ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

****

C A P. LXXXII.

An Act to carry into further Execution an Act for compensating Owners of Slaves upon the Abolition of Slavery, and for completing the full Payment of such Compensation.

[17th *August* 1836.]

WHEREAS an Act was passed in the Third and Fourth
Years of the Reign of His present Majesty King *William*
the Fourth, intituled *An Act for the Abolition of Slavery* 3 & 4 W. 4.
throughout the British *Colonies, for promoting the Industry of the* c. 73.
manumitted Slaves, and for compensating the Persons hitherto en-
titled to the Services of such Slaves; and the Sum of Twenty Million
Pounds Sterling was authorized to be raised by the said recited
Act for the Purposes of the said Act; and Part thereof has been
accordingly raised, and applied to the Payment of the several Persons
entitled to Slave Compensation in certain of the Colonies mentioned
in the said recited Act; and other Part of the said Sum of Twenty 5 W. 4. c. 45.
Millions has been provided for by the Creation of certain Capital
Stock, in satisfaction of the several Claims to such Compensation by
the Persons entitled thereto in the Colony of *Barbadoes*, in lieu of
paying the same in Money; and it is expedient to make Provision
for paying and satisfying the Balance remaining due upon the said
Sum of Twenty Millions: Be it therefore enacted by the King's most
Excellent Majesty, by and with the Advice and Consent of the Lords
Spiritual and Temporal, and Commons, in this present Parliament

Surplus Revenue may be issued out of growing Produce for Payment of Slave Compensation Monies.

assembled, and by the Authority of the same, That from and after the passing of this Act it shall and may be lawful for any Three or more of the Lords Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, by Warrant under their Hands, to order and direct, from Time to Time and at any Time, until the whole of the said Sum of Twenty Millions shall be paid and satisfied, the issuing, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, for the Purposes of this Act, during the Quarter immediately ensuing the Day to which the annual Account of the Receipt and Expenditure of the said United Kingdom shall be made up (commencing with the annual Account made up to the Fifth Day of *July* One thousand eight hundred and thirty-six), the Whole or any Part of the One Fourth Part of the Sum which by every such annual Account shall appear to be the surplus Revenue of the said United Kingdom beyond the annual Expenditure thereout, which shall be required from Time to Time for the Purposes of this Act and the said recited Act, any thing in any Act or Acts to the contrary notwithstanding; and the Sum stated in every such Warrant shall be forthwith issued out of the growing Produce of the said Consolidated Fund to the Commissioners for the Reduction of the National Debt, upon the Account standing in their Names in the Books of the Bank of *England* under the Title of the "*West India* Compensation Account;" which said Monies shall be applied by the said Commissioners, in common with the Monies standing at any Time on the said Account, to the Purposes of the said recited Act and of this Act.

3 & 4 W. 4. c. 73.

Rate of Interest to be allowed to Persons at the Cape of Good Hope and at the Mauritius.

II. And whereas it is enacted by the said recited Act that the said Act should come into operation in the Colonies of the *Cape of Good Hope* and the *Mauritius* at Periods more remote than in certain other Colonies mentioned in the said Act by the following Intervals of Time; (*videlicet*,) by Four Calendar Months in the Colony of the *Cape of Good Hope*, and by Six Calendar Months in the Colony of the *Mauritius*; be it therefore enacted, That the Interest upon the several Sums of Money awarded to Persons entitled to Slave Compensation in the Colony of the *Cape of Good Hope* shall be after the Rate of Two Pounds Twelve Shillings and Eight-pence *per Centum per Annum* from the First Day of *December* One thousand eight hundred and thirty-four exclusive to the First Day of *December* One thousand eight hundred and thirty-five inclusive, and after the Rate of Three Pounds Seven Shillings and Eight-pence *per Centum per Annum* from the First Day of *December* One thousand eight hundred and thirty-five up to and including the Day of the Payment of the Principal Sum awarded, if the Payment of the Award shall be made in Money, or up to and including the Fifth Day of *April* One thousand eight hundred and thirty-six if Payment of the Sum so awarded shall be made in Three Pounds Ten Shillings *per Centum* Reduced Annuities, herein-after mentioned, from which last-mentioned Day the Interest or Dividend upon the Three Pounds Ten Shillings *per Centum* Reduced Annuities herein-after mentioned will commence; and in respect of the Colony of the *Mauritius* the Interest upon the several Sums of Money awarded to Persons entitled to Slave Compensation in the said Colony shall be after the Rate of

Two Pounds Twelve Shillings and Eight-pence *per Centum per Annum* from the First Day of *February* One thousand eight hundred and thirty-five exclusive to the First Day of *February* One thousand eight hundred and thirty-six inclusive, and after the Rate of Three Pounds Seven Shillings and Eight-pence *per Centum per Annum* from the First Day of *February* One thousand eight hundred and thirty-six up to and including the Day of the Payment of the Principal Sum awarded, if the Payment of the Award shall be made in Money, or up to and including the Fifth Day of *April* One thousand eight hundred and thirty-six if Payment of the Sum awarded shall be made in Three Pounds Ten Shillings *per Centum* Reduced Annuities, from which last-mentioned Day the Interest or Dividend upon the said Three Pounds Ten Shillings *per Centum* Reduced Annuities will commence; and that all such Interest as may have been paid and allowed on such Claims by the Commissioners for the Reduction of the National Debt, under any Directions given by the Lords Commissioners of His Majesty's Treasury previously to the passing of this Act, shall be and the same are hereby confirmed.

Creation of Stock towards providing for Payment of Slave Compensation to Persons at the Cape of Good Hope, the Mauritius, and the Virgin Islands.

III. And whereas it is enacted by the said recited Act of the Third and Fourth Years of the Reign of His Mjesty King *William* the Fourth, that no Part of the said Sum of Twenty Millions of Pounds Sterling shall be applied or shall be applicable to the Purposes aforesaid, for the Benefit of any Person now entitled to the Services of any Slave in any of the Colonies therein mentioned, unless an Order shall have been first made by His Majesty, with the Advice of His Privy Council, declaring that adequate and satisfactory Provision hath been made by Law in such Colony for giving Effect to the said Act by such further and supplementary Enactments as are therein referred to, nor unless a Copy of such Order in Council, duly certified by One of the Clerks in Ordinary of His Majesty's Privy Council, shall, by the Lord President of the Council, have been transmitted to the Lords Commissioners of His Majesty's Treasury or to the Lord High Treasurer for the Time being, for their or his Guidance or Information: And whereas no Order of the King in Council has been made declaring that adequate and satisfactory Provision hath been made by Law in the *Virgin Islands* for giving Effect to the said recited Act by such further and supplementary Enactments as are specified in the said recited Act, and no Payment of Compensation for Slaves in the said Islands hath yet been made, and it is further expedient that Provision should be made for the Payment of Compensation awarded in the said Islands, or in the said Colonies of the *Cape of Good Hope* and *Mauritius*, or any Portions thereof, either in Money or in Three Pounds Ten Shillings *per Centum* Reduced Annuities: And whereas the Sums apportioned for Slave Compensation to the several Persons entitled thereto in the said Colonies of the *Cape of Good Hope*, the *Mauritius*, and the *Virgin Islands*, amount together to the Sum of Three millions four hundred and thirty-two thousand nine hundred and seventy-four Pounds and One Penny; be it therefore enacted, That, towards providing for the Payment and Satisfaction of such Compensation as aforesaid, there shall be, immediately after the passing of this Act, written in and placed to the Credit of the said Commissioners for the Reduction of the National Debt in the

Books of the said Bank of *England*, by the Accountant General for the Time being of the Governor and Company of the said Bank, in a new and separate Account under the Title of "The Slave Compensation Account," the Sum of Three millions four hundred and thirty-seven thousand two hundred and seventy Pounds Eleven Shillings and Ten-pence of Capital of Reduced Annuities, bearing Interest after the Rate of Three Pounds Ten Shillings *per Centum per Annum*, such Capital in the said Annuities being equivalent to the Sum of Three million four hundred and thirty-two thousand nine hundred and seventy-four Pounds and One Penny Sterling, estimating the Price of such Three Pounds Ten Shillings *per Centum per Annum* Annuities after the Rate of Ninety-nine Pounds Seventeen Shillings and Sixpence for every One hundred Pounds of such Reduced Three Pounds Ten Shillings *per Centum per Annum* Annuities (such Price being the Average Price of the existing Reduced Three Pounds Ten Shillings *per Centum per Annum* Annuities on the Thirtieth Day of *July* One thousand eight hundred and thirty-six, being the Day on which the Certificates of Award did commence to be issued for the said Colony of the *Mauritius*), which Capital Sum of Three millions four hundred and thirty-seven thousand two hundred and seventy Pounds Eleven Shillings and Ten-pence shall be added to and consolidated with, and shall be deemed and taken as Part of, and be subject to all the Conditions attending the Reduced Three Pounds Ten Shillings *per Centum per Annum* Annuities existing at the Time of the passing of this Act, forming Part of the Public Debt of the United Kingdom of *Great Britain* and *Ireland*, and shall be assignable and transferrable and redeemable accordingly; and the Dividends and Charges of Management arising upon the said Capital Sum of Three millions four hundred and thirty-seven thousand two hundred and seventy Pounds Eleven Shillings and Ten-pence Reduced Three Pounds Ten Shillings *per Centum per Annum* Annuities shall be chargeable and the same are hereby charged upon and made payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, the first half-yearly Payment whereof shall commence from the Fifth Day of *April* One thousand eight hundred and thirty-six exclusive; and so much Money shall from Time to Time be set apart and issued at the Receipt of the Exchequer in *England*, out of the Consolidated Fund of the United Kingdom, to the Cashier or Cashiers of the Governor and Company of the Bank of *England*, as shall be sufficient to satisfy and pay the said Annuities to be created in respect of the said Sum of Three millions four hundred and thirty-two thousand nine hundred and seventy-four Pounds and One Penny Sterling, together with the Charges attending the same.

Stock may be transferred or Payment made to Claimants at Cape of Good Hope, or Mauritius, or Virgin Islands.

IV. And be it further enacted, That upon Application to the said Commissioners for the Reduction of the National Debt for the Payment of any Sum which shall hereafter be awarded to any Person or Persons, Owners of Slaves in the said Colonies of the *Cape of Good Hope* or the *Mauritius* or the *Virgin Islands*, for Slave Compensation under the Provisions of the said Act, the said Commissioners shall, at the Option and under the Directions of any Three or more of the Lords Commissioners of His Majesty's Treasury, pay the same

same in Money out of the said "*West India* Compensation Account," or transfer or cause to be transferred from the said Account intituled "The Slave Compensation Account," to the Person or Persons entitled to such Slave Compensation, such a proportionate Amount of the said Reduced Three Pounds Ten Shillings *per Centum per Annum* Annuities, in satisfaction of the Sum awarded to such Person or Persons, as the whole Sum of Three millions four hundred and thirty-two thousand nine hundred and seventy-four Pounds and One Penny Sterling shall bear to the whole Capital of the said Reduced Three Pounds Ten Shillings *per Centum per Annum* Annuities to be created under the Provisions of this Act.

Slave Compensation Monies in respect of litigated Claims may be transferred to the Accountant General of Chancery.

V. And whereas the Claims for Slave Compensation of some of the Persons in the said Colonies of the *Cape of Good Hope* and the *Mauritius*, and also Claims in other Colonies mentioned in the said recited Act, may become the Subject of counter Claim or Litigation before the said Commissioners of Arbitration, or in the Courts of the said Colonies, or in any Court of Appeal, and it is expedient that Power should be given to transfer the Amount of such litigated Claims to the Name of the Accountant General of the Court of Chancery, to abide the final Settlement of such Claim; be it therefore enacted, That it shall be lawful for any Three or more of the Lords Commissioners of His Majesty's Treasury to direct the Commissioners for the Reduction of the National Debt from Time to Time to transfer or cause to be transferred into the Name of the Accountant General of the Court of Chancery at the Bank of *England* such Portion or Portions of the said Reduced Three Pounds Ten Shillings *per Centum per Annum* Annuities standing to the Credit of the said Commissioners for the Reduction of the National Debt in the Books of the said Bank of *England* under the Title of "The Slave Compensation Account" as shall appertain to any Claim which may from Time to Time be certified by the said Commissioners of Arbitration to be the Subject of any counter Claim before them, or of any Suits in the Courts of any of the said Colonies mentioned in the said recited Act of the Third and Fourth Year of the Reign of His present Majesty, or in any Court of Appeal, and also to direct the Payment to the Account of the said Accountant General at the Bank of *England*, by the said Commissioners for the Reduction of the National Debt, of the Amount of any Interest that may have accrued and become due upon any such Claims up to the Fifth Day of *April* One thousand eight hundred and thirty-six, from which Time the Interest on the said Reduced Three Pounds Ten Shillings *per Centum per Annum* Reduced Annuities is to commence and be payable, and it shall be lawful for the said Accountant General to invest the Amount of any such Interest in the like Three Pounds Ten Shillings *per Centum per Annum* Reduced Annuities, and also to invest therein the future half-yearly Dividends arising from such Reduced Three Pounds Ten Shillings *per Centum* Annuities as the same shall arise and become due; and all such Reduced Three Pounds Ten Shillings *per Centum* Annuities so transferred to or purchased by the said Accountant General may be held by him in the Books of the said Governor and Company of the Bank of *England* in Trust for the Purposes of the said recited Act or

this Act, and shall be liable to such and the like Provisions in respect to the Sale and Payment of the Proceeds thereof, or to the Transfer thereof, by the said Accountant General, so far as regards the Claims to Slave Compensation arising in any of the said Colonies, as the Three Pounds *per Centum* Consolidated Bank Annuities are subject and liable to in respect of litigated Claims referred to in an Act passed in the Fifth and Sixth Years of His present Majesty, intituled *An Act to carry into further Execution the Provisions of an Act passed in the Third and Fourth Years of His present Majesty, for compensating Owners of Slaves upon the Abolition of Slavery*, or in an Act passed in the Sixth Year of His present Majesty, intituled *An Act for carrying into further Execution Two Acts of His present Majesty relating to the Compensation for Slaves upon the Abolition of Slavery, and for facilitating the Distribution and Payment of such Compensation.*

5 & 6 W. 4. c. 45.

6 W. 4. c. 5.

Indemnification to Accountant General of Court of Chancery.

VI. And be it further enacted, That the said Accountant General of the Court of Chancery shall be and he is hereby indemnified and saved harmless from all or any Suit or Action at Law or in Equity for any Act to be done or performed by him in carrying into execution the Provisions of this Act, or in acting under the same, and shall not be held or taken to be responsible for or liable to make good any Payment of Money or Transfer of Bank Annuities erroneously made by him, unless the same shall have been occasioned by the wilful Default or Negligence of the said Accountant General.

Accountant General may appoint a Deputy, whose Acts shall be valid.

VII. And be it further enacted, That it shall and may be lawful for the said Accountant General of the Court of Chancery to nominate and appoint a fit and proper Person to do and perform all or any of the Acts and Duties imposed upon the said Accountant General by this Act; and that the Acts of the said Deputy shall be as valid and effectual as if the same had been done by the Accountant General himself.

If any Stock remaining after Claims are satisfied it may be cancelled.

VIII. And whereas there will be a Portion of the Reduced Three Pounds Ten Shillings *per Centum* Annuities, created for the Purposes of the said recited Act and this Act, left standing in the Names of the said Commissioners for the Reduction of the National Debt, after satisfying the several Claims for Slave Compensation in the said Colonies, and also by reason of the Awards for Slave Compensation being in many Instances paid in Money, and not in Reduced Three Pounds and Ten Shillings *per Centum* Annuities; be it therefore enacted, That it shall and may be lawful for any Three or more of the Lords Commissioners of His Majesty's Treasury, from Time to Time, by Warrant under their Hands, to order and direct the said Governor and Company of the Bank of *England* to cancel all such Portions of Stock, and thereupon the Dividends or Interest which would have been payable on the Reduced Three Pounds Ten Shillings *per Centum* Annuities so cancelled shall thenceforward cease to be charged upon or issued out of the said Consolidated Fund; and the accrued Dividends which may have been issued upon any such Stock previously to the cancelling of such Stock shall be paid by the Commissioners for the Reduction of the National Debt into the Receipt of His

Majesty's Exchequer, to be carried to and form Part of the Income of the Consolidated Fund.

IX. And be it further enacted, That the Powers and Provisions contained in the said recited Acts passed in the Third and Fourth, Fifth and Sixth, and Sixth Years of the Reign of His present Majesty shall, so far as the same may be applicable, apply to this Act in the same Manner as if they had been severally re-enacted herein. Powers in recited Acts to apply to this Act.

X. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in the present Session of Parliament. Act may be altered this Session.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE, Printers to the King's most Excellent Majesty. 1836.