

TREATY BETWEEN SIERRA LEONE & LOCCO MARSAMMA, 1847

No. 45

Treaty between His Excellency Norman William Macdonald, Captain-General and Governor-In-Chief in and over the Colony of Sierra Leone and its dependencies, Vice-Admiral, Chancellor, and ordinary of the same and Ba Mauro, King of the Locco Marsamma, acting by and with the advice and consent of the chiefs and headmen of the Locco Marsamma country, concluded at Freetown, in the colony of Sierra Leone, the 29th , November 1847.

- 1. There shall be peace and friendship between the subjects of the Queen of England and the people, subjects to Ba Mauro, King of the Locco Marsamma.**
- 2. The King aforesaid shall permit the ministers of the Christian religion to reside within his territory, and shall permit them to exercise their calling without hindrance or molestation whatever, and does hereby guarantee to them the fullest protections.**
- 3. The lives and properties of liberated Africans and all other subjects of the Queen of England shall be inviolate.**
- 4. The King aforesaid promises and hereby engages to abolish the slave trade throughout his territory, and not to allow any exploitation of slaves therefrom, nor to allow any vessels, boats or canoes to enter into any of the rivers, creeks, bays, or waters of his territory for the purpose of buying or selling slaves, or being in any manner engaged in the slave trade, nor to allow factories or other establishments to be formed within his territories by any persons whatever for the purpose of purchasing or selling slaves, nor to permit the transit of slaves throughout his territory.**
- 5. No country law, custom, fashion, or purrah is to be put in force or employed against any subject of the Queen of England on pretext of**

any debt due or wrong done by another, or any other pretense whatever; nor are any , and of the Queen's subjects to break through any country law or custom, nor commit any illegal act within the territory or upon any of the subjects of the King aforesaid party to this treaty.

6.The King aforesaid does hereby recognize and acknowledge the right which the subjects of the Queen of England have heretofore and at all times enjoyed of free and unrestricted intercourse for trade and commerce and for all of her legitimate purposes in and throughout his territory ; and he does hereby confirm, guarantee, and assure to the subjects of the Queen of England this right of free and unrestricted intercourse, so far as his territory extends, and also that the subjects of Her Majesty shall be allowed to remain in peaceable possession of the lands and houses which they may have purchased or hired in his territory, and the subjects of Her Majesty, as heretofore, may sell, buy or hire lands or houses in his territory, and that those lands or houses shall not be entered upon or into without their consent, nor shall their goods be seized nor their persons touched, and if English people are wronged or ill-treated by the subjects or the people of the said King, he the said King shall punish those who wronged or ill-treated the English people.

7.The boats and canoes of the said King shall be placed on the same footing as the boats and canoes of the English people whilst engaged in carrying the following articles, being the produce or manufacture of his territory, into the Colony, viz., palm oil, palm wine, ground nuts, coffee, cotton, country cloths, metals, dyewood, timber, ben, and beni-seed, and all other grains and seeds used for the manufacture of oil, rice, Indian corn, Guinea corn, and every other description of grain and all edible roots and fruits.

8.All disputes which may arise between and inhabitants of the Colony of Sierra Leone and the subjects or people of the said King, which cannot be otherwise settled to the satisfaction of the contending parties, shall be referred to the Governor of Sierra Leone for the time being.

9.The King party to this treaty shall not enter into wars or commit any acts of aggression on any neighboring chief or chiefs by which the trade between their countries and the Colony of Sierra Leone may be interrupted and the safety of the property and persons of the Queen of England's subjects compromised.

10.The subjects of the Queen of England are hereby strictly prohibited from engaging, either directly or indirectly, in any war or quarrel which may break out between the King party to this treaty and his subjects or people and any other chiefs and they are strictly prohibited from aiding or assisting either party in the prosecution of any such war or quarrel by furnishing them either with powder or musket or with any other description of war-like stores whatever.

11.The paths and waters of the Locco Marsamma country shall be kept open so that English traders may carry goods of all kinds through the aforesaid country to sell them elsewhere, and the traders of other countries may ring their goods through the aforesaid country to trade with English people freely and unmolested.

12.The Queen of England may appoint an agent to visit the country subject to the said King, or to reside there, in order to

watch over the interests of the English people, and to see that this agreement is fulfilled, and such agent shall always receive honour and protection in the country of the aforesaid King; and the said King shall pay attention to what the said agent may advise and the person and property of the agent shall be respected.

13.If the people of the Locco Marsamma country aforesaid should take away the property of an English person, or should not pay their just debts to any English person, the aforesaid King shall do all he can to make the people restore the property and pay the debt; and if English should take away the property of the people of the said King, or should not pay their just debts to the people of the King, the King shall make know the fact to the Governor of the Colony for the time being, or to the resident agent (if there be one), and the Governor of the said Colony of Sierra Leone, or the agent, whichever, shall do all he can to make the English persons restore the property and pay their debts.

14.Notwithstanding that the right of the British Government to the sovereignty over the whole of the waters of Sierra Leone River is ancient and valid certain parties have nevertheless brought that right

into question for the purpose of defrauding the revenue of the said Colony, alleging as the grounds for doing so that no formal cession of any portion of the north bank of the said Sierra Leone River has ever been made to the British Government. In order to remove the ground for such allegation for the future, the Governor of the said Colony has requested the King party to this treaty cede unto him and his successors in office for and on

behalf of Her Majesty The Queen of England forever such portion of his territory as is here-in-after mentioned.

And the said King and chief, in proof of his friendship for Her Majesty The Queen of England, and to testify to his confidence in the British Government, hereby consents to cede and by these presents for himself and his successors in office for ever cede and transfer, unto the Governor aforesaid and his successors, Governors of the said Colony, for and on behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the right, title, and sovereignty in and over that portion of his territory extending from the point on the eastern shore of the Cum-ro-bey Creek, where the cession of the territory on the mainland to Acting Governor Hamilton in the year 1824 commences round the head of that creek leading up to the town of Cum-ro-bey, and thence round the western shore of the said creek by Tagarene point to the Ro-Ma-Bah Creek, the boundary of the Locco-Marsamma and Kaffu Bullom countries, and extending in depth inland one quarter of a mile inland from high-water mark, and from the Key Sullong Creek, which also separates the territory of the King of the Locco Marsamma from the territories of the Kaffu Bulloms on the west, round Baloh point and along the south bank of the Small Scarcies on Ro Boorey River to the creek or brook which runs past the town of Rokon and empties itself into the Ro-Boorey River, being the eastern boundary between the Locco Marsamma and Bocco Lokko countries, also extending interior for the depth of one quarter of a mile from high-water mark, and including in the foregoing cession of the islands of Yellow-a-Boyah, Cerlimo, and Ki-Kon-Keh.

In consideration of the foregoing stipulations of this treaty being agreed upon and strictly adhered to on the part of the King aforesaid and of his successors, his Excellency Norman William Macdonald, Governor of the Colony of Sierra Leone, hereby agrees for himself and successors, on the part of Her Majesty the Queen of England, to pay or cause to be paid annually to the said King and his successors the

customs herein – after set forth, provided always that this present treaty be first be first duly ratified and confirmed by Her Majesty the Queen of England, viz. to Ba Mauro the sum of four hundred bars, the bars to be computed according to the scale set forth in the schedule hereunto annexed.

The said King party thereto, in forty-eight hours after the ratification of this treaty shall have been notified to him, proceed to proclaim the same throughout this territory, and carry it into effect as a law.

Signed: N.W. Macdonald, Governor

Ba (X) Mauro

Witnesses to Signatures and Mark:

Benjamin C.C. Pine, Actg. Chief Justice

Charles Heddle, MC

John McCormack

Richard Olpherts, Capt., 1st W.I. Regiment & Private Secretary

Thomas G. Lawson, Interpreter

Schedule

(Scale for three hundred bars)

2 pieces blue half	60
2 do. white do.	60
2 do satin stripe	72

43 lbs. tobacco

70

5 gallons rum in jars

33

“We, the principal chiefs and headmen and the sons of the principle families of the Locco Marsamma country whose names are hereunto affixed, do hereby acknowledge Ba Mauro to be our lawful head and king and do hereby also ratify and confirm all that he, as king or chief, has done on the above treaty, and do further pledge ourselves to carry the terms of the same into effect.”

Kalla Modu (Arabic signature)

Doru Modu (Arabic signature)

Serrie Modu (Arabic signature)

Fenda Lunatter (Arabic signature)

Ansumana (X) Kunkoh

Pa (X) Rakah

Par (X) Same Fare

Mauro (X) Son of Ba Mauro

Pa (X) Kebbie

Pa (X) Bombah

Moray (X)

Witnesses to foregoing signatures and marks:

Benjamin C.C. Pine, Acting Chief Justice

Charles Heddle, MC

John McCormack