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## Colonial Laws respecting Slaves.

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RETURN made in pursuance of an Address of The House of Commons to His Royal Highness The Prince Regent, voted on the 12th of July 1815;—*for*

Copies of, or Extracts from, all such LAWS as have been enacted, in any of the Colonies belonging to His Majesty, in *America* or the *West Indies*, relative to the Importation of SLAVES into the said Colonies, or to the Protection or good Government of Slaves, or People of Colour, since the Year 1788 :—Also,

RETURN made in pursuance of an Order of The House of Commons, of the 27th March 1816;—*for*

A detailed Schedule of the Colonial Acts, presented on the first of March instant, arranging the same in the Order of their dates, in each Island or Colony respectively, and giving their Titles at length.

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*Ordered, by The House of Commons, to be Printed,*  
5 April 1816.

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## LIST of COLONIAL LAWS respecting SLAVES:

(Presented in pursuance of an Order of the House of Commons,  
dated 27 March 1816;) *Viz.*

## ANTIGUA.

28th December 1797.—An Act to repeal the fortieth and forty-first clauses of an Act of this Island, intituled, “An Act for attainting several Slaves now run away from their Masters Services, and for the better government of Slaves, dated the ninth day of December in the year of our Lord one thousand seven hundred and twenty-three;” and to make persons charged with and found guilty of the murder of Slaves, liable and subject to the same pains and penalties as are inflicted for the murder of Free persons. - - - - - p. 9

28th February 1798.—An Act for settling and regulating the trial of criminal cases by jury. - - - - - p. 10

## BAHAMAS.

23d December 1795.—An Act to prohibit the selling, purchasing, hiring or employing of certain Foreign Slaves, except as is therein excepted; for authorizing the Provost Marshal to sell, confine and transport the same; and for other purposes therein mentioned. - - - - - p. 13

1796.—An Act to consolidate and bring into one Act the several laws relating to Slaves, and for giving them further protection and security; for altering the mode of trial of Slaves charged with capital offences; for suspending the several Acts and clauses of Acts therein mentioned, and for other purposes. - - - - - p. 15

1800.—An Act for the more effectually to prevent the desertion of Slaves, and for other purposes therein mentioned. - - - - - p. 27

1802.—An Act to further continue an Act, intituled, “An Act to bring into one Act the several Laws relating to Slaves, and for giving them further protection and security; for altering the mode of trial of Slaves charged with capital offences; for suspending the several Acts and clauses of Acts therein mentioned, and for other purposes.” - - - - - p. 28

29th December 1802.—An Act to continue an Act for the more effectually to prevent the desertion of Slaves, and for other purposes therein mentioned. - - - - - p. 29

31st December 1803.—An Act to continue in force an Act to prohibit the purchasing, selling, hiring or employing of certain Foreign Slaves, except as therein excepted, and for other purposes therein mentioned. - - - - - *ibid.*

14th January 1805.—An Act for fixing the mode of trying Questions relative to the freedom of Negroes and other persons of Colour, and for suspending certain Acts therein mentioned. - - - - - *ibid.*

29th February 1808.—An Act to continue an Act passed in the forty-fifth year of His Majesty's reign, intituled, “An Act for trying Questions relative to the Freedom of Negroes and other persons of Colour, and for suspending certain Acts therein mentioned.” - - - - - p. 31

31st December 1808.—An Act to prevent persons on Turks Islands from retailing spirituous liquors, without being licenced, from trafficking with Slaves, and for other purposes therein mentioned, and to suspend so much of an Act, intituled, “An Act to amend an Act made and passed in the forty-fifth year of His Majesty's reign, intituled, ‘An Act to prevent Persons on the Out-Islands retailing spirituous liquors without being licenced, from trafficking with Slaves, and for other purposes therein mentioned, as extends to Turks Islands aforesaid.’” - - - - - *ibid.*

31st December



#### 4 LIST OF COLONIAL LAWS RESPECTING SLAVES.

30th April 1798.—An Act to make the testimony of Slaves admissible in certain cases and under certain restrictions, for a limited time, to forfeit runaway Slaves who have been absent from the service of their masters a certain time; and to oblige the inhabitants of this Island having intelligence of the situation or motions of the runaway Slaves, to communicate the same to the persons, and in the manner prescribed by this Act; and to prevent persons from harbouring or employing Slaves on their plantations or in their houses, without a written permission from the owner or person having charge of such Slaves; and for other purposes. p. 45

16th October 1800.—An Act for the trial and effectual punishment of such runaway Slaves as may hereafter be taken, and be known to be chiefs or leaders of camps, or bands of runaway Slaves in the woods. - - - - p. 48

19th December 1800.—An Act for the banishing of sundry runaway Slaves now in confinement, and also for the banishment of such runaways of certain descriptions as shall hereafter be taken or surrender themselves, and for other purposes. - - - - p. 49

16th June 1810.—An Act to regulate the manumitting of Slaves in this Island; to impose a tax upon manumissions, and to impose a tax upon all free and manumitted persons coming to this Island. - - - - p. 50

19th February 1811.—An Act for ascertaining the number of White persons, Free persons of Colour, and Slaves in this Island. - - - - p. 51

#### GRENADA.

24th October 1789.—An Act for obliging the owners of canoes, boats and pettyaugers, to take out a licence, and give security that the same shall not be the means of enabling Slaves to make their escape, or to be carried off or transported from this Colony; and for authorizing and enabling the Commander in Chief to hire two small vessels to cruize round the coast for the purpose of inspecting and seizing all such vessels as appear to be employed in carrying off Slaves, or under suspicious circumstances of such intentions. - - - - p. 55

24th October 1789.—An Act for the more effectual trial and punishment of criminal Slaves; and to authorize His Majesty's justices of the peace to appoint constables in cases of emergency. - - - - p. 56

23d August 1791.—An Act to continue an Act, intituled, "An Act for the more effectual trial and punishment of criminal Slaves, and to authorize His Majesty's justices of the peace to appoint constables in cases of emergency." p. 58

2d April 1792.—An Act to amend an Act, intituled, "An Act to prevent the further sudden increase of free Negroes and Mulattoes;" and also to amend an Act, intituled, "An Act for the better government of Slaves, and for the more speedy and effectual suppression of runaway Slaves; and to ascertain what shall be evidence of the sealing of certificates respecting enfranchisement, as directed to be made by the guardians of Slaves." - - - - ibid.

7th June 1796.—An Act for the more effectual trial and punishment of Slaves who may have been or may hereafter be concerned in the rebellion and insurrection now existing in this Island. - - - - p. 62

13th May 1797.—An Act for the punishment of Slaves under sentence of banishment, or confinement to hard labour in chains, who shall escape or attempt to escape from their places of confinement or employment; and to make it lawful for the magistrates to condemn to hard labour in chains, for life or for a limited time, Slaves convicted under the several Acts for the trial and punishment of criminal Slaves. - - - - p. 66

9th December 1797.—An Act for the better protection, and for promoting the natural increase and population of Slaves within the Island of Grenada, and such of the Grenadines as are annexed to the government thereof; for compelling an adequate provision for, and care of them, as well in sickness and old age as in health; and for constituting and appointing guardians to effectuate and carry into execution the regulations and purposes of this Act. - - - - p. 67

25th October

## LIST OF COLONIAL LAWS RESPECTING SLAVES. 5

25th October 1806.—An Act to repeal so much of an Act commonly called the Guardian Act, as gives an annuity of ten pounds to any Slave manumitted according to the direction of that Act, and for certain other purposes. - - - p. 75

## JAMAICA.

9th December 1791.—An Act to repeal an Act for the better order and government of the Negroes belonging to the several Negro towns, and for preventing them from purchasing of Slaves; and for encouraging the said Negroes to go in pursuit of runaway Slaves, and for other purposes therein mentioned; and for giving the Maroon Negroes further protection and security; for altering the mode of trial, and for other purposes. - - - - - p. 77

10th May 1792.—An Act to repeal an Act, intituled, “An Act to regulate the sales of newly-imported Negroes; and to prevent as far as possible the separation of different branches of the same family;” and to regulate the sales of newly-imported Negroes, and to prevent as far as possible the separation of different branches of the same family. - - - - - p. 83

11th December 1795.—An Act to repeal certain Acts and clauses and parts of Acts therein mentioned, to prevent the hiding, concealing, inveigling, detaining, knowingly harbouring or employing the Slaves of others; to prevent the transportation of Slaves by mortgagers and tenants for life and years; and for regulating abuses committed by Slaves. - - - - - p. 84

22d December 1795.—An Act to make provision for the families of such Free people of Colour, and of Free Negroes inrolled in the militia, as shall be killed or disabled in the public service. - - - - - p. 91

1st May 1796.—An Act to amend an Act passed in the year one thousand seven hundred and fifty-eight, intituled, “An Act to ascertain and establish the boundaries of Trelawny Town, and to settle and allot one thousand acres of land for Accompong’s Town, and to ascertain the boundaries thereof, and to appoint certain commissioners to sell the lands granted to the Trelawny Maroons, with a reservation of so much thereof as may be necessary for the use of the troops that may be quartered there.” - - - - - p. 92

1st May 1796.—An Act to prevent the return to this Island of the rebellious Maroons of Trelawny Town, sentenced to transportation, and for other purposes. - - - - - p. 93

14th March 1799.—An Act to prevent any intercourse and communication between the Slaves of this Island and Foreign Slaves of a certain description, and for other purposes. - - - - - p. 94

29th October 1807.—An Act to authorize and empower the Commander in Chief for the time being to cause parties to be raised and fitted out for suppressing any rebellion, and for going in pursuit of and reducing runaway Slaves. - - - p. 107

28th November 1807.—An Act for providing a maintenance for people of Free condition confined for debt, and Slaves confined in the county gaols of this Island. - - - - - p. 114

28th November 1807.—An Act to repeal several Acts therein mentioned respecting Slaves, to declare Slaves assets for payment of debts and legacies, and in what manner they shall descend and be held as property, and be sold and conveyed in certain cases. - - - - - ibid.

14th December 1809.—An Act for the protection, subsisting, clothing, and for the better order, regulation and government of Slaves, and for other purposes. p. 117

4th December 1813.—An Act to enable persons of Colour and Negroes of Free condition, to save deficiencies for their own Slaves, and for the Slaves of each other. - - - - - p. 135

4th December 1813.—An Act to repeal several Acts and the clause of an Act of this Island, respecting persons of Free condition, and for granting to such persons certain privileges. - - - - - p. 136

## 6 LIST OF COLONIAL LAWS RESPECTING SLAVES.

4th December 1813.—An Act to enable the justices and vestry of the several parishes of this Island to fit out parties of confidential Slaves. - - p. 137

23d November 1814.—An Act for rendering more effectual two certain Acts of this Island respecting Foreign Slaves and Foreigners of a certain description, one passed in the year one thousand seven hundred and ninety-nine, and the other passed in the year one thousand eight hundred and one. - - p. 139

## NEVIS.

1st February 1790.—An Act to prevent Slaves from selling sugar, rum, molasses, syrups, canes, cane-liquor, live stock, butcher's meat, and other things; also from carrying off this Island live stock and butcher's meat without tickets from their owners or managers. - - p. 143

4th June 1795.—An Act for the encouragement of such Negroes and other Slaves as shall behave themselves courageously against the enemy in time of invasion. - - p. 146

## SAINT CHRISTOPHER.

20th December 1789.—An Act for raising a tax of fifteen shillings per poll on all Negro and other Slaves, and six pounds per centum on the yearly value of all houses, warehouses, stores, shops and tenements within the several towns of this Island, to be applied for and towards the purchase of a certain number of Negroes and other Slaves for the use of the public of this Island, and for directing and appointing in what manner such Negro and other Slaves shall be employed. p. 147

4th May 1790.—An Act to restrain thefts committed by Negro and other Slaves, and to prevent the dishonest traffick carried on by such as deal with them. p. 152

21st April 1798.—An Act more effectually to provide for the support, and to extend certain regulations for the protection of Slaves, to promote and encourage their increase, and generally to meliorate their condition. - - p. 155

19th July 1802.—An Act for regulating the Manumission of Slaves. - p. 168

16th June 1808.—An Act to explain and render more effectual an Act, intituled, "An Act to restrain thefts committed by Negro and other Slaves, and to prevent the dishonest traffick carried on by such as deal with them." - - p. 169

## SAINT VINCENT.

23d September 1801.—An Act to punish those who shall murder or maim Slaves, in the Island of Saint Vincent and its dependencies. - - p. 170

10th August 1803.—An Act to oblige proprietors and possessors of Slaves, in their own right, or right of others, managers and conductors of estates, to give in returns of runaways and Obeah men. - - p. 171

9th January 1805.—An Act to appoint Commissioners for the purpose of obtaining an exact account of the number of the coloured Free people, and number of Negroes within this Government and its dependencies. - - p. 173

4th September 1811.—An Act to revive an Act, intituled, "An Act to appoint commissioners for the purpose of obtaining an exact account of the numbers of Negroes in this Government and its dependencies." - - p. 175

19th June 1813.—An Act to explain and amend an Act, intituled, "An Act for making Slaves real estate, and the better government of Slaves and Free Negroes." - - p. 176

Additional Act, presented 4th April.

20th March 1815.—An Act to repeal the fourth clause of an Act, intituled, "An Act to explain and amend an Act, intituled, 'An Act for making Slaves real estate, and the better government of Slaves and Free Negroes,' and to amend and re-enact the same." - - p. 178

## LIST OF COLONIAL LAWS RESPECTING SLAVES. 7

## TOBAGO.

Revived 15th March 1794.—An Act for the good order and government of Slaves, and for repealing an Act of this Island, intituled, “ An Act for the good order and government of Slaves, and for keeping them under proper restraint; for establishing the method of trial in capital cases, and other regulations for the greater security of that part of the inhabitants property.” - - - p. 179

Passed 31st May 1794; revived 12th October 1799.—An Act for establishing regulations respecting Slaves arriving in this Island, or resident therein; except such as are imported direct from the coast of Africa. - - - p. 188

6th November 1807.—An Act to prevent more effectually Slaves absenting themselves from the service of their masters, owners or renters. - - p. 191

29th April 1814.—An Act to amend an Act, intituled, “ An Act to prevent the clandestine departure of persons from the island.” - - - ibid.

14th October 1814.—An Act to compel persons manumitting Slaves in this Island, to provide for their support, and to restrict Manumissions of Slaves belonging to other Islands. - - - p. 192



§ COLONIAL LAWS RELATING TO

Names of COLONIES.	Number of ACTS presented.
ANTIGUA - - - - -	2
BAHAMAS - - - - -	12
BARBADOES - - - - -	4
BERMUDA - - - - -	2
DOMINICA - - - - -	9
GRENADA - - - - -	8
JAMAICA - - - - -	15
NEVIS - - - - -	2
ST. CHRISTOPHER - - - - -	5
ST. VINCENT - - - - -	5
TOBAGO - - - - -	5
	69
	69

## COLONIAL LAWS RESPECTING SLAVES:

*(Presented to the House of Commons, in pursuance of an Address to His-Royal Highness The Prince Regent, voted on the 12th July 1815.)*

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 ANTIGUA.
 

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An ACT to repeal the fortieth and forty-first clauses of an Act of this Island, intituled, "An Act for attainting several Slaves now run away from their Masters services, and for the better government of Slaves, dated the ninth day of December in the year of our Lord one thousand seven hundred and twenty-three;" and to make persons charged with and found guilty of the Murder of Slaves, liable and subject to the same pains and penalties as are inflicted for the Murder of Free Persons. [28 December 1797.]

**W**HEREAS by an Act of this Island, intituled "An Act for attainting several Slaves now run away from their masters services, and for the better government of Slaves, dated the ninth day of December in the year of our Lord one thousand seven hundred and twenty-three," it is, by the fortieth and forty-first clauses thereof, enacted and ordained as follows, that is to say, "And whereas several cruel persons, to gratify their own humours, against the laws of God and humanity, frequently kill, destroy or dismember their own and other persons slaves, and have hitherto gone unpunished, because it is inconsistent with the constitution and government of this Island, and would be too great a countenance and encouragement to slaves to resist white persons, to set slaves so far upon an equality with the free inhabitants as to try those that kill them for their lives; nor is it known or practised in any of the Caribbee Islands that any free person killing a slave is triable for his life; but particular laws (of which we are not provided) are made in several of them for punishing the aforesaid crimes, and are found very effectual in deterring persons from such crimes; BE it therefore enacted and ordained by the authority aforesaid, That if any free person or persons whatsoever shall willfully kill or cause to be killed any slave whatsoever, either belonging to himself or another, in any such manner as is not excusable by the laws of Great Britain, or allowed by the laws of this Island, whether the same be by excessive punishment or otherwise, or shall geld or dismember any such slave, that then such person or persons shall and may be prosecuted, by presentment, indictment or information, before justices of the peace in their sessions, or justices of oyer and terminer and gaol delivery, and upon conviction of any such killing, the offender or offenders shall be fined, each in any sum not under one hundred pounds nor exceeding three hundred pounds lawful money of this Island, and be imprisoned till said fine be paid, and all due fees, and find sureties for their good behaviour for one year; and in case of gelding or dismembering, and conviction thereof, the offender or offenders shall each be fined any sum not under twenty pounds, nor above one hundred pounds lawful money of this Island, and be imprisoned in the common gaol till the same be paid, and find sureties for his good behaviour for a year, so as the prosecution be commenced in one year after the offence of killing, gelding or maiming committed, and not after; and shall likewise pay double damages and costs to the party grieved, to be recovered by action of trespass in any court of record in this Island; the moiety of which fines for killing, gelding or dismembering any slave shall be to the use of His Majesty his heirs and successors, to be paid into the public treasury of this Island, to be employed towards repairing the forts and fortifications of this Island, and the other half to the informer prosecuting therefore:"

## ANTIGUA.

Act, N<sup>o</sup> 176,  
s. 40, 41, repealed.

And whereas from the alteration of times and circumstances since the passing of the above recited Act, it is become necessary that the said two clauses thereof should be repealed; We therefore, Your Majesty's most dutiful, loyal and obedient subjects, the commander in chief of your Majesty's Leeward Caribbee Islands in America, and the council and assembly of this your Majesty's Island Antigua, humbly pray Your most Excellent Majesty that it may be enacted and ordained, and be it, and it is hereby enacted and ordained by the authority aforesaid, That the said fortieth and forty-first clauses of the above recited Act shall be and are hereby declared to be repealed and made null and void to all intents and purposes whatsoever, as fully and effectually as if the same had been never made.

White or free person charged with murdering or maiming slave, to be proceeded against as he would be for murdering or maiming free person: on conviction to suffer death or such punishment as law of England inflicts for murdering or maiming free person.

2d. And whereas, in obedience to the divine law, and from principles of justice, humanity, and policy, it is right, that whosoever is guilty of wilful murder of, or of wilful maiming or wounding a fellow-creature, whether a free person or a slave, in any such manner as is not excusable by the common or statute law of England, should suffer the pains and penalties of death, or such other punishment as by the said laws such persons are made liable to suffer for the said crimes; Be it therefore enacted and ordained, by the authority aforesaid, That from and after the publication of this act, every white or other free person, who shall be charged with the murder, or with the maiming or wounding a slave, whether belonging to himself or to herself, or to any other person or persons whatsoever, and whether the same be by excessive punishment or otherwise, every such person so charged shall be proceeded against in the same manner as he or she would have been proceeded against or tried for the murder of or for the maiming or wounding a free person; and upon being convicted thereof, shall suffer death, or such other punishment as by the laws of England such persons would be sentenced to suffer for the murder of or for the maiming or wounding a free person; provided always, that such conviction shall not extend to the corrupting the blood, or the forfeiture of lands or tenements, goods or chattels, any law custom or usage to the contrary thereof notwithstanding.

Dated at Saint Christopher's, the twenty-eighth day of December, in the year of our Lord one thousand seven hundred and ninety-seven, and of His Majesty's reign the thirty-eighth.  
*John Burke*, Speaker pro tempore.

Passed the Assembly this twenty-eighth day of November, one thousand seven hundred and ninety-seven.  
*John Hill*, Clerk of the Assembly.

Passed the Council the twenty-eighth day of November, one thousand seven hundred and ninety-seven. By Command,  
*Robart (L. s.) Thomson.* *W<sup>m</sup> Mathews*, Dep. Secretary.

Published this tenth day of January, one thousand seven hundred and ninety-eight.  
*John Robarts*, Dep. pro. Marshal.

An ACT for settling and regulating the Trial of criminal Slaves by Jury.  
[28 February 1798.]

## Preamble.

WHEREAS it has been found by experience, that the laws now in force for the trial of criminal slaves, are attended with many and great inconveniences, from there not being a jury to determine the fact, whether such slaves are guilty; but that the whole matter of fact, as well as of law, is to be determined by the magistrates presiding at the trial of such criminal slaves: TO remedy such inconveniences, we, therefore, your Majesty's most loyal and obedient subjects, the commander in chief of your Majesty's Leeward Caribbee Islands in America, and the council and assembly of this your Majesty's Island Antigua, humbly pray your most excellent Majesty, that it may be enacted and ordained, and be it, and it is hereby enacted and ordained by the authority aforesaid, That upon any complaint made to any justice of the peace within this Island, of any heinous or grievous crime, or felonious act or acts, committed by any slave or slaves, the said justice shall issue his warrant for apprehending the offender or offenders, and shall summon all and every person and persons that can give evidence thereof to come before him; and

Act,  
On complaint charging slave with crime or felony, justice to issue warrant for apprehending slave, and summon evidence for examination; and commit slave if apparently guilty.

and if upon examination it appears probable that the slave or slaves is or are guilty, the said justice shall commit him her or them to the common jail of this Island.

## ANTIGUA.

2d. And whereas it is very unusual for any person in holy orders, to sit on the trial of any person for his life; be it also enacted and ordained by the authority aforesaid, That whenever it shall happen that the magistrate first applied to is a clergyman, then and in such case, the said magistrate shall, within twenty-four hours after such commitment, give notice in general of what has appeared before him, upon examination of the parties concerned, to any justice of the peace next to him; who shall, within ten days after such notice as aforesaid, certify to some other justice (of the quorum, if he be not of the quorum himself) the cause of such commitment, and require such justice, by virtue of this act, and such justice is, upon such certification, hereby required to associate himself with such justice so certifying; and the said two last mentioned justices are hereby empowered and required to try the said offender or offenders within ten days after the said certification, at the court house in the town of Saint John in this Island, and for that purpose, by warrant under their hands and seals, to cause the said offender or offenders, and all necessary evidence, to come before them the said justices: Provided always, if the justice of the peace applied to, as in the first clause, shall not be in holy orders, then the certification to be by him made, shall be within ten days after such commitment as aforesaid.

Magistrate first applied to, when a clergyman, to give notice in 24 hours from commitment, of result of examination to next justice.

Letter to certify, in ten days, cause of commitment to another justice; these two (one must be of the quorum) in ten days, after to try offender.

Proviso.

3d. And be it also enacted and ordained by the authority aforesaid, That the said last mentioned justices shall issue a warrant under their hands and seals, directed to the provost marshal of the said Island, or his lawful deputy, authorizing and requiring the said provost marshal, or his said deputy, to summon twelve reputable inhabitants (being whites) of the said Island, to meet them the said justices at the said court house in the said town of Saint John, at such time within the said last mentioned ten days as they the said justices shall think proper: Provided always, that twelve hour's notice be given to the said inhabitants so to be summoned.

Said two associated Justices, to issue warrant to marshal for summons of twelve white inhabitants.

Twelve hours notice.

4th. And be it enacted and ordained by the authority aforesaid, That the said two last mentioned justices, and six of the said inhabitants so summoned, shall be and are hereby constituted and declared to be, a court and jury, with full power and authority to hear and determine upon all evidences, proofs, and testimonies at such trial so to be had as aforesaid; the testimony of one slave against another being always admitted.

Said two associated justices, and six of inhabitants summoned, to be court and jury for trying slave.

5th. And be it also enacted and ordained by the authority aforesaid, That the jury to be named and impannelled for the trial of such offender or offenders, shall be balloted for and determined upon, in the same manner as juries in the court of Common Pleas and King's Bench and Grand Sessions, are named and determined upon, by direction of the sixty-first clause of the act of courts of this Island, now in force.

Jury to be balloted for, as juries under N<sup>o</sup> 485, s. 61.

6th. And be it enacted and ordained by the authority aforesaid, That immediately after the said jury shall be impannelled, the following oath shall be administered to all and each of them:

Oath of Jurymen.

" You shall, to the best of your judgment and knowledge, impartially try the  
" prisoner (or prisoners) now before you, and true verdict give according  
" to the evidence."  
So help you God."

7th. And be it enacted and ordained by the authority aforesaid, That to all evidence examined upon any such trial, if whites or free people of colour, the following oath shall be administered:

Oath of white or free witness.

" You shall true and perfect answer make to all such questions as shall be put  
" to you, touching the matter now before the Court respecting the prisoner  
" at the bar; you shall speak the truth, the whole truth, and nothing but  
" the truth."  
So help you God."

8th. And be it enacted and ordained by the authority aforesaid, That if, by positive proof, or violent and strong presumptive proofs, they the said six inhabitants, in their capacity as jurors aforesaid, shall find such slave or slaves guilty of the offence or offences wherewith such slave or slaves is or are charged, then the said last-mentioned justices shall, either on the day of trial, or within five days after, pass sentence of death, or other punishment, upon such slave or slaves, according to the nature of the offence or offences.

If jury from positive or strong presumptive proof, find slave guilty, justices on trial, or in five days after, to pass Sentence.

## ANTIGUA.

If sentence be death, Justices to issue in 24 hours, warrant to marshal to cause execution as appointed, not sooner than four days. See s. 11.

If sentence on Slave found guilty, cannot by law be death, Justices to inflict corporal punishment of their own authority.

Justices passing sentence of death, as in s. 9, to apprise resident chief commander of such proceeding, in thirty-six hours after, under penalty of £. 20.

Jury to assess damages sustained from offence of slaves.

If owners refuse to pay, slave to be adjudged to party injured.

Such recompence, bar to action.

Magistrate refusing to sit juror, to attend to hear and determine cases of slaves according to Act, to forfeit each £. 20, recoverable by action; half to informer, half to public use.

Marshal to attend trial, under penalty of £. 20.

Marshal to be allowed 3s. each for summoning jurors; 33s. for his attendance.

Secretary, on notice from either justice, to attend, administer oaths, and minute proceedings in book. To be allowed 33 s. for attendance. To forfeit £. 20 for non-attendance.

9th. And be it enacted and ordained by the authority aforesaid, That in case any sentence of death be passed upon any such slave or slaves, then they the said two last-mentioned justices shall, within twenty-four hours after passing sentence, issue a warrant under their hands and seals, directed to the provost marshal, or his lawful deputy, to cause execution to be done on such slave or slaves, at such time and place as they shall appoint, not before four days after condemnation.

10th. And be it enacted and ordained by the authority aforesaid. That in case the offence or offences with which such slave or slaves is or are charged, and of which such slave or slaves is or are found guilty, is or are such as by the law sentence of death cannot be passed on such slave or slaves, but corporal punishment only, then the said two last-mentioned justices may, and they are hereby empowered, authorized, and required, by warrant under their hands and seals, to cause to be inflicted such corporal punishment on such slave or slaves as they shall think proper, and in such place and at such time as they shall think most advisable.

11th. And be it enacted and ordained by the authority aforesaid, That the said two last-mentioned justices shall and they are hereby required to give notice of the said sentence of death so passed to the person in chief command in this Island for the time being, within thirty-six hours after passing such sentence as aforesaid, on pain of forfeiting twenty pounds, gold and silver current money of this Island, to be recovered by action of debt in any court of record in this Island, one half to the informer, who shall sue for the same, and the other half to be paid into the public treasury of this Island.

12th. And be it enacted and ordained by the authority aforesaid, That the said jury of six inhabitants shall enquire into the damages sustained by the offence or offences committed by such slave or slaves; and after the same shall be ascertained, such slave or slaves shall be delivered to his her or their owner or owners, provided he, she or they shall pay such damages to the party injured; but if such owner or owners refuse to pay the amount of such damages, it shall and may be lawful for the two last-mentioned justices and six inhabitants, and they are hereby required, to adjudge such slave or slaves to be the property of the party injured, and his her or their heirs and assigns for ever; provided always, that the said recompence shall be given in evidence, upon any action that may be brought for the same matter, and shall be held a sufficient bar thereto, in any court of record in this Island.

13th. And that the magistrates and inhabitants of this Island may not refuse or neglect, upon application made, to sit hear and determine cases of slaves, as by this act they are directed to do; be it therefore enacted by the authority aforesaid, That any justice upon application made as hereinbefore directed, or any inhabitant being a white, after he shall be duly summoned, so making default, for such refusal or neglect shall, severally, forfeit twenty pounds current money of this Island, to be recovered by action of debt in any court or courts of record in this Island; and one-half of such penalty shall be paid to any informer, who shall sue for the same; and the other half to the use of His Majesty his heirs and successors; to be applied to the support of the government of this Island and the public charges thereof.

14th. And be it enacted and ordained by the authority aforesaid, That the said provost marshal or his lawful deputy shall attend every trial so to be had as aforesaid, upon pain of forfeiting, for every neglect, the sum of twenty pounds current money of this Island; to be recovered by warrant under the hands and seals of the said two last-mentioned justices, directed to the coroner of this Island, and applied as the former penalties of this act are directed to be applied; and the said provost marshal or his lawful deputy shall be allowed, in his public accounts, the sum of three shillings for each juror summoned, and thirty-three shillings for his own attendance on each trial.

15th. And be it enacted and ordained by the authority aforesaid, That the public secretary of this Island or his lawful deputy shall, upon receiving notice from one or either of the said two last-mentioned justices, attend every trial to be had by virtue of this act; and shall also administer the oaths to all jurors and witnesses, and make a memorandum of the proceedings in a book to be kept by him for that purpose; and shall be allowed thirty-three shillings in his public accounts for each trial; and in case the said secretary or his lawful deputy shall neglect to attend on each such trial, he shall forfeit the sum of twenty pounds current money of this Island, to be recovered

by

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by warrant under the hands and seals of the said two last-mentioned justices, directed to the said provost marshal or his lawful deputy, and applied in the same manner as the former penalties of this act are directed to be applied.

ANTIGUA.

16th. And be it also enacted and ordained by the authority aforesaid, That any slaves who may now be in custody for or charged with any criminal offence, shall be tried in the manner hereinbefore directed by this act, and in no other manner.

Slaves in custody to be tried under Act.

Dated at St. Christopher's, the twenty-eighth day of February, in the year of our Lord one thousand seven hundred and ninety-eight, and of His Majesty's reign the thirty-eighth.  
*James Athill*, Speaker.

Passed the Assembly, this twenty-second day of February, one thousand seven hundred and ninety-eight.  
*John Hill*, Clerk of the Assembly.

Passed the Council, this twenty-second day of February, one thousand seven hundred and ninety-eight. By Command,  
*Robert (L. s.) Thomson*. *W<sup>m</sup> Mathews*, Dep. Secretary.

Published the fifteenth day of March, one thousand seven hundred and ninety-eight.  
*Robert Clogstoun*, Dep. Pro. Marshal.

## BAHAMAS.

AN ACT to prohibit the selling, purchasing, hiring or employing of certain Foreign Slaves, except as is therein excepted; for authorizing the Provost Marshal to sell, confine and transport the same; and for other purposes therein mentioned. [23d December 1795.]

WHEREAS it is necessary for the safety and tranquillity of these Islands, that all communication between the slaves thereof, and certain slaves and people of colour who have been lately, or may be hereafter brought to or shall arrive or be found in these Islands should as much as possible be prevented: May it please Your Majesty, that it may be enacted, and be it enacted, by his excellency the right honourable John earl of Dunmore, Your Majesty's lieutenant and governor general, the council and assembly of Your Majesty's Bahama Islands, and it is hereby enacted and ordained by the authority of the same, That from and after the expiration of six months next after the publication of this Act, it shall not be lawful for any person or persons whatever, to sell purchase hire or employ any slave or slaves, which to his her or their knowledge did, or now do, belong to any subject of the French government, or to any person or persons residing within any of the territories colonies or dominions thereof, and which slave or slaves has or have been imported or brought into these Islands since the twelfth day of February one thousand seven hundred and ninety-three, or which shall or may be hereafter brought, or shall arrive or be found within these Islands, from the Island of Saint Domingo, or any French colony whatsoever; and that any person or persons selling, purchasing, hiring or employing any such slave or slaves, contrary to the true intent and meaning of this Act, shall forfeit the sum of one hundred and fifty pounds for each slave so sold, purchased, hired or employed, to be recovered as is hereinafter directed: Provided nevertheless, that nothing herein contained shall extend to prevent the selling, purchasing, hiring or employing, in the Islands of New Providence, Harbour Island, and Eleuthera, their dependencies, and Watling's Island, any French negroes or slaves already imported or brought into these Islands.

BAHAMAS.

Preamble.

French negroes not to be sold, employed, &amp;c.

Proviso.

2d. And be it further enacted by the authority aforesaid, That from and after the expiration of six months next after the publication of this Act, it shall not be lawful for any person or persons to hire or employ any such negro or other French slave or slaves, as hath or have been brought into these Islands since the twelfth day of February one thousand seven hundred and ninety-three, or such as may hereafter be brought into the same on board of any droging, wrecking, or other vessel belonging to any inhabitant or inhabitants of these Islands, and employed in the trade of the same, under the penalty of one hundred and fifty pounds for every such negro or other

French negroes not to be employed in droging or coasting vessels.

## BAHAMAS.

## Proviso.

French negroes found at large to be apprehended and sent to gaol;

and to be sold for transportation.

The prize master of any vessel having French slaves, to report the same to the receiver general.

which slaves shall be sent to gaol, until sold for transportation.

Penalty for refusing or neglecting to report French slaves.

French slaves condemned to be sold for transportation.

Proviso.

other French slave so hired or employed: Provided always, that nothing in this Act contained shall be construed or understood to prevent the employing of any of the said negroes, now actually belonging to any inhabitant of the Island of New Providence, Harbour Island and Eleuthera, in any vessel or vessels resorting to the coast of Florida, for the purpose of turtling, fishing or wrecking.

3d. And be it further enacted by the authority aforesaid, That in case any such French negro or other slave shall be found at large in any of these Islands, except (as is hereinbefore excepted) in the Islands of New Providence, Harbour Island and Eleuthera, their dependencies, and Watling's Island, all and every of His Majesty's subjects are hereby required and empowered to apprehend such French negro or other slave, and to carry him her or them before any justice of the peace, he is hereby required and empowered to associate with any two other Justices, who together shall take the examination of such negro or other French slave, and commit him or her to the common gaol in the town of Nassau, and shall transmit a copy of such examination, and also a copy of his or her warrant of commitment, to the provost marshal, under the penalty of one hundred and fifty pounds; and the provost marshal is hereby empowered and required to receive into his custody and charge all and every such French negro or other slave, and to sell him or her for transportation, as soon after as opportunity shall offer, and to advertize the sale and transportation of such negro or other slave, under the penalty of one hundred and fifty pounds for every neglect; and the monies arising from any such sale, after deducting the usual commissions and charges, shall be paid into the public treasury; provided nevertheless, that if any owner or owners of such slave or slaves, shall appear and make good his her or their claim to such slave or slaves, within six months next after such sale, then in such case, the monies arising therefrom, shall be paid over to such owner or owners, after deducting therefrom a further commission of six pounds per centum.

4th. And whereas divers French subjects, planters and other free inhabitants of Saint Domingo, and having property there, are forced, by the tyranny and oppression of the persons having the government of that colony in their hands, or for other reasons, are obliged to quit the said colony, and to take their departure on board neutral vessels, are frequently brought into the port of Nassau by ships of war and private armed vessels having commissions or letters of marque; and whereas the slaves of such persons, being French property, are liable to condemnation in the court of vice admiralty of these Islands; be it therefore enacted by the authority aforesaid, That on the arrival of any ship or vessel, which may hereafter be captured by any ship of war or other commissioned vessel, and brought into the port of Nassau for adjudication, and on board of which there shall be any French slave or slaves, the prize master, or other person having the command or direction of such ship or vessel shall, and he is hereby required and directed to make a written report, on oath, to the receiver-general and treasurer of such slave or slaves, with such particulars respecting the same as may have come to his knowledge; and the said receiver-general and treasurer is hereby required to deliver, or cause to be delivered, as speedily as may be, to the provost marshal, an exact copy of such report, and the provost marshal shall forthwith make a demand of such slave or slaves, in order that they may be, without loss of time, delivered to him or his deputy; and on such delivery he is directed and required to commit the said slave or slaves to the common gaol, there to remain, at the expence of the captors, until disposed of according to the true intent and meaning of this act.

5th. And be it further enacted, That in case any prize-master, or other person whom it may concern, shall neglect or delay to make the report required of him within twelve hours after his arrival in the port of Nassau, or shall neglect or refuse to deliver any slave or slaves demanded as aforesaid to the said provost marshal or his deputy, he shall forfeit and pay the sum of one hundred pounds for such neglect refusal or delay.

And be it further enacted by the authority aforesaid, That in case of condemnation in the court of vice-admiralty of any such slave or slaves as lawful prize, the same shall be sold for transportation only for the benefit of the captors; and in case of acquittal of such slave or slaves, the claimant or claimants of the same shall transport such slave or slaves from these Islands within the space of one month from such sentence of acquittal: Provided nevertheless, that in case either of condemnation or acquittal in the said court of vice-admiralty, it shall and may be lawful for the

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provost marshal to detain and secure in gaol all such slaves so condemned or acquitted, until they shall be transported as is hereinbefore directed.

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7th. And be it further enacted by the authority aforesaid, That in case the proprietor or proprietors shall not transport his her or their said slave or slaves, within the term of three months from their acquittal as aforesaid, that then it shall and may be lawful for the provost marshal or his deputy, to sell and transport him her or them, in manner as is herein before directed; and each and every proprietor of any slave or slaves, who shall wilfully delay or neglect to transport the same, as herein directed and required, shall forfeit and pay the sum of one hundred and fifty pounds for every slave not transported in conformity to this act; and the monies arising from the sale of any such slave or slaves shall, after deducting a commission of five pounds per centum and all expences, be paid by the said marshal into the public treasury.

Slaves acquitted to be transported in three months.

Penalty.

8th. And be it further enacted by the authority aforesaid, That any person possessed of French slaves who have been brought into these Islands since the twelfth day of February one thousand seven hundred and ninety three, shall, within three months next after the publication of this act, and for which notice for that purpose shall be given in the Bahama Gazette, deliver in an account, on oath, of the number and quantity of all such slaves to the receiver general, under the penalty of one hundred and fifty pounds for every such slave so unaccounted for.

Persons having French slaves to report the same to the receiver general.

9th. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any justice of the peace, constable or other peace officer, at any time after the expiration of two months from and after the publication of this act, to take up and arrest, and to commit to the common gaol, any free negro, mulatto, or other person of colour, being French, brought into these islands since the said twelfth day of February one thousand seven hundred and ninety three, or which shall hereafter be brought into these islands, and who shall be found at large in the island of New Providence, or any other island within this government; and the provost marshal or keeper of the gaol, is hereby directed and required to receive such free negro, mulatto or other person of colour, and him or her to detain and keep in the common gaol aforesaid, until he or she shall cause himself or herself to be transported at his or her own expence.

French persons of colour to be arrested and committed to gaol, until they transport themselves.

10th. And be it further enacted by the authority aforesaid, That all fines, forfeitures and penalties under this act, shall be sued for in the name of the King, or of the receiver general and treasurer, in the general court of these Islands; and on judgment against the defendant, full costs of suit shall be allowed and paid; and that the monies so recovered shall be applied, as may be directed by any act to be passed in this present session, or in any future session of the general assembly, and not otherwise.

Fines, &c. in whose name.

11th. And be it further enacted by the authority aforesaid, That if any action or suit shall be brought or commenced against any person or persons, for any matter or thing done or to be done in pursuance of this act, the defendant or defendants may plead the general issue, and give this act and the special matter in evidence; and in case of nonsuit or discontinuence, or upon verdict or demurrer, judgment shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs of suit.

Persons sued to plead the general issue.

12th. And be it further enacted by the authority aforesaid, That this act shall continue and be in force from and after the publication thereof, for and during the term of three years, and from thence to the end of the next session of the assembly, and no longer.

Continuance of this Act.

An ACT to consolidate and bring into one Act, the several laws relating to Slaves, and for giving them further protection and security; for altering the mode of trial of Slaves charged with capital offences; for suspending the several Acts and clauses of Acts therein mentioned, and for other purposes. [1796.]

WHEREAS it is expedient that the laws which have been enacted for the government of slaves, should be consolidated and brought into one act; that some further provisions should be made for their protection; and that the mode of trying slaves, charged

Preamble.



## BAHAMAS.

charged with capital offences, should be altered and regulated as nearly as local circumstances will admit, according to the rules of the common law: May it therefore please your Majesty, that it may be enacted, and be it enacted by his honor, John Forbes, esquire, your Majesty's lieutenant governor and commander-in-chief, the council and assembly of your Majesty's Bahama Islands; and it is hereby enacted and ordained by the authority of the same, That from and after the passing of this act, all and every the hereinafter-mentioned laws, and clauses and parts of laws, so far forth as the same do relate to negroes or other slaves, be and the same are hereby suspended for and during the continuance of this act anything in the said laws and clauses of laws, or in any other law, to the contrary notwithstanding—that is to say; an act passed in the seventh year of your Majesty's reign, intituled, An Act for governing negroes, mulattos, and indians; also one other act, passed in the eighth year of your Majesty's reign, intituled, An Act for suspending a clause in an act intituled, An Act for governing of negroes, mulattos, and indians, and for amending the said act; also one other act, passed in the twentieth year of your Majesty's reign, intituled, An Act for suspending parts of certain clauses, and amending other clauses in An Act, intituled, An act for governing negroes, mulattos, and indians; also one other act, passed in the year last aforesaid, intituled, An Act for governing negroes, mulattos, musties, and indians, and for suspending several acts therein mentioned; also one other act, passed in the same year last aforesaid, intituled, An Act to amend a clause in an act passed in the seventh year of his present Majesty's reign, intituled, An Act for governing negroes, mulattos, and indians.

Laws suspended.

Allowance of provision to slaves.

2nd. And whereas it is due to good policy, as well as to humanity and justice, that the condition of slaves should be rendered as comfortable as possible, by supplying them with good, wholesome, and sufficient provisions, with proper clothing and other necessaries; and it is expedient that the same should be regulated by law; be it enacted, That the master, owner, or possessor of every plantation, pen, or other lands whatsoever, within these Islands, shall provide and give to every slave above the age of ten years, at and after the rate of one peck of unground indian or guinea corn, or twenty-one pints of wheat flour, or seven quarts of rice, fifty-six pounds of potatoes, cocoës or yams, per week; over and above a sufficient quantity of land, as and for the proper ground of every such slave; and one-half of the aforesaid allowance to each child below the aforesaid age of ten years.

Provision for disabled or infirm slaves, to be made by their owners.

3d. And be it further enacted by the authority aforesaid, That no master, owner, or possessor of any slave, whether in his or her own right, or as attorney, guardian, trustee, executor, or otherwise, shall discard or turn away any such slave, by reason of such slave being rendered incapable of labour by sickness, age, or infirmity; but every master, owner, or possessor shall be and he is hereby obliged to keep every such sick, infirm, disabled, or superannuated slave on his estate or premises, and to find and provide such slave with wholesome necessaries of life; and not to suffer any such slave to be in want thereof, or to wander about and become burthensome to others, under the penalty of ten pounds for every offence, to be recovered in a summary manner before any two justices of peace, who are hereby authorized and required to cause any master, owner, or possessor offending in the premises, or his her or their agent or attorney, and such other person as they shall judge necessary, to be summoned before them, to enable them to judge of the justice of any such charge, and to determine whether such master, owner, or possessor ought to incur the aforesaid penalty; and in the meantime and until such trial can be had, the said justices of the peace, on their view, or on the information of any white person on oath, are hereby required to take up any such wandering sick, aged, or infirm slave, and to lodge him or her in the nearest workhouse or other place of security, there to be clothed and fed, but not compelled to work, at the expence of such master, owner, or possessor, until such trial as aforesaid can be had; and if it shall appear to the said justices upon such trial that the party or parties complained of, is or are guilty of the offence alledged, and he she or they shall refuse to pay the said penalty, together with the workhouse fees and charges of conviction, the said justices are hereby authorized and required to commit such offender or offenders to the next common gaol, there to remain until he she or they shall pay the same.

Penalty on owners of infirm or aged slaves suffering them to wander about in want.

Vestries authorized to support infirm negroes, who have no means of subsistence.

4th. And whereas by reason of deaths or removals of proprietors of slaves, of their being manumitted without any suitable provision been made for their maintenance, and from other causes, some unhappy objects, rendered unable to labour by disease,

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old age, or other means, have become burthensome to the inhabitants; for remedy whereof, be it further enacted by the authority aforesaid, That it shall and may be lawful for the vestries of the several parishes and Islands, once in every year, to lay a tax upon the inhabitants, in the same manner as the parochial taxes are usually laid, for the purpose of raising such sum as they shall judge necessary for the maintenance, clothing, medical care, and attendance of all such negro, mulatto, or other slaves, or other unhappy objects; and any two justices of the peace are hereby authorized and required, upon application being made to them, to order all such objects as aforesaid to be removed and conveyed to the workhouse of the parish where (if a slave) the former owner or owners, proprietor or proprietors, lived or resided, or (if a person of colour made free) where the person or persons who manumitted or set free such person of colour resided before his or her manumission, there to be lodged and taken care of; and the justices of the peace and vestries of the several Islands and parishes, are hereby authorized and required from time to time to make such humane regulations for the purposes aforesaid as to them shall seem necessary and expedient.

5th. And be it further enacted by the authority aforesaid, That every master or owner shall provide and give to every slave, in his or her possession, two suits of proper and sufficient clothing in the course of every year, under the penalty of fifty pounds for each offence.

Clothing of a slave.

6th. And be it further enacted by the authority aforesaid, That all masters and owners, or in their absence their overseers, shall, as much as in them lies, endeavour to instruct their slaves in the Christian religion, and shall do their endeavours to fit them for baptism; and as soon as conveniently may be, shall cause to be baptized all such slaves as they can make sensible of a Deity, and of the Christian faith.

Slaves to be instructed in the principles of the Christian religion.

7th. And be it further enacted by the authority aforesaid, That any master, owner, or other person whatsoever, who shall wilfully mutilate any slave, or cause, permit, or suffer any slave to be mutilated, with his or her privity or consent, shall be liable to be indicted and prosecuted in the general court for the same; and upon conviction, shall be punished by fine, not exceeding one hundred pounds, and imprisonment not exceeding twelve months, for every offence; and such punishment is declared to be without prejudice to any action that could or might be brought by the owner or proprietor for recovery of damages, for or on account of the same; and in cases where the owner of any such slave shall be guilty of any such offence, it shall and may be lawful for the court, if it shall seem necessary for the future protection of such slave, to declare him or her to be free and discharged from all manner of servitude, to all intents and purposes whatever; and in all such cases it shall and may be lawful for the court to order the same to be paid to the vestry of the parish to which such slave belonged, to the use of the said parish; the vestry in consideration thereof paying to such slave so made free, an annuity of ten pounds per annum during life; and in case any slave or slaves shall suffer any such mutilation as aforesaid, any justice of the peace is hereby authorized and required, on view of the fact, to send such slave to the nearest workhouse, there to be kept and carefully attended at the expense of the parish, until such time as there can be a meeting of the justices and vestry of such parish, which justices and vestry are hereby created a council of protection for such slave, and are authorized and required, to make full enquiry respecting the mutilation of such slave; and if to them it shall appear proper, shall cause the owner or owners of such mutilated slave to be indicted and prosecuted, the expenses of which prosecution shall be paid by the parish where such offence shall be committed; and in case the owner or owners of such slave or slaves shall be able to pay the costs and damages of such prosecution, the churchwardens and vestry are hereby required to commence a suit or suits against such owner or owners, in which they shall recover all costs and charges by them laid out and expended in such criminal prosecution and civil action; and the keeper of the workhouse to which any such slave shall have been committed, is hereby required, upon due notice of the meeting of such justices and vestry, to produce such mutilated slave or slaves for their inspection, under the penalty of twenty pounds for every neglect.

Penalties on masters, &c. for mutilating or maiming slaves.

8th. And be it further enacted by the authority aforesaid, That it shall not be lawful for any court of justice to pass any sentence, whereby any slave shall be directed to be mutilated or maimed, for any offence whatever.

Slaves not to be mutilated for any offence.

**BAHAMAS.**

Persons killing a slave to be adjudged guilty of felony and murder, and to suffer death, without benefit of clergy.

Persons guilty of cruelty to slaves, to be indicted therefore in the general court.

Punishment of slaves.

Fees of the provost marshal or gaoler, for receiving slaves committed for trivial offences.

Fixing iron collars, &c. on slaves, declared unlawful.

Christmas holidays.

Overseers absenting themselves during the Christmas holidays, to forfeit £.5. each day.

Returns of births and deaths of slaves on plantations, to be made in January every year.

And if the not giving in such return be owing to neglect in the overseer, the penalty, &c. to be paid by him.

9th. And be it further enacted by the authority aforesaid, That if any person shall wilfully and with malice aforethought, kill or cause to be killed, any negro or other slave, every such person shall be adjudged guilty of felony and murder, and shall suffer death without benefit of clergy; provided always, that no such conviction shall extend to the corruption of blood, or the forfeiture of lands or tenements, goods or chattels, any law custom or usage to the contrary notwithstanding.

10th. And be it further enacted by the authority aforesaid, That if any person shall wantonly or cruelly whip, maltreat, beat, bruise, wound, imprison, or keep in confinement, without sufficient support, any slave or slaves, he she or they shall be subject to be indicted for the same in the general court, and shall suffer such punishment by fine or imprisonment, or both, as the court shall think proper to inflict; and such punishment is declared to be without prejudice to any action that may be brought for recovery of damage, in case such slave shall not be the property of the offender.

11th. And in order to restrain arbitrary punishments, be it further enacted by the authority aforesaid, That no slave shall on any account receive more than twenty lashes at any one time, or for any one offence, unless the owner or employer of such slave, or supervisor of the workhouse, or keeper of the gaol, shall be present; and that no such owner, employer, supervisor or gaol keeper, shall on any account punish a slave with more than thirty-nine lashes at one time and for one offence, nor inflict or suffer to be inflicted, any second punishment on the same day, nor until the delinquent shall have recovered from the effects of any former punishment, under the penalty of ten pounds for every offence.

12th. And whereas it is customary for owners to commit their slaves to the common gaol for slight offences, which are not punishable under this act; be it therefore enacted, That in all cases where any owner or possessor of a slave shall send him or her to gaol, for any such trivial offence, the provost marshal or his deputy, or gaoler, shall forthwith take and receive such slave into custody, and him or her safely keep until released by the owner; and shall receive for his trouble, three shillings, together with one shilling for every day such slave shall have remained in gaol; provided such slave shall have been maintained by the provost marshal.

13th. And whereas a mischievous practice hath prevailed in some of the colonies, of punishing ill disposed slaves, and such as are apt to abscond from their owners, by fixing iron collars with projecting bars or hooks, round their necks; be it enacted and declared, that such practice is utterly unlawful; and that no person shall on any account whatever, punish any negro or other slave, whether his own property or otherwise, by fixing or causing to be fixed, any iron or other collar round the neck of such slave, or by loading the body or limbs of such slave with chains, irons, or weights, of any kind, other than such as are absolutely necessary for securing the person of such slave while in confinement, under the penalty of fifty pounds; and any justice of the peace is hereby authorized and required, on information or view of such offence, to order such collar, chains, irons, or weights, to be immediately taken off, under the penalty of one hundred pounds for every neglect or refusal.

14th. And be it further enacted by the authority aforesaid, That every slave within these islands shall be allowed the usual number of Christmas holidays, to wit, Christmas day, and the two following working days.

15th. And be it further enacted by the authority aforesaid, That every overseer who shall absent himself from the estate under his care or management, on any of the aforesaid holidays, without leave of his employer, shall for every such offence forfeit the sum of five pounds for each day.

16th. And be it further enacted by the authority aforesaid, That on the 1st day of January which will be in the year of our Lord one thousand seven hundred and ninety eight, and on the 1st day of January in every succeeding year, or within thirty days after, the owner manager or overseer of every plantation or settlement within these Islands, shall give in upon oath, to the churchwardens of the parish, an account of all the births and deaths of the slaves on such plantation or settlement, under the penalty of fifty pounds, to be recovered from the owner of such plantation or settlement.

17th. And be it further enacted by the authority aforesaid, That if the not giving in such accounts shall be owing to the neglect of any overseer or manager, it shall and may

may be lawful for the owner, proprietor or possessor of such plantation or settlement, to stop and detain the penalty which he or she shall be compelled to pay, together with his or her costs and charges, out of the wages of such manager or overseer.

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18th. And whereas it is absolutely necessary that slaves should be kept in due obedience to their owners, and in proper subordination to the white inhabitants in general, that opportunities of committing rebellious conspiracies should as much as possible be taken away, and that adequate punishments should be appointed for all crimes committed by slaves; Be it further enacted by the authority aforesaid, That no slave (such only excepted as are going with firewood, grass, fruit, provisions or small stock and other goods, which they may lawfully sell, to market, and returning therefrom) shall hereafter be suffered to go out of his or her master's or owner's plantation or settlement, or to travel from one place to another, unless such slave shall have a ticket from his or her owner, master, employer or overseer, expressing particularly the time of such slave's setting out, and where or to what place he or she is going, and the time limited for his or her return; under a penalty not exceeding forty shillings for every offence, to be recovered from his or her master, owner, employer or overseer, unless such owner, employer, or overseer shall make oath, that he or she did give to the said slave such ticket as aforesaid, or that the said slave went away without leave.

Excepting when going to market, no slaves to go from the plantation they are employed on, without a ticket or pass.

19th. And be it further enacted by the authority aforesaid, That no negro or other slave shall be allowed to hunt any horned cattle, horses, mares, mules, asses or other animals, with lances, guns, cutlasses or other arms, unless in the company of his master, overseer, or some other white person, or by his permission in writing; and any negro or other slave who shall offend contrary to the true intent and meaning of this act, shall suffer such punishment by whipping, as any two justices of the peace shall think proper to inflict, not exceeding fifty lashes.

Slaves not to carry arms, unless in company with some white person, or by permission in writing.

20th. And be it further enacted by the authority aforesaid, That if any free negro, mulatto or Indian, in order to conceal any runaway slave, or to prevent him or her from being apprehended, shall give any fraudulent pass or ticket to any such runaway slave, he she or they shall be deemed guilty of forgery, and shall be liable to be prosecuted and tried for the same in the general court; and upon conviction, shall suffer the loss of freedom, transportation or such other punishment as the court shall think proper to inflict, not extending to life or limb.

Free people of colour, or

21st. And be it further enacted by the authority aforesaid, That if any such fraudulent pass or ticket shall be given by any white person with intent as aforesaid, such white person shall be deemed guilty of forgery, and shall be liable to be indicted and tried for the same before the general court; and shall suffer such punishment, by fine and imprisonment, as the court shall think proper to inflict.

White persons giving fraudulent passes to runaways, to be deemed guilty of forgery.

22d. And be it further enacted by the authority aforesaid, That no ticket shall be granted to any slave for any time exceeding one calendar month.

Tickets to slaves not to extend beyond one month.

23d. And be it further enacted, That every person from whose service any slave shall abscond, shall, within fourteen days thereafter, give notice thereof by public advertisement, wherein shall be inserted the name and description of such runaway, by means whereof he or she may be more easily known and apprehended; and in case the owner shall neglect so to do, he or she shall not be entitled to any satisfaction from the treasury for any such slave executed or transported, by virtue of this act, for any crime whatever.

Runaway slaves to be advertised within fourteen days after the time of absconding.

24th. And be it also enacted, That it shall not be lawful either to sell or to buy any runaway slave; and that any person selling or buying any such slave, while absent, shall forfeit the sum of thirty pounds.

Unlawful to sell or buy a runaway slave.

25th. And be it further enacted by the authority aforesaid, That all slaves who shall have been in these Islands for the space of two years, and shall run away, and continue absent for a term not exceeding six months, shall, upon conviction before any two justices of the peace, suffer such punishment as the said justices shall think proper to inflict, not extending to life or limb.

Slaves who after a residence of two years run away, to be punished at the discretion of any two justices.

26th. And be it further enacted by the authority aforesaid, That any slave who shall run away from his owner or lawful possessor, and be absent for more than six months, being duly convicted, shall be sentenced to be transported for life, or shall suffer such other punishment, not extending to life or limb, as the court shall think proper to inflict.

Runaways for six months liable to be transported.

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27th. And

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Penalty for harbouring runaways.

27th. And be it further enacted by the authority aforesaid, That any slave who shall knowingly harbour or conceal any runaway slave, shall be liable to be tried for the same, as hereinafter directed, and upon conviction, shall suffer such punishment as the court shall think proper to inflict, not extending to life or limb: and that every free person who shall commit any such offence, may be indicted and prosecuted for the same in the general court, and being convicted, shall suffer such punishment, by fine and imprisonment, as the court shall think proper, according to the magnitude of the offence; and such punishment is hereby declared to be without prejudice to any action or suit, which may be brought by the party injured, for recovery of damages for and on account of the same.

Slaves apprehending runaways, to receive £. 3. for each.

28th. And be it further enacted by the authority aforesaid, That every slave who shall take up any such runaway, or inform against any person who shall harbour or conceal such runaway slave, so that such runaway may be taken, and restored to his or her owner or owners, shall be entitled to such reward as any two justices of the peace shall think reasonable and just, not exceeding three pounds, to be paid by such person or persons as the said justices shall determine ought to pay the same.

What slaves shall be deemed runaways.

29th. And whereas it is dangerous to the peace and safety of these Islands, to suffer slaves to continue out as runaways, and it is absolutely necessary to declare what slaves shall be deemed runaways; be it therefore enacted and declared, That every slave who shall be absent from his or her owner or employer, without leave, for ten days together, and shall be found at the distance of eight miles from the house, plantation, or settlement, to which he or she belongs, without a ticket or permit to pass, (except as before excepted in going to or returning from market) shall be deemed a runaway.

Reward to free persons apprehending runaway slaves.

30th. And be it further enacted by the authority aforesaid, That any free person who shall apprehend any runaway slave shall be entitled to receive from the owner, employer, overseer, or manager of such slave, the sum of twenty shillings, and no more, besides mile money at the rate of two shillings per mile for the first five miles, and one shilling per mile afterwards; provided such slave had absented him or herself ten days without the privity, knowledge, or consent of the proprietor, owner or other white person residing on the plantation or place to which such slave shall belong, which time of absence shall be declared on the oath of such proprietor, overseer, or other white person as aforesaid, if required by the party taking up such slave; but it is the true intent and meaning of this act, that every person who shall apprehend any slave that is actually run away shall be entitled to the aforesaid reward, although such slave shall not be eight miles from home, or although the aforesaid term of ten days shall not have elapsed.

Reward to slaves for taking or killing rebel negroes.

31st. And be it further enacted by the authority aforesaid, That any slave who shall take or kill another in actual rebellion shall receive from the churchwardens of the parish in which any such slave shall have been killed the sum of five pounds, and ten pounds if taken alive, also a blue cloth coat with a red cross on the right shoulder; the whole expences whereof shall be reimbursed by the receiver general for the time being out of any money in his hands unappropriated.

Persons killing slaves in the execution of this Act, to give immediate information thereof.

32d. And be it further enacted, That if any slave shall be killed by any person or persons in the execution of this act, or under the authority of the same, the person or persons by whom such slave may be killed shall, as speedily as may be, give information thereof to some justice of the peace, who is hereby required to take his examination, and also the evidence or information of any other person or persons respecting the same; and any white person or free person of colour killing such slave, who shall neglect forthwith to give the information hereby required, shall forfeit and pay the sum of one hundred pounds.

Runaways apprehended, to be delivered to their owners or employers; or in the cases herein mentioned, to the gaoler or workhouse keeper.

33d. And be it further enacted by the authority aforesaid, That any person or persons apprehending any runaway slave shall convey him or her to his or her owner, employer, or manager, if resident on the Island in which such slave shall have been apprehended; but if not therein resident, or if payment of the reward and other charges hereinbefore mentioned shall not be made, then to the nearest gaol or workhouse, the keeper whereof is hereby authorized and required to receive such slave into his custody, and to pay the party delivering such slave the sum of twenty shillings, and mile money as aforesaid, and no more, under the penalty of five pounds; provided nevertheless, that no gaoler or workhouse keeper shall pay any such sum or sums before such person shall have taken an oath (which oath such gaoler or workhouse

workhouse keeper shall file in his office, and produce when thereunto required by the owner or possessor of such slave, under the penalty of five pounds,) that the slave so apprehended was at the reputed distance of eight miles from the house, plantation, or settlement to which such slave belongs, (except as is before excepted,) and that such slave had no ticket or permit in writing from his or her owner or possessor, employer or overseer, at the time of being apprehended; and that such slave had been first carried to his or her owner, employer, or manager, (provided such owner, employer or manager, shall be in the Island where such slave shall have been apprehended,) and that payment of the reward and charges aforesaid was neglected or refused to be made.

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34th. And, to the end that the owners and proprietors of slaves so apprehended, may obtain information from the gaol or workhouse in which they are confined, be it further enacted by the authority aforesaid, That the keeper of every workhouse or gaol shall, and they are hereby required, once in every month, to advertise in the Bahama Gazette or other public newspaper, and at the most public place in the Island on which such negro shall be apprehended, the height, names, marks and size, and also the country (where the same can be ascertained) of every runaway slave then in his custody, and the time such slave was put into his custody; and also the name or names of the owner or owners thereof, if known, under the penalty of ten pounds for every neglect or omission; and for the expence of such advertisement, it shall and may be lawful for the keeper of every gaol or workhouse to charge the owner or owners of each runaway slave at and after the rate of twelve shillings per month, and no more, and to detain any such slave in custody until the same, together with the charges of apprehending, and other fees and poundage after the rate of two shillings in the pound, shall be paid, and also one shilling for every twenty-four hours such slave shall have been in custody, for subsistence, and sixpence per day for medical care and extraordinary nourishment where necessary; and the gaoler, workhouse-keeper, or supervisor, shall attest every such account upon oath.

Runaways taken up, to be advertised in the Bahama Gazette.

35th. And be it further enacted by the authority aforesaid, That the keeper of every workhouse or gaol within these Islands, shall provide and furnish every slave confined in such workhouse or gaol a sufficient quantity of good and wholesome provisions, according to the allowance herein before required to be given upon every plantation, under the penalty of ten pounds for every neglect.

Slaves confined to be furnished with victuals by the keeper of the workhouse.

36th. And be it enacted by the authority aforesaid, That after any runaway slave shall have been in the custody of the provost marshal or the keeper of the workhouse or gaol, and shall have been duly advertised as aforesaid, for the space of twelve calendar months, if no person shall claim such slave, and pay the fees and other monies herein before directed, it shall and may be lawful for the provost marshal or for the keeper of such gaol or workhouse to sell every such slave at public outcry to the highest bidder, and that the monies arising from such sale, shall be applied, in the first place, towards payment of the expence of taking up, keeping, and advertising such slave, together with all other fees and charges hereinbefore mentioned, and the overplus (if any) shall be paid into the public treasury, to be applied towards the contingent expences of this government; and all receipts and bills of sale made by the provost marshal or the keeper of any gaol or workhouse (as the case may be) are hereby declared to convey a good and sufficient title to the purchaser or purchasers of any such slave, and to be a bar of the right of the former owner or owners: Provided always, that every such sale be at the usual place of public auctions, in the town of Nassau, between the hours of ten and twelve o'clock in the forenoon; that thirty days notice thereof be given in the Bahama Gazette or other public newspaper; and that, previous to every such sale, every such slave be carried before a magistrate, who is hereby required to examine whether such slave has been duly advertised, and whether his or her marks and descriptions agree with the advertisement, and to certify the same, if found accurate or sufficient.

Slaves who shall have been in custody for twelve months, and not claimed, to be sold at public auction.

37th. And be it further enacted by the authority aforesaid, That no gaoler or workhouse keeper shall, on any pretence whatever, employ any slave sent to his custody on any plantation belonging to him or in his possession, nor hire nor lend any such slave to work for any other person or persons, under the penalty of fifty pounds for every offence.

Slaves committed to gaol, or any workhouse, not to be hired out or otherwise employed.

38th. And be it further enacted by the authority aforesaid, That any negro or other slave who shall be confined in any workhouse or other place of confinement, and shall escape

Slaves escaping from confinement, on being apprehended, how to be punished.

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escape therefrom before trial, or the expiration of his or her sentence, upon being retaken and proof being made of his or her identity before any two justices of the peace, shall be adjudged to be sent back to confinement, and shall receive punishment by whipping, not exceeding fifty lashes.

Penalty on gaolers, &c. suffering slaves to escape from confinement.

39th. And be it further enacted by the authority aforesaid, That if the provost marshal, or any of his deputies, or any constable, gaoler, or workhouse keeper, shall willingly or negligently suffer any slave to escape, so that such slave shall not be retaken, such marshal, constable, gaoler, or workhouse keeper shall forfeit a sum not exceeding twenty pounds, without prejudice to the owners action of damages.

Slaves killed in the public service to be paid for.

40th. And be it further enacted, That if any negro or other slave, at any time of invasion or appearance of an enemy, shall be killed in service of the country, the owner shall be paid out of the public treasury the full value of such slave, to be ascertained by any two justices of the peace.

Penalty on any person permitting more than twelve strange slaves to assemble together on his plantation.

41st. And be it further enacted by the authority aforesaid, That if any master, owner, guardian or attorney of any plantation or settlement, shall suffer any strange slaves, exceeding twelve in number, to assemble together, and beat their drums or blow their horns, or shells in any place under his her or their care or management, or shall not endeavour to disperse or prevent such meeting, by giving notice thereof to the next magistrate or commissioned officer, that a proper force may be sent for the purpose, every such master, owner, guardian or attorney, shall forfeit for every such offence the sum of fifty pounds; provided information of such offence be given upon oath within five days after the commission of such offence.

All officers authorized to disperse unlawful assemblies of slaves.

42. And be it further enacted by the authority aforesaid, That all officers, civil and military, shall be and they are hereby empowered and required to enter into any place whatever, in order to disperse any unlawful assembly of slaves, and to suppress and prevent all riotous unlawful drumming or other noise; any law, custom, or usage to the contrary notwithstanding.

Slaves not to have fire arms or ammunition in their possession.

43d. And be it further enacted by the authority aforesaid, That any slave who shall hereafter be found to have concealed in his or her house, or otherwise in his or her possession, any fire arms, gunpowder, slugs or ball, shall, on conviction before any two justices, suffer such punishment as the said justices shall think proper to inflict by whipping.

Punishment of Slaves offering violence to white persons.

44th. And be it further enacted by the authority aforesaid, That any slave who shall offer violence, by striking or otherwise, to any white person, shall be punished with death, transportation, or such other punishment as the court shall think proper to inflict; provided such conflict or striking be not by command of the owner of such slave, or of his or her attorney, overseer, or other person having authority over such slave, or in the lawful defence of his owner's person or goods.

Punishment of slaves preparing or giving poison.

45th. And be it further enacted by the authority aforesaid, That if any negro or other slave shall mix or prepare, with intent to give, any poison or poisonous drug, or shall actually give or cause to be given any such poison or poisonous drug, although death may not ensue from the taking thereof, such slave, together with all and every accessory and accessories, as well before as after the fact, (being slaves) being thereof duly convicted, shall suffer death, transportation for life, or such other punishment as the court shall think proper.

Punishment of slaves for killing cattle, &c.

46th. And whereas horned cattle, sheep, horses, mares, mules and asses, are frequently stolen and killed by negro and other slaves, in so secret and private a manner, as to render conviction very difficult; For prevention thereof be it further enacted, That if any negro or other slave or slaves shall fraudulently have in his, her, or their possession, any fresh beef, mutton, or veal, or the flesh of any horse, mare, mule or ass, in any quantity exceeding five pounds, and not exceeding twenty-eight pounds weight, every such negro or other slave shall, upon conviction before any two justices of the peace, be whipped in such manner as such justices shall direct, not exceeding thirty-nine lashes; and if there shall be found fraudulently as aforesaid, in his, her, or their custody or possession, a larger quantity than twenty-eight pounds weight of such beef or other flesh, that then every such negro or other slave shall suffer such punishment as the justices shall think proper to direct, not extending to life or limb.

47th. And

47th. And be it further enacted by the authority aforesaid, That if any negro or other slave shall feloniously steal any horned cattle, sheep, goat, hog, horse, mare, gelding, mule or ass, or shall kill any such horned cattle, sheep, goat, hog, horse, mare, gelding, mule or ass, with intent to steal the same, or any part of the flesh thereof, such negro or other slave shall suffer death, or such other punishment as the court shall think proper to inflict.

Punishment of slaves for stealing cattle, &c.

48th. And whereas several slaves have lately found means to depart from these Islands, to the great damage of their owners, and to the evil example of other slaves, who may thereby be induced to attempt or conspire to do the same; And whereas there is reason to suspect that slaves have been aided and assisted in their departure by other persons, and no adequate punishments are provided by law for such offences; For remedy thereof, be it further enacted by the authority aforesaid, That if any negro or other slave shall run away from his or her owner or owners, employer or employers, and go off, or conspire and attempt to go off these Islands, in any ship, boat, canoe, or other vessel or craft whatsoever, or be aiding, abetting, or assisting to any other slave or slaves in deserting and going off these Islands, he, she, or they, so running or going off, or conspiring and attempting to go off, or aiding, assisting or abetting in such going off, being thereof convicted, shall suffer transportation, or such other punishment as the court shall think proper to inflict, not extending to life or limb.

Punishment of slaves for aiding slaves in running away or getting off the Islands.

49th. And be it further enacted by the authority aforesaid, That if any free negro, Indian, or mulatto, shall be aiding, assisting and abetting any slave or slaves, in deserting and going off these islands, and shall be thereof convicted, he, she, or they shall be subject to be transported from these Islands, by the provost marshal or his deputy; and any such person so convicted, sentenced and transported, who shall afterwards be found at large within these Islands, shall suffer death, without benefit of clergy.

Punishment of free people of colour for aiding runaways.

50th. And be it further enacted by the authority aforesaid, That any white person who shall knowingly be aiding, assisting, or abetting any slave in deserting and going off these Islands, shall forfeit the sum of one hundred pounds, and shall also suffer imprisonment for any space of time not exceeding twelve months, without bail or mainprize; and such punishment is declared to be without prejudice to any suit or action which may be brought or had by the party injured, for recovery of damages for and on account of the same.

Penalty on white persons for assisting runaways.

51st. And be it further enacted by the authority aforesaid, That it shall and may be lawful to proceed against the person or persons so aiding, assisting, or abetting such slave or slaves in going off these Islands, whether the principal or principals be convicted or not; any thing in this or any other act, or any law usage or custom to the contrary notwithstanding.

Lawful to proceed against those who may have aided slaves in getting off, whether the principal be convicted or not, under this Act.

52d. And be it further enacted, That no negro or other slave shall, on any pretence, barter or carry about for sale or barter, any dry goods of any kind whatever; and it shall and may be lawful for any white person to take and seize all such goods, and to deliver them to the provost marshal or his deputy, who shall forthwith sell the same at public auction, and pay the net proceeds thereof unto the public treasury.

Slaves not to carry about dry goods for retail.

53d. And be it further enacted, That no negro or other slave shall vend or retail any spirituous liquors whatsoever; and if any slave, without the knowledge of his or her owner or employer, shall sell or vend any spirituous liquors whatever, such slave, for every such offence, shall be publicly whipped by order of any two justices of the peace; but if it shall appear to have been done with the knowledge of his or her owner or employer, then and in that case such owner or employer shall forfeit the sum of forty pounds, to be recovered in manner hereinafter directed.

Slaves not to vend any spirituous liquors.

54th. And be it hereby enacted, That every slave who shall play at dice or cards, or be guilty of any other kind of gaming, shall be publicly whipped by order of any two justices of the peace; and any keeper of a tavern or punch house, who shall suffer any slave or slaves to game, get drunk or tittle, in or about his or her house shop or premises, or to remain in or about the same after the hour of eight of the clock at night, or shall at any other time sell rum or any other spirituous liquors to any slave to whom he or she shall have been forbidden by the owner or employer of such slave to sell liquor, shall suffer any such slave, after having been so forbidden,

Punishment of slaves detected in gambling.



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to loiter or remain in or about his or her house, shop or premises, shall forfeit the sum of twenty pounds.

Mode of proceeding on the trial of slaves accused of crimes made punishable with death or transportation.

55th. And be it further enacted by the authority aforesaid, That upon complaint being made to any justice of the peace, of any burglary, robbery, burning of houses, rebellious conspiracies, compassing or imagining the death of any white person or persons, or any other felonious offence whatsoever, committed by any slave or slaves, and which is hereby declared or made punishable with death or transportation, such justice shall issue his warrant for apprehending such offender or offenders, and for all persons that can give evidence, to be brought before him, or any other justice of the peace; and the evidence of slave against slave shall in all cases be received; and if upon examination the charge shall appear to be well founded, the justice before whom such examination shall be had and taken, shall commit the accused to prison, and bind over the witnesses to appear at a certain day, not less than ten or more than thirty days from the day on which the complaint shall have been made, at the place where the quarter sessions are usually held, or other place of public meetings, and shall certify to any other justice of the peace the cause of such commitment, and require him to associate himself with him, which the said justice is hereby required to do under the penalty of forty pounds; and the said justices so associated shall issue their warrant to summon seven persons, such as are liable to serve on ordinary juries, (the master, owner, or proprietor of the slave or slaves so complained of, or the attorney, guardian, overseer or manager of such owner or proprietor, or the person prosecuting, his or her attorney, guardian, overseer or manager, always excepted) personally to be and appear before the said justices, at the day and place appointed for the trial, between the hours of eight and twelve of the clock in the forenoon, when and where the said justices shall cause the accused to be brought before them; and thereupon five of the persons so summoned shall (the charge or accusation being first reduced to writing and read) be sworn to try the matter before them, and give a true verdict according to evidence; which charge or accusation shall not be questioned for any want of form, but shall be deemed valid if sufficient in substance: And if the said jurors shall, upon hearing the evidence, unanimously find the said slave or slaves guilty of the offence of which he she or they stand charged, the said justices shall give sentence of death without benefit of clergy, or transportation for life, according to the nature of the offence; and shall cause such sentence to be carried into execution at such time and place as they shall think proper (women with child only excepted, whose execution shall be respited until a reasonable time after delivery:) Provided always nevertheless, that the justices of the peace, or any two or more of them resident upon any of the islands within this government, (one of whom to be always of the quorum and custos rotulorum of the island) shall and may hereafter hold slave courts upon the first Tuesday in January, April, July and October, in every year, to continue and be holden for five days successively (if necessary) and not longer; and shall have full power and authority to enquire into, hear, and determine all and all manner of felonious offences, committed by slaves, and shall open the said court by proclamation, declaring the same to be a slave court for such purpose; and that the said custos rotulorum and any one other justice shall thereupon in like manner in all respects as two justices associated, as herein before mentioned, are by this act authorized and empowered, proceed to try and deliver the workhouse or gaol within the island or parish, of all slaves who shall be in custody of the gaoler or workhouse keeper, charged with any of the felonious offences herein before mentioned; and shall cause a jury to be called and taken from the panel returned to the said court, forthwith to be sworn as they shall appear, to try all and every such slave and slaves as shall be brought before them charged with any of the aforesaid offences, and to give a true verdict according to evidence, as in other cases.

Time of holding slave courts.

Justices may respite the execution of any sentence.

56th. Provided always, That it shall and may be lawful for the justices at any slave court or extraordinary trial, to respite the execution of any sentence by them given, for any term not exceeding thirty days, or until the pleasure of the commander in chief shall be known, in case proper cause shall appear to them for so doing, or the jury shall recommend the prisoner to mercy.

Who shall constitute a slave court.

57th. And be it further enacted by the authority aforesaid, That not less than two justices and five jurors, shall constitute a court for the trial of any slave or slaves for any crime or offence that shall subject such slave punishable with death or transportation;

transportation; and that upon any such trial no peremptory challenge of any juror, or any exception to the form of the indictment, shall be allowed.

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58th. And be it further enacted by the authority aforesaid, That in all cases where the punishment of death is to be inflicted, the execution shall be performed in some public place, and with due solemnity; and care shall be taken by the gaoler, constable, or marshal, that the prisoner be free from intoxication at the time of trial and execution; and the mode of such execution shall be hanging by the neck, and no other; and the body shall be afterwards disposed of as the court shall direct: Provided always, that where several slaves are capitally convicted for the same offence, one only shall suffer death, except in cases of murder or rebellion.

Execution how to be performed.

59th. And be it further enacted by the authority aforesaid, That any slave wilfully giving false evidence on any trial to be had under this act, shall suffer the same punishment as the person or persons on whose trial such false evidence was given would if convicted have been liable to suffer, or such other punishment as the justices shall award, not extending to life or limb.

Slaves giving false evidence, to suffer such punishment as the person accused would, if guilty, be liable to suffer.

60th. And be it further enacted by the authority aforesaid, That when any slave or slaves shall be discharged by proclamation, or shall die in custody, the marshal, gaoler or workhousekeeper, shall be entitled to receive out of the public treasury all such fees as shall be due for such slave or slaves at the time of such discharge or death.

Gaol fees for slaves who die in custody, to be paid by the public.

61st. And be it further enacted by the authority aforesaid, That a record shall be entered up of all proceedings upon the trials of slaves for any crime that shall be punishable with death or transportation, in a book to be kept for that purpose by the clerk of the peace who is hereby required to attend all such trials, and to record the proceedings; within thirty days after such trials, under the penalty of twenty pounds for every such neglect; and he shall be entitled, upon producing the certificate of the justices, to have and receive out of the public treasury the sum of three pounds for attending each trial and for entering up the record, and any other business incident thereto, and no more.

Record of proceedings to be kept by the clerk of the peace:

His fees.

62d. And be it further enacted, That the constables of the respective Islands and districts, shall be obliged to attend every such trial or court, under the penalty of twenty pounds for such neglect; and the constable executing any sentence, shall be entitled to receive out of the public treasury the sum of forty shillings, upon producing the certificate of the justice as aforesaid.

Constables to attend slave courts;

Their fees.

63d. And be it enacted, That any person who shall be drawn and duly summoned to serve as a juror on any trial to be had by virtue of this act, and who shall neglect to attend, or after appearance shall depart without leave, shall forfeit the sum of six pounds.

Jurors who neglect to attend, to forfeit £. 6.

64th. And be it further enacted by the authority aforesaid, That no trial of any slave shall be had until after reasonable and sufficient notice of such trial shall have been given to the owner or proprietor of such slave, or to his her or their attorney or attorneys or other representative or representatives, where any such can conveniently be found within the colony; any law usage or custom to the contrary notwithstanding.

Due notice of the trial of any slave, to be given to the proprietor or his attorney.

65th. And be it further enacted by the authority aforesaid, That in all cases where any slave shall receive sentence of death or transportation, the jury shall appraise and value such slave, and the justices shall certify such valuation: Provided always, that such valuation shall not in any case exceed sixty pounds for any one slave; and provided also, if it shall appear that the owner or possessor of such slave had treated him or her with inhumanity, and that necessity or hard usage might have driven such slave to the commission of the offence of which he or she shall have been convicted, that then and in such case no valuation shall be made nor certificate granted, and the owner shall not be entitled to receive any allowance whatever for such slave from the public.

Not more than £. 60 to be allowed by the public for any slave executed or transported.

66th. And be it further enacted by the authority aforesaid, That in all cases where any slave, valued as aforesaid, shall be executed or transported by virtue of this act, such slave shall be paid for at the public expence; and the net money arising from the sale of any slave sold for transportation, shall be accounted for on oath by the provost marshal or his deputy, and paid over to the receiver general for the use of the public.

Money arising from the sales of slaves sold for transportation, to be paid into the public treasury.

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Slaves returning from transportation, to suffer death.

Persons concealing slaves against whom warrants shall be granted, to forfeit £.100:

Manumitted negroes, &c. to be tried as slaves, for all misdemeanors under felony.

Crimes under felony committed by slaves, may be tried in a summary manner by any two justices of the peace.

When a workhouse is established, runaways taken up to be committed to it only.

Powers vested in justices and vestries, to be executed by justices or vestries, in Islands where there are not both.

Mode of recovery of forfeitures and penalties;

and their application.

Continuance of this Act.

67th. And be it further enacted by the authority aforesaid, That any negro or other slave who shall be transported from these Islands by virtue of this act, and shall wilfully return from transportation, shall, upon conviction, suffer death, without benefit of clergy.

68th. And be it further enacted by the authority aforesaid, That when any warrant shall be granted by any one or more of His Majesty's justices of the peace against any slave who cannot be taken, the owner, attorney, possessor, guardian or overseer of every such slave, shall be served with a copy of the said warrant, and if he she or they do not send or produce such slave to the justice or justices to be dealt with according to law and it shall afterwards be proved, that such owner, attorney, guardian, possessor or overseer wilfully detained or concealed such slave, he she or they shall forfeit the sum of one hundred pounds.

69th. And be it further enacted, That all such negroes, mulattos, mustees and indians, as have been slaves, and have been or shall be made free, shall, for all misdemeanors and offences under the degree of felony, be tried and adjudged in manner and form hereinbefore directed for the trial of slaves, and the evidence of a slave or slaves shall be admitted on such trials, any law usage or custom to the contrary notwithstanding.

70th. And whereas misdemeanors and offences of inferior degrees are frequently committed by slaves, which ought to be punished in a summary manner; be it therefore enacted by the authority aforesaid, That it shall and may be lawful for any two justices of the peace, in a summary manner, to hear and determine all crimes and misdemeanors below felony, committed by any slave or slaves, giving sufficient notice to the owner or owners of such slave or slaves, or his, her or their attorney or attorneys, or the person having the care of such slave or slaves, of the time and place of trial; and to order and direct such punishment to be inflicted on any such slave as the said justices in their discretion shall think fit, not exceeding fifty lashes; and the constable attending any such trial and executing any such sentence, shall be entitled to have and receive ten shillings, to be paid by the master, owner or possessor of such slave or slaves; on non-payment whereof it shall and may be lawful for the justices to issue their warrant for levying the same, together with costs and charges.

71st. And be it further enacted by the authority aforesaid, That no runaway slave shall on any account be committed to gaol by any magistrate of a parish where there shall be a workhouse established, but to such workhouse only.

72d. And be it enacted, That in all cases in which by this present act, or by any other act of the general assembly, any power or authority is vested in the justices and vestries, such power and authority shall be executed by the justices, or any two of them, in Islands where there are no vestries, or by the vestrymen, or any six of them, in Islands where there are no justices.

73d. And be it further enacted by the authority aforesaid, That all forfeitures and penalties given by this act, of which the recovery and application have not been otherwise directed, shall, if not exceeding twenty pounds, be recovered in a summary manner before any two of His Majesty's justices of the peace, and shall be levied, together with costs, by distress and sale of the offender's goods and chattels, and if exceeding twenty pounds, shall be recovered, together with costs, in the general court of these Islands, by action of debt, bill, plaint, or information, wherein no essoin, protection, wager of law, or non vult ulterius prosequi, shall be allowed or entered; one moiety of which penalties shall be to the use of the parish where the offence shall have been committed, and the other moiety to the informer, or to him her or them who shall sue for the same.

74th. And be it further enacted by the authority aforesaid, That this act, and every clause, matter and thing therein contained, shall continue and be in force for and during the term of two years from the passing thereof, and from thence to the end of the then next session of the general assembly, and no longer.

## THE TREATMENT OF SLAVES.

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An ACT for the more effectually to prevent the desertion of Slaves, and for other purposes therein mentioned. [1800.]

BAHAMAS.

WHEREAS the frequent desertion of Slaves in the Island of New Providence, from their owners hath become inconvenient and dangerous to the safety of the inhabitants, and the protection afforded them by the free people of colour, greatly tends to encourage desertion; For the more effectual prevention whereof, may it please your Majesty, that it may be enacted, and be it enacted by his excellency William Dowdeswell esquire, your Majesty's governor and commander in chief, the council and assembly of your Bahama Islands, and it is hereby enacted and ordained by the authority of the same, That within one month from and after the passing of this Act, every free negro, mulatto, mustee and Indian, shall repair to the office of police, and there enrol their names, ages, and place of abode, and whether born free or otherwise, of which a certificate specifying the same, shall be thereupon given under the hands and seals of the acting magistrates to every such free person of colour without any fee or charge whatever; and if any free person of colour shall neglect or refuse to enrol his or her name, age, place of abode and birth as aforesaid, it shall and may be lawful, and the acting magistrates are hereby empowered and directed to issue a warrant or warrants against every such defaulter, and him or her to bring before them or either of them; and after registering the name of any such defaulter, in manner aforesaid, to discharge him her or them, upon the payment of all legal fees upon such arrest, for which every such defaulter is hereby declared liable.

Preamble.

Names, ages, places of abode, and births of free negroes, &c. to be registered in the police office.

Penalty on neglect or refusal.

2d. And be it further enacted by the authority aforesaid, That a fit book shall be provided by the magistrates for the purpose of entering and recording the names, ages, places of abode and births of all such free people of colour, in which shall also be entered the number of all certificates by them granted; which book shall be kept in the said office, and at all fit hours be open to the inspection of any person or persons, upon the payment of all legal fees to the said magistrates of police upon search therein, and the said book is hereby declared good evidence in any court of law in these Islands against negro, mulatto, mustee or indian, whose names shall not be enrolled therein, in all questions where his her or their freedom shall come in contest.

Book to be kept at the police office, to register names, &c. and certificates to be granted.

3d. And be it further enacted by the authority aforesaid, That whenever it shall be ascertained by the magistrates aforesaid, that there are five or more runaway slaves in the Island of New Providence, it shall and may be lawful, and the acting magistrates or either of them are hereby empowered and directed, as often as the same shall appear to him or them necessary, by warrant to order and direct a sufficient number of the aforesaid male free people of colour, between the ages of sixteen and sixty years, to turn out in search of the said runaway slaves; and if the duty of the persons so summoned and employed, shall be hard upon them, and require their attention for more than seven days successively, it shall and may be lawful for the said magistrates or any of them, and they are hereby authorized and required, by summons in like manner directed to any number of other free persons of colour, to turn out and succeed those first summoned, for an equal space of time; and as often as may be required to summon and turn out other parties of free persons of colour, until all runaway slaves shall be apprehended and brought in, and their camps and places of resorts effectually destroyed.

When there are more than five runaways in number, in New Providence, acting magistrate to send out a number of male free people of colour in search of them.

4th. And the better to regulate the said service, and to render the duty of free persons of colour equal, The acting magistrates shall keep a correct roll or list of all the said free persons liable to be so employed, and alternately summon them and command their attendance as aforesaid, and appoint fit and proper white persons to command and accompany them.

A list of free people of colour so to be employed, to be kept, and white persons to be appointed to command them. Governor authorized to offer a reward for apprehending runaways.

5th. And as an encouragement to the said free persons of colour, and the person or persons commanding the same, be it further enacted by the authority aforesaid, That for every runaway slave who shall be apprehended by them, over and above all sums already allowed by law, there shall be paid to them out of the public treasury of these Islands, such sum or sums of money as to his Excellency the Governor, by and with the advice of His Majesty's Council, shall deem adequate and proper, and he is hereby authorized and empowered to issue his warrant or warrants upon the treasury for the payment thereof.

## BAHAMAS.

Free persons of colour, opposed in the execution of this Act, may wound and kill runaways, and in case of being sued, may plead this Act.

Free persons of colour to wear silver medals.

Penalty for not wearing them.

Penalty on free persons of colour not turning out when summoned.

List of runaways to be kept at the police office.

Penalty on owners not reporting runaways, and their return, &c.

Persons sued for any thing done under this Act, may plead the general issue, and recover double costs.

Continuance of this Act.

6th. And be it further enacted by the authority aforesaid, That in case any of the free persons of colour aforesaid, while acting in obedience to any summons from the magistrates aforesaid, shall be opposed by any runaway slaves, or find it otherwise impossible to arrest them, it shall and may be lawful for such free person of colour to fire upon or wound and kill any such runaway slave or slaves; and in case of any indictment or process being commenced against any such person of colour for any such act, he or they may plead this Act, and give the special matter in evidence.

7th. And be it further enacted by the authority aforesaid, That every free negro, mulatto, mustee or Indian, who shall obtain a certificate as aforesaid, from the magistrates aforesaid, shall within one month thereafter, at their own proper cost, provide themselves with a silver medal of the size of a dollar, on which shall be engraved in legible characters the initial letters of the name of such free person of colour, with the number of his or her certificate, with the word "Free;" which medal shall be worn at all times thereafter by such free person of colour, at his or her breast exposed to public view, in order that they may be generally known and distinguished from slaves; and in case any free person or persons of colour, shall at any time thereafter be found or discovered out of his or her house or usual place of abode without such medal exposed to public view at his or her breast, it shall and may be lawful for the said magistrates, or any other white person or persons whatsoever, to apprehend such free person of colour, and commit him her or them to the common gaol of Nassau, and there to be kept until he she or they shall provide such medal, and pay all legal fees upon such commitment.

8th. And be it further enacted by the authority aforesaid, That if any male free person or persons of colour, after he or they shall be duly summoned for the purposes aforesaid by the said magistrates, or any one of them, shall neglect or refuse to turn out and be employed as before directed, and in all respects act agreeably to the true intention of this Act, he or they shall for every such refusal or neglect, be imprisoned at the discretion of the said magistrates, in the common gaol of the town of Nassau, for any time not exceeding twenty days, and be liable to pay all legal fees thereon.

9th. And whereas, a correct list of all deserted slaves being kept in the office of police will be necessary, the better to enable the magistrates to carry this Act into execution; be it therefore enacted by the authority aforesaid, That the owners, proprietors or persons having the management of any slave or slaves who shall desert, shall within fourteen days after the desertion of any such slave or slaves, repair to the office of police, and there notify the same in writing to the magistrates, with the time of the desertion, the name, age, and description of any such slave or slaves; and in like manner within two days after the return or apprehending of any such slave or slaves, to notify the same; and in default thereof, to forfeit for every such neglect, twenty pounds, to be recovered in any court of record in these Islands, with full costs of suit, to be applied in aid of the expences of this government.

10th. And be it further enacted, That if the magistrates aforesaid, or any other person or persons employed by them, shall be sued or prosecuted for any thing done in pursuance of this Act, he or they may plead the general issue, and give the special matter in evidence, and be entitled to receive double costs on the event of a verdict against the plaintiff or plaintiffs.

11th. And be it further enacted by the authority aforesaid, That this Act shall continue and be in force from and after the passing thereof, for and during the term of two years, and from thence to the end of the then next session of the general assembly.

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An ACT to further continue an Act, intituled, "An Act to bring into one Act the several Laws relating to Slaves, and for giving them further protection and security; for altering the mode of trial of Slaves charged with capital offences; for suspending the several acts and clauses of acts therein mentioned, and for other purposes." [1802.]

Preamble.

WHEREAS an Act, intituled, "An Act to continue and bring into one act the several laws relating to slaves, and for giving them further protection and security; for altering the mode of trial of slaves charged with capital offences; for suspending the several acts and clauses of acts therein mentioned, and for other purposes,"

will

## THE TREATMENT OF SLAVES.

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will shortly expire; and whereas the said act has been found beneficial, and it is expedient that the same should be further continued; May it please your Majesty, That it may be enacted, and be it enacted by his Excellency John Halkett, esquire, your Majesty's governor and commander in chief, the council and assembly of your Majesty's Bahama Islands, and it is hereby enacted and ordained by the authority of the same, That the said Act, and every matter clause and thing therein contained, shall continue and be in force from and after the passing of this act, and during the term of seven years, and from thence to the end of the then next session of the general assembly.

BAHAMAS.

AN ACT to continue an Act for the more effectually to prevent the desertion of Slaves, and for other purposes therein mentioned. [29 December 1802.]

WHEREAS an Act, made and passed in the forty-first year of your Majesty's reign, intituled, "An Act for the more effectually to prevent the desertion of slaves, and for other purposes therein mentioned," will shortly expire; and whereas it is highly necessary and expedient that the said Act, and every clause matter and thing therein contained, should be further continued; May it therefore please your Majesty, that it may be enacted, and be it enacted by his excellency John Halkett esquire, your Majesty's governor and commander in chief, the council and assembly of your Majesty's Bahama Islands, and it is hereby enacted and ordained by the authority of the same, That the said Act, and every clause matter and thing therein contained, be further continued in full force from and after the expiration thereof, for and during the term of ten years, and until the end of the next session of the general assembly.

Preamble.

The aforesaid Act continued ten years.

AN ACT to continue in force an Act to prohibit the purchasing, selling, hiring or employing of certain Foreign Slaves, except as therein excepted, and for other purposes therein mentioned. [31 December 1803.]

WHEREAS the above recited Act will shortly expire; and whereas the provisions thereof have been found of general utility; May it therefore please your Majesty, that it may be enacted, and be it enacted by his excellency John Halkett esquire, your Majesty's governor and commander in chief, the council and assembly of your Majesty's Bahama Islands, and it is hereby enacted by the authority of the same, That the said Act, and every matter and clause thereof, therein contained, is hereby declared to be in full force and effect from and after the passing of this Act, for and during the term of five years, and from thence to the end of the then next session of the general assembly.

Preamble.

Act continued for five years.

AN ACT for fixing the mode of trying Questions relative to the Freedom of Negroes, and other Persons of Colour, and for suspending certain Acts therein mentioned. [14 January 1805.]

WHEREAS many inconveniences have arisen from the mode of trying questions relative to the freedom of negroes and other persons of colour, as established in and by an Act passed in the twenty-eighth year of His Majesty's reign, intituled, "An Act for explaining and amending an Act passed in the twenty-fourth year of His Majesty's reign, intituled, 'An Act for governing negroes, mulattoes, mustees and Indians, and for suspending several Acts therein-mentioned;'" May it therefore please your Majesty, that it may be enacted, and be it enacted by his excellency Charles Cameron, esquire, your Majesty's captain general and governor in chief, the council and the assembly of your Majesty's said Islands, and it is hereby enacted and ordained by the authority of the same, That the aforesaid first-mentioned Act, and all and every other Act and Acts, or clauses of Acts of the general assembly, so far forth as the same do relate to the trial of questions concerning the freedom of negroes or other persons of colour, be suspended; and the same are hereby accordingly suspended, during the continuance of this Act.

Preamble.

Certain Acts suspended.

2d. And be it enacted, That from and after the passing of this Act, all questions relating to the freedom or slavery of negroes or other persons of colour, shall be tried and determined in His Majesty's general court of these Islands, and not elsewhere, any law usage or custom to the contrary notwithstanding.

Claims to freedom to be tried only in the general court.

## BAHAMAS.

Regulations for  
such trial.

3d. And be it enacted, That in all cases in which application shall be made to the general court, or in time of vacation to any of the judges of the general court, or on any out Island, to any two magistrates of the same, where there are four, and if less than four to any one magistrate, with the assistance and concurrence of any three or more freeholders, for and in behalf of any negro or other person of colour, pretending to or claiming freedom, and praying that his or her claim may be inquired into, it shall and may be lawful for the court or judge, magistrates or magistrate, and freeholders aforesaid, as the case may be, to direct the person so claiming his her or their freedom, to state the grounds upon which he she or they so claim; and if sufficient grounds shall appear in support of the claim or claims to freedom, then and in such case to appoint some fit person to be guardian of such negro or other person of colour, for the purpose of prosecuting a suit, in the nature of an action of ravishment of ward, homine replegiando, or other fit action, to try his or her claim to freedom; in which suit the plaintiff shall be admitted to sue in forma pauperis; and the judgment therein given shall be binding against all and every person and persons who shall be a party or parties to the same.

How if claimant be  
on any out Island.

4th. And be it further enacted, That in case any claim to freedom shall arise on an out Island, and be supported on sufficient grounds as aforesaid, it shall and may be lawful for the said magistrates or magistrate, with the assistance and concurrence of three or more freeholders, to oblige the owner or person so holding the said negro or other person of colour in bondage, either to resign all right to the person so claiming his her or their freedom, or to enter into sufficient security for the sending such person or persons to the general court at Nassau for trial, within six weeks after such examination, a copy of the proceedings of which either the plaintiff or defendant may demand, upon payment of a reasonable charge for the same; and in case of any neglect on the part of the judge, magistrates or magistrate and freeholders, by refusing to examine and take cognizance of any such claim to freedom; he or they, as the case may be, shall for every such neglect be liable to a penalty of one hundred pounds; one moiety of which shall go to his Majesty, his heirs and successors, in aid of the support of this government, and the other moiety to the person suing for the same.

How claimant to  
be disposed of, pre-  
vious to the trial.

5th. And be it further enacted, That any negro or other person of colour claiming his or her freedom as aforesaid, shall forthwith be committed to the common gaol, workhouse, or other place of safe custody, at the discretion of the court or judge, magistrates or magistrate, and freeholders, as the case may be, there to remain so long as the suit shall be pending: Provided always, that it shall and may be lawful for the court, or for any of the judges thereof in time of vacation, or for the magistrates or magistrate, and freeholders, to make an order for delivering such negro or other person of colour to the custody of his or her guardian, or of any other indifferent person, taking security in a sufficient recognizance for the appearance of such negro or other person of colour, and for the payment of such reasonable wages as the court may award in case judgment shall be given for the defendant, and that the court or judge, magistrates or magistrate, and freeholders, may from time to time make such further order or orders respecting the safe custody of any such negro or other person of colour, claiming his or her freedom as aforesaid, or respecting his or her labour, wages, support or maintenance, as may be for the benefit of the party in whose favour judgment may eventually be given; and that any person or persons disobeying any such order, shall and may be proceeded against and punished as for a contempt.

Question of free-  
dom only to be  
tried.

Proviso; but  
another action  
may afterwards be  
maintained for  
wages.

6th. And be it further enacted, That in any such action as aforesaid, the plaintiff's title of freedom only shall be insisted on, and nominal damages only shall be awarded: Provided always, that it shall and may be lawful for any negro or other person of colour, in whose favour judgment shall have been given in any such action, forthwith to have and maintain another suit, and recover reasonable wages or damages, upon a quantum meruit for work, labour and service by him or her done and performed for the defendant or defendants, for such time only as it shall appear that the said negro or other person of colour had made known his her or their claim or title to freedom, to such defendant or defendants so holding them in bondage.

Former decisions  
not to be over-  
hauled.

7th. And be it further enacted, That this Act shall not extend or be construed to extend to enable the said court to take cognizance of the claim or claims of any negro or other persons of colour, who shall at any time heretofore have been declared

## THE TREATMENT OF SLAVES.

3A

declared and adjudged a slave by any other court, lawfully constituted, and having competent jurisdiction on the subject matter.

BAHAMAS.

8th. And be it enacted, That this Act shall continue and be in force for and during the term of three years from and after the passing thereof, and from thence to the end of the then next session of the general assembly.

Continuance of this Act.

AN ACT to continue an Act, passed in the forty-fifth year of His Majesty's reign, intituled, "An Act for trying Questions relative to the Freedom of Negroes and other persons of Colour, and for suspending certain Acts therein mentioned." [29th February, 1808.]

WHEREAS an Act passed in the forty-fifth year of His Majesty's reign, intituled, "An Act for trying questions relative to the freedom of negroes and other persons of colour, and for suspending certain acts therein mentioned," is about to expire; and whereas it is expedient that the same be further continued; May it therefore please your Majesty, that it may be enacted, and be it enacted, by his excellency Charles Cameron, esquire, your Majesty's captain general and governor in chief, the council and assembly of the Bahama Islands, and it is hereby enacted by the authority of the same, That the above recited act, and every clause, provision, matter and thing therein contained, shall be and the same are hereby continued in force, from and after the passing of this act, for and during the term of seven years, and from thence to the end of the then next session of the general assembly.

Act relative to the Freedom of slaves continued for seven years.

AN ACT to prevent persons on Turks Islands from retailing Spirituous Liquors without being licensed, from trafficking with Slaves, and for other purposes therein mentioned, and to suspend so much of an Act, intituled, an Act to amend an Act made and passed in the forty-fifth year of His Majesty's reign, intituled, "An Act to prevent persons on the Out Islands retailing Spirituous Liquors without being licensed, from trafficking with Slaves, and for other purposes therein mentioned," as extends to Turks Islands aforesaid. [31st December 1808.]

WHEREAS the population of Turks Islands hath of late years considerably increased, and it hath been deemed necessary that certain regulations and rules should be adopted, relative to the retailers of spirituous liquors, and that such persons should contribute towards the support of this government; We, your Majesty's dutiful and loyal subjects, the assembly of the Bahama Islands, do most humbly beseech your Majesty that it may be enacted, and be it enacted by his honor William Vesey Munnings esquire, president and commander in chief in and over the said Bahama Islands, the council and assembly of the same, and it is hereby enacted and ordained by the authority of the same, That from and after the expiration of three months after the passing of this Act, it shall not be lawful for any person or persons whomsoever, on Turks Islands aforesaid, either by himself herself or themselves, or by any person or persons whomsoever to be employed for him her or them, or his her or their benefit, to retail any rum, punch, or any other mixture of distilled spirituous liquors or other liquors, without taking out a licence for that purpose, which licence shall be issued under the band and seal of the governor or commander in chief for the time being, on a certificate been produced, under the hands of five resident justices of the peace, that the person applying for such licence is duly qualified and fit to be trusted with such licence; and upon receiving a certificate from the deputy receiver general and treasurer of the said Islands, that the sum of ten pounds hath been duly paid for such licence, and upon payment of the usual fees established by law, which sum shall be remitted and paid into the public treasury of these Islands, for and towards the support of the government thereof, which licence shall be good and in force for and during the term of one year from the date thereof, and no longer.

Preamble.

No persons on Turks Islands to retail spirituous liquors without licence.

Licenses how to be obtained.

2d. And be it further enacted by the authority aforesaid, That no person or persons to whom such licence or licences as aforesaid shall be granted, shall sell or dispose of any rum or mixture of rum, or other distilled spirituous liquors, or other liquors, before six o'clock in the morning, or after eight o'clock in the evening, under a penalty of five pounds for every offence.

No spirituous liquors to be retailed before six o'clock in the morning, nor after eight o'clock in the evening.



## BAHAMAS.

Persons having licenses to retail spirituous liquors, shall have their names marked over their doors.

Penalty on free persons purchasing salt from slaves.

Persons selling liquors in less quantities than three gallons, to be deemed retailers.

Offences against this Act, how to be tried and determined.

Part of an Act suspended.

Continuance of this Act.

3d. And be it further enacted by the authority aforesaid, That no person or persons whomsoever, not having a license granted in manner hereinbefore directed and in force, shall vend, sell, dispose of or deliver any rum, mixture of rum, or any other distilled spirituous liquors, or other liquors by retail, under the penalty of fifty pounds; and that every such person to whom such license shall be granted, shall put his or her name in a conspicuous place over the door of his or her house or shop, with the words "licensed to retail spirituous liquors," under the penalty of being deemed an unlicensed person, under this act; and punished accordingly.

4th. And whereas slaves are often encouraged to steal salt, to which they have access, by the keepers of dram shops and other evil disposed persons, who buy and receive the same; For remedy whereof, be it enacted, That from and after the expiration of three months after the passing of this Act, it shall and may be lawful to prosecute and punish any free person, buying or receiving any salt from any slave or slaves, as for a misdemeanor, by fine or imprisonment, although the slave or person who may have stolen the same be not convicted; which prosecution and conviction shall exempt such receiver from being punished as an accessory, if the principal should afterwards be convicted.

5th. And be it further enacted by the authority aforesaid, That any person within the said Turks Islands who shall sell to any person or person, at any one time less than three gallons of rum, or other distilled spirituous liquors, shall be deemed a retailer within the intent and meaning of this act.

6th. And be it further enacted by the authority aforesaid, That all offences against this act shall and may be lawfully heard, adjudged, tried and determined by any three or more justices of the peace resident on the said Turks Islands where the offence shall be committed; and all penalties and forfeitures imposed by this act, shall be levied under and by virtue of a warrant under the hands and seals of such justices of the peace, and shall be to the use of our sovereign lord the King, his heirs and successors, for and towards the support of this government.

7th. And be it enacted by the authority aforesaid, That so much of an act, intituled, "An Act to amend an act made and passed in the forty-fifth year of his Majesty's reign," intituled, "An Act to prevent persons on the out Islands retailing spirituous liquors without being licensed, from trafficking with slaves, and for other purposes therein mentioned," as applies to Turks Islands aforesaid, be suspended, and the same is hereby suspended accordingly.

8th. And be it further enacted by the authority aforesaid, That this Act shall continue and be in force from and after the expiration of three months from and after the passing of this Act, for and during the term of two years, and from thence to the end of the next session of the general assembly, and no longer.

AN ACT for regulating the Hire of Slaves, Carts, Waggons and Drays, and for other purposes therein mentioned. [31st December 1808.]

## Preamble.

WHEREAS, it is highly requisite and necessary that the hire of slaves, carts, waggons and drays, within the Island of New Providence, should be duly ascertained, and the same properly regulated and restricted; may it therefore please Your Majesty, That it may be enacted and be it enacted by his honor William Vesey Munnings esquire, president and commander in chief, the council and assembly of the said Islands, that from and after the passing of this Act it shall not be lawful for any proprietor or other person or persons having the direction or management of any slave in the Island of New Providence, to suffer or permit such slave or slaves to hire themselves out to work, either on board of vessels or on the shore, as porters or labourers, without first registering the names of such slaves in the police office, and obtaining therefrom a copper badge, with the number of such slave marked thereon; which badge is to be worn on the jacket or frock of the said slave, in a conspicuous manner.

Owners of slaves hiring the same to work out, shall register their names in the police office, and obtain therefrom a copper badge, to be worn on the jacket or frock of the slave.

Penalty on persons employing slaves without having such badge.

2d. And be it further enacted, That any person or persons hiring or employing, either on board of vessels or on shore, any slave or slaves not having a copper badge as aforesaid, shall be liable to the penalty of five pounds for every slave so employed, besides double the wages of such slave or slaves, to be paid to the owner or person having the management of the same.

3d. And

## BAHAMAS.

3d. And be it further enacted by the authority aforesaid, That the acting magistrate shall, on application of the owner or person having the management of any such slave or slaves, register the names of the same, and of their owner or owners, in a book to be kept for that purpose, and shall furnish a copper badge to be worn by such slave or slaves, upon payment of one dollar each.

Acting magistrate shall register the names of slaves, and furnish badges.

4th. And be it further enacted by the authority aforesaid, That any person or persons obtaining any such badges, shall not allow the same to be worn by any other slave or slaves than those for whom the same has been obtained at the police office, nor for any longer time than such slave or slaves shall be permitted to hire themselves out to work aforesaid; and on the death, sale or removal of such slave, shall return the badge into the police office, under a penalty of five pounds for each and every offence.

Badges shall not be worn by any other slaves than those for whom the same are obtained.

On the death of slaves, their badges shall be returned into the police office.

5th. And the better to prevent damage being done to the streets lanes and alleys of the town of Nassau and suburbs, by heavy carriages, be it enacted, That no person shall let or drive for hire any cart waggon or dray, within the limits of the said town and suburbs, without having first obtained a licence for so doing from the commissioners of roads streets and highways for the town and district of Nassau, for which licence shall be paid five pounds per annum for every such cart waggon or dray; and the money for such licences shall be paid into the hands of the commissioners, to be applied towards keeping the said streets lanes and alleys clean and in repair; and in case any person within the limits aforesaid shall let or drive for hire any cart waggon or dray, without having obtained such licence, every such person shall forfeit and pay for every such offence ten pounds, to be applied as aforesaid.

No person shall let for hire any cart, waggon or dray, without a licence from the commissioners of roads.

6th. And be it further enacted by the authority aforesaid, That every cart waggon or dray licensed as aforesaid, shall have painted on them the name of the owner, and be numbered and registered in the police office, and no person shall deface the said name or number under the penalty of fifty pounds; and all slaves driving such cart waggon or dray, shall be registered, and have a badge as aforesaid, under a penalty of ten pounds, to be paid by the owner of every such cart or dray for every offence.

Licensed cart, &c. to have the name of the owner painted thereon, and be numbered and registered in the police office.

7th. And be it further enacted by the authority aforesaid, That the owner of all carts waggons and drays, shall be liable for any damage done by any such carts waggons or drays, or by the slaves having charge thereof.

Owners of carts, &c. liable for any damage done thereby, or the slaves having charge thereof.

8th. And be it further enacted by the authority aforesaid, That if any person driving any cart waggon or dray, in any of the streets lanes or alleys in the said town or suburbs, shall ride upon such cart waggon or dray, not having some other person on foot to guide the same, every such offender, being convicted before the acting magistrates, by the oath of one credible witness, shall forfeit and pay the sum of twenty shillings, and if a slave, the same to be paid by his owner or employer, and in default of such payment the offender to be committed to the workhouse or common gaol, and receive such punishment as the magistrates shall judge proper, not exceeding thirty-nine lashes.

Penalty on persons driving carts, &c. riding thereon within the town and suburbs.

9th. And be it further enacted by the authority aforesaid, That the rates of portorage, cartage and drayage, shall be from time to time fixed and ascertained by the commissioners of roads streets and highways for the town of Nassau.

Rates of portorage, cartage, &c. to be fixed by the commissioners.

10th. And be it further enacted by the authority aforesaid, That all fines imposed by this Act, under the sum of twenty pounds, shall be recovered in a summary way before the magistrates of police; and all sums above twenty pounds, by actions of debt, bill, plaint or information, in his Majesty's general court.

Fines how to be recovered.

11th. And be it further enacted by the authority aforesaid, That this Act shall continue and be in force from and after the passing thereof, for and during the term of ten years, and from thence until the end of the then next session of the general assembly, and no longer.

Continuance of this Act.

## BAHAMAS.

AN ACT to continue in force an Act to prohibit the purchasing, selling, hiring or employing of certain Foreign Slaves, except as therein excepted; and for other purposes therein mentioned. [31st December 1808.]

Foreign Slave Act continued.

WHEREAS the above recited Act will expire; and whereas it is expedient and necessary that the same should be further continued; may it therefore please your Majesty, that it may be enacted, and be it enacted, by his honour William Vesey Munnings, esquire, president and commander in chief, the council and assembly of your Majesty's Bahama Islands, and it is hereby enacted by the authority of the same, That the said Act, and every matter clause and thing therein contained, shall be and the same are hereby continued in full force, from and after the passing of this Act, for and during the term of ten years, and from thence to the end of the then next session of general assembly, and no longer.

An ACT to further continue an Act, intituled, "An Act to bring into one Act the several Laws relating to Slaves, and for giving them further protection and security, for altering the mode of trial of Slaves charged with Capital Offences, for suspending the several Acts and clauses of Acts therein mentioned, and for other purposes." [3d November 1809.]

Consolidated Slave Act continued.

WHEREAS an Act, intituled, "An Act to continue and bring into one Act the several laws relating to slaves, and for giving them further protection and security, for altering the mode of trial of slaves charged with capital offences, for suspending the several Acts and clauses of Acts therein mentioned, and for other purposes," will shortly expire; and whereas the said Act has been found beneficial, and it is expedient that the same should be further continued; may it therefore please your Majesty, that it may be enacted, and be it enacted, by his honour William Vesey Munnings, esquire, president and commander in chief, the council and assembly of your said Islands, and it is hereby enacted and ordained by the authority of the same, That the said Act, and every matter clause and thing therein contained, shall continue and be in force from and after the passing of this Act, for and during the term of seven years, and from thence to the end of the then next session of the general assembly.

## BARBADOS.

AN ACT to increase the sum made payable by former Laws, on the manumission of a Slave, and for their better support when manumitted. [12th May 1801.]

Preamble.  
Recital of former Acts.

WHEREAS by the sixth clause of an Act of the legislature of this Island, which passed the twenty-seventh day of February one thousand seven hundred and thirty-nine, intituled, "An Act for amending an Act of this Island, intituled, An Act for the governing of negroes, and providing a proper maintenance and support for such negroes, indians or mulattoes, as hereafter shall be manumitted or set free; as also for preventing certain inconveniences from them arising to the inhabitants of this Island;" it is enacted, that whoever should thereafter by deed or will, or by any other ways or means whatsoever, manumit, set free or discharge from slavery, any negro or other slave or slaves, such person or persons should for the better support of such negro or slave, and to prevent their becoming burdensome to the parish in which he she or they should live or reside, deposit or direct to be paid into the hands of the churchwarden for the time being of the said parish, for each negro or other slave so manumitted, set free or discharged from slavery, the sum of fifty pounds current money, to be by the said churchwarden and the vestry of the said parish for the time being, improved to the best advantage; and the said vestry should direct and appoint the sum of four pounds current money for the maintenance and support of such person so manumitted and set free, to be annually paid to him or her; and in

In case such person or persons should neglect or refuse to deposit, or direct such sum to be paid for the purpose aforesaid, the same should by the churchwarden for the time being, immediately after such manumission or freedom, be recovered by action in the court of common pleas of the proper precinct, or by a suit in equity against the person or persons or his her or their representatives giving such freedom; and be levied on his her or their proper estate, which is thereby made chargeable with the payment thereof; and if the said vestry should, after the payment or recovery of the sum before mentioned, refuse to appoint such annual sum to the said free person, or the same should not be annually paid to him or her, he or she should and is thereby enabled and empowered to recover the said annuity as in case of servants wages before any justice of the peace, who is thereby directed and required to hear and determine the same, and to proceed thereon against the churchwarden of the said parish for the time being in manner aforesaid: And whereas by one other Act of the legislature of this Island, which passed the twenty-second day of January one thousand seven hundred and eighty-three, intituled, "An Act to amend an Act of this Island, intituled, An Act for amending an Act of this Island, intituled, An Act for the governing of negroes and for providing a proper maintenance and support for such negroes, indians or mulattoes, as hereafter shall be manumitted or set free; as also for preventing certain inconveniences from them arising to the inhabitants of this Island; it is enacted, for the future any person who should be minded to manumit or set free any negro or slave, should actually deposit or pay into the hands of the churchwarden for the time being of the parish in which such person lived or resided, the sum of fifty pounds current money, and take a receipt or certificate of the said churchwarden for the same; and without such payment and such receipt or certificate, the deed of manumission or instrument of writing should be as to the purpose of manumitting such slave, void and of no effect; and the said negro slave so intended to be manumitted, should remain and continue and to all intents and purposes should be as much a slave, as if no deed of manumission or instrument of writing had been made; and it is therein also further enacted, that if any person should thereafter by will or other writing direct any negro or slave to be manumitted after the death of such person, or at any other future time, and the heir at law, executor, or other person so directed to manumit such slave, should, in order to save the said sum of fifty pounds and to retain the said slave in slavery, neglect to pay the sum of fifty pounds current money into the hands of the churchwarden of the parish, and to manumit the said slave within three months after the time appointed for the manumission of the said slave, the said churchwarden might, and he is thereby authorized and required to sue in his own name, in the court of the proper precinct, or proceed by suit in equity for the said sum of fifty pounds, and as soon as he should recover and receive the same, he should execute a deed of manumission in his own name, which should be effectual to manumit and set free the said negro or slave: And whereas in consequence of the increased price of all the necessary articles of life, the sum of four pounds current money of this island, which has been hitherto allowed annually for the maintenance and support of persons manumitted and set free is now become insufficient for that purpose, be it therefore enacted by his excellency the right honourable Francis lord Seaforth, captain general, governor and commander in chief of this Island, chancellor ordinary and vice admiral of the same, the honourable the members of his Majesty's council, and the general assembly of this Island, and by the authority of the same, That from and after the passing of this Act, instead of fifty pounds as prescribed by the said recited Acts, there shall be paid for every female slave to be manumitted, the sum of three hundred pounds current money, by the person manumitting such female slave, into the hands of the churchwarden for the time being of the parish where such person shall live or reside, for the use of the said parish, and the vestry of the said parish shall direct and appoint the sum of eighteen pounds unto such female slave, current money, for the maintenance and support of such slave so manumitted, to be annually paid; and for every male slave so manumitted the sum of two hundred pounds, to be paid in like manner, and such male slave so manumitted as aforesaid, to receive the sum of twelve pounds current money as also aforesaid; and all and every the powers and authorities vested in such churchwardens by the said recited Acts or either of them, for enforcing the payment of the said former sum of fifty pounds, shall be and the same are hereby vested in him for enforcing the payment of the said sums of three hundred pounds and two hundred pounds; and if the said vestry, after the receipt of the said sums of

Clause 1st.

Every person manumitting a slave, to pay £. 300 for the manumission of a female slave, and £. 200 for a male; the female slave, so manumitted, to receive £. 18 per annum, the male £. 12.

## BARBADOS.

three hundred pounds and two hundred pounds by the said churchwarden, shall refuse to appoint such annual sum of eighteen pounds or twelve pounds, to the said free person, or the same shall not be annually paid to him or her, he or she may and is hereby authorized and empowered to recover the same, as in case of servants wages, on complaint made to any justice of the peace, who is hereby directed and required to hear and determine the same, and to proceed thereon against the churchwarden for the time being of the said parish.

Clause 2d.  
The provisions of the Act, bearing date the 22d of January 1783, extended to this Act.

And be it further enacted by the authority aforesaid, That all and every the provisions matters and things in the said recited Act of the twenty-second day of January one thousand seven hundred and eighty-three, made and prescribed with respect to the said former sum of fifty pounds, made payable by the said former Acts, shall be and the same are hereby extended to the said sums of three hundred pounds and two hundred pounds, by this present Act made payable on the future manumission of any slave, as fully and effectually to all intents and purposes, as if the same were herein repeated and in express words enacted.

Read three times with the amendments, and passed the Council unanimously, this 12th day of May 1801.

*John A. Beckles,*  
D. C<sup>l</sup> of the Council.

Assented to by His Excellency the same day.

*John A. Beckles,*  
D. Sec<sup>y</sup>.

Read three times and passed the General Assembly, nemine contradicente, the 12th day of May 1801.

*Sam<sup>l</sup> Moore,*  
C<sup>l</sup> of the Gen<sup>l</sup> Assembly.

Read with the amendments made by the Council, and passed by the Gen<sup>l</sup> Assembly, the 12th day of May 1801.

*Sam<sup>l</sup> Moore,*  
C<sup>l</sup> of the Gen<sup>l</sup> Assembly.

AN ACT for the better Protection of the Slaves of this Island. [9th April 1805.]

## Preamble.

WHEREAS the penalties directed by the several Acts of this Island against the murdering of negro slaves have been found inadequate: And whereas the wilful and malicious murder of any fellow creature, whether it be a free person or a slave, ought to be punished with the death of the murderer; be it therefore enacted by his excellency the right honourable Francis lord Seaforth, his Majesty's captain general, governor and commander in chief of this Island, chancellor ordinary and vice admiral of the same, the honourable members of his Majesty's council, and the general assembly of this Island, and by the authority of the same, be it enacted, That if any person shall hereafter wilfully, maliciously, wantonly, and without provocation, kill and murder any slave, whether such slave be the property of the person so killing and murdering, or of any other person, such person so killing and murdering, being duly convicted thereof by the evidence of one or more white person or persons, at a court of grand sessions, shall suffer death without benefit of clergy: provided nevertheless, that any person so convicted of such murder of a slave, shall not thereby forfeit his lands, negroes, goods or chattels, any law to the contrary in anywise notwithstanding.

## Clause.

Any person killing any slave without provocation, on conviction by the evidence of a white person, to suffer death, without benefit of clergy.  
Proviso: no person so convicted to forfeit lands, &c.  
Passed the council originally, 12th February 1805; passed the assembly, 9th April 1805.  
Passed the council, amended, 9th April 1805, and also the governor.

Read three times and passed the Council unanimously, this 12th February 1805.

*Jo<sup>s</sup> Dottin Husbands,*  
D. Clerk of the Council.

Read three times and passed the Council unanimously with the Amendment, this 9th day of April 1805.

*Jo<sup>s</sup> Dottin Husbands,* D. Clerk of the Council.

Read three times and passed the General Assembly, the 9th day of April 1805.

*J. R. Phillips,*  
Clerk of the General Assembly.

AN ACT for the punishment of such Slaves as shall be found practising Obeah. [4th November 1806.]

## Preamble.

WHEREAS many valuable slaves have lost their lives, or have otherwise been materially injured in their health, by the wicked arts of certain negro and other slaves going under the appellation of Obeah men and women, pretending to have communication with the devil and other evil spirits, whereby the weak and superstitious are deluded

## THE TREATMENT OF SLAVES.

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deluded into a belief of their having full power to exempt them, whilst under their protection, from any evils that might otherwise happen; in order to prevent such mischief for the future, be it enacted by the honourable John Spooner, president of his Majesty's council and commander in chief of this Island, the honourable the members of his Majesty's council and the general assembly of this Island, and by the authority of the same, That from and after the passing of this Act, any slave who by pretending to any supernatural power, or by the practice of what is called Obeah, shall cause the death of any other slave, shall, upon conviction thereof before two neighbouring justices and three freeholders of the vicinity, suffer death.

And be it further enacted by the authority aforesaid, That if any negro or other slave shall mix or prepare, with an intent to give or cause to be given, any poison or poisonous drug, or shall actually give or cause to be given any such poison or poisonous drug to any other slave in the practice of Obeah or otherwise, although death may not ensue upon the taking thereof, the said slave or slaves, together with their accessaries (as well before as after the fact, being slaves) being duly convicted thereof as aforesaid, shall suffer death, transportation for life, or such other punishment as the said court shall think proper to direct.

Read three times and passed the Council unanimously, this 4th day of November 1806.

*Jo<sup>s</sup> Dottin Husbands,*  
D. Clerk of the Council.

John Spooner.

Read three times and passed the General Assembly, this 4th day of November 1806.

*J. R. Phillips,*  
Clerk of the General Assembly.

Assented to by his Honour the same day.

*Jo<sup>s</sup> Dottin Husbands, D. Sec<sup>y</sup>.*

## BARBADOS.

Clause 1st.  
Any slave convicted of causing the death of a slave, by pretending to supernatural power, or by obeah, to suffer death.

Clause 2d.  
Any slave convicted of intending to give, or of giving any poison to a slave, in the practice of obeah, though death may not ensue, to suffer, with their accessaries, the punishment here directed.

Passed 4th Nov. 1806.

AN ACT to remove doubts concerning the trial of Slaves manumitted after the commission of Felonies of which they may stand accused. [14th March 1809.]

WHEREAS doubts have arisen whether a slave, accused of murder or any other felony, and manumitted after the commission of the act for which he is accused, is amenable and subject to the laws and statutes of this Island now in force for the trial of slaves charged with the commission of the aforesaid felonies; be it therefore enacted by the honourable John Spooner, president of his Majesty's council and commander-in-chief of this Island, chancellor ordinary and vice admiral of the same, the honourable the members of his Majesty's council and the general assembly of this Island, and by the authority of the same, That any slave or slaves accused of murder or any other felony or felonies, shall be liable to be tried as a slave, and shall be amenable and subject to all the laws and statutes of this Island now in force for regulating and directing the trial of slaves; notwithstanding any attempt to elude the law by any deed or deeds of manumission to the said slave or slaves executed after the commission of the said murder, or any other felony or felonies of which the said slave or slaves shall stand charged with the commission.

Preamble.

Clause 1st.

A slave accused of felony shall be tried as a slave, notwithstanding any manumission executed after the commission of the felony.

And be it further enacted by the authority aforesaid, That all deeds of manumission of any slave or slaves, after the commission of any murder or other felony of which the said slave or slaves is or are accused, and previous to the trial and acquittal of the said slave or slaves for the said offence or offences, are and shall be of no effect, and shall be void to all intents and purposes.

Clause 2d.

All manumissions of slaves accused of felony, executed between the commission thereof and trial of the slaves, shall be void.

Read three times and passed the Council unanimously, this 14th day of February 1809.

*Jo<sup>s</sup> Dottin Husbands,*  
D. Clerk of the Council.

John Spooner.

Read three times and passed the General Assembly unanimously, the 14th day February 1809.

*James Grasett,*  
Acting Clerk of the General Assembly.

Assented to by his honour the President, on the 14th day of March 1809.

*Jo<sup>s</sup> Dottin Husbands, D. Sec.*

## BERMUDA.

AN ACT to repeal an Act, intituled, "An Act for the security of the Subject, to prevent the forfeiture of life and estate upon killing a Negro or other Slave." [17th July 1789.]

Preamble.

WHEREAS, although no instance can be adduced of any persons having claimed the benefit of the said Act, intituled, "An Act for the security of the subject, to prevent the forfeiture of life and estate upon killing a negro or other slave," and the same is generally considered as obsolete, yet it is right to place a question of such a nature beyond the possibility of a doubt, we therefore, your Majesty's most dutiful and loyal subjects, the general assembly of these your Majesty's Bermuda or Somers Islands in America, do most humbly beseech your Majesty, that it may be enacted and be it enacted by your Majesty's governor, council and assembly, and it is hereby enacted and ordained by the authority of the same, that the said Act, intituled, "an Act for the security of the subject, to prevent the forfeiture of life and estate upon killing a negro or other slave," be repealed, and the same is hereby declared to be repealed, and that this Act be not in force until his Majesty's pleasure be had thereon, and made known in these Islands.

Voted and unanimously passed the Assembly, this sixteenth day of July one thousand seven hundred and eighty-nine, and ordered to be laid before the council for concurrence.

*James Tucker* (Speaker.)

Concurred to by the Council, this seventeenth day of July one thousand seven hundred and eighty-nine.

*John Harvey* (President.)

Assented to this seventeenth day of July one thousand seven hundred and eighty-nine.

*Henry Hamilton.*

AN ACT to regulate the emancipation of Slaves, and to disable Free Negroes and persons of Colour from being seised of real Estate. [9th August 1806.]

Henry Tucker.

Preamble.

No slave under forty years of age shall be emancipated, except upon condition that he leave these Islands within three months.

Such emancipated slave, if found within these Islands after the expiration of the said term, shall be committed to prison, and be transported by the public treasurer.

Proviso.

A further allowance of two months to be given to such emancipated slave, in certain cases; but if again found, he shall be committed and transported, as herein before directed.

If such slave shall return to these Islands, he shall be

WHEREAS the rapid increase of the number of free negroes and free persons of colour, is a great and growing evil to this community, and to prevent the same, it is deemed expedient to regulate the emancipation of slaves, we therefore, your Majesty's most dutiful and loyal subjects, the general assembly of these your Majesty's Bermuda or Somers Islands in America, do most humbly beseech your Majesty, that it may be enacted, and be it enacted by your Majesty's president and commander in chief, council and assembly, and it is hereby enacted and ordained by the authority of the same, That during the continuance of this Act, no slave owner shall emancipate a slave of forty years of age or under, except upon condition of such slaves leaving these Islands within three months from the date of his emancipation.

And be it further enacted by the authority aforesaid, That if the said emancipated slave shall be found within these Islands after the expiration of three months from the date of his emancipation (not having left the Island,) any magistrate, upon receiving information and being satisfied of the fact, shall commit the said emancipated slave to prison, who shall be, as soon as a proper opportunity offers, transported by the public treasurer from off these Islands; always provided, in the case of an emancipated slave's not having left the Island, and being found therein after three months from the date of his emancipation, it shall be competent to him to shew to any magistrate, before whom he may be called, his inability to procure a conveyance from these Islands, or other sufficient cause of his continuance therein; and the said magistrate, upon being satisfied of the truth and sufficiency of the plea alledged, shall, under his hand and seal, give the said emancipated slave a farther allowance of two months from the day of the examination, for the purpose of leaving the Island; but if, at the expiration of the said period of two months, the said emancipated slave be again found in the Island, he shall be committed to prison, in the manner before provided, and shipped off by the treasurer aforesaid.

And be it further enacted by the authority aforesaid, That as often as the said slave, or any other slave, to be shipped off in manner hereinafter mentioned, shall return into these Islands, he shall be taken up and transported by the public treasurer, and sold

sold in behalf of the public to the best advantage; and the net proceeds to be remitted to the said treasurer, after deducting his commission of ten per cent. shall be to his Majesty, his heirs and successors, for and towards supplying the deficiency of the fund established by an Act, intituled, "An Act for raising a public revenue for the support of the government of these his Majesty's Islands."

And be it further enacted by the authority aforesaid, That if the slave, so emancipated, shall be above the age of forty years, then the owner shall, at the time of the emancipation of the said slave, deposit with the public treasurer the sum of fifty pounds current money; there to be and remain as a fund to indemnify the public, or any parish in these Islands, for any charges which may be thereafter incurred on account of emancipated slaves.

And be it further enacted by the authority aforesaid, That from and after the passing of this Act, any negro or person of colour, being or pretending to be free, shall be liable to be called before any magistrate of these Islands; and upon its appearing that the requisites of this Act, in the emancipation of the said negro or person of colour, had not been complied with, the said negro or person of colour shall be committed to prison, for the period of one month, and forthwith advertised by the said magistrate in the Bermuda Gazette, four successive weeks; and if at the end of that time, he or she shall not be claimed by any person as his or her slave, the said negro or person of colour shall be, in manner hereinbefore mentioned, shipped off by the treasurer aforesaid, the expenses attending the examination, committing to prison and advertising the said negro or person of colour, to be defrayed by the public; and if within the said period of one month, the said negro or person of colour shall be claimed as a slave by any person, the said owner (satisfactorily proving his or her title to the said slave) shall be obliged to discharge all the said expenses, which shall have been incurred by the examination, committing to prison, and advertising the said negro or person of colour: Always provided, that no part of this clause shall in any manner affect or extend to any negro or person of colour, who shall, upon examination, satisfactorily prove his or her title to freedom before the passing of this Act.

And whereas it is deemed highly injurious to this community and inconsistent with the laws now in being, that free negroes and persons of colour should be seised of real estate, be it therefore enacted by the authority aforesaid, That from and after the passing of this Act, no free negro or person of colour shall be capable of acquiring or of being seised of any real estate whatever, either by descent or purchase, or by any mode of conveyance whatever, whether in trust for them, or any or either of them, or any how otherwise, but that all houses, lands, and other real estate, to which any free negro or person of colour shall, after the passing of this Act, claim title as the owner of the fee thereof, or as the beneficial owner where the fee is in a trustee, shall be forfeited and recoverable in the courts of king's bench and common pleas of these Islands, in an action of ejectment by the public treasurer for the time being; which action the said public treasurer is hereby authorized and required to bring in every such case; and upon judgment being given in favour of the said public treasurer, and execution thereof made, the said real property so recovered shall be sold by the said treasurer, and the net proceeds thereof, after deducting his commission of five per cent. shall be to his Majesty his heirs and successors, for and towards supplying the deficiency of the fund established by an Act, intituled, "An Act for raising a public revenue for the support of the government of these his Majesty's Islands." Always provided, that this clause shall be confined to cases of real property acquired after the passing of this Act, and that the same do not in any manner extend to or affect the real property of the present possessors, or of such free negroes or persons of colour as shall give satisfactory proof of having legally acquired the fee of the said property previously to the passing of this Act: Provided also, that the claims of creditors of any free negroes or persons of colour, be not in any manner affected or prejudiced by this Act, or by any forfeiture to arise under it; but that whatever remedies such creditors might by law have had before the passing thereof against any real property, which may be the subject of forfeiture under this Act, or the possessors thereof, they shall in the fullest manner have against such real property notwithstanding the passing of this Act.

And be it further enacted by the authority aforesaid, That no house land or tenement shall, from and after the passing of this Act, be leased to any free negro

taken up, transported, and sold in behalf of the public. Application of the net proceeds of such sale.

If the slave to be emancipated exceed forty years of age, the owner shall pay £.50 into the public treasury. For what uses to be reserved.

In what manner any negro, &c. pretending to be free, shall be proceeded against, if it shall appear that the requisites of this Act, in the emancipation of such negro, &c. have not been complied with.

If any negro, &c. so pretending to be free, shall be claimed as a slave, the owner shall be obliged to defray all the expenses which shall have been incurred. Proviso.

No free negro, or person of colour, shall be capable of acquiring or being seised of any real estate whatever, after the passing of this Act. All such real estate shall be forfeited and sold.

The net proceeds of such sales granted to his Majesty.

This clause shall not extend to any real property legally acquired before the passing of this Act.

The creditors of any free negroes, &c. shall not be prejudiced by any forfeiture to arise under this Act.

No house, &c. shall be leased to any free negro, &c. for a longer term than seven years.



## BERMUDA.

negro or person of colour, for any longer term than seven years, and that any lease for any longer term shall be utterly void; always provided, that no lease whatever shall be considered valid, unless the same shall be recorded in the secretary's office within three months from the date of such lease, and the true date of such recording be registered or indorsed upon such lease.

## Appropriation.

And be it further enacted by the authority aforesaid, That all monies arising by virtue of this Act, whether by fine forfeiture or otherwise, not herein-before particularly appropriated, be to his Majesty his heirs and successors, for and towards supplying the deficiency of the fund established by an Act, intituled, "An Act for raising a public revenue for the support of the government of these his Majesty's Islands."

This Act shall be in force for seven years after his Majesty's assent shall have been had thereto, and made known in these Islands.

And be it further enacted by the authority aforesaid, That this Act be and continue in force for and during the space of seven years, from and after the time that his Majesty's assent shall be had thereto and made known in these Islands, and then to determine and expire.

Passed the Assembly, this seventh day of August one thousand eight hundred and six, and ordered to be laid before the Legislative Council for concurrence.

By order of the House, *James Tucker*, (Speaker.)

Concurred to by the Legislative Council, this eighth day of August one thousand eight hundred and six.

*Saml Trott*, (President.)

Assented to this ninth day of August one thousand eight hundred and six.

*Henry Tucker*.

## DOMINICA.

AN ACT to revive and make perpetual an Act of this Island, intituled, "An Act for the encouragement, protection and better government of Slaves." [15th March 1793.]

## Preamble.

WHEREAS an Act of the Legislature of this Island, intituled, "An Act for the encouragement, protection and better government of Slaves," is expired, and having been found highly beneficial to the colony, it is necessary and expedient to revive and to make perpetual the same, we your Majesty's dutiful loyal and obedient subjects, the governor council and assembly of this your Majesty's Island of Dominica, humbly pray your most excellent Majesty, that it may be enacted and ordained; and be it and it is hereby enacted and ordained by the authority aforesaid, That the said Act, intituled "An Act for the encouragement, protection and better government of Slaves," be and the same is hereby revived and made perpetual.

Passed the House of Assembly, this fifteenth day of March one thousand seven hundred and ninety-three.

*F. COLLINS*, Clerk of the House of Assembly.

Passed the Council in the Council Chamber, this fifteenth day of March one thousand seven hundred and ninety-three. *Griffin Curtis*, Clerk of the Council.

Assented to this fifteenth day of March one thousand seven hundred and ninety-three, and in the thirty-third year of his Majesty's reign.

*James* (Great Seal.) *Bruce*.

Dominica, duly published in the town of Roseau, this fifteenth day of March one thousand seven hundred and ninety-three. *James Laing*, Provost Marshal.

AN ACT to revive an Act of this Island, intituled, An Act to establish a company of rangers, for the apprehending and suppressing of runaway slaves, and for obliging the proprietors, renters or employers of all slaves belonging to or employed on the several plantations and lands in this Island to furnish a proportion of their slaves to be sent into the woods after and in search of runaways; to provide officers for such company, by engaging such proper white persons and people of colour as may be disposed to be employed on the said service; and for granting encouragement for the apprehending or destroying of any of the runaways; and to empower magistrates, on the requisition of the commanding officer of the said company of rangers, to issue their warrant to call to the assistance of the said company of rangers a certain number of slaves from the neighbouring plantations in cases of emergency, and to prevent the importation of slaves convicted or known to have been guilty of murder, insurrection, or other capital offences, and to prevent the sale of gunpowder, fire-arms, or other offensive weapons to runaways." [15th March 1793.]

WHEREAS it is found expedient and necessary to revive an Act of this Island, intituled, "An Act to establish a company of rangers for the apprehending and suppressing of runaway slaves, and for obliging the proprietors, renters or employers of all slaves belonging or employed on the several plantations and lands in this Island to furnish a proportion of their slaves to be sent into the woods after and in search of runaways; to provide officers for such company, by engaging such proper white persons and people of colour as may be disposed to be employed on the said service; and for granting encouragement for the apprehending or destroying of any runaways; and to empower magistrates, on the requisition of the commanding officer of the said company of rangers, to issue their warrant to call to the assistance of the said company of rangers a certain number of slaves from the neighbouring plantations in cases of emergency, and to prevent the importation of slaves convicted or known to have been guilty of murder, insurrection, or other capital offences; and to prevent the sale of gunpowder, fire-arms, or other offensive weapons, to runaways;" we, your Majesty's dutiful, loyal and obedient subjects, the commander in chief, the council and assembly of this your Majesty's island of Dominica, do humbly pray your most excellent Majesty, that it may be enacted and ordained; and be it and it is hereby enacted and ordained by the authority of the same, That an act of this Island, intituled, "An Act to establish a company of rangers for the apprehending and suppressing of runaway slaves, and for obliging the proprietors, renters or employers of all slaves belonging to or employed on the several plantations and lands in this island, to furnish a proportion of their slaves to be sent into the woods after and in search of runaways; to provide officers for such company by engaging such proper white persons and people of colour as may be disposed to be employed in the said service, and for granting encouragement for the apprehending or destroying of any of the runaways, and to empower magistrates on the requisition of the commanding officer of the said company of rangers, to issue their warrants to call to the assistance of the said company of rangers a certain number of slaves from the neighbouring plantations in cases of emergency, and to prevent the importation of slaves convicted or known to have been guilty of murder, insurrection or other capital offences, and to prevent the sale of gun-powder, fire arms or other offensive weapons to runaways," and every clause matter and thing therein contained, be and the same is and are hereby revived.

*Simon Fraser, Speaker.*

Passed the House of Assembly, this fifteenth day of March one thousand seven hundred and ninety-three. *F. Collins, Clerk to the House of Assembly.*

Passed the Council in the Council Chamber, this fifteenth day of March one thousand seven hundred and ninety-three. *Griffin Curtis, Clerk of the Council.*

Assented to this fifteenth day of March one thousand seven hundred and ninety-three, and in the 33rd year of his Majesty's reign.

Duly published in the town of Roseau, this fifteenth day of March in the year one thousand seven hundred and ninety-three.

*James Laing, Provost Marshal.*

## DOMINICA.

AN ACT to enable the Commanding Officer of the Corps of Rangers employed in suppressing the runaway Slaves, to procure such Slaves for guides as he shall think best qualified to discover the camps or places of resort of the runaways in the woods.

## Preamble

WHEREAS the owners renters or possessors of slaves qualified to serve as guides to the rangers for discovering the camps or places of resort of the runaway slaves, may from selfish or other motives refuse or neglect to furnish such slaves when called for by the commanding officer of the corps of rangers, whereby the danger to be apprehended from the runaways, and the heavy expense of maintaining such rangers, may be continued for a much longer time than they otherwise would; in order therefore to avoid these evils, we your Majesty's dutiful and loyal subjects, the governor in chief and the council and the assembly of the Island of Dominica, do humbly pray your most excellent Majesty, that it may be enacted and ordained, and be it and it is hereby enacted and ordained by the authority aforesaid, That from and immediately after the publication of this Act, it shall and may be lawful for the commanding officer of the corps of rangers to call, either in person or by note under his hand, on the owner renter or possessor of any slave or slaves whom he may think best qualified to discover any camp or place of residence of the runaway slaves, or on the attorney or attornies, agent or agents of such owner renter or possessor, in order to procure the attendance of such slave or slaves to guide the rangers in the woods, for such length of time as the commanding officer of the corps shall deem necessary; and for the service of such slave or slaves, the owner renter or possessor of him or them shall be entitled to receive out of the public treasury three shillings by the day, on the certificate or return of the commanding officer of the rangers; and in case such slave or slaves shall be killed, maimed or lamed in the service, the value of the loss thereby suffered by the owner renter or possessor, shall be made good out of the public treasury, according to the estimation of any two respectable inhabitants who may be judges of the value of such slave or slaves; and the owner renter or possessor of such slave or slaves as aforesaid, who shall, by himself or herself, his her or their attorney or attornies, agent or manager, refuse or neglect immediately to furnish to the commanding officer of the corps of rangers, such slave or slaves sufficiently clothed, shall for every such offence forfeit the sum of fifty pounds, to be recovered on the oath of the commanding officer of the rangers before any one justice of the peace, and to be levied by warrant from such justice to the provost marshal, which warrant shall be executed by him in the manner and order as executions issued out of the court of common pleas are executed by him; and such forfeitures, when levied and received by the provost marshal, shall be paid by him into the public treasury for the public uses of the colony, and the marshal shall be entitled to demand and receive the like fees for levying and executing all such warrants as on executions out of the court of common pleas.

*W<sup>m</sup> Pagan, Speaker.*

Passed the House of Assembly, this fifth day of December one thousand seven hundred and ninety-four.

*F. Collins, Clerk of Assembly.*

Passed the Council, this fifth day of December one thousand seven hundred and ninety-four.

*G. Curtis, Clerk of the Council.*

Assented to this sixth day of December one thousand seven hundred and ninety-four.

*Henry (Great Seal) Hamilton.*

AN ACT for the more effectual apprehending of Runaway Slaves, and to oblige the Provost Marshal of this Island to receive into his custody in the Common Gaol all Runaway Slaves, and to advertise them in the Newspaper of the Island, and if not claimed within a limited time to oblige him to sell them for the public benefit, for appointing a Committee of the Council and Assembly to inspect the Common Gaol from time to time, and for other purposes in this Act mentioned.—[30th April 1798.]

WHEREAS at present there is no sufficient law for the purposes in the title of this Act mentioned, we therefore your Majesty's dutiful and obedient subjects the governor and the council and assembly of the said Island of Dominica, do humbly pray your Majesty that it may be enacted and ordained,

1st. And be it and it is hereby enacted and ordained by the authority aforesaid, That it shall and may be lawful from and after the publication of this Act, for any white person or persons, or for any free person or persons, and he and they is and are hereby required and directed, to apprehend and take up in any part of this Island any slave or slaves who may be there found, and who may appear to such person or persons to be a runaway or runaways, and him he or them forthwith to conduct to the common gaol, and the provost marshal as gaol-keeper shall and he is hereby required to receive into his custody all such runaway slave or slaves so to be brought to him, and to pay the apprehender or apprehenders the sum of sixteen shillings and sixpence for each such slave, besides mile money at the rate of one shilling per mile for the distance which such slave may be brought, provided the said slaves shall not be owned by any inhabitant of this Island; and the provost marshal shall, after any such slave or slaves are brought and delivered to him as aforesaid, advertise him her or them in the public newspaper to be then next published, and if not claimed shall proceed to the sale, and sell and dispose of the said runaway slave or slaves in the manner and form hereinafter provided for the sale and disposal of any runaway slave or slaves belonging to any inhabitant of this Island; and if the runaway slave or slaves to be apprehended and committed as aforesaid shall be claimed, the owner or owners thereof, or his her or their attorney or agent shall first be obliged to verify their claim by affidavit in writing before any magistrate of this Island, by proving the property of such runaway slave or slaves, and having so done and delivered the same to the provost marshal, the said provost marshal shall, on being paid his lawful fees and disbursements for such runaway slave or slaves as hereinafter provided, deliver him her or them to his her or their respective owner or owners, or his her or their lawful attorney or agent.

2d. And be it further enacted and ordained by the authority aforesaid, That from and after the publication of this Act, it shall and may be lawful for any white person, free person of colour, or slave, to apprehend or take up any slave or slaves that shall be found off or from the plantation of his her or their owner renter or employer, or out of the town or plantation wherein or whereon his her or their owner renter or employer actually then is or usually reside (except slaves employed in bringing water or other necessaries for such owner, renter or employer's use, or unless attending upon some white or free person, and except tradesmen employed on any of the plantations of this Island, and not belonging thereto) without a permission in writing signed by such owner renter or employer, and the person or persons apprehending such slave or slaves, is and are hereby directed to conduct him her or them in forty-eight hours, or to cause him her or them to be conducted to the common gaol, or to the plantation, habitation, or usual place of residence of the owner renter or employer of such slave or slaves, who is hereby required to pay to the apprehender or apprehenders of such slave or slaves the sum of eight shillings and threepence for each slave, if taken up within two miles of such owner renter or employer's plantation, habitation, or the town or plantation wherein or whereon he or she usually resides at the time of such apprehending; and if taken up at any greater distance, sixteen shillings and sixpence, and one shilling for every computed mile such slave or slaves is or are conducted either to gaol or place of residence of the owner; and in case any dispute shall arise about the mile-money, the same shall be determined by any justice of the peace; and if such owner renter or employer shall refuse to pay such reward, any justice of the peace is hereby authorized and required, upon complaint, and the oath or oaths of the apprehender or apprehenders of such slave or slaves, of such refusal to pay as aforesaid, to issue his warrant of distress in nature of an execution directed to any constable to levy the same, with the charges, on the goods and chattels of such owner renter or employer, and the goods and chattels levied on, such constable is hereby required to expose to sale under the same regulations conditions and restrictions as are appointed for the sale of goods and chattels of defendants taken in execution by the provost marshal of this Island; provided always, that such sale shall be made within ten days from the day of levy, and it shall and may be lawful for such constable to deduct as a fee for his trouble, the sum of sixteen shillings and sixpence out of the proceeds of such levy and sale.

3d. And be it and it is hereby enacted and ordained by the authority aforesaid, That the provost marshal or his lawful deputy shall receive all runaway slave or slaves belonging to any inhabitant of this Island to be brought to him as aforesaid, and shall

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confine him or them in the common gaol, and shall pay the apprehender or apprehenders of such slave or slaves the rewards and mile-money specified in the second clause of this Act, and the said provost marshal shall immediately advertise such runaway slave or slaves in the public newspaper of this Island for three successive weeks, describing the sex, and as near as may be the age, size, complexion, or any other external marks whereby he she or they may be the more readily known, together with the country of the said slave, and his her or their name or names (if known) and shall also immediately, in a list to be put up on the outside of the door of his office, insert the name or names, age, size, and external or country marks as above expressed; and in case the provost marshal or his lawful deputy shall fail in performing the several matters in this clause directed, he shall forfeit and pay the sum of five pounds for every such neglect, to the informer or persons injured thereby, and all goal fees and other charges thereon, such penalties to be recovered before any two justices of the peace, on due proof of such neglect, and to be levied by their warrant of distress and sale as before directed in the second clause of this Act; and if the slave or slaves thus advertised, is or are not claimed within three months from and after the day on which he she or they were delivered into the hands of the provost marshal or his lawful deputy, it shall and may be lawful for the said provost marshal or his lawful deputy, and he is hereby required, to sell the said slave or slaves at public outcry to the highest bidder or bidders, and the monies arising from such sale, after deducting the several charges and goal fees for such slave or slaves as hereinafter provided, shall be returned to the owner or owners of such slave or slaves; and if such owner or owners do not appear to claim the same, then the provost marshal shall be at liberty to apply the same in part payment of his account against the colony, rendering at the same time to the clerk of the assembly a full account of the sale charges and net proceeds, for the inspection of the committee of public accounts on passing the account of the marshal, until the owner or owners may appear; and if such owner or owners do not appear and claim the same within one year after the sale, then the said application shall be final and conclusive for the public benefit of the colony; and in case any runaway slave or slaves shall die in gaol, the marshal's lawful fees and disbursements for such slave or slaves shall be charged to the public of this Island.

4th. And be it and it is hereby enacted and ordained by the authority aforesaid, That the provost marshal, over and above being reimbursed and paid the rewards and mile-money, to be paid by him as hereinbefore directed, shall be allowed and paid for the feeding and attending each negro committed to gaol as a runaway, the following sum, that is to say, one shilling and sixpence for every twenty-four hours, for receiving and discharging each runaway slave, seven shillings and sixpence and no more, and for advertising each slave in English and French, sixteen shillings and sixpence.

5th. And be it enacted by the authority aforesaid, That a committee of the council and assembly to be from time to time appointed, to consist of two members of the council to be named by the president of the board, and three members of the assembly to be named by the speaker, or a majority of such committee, or any two members thereof, shall have it in their power at all times hereafter to inspect the common gaol, and to enquire into the treatment of all slaves whatever therein confined, and to see that their daily allowance of wholesome food, which shall be equal to three-fourths of the daily allowance made by this Act, be regularly provided for and given to them; and if the goal-keeper shall on such enquiry be found not to have done his duty in either of the aforesaid particulars, he shall be fined by the committee, or a majority of them, in the sum of five pounds, and the provost marshal shall be answerable for the said fine, and be charged therewith in his account with the public.

*Cha' Winston, Speaker.*

Passed the House of Assembly, this twenty-eighth day of September in the year one thousand seven hundred and ninety-seven.

*F. Collins, Clerk of the Assembly.*

Passed the Council, this twenty-seventh day of April one thousand seven hundred and ninety-eight.

*Geo. Boyce, Assis' Clerk of the Assembly.*

Duly published in the town of Roseau, this thirtieth day of April in the year one thousand seven hundred and ninety-eight.

*James Laing, P. M.*

*Andrew (L. S.) Cochrane Johnstone.*

AN ACT to make the testimony of Slaves admissible in certain cases and under certain restrictions for a limited time, to forfeit runaway Slaves who have been absent from the service of their masters a certain time, and to oblige the inhabitants of this Island having intelligence of the situation or motions of the runaway Slaves, to communicate the same to the persons, and in the manner prescribed by this Act, and to prevent persons from harbouring or employing Slaves on their plantations or in their houses without a written permission from the owner or person having charge of such Slaves, and for other purposes. [30th April 1798.]

WHEREAS many evil disposed persons in this Island do, notwithstanding sundry salutary laws made for the suppression of runaway slaves, still persist in the pernicious practice of carrying on an intercourse with the runaway slaves, and of supplying them, not only with the necessaries of life, but also with arms and ammunition, whereby the said runaways are enabled to continue in a state of revolt and rebellion, such persons so carrying on an intercourse with and supplying the said runaways as aforesaid, being emboldened in the said wicked practice by the difficulty (the admission of testimony of slaves not being allowable in any case as the law now stands) of convicting them of their said offences; for remedy whereof, we the governor in chief and the council and the assembly of the Island of Dominica do humbly pray your most excellent Majesty, that it may be enacted and ordained,

Preamble.

1st. And be it and it is hereby enacted and ordained by the authority aforesaid, That no white person or free person of colour, from and after the publication of this Act, shall give sell or barter any gunpowder, fire-arms or other offensive weapons, salt, salt provisions, clothes or other necessaries whatever, or hold any intercourse or correspondence, directly or indirectly, to or with any runaway slave or slaves knowing them to be such, under the penalty of being deemed guilty of a high misdemeanor, and shall on conviction thereof suffer punishment by fine, pillory, imprisonment and banishment, or any or either of them, at the discretion of the court before whom such white or free person of colour shall be tried and convicted, and such justices are hereby authorized to pronounce judgment of the last-mentioned punishments any or either of them.

2d. And be it and it is hereby enacted and ordained by the authority aforesaid, That where any person shall be charged or accused of any of the crimes in the preceding clause mentioned, it shall and may be lawful in support of such charge or accusation, to examine as witnesses on their corporal oaths any slave or slaves other than the slave or slaves of the person accused, before any judge, justice of the peace, grand jury or petty jury, in any court within the said Island having cognizance of such offences; provided always nevertheless, that no white person or free person of colour shall be convicted of any of the offences aforesaid on the testimony of any slaves, unless two of the said slaves at the least, clearly and consistently with each other, depose to the same fact, act or circumstance; and also unless the said slaves are examined apart, and out of the hearing of each other; and provided also, that no white person or free person of colour shall be convicted on the testimony of any slaves of any of the offences aforesaid, unless the same be prosecuted within twelve months after the commission thereof.

3rd. And be it and it is hereby enacted and ordained by the authority aforesaid, That all male slaves taken after the first day of September in the year one thousand seven hundred and ninety-seven, at the expense of this colony, or otherwise, who shall have been absent for the space of twelve months previous to the time of their apprehension and commitment, shall be forfeited and banished from the Island by the sentences of the justices who may try them, to any place or places distant from this Island at least twenty-five leagues (unless condemned according to law, on the verdict of a jury by the court who shall try such slave, to suffer death) and such slave or slaves shall be sold by the provost marshal or his deputy, subject to their respective sentences, within three days after the pronouncing thereof, and the money arising from such sale, after deducting the reasonable charge thereof, and the reward allowed by law for the apprehending such slaves, shall be paid to the owner or owners thereof.

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4th. And be it and it is hereby enacted and ordained by the authority aforesaid, That where any slave or slaves shall be sold as aforesaid, subject to a sentence or sentences of banishment, the person or persons purchasing the same, before the delivery thereof, shall with two sufficient sureties enter into a recognizance with his Majesty, his heirs and successors, before any of his Majesty's justices of the peace, in double the value of the slave or slaves to be so purchased, conditioned to banish the same, within seven days after the date of such recognizance; and if such slave or slaves shall after the expiration of that space of time remain on this Island, such recognizance shall be deemed forfeited, and shall be sueable and recoverable as other forfeited recognizances to his Majesty now are or may by law be sued and recovered, and the amount of such recognizance shall, when recovered, be paid into the public treasury of this Island for the benefit and uses thereof.

5th. And be it enacted by the authority aforesaid, That all and every person and persons shall and they are hereby enjoined, on discovering or knowing the situation or movement of the runaways or any party thereof, to give the earliest possible information thereof, either to some commander of a party acting against the runaways, or to the commander in chief of this Island; and any person or persons, who shall be credibly informed of, discover or know of the situation or movement of the said runaways or any party thereof, and shall neglect to give information thereof as aforesaid, shall for every such offence, on conviction thereof, if a white person or free person of colour, forfeit the sum of one hundred pounds current money of this Island, to be recovered in any court of record within this Island, and be paid one-half to the person who shall sue for the same, and the other half into the colony treasury of this Island for the public uses thereof; and if a slave, on conviction thereof by any two or more justices of the peace, shall receive such public punishment of flogging not exceeding thirty-nine lashes, as the said justices of the peace in their discretion shall order and adjudge.

6th. And whereas it often happens that slaves absent themselves from the service of their masters and mistresses upon very slight occasions, and are afterwards employed or harboured by evil-minded white persons and free persons of colour, and sometimes by slaves, whereby such runaways are countenanced and encouraged in continuing absent from their duty; for remedy whereof, be it and it is hereby enacted and ordained by the authority aforesaid, That after any slave or slaves hath or have absented himself herself or themselves from his her or their owner or employer's service, every other slave knowing thereof, who shall entertain, employ, harbour, receive or conceal, or any way assist, comfort, afford or give sustenance to any such runaway slave or slaves, shall upon conviction thereof before any justice of the peace of this Island, for such offence be publicly whipped upon the bare breech, with any number of stripes not exceeding thirty-nine; and if any white person or free person of colour shall entertain, employ, harbour or receive, or any way assist comfort, afford or give sustenance to any such runaway slave or slaves, such white or free person of colour for the first offence, shall forfeit the sum of twenty-five pounds current money, for the second offence fifty pounds, and for the third, imprisonment for a month, and to be put in the pillory once during that time; which several penalties, on conviction of the offender or offenders before any three justices of the peace, shall be recovered by their warrant to the provost marshal, who shall levy the same in the manner as executions on complaints are levied, and executed out of the court of common pleas, and be entitled to the same fees thereon, and when recovered such penalties shall be paid into the public treasury for the public uses of the colony; and such offender or offenders shall moreover be liable to an action at the suit of the owner renter or employer of such runaway slave or slaves, for employing harbouring or concealing of such runaway slave or slaves, in which action the jury shall allow to the plaintiff or plaintiffs, in case a verdict shall be found for him her or them, at the rate of twelve shillings per diem, for every day he or she shall be proved to have been runaway and absent as aforesaid, besides full costs of suit; and in all cases of prosecutions for any of the penalties in this clause mentioned, the justices shall admit the testimony of slaves in support of the prosecution, in the same manner as prescribed by the second clause of this Act: provided always, that the said justices shall not examine as witnesses against any offender or offenders, any of his her or their own proper slaves; and if after the publication of this Act, any white or free person of colour shall employ any slave or slaves, who may not have a written per-

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mission or ticket for working out from his her or their owner, such white or free person shall be liable to pay twelve shillings per day, for every day he or she may employ such slave, to be recovered as aforesaid with full costs of suit.

7th. And for the more ready apprehending any slave or slaves runaway, be it further enacted by the authority aforesaid, That it shall and may be lawful for the owner renter or employer of any slave or slaves, or any other person by his directions and in his aid, having a warrant from a magistrate, to enter any negro house or houses, belonging to any person or persons, and upon refusal of opening the doors of any negro house or houses by day or by night, to search for any such runaway slave or slaves, then to break them open, having first given notice to the owner, renter, manager or overseer of the plantation, if any such thereon living and then at home, or else to any other white person being there, otherwise to proceed to make such search without notice; and if any other person or persons whomsoever, either owner, renter, manager, overseer or any other white person of or on any plantation, shall hinder, threaten, oppose or deter any person or persons giving notice as aforesaid, from making search in his, her, their or any of their negro-houses, for any runaway slave or slaves, such person or persons shall pay and forfeit each, for every such offence, a fine not exceeding ten pounds, nor under five pounds current money of this Island, to be recovered as hereinafter directed; and further, if any person or persons shall make search, or aid or assist in making such search, without first giving notice, when any white person is on the plantation, when such search shall be made, according to the tenor and direction of this Act, or shall under colour of such search, beat, abuse, wound or hurt any slave or slaves without just cause, the offender or offenders each shall forfeit any sum not exceeding ten pounds, nor under five pounds, current money, besides being liable to an action of the party injured for damages, and if application before a warrant obtained, be made by the owner renter or employer of any runaway slave or slaves, or any other free person for him or her, to the owner renter or manager of any plantation in the country or house in town, to search or cause to be searched the negro-house belonging to such plantation or house in town, for any such runaway slave or slaves as he or she may have received information is or are there harboured concealed or entertained, such owner renter or manager of such plantation or house in town, shall immediately make diligent search or cause such diligent search to be made in the negro-house and other suspected place in the said plantation or to the said house in town belonging, for such runaway slave or slaves, and upon proof of the refusal to make such search, or to cause such search to be made, the party so refusing shall forfeit in manner aforesaid: provided always, that before such forfeiture be incurred, the owner renter or employer of such runaway slave or slaves, shall make oath before some justice of the peace, that he did actually receive such information, and that there was probable cause to suspect that it might be true; the fines to be incurred by virtue of this clause to be recovered, before any two justices of the peace, by warrant of distress.

8th. Whereas it sometimes happens that slaves who have been guilty of crimes or petty offences are harboured and concealed, so that they cannot be apprehended and speedily brought to justice; for remedying which inconveniences, be it enacted by the authority aforesaid, That when any warrant or warrants shall be granted by any of the justices of the peace in this Island, for the apprehending of any slave or slaves, the person authorized to apprehend such slave or slaves, if such slave or slaves cannot be immediately found, shall apply to the owner renter or employer of such slaves, who upon notice of such warrant being granted, shall deliver or cause to be delivered up such slave or slaves to the constable or person authorized to execute it, on pain of forfeiting, in case of neglect or refusal to deliver up such slave or slaves, the sum of twenty pounds for each neglect or refusal, to be recovered by the warrant of any two justices of the peace of the Island, directed to any constable to levy the same on his her or their goods or chattels; but if the owner renter or employer aforesaid, shall make oath in writing that such slave or slaves is or are runaway from his her or their plantation or place of residence, or otherwise cannot be found after diligent search, then the said justices are hereby directed to take the matters stated in such affidavit into their consideration, and if satisfied that the same are a reasonable excuse, are hereby authorized to remit the fine aforesaid or any part thereof, which fine so recovered, after deducting the necessary expenses of the constable who may be employed to arrest such slave, and also the expenses of the said warrant and the levy thereof, shall be paid by the magistrate who shall receive the same, into the public treasury



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treasury of this Island for the uses thereof; and the owner renter or employer shall immediately after the return of such slave or slaves, deliver him her or them to the magistrate who issued such warrant, to be dealt with according to law, under the like penalty of twenty pounds to be recovered and applied as aforesaid.

9th. And be it further enacted and ordained by the authority aforesaid, That there shall be printed at the public expense; one hundred and fifty copies of this Act, and the treasurer is hereby directed to pay for the same, to be distributed in the usual manner.

*Chas Winston, Speaker.*

Passed the House of Assembly, this twenty-seventh day of April one thousand seven hundred and ninety-eight.

*F. Collins, Clerk of Assembly.*

Passed the Council, this 27th day of April one thousand seven hundred and ninety-eight.

*Geo. Boyce, Ass<sup>t</sup> Clerk of the Council.*

Duly published in the town of Roseau, this thirtieth day of April in the year one thousand seven hundred and ninety-eight.

*James Laing, (P. M.)*

*Andrew (L. s.) Cochrane Johnstone.*

AN ACT for the trial and effectual punishment of such runaway Slaves as may hereafter be taken and be known to the chiefs or leaders of camps or bands of runaway Slaves in the woods.—[16th October 1800.]

## Preamble.

WHEREAS there is not at present a competent law of this colony for the trial and punishment of the runaway slaves in the woods, who are chiefs of camps or leaders of bands of runaway slaves; and whereas such chiefs are of the most dangerous and daring of the runaway slaves; and from the protection afforded to them by runaways the evil is alarming and of late hath greatly increased, therefore in order to provide a remedy and in some measure to secure the peace and safety of the colony, and to deter as much as possible slaves from resorting to runaway chiefs in the woods, we your Majesty's loyal and obedient subjects the governor in chief and the council and the assembly of this Island of Dominica, do enact and ordain, and be it and it is hereby enacted and ordained by the authority aforesaid, That immediately after the publication of this Act, all runaway slaves, taken by any armed party employed after runaways, or in any other manner, who may be known to be chiefs of camps or leaders of bands of runaway slaves in the woods, shall be deemed and taken to be traitors and rebels, and being thereof convicted upon the verdict of a jury, according to the law of this Island for the trial of slaves charged with capital offences, shall suffer death as traitors and rebels, and undergo by the judgment or sentence of the court before whom he or they may be tried, all the pains and penalties which by the laws of England are usually inflicted on rebels and traitors, and after execution, in pursuance of such judgment or sentence, the body or bodies of the criminals shall be at the disposal of the governor or commander in chief of this Island for the time being.

*Chas Winston, Speaker.*

Passed the House of Assembly, this fourteenth day of October one thousand and eight hundred.

*F. Collins, Clerk of the Assembly.*

Passed the Council Chamber, this fourteenth day of October one thousand eight hundred.

*Jn<sup>o</sup> Chas Constable, Act. Clerk of the Council.*

Assented to this fifteenth day of October one thousand eight hundred.

*Andrew (L. s.) Cochrane Johnstone.*

Duly published in the town of Roseau, this sixteenth day of October one thousand eight hundred.

*John Lucas, P. M.*

AN ACT for the banishing of sundry runaway Slaves, now in confinement, and also for the banishment of such runaways of certain descriptions, as shall hereafter be taken or surrender themselves; and for other purposes. [19th December 1800.]

WHEREAS, in consequence of the late operation against the runaway slaves, who were assembled in the woods of this Island, sundry of them have been taken and others have been compelled to surrender, and they are now confined in the common gaol, and some of them have become forfeited to this colony under several Acts of the legislature thereof: and whereas it is expedient to remove the said slaves from this colony, as well to preserve the tranquillity thereof from being again disturbed by them, as by their example to prevent and deter other slaves from the commission of the like offences; be it therefore enacted by the governor, council and assembly of this Island,

Preamble.

1st. And be it and it is hereby enacted and ordained by the authority aforesaid, That the provost marshal of this Island shall with all convenient expedition proceed to sell by public auction to the highest bidder, after notifying such sale by advertisement in the usual manner, all runaway slaves in his custody, who are or have been or shall be declared and adjudged in a due course of law to be forfeited to the colony, on the condition following, that is to say, that the purchasers thereof shall remove the same from this colony, and the said slaves when sold shall remain in gaol at the expense of the purchasers thereof, till they shall find convenient opportunities for sending the same off from this Island; and if such slave or slaves shall not be sent off accordingly, within forty-eight hours after delivery for that purpose, or shall ever be brought back, or shall return to this colony, the same shall be forfeited to the colony, and shall again be sold in manner aforesaid for the benefit thereof.

2d. And be it and it is hereby enacted by the authority aforesaid, That all slaves who have been runaways in camps in the woods of this Island, or who have been runaways and absent from the service of their master above six months, as well those now in confinement as those who have been runaways and have returned to their owners renters or employers within three months last past, but have not been examined or tried by three justices as directed by law, or shall hereafter be taken, or shall surrender (except those who are or shall be forfeited to the colony as aforesaid) shall, after examination by three or more magistrates, and payment of gaol fees, be delivered to their respective masters renters or employers, on the condition of their sending off and removing from this Island all and every such slaves within two months from the time when such slave or slaves shall have been so delivered up, on penalty of forfeiture for the benefit of the colony, of every such slave not so banished and sent off the Island, which slaves so not sent off shall thereupon be liable to be taken up by the warrant of any magistrate and delivered to the provost marshal, to be sold by him on the conditions enacted by the first clause of this Act, and the owner renter or employer of any slave or slaves so ordered to be banished, shall moreover forfeit to the colony the sum of twenty pounds currency, to be recovered and levied on his her or their goods and chattels by the provost marshal, under the warrant of any three justices of the peace of this Island; provided that so much of this Act as requires the sending off from this Island runaway slaves, shall not extend to slaves under the age of twelve years: And whereas Pharelle, a negro man, formerly a notorious runaway chief in the woods, and for whose apprehension rewards were offered by several laws of this Island, did some years ago surrender upon terms of serving constantly against the runaways; whenever required so to do by the governor or commander in chief of this Island, on which condition he was to be deemed a free person: And whereas the said Pharelle, in consequence thereof enjoyed his freedom, but on the late expedition against the runaway slaves, being called upon by his excellency the governor to serve as a guide to one of the parties of his Majesty's black troops employed on that service, he so misbehaved whilst on service that his excellency, upon proof thereof by affidavit in writing, made by the officer commanding the party, thought proper to commit the said Pharelle to the common gaol, and by message to both houses

## DOMINICA.

hath recommended that he should be sent off the Island as a dangerous person : And whereas it hath been proved to the satisfaction of the house, that he the said Pharelle hath also misbehaved, in receiving and harbouring runaway slaves since the enjoyment of his freedom :

3d. Be it therefore and it is hereby enacted and ordained by the authority aforesaid, That his excellency the governor may, and he is hereby authorized and empowered to send off the said Pharelle from this Island at the public expense, in such manner as his excellency may think proper ; and if the said Pharelle shall at any time afterwards return to this Island, he shall be taken up and deemed as a runaway slave, and be treated accordingly :

And be it and it is hereby enacted and ordained by the authority aforesaid, That this Act shall be printed at the expense of the public, to the extent of one hundred and fifty copies, for the use of the members of the council and assembly, and the justices of the peace of this Island.

*Cha<sup>s</sup> Winston* (Speaker.)

Passed the House of Assembly, this eighteenth day of December one thousand eight hundred.

*F. Collins*, Clerk of the Assembly.

Passed the Council Chamber, this eighteenth day of December one thousand eight hundred.

*Jn<sup>s</sup> Cha<sup>s</sup> Constable*, Clerk of the Council.

Assented to this nineteenth day of December in the year one thousand eight hundred.

*Andrew* (Great Seal.) *Cochrane Johnstone*.

Duly published in the town of Roscau, this nineteenth day of December one thousand eight hundred.

*John Lucas*, P. M.

AN ACT to regulate the manumitting of Slaves in this Island, to impose a tax upon manumissions, and to impose a tax upon all free and manumitted persons coming to this Island. [16th June 1810.]

## Preamble.

WHEREAS the Act of this Island, intituled, " An Act to impose a further tax on the manumission of slaves in this Island, and for other purposes," has been found inadequate to the purposes for which it was passed, and the provisions thereof have been evaded, to the great detriment of the revenue of this Island, we therefore your Majesty's dutiful and loyal subjects the lieutenant-governor, council and assembly of this your Majesty's Island of Dominica, humble pray your most excellent Majesty that it may be enacted and ordained ;

Clause 1st. And be it and it is hereby enacted by the authority aforesaid, That on the manumitting of all slaves born in this Island, or originally imported into this Island from the coast of Africa, or who shall have been imported into the same under the age of ten years, there shall be paid into the public treasury of this Island, the sum of sixteen pounds ten shillings current money, and the treasurer, on payment thereof, shall sign a receipt at the foot of the instrument manumitting the same ; and on the manumission of all other slaves not born in this Island, or not imported as above mentioned, there shall be paid the sum of thirty-three pounds in the manner and form above prescribed.

Clause 2d. And be it and it is hereby enacted by the authority aforesaid, That without such treasurer's receipt for the payment of the tax hereby imposed, the register shall not receive any such manumission to be recorded, nor shall such manumission be deemed good or effectual to manumit any slave or slaves : And in order to ascertain such slaves as may be born in this Island, or originally imported into the same, or who may have been imported under the age of ten years,

Clause 3d. Be it and it is hereby enacted by the authority aforesaid, That there shall be annexed to the said manumission the following affidavit ; " I, *A. B.* make oath, that the slave or slaves mentioned to be manumitted by me, is or are a native of this Island, or originally imported into this Island from the coast of Africa, or was or were imported into the same under the age of ten years, as the case may be ;"

which

which oath any of the justices of the court of common pleas of the said Island, the register or the deputy register, are hereby authorized and empowered to administer, and for administering the same they shall be entitled to receive from the party making such affidavit, the sum of six shillings current money of the said Island.

Clause 4th. And be it and it is hereby enacted by the authority aforesaid, That no person of colour coming from another Island or colony to this Island, shall be entitled to the privileges of free or manumitted persons, until the person so coming shall pay a tax of thirty-three shillings into the public treasury of this Island (for which the treasurer shall give a receipt) and shall record his or her manumission, or an authenticated copy thereof, certified under the hand of the secretary of the Island where such manumission shall have been recorded : provided always, that any person who shall have been born free and shall come to this Island, shall lodge, to be recorded in this Island, a certificate under the hand and seal of the governor or commander in chief, or chief magistrate of the Island or colony where such person or persons shall have been born, or where such person shall have last resided, purporting that such person is free, and in default thereof, if such person or persons shall produce two or more credible witnesses before one of the justices of the court of common pleas of the said Island, or the register or his deputy, who shall make oath that they have known the said person for the period of five years, and that during that period he or she has passed as a free person, or that the said person was born free, and the place of his or her nativity, then all such persons paying a tax of thirty-three shillings into the public treasury of this Island, shall be entitled to the rights and privileges of free persons of colour, as enjoyed by them in this Island.

Clause 5th. And be it and it is hereby enacted by the authority aforesaid, That when any slave or slaves shall be manumitted, or directed to be manumitted by any last will or testament in writing, duly executed, such slave or slaves shall not be deemed free or entitled to the privileges of free persons, until he she or they shall have been duly manumitted by the person or persons charged with the execution of such last will and testament, and the tax paid in manner and form herein-before directed ; but the person or persons charged with the execution of the said last will or testament, shall be obliged to swear only to the best of his knowledge and belief, as to the matters in the third clause of this Act required to be verified.

Clause 6th. And be it and it is hereby enacted by the authority aforesaid, That the Act, intituled, " An Act to impose a further tax on the manumission of slaves in this Island, and for other purposes," shall be and the same is hereby repealed.

*Jr<sup>s</sup> H<sup>y</sup> Hobson*, Speaker.

Passed the House of Assembly, this thirteenth day of May one thousand eight hundred and ten.

*Edw<sup>d</sup> H. Beech*, Clk. of the Assembly.

Passed the Council, this sixth day of June one thousand eight hundred and ten.

*E. G. Armatradig*, Act<sup>s</sup> Clerk of the Council.

Assented to, this fifteenth day of June one thousand eight hundred and ten.

*Edward* (Great Seal.) *Barnes*.

Duly published in the Town of Roseau, this fifteenth day of June one thousand eight hundred and ten.

*James Laing*, P. M.

Recorded the 16th day of June one thousand eight hundred and ten.

(A true Copy.) *Dan<sup>l</sup> Constable*, Act<sup>s</sup> Reg<sup>r</sup>.

AN ACT for ascertaining the number of White Persons, free persons of Colour, and Slaves, in this Island. [19th February 1811.]

WHEREAS it is highly necessary and expedient that the number of white persons, free persons of colour, and slaves in this Island should be known, we therefore, your Majesty's loyal and obedient subjects, the commander in chief, the council and assembly of this Island of Dominica, do humbly pray your most excellent Majesty, That it may be enacted; and be it and it is hereby enacted by the authority aforesaid, That the town-wardens for the town of Roseau, and the way-wardens for the respective parishes and districts, are hereby appointed commissioners

Preamble.

Clause 1st.

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commissioners for the said town and their respective parishes and districts, for performing the duties hereinafter directed and required of them.

## Clause 2d.

And be it enacted by the authority aforesaid, That the said commissioners are hereby empowered and required to issue their warrant in their respective districts, within thirty days after the publication of this Act, and on the second Tuesday in the month of January in every succeeding year, under the penalty of fifty pounds, to be recovered in manner hereinafter mentioned, directed to any constable, or white person or free person of colour resident within their said districts, in the following form; viz. "Dominica. By commissioners appointed for ascertaining the number of "white persons, free persons of colour and slaves in this Island, To  
 " you are hereby required and commanded  
 " immediately on the receipt hereof, to summon all and every the inhabitants in the  
 " of to appear before us at  
 " in the day of in the year of our Lord one  
 " thousand eight hundred and then and there to deliver in on oath,  
 " and in writing, a correct list of his her or their families and slaves, both old and  
 " young, with their names; as also a separate list of the runaway slaves, specifying  
 " their names, ages, sexes, and the time they may have been absent. Given under  
 " our hands and seals this day of  
 " in the year of our Lord one thousand eight hundred and  
 and any constable or other white person or free person of colour, who shall execute such warrant, shall be entitled to receive the same for, and shall be paid in the same manner as constables are directed to be paid for summoning the inhabitants under the Way Warden Act of this Island, and if they shall neglect or refuse to perform the duty above enjoined by this Act, they shall be subject and liable to the same penalties and forfeitures to which constables are liable for neglecting the duties enjoined them by any other Act of this Island.

## Clause 3.

And be it enacted by the authority aforesaid, That in case the commissioners shall deem it necessary for the more effectually executing the duties hereby prescribed to them, they are further authorized and required to summon all managers, overseers and others, to whom the truth may be known, to attend at such time and place as the commissioners may appoint, to be examined on oath regarding the number of slaves belonging to any individual or attached to any estate, or any other matter relative to the duties prescribed to the said commissioners, and the persons so summoned shall be liable to attend the said commissioners, under the penalty of five pounds, to be levied by a warrant under the hands of the said commissioners, as other penalties are directed to be levied under this Act.

## Clause 4th.

And be it enacted by the authority aforesaid, That any white person or free person of colour, or any attorney, manager, superintendent, or other person having charge or direction of any slave or slaves, who shall neglect or refuse, after having been duly summoned as aforesaid, and proof thereof having been made on oath by the person serving the warrant, to appear before the said commissioners, or some or one of them, at the place and time by them appointed, and then and there to deliver in on oath and in writing (which oath the said commissioners, or any of them, are hereby authorized and required to administer) a full and correct account of all of his her or their families, servants and slaves, and all slaves under their direction, management or superintendence, with the names of all such families servants and slaves, and also a separate list of the runaway slaves, specifying their names, ages, sexes, and the time they may have been absent; such white person or free person of colour, or such attorney, manager or superintendent shall be fined in the sum of fifty pounds, to be immediately levied in the manner hereinafter directed; and in case such white person, free person of colour, attorney, manager or superintendent, shall continue to neglect or refuse to deliver in such account of his her or their families and slaves, and those under their directions or management, and also a separate list of the runaway slaves as aforesaid, the commissioners shall cause them to be again summoned as hereinbefore directed, and shall again levy the said penalty, and so on, until the person so neglecting or refusing, shall have delivered to the commissioners, or some or one of them, the account and list herein directed; and such penalty may be levied either on the proper goods or chattels of the person neglecting or refusing, or on any slaves under his her or their direction, management or superintendence, which shall not have been returned to the said commissioners.

Clause

## THE TREATMENT OF SLAVES.

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And be it enacted by the authority aforesaid, That the commissioners, in taking the said account and list, in making their return, shall make use of the following form, Number of White Persons, free persons of Colour, and Slaves in the of taken in conformity to the Act for ascertaining the number of white persons, free persons of colour, and slaves in this Island. DOMINICA.  
Clause 5th.

Names of Proprietors.	White Persons.				Free Persons of Colour.				Slaves.		Runaway Slaves.
	Males above 50 years.	Males under 50 and above 16 years.	Males under 16 years.	Females.	Males above 50 years.	Males under 50 and above 16 years.	Males under 16 years.	Females.	Males.	Females.	

And whereas many persons have heretofore made returns of the families and slaves to the commissioners, for other parishes and districts than those in which such slaves are generally employed, be it enacted by the authority aforesaid, That all persons shall deliver unto the said commissioners for the district or parish in which such slave or slaves are generally employed, such complete lists of his her or their families and slaves as are herein directed, and in no other parish or district, under the same penalty as if he she or they had not delivered in any such list or return. Preamble.  
Clause 6th.

And whereas, from many persons having lands and negroes in different parishes, they make separate returns of their families and slaves in these different parishes, whereby they are enabled to evade the provisions of the militia act, which orders that all persons shall enrol themselves and do duty in the regiment or company of the parish in which they generally reside; be it enacted by the authority aforesaid, That the commissioners appointed under this Act are hereby directed and required to tender to every white man and free man of colour the following oath: "I, A. B. do make oath, that my residence, and that of [all or, such part, as the case may be] the male part of my family named in my return thereof, is in the parish of " Preamble.  
Clause 7th.

So help me God." And the commissioners for each parish or district are hereby desired and required, within thirty days after taking such oath, to return to the officer commanding the militia in such parish or district the names of all white men and free men of colour, who shall have sworn to their general residence in the parish or district for which such commissioners act; and such return shall be sufficient authority to the officer commanding the militia in such parish or district to compel the enrolment and attendance to militia duty in that parish or district, of such white man or free person of colour, according to the provisions of the militia act.

And whereas many negroes and people of colour claim to be free, who either have not been manumitted or have not complied with the law of this Island imposing a tax on manumissions, and ordering the same to be recorded, whereby Preamble.

the

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Clause 8th.

the colony is not only deprived of the taxes thereby payable, but such persons, from sometimes passing for slaves and at other times as free persons, bear no part of the public burden or do any duty as militiamen; be it enacted by the authority aforesaid, That the commissioners are hereby authorized and required to call upon all negroes and people of colour claiming to be free in consequence of manumissions, to produce to the commissioners their manumissions; and the said commissioners shall return to the treasurer the names of all negroes and people of colour within their respective districts claiming to have been manumitted, whose manumissions shall not have been recorded according to the laws of this Island, as also of all such negroes and people of colour who shall neglect to produce their manumissions to the commissioners as aforesaid.

Clause 9th.

And be it enacted by the authority aforesaid, That the commissioners are hereby authorized and empowered to levy the penalties imposed by the third and fourth clauses of this Act, by issuing their warrant and warrants under their hands and seals, directed to the provost marshal, in the nature of an execution out of the court of common pleas, which warrant and warrants the said provost marshal shall and he is hereby directed and required to execute in due manner, and to pay the said fine and fines immediately into the public treasury for the public uses of the colony.

Clause 10th.

And be it enacted by the authority aforesaid, That the commissioners shall annex to the returns to be made by them to the treasurer, a certificate that they have actually sworn the white persons and free persons of colour named in their return, to the truth of the account given in by them, and the treasurer is further required not to receive any return unless it be accompanied by such certificate.

Clause 11th.

And be it enacted by the authority aforesaid, That in case any of the commissioners named in this Act, shall neglect or refuse to execute the same by making such return to the treasurer, or levying the penalties hereinbefore directed, within thirty days from the publication of this Act, and within thirty days after the days prescribed by the second clause of this Act, for the taking of the census, the treasurer is hereby directed and required to return the names of such commissioners to the chief or any assistant justice of the court of common pleas, who is hereby directed to issue his warrant to the marshal to levy the sum of fifty pounds on such commissioner or commissioners; and in case they shall continue to neglect giving in the return as above directed for other thirty days, the treasurer is hereby required to proceed to have the same penalty levied as above; and so on at the expiration of every thirty days succeeding, until the return be given in.

Clause 12th.

And be it enacted by the authority aforesaid, That the commissioners for the parish of Saint Andrew, East Division, shall include in their returns for that parish, the list of white persons, free persons of colour, and slaves, residing on or being attached to the plantation known by the name of Parma Place, situate on the north boundary of the parish of Saint David, and also a separate list of the runaway slaves, specifying their names, ages, sexes, and the time they may have been absent from the said plantation, and proceed in all matters relating thereto, in the same manner and form required of the commissioners for their respective parishes; and the said plantation shall not be included in the returns of the commissioners for Saint David, who shall in nowise interfere in the return for that plantation, but confine themselves in making out their census to the plantation situated to the southward thereof.

Clause 13th.

And be it enacted by the authority aforesaid, That two hundred copies of this Act shall be printed with all speed and distributed among the commissioners by the treasurer, who is hereby authorized to agree for, and pay for the printing of the same out of the public treasury.

*John Gordon, (Speaker.)*

Passed the House of Assembly, this thirteenth day of February one thousand eight hundred and eleven.

*Edw<sup>d</sup> H. Beech, Clk. of Assembly.*

Passed the Council, this fourteenth day of February one thousand eight hundred and eleven.

*Dart Constable, Act<sup>s</sup> Clk. of the Council.*

Assented to this nineteenth day of February one thousand eight hundred and eleven.

*Edward (Great Seal.) Barnes.*

Duly published in the town of Roseau, this nineteenth day of February one thousand eight hundred and eleven.

*James Laing, P. M. G.*

(A true Copy.)

*E. L. Armatrading, Act<sup>s</sup> Reg<sup>r</sup>.*

## GRENADA.

An ACT for obliging the owners of canoes, boats, and pettyaugers, to take out a license, and give security that the same shall not be the means of enabling Slaves to make their escape, or to be carried off or transported from this Colony; and for authorizing and enabling the commander in chief to hire two small vessels to cruize round the coast, for the purpose of inspecting and seizing all such vessels as appear to be employed in carrying off Slaves, or under suspicious circumstances of such intentions.—[24 October 1789.]

**W**HEREAS information hath been received, and there is reason to believe that a certain Proclamation, under the authority of the King of Spain, hath been lately published in the neighbouring Island of Trinidad, whereby the Slaves of this and the other English and French colonies are invited to run away, and are promised protection, and the enjoyment of civil liberty in the said Island of Trinidad and other colonies under the dominion of Spain: And whereas from the proximity of the said settlements, and their situation to leeward of this colony, the Slaves, without any very great hazard, might embark and proceed to the said Island of Trinidad and other Spanish settlements on the main land and the Margarittas, in any small boat or canoe: And whereas one or more small vessels properly manned and fitted out for the purpose, and kept continually cruizing round the coasts of this colony for inspecting, examining, and, if necessary, seizing all suspicious vessels hovering about the coasts, or anchoring in the bays and harbours of this government, would materially contribute to the security of the Slaves and preservation of such property, until the Court of Great Britain shall have an opportunity of procuring a repeal, or otherwise effectually counteracting the dangerous consequences to this colony of such Proclamations; BE it therefore enacted by his excellency Edward Mathew, esquire, captain general and governor in chief of these His Majesty's Islands of Grenada, and such of the Grenadines as lie to the southward of the Island of Carriacou, including that Island, the honourable the members of His Majesty's Council for the said Islands, and the representatives of the people of the same; and it is hereby enacted by the authority of the same, that no person or persons, after the first day of November next, shall hold, possess, or keep within this Island, or any of the Islands thereon dependent, any canoe, boat, or pettyauger, whether the same be navigated with a sail or sails, or with oars or paddles, without a license for that purpose first had and obtained from and under the hand and seal of some one or more of His Majesty's justices of the peace for this colony, under the penalty of one hundred pounds current money of this Island, to be recovered in His Majesty's court of Common Pleas, by action of debt, bill, plaint or information, one half to be paid to the informer or informers, and the other half to His Majesty, for the uses of the colony; which said license all and every the said justices are hereby authorized and directed, on application, to give and grant, without fee or reward, upon all and every person or persons so holding, possessing, or keeping a boat, canoe, or pettyauger, and applying for such license, entering into one or more recognizance or recognizances in common and proper form, with two or more sufficient securities, who shall be freeholders of sufficient substance in this colony, in the following penalties; that is to say, for every canoe, boat, or pettyauger of fourteen feet keel in length, in the sum of one hundred and twenty pounds; every canoe, boat, or pettyauger of seventeen feet keel in length, in the sum of two hundred pounds; every canoe, boat, or pettyauger of twenty feet keel in length, in the sum of three hundred pounds; every canoe, boat, or pettyauger of twenty-three feet keel in length, in the sum of four hundred pounds; every canoe, boat, or pettyauger of twenty-seven feet keel in length, in the sum of five hundred pounds; and every canoe, boat, or pettyauger of thirty-feet keel in length, or upwards, in the sum of one thousand pounds; conditioned to be void if the said canoe, boat, or pettyauger shall not be the means of enabling any slave or slaves belonging to this colony to make their escape, or to run away, or to be otherwise carried off or transported from the same; or if he shall indemnify and pay, or cause to be paid to the owner or

## GRENADA.

## Preamble.

## Clause I.

No person to keep after the 1st Nov. any canoe, boat or pettyauger without license from a magistrate under hand and seal.

Under penalty of 100 l.

Justices directed to give such license without fee or reward, upon recognizance being entered into with two or more sureties in the following penalties:  
 For every canoe, &c.  
 14 feet keel 120 l.  
 17 feet keel 200 l.  
 20 feet keel 300 l.  
 23 feet keel 400 l.  
 27 feet keel 500 l.  
 30 feet keel or upwards 1,000 l.

Condition to be void if such canoe, &c. be not the means of any slave escaping from this island; or on paying the owner of slaves carried off 120 l. for each.



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And owner of canoe, &c. within three days to have his name, parish and number painted on the stern or other conspicuous part.

All magistrates to enquire after and examine such canoes, &c. and cause the owners to comply with this Act.

In default on the part of such owners, to seize such canoes, &c. and deliver same to harbour master of St. George's, who is to take charge of same until owners conform to act, or until the expiration thereof, when he is to deliver them to such owners, on payment of reasonable charges, and 16 s. 6 d. each canoe.

Justices sending canoes to St. George's, to grant warrants on the treasurer for necessary expenses.

## Clause II.

Commander in chief empowered to hire two vessels not exceeding sixty tons burthen, and for a period not exceeding three months, and to arm, man, and fit the same to cruize round the coast of this colony; to inspect and seize such vessels as appear to be employed in taking off slaves, or under suspicious circumstances described in Act for the better regulation of foreign vessels, &c.

To issue his warrant on treasurer for payment of the hire of such vessels.

owners of such slave or slaves, for each slave so run away or making his or her or their escape, or being so carried off or transported from the said colony, the sum of one hundred and twenty pounds current money of Grenada; and if the owner or owners of such canoe or canoes, boat or pettyauger shall within three days thereafter have his or her name, with that of the parish, and such number as the justice shall direct, painted in the stern or conspicuous part of the said canoe, boat, or pettyauger, and continue the same at all times hereafter; and all and every His Majesty's justices of the peace for this colony are hereby empowered, required, and directed to enquire after and examine into all such boats, canoes, or pettyaugers, in their respective quarters, and to see that the owners and proprietors of the same do immediately comply with this Act; and where they shall not so seize or cause to be seized all such canoes, boats, or pettyaugers, and order them to be delivered over to the harbour master of Saint George, on or before the first day of December next; and the said harbour master is hereby required and directed to take charge of the same until the owner or owners thereof shall obtain a license in the manner aforesaid, or until the expiration of this Act, when the said canoe, canoes, boats, or pettyaugers, shall be delivered up to the respective owners, upon payment of all reasonable charges, and the sum of sixteen shillings and sixpence to the harbour master for each canoe, boat, or pettyauger, in consideration of his care and trouble; and all and every justice or justices who shall send canoes, boats, or pettyaugers, to the harbour of Saint George, shall and they are hereby authorized to grant warrants upon the treasury for the payment of all necessary expenses they may incur, and the treasurer is hereby required to pay the same.

And be it further enacted by the authority aforesaid, That the commander in chief of this colony for the time being shall be and is hereby authorized, empowered and directed to hire, contract for, and agree with the proprietor or owner or proprietors or owners of two fast sailing vessels, not exceeding the burthen of sixty tons, and for a period not exceeding three months, or until the next meeting of the Legislature, and to man, arm, and properly fit out such vessels to cruize continually, during the same period, round and about the coasts, bays and harbours of this colony, to inspect, examine, and if need be, to seize all such vessels of whatever denomination and dimensions the same may be, as shall appear to be employed in taking off slaves, or under the suspicious circumstances as described in "An Act for the better regulation of foreign vessels arriving in these Islands, or found hovering about the coasts of the same, for preventing the carrying off of mortgaged or other slaves by such foreign vessels, and for taking away the benefit of clergy from persons guilty of stealing Slaves, for apprehending suspected persons coming from Trinidad, and for obliging owners of vessels to give security not to carry off debtors or slaves without tickets as therein directed, and for preventing small boats or other vessels being run away with," and now in force in this colony; and the commander in chief for the time being is hereby further authorized, empowered, and directed to issue his warrant upon the treasurer of this colony for payment to such owner or owners of such vessel or vessels for the hire so to be agreed upon, at the end of each month respectively.

An ACT for the more effectual Trial and Punishment of criminal Slaves, and to authorize His Majesty's Justices of the Peace to appoint Constables in cases of emergency. [24 October 1789.]

## Preamble.

WHEREAS the laws at present in force in these Islands, have been found defective, in many respects, in regard to the trial and punishment of criminal slaves: For remedy whereof, we, Your Majesty's most loyal and obedient subjects, his excellency the captain general, the honourable the members of Your Majesty's council, and the general assembly of the Island of Grenada, and such of the Grenadines as are thereon dependant, pray Your most excellent Majesty that it may be enacted and ordained, and be it, and it is enacted and ordained by the authority aforesaid, That upon complaint made to any of His Majesty's justices of the peace, within these Islands, of any heinous and grievous crime or felonious act or acts committed or done by any slave or slaves, the said justice shall issue his warrant for apprehending the offender or offenders, and shall summon all persons or slaves that can give evidence therein to appear before him; and if upon examination it appeareth probable that

## Clause I.

On complaint made to any magistrate of any heinous crime committed by a slave, justice to issue his warrant for apprehending the offender, and to sum-

GRENADA:

the apprehended is or are guilty, he shall forthwith commit him her or them to prison; and within ten days after such commitment, shall associate with him one other justice of the peace; and when so associated, they are hereby required and empowered immediately to issue their warrant or precept, directed to some constable resident in the parish where the said crime is committed, to summon three freeholders, or other reputable inhabitants, qualified to serve as jurors, to join them the said justices, at such time and place as they shall appoint, not exceeding four days from and after the date of the said warrant, to whom the said justice shall administer the following oath: "You shall, to the best of your knowledge and judgment, impartially try the prisoner or prisoners before you, and judgment give according to evidence." And these five persons when together met, shall constitute, and are hereby declared to be a court, with full power and authority to try the said offender or offenders, and to cause him her or them, with all evidences, to come before them, and to admit in all cases the evidence of one slave against another; and if the said justices and freeholders shall give sentence of death, or such other punishment as the laws of this colony doth, shall, or may direct; and forthwith, by their warrants, cause immediate execution, in capital cases, to be done by such slave or slaves as the provost-marshal, or his lawful deputy shall appoint; and in other cases, by such slave or slaves as the clerk of the nearest market shall appoint, in such manner as such justices shall think fit.

to admit the evidence of one slave against another; and forthwith cause immediate execution, in capital cases, to be done by the marshal, and in other cases by the clerk of the market.

And be it enacted by the authority aforesaid, That if any freeholder or other inhabitant, after being summoned as aforesaid, shall refuse or neglect to attend at the time and place appointed in the justice's warrant or precept, he shall forfeit the sum of fifty pounds current money, to be recovered by action of debt, bill, plaint, or information, in any court of record in these Islands, and applied to the public uses thereof.

on all persons that can give evidence. And if, on examination, probability of guilt appears, to commit offender to prison; within ten days to associate with him one or more justice, and so associated, to issue their warrant to a constable to summon three freeholders to join said justices at such time and place as they shall appoint; not exceeding four days.  
Oath of jurors. These five persons constitute a court, with full power to try the offender; and call evidences before them, and

Clause II. Jurors summoned, and not attending, to forfeit 50 l.

And whereas it must tend greatly to the public peace and tranquillity that the executive part of the law be rendered more prompt and summary, in cases where the offences are not of a felonious nature, and triable before the justices and freeholders, as herein beforementioned; BE it enacted by the authority aforesaid, That if any slave or slaves shall personally insult, abuse, threaten, or in any manner contemptuously treat any white or free person, or shall harbour, receive, or conceal any slave or slaves, knowing that such slave or slaves shall have run away, or absented his her or themselves, from his her or their master, renter, or employer's service; or if any slave or slaves shall be found gaming, beating drums, blowing shells, or other loud instruments, at improper hours, or fighting, or shall draw a knife upon his opponent, or shall be guilty of any crime, which by the laws of England would be deemed larceny, such slave or slaves shall be punishable for any such offence, at the discretion of any one justice of the peace, who is hereby authorized and empowered to take cognizance of the same, and to inflict such punishment, not to extend to life or limb, as he shall judge adequate to the offence.

Preamble.  
Clause III. Any slave who shall personally insult, abuse or threaten any white or free coloured person, or conceal any slave, knowing the same to be run away, or found gaming, beating drums, &c. at improper hours, or fighting, or shall be guilty of any crime deemed larceny by the laws of England, such slave to life or limb.

shall be punished at the justice's discretion, such punishment not to extend to

And whereas persons appointed by the justices in their sessions to execute the office of constable, sometimes change the place of their residence, and the justices find it difficult to get warrants issued by them, executed; for remedy whereof, BE it enacted by the authority aforesaid, That it shall and may be lawful for any two of his Majesty's justices of the peace, and they are hereby authorized in all cases of emergency to nominate and appoint one or more person or persons to execute the office of constable; and if the person or persons so appointed, shall refuse or neglect to execute the duties of the said office, he or they shall be liable to be prosecuted, and punished in the same manner as persons appointed constables by the justices in their sessions, and who refuse to execute the said office.

Preamble.  
Clause IV. Any two justices, in cases of emergency, to appoint constables. Persons appointed, refusing to serve, liable to punishment, as if appointed at the sessions.

And be it enacted by the authority aforesaid, That this Act shall be and continue in force for two years, from the day of the publication thereof, and from thence till the end of the next session of the Legislature, or until some further or other provisions are made for carrying into execution the purposes of this Act.

Clause V. Act to continue in force two years.

## GRENADA.

AN ACT to continue an Act, intituled, " An Act for the more effectual Trial and Punishment of criminal Slaves, and to authorize His Majesty's justices of the peace to appoint constables in cases of emergency." [23 August 1791.]

WHEREAS an Act, intituled, " An Act for the more effectual Trial and Punishment of criminal Slaves, and to authorize His Majesty's justices of the peace to appoint constables in cases of emergency," bearing date the twenty-fourth day of October, in the year of our Lord one thousand seven hundred and eighty-nine, was made, to continue and remain in force for the space and term of two years from the date thereof; and the same will soon expire: And whereas it is essential to the public peace and tranquillity of these Islands, that the said Act, or some other provision of the like nature should subsist, we, Your Majesty's most dutiful loyal and obedient subjects, his excellency the governor in chief of these Islands, the honourable the members of Your Majesty's council, and the representatives of the people of the said Islands, in general assembly convened, pray Your most excellent Majesty, that it may be enacted and ordained;

Clause I.  
Act continued.

And be it and it is enacted and ordained by the authority of the same, That the above recited Act shall be and the same is hereby continued from the day before the expiration thereof, for the space and term of two years, and from thence until some other provision shall be made and enacted by the Legislature of these Islands, for carrying into execution the purposes intended by the said recited Act.

AN ACT to amend an Act, intituled, " An Act to prevent the further sudden increase of free Negroes and Mulattoes;" and also to amend an Act, intituled, " An Act for the better government of Slaves, and for the more speedy and effectual suppression of run-away Slaves," and to ascertain what shall be evidence of the sealing of certificates respecting enfranchisement, as directed to be made by the Guardians of Slaves. [2 April 1792.]

Preamble.

WHEREAS by the fifth clause of an Act passed to prevent the further sudden increase of free negroes and mulattoes, it was enacted, that all negroes and mulattoes pretending to be free, and residing in these islands, should bring their respective acts of freedom to the registers office of the said islands to be recorded, and any person or persons not having such acts of freedom or manumission, by reason of being born of a free woman, should make and procure such proofs of their freedom, as were therein particularly specified and directed, and such persons pretending to be free who could not produce such regular deeds of manumission, or prove their birth from free women, should make and procure such other proofs of their freedom, as were therein also particularly specified and directed, and such proofs when so made and procured, were thereby declared to be sufficient evidence of the freedom of such persons, and were directed to be received upon record; provided that such deeds of freedom, and other proofs therein mentioned should be brought into the said register's office, within three calendar months next and immediately after the publication of the said Act.

And whereas by the seventh clause of the said Act, such coloured persons as should not bring such proofs as aforesaid of their freedom, unto the said register's office within the said limited time, were and are liable to be committed to gaol, and sold as slaves in way and manner therein particularly mentioned.

And whereas the said Act was published on the twenty-first day of April one thousand seven hundred and sixty-seven, and the time thereby prescribed for recording the said deeds of manumission, and other proofs of freedom therein mentioned is long ago expired: And whereas by the construction given to the said Act, many coloured persons who are really free, may be deprived of the benefit and advantage of such their freedom, to the great injury both of their property and persons; for remedy whereof, BE it enacted by his excellency Edward Mathew, esquire, captain general, and governor in chief of these His Majesty's Islands of Grenada and such of the Grenadines as lie to the southward of the island of Carriacou, including that Island; the honourable the members of His Majesty's council for the said Islands, and the representatives of the people of the same; and it is hereby enacted by the authority of the same, That from and after the publication of this Act, every negro, mulatto, or other coloured person having or possessing a manumission or any other act of freedom, either by last will and testament, or otherwise, may at any time

Clause I.  
Acts of freedom by deed, last will or otherwise, may be recorded at any time.

Originals of such acts, or certified copies, may be

prove

prove and record the same in the register's office of these Islands, in manner prescribed by law, for the probate and recording of other deeds or wills; and that the original or originals thereof, after due proof of the execution of the same, or an office copy or office copies from the record thereof, duly certified by the register of these Islands for the time being, or his lawful deputy, shall and may at any time be pleaded and given in evidence in all courts of law and equity in these Islands, any thing in the said Act contained to the contrary thereof in anywise notwithstanding: Provided always, that nothing herein contained shall affect or prejudice any intermediate bonâ fide purchaser or other incumbrancer, who may not have notice of such manumission or other act of freedom, at the time of becoming such purchaser or incumbrancer as aforesaid.

And be it also enacted by the authority aforesaid, That every negro, mulatto, or other coloured person who hath not a manumission or other act of freedom, by reason of being born of a free woman, shall and may at any time bring two credible freeholders within these Islands, before any two justices of the peace in the Island where such freeholders do actually reside, to declare upon oath before such justices by affidavit in writing, that such person pretending to be free, was born of a free woman, or hath always been reputed so to be, and that the mother of such coloured person was free, or reputed so to be, at the time of the birth of such coloured person, and upon such affidavit being so made, the said justices shall and may grant a certificate thereof, under their respective hands and seals, and such affidavit and certificate shall, and the same are hereby declared to be *primâ facie* sufficient proof and evidence of the freedom of such coloured person, and shall and may be pleaded and admitted as such in all courts of law and equity in these Islands; and any person pretending to be free, and who cannot produce a regular deed of freedom, and cannot prove his or her birth of a free woman, shall and may bring two credible freeholders within these Islands, before any two justices of the peace in the Island where such freeholders do actually reside, to declare solemnly upon oath, before such justices by affidavit in writing, that such freeholders, and each of them, have known the persons so pretending to be free, for the space of five years at least; that during such space of five years, such person was reputed to be free from slavery, to all intents and purposes, and did behave and demean him or herself decently, and in a manner becoming a free person of his or her complexion; and upon such affidavit being so made, the said justices shall and may grant a certificate thereof, under their respective hands and seals, and such affidavit and certificate shall, and the same are hereby declared to be *primâ facie* sufficient proof and evidence of the freedom of such coloured person, and shall and may be pleaded and admitted as such in all courts of law and equity in these Islands: Provided always nevertheless, that every person shall and may be at liberty to dispute and counteract such *primâ facie* evidence of freedom by offering and producing all such testimony or other proofs as he or she may be possessed of, or have in his or her power for the purpose of disproving such freedom: And provided also, that nothing herein contained shall deprive any negro, mulatto, or other coloured person pretending to be free either by manumission, last will, being born of a free woman or otherwise, of the benefit and advantage which he she or they may have from any other evidence of his her or their freedom, but that every such proof or evidence thereof, other or different from the proof or evidence hereby directed and prescribed, shall and may be admitted and received as evidence in all courts of law and equity in these Islands, in the same manner as the same would have been admitted and received, had this Act, and the said Act to prevent the further sudden increase of free negroes and mulattoes never been made.

And be it enacted by the authority aforesaid, That any person making such affidavit or affidavits as are hereinbefore mentioned, who shall swear thereto falsely, or who shall be guilty of procuring any other person or persons to swear falsely in any manner relative to such proof or proofs of freedom of any coloured person or persons as aforesaid, shall, in the former case of swearing falsely, be deemed guilty of wilful and corrupt perjury, and in the latter case of procuring any other person to swear falsely, be guilty of subornation of perjury, and shall and may be proceeded against, as in Great Britain in cases of wilful and corrupt perjury, or subornation of perjury, according to the nature of the offence or offences respectively; and every person convicted of such perjury or subornation of perjury, shall incur the same pains and penalties, as by the laws and statutes of Great Britain are declared and in force against the crimes of wilful and corrupt perjury and subornation of perjury.

## GRENADA.

pleaded and given in evidence in all courts of law and equity in these islands.

## Proviso.

Bona fide purchaser or incumbrancer, not to be thereby affected without notice.

## Clause II.

Negroes and Mulattoes claiming to be free by birth, to prove such claim by the affidavit of two credible freeholders, before two justices of the peace.

Justices to grant certificate of such claim and proof.

Where there is neither manumission nor proof of freedom by birth, a claim of freedom by repute may be proved, certified and given in evidence in like manner, if the party has been so reputed free for five years.

## Proviso.

Such *primâ facie* proof not conclusive, if opposed by contrary evidence.

## Proviso.

But the party claiming to be free is not to be debarred from adducing further proof of his her or their freedom.

## Clause III.

Persons falsely swearing under this Act, or procuring others so to do, guilty of perjury or subornation of perjury, punishable by the laws of England.

## GRENADA.

## Clause IV.

The 1st, 2nd, 3d,  
4th, 5th, 6th and 7th  
clauses of the Act

And be it further enacted by the authority aforesaid, That the first, second, third, fourth, fifth, sixth, and seventh clauses of the said Act to prevent the further sudden increase of free negroes and mulattoes, shall from and after the publication of this Act be and the same are hereby repealed.

of April 23, 1767, repealed.

Clause V.  
Preamble.

And whereas many negroes, mulattoes, and other coloured persons, have, subsequent to the publication of the said Act, to prevent the sudden increase of free negroes and mulattoes, obtained certificates of their freedom under the hands and seals of two justices of the peace, in manner prescribed by the fifth clause of the said last-mentioned Act: And whereas some of such certificates have been neglected to be recorded in the register's office within the time prescribed for that purpose by the proviso to the said clause, and others of such certificates have been procured subsequent to the expiration of such time so prescribed by the said proviso, and in both cases it is now impossible to comply with the regulations directed by the said proviso: And whereas it is unnecessary to put such persons as are possessed of such certificates to the trouble and expense of procuring others in way and manner prescribed by this Act; BE it enacted by the authority aforesaid, That every certificate of freedom of any negro, mulatto, or other coloured person, which antecedent to the publication of this Act, hath been obtained agreeable to, and in the terms of the said fifth clause of the said Act to prevent the sudden increase of free negroes and mulattoes, but without compliance with the requisites prescribed and directed by the said proviso thereto, shall and the same is hereby declared to be as valid effectual and sufficient both at law and in equity, as if the said proviso to the said fifth clause of the said last-mentioned Act had never been made: Provided always nevertheless, that every person shall and may be at liberty to dispute and counteract the force and effect of every such certificate, by offering and producing such testimony or other proofs as he or she may be possessed of, or have in his or her power for the purpose of disproving the freedom so certified: And provided also, that nothing herein contained shall deprive any negro, mulatto, or other coloured person, having such last-mentioned certificate or certificates, of the benefit and advantage which he she or they may have from any other evidence of his her or their freedom, but that every such proof or evidence thereof, other or different from such certificate or certificates, shall and may be admitted and received as evidence in all courts of law and equity in these Islands, in the same manner as the same would have been admitted and received, had this Act and the said Act to prevent the further sudden increase of free negroes and mulattoes never been made.

Certificates obtained subsequent to the said recited act, and not recorded within the time limited thereby, and certificates obtained after the expiration of the time prescribed by the said act, and before the publication of this act, declared to be valid and effectual.

## Proviso.

Such certificates not conclusive, but may be opposed by contrary evidence.

## Proviso.

Party producing such certificates not to be debarred from adducing other proof of his her or their freedom.

Clause VI.  
Preamble.

And whereas many manumissions and other acts of freedom for the purpose of enfranchising slaves, have been made and executed subsequent to the sixth of January one thousand seven hundred and eighty-four, when these Islands were restored to Great Britain, without complying with the requisites and formalities prescribed by the first, second, and third clauses of the said Act, to prevent the further sudden increase of free negroes, and mulattoes, upon a mistaken idea that the said Act was not then in force: And whereas the said first, second, and third clauses of the said last-mentioned Act, were by two Acts of the legislature of these Islands repealed during the continuance of the said Acts, and other regulations thereby established for the manumission and enfranchisement of slaves, which said last-mentioned regulations are now in force: And whereas it would be unjust, under such circumstances, to permit the said Act to prevent the further sudden increase of free negroes and mulattoes, to operate against and destroy the intention and effect of such manumissions or other acts of freedom so made and executed between the said sixth day of January one thousand seven hundred and eighty-four, and the said third day of November one thousand seven hundred and eighty-eight; BE it therefore enacted by the authority aforesaid, That the originals of all manumissions or other acts of freedom, whether by last will and testament or otherwise, after been duly proved according to law, and if proved and recorded in the register's office of these Islands in manner prescribed by law, then office copies thereof duly certified by the register of these Islands for the time being, or his lawful deputy in manner prescribed by law, shall and may be admitted and received as evidence in all courts of law and equity in these Islands, and shall have and produce the same operation and effect, both at law and in equity, as such manumissions or other acts

Originals of all manumissions duly proved, or office copies thereof, duly certified according to law, declared to be good evidence at law or in equity.

## THE TREATMENT OF SLAVES.

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of freedom would have had and produced, had the said Act to prevent the further sudden increase of free negroes and mulattoes never been made.

GRENADA.

And whereas by the seventeenth clause of an Act for the better protection and for promoting the increase and population of slaves, and for repealing during the continuance of the said Act, the first, second and third clauses of an Act, intituled, "An Act to prevent the further sudden increase of free negroes and mulattoes;" and such part of all and every law and laws then in force relative to the trial and punishment of slaves, as relate to their trial and punishment for the sole offence of running away, and for substituting another mode of trial and punishment in lieu thereof, and for appointing guardians to carry the said Act into execution, a certificate under the hands and seals of the guardians of slaves for the district wherein any slave or slaves intended to be manumitted resides or reside, or of any two of them to the effect therein mentioned, is directed to be indorsed on or annexed to the deed of manumission of such slave or slaves, and in cases by manumission by last will and testament, such certificate is directed to be indorsed on or annexed to an office copy of such last will and testament: And whereas the signing and sealing of such certificate of such guardians, hath not in any case been made in the presence of witness or witnesses, and from the death or absence of such guardian or guardians it may be difficult and in some cases impossible to procure such actual sealing by such guardians, although the signature of such guardian or guardians may be easily proved in manner prescribed by law; BE it therefore enacted by the authority aforesaid, That where the seals and signatures of such guardians, or of any two of them, appear to be set and affixed to such certificate, due proof of the respective signatures of such guardians to such certificates, shall be also held and deemed prima facie evidence of the sealing thereof by the guardian or respective guardians whose signature or signatures thereto shall be so proved; and that if any person after such prima facie evidence given, shall dispute such sealing, he shall be obliged to disprove the same according to law.

Clause VII.  
Preamble.

Where certificates of guardians, under the act of February 1791, (expired) have not been valid and signed in presence of witnesses, proof of the signature of such guardians made prima facie evidence of such sealing.

And whereas by the twenty-first clause of an Act for the better government of slaves, and for the more speedy, and effectual suppression of run-away slaves, it is enacted amongst other things, that the provost marshal, or his lawful deputy, shall receive into his custody all run-away slaves brought to him, and pay the rewards for the same therein directed, and after making publication respecting every such slave or slaves for six weeks in manner therein prescribed, shall, if such slave or slaves be not claimed within the time aforesaid, sell such slave or slaves at public outcry, and pay the money arising therefrom, after deduction of charges and fees, to the owner or owners of such slave or slaves, and in default of knowing such owner or owners, to the treasurer of these Islands for the time being, for the use of the public, till such time as the owner or owners of such slave or slaves shall appear: And whereas the aforesaid Regulation hath from experience been found to be productive of much injury and loss to such persons as from local situation or other circumstances have not had it in their power to claim or prove their property in, or title to such run-away slaves, within the time therein before prescribed; for remedy whereof, BE it enacted by the authority aforesaid, That it shall and may be lawful for the provost marshal of this Island for the time being, or his lawful deputy, to receive into his custody all run-away slaves, who shall be brought to him, and to pay the apprehender of such slave or slaves, the rewards and mile money specified and directed in the third section of the said Act, for the better government of slaves, and for the more speedy and effectual suppression of run-away slaves; provided the owner or owners of such slave or slaves is or are not known to such apprehender or apprehenders, and such provost marshal for the time being, or his lawful deputy, shall and may keep such slave or slaves in safe custody, and shall immediately give public notice thereof, by publication (in some Grenada newspaper, if any, at the time; and if none, by written advertisement affixed at the church and court house doors of the town of Saint George in the said Island of Grenada) for six successive weeks, describing as near as may be, the name, age, sex, size, complexion, and external marks of such slave or slaves, whereby he she or they may be more readily known, together with the country of such slave or slaves, if the knowledge thereof be attainable, and shall also affix a copy in writing of such publication on the door of the public office of such provost marshal or his lawful deputy for the time hereinbefore prescribed; and in case such provost marshal for the time being, or his lawful deputy,

Clause VIII.  
Preamble.

Marshal not to fell runaway slaves without giving public notice in the Island Gazette.

And if no gazette, by a written advertisement, to be affixed for six successive weeks to the doors of the church, court-house and marshal's office.

## GRENADA.

Marshal answerable in an action of damages to the party aggrieved, if he neglects to advertise. Slaves, if not claimed within the six weeks, to be then sold by public outcry.

Proceeds, after deducting all charges, to be paid by the marshal to the owner of such slave, or if the owner is not known, to the public treasurer, for such owner when he shall appear.

**Proviso.**  
Such sales not conclusive against owners not resident at the time in the country.  
Such owner, upon payment or tender of all monies actually paid, and expenses incurred, may claim restitution of such slave within twelve months after such sale, and maintain the same by action of ejectment, trover or detinue, against the purchaser or possessor.

**Clause IX.**  
Repealing the 21st clause of the act of the 21st of April, 1767.

**Clause X.**  
This Act declared to be a Public Act.

deputy, shall fail in performing all or any of the several matters hereby required, he shall be liable to answer in damages by action for such neglect to the person or persons who shall or may happen to be aggrieved thereby; and after such publication being duly made for the time aforesaid, if such slave or slaves so advertised, shall not be claimed within six weeks from and after the day on which he she or they were delivered into the hands of such provost marshal or his lawful deputy, such slave or slaves shall be sold at public outcry by such provost marshal for the time being, or his lawful deputy, and the monies arising from such sale or sales, after deduction of all reasonable charges and fees, shall be paid over by such provost marshal or his lawful deputy, to the owner or owners of such slave or slaves, his her or their executors or administrators, and for want of knowing such owner or owners, his her or their executors or administrators, the monies arising from such sale or sales, after deduction as aforesaid, shall by such provost marshal for the time being, or his lawful deputy, be deposited in the hands of the public treasurer of these Islands for the time being, to and for the public use of these Islands. But if the owner or owners of such slave or slaves, his her or their executors or administrators, shall appear and claim the same within twelve months from the date of such sale or sales respectively, upon due proof being made within the period aforesaid, by such owner or owners, his her or their executors or administrators, of the title or titles of such owner, or owners to the slave or slaves so to be sold, the public treasurer of these Islands for the time being is hereby authorized to pay over the net proceeds of the amount of such sale or sales to such owner or owners, his her or their executors or administrators respectively: Provided always nevertheless, that where such owner or owners shall at the time of the sale or sales be resident out of the government of Grenada and its dependencies, such sale or sales shall not, for and during the period hereinafter specified, be conclusive against such owner or owners, but that such owner or owner so resident out of the said government, shall upon payment or tender of all monies actually paid, and expenses incurred at such public outcry or outcries, for the purchase of such slave or slaves, be authorized and entitled to claim and demand restoration and delivery of such slave or slaves, at any time within twelve months from and after the day of such sale or sales respectively; and on neglect or refusal to deliver such slave or slaves as aforesaid, within the period aforesaid, the owner or owners thereof shall and may, at his her or their option, maintain and prosecute an action or actions of ejectment, trover, or detinue, against such purchaser or purchasers, or other possessor or possessors of such slave or slaves, for the actual recovery thereof, or of the value thereof, and of all damages, costs and expenses incurred by the detection or nondelivery thereof, but not for any wages of such slave or slaves, or hire for his her or their use or labour antecedent to the time of making such claim and demand of such slave or slaves as aforesaid within the period aforesaid.

And be it enacted by the authority aforesaid, That the said twenty-first clause of the said Act, for the better government of slaves, and for the more speedy and effectual suppression of runaway slaves, shall from and after the publication of this Act be and the same is hereby repealed.

And be it further enacted by the authority aforesaid, That this Act shall be deemed a Public Act, and all judges, justices, and jurors shall take notice thereof as such, without specially pleading the same.

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An ACT for the more effectual Trial and Punishment of Slaves, who may have been, or may hereafter be concerned in the Rebellion and Insurrection now existing in this Island.—[7 June 1796.]

**Preamble.**

WHEREAS by the laws now existing in these Islands, slaves convicted of any heinous or grievous crimes or offences are liable to suffer death: And whereas from the humane principles of our Government it is necessary to discriminate between such slaves as have willingly taken an active part in the rebellion and insurrection, and in the committing of murders, and setting fire to buildings and canoes, and such slaves as have in some measure been compelled to join the insurrection, from the owners and other persons having the charge of Slaves being obliged to quit their habitations and retire for safety to the town of Saint George and its neighbourhood; and that such new punishments should be substituted

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tuted as are likely not only to produce a lasting impression upon the minds of the slaves, but also to be otherwise beneficial to the community; we, Your Majesty's most dutiful, loyal and obedient subjects the lieutenant governor of these Your Majesty's Islands of Grenada, and the Grenadines thereon dependant, and commander in chief therein, the members of Your Majesty's council, and the representatives of the people of the said Islands, in general assembly convened, pray Your most excellent Majesty that it may be enacted and ordained, and be it and it is hereby enacted by the authority aforesaid, That each and every slave or slaves who has or have been, or who is or are suspected to have been concerned in the present insurrection and rebellion, and who is or are suspected of any felony, burglary, robbery, burning of houses, cane-pieces, murders, rebellions, conspiracies, insurrection, compassing or imagining the death of any white or free coloured person or any slave, or who has or have been aiding, abetting, counselling, or advising in the commission of any of the aforesaid crimes, and who has or have at any time heretofore been taken, or surrendered himself, herself, or themselves, shall and may be tried by a court to be assembled in way and manner hereinafter mentioned for the trial of slaves who may at any time hereafter be taken or surrendered themselves, and, if found guilty, shall and may be punished in any of the ways hereinafter directed.

Clause I.  
Slaves suspected of being concerned in the insurrection and rebellion to be tried by a court hereinafter mentioned, and punished as hereinafter directed.

And be it further enacted, That every slave who may hereafter be taken, or shall surrender himself or herself, shall immediately, or as soon after as it can be conveniently done, be sent by the person so taking or to whom such slave shall surrender, before some one or more of His Majesty's justices of the peace to be examined; and such justice shall accordingly proceed to examine such slave and all other persons who can give evidence of the conduct of the said slave, and shall reduce such examinations into writing, and return or transmit the same, together with his proceedings thereupon, to the commander in chief for the time being, within twenty-four hours after the taking such examinations respectively; and if upon such examination there shall appear just grounds to suspect that such slave has been guilty of any of the crimes aforesaid, or has been aiding, abetting, counselling, or advising therein, or is otherwise a dangerous character, unfit to be allowed to go at large, the said justice shall commit such slave to the common gaol, or to some other secure place of confinement, there to be detained for trial, and it shall and may be lawful for the commander in chief for the time being, at any time hereafter, to issue his warrant or order to any three or more of His Majesty's justices of the peace to be therein named, authorizing and requiring them to proceed to the trial of the offender in any parish within this Island, to be named in such warrant or order; and such justices shall within twenty-four hours after the receipt of such warrant or order, issue their precept directed to a constable of the parish where such trial shall be directed to be had, authorizing and requiring him to summon five respectable white persons of the said or any of the adjoining parishes to be named in such precept, at a certain day and place to be named therein, and between the hours of eight and ten in the forenoon, personally to be and appear before the said justices to serve as jurors for the trial of such offender or offenders; at which time and place the said justices shall cause the offender or offenders, and the witness or witnesses against and for such offender or offenders, to come before them, by issuing their summons to such witness; and in case of slaves being witnesses, the summons shall be served on the owner or person having charge of such slave; and shall explain the nature of the offence with which the prisoner stands charged, and demand of him or her whether he or she is guilty or not guilty, and if the prisoner pleads guilty, the justices shall proceed to pronounce sentence of death, or banishment from the Island, or confinement in chains to hard labour for life, or for any less term, and at the expiration thereof then to be banished from the Island, as the said justices shall determine, according to the nature of the offence; but if such prisoner pleads not guilty, then the said justices shall proceed to choose by ballot, three of the said five persons summoned as jurors, and shall administer to the three so chosen the following oath; viz.

Clause II.  
Slaves when taken and surrendered to be first examined by a justice of the peace.

Examinations to be returned to the commander in chief within 24 hours.

Justice to commit offender to prison if he sees probable ground for suspicion, there to be detained for trial.

Commander in chief to issue his warrant to three or more justices to proceed to try the offender.

Justices within 24 hours after receiving such warrant to issue a precept to some constable to summon five white persons as jurors.

To fix a time for trial.

To cause at such trial witnesses to come forward.

Notices to witnesses who are slaves to be served on their owner.

Punishment of death, banishment or hard labour in chains, on prisoner pleading guilty.

If prisoner pleads not guilty, justices to choose three of the five jurors to try cause.

Juror's oath.

Justice's sentence to be final, and to be executed at any time they shall appoint after 36 hours.

" You shall well and truly try, and true deliverance make between our sovereign Lord the King, and the prisoner whom you have in charge, and a true verdict give according to the evidence given unto you. So help you GOD."

And the said justices shall proceed to examine the witnesses produced, and shall admit the prisoner, either by himself or any other person on his or her behalf, to a full defence; and if upon hearing the evidence the jury shall find the prisoner guilty,



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Commander in chief may respite or pardon any criminal.

Evidence of slaves for and against one another.

Justices may adjourn the trial for 48 hours in case of absence of material witnesses.

If witness does not then appear, trial to go on.

Justices to make regular minutes, and to return them into the secretary's office in six days.

Punishment of death to be inflicted publicly.

Prisoner not to be intoxicated when executed.

No other mode of execution but hanging allowed.

Offenders how to be guarded and employed when any other sentence than death is inflicted.

Constables to attend the trial and execution.

**Clause III.**

Court may adjourn as often as they please for 48 hours.

**Clause IV.**

Slaves giving false evidence liable to the same punishment as the offender, if he had been found guilty.

Justices to explain to slave witnesses the punishment for false testimony.

Owner refusing to produce slaves summoned as witnesses, to forfeit 50 l.

**Clause V.**

Justice refusing to act, to forfeit 50 l.

How to be recovered.

guilty, then the justices presiding shall proceed to pass the sentence in the same manner as hereinbefore directed when the prisoner pleads guilty, and every sentence shall be final and conclusive, and without appeal; and the justices presiding at every such trial shall cause their sentence to be carried into execution at such time (after the expiration of thirty-six hours from the pronouncing such sentence respectively) and place as they shall think proper, unless the commander in chief for the time being, to whom the justices shall report or transmit every such sentence within twenty-four hours after pronouncing the same respectively, shall think proper to respite the same, or to pardon the criminal: And in all trials to be had under this Act, the evidence of slaves against and for one another shall be deemed good and sufficient proof; and in case of the absence of any material witness, either against or for the prisoner to be tried under this Act, the justices presiding shall adjourn the trial for forty-eight hours, and direct a constable to search for and bring such witness before the court at its next sitting, and shall then proceed with such trial either with or without the attendance of such witness, if he or she is not to be found; and the justices presiding at such trials respectively shall make regular minutes, to contain the day of trial, the names of the justices and jury, the crime for which the prisoner stands charged, his or her plea, the evidence for the prosecution, and on the prisoner's behalf, the verdict of the jury, and the sentence of the court; and shall sign the same, and return such minutes into the secretary's office within six days after every such trial shall be finished respectively: And in all cases where the punishment of death is inflicted, the execution shall be performed in a public part of the parish, and with due solemnity; and care shall be taken by the gaoler or person having charge of the prisoner, that he or she is free from intoxication at the time of his or her trial, and from thence to and at the time of his or her execution, under the penalty of twenty pounds, to be recovered in manner hereinafter directed for the recovery of penalties incurred by jurors, constables and witnesses; and the mode of such execution shall be hanging by the neck and no other; and the body shall be afterwards disposed of in such manner as the justices presiding at the trial shall direct: And in all cases where the punishment shall be confinement in chains to hard labour for life, or for any lesser term, the criminals shall be employed under proper overseers, and a sufficient guard, to be provided at the public expense, in clearing the woods in the interior part of this Island, and making convenient roads through the same to every part of the Island; and the constables of the parish, where such trials shall be had respectively, shall attend the justices during the sitting of the court, and at all other times, when required so to do, and shall also attend the execution of every sentence of death.

And be it enacted by the authority aforesaid, That the said court shall have full power and authority, if they shall see cause to adjourn the said court from time to time, for any time not exceeding forty-eight hours, during any one adjournment.

And be enacted, That in case any slave shall wilfully, or with evil intent, give false evidence on any trial to be had under this Act, such slave, upon being found guilty thereof before a court to be assembled as hereinbefore directed, shall suffer the same punishment as the person or persons on whose trial such false evidence was given would, if found guilty, have been liable to suffer, or such other punishment as the court shall think proper to inflict, according to the circumstances of the case.

And the justices presiding at any trial where a slave or slaves shall be brought forward to give testimony, shall explain to each of the witnesses the punishment which he or she may be subject to, in case of giving false evidence; and if any owner or person having charge of slaves shall wilfully refuse or neglect to produce before the court hereby directed, any slave, whose testimony is required on any trial to be had under this Act, every such person shall, for each refusal or neglect, incur a penalty of fifty pounds.

And be it enacted, That if any justice of the peace shall refuse or neglect to do and perform all and singular the duties required of him by this Act, every such justice, upon proof thereof made before the commander in chief for the time being, by one or more credible witness or witnesses, shall for each offence incur a penalty of fifty pounds, to be recovered by attachment, under the hand and seal of such commander in chief, directed to the provost marshal, in the following form; viz.

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“ George the Third by the Grace of God King of Great Britain, France and  
“ Ireland, Defender of the Faith, and so forth.”

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“ To the Provost Marshal of the Island of Grenada.

“ WE command you to attach the body of *A. B.* and him in safe custody to  
“ keep in our common gaol of our said Island, until he shall pay to us a  
“ fine of fifty pounds, for refusing or neglecting [*here insert the particular*  
“ *offence*] and hereof fail not at your peril. Witness, *C. D.*  
“ our commander in chief for the time being, the                      day of  
“ and all costs incurred thereon.”

And the provost marshal shall accordingly execute the said writ by attaching the body of the delinquent and detaining him in gaol until the said fine shall be fully paid; and if any constable shall refuse or neglect to do and perform all and singular the duties required of him by this Act, every such constable, for each refusal or neglect, shall incur a penalty of twenty-five pounds, to be recovered by attachment, under the hand and seal of the justice or hands and seals of the justices who shall direct such constable to do his duty, directed to the provost marshal in the aforesaid form, except as to the testing the said writ, which shall be tested in the name or names of the justice or justices issuing the same, and the provost master shall in like manner execute the said writ.

Constable refusing to do his duty liable to a fine of 25 *l.*, to be recovered in like manner.

And be it enacted, That if any juror or witness, after being summoned, shall refuse or neglect to attend in conformity to the said summons, every such juror and witness, upon proof of the service of such summons before the justices issuing the same, every such juror or any witness, being a free person, for each offence shall incur a penalty of twenty-five pounds, to be recovered in like manner as penalties incurred by constables are directed to be recovered; and if any juror or witness so summoned as aforesaid shall attend and shall refuse to serve as a juror or to give evidence, every such juror or witness shall and may be committed by the justices present to the common gaol, there to remain without bail or mainprize for the space of three calendar months.

## Clause VI.

Jurors and free witnesses refusing to serve or attend, liable to a fine of 25 *l.* and three months imprisonment.

And be it enacted, That when any slave shall be sentenced to death, or banished, or condemned to confinement in chains to hard labour, the justices and jury who shall sit upon the trial shall value the said slave at such sum as they in their consciences shall deem him or her to be worth, according to his or her trade or occupation, not exceeding one hundred pounds currency, and shall certify the same to the public treasurer of the Island of Grenada, who is hereby authorized to pay to the owner the amount of the sum mentioned in such certificate: And all slaves condemned to confinement in chains to hard labour or to be banished, shall from and immediately after such appraisement become the property of the public, and the owner divested of all claim therein: And if any owner or other person having the charge of any slave, whom he or she shall suspect to have been guilty of, or aiding, abetting, counselling, or advising in any of the crimes specified in this Act, and shall not immediately carry such slave before some one of His Majesty's justices of the peace to be examined, every such person shall, upon being convicted thereof before the court of King's Bench and Grand Sessions of the Peace, be sentenced to be imprisoned for the space of one year.

## Clause VII.

Slaves sentenced to death, confinement or banishment, to be valued by the justices and jurors. Such valuation not to exceed 100 *l.* currency.

To be paid by the treasurer from the public treasury to the owner of the slave. Slaves so valued to be the property of the public.

Any owner suspecting any slave of any crime specified in this act, and not carrying him before a justice, liable to be imprisoned one year.

And be it enacted, That all penalties incurred under this Act shall be paid into the hands of the public treasurer by the person receiving the same, and shall by the said treasurer be set apart as a fund for defraying the expenses of guards and cutting traces through the woods, and other expenses incurred in carrying this Act into execution.

## Clause VIII.

All fines levied under this act, a fund in the treasurer's hands for the purposes thereof.

And be it enacted, That all reasonable expenses incurred in performing the various duties required by this Act shall be paid by the public treasurer, upon producing a certificate or warrant for the same under the hands of the justices presiding at any court to be held in pursuance of this Act.

## Clause IX.

Reasonable expenses incurred to be paid by the treasurer by warrant from the justices.

And be it enacted, That the governor and commander in chief for the time being shall have the ordering and directing the employment of the said slaves in manner before specified, and the appointment of a proper officer for superintending the same; and all monies, the mode of issuing whereof is not directed by this Act, shall be paid by warrant under the hand and seal of the governor or commander in chief for the time being, to such person or persons as shall be therein specified.

## Clause X.

Commander in chief to have the direction of all slaves sentenced under this act, and all monies not otherwise ordered to be paid by this act for commander in chief.

the purposes thereof, to be payable by warrant from the

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An ACT for the punishment of Slaves under sentence of banishment or confinement to hard labour in chains, who shall escape or attempt to escape from their places of confinement or employment, and to make it lawful for the Magistrates to condemn to hard labour, in chains for life, or for a limited time, Slaves convicted under the several Acts for the trial and punishment of criminal Slaves. [13 May 1797.]

## Preamble.

WHEREAS by an act of this Island, intituled, "An Act for the more effectual trial and punishment of slaves who may have been or may hereafter be concerned in the rebellion and insurrection now existing in this Island," it is enacted and ordained, That slaves convicted of certain crimes therein mentioned may be sentenced to banishment, to hard labour in chains for life, or for any shorter period, to be banished afterwards: And whereas from various causes it hath not been found practicable to transport from the Island several slaves now under sentence of banishment, in pursuance of the said Act, in consequence of which it hath been found expedient to employ the said slaves in works of labour for the advantage of the colony: And whereas from the negligence of the persons superintending such slaves, so employed as aforesaid, or from the want of proper places to confine them in out of the hours of labour, many of the said slaves may and actually do escape; who, by joining other ill-disposed people in the colony, may again kindle up the flames of sedition and insurrection which have so lately ravaged the Island: And whereas the said sentences of banishment, and confinement in chains to hard labour for life, have in general, from motives of humanity and to spare the effusion of human blood, been past on objects who from the enormity of their crimes deserved, and from the rigour of the law would have been condemned to death, but which humane system would be attended with the worst of consequences, if they or any of them get again at large in the Island, for remedy of so alarming an evil, we, Your Majesty's most dutiful, loyal and obedient subjects, the captain general of these Your Majesty's Islands of Grenada and the Grenadines thereon dependant, and commander in chief therein, the members of Your Majesty's council, and the representatives of the people of the said Islands, in general assembly convened, pray Your most excellent Majesty that it may be ordained, and be it and it is hereby enacted and ordained by the authority of the same, That from and immediately after the publication of this Act all and every such slave or slaves who now are or who hereafter may be sentenced to be banished from this Island, or to be confined to hard labour in chains for life, or for any shorter period, and who shall escape, break loose or run away from the place of his her or their confinement, or who shall be absent for the space of forty eight hours from the custody of the person having charge of him her or them, shall on conviction thereof be declared guilty of felony, and shall suffer death, or such other punishment as the magistrates presiding on the trial of such slave or slaves shall direct.

## Clause I.

Slaves sentenced to banishment from this island, or to be confined to hard labour in chains for life, or shorter period; and who shall escape, break loose, or run away from place of confinement, or be absent 48 hours from custody of person having charge, to suffer death or other punishment, according to discretion of magistrate.

## Clause II.

Slaves charged with crime of escaping from place of confinement, to be tried according to act for punishing negroes guilty of high treason.

Record of former conviction of such slave, and of sentence passed on him, together with evidence of any one free person or slave, of his having escaped from place of confinement, or absence for 84 hours or more from custody, declared to be sufficient proof of conviction.

## Clause III.

Slaves returning from transportation under this act, to suffer death.

And be it enacted by the authority aforesaid, That every slave charged with the crime of escaping, breaking loose or running away from the place of his her or their confinement, or of having been absent for the space of forty-eight hours from the custody of the person having charge of him her or them, shall be tried in the manner prescribed by the Act above recited for the trial of slaves guilty of high treason and other offences, and the record of the former conviction of the said slave or slaves, and of the sentence passed on him her or them, together with the evidence of any one free person or slave to the fact of his her or their having escaped from the place of his her or their confinement, or of his her or their absence for the space of forty eight hours or more from the custody of the person having charge of him her or them, shall be and it is hereby adjudged and declared to be sufficient proof to convict him her or them of the same.

And be it and it is hereby enacted and ordained by the authority aforesaid, That all and every slave or slaves who shall be transported from the government, in consequence of sentence of banishment having been pronounced against him her or them, and who shall hereafter return to any part of this government, shall, on conviction thereof in manner prescribed by the last clause, be declared guilty of felony, and shall suffer death.

## Preamble.

And whereas from various causes it may be found necessary to continue to employ criminal

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criminal slaves in chains or works of labour for a considerable time; and as it is expedient from motives of humanity and policy to adopt such punishments in many cases in lieu of others, for slaves convicted of offences under the several acts of this Island at present in force for the trial and punishment of criminal slaves; BE it and it is hereby enacted and ordained, That from and after the publication of this Act, it shall and may be lawful for any of His Majesty's justices of the peace before whom any slave or slaves shall be tried for any offence, and who shall be convicted thereof, the punishment for which would be, agreeably to the said acts now in force, corporal punishment or imprisonment for life, to condemn such slave or slaves, in lieu thereof, to be worked in chains for any limited time, or life, at the discretion of the court before whom such slave or slaves shall be tried and convicted; and whenever any slave or slaves shall be sentenced to be worked in chains for life, he she or they shall be appraised in the same manner as is prescribed for slaves sentenced to death, and shall from thenceforth be considered as the property of the public to all intents and purposes whatsoever.

thereof, to be worked in chains for any limited time, or life; or when for paid for, and become the property of the public.

And be it and it is hereby enacted and ordained, That all and every slave so sentenced to hard labour in chains for life, or for any time limited, agreeably to the last clause of this Act shall be and he she or they are hereby declared to be to all intents and purposes subject in similar cases to the punishment prescribed by the first clause of this Act, for such slave or slaves as shall escape, break loose, or run away from the place of his her or their confinement, or who shall be absent for the space of forty-eight hours or more from the custody of the person having charge of him her or them and shall be tried accordingly, and in order the more effectually to prevent slaves so escaping or running away from being harboured or concealed, as well as to encourage the discovery and apprehending of the same; BE it and it is hereby enacted and ordained, That upon information being given to any one of His Majesty's justices of the peace, of any slave or slaves who have escaped or run away from the place of his her or their confinement, being harboured or concealed, it shall and may be lawful for such magistrate to issue his warrant to any constable to apprehend and bring before him the person or persons suspected of harbouring or concealing such slave or slaves; and if it shall appear to the magistrate, that he she or they really did wilfully conceal or harbour such slave or slaves, or were privy to the harbouring or concealing of such slave or slaves, knowing the same to be a runaway or runaways under the sentence of the law, he she or they, if free, shall, on conviction of the said offence by the oath of a free person, be forthwith committed to the common gaol of the Island, there to be without bail or mainprize for any term not exceeding thirty days; and if a slave or slaves, he she or they shall on conviction, by the testimony of a free person, or of a slave, be ordered by the magistrate to hard labour in chains for any time not exceeding thirty days, and shall suffer such corporal punishment besides, as the magistrates shall think fit to direct.

And be it and it is hereby enacted and ordained, That every free person giving information to a magistrate of such slave or slaves being so harboured or concealed as aforesaid, shall, on conviction of the offender, be entitled to receive from the public treasurer of this Island, the sum of six pounds twelve shillings current money, by warrant under the hand and seal of the magistrate to whom the information is given; and every slave giving information as aforesaid, shall be also entitled to receive from the public treasurer the sum of three pounds six shillings current money, to be paid on conviction of the offender, by warrant under the hand and seal of the magistrate to whom such information is given.

And be it enacted by the authority aforesaid, That this Act shall be deemed a Public Act; and all judges, justices and jurors are required to take notice thereof accordingly.

## Clause IV.

Justices of the peace before whom any slave shall be tried for any offence, and who shall be convicted thereof, the punishment for which would be, agreeably to said acts now in force, corporal punishment or imprisonment for life, to condemn such slave or slaves, in lieu of life, to be appraised,

## Clause V.

And when slaves who are sentenced to work in chains for life, or for a limited time, shall commit the offences created in the first clause, they shall be tried in like manner.

## Clause VI.

Information being given to any justice, of any slaves having escaped, or run away from place of confinement, or from keeper, magistrate to issue his warrant to constables to apprehend persons concealing them, and on conviction, if free, to be committed to gaol for any time under 30 days without bail; and if slaves, to be worked in chains not exceeding 30 days.

## Clause VII.

Free persons giving the above information of concealment, to get 6*l.* 12*s.* if slave, to get 3*l.* 6*s.*

## Clause VIII.

This Act declared to be a Public Act.

An ACT for the better protection and for promoting the natural increase and population of Slaves within the Island of Grenada, and such of the Grenadines as are annexed to the government thereof, for compelling an adequate provision for and care of them, as well in sickness and old age as in health; and for constituting and appointing Guardians to effectuate and carry into execution the regulations and purposes of this Act. [9 Dec. 1797.]

WHEREAS the laws heretofore made for the protection of slaves, and for divers other of the benevolent purposes intended by this present Act, having been temporary,

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temporary, are expired; and humanity and the interest of the colony require that the same, or other equally salutary and sufficient regulations and provisions should be adopted and ordained, for rendering the servitude and labour of slaves as limited and easy as possible; and for promoting the natural increase of their population, as the most likely means of removing, in a course of time, the necessity of further importations of slaves from Africa: And whereas these desirable ends cannot be more effectually obtained than by compelling the owners and masters of slaves sufficiently and properly to lodge, feed, clothe, and maintain them, as well during health, and their capacity for labour, as in time of sickness, old age, and infirmities, by prescribing reasonable bounds to the power of masters and others having the charge of slaves, by introducing them to the knowledge of the christian religion, and affording them opportunity of improving in morality; and by constituting a proper tribunal of guardianship, for the hearing, examination, and redress of their grievances, and security of their rights and immunities hereby granted and established; May it therefore please the King's most excellent Majesty, and that it may be enacted and ordained.

## Clause I.

Possessors or owners of estates to provide good and comfortable lodging, a sufficient portion of negro grounds, to be approved by the guardians, with sufficient time to cultivate such grounds.

And be it and it is hereby enacted by his excellency Charles Green, esquire, captain general, and governor in chief of the Island of Grenada, and the Grenadines annexed to the government thereof, the honourable the members of the council, and the representatives of the people of said Islands in general assembly convened, and by the authority of the same, that immediately, and from time to time, and at all times from and after the publication of this Act, every proprietor, owner, or possessor of any plantation or estate, shall provide for, and allow to, at least every head of a family of slaves, thereunto attached, one good and comfortable house, with one or more cabanes or beds to sleep upon, raised at least one foot from the ground; and shall also allot and appoint for every slave (domestics excepted) above the age of fourteen years, as, and for his or her proper ground, such a quantity or portion of the land of the said plantation or estate, to which such slave may be attached, of or such other contiguous lands as shall be approved by the guardians of slaves appointed in manner hereinafter mentioned, as sufficiently near and convenient for such provision ground, as in the estimation of the guardians for that parish wherein such plantation or estate shall be situate, or the majority of them, shall be deemed sufficient, when under proper cultivation, to produce such a quantity of ground provisions, as, with the ordinary allowance of salt provisions, of the quantity whereof such guardians are to judge, will be completely adequate to the maintenance and support of such slave; and shall allow every such slave, from noon, in some one day in every week, or one whole day in a fortnight, besides Sunday (except in time of crop), for the purpose of working and cultivating his or her grounds; which said grounds, when once allotted, shall not be exchanged or taken away from any such slaves, without his or her consent, by him or her expressed to the guardians of such district or parish, whilst such slave shall remain on the estate to which such land so allotted to him or her belongs (except in manner and upon the terms next hereinafter mentioned); that is to say, Provided always, that if the person having the charge of any plantation or estate shall find it necessary or expedient to change the provision grounds allotted to the slaves of such plantation or estate; and such consent of the slaves shall not be expressed as aforesaid, it shall and may be lawful for any such person to allot other sufficient grounds for that purpose, and to call on the guardians of the district or parish to examine and approve of the quantity, quality, and situation of such proposed new provision grounds; and if the said guardians, or a majority of them, shall approve of such new provision grounds, then and in every such case, from and after the expiration of twelve calendar months after such new allotment and approbation as aforesaid, or such longer period, according to the season of the year, as the guardians shall judge necessary to enable the slaves to put such newly allotted grounds into proper cultivation, but not sooner or otherwise, it shall and may be lawful for any such person to take in, and put into cultivation, the grounds so first allotted for the use of the slaves.

## Clause II.

Owners of estates, from the situation or nature of the soil not affording sufficient provision grounds, to have it in their option to make allotments of ground, or to give a weekly allowance of pro-

And whereas there may be some estates, which from the nature of the soil, and particular situation, are not so proper for the cultivation of provisions; and were the proprietors or possessors compelled to allot portions thereof to every slave, for the purpose of cultivating provisions completely adequate to his or her maintenance, as hereinbefore directed, it might be attended with ruinous consequences to such estates, without answering the purposes thereby intended; BE it and it is hereby enacted by the authority aforesaid, That every proprietor, owner, or possessor of any

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any plantation or estate, which, in the judgment of the guardians, shall be so circumstanced in point of soil or situation, shall have it in his or her option or choice, with the approbation of the guardians, either to make such allotments of land as aforesaid, as provision grounds for the maintenance of the Slaves attached thereto, or to give them a weekly allowance of provisions completely adequate to their maintenance: Provided always, that there shall be at least one fortieth part of an acre allotted to each slave, contiguous to the negro houses, for the purpose of cultivating a garden for their sole use and benefit.

Provisions in lieu thereof, with the approbation of the guardians.

And be it enacted by the authority aforesaid, That every such proprietor, owner, or possessor as aforesaid, shall annually allow and give to every slave whom he or she shall own, rent or possess, decent and sufficient clothing, according to the respective sex and age of such slave, to be approved of and directed by the guardians of the district wherein the plantation or estate to which such slave may be attached shall lie; and if any proprietor, owner, or possessor of any plantation or estate, do or shall neglect or refuse to comply with or obey any of the provisions of this clause, he she or they shall, for every such neglect or refusal, forfeit and pay the sum of five pounds for every slave who shall not be so clothed as herein is directed, to be recovered, paid and applied in manner hereinafter prescribed.

Clause III. Annual allowance of decent and sufficient clothing, to be approved by the guardians.

Penalty for neglect or refusal thereof.

And be it enacted by the authority aforesaid, That in all cases when slaves are not attached to or resident on any plantation or estate, the proprietors or possessors of all and every of such slaves, shall provide for and furnish such slaves with comfortable lodging, and ample provision of wholesome food, and with decent clothing in every year, to be approved and directed by the guardians of the district where such proprietor, or, in his or her absence, his or her acting attorney shall be resident, under the penalty last mentioned.

Clause IV. Slaves not attached to, or resident on estates, to be provided by the proprietors with comfortable lodging, ample and wholesome food, and decent clothing

And be it further enacted by the authority aforesaid, in order to restrain arbitrary punishments, That from and after the publication of this Act it shall not be lawful for any proprietor of a slave or slaves, or for the attorney of such proprietor, or in his or her absence, nor for the manager, overseer, or other free persons having the management or direction of such slave or slaves in the absence of the proprietor, and where there is no attorney resident, to inflict, or cause or knowingly suffer to be inflicted on any slave any corporal punishment, other than imprisonment in a proper and wholesome place of confinement, and whipping not to exceed thirty-nine lashes at one time, and for any one offence or fault which by him or her may be committed; and that in all cases when either the proprietor is resident on the estate, or, if absent, has an attorney resident thereon, it shall not be lawful for any manager, overseer, or free person employed under such proprietor or attorney, to inflict, or cause or knowingly suffer to be inflicted on any such slave any corporal punishment, other than confinement in a proper place, and whipping not to exceed twelve lashes at one time, and for any one offence or fault by him or her committed; nor shall any such proprietor, attorney, manager, overseer, or other free person as aforesaid, inflict, or suffer to be inflicted such punishment, nor any other number of lashes in the same day, nor until the delinquent has recovered from the effects of any former punishment, under the penalty of twenty pounds for every such excess or repetition of punishment, to be recovered against the person directing or permitting the same: Provided always, that in all cases where the proprietor, or other person having charge of any such slave, shall conceive the fault committed (although by law not cognizable by justices of the peace) to be of such enormity as to deserve more exemplary punishment than is hereinbefore allowed to be inflicted, it shall and may be lawful for him to cause such offending slave to be carried before any two justices of the peace; and such justices are hereby authorized to hear and examine into every such complaint, and to direct such corporal punishment, not extending to life or limb, as the offence shall in their discretion merit; after which punishment, inflicted by order of the justices as aforesaid, no farther or other punishment whatever shall be inflicted on such slave for that offence, by any person or persons whomsoever, under the similar penalty last hereinbefore mentioned of twenty pounds.

Clause V. Proprietors of slaves, or attorneys of such proprietors, or in their absence, the manager, overseer, &c. restrained from inflicting on any slave any corporal punishment, other than confinement, and whipping not to exceed 39 lashes at one time, and for any one offence.

Proprietors or attorneys being resident, the manager, overseer, &c. not to inflict any corporal punishment, other than confinement, or whipping not to exceed 12 lashes at one time, or for one offence.

Penalty for inflicting a greater number of lashes on the same day, or before the delinquent is recovered from the effect of any former punishment.

Proviso—When the fault committed is of such enormity as to deserve a more exemplary punishment, the delinquent is to be punished at the discretion of two justices of the peace.

No further punishment for the same.

ment to be inflicted for that offence.

And be it further enacted by the authority aforesaid, That if any proprietor, attorney, manager, overseer or other free person employed as aforesaid, do and shall upon any pretence whatsoever, take upon himself or herself to inflict, or cause to be inflicted on such slave or slaves as aforesaid, any heavier, greater or other kind

Clause VI. Penalty for proprietor, attorney, manager, &c. inflicting a greater or other punishment than before described.

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Proprietors committing any atrocious acts of inhumanity and malice on slaves, the guardians empowered to dispose of such slaves.

Money arising from such sale to be paid to the proprietor.

## Clause VII.

Slaves not to be compelled to work before day break, or after sun set, except in making sugar, or carrying grass or stock-meat, under penalty of 10*l*.

## Clause VIII.

Owners, &c. of slaves not to discard them on account of age or disorder, but to provide them with every necessary, and not suffer them to wander about.

Lawful for white or free coloured person to take up such slaves found wandering at large, and carry them before a magistrate or guardian.

Penalty if owner, &c. from neglect or maltreatment, are found offending.

Owners to enter into recognizance that such slave shall in future be well treated.

On refusal or neglect, the justice or guardian to commit such slave to the charge of the cage-keeper, and owners, &c. to pay 4*s* 6*d*. per diem for feeding and lodging such slave.  
How recoverable.

kind of corporal punishment than those which are hereinbefore in that respect limited and prescribed, every such proprietor, attorney, manager, overseer or other free person employed as aforesaid, shall and may for every such offence be proceeded against by presentment, information or indictment, in the same manner as if the offence was committed against a free person; and if found guilty, shall be punished by fine or imprisonment, or both, at the discretion of the court wherein such offender shall have been tried and convicted; and in very atrocious cases, when such offence shall appear to have been accompanied with any aggravating circumstance of singular inhumanity or malice, and the person so convicted shall be the proprietor or owner of such slave or slaves, it shall and may be lawful for the justices of the said court, and they are hereby required to order and adjudge such slave or slaves to be delivered to, and taken possession of by the guardians of the parish or district in which the plantation or estate to which such slave or slaves is or are attached, or where such proprietor resides, to be by them forthwith sold and disposed of to some person of humane repute, for such price as the said guardians shall deem fair and adequate, and can be procured for the same; and such guardians are hereby authorized and required to sell the same, and the money arising therefrom to be forthwith paid to the proprietor of such slave or slaves so sold as aforesaid: And such sale shall be deemed competent and sufficient in law to vest the absolute property of such slave or slaves in the purchaser or purchasers thereof.

And be it further enacted by the authority aforesaid, That it shall not be lawful to or for the proprietor, owner or possessor of any plantation or estate, or any person or persons employed by or under such proprietor, owner or possessor, except in the act of manufacturing such species of produce as necessarily requires night or extra labour, to compel or oblige any slave attached to or upon such plantation or estate, to leave his or her house in order to work in the field or at his trade until day-break, or to work during the times of breakfasting and dining; for the first of which, such slave shall be allowed one half hour in the morning, and for the latter, two hours, to wit, from twelve o'clock at noon to two in the afternoon; nor to compel any such slaves to work after sun-set, except in the carrying of a bundle of grass or stock-meat from the field to the stable or other place where the same is to be consumed, under the penalty of ten pounds for every offence.

And be it further enacted by the authority aforesaid, That no master, owner or possessor of any slave or slaves, whether in his or her own right, or as attorney, guardian, trustee, or otherwise howsoever, shall, under any pretence whatsoever, discard or turn away any such slave or slaves being rendered incapable of labour or service, by reason of sickness or disorder, age or infirmity; but every such owner, master or possessor shall keep such slave or slaves upon his her or their respective properties, and feed and provide them with wholesome food and decent comfortable cloathing and lodging and other necessaries, and not suffer them for want thereof, to wander about at large and become a nuisance, and burthensome to others for subsistence: And it shall and may be lawful for any white or free coloured person to take up all such diseased or infirm slave or slaves who may be found going about at large as above mentioned, and to carry him her or them before any of His Majesty's justices of the peace, or any of the guardians for the town or parish where taken up; which justices of the peace or guardians shall, and he is hereby directed to make immediate inquiry into the conduct of such owner, possessor, attorney or trustee; and if it shall appear to the said justice or guardian that the slaves going about at large be owing to neglect or maltreatment from the owner, possessor, attorney or trustee, he she or they so offending shall forfeit for every such offence the sum of ten pounds current money, to be levied on their goods and chattels, by warrant under the hand and seal of the justice or guardian before whom convicted, one moiety to be paid to the person taking up the slave as aforesaid, and the other moiety to be paid into the hands of the treasurer for the public uses of this government; and the owner, possessor, attorney or trustee shall forthwith enter into recognizance in the sum of fifty pounds, with two sufficient securities in the sum of twenty-five pounds each, that the slave shall in future be well treated, lodged, fed and cloathed; but in case of neglect or refusal to enter into recognizance as aforesaid, then it shall and may be lawful for the justice or guardian to commit the slave to the charge of the cage-keeper of the nearest town where taken up, to be by him lodged and fed, for which he shall be entitled to receive from the owner, possessor, attorney or trustee, at the rate of half a dollar per diem, recoverable on his goods and chattels weekly, by warrant under the hand and seal of the justice or guardian committing, until he shall have entered into recognizance as aforesaid.

And

## GRENADA.

And be it further enacted by the authority aforesaid, That all masters and mistresses, owners, or in their absence, managers and overseers of slaves, shall, as much as in them lies, endeavour the instruction of their slaves in the principles of the Christian religion, whereby to facilitate their conversion; and shall do their utmost exertions to fit them for baptism, and, as soon as conveniently can be, cause to be baptized all such as they can make sensible of a duty to God and the Christian faith: which ceremony the clergymen of the respective parishes are to perform gratis, and also to attend them in sickness, when their spiritual aid may be required.

## Clause IX.

Owners, &c. to endeavour the instruction of their slaves in the christian religion, and to cause them to be baptized.

Clergymen to perform the same, and other duties, gratis.

And be it further enacted by the authority aforesaid, That, upon every plantation or estate in these Islands, there shall, within four months from and after the publication of this Act, be erected and built a good and sufficient hospital, in proportion to the number of slaves on such plantation or estate, in a proper and healthy situation for the infirm and sick slaves, with proper attendants, into which all the slaves who shall be absent from their work under any pretence of sickness, shall be ordered and put by the manager or person having the charge of such plantation and slaves, who is hereby further required and directed to keep an hospital book, with the names of the slaves so admitted, the dates of their admission, and also of their dismissal; or death; and in which shall be inserted by the surgeon, or other medical attendant of the said plantation, the nature of their complaints or diseases.

## Clause X.

Hospitals, upon every plantation to be erected in a healthy situation.

Managers to keep hospital books with the names of the sick, the time of their admission, dismissal, or death.

And be it enacted by the authority aforesaid, That at the time limited and appointed, or to be limited or appointed, in any and every tax bill, for giving in a list of taxable objects in every year, the owner, overseer, or manager of every plantation or estate shall give in, on oath, a particular account of all the births and deaths of the slaves of such plantation or estate, for the preceding year, under the penalty of twenty pounds for every omission, to be recovered from the owner of such plantation or estate: And if the not giving in on oath such accounts, shall be owing to the neglect of the manager or overseer of such plantation or estate, it shall and may be lawful for the owner or possessor of such plantation or estate, to stop and detain the penalty he or she shall suffer by this law, out of the wages of such manager or overseer.

## Clause XI.

Account of the births and deaths to be annually given in, upon oath to the commissioners appointed for taking the taxable objects.

Penalty for neglect.

And be it enacted by the authority aforesaid, That such account shall also contain the causes of the deaths of such slaves as shall have died during the preceding year, to be certified by the surgeon or principal medical attendant of such plantation or estate, to the best of his knowledge, judgment, and belief.

## Clause XII.

Surgeon or medical attendant to certify the causes of the deaths of such slaves.

And in order that encouragement may be given to the increase and protection of negro infants, be it further enacted by the authority aforesaid, That every female slave, who shall have six children living, shall be exempted from hard labour; and the owner or possessor of such female slave shall be exempted from all taxes for such female slaves; and a deduction shall be made for all such female slaves from the taxes of such owner or possessors, by certificate of the person or persons to be appointed by any tax bill to be hereafter passed, for taking the list of taxable objects directed to the treasurer of this Island for the time being; for which purpose proof shall be given on oath, to the satisfaction of such person or persons, not only that the requisite number of children, together with the mother, are living, but also that the mother is exempted from all kinds of hard labour, and is provided with the means of an easy and comfortable maintenance.

## Clause XIII.

Female slaves having 6 children living, exempt from hard labour, and the owner exempt from taxes for such female slave.

And in order to prevent any person from mutilating or dismembering any slave or slaves, be it further enacted by the authority aforesaid, That if any master, mistress, owner, possessor, or other person whatsoever, shall, at his her or their own will and pleasure, or his her or their direction, or with his her or their knowledge, sufferance, privity or consent, mutilate or dismember, or cause to be mutilated or dismembered any slave or slaves, he she or they shall be liable to be prosecuted by information or indictment, for every such offence, in the Court of King's Bench and Grand Sessions, or any other court of similar jurisdiction in these Islands; and upon conviction, shall be punished by fine, not less than one hundred, nor exceeding five hundred pounds, and imprisonment not exceeding twelve months, for each and every slave so mutilated or dismembered; and such punishment is declared to be without prejudice to any action that can or may be brought at common law for recovery of damages for or on account of the same; and in very atrocious cases, where the owner of such slave or slaves shall be convicted of such offence, the justices of the court before whom such offender shall have been tried and convicted, are hereby empowered, in case they shall

## Clause XIV.

Penalties for mutilating or dismembering slaves.



## GRENADA.

shall think it necessary for the further protection of such slave or slaves, to declare and adjudge him her or them free, and discharged of and from all manner of servitude to such owners, to all intents and purposes whatsoever; and in all such cases, the justices of such court are hereby authorized and empowered, if to them it shall appear necessary, to order and direct the fine adjudged by them to be paid into the hands of the treasurer of these islands to the use of the public; the treasurer for the time being, in consideration thereof, paying to such of the said slaves so freed and discharged from servitude as aforesaid, the sum of ten pounds per annum towards his her or their maintenance and support during life; and in case of any such mutilation or dismembering of any slave or slaves being committed as aforesaid, it shall and may be lawful to and for the said guardians, or any one or more of them, upon complaint and application to him or them made by such slave or slaves so mutilated, and they are hereby required, upon view and certainty of the fact, to send such slave or slaves so mutilated forthwith to the nearest cage where such offence shall have been committed; or if such complaint and information that any slave or slaves is or are so mutilated shall arise from the probable intelligence of any other Slave, or otherwise, to issue their or his warrant to any constable, ordering him immediately to proceed to the place where such slave or slaves so mutilated may be, and bring him her or them, and if under confinement, to release and bring him her or them before such guardian or guardians, who on view and certainty of the fact as aforesaid, shall send such slave or slaves so mutilated, to the nearest cage as aforesaid; which slave or slaves shall be there safely kept by the cage-keeper, but not worked, at the public expense, until the determination of the prosecution, which the said guardians are hereby directed and required to pursue and carry into effect against the perpetrators of the said mutilations, in manner aforesaid; and the keeper of such cage is hereby required to receive such slave or slaves into his custody, and during such time as such slave or slaves shall be detained in the cage, to provide and allow a sufficient quantity of proper food daily for his her or their sustenance and support, at the expense of the person offending as aforesaid, and under the direction and approbation of the said guardians, who are hereby authorized to issue their warrant for payment of the same, to be levied on the goods and chattels of the offender.

## Clause XV.

Assembly to appoint guardians on the first meeting thereof, every year.

And be it further enacted by the authority aforesaid, That at the first meeting of the Council and Assembly after the first day of January in the year of our Lord one thousand seven hundred and ninety eight, and at the first meeting thereof after the first day of January in each and every subsequent year during the continuance of this Act, the House of Assembly shall proceed to nominate and appoint, with the approbation and concurrence of the Council, three fit persons for each parish, and for the island of Carriacou, and the other Grenadines, who shall serve as guardians of and to the slaves belonging to the respective parishes, and the Islands for which such guardians shall be so nominated and appointed; and also three persons, being freeholders, resident in the town of Saint George, as guardians of and to the slaves within the said town; and the clerk of the Assembly shall publish in the first gazette or public newspaper to be printed after such nomination and appointment, the names of the several guardians so appointed.

## Clause XVI.

Oath to be taken by the guardians.

And be it enacted by the authority aforesaid, That the guardians of Slaves herein-after named and appointed, within ten days after the publication thereof, and all guardians of slaves within ten days after such notice of their appointment being given as aforesaid, and before they proceed on the execution of their office, shall apply themselves to some justice of the peace, and before him take the following oath:

“ I, *A. B.* do Swear, That I will diligently, truly, faithfully, and impartially perform the office of a Guardian of Slaves, in the parish of  
 “ [or, the town of Saint George] for which I am appointed  
 “ this present year, and will not, for favour and affection, on any consideration whatsoever, excuse any person or persons offending against  
 “ or neglecting his her or their duty, as enjoined by an Act, intituled,  
 “ An Act for the better protection, and for promoting the natural increase  
 “ and population of Slaves within the Island of Grenada, and such of  
 “ the Grenadines as are annexed to the Government thereof; for compelling an adequate provision for and care of them, as well in sickness  
 “ and old age as in health; and for constituting and appointing Guardians  
 “ to effectuate and carry into execution the regulations and purposes of  
 “ this

“ this Act ;” nor will I, for hatred, malice, ill-will or partiality, prosecute, present or punish any one, but in all things will comply with and conform to the directions, orders and duty enjoined me by the said Act, according to the best of my understanding, skill, power, and judgment.  
So help me G O D.”

GRENADA.

Which said oath every justice of the peace, on application to him for that purpose made by the guardian, is hereby authorized and required to administer and transmit, within ten days afterwards, a certificate thereof, to be filed in the secretary's office : And if any guardian so nominated, and having such notice of his nomination as aforesaid, shall refuse to act in his said office, or shall neglect or refuse to be sworn as aforesaid, or who being sworn and acting, shall neglect his duty, or abuse the powers by this Act vested in him, he shall for every such offence forfeit fifty pounds current money, to be recovered in the court of King's Bench and Grand Session, by indictment or information, to be paid into the public treasury for the public uses of the colony ; and any person having served the office of guardian for one year shall not be compelled or compellable to serve the same office again, until the expiration of two years thereafter, and in the mean time, until such appointment of guardians can be made as aforesaid.

Penalty on guardian refusing to act, or to be sworn, &c.

Guardians having served one year, not compellable to serve again until the expiration of two years.

And be it enacted by the authority aforesaid, That, for the town of *St. George*,—The honourable Alexander Cockburn, John Orr, and William Arnold, Esquires : For the parish of *St. George*,—The honourable Alexander Scott, John Ross, and Wilson P. Richardson, Esquires : For the parish of *St. David*,—The honourable Samuel Mitchell, James Hay, and Henry Palmer, Esquires : For the parish of *St. Andrew*,—Thomas Robertson, Isaac Horsford, and James Campbell, junior, Esquires : For the parish of *St. Patrick*,—John Harvey, Nicholas Herbert, and Alexander Fraser, Esquires : For the parish of *St. Mark*,—Alexander Campbell, Gordon Turnbull, and William Sandback, Esquires : For the parish of *St. John*,—John Haye, James Mays, and Alexander Brander, Esquires : For the Island of *Carriacou*, and the other Grenadines,—William Arbuthnot, Andrew Whiteman, and John Bell, Esquires, shall be and they are hereby appointed guardians of and to the slaves within their respective districts, and shall take the same oath of office, and act and discharge the duty of guardians in the same manner and under the same penalty, to be recovered and applied in the same manner as if they were guardians nominated and appointed in manner prescribed by this Act.

Clause XVII.  
Guardians appointed.

And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said guardians, or any two of them in their respective districts, and they are hereby authorized and required once in every six months, (except the guardians hereinbefore named and appointed, who are hereby authorized and required within the first three months), and at all other times when any complaint or information shall appear to render their presence necessary, to visit the several estates and plantations within their respective districts, and to hear and enquire into the complaints, and enquire into and inspect the grounds, clothing, lodging, maintenance, and treatment of the slaves within their respective districts, and into the state and condition of furniture and conveniences of the hospital ; and for a more effectual discovery of the truths with respect to the cloathing, lodging, feeding and maintenance of the Slaves, as well in sickness as in health, shall examine the manager and principal overseer, and the surgeon or medical attendant on such estate or plantation, and all other persons likely to be able to give testimony, if from any suspicious circumstances or circumstance it shall appear necessary to a majority of the said guardians, touching the same, after having first administered to such manager, principal overseer, or other free person, an oath of the following tenor :

Clause XVIII.  
Guardians required once in every six months to visit the estates in their several districts, to hear and enquire into the complaints, and to inspect the grounds, &c. of the slaves.  
And to examine manager, &c. respecting any suspicious circumstance relative to their treatment, &c.

“ I, *A. B.* will true answer make to all such questions as shall be put to me, touching the numbers, ages, cloathing, feeding, maintenance, and treatment of the Slaves upon and belonging to the estate of  
[or, within the town of *St. George*]. So help me GOD.”

Oath to be administered to manager, overseer, &c.

And if any manager, principal overseer, or other white or free person, shall refuse to be sworn, or when sworn, to answer such questions as shall be put to him relative to the several matters mentioned in the said oath, he shall forfeit fifty pounds, to be recovered in the manner hereinafter mentioned, and to be paid into the treasury, for the public uses of the colony : And in case of the wilful and corrupt perjury of any such

Penalty for refusing to be sworn.

## GRENADA.

such white or free person, he shall and may be prosecuted by presentment, indictment or information, and be punished as in cases of wilful and corrupt perjury at common law; and if, on enquiry into the complaint or complaints made by any of the slaves of any estate, plantation or town, or on view, or from the examination of the manager, principal overseer, or such other white or free persons or otherwise, it shall appear to the said guardians in their respective districts, or any two of them, that any offence hath been committed against this Act, then and in every such case they are hereby authorized and strictly required, without delay, by all or some of the ways and means hereby in that respect provided, to sue and prosecute the offender and offenders for the recovery of such penalty or penalties, or to such punishment or punishments as is or are by this Act annexed to the offence or offences by him or them committed; and all suits and prosecutions carried on by or in the names of the said guardians, any one or more of them, with the approbation of two of them at least, shall be maintained by the public, and the expenses attending the same defrayed out of the public treasury.

## Clause XIX.

Persons manumitting slaves to pay 100*l.* in the public treasury.

And whereas the manumitting and setting free slaves, deceased, blind, aged or otherwise disabled from working, without making provision for their sustenance and comfort, ought to be prevented, as it obliges them to ramble about and beg for subsistence, which frequently compels them to the necessity of robbing and stealing, and leads them to other bad practices to support themselves:

And whereas it is also necessary to discourage the too frequent and indiscriminate manumission of slaves, without a sufficient provision being made for their support; BE it therefore enacted by the authority aforesaid, That from and after the publication of this Act, it shall not be lawful for any person or persons to manumit or set free any slave or slaves belonging to him her or them, without first paying in to the treasurer of these Islands for the time being, the sum of one hundred pounds current money, for each and every slave so manumitted; and the treasurer is hereby directed and required to certify on the back of the manumission, that such sum has been to him paid; and no manumission executed after the publication of this Act, without such certificate, shall be of any force or validity whatsoever.

## Clause XX.

And be it enacted by the authority aforesaid, That each and every person so manumitted, shall be entitled to receive an annuity of ten pounds, current money, to be paid by the treasurer, one moiety every six months, who is hereby authorized and required to pay the same for and during the natural life of such person or persons so manumitted, and set free as aforesaid.

## Clause XXI.

And be it further enacted by the authority aforesaid, That in case any person or persons so manumitted as aforesaid, shall be absent from this government, he she or they shall be entitled to receive such annuity as aforesaid, upon transmitting or producing to the treasurer of these islands, a certificate from the rector of the parish where such person or persons may actually reside, or from any of His Majesty's justices of the peace in such parish, island, or place, of him her or them, being then alive, and conducting or behaving him her or themselves as peaceable and good subjects, and such certificate shall be a sufficient warrant to the treasurer for the time being to pay the annuity, or arrears of annuity as aforesaid.

## Clause XXII.

Penalty on persons manumitted, being convicted of any heinous offence or disorderly conduct.

And be it enacted by the authority aforesaid, That in cases of any heinous crime, misdemeanor, or other disorderly conduct of any such person or persons so manumitted and set free, on conviction thereof, on the oath of one or more credible witness or witnesses, before any three of His Majesty's justices of the peace, such person or persons so offending shall forfeit to His Majesty, his heirs and successors, the whole of such annuity, or so much thereof as the said justices in their judgment may think proper, in proportion to the heinousness of the offence committed; such forfeiture to be applied to the public uses of this government.

## Clause XXIII.

Persons whose usual residence has been in this government and obtaining a manumission in any other place, deemed void, until the sum of 100*l.* be paid by every such person into the treasury.

And be it further enacted by the authority aforesaid, That if any person or persons, whose usual residence has been in this government, shall at any time after the publication of this Act, be manumitted or set free by any deed of manumission, executed in any other place than within this government, such manumission shall be and is hereby declared to be null and void in this government, to all intents and purposes whatsoever, any law custom or usage to the contrary in anywise notwithstanding, until the sum of one hundred pounds be by each and every such person so manumitted, paid into the hands of the treasurer as aforesaid, which shall

## THE TREATMENT OF SLAVES.

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shall entitle the person paying the same to receive the annual sum of ten pounds, as hereinbefore mentioned.

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And be it enacted by the authority aforesaid, That all penalties and forfeitures in this Act mentioned, the recovery and application whereof have not already been declared, shall be recovered in the said court of Common Pleas, by action of debt, bill, plaint, or information, and paid into the hands of the public treasurer for the public uses of this colony.

Clause XXIV.  
How penalties and forfeitures are to be recovered.

And be it enacted by the authority aforesaid, That if any guardian of slaves shall be sued or molested for any thing done by virtue of this Act, he shall and may plead the general issue, and give this Act and the special matter in evidence: And if the plaintiff be nonsuited or discontinues his action, or a verdict be found against him, he shall pay treble costs of suit: And this Act shall be deemed a Public Act; and all judges, justices, and jurors, are to take notice thereof accordingly, without specially pleading the same.

Clause XXV.  
Guardians being sued or molested, to plead the general issue.

And be it enacted by the authority aforesaid, That this Act shall be and remain in force from the publication thereof, for and during the term of two years thereafter, and until some further or other provision shall be made by the Legislature for the purposes of this Act.

Clause XXVI.  
Duration of the act.

\* \* The 20th, 21st, and 22d Clauses of this Act, as well as a part of the 23d, have been repealed by an Act of the Legislature of the 25th October 1806.

AN ACT to repeal so much of an Act, commonly called "The Guardian Act," as gives an annuity of Ten Pounds to any Slave manumitted, according to the direction of that Act; and for certain other purposes. [25 October 1806.]

WHEREAS by the twentieth clause of a certain Act of this Island, intituled, "An Act for the better protection and for promoting the natural increase and population of slaves within the Island of Grenada, and such of the Grenadines as are annexed to the government thereof, for compelling an adequate provision for and care of them, as well in sickness and old age as in health, and for constituting and appointing guardians to perpetuate and carry into execution the regulations and purposes of this Act;" it is enacted, That each and every slave so manumitted shall be entitled to receive an annuity of ten pounds current money, to be paid by the treasurer, one moiety every six months, who is thereby authorized and required to pay the same for and during the natural life of such person or persons so manumitted and set free as aforesaid: BE it enacted by his excellency Frederick Maitland, governor and commander in chief in and over the Island of Grenada, and such of the Islands commonly called The Grenadines, to the southward of the Island of Carriacou, including that Island, the members of His Majesty's council, and the representatives of the people of the said Islands in general assembly convened; and it is hereby enacted by the authority of the same, That the aforesaid twentieth clause, and also the twenty-first clause of the said act, and also so much of the twenty-third clause of the said Act, as entitles the person paying the sum of one hundred pounds, as in the said last-mentioned clause is mentioned, to receive the annual sum of ten pounds as thereinbefore mentioned, shall be and are hereby declared to be repealed, null and void to all intents and purposes whatsoever: Provided always, that nothing herein contained shall be construed to deprive any person or persons who have already paid into the said treasurer's hands the sum of one hundred pounds as required by the said Act, of the annuity to which he or she or they are hereby declared entitled.

Preamble.

Clause I.

The 20th, 21st and part of 23d clauses of the before recited act to be repealed.

Proviso.

And be it further enacted by the authority aforesaid, That every owner manumitting his or her slave shall pay to the treasurer of these Islands the sum of one hundred pounds current money, for each and every slave so manumitted, in manner required by the aforesaid Act; and no manumission that has been given since the passing and publication of the aforesaid Act, nor that shall hereafter be given by

Clause II.  
Every owner manumitting his slave to pay to the treasurer of the island 100 £.  
And no manumission will be admitted any

**GRENADA.**

until a certificate of the money paid, is entered on the manumission, and recorded in the register's office.

any owner to any such slave, shall be admitted as evidence in any court, of his or her freedom, unless there shall be a certificate by the treasurer aforesaid on such manumission of the aforesaid sum of one hundred pounds having been paid, and the same manumission shall have been duly recorded in the register office of this Island.

**Clause III.**

No other evidence of freedom will be received unless by such certified manumission. Or a copy thereof from the register's office, if the original is lost.

And be it further enacted by the authority aforesaid, That no other evidence of the freedom of any person pretending to have obtained such, since the ninth day of December one thousand seven hundred and ninety-seven, shall be received in any court other than such manumission so certified by the treasurer as aforesaid, or in case of such manumission being lost, a copy thereof from the said register's office.

**Clause IV.**

Deemed a Public Act.

And be it further enacted, That this shall be taken and deemed to be a Public Act.

Passed the Council, this fifteenth day of August, in the year of our Lord one thousand eight hundred and six.

(Signed) *Owsley Rowley*, Dep. Clerk of the Council.

Passed the Assembly, this twenty-third of October, one thousand eight hundred and six.

(Signed) *Richard T. Wise*, Clerk of the Assembly.

Dated at Grenada, this twenty-fifth day of October, one thousand eight hundred and six.

(Signed) *John Ross*, Speaker.

Assented to by his Excellency the Governor and Commander in Chief, this twenty-fifth day of October, in the year of our Lord one thousand eight hundred and six.

*Owsley Rowley*, Dep. Clerk of the Council.

Duly proclaimed at the town of St. George, in the Island of Grenada, this twenty-seventh day of October, one thousand eight hundred and six.

(Signed) *John White*, Dep. Prov. Mar.

(Signed) *Frederick (L. M. S.) Maitland*.

## JAMAICA.

AN ACT to repeal "An Act for the better order and government of the Negroes belonging to the several Negro Towns, and for preventing them from purchasing of Slaves; and for encouraging the said Negroes to go in pursuit of runaway Slaves, and for other purposes therein mentioned;" and for giving the Maroon Negroes further protection and security; for altering the mode of trial, and for other purposes.

[9th December 1791.]

WHEREAS an Act of the governor, council and assembly of this Island, intituled, "An Act for the better order and government of the negroes belonging to the several negro towns, and for preventing them from purchasing of slaves; and for encouraging the said negroes to go in pursuit of runaway slaves, and for other purposes therein mentioned," is found to be insufficient, and not to answer the purposes thereby intended, we therefore your Majesty's dutiful and loyal subjects, the assembly of this your Majesty's Island of Jamaica, do most humbly beseech your Majesty, that it may be enacted, be it therefore enacted by the lieutenant-governor, council and assembly of this your said Island of Jamaica, and it is hereby enacted and ordained by the authority of the same, That the said herein before-mentioned Act be, and the same is hereby repealed, annulled and made void, to all intents and purposes; any thing in the said herein before-mentioned Act to the contrary thereof in anywise notwithstanding.

Preamble.

Repeal of recited Act.

2. And whereas disorders frequently happen among the maroon negroes, for want of authority in the superintendent, and in the chief or other commanding officer of the said negroes, and because they are not vested with legal power to punish them; and it being necessary for the retaining those negroes in their duty and obedience, that an exact discipline should be observed, that all disorders tumults and disturbances among them may be suppressed on their first appearance, and the authors and abettors of them be brought to speedy punishment; be it enacted by the authority aforesaid, That from and after the passing of this Act, every negro resident in or belonging to any of the maroon negro towns, who shall disobey the governor's orders, or the orders of the commander in chief for the time being, or excite others to do the same, or who shall disobey the orders of the superintendent, and the chief or commanding negro officers under him, or excite others to do the same, or shall excite, cause or join in any disorder tumult or disturbance, tending to break the peace and good order of the said towns, or any of them, or who shall depart therefrom without leave of the superintendent or his assistant, in writing, or who having had leave, shall continue absent therefrom without sufficient cause, after the expiration of such leave, shall be tried for such offences by the superintendent and four negro officers of the said town (of whom the negro commanding officer shall be one) in a court to be held by the said superintendent and negro officers, and being found guilty thereof, shall suffer such punishment as by them shall be adjudged to be inflicted on the offender or offenders, such punishment not extending to life, limb, or transportation.

If maroons are disobedient, excite or join in tumults, depart without leave, or stay out longer than permitted, they are to be tried and punished by superintendent and negro officers.

3. And be it further enacted by the authority aforesaid, That the governor or commander in chief for the time being, shall, by virtue of this Act, have full power and authority to grant a general commission to the superintendent residing in or belonging to each of the negro towns, for calling and holding such courts, in order to try and punish such offender or offenders as aforesaid; and the said superintendent is hereby directed to report the proceedings of such courts martial to the governor or commanding officer for the time being, within thirty days thereafter, under a penalty of twenty pounds for each neglect.

Governor to grant a general commission to superintendents to hold courts.

They are to report proceedings to him.

4. And whereas it may happen that the superintendent and negro officers of the maroon towns shall neglect their duty therein, or be guilty of improper favour or partiality towards the offender or offenders to be tried and punished by them, be it further enacted by the authority aforesaid, That the commander in chief for the time being shall also by virtue of this Act, have full power and authority to cause such superintendent and negro officers to be tried for such neglect or partiality by a court martial.

If superintendents or negro officers are neglectful or partial, they are to be tried by a court martial.

## JAMAICA.

martial, to be appointed by him the said commander in chief, in any manner he may think proper, and whenever he may see occasion for the same; provided nevertheless, that the punishment to be inflicted in consequence of the sentence of such court martial, shall not extend further than to imprisonment for six months, or loss of commission.

On complaint of robberies, &c. by maroons, justices to issue warrants.

Slaves to be evidence against them.

They are to be tried where parochial business is usually transacted.

Justice to call in two other justices,

(who must attend or forfeit £. 20. each)

and they are to summon a jury.

Ten days between complaint and trial.

Jury to consist of twelve white men, and be sworn.

If maroon found guilty, justices may give sentence of death, transportation, &c.

Unless for rebellion, governor to confirm sentence of death or transportation, previous to execution.

Challenges must not be made, nor form objected to.

Executions to be performed publicly,

and by hanging only.

5. And whereas it is necessary to declare how and in what manner maroon negroes shall be tried for any crimes which they may hereafter commit, be it enacted by the authority aforesaid, That from and after the passing of this Act, upon complaint made on oath to any justice of the peace, of any felony, burglary, robbery, burning of houses or cane-pieces, rebellious conspiracies, compassing or imagining the death of any white person or persons, enticing away or harbouring any runaway slaves, trespasses or assaults, or any other offence whatsoever committed by any maroon negro or negroes, such justice shall issue out his warrant for apprehending such offender or offenders, and for all persons to be brought before him, or any other justice of the peace, that can give evidence; and the evidence of slaves against maroon negroes, in this and all other cases, shall be received; and if, upon examination, it appears to the justice before whom the same is taken, that there are good grounds for bringing to a public trial the maroon negro or negroes so apprehended, such justice shall thereupon issue his warrant for committing him her or them to prison, unless the offence be bailable, and good and sufficient security be given before such justice for the appearance of such maroon negro or negroes at the place where the quarter sessions are usually held; and, where there are no quarter sessions held, at the place where the parochial business is usually transacted; and shall, at the same time, bind over the witnesses to appear and give evidence against such maroon negro or negroes; and such justice shall thereupon certify to two other justices of the peace the cause of such commitment, or security being given before him as aforesaid, and require them by virtue of this Act to associate themselves to him; which such justices are hereby severally required to do, under the penalty of twenty pounds for every neglect or refusal; and the said justices, so associated, shall issue out their warrant to summon fifteen persons, such as are usually warned and impanelled to serve on juries, personally to be and appear before the said justices at the day and place aforesaid, to be expressed in such warrant, and between the hours of eight and twelve in the forenoon (provided there be at least ten days between the day on which the complaint was made and the day of trial;) when and where the said persons so summoned, are hereby required severally to attend, under the penalty of five pounds, and when and where the said justices shall cause the said maroon negro or negroes, so complained of, to be brought before them; and thereupon the first twelve of the said persons, so summoned as aforesaid, who shall appear, shall compose a jury to try the said maroon negro or negroes, and shall by the said justices be sworn to try the matter before them, and to give a true verdict according to evidence: and, the charge or accusation being read, which shall be deemed valid if sufficient in substance, if the said jurors shall, upon hearing the evidence, unanimously find the said maroon negro or negroes guilty of the offence wherewith he she or they stand charged, the said justices shall give sentence of death without benefit of clergy, or transportation, or public whipping, or confinement to hard labour for a limited time not exceeding twelve months, according to law, and shall cause such sentence to be carried into execution at such time and place as they shall think proper, women with child only excepted, whose execution shall be respited until a reasonable time after delivery: provided always, that in all cases where sentence of death or transportation shall be passed (excepting for rebellious conspiracies,) execution shall be respited until the pleasure of the commander in chief shall be signified thereon; and the said justices are hereby empowered to respite the execution of any sentence whatever, until the pleasure of the commander in chief shall in like manner be signified, in case proper cause shall appear to them for so doing.

6. And be it further enacted, That no challenge of any of the said jurors, unless reason be assigned, which reason the court shall determine whether to admit or reject, and no exception to the form of the charge or indictment, shall be allowed: and that in all cases where the punishment of death is inflicted, the execution shall be performed in a public part of the parish, and with due solemnity; and care shall be taken by the gaoler or deputy-marshal that the criminal is free from intoxication at the time of his trial, and from thence to and at the time of his execution, under the penalty of five pounds; and the mode of such execution shall be hanging by the neck, and no other, and the body shall be afterwards disposed of in such manner

as the court shall direct: and provided also, that where several maroon negroes are capitally convicted for the same offence, one only shall suffer death, except in cases of murder or rebellion.

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Only one to suffer for the same offence.

7. And be it further enacted by the authority aforesaid, That in all cases where the punishment is confinement to hard labour for a limited time in any public workhouse, it shall not be lawful for the superintendent or overseer of such workhouse to cause a maroon negro to be chained to a slave, but that he shall cause him to be confined to work within doors, with other free negroes.

Maroons not to be worked with slaves.

8. And be it further enacted by the authority aforesaid, That in case any maroon negro or negroes, or slave or slaves, shall wilfully, and with evil intent, give false evidence, on any trial had under this Act, such maroon negro or negroes, or such slave or slaves, being thereof convicted, shall suffer such punishment as the court shall think proper to inflict.

Court to inflict punishment for false evidence.

9. And be it further enacted by the authority aforesaid, That a record shall be entered up of all proceedings on the trial of maroon negroes, in a book kept for that purpose by the clerk of the peace for the parish or precinct where the trial was, or his lawful deputy; who is hereby obliged to attend all such trials, and to record the proceedings within five days after such trial, and to deliver an attested copy thereof to the superintendent, in order that the same may be forwarded to the commander in chief for the time being, under the penalty of twenty pounds for each neglect; and he shall be entitled to receive, from the churchwarden of such parish, the sum of five pounds, and no more, for attending each trial, entering up the record, delivering an attested copy thereof, and all other business incidental thereto: and further, that the deputy-marshal for the said parish or precinct, or some proper person acting under him, to be approved of by the presiding justices, shall also be obliged to attend such trial, under the same penalty of twenty pounds for each neglect, to be levied on the goods and chattels of the said deputy-marshal; and that he shall be entitled to receive from the churchwardens of such parish, five pounds, for attending at the trial and execution of such offenders as shall be condemned to die or to be publicly whipped: provided always nevertheless, that in all cases where any maroon negro or negroes, shall be apprehended and brought before a justice of the peace, on a complaint made before him, on oath, of any crime or offence committed by such maroon negro or negroes, and, after examination taken before him respecting the same, if the superintendent of the maroon town, to which such maroon negro or negroes shall belong, shall make application to such justice to have such offender or offenders tried in the principal town of the county in which such crime or offence shall be committed; or in case such justice of the peace before whom such offender or offenders shall be brought, shall himself think it proper to have such maroon negro or negroes tried in such county town as aforesaid, then, or in either of the said cases, it shall and may be lawful for such justice to take good and sufficient security for the appearance of such offender or offenders at the court-house of such county town as aforesaid, on such day as justice shall appoint, not exceeding one calendar month from the time of taking such security, then and there to take his trial before a jury of twelve men of the parish or precinct in which such county town shall be situate; which jury shall be summoned, and which trial shall be proceeded on, in such and the same manner as is hereinbefore directed in respect to trials of any maroon negro or negroes for crimes or offences, to be tried in the parishes in which such maroon town or towns are situated as aforesaid; and the witnesses shall, in like manner, give security then and there to appear, prosecute and give evidence, against such offender or offenders; and in case sufficient security shall not be given for such the appearance of the offender or offenders, witness or witnesses, it shall be lawful for such justice, and he is hereby required, to commit to the gaol of the county where such crime or offence shall be committed, all and every such maroon negro or negroes, witness or witnesses; and the said justice is hereby required immediately afterwards to transmit the proceedings so had before him to the clerk of the peace of such county town as aforesaid, that he may be enabled to prosecute according to law; any thing in this Act to the contrary hereof in anywise notwithstanding: provided also, that the expenses of such trials in such county towns as aforesaid, shall be borne by the Island at large, and paid by the receiver general out of any monies in his hands unappropriated.

Records to be kept by clerk of peace

who must attend trials, record proceedings in five days, and deliver a copy, under penalty of £. 20.

He is to be paid £. 5.

Deputy marshal to attend at trials and executions, under penalty of £. 20.

and be paid £. 5.

When it is deemed necessary, maroons may be tried in the county towns.

Security to be given for their appearance there in a month.

If security not given, justice may commit offenders and witnesses.

Expenses of trials to be paid by the public.



## JAMAICA,

Superintendent, &c. not to permit any large assembly of slaves in the day, nor any meetings in the night,

under pain of being broke.

Complaint to be made in ten days.

Maroons inveigling or harbouring slaves, to be transported.

If they quit their towns without leave, or stay out seven days beyond their time, the marshal of the precinct, under penalty of £. 20. to send them home for trial.

Slaves purchased by them to be forfeited.

Persons selling slaves to them, or buying any in trust for them, to forfeit £. 100.

How superintendents are to proceed, on parties being sent out.

10. And whereas it has been found by experience, that a large concourse of slaves belonging to different plantations is dangerous, and that nightly meetings tend much to injure the health of negroes; be it therefore enacted by the authority aforesaid, That if any superintendent, or, in his absence, any negro maroon officer, having the command of any negro town, shall knowingly suffer and permit a large concourse of slaves in the day time or nightly meetings of slaves, in the said town or settlements belonging thereto, and shall not make every exertion in his power to prevent the same, the said superintendent or negro maroon officer, shall, upon complaint thereof to the commander in chief, by any two justices of the peace for the precinct in which such negro town is included, be tried by a court martial, to be appointed by the commander in chief; and, if convicted of the offence, such superintendent or maroon negro officer shall be broke, and another appointed in his place by the commander in chief: provided always that nothing herein contained shall be construed to prevent the maroon negroes from having dances among themselves in the night, or even with a small number of the slaves of neighbouring plantations, provided it be between sun-rise and sun-set: and provided nevertheless, that the information shall be given to the commander in chief, on oath, and within ten days after such unlawful meeting.

11. And whereas several of the maroon negroes have frequently endeavoured to create factions and disputes among some of the slaves belonging to different plantations, and to persuade and entice others to run away from their owners, contrary to the articles upon which they surrendered; be it further enacted by the authority aforesaid, That any of the negroes, belonging to any of the negro towns in this Island, who shall entice or persuade any slave or slaves to run away from their several and respective owners, or receive and harbour any runaway slaves, and be thereof convicted in manner and form as aforesaid, shall be transported off this Island.

12. And whereas several of the negroes belonging to the negro towns have frequently left their several towns, and continued absent from them a considerable time, without the leave of their commanding officer, or, having had such leave, have not returned in the time prescribed to them, but have rambled about in the several parishes of this Island, and been harboured and concealed in divers places; for prevention of which, be it enacted by the authority aforesaid, That from and after the passing of this Act, every negro, belonging to any of the negro towns, who shall absent himself or herself from the town to which he or she belongs, without leave of the superintendent or his assistant in writing, or who, having had leave, shall continue absent therefrom for the space of seven days after the expiration of such leave, upon complaint thereof made on oath to any magistrate of the parish where he or she shall happen to be at that time, shall be committed to the marshal of the parish or precinct where he or she shall be taken, and shall be sent (at the expense of the country) by him, under a penalty of twenty pounds, to the negro maroon town to which he or she shall belong, in order to be brought to trial for such offence in manner and form as aforesaid.

13. And whereas some of the negroes, formerly in rebellion, have purchased slaves; and it is apprehended, that more slaves may be bought by them, which may be of ill consequence to this Island, if not prevented; be it therefore enacted by the authority aforesaid, That no negro, belonging to any of the negro towns in this Island, shall purchase or buy any slave or slaves whatsoever, under the penalty of forfeiting such slave or slaves to his Majesty; and if any merchant, factor or other person whatsoever, shall knowingly sell or give any slave or slaves to any negro belonging to either of the negro towns in this Island, or to any other person in trust for or to the use of the aforesaid negroes, every such merchant, factor or other person shall, for every negro so sold or given, forfeit the sum of one hundred pounds; and every person who shall purchase or be concerned in the purchase of any slave or slaves, in trust for any of the said negroes belonging to the said negro towns, shall forfeit the like sum of one hundred pounds.

14. And be it further enacted by the authority aforesaid, That the superintendent of each and every the negro towns in this Island shall, as often as he sends out any party on duty, give his orders in writing to the commanding officer of such party, specifying at whose request such party is ordered out, the names of the officers and men composing such party, and the time when such party is to return; and that, on the return of such party, the superintendent in the town from whence such party was sent.

sent out, shall and he is hereby obliged to make oath, on the back of such order or orders, that the service on which such party or parties were sent out, was duly performed, or as the circumstances of the case may happen to be; which oath any magistrate is hereby authorized and empowered to administer: provided always, that no superintendent shall order any party to remain out at any time exceeding twenty days.

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Not to be sent out for above twenty days.

15. And be it enacted by the authority aforesaid, That a reward, not exceeding forty shillings, besides mile money, shall be paid for every runaway negro or other slave taken by them while on party; and a reward, not exceeding twenty shillings, for every runaway taken by a maroon or maroons when not on party; which rewards shall be adjudged by any magistrate; and if the owner or owners, or person having the charge of such runaway negro or other slave so taken by a maroon or maroons, shall refuse to pay the reward and mile money so adjudged, any magistrate is hereby authorized and directed, under a penalty of twenty pounds, on complaint thereof being made on oath by the superintendent of the town to which such maroon or maroons shall belong, to issue a distress warrant, directed to the constable of the precinct, to levy on the goods and chattels of the owner or owners of such runaway negro or other slave; any law custom or usage to the contrary in anywise notwithstanding: provided always, that no maroon shall be entitled to receive more money than one shilling per mile for the first five miles, and sixpence for every mile exceeding that, either to the next workhouse, or to the proprietor's house next adjoining the spot where he took up the negro or other slave.

Maroons to have 40 s. and mile money for every runaway they take while on parties; and 20 s. for those taken when not on parties. If payment refused, magistrate, under penalty of £. 20. to issue a distress warrant.

Rates of mile-money, they are to be paid.

16. And whereas it often happens, that maroon negroes are hired or employed by white people, and find great difficulty in recovering their just demands, for want of sufficient legal evidence; for remedy whereof, be it further enacted by the authority aforesaid, That from and after the first day of March next, it shall not be lawful for any white person or persons whomsoever, to hire work or employ in his her or their service, in any capacity whatsoever, any maroon negro or negroes, without first entering into a written agreement with such maroon or maroons, two parts of which shall be signed by both parties, or their mark or marks affixed thereto; and such agreement to be signed and subscribed by one credible white person as witness, one of which shall be delivered to the maroon negro or negroes, and the other kept by the person or persons so hiring or employing him her or them; and in case any maroon negro or negroes, hired or employed by any white person or persons, shall, from and after the said first day of March next, be found in such employ without such written agreement, such white person or persons shall forfeit the sum of twenty pounds.

White people not to employ maroons without written agreement, under penalty of £. 20.

17. And be it further enacted by the authority aforesaid, That all debts due to or from maroon negroes, shall be determined by two magistrates in as summary a manner as is directed by the one hundred and eleventh Act of this Island, to decide all differences between masters and servants.

Debts owing to or from maroons, to be settled as directed by 9 Geo. II, cap. 9.

18. And whereas it is proper and necessary that maroon negroes should be protected in their persons against the violence of evil disposed white persons and free persons of colour, be it therefore enacted, That from and after the passing of this Act, any person or persons whatsoever that shall whip, beat, bruise, wound or ill treat any maroon negro or negroes, shall be liable to a prosecution by indictment for the same, at the court of quarter sessions of the parish or precinct where the offence happens; and upon being thereof legally convicted, he she or they shall suffer such punishment by fine or imprisonment, or both, as such court shall think proper to inflict, any law custom or usage to the contrary notwithstanding.

If white or free persons assault maroons, they may be prosecuted.

19. And be it further enacted by the authority aforesaid, That the superintendent of each and every of the negro towns shall, once in every three months during the continuance of this Act, make a return on oath to the governor or commander in chief for the time being, of the number of negroes residing in each of their respective towns, setting forth particularly the number of men capable of bearing arms, as also those unfit for duty, the number of women and children, their increase and decrease, the condition of the house in which such superintendent resides, together with the condition of the roads leading from the negro towns to the settlements.

Superintendent to make quarterly returns;

## JAMAICA.

and not be absent from his town above a fortnight without leave.

20. And be it further enacted by the authority aforesaid, That the superintendent of each and every of the negro towns shall actually reside in the town of which he is superintendent; and that on no pretence whatsoever he be absent therefrom for a longer time than a fortnight, without leave of the governor or commander in chief for the time being.

If he fails in those respects, he may be broke.

21. And be it further enacted by the authority aforesaid, That if the superintendent of a negro town shall neglect his duty, by not making a return as aforesaid, or by absenting himself without leave as aforesaid, he shall be subject for such offence to be tried by a court martial, to be appointed by the governor or commander in chief for the time being, and if found guilty thereof, shall be broke, and another person appointed in his place.

Maroons to repair roads,

being paid,

not exceeding £.50. per annum for each town.

22. And whereas the roads leading to many of the negro towns are great part of the year very bad, and sometimes almost impassable, be it enacted by the authority aforesaid, That the negroes belonging to each of the negro towns shall, once every year, repair the roads leading to their respective towns and settlements, when they shall be so ordered by their superintendent; and as an encouragement to the said negroes to amend and keep the said roads in repair, the receiver-general for the time being shall pay to each negro man belonging to the said towns, who shall be employed in making and repairing the roads leading to the said towns, three ryals per day, oath being first made by the superintendent, of the number of negroes actually employed, and the time they worked on the said road: provided always, that such pay do not exceed the sum of fifty pounds to each negro town in each year.

Maroon parties to be paid as herein specified,

and have provisions and ammunition.

Not more than twelve men to be in each party.

23. And whereas the sending out parties of negroes belonging to the several negro towns, to scour the woods, and take up runaway slaves, will be of great ease and advantage to the planters and white inhabitants of the island; be it enacted by the authority aforesaid, That as an encouragement to the said parties to be diligent in the said service, there shall be paid by the receiver-general for the time being, to the officer among the negroes in each party in the rank of a captain, two shillings and sixpence per day; for lieutenant, one shilling and three pence per day; and every common man, one ryal per day, when on actual duty, and no longer; and that each party ordered out shall be supplied with a proportionable quantity of provision, and ammunition requisite for the service they shall be sent on, by the superintendent of the town sending out such party; the amount of which attested on oath, shall be paid by the receiver-general for the time being to such superintendent: provided always, that no party shall consist of more than twelve men, including officers, except on particular occasions.

When maroons wish to live out of the negro towns, they are to resign their lands at quarter sessions.

24. And whereas the number of maroon negroes hath of late years greatly increased; in consequence of which increase, the lands granted to them will soon be unable to provide for their support and maintenance; be it enacted by the authority aforesaid, That it shall be lawful for any maroon negro or negroes to appear in person before the justices of their precinct, at the time they shall preside at any of the courts of quarter sessions, and there and then publicly and solemnly to declare that he she or they are desirous and willing to give up any right he she or they may have to any part of the lands which have been granted to the maroon negroes, and that he she or they are desirous and willing to reside in any other part of the Island, except in any of the maroon towns.

Magistrates to have their declaration recorded, and under penalty of £.20. give them a copy of it.

25. And be it further enacted by the authority aforesaid, That in consequence of such public and solemn declaration as aforesaid, the said justices shall be authorized and empowered to cause a record thereof to be entered in the books of the clerk of the peace of the said precinct; a copy of which record the said justices are hereby directed under a penalty of twenty pounds, to deliver to the said maroon negro or negroes, under their hand and seal, and attested by the clerk of the peace, who shall only be entitled to a fee of five shillings.

They are then to be no longer subject to the superintendent, but enjoy the privileges of free people.

Men must enlist in the militia.

26. And be it further enacted by the authority aforesaid, That every such person having made such a declaration, and being possessed of the copy of such a record as aforesaid, shall be entitled to every right and privilege of a free person of colour, and shall no longer be subject to the command or controul of any superintendent or maroon officer in the Island; any law custom or usage to the contrary thereof in anywise notwithstanding: provided always, that in case such person a male, be of age,

age, and if that he shall, within twenty days after such declaration, cause himself to be enrolled in the militia of the precinct wherein he intends to reside.

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27. And be it further enacted by the authority aforesaid, That this Act be read and explained once every three months, by the superintendent residing in each of the negro towns, to the negroes therein.

This Act to be explained to maroons, quarterly.

28. And be it further enacted by the authority aforesaid, That the complainant and complainants, defendant and defendants, and all and every person or persons, bound or warned to serve as jurors, or summoned as witnesses by virtue of this Act, shall be protected in their persons from all mesne and judicial process, in their going to, attending at, and returning from the said trial.

Persons of jurors, &c. protected.

29. And be it further enacted by the authority aforesaid, That in case of a sentence for transportation, the justices presiding at the trial shall order the offender or offenders to be transported off this Island by the receiver-general for the time being, and sold; and the money arising from such transportation and sale to be to our sovereign lord the King, his heirs and successors, for and towards the support of the government of this Island, and the contingent charges thereof: and in case such offender so transported, shall return to this Island, and be thereof convicted, such offender shall suffer death without benefit of clergy.

Maroons sentenced to be transported, are to be sold by receiver-general.

If they return, they suffer death.

30. And be it further enacted by the authority aforesaid, That all penalties in this Act mentioned, and not already declared how they shall be recovered and applied, shall, if not exceeding twenty pounds, be recovered in a summary manner, before any two of his Majesty's justices of the peace, by distress and sale of the offender's goods and chattels; and if exceeding twenty pounds, to be recovered in the supreme court of judicature of this Island, or in either of the courts of assize, by action of debt, bill, plaint or information, wherein no essoign, protection, wager at law, or *non vult ulterius prosequi* shall be entered, one moiety of which penalties shall be to our sovereign lord the King, his heirs and successors, for and towards the support of the government of this Island, and the contingent charges thereof, and the other moiety to the informer, or him her or them who shall sue for the same.

Recovery and application of penalties.

31. And be it further enacted and declared by the authority aforesaid, That nothing in this Act contained be expounded, construed or understood to diminish, alter or abridge the power of the lieutenant-governor or commander in chief for the time being; but that in all things, and upon all occasions, he may act as fully and freely as governor and commander in chief, to all intents and purposes, as if this Act had never been made; any thing in this Act to the contrary notwithstanding.

This Act not to abridge the governor's power;

32. Provided also, and it is hereby enacted and declared by the authority aforesaid, That nothing in this Act, or any clause therein contained, shall be deemed, construed or understood to give any governor or commander in chief any power or authority for the sending any person or persons off this Island against their will, or to do any other act or thing contrary or repugnant unto the known laws of England or of this Island.

but he cannot send any persons off the island against their will.

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AN ACT to repeal an Act, intituled, "An Act to regulate the sales of newly imported Negroes, and to prevent, as far as possible, the separation of different branches of the same family;" and to regulate the sales of newly imported Negroes; and to prevent as far as possible, the separation of different branches of the same family. [10th May 1792.]

WHEREAS inconveniences have arisen by selling cargoes of new negroes in the manner directed by an Act, intituled, "An Act to regulate the sales of newly imported negroes, and to prevent as far as possible, the separation of different branches of the same family;" we, your Majesty's dutiful and loyal subjects, the assembly of this your Majesty's Island of Jamaica, do most humbly beseech your Majesty, that it may be enacted; be it therefore enacted, by the lieutenant-governor, council and assembly of the said Island, and it is hereby enacted and ordained by the authority of the same, That the above recited Act be and it is hereby repealed and made void, and the same is hereby repealed, made void and annulled, to all intents and purposes whatsoever; any thing in the said law contained to the contrary in anywise notwithstanding.

Preamble.

Repeal of recited Act.

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New negroes not to be sold on board vessels, but a proper place to be procured on shore for the sale, under penalty of £.500.

2. And be it further enacted by the authority aforesaid, that from and after the passing of this Act, no merchant, factor, supercargo, or consignee of any cargo of slaves, arriving in any of the ports of this Island, shall hereafter expose such cargo to sale on board the ship or other vessel in which the same is imported; but shall procure or hire, or cause to be procured or hired, a proper and commodious house, or covered inclosure or shed, which shall be well and sufficiently aired and lighted, wherein the said slaves shall be arranged for sale; under the penalty of five hundred pounds.

Factor to swear that he has classed relations together.

3. And in order to prevent as far as possible, the separation of different branches of the same family, be it further enacted, that the merchant or factor by whom the sales are conducted, shall on clearing the ship or other vessel, and paying the duties, make oath, under a like penalty, that in the sale, he has done his utmost to class and sell together, mothers and their children, and brothers and sisters.

Recovery and application of penalties.

4. And be it further enacted, by the authority aforesaid, that the penalties laid by this Act, shall be recovered by bill plaint or information, in the supreme court of judicature of this Island, by any person who shall sue for the same; wherein no essoign, imparlance, or wager of law, or *non vult ulterius prosequi*, shall be granted or allowed: the half of such penalties to be to our sovereign lord the King, his heirs and successors, for and towards the contingent charges and expenses of this Island, and the other half to the informer, or the person who shall sue for the same.

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AN ACT to repeal certain Acts and clauses and parts of Acts therein mentioned, to prevent the hiding, concealing, inveigling, detaining, knowingly harbouring or employing the Slaves of others; to prevent the transportation of Slaves by mortgagers and tenants for life and years; and for regulating abuses committed by Slaves. [11th December 1795.]

## Preamble.

WHEREAS an Act of the lieutenant-governor, council and assembly of this Island, intituled, "An Act to repeal an Act, intituled, "An Act to prevent the enticing or inveigling of slaves from the possessors, and for the preventing the transportation of slaves by mortgagers and tenants for life and years; and for regulating abuses committed by slaves;" and also one other Act, intituled, "An Act to inflict further and other punishments on the transgressors of two several Acts, the one intituled, "An Act for the better order and government of slaves;" and the other intituled, "An Act to prevent the enticing or inveigling of slaves from the possessors; and for the preventing the transportation of slaves by mortgagers and tenants for life and years; and for regulating abuses committed by slaves;" and also one other Act, intituled, "An Act to repeal part of an Act, intituled, "An Act for the better order and government of slaves;" and also of one other Act, intituled, "An Act to prevent the enticing or inveigling of slaves from the possessors, and for the preventing the transportation of slaves by mortgagers and tenants for life and years; and for regulating abuses committed by slaves;" and also part of one other Act, intituled, "An Act to inflict further and other punishments on the transgressors of two several Acts, the one intituled, "An Act for the better order and government of slaves," and the other intituled, "An Act to prevent the enticing or inveigling of slaves from the possessors; and for the preventing the transportation of slaves by mortgagers and tenants for life and years; and for regulating abuses committed by slaves; and for the more effectual preventing the inveigling, hiding, concealing or employing the slaves of others; and for rendering the punishment of such offenders more certain and effectual;" and also part of Act, intituled, "An Act for the better order and government of slaves;" and to prevent the hiding, concealing, inveigling, detaining, knowingly harbouring or employing the slaves of others; and for preventing the transportation of slaves by mortgagers and tenants for life and years; and for regulating abuses committed by slaves, did expire on the sixth day of December in the present year of our Lord one thousand seven hundred and ninety-five; and whereas it is judged necessary and expedient that the said Act should be revived and continued; we therefore your Majesty's dutiful and loyal subjects, the assembly of this your Majesty's Island of Jamaica, do most humbly beseech your Majesty, that it may be enacted; be it therefore enacted by the lieutenant-governor, council and assembly of this your said Island of Jamaica, and it is hereby enacted and ordained by the authority of the same, That for and notwithstanding the expiration of the term

and

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and times limited in and by the hereinbefore mentioned Act, for the continuance and duration thereof, the several Acts and clauses and parts of Acts therein and thereby repealed, shall, from and at all times after the passing of this Act, be deemed and considered, and the same are hereby declared to be and stand repealed and annulled, to all intents and purposes, as if the said recited Act had not ceased and determined; any law custom or usage to the contrary notwithstanding.

Although the Act 29 Geo. III. c. 3. be expired, the provisions in clause 1, are to remain in force.

2. And whereas the practice of hiding, concealing, inveigling, detaining, knowingly harbouring and employing the slaves of others is carried on by persons wickedly disposed, and such practice hath been and still may be of the most dangerous consequences to the community, not only as the owners have been thereby defrauded of and injured in their property, but that great opportunities have been thereby given to negroes to become rebellious; the reducing of which sort of enemies has been found and is now attended with very great expense and danger to the public; in order therefore to prevent such wicked practices for the future, and to inflict exemplary punishments upon persons who shall be found guilty of such offences, be it enacted by the authority aforesaid, That from and after the passing of this Act, whosoever shall steal, or clandestinely carry or send off this Island any slave or slaves the property of any person or persons, or shall mark or cause to be marked any slave or slaves the property of another, or deface or cause to be defaced his her or their mark, and being thereof convicted in his Majesty's supreme court of judicature, or courts of assize in this Island, shall suffer death as a felon, and shall not be allowed the benefit of clergy.

Sending off the Island, marking or defacing marks of other persons slaves, made felony without benefit of clergy;

3. And be it further enacted, That from and after the passing of this Act, if any person or persons shall steal any negro or other slave or slaves, with an intent to transport or send such slave or slaves from this Island, such person or persons so stealing such slave or slaves with such intent as aforesaid, shall be liable to be indicted for such offence or offences at the supreme court of judicature, or either of the courts of assize in this Island, according to the county in which such offence or offences shall be committed; and in case such person or persons so stealing such slave or slaves, with such intent as aforesaid, shall be found guilty thereof, he she or they shall suffer death for the same without benefit of clergy: provided always, that no attainder shall work any corruption of blood, loss of dower, or disherison of heirs, any law custom or usage to the contrary notwithstanding.

as well as stealing slaves with intent to send them off,

but is not to work corruption of blood.

4. And be it enacted by the authority aforesaid, That whosoever shall hide, conceal, inveigle, entice, detain, knowingly harbour or employ the slave or slaves of another, such offender being thereof convicted in manner hereinafter mentioned, shall for every such offence forfeit a sum not exceeding one hundred pounds for every negro or other slave so inveigled, hid, concealed, enticed, harboured or employed; and shall be committed to the common gaol without bail or mainprize, for a space of time not exceeding six calendar months; and until he she or they shall have paid such fine as he she or they shall be adjudged to pay: provided nevertheless, and it is the true intent and meaning of this Act, that no person shall incur any of the pains and penalties thereof for hiding, concealing, detaining or employing any slave or slaves, which hath or may come into his or her possession in a regular manner, either by inheritance or devise, or as executor, administrator, trustee, guardian, attorney, or as a fair purchaser for a valuable consideration; nor shall such person be liable to have such slave or slaves taken out of his or her possession by any power or authority granted by this Act.

Persons who conceal, inveigle, &c. the slaves of others, to forfeit £. 100. and be imprisoned,

but not if they got possession of them in a regular manner.

5. And be it further enacted by the authority aforesaid, That whosoever shall hereafter, under colour or pretence of title or otherwise, take or detain out of or from the possession of another, any slave or slaves which hath been in his or their possession for the space of six calendar months, without due course of law, such offender or offenders being thereof convicted in manner hereinafter mentioned, shall for every such offence forfeit a sum not exceeding one hundred pounds for every negro or other slave so taken or detained as aforesaid.

Persons who under pretence of title, detain slaves, whom others have had for six months, to forfeit £. 100.

6. And be it further enacted by the authority aforesaid, That any person who now holds or may hold by lease from another any slave or slaves, and shall detain or employ such slave or slaves after the expiration of the term mentioned in such lease, or, if hired by parole agreement, made in the presence of one or more witness or witnesses, shall detain or employ such slave or slaves after the time so agreed on

Persons detaining leased slaves beyond the time, to suffer as inveiglers;

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unless at expiration of the term, the slaves are run away. Oath of lessee to be admitted.

Chief justice, &c. on complaint, to issue warrants to apprehend offenders, and commit them to prison, or admit them to bail till trial,

which must be in ten days.

Jury to be summoned to meet where parochial business is transacted, for trial of offenders within that time,

from which jury no person is to be exempt.

Inveigled slaves also to be apprehended, that they may be produced at the trial.

Witnesses refusing or neglecting to attend, to be fined, and fine distrained for;

and in want of distress, their persons imprisoned.

Provost marshal to produce such persons in his custody

be expired, and shall not deliver up such slave or slaves within fourteen days after a demand shall have been made before one or more witness or witnesses, for the return of such slave or slaves so leased or hired by agreement, shall be deemed an offender against this Act, and suffer such pains and penalties as are inflicted on any person hiding, concealing, inveigling, detaining, knowingly harbouring or employing the slave or slaves the property of another; unless it shall appear upon oath, that such slave or slaves were then run away, or had absented themselves against the will of such lessee; and the oath of such lessee shall be taken on such occasion, provided he will also on oath declare, that he will deliver up to the lessor such slave or slaves, whenever he she or they shall be taken and in his custody power or possession, and that he will use his endeavours to have him her or them taken up.

7. And be it enacted by the authority aforesaid, That upon any complaint made against any such offender upon affidavit, to the chief justice or to any of the judges of the supreme court of judicature, or to any justice of the peace for the parish or precinct where such offence shall be committed, it shall and may be lawful for the said chief justice or any of the said judges or justices of the peace to whom such complaint shall be made, to issue his warrant, directed to the provost marshal or his lawful deputy, or to any constable, to apprehend and take up such offenders, and to bring him her or them before such judge or justices, and him her or them so brought to examine and commit to prison or admit to bail, as to such judge or justices shall seem requisite, until such time as a trial can be had upon the said offender or offenders, not exceeding the space of ten days.

8. And be it further enacted by the authority aforesaid, That the judge or justices shall, immediately upon the commitment or bailment of such offender or offenders, issue his warrant, directed to the provost marshal or his deputy, or to any constable, commanding him to summon twenty-four good and lawful freeholders of the parish or precinct where such offence shall be committed, to be and appear at the usual place of transacting the parochial business within such parish or precinct at a certain day and time, not exceeding ten days from the said commitment or bailment, in the said warrant to be expressed, then and there to form a jury of twelve of the said freeholders so to be warned as aforesaid, to enquire into the offence complained of, and whether the party or parties complained of be guilty or not guilty thereof; and that no freeholder or freeholders bearing any office of any kind whatsoever, shall be exempted from being warned and serving as a juror or jurors for the purposes of this Act.

9. And be it further enacted by the authority aforesaid, That the said judge or justices shall also issue a warrant to apprehend and take into custody the slave or slaves so harboured, inveigled, hidden, concealed, taken, detained or employed, in order to their being produced, at the time appointed by such warrant, before the said judge or justices and the said jury; which warrant shall be directed to the provost marshal or his lawful deputy, or any constable, who is hereby directed and required to execute the same.

10. And be it further enacted by the authority aforesaid, That upon application to the said judge or justices, he or they shall also issue a warrant or summons to bring before such judge or justices, at such time as shall be appointed by the said warrant, all such persons who can give evidence either for or against the party complained of, which warrant or summons shall be directed to such witness or witnesses as shall be required; which person or persons, and every of them so summoned, neglecting or refusing to attend on the day and at the time and place in such warrant or summons mentioned, upon proof thereof being made upon oath, it shall and may be lawful for the said judge or justices to impose a fine at their discretion on such witness or witnesses, not exceeding the sum of fifty pounds, and forthwith to levy the same, by warrant under the hand of such judge or justices, by distress and sale of the offender's goods and chattels; or for want of sufficient distress, to attach the body or bodies of such person or persons, and him her or them to commit to safe custody, there to remain until he she or they shall pay and satisfy such fine imposed; which warrant shall be directed to the provost marshal or his lawful deputy, or to any lawful constable, who is hereby directed and required to execute the same.

11. And be it further enacted by the authority aforesaid, That in case the testimony of any person or persons, being legal witnesses, and in the custody of the provost marshal

marshal or his lawful deputy, shall be alledged to be material for either party, upon such complaint made upon oath, it shall and may be lawful to and for the judge or justices, before whom the same shall have been made, to direct the provost marshal, or his lawful deputy, to produce such person or persons before the judge or justices and jury, at the time appointed for the trial, there to give his her or their testimony.

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as may be deemed material for examination.

12. And be it further enacted by the authority aforesaid, That all such warrants or summonses as are directed to be executed by the provost marshal or his lawful deputy, or by the constables, shall be returned to the said judge or justices, at the time and place mentioned and specified in such warrant, duly executed by the provost marshal or his lawful deputy, or the constables, under the penalty of fifty pounds: provided nevertheless, that upon any reasonable cause shewn upon affidavit, by either the complainant or the party or parties complained of, or by some person or persons in his her or their behalf, or for want of jurors, it shall and may be lawful for the said judge or justices from time to time to adjourn not exceeding the space of ten days between each adjournment, and to issue all such other warrants or summonses for the witnesses and jurors, and the party complained of to recommit, or to take such further bail for his or their appearance, as the nature of the case shall or may require; or in case through sickness or any other disability of the judge or justices, or either of them, to attend, it shall and may be lawful for any other judge or justices to attend in the room of such judge or justices, and to proceed in the same manner as such judge or justices are directed by this Act.

Warrants to be returned under penalty of £. 50.

Magistrates may on good cause, adjourn from time to time not exceeding ten days, at each adjournment.

13. And be it further enacted by the authority aforesaid, That the chief justice or any assistant judge of the supreme court of judicature of this Island, or any two justices of the peace, shall have full power and authority to proceed to trial, and to carry this Act into execution; and that when and as often as any such complaint shall be made to any justice of the peace, of the parish or precinct where such offence shall be committed, such justice shall, under the penalty of fifty pounds, give notice to any justice of the peace of such parish and precinct, to associate himself with him, on the day mentioned in such notice, then and there to act with him on the trial of such offender; which said justice shall, upon such notice as aforesaid, at the time of trial, associate and act together with the said justice in the execution of this law, under the penalty of fifty pounds upon such justice who shall refuse or neglect to do his duty in the premises: provided always, that such complaint shall be made within twelve calendar months after the offence committed, otherwise such judge or justices shall and may dismiss such complaint.

Chief justice, &c. authorized to carry this Act into execution.

Complaint being made to one justice, he, under penalty of £. 50. must call in an associate,

who, under like penalty, must assist.

Complaint to be made in a limited time.

14. And be it further enacted by the authority aforesaid, That it shall and may be lawful for such judge or justices to impose such fines upon all and every the jurymen, being regularly summoned to attend at such trial and who do not appear, as to the said judge or justices shall seem reasonable, not exceeding twenty pounds.

Magistrates empowered to fine jurors not attending.

15. And be it further enacted by the authority aforesaid, That the clerk of the peace for the time being, or his lawful deputy, shall attend at such trial, and shall prepare and draw up a charge in writing, in nature of an inquisition against such offender or offenders, to be exhibited before such judge or justices at such trial.

Clerk of the peace to attend the trial and draw up the charge.

16. And be it further enacted by the authority aforesaid, That the said clerk of the peace or his lawful deputy, shall enter in his office upon record, all affidavits, warrants, inquisitions and sentences, had, made, taken or issued by or before such judge or justices: provided always, that no examination of witnesses, taken before the judge or justices upon the trial, is hereby required to be taken down or entered upon record.

Clerk of the peace to record in his office affidavits, &c. but not examinations.

17. And be it further enacted by the authority aforesaid, That the said charge being exhibited against the said offender or offenders, the said judge or justices shall enquire, by the oaths of twelve freeholders, chosen as hereinafter is directed, out of the panel so returned by the provost marshal or his lawful deputy, or constable as aforesaid.

Magistrate to enquire into the charge by the oaths of twelve freeholders.

18. And be it further enacted by the authority aforesaid, That the owner or owners, possessor or possessors of such slave or slaves, being legal witnesses, shall be admitted

Owners of inveigled slaves allowed as good evidences, although they prosecute.



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admitted and allowed, notwithstanding he she or they prosecute, as good evidences in all cases under this Act; any thing in this or any other law to the contrary notwithstanding.

Jurors not to depart till they return their inquest.

19. And be it further enacted by the authority aforesaid, That the whole of the evidence being finished, the said jurors shall not depart until they shall return their inquest to the said judge or justices.

Inquest being returned, magistrates to pronounce sentence, and order delivery of the slaves.

20. And be it further enacted by the authority aforesaid, That after the said jurors shall have returned their inquest as aforesaid, the said judge or justices shall thereupon proceed, as the case shall be, either to pronounce sentence of acquittal, or to award the several pains and penalties in this Act before severally mentioned and set forth; and shall also forthwith cause the slave or slaves to be immediately delivered over to the prosecutor, or him her or them who shall claim the same: provided always, that the inquest found and returned as aforesaid, shall be final to all intents and purposes, and shall and may be a bar to any other charge that may be brought for the same offence.

Inquest to bar other charges.

Proceedings not to be removed till after judgment, nor be set aside for want of form.

21. And be it further enacted by the authority aforesaid, That the proceedings of the judge or justices upon this Act, shall not be removed by writ of *certiorari* or otherwise, until after judgment thereon, and the commitment of the party or parties; and that the proceedings had by virtue of this Act, shall not be set aside by the supreme court of judicature of this Island, or courts of assize, for want of form.

Fees of the clerk of the peace;

22. And be it further enacted by the authority aforesaid, That the clerk of the peace, or his lawful deputy, shall have for his and their trouble in attending the said trial, the sum of one pound for each day's attendance upon the said trial, and the sum of five pounds for taking down and recording all the proceedings relative to the trial as aforesaid; and if he or they shall neglect or refuse to perform his or their duty in the premises, he or they shall respectively forfeit the sum of one hundred pounds.

who on neglect of duty, is to forfeit £. 100.

Expenses awarded to be paid to the defendant, in case of acquittal,

23. And be it further enacted by the authority aforesaid, That in all cases where any acquittal shall be, the person complaining shall forthwith pay to the defendant or defendants the expenses out of purse attending the said trial, to be settled and ascertained by the judge or justices who sat upon the said trial, if from the circumstances of the case it shall appear fitting to the said judge or justices to award the same, so as the whole of such charges and expense do not exceed the sum of fifty pounds; and in case such party or parties shall refuse or neglect to pay the costs so to be awarded, that then it shall and may be lawful to and for the said judge or justices to commit the party or parties so refusing or neglecting, to gaol, without bail or mainprize, until the said costs shall be fully paid and satisfied; but, in case of conviction, the same shall be paid out of the fines forfeitures and penalties laid and levied by the authority of this Act.

or prosecutor committed.

Fines imposed by this Act, how to be levied and applied.

24. And be it further enacted by the authority aforesaid, That all fines forfeitures and penalties imposed by this Act, except such as are laid upon the justices for their neglect, shall be raised recovered and levied by warrant under the hands and seals of such judge or justices who sat upon such trial, directed to the provost marshal or his lawful deputy, or to the constable, by distress and sale of the offender's goods and chattels, if such can be found; and where no distress can be found, by imprisonment of the offender's body, until such fine shall be paid and satisfied; and the money arising by such fine or distress, shall be paid into the hands of the receiver-general for the time being, or his lawful deputy, by the person levying the same, within one month after the same is levied, under the penalty of forfeiting double the sum not paid in, deducting only thereout such sum as shall be awarded to the complainant upon such conviction, the costs of trial, and commission of five pounds per centum for levying the same, as also the sum of five pounds allowed to the provost marshal's deputy, or to the constable, for executing the several warrants directed to them by virtue of this Act; and all fines and forfeitures laid by this Act upon the justices, for their neglect of duty, shall be recovered by bill, plaint or information, in the supreme court of judicature of this Island, by any person or persons who shall sue for the same, wherein no essoign, imparlance, or wager of law, or *non vult ulterius prosequi*, shall be granted or allowed; the half of such penalties to be to our sovereign lord the King, his heirs and successors, for and towards the contingent charges of the government of this Island, and the other half to the informer, or the person who shall sue for the same.

Fines on justices, how to be recovered and disposed of.

25. And be it further enacted by the authority aforesaid, That the party aggrieved by such offence, if he is not examined as a witness, shall receive out of the fines and penalties inflicted by this Act upon such offenders, one half of the said penalties, and the other half to be paid to his Majesty's receiver-general, or his lawful deputy, for the use of his Majesty, his heirs and successors, for and towards the support of the government of this Island, and the contingent charges thereof; but in case the party aggrieved is examined as a witness, or gives his testimony, that then and in such case, the whole of the fines and penalties inflicted by this Act upon such offenders, shall be wholly paid to his Majesty's receiver-general for the time being, or his lawful deputy, for the use of his Majesty, his heirs and successors, towards the support of the contingent charges of the government of this Island, first deducting the charges of the prosecution.

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Prosecutor if not examined as a witness, to have half the penalties;

if he is, the whole to go to the government.

26. And to render the trial more effectual, be it enacted by the authority aforesaid, That upon such trial, the names of the jurors being called over according to the panel, the clerk of the peace or his lawful deputy, shall transcribe from the said panel their names, each name upon a separate piece of paper, and shall fold the same up, and put them in a box, to be provided for that purpose; from whence he shall fairly, openly, impartially and without any collusion, draw a jury of twelve of the said freeholders, in the nature of a ballot, in the same manner and form as the same is now practised in the courts of justice in that part of Great Britain called England.

Clerk of the peace to draw the jury by ballot.

27. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the judge or justices, jurors, clerk of the peace or his lawful deputy, and the constables, and all witnesses summoned to attend by virtue of this Act, in the several clauses in this Act mentioned, to do their several and respective duties, notwithstanding martial law shall happen to be then in force; any law custom or usage to the contrary thereof notwithstanding.

Martial law not to interrupt proceedings.

28. And be it further enacted by the authority aforesaid, That the complainant and complainants, defendant and defendants, and all and every person or persons bound or warned to serve as jurors, or summoned as witnesses by virtue of this Act, shall be protected in their persons from all mesne and judicial process in their going to, attending at and returning from the said trial.

All parties attending these trials, protected in their persons.

29. And be it further enacted by the authority aforesaid, That in case any person or persons shall be injured or aggrieved by any false or malicious prosecution, commenced or prosecuted against him her or them, by virtue and under colour of this Act, such person or persons so injured or aggrieved, shall and may be at liberty to bring and prosecute an action or actions upon the case, in the supreme court of judicature of this Island, against any person or persons by whom they shall or may be so injured or aggrieved by such false or malicious prosecution; any law custom or usage to the contrary notwithstanding.

Persons maliciously prosecuted, to have redress in the supreme court.

30. And whereas many persons in this Island have been deprived of their property in slaves, and the possession thereof taken away by a custom which lately prevailed, of persons enticing and inveigling away the slaves of others, and putting them in gaol, and then issuing out replevins against the deputy-marshal or keeper of such gaol, and getting judgments against such marshal or gaol-keeper for such slaves, without the master or owner knowing any thing of such proceedings; for remedy whereof, and to prevent such practices for the future, be it enacted by the authority aforesaid, That all and every the deputy-marshals and gaol-keepers who shall have any action in replevin brought against him for any negro or other slaves in his custody, and not taken upon *venditioni* or other process, such marshal or gaol-keeper shall for every offence, under a penalty not less than five pounds, nor exceeding fifty pounds, as shall be inflicted by the judges of his Majesty's supreme court of judicature or courts of assize in this Island, immediately after he receives such replevin, give notice in the public newspapers of such action, and at whose suit, and the name of such negro or other slave or slaves, together with his her or their marks, and the best information he can get concerning the real owners of such slave or slaves, and shall continue such notice for four weeks before the trial shall be had upon such replevin, or such slave or slaves be taken out of the custody of such marshal or gaol-keeper, the costs of which shall be paid to such marshal or gaol-keeper by the person who shall recover such slave or slaves.

Replevins being brought against marshals for slaves, to be advertised four weeks previous to trials.

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Mortgaged slaves,  
&c. not to be sent  
off the island with-  
out order of law,  
under the penalty  
of £. 100.

31. And whereas several persons holding possessing or enjoying negro and other slaves, as tenants by the courtesy of England, tenants in dower, tenants for life or years, and mortgagers of negro and other slaves, or those deriving under them, heretofore used to send off from this Island, by way of merchandize or otherwise, several negro and other slaves, by them held and enjoyed under the titles aforesaid, to the great prejudice of the mortgagee, his heirs or assigns, and of him her or them to whom such negro or other slave or slaves ought to descend or come, after the determination of such particular estate as aforesaid; for remedy whereof, be it enacted by the authority aforesaid, That if any tenant by the courtesy of England, tenant in dower whilst a widow, or any second or other husband of such tenant in dower, or any tenant for life or years, or any mortgager or any person claiming, by, from, or under him, shall send off from this Island, except by order of law, or otherwise dispose of any negro or other slave held enjoyed or possessed by him her or them by the courtesy of England, in dower, or for life, or years, or by any mortgager or other persons claiming, by, from or under a mortgager, without the consent of the mortgagee, his heirs or assigns, or of him her or them in reversion or remainder, or of him her or them to whom such negro or other slave, after the determination of such particular estate, should come to or descend, he she or they so offending as aforesaid, shall for every negro or other slave so sent off from this Island, forfeit the sum of one hundred pounds to the mortgagee, or others claiming under him her or them in reversion or remainder, or to whom such negro or other slave should or might come after the determination of such particular estate.

Persons letting  
houses to slaves,  
suffering them to  
build any, permit-  
ting them to work  
out without a  
licence, or go where  
they please, to  
forfeit £. 20.

32. And whereas several inhabitants of this Island do suffer and encourage slaves belonging to unknown persons in this Island, not only to build cottages and huts in the savannas and waste grounds, but also do let or hire houses, cottages, huts or lodgings unto the aforesaid slaves, by the day, week, month, quarter, year, or other greater or lesser term, who are suffered and permitted by their owners and employers to work and employ themselves in what manner and wheresoever they shall think fit, provided they pay their owners a certain sum of money daily, weekly, monthly or yearly; which hath oftentimes occasioned several thefts and robberies, in order to comply with their contracts and agreements: for the prevention whereof for the future, it is hereby further enacted, and ordained by the authority aforesaid, That if any owner or owners, employer or employers, of any such slave or slaves, or any other inhabitant of this Island, shall, from and after the passing of this Act, let or hire any houses, cottages, huts or lodgings, to any such slave or slaves, or shall permit encourage or countenance them, or any of them, to build any dwelling-house or houses, cottages or huts, in any towns, savannas, waste grounds, lanes, roads or paths, in this Island, in order to hire themselves out to work, or to carry on any trade shop or employment, or shall wittingly willingly or knowingly suffer any such slave or slaves to hire themselves out to work, or to follow any trade or employment, without the licence or consent, privity, knowledge or direction of their respective owner or owners, or the person or persons who have or hath the immediate care, government and direction of such slave or slaves, under his her or their own hand or hands in writing, first had and obtained, and testified by one or more of his Majesty's justices of the peace of the parish or precinct where the owner or owners, employer or employers, of such slave or slaves do or shall inhabit, or shall contract or agree with any such slave or slaves for any certain sum of money, or other thing whatsoever, by the day, week, month or year, or any greater or lesser time, and to go abroad where such slave or slaves shall think fit, in case they comply with their agreement, every such owner and owners, employer and employers, of any such slave or slaves, and all and every other person and persons whatsoever having the care or direction of such slave or slaves, shall forfeit the sum of twenty pounds; one moiety or half part thereof unto our sovereign lord the King, his heirs and successors, for and towards the support of the government of this Island, and the contingent charges thereof; and the other half to the informer or informers, or him her or them who shall sue for the same; to be recovered in a summary manner, before any one of his Majesty's justices of the peace of the parish or precinct where the offence shall be committed.

Application and  
recovery thereof.

Justices to order  
houses, &c. of slaves  
to be pulled down,  
under the penalty  
of £. 50. for neglect  
or refusal.

33. And it is hereby further enacted by the authority aforesaid, That upon complaint made to any of his Majesty's justices of the peace for the precinct where such offence shall be committed, of the setting up or building any such dwelling-house or houses, cottages or huts, in any town, savanna, waste grounds, lanes, roads or paths, or of their having been already built or erected, every such justice of the  
peace

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peace is hereby authorized empowered and required forthwith to order and direct, by warrant for that purpose to all or any of the constables of the said parish or precinct, such houses cottages and huts to be pulled down and destroyed; and upon neglect or refusal, such justice of the peace shall forfeit the sum of fifty pounds; one moiety whereof shall be to his Majesty, his heirs and successors, for and towards the support of the government of this Island, and the contingent charges thereof, and the other moiety to such person or persons who shall sue for the same; to be recovered in the supreme court of judicature of this Island, in which suit no essoign or wager of law shall be allowed; any law custom or usage to the contrary thereof in anywise notwithstanding.

34. And be it further enacted by the authority aforesaid, That in case any person or persons committed to prison by virtue of this Act shall escape, the provost-marshal-general or his deputy, out of whose custody such person or persons shall escape, shall forfeit to his Majesty, his heirs and successors, the sum of one hundred pounds, for and towards the support of the government of this Island, and the contingent charges thereof, and likewise be subject and liable to pay the party or parties aggrieved all such sum and sums of money as the said prisoner or prisoners were condemned to pay.

Penalty of £. 100. on the provost marshal, if any person committed under this Act, escape from prison.

AN ACT to make provision for the families of such free people of Colour, and of free Negroes enrolled in the militia, as shall be killed or disabled in the public service. [22d December 1795.]

WHEREAS in the thirty-fourth clause of an Act, intituled, " An Act to regulate the militia, to repeal certain Acts and clauses of Acts relating to the said militia, to ascertain who shall compose future councils of war, and for other purposes," no provision is made for the families of free people of colour, and of free negroes enrolled in the militia, who shall be killed in any engagement with internal or with invading enemies, nor is sufficient provision made for those who shall be disabled in any such engagement; we therefore your Majesty's dutiful and loyal subjects the assembly of Jamaica, do most humbly beseech your Majesty, that it may be enacted, be it therefore enacted by the lieutenant governor, council and assembly of this your Majesty's Island of Jamaica, and it is hereby enacted and ordained by the authority of the same, That if any free person of colour, or free negro, shall be killed in any engagement with internal or invading enemies, and shall leave a widow or child or children lawfully begotten, or shall leave any other child or children not legitimate, his said widow, or the mother of such illegitimate child or children, shall be entitled to receive, during the life of such widow, or of the mother of such illegitimate child or children, such annuity as the justices and vestry of the parish to which she belongs shall deem competent for the comfortable maintenance and support of herself and child or children; to be paid by the receiver-general, out of any monies remaining in his hands unappropriated, upon producing a certificate of the minister, or of two magistrates and one of the churchwardens of the said parish for the time being, that the said widow or mother as aforesaid is then living in the said parish; provided nevertheless, that the said annuity shall not exceed the sum of fifty pounds; and in case of the death of the said widow or mother as aforesaid, the eldest child of such widow or mother, being of free condition, shall be entitled to receive such annuity as the said justices and vestry shall deem competent for the support of such child, until he or she shall arrive at the age of sixteen years, and no longer, on a certificate being produced as aforesaid.

Preamble.

If persons herein mentioned be killed, their families are to have annuities, at discretion of justices and vestry;

which are to be paid by receiver-general on his having certificates. No annuity to exceed £. 50.

If mothers die, children to have annuities till sixteen years of age;

2. And be it further enacted by the authority aforesaid, That if any such person of colour, or free negro, shall be wounded and disabled in any such engagement as aforesaid, so as to be incapable of procuring a maintenance for himself or family, he shall, upon receiving a certificate from his commanding officer, that he is so rendered incapable, be entitled to receive such annuity as the justices and vestry of the parish to which he may belong shall think proper, not exceeding seventy pounds, so long as he shall reside in this Island, and shall remain unable to do the duty of a non-commissioned officer or private; which annuity shall be paid by the receiver-general, out of any monies in his hands unappropriated, on producing a certificate from the minister, or any two magistrates and one of the churchwardens, as herein before directed.

Such persons, if disabled are to have annuities, not exceeding £. 70.

while they remain in the Island, and are incapable of militia duty.

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AN ACT to amend an Act passed in the year one thousand seven hundred and fifty-eight, intituled, "An Act to ascertain and establish the boundaries of Trelawny Town, and to settle and allot one thousand acres of land for Accompong's Town, and to ascertain the boundaries thereof;" and to appoint certain Commissioners to sell the lands granted to the Trelawny Maroons, with a reservation of so much thereof as may be necessary for the use of the troops that may be quartered there. [1st May 1796.]

Preamble.

31 Geo. II, cap. 9.

The negroes of Trelawny town having revolted,

are declar'd to have forfeited their claim to the lands described in the above Act.

Commissioners of board of works appointed commissioners to sell the 1500 acres of land formerly allotted to Trelawny town;

and two months notice of the sale to be given.

In case cash or Island certificates cannot be obtained from the purchasers, credit may be given on security, and a deposit of 10 per cent. of purchase money.

300 acres to be reserved for the use of his Majesty's troops.

WHEREAS, in and by an Act passed in the year one thousand seven hundred and fifty-eight, intituled, "An Act to ascertain and establish the boundaries of Trelawny Town, and to settle and allot one thousand acres of land for Accompong's Town, and to ascertain the boundaries thereof," it was among other things enacted, that fifteen hundred acres of land at Trelawny town, in the parish of Saint James, theretofore stipulated and agreed upon as and for the possessions and residence of colonel Cudjoe, his captains adherents and men (being negroes then formerly in rebellion) and declared to bind as therein is described, were vested in the negroes of the said town and their posterity for ever; and whereas the said negroes have lately revolted from their obedience to the laws and government of this Island; wherefore we, your Majesty's dutiful and loyal subjects the assembly of Jamaica, humbly beseech your Majesty, that it may be enacted; be it therefore enacted by the lieutenant-governor, council and assembly of your Majesty's said Island, and it is hereby enacted and ordained by the authority of the same, That the negroes heretofore residing on or inhabiting, or having or holding possession of any part of the lands of Trelawny town, in the parish of Saint James aforesaid, shall be, and they and each and every of them and their and each and every of their posterity, shall be and are hereby declared to be deprived of and be barred from all and all manner of claim or pretence to claim, of, in, to or upon the hereinbefore-mentioned fifteen hundred acres of land or any part or parts thereof, any thing in the hereinbefore-mentioned Act notwithstanding.

2. And be it further enacted by the authority aforesaid, That the commissioners of the board of works for the time being shall be and they are hereby appointed commissioners to sell and dispose of the said fifteen hundred acres of land (except as hereinafter is excepted and provided) in the whole, or in lots not exceeding one hundred acres, for the best price or prices that can be had or got for the same; and the said commissioners or any seven of them are hereby authorized and empowered to contract and agree with any person or persons for the sale and disposal thereof as aforesaid, and to carry such contract and agreement into effect, by entering into, executing, signing, sealing and delivering all such lawful conveyance and conveyances as may be requisite and necessary for vesting an estate in fee simple in the person or persons becoming the purchaser or purchasers respectively: provided always, that public notice be given in all the newspapers of this Island of such intended sale or sales, at least two months previous thereto.

3. Provided also, and be it enacted by the authority aforesaid, That in case the said commissioners shall not be able to procure, from any person or persons so being willing to become a purchaser or purchasers of the hereinbefore-mentioned premises, or any part thereof, cash, island certificates bearing interest, or other immediate payment, for the purchase-money, it shall and may be lawful for the said commissioners, or any seven of them, to take such good and sufficient security, the same being made payable to James Mitchell, esq. the receiver-general, or the receiver-general for the time being, by mortgage or otherwise, as to the said commissioners, or any seven of them, shall seem sufficient adequate and proper, and give and allow such further time for the payment thereof, as they shall deem expedient: provided also, that the said commissioners shall demand and receive a deposit of ten pounds per centum in cash or public papers, which shall be forfeited to the public, if the remaining purchase-money shall not be paid when it becomes due: provided also, that out of the said fifteen hundred acres of land, there shall be reserved for, and appropriated to, the use of his Majesty's troops such part thereof, amounting to three hundred acres at the least, as shall be judged necessary and proper for the purpose, by the lieutenant-governor and commander in chief, or by the governor or lieutenant-governor and commander in chief for the time being.

4. And

4. And be it further enacted by the authority aforesaid, That all and every sum and sums of money to arise by the sale and disposal of the said fifteen hundred acres of land, or of such part or parts thereof as shall or may be sold by the said commissioners under the authority of this Act, or such security or securities as shall be received and entered into by the said commissioners, or any seven of them, shall be, by the said commissioners, or some or one of them, immediately paid into, or lodged in the hands of, the receiver-general for the time being, to be by the said receiver-general applied towards defraying the expenses of the government of this Island.

5. And be it further enacted, That the commissioners of the board of works for the time being be empowered to appoint a surveyor to lay out the said lands, in lots not exceeding one hundred acres, agreeable to a clause of this Act, and in such manner as shall appear best suited to answer the end of selling the said lots.

6. And be it enacted, That the said receiver-general shall have and be allowed, for receiving and paying all such sum and sums of money, a commission of two pounds ten shillings per centum.

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The purchase money, or security for the same, to be lodged in the hands of the receiver-general.

A surveyor to be appointed, who is to lay out the land in lots of 100 acres.

Receiver-general to have a commission of  $2\frac{1}{2}$  per cent.

AN ACT to prevent the return to this Island of the rebellious Maroons of Trelawney town, sentenced to transportation; and for other purposes.  
[1st May 1796.]

WHEREAS the maroon negroes of Trelawney town, did in the month of August last, break out into a most wicked unnatural and unprovoked rebellion against the government of this Island; and did, during the continuance of such rebellion, commit many murders, depredations and enormities; but have at length been compelled to submit, on condition of being pardoned their forfeited lives only; and it having been deemed highly necessary and expedient that the said rebellious maroons should be transported from off this Island, and are at this time actually confined on ship-board for that purpose: and whereas the return of the said rebellious maroons, or any of them, to this Island, or to any part or place belonging thereto, must be productive of the most dangerous consequences, not only to the government thereof, but to the lives and properties of individual inhabitants; for the prevention therefore of an evil of such magnitude, we, your Majesty's dutiful and loyal subjects, the lieutenant-governor, council and assembly of this your Majesty's Island of Jamaica, humbly beseech your Majesty, that it may be enacted; be it therefore enacted, by the lieutenant-governor, council and assembly of your Majesty's said Island, and it is hereby enacted and ordained by the authority of the same, That from and after the passing of this Act, the said rebellious maroons shall with all convenient speed be transported off this Island, into any of his Majesty's dominions in North America or elsewhere, there to remain, and not to return; and if any of the said maroons heretofore belonging to Trelawney town, from among those who have been sentenced, deemed, or resolved by the council and assembly of this Island, as a punishment for their rebellious practices, to be shipped and transported from off this Island, shall be found to have escaped, or attempting to escape from their present confinement, or shall after being so transported off the Island, be found to have returned thereto, or to any part or place thereto belonging, every such maroon shall be thereupon apprehended, and be immediately taken before one of his Majesty's justices of the peace, who is hereby directed to commit him her or them to the nearest gaol; and in case the person or persons apprehending any such maroon or maroons, cannot conveniently take him her or them before a justice of the peace, the marshal or keeper of the gaol of the parish or county is hereby empowered and directed to receive and detain in his custody the body or bodies of any such maroon or maroons, and to give notice thereof immediately to the clerk of the peace of the parish or precinct, for the information of the justices; which said justices or any one of them, shall forthwith issue their or his warrant for summoning and holding a court for the trial of such offender or offenders, agreeable to an Act of this Island, passed in the year one thousand seven hundred and ninety-one, intituled, "An Act to repeal an Act for the better order and government of the negroes belonging to the several negro towns; and for preventing them from purchasing of slaves; and for encouraging the said negroes to go in pursuit of runaway slaves, and for other purposes therein mentioned;" and for giving the maroon negroes further protection and security; for altering the mode of trial, and

Preamble.

The negroes of Trelawney town having broke out into rebellion, and been compelled to sue for mercy,

are to be transported from the Island; and if they escape from confinement, or return from transportation; they are to be tried by

32 Geo. III, cap. 4.

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and on conviction  
to suffer death.

Persons aiding  
them to escape, or  
harbouring them  
after their return,  
guilty of felony.

for other purposes; and on due proof being made before such court, that such maroon or maroons had been included among those sentenced, deemed, or resolved by the council and assembly of this Island, to be transported off this Island, the said court shall find such maroon or maroons guilty of felony, and who shall suffer death, without the benefit of clergy.

2. And be it enacted, That in case any person or persons shall be aiding assisting or abetting any such maroon or maroons to escape from his her or their confinement, or shall after the escape or return to this Island, or to any part or place thereof, after transportation of any such maroon or maroons, knowingly employ, harbour, conceal or entertain him her or them, every such person or persons so offending, shall be triable, and be tried for the same; and on due proof, be adjudged guilty of felony, and shall accordingly suffer death as a felon, without benefit of clergy; provided, that no such conviction shall tend to the corruption of blood, disherison of heirs, or forfeiture of goods and chattels.

AN ACT to prevent any intercourse and communication between the Slaves of this Island, and foreign Slaves of a certain description; and for other purposes. [14th March 1799.]

Preamble.

WHEREAS there hath of late been a great influx of foreign slaves into this country, and the preservation of the public safety and tranquillity of this Island requires, that any intercourse and communication between the slaves thereof and such foreign slaves should be prevented with all possible care; we, your Majesty's dutiful and loyal subjects, the assembly of this your Majesty's island of Jamaica, most humbly beseech your Majesty, that it may be enacted; be it therefore enacted by the lieutenant-governor, council and assembly of this Island, and it is hereby enacted and ordained by the authority of the same, That every person who now hath, or within six months from and after the passing of this Act, shall have in his or her possession in this Island, as owner or proprietor, or in the right of any other person whatsoever, or under his or her care or management, as the representative of any owner or proprietor absent from this Island, any slave or slaves who, at any time since the twenty-third day of August in the year one thousand seven hundred and ninety-one, hath or have inhabited or resided, or in anywise shall have been living or abiding in the island of St. Domingo, or any other island, colony, territory or dominion belonging to or under the government of the French nation, shall within the said space of six months from and after the passing of this Act, export or cause to be exported off this Island, every such slave as aforesaid, under the penalty of two hundred pounds, to be forfeited for each and every such slave as aforesaid, which shall be refused or neglected so to be exported within the time aforesaid, and to be recovered in the supreme court of judicature, or one of the courts of assize in this Island, one moiety whereof shall be to the use of his Majesty, his heirs and successors, for the support of the government of this island, and the other moiety to the person suing for the same: provided nevertheless, that nothing in this Act contained shall extend, or be construed to extend, to any such foreign slave or slaves, as hath or have been certificated under the authority and by virtue of an Act, intituled, An Act to provide further regulations for such slaves as have been admitted into this Island; and to regulate the admission of slaves of a certain description, passed in the year one thousand seven hundred and ninety-four, or of another Act, intituled, An Act to prohibit the selling, purchasing, hiring or employing certain foreign slaves, except as therein mentioned, passed on the twenty-fifth day of March in the year one thousand seven hundred and ninety-six, within the time limited by the said Acts respectively, by the clerk of the peace, or his lawful deputy of any parish of this Island, wherein the person owning or possessing such slave or slaves was or resided at such time; nor to compel the exportation of any domestic slave belonging to any French person residing in either of the towns of Kingston or Port Royal, who shall obtain a certificate for such slave, under the authority of the two sitting magistrates of the town of Kingston, from the clerk of the peace of the said town or precinct, in the manner by this Act hereafter directed.

All slaves who have resided in St. Domingo, or any other Island, &c. belonging to, or under government of France, since 23d August 1791, to be exported within six months, under penalty of £. 200. for each;

except such as have been certificated under

35 Geo. III, cap. 22.

or 36 Geo. III, cap. 19.

as well as domestic slaves of French persons in Kingston or Port-Royal, who shall obtain certificates.

No such slaves to be sold, manumised or purchased, except for exporta-

2. And be it further enacted by the authority aforesaid, That from and after the passing of this Act, it shall not be lawful for any person or persons whatsoever to sell or manumise, or to purchase, or to make or receive any conveyance of any slave

slave or slaves, of the description of slaves hereinbefore ordered to be exported, or by this Act hereafter prohibited to remain or abide in this Island, unless such sale and purchase, or such conveyance, shall be made bonâ fide for the express purpose of exporting the slave or slaves, so sold and purchased, or so conveyed, according to the directions of this Act; and that every person selling, manumising, or purchasing, or making or receiving any conveyance of any such slave or slaves, contrary to the intention and meaning of this Act, shall forfeit the sum of three hundred pounds for each slave so sold, manumised, purchased or conveyed, to be recovered in the supreme court of judicature, or in one of the courts of assize in this Island; one moiety whereof to be to the use of his majesty, his heirs and successors, for and towards the support of the government of this Island, and the other moiety to the person suing for the same.

3. And be it further enacted by the authority aforesaid, That any sale or sales, conveyance or conveyances, of such slaves, and any manumission of such slaves, as shall be made contrary to the true intent and meaning of this Act, and also all such sales and manumissions of foreign French slaves, as have heretofore been made contrary to the true intent and meaning of any or either of the several Acts, passed at different times since the year one thousand seven hundred and ninety-one, to prohibit the selling, purchasing, hiring or employing certain foreign slaves, except as therein mentioned, shall be null and void to all intents and purposes whatsoever; save and except such slaves as may have been sold by one French person to another, provided the number of slaves so sold, shall not, at any one time, have exceeded two in number; and provided also, that all such slaves so excepted shall be exported within the time prescribed by this Act.

4. And be it further enacted by the authority aforesaid, That from and after the expiration of six months after the passing of this Act, it shall not be lawful for any person or persons whatsoever in this Island, to hire, employ or entertain, or in anywise to have in his or her possession, or to suffer to remain or abide on his or her settlement or property, or on any settlement or property in his or her possession, or under his or her care or management, as the attorney, agent, executor, administrator, guardian, mortgagee in possession, trustee, overseer, or otherwise, of any other person or persons, any slave or slaves who, to his or her knowledge, hath or have been imported or brought into, or hath or have otherwise arrived in this Island since the twenty-third day of August in the year one thousand seven hundred and ninety-one, or who shall, at any time hereafter, in anywise arrive therein; which slave or slaves hath or have, or shall have, at any time before such arrival, and since the day and year aforesaid, inhabited or resided, or been in anywise living or abiding in the island of St. Domingo, or any other island, colony, territory or dominion, belonging to or under the government of the French nation; or any slave or slaves who, after the passing of this Act, shall be imported or brought into, or shall otherwise arrive in this Island, from any colony, territory or dominion, belonging to any other nation now at war with Great Britain: and it is hereby declared, that every foreign slave of the description aforesaid, shall be, and he or she is hereby prohibited to remain or abide any where in this Island, under the pains and penalties by this Act hereafter declared and enacted: Provided nevertheless, that nothing herein contained shall extend to prevent the remaining or abiding in this Island, within the limits of the towns of Kingston and Port Royal, or the hiring or employing in the said towns, and no where else, such domestic slaves of any French person or persons residing in either of the said towns, as shall have obtained certificates for such slaves, from the office of the clerk of the peace of the town of Kingston, in the manner hereafter directed; or shall affect any such foreign slaves as have been certificated under the authority and by virtue of the two Acts herein-before mentioned, passed in the years one thousand seven hundred and ninety-four, and one thousand seven hundred and ninety-six, in the manner directed, and within the respective times limited by the said Acts; or such foreign sea-faring slaves, as by this Act are hereafter excepted, provided they pass not the limits and boundaries thereby prescribed.

5. And be it further enacted by the authority aforesaid, That from and after the expiration of six months as aforesaid, after the passing of this Act, it may and shall be lawful for any one of his Majesty's justices of the peace, in any of the parishes or precincts of this Island, upon information, complaint or suspicion, that any slave or slaves, of the description hereinbefore given, and prohibited to remain or abide

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tion, under penalty of £. 300.

Former as well as future sales of such slaves declared void;

except in small numbers from one French person to another; and these must also be exported.

After six months, no French slaves, as above described, to be hired, possessed, harboured, or entertained in,

nor to be brought into this Island;

and no foreign slaves, as before described, to remain in this Island; except domestic slaves, having certificates, who may abide, and be hired or employed in Kingston and Port-Royal.

On information, or suspicion of foreign slaves being hired, harboured, &c. after the time limited by law,



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any magistrate may associate two others with himself, and inquire into the grounds thereof; and if well founded, may summon parties to produce such slaves, and witnesses to give evidence respecting them.

in this Island, is or are hired, employed, harboured or entertained by, or is or are in anywise in the possession of any person or persons, or suffered to remain or abide on any settlement or property belonging to, or in the possession or under the care or management of any person or persons as beforementioned, in his respective parish or precinct, contrary to the true intent and meaning of this Act; to associate with himself two other justices of the peace, of the same parish or precinct, who together shall inquire into the grounds of the said information or complaint, or of the suspicion as aforesaid; and in case such information or complaint, or such suspicion shall appear to be probable and well founded, shall cause the person or persons informed against, or complained of, or so suspected, to be summoned to be and appear before them, at some time and place in such summons to be specified, to answer to such information or complaint, or to be examined on the subject of such suspicion as aforesaid; and also all persons capable, or judged by them to be capable of giving evidence concerning the matters charged in such information or complaint, or the subject of such suspicion as aforesaid, to be examined touching their knowledge of the same; and the person or persons so informed against, complained of or suspected, shall be enjoined and commanded by the said summons to produce at the same time and place before such justices so associated, all and every such foreign slave or slaves as he she or they shall have in his her or their possession, or hired, employed, harboured or entertained by him her or them, or in anywise abiding or being on his her or their settlement or property, or any settlement or property in his her or their possession, in the right of any other person, or under his her or their care or management as aforesaid.

If persons summoned shut their gates, or otherwise prevent or evade the service, copy of summons, affixed to or left at dwelling to be good service.

6. And be it further enacted, That in case any person so directed to be summoned, shall keep his or her gates shut, or shall keep him or herself out of the way, or secret him or herself so that the officer directed to execute the said summons shall not be able to serve the same personally, the affixing a copy thereof to the gate, or the leaving such copy at the dwelling-house of such person, shall be taken as a service thereof, and be deemed to be as good and valid in law, as if the original thereof had been exhibited to the person named therein.

Persons disobeying such summons, or behaving contumaciously before the magistrates, may be committed to gaol for three months.

7. And be it further enacted by the authority aforesaid, That it may and shall be lawful for the three justices of the peace associated as aforesaid, in case such person or persons informed against, complained of or suspected as aforesaid shall not appear before them, at the time and place required by the summons aforesaid, upon due proof on oath being made of the service thereof, to issue their warrant to the provost marshal, or his lawful deputy, or any lawful constable, for the apprehending and bringing before them such person or persons, and when so brought (and also in case any such person or persons, either voluntarily appearing or brought before them by virtue of their warrant as aforesaid, shall refuse to be examined on oath on the subject of any suspicion as aforesaid, or shall be found to prevaricate in his her or their answers) to commit him her or them to the common gaol for such contempt, without bail or mainprize, for such time, not exceeding three months, as to their discretion shall seem fit.

Persons convicted of hiring or entertaining such slaves contrary to law, to be fined £. 200. for each slave hired, &c.

8. And be it further enacted by the authority aforesaid, That all and every person or persons, who shall be duly convicted before such three justices of the peace associated as aforesaid, on the oath or oaths of one or more credible witness or witnesses, or on his her or their own voluntary confession, of knowingly and wilfully hiring, employing, harbouring or entertaining, or in anywise retaining in his her or their possession, any slave or slaves of the description hereinbefore given, and prohibited to remain or abide in this Island; or of knowingly suffering any such slave or slaves to remain or abide on his her or their settlement or property, or on any settlement or property in his her or their possession, in the right of any other person, or under his her or their care or management, after the expiration of the time limited by this Act and contrary to the intent and meaning thereof, shall forfeit the sum of two hundred pounds, for every slave so hired, employed, harboured or entertained, or in anywise possessed or suffered to remain or abide on his her or their settlement or property, or on any settlement or property in his her or their possession, in the right of any other person, or under his her or their care or management as aforesaid; and in case such slave or slaves shall not be produced before the said justices in the manner required as aforesaid, such person or persons refusing or neglecting so to do, shall forfeit each the further sum of two hundred pounds,

besides £. 200. for each such slave they

pounds, for every slave so proved to have been hired, employed, harboured or entertained by, or in anywise in the possession of any such person or persons, or suffered to remain or abide on his her or their settlement or property, or on any settlement or property in his her or their possession in the right of any other person, or under his her or their care or management as aforesaid, contrary to the intent and meaning of this Act, and not produced by him her or them; and the justices aforesaid, are hereby authorized and empowered to commit the offender or offenders to the common gaol of the county wherein the offence shall have been committed, there to remain without bail or mainprize, until he she or they shall have duly paid the several penalties incurred as aforesaid; one moiety of which said penalties shall be to his Majesty his heirs and successors, for and towards the support of the government of this Island, and the other to the informer or prosecutor.

9. And be it enacted and it is hereby declared, That the informer shall be admitted both to prosecute and give evidence in every such prosecution as aforesaid; provided nevertheless, that in case any person or persons shall be convicted on the evidence of the informer or prosecutor, the whole of the penalty or penalties incurred by such conviction, shall, after the deduction of the expense of such prosecution, be paid to the receiver-general for the time being, to be applied to the support of the government of this Island.

10. And be it further enacted by the authority aforesaid, That in all cases wherein any such slave or slaves as aforesaid, shall be refused or neglected to be produced before the three justices associated in the manner before directed, by any person or persons hiring, employing, harbouring or entertaining, or having such slave or slaves in his her or their possession, or suffering such slave or slaves to remain or abide on his her or their settlement or property, or on any settlement or property in his her or their possession in the right of any other person, or under his her or their care or management when required so to do by any summons as aforesaid, or otherwise commanded by such justices as aforesaid, it may and shall be lawful for the said justices, and they are hereby empowered and required, to issue their warrant for the apprehending and bringing before them all such slaves as aforesaid, concerning whom such information or complaint as aforesaid shall have been made, or such suspicion as aforesaid shall lie; or who shall any how appear to such justices to be on any settlement or property, belonging to any such person or persons as aforesaid, or in his her or their possession, or under his her or their care or management; which warrant shall be directed to the provost-marshal or any of his lawful deputies, or any lawful constable; who are hereby directed and enjoined to execute the same.

11. And be it enacted, That if any person whatsoever shall not on demand made, open his or her gates, or shall otherwise resist any deputy-marshal or any constable, in taking up any such slave as aforesaid under the authority hereby given, and according to the meaning of this Act, every such person shall forfeit the sum of two hundred pounds for every such offence.

12. Provided nevertheless, and it is hereby enacted, That in case any deputy or other officer acting under the authority of the provost marshal, or by any other person or persons, shall make use of any opportunity that may be afforded to him or them, on occasion of the execution of any warrant issued by any magistrate or magistrates in the manner aforesaid, under the authority and by virtue of this Act, to make any levy, or to execute any judicial or mesne process in any civil cause, every such levy and the execution of every such process shall be null and void, to all intents and purposes whatsoever; and that every person making such levy, or executing or attempting to execute any such process, shall be subject and liable to all damages and expenses arising therefrom; and, on conviction thereof before any three justices of the peace of the parish or precinct wherein the offence shall have been committed, shall suffer six months imprisonment, without bail or mainprize, in the common gaol for every such offence.

13. And whereas doubts have arisen, whether the proceedings against such slaves as aforesaid should be considered as a criminal or a civil process; and whether, in order to sustain the legality of any warrant issued to apprehend or to commit such slaves, it be not necessary to set forth in such warrant the proper name of each individual slave, which name, in many cases, it may be impossible to obtain; it is hereby

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refuse or neglect to produce before the magistrates;

and to be imprisoned until fine paid.

Informer may prosecute, but penalty on conviction to go to the public.

On refusal to produce such slaves before magistrates when summoned, warrant to be issued for their apprehension.

Persons resisting such warrant to forfeit £. 200.

Deputy-marshals making other levies in civil causes, while executing such warrants, levies to be void.

The officer to be liable to all damages, and, on conviction, to be imprisoned for six months.

Proceedings against such slaves, declared to be a criminal process, and only such descriptions as may identify them necessary.

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hereby declared, That every such process is, and shall be taken to be, of a criminal nature, and that any such particular description, as shall be sufficient to ascertain the person of any such slave, or to discriminate such slaves from any others, not being foreign slaves within the true intent and meaning of this Act, shall be deemed to be a sufficient specification of any such slave or slaves, in any warrant issued under and by virtue of this act.

Proscribed slaves produced before magistrates, or apprehended by warrant, to be committed to gaol until transported, unless proof is made that they are not of such description.

14. And be it further enacted by the authority aforesaid, That all and every slave or slaves who shall be produced to the justices of the peace associated as aforesaid by the person or persons hiring, employing, harbouring or entertaining, or having such slave or slaves in his her or their possession, or suffering such slave or slaves to remain or abide on his her or their settlement or property, or any settlement or property in his her or their possession in the right of any other person, or under his her or their care or management, or apprehended and brought before the said justices by virtue of their warrant issued for that purpose, in the manner aforesaid, shall by such justices (unless due proof shall be made on the examination to their satisfaction, that such slave or slaves is not or are not of the description of slaves hereinbefore given, and prohibited to remain or abide in this Island, and that such slave or slaves doth or do not come within the intent and meaning of this Act) be committed to the county gaol, there to be detained in safe and close custody until such slave or slaves shall be transported in the manner hereafter declared.

Justices to issue their order to provost-marshal to sell such slaves for transportation.

Copy of proceedings, and order to be sent to clerk of peace to be recorded.

Penalty of £. 500. on gaol-keepers refusing to receive and detain such slaves.

15. And be it further enacted by the authority aforesaid, That the justices associated as aforesaid shall be, and they hereby are empowered and required to issue their order to the provost marshal, or his lawful deputy of the gaol to which any such slaves as aforesaid shall be by them committed, to sell all such slaves for transportation, in the manner hereafter declared; and the said justices are hereby further directed to transmit a copy of the examination, together with a copy of the warrant of commitment and of the order aforesaid, to the clerk of the peace of the precinct wherein such justices shall act, to be recorded forthwith in his office, under the penalty of two hundred pounds, to be forfeited by the said clerk of the peace for every neglect so to do: and in case any gaol-keeper shall refuse to receive into his custody any slave committed to his charge for the purpose of transportation, under the directions and by virtue of this Act, or having received, shall not detain and keep in safe and close custody every such slave, until such transportation shall be duly carried into effect, he shall for every such default forfeit the sum of five hundred pounds.

Provost-marshal to execute such order of justices as soon as may be, under penalty of £. 500.

Application of monies arising from sales.

Sales to be advertised for two weeks.

16. And be it further enacted by the authority aforesaid, That the provost-marshal or his lawful deputy, to whom any orders shall be issued, by any justices of the peace associated in the manner aforesaid, for the selling for transportation any slave or slaves, under the authority and by virtue of this Act, shall, under the penalty of five hundred pounds, carry the said order into effect, as soon after any such slave or slaves as aforesaid shall come into his possession or custody, as an opportunity shall offer after the sale made hereinafter mentioned; and the monies arising from such sale, after deducting therefrom a commission of five pounds per centum, and all expenses, shall be applied (except in such cases wherein it shall hereafter by this Act be otherwise directed) in the following manner; to wit, one moiety thereof to his Majesty, his heirs and successors, for and towards the support of his government of this Island, and the other moiety to the informer or prosecutor, or the person or persons apprehending such slave or slaves, as the case may be: provided always nevertheless, that the said provost marshal or his lawful deputy shall, under the penalty of one hundred pounds for each default, cause public notice of such sale to be given in the Royal Gazette, if such sale shall be intended to be had in either of the counties of Middlesex or Surrey; or in the Cornwall Chronicle, if in the county of Cornwall; for two weeks previous to the sale being made of any slave or slaves (specifying in such advertisement the number of slaves so intended to be sold,) who shall be directed to be sold for transportation, under the authority and by virtue of this Act.

Purchasers of such slaves to give bond in £. 500. penalty, to export them within thirty days, and to keep them in confinement during that time;

17. And be it further enacted by the authority aforesaid, That every slave who, under the authority and by virtue of this Act, shall be sold for transportation by the provost marshal or his lawful deputy, shall notwithstanding such sale, remain in the custody of the said provost marshal or his said deputy, until the purchaser of such slave shall have entered into bond, with sufficient security, to our sovereign lord the King,

King, under the penalty of five hundred pounds for every such slave so purchased, that every such slave shall be exported off this Island, within thirty days after the date of such bond, and shall, in the mean time, be kept in close confinement on board the ship or vessel in which such slave is intended to be exported; which bond shall be taken by the said provost marshal or his lawful deputy aforesaid, (for which the said provost marshal, or his said deputy, shall receive from the party entering into the same, all expenses incidental thereto) and be filed among the records of the clerk of the peace's office of the precinct wherein such sale shall be made.

bond to be lodged in clerk of peace's office.

18. And be it further enacted by the authority aforesaid, That every such purchaser of any slave, so directed to be sold for transportation as aforesaid, shall, at the time of executing such bond as aforesaid, also make oath before the provost marshal or his lawful deputy (either of whom is hereby authorized and required to administer the same) that every such slave so purchased by him shall be exported to (death or dangers of the seas excepted), and that the said slave so purchased shall not, with his knowledge privity or consent, be relanded in this Island.

Purchaser to make oath, that slaves shall be exported, and that they shall not be relanded.

19. And be it further enacted by the authority aforesaid, That the provost marshal or any of his deputies, shall not, under the penalty of three hundred pounds for each offence, deliver over to any purchaser or purchasers any slave so sold for transportation as aforesaid, until such bond is entered into, and oath taken as aforesaid: and in case any such slave so sold for transportation as aforesaid, shall be found within this Island after the expiration of the thirty days before limited for his or her exportation, such slave shall become forfeited to the crown, and be resold for transportation, by the provost marshal or his lawful deputy, in the same manner, and under the like penalties, as are hereinbefore enacted.

No slave to be delivered until bond taken, and oath made, under penalty of £. 300. on provost-marshal, &c. and if slave found again, to be forfeited.

20. And be it further enacted by the authority aforesaid, That every slave sold for transportation, under and by virtue of this Act, who shall be found at large within this Island, at any time after such sale as is hereinbefore directed, may and shall be lawfully apprehended by any person whomsoever, and immediately taken before any of his Majesty's justices of the peace; and if it shall be made to appear to the satisfaction of such justice, that such slave has been formerly sold for transportation by virtue of this Act, such justice shall by warrant under his hand and seal, direct such slave to be delivered to the provost marshal or his lawful deputy to be re-sold for transportation only; and the monies arising from such sale after the deduction of the commission of five pounds per centum, and all necessary expenses, shall be paid over, one moiety thereof to the person apprehending such slave, and the other moiety to the receiver-general for the time being, for the support of the government of this Island.

Such slaves going at large, may be apprehended by any person, and on due proof, resold by order of a magistrate, for transportation.

Application of proceeds.

21. And be it further enacted by the authority aforesaid, That immediately from and after the passing of this Act, in case any foreign person of colour or foreign negro shall be found going about or at large in any part of this Island, except on the settlement or property of any person claiming to be the owner or proprietor of such person of colour or negro, or having such person of colour or negro in his or her possession, or under his or her care or management, as the representative, or in the right of another, and within the term of six months from and after the passing of this Act, hereby allowed for the exportation of such foreign French slaves as are herein before-mentioned; provided such foreign person of colour or foreign negro shall not have a certificate passport or police ticket, under the provisions of the Act, intituled, An Act for establishing regulations respecting persons of a certain description, arriving in this Island or resident therein, in certain cases; or shall not be of the description of slaves that are herein-before excepted from exportation, or are permitted to remain in this Island; or unless such foreign person of colour or foreign negro shall be under the care of some white person properly authorized, who shall be *bonâ fide* conducting such person of colour or negro to some barquadier, for the purpose of exporting the same, according to the directions and within the time limited by this Act; all and every of his Majesty's justices of the peace, and the peace officers of every parish of this Island; and also all and every of his Majesty's subjects are hereby empowered, directed and required to apprehend or cause to be apprehended all and every such foreign person or persons of colour or foreign negro or negroes so found, and to carry the same, or to cause the same to be carried, before the nearest magistrate, who is hereby empowered and enjoined to associate with himself two other magistrates of the same parish or precinct; which three magistrates shall, together, take the examination

Foreign persons of colour or negroes going at large, except on the properties they belong to

(unless protected under 39 Geo. III. cap. 30, or by certificate,

or under the care of a white person, conducting them for transportation.)

to be apprehended and carried before a magistrate, who is to associate with two others, and take examination; and unless residence be sanctioned,

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to commit them to gaol, and cause them to be sold for transportation.

In such cases where there is doubt, the onus probandi to lie on the claimant.

Slaves formerly transported from this Island,

already returned, or who may return thereto, to be treated in all respects as proscribed slaves.

If foreign slaves are found employed in droppers, &c. the vessel to be seized and condemned.

In such case, the slaves to be sold for transportation.

Proviso.  
Not to extend to vessels in foreign trade, or trading under free port Acts.

of such foreign person or persons of colour or negro or negroes, and, unless proof shall be made to their satisfaction that such person or persons of colour or negro or negroes so brought before them, is or are not of the description of slaves hereinbefore ordered to be exported, or prohibited to remain or abide on this Island, or that he she or they doth or do come within the intent or meaning of some or one of the exceptions or provisions by this Act made and declared, they shall commit the said person or persons of colour or negro or negroes to the county gaol, and shall proceed to cause the same to be sold for transportation by the provost marshal or his lawful deputy; and their proceedings be recorded by the clerk of the peace, according to the same regulations and under the same penalties as are hereinbefore enacted and declared; and the monies arising from such sales shall be applied in the manner hereinbefore directed.

22. And be it further enacted by the authority aforesaid, That whenever any question shall arise, whether any slave, or any foreign person of colour, or foreign negro, taken up or otherwise brought before any magistrate as aforesaid, is such a slave as comes within the description of slaves hereinbefore ordered to be exported, or prohibited to remain or abide in this Island, the proof to the contrary shall lie on the owner or claimant of such slave, foreign person of colour, or foreign negro, or on the defendant or defendants; any law custom or usage to the contrary notwithstanding.

23. And whereas many slaves of a most desperate character, who have heretofore been exported off this Island by the private authority of their owners or proprietors, or of the representatives of such owners or proprietors, for misdemeanors by them committed, and sold into the colonies, islands or territories under the French government, have during the late influx of foreign slaves, found the means to return from the said French colonies, islands or territories, into this Island, and are now at large therein, to the great annoyance and danger of this community; be it further enacted by the authority aforesaid, and it is hereby declared, That all such slaves so exported as aforesaid, who have already returned, or shall hereafter return to this Island from St. Domingo, or any other foreign colony, island or territory, shall be deemed and taken to be foreign slaves, of the description hereby prohibited to remain or abide in this Island, and be liable immediately from and after the passing of this Act, to be apprehended and sold for transportation, by the order of the magistrates, in the same manner as is hereinbefore directed; and that in case any such slave shall wilfully return from such transportation, and be found again at any time thereafter in this Island, every such slave shall, on conviction thereof before a slave-court, suffer death without benefit of clergy.

24. And be it further enacted by the authority aforesaid, That from and after the passing of this Act, it shall not be lawful for any person or persons to hire or employ any such foreign slave or slaves as is or are of the description by this Act prohibited to remain or abide any where in this Island, in drogging or navigating any vessel from any bay, harbour or sea-port to another in this Island; and that if any such slave or slaves be found so hired or employed, it may and shall be lawful for any of the officers of his Majesty's customs of this Island, and for the naval officer or his deputies, and the commanders of his Majesty's different ships of war or armed vessels, and for any of the magistrates of this Island, to seize such vessel, and also the slaves aforesaid; and they are hereby severally empowered and authorized to seize the same, and to proceed to the condemnation thereof in the supreme court of judicature, or any of the courts of assize in this Island.

25. And it is hereby further enacted, That on the conviction of such vessel and slaves, the said slaves shall be adjudged by the court to be sold for transportation by the provost marshal, or his lawful deputy, in the same manner and under the same regulations as are hereinbefore declared; and that the said vessel and the monies arising from the sale of the said slaves, after deducting the commissions and charges, shall be forfeited to the sole use and benefit of the party seizing the same: provided always nevertheless, that nothing in this Act contained shall extend to prevent the hiring or employing any foreign slave or slaves in navigating any ship or other vessel registered according to Act of Parliament, to and from the ports of this Island and any other part of his Majesty's dominions, or any foreign port, or to affect any slave or slaves employed in navigating any foreign vessel permitted to trade to any of the ports of this Island.

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26. Be it nevertheless enacted, and it is hereby declared, That no such foreign seafaring slave or slaves as aforesaid, shall be permitted or suffered to proceed further to the landward of this Island than the wharf, quay or landing place, where their labour may be indispensably necessary for the loading or unloading the cargo of the ship or vessel to which such slave or slaves shall respectively belong, on pain of being liable to be apprehended by any of his Majesty's subjects as is hereby before directed, and carried before the nearest magistrate for examination, and of being dealt with, if found to be of the description of foreign slaves hereby prohibited to remain or abide in this Island, and to come within the true intent and meaning of this Act, in the manner hereby before enacted and declared; or if found to be of any other description of foreign slaves, of being committed to the nearest workhouse, for a space of time not less than twenty-four hours, and till claimed by his or their respective owner, and the like reward for taking up such slave or slaves, and other charges enacted by the laws now in force respecting runaway slaves, be paid.

Foreign seafaring slaves not to go about at large on shore,

under pain of being apprehended and dealt with as proscribed slaves, if of that description; and of being sent to the workhouse if they are not.

27. And whereas there is great reason to apprehend that people of colour or negroes may be sent from St. Domingo, or some other foreign island or colony to different parts of this Island, for the purpose of exciting sedition or raising rebellions; or that some of the foreign people of colour or negroes, who have of late arrived from thence, and are permitted to reside here, under the sanction of law, may be employed as emissaries for such purposes; be it further enacted by the authority aforesaid, That all and every of his Majesty's justices of the peace, and the peace officers of every parish in this Island, and all and every of his Majesty's subjects, be and they hereby are empowered and required to apprehend and secure, or cause to be apprehended and secured, all and every suspected person or persons of the above description, that may be found in any part of this Island, and to bring carry or send him her or them before the nearest magistrate, to be by him examined; who upon finding that there are probable grounds of suspicion of seditious or rebellious practices on the part of any such person or persons, or of his her or their having exhorted encouraged or excited any slave or slaves or any free person of colour, or free negro of this Island thereto, shall then and in every such case, be obliged under the penalty of five hundred pounds to commit all and every such person or persons of colour, or negro or negroes, so brought before him, to close confinement, in any of the gaols of this Island, until there shall be an opportunity of calling and assembling a slave court.

Foreigners or negroes found exciting sedition, or suspected thereof, to be apprehended and committed to gaol for trial;

28. And be it enacted, That on the trial before such court of any such person or persons as aforesaid, the evidence of slaves shall be received, and that no claim of a right of freedom shall be allowed to be pleaded on the behalf of the prisoner or prisoners in bar of the jurisdiction of such court; and if such person or persons of colour, or negro or negroes of the above description, upon his her or their trial, shall be found guilty of seditious or rebellious practices, or of having exhorted encouraged or excited any slave or slaves or any free person of colour or free negro of this Island thereto, the said person or persons so found guilty and convicted, shall suffer death without benefit of clergy; and in case there shall not be sufficient proof to convict such person or persons of the charge on which he she or they shall be tried, but the jury shall nevertheless from the evidence before them, find by a special verdict, the prisoner or prisoners to be dangerous to the safety and tranquillity of this Island, the court is hereby directed and required to remand such prisoner or prisoners to close confinement in gaol, and to adjudge and order him her or them to be transported off this Island for life.

(in which the evidence of slaves is to be admitted)

and if convicted, to suffer death.

In doubtful cases, transportation for life.

29. And whereas the peace and safety of this Island requires, that all such domestic slaves belonging to any French person or persons residing in the towns of Kingston and Port Royal, which have been brought hither since the twenty-third day of August in the year one thousand seven hundred and ninety-one, and have before such arrival at any time inhabited or resided, or in anywise been living or abiding in the island of St. Domingo, or any other island, colony, territory or dominion belonging to or under the government of the French nation, should be put under such regulations as may prevent their having the means of doing any mischief, by mixing with the slaves of this Island; be it enacted by the authority aforesaid, That every such French person possessed of any such foreign French domestic slave or slaves of the description aforesaid, shall under the penalty of one hundred pounds for each and every slave neglected to be registered in the manner hereby directed, within thirty days after the twenty-fifth day of March in each and every year, so

Regulations for foreign slaves in Kingston and Port Royal;

The owners of such, on thirty days from 25th March annually, are to give in their names and descriptions at clerk of peace's

long

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office, and certificates are to be granted them;

long as this Act shall continue to be in force, either by himself herself or agent, being a white person, give an account on oath of the number names and quality of all such slaves in his or her possession, and produce the same before the two sitting magistrates of Kingston, on such day or days within the time before limited, as shall be publicly appointed by the custos or chief magistrate for that purpose, at the clerk of the peace's office; and the said sitting magistrates are hereby required, in case it shall be made to appear to their satisfaction, that such slaves so brought before them are really and bona fide domestic slaves, belonging to the person in whose name such slaves are brought to be registered, and have never borne arms or acted in any military capacity, before their arrival in this Island, to direct the clerk of the peace to make out and deliver to the owner of every such slave, or his or her agent, a certificate for each slave, in the following form, viz.

in this form;

“ These are to certify, that on the \_\_\_\_\_ day of \_\_\_\_\_  
 “ A. B. [or, his or her agent] hath produced at this office, a  
 “ negro [mulatto or other] slave [the name, sex, age, figure and country of the slave  
 “ to be described] the property of \_\_\_\_\_ [the name rank  
 “ and occupation of the proprietor to be set forth] resident in the town of Kingston  
 “ [or Port Royal] since the \_\_\_\_\_ day of \_\_\_\_\_  
 “ Office of the Clerk of the Peace, Kingston. Dated the \_\_\_\_\_  
 “ day of \_\_\_\_\_

(Signed by the Clerk of the Peace.)

to be in force for one year.

Slaves to be registered.

Which certificate shall be in force for one year from the date thereof, provided nevertheless, that no one family shall be entitled to, or allowed to receive certificates for any greater number than six such domestic slaves; and such clerk of the peace shall register all such slaves, by making an entry of every such certificate, in the words thereof at length, in a book to be by him provided and kept for that purpose.

No stamp duty or fee on certificates; and if lost, they may be renewed, paying a fee of two shillings and sixpence to clerk of the peace.

30. And be it further enacted, That every such certificate as aforesaid, shall be free of any stamp or duty imposed by any law now in force, and delivered to the owner of any slave so registered as aforesaid, or to his or her agent, without any fee or reward whatsoever; and in case any such certificate shall be lost or destroyed by accident, the same shall be renewed upon application, either personally or in writing, of the owner or possessor of the slave for whom the same shall have been granted, and such slave being again produced before the clerk of the peace at his office, and found to agree with the description entered upon the register, upon payment of two shillings and sixpence by the party applying for the same.

Clerk of peace to make return to custos of certificates granted annually, in forty days from 25th of March, which is to be transmitted to governor, under penalty of £. 100;

31. And be it further enacted by the authority aforesaid, That the clerk of the peace aforesaid shall, within forty days after the twenty-fifth day of March in each and every year during the continuance of this Act, make a return of all the certificates issued at the preceding general registry, to the custos or chief magistrate of Kingston, in which shall be set forth the substance and date of every such certificate, under the pain of forfeiting the salary hereby granted for his trouble, which return shall be forthwith transmitted by the said custos or chief magistrate, under the penalty of one hundred pounds, to the office of the secretary of the lieutenant-governor, or the governor or commander in chief for the time being.

for which he is to receive £. 100. yearly, by an order on receiver-general.

32. And be it enacted, That the custos or chief magistrate of Kingston shall be, and he is hereby empowered, immediately upon the receipt of such return, to draw an order on the receiver-general for the time being, for the payment of the sum of one hundred pounds, out of any monies in his hands appropriated to the clerk of the peace aforesaid, which shall be in full compensation to him, for his trouble in certificating and registering all such slaves as aforesaid.

No foreign domestic slaves to be hired out, but in Kingston or Port-Royal, nor to be sent into the country (in which cases, certificate of no avail)

33. And be it further enacted by the authority aforesaid, That the owner or possessor, or the owners or possessors of any such foreign French domestic slaves as aforesaid, shall be, and they hereby are prohibited from hiring the said slaves out in any parish of this Island, the towns of Kingston and Port Royal as aforesaid only excepted; or from sending such slaves any whither into the country, (in either of which cases the certificate last mentioned shall not protect any such slave from being apprehended and taken up, if found at a greater distance than half a mile from one of the said towns, and dealt with as a foreign slave, prohibited by this Act

to

to remain or abide in this Island;) or from hiring them out on board any ship, sloop or vessel whatsoever, under the penalty of one hundred pounds for each and every such latter offence; and in case of the seizure of any drogger or other vessel, for having any foreign slaves on board, the proof of their not coming under the description aforesaid shall lie upon the owner or owners, claimant or claimants, who notwithstanding shall be subject and liable to all expenses occasioned by stopping or detaining the said vessel.

34. Provided always nevertheless, and it is hereby declared, That in case any French person residing in Kingston or Port Royal, or any other place in this Island, shall, at the time of the passing this Act, have in his possession or shall at any time hereafter become possessed in this Island, of any foreign slave or slaves, who never at any time hath or have inhabited or resided or in anywise been living or abiding in the Island of St. Domingo, or any other island, colony, territory or dominion belonging to or under the government of the French nation, or in any colony territory or dominion belonging to any nation now at war with Great Britain, since the commencement of hostilities, the said slave or slaves shall not be deemed to come within the meaning of this Act, or be laid under the restrictions thereof: provided also, that no slave imported from St. Domingo or any other French island, colony, territory or dominion, which slave hath been brought into or arrived in this Island before the twenty-third day of August in the year one thousand seven hundred and ninety-one aforesaid, and hath constantly resided and lived in this Island ever since such arrival as aforesaid, shall be deemed or construed to be within the intent or meaning of this Act or be in anywise affected thereby, to whomsoever such slave shall belong.

35. And be it further enacted by the authority aforesaid, That in case any French or other person shall, in order to obtain a certificate from the clerk of the peace aforesaid, for any slave, be guilty of any false and wilful forswearing, or shall suborn or procure any other person to swear falsely, he or she, being thereof duly convicted, shall incur and suffer the pains and penalties inflicted by law on such persons as shall commit, or shall suborn any other person to commit, unlawful and corrupt perjury.

36. And be it also enacted by the authority aforesaid, any thing in this Act to the contrary notwithstanding, That in case it shall appear to the two sitting magistrates of Kingston aforesaid, that there is just cause to suspect that any slave or slaves brought before them to be certificated as aforesaid, are not domestic slaves, or do not really belong to the person or persons in whose name or names they are brought to be certificated and registered, or are slaves of such a character or description as may render them dangerous to the peace and tranquillity of this Island, the said magistrates are hereby authorized empowered and required to commit forthwith such slave or slaves to gaol, and to associate with themselves one or more other magistrates of the same precinct; which said magistrates so associated shall cause to be brought before them all persons capable of giving evidence, and shall together take the examination of such slave or slaves as aforesaid; and, unless proof shall be made to their satisfaction that such slave or slaves are really domestic slaves, belonging to the person or persons in whose name or names they were brought to be certificated and registered, and of a character and description consistent with the true intent and meaning of this Act, and that no fraud or collusion has been practised or been intended to be practised, shall remand such slave or slaves to close confinement in gaol, and cause him her or them to be sold for transportation by the provost marshal or his lawful deputy, and their proceedings to be recorded by the clerk of the peace, in the same manner and under the same regulations and penalties as are hereinbefore enacted and declared; the monies arising from which sale or sales shall, after deducting the commissions and expenses, be paid over to the receiver-general for the time being, to be applied towards the support of the government of this Island.

37. And be it further enacted by the authority aforesaid, That it may and shall be lawful for any peace officer of the parishes of Kingston and Port Royal, and for any officer or private of the town guard of Kingston, to apprehend any foreign French slave (seafaring slaves belonging to and employed in navigating vessels trading to and from this Island and any port without the same, and found only on the wharves quays or landing places of the said towns in the manner hereinbefore mentioned,

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nor to be hired on board vessels, under £. 100. penalty.

In case of seizure of vessel, for having such slaves, onus probandi to lie on claimant.

Proviso.

Foreign slaves who have never been in St. Domingo, or any other Island, &c. belonging to France, or to any nation at war with Great Britain since hostilities commenced, as well as those who quitted St. Domingo, &c. before 23d August 1791, not affected by this Act.

Persons swearing falsely to obtain certificates, guilty of perjury.

In case of suspicious slaves being brought to be certificated,

they are to be proceeded against as proscribed slaves;

unless proof is made, that they are not of such description.

All foreign slaves found in Kingston or Port-Royal without certificates, after 24th April, to be taken up and examined (except seafaring slaves on

excepted)



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the wharves,) and, if certificate lost, by negligence, owner to be fined 10 s. and slave sent to workhouse;

but if it appears that any slave apprehended, has not been certificated, they are to be proceeded against as directed in the case of proscribed slaves.

Constables, &c. wilfully destroying certificates, to be fined £. 20.

Governor, by proclamation, may order all foreign domestic slaves to be exported, and in case of non-compliance, may issue his warrant to provost marshal, to take up and confine them.

Masters of vessels, on arrival, to declare on oath to naval officer, if slaves on board his vessel, other than the crew,

and specify particulars in writing.

Proviso.

excepted) who after the twenty-fourth day of April next shall be found without a certificate as aforesaid, and to carry such slave before the clerk of the peace of such of the parishes aforesaid wherein the said slave shall be found, for examination by a magistrate; and if it shall appear that such slave had been certificated as aforesaid, but that the certificate has been lost by negligence, the said magistrate shall order the owner or owners, claimant or claimants of such slave, to pay to the person or persons who apprehended him for examination the sum of ten shillings, and shall commit the said slave to the workhouse for such time, not exceeding twenty-four hours, as in his discretion he shall think fit, and, in default of the immediate payment of the ten shillings aforesaid, until the same shall be duly paid; but in case no proof shall be offered to his satisfaction that such slave had been certificated in manner aforesaid, the said magistrate shall be and hereby is authorized and required to associate with himself two other magistrates of the same precinct; which three magistrates so associated, unless it shall be duly proved to their satisfaction that such slave is not a foreign slave of the description hereinbefore ordered to be exported, or prohibited to remain or abide in this Island, or that such slave had been duly certificated, but has lost his certificate, or unless good and sufficient security shall be given that such slave shall be exported off this Island within the time limited by this Act (provided the said time shall not be then expired,) shall cause such slave to be sold for transportation by the provost marshal or his lawful deputy, in the manner and under the regulations and penalties hereinbefore directed; and the monies arising from such sale, after deducting the commission and all expenses, shall be applied in the manner hereinbefore declared.

38. And be it further enacted by the authority aforesaid, That if any constable or peace officer, or any other person, shall wilfully destroy any certificate, granted in manner aforesaid, to any French domestic slave, by the clerk of the peace of the parish of Kingston, he shall, on being duly convicted thereof before any three magistrates of the parish wherein the offence shall have been committed, be fined in a sum not exceeding twenty pounds, and be kept in confinement in the common gaol until the fine be paid; provided that such confinement shall not exceed the term of two months.

39. And be it further enacted by the authority aforesaid, That it may and shall be lawful for the lieutenant governor, or the governor or commander in chief for the time being, upon apprehension of danger to this Island, by and with the consent and advice of the privy council, to order by proclamation all such foreign French domestic slaves as aforesaid, or such of them as the said proclamation shall set forth, to be exported off this Island, by their respective owners or possessors; and in case such exportation shall not be complied with, according to the terms of, and within the time prescribed by, such proclamation, to order and direct by warrant under his hand and seal, the provost marshal, or his lawful deputy or deputies, to apprehend and take up all such slaves as aforesaid, and to keep them in close confinement and safe custody, until such means shall be found of conveying the said slaves out of this Island, as the said lieutenant governor, governor or commander in chief shall, with the advice of the privy council approve of.

40. And, in order to prevent any further introduction of slaves from St. Domingo, or any other island, colony, territory or dominion belonging to, or under the government of, the French nation, or belonging to any other nation now at war with Great Britain; be it enacted by the authority aforesaid, That from and after the passing of this Act, the master or commander of every ship, vessel or boat, which shall arrive in any port of this Island, from any port without the same, shall, immediately on his arrival, declare upon oath, to the naval officer or his deputy of such port, whether there is or are, to the best of his knowledge, any negro or other slave or slaves on board his vessel, not being slaves bonâ fide belonging to his said vessel, and employed in navigating the same; and in his said declaration, shall specify the number, and sex or sexes of such slaves, if any there be on board his said vessel, the place or places where they were taken on board, and the name or names of their respective owners or proprietors, and such further particulars concerning them and each of them, as shall have come to his knowledge; and shall also at the same time render, on oath to the said naval officer or his deputy, an account and list in writing, of all such slaves on board his said ship, vessel or boat, as belong thereto, and are employed in navigating the same: provided nevertheless, that the master or commander

mander of any ship or vessel from the coast of Africa shall, so far as respects any slaves, being new negroes, on board his said ship or vessel, composing the cargo thereof as merchandize, be required and obliged only to declare on oath, generally, whether or not any of the slaves of the description of new negroes as aforesaid, on board his ship or vessel, have been landed in St. Domingo, or any other island, colony, territory or dominion, belonging to, or under the government of, the French nation, or of any other nation now at war with Great Britain, since such slaves were brought from the coast of Africa.

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Vessels from the coast of Africa excepted.

41. And be it further enacted by the authority aforesaid, That the master or commander of any ship vessel or boat so arriving as aforesaid, who shall neglect or refuse to make such declaration on oath, or to render such account and list on oath as aforesaid, shall for every such offence forfeit and pay the sum of seventy pounds for each and every such slave who shall have been on board at the time of the arrival of such ship vessel or boat as aforesaid; one moiety whereof shall be to his Majesty, his heirs and successors, for the support of the government of this Island, and the other moiety to the informer or informers, to be recovered before any three magistrates acting in and for the parish in which such offence shall have been committed; and that it shall be lawful for the collector and comptroller of the customs of the port, and for the naval officer or his deputy, where such ship vessel or boat shall have arrived, and they are hereby required and enjoined, to detain such ship vessel or boat as aforesaid until the same shall have been paid.

Masters of vessels, neglecting to declare, to forfeit £. 70. for each slave found on board;

to be recovered before three magistrates.

Vessel to be detained until fine paid.

42. And be it further enacted by the authority aforesaid, That it shall not be lawful for any master or commander of any ship vessel or boat arriving in any port of this Island, from any port without the same, to land, or suffer to be landed, any slave or slaves not being slaves bonâ fide belonging to his said vessel, and employed in navigating the same (in which case all such slaves shall be under the regulations and restrictions hereinbefore provided and declared for foreign seafaring slaves employed in navigating vessels to and from this Island) without a permit in writing from the naval officer, or his deputy, of such port where he shall have arrived, under the pain of forfeiting the sum of two hundred pounds for every such slave so landed; one moiety whereof shall be to his Majesty, his heirs and successors, for and towards the support of the government of this Island, and the other moiety to the informer; and of suffering the further punishment of six months imprisonment, without bail or mainprize, in the common gaol, on conviction of such offence before any three magistrates of the parish or precinct wherein it shall be committed.

No slave to be landed without a permit from naval officer, under penalty of £. 200. and six months imprisonment.

43. And be it further enacted by the authority aforesaid, That the naval officer or his deputy, shall not grant to any master or commander of any ship vessel or boat so arriving as aforesaid, any permit in any other manner than is hereafter mentioned, to land, or suffer to be landed, any slave or slaves (new negroes from the coast of Africa, which have never been landed in St. Domingo, or any other French or other foreign Island, colony, territory or dominion, whether imported from Africa in British vessels, or found on board any prize vessel taken from an enemy, excepted) under the penalty of two hundred pounds for each and every slave so permitted to be landed; to be recovered in the supreme court, or either of the courts of assize in this Island; one moiety whereof to be to the use of his Majesty, his heirs and successors, for the support of the government of this Island, and the other moiety to the person suing for the same.

Naval officer to grant no such permits under penalty of £. 200.

44. And be it further enacted by the authority aforesaid, That it may and shall be lawful for the naval officer or his deputy of any of the ports of this Island, upon oath being made before him, by the owner or proprietor, or his or her agent, being a white person of known credibility, that any slave or slaves mentioned in the declaration of such master or commander of any ship vessel or boat as aforesaid, hath or have not at any time theretofore since the twenty-third day of August in the year one thousand seven hundred and ninety-one, inhabited or resided or in anywise been living or abiding in St. Domingo, or in any other Island, colony, territory or dominion belonging to, or under the government of the French nation, or in any colony territory or dominion, belonging to any other nation now at war with Great Britain, since the commencement of hostilities, to grant a permit in writing, for the landing such slave or slaves as shall be specified in such oath.

unless oath be made by the owner, that such slave is not of the description before prescribed.

45. Provided always and it is hereby enacted, That in case any owner or proprietor of any slave or slaves as aforesaid, or his or her agent, shall be guilty of any false

Persons herein swearing falsely, guilty of perjury.

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false and wilful forswearing in taking the oath aforesaid, or shall unlawfully and corruptly procure or suborn any person to take the said oath falsely, he or she being thereof duly convicted, shall for every such offence incur the pains and penalties inflicted by law on all such persons as shall commit wilful perjury, or shall procure or suborn any person to commit any unlawful or corrupt perjury.

On information that permits have been fraudulently obtained, slaves to be apprehended and proceeded against as directed in respect to those proscribed.

46. And be it further enacted, That in case information shall be given on oath, to any one of his Majesty's justices of the peace of the parish wherein such slave or slaves so landed may afterwards be found, that the permit to land such slave or slaves was fraudulently obtained, contrary to the intent and meaning of this Act, and that such slave or slaves is or are of the description of foreign slaves hereinbefore prohibited to remain or abide in this Island, such justice of the peace shall be, and he hereby is empowered and required to cause such slave or slaves to be apprehended, and to associate with himself two other justices of the peace of the same precinct; which justices so associated, upon the fact being duly proved before them to their satisfaction, shall cause such slave or slaves to be sold for transportation, by the provost marshal or his lawful deputy, under the same regulations as are hereinbefore directed; and the monies arising from such sale or sales shall be applied in the manner hereinbefore declared.

Naval officer to receive a fee of 5 s. for each permit, including the declaration list, &c.

47. And be it further enacted by the authority aforesaid, That the naval officer or his deputy of the several ports of this Island, shall be entitled for taking the declaration of the master or commander of any ship vessel or boat, and the account and list as aforesaid, and for administering the several oaths by this Act required, (which oaths they or either of them, are hereby authorized and empowered to administer,) and for making out and granting the permit in writing, for landing any such slave or slaves as aforesaid, to demand a fee of five shillings for every such slave (new negroes excepted) so permitted to be landed; to be paid by the owner or proprietor of the said slaves, or the person applying for the same in his or her behalf, before such slave or slaves shall be landed; which fees shall be in full compensation to such naval officer and his deputies, for the additional duty imposed on them by this Act.

New negroes excepted; the fee to be paid by the owner.

Foreign slaves taken in the attempt to be landed, to be proceeded with as if found on shore.

48. And be it further enacted by the authority aforesaid, That in case any attempt shall be made to land clandestinely any foreign slave from on board any ship vessel or boat in any port, harbour, bay or creek, or any where on the sea coast of this Island, contrary to the true intent and meaning of this act as aforesaid, it may and shall be lawful for any of the officers of his Majesty's customs, or any other of his Majesty's subjects, to seize every such slave, and to carry the same before the nearest magistrate, who is hereby empowered and directed to associate with himself two other magistrates of the same precinct, who, together, shall examine into the fact of such attempt to land such foreign slave; and upon due proof being made to their satisfaction that the same was clandestinely done, and not occasioned by shipwreck or any other unavoidable or irresistible necessity, shall commit such slave to the county gaol, and order the same to be sold for transportation by the provost marshal, or his lawful deputy, in the manner by this Act before directed; and the monies arising from such sale, after deducting the usual commissions and charges, shall be applied to the sole use and benefit of the person or persons apprehending and seizing such slave.

Indemnity for persons executing this Act.

Limitation of actions.

General issue.

49. And be it further enacted by the authority aforesaid, That if any person or persons shall at any time be sued or prosecuted for any thing by him or them done or executed in pursuance and under the authority of this Act, such action or prosecution shall be commenced within the space of six months next after the offence shall have been committed; and that the defendant or defendants therein may plead the general issue, "not guilty," and give this Act and the special matter in evidence at any trial to be had thereupon; and that the same was done in pursuance and under the authority of this act; and if the same shall appear to have been so done, that the jury shall find a verdict for the defendant or defendants; and if the plaintiff or plaintiffs shall become non-suit, or suffer a discontinuance of his her or their action, or if a verdict shall pass against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and have the like remedy for the same, as any defendant or defendants hath or have for costs of suit in any other cases by law.

Treble costs.

Penalty on agents, for neglect of duty.

50. And be it further enacted by the authority aforesaid, That in case any justice of the peace, clerk of the peace, provost marshal, deputy marshal, gaol keeper, constable

constable, naval officer, or his deputy, or any other person by whom any thing is directed by this Act to be done and performed, shall refuse to perform, or shall neglect his duty in any thing required by this Act to be done, for which default no penalty is herein-before provided, every such person so offending shall forfeit the sum of one hundred pounds for every such neglect or refusal.

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51. And be it further enacted by the authority aforesaid, That in all cases wherein any penalty in this Act mentioned, is directed to be recovered before any justice or justices of the peace, such justice or justices are hereby empowered and enjoined to commit the offender or offenders on conviction to the common gaol, there to remain without bail or mainprize until such penalty or penalties shall be duly paid; and that all penalties not herein directed how they shall be recovered, shall be recovered in the supreme court of judicature, or in the courts of assize in this Island, by action of debt, bill, plaint or information, wherein, as also in all actions or suits brought for penalties, hereinbefore expressly directed to be recovered in the supreme court, or courts of assize, no essoign, protection, wager of law, imparlance, or injunction shall be granted or allowed, or *non vult ulterius prosequi* be entered; one moiety of which penalties shall be to the use of his Majesty, his heirs and successors, for and towards the support of the government of this Island, and the contingent charges thereof, and the other moiety to the informer, or him her or them who shall sue for the same.

Recovery of penalties enforced; and

application thereof.

52. And be it further enacted by the authority aforesaid, That from and after the passing of this Act, an Act passed on the twenty-fifth day of March in the year one thousand seven hundred and ninety-six, intituled, "An Act to prohibit the selling, purchasing, hiring or employing certain foreign slaves, except as therein mentioned," shall be and stand repealed: provided nevertheless, that all such offences committed against the said Act, before the passing hereof, which it shall be consistent with the purpose and the true intent and meaning of this Act to punish and no other, shall be tried and determined, and all pains and penalties thereby enacted for the punishment of such offences, shall be inflicted and recovered in the manner and form by the said Act provided and declared.

36 Geo. III. cap. 19, repealed.

Offences committed under it, punishable as before.

AN ACT to authorize and empower the Commander in Chief for the time being to cause parties to be raised and fitted out for suppressing any Rebellion, and for going in pursuit of, and reducing runaway Slaves.

[29th October 1807.]

WHEREAS the public peace and safety of this Island require that sufficient power and authority should be vested in the governor, lieutenant-governor or commander in chief, to cause parties to be raised for the immediate suppression of rebellions or rebellious conspiracies, or any dangerous assemblage of runaway slaves, without declaring martial law, which cannot be declared without many and great inconveniences to this Island in general, and ought not to be declared but in cases of the most urgent necessity; we your Majesty's dutiful and loyal subjects, the assembly of this your Majesty's Island of Jamaica, humbly beseech your Majesty, that it may be enacted, be it therefore enacted by the lieutenant-governor, council and assembly of this your Majesty's said Island, and it is hereby enacted and ordained by the authority of the same, That from and after the passing of this Act, it may and shall be lawful for the governor, lieutenant-governor or commander in chief of this Island for the time being, and he is hereby authorized and empowered, whenever, from application made or information received, he shall judge the same to be expedient and necessary, to order and direct the commanding officer of any regiment or battalion of militia to raise and fit out such and so many parties, composed of persons serving in the militia of the parish or precinct wherein such officer shall command, as the said commander in chief shall think requisite and appoint for the suppression of any rebellion or rebellious conspiracy, or the taking and bringing in, or destroying any such runaway slaves as may be assembled, or supposed to be assembled, within or in the neighbourhood of such parish; which party or parties shall be well and sufficiently provided with good arms accoutrements and ammunition, such as the officers commanding the respective parties shall approve of.

Preamble.

Governor authorized, in application, to order out parties of militia in pursuit of rebellious or runaway slaves.

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When the exigency of the case requires it, those parties may be drawn from different adjoining parishes.

During rebellion, drafts may be made from the militia in general.

A bounty of £. 10. to be paid to free volunteers.

Members of assembly, custos, &c. to be commissioners for the purposes of this Act.

2. And be it further enacted by the authority aforesaid, That in case the rebellion shall at any time be so extensive, or the assemblage or assemblages of runaway slaves be so numerous, that the governor, lieutenant-governor or commander in chief shall judge that the parties which may or can be raised and fitted out in any one parish, will not be sufficient and able to suppress such rebellion or to reduce such runaway slaves, it may and shall be lawful for such governor, lieutenant-governor or commander in chief to direct and order the commanding officers of the regiments or battalions of militia, of such and so many of the parishes adjoining to that wherein the rebellion shall exist or such runaway slaves be assembled, as he shall think proper, also to raise and fit out such and so many parties in the manner aforesaid, as the public exigency shall appear to him to require.

3. And be it further enacted by the authority aforesaid, That it may and shall be lawful for the governor, lieutenant-governor or commander in chief for the time being, during the actual existence of any rebellion or association of runaway or other slaves for rebellious purposes, to order such drafts from any other regiments of horse or foot in this Island to be sent in aid of such parties, so raised and fitted out as aforesaid, as shall be necessary.

4. And be it further enacted by the authority aforesaid, That all such good and able men of free condition as shall offer themselves as volunteers, and enlist for the service aforesaid, shall be entitled to and receive a bounty, not exceeding the sum of ten pounds each, as shall be regulated by the commander in chief in general orders, to be paid immediately after the conclusion of such service by the receiver-general, under the authority of the warrant of the governor, lieutenant-governor or commander in chief, which he is hereby empowered to grant upon a certificate being produced to him, sworn to by the officer commanding the party in which such volunteer shall have served, and countersigned by the commanding officer of the regiment or battalion of the parish from whence such party was fitted out, over and above the pay and other encouragements by this Act hereinafter mentioned and declared.

5. And whereas, for the more effectually carrying into execution several of the purposes of this Act, it is necessary that certain commissioners should be appointed in every parish of this Island; be it enacted by the authority aforesaid, That for effecting the purposes of this Act, the following persons shall be, and they are hereby constituted and appointed commissioners, that is to say, the members of the assembly for the time being, the custos or senior magistrate of each and every parish in this Island, and in and for the parish of St. George, Robert Gray (of Pigeon Hill) Alexander Park and Benjamin Crossley; for the parish of Vere, Thomas Alpress Priddie, James Mitchell, Alexander Schaw, and John Kennedy; for the parish of Saint Dorothy, Samuel Queneborough, David Gardiner and William Jackson; for the parish of St. John, John Quier, Peter Douglas, and John Grant; for the parish of Saint Thomas in the Vale, Francis Graham, Hector M'Kay, Thomas Rossiter, and Robert William Harris; for the parish of Saint James, William Murray, George Watson and George Lawrence; for the parish of Trelawny, John Black, James Campbell, Alexander Edgar, and William Baker Utten; for the parish of Hanover, Alexander Campbell (of Copse,) Dugald Campbell and George Malcolm; for the parish of Westmorland, James Colquhoun Grant, James Mackintosh and James Brown; for the parish of Saint Elizabeth, John White, David Shakespeare and William Kellitt Hewitt; for the parish of Clarendon, Williams Smith, William Pusey Hayle and James Bedward; for the parish of Saint Thomas in the East, Nathaniel Augustus Grant, Robert Logan, George Panton and John Kelly; for the parish of Saint Andrew, Alexander Ector, John Morrison and James Waddell; for the parish of Port Royal, Samuel Whitehorne Barnett, Leonard Wray and Alexander M'Larty; for the parish of Portland, Thomas Oakley senior, Robert Mein and James Colthirst Colthirst; for the parish of Saint Ann, James Newly, George Cruickshank, Henry Ashmeade, and Charles Steer; for the parish of Saint David, Joseph Delpratt, William Weir, and James Ouchterlony; for the parish of Kingston, George Kinghorn, William Taylor and James Inglis; for the parish of Saint Catherine, George Howel, James Stewart, Francis Smith, William Cruickshank and William Ramsay; for the parish of Saint Mary, Joseph Green, Henry Cox and James Kidston; and any other three persons resident in any parish, from time to time to be appointed by the commander in chief for the time

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time being; which said commissioners shall have full power and authority to procure all such necessary provisions, and other requisite articles, for the use of any party or parties, raised and to be sent out as aforesaid, as to the said commissioners shall seem expedient.

6th. And be it further enacted, That the said commissioners, or any two of them, be hereby authorized and empowered to contract with any butcher or butchers for fresh beef, and with any other person or persons whatsoever for all such other articles as shall be necessary for the comfortable subsistence and accommodation of the parties to be sent out under the authority of this Act, and also of any other body of militia or regular white troops, whenever on actual service against an enemy: And that in case the said commissioners shall find it impracticable at any time to provide by contract for the militia or regular white troops, or the parties aforesaid, when actually employed, they, or any two of them, are hereby empowered to issue warrants, authorizing such person or persons as they shall think proper to press cattle, and other provisions or matters, for the accommodation of the militia and regular white troops, and the parties as aforesaid, when on actual service against an enemy: Provided, that nothing herein contained shall in anywise defeat or interfere with any contract entered into, or to be entered into, for the subsistence of His Majesty's troops quartered in this Island.

They may contract for fresh beef, &c. for parties; and may impress cattle, &c. if not to be had by contract.

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7th. And be it further enacted by the authority aforesaid, That it may and shall be lawful for the said commissioners, or any two of them, under the order of the commander in chief for the time being, to raise such a number of negro or other slaves, for arms or baggage, as to them may appear necessary, to be sent out with any party raised and fitted out under the authority of this Act: Provided always, That the number of the slaves which shall be required from the several and respective estates or individuals in any parish, or district of a parish, shall be in proportion to the whole number belonging to such estate or individual.

Commissioners empowered to raise shot and baggage negroes for parties.

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8th. And be it further enacted by the authority aforesaid, That it may and shall be lawful for the said commissioners, or any two of them, at any time when the militia of this Island, or any part thereof, or any of His Majesty's regular white troops, are employed in actual service against an enemy, or any party or parties are raised and actually sent out under the authority of this Act, to hire, or in case that should not be practicable, to press such slaves, horses, mules, draught cattle, carts, wains or waggons, as the public service shall require, in the manner hereinafter directed, and observing the equitable proportion with respect to the properties and individuals before mentioned.

They may also impress cattle, carts, wains, &c. for the public service.

8th. And be it further enacted by the authority aforesaid, That the said commissioners, or any two of them, shall cause notice to be given, by warrant under their hands and seals, at each estate, or to each individual, in the respective parish or district of any parish, of the particular proportion of shot and baggage slaves, horses, mules, draught cattle, carts, wains or waggons, as they are so required to send as aforesaid; and the shewing of the warrant to the master, owner, or any other person who shall have the care or charge of such estates, or of any number of slaves, horses, mules, draught cattle, carts, wains, or waggons, shall be held and taken for sufficient notice.

Notice to be given to estates of allotments of slaves, cattle, &c.

10th. And be it further enacted by the authority aforesaid, That in all cases where a master, owner, or overseer, or other person, entrusted with the care or charge of any plantation or settlement, or of any number of slaves, horses, mules, draught cattle, carts, wains or waggons, shall on notice given, refuse or neglect to send the proportion of good and able slaves, or of horses, mules, draught cattle, carts, wains, or waggons required, such as shall be approved of by the said commissioners, every person so offending shall forfeit the sum of one hundred pounds; but if it shall appear that such default did not happen through the direction of the master or owner, but by refusal or neglect of the overseer, in such case, the overseer or person entrusted shall be liable to such penalty.

In case of refusal to furnish allotments, a fine of 100*l.* to be imposed;

11th. And be it further enacted, That upon every such neglect or refusal as aforesaid, it may and shall be lawful for the said commissioners, or any two of them, to authorize, by warrant under their hands and seals, the impressing and taking the number of good and able slaves, and of serviceable horses, mules, draught cattle, carts, wains, or waggons, which shall have been required as aforesaid: Provided always, that no chief boiler, head driver, or tradesman shall be so impressed.

and a warrant for impressing to be issued.

Proviso.

And

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Commissioners may hire, or, on necessity, impress boats, wherries, &c. for public service.

12th. And be it further enacted by the authority aforesaid, That in case at any time when the militia of this Island, or any part thereof, or any of His Majesty's regular white troops shall be actually employed against an enemy, the commissioners aforesaid should find it necessary to employ any wherry, boat, or other vessel, it may and shall be lawful for the said commissioners to hire such wherry, boat, or other vessel; and in case this shall not be in their power, to authorize, by warrant under their hands and seals, the impressing and taking such wherries, boats, or vessels which the public service may require.

Officers commanding parties on exigency, may impress carriages, cattle, &c. giving certificates thereof to the owners;

13th. And be it further enacted by the authority aforesaid, That the officer commanding any party raised and sent out by virtue of this Act, be and he is hereby empowered (provided that, from the shortness of time, or other exigency of the case, he cannot be, or is not, furnished by the commissioners aforesaid with such carts, wains, waggons or other carriages, draught cattle, mules or horses, as the nature of the service may immediately require,) to impress, in the most equitable manner that he can, all such carriages, cattle, mules and horses as aforesaid, of which there shall be immediate need: which commanding officer is hereby required, (under the penalty of one hundred pounds for every neglect or refusal, to be recovered in a summary way before any justice of the peace of the parish where such impress is made, which penalty shall be to the use of the owner of any such impressed article or articles,) to give certificates of the waggons, wains, carts and other carriages, draught cattle, mules and horses by him so impressed, therein expressing the time when they were employed in such service, as also any hurt or accident that may have happened to the same, to the end that the owner thereof may receive reasonable satisfaction; the amount of which hire and damages shall be regulated and ascertained by any two of the Commissioners aforesaid, who shall attest the same under their hands, in the manner hereinafter directed.

who are to receive compensation, to be ascertained.

Slaves to be valued, and if killed or disabled, their owners to receive adequate compensation;

14th. And whereas slaves serving in such parties as may be fitted out under the authority of this Act, may be killed or disabled; BE it enacted by the authority aforesaid, That all and every such slave or slaves who shall be employed in such parties, shall previous thereto be valued and appraised by the said commissioners, or any two persons to be appointed by them, and that such valuation shall not exceed the sum of two hundred pounds: And in case any slave or slaves shall be killed, the master or owner of such slave or slaves shall receive, for every slave so killed, the sum at which the said slave shall have been valued: and in case any such slave or slaves shall be disabled by loss of limb, the master or owner of such slave or slaves shall receive such sum as shall appear to be the difference in the value of such slave or slaves, at the time of being valued as aforesaid, and upon a re-valuation to be made by the said commissioners, after such slave or slaves shall become so disabled as aforesaid; which said several sums the receiver general for the time being shall and he is hereby directed and required to pay out of any monies in his hands unappropriated, unto the master or owner of every such slave or slaves so killed or disabled as aforesaid, on a certificate being produced to him, under the hand of the commanding or senior officer of the party to which such slave or slaves belonged, that such slave or slaves was or were so killed or disabled in the party under his command, or of which he was senior officer: And in case the said receiver general shall not have in his hands money sufficient to answer such purpose; he is hereby authorized and empowered to certify on the back of such certificate, that the holder or holders thereof shall be entitled to receive, out of the public treasury of this Island, the sum therein mentioned, with interest from the dates thereof respectively, at six pounds per centum per annum; and such certificate shall be received in payment of all duties and public taxes whatsoever, the revenue duties excepted: Provided nevertheless, that if any slaves, horses, mules or cattle, die or are lost in the service, and are paid for by the public, in all cases no hire shall be allowed; and the value of the horses and mules shall be estimated at a sum not exceeding forty pounds respectively, and for cattle per head, at a sum not exceeding thirty pounds.

to be paid by receiver general, on production of certificate.

If not paid to bear interest from date.

Slaves, &c. dying in public service to be paid for.

Provision for families of free persons killed in public service.

15th. And be it further enacted by the authority aforesaid, That in case any Indian, free person of colour, or free negro, who shall have enlisted as a volunteer, or have been drafted from the militia, to serve in any party raised and fitted out by virtue of this Act, shall in any action be disabled or killed, each person so disabled, or the family of each so killed, shall be entitled to the same provision, subject to the same conditions, as is allowed to free persons of colour and free negroes

negroes by an Act of this Island, passed on the twenty-second day of December one thousand seven hundred and ninety-five, intituled, "An Act to make provision for the Families of such free People of Colour and free Negroes enrolled in the Militia, as shall be killed or disabled in the Public Service."

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36 Geo. 3, cap. 15.

16th. And be it further enacted by the authority aforesaid, That the commanding officer of every party fitted out under this Act, shall have and receive for his pay twenty shillings per day; each other commissioned officer, fifteen shillings per day; each non-commissioned officer, seven shillings and sixpence per day; each private white man, five shillings per day; and each free Indian, mulatto, and negro, five shillings per day; and that such slave entrusted with arms, or carrying baggage on such party, shall receive three shillings and four-pence per day; which pay for said slaves shall be paid to the owner or proprietor, his or her agent or representative, for the hire of every such slave as shall serve in any party as aforesaid.

Pay of parties.

17th. And be it enacted, That the respective pay as aforesaid to such officers, white men and others, as shall be raised as aforesaid, or impressed to go out in any party as directed by this Act, shall commence from the day on which they shall be actually employed in that service, and continue until they are discharged, and no longer; and shall be paid to the commanding officer of every such party by the receiver general, out of any public money in his hands; which said commanding officer is hereby required to distribute the same to the several officers, non-commissioned officers, and men of such party, at the several rates before declared: Provided always, that the commanding officer of every such party shall, before the receipt of such pay as aforesaid, deliver to the receiver general a muster roll, upon oath of the officers and private men, and of the slaves bearing arms or baggage, in actual service under his command, in such party; which said muster-roll, with the commanding officer's receipt thereon, shall be a good and sufficient voucher and authority to the receiver general for the payment of the money expressed therein.

Duration of pay;

which is to be paid to commanding officer.

Delivering a muster roll and receipt.

18th. And be it further enacted by the authority aforesaid, That over and above the pay hereinbefore allowed to the parties sent out under the authority of this Act, each party shall have and receive the sum of fifteen pounds, and no more, for every rebellious negro, mulatto, or other slave they shall kill; and the sum of twenty pounds, and no more, for every such rebellious slave as they shall take and bring in alive; and for every runaway slave above the age of fourteen years, the sum of ten pounds, and no more; and forty shillings for every negro, mulatto, or other boy or girl, under fourteen years of age, which such party shall bring in alive; which said reward or rewards shall be paid to the commanding officer of such party by the receiver general, out of any public money in his hands unappropriated, upon an affidavit of such commanding officer being produced to him, attested in the manner hereinafter directed, that the slave or slaves, for the killing or taking of whom he claims such reward or rewards, was or were killed or taken by the party under his command: Provided always, that when any party shall kill any rebellious slave, the commanding officer, or any two other officers of such party, shall be obliged, and are hereby directed, to view the body of such slave so killed, and to certify under his or their hand or hands, and on oath, the age, quality, sex and mark of such slave which hath been killed, and to produce personally all such slaves as have been taken prisoners, to the commissioners, or any two of them, appointed by this Act as aforesaid, for the parish from whence such party was sent out, who in such case are hereby empowered and directed to attest the affidavit of the commanding officer of such party as aforesaid, and not otherwise.

Rewards to parties for taking or killing rebellious slaves.

How the fact is to be ascertained.

19th. And be it further enacted by the authority aforesaid, That in order to prevent any disputes that might arise about dividing the reward or rewards as aforesaid, the commanding officer of every such party as aforesaid, shall be authorized, and he is hereby directed to distribute one sixth part of all such rewards, in equal shares, amongst the commissioned officers of such party, and the remaining five parts amongst the non-commissioned officers and privates, and the slaves bearing arms or baggage, serving in such party, in the proportion of one-third less to each such slave than to the said non-commissioned officers and privates (being free men) of such party; which share of the rewards as aforesaid, hereby allotted for such slaves, shall be paid to such slaves themselves, for their own private use and particular encouragement, and not to their owners or proprietors.

Distribution of such rewards.

20th. And be it further enacted by the authority aforesaid, That all slaves, whether rebellious

Rebellious slaves taken to be committed to gaol.



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rebellious or only runaway, who shall be taken by any party sent out as aforesaid, and brought in alive by them to the commissioners appointed as aforesaid by this Act, shall be committed by them, or some one of them, to the gaol of the parish for which such commissioners shall be appointed; and in case there should be no gaol in such parish, to the gaol of the precinct or of the county in which such parish shall be situated; and the keeper of such gaol, or the deputy marshal, shall be and he is hereby required, under the penalty of twenty pounds, to receive and detain in safe custody every such rebellious or runaway slave, until such slave shall be delivered by due course of law.

How officers and privates of parties are to be tried.

21st. And be it further enacted by the authority aforesaid, That all officers and men serving on any party raised, and sent out under the authority of this Act, shall be tried for all crimes and misdemeanors by them done or committed while they are employed in such service; *videlicet*, all commissioned officers by a general court martial, and all private men, according to the nature of their offence, by a general or regimental court martial, to be respectively appointed by commission from the governor, lieutenant governor, or commander in chief for the time being, according to the rules and articles of war that shall then be in force, any law, custom, or usage to the contrary notwithstanding.

Persons drafted subject to trial for refusing to march.

22d. And be it further enacted by the authority aforesaid, That every officer or private man in the militia of this Island, who shall be drafted out as aforesaid, by order of the governor, lieutenant governor, or commander in chief for the time being, or the commanding officer of the militia in the district to which he or they belong, and shall refuse or neglect to repair to his colours, march or obey such other orders as he shall receive from his superior officer, shall, if an officer, be tried by a general court martial, and if a private man, by a regimental court martial, for such his disobedience or neglect, according to the rules and articles of war hereinbefore mentioned.

Orders of general officers on the staff to be obeyed.

23d. And be it further enacted by the authority aforesaid, That all orders and commands which shall or may be given, in respect to military arrangements, regulations, or purposes, by any officer acting as a general officer on the staff, by commission under the hand and seal, or by the appointment of the commander in chief (which commission is hereby exempted from any stamp or other duty), whenever, in time of any public necessity, the governor, lieutenant governor, or commander in chief for the time being shall find it expedient for the public service to make such appointment, shall be obeyed and complied with, according to the exigency thereof, by all persons subject and liable to military command and subordination, within the district wherein such general officer shall be appointed to command.

Officers, privates and slaves, of parties free from arrest.

24th. And be it further enacted by the authority aforesaid, That the provost marshal general of this Island, or any of his deputies, shall not, on any pretence whatsoever, presume to take or arrest any of the officers or men, or the slaves, employed in any party by virtue of this Act, or within thirty days after they and each of them are respectively discharged, nor in the time of his going to or coming from the place of duty or rendezvous of such party, under the penalty of fifty pounds, and of being further liable to an action of false imprisonment; and in case of any such arrest, it may and shall be lawful for any one of His Majesty's justices of the peace for the parish where such person or persons shall be arrested, and such justice is hereby required immediately to release him or them from such imprisonment.

Commissioners to attest accounts, &c. which being sworn to by claimant, are to be audited by commissioners of accounts;

25th. And be it further enacted by the authority aforesaid, That the commissioners appointed as aforesaid, in the several and respective parishes of this Island, for carrying into effect the purposes of this Act, shall be and they are hereby directed and required to attest, under their hands, all purchases, contracts, bargains, agreements, accounts, demands, certificates, and vouchers for all matters and things which by this Act they are authorized and enjoined to transact; and the same being verified by the respective claimants on oath, shall be laid before the commissioners appointed or to be appointed by law for stating and settling the public accounts, in order to their being examined and audited by them, in the manner next hereinafter mentioned and directed.

26th. And whereas many accounts, charges, and demands may accrue against the public of this Island, in consequence of measures to be taken by virtue of this Act for reducing rebellious and runaway slaves, and which it is just and fit should be liquidated and settled; BE it enacted by the authority aforesaid, That the commissioners

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commissioners appointed or to be appointed by law for stating and settling the public accounts, shall be and they are hereby authorized and empowered to audit all such accounts, charges, and demands which shall have so accrued, and have been presented to or laid before them, at any time previous to the next meeting of the assembly thereafter; and to grant certificates, bearing interest at and after the rate of six pounds per centum per annum, signed by any two of the said commissioners last-mentioned, and countersigned by the receiver general, for the respective sums for which the same shall be passed; and which said certificates shall be taken in payment of all public duties and taxes whatever, the revenue duties excepted.

who may grant certificates for the same, bearing interest.

27th. And it is hereby declared, That this or any future assembly will indemnify and save harmless the commissioners appointed as aforesaid, for effecting the several purposes of this Act, from any personal responsibility which may lie upon them, or any of them, by reason of any engagements which they, or any of them, shall have *bonâ fide* made for the public service, according to the true intent and meaning of this Act.

Commissioners under this Act indemnified.

28th. And be it hereby enacted and declared, That the actions, transactions and proceedings of any two of the commissioners herein appointed or to be appointed as aforesaid, shall, for carrying into effect the purposes of this Act, be held and considered as good and valid as if the same had been the act and acts of the whole of them.

Acts of any two commissioners to be valid.

29th. And be it further enacted by the authority aforesaid, That every commanding officer of a regiment or battalion, every officer commanding a party, every commissioner aforesaid, and every justice of the peace, who shall refuse or neglect to do his or their duty, in any matter or thing required of him or them by this Act, shall respectively, for every offence, forfeit the sum of fifty pounds.

Penalty on commanding officers, &c. for neglect of duty.

30th. And be it further enacted by the authority aforesaid, That nothing herein contained is meant or intended to do away any power granted by the militia law, now or hereafter to be in force enabling colonels or commanding officers of the several districts to order a muster on any sudden emergency or alarm, and to take such other steps for public security as to him the said colonel or commanding officer shall seem absolutely necessary and proper.

Power of colonels to act on emergency not interfered with.

31st. And be it further enacted by the authority aforesaid, That all penalties in this Act mentioned, not exceeding twenty pounds, and not declared how they shall be recovered, shall be recovered before any of His Majesty's justices of the peace of the parish or precinct wherein the offence shall have been committed, who is hereby authorized and empowered to issue his warrant to summon the party or parties complained of before him, and on conviction to enforce payment of the forfeiture or penalty, by warrant for distraining on the offender's goods and chattels, directed to the provost marshal or any of his lawful deputies, or to the constable or constables of such parish or precinct, which penalties shall be paid into the hands of the party or parties complaining: And that all penalties exceeding twenty pounds shall be recovered in the supreme court of judicature, or in the courts of assize in this Island, wherein no *essoign*, protection, *imparlance*, *wager of law*, *non vult ulterius prosequi*, or injunction, shall be entered or allowed; one half whereof shall be to the informer, or him or them who shall sue for the same, and the other half be paid to the receiver general, for and towards supporting the contingent charges of the government of this Island; any law custom or usage to the contrary notwithstanding.

How penalties are to be recovered,

and applied.

32d. And be it further enacted by the authority aforesaid, That if any person or persons, by whom any thing is required to be done by this Act, shall at any time be sued or prosecuted for any such thing done and executed in pursuance and under the authority of this Act, the defendant or defendants may plead the general issue "not guilty," and give this Act, and the special matter, in evidence at any trial to be had thereupon, and that the same was had in pursuance and under the authority of this Act: And if the same shall appear to have been so done, that the jury shall find a verdict for the defendant or defendants; and if the plaintiff or plaintiffs shall become nonsuited, or suffer a discontinuance of his her or their action, or if a verdict shall pass against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and have the like remedy for the same as any defendant or defendants hath or have for costs in any other cases by law.

Indemnity to public agents.

General issue

Treble costs.

## JAMAICA.

An ACT for providing a Maintenance for People of free condition confined for debt, and Slaves confined in the county gaols of this Island.—  
[28 November 1807.]

## Preamble.

2 s. 6 d. per diem for maintenance, to be allowed to each person of free condition confined for debt in the gaols of this island, also 5 s. per week for slaves in confinement.

WHEREAS the Acts granting allowances to debtors of free condition, and slaves confined in the gaols of this Island, require amendment; May it please Your Majesty, That it may be enacted; BE it therefore enacted by the lieutenant governor, council, and assembly of this Your Majesty's Island of Jamaica; and it hereby enacted by the authority of the same, That from and after the passing of this Act, there shall be allowed to every person of free condition, confined for debt in any gaol of this Island, the sum of two shillings and sixpence per diem for maintenance; and that there shall be allowed and paid by the week, for subsistence to every negro and other slave confined in any of the county gaols of this Island, the sum of five shillings, by the keeper of the said respective gaols, under the penalty, on every such gaol-keeper, for every neglect or refusal, of ten pounds, to be recovered in a summary manner before any two magistrates of the parish or precinct wherein such deputy marshal shall neglect or refuse to pay such allowances as aforesaid: Provided nevertheless, and the said gaol-keeper is hereby required, under the like penalty, to be recovered in manner aforesaid, to furnish and supply every such debtor or slave as aforesaid, being sick, with such necessaries as the physician or surgeon having the medical superintendence of such gaol shall direct in writing to be provided; and in order to make compensation to the said gaol-keepers for such sums as they shall advance under and in pursuance of this Act, it shall and may be lawful for the said gaol-keepers to charge in their accounts at and after the rate of six pounds per centum per annum on all sums actually advanced by them from the time of their respective advances, and which shall be allowed and paid the said gaol-keepers.

## Proviso.

An ACT to repeal several Acts therein mentioned respecting Slaves, to declare Slaves Assets for payment of Debts and Legacies, and in what manner they shall descend and be held as property, and be sold and conveyed in certain cases. [28 November 1807.]

## Preamble.

Repeal of the following Acts.

WHEREAS on the expiration of a certain Act, intituled, "An Act to repeal the several Acts and clauses of Acts respecting slaves therein mentioned, and for the better order and government of slaves, and other purposes, the several Acts and clauses of Acts in and by the said Act repealed, will revive and be in force: And whereas it is expedient that all and every the said Acts and clauses of Acts, and also certain other enactments respecting slaves should be and stand repealed, to the end that the code for the protection and government of slaves may be simplified, and as much as may be consolidated: We, Your Majesty's most dutiful and loyal subjects, the assembly of this Your Majesty's Island of Jamaica, most humbly beseech Your Majesty, That it may be enacted; BE it therefore enacted by the lieutenant-governor, council and assembly of the said Island; and it is hereby enacted and ordained by the authority of the same, That from and after the first day of December next, all and every the Laws and Acts hereinafter mentioned, and every part thereof, be and stand repealed, annulled, and made void, to all intents and purposes whatsoever; any thing in the said laws, or in any other law contained, to the contrary in any anywise notwithstanding; *videlicet*, An Act of the governor, council, and assembly of this Island, intituled, "An Act for regulating servants," passed in the year of our Lord one thousand six hundred and eighty-one; also one other Act of the lieutenant governor, council, and assembly, intituled, "An Act for the better order and government of Slaves," passed in the year of our Lord one thousand six hundred and ninety-six; also one other Act, intituled, "An Act for the more effectual punishing of crimes committed by Slaves," passed in the year of our Lord one thousand seven hundred and seventeen; also one other Act, intituled, "An Act for the encouragement of voluntary parties to suppress rebellious and runaway Negroes," passed in the year of our Lord one thousand seven hundred and eighteen; also one other Act, intituled, "An Act to inflict further and other punishments on the transgressors of two several Acts, the one intituled, 'An Act for the better order and government of Slaves,' and the other intituled, 'An Act to prevent the enticing or inveigling of Slaves from the possessors, and for the preventing the transportation of Slaves by mortgagers and tenants for life and years; and for regulating abuses committed by Slaves,'" passed in the year of our Lord one thousand seven hundred and

twenty-five; also one other Act to repeal part of an Act, intituled, "An Act for the more effectual punishment of crimes committed by Slaves, and to oblige the several parishes to pay for all negroes executed in each respective parish," passed in the year of our Lord one thousand seven hundred and forty; also one other Act, intituled, "An Act to explain and amend an Act, intituled, 'An Act for the better order and government of Slaves, and for making free and rewarding a negro named Hector, belonging to Thomas Fuller, esquire, and paying his said master the value of the said negro,'" passed in the year of our Lord one thousand seven hundred and forty-four; also one other Act, intituled, "An Act to inflict further and other punishments on runaway Slaves, and such as shall entertain them," passed in the year of our Lord one thousand seven hundred and forty-nine; also one other Act to amend an Act, intituled, "An Act to repeal part of an Act, intituled, 'An Act for the more effectual punishment of crimes committed by Slaves, and to oblige the several parishes to pay for all Negroes executed in each respective parish,'" passed in the said year of our Lord one thousand seven hundred and forty-nine; also, "An Act to prevent the clandestine killing and marking of cattle, and for the better regulating of hunting," passed in the said year of our Lord one thousand seven hundred and forty-nine; also one other Act, intituled, "An Act to explain part of an Act, intituled, 'An Act for the better order and government of Slaves, and for inflicting further and other punishments on persons killing negroes or slaves,'" passed in the year of our Lord one thousand seven hundred and fifty-one; also one other Act, intituled, "An Act to remedy the evils arising from irregular assemblies of Slaves, and to prevent their possessing arms and ammunition, and going from place to place without tickets, and for preventing the practice of obeah, and to restrain overseers from leaving the estates under their care on certain days, and to oblige all free negroes, mulattoes or Indians, to register their names in the vestry books of the respective parishes of this Island, and to carry about them the certificate, and wear the badge of their freedom; and to prevent any captain, master or supercargo of any vessel bringing back slaves transported off this Island," passed in the year of our Lord one thousand seven hundred and sixty; also one other Act, intituled, "An Act to explain and amend an Act, intituled, 'An Act to remedy the evils arising from irregular assemblies of Slaves, and to prevent their possessing arms and ammunition, and going from place to place without tickets, and for preventing the practice of obeah, and to restrain overseers from leaving the estates under their care on certain days, and to oblige all free negroes, mulattoes or Indians, to register their names in the vestry-books of the respective parishes of this Island, and to carry about them the certificate, and wear the badge of their freedom; and to prevent any captain, master or supercargo of any vessel bringing back Slaves transported off this Island,'" passed in the year of our Lord one thousand seven hundred and sixty-one; also one other Act, intituled, "An Act to repeal an Act, intituled, 'An Act for the more effectual preventing Negroes and other Slaves from deserting from their owners, and departing from this Island in a clandestine manner, and to punish such persons as shall be aiding, assisting or abetting such slaves in their escape, and for the more effectual preventing Negroes and other Slaves from deserting from their owners, and departing from this Island in a clandestine manner, and to punish such persons as shall be aiding, assisting or abetting such Slaves in their escape,'" passed in the year of our Lord one thousand seven hundred and seventy-one; also one other Act, passed in the year of our Lord one thousand seven hundred and seventy-eight, intituled, "An Act to explain, alter and amend an Act, passed in the year of our Lord one thousand six hundred and ninety-six, intituled, 'An Act for the better order and government of Slaves;'" and also one other Act, intituled, "An Act to repeal several Acts and clauses of Acts respecting Slaves, and for the better order and government of Slaves, and for other purposes," passed the twenty-second day of December, in the year of our Lord one thousand seven hundred and eighty-seven.

2d. And whereas in and by certain of the Acts and clauses of Acts herein and hereby repealed, provision was made for making slaves assets for payment of debts and legacies, and in what manner they should descend and be held as property, and be conveyed in certain cases; and it is expedient to continue and amend such wholesome regulations; BE it further enacted by the authority aforesaid, That no slave shall be free by becoming a Christian; and for payment of debts and legacies, all slaves shall be deemed and taken as all other goods and chattels are in the hands of executors or administrators; and where other goods and chattels are not sufficient

Slaves not to be free by becoming Christians; they are to be taken for debts when no other effects can be got.

to

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Their children stand in the parents situation.

Proviso respecting leased slaves.

41 Geo. III. c. 26.

8 Gul. III. c. 2.

Clause 40 in last recited Act to be considered as in full force.

Slaves for dower may be taken for debts.

Husband's sale of his slaves to bar the widow.

Books to be kept, wherein entries must be made of slaves bought and sold.

Substance of the entries, which shall confirm titles; but such entries not to be effectual to transfer slaves of a femme covert.

Punishment for erasure of entries; also for a clerk's refusing to make such entry when legal fee tendered.

to satisfy the said debts and legacies, then so many slaves as are necessary for the payment of debts and legacies shall be sold, and the remaining slaves, after the payment of the said debts and legacies, shall be judged, deemed and taken as inheritance, and shall accordingly descend; and all children of slaves, born in the possession of tenant for life or years, shall remain or revert, as the parents do or should have done, to him or her in reversion or remainder, after expiration of such term of years after the death of tenant for life or tenant in tail, after possibility of issue extinct: Provided nevertheless, that nothing in this clause shall extend, or be construed to extend, to leases heretofore made, any thing in this or any other Act to the contrary in anywise notwithstanding.

3d. And whereas in and by an Act, intituled, "An Act to repeal the several Acts and clauses of Acts respecting slaves therein mentioned, and for the better order and government of Slaves, and other purposes, the fortieth clause of an Act of the lieutenant governor, council and assembly of this Island, intituled, "An Act for the better order and government of Slaves," passed in the year of our Lord one thousand six hundred and ninety-six, being the same clause hereinbefore re-enacted, was annulled, repealed, and made void: And whereas the said clause was so annulled, repealed and made void inadvertently and through mistake, and advantages may be attempted to be taken of such mistake by designing persons; BE it therefore enacted and declared by the authority aforesaid, That the said clause, and every matter and thing therein contained, is to be taken and considered to have been and continued in force and effect from the time of passing the said Act, in the said year of our Lord one thousand six hundred and ninety-six, until the passing of this present Act, any law usage or custom to the contrary in anywise notwithstanding.

4th. And be it further enacted, That all slaves assigned for dower shall be liable, proportionably with those belonging to any heir or heirs, to the payment of debts, but not of legacies, any thing to the contrary notwithstanding: Provided nothing in this Act contained shall extend to hinder any person, possessed in his own right of any slave or slaves, to sell, or by gift or otherwise dispose of such slave or slaves as he shall think fit during his lifetime; which sale, gift or disposal shall be a perpetual bar to his wife from any claim of dower in such slave or slaves.

5th. And in order that there may be a safe and regular mode in which property in slaves may be transferred at an easy expense; BE it enacted, That the clerks of the peace, or clerks of the vestry where no clerks of the peace are, of the several parishes and precincts within this Island, shall keep a distinct book, in which it shall and may be lawful for all persons resident within the parish or precinct where such book is kept, to cause entries to be made of all slaves sold and disposed of, and agreed to be conveyed by toll; in every which entry shall be expressed the time of the sale made, the names of the vendor and vendee, the name and mark of the slave or slaves, with the consideration for which sold; which said entry or toll, if the seller is lawfully authorized to sell or dispose of such slave or slaves, shall be as good and valid to ratify and confirm the said sale or sales, as if the same had been by deed or writing under hand and seal, and shall be held, deemed and adjudged to be a sufficient record and evidence in any court of record within this Island: Provided always, that no entry by way of toll shall be effectual to transfer and convey the slaves of a femme covert, but that such slaves shall only be transferred and conveyed by deed, executed and proved in the same manner and form as is required to deeds for barring dower; and if any person shall raze, injure or destroy any such entry or toll, the person so offending, on being convicted in the supreme court, or any court of assize within this Island, shall suffer such punishment as the law has provided against such as raze, injure or destroy records; and if any clerk, by whom such book is directed to be kept, shall refuse or neglect to make such entry, on receiving or having tendered to him the legal fee, he shall forfeit to the party or parties injured the sum of ten pounds for every such offence, to be recovered in a summary way, before two or more magistrates of the parish or precinct, and to be levied, by warrant under their hands and seals, on the goods and chattels of the offender.

## THE TREATMENT OF SLAVES.

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An ACT for the protection, subsisting, clothing, and for the better order, regulation, and government of Slaves; and for other purposes.—[14th December 1809.]

JAMAICA.

WHEREAS it is expedient to provide for the protection, subsistence, clothing, and better order and government of the slaves in this Island; may it please Your Majesty, That it may be enacted; BE it therefore enacted by the governor, council and assembly of this Your Majesty's Island of Jamaica, That from and after the commencing of this Act, the slaves belonging to or employed on every plantation or settlement shall, over and above the holidays hereinafter to be mentioned, be allowed one day in every fortnight to cultivate their own provision grounds, exclusive of Sundays, except during the time of crop, under the penalty of twenty pounds, to be recovered against the overseer or other person having the care of such slaves.

Preamble.

Slaves to be allowed one day in every fortnight, besides Sundays, except during crop, under penalty of 20*l*.

2d. And be it further enacted by the authority aforesaid, That every such master, owner or possessor, or his or her overseer or chief manager, shall, under the penalty of ten pounds for each neglect, personally inspect into the condition of the negro grounds once in every month at least, in order to see that the same are cultivated and kept up in a proper manner, of which oath shall be made, as in this Act is hereafter directed: And whereas it may happen, that on some plantations, pens, settlements and towns in this Island, there may not be lands proper for the cultivation of provisions, then and in that case the masters, owners, or possessors do, by some other ways and means, make good and ample provision for all such slaves as they shall be possessed of, equal to the value of three shillings and four-pence currency per week for each slave; in order that they may be properly supported and maintained, under the penalty of fifty pounds.

Negro grounds to be inspected every month.

Where there are not proper lands, each slave is to have provision equal to 3*s*. 4*d*. per week.

3d. And be it further enacted by the authority aforesaid, That every master, owner, or possessor of slaves, shall, once in every year, provide and give to each slave they shall be possessed of, proper and sufficient clothing, to be approved of by the justices and vestry of the parish where such master, owner, or possessor of such slaves shall reside, under the penalty of fifty pounds.

Proper clothing to be given to slaves annually, under penalty of 50*l*.

4th. And be it further enacted by the authority aforesaid, That every master, owner, proprietor, or possessor of slaves, his or her overseer or chief manager, at their giving in an account of their slaves and stock to the justices and vestry, on the twenty-eighth day of December in every year, or at the vestry which shall be held next after that day, shall, under the penalty of fifty pounds for every neglect, give in an account, on oath, of the nature and quantity of the clothing actually served to each slave on such plantation, pen, or other settlement, for the approbation of the justices and vestry as aforesaid; and shall likewise at the same time declare, on oath, that he has inspected the negro ground (where such grounds are allotted) of such plantation, pen, or settlement, according to the directions of this Act.

Yearly accounts to be given in of the provision made for and clothing delivered to slaves, under penalty of 50*l*.

5th. And be it further enacted by the authority aforesaid, That no master, owner, or possessor of any slave or slaves, whether in his or her own right, or as attorney, guardian, trustee, executor, or otherwise, shall discard or turn away any such slave or slaves on account or by reason of such slave or slaves being rendered incapable of labour or service to such master, owner or possessor, by means of sickness, age, or infirmity; but every such master, owner, or possessor as aforesaid, shall be and he is hereby obliged to keep all such slave or slaves upon his her or their properties, and to find and provide them with sufficient clothing, wholesome necessaries of life, and not suffer such slave or slaves as aforesaid to be in want thereof, or to wander about or become burthensome to others for sustenance, under the penalty of twenty pounds for every such offence, to be recovered in a summary manner before any two justices of the peace on this Island; who are hereby authorized, empowered and required to cause such master, owner, or possessor, his her or their attorney or agent, and such other persons as they shall judge necessary to be summoned before them, to enable them to judge and determine of the propriety of such information, and whether such master, owner, or possessor ought to incur the said penalty; and in the mean time, and until such trial can be had, the said justices of the peace, upon their own view, or upon the information of any white person on oath, are hereby empowered and required to take up such wandering, sick, aged, or infirm slave or slaves, and to lodge him her or them, in the nearest workhouse, there to be clothed and fed, but not worked, at the expense of the master, owner,

Possessors of slaves not to turn them away on account of infirmity, but keep them on their properties, and provide for them, under penalty of 20*l*.

Wandering slaves may be taken up and sent to the workhouse to be supported, till possessor summoned, and matter inquired into.

OR

## JAMAICA.

If possessor found guilty and refuse to pay penalty, workhouse fees, &c. he is to be sent to gaol till he pay.

Justices and vestries to lay taxes for support of disabled negroes, who are to be passed to the parishes where their former owners resided, as are those free poor who have been manumised.

Vestries to make regulations for their accommodation.

In the case of manumised persons becoming burthenfome to any parish, such parish may have recourse to the security-bond entered into under 15 Geo. III. cap. 18.

Property of owners liable for support of deserted slaves, though not in the parish they become burthenfome to.

Disabled slaves, the property of insolvent debtors, in custody

or possessor, until such trial as aforesaid can be had; and if it shall appear to the said justices on such trial, that the party or parties so complained of is or are guilty of the said offence, and shall refuse to pay the said sum of twenty pounds, and the fees of such workhouse, for the maintenance of such slave or slaves, together with the charges of clothing and of the conviction, the said justices are hereby required and empowered, under the penalty of twenty pounds, forthwith by warrant under their hands and seals directed to the constable, to commit such offender or offenders to the common gaol of the county or parish where the offence shall be committed, there to remain until he or she shall pay the said sum of twenty pounds and charges as aforesaid; one moiety of which said fine shall be paid into the hands of the churchwardens of such parish for the poor of said parish, any law custom or usage to the contrary notwithstanding.

6th. And whereas from the decease and change of residence of many proprietors of slaves, and other circumstances, and from the manumission of negro, mulatto, and other slaves, without any suitable provision being made for their future maintenance, many unhappy objects, afflicted with contagious distempers, or disabled from labour by sickness, age, and otherwise, and having no owners, prove dangerous, or become a burthen and nuisance to the several towns and parishes of this Island: For remedy whereof, BE it further enacted by the authority aforesaid, That the justices and vestrymen of the several towns and parishes in this Island be empowered, and they are hereby empowered to lay a tax upon the inhabitants of the several town and parishes, in the same manner as the parochial taxes are usually laid, for the purpose of raising such a sum as they shall judge sufficient to provide for the maintenance, clothing, medical care and attendance in the workhouses or other convenient places of the said several towns and parishes of this Island, of such negro, mulatto, or other slaves, or other unhappy objects as aforesaid: And the magistrates respectively of such town and parish are hereby empowered and required, upon application being made to them, or either of them, to order all such objects as aforesaid to be removed and conveyed to the respective workhouses of each parish, where (if a slave) the former proprietor or proprietors, owner or owners of such slave lived or resided; or, if a person manumised or made free of the parish wherein the owner or owners commonly resided, or the property was situated, to whom or to which such manumised person belonged previous to the execution of such manumission, or if such manumission be by will, immediately previous to the decease of the testator or testatrix, there to be lodged and taken care of as aforesaid: And the magistrates and vestries of the several towns and parishes as aforesaid, are hereby empowered and required to make, from time to time, all such humane and salutary regulations for the purposes aforesaid, as to them shall seem necessary and expedient, and the supervisor or keeper of the workhouse in such parish to which such slave shall be sent by warrant from any other parish, shall be subject to receive the same, under the penalty of twenty pounds.

7th. And it is hereby enacted and declared, That every parish in this Island, to which any manumised person shall be removed in pursuance of this Act, or any clause of any former Act for this purpose, as to the place of the legal settlement of such person, shall be entitled to claim all the advantages to be derived by law from the security bond directed to be entered into and given in and by an Act passed in the fifteenth year of the reign of His present Majesty, intituled, "An Act for regulating the manumission of Negro, Mulatto, and other Slaves, and to oblige the owners to make a provision for them during their lives," by any person or persons manumising any slave or slaves, to the churchwardens of whatsoever parish such bond may have been given, as fully as if the same had been entered into to the churchwardens of the parish to which such manumised person shall become burthenfome.

8th. And be it further enacted by the authority aforesaid, That in case any goods, chattels, or slaves belonging to the owners of such old, infirm, and deserted slaves as aforesaid, who shall have become burthenfome to any parish for support, shall thereafter be found in any part of this Island, it may and shall be lawful for the churchwardens of every such parish to recover the full amount of all expenses, to which such parish shall at any time have been put, on account of such deserted slaves, before any two justices of the peace of the parish or precinct wherein such goods, chattels or slaves shall be found, by distress and sale of the same.

9th. And whereas it sometimes happens that aged, infirm, or disabled slaves belonging to the estates of insolvent debtors, remain in the custody of the provost marshal

marshal of this Island, or his deputies, without a possibility of the same being sold for the benefit of the creditors of such estates; BE it enacted by the authority aforesaid, That upon proof being made on oath by any deputy marshal, before any two magistrates of the district wherein he shall hold his appointment, that any slave or slaves of the above description has or have been in his custody for more than six months thereto preceding, that such slave or slaves have been repeatedly put up to sale by public outcry, that no bidder has offered to purchase the same, and there is no probability of his or their being sold, it may and shall be lawful for the said two magistrates to make an order, under their hands and seals, for the removal of such slave or slaves to the parish wherein the owner of such slave or slaves resided, at or immediately before the time when he or she took the benefit of the Act for the relief of insolvent debtors, now in force or hereafter to be in force, there to be maintained and provided for, according to the directions of this Act, hereinbefore declared.

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of provost marshal, may be removed by order of two magistrates to the parish where their owner resided.

10th. And it is hereby further enacted, That such order being recorded in the office of the clerk of the peace of the precinct wherein the gaol of such deputy marshal as aforesaid shall be situated, shall be deemed and taken, in all the courts of this Island, as a complete and perfect acquittal of all demands, claims, suits, and actions of every kind on or against such provost marshal or any of his deputies, as may or shall be made, instituted, or preferred by any person or persons whatsoever, on account or by reason of the removal of any such slave or slaves as aforesaid out of his or their custody.

Such order being recorded in clerk of peace's office, provost marshal and his deputies indemnified in acting under it.

11th. And whereas negroes afflicted with the yaws are sometimes permitted to leave their masters property and travel about the country, to the great annoyance of the public and of those in the neighbourhood; BE it enacted, That every owner or proprietor of slaves, or his her or their overseer, as the case may be, permitting the same, shall forfeit the sum of twenty pounds for every such offence; one moiety of which to be paid to the informer, and the other moiety to the churchwardens for the poor of the parish in which the offence shall be committed, and which forfeiture shall be recovered in a summary manner, on oath of the informer, or other person complaining, to be levied by warrant of the said magistrates, who on refusal or failure of payment, are hereby authorized to commit the delinquent to the county or nearest gaol until paid.

If negroes afflicted with the yaws are allowed to leave the property and travel about the country, the owner, &c. permitting the same to forfeit 20*l.* for each.

12th. And be it further enacted by the authority aforesaid, That every field slave on such plantation or settlement shall, on work-days, be allowed half an hour for breakfast, and two hours for dinner; and that no slaves shall be compelled to any manner of field-work upon the plantation before the hour of five in the morning, or after the hour of seven at night, except during the time of crop, under the penalty of fifty pounds, to be recovered against the overseer or other person having the charge of such slaves.

Field slaves are to have half an hour for breakfast, and two hours for dinner, and not to work before five nor after seven, except during crop, under penalty of 50*l.*

13th. And be it further enacted by the authority aforesaid, That for the future all slaves in this Island shall be allowed the usual number of holidays that were allowed, at the usual seasons of Christmas, Easter, and Whitsuntide: Provided that at every such respective season no two holidays shall be allowed to follow or succeed immediately one after the other, except at Christmas, when they shall be allowed Christmas day, and also the day immediately succeeding; any law, custom, or usage to the contrary notwithstanding: And if any master, owner, guardian, or attorney of any plantation or settlement, or the overseer of such plantation or settlement, shall presume, at the seasons aforesaid, to allow any holidays to any slave belonging to any such plantation or settlement, other than is directed by this Act to be given, every person so offending shall forfeit the sum of five pounds.

Slaves to be allowed the usual holidays; but they are not to have two successive days, except at Christmas.

If persons allow them more holidays at those seasons, they forfeit 5*l.*

14th. And in order to encourage slaves for every good and worthy act that they shall do; BE it further enacted by the authority aforesaid, That every slave or slaves that shall inform against any person who shall have or conceal any runaway slave or slaves, so that such runaway slave or slaves may be taken and restored to his or their owner or owners, or be committed to any workhouse, every such slave or slaves so informing shall be entitled to such reward as any justice shall think just and reasonable, and be paid by such person or persons as such justice shall determine ought to pay the same, not less than ten shillings, nor exceeding twenty shillings, to be enforced by a warrant under the hand and seal of such justice.

Slaves taking up runaways, or discovering their being harboured, are to be rewarded at discretion of a magistrate.

15th. And be it further enacted by the authority aforesaid, That if any slave or



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If they kill or take rebels, they are to be also rewarded.

or slaves shall kill or take any slave or slaves in actual rebellion, he or they shall receive from the churchwardens of the respective parishes where such slave or slaves shall have been killed, the sum of three pounds, and the sum of five pounds if taken alive, and a blue cloth coat, to be paid and furnished by the churchwardens of the respective parishes where such slave or slaves shall have been killed or taken; the whole expense whereof shall be reimbursed by the receiver general for the time being, out of any monies in his hands unappropriated.

Persons wilfully killing slaves to suffer death.

16th. And be it further enacted by the authority aforesaid, That if any person hereafter shall wantonly, willingly, or bloodmindedly kill, or cause to be killed, any negro, or other slave, such person so offending shall, on conviction, be adjudged guilty of felony, without benefit of clergy, and shall suffer death accordingly for the said offence: Provided always, That such conviction shall not extend to the corrupting the blood, or the forfeiture of lands or tenements, goods or chattels; any law custom or usage to the contrary thereof in anywise notwithstanding.

Blood not corrupted thereby.

Persons mutilating slaves, or consenting thereto, may be fined 100*l.* and imprisoned twelve months, besides being liable to an action of damages.

17th. And in order to prevent any person from mutilating or dismembering any slave or slaves, BE it further enacted by the authority aforesaid, That if any master, mistress, owner, possessor, or other person whatsoever, shall, at his her or their own will and pleasure, or by his her or their direction, or with his her or their knowledge, sufferance, privity, or consent, mutilate or dismember any slave or slaves, he she or they shall be liable to be indicted for each offence in the supreme court of judicature, or in any of the assize courts of this Island, and upon conviction, shall be punished by fine not exceeding one hundred pounds, and imprisonment not exceeding twelve months; for each and every slave so mutilated or dismembered; and such punishment is declared to be without prejudice to any action that could or might be brought at common law, for recovery of damages for or on account of the same: and, in very atrocious cases, where the owner of such slave or slaves shall be convicted of such offence, the court before whom such offender shall have been tried and convicted are hereby empowered, in case they shall think it necessary for the future protection of such slave or slaves, to declare him her or them free and discharged from all manner of servitude, to all intents and purposes whatsoever; and in all such cases, the court are hereby empowered and authorized, if to them it shall appear necessary, to order and direct the said fine of one hundred pounds to be paid to the justices and vestry of the parish to which the said slave or slaves belonged, to the use of the said parish; the said justices and vestry, in consideration thereof, paying to each of the said slave or slaves, so made free, the sum of ten pounds per annum for his or her maintenance and support during life: and in case any slave or slaves shall suffer any before described mutilations, such slave or slaves, on his her or their application to any justice of the peace, the said justice of the peace shall be and is hereby directed, required, and empowered, on view, and its appearing to his satisfaction that such mutilation has been really suffered, to send such slave or slaves to the nearest workhouse where such offence shall be committed, and such slave or slaves shall be there safely kept, and carefully attended, at the expense of such parish, until such time as there shall be a legal meeting of the justices and vestry of such parish; which justices and vestry, so met, are hereby created and appointed a council of protection to such slave or slaves; and the said justices and vestry so met are hereby directed and empowered to make further and full enquiry upon view into the commitment of the mutilation of such slave or slaves; and if to them it shall appear proper, the said justices and vestry are hereby empowered and required to prosecute to effect such owner or owners; the expense of which prosecution shall be paid by the parish where such offence shall be committed; and in case the owner or owners of such slave or slaves shall appear capable of paying the costs and charges of such before-mentioned prosecution, the said justices and vestry are hereby empowered to commence suit or suits against such owner or owners of such slave or slaves, and recover all costs and charges out of purse by them laid out and expended in such suit or suits; and the keeper or supervisor of the workhouse where such mutilated slave or slaves shall have been first committed, is hereby directed and required, upon due notice of the first meeting of the justices and vestry of the parish where the offence was committed, to produce such mutilated slave or slaves for the inspection and direction of such justices and vestry, under the penalty of twenty pounds for every neglect in not producing before such justices and vestry such slave or slaves.

Court may in atrocious cases manumit mutilated slaves,

and order the penalty to be paid to vestry,

who are to allow the slaves 10*l.* per annum. Slaves complaining to a magistrate may be sent to the workhouse, to be supported and attended till meeting of vestry,

who are hereby created a council of protection, and are to enquire into such mutilations, and prosecute the offenders.

Owners may be sued for costs.

Workhouse keeper to produce mutilated slaves at first vestry, under penalty of 20*l.*

18th. And be it further enacted by the authority aforesaid, That in case any justice of

of the peace shall receive any complaint or probable intelligence from any slave or otherwise, that any slave or slaves is or are so mutilated, or is or are confined without sufficient support, it shall and may be lawful for such justice of the peace, and he is hereby empowered and required forthwith to issue his warrant to any constable, ordering him immediately to proceed to the place where such slave or slaves so mutilated are confined, and such slave or slaves to release and bring before such justice, who on view of the fact, is hereby authorized to send such slave or slaves to the workhouse for protection, there to be kept, but not worked, until enquiry shall be made into the fact according to law.

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Justices being informed that slaves are mutilated or confined without support, are to issue their warrants, in order that they may be brought before them.

19th. And be it further enacted by the authority aforesaid, That from and after the commencement of this Act; any person or persons that shall wantonly or cruelly whip, maltreat, beat, bruise, wound, or shall imprison or keep in confinement, without sufficient support, any slave or slaves, shall be subject to be indicted for the same in the supreme court of judicature, or in either of the courts of assize or courts of quarter session in this Island; and upon being thereof legally convicted, he she or they shall suffer such punishment, by fine or imprisonment, or both, as the judges or justices of such courts shall think proper to inflict; any law custom or usage to the contrary in anywise notwithstanding; and such punishment is hereby declared to be without prejudice to any action at common law that could or might be brought for the recovery of damages for and on account of the same, in case such slave or slaves shall not be the property of the offender.

Persons cruelly beating slaves, or confining them without support, may be fined and imprisoned at discretion of the court,

and also be liable to actions of damages.

20th. And in order to restrain arbitrary punishment, BE it further enacted by the authority aforesaid, That no slave in any plantation or settlement, or in any of the workhouses or gaols of this Island, shall receive more than ten lashes at one time and for one offence, unless the owner, attorney, guardian, executor or administrator, or overseer of such plantation or settlement, having such slave in his care, or supervisor of such workhouse, or keeper of such gaol, shall be present; and that no such owner, attorney, guardian, executor, administrator or overseer, supervisor or gaol-keeper, shall on any account punish a slave with more than thirty-nine lashes at one time and for one offence, nor inflict or suffer to be inflicted such last-mentioned punishment, nor any other number of lashes in the same day, nor until the delinquent has recovered from the effects of any former punishment, under a penalty not less than ten pounds or more than twenty pounds for every offence; to be recovered against the person directing or permitting such punishment, in a summary manner, upon conviction before any two magistrates by warrant.

No slave to have more than ten lashes at a time for one offence, unless the owner, &c. or supervisor, &c. be present, nor more than thirty-nine on any account in one day, under penalty.

21st. And whereas a mischievous practice has sometimes prevailed of punishing ill-disposed slaves, and such as are apt to abscond from their owners, by fixing or causing to be fixed round the neck of such slaves an iron collar with projecting bars or hooks, to prevent the future desertion of such slaves; BE it further enacted by the authority aforesaid, That such practice is hereby declared to be utterly unlawful, and that no person shall, on any pretence whatsoever, punish any negro or other slave, whether his own property or otherwise, by fixing or causing to be fixed an iron or other collar round the neck of such slave, or by loading the body or limbs of such slave, for any offence whatsoever, with chains, irons, or weights of any kind, other than a light collar without hooks, to indicate that such slave is an incorrigible runaway, under a penalty not less than five pounds nor exceeding fifty pounds, to be recovered in a summary manner before any two or more justices of the peace of the parish or precinct where the offence shall be committed; and all and every the justices of the peace within this Island are hereby authorized, directed and required, under the penalty of one hundred pounds, on information and view of such offence, to order such collar, chains, irons or weights to be immediately taken off from the slave or slaves wearing or bearing the same.

Penalties on persons putting weights or chains on slaves, or iron collars, other than here designated

Justices under penalty of 100 l. to have such collars, &c. taken off.

22d. And be it further enacted by the authority aforesaid, That no slave (such only excepted as are going with firewood, grass, fruit, provisions or small stock, and other goods which they may lawfully sell, to market, and returning therefrom,) shall hereafter be suffered or permitted to go out of his or her master's or owner's plantation or settlement, or to travel from one town or place to another, unless such slave shall have a ticket from his master, owner, employer or overseer, expressing particularly the time of such slave's setting out, and where he or she is going, and the time limited for his or her return, under a penalty not exceeding forty shillings for every slave so offending, to be recovered from the master, owner, employer or overseer, in a summary manner, before any one justice of the peace, by warrant of distress, complaint

No slave to travel (unless to market) without a ticket,

under penalty of 40s. on the owner, &c. if he cannot prove he gave a ticket, or that the slave went without his consent.

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If justices do not inflict this penalty, they forfeit 5*l*.

plaint being made to him upon oath, unless the master, owner, employer or overseer of such slave shall prove upon oath, before any justice of the peace of the parish or precinct where such master, owner, employer or overseer may or shall live or happen to be, that he did give the said slave such ticket as aforesaid, or that such slave went away without his consent, in which case the justice to order punishment; and if such justice shall refuse or neglect his duty, either in causing the penalty to be forthwith levied, on complaint being made to him as aforesaid, or the owner, overseer, or any other person who shall suffer a slave, being under his or their direction, to go without a ticket as aforesaid, every justice so offending shall forfeit the sum of five pounds; any law custom or usage to the contrary notwithstanding.

Tickets to be only for one month.

23d. And be it further enacted by the authority aforesaid, That no ticket shall be granted to any slave or slaves, for any time exceeding one calendar month.

Free people granting tickets to slaves of others to be punished as the court shall direct.

24th. And whereas the more effectually to conceal runaway slaves, or prevent their being apprehended, tickets are given by Indians, free negroes, or free mulattoes; BE it therefore enacted by the authority aforesaid, That any Indian, free negro, or mulatto, granting or giving such ticket with such intent, shall be liable to be tried for the said offence before the supreme court of judicature, or in either of the courts of assize in this Island where the offence shall be committed; and, on conviction, shall suffer the loss of freedom, transportation, or such other punishment as the court in their discretion shall think proper to inflict.

White people doing so to be also punished, at discretion of the court.

25th. And be it further enacted by the authority aforesaid, That if such ticket shall be granted or given by any white person, with such intent as aforesaid, to any slave or slaves, before or after his or their absenting themselves from their owner, employer, overseer, or manager, such white person shall be liable to be tried for the same before the supreme court of judicature, or either of the assize courts of this Island where the offence shall be committed; and, on conviction, shall suffer such punishment as the court in their discretion shall think proper to inflict.

Penalty of 50 *l*. for not endeavouring to suppress unlawful assemblies of slaves.

26th. And be it further enacted by the authority aforesaid, That if any master, owner, guardian, possessor, or attorney, overseer, or book-keeper of any plantation or settlement, shall hereafter suffer any strange slaves to assemble together and beat their drums, or blow their horns or shells, upon any plantation, pen, or settlement, or in any yard or place under his her or their care or management, or shall not endeavour to disperse or prevent the same, by immediately giving notice thereof to the next magistrate or commissioned officer, that a proper force may be sent to disperse the said slaves, every such master, owner, guardian, possessor, or attorney, overseer, or book-keeper, shall, for every such offence, upon conviction thereof, upon an indictment in the supreme court of judicature or courts of assize, pay a fine of fifty pounds to His Majesty, his heirs and successors, for and towards the support of the government of this Island, and the contingent charges thereof: Provided nevertheless, that information of such offence shall be made upon oath, before any of His Majesty's justices of the peace, within the space of fourteen days after the commission of the offence.

Information must be given within fourteen days.

Civil and military officers to suppress such assemblies.

27th. And be it further enacted by the authority aforesaid, That all officers, civil and military, shall be and are hereby empowered and required to enter into any plantation, settlement, or other place, to disperse all such unlawful assemblies, and to suppress and prevent all unlawful drummings, or other noise as before mentioned, any law custom or usage to the contrary notwithstanding, according to the nature, degree, or circumstances of the case.

Overseers, &c. who suffer such assemblies to be imprisoned six months;

28th. And whereas it has been found by experience that rebellions have been often concerted at negro dances and nightly meetings of slaves, and as it has been found also that those meetings tend much to injure the health of negroes; BE it further enacted by the authority aforesaid, That if any overseer, or in his absence any book-keeper, or other white person having the care and management of any plantation or settlement, shall suffer any slaves to assemble together, or beat their drums, or blow their horns or shells, every such overseer, book-keeper, or other white person so offending, shall for every such offence, upon conviction thereof, upon an indictment in the supreme court of judicature, or before the justices of assize, suffer imprisonment, without bail or mainprize, for any term not exceeding six calendar months; provided information is made, upon oath as aforesaid, before one of His Majesty's justices of the peace, within fourteen days after the commission of such offence; but nothing herein contained shall be construed to prevent any master, owner, or proprietor of any plantation or settlement, or the overseer thereof, from granting liberty to the

if information given within fourteen days.

the slaves of such plantation or settlement only for assembling together upon such plantation or settlement, and playing and diverting themselves in any innocent amusements, so as they do not make use of military drums, horns or shells; but that they shall and may grant such liberty when and as often as they please, any thing in this or any other Act to the contrary notwithstanding; provided that such amusements are put an end to by ten of the clock at night.

29th. And in order to prevent riots and nightly meetings among negro and other slaves, to the disturbance of the public peace, and endangering their health; BE it further enacted by the authority aforesaid, That all negro burials shall in future take place in the day time only, so that the same may be ended before sunset; and if any master, owner, or possessor of slaves, his or her overseer or chief manager, shall knowingly suffer or permit the burial of any slave, otherwise than as before directed, he shall forfeit the sum of fifty pounds; and if any burials shall take place in any of the towns of this Island, or in savannas, commons, or other places not in charge of an overseer, after sunset, every person of free condition, in whose house, yard, or premises any slaves shall be permitted to assemble for attending such burial, shall forfeit a sum not less than five pounds nor exceeding fifty pounds; and the negro or other slaves who shall meet for the purpose of attending such burial, or be found thereat, shall, upon conviction before two or more magistrates, suffer such punishment as the said magistrates shall direct, not exceeding thirty-nine lashes.

30th. And be it further enacted by the authority aforesaid, That if any Indian, free negro or mulatto, shall hereafter suffer any unlawful assembly of slaves at his or her house or settlement, every such Indian, free negro or mulatto, shall, upon due conviction thereof, suffer imprisonment not exceeding six months: Provided nevertheless, that information thereof shall be given, on oath, within fourteen days of such unlawful meeting.

31st. And whereas the permitting and suffering negro and other slaves to keep horses, mares, mules, or geldings, is attended with many and great mischiefs to the Island in general; in order therefore to remedy the same, BE it further enacted by the authority aforesaid, That from and after the commencing of this Act, no master, owner, proprietor, attorney, guardian, trustee, or other person in possession of any plantation, pen, or settlement, shall knowingly permit or suffer any slave or slaves to keep on such plantation, pen, or settlement, any horse, mare, mule, or gelding; and in case of so doing shall, for every offence, forfeit the sum of thirty pounds, to be recovered in a summary manner before any two justices of the peace for the parish or precinct where such offence is committed or permitted.

32d. And be it further enacted by the authority aforesaid, That every master, owner, proprietor, attorney, guardian, trustee, or other person, at the respective times of their giving in account of their slaves and stock to the justices and vestry, shall also make oath that none of the said horses, mares, mules, or geldings, so given in, do belong to any negro or other slave; and that such person so giving in, or his her or their employer or employers hath not, nor have in his her or their possession, to his her or their knowledge or belief, any horse, mare, mule, or gelding, belonging to or reputed to belong to any slave or slaves: In case any person or persons shall neglect or refuse so to do, every person so neglecting or refusing, shall for every offence, forfeit the sum of thirty pounds, to be recovered in the same summary manner, and to be disposed of as hereinafter mentioned: And if any person or persons hereafter shall discover any horse, mare, mule, or gelding, belonging to any negro or other slave, he shall forthwith take and send the same to the nearest pound of the parish where such horse, mare, mule, or gelding shall be found; and the keeper of the pound aforesaid shall and he is hereby obliged to receive the same, under the penalty of ten pounds for each and every horse, mare, mule, or gelding so refused, unless the same shall be disordered, so as to endanger the cattle or other stock already in the pound, in which case only, it shall and may be lawful for such pound-keeper to refuse such disordered horse, mare, mule, or gelding; and upon reception into the pound of any horse, mare, mule, or gelding, the property or supposed property of any negro or other slave, the pound-keeper aforesaid shall for four successive weeks advertise the same in the Gazette or Chronicle of the county where such pound is situate, under the head of negro stock, and describing the height, colour, and marks, in the most particular manner; and in one week after the expiration of the said four weeks advertisement, shall put up and sell the same, at the usual place of public sales in the said parish, and after deduction

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Slaves may have diversions on the properties they belong to, if no drums, &c. are used; but they must be over by ten at night. Negro burials to be over by sunfet, or owner, &c. forfeits 50*l*.

Burials in the towns, &c. must also be over before sunfet.

Free people suffering assemblies at their houses to be imprisoned; if complained of in fourteen days.

Owners, &c. of slaves knowingly permitting them to keep horses, &c. to forfeit 30*l*. for each offence.

When stock given in, oath to be made that none of the horses, &c. belong to any slave, under penalty of 30*l*. for neglect or refusal.

Any person discovering horses, &c. belonging to slaves, must send them to the pound.

How they are to be disposed of.

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deduction of the usual charges of the pound, in which no mile-money shall form a part, shall pay one moiety of the net proceeds to the person who brought in such horse, mare, mule, or gelding, and the other moiety to the churchwardens of the parish, for the benefit of the poor of the said parish.

Female slaves who have six children living are exempted from hard labour, and their owners from taxes for them;

33d. And in order that further encouragement may be given to the increase and protection of negro infants, be it further enacted by the authority aforesaid, That every female slave who shall have six children living shall be exempted from all hard labour in the field or otherwise, and the owner or possessor of every such female slave shall be exempted from all manner of taxes for such female slave, any thing in the Act commonly called The Poll Tax Law, or any other of the tax laws of this Island, passed or annually to be passed, to the contrary notwithstanding; and a deduction shall be made for all such female slaves from the taxes of such owner or possessor by certificate of the justices and vestry; Provided, nevertheless, that proof be given on oath, to the satisfaction of the said justices and vestry, not only that the requisite number of children, together with the mother, are living, but also that the mother is exempted from all manner of field or other labour, and is provided with the means of an easy and comfortable maintenance.

proof being given that the mother and children are living.

34th. And whereas it is absolutely necessary that the slaves in this Island should be kept in due obedience to their owners, and in due subordination to the white people in general, and as much as in the power of the legislature, all means and opportunities of slaves being concerned in rebellious conspiracies, and committing other crimes, to the ruin and destruction of the white people and others in this Island, prevented, and that proper punishments should be appointed for all crimes to be by them committed; BE it further enacted by the authority aforesaid, That if any slave or slaves shall, after the commencement of this Act, enter into or be concerned in any rebellion or rebellious conspiracy, or commit any murder, felony, burglary, robbery, or set fire to any houses, out-houses, negro-houses, cane-pieces, grass or corn-pieces, or break into such houses, out-houses, or negro-houses, in the day time, no person being therein, and steal thereout, or compass or imagine the death of any white person, and declare the same by some overt act, or commit any other crime which would subject white persons, or persons of free condition, to be indicted for felony, such slave or slaves shall, for every such offence or offences, upon trial and conviction thereof in manner hereinafter mentioned, suffer death, transportation, or such other punishment as the court shall think proper to direct, according to the nature and extent of the offence.

Slaves concerned in rebellion, or committing murder, &c. to suffer death, transportation, &c.

If slaves offer violence to white or free people, court to order punishment; unless sufficient reason shewn.

35th. And be it further enacted by the authority aforesaid, That if any slave shall assault or offer any violence, by striking or otherwise, to or towards any white person, or persons of free condition, such slave, upon due and proper proof, shall, upon conviction, be punished with death, transportation, or confinement to hard labour for life or a limited time, or such other punishment, according to the nature of the offence, as the court shall in their discretion think proper to inflict; provided such assault or violence be not by command of his her or their owners, overseers, or persons entrusted over them, or in the lawful defence of their owners persons or goods.

How slaves possessing fire-arms are to be punished.

36th. And be it further enacted by the authority aforesaid, That if any slave or slaves shall hereafter be found to have in his her or their custody or possession any fire-arms, pikes, sabres, swords, cutlasses, lances, gunpowder, slugs or ball, without the knowledge of his her or their owner, proprietor, or possessor, or his her or their overseer, such slave or slaves shall be taken before two magistrates, who shall, if they are of opinion that the same was with evil intent, commit such slave or slaves to the gaol, to be tried by a slave court, as hereinafter directed; and upon conviction the said slave or slaves shall suffer death, transportation or such other punishment as the court shall think proper to direct.

Slaves pretending to supernatural power, may be sentenced to death, &c.

37th. And in order to prevent the many mischiefs that may hereafter arise from the wicked art of negroes going under the appellation of obeah men and women, and pretending to have communication with the Devil and other evil spirits, whereby the weak and superstitious are deluded into a belief of their having full power to exempt them, whilst under their protection, from many evils that might otherwise happen; BE it further enacted by the authority aforesaid, That from and after the commencement of this Act, any slave who shall pretend to any supernatural power in order to promote the purposes of rebellion, or shall use or pretend to use any such practices, with intent

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intent or so as to affect or endanger the life or health of any other slave, shall, upon conviction thereof, suffer death or transportation; any thing in this or any other Act to the contrary in anywise notwithstanding.

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38th. And be it further enacted by the authority aforesaid, That if any negro or other slave or slaves shall mix or prepare, with an intent to give or cause to be given any poison, or poisonous or noxious drug, pounded glass, or other deleterious matter in the practice of obeah or otherwise, although death may not ensue on the taking thereof, the said slave or slaves, together with their accessories, as well before as after the fact (being slaves) being duly convicted thereof, shall suffer death; any thing in this or any other Act to the contrary in anywise notwithstanding.

Slaves preparing or giving poison, though death does not ensue, are to suffer death.

39th. And be it further enacted, That if there shall be found in the possession of any slave any poisonous drugs, pounded glass, parrots beaks, dogs teeth, alligators teeth, or other materials notoriously used in the practice of obeah or witchcraft, and in a state of evident preparation for carrying on such dangerous and nefarious practice, such slave, upon conviction, shall be liable to suffer transportation from this Island, or such other punishment, not extending to life, as the court shall think proper to direct.

Punishment on slaves having any poisonous drugs, pounded glass, &c. in their possession.

40th. And whereas it is necessary to prevent secret and unlawful meetings of slaves, BE it therefore enacted by the authority aforesaid, That all and every slave or slaves who shall be found at any meeting, formed either for the purpose of administering unlawful oaths, by drinking human blood mixed with rum, grave-dirt or otherwise, or of learning the use of arms, or for any other unlawful or dangerous purpose, such slave or slaves shall, on conviction thereof, suffer death or transportation for life as the court shall direct.

Slaves found at any meeting, formed for administering unlawful oaths, &c. are to be punished as court shall direct.

41st. And be it further enacted by the authority aforesaid, That if any person or persons, either white or of free condition, shall be present at any such meeting, and aiding and assisting in any of the unlawful purposes before mentioned, such person or persons shall, on conviction thereof in the supreme court, or either of the courts of assize of this Island, be punished by death, transportation off this Island for life, or fine or imprisonment, or both, at the discretion of the court before whom such person or persons shall be tried.

As, are, white or free people present at such meetings.

42d. And be it further Enacted, That if any person or persons having knowledge of such unlawful meetings as aforesaid, shall not forthwith give information thereof to a justice of the peace, such person or persons shall, on conviction before the supreme or either of the courts of assize of this Island, suffer such punishment by fine or imprisonment, or both, and by public whipping, as the court before which such person or persons shall have been so convicted shall direct.

Persons having knowledge of such unlawful meetings, and not giving information thereof, to be punished at discretion of court.

43d. And be it further enacted by the authority aforesaid, That if any negro or other slave shall, after the commencement of this Act, steal any horned cattle, sheep, goat, hog, horse, mare, mule or ass, or shall kill any such horned cattle, sheep, goat, hog, horse, mare, mule or ass, with intent to steal the whole carcase of any such horned cattle, sheep, goat, hog, horse, mare, mule or ass, or any part of the flesh thereof, such negro or other slave shall, on conviction thereof, suffer death, transportation or such other punishment, as the court shall in its discretion inflict.

Slaves stealing horned cattle, sheep, horses, &c. may be condemned to death.

44th. And whereas great numbers of horned cattle, sheep, goats, hogs, horses, mares, mules, and asses, are frequently stolen and killed by negro and other slaves in so secret and private a manner, that it is with the greatest difficulty they can be found out and discovered, in such manner as to convict them of such offence, although large quantities of beef, mutton, and the flesh of other valuable animals, are found upon him her or them: In order therefore to prevent such evils in future, and to punish the perpetrators of such acts agreeably to their crimes; BE it enacted by the authority aforesaid, That if any negro or other slave shall fraudulently have in his her or their custody or possession, unknown to his or her master, owner, overseer or other person, who shall have the overlooking or employing of such slave, any fresh beef, veal, mutton, pork, or goat, or the flesh of horse, mare, mule or ass, in any quantity not exceeding twenty pounds weight, without giving a satisfactory account in what manner he or she became possessed thereof, such negro or other slave, upon due conviction thereof before any two magistrates, shall be whipped in such manner as such magistrates shall direct, not exceeding thirty-nine lashes; and if there shall be found in his her or their custody or possession, a larger or greater quantity than twenty pounds weight of fresh beef, veal, mutton, pork or goat, or the flesh of horse,

If slaves have in their possession twenty pounds of meat unaccounted for, they are to be whipped; not exceeding thirty nine lashes; and if above twenty pounds, justices to assign punishment not affecting life.

mare,

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mare, mule or ass, and such slave shall not give a satisfactory account how he or she became possessed of such meat, then such negro or other slave, upon conviction thereof, shall suffer such punishment as the said two justices shall think proper to inflict or direct, not extending to life or imprisonment for life.

Punishment on slaves maiming or injuring horned cattle, horses, &c.

45th. Be it enacted by the authority aforesaid, That if any negro or other slave shall wantonly and cruelly cut, chop, shoot at or otherwise maim and injure any horned cattle, horse, gelding, mare, mule or ass, such negro or other slave shall for every such offence be tried in a summary manner before two or more justices of the peace of the parish or precinct where the offence shall be committed, and the said justices of the peace shall, on conviction of such slave or slaves, order and direct such punishment to be inflicted as they shall think proper, not exceeding fifty lashes, to be inflicted at one or more different times, or two months hard labour in the workhouse; and in all cases where from such treatment as above set forth, any horned cattle, horse, gelding, mare, mule or ass shall be killed, or shall die within ten days after the offence committed, although the carcass, or any part of the flesh thereof may not be stolen, such negro or other slave shall be tried at a slave court, and on conviction thereof suffer death, transportation, or confinement to hard labour for life, or such other punishment as the court shall think proper.

also on those wantonly cutting and chopping any other slave.

46th. Be it further enacted by the authority aforesaid, That if any slave or slaves shall, by wantonly and cruelly cutting, chopping, striking, or by any other manner or way whatsoever mutilate, disfigure, dismember, or injure any slave or slaves, so as to endanger life, although death shall not ensue, or that such slave or slaves shall become a cripple, or lose any of his or her limbs, or be deprived of the use thereof, all and every or any such slave or slaves so offending shall, for every or any such offence, be tried at a slave court, and upon conviction shall, for the first offence, suffer such punishment, not extending to life, as the court shall think proper to direct, according to the circumstances of the case; and for a second offence, upon conviction, shall suffer death, or transportation for life, as the court shall direct.

Punishment on slaves clearing their grounds by fire.

47th. And whereas the practice of negroes to clear their grounds by fire is highly dangerous to the neighbouring properties, and frequent instances of alarm and injury occur for want of some restraint in that respect: For prevention of so great an evil, BE it further enacted, That if any injury shall arise to the owner, proprietor or possessor of one property, by a slave or slaves on the adjoining property clearing ground by fire, the slave or slaves who shall so clear ground by fire, by which injury shall result to the adjoining property, shall be proceeded against, tried and punished, if found guilty, as and for a misdemeanour; and if the overseer or other person then actually having charge of the property, on which such fire shall originate, shall have knowledge that any negro under his charge has made any such fire for clearing his or her ground, and shall not forthwith use his best endeavours to cause the same to be extinguished, and such fire shall cause injury to the neighbouring property, such overseer or other person shall suffer such fine as any two justices of the peace of the parish, wherein such injury shall happen, shall award, not exceeding ten pounds for one and the same offence, the complaint whereon shall be heard, determined, and the penalty, when imposed, shall be enforced in a summary manner before any two justices of the peace.

Overseers, &c. having knowledge that any fire has been made for such purpose, and not doing their utmost to extinguish it, to be fined at discretion of two justices.

Slaves absent five days, or found eight miles from home without tickets, to be deemed runaways.

48th. And whereas it is very dangerous to the peace and safety of this Island to suffer slaves to continue out as runaways, and it is absolutely necessary to declare and make known to the public what slaves shall be deemed such; BE it enacted by the authority aforesaid, That from and after the commencement of this Act, any slave or slaves who shall be absent from his owner or employer without leave, for the space of five days, or who shall be found at the distance of eight miles from the house, plantation, or other settlement to which such slave or slaves shall belong, without a ticket or other permit to pass, except as hereinbefore excepted, in going to and returning from market, shall be deemed a runaway.

Slaves who have been here two years, and shall run away for six months, to be punished as the court shall direct.

49th. And be it further enacted by the authority aforesaid, That if any slave who shall have been in this Island for the space of two years, and shall run away from his or her owner or lawful possessor, and continue absent for a term exceeding six months, such slave, being convicted thereof, shall be sentenced to be confined to hard labour for such time as the court shall determine, or be transported for life, according to the magnitude of the offence.

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50th. And be it further enacted by the authority aforesaid, That if any slave shall run away from his or her lawful owner or possessor as aforesaid, and continue absent for any term not exceeding six months, such slave shall be liable to be tried before two justices, and upon conviction thereof shall suffer such punishment, by flogging or confinement to hard labour, not exceeding three months, as the said two justices shall think proper to direct.

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Punishment on those who continue absent for a shorter period.

51st. And be it further enacted by the authority aforesaid, That any slave or slaves who shall knowingly harbour or conceal any runaway slave or slaves, shall be liable to be tried for the same at the slave court hereinafter appointed, and, on conviction, shall suffer such punishment as the court shall think proper to direct, not extending to life.

Slaves harbouring runaways to be adjudged by a slave-court.

52. And be it further enacted by the authority aforesaid, That any slave or other person or persons whatsoever, who shall apprehend any runaway slave or slaves, shall, for every one so apprehended, be entitled to receive from the owner, employer, overseer or manager of such slave or slaves, the sum of ten shillings, and no more, besides mile-money, at the rate of one shilling per mile for the first five miles, and sixpence per mile for every mile afterwards: Provided nevertheless, that nothing in this Act contained shall be construed to extend to an allowance of the said sum of ten shillings and mile-money, in addition to the sum allowed to maroon negroes for apprehending runaways: And provided also, that it is not hereby intended to deprive the said maroons of their legal and established reward of forty shillings for each negro.

Owners, &c. to pay 10s. and mile-money for each runaway taken up.

Provido.

This Act not to alter rewards to maroons.

53d. And be it further enacted by the authority aforesaid, That the person or persons so apprehending such runaway slave or slaves, shall convey him her or them to their respective owner, employer or manager, or to the workhouse of the parish in which they may be apprehended, if any workhouse is established there, and in case of there being no workhouse, to the next gaol; and the gaol or workhouse keeper is hereby required and ordered to receive such slave or slaves into his or their custody, and to pay the party delivering such slave or slaves the said sum of ten shillings and mile-money as aforesaid, and no more, for each slave so delivered, under the penalty of five pounds.

Runaways to be conveyed to owners, or to a workhouse or nearest gaol.

Workhouse or gaol-keeper to pay reward and mile-money under penalty.

54th. And to the end that the owners and proprietors of runaway slaves may have a due knowledge where such slaves are confined, after their being apprehended and sent to any workhouse or gaol in this Island, in order that such owners or proprietors may apply for such slaves; BE it further enacted by the authority aforesaid, That from and after the commencement of this Act, all and every the keepers of the workhouses or gaol-keepers in any of the parishes of this Island, shall and they are hereby obliged, once in every week to advertise in the Gazette of Saint Jago de la Vega, the Royal Gazette, and the Cornwall Chronicle, the height, names, marks, and sex, and also the country, where the same can be ascertained, of each and every runaway slave then in their custody, together with the time of their being sent into custody, and the name or names of the owner or owners thereof, if known, and that upon oath, under the penalty of ten pounds for every slave so neglected by him to be advertised; and for the expense of such advertisement they the said workhouse-keepers or gaol-keepers shall and may and they are hereby authorized to charge the owner or proprietor of such runaway slaves, so advertised, at and after the rate of three shillings and four-pence per month for each paper, and no more; which said sum of three shillings and four-pence per month for each paper, to be paid to the printers of the several papers respectively, the amount of whose accounts, after being properly authenticated upon oath, shall be paid annually by the treasurers for the time being of the several workhouses in this Island; and that it shall and may be lawful for the keeper of the workhouse or gaol-keeper to detain and keep in his or their custody such runaway slave or slaves so brought unto him or them, until the owner or owners thereof, or some person in their behalf, properly authorized, shall pay unto him or them what he or they so paid to the person or persons who apprehended and brought such slave or slaves into custody, with two shillings and sixpence in the pound for laying out his or their money, the cost of advertising, at and after the rate above mentioned, and sixpence for every twenty-four hours such slave or slaves shall have been in custody, for maintenance; and two-pence per day for medical care and extraordinary nourishment necessary, the expense of clothing where supplied, and also the charges of advertising above directed, and no other fees whatever; and that the gaoler, workhouse-keeper, or supervisor,

Workhouse or gaol-keeper to advertise weekly, in each county, all runaways in their possession, with full descriptions of them, under penalty of 10*l*.

Charging 3*s*. 4*d*. for each paper per month, which owners are to reimburse.

Printers accounts to be paid annually by treasurers.

Slaves may be detained till advertising is paid for, as well as the reward, with 12½ per cent.

6*d*. per-day for maintenance, 2*d*. per day for medical care where necessary, which charges must be attested.



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Proviso.

supervisor, and no other person, shall attest upon oath, that the charges in the account for mile-money, and the reward for apprehending such slave, were actually paid to the person who brought such runaway, and that the whole of the charges in the said account are strictly conformable to law: Provided always, and it is hereby declared, That the owner or owners of any slave, to be committed by the judgment of any slave court, or by order of magistrates, to any workhouse, by way of punishment, shall not be answerable for or compelled to pay the workhouse fees for the time such slave shall be so committed and confined.

Slaves in confinement to have sufficient provisions, under penalty of 10*l*.

Rations for them.

55th. And be it further enacted by the authority aforesaid, That the keeper of every workhouse or gaol in this Island shall, under the penalty of ten pounds for every neglect, provide and give to every slave confined in such workhouse or gaol, a sufficient quantity of good and wholesome provisions daily; that is to say, not less than one quart of unground Guinea or Indian corn, or three pints of the flour or meal of either, or three pints of wheat flour, or eight full-grown plantains, or eight pounds of cocoas or yams, and also one herring or shad, or other salted provisions equal thereto, and shall also, under the like penalty, provide and supply every such slave, confined as aforesaid, with good and sufficient clothing where necessary.

Public notice to be given by supervisors, &c. of replevins, &c. brought against them for slaves in the workhouse.

56th. And be it further enacted by the authority aforesaid, That from and after the commencement of this Act, every supervisor, intendant, or keeper of any public workhouse in this Island, who shall have any action in replevin, *homine replegiando*, or ejectment, brought against him for any negro, or other slave or slaves in his custody, shall, under a penalty for every offence, not less than five pounds, nor exceeding fifty pounds, as shall be inflicted by the judges of His Majesty's supreme court of judicature, or courts of assize in this Island, immediately after he receives such replevin, *homine replegiando*, or ejectment, give notice to the several county newspapers of such action, and at whose suit it is brought, and the name or names of such negro or other slave or slaves, together with his her or their mark or marks, and the best information he can get concerning the real owner of such slave or slaves, and shall continue such notice for four weeks before the trial shall be had upon such replevin, *homine replegiando*, or ejectment, or such slave or slaves be taken out of the custody of such supervisor, intendant, or workhouse-keeper, by the person who shall recover such slave or slaves: And if any person or persons shall give notice to such supervisor, intendant, or keeper of any workhouse, of his her or their intention to take the defence of any action so brought, such supervisor, intendant, or keeper of a workhouse, shall detain in his custody the slave or slaves, for or by whom such action shall be brought, until the trial of such action or order of the court thereon, under the penalty of one hundred pounds, unless the security offered in cases of *homine replegiando* shall justify, before a judge of the grand court or courts of assize, in such sum as such judge shall think proper; notice of such justification, and the time and place thereof, and the judge before whom the same is to be taken, being given to the person intending to take the defence of such action.

If any person give notice to supervisors, &c. of an intention to defend such actions, supervisors must detain in custody the Slaves in dispute under penalty.

Runaways to be committed to workhouses only.

57th. And be it further enacted by the authority aforesaid, That no runaway slave shall on any account be committed to gaol by any magistrate of a parish where there is any workhouse established, but to such workhouse only.

Slaves attempting to depart this island, or assisting others in such attempts, may be sentenced to death.

58th. And whereas several slaves have found means to desert from their owners and depart from this Island, to the great damage of such owners, in evil example to other slaves, who may be thereby induced to attempt or conspire to do the same: And whereas there is reason to suspect that such slaves have been aided and assisted in such escape and departure by other persons, and there is not any adequate punishment provided by law for such desertion or departure, or attempting or conspiring to desert and depart this Island, or for persons aiding, assisting or abetting such deserters: For remedy whereof, BE it enacted by the authority aforesaid, That from and after the commencement of this Act, if any slave shall run away from his her or their owner or owners, employer or employers, and go off, or conspire or attempt to go off this Island, in any ship, boat, canoe, or other vessel or craft whatsoever, or be aiding, abetting or assisting to any other slave or slaves in such going off this Island, he she or they so running away and going off, or conspiring or attempting to go off, or so aiding, assisting or abetting in such going off, being thereof convicted, shall suffer death, or such other punishment as the court shall think proper to direct.

59th. And be it further enacted by the authority aforesaid, That if any Indian, free negro, or mulatto, shall from and after the commencement of this Act, knowingly be aiding, assisting or abetting any slave or slaves in going off this Island, and shall be convicted thereof, either in the supreme court, or in either of the courts of assize of this Island, such Indian, free negro or mulatto, shall be forthwith transported off this Island by the provost-marshal or his lawful deputy, into whose custody such person or persons shall be committed; and if such person or persons so convicted, sentenced and transported, shall be afterwards found at large in this Island, he she or they, on proof of his or their identity before the said supreme court or courts of assize as aforesaid, shall suffer death without benefit of clergy.

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Free people of colour assisting slaves in going off, are to be transported, and suffer death if they return.

60th. And be it further enacted by the authority aforesaid, That if any white person or persons shall knowingly be aiding, assisting or abetting any slave or slaves in going off this Island, he she or they, being convicted thereof by bill, plaint or information, in the supreme court of judicature, or either of the courts of assize of this Island, shall forfeit the sum of three hundred pounds for each slave, one moiety whereof shall be to our Sovereign Lord the King, his heirs and successors, for and towards the support of the government of this Island, and the contingent charges thereof, and the other moiety to the party or parties at whose suit or complaint such person was convicted; and shall also suffer imprisonment, at the discretion of the said court, for any space of time not exceeding twelve months, without bail or mainprize.

If white people do so, they forfeit 300*l.* for each;

and may be imprisoned a year.

61st. And be it further enacted by the authority aforesaid, That it shall and may be lawful to proceed against the person or persons so aiding, assisting or abetting any slave or slaves in going off this Island, whether the principal or principals be convicted or not, any thing in this or in any other Act, law, custom or usage, to the contrary thereof notwithstanding.

Accessaries may be proceeded against, though principals.

62d. And be it further enacted by the authority aforesaid, That no negro or other slave shall be allowed to travel the public roads with dogs, or cutlasses, or other offensive weapons, without a ticket from his owner, or to hunt any cattle, horses, mares, mules or asses, in any part of this Island, with lances, guns, cutlasses, or other instruments of death, unless in the company of his or their master, overseer, or some other white person by him or them deputed, or by permission in writing; and if any negro, or other slave, shall offend, contrary to the true intent and meaning of this Act, he she or they, being thereof convicted before two justices, shall suffer such punishment as they shall think proper to inflict, not extending to life or transportation for life.

If slaves, not authorized, travel with dogs, &c. or hunt with instruments of death, punishment may be awarded by two justices.

63d. And whereas it is necessary to declare, how and in what manner slaves shall be tried for the several crimes which they may hereafter commit; BE it enacted by the authority aforesaid, That from and after this Act shall commence and be in force, upon complaint made to any justice of the peace of any murder, felony, burglary, robbery, burning or destroying of houses, out-houses, negro-houses, or cane, grass or corn-pieces, or breaking into such houses, out-houses, or negro-houses, in the day-time, no person being therein, and stealing thereout; rebellious conspiracies; compassing or imagining the death of any white person or persons, or any other offence whatsoever committed by any slave or slaves, that shall subject such slave or slaves to suffer death, transportation, or confinement to hard labour, such justice shall issue out his warrant for apprehending such offender or offenders, and for all persons that can give evidence, to be brought before him, or any other justice of the peace; and the evidence of slaves against one another, in this and all other cases, shall be received; and if, upon examination, it appears probable that the slave or slaves apprehended is or are guilty, the justice before whom such examination shall be had and taken, shall commit him her or them to prison, and bind over the witnesses to appear at a certain day, not less than ten days from the day on which the complaint shall be made, and at the place where the quarter sessions are usually held, and where there are no quarter sessions held at the place where the parochial business is usually transacted, and shall certify to two other justices of the peace the cause of such commitment, and require them by virtue of this Act, to associate themselves to him, which the said justices are hereby severally required to do, under the penalty of twenty pounds for every neglect or refusal; and the said justices so associated shall issue out their warrant, directed to the deputy marshal of such parish or precinct, to summon eighteen persons, such as are usually warned and empannelled to serve on juries (the master, owner, or proprietor of the slave or slaves so complained

On complaint of felonies, burglaries, &c. by slaves, justice to issue a warrant.

Slaves to be evidence against each other.

Justices to call in two other justices, (who must attend, or each forfeit 20*l.*) and they are to summon a jury, from which particular persons are excepted.

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complained of, or the attorney, guardian, trustee, overseer or book-keeper, always excepted,) personally to be and appear before the said justices, or any three or more of the justices of the peace of the said parish, associated for the same purpose, at the day and place aforesaid, to be expressed in such warrant, and between the hours of eight and twelve of the clock in the forenoon, when and where the said persons so warned by the deputy marshal as aforesaid, are hereby severally required to attend, under the penalty of five pounds on each defaulter, and when and where the said justices shall cause the said slave or slaves so complained of to be brought before them, and thereupon nine of the said persons so summoned as aforesaid, shall compose a jury to try the said slave or slaves, and shall by the said justices (the charge or accusation being first read) be sworn to try the matter before them, and to give a true verdict, according to evidence; and such charge or accusation shall be deemed valid if sufficient in substance; and if the said jurors shall, upon hearing the evidence, unanimously find the said slave or slaves guilty of the offence wherewith he she or they stand charged, the said justices shall give sentence of death without benefit of clergy, or transportation, or confinement to hard labour for life or a limited time, according to the nature of the offence, and shall cause such sentence to be carried into execution at such time and place as they shall think proper, women with child only excepted, whose execution shall be respited until a reasonable time after delivery: Provided always, that nothing in this Act contained shall hinder or prevent the said justices, upon any such trial, where any slave or slaves shall be condemned to die, from respiting the execution of such sentence for any term not exceeding thirty days, or until the pleasure of the governor, or the person executing the functions of governor, shall be known, in case proper cause shall appear to them for so doing; and that if the jury, upon any such trial, shall apply to the said justices to suspend the execution of any sentence until the pleasure of the governor, or the person executing the functions of governor, is known, the said justices shall be obliged to suspend the same for thirty days, and to report the particulars of the trial to the governor, or the person executing the functions of governor, forthwith, under the penalty of fifty pounds on each justice who sat on such trial, except in cases of trial of any slave or slaves convicted of actual rebellion, or for rebellious conspiracy; in all which cases the said justices shall, if they think it expedient, order the sentence passed on such slave or slaves to be carried into immediate execution: And it is hereby declared, that at every court of quarter session held in each and every parish or precinct within this Island, the justices there assembled shall and may, after the usual business of the said court shall be done, form themselves into a court, for the purpose of enquiring into, hearing and determining all manner of offences for which any slave or slaves are liable to be punished with death, or transportation or confinement to hard labour as aforesaid, and shall open the said court by proclamation, declaring the same to be a slave court for such purpose, and shall thereupon, on the like charge in writing, and in like manner in all other respects as the three justices associated, and met as hereinbefore mentioned, are by this Act directed to proceed in trial of slaves for such offences, proceed to try, and deliver the gaol or workhouse within the said parish or precinct of all and every the slave or slaves who or may then be in the custody of the marshal or keeper of the workhouse within each and every parish or precinct as aforesaid, and shall forthwith call a jury, consisting of nine jurors, to be called and taken from the pannel returned to the said court of quarter session, and shall cause them to be severally sworn as they shall appear, to try all and every such slave or slaves as shall be brought before them, charged with any such offences as aforesaid, and a true verdict give according to evidence, as in other cases: Provided always, that no less than three justices shall constitute a court for the trial of any slave or slaves for any crime or offence that shall subject such slave or slaves to suffer death, transportation or confinement to hard labour for life as aforesaid: And provided always, that in any case upon an indictment against any slave or slaves for murder, where malice propense shall not be proved to the satisfaction of the jurors, such jurors shall be and they are hereby declared to be at liberty to return a verdict of manslaughter, if they shall think the nature of the case shall require it, and the person or persons so found guilty of manslaughter shall suffer such punishment as the court shall think fit to inflict, not extending to life or transportation for life.

64th. And be it further enacted by the authority aforesaid, That all and every the jurors who have been returned to serve as jurors at the quarter sessions to be holden

Jurors not attending to forfeit 5/.

Nine persons to compose a jury.

If slaves convicted, justices may give sentence of death, transportation, &c.

Justices may suspend execution for thirty days, if they see cause;

and must do it on application of the jury;

except in cases of rebellion, when they may order immediate execution.

When business of quarter sessions ended, justices to form themselves into a slave court;

for the purpose of gaol delivery.

Not less than three justices to constitute a court for trial of slaves in certain cases. Where slaves are indicted for murder, if malice propense do not appear, verdict of manslaughter may be returned.

Jurors summoned for quarter sessions must serve in slave courts, under penalty of 5/.

holden as aforesaid, are hereby required, under the penalty of five pounds, to be and appear at the said slave-court, so to be formed and holden as aforesaid, and to serve as jurors thereon as they shall respectively be called; and that upon all trials of slaves under this Act, no peremptory challenges of any of the said jurors, or any exception to the form of the indictment shall be allowed.

65th. And be it further enacted, That all witnesses of free condition legally warned, and who do not attend to give evidence at any trial under this Act or shew by affidavit a sufficient cause for his or her absence, shall be liable to a fine of ten pounds.

Penalty of 10*l.* on persons warned to attend trials and neglecting to do so.

66th. And be it further enacted by the authority aforesaid, That all jurors serving at slave courts, and every person or persons whose presence may be requisite at the examination of any slave or slaves, and who shall be required by warrant or summons under the hand and seal of any justice of the peace; and all and every slave or slaves who shall be brought as witnesses, shall be protected in their persons from all mesne or judicial process whatsoever in their going to, attending at, and returning from such examinations or trial, and that such slave shall not be subject to be levied on.

Jurors, witnesses, &c. under this act, protected in their persons;

and slaves from being levied on.

67th. And be it further enacted by the authority aforesaid, That a record shall be entered up of all proceedings on the trial of slaves for any crime that shall subject any slave or slaves to suffer death, transportation, or confinement to hard labour, in a book to be kept for that purpose by the clerk of the peace, or his lawful deputy of the parish or precinct, who is hereby obliged to attend all such trials, and to record the proceedings within thirty days after such trial, under the penalty of twenty pounds for each neglect; and he shall be entitled to receive from the churchwardens of such parish the sum of five pounds and no more, for attending such trial, entering up the record, and all other business incidental thereto; and further, that the deputy marshal for the said parish, or some proper person acting under him, shall, under the penalty of fifty pounds, warn the jurors and attend the trials of all slaves, and also attend at the execution of such offenders as shall be condemned to die; and that he shall be entitled to receive from the churchwardens of the said parish the sum of five pounds, for warning jurors and attending the trials of slaves at all special slave courts to be held under this Act, and the further sum of five pounds for attending the execution of such offenders as shall be condemned to die.

Records to be kept by clerk of the peace, who must attend trials, and record proceedings in thirty days, under penalty of 20*l.*

Deputy marshals must warn jurors, and attend at such trials, under penalty of 50*l.*

68th. And be it further enacted by the authority aforesaid, That in case any slave or slaves shall, with evil intent, give false evidence in any trial had under this act, such slave or slaves, being thereof convicted, shall suffer the same punishment as the person or persons on whose trial such false evidence was given would, if convicted, have been liable to suffer.

Punishment on slaves for giving false evidence.

69th. And be it further enacted by the authority aforesaid, That in future whenever a warrant shall be granted by one or more of His Majesty's justices of the peace against any slave, if the said slave cannot be immediately taken on the said warrant, the owner, possessor, attorney, guardian or overseer of such slave shall be served with a copy of the said warrant; and if he she or they do not carry the said slave before a magistrate to be dealt with according to law on the said warrant, and if it should be afterwards proved that the owner, possessor, attorney, guardian, or overseer of such slave wilfully detained or concealed the said slave, he she or they shall forfeit the sum of one hundred pounds.

If slaves, against whom warrants are issued, are concealed by owners, &c. they forfeit 100*l.*

70th. And be it further enacted by the authority aforesaid, That, in all trials of any slave or slaves under this Act, six days notice of such trial shall be first given to the owner, proprietor, or possessor of such slave or slaves, his her or their lawful attorney or attorneys, or other representative or representatives, any law custom or usage to the contrary notwithstanding.

Six days notice of trial to be given to owners, &c. of slaves.

71st. And whereas it may sometimes happen that the owner, proprietor, or possessor of a slave may reside in a different parish or precinct from that wherein such slave may have committed the offence for which he or she is to be tried; BE it therefore enacted, That in such cases the clerk of the peace of the parish or precinct wherein the offence is to be tried, shall transmit the notice of such trial to the clerk of the peace of the parish or precinct wherein the owner, proprietor, or possessor as aforesaid may reside, who shall forthwith thereupon, under the penalty of twenty pounds, deliver such notice, and a copy thereof, to one of the lawful constables

How such notices are to be served where owners reside in a different parish to that in which their slaves may have committed offences, and are to be tried.

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constables of the said parish, to be by him, under the penalty of ten pounds, served on such owner, proprietor or possessor; and the said constable is hereby required to make an affidavit of the manner in which he may have served the said notice, to be sworn to before any justice of the peace, and shall return such notice, so sworn to, to the clerk of the peace from whom he received the same, to be by him transmitted to the clerk of the peace of the parish or precinct where the offence is to be tried in due time; for which duty the clerk of the peace of the parish where the warrant shall be served shall be paid the sum of one pound six shillings and eight-pence, and the constable the sum of one pound six shillings and eight-pence, by the acting churchwarden of the said parish.

Execution must be public and solemn.

72d. And be it further enacted by the authority aforesaid, That in all cases where the punishment of death is inflicted, the execution shall be performed in a public part of the parish, and with due solemnity and care; and care shall be taken by the gaoler or deputy marshal that the criminal is free from intoxication at the time of his trial, and from thence to and at the time of his execution, under the penalty of twenty pounds; and the mode of such execution shall be hanging by the neck and no other, and the body shall be afterwards disposed of as the court shall direct.

Slaves sentenced to be executed or transported to be valued by the court.

73d. And be it further enacted by the authority aforesaid, That in all cases where any slave shall be put upon his her or their trial, and receive sentence of death, or transportation, or commitment to hard labour for life, the court, at the time of trying such slave or slaves, shall also enquire of the jury, upon their oaths, what sum or sums of money the owner, proprietor, or possessor of the said slave or slaves ought to receive for such slave or slaves, and certify the same, so that sum or sums of money do not exceed the sum of one hundred pounds for each slave so sentenced as aforesaid; and if the conviction be for running away, the value to be set by the jury shall not exceed fifty pounds.

Provost marshal must execute orders of slave courts as soon as possible, under penalty of 200/.

74th. And be it further enacted by the authority aforesaid, That in all cases where any slave or slaves shall be brought to trial, and sentenced to death or transportation, and valued according to the directions of this Act, the provost marshal or his lawful deputy shall, under the penalty of two hundred pounds, carry such sentence into execution as soon after the passing thereof as an opportunity shall offer; and in case of sentence to transportation, shall forthwith sell such slave or slaves for transportation to the best advantage in his power; and shall under the penalty of two hundred pounds, within the space of one month from the time of such sale, render to the owner, proprietor, or possessor of such slave, or other person legally entitled to receive the same, a just and true account upon oath of the sale or sales of such slave or slaves, and of the legal charges attending the same, and pay over to such owner, proprietor or possessor, or other person legally entitled to receive the same, the proceeds of such sale or sales, after deducting all legal charges as aforesaid; and if it shall happen that the charges due to the provost marshal or his legal deputy for confinement and subsistence of said slave or slaves, shall amount to or exceed the amount of the sales, the same shall be sworn to by the said provost marshal or his lawful deputy, on the back of the certificate of valuation; in which case the receiver general shall pay the whole amount of such valuation.

Valuation of slaves sentenced to death, &c. under this act to be paid by receiver general

75th. And be it further enacted by the authority aforesaid, That in all cases where any slave or slaves shall be sentenced to death or confinement to hard labour for life, and be valued according to this Act, such slave or slaves shall be paid for by the receiver general of this Island out of any monies in his hands, upon production of a legal certificate of such sentence and valuation, but not otherwise; and in all cases where any slave or slaves shall be sentenced to transportation, and valued in manner aforesaid, the receiver general shall, in like manner, upon production of a like certificate, together with the account on oath, hereinbefore directed to be made by the provost marshal or his lawful deputy, but not otherwise, pay the amount of the valuation of such slave or slaves, after deducting the amount of such account.

Purchasers of slaves sentenced to transportation to give bond in 500/ penalty to transport them in thirty days.

76th. And be it further enacted by the authority aforesaid, That every slave who, under the authority and by virtue of this Act, shall be sold for transportation by the provost marshal, or his lawful deputy, shall, notwithstanding such sale, remain in the custody of the said provost marshal, until the purchaser of such slave shall have

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have entered into bond with sufficient security, to our Sovereign Lord the King, under the penalty of five hundred pounds for every such slave so purchased, that every such slave shall be transported off this Island within thirty days after the date of such bond, and shall in the mean time be kept in close confinement on board the ship or vessel in which such slave is intended to be transported; which bond shall be taken by the said provost marshal, or his lawful deputy as aforesaid, (for which the provost marshal, or his said deputy, shall receive from the party entering into the same all expenses incidental thereto) and be filed among the records in the office of the clerk of the peace of the parish or precinct wherein such sale shall be made.

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Bond to be lodged in clerk of peace's office.

77th. And be it further enacted by the authority aforesaid, That every such purchaser of any slave, so directed to be sold for transportation as aforesaid, shall, at the time of executing such bond as aforesaid, also make oath before the provost marshal, or his lawful deputy, as aforesaid, (either of whom is hereby authorized and required to administer the same) that every such slave so purchased by him shall be transported to (death or danger of the seas excepted), and that the said slave so purchased shall not, with his knowledge, privity or consent, be relanded in this Island.

Purchasers to make oath that slaves shall be transported, and that they shall not be relanded.

78th. And be it further enacted by the authority aforesaid, That the provost marshal or any of his deputies shall not, under the penalty of three hundred pounds for each offence, deliver over to any purchaser or purchasers any slave so sold for transportation as aforesaid, until such bond is entered into, and oath taken as aforesaid; and in case any such slave so sold for transportation as aforesaid, shall be found within this Island after the expiration of the thirty days before limited for his or her transportation, such slave shall become forfeited to the Crown, and be resold for transportation by the provost marshal or his lawful deputy, in the same manner and under the like penalties as are hereinbefore enacted, and the net proceeds of such resale shall be paid over to the receiver general for the use of the public.

No slave to be delivered until bond taken and oath made, under penalty.

79th. And be it further enacted by the authority aforesaid, That every slave sold for transportation, under and by virtue of this Act, who shall be found at large within this Island, at any time after such sale as is hereinbefore directed, may and shall be lawfully apprehended by any person whomsoever, and immediately taken before any of His Majesty's justices of the peace; and if it shall appear to the satisfaction of such justice that such slave has been formerly sold for transportation by virtue of this Act, such justice shall, by warrant under his hand and seal, direct such slave to be delivered to the provost marshal or his lawful deputy to be resold for transportation only; and the monies arising from such sale, after deducting a commission of five pounds per centum, and all necessary expenses, shall be paid over, one moiety thereof to the person apprehending such slave, and the other moiety to the receiver general for the time being, for the support of the government of this Island.

Such slaves going at large may be apprehended by any person, and on due proof re-fold.

80th. And be it further enacted by the authority aforesaid, That if any negro or other slave, who shall have been transported from this Island under the direction of this Act, or of any other Act heretofore in force respecting slaves, for murder, rebellion, or being engaged in a rebellious conspiracy, or obeah or arson, shall wilfully return from transportation, such negro or other slave shall, upon conviction, suffer death, without benefit of clergy.

If slaves return from transportation, they are to suffer death.

81st. And be it further enacted by the authority aforesaid, That if the master of any ship or vessel shall knowingly and wilfully bring back to this Island any negro or other slave who shall have been transported from this Island under and by virtue of this Act, or any other Act heretofore in force respecting slaves, such master, being convicted thereof by bill, plaint, or information in the supreme court of judicature, or either of the courts of assize of this Island, shall forfeit the sum of three hundred pounds for each slave so brought back; one moiety whereof shall be to our Sovereign Lord the King, his heirs and successors, for and towards the support of the government of this Island, and the contingent charges thereof, and the other moiety to the party or parties at whose suit or complaint such person was convicted, and shall also suffer imprisonment, at the discretion of the court, for any space of time not less than three nor exceeding twelve months, without bail or mainprize.

Masters of vessels bringing back transported slaves to forfeit 300*l.* for each, and suffer imprisonment at the discretion of the court.

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Slaves sentenced to confinement in workhouse for two years, escaping, may be ordered fifty lashes and recommitted.

82d. And be it further enacted by the authority aforesaid, That if any negro or other slave, who may be sentenced to be confined in the workhouse for the term of two years, or a less time, shall escape from such confinement before the expiration of his sentence, such negro or other slave being retaken, shall, on proof of his or her identity before two justices of the peace, be adjudged by them to be sent back to confinement, to complete the term for which he or she was sentenced to confinement, and to receive a whipping, not exceeding fifty lashes.

And those sentenced for life escaping, may be transported.

83d. And be it further enacted by the authority aforesaid, That if any negro or other slave who may be sentenced to be confined to hard labour for life in any workhouse, shall escape therefrom, every such negro or other slave being retaken, shall, on proof of his or her identity before two magistrates, be adjudged by them either to be recommitted to his or her former punishment, or to be transported off this Island for life.

If marshal, constable, &c. suffer them to escape, they forfeit 50*l.* and may be fined for their value.

84th. And be it further enacted by the authority aforesaid, That if the provost-marshal or any of his lawful deputies, or any lawful constable or workhouse-keeper, shall willingly or negligently suffer any slave or slaves to escape, who shall be committed to his or their custody for any offence under this Act, such marshal, constable, or workhouse-keeper, who shall suffer such escape, shall, on conviction thereof before two magistrates, forfeit the sum of fifty pounds, to be recovered in a summary manner by warrant under the hands and seals of the said two magistrates, for the use of the parish, and without injury to the rights of the owner to sue for the value of the same.

Fees of slaves discharged by proclamation to be paid by the public, proof being given that they were properly maintained.

85th. And be it further enacted, That where any slave or slaves shall be discharged by proclamation, the deputy marshal or workhouse-keeper shall be entitled to receive all such fees as shall be due to him or them, for such slave or slaves, at the time of such discharge, from the public, upon application and due proof made in the most solemn manner to the assembly, or any committee thereof, that such slave or slaves, during the time they were in the custody of such deputy-marshal or workhouse-keeper, was and were found and provided with proper and sufficient provisions and necessary clothing, agreeably to this law.

Gaol-keepers not to work out slaves sent to them for confinement, under penalty of 50*l.*

86th. And be it further enacted by the authority aforesaid, That no gaol-keeper in this Island, or any person acting under him as clerk or deputy, shall on any pretence whatsoever work or employ any slave or slaves sent to his custody upon any plantation, pen or settlement belonging to or in the possession of any such gaol-keeper, nor hire or lend such slave or slaves out to work for any other person or persons, during the time such slave or slaves shall be in his custody, but that all such slaves shall be and remain in the common gaol of the county, parish or precinct, in order to be inspected by any person or persons desiring the same; and in case any gaol-keeper shall offend herein, he shall for every offence forfeit the sum of fifty pounds.

Two justices may inquire into inferior crimes, giving notice to owners, &c. of slaves, and order punishment.

87th. And whereas there are many inferior crimes and misdemeanors committed by slaves, which ought to be punished in a summary manner before two magistrates; BE it therefore enacted by the authority aforesaid, That all misdemeanors and inferior crimes committed by any slave or slaves, not hereinbefore mentioned and directed in what manner they are to be tried, shall be tried in a summary manner before two or more justices of the peace of the parish or precinct where the offence shall be committed, reasonable notice of the time and place of such trial being given to the owner, proprietor, or possessor of such slave or slaves, or his her or their attorney or attorneys, or the person or persons having the care of such slave or slaves; and the said justices of the peace shall, on conviction of such slave or slaves, order and direct such punishment to be inflicted as they shall think proper, not exceeding fifty lashes, or six months imprisonment to hard labour.

Clerks of peace to attend such summary trials, under penalty of 50*l.* for which they are to be paid 1*l.* 6*s.* 8*d.*

88th. And be it further enacted, That the clerk of the peace for attending such summary trial, and making out the order of the magistrates thereat, which he is hereby bound to do under the penalty of fifty pounds, shall be entitled to receive from the churchwardens of the parish the sum of one pound six shillings and eight pence; and the constable for attending at the trial, and at the execution of the order of the magistrates thereon, shall receive the sum of ten shillings.

Justices to enforce this Act as well during martial law as at other times.

89th. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the justices aforesaid, and they are hereby required to do their several

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and respective duties under this Act, when martial law shall happen to be in force, as they might or ought to have done if martial law were not subsisting, any law custom or usage to the contrary in anywise notwithstanding.

10th. And be it further enacted by the authority aforesaid, That all penalties in this Act mentioned, and not already declared how they shall be recovered and applied, shall, if not exceeding fifty pounds, be recovered in a summary manner before any two of His Majesty's justices of the peace, by distress and sale of the offender's goods and chattels; and if amounting to or exceeding fifty pounds, to be recovered in the supreme court of judicature, or in either of the courts of assize, by action of debt, bill, plaint or information, wherein no *essoign*, protection, or wager of law, or *non vult ulterius prosequi* shall be entered, one moiety of which penalties shall be paid to the churchwardens, for the use of the parish where the offence shall be committed, and the other moiety to the informer, or him her or them who shall sue for the same: Provided always, that all proceedings for the recovery of penalties under this Act, shall be instituted within twelve months after the offence be committed.

Recovery and application of penalties not before disposed of.

11th. And be it further enacted by the authority aforesaid, That all crimes committed by slaves during the time the Act, intituled, "An Act for the protection, subsisting, clothing, and for the better order and government of Slaves, and for other purposes," passed in the year one thousand eight hundred and seven, was in force, shall be heard, tried and determined, and such slave punished in the manner directed by the said Act, and as if the same were now in full force, and for which purpose only the said recited Act shall be considered as still in force.

Proceedings to be commenced within twelve months.

Offences committed under former Act may be heard, tried, &c. as if it were still in force.

An ACT to enable Persons of Colour, and Negroes of Free Condition, to save deficiencies for their own Slaves, and for the Slaves of each other.  
[4 December 1813.]

WHEREAS it is deemed expedient that persons of colour and negroes of free condition should be permitted to employ persons of the same class and condition on their respective properties, and that such free persons so employed, as well as such free persons being proprietors, should be allowed to save deficiencies for their own body; and it is also expedient to repeal a certain clause of an Act hereinafter mentioned, relating to free persons: We, therefore, Your Majesty's dutiful and loyal subjects, the assembly of this Your Majesty's Island of Jamaica, do most humbly beseech Your Majesty, that it may be enacted; be it therefore enacted and ordained by the governor, council, and assembly of this Island, and it is hereby enacted and ordained by the authority of the same, That the fourth clause of the twenty-seventh chapter of the fifty-third year of the reign of His present Majesty be and the same is hereby Repealed.

Preamble.

53 Geo. 3, cap. 27, clause 4, Repealed.

2d. And be it further enacted by the authority aforesaid, That notwithstanding any thing contained to the contrary in a certain Act of this Island, passed on the eleventh day of December, in the year of our Lord one thousand eight hundred and twelve, intituled, "An Act to oblige the several inhabitants of this Island to keep a number of white persons serving in the militia, in proportion to the number of slaves they shall possess, or to pay certain sums of money in case they shall be deficient," it shall and may be lawful for every proprietor, being a person of colour or negro of free condition, or other person or persons of the same free condition, holding, possessing, or employing, in any parish within this Island, any slaves, or hiring any slaves by the year, to keep up, employ, and hire one or more person or persons of the same free class or condition, for the several numbers of slaves, and according to the scale and the several proportions set forth in the first clause of the said last above recited Act, which said free persons shall be males, actually doing duty in the militia, and shall live and reside on the plantation or plantations for which they shall respectively be given in, receiving wages or hire for their services on such plantations respectively, at not less than fifty pounds per annum.

Persons of colour, or negroes of free condition, allowed to keep, hire or employ persons of the same free condition, agreeably to the number of slaves they possess, and according to the scale and proportion of the above act, notwithstanding any thing in the said act contained.

3d. And be it further enacted by the authority aforesaid, That in all cases wherein by the said Act, white persons, and their respective descendants, are allowed to save deficiencies for their own slaves, or for the slaves of any other white persons, it shall be lawful in like manner for persons of colour and negroes of free condition to save deficiencies for themselves respectively, or for other persons of colour, or negroes of free

They are to save deficiencies for themselves, or for others, in all cases wherein white persons are allowed by the above act to do so.



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free condition, on whose properties they shall respectively be employed and hired as aforesaid.

In all other cases not herein mentioned, all duties, &c. and forms, *mutatis mutandis*, to be considered applicable to such persons.

4th. And be it further enacted by the authority aforesaid, That in all other cases, not particularly mentioned in this Act, all duties, obligations, and penalties, all subjects of relief, and all forms of giving in, and of affidavits relating to white persons, shall in like manner, *mutatis mutandis*, be deemed and considered as applicable to persons of free condition as aforesaid, of which the commissioners of public accounts, the receiver general, all magistrates, clerks of vestries, and other persons, shall in like manner and under like penalties take due notice.

This act to be in force until 31st December 1816.

5th. And be it further enacted by the authority aforesaid, That this Act shall continue and be in force from the passing thereof until the thirty-first day of December, in the year of our Lord one thousand eight hundred and sixteen, and no longer.

An ACT to repeal several Acts, and the Clause of an Act of this Island, respecting Persons of free Condition, and for granting to such Persons certain Privileges.—[4th December 1813.]

## Preamble.

WHEREAS it is expedient to admit all people of free condition born in this Island, or manumised pursuant to the laws thereof, being baptized and instructed in the Christian religion; to give evidence in all cases, civil and criminal; and also to repeal the several acts, and the clause of an Act of this Island hereinafter mentioned relating to such persons: May it please Your most Excellent Majesty, That it may be enacted; BE it therefore enacted by the governor, council, and assembly of this Your Majesty's Island of Jamaica, and it is hereby enacted by the authority of the same, That from and immediately after the passing of this Act, a certain Act made and passed in the twenty-first year of the reign of his late Majesty King George the Second, chapter seven, intituled, "An Act for making free Negroes, Indians, and Mulattoes, evidence in all causes against one another, in all the Courts of this Island;" a certain other Act, made and passed in the second year of the reign of His present Majesty, chapter eight, intituled, "An Act to prevent the inconveniences arising from exorbitant Grants and Devises made by white Persons to Negroes, and the Issue of Negroes, and to restrain and limit such Grants and Devises;" a certain other Act, made and passed in the thirty-sixth year of the reign of His present Majesty, chapter twenty-three, intituled, "An Act for granting certain Privileges to Persons of Colour, and Negroes, being of free Condition and Christians;" and the first clause of a certain other Act, made and passed in the twenty-fifth year of the reign of His present Majesty, chapter seventeen, intituled, "An Act to prevent the Captains, Commanders, or Masters of Ships and all other Vessels whatsoever from clandestinely carrying off this Island Negro or other Slaves," shall be and stand repealed, annulled, and made void, to all intents and purposes whatsoever; any thing in the said Acts, or either of them, or in any Act or Acts contained to the contrary in anywise notwithstanding.

21 Geo. 2, cap. 7.

2 Geo. 3, cap. 8.

36 Geo. 3, cap. 23.

and 25 Geo. 3, cap. 17, cl. 1. repealed.

Persons of free condition born in this island, or manumised pursuant to law, and baptized, permitted to give evidence in future in the courts of this island.

Proviso.

2d. And be it further enacted by the authority aforesaid, That from and after the passing of this Act all and every person and persons of free condition, born in this Island, or manumised pursuant to the laws thereof, and who have been baptized and instructed in the principles of the Christian religion, shall and lawfully may be admitted and received to give evidence on any trial or suit, of any nature or kind whatsoever, or on the hearing of any complaint, instituted or exhibited in any of the courts of law or equity in this Island, or before any magistrate or coroner: Provided always, that no such person shall be competent to be admitted or received to give evidence under and by virtue of this Act, unless such person shall have been baptized six months at the least previous to the time of such person being produced to give evidence, and unless such person shall at such time produce a certificate of his or her baptism, and which certificate shall have been produced to, and the production thereof attested by, the custos or some magistrate, and one of the churchwardens of the parish wherein such person shall reside, any thing hereinbefore contained to the contrary thereof in anywise notwithstanding: And provided also, that no negro or mulatto who shall be made free shall be admitted to give evidence by virtue of this law, unless he or she has been manumitted, or made free, for the space of twelve months previous to the commission of the offence, or existence of the fact respecting which he or she shall be produced to give his or her evidence.

Proviso.

3d. And

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3d. And be it further enacted by the authority aforesaid, That all and every person and persons of free condition, in the several parishes of this Island, shall and they are hereby required to give in their respective names and places of abode in the several parishes wherein they respectively reside, to the mayor, aldermen, and common council, in the city and parish of Kingston, and in the other parishes, to the justices and vestry in open vestry, to be recorded in a book to be kept for that purpose; and shall then and there produce the certificate of his or her baptism, and also his or her manumission, or prove, to the satisfaction of the justices and vestry, his or her right to freedom; and in default of compliance with the requisition herein contained, each person so making default shall, during such non-compliance, forfeit all benefit and advantage he or she would otherwise be entitled to under and by virtue of this Act: And the clerk of the common council of Kingston, and the clerk of the vestry of each other parish, shall, under the penalty of fifty pounds for each name omitted, record the names of such persons of free condition who may so give in their names to the said mayor, aldermen and common council, and to the justices and vestry as hereby required, and prove their right to freedom, and forthwith grant certificates thereof to such persons who may apply therefore; and which certificate shall be to the effect following:

All persons of free condition, in the several parishes of this island, to give in their names and places of abode, and certificates to be granted them.

“ These are to Certify, That \_\_\_\_\_ did, on the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_ give in his [or, her] name at a vestry, holden at \_\_\_\_\_ and did then \_\_\_\_\_ and there produce the Certificate of his [or, her] baptism, and show how he [or, she] \_\_\_\_\_ obtained his [or, her] freedom.”

And for which certificate the clerk of the vestry shall be entitled to receive a fee of one shilling and three-pence, and no more.

4th. And be it further enacted by the authority aforesaid, That such certificate, or the record thereof in the vestry book, shall on all and every occasion where a party is tendered as a witness, be received and taken as proof of the freedom of the person producing the same, and shall entitle such person to be received as a witness under and by virtue of this Act, unless it shall be satisfactorily proved to the court, before whom such person is produced as a witness, that such person is not of free condition.

Such certificates, or the record thereof, to be considered good proof of freedom.

5th. And be it further enacted by the authority aforesaid, That if any person of free condition shall, in any cause where he shall give his or her testimony, commit wilful and corrupt perjury, such person, being thereof convicted, shall be punished according to the laws and statutes of Great Britain in such cases made and provided.

Persons of free condition committing perjury to be punished agreeably to the laws of Great Britain.

6th. And be it further enacted by the authority aforesaid, That the penalty hereinbefore mentioned shall be recovered in a summary manner before any two of His Majesty's justices of the peace of the parish wherein the offence shall have been committed, and to the use of the party or parties complaining thereof.

Penalty on clerk of the vestry mentioned in the third clause, to be recovered summarily.

7th. And be it further enacted by the authority aforesaid, That it shall and may be lawful to navigate all droppers, vessels or boats plying round this Island for hire, by negroes, mulattoes, or by any other description of persons, whether free or slave, notwithstanding any thing to the contrary in any other Act of this Island at any time heretofore made: Provided nevertheless, that the master of such drogger shall be a native subject of free condition.

Droggers plying round the island may be navigated by persons of free condition, or slaves. Proviso.

An ACT to enable the Justices and Vestry of the several Parishes of this Island to fit out parties of confidential Slaves.—[4 December 1813.]

WHEREAS it has been found beneficial, in several parts of this Island, to employ confidential slaves for the taking and bringing in or destroying runaway or rebellious slaves; We, Your Majesty's dutiful and loyal subjects, the assembly of Jamaica, humbly beseech Your Majesty, That it may be enacted; BE it therefore enacted by the governor, council and assembly of this Your Majesty's Island of Jamaica, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the governor, or person exercising the functions of government for the time being, on the representation of the justices and vestry of any parish in this Island, that hordes of runaway or rebellious slaves, dangerous to the peace of the community,

Preamble.

On representation of justices and vestry of any parish, governor empowered to authorize them to hire and fit out parties of confidential slaves to

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go in pursuit of run-  
aways, and to appoint  
officers thereto.

Proviso.

Such officers and  
non-commissioned  
officers to be ap-  
pointed by warrant  
under hand of custos  
or senior magistrate;  
and they are to be  
paid agreeably to the  
rate allowed by 48  
Geo. 3, cap. 4.

Besides their pay and  
hire, such parties are  
to be allowed the like  
rewards as are  
granted by the above  
act.

All slaves going on  
such parties are to  
be valued and ap-  
praised;  
and if any be killed,  
the owner to be  
allowed such value;  
and if any disabled,  
adequate compensa-  
tion to be given.

Tax to be levied on  
each parish for de-  
fraying the above  
expensies.

Proviso.

In case two parishes  
join to fit out parties,  
officer whose warrant  
is of the oldest date  
is to have the com-  
mand.

are collected within or in the neighbourhood of the parish, to authorize the justices and vestry of any parish within this Island, when and as often as to the said governor or person exercising the functions of government, it shall on such representation appear necessary or expedient to raise such number of negro and other slaves, or persons of free condition, as to them shall seem meet, and at such hire as can be agreed on between the said justices and vestry and the owners of such slaves, to go in pursuit of, and to take, bring in, or destroy all such runaway or rebellious slaves as may be assembled in the said parish or neighbourhood, and to appoint officers for commanding such parties; and such party so to be sent out, shall be supplied with good arms, accoutrements and ammunition, by the justices and vestry, and at the expense of the said parish: Provided always, that with every such party of slaves there shall be at least one white person for every twenty negro or other slaves.

2d. And be it further enacted by the authority aforesaid, That the officers and non-commissioned officers employed to command and conduct such parties, shall be appointed by warrant under the hand and seal of the custos or senior magistrate presiding at any vestry, on the nomination of the majority of the justices and vestrymen present, when the said officers shall be appointed under the authority to be given by the governor, or person exercising the functions of government as aforesaid; and that such officers, non-commissioned officers, and others employed in any such party, shall be allowed and paid at and after the rate allowed in and by an Act passed in the forty-eighth year of the reign of His present Majesty, commonly called The Party Law, during such time as such officers shall be employed in actual service.

3d. And be it further enacted by the authority aforesaid, That over and above the said pay and hire of the negroes employed in such parties, the said parties shall be allowed the like rewards for taking or killing rebellious or runaway slaves, as are in and by the said Act allowed to be distributed in the proportions and manner thereby directed.

4th. And be it further enacted by the authority aforesaid, That all and every the slave or slaves who shall be employed in such parties, shall previously be valued and appraised by the said justices and vestry, or any two persons to be appointed by them, such valuation not to exceed the sum of two hundred pounds; and in case any slave or slaves shall be killed, the master or owner of such slave or slaves shall receive for every slave so killed the sum at which the said slave shall have been valued; and in case any such slave or slaves shall be disabled by loss of limb, the master or owner of such slave or slaves shall receive such sum as shall appear, upon a revaluation, to be an adequate compensation, not exceeding one hundred pounds; such revaluation to be made by the said justices and vestry, or two persons to be by them appointed, after such slave or slaves shall become so disabled as aforesaid.

And be it further enacted by the authority aforesaid, That the said justices and vestry shall and may and they are hereby authorized and required to raise and levy on the inhabitants of the parish where such party or parties may be fitted out, such sum or sums of money as may be requisite and necessary for the pay, hire, maintenance, and rewards to which such party or parties may be entitled, and as may be required to pay for such slave or slaves as may be killed or disabled in such party or parties, to be received, levied, and enforced as the other parochial taxes: Provided always, that nothing herein contained is meant or intended to interfere with the hereinbefore mentioned Party Law, or Militia Law, or any of the articles, matters, and things therein contained.

6th. And be it further enacted by the authority aforesaid, That in case two or more parishes shall join in fitting out parties, the officer whose warrant, signed as aforesaid, shall be of the oldest date, shall take the command of such joint parties; and the other officers shall take rank and command according to the date of the warrants under which they shall be then actually acting and receiving pay.

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An ACT for rendering more effectual two certain Acts of this Island, respecting foreign slaves and foreigners of a certain description; one passed in the year one thousand seven hundred and ninety-nine, and the other passed in the year one thousand eight hundred and one.—[23d November 1814.]

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WHEREAS two certain Acts of this Island, the one intituled, "An Act to prevent any intercourse or communication between the slaves of this Island, and foreign slaves of a certain description, and for other purposes, passed in the month of March in the year of our Lord one thousand seven hundred and ninety-nine;" and the other intituled, "An Act for establishing regulations respecting persons of a certain description arriving in this Island, or resident therein, in certain cases," made and passed in the month of March, in the year of our Lord one thousand eight hundred and one, are not sufficient, under the circumstances of the times, to effectuate the purposes thereby intended; We, Your Majesty's dutiful and loyal subjects, the governor, council and assembly of this Your Majesty's Island of Jamaica, do humbly beseech Your Majesty, That it may be enacted, and be it enacted by the governor, council and assembly of the said Island, and it is hereby enacted by the authority of the same, That in addition to the declaration mentioned in the third clause of the last-mentioned Act passed in the year one thousand eight hundred and one, every alien who shall arrive in this Island after the passing of this Act, shall also declare to the naval officer of the port in which such alien shall arrive, the place of his or her birth, and the length of time of his or her residence in the country or countries, place or places in which such alien shall have principally resided previous to his or her arrival, and also the name of the ship or vessel in which such alien arrived, the country to which such ship or vessel belongs, and the name of the master thereof; and every alien who shall neglect or refuse to make such declaration as hereinbefore and in the said third clause of the said Act directed to be made, or shall make a false declaration thereof, shall for every such offence be proceeded against, as in and by the said clause directed, or on conviction thereof before any two justices of the peace, or members of the corporate body of the city and parish of Kingston, upon the oath of one or more credible witnesses, be committed to the common gaol, or some other proper place of confinement, until the pleasure of the governor, lieutenant governor, or person executing the functions of governor, shall be known thereupon.

Preamble.

39 Geo. 3. cap. 29.

41 Geo. 3. cap. 17]

Additional declaration to be made by aliens on their arrival in this island.

Punishment in the event of refusal.

And be it further enacted by the authority aforesaid, That any alien who shall, upon her or his arrival in this Island, receive the certificate from the naval officer or his deputy, as directed by the fourth clause of the said Act, such alien shall, within the space of twenty-four hours after he or she shall have obtained the same, appear with such certificate before any justice of the peace of the parish wherein such certificate shall have been obtained; and if in the city and parish of Kingston, before one of the members of the corporate body thereof, at their next sitting thereafter; and which said justice of the peace or corporate body shall, if he or they shall see no good cause to the contrary, by endorsement upon the said certificate, grant such alien permission to reside within the said parish or precinct; but if such justice of the peace or corporate body aforesaid shall see cause why such alien shall not be permitted to reside in such parish or precinct, he or they shall commit such alien to the common gaol, or some other proper place of confinement, without bail or mainprize, and report the same forthwith to the governor, lieutenant governor, or person executing the functions of governor.

Aliens to produce the certificate of the naval officer before a justice of the peace; and in Kingston before the corporate body, within 24 hours after obtaining the same; and permission to reside in the parish is to be granted them, if no good cause to the contrary.

And be it further enacted by the authority aforesaid, That the governor, lieutenant governor, or person executing the functions of governor, shall and may, if he shall think fit, cause every alien who shall so offend, or be committed as aforesaid, to be sent off this Island.

Governor may order off the Island any alien offending herein.

And be it further enacted by the authority aforesaid, That when and as often as it shall happen that no proclamation shall be issued, as directed by the seventh clause of the said Act, that no master of any ship or vessel shall land, or permit or suffer any person, being an alien, to land in any part of this Island, before the arrival of such ship or vessel in the port or place to which such ship or vessel shall be bound; and any person offending herein shall forfeit and pay the sum of one hundred pounds for each alien so landed, or permitted or suffered to land as aforesaid, to be recovered before any two justices of the peace of the parish wherein such ship or vessel shall arrive; and if within the precinct of the city and parish of Kingston, before any two members of the corporate body of the said city and parish, the one before

Regulations for the conduct of masters of vessels, in the event of there not being a proclamation in force.

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half thereof to go to the informer, and the other half to the poor of the said parish; and if any alien shall land in this Island from any ship or vessel, before the arrival of such ship or vessel in the port or place to which she shall be bound, against the wish and without the consent of the master of such ship or vessel, the said master shall immediately upon his arrival, report to the naval officer or his deputy, the names, colour, sex, description of person, the port or place where such alien shall have embarked on board his ship or vessel, and the place where such alien shall have landed; and upon neglect or refusal to make such report, or upon making a false report thereof, such master shall, for every such offence, upon conviction thereof before any two justices of the peace, or corporate body, as aforesaid, forfeit and pay the sum of one hundred pounds, one half thereof for the informer, and the other half for the poor of the said parish in which such master shall be convicted.

Aliens are to appear with their certificates once a year before the justice of the peace, and in Kingston before the corporate body.

Penalty in case of refusal.

And be it enacted by the authority aforesaid, That all persons not being natural born subjects of His Majesty, and not naturalized, residing in this Island, shall in and during the month of August in each and every year, appear before any justice of the peace of the parish in which such alien shall reside, and if in the city and parish of Kingston, before the corporate body thereof, and shall then show to such justice of the peace or corporate body, the certificate or passport under which such alien shall have been permitted to reside in the said parish; and if any alien shall refuse or neglect to appear as aforesaid, without a good and sufficient excuse, or shall appear without showing his or her passport or certificate, and without giving good and sufficient reason for not showing the same, such alien shall be committed by such justice of the peace or corporate body, to the common gaol, or some other proper place of confinement, there to remain without bail or mainprize, until the pleasure of the governor, lieutenant governor, or person executing the functions of governor, shall be known thereupon; and which said justices of the peace shall, within one month, lodge in the office of the clerk of the peace of their respective parishes, and the corporate body in the police office, a list of all such persons as shall have so appeared before them respectively, and shall also notify on the back of each certificate the appearance aforesaid of such alien.

Regulations for the conduct of captains commanding companies or troops of militia in regard to aliens.

And be it further enacted by the authority aforesaid, That upon any person not being a natural born subject of His Majesty, and not naturalized, enlisting or being enrolled in any company or troop of the militia of this Island, the officer commanding such company or troop at the time of such enlistment or enrolment, shall forthwith take down the name of such person, his place of birth, place of residence in the parish, and length of time of such residence, his occupation and colour, of which he shall immediately make a return to the colonel or officer commanding the regiment to which such company or troop shall belong, under a penalty of ten pounds for each neglect herein, to be recovered before any two justices of the peace of the parish to which such company or troop shall belong, and if in the city and parish of Kingston, before any two of the members of the corporate body; and which said return the colonel or officer commanding the said regiment shall, within twenty days after receiving the same, transmit to the clerk of the peace of the parish in which such person shall be enlisted or enrolled; and if in the city and parish of Kingston, to the police office, under a penalty of twenty pounds for each neglect, to be recovered as last aforesaid; and which said penalties shall be paid to the use of the poor of the parish wherein such conviction shall take place.

Persons having aliens in their employ or resident with them, must give in an account of them to police officer, (if in Kingston), and to clerks of peace in other parishes, under penalty of £.

And be it further enacted by the authority aforesaid, That every person and persons whomsoever, who shall have any person or persons, not being natural born subjects of His Majesty, and not having been naturalized, living in his her or their employ, or residing within his her or their houses, shall, on or before the twenty-eighth day of March next, or within twenty days after making a return of all such person or persons not being natural born subjects of His Majesty, and not having been naturalized, to the police officer of the city and parish of Kingston, as to such persons as reside in the said city and parish, and to the clerks of the peace of the several other parishes in which such person or persons reside, or in which his her or their plantation or house may be, whereon such person or persons as aforesaid are employed or reside; and in such return shall be set down the name, colour, country, and occupation of such person or persons, aliens as aforesaid, the length of time such person or persons, aliens as aforesaid, shall have been in his her or their employment, or the length of time of such residence as aforesaid, and also the country from whence such person or persons, aliens as aforesaid, last came; and in every case of neglect or default he she

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or they shall forfeit and pay the sum of one hundred pounds, to be recovered in a summary manner before any two of His Majesty's justices of the peace of the respective parishes; and if in the city and parish of Kingston, before any two of the corporate body, upon the oath of one or more credible witness or witnesses, one half thereof shall be to the informer or informers, the other moiety to the poor of the parish in which such plantation or dwelling shall be.

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And be it further enacted by the authority aforesaid, That from and after the passing of this Act, all person or persons whomsoever who shall employ or take to reside with him her or them any person or persons, not being natural born subjects of His Majesty, and not having been naturalized, shall, within fourteen days after such employment or residence, give in to the police officer of the city and parish of Kingston, as to such persons as reside in the said city and parish, and to the clerks of the peace of the several other parishes, in which such person or persons, aliens as aforesaid, shall be employed or reside, a return thereof, wherein shall be set down the names, colour, country, and occupation of such person or persons aliens as aforesaid; and in every case of neglect or default therein, he she or they shall forfeit and pay the sum of one hundred pounds, to be recovered as last aforesaid, one moiety thereof to be for the informer or informers, and the other moiety thereof to be for the poor of the parish as aforesaid.

And those employing any in future must, within fourteen days, make a return of them under the same penalty.

And be it further enacted by the authority aforesaid, That from and after the passing of this Act, all person and persons whomsoever who shall now have, or shall or may hereafter have any person or persons not being natural born subjects of His Majesty, and not naturalized in his her or their employ, or residing with him her or them, he she or they shall upon such person or persons, aliens aforesaid, quitting such employment or residence as aforesaid, give a notice thereof in writing to the police officer of the city and parish of Kingston, as to such persons as reside in the said city and parish, and to the clerks of the peace of the several other parishes in which such person or persons, aliens aforesaid, shall have been employed and resided; and in every case of neglect or default, he she or they shall forfeit and pay the sum of one hundred pounds, to be recovered and applied as aforesaid.

The like notice to be given on aliens quitting their employment or residence.

And be it further enacted by the authority aforesaid, That persons giving in such returns as aforesaid shall pay to the police officer of the city and parish of Kingston, and clerks of the peace of the several other parishes, the sum of two shillings and sixpence for each person in such return so to be made to them respectively, and no more; and that the said police officer and clerks of the peace shall enter such returns so to be made to them respectively, into a book to be kept for that purpose, under the penalty of five pounds for each neglect or default, to be levied by warrant under the hands and seals of any two of the members of the corporate body of the city and parish of Kingston, if such neglect or default shall happen within the precinct of the said city and parish, and by any two justices of the peace of the parish wherein such neglect or default shall happen, and the penalties so levied to be applied to the use of the poor of the city and parishes wherein such penalties shall be levied.

Fee to the police officer and clerks of peace;

and penalty if they neglect to enter such returns.

And be it further enacted, That if any master or commander of any ship, vessel or boat, shall not comply with the regulations contained in the first section of the said recited Act, passed the eleventh day of March one thousand eight hundred and one, such master or commander, upon proof thereof in manner as directed in and by the said Act, shall not only be liable to the penalty imposed by the said Act, but shall also be committed to gaol for three months, by warrant under the hand and seal of one or more of His Majesty's justices of the peace, or by one or more of the corporate body of the city and parish of Kingston, if within the precinct thereof.

Punishment on masters of vessels neglecting to comply with the regulations contained in the act of 41 Geo. 3. cap. 17.

And be it further enacted by the authority aforesaid, That all negroes or people of colour from the Island of Saint Domingo found on shore here without a special license from the governor or the person executing for the time being the functions of governor, shall be deemed and taken to be persons of a dangerous description, and on conviction under any law respecting persons of a dangerous description shall be transported for life; and that any person who shall apprehend, and have committed to gaol brigand negroes or people of colour of the aforesaid description, shall be entitled to a reward of twenty pounds for every person so apprehended and transported, on presenting to the receiver general a certificate of the fact, signed by the magistrates

Negroes, &c. from St. Domingo found here, without a license from the governor, to be deemed persons of a dangerous description.

Rewards to persons apprehending them and to witnesses.

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magistrates who shall or may pass such sentence of transportation ; and if any person shall be prosecuted and convicted under the eleventh or thirteenth clauses of the said Act, by the information of any witness or witnesses, such witness or witnesses shall be entitled to the sum of twenty pounds, to be paid by the receiver general of this Island, on the production to him of a certificate of such conviction.

Governor empowered to order search to be made for aliens, and to apprehend, secure and send them off the island, if necessary for public safety.

And be it further enacted, That immediately from and after the passing of this Act, it shall and may be lawful to and for the governor, or person executing the functions of governor for the time being, at any time to issue orders to all and every or any person or persons whomsoever to make, search for and apprehend, and keep in safe and secure custody any person whomsoever not being a natural born subject of His Majesty, to the end that such proceeding may be had with regard to every such person respectively, as the safety of the Island may appear to require, and to cause to be kept in confinement on board any ship or vessel, or otherwise, and for such time as he shall deem necessary ; and also to cause to be sent off the Island every such person so to be apprehended as aforesaid, as he shall deem to be a dangerous or suspicious character with regard to the public safety and tranquillity.

Under such orders of the governor, persons may command access for search by force.

And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for all and every or any person or persons, under any such orders as aforesaid, to break open houses or closes for the purpose of effectually searching for all and every or any such person or persons so to be apprehended as aforesaid, if free access shall not be given, or may not be had for that purpose, and also to use and exercise any force whatsoever that may be necessary or expedient in order to carry into full execution any such orders as aforesaid.

Officers, &c. of militia disobeying such orders, to be tried by a court martial.

And be it further enacted by the authority aforesaid, That if any officer or private of the Militia shall not obey any such orders as aforesaid, every such person so offending shall be liable to be tried by a general court martial and to the sentence thereof.

Persons sent off the island under this act, to suffer death if they return.

And be it further enacted by the authority aforesaid, That if any person sent off this Island under this Act shall afterwards return to this Island, every such person shall suffer death without benefit of clergy, any thing contained in any former Act notwithstanding.

Expenses incurred to be paid by the receiver general, after being audited by the commissioners of public accounts.

And be it further enacted by the authority aforesaid, and the commissioners of public accounts are hereby directed to authorize the receiver general to pay all such expenses as may at any time hereafter be incurred in the apprehending and transporting from this Island any person who may be apprehended and transported from this Island by virtue of this or the hereinbefore recited Acts, such expenses being first audited and approved of by the said commissioners of accounts.

Owners, &c. of drogging vessels carrying aliens or foreign slaves from one port to another without a passport, to forfeit 70*l.* for each.

And be it further enacted by the authority aforesaid, That from and after the passing of this Act, if any owner of a drogger or drogging vessel, being the master thereof, or the master not being the owner, shall take or carry any alien or foreign slave from any one part to any other part of this Island, unless such person shall have a passport according to the regulations made by the hereinbefore recited Act of the forty-first year of the reign of George the Third, such master or owner of a drogger as aforesaid shall for every such offence forfeit and pay the sum of seventy pounds for every such alien or foreign slave, who shall have been by him carried from any one port to any other port of this Island as aforesaid, one moiety thereof to the informer or informers, and the other moiety to the churchwardens of the parish wherein the port shall be situated to which the said master or owner of a drogger as aforesaid shall have carried such person or persons, for the use of the poor of the said parish, to be recovered in a summary manner before any two members of the corporate body of the city and parish of Kingston, if the offence shall be committed within the precinct thereof, and any two magistrates of such other parish where the offence shall be committed; and in default of payment, that such offender or offenders shall be committed to the common gaol, there to remain without bail or mainprize until the same shall be paid.

This act to be in force until 31st December 1817.

And be it further enacted by the authority aforesaid, That this Act, and every clause, matter and thing therein contained, shall continue and be in force from the thirty-first day of December in the present year, until the thirty-first day

day of December, in the year of our Lord one thousand eight hundred and seventeen.

JAMAICA.

Passed the Council, twenty-third November one thousand eight hundred and fourteen. (Signed) *R. Robertson*, Cl. Com.

Passed the Assembly, this twenty-third day of November one thousand eight hundred and fourteen. (Signed) *James Lewis*, Speaker.

I Consent,  
*Manchester.*

Twenty-third November, one thousand eight hundred and fourteen.

## NEVIS.

### NEVIS ACT.

An ACT to prevent Slaves from selling Sugar, Rum, Molasses, Syrups, Canes, Cane Liquor, Live Stock, Butchers Meat, and other Things; also, from carrying off this Island Live Stock and Butchers Meat, without Tickets from their Owners or Managers.—[11th February 1790.]

WHEREAS the frequent robberies committed by slaves, of sugar, rum, molasses, syrups, canes, cane liquor, sheep, goats, hogs, poultry, and several other things, render it necessary for the Legislature of this Island to interpose and endeavour to put a stop to such evil practices, which are promoted by the ease such slaves find in procuring purchasers, from whom they receive great encouragement to rob and steal, to the very great detriment and injury of the inhabitants of this Island: We, therefore, Your Majesty's most dutiful any loyal subjects, the governor and commander in chief of Your Majesty's Leeward Charribbee Islands in America, and the council and assembly of the Island of Nevis, do pray Your most sacred Majesty, That it may be enacted; and be it and it is hereby enacted by the King's most excellent Majesty, by and with the advice and consent of the governor and commander in chief of His Majesty's Leeward Charribbee Islands in America, and the council and assembly of the said Island of Nevis, and by the authority of the same, That from and after the publication of this Act it shall not be lawful for any slave whatsoever in this Island to sell any thing, except "fire wood, grass, vines, herbs, pulse, grain, roots, food made of roots, crabs, sea-fish, and the slaves own particular manufacture," without a ticket from under the hand of the slave's owner or manager, specifying the thing or things to be sold, and the quantity of them, with the name of the slave or slaves, and the day of the month, which said ticket shall only remain good and valid for the day on which it is given; and in case any slave or slaves shall offer any thing (except such things as are before excepted in this Act) for sale without such ticket from his her or their owner or manager, it shall and may be lawful for any white person whatsoever to take away such thing from the said slave and convert it to his or her own use; provided the thing or things so taken from any slave, at the same time, shall not exceed the value of six shillings current money; but if the thing or things so taken are of more than the value of six shillings current money, such thing or things and the slave or slaves in whose custody they are taken, shall be delivered to the provost marshal or his lawful deputy, or to the keeper of the common gaol in Charlestown, who is hereby required to secure such slave or slaves and the thing or things so taken, and to give notice thereof to the owner or managers of the said slave or slaves, for which notice and securing the said slave or slaves the said provost marshal or his lawful deputy shall be paid three shillings current money by the owner or manager of the said slave or slaves; and also the further sum of three shillings current money for the person or persons who shall apprehend the said slave or slaves; and the marshal or his lawful deputy, on receipt of the said sum of six shillings, shall deliver the said slave or slaves, with the goods so taken, to their respective owners or managers: Provided always, nevertheless, that if any person or persons shall claim the goods or any part thereof offered for sale, without a ticket as aforesaid, upon application to the marshal or his lawful deputy, he shall cause the said slave or slaves with the goods so taken, to be carried before any one of His Majesty's justices of the peace for the said Island, who is hereby authorized and empowered to hear and determine all matters

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matters touching the same, and to order such slave or slaves a public correction, not exceeding thirty-nine lashes : And whereas for want of a law to restrain slaves from selling sugar, rum, molasses, syrups, canes, and cane liquors in the public markets of this Island, frequent depredations are committed, to the great grievance of the planters ; BE it therefore enacted by the authority aforesaid, That it shall and may be lawful, from and after the publication of this Act, for any white person whatsoever to apprehend any slave or slaves that shall or may sell or expose to sale anywhere, or have in their possession out of their owner's or manager's plantation any sugar, rum, molasses, syrups, canes, or cane liquor which shall be suspected to be stolen, without a ticket, as is hereinbefore directed, from their owner or manager, and to carry such slave or slaves, with the sugar, rum, molasses, syrups, canes, or cane liquor as aforesaid, before any justice of the peace in this Island, who is hereby authorized and empowered, according to the intent and meaning of this Act, to award such sugar, rum, molasses, syrups, canes, and cane liquor to the person or persons who shall or may apprehend such slave or slaves as aforesaid, and to order and direct the offending slave or slaves to be publicly whipped, not exceeding thirty-nine lashes ; and if any person or persons shall presume to purchase any sugar, rum, molasses, syrups, canes, and cane liquor, contrary to the intent and meaning of this Act, from any slave or slaves, without a ticket from their owner or manager, such person or persons, notwithstanding the penalty hereinafter mentioned for purchasing without a ticket, be subject nevertheless to be indicted at the court of King's Bench and Common Pleas in this Island, as the receiver of stolen goods.

And whereas it is a practice for slaves to carry stolen stock off this Island to sell at the Islands of Saint Christopher's and Statia ; BE it and it is hereby enacted by the authority aforesaid, That if any master or commander of any boat or vessel, shall take or permit, or suffer to be taken on board such boat or vessel any live stock or butchers meat to be transported to any place whatsoever for any slave, without a ticket as hereinbefore is directed, such master or commander of such boat or vessel shall for any such offence forfeit and pay the sum of twenty pounds current money.

And be it further enacted by the authority aforesaid, That in case any white or free person shall purchase any thing, (except such things only as are before excepted in this Act) from any slave or slaves not having a ticket as hereinbefore directed, such person or persons shall, upon proof made before any justice of the peace in this Island, forfeit and pay the sum of twenty pounds current money.

And be it further enacted by the authority aforesaid, That if any person whatsoever shall give any slave a ticket in his or her owner's or manager's name, to sell any thing without the privity or consent of such owner or manager, such person shall, upon proof been made upon oath by the owner or manager before any one justice of the peace, forfeit and pay the sum of twenty pounds current money.

And be it enacted by the authority aforesaid, That in case any person or persons shall take away any thing from any slave who hath a ticket, or take away the ticket from any slave, (except the goods mentioned in the ticket be all sold) or take away any thing from any slave which the slave is permitted by this Act to sell, without a ticket, such person shall, upon proof made before any justice of the peace in this Island, forfeit and pay the sum of twenty pounds current money, to be levied by distress and sale of the offender's goods and chattels, by warrant from the said justice, directed to the provost marshal or his lawful deputy, or to any constable ; which fine shall be paid, part to satisfy the slave for the value of the things taken away, and the remainder to the poor of the parish where such things are taken away ; and if such person hath no goods and chattels sufficient to satisfy the said fine, such person shall suffer imprisonment in the common gaol of this Island three months, if the fine be not sooner paid : Provided always, that nothing in this Act contained shall extend or be construed to extend to make void any clause, matter or thing contained in an Act made in the eleventh year of the reign of his late Majesty George the Second, intituled, " An Act to amend, explain, and make more effectual an Act made in the fourth year of the reign of King George the First, intituled, ' An Act for the good government of Negroes and other Slaves in this Island ;'" any thing herein contained to the contrary notwithstanding.

And forasmuch as negroes and other slaves are not allowed to give evidence against any white or free person ; BE it further enacted by the authority aforesaid, That in case any person or persons shall purchase any thing from any slave, or carry any thing off this

this Island for any slave, (except as hereinbefore is excepted) without a ticket as aforesaid, or shall take away any thing from any slave who hath a ticket, or take away a ticket from any slave, or take away any thing from any slave which the slave is permitted by this Act to sell without a ticket, and upon complaint made to a justice of the peace, the fact cannot be proved upon such person by any white or other credible free evidence, the justice is hereby required to issue his warrant to apprehend such person, who shall, unless he make oath to the contrary, forfeit and pay, in the same manner as is before directed by this Act, upon full proof made, any law usage or custom to the contrary in anywise notwithstanding.

And be it further enacted by the authority aforesaid, That all fines and forfeitures imposed by this Act, and not hereinbefore applied, shall be levied by distress and sale of the offender's goods and chattels, by warrant under the hand and seal of the justice or justices before whom the offender shall or may be convicted, directed to the provost marshal or his lawful deputy, or to any constable in this Island, commanding them and either of them to levy on the offender's goods and chattels; and after the expiration of three days, if the fine or forfeiture be not sooner paid, to expose the same to sale by public auction in the town of Charlestown, the one half of all such fines and forfeitures shall be delivered to the treasurer of this Island for the time being, for the use of His Majesty's forts and fortifications, and the other half to the informer; and if the said goods so levied upon, shall sell for more than is sufficient to pay such fine and forfeiture that shall or may be incurred by a breach of this Act, the overplus, after deducting all reasonable charges, shall be paid to the offender or offenders; and if any offender or offenders shall not have goods and chattels sufficient to satisfy the said fines and forfeitures, such offender or offenders shall be imprisoned three months in the common gaol of this Island, by warrant from the said justice or justices.

And be it further enacted by the authority aforesaid, That if action or suit shall be commenced against any person or persons, in any court whatsoever, for any thing done in pursuance of this Act, the defendant or defendants may plead the general issue, and give this Act or any other special matter thereof in evidence; and in case such defendant or defendants shall be found not guilty, or the plaintiff or plaintiffs be nonsuited, the defendant or defendants shall recover treble costs against the plaintiff or plaintiffs for his or their unjust vexation.

And be it further enacted by the authority aforesaid, That this Act shall continue and be in force for seven years from the publication, and from thence until the end of the then sitting assembly of this Island, and no longer.

Dated in Antigua, the first day of February, in the year of our Lord one thousand seven hundred and ninety, and in the thirtieth year of the reign of our Sovereign Lord George the Third, by the grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c.

Passed the Assembly, this fifth day of December, in the year of our Lord one thousand seven hundred and eighty-nine.

*William Higgins*, Speaker.

*William Burke*, Clerk pro tempore.

Passed the Council, this twenty-sixth day of January, in the year of our Lord one thousand seven hundred and ninety.

*Roger Pemberton*, Clerk of the Council.

Published in Charlestown, by beat of drum, this second day of February one thousand seven hundred and ninety.

*Roger P. Bridgewater*, D. P. Marshal.

Passed by the Governor in Chief, the first day of February one thousand seven hundred and ninety, and in the thirtieth year of His Majesty's reign.

*Thomas (L. S.) Shirley*.

Nevis:—February eighth, one thousand seven hundred and ninety. I do hereby Certify, That the Act as aforesaid is a true Copy, as taken from the original recorded in the Secretary's office of this Island.

*Roger Pemberton*, Dep. Secretary.

NEVIS.

An ACT for the encouragement of such Negroes and other Slaves as shall behave themselves courageously against the Enemy in time of Invasion.—  
[4th June 1795.]

FORASMUCH as there are many negroes and other slaves in this Island who are worthy of being trusted and having confidence reposed in them, and therefore may be of great service to this Island, should the same be invaded; To the end therefore that encouragement may be given for every negro or other slave to behave themselves courageously against an enemy, We, Your Majesty's most dutiful and loyal subjects, the commander in chief for the time being in and over all Your Majesty's Leeward Charibbee Islands in America, and the council and assembly of Nevis, do pray Your most sacred Majesty, That it may be enacted; and be it and it is hereby enacted by the authority aforesaid, That every negro or other slave within this Island, who in time of invasion by His Majesty's enemies, or other attempt to be made on this Island, shall engage and courageously conduct himself in time of battle, and behave with fidelity to his master, so as to be particularly distinguished, the said negro or other slaves, and every of them, upon due proof thereof made to the satisfaction of the council and assembly of this Island, shall be rewarded either with freedom, or with a sum of money, as they may judge proper.

And to the end that the owners of every such negro or other slave who shall gain their freedom by virtue of this Act, may receive a full recompense for the loss which they shall sustain thereby; BE it enacted by the authority aforesaid, That every negro or other slave who shall happen to be set free by this Act, shall be valued and appraised on oath by two of the neighbouring freeholders to the place where the owners of such negro or other slaves may live, before one of His Majesty's justices of the peace in the said Island, which justice of the peace shall give a certificate of the value to the owner or owners of such negro or other slaves, who are to produce the same to the commander in chief on the Island; and thereupon the said commander in chief, by and with the advice and consent of the council and assembly, shall issue his order or orders on the public treasurer of this Island for the time being, forthwith to pay the same; and in case it shall so happen, that at the time of the issuing of such order or orders, there shall not be money sufficient in the treasury to discharge the same, then, upon the treasurer's certifying the same on the back of such order or orders, the respective owners or holders thereof shall be allowed interest at and after the rate of eight pounds per cent. per annum, from the time of the said certificate, until the full value of every such negro or other slave shall be paid and satisfied.

And be it further enacted by the authority aforesaid, That if any negroes or other slaves, at the time of invasion or appearance of an enemy, shall happen to be killed or maimed, the owner or owners of such negro or other slaves shall be paid the full value of every such negro or other slaves, out of the public treasury of this Island, such valuation to be ascertained and paid as hereinbefore mentioned with respect to the valuation, appraisalment, and payment of any negro or other slave who shall be freed in consequence of their good conduct and behaviour against an enemy, and the negro or other slaves so maimed shall be made free, and be entitled to receive from the public treasury five pounds per annum, during his or their natural life or lives, as a maintenance.

Dated in Saint Christopher's, the fourth day of \_\_\_\_\_ in the thirty-fifth year of the reign of our Sovereign Lord George the Third, by the grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth; and in the year of our Lord one thousand seven hundred and ninety-five.  
*Wm. Higgins, Speaker.*

Passed the House of Assembly this thirtieth day of May one thousand seven hundred and ninety-five.  
*John Huggins, Clerk of the Assembly.*

Passed the Council, this thirtieth day of May one thousand seven hundred and ninety-five.  
*Wm. Burke, Clerk of the Council.*

Passed by the Commander in Chief, at Saint Christopher's, the fourth day of June one thousand seven hundred and ninety-five.  
*John (L. s.) Stanley.*

Published by beat of drum, in Charlestown, this sixth day of June one thousand seven hundred and ninety-five.  
*C. Simpson, D. P. M.*

## SAINT CHRISTOPHER.

An ACT for raising a tax of fifteen shillings per poll on all Negro and other Slaves, and six pounds per centum on the yearly value of all Houses, Warehouses, Stores, Shops, and Tenements within the several Towns of this Island, to be applied for and towards the purchase of a certain number of Negroes and other Slaves, for the use of the Public of this Island; and for directing and appointing in what manner such Negro and other Slaves shall be employed.

[20th December 1789.]

**W**HEREAS it is eligible for the colony, and approved of by government, that a certain number of negroes should be purchased for the fortifications on Brimstone Hill and other defences of the Island, and employed on the same, and in lieu of all aids that might otherwise be expected, or that have hitherto been granted by the colony for that purpose; We, therefore, Your Majesty's most dutiful and loyal subjects, the governor in chief in and over all Your Majesty's Leeward Charribbee Islands in America, and the council and assembly of the Island of Saint Christopher, do pray Your most excellent Majesty, That it may be enacted; and be it and it is hereby enacted by the King's most excellent Majesty, by and with the advice and consent of the governor in chief in and over all His Majesty's Leeward Charribbee Islands in America, and the council and assembly of Saint Christopher, and by the authority of the same, That from and after the publication of this Act, the commissioners hereinafter named shall and they are hereby authorized and empowered to contract for the purchase of any number of male slaves not exceeding one hundred and twenty, in manner hereinafter mentioned; and the said commissioners are hereby required and directed in no case whatever to contract for the purchase of any slaves but such as are healthy, able, and of good characters; for which purpose the said commissioners are hereby required to procure and demand from the master or mistress of such slaves, and every one of them, a certificate under his or her hand, of the health, ability and character of such slaves; which certificate the said commissioners are hereby required from time to time to lay before the council and assembly of this Island, before whom, or before a committee thereof, the master, mistress or seller of such slaves shall be obliged to answer upon oath all such questions as the council and assembly or either of them, may think proper to put concerning the ability, age and character of such slaves; nor shall any contracts or agreements for the absolute purchase of such slaves be made, until such negro or other slave or slaves be produced before the council and assembly, and by them approved of; after which, the said commissioners shall and they are hereby required to procure from such master or mistress an absolute sale of such slave or slaves to them the said commissioners, the survivor and survivors of them, and the executors, administrators, and assigns, to and for the use of the public of this Island, to be employed in manner as hereinafter mentioned.

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And be it further enacted by the authority aforesaid, That the said commissioners shall and they are hereby directed to contract for the purchase of the slaves in manner as hereinafter is limited; (that is to say) that every owner, renter and possessor of a plantation in this Island, shall have a power to sell one negro or other slave, according to the limitations hereinafter mentioned; and in case the owners, renters, and possessors of plantations shall not be willing and desirous to sell their negroes or other slaves in manner as hereinbefore is directed, and the commissioners shall be unable to get a sufficient number from such owners, renters and possessors, that then it shall and may be lawful for the said commissioners to contract for the purchase of as many such slaves from any other person or persons whatsoever, as shall be sufficient to make up the number of one hundred and twenty, according to the directions and limitations hereinbefore directed; and the said commissioners are hereby directed to conform to the regulations of this Act, in the contract for the purchase of slaves, in manner as herein is directed and in no other manner whatsoever.

And be it further enacted by the authority aforesaid, That the slaves so purchased in manner aforesaid, shall be employed on the works and fortifications of Brimstone Hill and other defences of the Island, subject to the immediate supervision of the chief

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chief engineer stationed on the Island for the time being, who shall take care that the said negroes and other slaves be solely employed on the fortifications and works of defence of the said Island within the engineers department, and in no other department whatever.

And be it further enacted by the authority aforesaid, That the commissioners hereinafter named, or any three or more of them, shall and they are hereby authorized from time to time, as often hereafter as they shall judge necessary, to examine in what manner the said slaves have been employed; and in case the said chief engineer shall refuse at any time hereafter to give full information to the said commissioners, or any three or more of them, or shall employ the negroes contrary to the directions of this Act, the said commissioners, or any three or more of them, are to report the same to the council and assembly of this Island; and it shall and may be lawful to and for the council and assembly of this Island, at any time that it shall appear to them that the said slaves or any of them are employed in any other manner than directed by this Act, to make a representation of the same to the commander in chief of His Majesty's troops for the time being; and in case the said misemployment shall not immediately on such representation be rectified, then it shall and may be lawful for the said council and assembly, by a resolution of both houses, to sell and dispose of all the said slaves, and to pay the money arising from such sales into the public treasury of this Island, for the use of the public thereof, and to be applied in such manner as the council and assembly and the governor or commander in chief for the time being shall direct; and it shall and may be lawful to and for the council and assembly, at any time that it shall appear to them that any steps shall be taken for the removal of any of the said slaves from this Island, by a resolution of both houses to sell and dispose of all the said slaves, and to pay the money arising from such sales into the public treasury, for the use of the public of this Island, to be applied in such manner as the council and assembly and the governor or commander in chief for the time being shall direct.

And be it further enacted by the authority aforesaid, That the commissioners hereinafter named, or the survivors or survivor of them, and the executors, administrators and assigns of such survivor, are hereby required and directed to sell and dispose of all such slaves hereinbefore directed to be purchased for the use of the public, as soon as the fortification of Brimstone Hill and the other defences of the Island shall be completed.

And be it further enacted by the authority aforesaid, That the monies arising from the sale of such slaves shall be paid into the public treasury of this Island, within ten days after the day of such sale, by the said commissioners, or the survivors or survivor of them, and the executors administrators and assigns of such survivor, under the penalty of treble the amount of the sum that they or either of them shall retain in their or either of their hands, to be applied in such manner as the council and assembly and the governor or commander in chief for the time being shall direct and appoint.

And be it further enacted by the authority aforesaid, That the council and assembly of the Island for the time being, or any seven of them, shall be and they are hereby named and appointed commissioners for executing the several duties enjoined by this Act.

And for raising a fund sufficient for the purchasing of the slaves hereinbefore mentioned; BE it further enacted by the authority aforesaid, That every owner, renter, or possessor of negroes and other slaves within this Island, shall stand charged and is hereby charged with the payment of fifteen shillings per poll for every negro or other slave of which he or she shall be severally owner, renter or possessor; and every owner, renter, or possessor of any houses, warehouses, stores, shops or tenements within the several towns of this Island, shall be chargeable, and is hereby charged at and after the rate of six pounds per centum on the yearly value of all such houses, warehouses, stores, shops and tenements of which he or she shall be owner, renter or possessor; which said tax or duty of fifteen shillings per poll on all negroes and other slaves, and of six pounds per centum on the yearly value of all houses, warehouses, stores, shops and tenements within the several towns of this Island, shall be paid at such times and in such manner as is hereinafter mentioned, (that is to say) five shillings per poll on all negroes and other slaves, and two per centum on the yearly value of all houses, warehouses, stores, shops and tenements, part thereof at or upon the first day of  
June,

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June, in the year of our Lord one thousand seven hundred and ninety; five shillings more per poll, and two per centum on the yearly value on all houses, warehouses, stores, shops and tenements; other part thereof, at or upon the first day of June which will be in the year of our Lord one thousand seven hundred and ninety-one; five shillings per poll, and two per centum on the said yearly value of all houses, warehouses, stores, shops and tenements, residue thereof, at or upon the first day of June which will be in the year of our Lord one thousand seven hundred and ninety-two, to be paid and applied for the payment of the slaves hereinafter directed to be purchased for the use of the public of this Island.

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And be it further enacted by the authority aforesaid, That all and every the owners, renters, and possessors of negroes and other slaves, and in their absence from the Island, their attornies and managers, guardian, executor, or administrator, shall deliver to the respective persons hereinafter named, on or before the first day of May in each and every year during the continuance of this Act, in such places as they by their several precepts shall direct and appoint, a true and exact list or account upon oath of all and every the slaves of which he she or they are owners, renters, or possessors, or of which they are the attornies or managers, guardians, executors or administrators, at the several times prescribed for delivering such list or account; which oath the said persons hereinafter appointed to take and receive such lists or account, and every of them, is and are hereby empowered and authorized and required to administer; and if any owner, renter, possessor, attorney, manager, guardian, executor or administrator, shall neglect or refuse to deliver in such list or account upon oath, at such days and times as by this Act is directed, such person or persons so neglecting or refusing shall forfeit and pay the sum of two hundred pounds current money of this Island, to be recovered and applied in manner as hereinafter is mentioned and declared.

And be it further enacted by the authority aforesaid, That the several persons, or any two of them, in and by this Act nominated and appointed to take the lists of negroes and other slaves, and assessments of houses, warehouses, stores, shops and tenements, twenty days at least in each and every year during the continuance of this Act, before such poll and assessment are to be taken, shall cause to be inserted in the public papers of the said Island a notice addressed to all owners, renters and possessors of negroes and other slaves, and of any houses, warehouses, stores, shops or tenements within the several towns of this Island, to appear on the day and at the place appointed by the said notice, and to give in upon oath such list of negroes and other slaves, and likewise the yearly value of their houses, warehouses, stores, shops and tenements aforesaid, which notice shall be deemed as valid and effectual as a personal summons.

And be it further enacted by the authority aforesaid, That the several persons hereinafter named, or either of them, are hereby nominated and appointed to take the lists of slaves and assessment of houses, warehouses, stores, shops and tenements, for the several parishes hereinafter mentioned, (that is to say) for the parish of Saint George Basseterre, the honourable Archibald Esdaile, Webbe Hobson, and Alexander Fraser, esquires; for the parish of Saint Peter Basseterre, the honourable Samuel Crooke, James Tyson and John Tyson, esquires; for the parish of Saint Mary Bayon, the honourable John Smith, Thomas Clement Caines and George Akers, esquires; for the parish of Christ Church Nicola Town, the honourable Abraham Charles Adye, James Ottley and Nicholas Richards, esquires; for the parish of Saint John's Capisterre, the honourable Robert Thomson, John Woodley, Thomas Caines and John Hutchinson Wallwin, esquires; for the parish of Saint Paul's Capisterre, the honourable Lewis Brotherson, Benjamin Markham Brotherson and Joseph Rawlins, esquires; for the parish of Saint Ann Sandy Point, the honourable Edward Parson, Richard Rawlins, Ralph Adye and William Digby Lawler esquires; for the parish of Saint Thomas Middle Island, the honourable John George Goldfrap, Stedman Rawlins and Henry Rawlins, esquires; for the parish of Trinity Palmetto Point, the honourable Archibald Esdaile, William Tyson, George Tyson and John Rawlins, esquires: Which said several lists and assessments as aforesaid the said several persons are hereby required duly to return and deliver to the treasurer of this Island, or to such persons as he shall for that purpose appoint, within ten days after taking such list and making such assessment as aforesaid.

And be it further enacted by the authority aforesaid, That the said treasurer shall and is hereby obliged and authorized forthwith to prosecute all such persons

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as shall refuse or neglect to give in a list of their negroes and other slaves, or the yearly value of their houses, warehouses, stores, shops and tenements, within the several towns of the said Island, agreeable to the notice inserted as aforesaid, and the directions of this Act, under the penalty of five hundred pounds, to be recovered and applied in manner as by this Act is hereinafter declared.

Provided always, and be it further enacted by the authority aforesaid, That in case of the death or absence from the Island of any of the persons nominated to take and receive such lists, and to make such assessments aforesaid, in the times hereinbefore mentioned, then the first person in command in this Island shall and he is hereby authorized and empowered, by warrant under his hand and seal, to appoint others in the stead of such as are dead or absent; which said persons, after the appointment, shall be enjoined and obliged to follow the directions of this Act, and upon neglect or default so to do, shall be liable to the penalty of two hundred pounds current money, to be recovered and applied as hereinafter is directed.

And be it further enacted by the authority aforesaid, That the treasurer shall, within the space of eight days next before the day of each payment, affix or cause to be affixed in every parish of this Island, at the church door, or other most conspicuous place, notices in writing, and shall advertise such notice also in the public newspapers in this Island, that all and every person or persons, being owners, renters, or possessors of slaves, or, in their absence, their attorneys or managers, guardians, executors and administrators, and all owners, renters or possessors of any houses, warehouses, stores, shops or tenements within the several towns of this Island, are required and enjoined, on such days of payment, to come to such place as the said treasurer shall direct or appoint, and to discharge and pay such said taxes according to the list of negroes and other slaves, and the assessment of the yearly value of all houses, warehouses, stores, shops and tenements within the several towns in this Island, that shall be delivered to him by the several persons by this Act appointed and directed; and the said treasurer is hereby required to do and advertise in like manner yearly and every year during the continuance of this Act, for payment of the taxes and assessments as aforesaid; and in case any the persons above mentioned should neglect or make default in payment of the said taxes on the days for that purpose hereinbefore limited, that it shall and may be lawful to and for the first person in command in this Island, and he is hereby required, upon oath made by the said treasurer, what sum of money is due and in arrear from such defaulter or defaulters, under his hand and seal, forthwith to issue his warrant or warrants, directed to the provost marshal of this Island, or his lawful deputy, directing him forthwith to distrain on the goods and chattels of such defaulter or defaulters, and for want thereof, to levy on the lands and tenements of such defaulter or defaulters, sufficient to pay and satisfy such sum or sums of money so due and in arrear; which said goods and chattels, lands and tenements so distrained or levied on, shall be sold within twenty days next after such distress or levy, rendering the overplus, if any be, after deducting all reasonable and accustomed fees, to the owners of such said goods and chattels, lands and tenements: Provided always, that such sale shall be made in the nearest town to the place the said goods and chattels, lands and tenements shall be so distrained or levied upon, in the presence of six credible white persons at the least; any thing in this Act contained to the contrary in anywise notwithstanding.

And be it further enacted by the authority aforesaid, That in case the provost-marshal, or his lawful deputy, shall refuse or neglect to make such distress or levy in ten days after the aforesaid warrant or warrants shall be delivered to him by the treasurer aforesaid, or shall refuse or neglect well and truly to pay to the treasurer aforesaid, in gold or silver money, as he by such warrant or warrants shall have distrained or levied for, in ten days after such distress or levy, for each and every such refusal or neglect, he shall forfeit and pay the sum of three hundred pounds current money, to be recovered and applied as hereinafter is expressed and declared: And further, that the said provost marshal or his lawful deputy, their heirs executors and administrators, shall not be discharged or acquitted; but they and every of them shall to all intents and purposes be liable to make good all deficiencies proceeding from such neglect or refusal as aforesaid, and also all such fines and forfeitures as the said provost marshal or lawful deputy shall incur by virtue of this Act; any thing hereinbefore contained to the contrary notwithstanding.

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And be it further enacted by the authority aforesaid, That all and every the sum or sums of money which shall be collected and raised by virtue of this Act, shall be applied towards making payment to all such persons as shall have sold and disposed of any slave or slaves to the use of the public of this Island, in manner as hereinafter is directed; (that is to say,) the treasurer shall pay to each and every person who shall have sold and disposed of one or more slaves, one-third of the amount of his or her demand against the public of this Island for the sale of such slave or slaves, within three months after the first payment of the taxes raised and imposed by virtue of this Act, and which will become due and payable on the first day of June one thousand seven hundred and ninety, one-third of the balance arising to the person or persons aforesaid, for or on account of such slave or slaves as aforesaid, shall be made within three months after the second payment of the said taxes hereby raised and imposed, and which will become payable on the first day of June in the year of our Lord one thousand seven hundred and ninety one; and the remainder or residue of such amount as aforesaid, shall be made to such person or persons as aforesaid, within three months after the last payment of the taxes hereby laid and imposed, and which will become payable on the first day of June in the year of our Lord one thousand seven hundred and ninety-two; and the residue of all monies arising by virtue of this Act, not herein disposed of, shall be paid and applied in such manner as the governor in chief or commander on the Island, with the consent of the council and assembly, shall direct and appoint.

And for the better ascertaining the exact sums due to the said before-mentioned persons, BE it further enacted by the authority aforesaid, That the first person in command in this Island shall and is hereby required to issue orders on the treasurer for the several sums which shall become payable, as aforesaid, which orders the said treasurer is hereby directed to register and pay in manner as hereinbefore is directed, to the several persons aforesaid in rotation, according to the date of the registry of their several orders: Provided always, that it shall and may be lawful to and for any person or persons having demands against the public as before mentioned, to discount with the treasurer any tax or taxes he she or they or any other person or persons whatsoever may have to pay into the treasury from time to time by virtue of this Act, as far as the amount of the sum or sums of money they are so entitled to receive, according to the limitations of payment hereinbefore directed, any thing hereinbefore contained to the contrary in anywise notwithstanding.

And be it further enacted by the authority aforesaid, That if the treasurer shall at any time or times during the continuance of this Act neglect or delay for the space of twenty days to apply to the chief person in command in this Island for his warrant or warrants of distress against all and every person who shall refuse or neglect to make payment of their said taxes; or if he shall neglect or delay to deliver the said warrant or warrants of distress to the provost marshal or his lawful deputy three days after the same is granted, or shall employ, convert or dispose of any of the money arising or to arise by virtue of this Act, to any other uses or purposes than such as are herein directed and appointed, or if he shall neglect or refuse yearly and every year, or oftener if required, to lay before the council and assembly of this Island, or a committee of both, or either, for that purpose to be appointed, and to render and give to them a just and regular account of all and singular receipts, disbursements and dispositions of money arising by virtue of the same, in order to their being by them viewed and examined, the said treasurer, his heirs executors administrators and securities, shall not be discharged and acquitted, but he they and every of them shall to all intents and purposes be liable to make good the same, until such time as his said accounts shall have been viewed and examined in manner aforesaid, and also in every and each of the said cases he shall forfeit and pay the sum of one thousand pounds current money of this Island, to be recovered and applied in manner as hereinafter is declared.

And be it further enacted by the authority aforesaid, That all and every the penalties and forfeitures in and by this Act laid and imposed, shall go and be disposed of in manner following; (that is to say) two third parts thereof to go and be applied to the use of the public of this Island, and the other third part thereof to such person or persons who shall inform and sue for the same, to be recovered in any of His Majesty's courts of record in this Island, by action of debt, bill, plaint or information, in which no essoign, protection or wager of law, or any more than one imparlance shall be allowed.

And



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And be it further enacted by the authority aforesaid, That if any action, suit or information shall be commenced or prosecuted against any person or persons for any matter or thing by him or them done in pursuance or execution of this Act, it shall and may be lawful to and for the defendant or defendants in any such suit or action, to plead the general issue, and give this Act and the special matter in evidence at any trial thereupon to be had; and if the plaintiff in such suit be non-suited, discontinue his action, or verdict be found against him, or judgment be awarded against him, or demurrer, in each and every of the said cases such plaintiff shall pay treble costs of suit.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ in the \_\_\_\_\_ year of the reign of our Sovereign Lord George the Third, by the Grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, and so forth; and in the year of our Lord one thousand seven hundred and \_\_\_\_\_.

Read, and passed the Assembly, this 29th day of October 1789.

*John Garnett*, Speaker.

*James Ward*, Clerk of Assembly.

Read, and passed the Council, this 18th day of November 1789.

*E. Morre*, Clerk of Council.

*Thomas*  *Shirley.*

#### SAINT CHRISTOPHER'S:

Published in the town of Basseterre, on Monday the twenty-first, and in the towns of Old Road and Sandy Point, on Tuesday the twenty-second days of December, in the year of our Lord one thousand seven hundred and eighty-nine.

*George Berkeley*, Deputy P. Marshal.

AN ACT to restrain Thefts committed by Negro and other Slaves; and to prevent the dishonest Traffick carried on by such as deal with them.—  
[4th May 1790.]

WHEREAS it is become highly necessary, in order to restrain the thefts committed by negro and other slaves, and to prevent the dishonest traffick carried on by such as deal with them, that the present laws should be put in force, and further regulations added to them; We, Your Majesty's most dutiful and loyal subjects, the governor in chief of all Your Majesty's Leeward Charribbee Islands in America, and council and assembly of the said Island of Saint Christopher, pray Your most excellent Majesty, That it may be enacted, and it is hereby enacted by the authority aforesaid, That if any negro or other slave shall have in his possession in any of the towns in this Island, or in any of the roads leading to the same, any sugar, syrup, cotton, molasses, rum, canes, sprouts, pewter, brass, copper, iron, oats, lumber of all kinds, plantation articles or utensils, or any kind of merchandize, except such provisions as may have been given them for allowance, without a ticket or paper from his master or mistress containing an account of the same, in his possession, or without his master or mistress being present, every such negro or other slave shall be apprehended and carried before some justice of the peace of the said Island, who shall by his warrant commit such negro or other slave to the public gaol or cages of the said Island, there to remain until the said justice or some other shall try the said negro or other slave; provided that such trial shall be had within the space of forty-eight hours after commitment, otherwise the negro or other slave shall be convicted by such justice of such possession as aforesaid, then such negro or other slave shall be publicly whipt at such time or times as the said justice shall think proper; and every person apprehending and carrying before such justice any negro or other slave who shall be convicted as aforesaid, shall receive the sum of eight shillings and three-pence for his reward in so doing, as a charge incident to the said conviction, and to be paid by the owner or possessor of such slave so convicted; and that such sugar, syrup, cotton,

cotton, molasses, rum, canes, sprouts, magoss and oats, which such negro or other slave shall have in his possession, shall be forfeited to such informer, and all such other articles hereinbefore mentioned to be returned to the owner, he or they proving their property in such articles.

And be it enacted by the authority aforesaid, That if any white or free person or persons shall treat for, cheapen or bargain or purchase, or cause to be treated for, cheapened or bargained for, or purchased from any negro or other slave, any sugar, syrup, cotton, molasses, rum, canes, sprouts, magoss, pewter, brass, copper, iron, lead, oats, lumber of all kinds, plantation articles or utensils, or any kind of merchandize, except such provisions as may have been given to them for allowance whatsoever, without such ticket as aforesaid, such person or persons shall upon conviction for the first offence against this Act be subject to the penalty of ten pounds current money, or if the goods shall exceed ten pounds in value, then to pay double the value of such goods, and suffer one month's imprisonment. And in case of neglect or refusal to pay the penalty, be subject to a further imprisonment of two months. And for the second and every other succeeding offence be subject to the penalty of twenty pounds, and three months imprisonment, or double the value of the goods, should the same exceed the sum of twenty pounds, and suffer the like imprisonment. And in case of refusal or neglect to pay the said penalty, be subject to a further imprisonment of three months; the one-fourth part of such penalty to be paid to the person or persons who shall discover such offence, and the other three-fourths to be paid into the treasury of the said Island, for the use of the public of the said Island. And if any negro or other slave shall be convicted before one or more justices of the peace of having purchased from any other slave any of the articles before mentioned, such negro or other slave so convicted, shall be publicly whipped, at the discretion of such justice or justices, not exceeding fifty lashes.

And be it further enacted, by the authority aforesaid, That in case any white or free person shall upon oath declare that he has cause to suspect and verily believes that any sugar, syrup, cotton, molasses, rum, canes, sprouts, magoss, pewter, brass, copper, iron, lead, oats, lumber of all kinds, plantation articles or utensils, or any kind of merchandise, except such provisions as may have been given to slaves for allowance, has been purchased from any negro or other slave, and is concealed in any place or places whatsoever, it shall and may be lawful for any justice, on such oath as aforesaid, to issue his warrant or warrants to search such place or places. And if any sugar, syrup, cotton, molasses, rum, canes, sprouts, magoss, pewter, brass, copper, iron, lead, oats, lumber of all kinds, plantation articles or utensils, as may have been given, or any kind of merchandise, except such provisions as may have been given to \_\_\_\_\_ for allowance, shall be found in such place or places, and the person or persons inhabiting therein, or having the command of the same, shall not be able to give a satisfactory account of the manner in which the said sugar, syrup, cotton, molasses, rum, canes, sprouts, magoss, pewter, brass, copper, iron, lead, oats, lumber of all kinds, plantation articles or utensils, or other merchandise, except such provisions as may have been given to slaves for allowance, came into such place or places, that then the person or persons inhabiting or having such command as aforesaid, shall be considered as having purchased such sugar, syrup, cotton, molasses, rum, canes, sprouts, magoss, pewter, brass, copper, iron, lead, oats, lumber of all kinds, plantation articles or utensils, or other merchandise, except such provisions as may have been given to them for allowance from some negro or other slave, and be subject to the penalties imposed by this Act for so doing.

And be it enacted by the authority aforesaid, That for the better execution of this Act, and all other Acts of a similar nature, there shall be appointed by the governor or commander in chief for the time being, at the recommendation of the council and assembly, two persons as supervisors of the town of Basseterre, one person for the town of Old Road, one person for the town of Sandy Point, and one person for the town of Deep Bay, each of which supervisors shall receive from the public treasury of the said Island the annual sum of fifty pounds, by even quarterly payments, as long as they shall continue in the said \_\_\_\_\_ And such supervisors shall from time to time be removable, and others be appointed in their stead, by the governor or commander in chief aforesaid, on the recommendation aforesaid, and not otherwise. And the said supervisors and every of them are hereby required and

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and commanded to be watchful and diligent in endeavouring to detect, and apprehend and bring to justice, all offenders against this Act, and all other Acts of a similar nature, and they are required and commanded, at any meeting of the council and assembly, when summoned or required by any member of the council and assembly, to appear and answer all such questions upon oath as shall be put to them, or any of them, either in the council or assembly, respecting their conduct in their said offices; and such of the said supervisors as shall neglect to appear as aforesaid, or shall be declared by any resolution of the council and assembly not to have been watchful and diligent in the execution of their offices, shall forfeit for every such offence the sum of fifty pounds, to be paid into the treasury of the said Island for the use of the public of the same; and in case of refusal or neglect to pay the same, such supervisor so neglecting or refusing shall suffer three months imprisonment; and such supervisor offending as aforesaid shall forfeit his office, and be rendered incapable of holding the same at any time thereafter, and the said supervisor shall also forfeit all such sum or sums of money as shall be due to him for such salary at the time of being convicted, in manner as hereinbefore directed, for having offended contrary to the directions of this Act; and from and immediately after such forfeiture of office aforesaid, the governor or commander in chief for the time being, at the recommendation of the council and assembly of this Island, shall appoint some person to act as supervisor in the stead of such person so removed as aforesaid.

And be it enacted by the authority aforesaid, That no negro or other slave belonging to this Island shall be permitted to be in any of the streets, or alleys of the towns thereof, between the hours of ten o'clock and five in the morning, without a ticket or note, or a lighted candle in a lantern, from his or her master or mistress. And the supervisors herein before appointed are directed to use due diligence in apprehending such negro or other slaves offending as aforesaid, and committing him her or them to any cage that shall be erected for the purpose of confining negroes, for which the said supervisor shall have and receive nine pence per day for providing each negro with provisions; or to the common gaol of this Island, to be examined and punished in such manner as any two justices of the peace shall direct for that purpose, not exceeding thirty-nine lashes. And the owner or owners of such negro or other slave are hereby directed to pay the expenses attending the apprehending, commitment and conviction of such slave or slaves.

And be it further enacted by the authority aforesaid, That in case any white or free person shall beat or ill treat, or take away from any negro or other slave, by force, or without his or her consent, any article or articles for which such negro or other slave shall produce a ticket, or shall beat or ill treat, or take away from such negro or other slave, by force, without his or her consent, any articles whatsoever, which the said negro or other slave is authorized to sell and dispose of, that then and in such case, upon complaint made to any justice of the peace in this Island of the same, by the master or mistress of such negro or other slave, such justice shall and is hereby directed to order such person or persons before him, and any other justice of the peace, in order to examine into such complaint; and in case such justices shall think it necessary, they shall examine such person or persons upon oath with respect to the said complaint, who shall then be compelled to answer upon oath such questions as the justices may put; and if he or she do not *make it appear* to the satisfaction of such justices *that he or she did not beat or ill treat, or take away by force, or without the consent* of such negro or other slave, any of the articles for which he or she are charged in such complaint, he or she refusing shall be fined at the discretion of the said justices any sum not exceeding ten pounds, current money, for each offence, to be recovered by warrant under the hands and seals of the said justices of the peace, directed to any constable of this Island, commanding him to levy on the goods and chattels of such offender or offenders sufficient to pay such fine, with all costs and charges attending the same; and for want of such goods and chattels to commit such offender or offenders to the common gaol of this Island for any time not exceeding thirty days. And in case any person shall refuse to attend such justice or justices of the peace when thereunto required, to answer any complaint made against him or her in manner as above directed, such person shall forfeit the sum of fifty pounds current money, to be levied and recovered in like manner as is directed in the case of beating, ill-treating, or taking away any of the articles from any negro or other slave, *in manner as herein before is directed*; and for want of sufficient goods and chattels to pay such fine, the person so offending as aforesaid

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aforesaid shall be committed to the common gaol of this Island for the space of three months.

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And be it further enacted by the authority aforesaid, That every white or free person who shall be found selling by retail sugar, syrup, rum or molasses, shall be obliged, as often as required by any two justices of the peace, to produce a certificate under the hand-writing and with the signature of the person or persons from whom they purchased the same, and upon refusal thereof they shall be considered as having purchased the same of negroes without license or ticket, against the regulations of this Act, and suffer the fines and penalties as is hereby directed.

And be it further enacted by the authority aforesaid, That all fines and penalties laid and imposed by this Act, and not hereinbefore particularly applied, shall be paid into the hands of the public treasurer of this Island, to be applied in such manner as the first person in command in this Island, by and with the advice and consent of the council and assembly, shall direct and appoint.

And it is hereby further enacted by the authority aforesaid, That in case any action, suit or prosecution shall be commenced or carried on against any justice or justices, supervisor or supervisors, or other person or persons, for any matter or thing done under or by virtue of this Act, it shall and may be lawful for every such justice or justices, supervisor or supervisors, or other person or persons, defendant or defendants in such action, suit or prosecution, to plead the general issue, and give the special matter in evidence; and in case any plaintiff or plaintiffs, prosecutor or prosecutors in such action, suit or prosecution, against any such justice or justices, supervisor or supervisors, or other person or persons as aforesaid, be nonsuited, or that judgment shall go against such plaintiff or plaintiffs, prosecutor or prosecutors, by default, discontinuance upon verdict or demurrer, that then such plaintiff or plaintiffs, prosecutor or prosecutors, shall pay to such defendant or defendants treble costs and damages sustained by such action, suit or prosecution as aforesaid.

Dated in Antigua the fourth day of May, in the thirtieth year of the reign of our Sovereign Lord George the Third, by the grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, and in the year of our Lord one thousand seven hundred and ninety.

Read, and passed the assembly, the 15th day of April 1790.

*John Garnett*, Speaker.

*James Ward*, Clerk of the Assembly.

Read, and passed the council, this 27th day of April 1790.

*E. Moore*, Clerk of Council.

Passed by the governor in chief the 4th day of May 1790, and in the thirtieth year of His Majesty's reign,

*Thomas*

Seal.

*Shirley*.

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Published in the town of Basseterre on Thursday the 6th, and in the towns of Old Road and Sandy Point, on Friday the 7th day of May, in the year of our Lord one thousand seven hundred and ninety.

*Geo. Berkeley*, Deputy P. Marshal.

An ACT more effectually to provide for the Support, and to extend certain Regulations for the Protection of Slaves, to promote and encourage their Increase, and generally to meliorate their Condition. [April 21, 1798.]

YOUR Majesty's loyal and obedient subjects the commander in chief of your Majesty's Leeward Charribbee Islands in America, and the general council and general assembly of the said Islands, duly convened and assembled at the town of Basseterre in the Island of Saint Christopher, having taken into their most serious consideration the resolution of the Honourable the House of Commons of Great Britain, of the sixth

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sixth day of April in the thirty-seventh year of your Majesty's reign, recommended to their attention by your Majesty's said commander in chief of your Leeward Charribbee Islands; in obedience to your Majesty's order, communicated by his grace the duke of Portland, one of your Majesty's principal secretaries of state, and having maturely deliberated upon the measures which appear to them best calculated to obviate the causes which hitherto may have impeded the natural increase of negroes already in these Islands, gradually, as they hope, to diminish the necessity of the slave trade, and ultimately to lead to its final termination, and desiring to grant unto the slaves in these your Majesty's Leeward Charribbee Islands every indulgence and encouragement which may tend to their moral and religious improvement, and to secure to them the certain, immediate and active protection of the law, as far as the same can possibly be extended to them consistently with that good order, discipline and obedience, which is absolutely necessary to preserve and maintain in all places where, from inevitable local circumstances, slavery must, with some restrictions, be tolerated, and desiring also to prevent as much as possible any instances of cruelty or oppression, and to compel all persons to treat their slaves with that humanity which is generally prevalent in these Islands; Do humbly pray your Most Excellent Majesty that it may be enacted and ordained,

1st. And be it, and it is hereby, enacted and ordained by the authority aforesaid, That every owner or director of any slave or slaves within the Leeward Islands shall weekly and every week, under the penalty of ten shillings per head, for each and every slave under his or her direction, for every omission, purchase or provide, at the rate of the following quantities of provision, that is to say, for every slave at the rate of nine pints of corn or beans, or eight pints of pease, or wheat or rye flour, or Indian corn meal, or nine pints of oatmeal, or seven pints of rice, or eight pints of Cassava flour or farine, or eight pounds of biscuit, or twenty pounds of yams or potatoes, or sixteen pounds of eddoes, tania or tyres, or thirty pounds of plantains or bananas, and also one pound and one quarter of herrings, shads, mackarel, or other salted provisions, or double the quantity of fresh fish, or other fresh provisions, all which said provisions to be of good and wholesome quality; provided nevertheless, that every such owner or director shall have the absolute and uncontrollable right of distributing and dividing all and every such quantities of provision so to be divided as aforesaid, unto and among all and every his slave or slaves, in such proportions, shares and allowances as he shall think proper, according to the different labour, size, age and strength, or otherwise, of all and every such slave and slaves, and as the same shall appear to him in his discretion eligible or right; but notwithstanding such discretionary power such owner or director shall actually distribute, weekly and every week, among all his slaves the whole quantity of provisions herein before directed to be purchased or provided, under the penalty aforesaid for every omission; provided also, that every aged, infirm or sickly slave, and every slave afflicted with any loathsome or contagious disorder, or every slave being incapable of labour, shall receive weekly and every week at least one full rate or rates of allowance aforesaid, notwithstanding the general and discretionary power of dividing the same herein before permitted to the owner, and notwithstanding any other power which he may have: And if any owner or director of any slave or slaves within the Leeward Islands shall omit or neglect, under any pretext whatever, especially under pretext of absence from the said plantation, or that the said slave is wandering about the towns, or other parts of the Island, or that he cannot be found, to distribute and share weekly and every week to any of his aged, infirm or sickly slaves, or to any of his slaves afflicted with any loathsome or contagious disorder, or incapable of labour, such full rate or rates of provisions as aforesaid, he shall forfeit for every such neglect or omission the sum of twenty shillings, unless such slave shall be provided for in the hospital or sick-house.

2d. And be it further enacted by the authority aforesaid, That it shall and may be lawful for every owner or director of any slaves employed on any plantation in the Leeward Islands, to reduce and diminish, when he shall be actually making sugar, or cutting canes on such plantation, for the whole week in which he makes such reduction, the quantity of provisions hereinbefore directed to be distributed among his slaves in the proportion which one fifth part of the said provisions bears to the whole thereof, but on no account in a larger proportion; provided nevertheless, that inasmuch as it is necessary for ensuring the subsistence, which is the principal object of this Act, that in some of the Leeward Charribbee Islands, the provisions given to the slaves in crop-time should be increased, and may

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without derogating from such subsistence be out of crop, diminished, that no owner or director of any slave within the Virgin Islands shall be permitted to make the aforesaid reduction, in any week in which he shall be or have been actually employed in the manufacturing sugar, or grinding canes; but every owner or director of every slave worked on any plantation within the said Virgin Islands, shall be permitted out of crop to make a reduction of one fifth part of the dry provisions hereinbefore directed to be given to his or her slaves, whenever he or she shall give and allow to each and every of his or her slaves as much land and time as shall, with his or their labour on such land, for such time, be likely to produce the value of such dry provisions; and provided also, that if the value of such dry provisions shall not be produced by such land, every such owner or director shall make good to every slave whose land shall be less productive, the difference between its produce and the value of the dry provisions to which such slave under this act would otherwise be entitled.

3d. And be it further enacted by the authority aforesaid, That money shall on no account be given to slaves in lieu of the provisions hereinbefore directed to be purchased or distributed, unless in case of absolute and unequivocal necessity; and that if any owner or director of any slave or slaves within the leeward islands shall offend against this clause he shall forfeit the sum of fifty pounds.

4th. And be it further enacted by the authority aforesaid, That whenever, or as often as any owner or director of any slave or slaves within the Leeward Islands shall commute or exchange for money, the provisions hereinbefore directed to be purchased or provided for such slaves, or any part of the same, he shall give and pay to and among his slaves at the rate of four shillings per week for each and every slave with whom he shall make such commutation, and also give and allow two half days in each week to such slave, to resort to the best market for laying out to the best advantage such commutation-money; provided nevertheless, that it shall and may be lawful for every owner or director, to divide distribute and share such commutation money among all and every of his slaves with whom he makes such commutation, and exchange in the same manner, and with the same discretionary power as is hereinbefore vested in him with respect to the provisions he is hereinbefore directed to purchase, procure and distribute.

5th. And whereas from the situation and local circumstance of many estates in the Leeward Islands, the owners or directors of such estates are enabled to allot portions of land to their slaves, more than sufficient for their support and maintenance, and from which such slaves grow rich, and it would therefore not only be unnecessary, but even unjust and ruinous to such planters, to compel them to give the same allowance with others who have not the benefit of such provision-grounds; be it therefore enacted by the authority aforesaid, That whenever the quantity of provision-land under cultivation with the owners time upon any estate in the Leeward Islands, shall be in the proportion of one acre of land for every ten slaves worked and employed upon such estate, and the produce of such land shall be in proportion to one half of the quantity of provisions, or in any larger proportion, by this Act directed to be purchased or procured for all the slaves so worked or employed, that then it shall and may be lawful for the owner or director of such plantation to diminish by one half, or in any other proportion, the quantity of dry provisions according to the quantity of provisions produced from such land, directed by this Act to be purchased or procured for and distributed among such slaves; provided the whole produce of the land so under cultivation, or the proportion hereby prescribed, is appropriated to the use of the slaves so employed; and provided also, that the owner or director distributes or causes to be distributed among them their full allowance or rates of salt or fresh provisions aforesaid; and provided further, that such owner or director shall attend the board of council in the Island, where such plantation shall be situate once in every twelve months, and then and there take the following oath, "videlicet."

" I do swear, that there are now slaves upon or  
" belonging to the plantation under my direction, in the parish or division  
" of , and that there is, under the cultivation of provisions  
" upon the said plantation, at least in the proportion of one acre of land for  
" every ten slaves thereon; and that the produce of the said land has been  
" for twelve months last past, or for as much of the said twelve months last  
" past as I have been owner or director thereof, together with the quantity of  
" provisions

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“ provisions appropriated or distributed among the said slaves, fully adequate to the ratio of provisions directed by this Act to be purchased or procured, distributed and shared among them, and every other slave for the time aforesaid ; and that the said produce has been appropriated, and the said provisions have been shared and distributed agreeable to the directions of this Act, to the best of my knowledge and belief. So help me God.”

6th. And be it further enacted by the authority aforesaid, That every owner or director of any plantation within the Leeward Islands shall allot and give to every slave of which he is owner or director, and who is capable of working the same, a piece or spot of good well laying land of forty feet square at least, immediately round or close to his house, if the same can be done without pulling down or injuring any other negro house, and if it cannot be so done, then every such owner or director shall allot and give to each and every such slave, the same quantity of land in some part of the said plantation on which such negro resides, and commodious for his working the same, under the penalty of five pounds for every offence against this clause, provided there is so much land as is hereby required to be allotted as aforesaid, on the plantation of which he is such owner or director, not usually planted in canes ; and if there is not, he shall give and allow to every such slave as aforesaid, in lieu of the same, an annual compensation which shall be equal to the annual value of the land usually allotted as aforesaid, under the like penalty of five pounds for every instance in which he shall omit or neglect to make such compensation.

7th. And be it further enacted by the authority aforesaid, That every owner or director of any slave within the Leeward Islands shall twice in every year, that is to say, on the first day of January and the first day of August, provide for and give to each and every of his male slaves one jacket made of good sound woollen cloth, and one pair of trowsers made of good sound Osnabrigs ; and to each and every of his female slaves one wrapper of such woollen cloth, and one petticoat of such Osnabrigs : provided always, that in case any such owner or director shall think proper to furnish such slave with a good and sufficient blanket, and a hat or cap, with the consent of such slave, the same shall be in lieu of one suit of such clothes as aforesaid.

8th. And be it further enacted by the authority aforesaid, That once in every twelve months each and every owner or director of slaves shall, under the penalty of one hundred pounds, appear before the court of King's Bench, or Common Pleas of the Island where such owner or director shall reside, and shall then and there take the following oath, viz.

“ I, A. B. do swear upon the Holy Evangelists of Almighty God that I have truly and fairly distributed, or caused to be distributed or appropriated, for the last twelve months past, [or for so long as the said owner or director has had the direction of such slaves,] between and among the slaves under my direction, the full ratio of provisions and clothing as directed by an Act, intituled, “ An Act more effectually to provide for the support, and to extend certain regulations for the protection of slaves, to promote and encourage their increase, and generally to ameliorate their condition ; to the best of my knowledge, judgment, and belief, and without any fraud or intent to evade the said Act. So help me God.”

9th. And be it further enacted by the authority aforesaid, That every owner or director of any slave or slaves within the Leeward Islands shall give and allow to every such slave who shall be employed in any field-work, or any plantation, or in the carrying, digging, removing, or making up manure, or in the picking grass, or in any plantation labour, in the performance of which breakfast and noon-time is now usually allowed, at least one complete half hour for every such slave to eat his breakfast, and at that time to rest and refresh himself ; but no slave shall at such time be permitted to quit the field or place in which he is at work without the particular leave of such owner or director, or of the overseer, or driver acting under him ; and every such owner or director shall also give and allow to every such slave two full and complete hours at noon or dinner-time, to rest and refresh himself, or to procure, dress, and eat his dinner, during which two hours no such slave shall be employed in any work, labour, business, or manner whatever ; and any person offending against this

this clause shall for every such offence forfeit a sum not less than twenty shillings, nor more than five pounds.

10th. And be it further enacted by the authority aforesaid, That no owner or director of slaves belonging to any plantation within the Leeward Islands shall call or turn out to his work any such slave before the hour of five in the morning, nor shall any such owner or director continue any such slave at work after the hour of seven o'clock in the evening, except in crop-time, or from some evident necessity, under the penalty of five pounds.

11th. And be it enacted by the authority aforesaid, That whereas many slaves who have no owners or directors who can be discovered and compelled to provide for them, become incapable, from contagious disorders, old age, sickness, or other infirmities, of labouring to procure a subsistence for themselves, that in all such cases it shall and may be lawful for the vestry of any parish within the Leeward Islands, or the president of the council, or speaker of the assembly, or any justice of the peace, where there is no vestry, to provide, in a suitable manner, for the support and maintenance of such slave or slaves, and to prefer the accounts for the same against the public of the Island in which such slave shall be found or discovered; and the said public is hereby charged with and made liable for the payment of such account out of its treasury, or such other funds as it may choose to apply in payment of the same.

12th. Whereas to avoid the inconveniencies that do sometimes arise from persons manumitting and setting free their slaves when they are rendered incapable of service, by age, infirmity, accident, or calamity, to avoid the expense of providing a proper subsistence for such slave; be it and it is hereby further enacted, That if any proprietor of a slave shall manumit or set free any slave in his or her possession, who shall be rendered incapable of service from any of the causes aforesaid, that such proprietor shall be obliged to pay into the hands of the treasurer of the Island where such slave shall be so manumitted and set free, the sum of three hundred pounds currency, from which sum such slave shall be entitled to draw, half yearly, an interest arising upon such sum, according to the rate of interest in each respective Island, for his or her subsistence, during the life of such slave; and that upon the death of such slave so manumitted and set free the said sum of three hundred pounds currency shall be appropriated to the use of the public.

13th. And be it further enacted by the authority aforesaid, That every owner or director of any slave or slaves within the Leeward Islands shall keep and produce, whenever legally required, a full, true, plain, and weekly account of all the provisions purchased for or distributed or shared out among all or any of his slaves, and also of all commutation-money paid in lieu of the same; and also a full, true, and weekly account of the number of his slaves, under the penalty of five pounds for each and every week in which he shall neglect or omit to keep such account; and also an account of all clothing given to his slaves, with the times of his giving the same, and the number of slaves of which he is the owner or director at such times, under the penalty of twenty-five pounds; and if he shall refuse to produce such account or accounts whenever he shall be thereunto legally required, he shall forfeit the sum of twenty-five pounds.

14th. And be it further enacted by the authority aforesaid, That if any white or free coloured person, who is not the owner or director of any slave ill treated as hereinafter mentioned, shall beat or ill treat any slave, or shall take away, or cause to be taken away from any slave, any article or thing whatsoever, for which such slave shall produce a ticket or note from his or her owner or director, authorizing him or her to sell or possess such article or thing, or shall take away or cause to be taken away from any slave any stock, vegetables, provisions, grass tops, voura, or any article or thing which such slave shall be authorized by any present or future existing laws, usages or customs of the Island wherein he resides, to sell or possess, or shall, after purchasing from any such slave any of the articles or things aforesaid, refuse or omit to pay him or her the price agreed upon for the same, or shall knock off from the head of, or pull away from, any slave, into the dirt or street, or trample on the ground, or scatter about on it, any such article or thing whatever aforesaid, or cause the same to be done, in any of such cases, on complaint made by the owner or director of the said slave, though it may be without oath, to any justice of the peace in or near the parish where the offence is committed, such justice shall and is hereby



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hereby authorized and directed, by an order in writing under his hand, stating the complaint made by such owner or director, to command such person or persons against whom such complaint was made to appear at a time and place to be specified in such order before him, and any other justice who may be then and there present, that such complaint may be examined into; and such justices are hereby authorized to take the examination of such person complained of upon his or her own oath, with respect to the said complaint, who shall be compelled to answer on oath such questions as the said justices may put to him or her; and if such person shall not fully answer such questions, or having been duly summoned shall refuse to appear as aforesaid, he or she shall be considered as convicted of the said complaint; or if such person, having fully answered such questions, shall not fully exculpate him or herself, or shall be otherwise convicted before the said justices, he or she shall be fined by the said justices, in any sum not exceeding ten pounds current money, to be recovered by warrant under the hands and seals of the said justices, directed to any constable, commanding him forthwith to levy on the goods and chattels of such offender, sufficient to pay such fine, with all costs and charges attending all the proceedings aforesaid; and for want of such goods and chattels to commit such offender to the common jail, for any time not exceeding one month; and such constable shall execute such warrant under the penalty of twenty pounds current money aforesaid; and the said justices shall and may, if they think proper, dispose of the fine to the slave so ill treated, as a compensation for the injuries he or she may have sustained.

15th. And be it further enacted by the authority aforesaid, That in order to remove any doubt which may arise as to the legality or propriety of punishing the owners or directors of any slave for any cruel conduct towards such slave, it is hereby expressly declared and enacted, that if any person shall cruelly whip, maltreat, beat, or imprison, or keep in confinement, without sufficient support, any slave under his or her direction or care, such person shall be indicted for the same in the superior court of criminal jurisdiction for the Island wherein such offence shall be committed; and upon being legally convicted thereof shall suffer such punishment, by fine or imprisonment, or both, as the judges or justices of said court shall think proper to inflict, and the said judges or justices are hereby authorized, if they shall deem it necessary for the further protection of the said slave, to order the marshal, or his deputy to sell and dispose of such slave to any person (except the owner) at public outcry, and at the best price that can be procured for such slave; and the monies arising from such sale, after payment of the fees, shall be paid to the person having the first lien thereon, and in case of no such prior lien, then to the owner of the said slave.

16th. And be it further enacted by the authority aforesaid, That if any person shall beat or maltreat any slave not belonging to himself or herself, such offender shall not only be indicted and punished for the same in like manner, but any punishment inflicted by the court of criminal jurisdiction for such offence shall not be considered as a bar to any action or suit at law which may be commenced by the owners of such slave, or be considered in mitigation of any damages which may otherwise be given or recovered for such trespass or injury.

17th. And be it further enacted by the authority aforesaid, That in case any justice of the peace shall receive any complaint or intelligence, which he in his own discretion shall think probable, that any slave hath been mutilated, cruelly punished, or otherwise maltreated, or confined without sufficient support, it shall be lawful for such justice of the peace to call to his assistance some other justice, and then such two justices shall be and are hereby authorized to order any constable to bring such slave before them, or, if the case shall require it, they are hereby authorized to go to such place where such slave shall be and direct such slave to be produced and shown to them, that such inquiry and other proceedings may be made and had as shall be necessary for the further prosecution of the offence; and that if such justice shall think it proper or necessary, they shall be and they are hereby authorized to send such slave to some public place of security, or to the workhouse, if any is provided in the Island where such slave shall live, to be there kept and detained, and supported at the expense of the owner or director of such slave until further inquiry shall be made into the fact according to law.

18th. And be it further enacted by the authority aforesaid, That if any owner or director of any slave within the Leeward Islands shall fix round the neck of any slave any iron collar, with projecting bars, hooks, or any collar with a chain or weight thereto,

thereto, or shall put or fix upon any slave any chain, or any piece or ring of iron, either round the leg or any other part of the body of such slave, other than such as are absolutely necessary for securing the person of such slave, it shall and may be lawful for any justice of the peace, on information or view of the same, to order such collar, chain, weight, hooks, bars and rings, other than such as are necessary as aforesaid, to be taken off such slave, at the expense of such owner; and it shall also be lawful for such justice to issue his warrant to bring such owner before him; and if he is of opinion that such owner or director has acted wantonly and cruelly in the putting on or fixing as aforesaid any such collar, chain, weight, hooks, bars or rings, or that he was not influenced solely by the motive of preventing the future desertion of such slave, such justice shall and may bind over every such owner or director to appear at the next court of King's Bench to be held for the Island where such offence shall be committed, then and there to answer for the same; and, upon conviction thereof, to be fined at the discretion of such court, in any sum not exceeding one hundred pounds current money.

19th. And be it further enacted by the authority aforesaid, That any owner or director of any slave within the Leeward Islands, who may from sickness or any other cause stand in need of medical assistance, shall without loss of time procure such assistance for such slave; and also shall provide for and furnish such slave with all such food, wine, nourishment, and with all and every such other necessary and necessaries of every kind as the medical person, whose assistance he may call in, shall order or direct, under the penalty of fifty pounds for every omission.

20th. And be it further enacted by the authority aforesaid, That whenever any slave not under the age of six years, nor from natural decay, who shall die suddenly without having been visited at least forty-eight hours before his or her decease by some medical person duly qualified to practise physic, it shall and may be lawful for the coroner, or where there is no coroner, for some justice of the peace, and he is hereby authorized and commanded to hold an inquest, not consisting of less than three persons, on the body of such slave, to enquire into and return the cause of his or her death; and if any owner or director of any slave within the Leeward Islands, shall omit to give notice to the coroner or justice aforesaid, of the decease of any such slave under the circumstances aforesaid, within six hours after such decease, or shall bury any slave so dying, before he shall have given such notice, or within eighteen hours after the same, he shall forfeit for every such offence the sum of one hundred pounds; provided that the person taking such inquest shall in no case receive more than the sum of three pounds six shillings, to be paid by the public of said Island.

21st. And be it further enacted by the authority aforesaid, That every white or free person charged with the murder or maiming of any slave, whether such slave belong to such person or not, shall be tried and punished for such murder or maiming, in the same manner, without any sort of distinction or privilege, as if he or she were charged with the murder or maiming of any white or free person whatever; provided nevertheless, that if he or she shall be convicted, such conviction shall not extend to or occasion any corruption of blood or forfeiture of lands or tenements, goods or chattels.

22d. And whereas the marriage of slaves cannot give any particular right either to the contracting parties or to their children, and it being unnecessary and even improper to enforce the celebration of any religious rites among the slaves in order to sanctify contracts, the faithful performance of which can be looked for only by a regular improvement in religion, morality, and civilization, and should not be immediately enforced by any compulsory methods, lest the violation of sacred vows be too often added to the crime of infidelity: And whereas it seems more eligible to encourage than compel such improvement in religion, morality, and civilization among such slaves, for the purposes aforesaid, and for other good purposes; BE it therefore further enacted by the authority aforesaid, That every owner and director of any slave on any estate within the Leeward Islands, shall within two months after the publication of this Act, and also on the first day of January every year, convene and assemble together the slaves under his direction, and enquire which of them have a husband or wife, or more than one, and if an acknowledgment be made, in consequence of such enquiry, of more than one husband or wife, then such owner or director shall compel such slave making such acknowledgment, to elect some one slave only as his or her husband or wife; and when such election is made, such owner or director shall enter the same in a book to be kept for that purpose, and make the same as public as possible,

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possible, by convening once in every twelve months all the slaves upon such plantation, and reading to them the same in a distinct and audible voice, at the same time extolling the good behaviour of those who have been faithful to their engagements, and reprobating the misconduct of those who have acted to the contrary, doing his utmost to keep together in harmony the parties who have made such election, and to encourage all the other slaves of which he is manager, master, or director, as they shall arrive at the age of maturity, to make such election as aforesaid, and adhere as strictly as possible to the same; and every owner or director of any female slave who shall have a child while she preserves her fidelity to such engagement as aforesaid, or is reputed so to do, shall in six weeks after the birth of such child, if the same be then living, pay and give to the mother of such child four dollars, and the same sum, with one dollar more, for every other child she shall bear and have under the same circumstances; and if any owner or director shall omit in any respect to comply with and fulfil the directions of this clause, he shall forfeit the sum of fifty pounds for every such omission.

23d. And be it further enacted by the authority aforesaid, That every owner or director shall give to every male and female slave who shall live together faithfully and peaceably as aforesaid as man and wife, one dollar each for every year that they shall so live together.

24th. And be it further enacted by the authority aforesaid, That as soon as any female slave shall have six children living, and who have been born during such cohabitation as aforesaid, the youngest of which shall be seven years of age, the owner or director of such female slave shall not oblige such female slave to do any other than light work, under the penalty of twenty pounds.

25th. And be it further enacted by the authority aforesaid, That no owner or director of any slave, nor any overseer, nor any other description of white men on any plantation, shall weaken the effect of the exhortations and enquiries enjoined by this law, by his own irregular conduct in cohabiting or having criminal commerce with any female slave who shall have elected her husband as aforesaid; every such person, for every such offence, being thereof convicted by legal testimony before any two or more justices of the peace, shall forfeit and pay the sum of one hundred pounds.

26th. And whereas it appears to be impracticable and ineffectual to endeavour to compel any slaves to adopt and conform themselves to any religious establishment, although they may be brought gradually to a considerable degree of religious knowledge by attention on the part of their owners and directors and the clergy; BE it therefore further enacted by the authority aforesaid, That in case any owner or director shall in any manner whatever restrain or prohibit, or cause to be restrained or prohibited any slave (excepting such whose services are necessary on a Sunday) under his or her direction, from receiving religious instruction by attending on Sunday at any church or chapel, or any other place of worship held by the regularly established clergy of any religious christian sect tolerated in the Leeward Islands, or by receiving baptism according to the rites of the regularly established church or other tolerated christian church, such owner or director, for every such offence, shall forfeit the sum of five pounds; and in case any regular clergyman who has any living in any of the Leeward Islands shall refuse or neglect, when thereto reasonably required, to baptize any slave without fee or reward, on any Sunday immediately after divine service, such clergyman shall forfeit and pay for every such refusal and neglect the sum of thirty shillings; provided that such clergyman shall not be compelled so to do in case of the ignorance or ill character of such slave so requiring to be baptized, but that in all such cases such clergyman shall endeavour, by exhortation and instruction, to qualify such slave as he may so reject, to be thereafter baptized and received into the faith of Christ's church.

27th. And be it further enacted by the authority aforesaid, That when any slave shall be sick, or unable from any accident or cause whatsoever to perform his usual duty or labour, his or her owner or director shall cause such slave to be visited by some person duly qualified to practise physic and surgery, according to the laws of the respective Islands where such slave shall live, and shall cause such medicines, food and other necessaries, as such qualified practitioner shall from time to time reasonably order or direct, to be duly administered to such slave, under the penalty of five pounds.

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28th. And

28th. And be it further enacted by the authority aforesaid, That every medical man so qualified as aforesaid, or a proper white assistant, shall attend each estate, to the care of which he shall be appointed, at least two days in every week, whether thereto especially called or not, unless he has notice in writing from the proprietor or director of such estate that his presence is not required; and such medical man or white assistant as aforesaid shall further attend at all times when especially called upon so to do by proprietor or director of the slaves respectively; and if any medical man shall offend against this clause, he shall forfeit the sum of five pounds.

29th. And be it further enacted by the authority aforesaid, That the said practitioner, or his assistant, shall attend within eight hours after the call has come to his or their knowledge, under the penalty of ten pounds.

30th. And be it further enacted by the authority aforesaid, That every owner or director of slaves shall have, under the penalty of one hundred pounds, on the estate or place where the slaves usually reside, a commodious hospital or sick-house, furnished with proper conveniences for the sick, and a sufficient number of attendants; and shall, under the penalty of twenty shillings, either in his own person or by some white person under his direction, attend as often as may be requisite, at the hospital or sick-house, to see that the sick are furnished with the medicines that may be ordered for them by the said practitioner or his assistant in the manner so ordered, and also with such diet as the said practitioner or his assistant shall reasonably direct to be given.

31st. And be it further enacted by the authority aforesaid, That a book or register shall be provided and kept on every such estate by the owner or director, under the penalty of forty shillings, in which the practitioner or assistant shall also, under the penalty of forty shillings, write in English language, opposite to the name of each slave so being sick, his directions as to the time or times of administering the medicines he intends to prescribe, stating the form in which they are to be sent, whether in pills, powder or mixture, or in whatsoever other form, and also as to the diet to be provided for the slave; and at the end of the same directions he shall write his prescriptions, in the form usually followed by medical practitioners.

32d. And be it further enacted by the authority aforesaid, That whenever any owner or director of any slaves shall have occasion to send a special call to the practitioner who shall have the care of the slaves under his direction, he shall send the same in writing in the said book or register, stating the time of the day or night when he sends for the same, to the best of his knowledge, and the name, age, sex, and bodily appearance of the slave or slaves on whose account such call is made, together with the most material or urgent symptoms which such slave exhibits, and any other circumstances that he may think will assist the said practitioner in forming a judgment of the case, and may enable him to carry with him such medicine as he may from such statement judge to be proper, if he can go immediately to visit the said slave, or to send such medicines or directions as may be of use, until he can visit him or her, or cause him or her to be visited by his assistant or some other practitioner, if he has such other urgent medical business to attend as to prevent his visiting the said slave immediately; and that the said practitioner, his assistant, or some other free person who may be kept to make up and dispense medicines for him, shall insert in the same book or register, immediately after the statement hereinbefore directed to be made by the owner or director of the slave, the time as nearly as he can when the said call shall arrive at the dwelling or other house of the said practitioner as aforesaid, under the penalty of forty shillings.

33d. And be it further enacted by the authority aforesaid, That every practitioner shall keep, under the penalty of five pounds, on every estate under his respective care, a small quantity of such medicines as may with safety be left in the hands of a person unskilled in the science of medicine, to be at hand in case of sudden emergency, with such directions as to their use as he may judge sufficient for the information of the owner or director of the slaves, which directions ought to be inserted in the first page of every new book or register so to be provided and kept as aforesaid, under the penalty of forty shillings.

34th. And be it further enacted by the authority aforesaid, That every proprietor of an estate shall employ some medical gentleman properly qualified, by the year, provided the proprietor of the said estate is not a medical man himself, and provided

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provided such medical assistance can be procured upon reasonable terms, under the penalty of ten shillings for every slave upon such estate.

35th. And be it further enacted by the authority aforesaid, That upon the first day of January in every year, or at the first meeting of the council and assembly of the Island wherein the estate hereafter mentioned may be situated, the owner or director of every plantation within the Leeward Islands shall, under the penalty of one hundred pounds, return upon oath before the council and assembly of the said Island a just and true account of all the births and deaths of the slaves on such plantation, and also of the manner in which, to the best of his opinion and judgment, the said slaves have been attended and provided for when sick for the preceding year, or during such time as he hath had the possession or management of such plantation; and if any proprietor, manager, or director shall quit a plantation where he has resided at any time between the first of January in one year and the first of January in the ensuing year, such proprietor, manager, or director, shall within ten days after he has so quitted such plantation, make out such return as before directed, up to the time when he does so remove, under the penalty last aforesaid.

36th. And be it further enacted by the authority aforesaid, That the doctor or surgeon of every plantation, shall on the first day of January in every year, or at the first meeting of the council and assembly of the Island wherein such estates shall be situated, return as aforesaid upon oath an account of the slaves who have died upon such plantation in the preceding year, or during such time as he hath had the care of such slaves, with the real causes of such deaths, to the best of his knowledge, judgment and belief, and also of the manner in which, to the best of his knowledge and belief, the invalid and sick slaves have been treated and attended to, under the penalty of one hundred pounds for every such offence against this clause.

37th. And be it further enacted by the authority aforesaid, That every owner or director of any female slave within the Leeward Islands, who shall be five months gone with child, shall keep and detain such female slave upon the estate to which she belongs, at all times when the other slaves are at work, but not employ her otherwise than in taking care of the children on the estate or other light work, and such owner or director shall upon no account suffer such female slave to quit the said estate at the times the other slaves are at work and employed thereon, nor shall any such female slave be punished in any other manner than by confinement, and if any owner or director as aforesaid shall offend against this clause in any respect, he shall forfeit for the same the sum of five pounds.

38th. And be it further enacted by the authority aforesaid, That whenever a negro woman slave shall be pregnant with her first child, every owner or director of such negro woman slave shall erect and build for her a roomy and commodious negro house of two rooms, provided she has no such house, and such proprietor shall not chuse to compel her to lay-in in the ward or hospital for lying-in women hereafter mentioned, under the penalty of twenty pounds.

39th. And be it further enacted by the authority aforesaid, That where the number of female slaves in any of the Leeward Islands in which a cargo of slaves shall be imported, shall not exceed the number of males, the sum of ten shillings shall be paid for every male so imported, and also that the sum of fifty pounds shall be paid for every aged and infirm negro slave imported into any of the Leeward Islands in any cargo, after the expiration of two years from the publication of this Act.

40th. And it is hereby further enacted by the authority aforesaid, That every penalty and forfeiture imposed by this Act, not otherwise recoverable, shall be recovered by warrant under the hands and seals of any two or more justices of the peace directed to the provost marshal or his lawful deputy, who is hereby authorized to levy the same on the goods and chattels of every person or persons offending against this Act, and who shall be convicted thereof before such justices, and shall bring the same to sale within ten days after such levy, and for the want of such goods and chattels such offender shall be committed to the common gaol of the Island where such offence shall be committed, for any time not exceeding six months nor less than five days, at the discretion of such justices, and all such penalties and forfeitures shall go and belong to the persons informing against such offender: Provided nevertheless, that every person so convicted may appeal to the next superior court of criminal jurisdiction, if he conceives himself aggrieved.

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41st. And whereas many persons have often been prevented from supplying their slaves with sufficient food and clothing by the encumbered state of their property, their plantations and slaves being sometimes charged with mortgages or other encumbrances to so great an amount, as upon a levy and sale thereof to leave no surplus or fund for the satisfaction of debts due for provisions or clothing furnished for the necessary subsistence of their slaves, and merchants have therefore been discouraged from selling provisions or clothing to persons in doubtful or embarrassed, to the very great distress and danger of the slaves, and also to the manifest prejudice of mortgagees, or other creditors whose securities may either wholly or in a very great measure depend upon the lives or good condition of such slaves; BE it therefore also enacted and ordained by the authority aforesaid, That all debts which from and after the publication of this Act, shall be contracted by the proprietor or possessor of any piece or parcel of land cultivated and carried on as a sugar, cotton or coffee plantation, or by any proprietor or possessor of slaves, not less than twenty in number, generally employed as a task-gang, or by the lawful attorney or agent of such proprietor or possessor, for any species of provisions or clothing hereinbefore mentioned and directed to be provided for slaves, shall be deemed and considered as specific or prior liens or incumbrances upon all and every slave and slaves belonging to such plantation or task-gang, as far as the estate or interest of the proprietor or possessor of such slaves doth or can extend to pay and satisfy the same; and that all and every such debt or debts shall be paid and satisfied in preference to any other debt or incumbrance whatsoever, although existing before the passing this Act, except debts now due or hereafter to become due to His Majesty, his heirs or successors; provided such provisions or clothing shall have been actually sold and delivered within the space or term of twelve calendar months next before the commencement of any action or suit for recovering or enforcing payment for the same, and that such action or suit be commenced, proceeded upon, tried and determined in the manner and form hereinafter mentioned.

42d. And in order to prevent persons in distressed and embarrassed circumstances from fraudulently disposing of, or otherwise misapplying any negro provisions or clothing which they have procured in consequence of this Act, to the prejudice of their former or other creditors; and that such frauds may the more easily be detected and punished; BE it also enacted and ordained by the authority aforesaid, That whenever any negro provisions or clothing shall be sold, and the person or persons selling the same is or are desirous that the slaves of the person or persons to whom or for whose use such provisions or clothing are sold and delivered, should be specifically bound for the payment of the monies due or owing for the same, a memorandum in writing of such sale and delivery, shall upon the same day be made and entered in a book to be kept for that particular purpose, and such memorandum or entry shall be signed by the person or persons to whom or for whose use the said provisions or clothing were sold and delivered, or by his her or their lawful attorney or attorneys, or known agent or white servant; and if the person or persons to whom or for whose use such provisions or clothing have been so sold and delivered, or his her or their attorney or known agent or servant shall sell, give away or exchange the said provisions or clothing, or any part or parcel thereof, then and in such case the person or persons so offending, shall for every such offence forfeit and pay the sum of five hundred pounds; and if such fine shall not be paid during the sitting or session of the court before whom the said offence shall be prosecuted, such offender or offenders shall suffer one year's imprisonment without bail or mainprize, in lieu of the said fine.

43d. And be it also enacted and ordained by the authority aforesaid, That whenever any complaint or information in writing of or concerning the selling, giving away or exchanging any negro provisions or clothing, contrary to the true intent and meaning of this Act, shall be made or exhibited to any justice of the peace, it shall and may be lawful to and for such justice, and he is hereby required to order and direct any person or persons, having in his her or their custody, possession or power, any book or books wherein any memorandum or acknowledgment in writing, of the sale and delivery of any negro provisions or clothing, shall be made or entered in pursuance of this Act, to produce before him such book or books, and also to examine upon oath such person or persons, or any other person or persons whom he in his discretion shall think proper touching the said book or books, or the entries made or contained therein, so far as the same shall appear to be necessary or material for the proof or support of the said complaint or information, and also to require or

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take from the person or persons having in his her or their custody, possession or power, such book or books, a recognizance in and for the sum of five hundred pounds current gold or silver money, conditioned for the appearance of such person or persons at the court wherein such complaint or information is intended to be further prosecuted, and for his her or their producing before the grand jury and petit jury of the said court, such book or books or writings as in the said recognizance shall be particularly mentioned and specified, and for his her or their duly attending to give evidence or testimony at or upon the trial of any indictment or information, which shall be preferred or prosecuted for the selling, giving away or exchanging any negro provisions or clothing contrary to the true intent and meaning of this Act, or to the like purport or effect; and if such person or persons shall refuse to produce such book or books, or to be examined touching the same as aforesaid, or to enter into a recognizance to the purport or effect aforesaid, he she or they shall, by warrant under the hand and seal of such justice, be committed to the common gaol, there to remain without bail or mainprize, until he she or they shall submit to produce such book or books, and be examined touching the same, and to enter into such recognizance as aforesaid.

44th. And be it further enacted and ordained by the authority aforesaid, That if upon the trial of any indictment or information which may be prosecuted for the said offence, it shall appear to the court and jury before whom such indictment or information shall be tried, that within the space of three calendar months next before the commission of the fact charged in such indictment or information, any negro provisions or clothing have been sold and delivered in pursuance of this Act, for the use of the slaves belonging to the plantation or task-gang in the possession or under the care or direction of the defendant or defendants to such indictment or information, and that a memorandum or entry of such sale and delivery in manner and form hereinbefore mentioned hath been duly made, and the said defendant or defendants shall not be able to prove that the negro provisions and clothing, for the sale, gift or exchange whereof the said indictment or information is prosecuted, were not purchased and delivered in pursuance of this Act, but upon the credit of the person or persons to whom and for whose use the same were sold and delivered, such omission or want of proof by or on the part of such defendant or defendants, shall be deemed and taken as sufficient evidence or proof to the grand jury and petit jury, that such negro provisions and clothing have been sold, given away or exchanged, contrary to the intention of this Act.

45th. And be it also enacted and ordained by the authority aforesaid, That when any action or suit shall be commenced and prosecuted for the payment or recovery of any monies due or owing for negro provisions or clothing, and it is intended that such action or suit shall operate or take effect as a prior charge or lien upon the slaves of the defendant or defendants to such action or suit, or of his her or their testator, testatrix or intestate, under or by virtue of this Act, the declaration or counts in such action or suit shall not mention or contain any article, consideration or cause of action whatsoever, other than the sale and delivery of such provisions and clothing; nor shall the jury upon the trial of such action or suit find or assess any other or greater damages, by way of interest or otherwise, than the amount or value of the provisions or clothing actually sold and delivered to such defendant or defendants, or his her or their testator, testatrix, or intestate within the said term of twelve calendar months next before the commencement of such action or suit; nor shall any damages whatsoever be found or assessed in such action or suit, unless a particular account of the several quantities of the said provisions or clothing, and the price or prices at or for which the same were actually sold and delivered, be produced and proved in open court, and it be also proved that a memorandum or acknowledgment in writing of the sale and delivery of such provisions or clothing was duly made and entered in the manner and form hereinbefore mentioned and required; nor shall any other admission, acknowledgment or confession of the defendants or defendant in such action or suit, or of any other person or persons on his her or their part or behalf, be received or admitted as proof of the sale or delivery of such provisions or clothing or any part thereof, any law usage or custom to the contrary notwithstanding.

46th. And be it also enacted and ordained by the authority aforesaid, That immediately after the verdict of the jury shall be given in such action or suit, the secretary or clerk of the court shall add to the entry of such verdict the following words, viz.

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“ according

“ according to the form and effect of the Act of the general council and general assembly of the Leeward Charribbee Islands,” and the same words shall also be mentioned in the entry of any judgment which shall be obtained upon such verdict, and in any writ of execution issued upon such judgment, and also in the entry or notice of such execution in the books of the provost marshal, deputy provost marshal or other person to whom the the said writ of execution shall be delivered.

47th. And be it also enacted and ordained by the authority aforesaid, That all slaves belonging to the person or persons to whom or for whose use such provisions or clothing were sold and delivered shall be bound and be liable for the payment or satisfaction of any writ of execution which shall be issued upon any judgment obtained in such action or suit, in the manner and form hereinbefore mentioned ; provided such judgment shall be obtained within the space or term of nine calendar months next after the commencement of such action or suit ; and that when any writ or writs of execution have been already issued against the defendant or defendants in such action or suit, or his or their ancestor, testator or intestate, the plaintiff or plaintiffs in such action or suit, or some other person or persons on his her or their behalf, shall make oath before any judge or justice, of the writ wherein such action or suit shall be commenced of the monies which according to the best of his her or their knowledge and belief, are really and bonâ fide due or owing unto such plaintiff or plaintiffs, and deliver a true copy of such affidavit or deposition, after the same hath been filed in the proper office, unto the provost marshal or other officer whose duty it may be to levy the said writ or writs of execution, together with a notice in writing signed by such plaintiff or plaintiffs or his her or their counsel or attorney, requiring the said provost marshal, deputy provost marshal or other officer, if any money should be received by him under or by virtue of the said writ or writs of execution, to keep and retain so much of the said monies as will be sufficient to satisfy any judgment which may thereafter be obtained in such action or suit.

48th. And be it also enacted and ordained by the authority aforesaid, That all judgments recovered against any executors or administrators for monies due or owing for negro provisions and clothing sold and delivered to their testator or intestate in pursuance of this Act, shall be paid and satisfied in preference to any other judgment, incumbrance or debt whatsoever, other than debts due to His Majesty, his heirs or successors ; provided that an action or suit for the recovery of the said monies so due and owing for negro provisions and clothing be commenced within one calendar month next after the will of the person to whom or for whose use the said provisions or clothing were sold and delivered hath been proved and recorded, or letters of administration of the goods and chattels, rights and credit of the person to whom or for whose use such provisions or clothing were sold and delivered hath been obtained, and that such suit be prosecuted to judgment with effect, and without any improper or unnecessary delay whatsoever.

49th. And be it also enacted and ordained by the authority aforesaid, That if any doubt or difficulty shall arise upon the construction of any section, clause or sentence contained in this Act, such section, clause or sentence shall always be favourably construed in such manner and form as will best tend to promote and secure the protection and comfort of slaves, according to the true intent and meaning of this Act.

50th. And be it also enacted and ordained by the authority aforesaid, That if any action, suit, or prosecution shall be commenced or prosecuted against any justice or justices, or any other person or persons, for any matter or thing done or performed under or by virtue of this Act, it shall and may be lawful to and for the defendant or defendants in such action, suit, or prosecution, to plead the general issue, and to give the Act and the special matter in evidence ; and if the plaintiff or plaintiffs, prosecutor or prosecutors in such action, suit or prosecution, shall be nonsuited, or discontinue such action, suit or prosecution, or judgment shall be given against such plaintiff or plaintiffs, or prosecutor or prosecutors, upon verdict, demurrer or otherwise, such plaintiff or plaintiffs, or prosecutor or prosecutors, shall pay to such defendant or defendants treble costs of suit, for which such defendant or defendants shall have the like remedy as any other defendant or defendants have or may have in any other actions or suits.

51st. And be it also enacted and ordained by the authority aforesaid, That nothing hereinbefore contained shall extend or be construed to extend to prevent or hinder



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hinder the Legislature of any Island or Islands within the government of the Leeward Charribbee Islands from making and passing any law or laws which may be thought necessary or proper for the better subsistence or protection of the slaves in such Islands, or for explaining or amending any of the clauses or sentences in this Act hereinbefore mentioned and contained; so as such law or laws do not contain any clause, matter or thing which shall in any degree lessen or restrain any protection, privilege, or indulgence provided or granted to slaves by this Act according to the true intent and meaning thereof.

52nd. And be it further enacted by the authority aforesaid, That all penalties hereby imposed and not hereinbefore provided for, shall be recoverable by indictment or information, in any of His Majesty's courts of record, within any of the said Islands where such penalties may be incurred; and that such penalties, when so recovered, shall be paid into the public treasury of the said Island, to be appropriated for the public uses thereof.

Provided always, and it is hereby expressly declared, That this Act shall not be in force or have any effect or operation whatsoever, until approved and confirmed by His Majesty, and such approbation and confirmation shall have been duly signified and published.

Dated in Saint Christopher, this twenty-first day of April, in the thirty-eighth year of the reign of our Sovereign Lord, George the Third, by the grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth; and in the year of our Lord one thousand seven hundred and ninety-eight.

Read and passed the General Assembly, this sixteenth day of April one thousand seven hundred and ninety-eight.

*O. Y. Ash*, Speaker.

*Jas. Ward*, Clerk of General Assembly.

Read and passed the General Council, this twentieth day of April one thousand seven hundred and ninety-eight.

*E. Moore*, Clerk of General Council.

An ACT for Regulating the Manumission of Slaves. [19 July 1802.]

WHEREAS serious inconvenience arises from a custom (which of late years has been very prevalent,) of bringing slaves from other colonies, and manumitting them in Saint Christopher, augmenting thereby most considerably the number of free negroes and of free persons of colour, and often turning loose upon the public very suspicious and improper characters: And whereas many frauds and abuses are daily practised by the production of false and forged instruments of manumission; We, therefore, Your Majesty's most loyal and dutiful subjects, the chief governor of all Your Majesty's Leeward Charribbee Islands in America, and the council and assembly of the Island of Saint Christopher, do most humbly pray Your Majesty, That it may be enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice of the chief governor, council and assembly aforesaid, and by the authority of the same, That from and after the first day of September, in the year of our Lord one thousand eight hundred and two, every proprietor of any negro or other slave, or the attorney for such proprietor, as may be disposed to manumit any negro or other slave, must apply for permission so to do by petition addressed to the president of the council and the speaker of the assembly, to be laid before the legislature for approbation and consent, on the next ensuing meeting after the receipt thereof, unless such proprietor or attorney for such proprietor, shall lodge in the public treasury of this Island the sum of five hundred pounds current money, as hereinafter is directed by this Act.

2nd. And be it further enacted by the authority aforesaid, That unless the proprietor of any negro or other slave, or the attorney for such proprietor, do within the space of thirty days record such permission and manumission in the register's or secretary's office of this Island, the manumission shall be *ipso facto* void, and the person intended thereby to be set free shall remain a slave.

3d. And

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3d. And be it further enacted by the authority aforesaid, That every proprietor of any negro or other slave, or the attorney for such proprietor, on registering the manumission of any negro or other slave, being a native of or who has resided on this Island two years previous to the date of his or her manumission, shall pay into the public treasury the sum of five hundred pounds current money, unless he or she hath obtained the permission of the council and assembly as aforesaid; but if such negro or other slave so to be manumitted, be not a native or a resident as aforesaid, the proprietor of such slave shall pay into the public treasury the sum of one thousand pounds current money, on registering such manumission.

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4th. And be it further enacted by the authority aforesaid, That if the secretary or register shall record any letter or instrument of manumission without the treasurer's receipt for the sum or sums hereinbefore directed to be paid be produced to him or the permission of the council and assembly as aforesaid, he shall forfeit to the public the sum or sums which the proprietor is directed by this Act to pay on registering such permission.

5th. And be it further enacted by the authority aforesaid, That no negro or other slave, to whom his or her freedom may after the first day of March next be by the will of his or her master or mistress bequeathed, shall enjoy the same, unless the aforesaid sum of five hundred pounds current money shall have been devised by such testator or testatrix, and be paid by his or her executor or executors, executrix or executrices, into the public treasury of this Island, within six months after the death of such master or mistress.

Provided always, that such executor or executors, executrix or executrices may have leave to apply to the legislature for their consent to such manumission, which being obtained, such negro or other slave shall possess his or her freedom, without paying such sum of five hundred pounds as hereinbefore is directed to be paid into the public treasury of this Island.

And provided further, That in case any proprietor of any negro or other slave or slaves, shall, by any contract in writing or otherwise, dispense with the service of such slave or slaves, and it shall be duly proved before any one justice of the peace that such person or persons has not exercised any right of ownership over such slave or slaves, and maintained such slave or slaves at his or her own expense, within one month, such justice is hereby authorized and empowered to direct the provost marshal of this Island, or his lawful deputy, to sell such negro or other slave or slaves at public vendue, and that the highest bidder shall be the real proprietor of such slave or slaves, and that the purchase money shall be paid into the public treasury of this Island, allowing the said provost marshal or his lawful deputy five per cent. and all necessary expenses.

Dated at Antigua, this nineteenth day of July, in the forty-second year of the reign of our Sovereign Lord George the Third, by the grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith; and in the year of our Lord one thousand eight hundred and two.

Read, and passed the Assembly, this twenty-fourth day of April 1802.

*John Garnett*, Speaker.

*James Ward*, Clerk of Assembly.

Read, and passed the Council, this 30th day of June 1802.

*Samuel Tudor*, Clerk of Council.

Passed by the Captain General, this nineteenth day of July one thousand eight hundred and two.

AN ACT to explain and render more effectual an Act, intituled, "An Act to restrain thefts committed by Negro and other Slaves, and to prevent the dishonest traffick carried on by such as deal with them."—[10th June 1808.]

WHEREAS it will greatly increase the advantages derived to this colony by the appointment of supervisors, if such officers were rewarded with things and articles which they detect in the possession of negroes; now therefore, We, Your Majesty's most dutiful and loyal subjects, the commander in chief of all Your Majesty's Leeward  
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Charribbee Islands in America, and the council and assembly of Your Majesty's Island of Saint Christopher, pray it may be enacted, and it is hereby enacted, by and with the advice and consent of the said commander in chief, and the council and assembly of this Island, and by the authority of the same, That from the publication of this Act every supervisor who shall detect and take from any negro or other slave any article which has been stolen, and shall apprehend and deliver up to justice such negro or other slave, shall retain such article for his own use and as his own property, unless the value of the said articles shall exceed the sum of five pounds current money, or such article shall have been stolen from a slave.

That every supervisor who shall take up and apprehend any slave who has been guilty of any robbery, burglary, theft or other crime or offence whatever, shall carry such criminal or offender to the common cage, and as soon as convenient carry him before a magistrate, to be disposed of according to issue.

That every supervisor shall and is hereby commanded to be particularly vigilant in the apprehension of all negroes and other slaves who he shall detect with any articles that have been stolen, or who have in their possession any article that is prohibited to be sold without a ticket, and also all runaways and deserters from the service of their masters, and all negroes who are drunk, or who have rum in their possession; and for the apprehension of every such offender the superior shall receive the sum of one dollar; and in case of his omitting to perform his duty in any such respect, shall forfeit the sum of ten pounds current money.

Dated in Saint Christopher, the sixteenth day of June, in the forty-eighth year of the reign of our Sovereign Lord George the Third, by the grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith; and in the year of our Lord one thousand eight hundred and eight.

Read, and passed the Assembly, this third day of May 1808.

*Jas. Ward*, Clerk of Assembly.  
*John Garnett*, Speaker.

Read, and passed the Council, this first day of June 1808.

*W. J. Woodcock*, Clerk of Council.

## SAINT VINCENT.

## SAINT VINCENT ACT.

An ACT to punish those who shall murder or maim Slaves in the Island of Saint Vincent and its Dependencies.—[23 September 1801.]

Preamble.

WE, Your Majesty's most dutiful and loyal subjects, Drewry Ottley, esquire, commander in chief for the time being in and over the Islands of St. Vincent, Bequia, and such other the Islands, commonly called The Grenadines, as lie to the northward of Cariacou in America, and the council and assembly of the same, have enacted and ordained; and be it enacted, and it is hereby enacted and ordained by the authority aforesaid, That the maliciously killing a slave by any person or persons whomsoever shall be deemed murder, and the person or persons guilty thereof shall suffer death without benefit of clergy.

Clause I.

Maliciously killing  
slave deemed  
murder.

Clause II.

Maliciously wound-  
ing a slave, a mis-  
demeanour.

And be it further enacted by the authority aforesaid, That if any person or persons whosoever shall severely, wantonly or maliciously wound, bruise, cut or any ways maim, disable or dismember any slave or slaves within this government, such offender or offenders shall be and are hereby declared guilty of a misdemeanor, and thereof indicate, and upon conviction of such offence before any court, to be held by virtue of a commission of oyer and terminer and gaol delivery, or before the court of grand sessions of the peace, shall be fined, imprisoned or suffer corporal punishment, at the discretion of such court, any law to the contrary thereof in anywise notwithstanding; and such fine, imprisonment and corporal punishment to be imposed is hereby declared in no manner to divest or do away the civil remedy or

Offenders, how pun-  
ished.

remedies, which the owner or owners of any slave or slaves, or person or persons claiming the same in any right or manner whatsoever, shall have or take for such treatment of such slave or slaves.

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And be it further enacted by the authority aforesaid, That all fines arising by this Act shall be paid to His Majesty, his heirs and successors, for the public uses of this Island, and the support of the government thereof.

Clause III.  
Fines vested in His Majesty for the public.

Dated in Kingstown, this twenty-third day of September, in the forty-first year of the reign of our Sovereign Lord George the Third, by the grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth; and in the year of our Lord one thousand eight hundred and one.

*John Kearton*, Speaker.

*Edward Sharpe*, President.

Passed the Assembly, this fifteenth day of October one thousand eight hundred and one.

*Herbert P. Cox*, Clerk of Assembly.

Passed the Council, this twenty-third day of September one thousand eight hundred and one.

*John Gloster*, Deputy Clerk of the Council.

Assented to by his honour the Commander in Chief, this fifteenth day of October one thousand eight hundred and one.

*John Gloster*, Deputy Clerk of the Council.

*Drewry Ottley*.

Duly published in Kingstown, the eleventh day of November one thousand eight hundred and one, in the forty-second year of His Majesty's reign.

*William Alexander*, Provost Marshal.

An ACT to oblige Proprietors and Possessors of Slaves in their own Right or Rights of others, Managers and Conductors of Estates, to give in Returns of Runaways, and punishing Obeah Men. [10 August 1803.]

WHEREAS there are many slaves wandering through the country under various pretences, many of whom claim to be free, and others to be in the execution of their duty, and from the want of an account of runaway negroes published by authority, it is absolutely impossible to detect the imposition, and to distinguish between those on their duty or those deserted; therefore, to facilitate the apprehension of such evil-disposed persons, We, Your Majesty's most dutiful and loyal subjects, Henry William Bentinck, esquire, captain general and governor in chief in and over the Islands of Saint Vincent, Bequia, and such other the Islands, commonly called The Grenadines, as lie to the northward of Carriacou in America, and the council and assembly of the same, have enacted, and be it and it is hereby enacted by the authority aforesaid, That every proprietor, possessor, renter, manager or overseer of slaves, shall, on the twentieth day of August, the twentieth day of November, the twentieth day of February, and the twentieth day of May, in every year, give in on oath to a justice (where any slave or slaves is or are run away) an account of such slave or slaves as may have run away, or be absent from the estate or their duty at that time, stating how long each slave has been absent, their sex, country and age, as nearly as can be ascertained, description of person, and also an account of any thing taken away by the runaway that may lead to detection; and every justice of the peace shall be obliged to receive every such return without fee or reward, and shall within seven days thereafter deliver the same to the provost marshal, or his lawful deputy, who shall cause the same to be published in the gazette, and shall charge the sum of three shillings and six-pence in his account with the public, for the returns of each period, which shall be allowed him, and shall be paid out of the public treasury of these Islands; and if any justice of the peace shall refuse to receive any such returns, he shall, on the oath of one white person before the court of sessions, forfeit the sum of fifty pounds current money for each and every such offence; and if after receiving the return or returns he shall neglect to transmit the same to the provost marshal or his lawful deputy, he shall, on like proof, in like way, forfeit the sum of fifty pounds current money, over and above paying all such fines, forfeitures and charges as may be incurred by any person or persons prosecuted for neglect, or refusal of return, to be recovered in the same court; and the decree of the court against the defaulter or defaulters shall be sufficient

Preamble.

Clause I.  
Returns to be made of runaways.

Justice of peace obliged to receive returns and deliver them to provost marshal.

Penalty in cases of repeal or neglect.

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Statement of pos-  
sors of slaves to  
be furnished by  
provost marshal.

sufficient evidence for the said defaulter or defaulters to recover the amount of the fines and forfeitures and charges he she or they may have suffered by the neglect or refusal of such justice of the peace; and every person neglecting or refusing to give in such return, at such periods, to any of the justices of the peace in their neighbourhood, shall forfeit the sum of thirty-three pounds current money for each and every offence, to be levied by the provost marshal, or his lawful deputy, on the goods and chattels of the offender or offenders; and the provost marshal, or his lawful deputy, shall, on the first day of every session of the council and assembly, lay before them a statement of the persons resident in the Island possessing slaves, as delivered in according to an Act, intituled, "An Act for compelling Owners of Slaves to keep a proportionable number of White Protestant Servants, and a Statement of those who have made the aforesaid Returns on oath;" and those who appear to have neglected or refused to comply with the provision of this Act shall be deemed defaulters, and the amount of their fines shall be charged against the marshal, and be deducted from his account with the public, the same as though they had been received by him.

Clause II.  
Punishment for the  
harbouring of run-  
aways.

And be it further enacted by the authority aforesaid, That if any runaway be found harboured or concealed by any coloured free person, or if any runaway slave be apprehended in their house or out-house, or be employed in any manner by them, they shall, over and above the penalties inflicted by the fourth clause of the Act, "for making slaves real estate, &c. &c." stand two several times in the pillory in the public market place, from the hours of nine to eleven in the forenoon, proof thereof been made before two justices of the peace by one free witness; but if any free person shall be charged with the above offence by a slave, or on the confession of the runaway, the justices shall then admit the accused to prove their innocence on oath; but if the person accused refuse to prove his or her innocence by oath, or shall stand mute, they shall be deemed guilty and punished accordingly; but if they shall clear themselves on oath from the charges, the justice shall inflict such punishment on the accuser by moderate whipping, as may to him seem proper from the circumstances of the case.

Clause III.  
Proceedings in case  
of runaways dis-  
covered on estates.

And be it further enacted by the authority aforesaid, That if any runaway be found to have been concealed in any negro-house or watch-house, or employed in any negro ground of any estate, and the owner or director of the runaway shall give information to any justice of the peace within forty-eight hours, the justice shall then summon the proprietor or manager of such estate, and tender an oath to him, that of his certain knowledge the negro houses of the estate had been searched by a white man, in conformity to the ninth clause of the said Act, "for making slaves real estate, &c. &c." and within the time directed by that clause; and if he shall neglect to appear to the summons, or appearing shall refuse to take the said oath, or shall stand mute, he shall be considered as guilty of a breach of the aforesaid clause, and shall incur the penalties thereby inflicted; and every runaway so found, shall be deemed a separate offence, and incur a separate penalty, and the provisions of the aforesaid clause shall be extended to the negro grounds as well as negro houses.

Clause IV.  
Providing against  
Obeah practices.

And whereas much mischief arises from the practice of a certain description of people, known by the name of Obeah men or Obeah doctors; BE it enacted by the authority aforesaid, That if any person, either white, coloured, or a slave, shall be convicted (if white or free, on the oath of a free person before the court of sessions, and if a slave, on the evidence of any slave before any two justices of the peace,) of practising any obeah, conjuration, incantation or divination, by any charm, ceremony, cards, sieve, bible and key, or by or with any means or instruments whatever, for the curing of any disease, or for the protection or injury of any person or thing, or for the discovery of any hidden matter or thing, or recovery of any stolen or lost goods, or shall administer any love potions or philtres, he she or they shall suffer punishment in the public market place by whipping, at the discretion of the court, if a free person; or the justices, if a slave; and in case it shall be proved that any person has died from apprehension or administration of any potion or drug, the offender or offenders shall be judged guilty of felony without benefit of clergy, and shall suffer death accordingly.

Dated in Kingstown, the tenth day of August, in the forty-third year of the reign of our Sovereign Lord George the Third, by the grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender  
of

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of the Faith, and so forth; and in the year of our Lord one thousand eight hundred and three.

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*David Miller*, Speaker.

Passed the Assembly, the tenth day of August one thousand eight hundred and three.

*Herbert P. Cox*, Clerk of the Assembly.

Passed the Council, this sixth day of September one thousand eight hundred and three.

*Michael Reilly*, Dep. Clerk of the Council.

Assented to by His Excellency the Governor in Chief, this ninth day of September one thousand eight hundred and three.

*Michael Reilly*, Dep. Clerk of the Council.

*Henry William Bentinck*.

Duly published in Kingstown, the tenth day of September in the year of our Lord one thousand eight hundred and three, and in the forty-third year of His Majesty's reign.

*William Alexander*, Provost Marshal.

An ACT to appoint Commissioners for the purpose of obtaining an exact account of the number of the Coloured free People, and number of Negroes within this Government and its Dependencies. [9th January 1805.]

WHEREAS Lord Camden, one of His Majesty's principal secretaries of state, hath, by command of His Majesty, transmitted a letter to his excellency Henry William Bentinck, esquire, governor and commander in chief in and over this Island and its dependencies, requiring "the exact number of negroes imported into and exported from this Island since one thousand seven hundred and eighty-eight; and also the number of negroes now in the government, dividing them into classes of male and female, children from one to twelve, youths from twelve to twenty, full grown men and women from twenty to sixty, and the aged; also an account of the total number of coloured free people." In order therefore to comply as effectually and correctly as possible with the above request, and that henceforth the same account may be taken annually in the first month of every year, We, Your Majesty's most dutiful and loyal subjects, Henry William Bentinck, esquire, captain general and governor in chief in and over the Islands of Saint Vincent, Bequia, and such other the Islands, commonly called The Grenadines, as lie to the northward of Carriacou in America, and the council and assembly of the same, have enacted; and be it and it is hereby enacted by the authority aforesaid, That the commissioners hereinafter named for the purpose of carrying the intention of this Act into effect, shall, within fifteen days after the publication of this Act, issue this warrant to one or more of the constables for the Island, parish or town, which such commissioners represent in the house of assembly, requiring all owners, renters, or possessors of slaves within such Island, parish or town, to appear before them at a certain time and place within the Island, or town or parish therein to be specified, such time not to exceed ten days from the date of such warrant, and to be served at least five days before the time when such appearance shall be required, then and there to make a return in writing upon oath of the number of negroes belonging to or in the possession of such owners, renters or possessors, distinguishing in such return the number of males and females separately, from one year old to twelve years old; males and females separately, from twelve years old to twenty years old; males and females separately, from twenty years old to sixty years old; and males and females separately, from sixty years old and upwards; and any person refusing or neglecting to comply with the warrant, shall upon the oath of any one commissioner, before any one of His Majesty's justices of the peace, forfeit the sum of twenty pounds current money, for every five days he shall refuse or neglect to make his returns, to be recovered by warrant under the hand and seal of such justice, directed to any constable of the said parish.

Preamble.

Clause I.  
Instructions to  
Commissioners for  
taking account of  
negroes.

And be it further enacted by the authority aforesaid, That the commissioners hereinafter named, shall within fifteen days after the publication of this Act, issue their warrant to one or more constable or constables within the parish, town or island, which

Clause II.  
Instructions to  
Commissioners for  
taking account of  
free, black or  
coloured people.

**SAINT  
VINCENT.**

which they represent in the House of Assembly, requiring all free, black and coloured people to appear before them at a certain time and place within the parish, town or island therein to be specified, such time not to exceed ten days from the date of the said warrant, and to be served five days before the time such appearance shall be required, then and there to answer upon oath such questions as shall be tendered to them respecting their ages, occupation and means of living, and of their families, their and each of their ages and sexes respectively, that their number may be fully ascertained; and all free, black and coloured people being duly summoned, who shall refuse or neglect to appear before the said commissioners, and give in their names, and answer all such questions as shall be tendered them as aforesaid, shall be liable and subject to be apprehended by warrant from any magistrate, directed to any constable, and to be by such magistrate, upon complaint of any one of the said commissioners, committed to the common gaol for any time not exceeding fifteen days, and shall also be subject to a fine of five pounds current money, to be levied by warrant under the hand and seal of any magistrate, directed to any constable, upon the goods and chattels of such free, black or coloured person so refusing or neglecting as aforesaid.

Clause III.  
Respecting persons  
on whom warrant  
to appear may not  
have been served.

And whereas it may happen that free, black, or coloured persons may conceal themselves, or may not be found by a constable to serve a warrant, and their place of residence may be unknown; BE it further enacted by the authority aforesaid, That all free, black, or coloured persons, not served with a warrant as aforesaid, shall within fifteen days after the publication of this Act, give in their his or her name to the commissioners of the parish, town or island in which such free, black or coloured person or persons reside, and shall then and there, or at any other time specified and directed by such commissioners, answer upon oath all such questions as aforesaid, under the like penalties, in case of refusal or neglect.

Clause IV.  
Security for good  
behaviour to be  
given.

And whereas by an Act, commonly called The Alien Act, no free, black or coloured person can resort to or reside in this government, without entering into certain securities therein specified, within ten days after granting said permission; BE it further enacted by the authority aforesaid, That all persons whatsoever renting lands, messuages or tenements to free, black or coloured people, shall within fifteen days after the publication of this Act, give in the names, ages and sexes of their respective tenants, and the number of the families of such their tenants, to the commissioners of the parish, town or island in which such lands, tenements or messuages lie, and shall enter into security for their good and orderly behaviour; and shall also give notice to any one of the commissioners of the removal of any of the before-mentioned tenants, under the penalty of twenty pounds, to be levied as hereinbefore directed; and every magistrate granting permission of residence upon security given, according to the above-mentioned Act, shall give unto the Commissioners, or any one of them, of the parish, town or island, a copy of the permission granted.

Clause V.  
Commissioners ap-  
pointed.

And be it further enacted by the authority aforesaid, That the representatives in the house of assembly for the different parishes in this Island, or any two of them, and the representatives and town wardens for the Town of Kingstown, and the representatives for the Grenadines, shall be commissioners for carrying this Act into effect; and the said commissioners are hereby required, within seven days after taking the returns, to deliver the same to the clerk of the house of assembly, who shall make one general return of the same, to be by him laid before the said house at their first meeting, after one copy thereof shall be delivered to his excellency the governor, for the purpose of being transmitted to His Majesty's principal secretary of state for this department, and another to be lodged in the secretary's office of this Island.

Instructions to  
them.

Clause VI.  
Provides for like  
returns being made  
every year.

And be it further enacted by the authority aforesaid, That the returns herein directed to be taken and made, shall in like manner and form (and the same proceedings be had,) under the same penalties and forfeitures to all intents and purposes, be taken and made in the first month of each and every succeeding year; and that all free, black or coloured persons coming within the meaning and disposition of the third clause of this Act, shall be and appear before the commissioners of the town, or parish, or island in which they reside, on some day between the fifth and tenth days of January in every year, and the commissioners shall have the same powers as are vested in them by the said third clause, or any other clause of the said Act.

## THE TREATMENT OF SLAVES.

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And be it further enacted by the authority aforesaid, That all fines and forfeitures incurred by virtue of this Act, shall be to His Majesty, his heirs and successors, and shall be paid into the treasury of this Island, for the public uses of the government thereof.

SAINT  
VINCENT.Clause VII.  
Disposing of Fines.

Dated in Kingstown, the ninth day of January, in the forty-fifth year of the reign of our Sovereign Lord George the Third, by the grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth; and in the year of our Lord one thousand eight hundred and five.

*William John Struth*, Speaker.

Passed the Assembly, the ninth day of January one thousand eight hundred and five.

*Herbert P. Cox*, Clerk of the Assembly.

Passed the Council, this ninth day of January one thousand eight hundred and five.

*Michael Reilly*, Dep. Clerk of the Council.

Assented to by His Excellency the Governor in Chief, this tenth day of January one thousand eight hundred and five.

*Michael Reilly*, Dep. Clerk of the Council.

*Henry William Bentinck*.

Duly published in Kingstown, the eleventh day of January one thousand eight hundred and five, and in the forty-fifth year of His Majesty's reign.

*Wm. Alexander*, Provost Marshal.

An ACT to revive an Act, intituled, "An Act to appoint Commissioners for the purpose of obtaining an exact Account of the numbers of Negroes in this Government and its Dependencies." [4th September 1811.]

WHEREAS an Act, intituled, "An Act for appointing Commissioners to obtain an exact account of the number of Coloured free People, &c." has been dormant, and become in some measure obsolete; We, Your Majesty's most dutiful and loyal subjects, Robert Paul, esquire, commander in chief in and over the Island of Saint Vincent, Bequia, and such of the Grenadines as lie to the northward of Carriacou in America, and the council and assembly of the same have enacted, and it is hereby enacted by the authority aforesaid, That the above-mentioned Act shall be revived, and it is hereby revived accordingly. Clause I.

And be it further enacted by the authority aforesaid, That the commissioners therein named and appointed, shall issue their warrants as therein directed, within the space of one month from the date hereof, and shall take a return of the numbers of the population; which return shall be transmitted to the clerk of assembly within ten days after taking it, and be by him laid before the legislature at their next succeeding meeting.

And be it enacted by the authority aforesaid, That the commissioners shall issue their warrants in like manner in their respective parishes, to summon the white inhabitants to appear on a certain day, and give in on oath a return of the names and sex of all and every white person, of his her or their family or families, at that time resident within this government and its dependencies; and all and every neglect, refusal or default, shall be liable to and punished by the like pains and penalties as directed by the second clause of the afore-mentioned Act. Clause III.

Dated in Kingstown, the fourth day of September, in the fifty-first year of the reign of our Sovereign Lord George the Third, by the grace of God, of the United Kingdom of Great Britain, King, Defender of the Faith; and in the year of our Lord one thousand eight hundred and eleven.

*Edward Sharpe*, Speaker.

Passed the Assembly, this 4th day of September one thousand eight hundred and eleven.

*Herbert P. Cox*, Clerk of the Assembly.

Passed the Council, the 17th day of October one thousand eight hundred and eleven.

*Daniel P. Barnard*, Deputy Clerk of Council.

Assented



SAINT  
VINCENT.

Assented to by his Honour the President, commanding in chief, the twenty-second day of October one thousand eight hundred and eleven.

*Daniel P. Barnard*, Deputy Pub. Secretary.  
*Robert Paul*.

Duly published in Kingstown, this twenty-second day of October, in the year of our Lord one thousand eight hundred and eleven, and in the fifty-first year of His Majesty's reign.

*William Alexander*, Provost Marshal General.

An ACT to explain and amend an Act, intituled, "An Act for making Slaves  
"real Estate, and the better government of Slaves and free Negroes."

[19th June 1813.]

Preamble.

WHEREAS by an Act, intituled, "An Act for making Slaves real Estate, and  
"the better government of Slaves and free Negroes," it is enacted, That if any slave  
shall steal goods or chattels to the value of six pounds current money, he shall be  
guilty of felony, but does not add, without the benefit of clergy: And whereas it  
is expedient and proper that the law upon this subject should be clearly defined,  
and that other regulations should be made concerning slaves than are contained in  
the said recited Act; We, therefore, Your Majesty's dutiful, loyal, and obedient  
servants, Charles Brisbane, Knight, captain general and governor in chief in and  
over Your Majesty's Islands of Saint Vincent, Bequia, and such other the Islands  
commonly called The Grenadines, as lie to the northward of Carriacou in America,  
and the council and assembly of the same, have enacted and ordained; and be  
it and it is hereby enacted and ordained by the authority aforesaid, That if any  
slave shall feloniously and forcibly take from the person of another, whether slave  
or free, goods or money to the value of twenty shillings current money, by violence,  
or putting him or her in fear, he or she shall be guilty of felony, without the benefit  
of clergy.

Clause I.  
Any slave felo-  
niously taking  
goods or money to  
the value of twenty  
shillings from any  
other person.

Clause II.  
Or stealing in a  
house to the  
amount of 6l. guilty  
of felony without  
benefit of clergy.

Clause III.  
Slave setting fire to  
any dwelling guilty  
of felony.

Clause IV.  
Providing for the  
trial of all slaves  
guilty of crimes  
which affect their  
lives, in the court  
of session.  
Court to appoint  
counsel; and in  
cases of conviction,  
owner to be paid the

And be it further enacted by the authority aforesaid, That if any slave shall by  
night break and enter into any mansion-house, shop, store, works, negro-house,  
or other out-house, and take and carry therefrom goods or money to the value of  
six pounds current money, he or she shall be guilty of felony without the benefit  
of clergy.

And be it further enacted by the authority aforesaid, That if any slave shall wan-  
tonly or maliciously set fire, or cause or procure any other slave to set fire to any  
cane-piece, dwelling-house, works, magoss-house, out-house, or any other building  
whatever, he or she shall be guilty of felony without the benefit of clergy.

And be it further enacted by the authority aforesaid, That if any slave or slaves,  
charged with any or either of the said offences, or any other offence whatever, which  
may render him or her liable to the punishment of death, shall be tried in all respects  
in the same manner as free persons at the court of sessions; and upon such trial  
the court are hereby required to appoint a barrister to act as counsel for the prisoner,  
and the jury shall, if they find the prisoner guilty, ascertain the value of him or her,  
and the owner of such slave shall be paid the same, as heretofore provided by the  
above recited Act.

Clause V.  
Fees upon prosecu-  
tion of slaves in the  
court of sessions,  
how paid.

And be it further enacted by the authority aforesaid, That the fees upon such  
prosecution shall be the same as are payable on the prosecution of free persons, and  
that the court may order the same to be paid by the prosecutor, if the prosecution be  
frivolous or vexatious; or by the owner or owners of the slave, if he she or they shall  
have endeavoured to obstruct or prevent the course of justice against such slave; or if  
no such cause or causes exist, the court may order the same to be paid by the public  
treasurer.

Clause VI.  
Larcenous thefts,  
and other offences  
not affecting the  
life of a slave, to  
be tried and pu-  
nished accordingly  
by two justices.

And be it further enacted by the authority aforesaid, That for all or any larcenous  
thefts or robberies, not hereinbefore mentioned, committed by any slave, he or she  
shall be tried before any two of His Majesty's justices, and upon conviction shall  
suffer such punishment as they deem proper, by whipping, imprisonment or pillory;  
provided such whipping shall not exceed one hundred lashes, not more than fifty whereof  
to be inflicted at one time; such imprisonment not to exceed the term of one year,  
and

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and such standing in the pillory not to exceed twice for the same offence, or for the space of two hours at each time.

Whereas doubts have arisen whether, as the law now stands, manumissions executed in this Island, where both parties reside, and the same have been recorded in Tobago, Nevis, Antigua, and other Islands, are valid and effectual; and as many persons are now reputed free by virtue of such manumissions, it is reasonable that the law respecting them be declared and understood; BE it therefore further enacted by the authority aforesaid, That all manumissions executed in this Government before the operation of this Act, and recorded in any of the said Islands, although both parties reside within this government, shall be valid to every intent and purpose whatever.

And be it further enacted by the authority aforesaid, That in order to remove any doubt which may arise as to the legality or propriety of punishing the owner or director of any slave, for any cruel conduct towards such slave, it is hereby expressly declared and enacted, That if any person shall cruelly or wantonly whip, maltreat, beat or imprison or keep in confinement, without sufficient support, any slave under his or her direction or care, such person shall be indicted for the same at the court of sessions, and upon being legally convicted thereof, shall suffer such punishment, by fine or imprisonment, or both, as the judges or justices of the said court shall think proper to inflict; and the said judges or justices are hereby authorized, if they shall deem it necessary for the further protection of the said slave, to order the marshal or his deputy to sell and dispose of such slave to any person, except the owner, at public outcry, and at the best price that can be produced for such slave; and the monies arising from such sale, after payment of the fees, shall be paid to the person having the first lien thereon; and in case of no such prior lien, then to the owners of the said slave; and that such slave shall not directly or indirectly become the property of the former owner.

And be it further enacted by the authority aforesaid, That if any person shall beat or maltreat any slave not belonging to herself or himself, such offender shall not only be indicted and punished for the same in like manner as mentioned in the preceding clause, but any punishment inflicted by the court of sessions for such offence shall not be considered as a bar to any action or suit at law which may be commenced by the owner of such slave, or be considered in mitigation of any damages which may otherwise be given or recovered for such trespass or injury.

And be it further enacted by the authority aforesaid, That in case any justice of the peace shall receive any complaint or intelligence which he in his own discretion shall think probable, that any slave hath been mutilated, cruelly punished, or otherwise maltreated or confined without sufficient support, it shall be lawful for such justice of the peace to call to his assistance some other justice, and then such two justices shall be and are hereby authorized to order any constable to bring such slave before them; or if the case shall require it, they are hereby authorized to go to such place where such slave shall be, and direct such slave to be produced and shown to them, that such enquiry and other proceedings may be made and had as shall be necessary for the further prosecution of the offence; and that if such justices shall think it proper or necessary, they shall be and they are hereby authorized to send such slave to some public place of security, or to the cage, if any, provided in the Island, to be there kept and detained, and supported at the expense of the owner and director of such slave, until further enquiry shall be made into the fact according to law; provided further, that all and every clause, matter and thing herein contained, be and are hereby suspended, until His Majesty's royal pleasure be known.

Act contained do first receive the approbation of His Majesty.

Dated at Kingstown, this nineteenth day of January, and in the fifty-third year of the reign of our Sovereign Lord George the Third, by the grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith and so forth; and in the year of our Lord God one thousand eight hundred and thirteen.

*Edward Sharpe*, Speaker.

Passed the Assembly, the nineteenth day of January one thousand eight hundred and thirteen.

*Herbert P. Cox*, Clerk of the Assembly.

Passed the Council, the tenth day of February one thousand eight hundred and thirteen.

*Daniel P. Bernard*, Dep. Clerk of the Council.

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Assented

SAINT  
VINCENT.

Clause VII.  
Explaining doubts respecting manumission registered in other colonies.

Clause VIII.  
Providing for the punishment of proprietors maltreating their slaves.

Authorizing the court to dispose of such slaves, if they see fit; and to order the proceeds to be paid to the owner, or otherwise.

Clause IX.  
Persons maltreating slaves not their property, punished by this Act; and liable, moreover, to prosecution at civil law.

Clause X.  
Requiring justices to take cognizance of complaints respecting cruelty exercised upon any slaves.

And to provide a place of security for them, when in particular cases they shall think it necessary. Provided, that every thing in this

SAINT  
VINCENT.

Assented to by his Excellency the Governor in Council, this third day of February one thousand eight hundred and fourteen.

*Daniel P. Bernard*, Public Secretary.  
*Charles Brisbane*.

Duly published in Kingstown, this fourth day of February, in the year of our Lord one thousand eight hundred and fourteen, and in the fifty-fourth year of His Majesty's reign.

*J. G. Nanton*,  
Acting Provost Marshal Gen.

An ACT to repeal the fourth Clause of an Act, intituled, "An Act to explain and amend an Act, intituled, 'An Act for making Slaves real Estate, and the better government of Slaves and free Negroes,' and to amend and re-enact the same."—[20th March 1815.]

WHEREAS the fourth clause of the Act, intituled, "An Act to explain and amend an Act, intituled "An Act for making Slaves real Estate, and the better government of Slaves and free Negroes," is imperfect as to the evidence to be given by any slave or slaves on oath; For remedy whereof, We, Your Majesty's most dutiful and loyal subjects, Sir Charles Brisbane, knight, commander of the most honourable order of the Bath, captain general and governor in chief in and over the Island of St. Vincent and its dependencies, and the council and assembly of the same, have enacted; and be it and it is hereby enacted by the authority aforesaid, That the said fourth clause be and it is hereby repealed, and instead thereof, be it enacted, That as any slave or slaves charged with any of the offences named or mentioned in the before recited Act, or any other offence whatever, which may render him or her liable to the punishment of death, shall be tried in all respects in the same manner as free persons at the court of sessions (save and except that the evidence of any slave or slaves on oath shall, in such case, be taken for and against slaves, but in no other case whatever be admissible); and upon such trial the court are hereby required to appoint a barrister to act as counsel for the prisoner, and the jury, if they find the prisoner guilty, ascertain the value of him or her, and the owner of such slave shall be paid the same as heretofore provided by the above recited Act.

Clause I.

Clause II.

And be it further enacted by the authority aforesaid, That if any slave or slaves shall be convicted of perjury, he she or they shall be liable to suffer any or all the punishment inflicted on free persons in such cases.

Dated in Kingston, the twentieth day of March, in the fifty fifth year of the reign of our Sovereign Lord George, by the grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith; and in the year of our Lord one thousand eight hundred and fifteen.

*Alexander Cruikshank*, Speaker.

Passed the Assembly, this twentieth day of March.

*Hubert P. Cox*, Clerk of the Assembly.

Passed the Council, this twentieth day of March one thousand eight hundred and fifteen.

*Andrew Rose*, Clerk of the Council.

Assented to by His Excellency the Governor in Chief, this twenty-third day of March one thousand eight hundred and fifteen.

*Andrew Rose*, Public Secretary.

*Charles*  *Brisbane*.

Duly published in Kingston, this twenty-fifth day of March one thousand eight hundred and fifteen.

*J. Y. Nanton*, Provost Marshal General.

St. Vincent, 22d April 1815.

A true Copy.

*Andrew Rose*, Secretary and Register.

## T O B A G O.

An ACT for the good order and government of Slaves, and for repealing an Act of this Island, intituled, "An Act for the good order and government of Slaves, and for keeping them under proper restraint; for establishing the method of Trial in capital cases, and other Regulations for the greater security of that part of the Inhabitants property."—[Revived, 15th March 1794.]

WHEREAS the plantations and estates in this Island cannot be fully managed and improved, without the labour and service of great numbers of slaves; and forasmuch as the slaves brought into this Island for that purpose are of a barbarous, wild and savage nature, and such as renders them wholly unfit to be governed by the laws of Great Britain; it is therefore become absolutely necessary that such other laws should be in this Island framed and enacted for the preserving of good order and government among them, as may restrain the disorders and disturbances to which they are naturally prone and inclined, and for keeping them under due subordination and subjection, as well as for granting them such allowances and encouragements as may be fit and useful for their support, to the end that the lives and fortunes of His Majesty's subjects in this Island may be preserved and secured, and the peace and happiness of the colony thereby established; for the more effectually accomplishing these good and necessary purposes, BE it enacted by Your Majesty's most dutiful and loyal subjects the governor in chief of the Southern Charribbee Islands of Grenada, the Grenadines, Saint Vincent and Tobago, and the council and assembly of this Your Majesty's Island of Tobago, and it is hereby enacted and ordained by the authority of the same, That from and after the publication of this Act any slave who shall maim, wound, hurt, or strike, or who shall attempt to maim, wound, hurt, or strike any white person, under any pretence whatsoever, unless in the lawful, immediate and necessary defence of his owner and employer's person or goods, shall suffer death, transportation, or other punishment, at the discretion of the persons hereafter appointed to try and determine all capital offences committed by slaves in this Island; and any slave who shall personally insult, abuse, threaten, or in any other manner contemptuously treat any white person, shall be punished with a public whipping, at the discretion of any one justice of the peace; and if any slave or slaves shall compass, imagine or contrive the death of any white person, and be thereof convicted before the persons hereafter appointed to try slaves for capital offences, every such slave or slaves shall suffer death, transportation, or any other punishment which the said persons so appointed, or the major part of them, shall think necessary for the public welfare and safety, although the wicked purposes of such slave or slaves be prevented before any murder shall have been committed.

And be it further enacted by the authority aforesaid, That all slaves and their accessaries guilty of murder, rapes, maiming or wounding any other slave, or wilfully setting fire to canes, works, dwelling-houses, negro-houses or other buildings, or who shall be convicted of giving or attempting to give poison, although the poison shall not be taken, or death do not ensue; and all slaves running off or attempting to run off this Island, or inveigling others so to do, or who shall steal the property of any person or persons whatsoever to the value of six pounds current money; or who shall maliciously kill or attempt to kill by poison, or otherwise maim or destroy any horse, mule, ass, camel or horned cattle, shall suffer death as felons, or such other punishment as the persons hereafter appointed to try slaves for capital offences shall think proper to inflict.

And be it further enacted by the authority aforesaid, That any slave who hath been upon, or shall hereafter be upon this Island for the space of one year, and shall absent or withdraw, or being now run away, absent or withdrawn from his or her master, owner or renter's service, shall continue so absent or withdrawn for the space of six weeks or forty-two days from the day of the first publication of this Act, or from the time such slave shall first absent, withdraw or run away hereafter; or if any slave or slaves having been, or that shall be upon this Island for the space of one year, shall absent, withdraw or run away from his or her

Preamble.

Clause I.

Any slave maiming, &c. or attempting to maim, &c. a white person shall suffer, death, transportation, or other punishment.

Any slave who shall insult, &c. a white person, shall be whipped.

Compassing the death of a white person shall suffer death, transportation or other punishment.

Clause II.

Any slave murdering, maiming, &c. any other slave; setting fire to canes, &c.;

giving poison; running off the Island; stealing to the value of 6 l.; maiming or destroying cattle; shall suffer death, or arbitrary punishment.

Clause III.

Slaves absenting themselves for a certain time shall suffer death, or arbitrary punishment.

master,

## TOBAGO.

**Clause IV.**  
 Proviso: the slave must be a year in the Island, or absent a certain time.

**Clause V.**  
 Slaves of the age of sixteen absenting themselves in gangs for a limited time.

Greatest offenders shall suffer death.

**Clause VI.**  
 Any slave knowing of a runaway, and harbouring and receiving such, shall suffer death or arbitrary punishment.

White or free person harbouring and receiving shall forfeit 20*l.* for first offence, 50*l.* for second offence, 100*l.* for third offence.

If cannot pay fines to be imprisoned, first offence thirty days, second ditto, three months, third ditto, six months.

Prosecution to be commenced within one month after offence of concealing, &c.  
 Prosecution for running away to be commenced within three months after return.

**Clause VII.**  
 No slave shall have in his custody or carry fire arms, unless in pursuit of runaways, or under the direction of a white man, without a ticket from his owner or manager.

master, owner's or renter's service, at several times within the space of one year, amounting in all to two months, (the months to be computed at twenty-eight days each) all and every such slave or slaves shall be and are hereby adjudged and declared to be guilty of felony, and shall suffer death as felons, or such other punishment as the persons appointed to try slaves for capital offences shall think proper: Provided always, that any slave who hath been or may hereafter be a less time than one year in this Island, shall not be liable to suffer the same punishment, unless such slave shall have been withdrawn, absent or run away at one time for the space of two months, to be computed as aforesaid, or at different times within the space of one year, shall have been four months withdrawn, absent or run away as aforesaid; any thing hereafter to the contrary in anywise notwithstanding.

And whereas slaves run away and absent themselves in gangs from the service of their masters, owners, or renters, to the ruin and impoverishing of them, and to the terror and danger of the inhabitants of this Island; BE it therefore enacted by the authority aforesaid, That if any slave or slaves, being of the age of sixteen years or upwards, shall hereafter absent themselves or run away in any number or gangs amounting to ten or upwards, from any one plantation to which such slaves belong, and shall continue run away or absent from their duty as aforesaid for forty-eight hours; or if any slaves, not being under the age of sixteen years as aforesaid, shall absent or run away at different times from any one plantation, or from different plantations, and shall have been severally absent for the space of twenty-four hours or more, and shall afterwards associate together in any number or gang amounting to ten or upwards, and continue so associated for any space of time, be it ever so short, then one or more of the said slaves, such as shall appear to be the greatest offenders, shall suffer death, or such other punishment as the persons appointed to try slaves for capital offences shall think proper.

And be it further enacted by the authority aforesaid, That after any slave is or shall be run away from his or her master, owner, or renter's service, every other slave knowing of such run away, who shall entertain, harbour, receive, and conceal, or any other ways assist such slave so runaway, shall, upon conviction thereof suffer death, or such other punishment as the persons appointed to try slaves for capital offences shall think proper; and if any white or free person or persons, knowing any slave to be run away from his or her master, owner or renter, shall entertain, harbour, receive, and conceal any such slave, such person, for the first offence, shall forfeit twenty pounds current money of this Island; for the second offence, fifty pounds current money; and for the third offence, one hundred pounds like current money; and shall be liable besides to be prosecuted, and pay to the owner of such slave at and after the rate of fifteen shillings for each and every day such slave shall have been so run away, with full costs of suit; and if such white or free person or persons cannot immediately pay the fines hereby imposed for entertaining runaway slaves, he she or they shall be imprisoned in the common gaol of this Island, in lieu of fines, for the first offence thirty days, for the second offence three months, and for the third offence six months, unless the person or persons so offending shall redeem him her or themselves sooner, by paying the fines and all costs and fees due; provided that no slave shall be punished, by virtue of this clause, for harbouring, concealing or entertaining any runaway slave, unless prosecution for the same be commenced within one month after the discovery of the said offence; provided also, that no negro or other slave shall be punished by virtue of this Act, for running away or absenting himself or herself from the service of his or her owner or employer, unless prosecution for such offence be commenced within three months after his or her being taken or returned to his or her owner or employer.

And be it hereby further enacted and ordained by the authority aforesaid, That no slave within this Island shall be permitted to have in his custody or carry a musket, fusil, pistol, or any other fire arms, unless such slave be in pursuit of a runaway slave or slaves, under the order and direction of a white or free person duly authorized, or shall be attending upon his master, or the manager, or some other white person employed on the plantation to which such slave shall belong, without a ticket from the owner or the manager of such plantation, dated the very hour, as near as the same can be ascertained, that the said fire arm or fire arms is or are delivered to such slave, and the quantity of powder, ball, or shot, if any be given him therewith; which ticket shall require the return of the slave to whom it is given within six hours after the date thereof, excepting negroes watching stores and provision ground, who shall be

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be weekly furnished with a ticket from their master or manager, expressing the nature of their arms, and that they are only furnished with two rounds of powder and ball; and if any fire arm or fire arms be found with any slave after the expiration of the time limited in the ticket for his return, any free person, or any slave who is not himself a runaway, is hereby authorized to take the same away; and if the person so taking be a free person, he is hereby authorized and allowed to keep and retain the same for his use; and if a slave, then the owner of the slave, so taking, is authorized and allowed to keep and retain the same for his use; and any slave who shall run away or absent himself from the service of his owner, renter or employer, having carried off with him any piece of fire arms as aforesaid, or who having had a ticket to carry any piece of fire arms, shall absent himself for twenty-four hours after the expiration of the time therein limited for his return, such slave shall suffer death, or such other punishment as the persons appointed to try slaves for capital offences shall think proper to inflict; and any slave found with any piece of fire arms after the time limited for his return, who shall not have been absent for twenty-four hours as aforesaid, such slave shall be punished with whipping, in such manner as any one justice of the peace for the said Island shall think fit.

Any runaway carrying off fire arms,

shall suffer death;

if not absent for twenty-four hours, shall be whipt.

And be it further enacted by the authority aforesaid, That when any crime hereinbefore mentioned shall be committed, or attempted to be committed by any negro slave or slaves, the said criminal or criminals shall be apprehended and brought before any one of His Majesty's justices of the peace within this Island, who is hereby authorized to commit the said slave to the common gaol, by virtue of his warrant, directed to the provost marshal, or his lawful deputy; and the said justice, or any other justice, shall also, within the space of ten days thereafter, associate to himself one other justice of the peace, and these two shall, by their warrant or precept, summon to join them three respectable freeholders of the place nearest where the crimes were perpetrated, to whom the justices shall administer the following oath; viz.

Clause VIII.  
Any criminal slave shall be apprehended by a justice, and tried within ten days by two justices and three freeholders.

"You shall, to the best of your judgment and knowledge, impartially try the  
"prisoner or prisoners before you, and judgment give according to  
"evidence."

Oath to be administered.

And these five persons (the freeholders being sworn as above mentioned) shall constitute, and are hereby declared to be a court, with full power to hear and determine all evidences, proofs, and testimonies (the testimony of one slave against another being always to be admitted); and if by positive or circumstantial proof they shall find such negro or other slave guilty thereof, they shall give sentence of death or other punishment upon them accordingly; and in case sentence of death be passed upon any one or more prisoners, then they shall forthwith issue their warrant to the provost marshal, or his lawful deputy, to cause execution to be done on such slave or slaves, at such time as they shall appoint, not being before the fourth day after condemnation; and the said justices are hereby required to give notice of the sentence so passed, to the commander in the Island for the time being, within thirty-six hours thereafter: Provided nevertheless, that in case of the insurrection of six or more negroes, the court is hereby authorized immediately to issue a warrant, directed to the provost marshal or his lawful deputy, or in his absence, to any constable for that purpose to be appointed, for the instant execution of the judgment of the said court, who shall immediately execute the same; and in case they do not find evidence sufficient to condemn him or her to death, but to receive corporal punishment, they shall then enquire into the damages sustained, and after the same shall be ascertained, the criminal or criminals shall be delivered to the owner or owners, upon his her or their paying the amount of the damages to the party injured; but if such owner or owners refuse to pay the amount of such damages, it shall and may be lawful for the said court to adjudge the said criminal or criminals to be the property of the party or parties injured, his her or their heirs for ever: Provided always, that the said recompence shall be given in evidence upon any action that may be brought for the same matter, and shall be held as a sufficient bar thereto in any court of record in this Island.

Testimony of slave against slave to be admitted; if found guilty, shall receive sentence of death or other punishment.

Justices to give notice of the sentence to the Commander in Chief.

Proviso: In case of an insurrection, the court to issue a warrant to the provost marshal, &c. who shall execute the sentence.

If evidence not sufficient to condemn, shall receive corporal punishment.

If owner will not pay damages, criminal to be adjudged the property of the party.

And that the magistrates and freeholders of this Island may not refuse or neglect, on application made, to sit, hear or determine cases of negroes, as they are by this Act directed to do; BE it therefore enacted by the authority aforesaid, That if any justice of the peace of this Island, upon application to him made, or any freeholder after he shall be duly summoned, shall refuse or neglect immediately to take and use proper measures for the trial of any slave or slaves, and effectually to finish such trial

Clause IX.  
If any justice or freeholder shall refuse or neglect to try any slave, he shall forfeit 20*l*.

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Not reporting the sentence, shall forfeit 10*l.*

Clause X.  
If any free person shall be convicted of carrying off, or attempting to carry off any slave, shall suffer death.

Clause XI.  
If any proprietor shall bring back any slave whom he knew to be transported, such slave shall be forfeited and sold for public uses.

Purchaser to give bond to transport such slave within one month.

Clause XII.  
No slave shall carry a cutlass or offensive weapon, except upon the occasions mentioned in this clause,

without a ticket from his owner, under the penalty of being whipped.

Clause XIII.  
Any slave convicted of gaming, shall be whipped.

Clause XIV.  
All slaves found off their owners plantation without permission in writing, to be deemed runaways; any person may apprehend, and carry them to their owner.

Apprehender to receive a dollar, if absent one day; 30*s.* if absent more than two days; and 9*d.* per mile.

trial in ten days after required, for any felony or other offences herein expressed, committed by or charged upon any slave whatsoever, such justice and freeholder shall severally forfeit twenty pounds current money of this Island, to be recovered by action of debt in any of the courts of record; and one half of such penalty shall be paid to any informer who shall sue for the same; and the justices not making a report of the sentence, as above directed, shall severally forfeit ten pounds current money, to be recovered as above mentioned.

And whereas slaves are so valuable a part of the property of the inhabitants of this Island, and are so extremely necessary for the cultivation and improvement of their lands, that every attempt to steal or carry them off should be punished in the most exemplary manner; BE it and it is hereby enacted and ordained by the authority aforesaid, that any white or free person or persons, who shall be, on the oath of one or more creditable witnesses, duly convicted at a court of Oyer and Terminer, or Grand Sessions, of carrying off, or attempting to carry off from this Island any slave or slaves, without a license or permission from the owner, or persons having the care and charge of such slave or slaves, he she or they shall be and are hereby declared and adjudged to be guilty of felony, and shall suffer death without benefit of clergy.

And be it further enacted by the authority aforesaid, That upon information being given to any justice of the peace in this Island, of the return of any slave or slaves transported by authority of any court in this Island, he shall associate to himself any other justice of the peace, and they shall forthwith issue their warrant to any constable, to bring such slave or slaves, and his or their proprietor, or the person who brought such slave or slaves back, before them; and if it shall appear to the satisfaction of the said justices (who are hereby empowered to summon witnesses), that the proprietor or person who brought back the slave or slaves he she or they knew to have been transported from this Island, then the slave or slaves shall be forfeited, and the two justices are hereby required to issue this warrant to the provost marshal, or his lawful deputy, to take the said slave or slaves into custody, and him her or them, within ten days, to expose to public sale; and the money arising therefrom, after deducting charges and the usual fees, shall be paid into the public treasurer of this Island for the public uses thereof: Provided always, that the person purchasing such slave or slaves shall give bond, under penalty of fifty pounds, for each slave, to transport such slave or slaves within one calendar month from the day of sale for ever from this Island.

And be it further enacted by the authority aforesaid, That no slave whatever in this Island shall carry a cutlass, or other sharp-edged or sharp-pointed weapon, or a stick with a knot or knots, or pointed with a nail or fusil, or any other offensive weapon, except such slaves be actually in pursuit of a runaway slave or slaves, under the order and direction of a free person duly authorized for that purpose, or shall be attending upon his master or the manager, or some other white person employed upon the plantation to which such slaves shall belong, or shall be upon a message or errand, or doing the necessary business of the plantation, without a ticket from his owner, or the manager of such plantation, under the penalty of being publicly whipped, or otherwise punished, at the discretion of any one justice of the peace.

And be it enacted by the authority aforesaid, That any slave who shall be convicted of gaming, shall be publicly whipped at the discretion of any one justice of the peace.

And it is hereby enacted by the authority aforesaid, That all slaves found off, from or out of their owner's plantation, without a permission in writing from his her or their owner, renter or employer, or some white person residing on the same plantation, shall be deemed runaways, and it shall and may be lawful to and for any person or persons to apprehend or take up such slave or slaves; and the person apprehending is hereby required to conduct, or cause to be conducted, within forty-eight hours thereafter, the slave or slaves so apprehended, to his her or their owner, renters or employers, or to the plantation to which such slave or slaves belong, if such owner, renter or employer, or plantation, be known to such apprehender; and such owner, renter or employer of such slave or slaves, or the manager of the plantation to which he she or they belong, shall pay the apprehender one dollar for each slave so taken up, if such slave shall have been absent from his or her duty for two days, or a less space of time, and thirty shillings for each slave so taken up, if such slave shall have been absent more than two days; and nine-pence per mile for each slave, for every

every mile he she or they shall be so conveyed; and if such owner, renter or employer, or the plantation or plantations to which such slave or slaves belong, shall not be known, then he she or they shall be delivered to the provost marshal or his lawful deputy, who is hereby required to pay the apprehender of the said slave or slaves the reward, and the mile-money before mentioned, and the said provost marshal or his lawful deputy, to keep the said slave or slaves in safe custody, and shall advertize him her or them in the public gazette of this Island; but if no public gazette, then at Scarborough, George Town and Plymouth, in this Island, for six weeks, describing as near as may be the name, age, size, complexion or any other external mark, whereby he she or they may be more readily known, together with the country of the said slave or slaves, if the knowledge thereof can be obtained; and shall also, in a list on the door of his office, insert the names, age, size, complexion, external mark or country as above expressed; and in case the provost marshal or his lawful deputy fail in performing the several matters in this clause required, he shall forfeit and pay the sum of five pounds current money of this Island to the person injured through his neglect or refusal, to be recovered before one justice of the peace in the manner hereafter expressed; and if the said slave or slaves thus advertized are not claimed within six weeks from and after the day in which he she or they were delivered into the hands of the said provost marshal or his lawful deputy, then it shall be lawful for the said provost marshal or his lawful deputy, and he is hereby empowered and required to sell the said slave or slaves at public outcry between the hours of ten and twelve mid-day; and the money arising from such sale, after deducting the several charges, and the gaol fees, shall be deposited in the hands of the treasurer of this Island for the time being, to remain to the use of the public until the owners shall appear; and the provost marshal is hereby obliged once a year to render in an account upon oath, and pay into the said public treasurer for the time being, all monies in his hands arising from the sale of runaway negroes; and whatsoever slave or slaves take up any runaways, he she or they shall have the benefit thereof, and if any person shall deprive any such slave of any such benefit, he she or they shall forfeit treble the value.

And be it further enacted by the authority aforesaid, That no person whatsoever, except the provost marshal at the gaol of Scarborough, shall keep any runaway slave or slaves above ten days, nor shall the provost marshal or any other person whatsoever employ any of them, or suffer him her or them in custody, to want convenient food, water and lodging, on penalty of fifty pounds currency for every such offence, to be recovered by the owner; and if the provost marshal or any other person shall suffer such slave to die in his or their custody for want of food and water, or dry or convenient lodging, the provost marshal, or any other person in whose custody such slave was, shall forfeit to the owner or owners double the value of the negro so dying, for such slave or slaves, to be recovered by action of debt in any court of record within this Island; and the provost marshal is empowered, in case any slave committed to his custody should be dangerously ill, to call in a surgeon to the assistance of the slave, whose bill the owner is to pay if claimed, or the provost marshal to deduct out of the value if sold, and the provost marshal may require of the person claiming such slave to make oath to the property of such slave, or to give sufficient security for the value of such slave, that he or she is the property of the person for whom he or she is claimed; and it shall be lawful for the marshal to detain and keep in custody the body of such runaways so brought unto him, until the owners of them or their assigns shall pay unto him what he so paid to them who took them up, with two shillings and sixpence per pound for laying out the money, and so proportionally for a greater or lesser sum, and also one shilling and six-pence for every four-and-twenty hours the said slave or slaves hath been in custody; and if the said provost marshal shall willingly or negligently suffer any slave or slaves to escape, or by any ways or means through his negligence, or the neglect of any person or persons employed by him, to be out of his custody before he she or they shall be duly delivered to the owner, his her or their assigns, then the marshal shall forfeit to the owner the value of every slave so escaping, employed, or being out of their custody as aforesaid, to be recovered as aforesaid: Provided always, that when such negro is taken, he or she shall be returned to his or her owner, who shall return the value paid him by the marshal as aforesaid; and if the provost marshal or his deputy, or any other person under them on their behalf, shall at any time presume to dispose of any slave or slaves, not having been six weeks in his or their custody, or in any other place, manner or times than by public outcry, between the hours of ten and twelve mid-day,

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If owner not known, to be delivered to the provost marshal, who shall advertize them in the gazette.

If no gazette, then at Scarborough, George Town and Plymouth, for six weeks.

If provost marshal fail so to do, shall forfeit 5 l.

If slave so advertized, not claimed within six weeks, to be sold by outcry, and after deducting charges price to be deposited in the hands of the treasurer of the Island, to the use of the public until the owner shall appear. provost marshal to render an account upon oath.

Any slave taking up a runaway shall have the benefit of it; any person depriving a slave of such benefit to forfeit treble the value.

## Clause XV.

No person, except provost marshal, shall keep runaways above ten days; nor shall he or any other person employ them, nor suffer those in custody to want proper food, &c. under the penalty of 50 l.

And if any of them shall die for want of food, &c. the provost marshal to forfeit double the value to the owner.

A surgeon to be called to the slave dangerously ill, to be paid by the owner.

Persons claiming slaves to swear to the property.

Marshal to keep runaways till paid for taking them up, with 2 s. 6 d. per pound for laying out the money, and 1 s. 6 d. for every twenty-four hours the slave hath been in custody.

Marshal to forfeit to the owner the value of the slaves allowed to escape.

Marshal disposing slaves not having been six weeks in custody, to forfeit the value.

Slaves to be sold by public outcry at



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Scarborough between the hours of ten and twelve.

**Clause XVI.**

Any person may destroy plantations deserted for six months.

at the town of Scarborough, he shall forfeit the value of the negro sold, to be recovered as aforesaid: Provided always, any actions, as directed in this clause, be brought within twelve months after the offence committed.

And be it further enacted by the authority aforesaid, That it shall and may be lawful for any person to destroy any plantation deserted for the space of six months, lest it become a receptacle for fugitives, and the justices in sessions, upon complaint made, whereby it shall appear to them that any such deserted plantation doth remain undestroyed, to the encouragement and maintenance of runaway slaves, are hereby empowered to issue out their warrant to the commissioners of the highways in that parish, for the destroying the provisions on the said plantation, who are hereby required and empowered to cause the same to be done, upon the same account and in the same manner as if it were upon the repairing the highways, which shall be allowed in the way-warden's account of labour expended on the public roads.

**Clause XVII.**

Owners of plantations to have one acre of ground in provisions for every five slaves, under the penalty of 10*l.* for every acre wanting.

Justices at the quarter sessions in January and July to direct two freeholders to inspect the provision ground, and to inspect upon oath the sufficiency or insufficiency thereof.

The justices, upon report of the ground being insufficient, to issue a precept to a constable to summon the proprietor to appear at the next quarter sessions, to shew cause why the penalty of 10*l.* should not be levied; and failing to appear, or appearing not shewing sufficient cause of excuse, the penalty to be adjudged to the treasurer for the public uses of the Island, to be levied on the goods of such proprietor.

Proprietors of plantations not cleared for two years, neglecting to feed their negroes properly, to forfeit 10*s.* for every slave on the plantation, to the use of His Majesty.

And that slaves may have no pretence for absenting themselves from the service of their owners or renters, from the scarcity of provisions in the respective plantations, be it and it is hereby enacted and ordained by the authority aforesaid, That all masters and owners of plantations which are already settled, or which shall be hereafter settled, or whereof any part has been or shall hereafter be cleared for two years, are hereby required to have at all times one acre of ground well planted with provisions, for every five slaves he she or they have in his her or their plantations, under the penalty of ten pounds for every acre wanting; and the justices of the peace in their quarter sessions, held respectively in the months of January and July, shall issue their order, directed to two of the inhabitants, being freeholders, in each and every parish, to inspect the provision ground of the plantations in the parish, and to report upon oath their opinion of the sufficiency or insufficiency of the ground, or other provisions of the said plantations, for the support and maintenance of the slaves belonging thereto; and the several persons to whom the said order shall be directed, are hereby authorized and required to enter upon the said plantations respectively, and to examine the said provision ground and the other provisions on the said plantations, within forty days, and to make a return upon oath, on the said order, to any neighbouring justice of the peace, with their opinion of the sufficiency or insufficiency of the said ground, and other provisions, for the support and maintenance of the slaves belonging to each plantation respectively; and if it shall, upon such return, appear to the justices that such ground or other provisions are insufficient for the support and maintenance of the slaves belonging to any settled plantation, or to any plantations whereof any part shall have been cleared for two years, then the said justice to whom the said return shall be made, shall immediately issue a precept under his hand and seal, directed to any constable of this Island, requiring him to summon the proprietor or renter of such plantation, or their or either of their attornies; if none such on the Island, then the manager to appear at the next court of quarter sessions to shew cause why the said penalty of ten pounds should not be levied; and if such proprietor, renter, attorney, or manager, upon being duly summoned ten days before the meeting of the sessions, do not appear, or appearing do not show sufficient cause of excuse, the justices in sessions are hereby empowered to adjudge the owner or renter of such plantation to pay the penalty aforesaid to the treasurer, for the public uses of the Island; and by warrant, in the nature of an execution, under the hand of the chairman, directed to the provost marshal or his lawful deputy, to cause the same to be forthwith levied on the goods and chattels or slaves of such proprietor or renter; and in case any owner or renter of a plantation whereof no part shall have been cleared for the space of two years, shall fail to feed, maintain, and support his her or their negroes properly, then such justice shall issue his warrant, directed to any constable, to summon the owner, renter or manager, overseer, book-keeper or other free servant employed thereon, or as many of them as may be necessary, before the next quarter sessions, to be held respectively in the months of April or October following, and the said justices, in their quarter sessions, shall on oath examine them how the slaves have been fed; and if it shall appear to the said justices that the slaves have not been properly fed and maintained, owing to the default or neglect of the proprietor or renter, such owner or renter shall forfeit ten shillings currency for each and every slave on the plantation of such owner or renter, to the use of His Majesty, to be paid into the hands of the treasurer for the public uses of the Island, to be levied in manner aforesaid.

And be it further enacted by the authority aforesaid, That all slaves shall have good and sufficient clothing once in every year, or on or before the twenty-fifth day of December, under the penalty of thirty shillings for every slave really wanting clothes, to be recovered before any justice of the peace, upon the evidence of any white person, one half to the informer, and the other half to purchase clothes for the slave so wanting.

And be it further enacted by the authority aforesaid, That if any person shall willingly or wickedly kill a negro or slave, he she or they so offending, being thereof convicted by verdict or confession, shall be adjudged guilty of murder, and the offender suffer death for the said crime, according to the laws of England, forfeiture of lands and tenements, goods and chattels only excepted; and in case any slave or slaves shall be thought by his her or their master or mistress, owner or renter, or by the chief manager, or other person having the care and direction of any slave or slaves deserving punishment, it shall be lawful to chain such slave or slaves, and punish him her or them by a moderate whipping of, or some other moderate correction suitable to the fault; but it shall not be lawful for any person or persons whatsoever to torture or mutilate slaves, or punish them with cruelty; and every person offending herein may be punished with fine and imprisonment in any court of oyer and terminer, or other court of criminal jurisdiction in this Island: Provided nevertheless, that if any person shall kill a slave stealing or running away, that shall by night be found out of his owner's ground, road or path, and refuse to submit, such person shall not be liable to any damage, prosecution or action for the same, any law custom or usage to the contrary notwithstanding.

And be it further enacted by the authority aforesaid, That when any slave shall be put to death for running away, or for any other felony whatsoever, the person or persons owning and entitled to such slave, shall receive out of the public treasury of this Island the value of such slave so put to death, to be settled upon oath by the freeholders who shall have sat upon his or her trial, to be sworn before some justice of the peace of this Island; and such oath and value to be certified by the justice of peace before whom taken, under his hand and seal, so as the same doth not exceed fifty pounds current money of this Island.

And be it and it is hereby enacted by the authority aforesaid, That where one slave shall murder another, the price paid by the public on executing the murderer shall be equally divided between the owner of the offender and the owner of the slave slain, any thing herein to the contrary hereof notwithstanding.

And be it further enacted by the authority aforesaid, That for all capital offences whatsoever committed by slaves after the passing of this Act, it shall and may be lawful for the justices and freeholders, before whom such negro or other slave shall be tried, to adjudge such and so many of the said slaves that shall be convicted before them to death, as the said justices and freeholders shall think proper for the public safety, or to order such negro or other slaves as they shall think proper to be transported at the expense of the owner or owners of such slave or slaves, or inflict such other punishment as they in their discretion shall think fit; and that when only one, or less than the whole of the criminals, shall suffer death, as exemplary to others, the rest shall be returned to the owner or owners, after having received such corporal punishment as the said justices and freeholders shall think fit to inflict; which owner or owners of the slave or slaves so delivered back shall bear proportionably the loss of the slave or slaves so put to death; and the owner of the slave or slaves so put to death, with the owner or owners of the slave or slaves not executed, shall pay proportionably the damage done by the said criminals to the party or parties injured as shall be allowed them by the justices and freeholders as aforesaid, not exceeding the value of the slave executed.

And be it further enacted by the authority aforesaid, That if any slave shall commit felony, (running away excepted) and the same be made known to the master, mistress, owner or renter of such slave, and such master, mistress, owner or renter of such slave being on this Island, shall conceal such crime, and shall neglect to prosecute such slave for the space of six weeks next after the crime shall be made known to him her or them as aforesaid, and the slave being in his master's, mistress's, owner's or renter's service, custody or power as aforesaid, after such crimes committed, that then and in such case, if any other

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Clause XVIII.  
Slaves to have clothing once a year, under the penalty of 30s. for every slave unclothed.

Clause XIX.  
Persons wickedly killing negroes to be adjudged guilty of murder, and suffer death according to the laws of England, forfeiture of lands and chattels only excepted.

Slaves deserving punishment may be chained and moderately whipped; but not to be tortured, mutilated, or punished with cruelty.  
Persons killing slaves stealing or running away, and by night, out of their owners ground, and refusing to submit, shall not be liable to fine or persecution.

Clause XX.  
Slaves killed running away, &c. to be paid for out of the public treasury

Clause XXI.  
One slave killing another, the price paid by the public on executing the murderer, to be equally divided between the owners of the murderer and murdered.

Clause XXII.  
Slaves committing capital offences, shall suffer death, or such other punishment as the justices and freeholders shall think fit.

When only one, or less than the whole of the criminals shall suffer death, the rest to be returned to the owners, after receiving corporal punishment; the owners of the slaves so returned, shall bear a proportional share of the loss of the slaves put to death; and the owners of those put to death and returned, to pay proportionably the damage done by the criminals, not exceeding the value of the slaves executed.

Clause XXIII.  
Owners concealing negroes guilty of felony, (running away excepted) and neglecting to prosecute for six weeks after notice of the crime, shall be debarred from receiving any consideration for the slave so convicted; and the price

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allowed by the public shall be paid to the informer.

person or persons shall prosecute such slave, and the slave be thereof lawfully convicted, the owner or renter of such slave shall be, and is and are hereby debarred from having or receiving from the public treasury of this Island any sum or sums of money or other consideration for the slave so convicted; and the price, which should otherwise be paid for such negroes by the public, shall be paid to the informer out of the public treasury; any former law or any thing herein contained to the contrary notwithstanding; provided such information and prosecution be given and begin within thirty days after the said six weeks.

**Clause XXIV.**  
Any person sending off the Island any slave belonging to him who hath killed another slave, shall pay the price of the slave killed.

And be it further enacted by the authority aforesaid, That if any person or persons shall hereafter send off, or cause to be sent off this Island, any negro or other slave belonging to him her or them, who hath killed or shall kill another negro or negroes, slave or slaves, he she or they shall pay unto the owner of such slave so killed as aforesaid, the value of the slave so killed, to be recovered by the owner of the slave killed, from the person sending the murderer off the Island, in any court of record in this Island.

**Clause XXV.**  
Any free person who shall sell, or give to a slave fire arms, to forfeit a sum not exceeding 50 l. for each offence; and refusing to pay, to be levied on his goods.

And be it and it is hereby enacted and ordained by the authority aforesaid, That any free person whatsoever, who shall hereafter sell, barter or give to a slave any fire-arm, cutlass, or other offensive weapon, he she or they shall forfeit a sum not exceeding fifty pounds for each offence, to be recovered before any two justices of the peace, which justices are hereby authorized to hear and examine into the merits of the same, and upon neglect or refusal to pay the said forfeiture, they are hereby required and directed to issue their warrants under their hands and seals, in nature of an execution, directed to the provost marshal of the said Island, to levy the same on the goods and chattels of the offender; and the goods and chattels so levied upon, the provost marshal is hereby authorized and required to sell at public outcry, between the hours of ten and twelve mid-day, first giving ten days notice in the most public manner, if the said forfeiture, with the charges of levying, and the expenses of removing and maintaining the said chattels (if living creatures) be not paid at or before the time appointed for sale; and it shall and may be lawful for the provost marshal to retain to his own use, out of the monies arising from such sale, at and after the rate of five pounds for one hundred pounds upon the amount of the forfeiture incurred, and also all such reasonable expenses as he may have been at or paid for removing the goods and maintaining the chattels, if any of them be living creatures; and after deducting the said forfeitures and the charges aforesaid, the overplus, if any, shall be returned to the defendant; and the said provost marshal is further required to levy, as nearly as possible, on good and chattels sufficient to satisfy the forfeitures and charges, and no more; and if the party offending shall not have goods and chattels sufficient to satisfy the same, then the provost marshal is required to attach the body of the said offender, and him in the common gaol, or other public place of confinement, in safe custody to keep, until he shall satisfy and pay the same.

The goods so to be levied on to be sold by outcry.

Marshal to retain five per cent. on the monies forfeited with all expenses.

And for want of distress, the body of the party offending to be attached, and committed to gaol till the same shall be paid.

**Clause XXVI.**

And whereas great abuses, and dangerous riots and disturbances, have resulted in other islands and countries, from the practice of selling spirituous and other liquors to slaves, to the great injury of their healths, and the utter destruction of all order and discipline among them; for the remedy whereof and the prevention of the same, BE it and it is hereby further enacted and ordained by the authority aforesaid, That if any free person whatsoever shall sell, give or barter rum, or any other spirituous or fermented liquors, to or with any slave, without a permission in writing from the owner or employer of such slave, he or she shall forfeit a sum not less than ten nor exceeding fifty pounds current money of this Island, to be recovered before any one justice of the peace, on conviction thereof by any one sufficient evidence, one half to the use of the informer, and the other half to be paid into the public treasury of this Island for the public uses thereof.

Any free person selling spirituous liquors to any slave, without permission of the owner, to forfeit a sum not less than 10 l. nor exceeding 50 l. one half to the informer, and the other to the public uses of the Island.

**Clause XXVII.**  
Proprietors permitting slaves to beat drums, or assemble for bad purposes, to forfeit 10 l.

And whereas great mischief may arise from a number of negroes belonging to different plantations assembling together, BE it and it is hereby further enacted and ordained by the authority aforesaid, That if any owner or renter, manager or overseer, or other white person having the charge and direction of a plantation in this Island, shall permit any slave or slaves belonging thereto to beat any drum or drums, empty casks or boxes, or great gourds, or to blow horns, shells, or other loud instruments upon such plantations, or allow slaves belonging to other persons or plantations to assemble and mix with their own, for that or any other bad purpose, such person shall forfeit the sum of ten pounds, to be recovered before any one justice of the peace.

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And be it and it is hereby enacted by the authority aforesaid, That all owners, renters, or employers of slaves, or managers, or overseers, or other persons having the charge and direction of any plantation or slaves in this Island, shall, some time in the first week in the months of January, April, July and October, in each and every year, give in upon oath to some justice of the peace of the parish he or she lives in (which oath such justice is hereby empowered and required to administer without fee or reward,) a list of their runaway slaves, mentioning their names, sizes, ages, and describing them by such external marks as they shall be acquainted with, and the time or times when such slaves absented themselves, under the penalty and forfeiture of five pounds for each neglect so to do, which forfeiture shall be recovered before any one justice of the peace for this Island, and the payment thereof enforced in the manner hereinbefore directed; and the justices are hereby required to return such lists within fourteen days into the register's office, and the register is required to enter the same in a book to be by him kept for that purpose only; and that for his trouble he shall be entitled to receive nine-pence per head for each runaway negro so entered, out of the public treasury of this Island, to be paid at each time the said lists shall be returned into the office.

to 9 d. per head for each runaway negro so entered, to be paid out

And be it further enacted by the authority aforesaid, That no person whatsoever shall permit or give leave to any slave or slaves of their own or under their care, to hire out themselves; or if any person whatsoever shall hire any slave or slaves in any other way than of their masters, mistresses, or other persons empowered to let the said slave or slaves to hire, or permit them to travel about the country; or if any owner or owners shall contract with his her or their slave or slaves, for any sum of money, or other consideration whatever, to give liberty to the said slave or slaves to employ themselves as they shall think fit, paying such sum of money, or other consideration, he she or they shall forfeit the sum of ten pounds.

And whereas divers mulattoes, Indians; and negroes, have of late been frequently employed in hawking and selling from place to place all manner of goods, wares, and merchandizes, which are commonly used and sold in this Island, which practice tends to the manifest prejudice of trade, and to many other dangerous consequences; BE it therefore enacted by the authority aforesaid, That no mulatto, Indian, or negro whatsoever, shall hawk or carry about to sell from place to place, or shall sell in any open street or market any sort or sorts of goods, wares, or merchandizes, or any sort of produce, such as rum, sugar, cotton, ginger, coffee, cocoa, or any other product whatsoever, on penalty of forfeiture of all and every such goods, wares, and merchandizes, or produce as shall be so hawked or carried, or exposed to be sold or disposed of, and the further pain of such corporal punishment as any magistrate in his discretion shall think fit to appoint: Provided always, that nothing herein contained shall extend to or be deemed or taken to extend to prevent the carrying about, selling, and disposing of all and all manner of provisions, fruits, fresh fish, milk, poultry, and other small stock of all kinds, but that the same may be carried about, sold, and disposed of as formerly, provided the slave or slaves hath or have a ticket from their master, owner, or overseer, to authorize the same.

And be it further enacted by the authority aforesaid, That it shall and may be lawful for the justice or justices, and freeholders aforesaid, in the several clauses in this Act mentioned, to do their several and respective duties, when martial law shall happen to be in force, any law custom or usage to the contrary notwithstanding.

And be it and it is hereby further enacted by the authority aforesaid, That the justices of this Island, at their sessions in October in every year, shall limit and appoint the number of holidays that shall be given to slaves at Christmas.

the number of holidays to be given to

And be it enacted by the authority aforesaid, That if any provost marshal or his lawful deputy, or any constable shall refuse or neglect to do their respective duties pursuant to this Act, he or they shall each forfeit twenty pounds current money of this Island, for each offence, to His Majesty, his heirs and successors, for the public uses of this Island.

And be it further enacted by the authority aforesaid, That all penalties mentioned in this Act, and not declared where they shall be recovered or how disposed of, not exceeding ten pounds, shall be recovered by warrant from any justice of the peace; and all penalties exceeding ten pounds shall be recovered by action of debt, bill, plaint,

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Clause XXVIII. Proprietors in the first week of January, April, July, and October, in every year, to give in upon oath a list of the names and descriptions of their runaway slaves, under the penalty of 5 l. for each neglect.

The justice to return such lists within fourteen days to the register's office, to be entered in a book to be kept for that purpose, by the register, who shall be entitled of the public treasury;

Clause XXIX. No person to permit slaves to hire out themselves, nor shall hire any slaves but from their masters, under the penalty of 10 l.

Clause XXX. Mulattoes hawking any goods, shall forfeit them, and be further punished as the magistrate shall think fit.

Proviso, that the same shall not prohibit the selling of provisions, &c.

Clause XXXI. Justices to do their duty when martial law shall be in force.

Clause XXXII. Justices at their sessions in October in every year, to limit the number of holidays to be given to slaves at Christmas.

Clause XXXIII. The provost marshal, his deputy, or constables, refusing to do their duty, to forfeit 20 l. for each offence.

Clause XXXIV. Penalties how to be applied.

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plaint, or information, in any court of record within this Island; one moiety or half part of all such forfeitures shall be to our Sovereign Lord the King, his heirs and successors, for and towards the public uses of this Island, and the contingent charges thereof, and the other moiety or half part to the informer, or him or them that shall sue for the same.

**Clause XXXV.**  
Limitation of actions.

And it is hereby further enacted by the authority aforesaid, That all actions or prosecutions for the recovery of fines, forfeitures, or penalties incurred by virtue of this Act, be brought within twelve months after the cause of action or prosecution shall arise.

**Clause XXXVI.**

And it is hereby further enacted and ordained by the authority aforesaid, That in every action, suit, indictment, information, or prosecution, wherein any person shall be sued or prosecuted for doing any thing by virtue of this Act, the person or persons so sued or prosecuted may plead the general issue, and give this Act in evidence in any court within this Island; and if there be a verdict for such party prosecuted, the prosecutor shall pay treble costs; and this Act shall be deemed a public Act; and all judges, justices, and juries, are hereby required to take notice thereof accordingly.

**General issue.**

**Clause XXXVII.**  
An Act of the 3 Geo. III. for the good government of slaves, &c. repealed.

And be it further enacted by the authority aforesaid, That an Act of this Island, made and passed in the eighth year of His Majesty's reign, intituled, "An Act for the good order and government of Slaves, and for keeping them under proper restraint, for establishing the method of Trial in capital Cases, and other Regulations for the greater security of that part of the Inhabitants Property," be and it is hereby repealed.

**Clause XXXVIII.**  
Not to be in force till His Majesty's pleasure is signified.

And be it enacted by the authority aforesaid, That this Act, or any thing herein contained, shall not be in force or effect until His Majesty shall have signified his pleasure concerning the same.

An ACT for establishing Regulations respecting Slaves arriving in this Island, or resident therein, except such as are imported direct from the Coast of Africa. [Passed 31st May 1794; revived 12th October 1799.]

**Preamble.**

WHEREAS for several years past a spirit of anarchy and insubordination, and a desire to subvert all order and good government, have existed in the French colonies, and spread their baneful influence among the slaves, and given them ideas of equality and liberty totally subversive of all good government: And whereas it is expedient and necessary, for the safety and tranquillity of this His Majesty's Island of Tobago, that means should be adopted for preventing such destructive principles from being introduced among our slaves, either from those Islands, or from such other parts where the same may have extended, and to correct and remedy the same, if already introduced here; BE it therefore enacted by His Majesty's most loyal subjects, the governor in chief, the council, and general assembly of this His Majesty's Island of Tobago, and it is hereby enacted by the authority aforesaid, That after the publication of this Act, and during the continuance of the same, the master of every ship or vessel which may arrive in any port or place in this Island shall, immediately on his arrival, declare in writing to the collector or comptroller, or other chief officers of the customs for this Island, whether there are to the best of his knowledge any slave or slaves on board his said vessel, and also specify the place he or they came from, his her or their destination, and such other circumstances respecting them as may be within his knowledge.

**Clause I.**

Every master of a vessel to declare at the custom house on his arrival, the number and particular description of any slaves he may have on board.

**Clause II.**

Under penalty of 33*l*.

And be it further enacted and ordained by the authority aforesaid, That the master or commander of every ship or vessel, so arriving as aforesaid, who shall neglect or refuse to make such declaration as aforesaid, shall for every such offence forfeit and pay the sum of thirty-three pounds current money for each and every such slave who shall have been on board at the arrival of such ship or vessel as aforesaid, whom he shall have wilfully neglected or refused to declare as aforesaid, one moiety whereof shall be to the informer, and the other moiety for the public use of the Island; the above penalty to be recovered before any one or more justice or justices of the peace acting in this Island, by the confession of the party, or on the oath of one or more credible witness or witnesses; and in case such master or commander

commander as aforesaid shall neglect or refuse forthwith to pay such penalty as he shall be adjudged to pay in the manner aforesaid, that it shall and may be lawful for the collector or comptroller, or other chief officer of the customs, to detain such ship or vessel as aforesaid, until the same be so paid.

And be it further enacted by the authority aforesaid, That no permit shall be granted by the collector or comptroller, or other principal officer of His Majesty's customs, to land any such slaves as aforesaid, without permission in writing being first had and obtained from his excellency the governor or commander in chief for the time being, who, on report to him being made of such slave or slaves being imported, is hereby authorized and required to order the master or commander, the officers or mariners of the vessel importing such slave or slaves, and the slaves themselves, if necessary, to appear before him; as also all or every person to whom the said slave or slaves shall or may be consigned, or who may have any interest therein, and shall then require them to answer on oath all such questions as he may choose to put to them, respecting the slave or slaves so imported as aforesaid, in order to obtain a full and distinct knowledge of the principles and morals of the said slave or slaves, the reason why they were imported, and every such matter or thing as may enable him to judge whether they may be permitted to be landed for the purpose of being sold, without prejudice to the tranquillity or safety of the colony, or danger to the morals or principles of the slaves residing in it; and after due examination so taken by his excellency the governor or commander in chief as aforesaid, he shall certify under his hand and seal, to the master or commander of such ship or vessel importing such slave or slaves as aforesaid, whether the whole, or any number of the said slave or slaves may be landed; which certificate shall contain a particular denomination of the names, sex and description of such slaves so to be landed; and shall forthwith be lodged with the collector or comptroller of His Majesty's customs, and is and shall be to them a sufficient authority for granting permission to land the slave or slaves so enumerated and described in the said certificate.

Clause III.  
Such slaves not to be landed without permission in writing from the governor or commander in chief.

And be it further enacted by the authority aforesaid, That if any slave or slaves, not direct from the coast of Africa, shall be landed in this Island, after the publication of this Act, and during the continuance of the same, without a permission in writing, signed by the collector or comptroller, or other principal officer of His Majesty's customs, conformable to the certificate of his excellency the governor or commander in chief for the time being, lodged with them, any such slave or slaves so landed are hereby declared to be forfeited.

Clause IV.  
Slaves landed without permission, to be forfeited.

And be it hereby enacted by the authority aforesaid, That it is lawful for any free person to give information against such slave or slaves so landed as aforesaid, to any justice of the peace; and the justice of the peace to whom such information is given, is hereby authorized and required to issue his warrant to a constable, to bring the said slave or slaves before him; and if on examination he finds the information to be true, he is then to commit him or them to the custody of the provost marshal, who is hereby authorized and required to sell the said slave or slaves by public outcry, in the town of Scarborough, within ten days, subject to a bond with two good and sufficient securities, to oblige the purchaser or purchasers to return the said slave to the place from which he last came, under the penalty of fifty pounds current money; and any person or persons who shall give information to any of His Majesty's justices of the peace, of any such slave or slaves so landed without permission as aforesaid, and which shall, in consequence of such information, be committed to the custody of the provost marshal for the purposes above mentioned, he she or they are hereby entitled to and shall receive the sum of twenty-five pounds for every such slave or slaves, to be paid by the treasurer of this Island, on receipt of a warrant under the hand and seal of the governor or commander in chief for the time being, and which warrant the said governor or commander in chief is hereby authorized and required to issue, on receiving a certificate of such information and commitment from the justice or justices of the peace to whom the information was given.

Clause V.  
Slaves landed without permission, how to be taken up and sold by the provost marshal.

And be it hereby further enacted by the authority aforesaid, That in case any slave or slaves, now in this Island, whether imported direct from the coast of Africa, or from any other place, shall by words, actions, or otherwise howsoever, endeavour to excite sedition, promote conspiracies, or spread a spirit of revolt, mutiny, or disobedience, either against their respective owners, or the government, magistrates, or white inhabitants of

Clause VI.  
Slaves resident now in the Island shewing any spirit for promoting seditious principles, how to be tried and disposed of.

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of this Island, it shall and may be lawful to hold the same court for trials as provided by the Slave Act; and in case such slave or slaves shall be convicted thereof, then, in addition to such punishment as may be provided by the laws for such crimes (if such punishment shall not extend to death,) the members of the said court shall order such slave or slaves to remain in the custody of the provost marshal or his lawful deputy, and shall certify their proceedings to the governor or commander in chief for the time being, within five days of the time of their last sitting; and it shall and may be lawful to and for such governor or commander in chief for the time being, to issue his warrant to the provost marshal or his lawful deputy, to sell such slave or slaves by public outcry, in manner hereinbefore mentioned, but subject to a bond from the purchaser or purchasers, to transport such slave or slaves to the place from whence they last came, or to such place, or one of such places as the said governor or commander in chief for the time being shall, by warrant under his hand and seal (and which he is hereby authorized to issue), direct and appoint; and the said provost marshal shall within ten days after the receipt of such warrant, proceed to execute the same, and forthwith certify to the governor or commander in chief for the time being, the manner of his executing the same; and the said provost marshal or his deputy shall be entitled to retain out of the purchase money of any slave or slaves sold by virtue of this Act, at the rate of five pounds for every hundred pounds of the produce of such sale, and pay the remainder into the hands of the treasurer, for the public uses of this Island.

Clause VII.  
Slaves convicted on  
information of their  
masters to be ap-  
praised,

And be it further enacted by the authority aforesaid, That in case any slave or slaves shall be convicted and sold in the manner mentioned in the last clause, upon the information of the master or owner of such slave or slaves, or of his or their attorney, manager, overseer, book-keeper or other white person acting in their behalf, or being in their actual service, and the same be certified by the Court to the governor and by him to the provost marshal, that then, previously to any sale of such slave or slaves, the same shall be valued by two indifferent persons to be appointed by the said provost marshal, who in case of disagreement are hereby authorized to call in a third and be guided by his decision; and the said valuation shall be certified by the provost marshal to the governor or commander in chief for the time being, in his certificate of the sale of such slave or slaves, and the governor or commander in chief for the time being shall issue a warrant under his hand and seal to the public treasurer, for the payment of the whole amount of such valuation to such master or mistress or owner, in addition to the reward hereinbefore made payable as he she or they shall be entitled thereto; but in case the information on which such slave or slaves shall be convicted as aforesaid, shall be given by any person or persons other than the master, mistress or owner of such slave or slaves, or his her or their attorney, manager, overseer, book-keeper, or some person acting in his her or their behalf, or in his her or their actual service, then the governor or commander in chief for the time being shall issue his warrant to the public treasurer, for the payment of no other or further sums than the actual money received by the sale of such slave or slaves, after deducting thereout the sum hereinbefore directed to be paid to the provost marshal for his trouble, and also deducting the reward payable to the person giving such information as aforesaid, and all other expenses attending such sale; which sum shall be accepted and taken by such master, mistress or owner, in full compensation for the value of the slave or slaves to be sold in manner hereinbefore directed; and in case no person shall offer himself a bidder for the slave or slaves by this Act directed to be exposed to sale, then the provost marshal shall keep such slave or slaves in confinement, and certify the same to the governor or commander in chief for the time being, who shall, by and with the advice of His Majesty's council of this Island, take such steps and give such directions therein as shall appear most beneficial to this colony, and be agreeable to justice, equity and humanity.

and the value paid to  
their masters.

Clause VIII.  
This Act to con-  
tinue in force three  
years.

And be it further enacted by the authority aforesaid, That this Act shall continue and be in force for three years from the publication thereof, and until the next meeting of the legislature after the expiration of the said three years.

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An ACT to prevent more effectually Slaves absenting themselves from the service of their Masters, Owners or Renters. [6th November 1807.]

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WHEREAS it has of late been the practice of the negroes upon some estates in this Island, to absent themselves in gangs from the service of their masters, owners or renters, to the evil example of others and the terror and danger of the inhabitants of this Island; BE it therefore enacted by His Majesty's most dutiful and loyal subjects, the captain general and governor in chief of His Majesty's Island of Tobago, and the council and general assembly of the same, and it is hereby enacted by the authority of the same, That from and after the publication of this Act, if any slave or slaves shall absent themselves without tickets, or run away in any number or gang, amounting to two or more, from any plantation to which such slaves belong, or if not belonging to a plantation, shall absent themselves without tickets, or run away from their masters, owners or renters, in gangs amounting to two or more, for any space of time whatever, one or more of the said slaves, such as shall appear to be ringleaders and the greatest offenders, shall suffer death, or such other punishment as the persons appointed to try slaves under and by virtue of an Act intituled, "An Act for the good order and government of Slaves; and for repealing an Act of this Island, intituled, "An Act for the good order and government of Slaves, and for keeping them under proper restraint, for establishing the method of trial in capital cases, and other regulations for the greater security of that part of the inhabitants property," shall direct; and the remainder of such slaves shall suffer such whipping or other punishment as such persons shall think proper to order.

And be it further enacted by the authority aforesaid, That any slave or slaves offending against this Act, shall be subject and liable to be apprehended and tried in the same manner, and in the same court of justices and freeholders, as slaves are made subject and liable to be apprehended and tried, under and by virtue of the above recited Act.

And be it and it is hereby enacted by the authority aforesaid, That there shall be paid to the provost marshal or his lawful deputy, four shillings and sixpence currency, for each, and no more, for receiving into, and letting out of gaol, any slave or slaves committed by virtue of this Act.

*Alexander Buchanan*, Speaker.

Passed the House of Assembly this twenty-eighth day of October one thousand eight hundred and seven.

*Neil Stewart*, Clerk of the Assembly.

Passed the Council, this fourth day of November one thousand eight hundred and seven.

*S. Hall*, Clerk of the Council.

Assented to, November the sixth, one thousand eight hundred and seven.

*W. Young*, Governor.

Proclaimed, this ninth day of November one thousand eight hundred and seven.

*W. Smith*, Dep. Pro. Marshal.

An ACT to amend an Act, intituled, "An Act to prevent the clandestine departure of Persons from the Island."—[29th April 1814.]

WHEREAS great inconvenience has arisen from persons underwriting others whose names are set up in the secretary's office previously to their leaving the Island, by virtue of an Act, intituled, "An Act to prevent the clandestine departure of Persons from the Island;" for remedy whereof, BE it and it is hereby enacted and ordained by His Majesty's most loyal and dutiful subjects, his excellency Sir William Young, baronet, captain general and governor in chief in and over His Majesty's Island of Tobago, the council and general assembly of the said Island, and it is hereby enacted by the authority aforesaid, That every person underwriting another whose name is set up in the secretary's office, shall, previously to underwriting, make a positive affidavit of the debt due to him by the person he is about to underwrite,



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write, before one of the justices of the court of Common Pleas, and lodge the same in the secretary's office: and without such affidavit, no underwriting shall prevent the secretary from issuing a ticket to a person setting up his name, as is directed by the said recited Act; any thing in the said Act to the contrary notwithstanding.

And be it enacted by the authority aforesaid, That the secretary of the Island shall publish in the gazette of this Island every week, the names of persons putting up their names to depart the Island; and also shall publish the date of his issuing tickets, whether taken out by complying with the setting up of the name for fourteen days, or upon giving security: Provided always, that it shall not be necessary to publish any name more than once; and the secretary shall be at liberty to charge therefor the sum of one shilling and sixpence currency; and in case of neglect, the secretary shall be liable to an action of damages at the suit of any person proving himself or herself endamaged by such neglect.

*James M. Collier*, Speaker.

Passed the House of Assembly, this twenty-ninth day of April one thousand eight hundred and fourteen.

*James Willcock*, Clerk of General Assembly.  
*John Balfour*, President.

Passed the Council, the twenty-ninth day of April one thousand eight hundred and fourteen.

*Samuel Hall*, Clerk of Council.

Tobago, Council chamber, April twenty-ninth, one thousand eight hundred and fourteen.

Assent given, *W. Young*, Governor.

Tobago, 30th April one thousand eight hundred and fourteen; and duly published this thirtieth April one thousand eight hundred and fourteen.

*Gideon Gilman*, D. P. Marshal.

An ACT to compel persons manumitting Slaves in this Island, to provide for their support, and to restrict Manumission of Slaves belonging to other Islands.  
[19 October 1814.]

## Preamble.

WHEREAS many slaves have been manumitted by their owners, without any provision being made for their support, by reason whereof they have become subject to want, and burthensome to the public; and slaves belonging to other Islands have been manumitted here, in abuse of the regulations existing in such Islands; for remedy thereof, BE it and it is hereby enacted and ordained by His Majesty's most dutiful and loyal subjects, his excellency Sir William Young, baronet, captain general and governor in chief in and over the Island of Tobago and its dependencies, the council and general assembly of the same, That from and after the publication of this Act, no manumission whatever shall be deemed valid for the purpose of manumitting any slave whatever, and entitling him or her to the privileges of free subjects, unless the public treasurer's receipt be indorsed upon such manumission, for the sum of one hundred pounds currency, which shall be paid into the public treasury of the Island by the owner of the slave intended to be manumitted, or by some person in his or her behalf; and every manumission, with the treasurer's receipt endorsed upon the back of it, shall be recorded in the secretary's office of this Island, before the person manumitted shall be entitled to receive the dividends hereinafter provided; and the person so manumitted, and whose manumission, with the treasurer's receipt, shall have been recorded, shall be entitled to receive from the public treasurer, who is hereby directed to pay such person the sum of eight pounds currency per annum, in equal half-yearly payments, except as is hereinafter excepted, for and during the term of his or her natural life, to be computed from the date of the treasurer's receipt, and after such persons decease, the sum paid into the public treasury shall be and remain for the public uses of the colony.

## Clause I.

No manumission shall be deemed valid unless the public treasurer's receipt be indorsed upon it for 100*l*. Every such manumission to be recorded in the secretaries office. Every person having such manumission, entitled to 8*l*. per annum during natural life.

At decease, sum paid shall remain for public uses of the colony.

Clause II.  
No manumission under last will and testament to take effect, until 100*l*. is paid into Treasury. Person so manumitted, and receipt duly

And be it and it is hereby enacted by the authority aforesaid, That no manumission under and by virtue of the last will and testament of any person whatever, shall take effect for the purpose of manumitting the person left free by such last will and testament, until the sum of one hundred pounds currency be paid into the public treasury of this Island; and the person so manumitted by will, and whose receipt from

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the public treasurer shall be duly recorded, shall be entitled to the same dividend, and payable in like manner, as is ordered in the former clause of this Act; and the sum for which the receipt is given shall, after the decease of the person left free, remain in like manner to the public uses of the colony.

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recorded, entitled to same dividend as ordered in former clause.

And be it enacted by the authority aforesaid, That no manumission of a slave or slaves belonging to other Islands shall be proved or recorded without the receipt required being thereon indorsed, and the secretary of the Island is hereby required not to record any such manumission, without such receipt, under the penalty of one hundred pounds currency.

Clause III.  
Manumission of slave or slaves belonging to other Islands, shall be proved or recorded without receipt required being indorsed under penalty of 100*l*.

thereon.—Secretary not to record manumission without receipt, under penalty of 100*l*.

And be it enacted by the authority aforesaid, That no dividends shall be payable upon sums paid into the public treasury to give effect to manumissions of slaves belonging to other Islands, but the sum required by this Act to be paid into the public treasury, shall be applicable immediately to the public uses of the colony.

Clause IV.  
No dividend payable upon sums paid into treasury for manumission of slaves belonging to other Islands; but sums so paid, shall be applicable immediately to public uses of the colony.

longing to other Islands; but sums so paid, shall be applicable immediately to public

Passed the House of Assembly, the fourteenth day of October one thousand eight hundred and fourteen.

(Signed) *James Wilcock*, Clerk of General Assembly.

(Signed) *Elphinstone Piggott*,  
Speaker of the House of General Assembly.

Passed the Council, the fourteenth day of October one thousand eight hundred and fourteen.

(Signed) *Samuel Cox*, Acting Clerk of the Council.

(Signed) *John Balfour*, President of the Council.

Tobago, nineteenth October one thousand eight hundred and fourteen; duly published this day.

(Signed) *Gid. Gilman*, Deputy Provost Marshal.

Tobago, at Government House, October seventeenth, one thousand eight hundred and fourteen, on part of executive Government.

Assent given by  
(Signed) *William Young*, Governor.

