commissioners shall, with all practicable Precision, ascertain and fix the average Value of a Slave in each of the Classes into which the Slaves in any such Colony shall be so divided; and the said Commissioners shall also proceed to inquire and consider of the Principles according to which the Compensation to be allotted in respect to any Slave or Body of Slaves ought, according to the Rules of Law and Equity, to be distributed amongst Persons who, as Owners or Creditors, Legatees or Annuitants, may have any joint or common interest in any such Slave or Slaves, or may be entitled to or interested in such Slave or Slaves, either in Possession, Remainder, Reversion, or Expectancy; and the said Commissioners shall also proceed to inquire and consider of the Principles upon which and the Manner in which Provision might be most effectually made for the Protection of any Interest in any such Compensation Money which may belong to or be vested in any married Women, In-

fants, Lunatics, or Persons of insane or unsound Mind, or Persons beyond the Seas, or labouring under any other legal or natural Disability or Incapacity, and according to what Rules, and in what Manner, and under what Authority Trustees should, when necessary, be appointed for the safe Custody, for the benefit of any Person or Persons, of any such Compensation Fund or of any part thereof, and for regulating the Duties of such Trustees, and providing them with a fair and reasonable indemnity; and the said Commissioners shall also inquire and consider upon what principles, according to the established rules of Law, and Equity in similar Cases, the Succession to such Funds should be regulated upon the Death of any Person entitled thereto who may die intestate; and the said Commissioners shall and they are also authorized and required to consider of any other Question which it may be necessary to investigate in order to establish just and equitable Rules for the Apportionment of such Compensation Money amongst the Persons seized of, or entitled to, or having any Mortgage, Charge, Incumbrance, Judgment, or Lien, upon, or any Claim to, or Right or Interest in, any Slave or Slaves so to be manumitted as aforesaid at the Time of such their Manumission; and having made all such Inquiries, and having taken all such Matters and things as aforesaid into their Consideration, the said Commissioners shall and are hereby required to proceed to draw up and frame all such general Rules, regard being had to the laws and Usages in force in each Colony respectively, as to them may seem best adapted in each Colony respectively for securing the just and equitable Distribution of the said Funds amongst or for the Benefit of such several Persons as aforesaid, and for the Protection of such Funds, and for the Appointment and Indemnification of such Trustees as aforesaid; and such general Rules when so framed, and when agreed upon by the said Commissioners, shall by them be subscribed with their respective Hands and Seals, and transmitted to the Lord President of His Majesty's Council, to be by him laid before His Majesty in Council; and so from Time to Time as often as any further general Rules should be so framed and agreed to for the Purposes aforesaid or any of them

XLVIII. And be it further enacted, That the general Rules to be transmitted as aforesaid to the said Lord President shall be forthwith published in the *London Gazette* on Three several Occasions at least, together with a Notice that all Persons interested in or affected by any such general Rules may, by a time to be in such Notice limited, appeal against any such Rules to His Majesty in Council; and it shall be lawful for the Lords and others of His Majesty's Privy Council, or for any Three or more of them, by any further Notice or Notices to be for that Purpose published in the *London Gazette*, to enarge, as to them may seem meet, the Time for receiving any such Appeals.

XLIX. And be it further enacted, That if within the time so to be limited for receiving such Appeals any Person or persons shall prefer any Petition of Appeal to His Majesty in Council against any such general Rule so published as aforesaid in the *London Gazette*, it shall be lawful for His Majesty in Council, or for any Committee of Privy Council, to hear such Appeal, and to cause Notice thereof to be served upon the said Commissioners, who shall thereupon undertake the Defence of such Appeal; and upon hearing any such Appeal it shall be lawful for His Majesty in Council to confirm and annul or to rescind and disallow any such General Rule as aforesaid, or thereupon to alter, amend, or vary any such Rule in such Manner as to His Majesty may seem just, or to remit the same to the said Commissioners for further Consideration and Revision.

L. And be it further enacted, That at the Expiration of the Time limited for receiving such Appeals as aforesaid it shall be lawful for His Majesty in Council to confirm and allow, or to rescind and dis-

allow, in the whole or in part, or to amend, alter, or vary, any, such general Rule or Rules, though not so appealed against, as to His Majesty may seem just, or to remit such Rules to the said Commissioners for further Consideration and Revision.

LI. And be it further enacted, That when and so often as any such general Rule or Rules as aforesaid shall by His Majesty in Council have been confirmed and allowed, an Order shall be made by His Majesty in Council, reciting at length any such Rule or Rules, with any Alterations or Amendments which may have been therein made as aforesaid; and a Copy of every such Order in Council shall be duly certified by the Lord President of His Majesty's Council for the time being to the Lord High Chancellor or Keeper of the Great Seal, or to the Master of the Rolls, for the Time being, and shall be duly inrolled among the Records of the High Court of Chancery, and shall there remain and be of Record.

LII. And be it further enacted, That it shall be lawful, by any Rules so to be framed, published, confirmed, allowed, and enrolled as aforesaid, to revoke amend, alter, and again renew, as Occasion may require, and as may be thought just, any former or preceding Rule or Rules.

LIII. And be it further enacted, That every such general Rule as aforesaid, when so enrolled, as aforesaid, shall be of the same Validity, Force, Virtue, and Effect as if the same had been made and enacted by His Majesty, by and with the Advice and Consent of Parliament: Provided nevertheless, that no such Rule shall be in anywise repugnant to or at variance with this Act or any Part thereof, or with the Laws and Usages in force in the several Colonies respectively to which such Rules may relate, so far as any such Laws or Usages may not be repugnant to or at variance with the Provisions of this Act.

LIV. And be it further enacted, That the said general Rules, when so framed, confirmed, allowed, and inrolled as aforesaid, shall be observed and followed by the said Commissioners, and shall be binding upon them in the further Execution of the said Commission; and in the Exercise of the Powers and Authorities hereby committed to them, and shall in all Cases be taken, observed, and followed as the Rules for the Decision of and Adjudication upon all Claims which may be preferred to them by any Person or Persons having or claiming to have any interest in the said Compensation Fund or in any Part thereof.

LV. And be it further enacted, That any Person having or claiming to have had any Right, Title, or Interest in or to, or any Mortgage, Judgment, Charge, Incumbrance, or other Lien upon, any Slave or Slaves so to be manumitted as aforesaid, at the Time of such their Manumission, shall and may prefer such Claims before the said Commissioners; and for ensuring Method, Regularity, and Dispatch in the Mode of preferring and of proceeding upon such Claims, the said Commissioners shall and are hereby authorized by general Rules, to be framed and published, confirmed, allowed, and inrolled as aforesaid, to prescribe the Form and Manner of Proceeding to be observed by any Claimant or Claimants preferring any such Claims, and to authorize the Assistant Commissioners so to be appointed in the said several Colonies to receive and report upon the same or any of them in such Manner and Form and under such Regulations as to the Commissioners so to be appointed by His Majesty as aforesaid shall seem meet, and to prescribe the Manner the Time or Times the Place or Places, and the Form or Forms in which Notices of such Claims shall be published for general Information, or especially communicated to or served upon any Person or Persons interested therein or affected thereby, and to prescribe the Form and Manner of Proceeding to be observed upon the Prosecution of such Claims, or in making any Opposition to the same, and to make all such Regulations as to them may seem best adapted for promoting Method, Economy, and Dispatch in the Investigation of such Claims, and respecting

the Evidence to be taken and admitted for or against the same, and respecting the Manner and Form of adjudicating thereupon, and otherwise however respecting the Method, Form, and Manner of Proceeding to be observed either by them the said Assistant Commissioners, or by the Parties to any Proceedings before them, their Agents or Witnesses, and which Rules shall from Time to Time be liable to be amended, altered, varied, or renewed as Occasion may require, in such Manner as is herein-before directed.

LVI. And be it further enacted, That the said Commissioners shall proceed, in the Manner to be prescribed by any such general Rules as last aforesaid, to inquire into and adjudicate upon any such Claims as may be so preferred to them, and shall upon each such Claim make their Adjudication and Award in such Manner and Form as shall be prescribed by any such last-mentioned general Rules; and if any Person interested in or affected by any such Adjudication or Award shall be dissatisfied therewith, it shall be lawful for such Person to appeal therefrom to His Majesty in Council, and Notice of any such Appeal shall be served upon the said Commissioners who shall thereupon undertake the Defence thereof; and it shall be competent to His Majesty in Council to make and establish all such Rules and Regulations as to His Majesty shall seem meet respecting the Time and Manner of preferring and proceeding upon such appeals, and respecting the Course to be observed in defending the same, which Rules shall be so framed as to promote, as far as may be consistent with Justice, all practicable Economy and Dispatch in the proceeding upon the Decision thereof; and in Cases in which any Two or more Persons shall have preferred before the said Commissioners adverse or opposing Claims, and in which any or either of such Persons shall be interested to sustain the Adjudications or Award of such Commissioners thereupon, then and in every such Case it shall be lawful for any Person or Persons so interested, to undertake the Defence of any such Appeal in lieu and instead of the said Commissioners.

LVII. And be it further enacted, that it shall be lawful for His Majesty in Council, upon hearing any such Appeal as aforesaid, either to confirm and allow or to reverse or to amend or alter any such Adjudication or Award as to His Majesty in Council shall seem fit, or to remit any such Adjudication and Award to the said Commissioners for further consideration and revision, or for the admission of further evidence; but it shall not be lawful for His Majesty in Council, upon the hearing of any such Appeal, to admit any new evidence which was not admitted by or tendered to the said Commissioners before the making of such their Adjudication and Award.

LVIII. And be it further enacted, that the several Adjudications and Awards of the said Commissioners, unless duly appealed from within the respective times to be limited by His Majesty in Council for that purpose, shall be final and conclusive and binding upon all Persons interested therein or affected thereby; and that the decisions of His Majesty in Council upon any such appeal shall in like manner be final, binding, and conclusive.

LIX. And be it further enacted, that the Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or any three or more of them, for the time being, may order and direct to be issued and paid out of the said Sum of Twenty Millions of Pounds Sterling any Sum or Sums of Money for the payment of salaries to Commissioners, Officers, Clerks, and other Persons acting in relation to such Compensation in the execution of this Act, and for discharging such incidental expences as shall necessarily attend the same, in such manner as the Lord High Treasurer, or Commissioners of the Treasury, or any three or more of them, shall from time to time think fit and reasonable; and an account of such expence shall be annually laid before Parliament.