

MAURITIUS.

Enclosure 1, in No. 53.

No. 20.—Ordinance of His Excellency the Governor in Council.

Title.	FOR establishing, under a fixed penal clause, the weight of the chains and fetters, or iron rings, which the inhabitants are authorized, by the existing laws, to put upon their slaves; and also for preventing the infliction of any punishment upon a slave who, after having made a complaint against his master, shall have been returned to the latter, upon condition that such slave shall be treated without resentment.
Preamble.	<p>WHEREAS the laws of the colony, particularly the 37th article of the letters patent of the month of December 1723, in permitting to the inhabitants to put their slaves in chains whenever they shall think these latter shall have merited it, have determined nothing with respect to the weight of the chains and fetters; and it being necessary to good order that the same should be fixed in an invariable manner, by some regulation :</p> <p>And whereas, from several reports which have reached his Excellency the Governor, it appears that masters, after having been bound, either towards the chief commissary of police in Port Louis, or to the commissaries of police in the several quarters of the island, not to inflict any punishment upon such slaves as shall have been returned to them, after having brought forward complaints against them, have notwithstanding subjected such slaves to certain correction.</p> <p>By virtue of the powers and authority conferred upon his Excellency the Governor by His most gracious Majesty, his Excellency in Council has been pleased to order :</p>
Weight of the chains and fetters or iron rings.	<p>I. For the future, the weight of the chains which shall be put upon slaves, when their masters shall think they shall have merited such punishment, shall not, with the collars thereunto fixed, exceed nine pounds for two male slaves of fifteen years of age and upwards, who shall be attached to the same chain, nor six pounds for a single slave, who shall carry his chain around his body; the weight of the chains, with their collars, shall not exceed five pounds for negresses and negroes under the age of fifteen years, nor three pounds when the chains shall be borne by such persons singly. A negro and negress shall not, in any case, be chained together.</p> <p>Nevertheless the chief commissary of police in the town of Port Louis, and the civil commissaries in the respective quarters, may, at the instance of the proprietors, and provided they are of opinion the slaves shall have merited it, augment the weight of the chains in each particular case which shall be submitted to them, shall fix themselves the weight of the chains, and the duration of the increase of the punishment. The weight of the fetters, or iron ring, placed in the foot of a slave, shall not exceed three pounds for male slaves of fifteen years of age and upwards; the fetters, or the iron ring, shall not be put upon negresses or upon negroes under the age of fifteen years. It is prohibited to apply to the same person at one and the same time the punishments of the chains and fetters, without the authority of the chief commissary of police in the town of Port Louis, or of the civil commissaries in the respective quarters. The collar with three branches is forbidden to be used.</p>
Penalty against such person as shall exceed the weight.	<p>Every person offending against the present article shall be condemned in a penalty which shall not, in a first offence, exceed the sum of ten pounds sterling, or be less than forty shillings; and on a second offence, in a penalty not exceeding the sum of twenty pounds sterling, nor less than ten pounds.</p> <p>This punishment is applicable to the proprietor, the overseer, superintendant or holder of slaves, under whatsoever title it may be.</p>
Prohibition under a penalty to correct a slave complaining against his master, when such slave shall have been returned upon condition that he shall not be treated with resentment.	<p>II. Every proprietor, overseer or holder of slaves, under whatsoever title it may be, convicted of having inflicted a punishment upon a slave which shall have been returned to him upon the condition imposed upon him, (whether by order of the judge, of the chief commissary of police in Port Louis, or of the commissaries of police in the several quarters,) to treat the said slave without resentment, shall be condemned, for a first offence, in a penalty not exceeding the sum of twenty pounds sterling, nor less than five pounds; and in case of a second offence, in a penalty not exceeding</p>

exceeding the sum of forty pounds sterling, nor less than twenty pounds; and this without prejudice to any other proceedings which may arise by reason of the excess of the punishment.

III. The prosecution, in case of contraventions to the present ordinance, shall be instituted and carried on at the suit of the ministère public, before the court of police correctionnelle, and the penalties shall be applied to the uses of the caisse of bienfaisance. Prosecutions for offences against this Ordinance to be instituted and carried on before the court

of Police Correctionnelle, and the penalties to be applied to the Caisse de Bienfaisance.

And to the end that no person may pretend ignorance of the same, the present ordinance shall be read, published and registered in the courts, for which purpose a copy thereof shall be presented by the procureur general to his honour the chief judge and commissary of justice. Present Ordinance to be read and registered in the courts.

GOD SAVE THE KING!

Given at Port Louis, in the Island of Mauritius, this 13th day of December 1826.

(signed) G. LOWRY COLE,

By order of his Excellency the Governor.

(signed) *A. W. Blane,*
Acting chief Secretary to Government.

By order of the Council.

(signed) *W. A. Leitch,*
Secretary to the Council.