

321

DOMESTIC.

EAST AFR. PROT.  
ZANZIBAR

22818

C. O.  
22818  
REC'D  
JUL 09

See on individual

1909

8 July  
Previous Paper  
77C  
21522

Abolition of Slavery in Zanzibar

Sends Dept. from Zanzibar enclosing Sultan's  
assent to new decree, & copy of the decree as  
signed by the Sultan.

Mr. Fildes:

Copy of the 1<sup>st</sup> series, roughly, to  
the O.S. of the S.A.P. 227?

K. J. R.

10/11/09

X.R. 10/17

J.T.B.L.  
11/7

P.H. 13

J.H. 13.7

J.S.  
13.7

C 4 VII.

~~SR~~  
SR

subsequent Paper

27330

15  
16

*72*

In any further communication on this subject, please quote

*24936/09*

C. O.  
22818  
REC'D  
JUL 09

The Under-Secretary of State,  
Foreign Office,  
London.

*The Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copy of the under-mentioned paper.*

Foreign Office,

*July 8, 1909.*

Reference to previous letter:

*Foreign Office June 12 21579/09*

Description of Inclosure.

Name and Date.	Subject.
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<i>Mr Clarke, Zanzibar No. 137 June 20</i>	<i>Slavery, Africa, 1909</i>
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22818

24033

REC'D  
8 JUL 00  
Tanzibar

JUL 3 1900

137.

June 10th, 1900.

323

Sir:-

With reference to my telegram No. 46 of the 9th instant I have the honour to transmit to you herewith copy of a letter which I have received from Mr. Ashmead Bartlett conveying the Sultan's assent to the new Slavery Decree.

*Ashmead Bartlett  
June 4  
New Decree 1900*

I also beg leave to transmit a copy of this Decree which His Highness actually signed on the 9th instant but which will not as agreed come into force until the 6th proximo by which date His Highness will have left Tanzibar.

I have the honour to be,  
With the highest respect,

Sir,

Your most obedient

humble servant,

(Signed) Edward Clarke.

The Right Honourable,  
Sir Edward Grey, Bart, M. P.,

Esq., Esq., Esq.,

copy.

324

Inclosure 1 in Mr. Clarke's No. 137 of June 10th, 1909.

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Mr. Bartlett to Mr. Clarke.  
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C. O.  
22818  
Recd  
JUN 11 1909

The Palace, Zanzibar

June 4, 1909.

Sir:-

I have the honour, by direction of His Highness the Sultan, to acknowledge the receipt of your dispatch of the 2nd ultimo, in which you inform His Highness of the contents of the new Slavery Decree, as proposed by His Majesty's Principal Secretary of State for Foreign Affairs.

In view of His Highness' deep conviction that this Decree, even in its amended form, cannot fail to have a bad effect on, and cause grave disquietude among the Arabs in His Dominions- His Highness can only regret that the pressure of English public opinion has prevented Sir Edward Grey from going further in the direction of meeting the views which His Highness expressed in His letter of January 16th last.

However, as some concession has been made to the views of His Highness, and also in consequence of His Highness' desire to do everything in His power to meet the wishes of H. B. M.

Government

10

Government in as conciliatory spirit as possible, His Highness has decided that He will offer no further opposition to the signing of the Decree in its amended form.

I am, therefore, directed to inform you, that His Highness is prepared to sign the Decree, and I am also directed to request you to convey the decision of His Highness to the Principal Secretary of State.

I have etc.,

(Signed) George F. Ashead Bartlett.

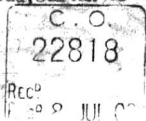
A. D. C. to His Highness The Sultan.

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Inclosure in No.1

Draft Decree by His Highness Seyyid Ali-bin-Hamoud, Sultan of  
Zanzibar.

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No. of 1909.

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Slavery.



In the name of the most Merciful God!

Whereas by a Decree of our predecessor, Seyyid Hamoud-bin-Mahomed, dated the 1st Zi-kada, 1314 (7th April, 1897), the legal status of slavery was abolished in our dominions, in that it was ordained by such Decree that our Courts should decline to enforce any alleged rights over the body, service, or property of any person on the ground that such person was a slave; and

Whereas we are desirous of amending and extending the said Decree, and of completing the final abolition of slavery in our dominions.

It is hereby decreed as follows:-

1. This Decree may be cited as "The Slavery, 1909."
2. From and after the commencement of this Decree our Courts shall not in any case recognize the status of slavery in our Islands of Zanzibar and Pemba.
3. The rights and powers conferred upon our district Courts by the Decree of 1897, above referred to, shall be and are hereby transferred to such Commissioner or Commissioners for Slavery as may be from time to time appointed by our First Minister, who shall make such regulations as he may consider necessary for their guidance and for giving due effect to the provisions of this Decree.
- 4.- (1) Whenever any person shall complain to a Commissioner for Slavery that he is unable by reason of age, ill-health, or

other

other infirmity to earn a living, and that his previous master has refused to give him such support as he would have been entitled to demand of him but for the provisions of this Decree, and has suffered loss thereby, such Commissioner for Slavery, if satisfied that such complaint is well-founded, may award and pay to the complainant, with the approval of our First Minister such pecuniary compensation as may be a just and reasonable equivalent for the value of the right of which he has been deprived by this Decree.

(2) The compensation thus awarded may be in the nature of a lump sum or a monthly payment.

5. A master shall not be entitled to any compensation for the loss of any right over the body or service of any slave to whom any compensation shall have been awarded under this Decree.

6. No claim for compensation under the provisions of the aforesaid Decree of 1897, or of this Decree, shall be entertained after the 31st December, 1911.

7. Article 5 of the aforementioned Decree of our predecessor, Sayyid Ahmad bin Mahomed, dated the 1st Zilkade, 1314 (7th April, 1897), is hereby repealed, provided that all concubines lawfully held at the commencement of this Decree, although free, shall, together with their children, continue to be entitled to all the rights and privileges which they have previously enjoyed under the Mahomedan law except that any concubine who shall leave her master without his consent shall sacrifice all such rights and privileges including her right to the custody of her children by him. For the purpose of this Article the word "concubine" shall mean a female member of the household who is an inmate of the harem.

8. This Decree shall come into force on the 6th day of July, 1909.

(Signed) Ali bin Hamoud.

9 June 1909.