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SLAVES.

P A P E R S

RELATING TO THE

Treatment of Slaves in the Colonies;

VIZ.

ACTS OF COLONIAL LEGISLATURES ;

1818—1823.

Ordered, by The House of Commons, to be Printed,
23 March 1824.

Return to an Address of the Honourable The House of Commons,
dated the 12th of March 1824;—*for*,

Copies of all ACTS of the Colonial Legislatures, and also, of all Orders,
Proclamations, or other Regulations, respecting the Condition and Treatment
of Slaves ; which have not been already laid before this House.

SCHEDULE OF ACTS, &c.

ANTIGUA.

- N° 1.—*An Act for repealing an Act, intituled, “ An Act for settling and regulating the Trial of Criminal Slaves by Jury, and for establishing a more regular and solemn Judicature for the Trial of Slaves accused of Felony without benefit of Clergy, or other capital crimes.”* - - - 8th March 1821 - - - p. 5
- N° 2.—*An Act for raising the sum of Ten thousand Pounds Sterling for the immediate relief of the Slave Population of this Island.* - - 12th September 1822 - p. 9

BARBADOES.

- N° 3.—*An Act for the better prevention of the practice of Obeah* } - p. 13
28th July 1818 }
- N° 4.—*An Act to repeal and amend certain Acts made for the government and protection of Slaves* - - - 29th July 1818 - - - - - p. 14

BAHAMAS.

- N° 5.—*An Act to extend certain privileges of Persons of free condition within these Islands.* - - - 23d January 1822 - - - - - p. 15
- N° 6.—*An Act to amend an Act, intituled, “ An Act to establish a Triennial Registration of Slaves in the Bahama Islands.”* - - 28th January 1823 - p. 16

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- N° 7.—*An Act for increasing the number of Clergyman within these Islands.*
17th March 1820 - - - - - p. 17

CAPE OF GOOD HOPE.

- N° 8.—*A Proclamation issued by Lord Charles Henry Somerset, for religious Instruction and treatment of Slaves.* - - - 18th March 1823 - - - p. 18

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- N° 9.—*An Act for regulating the government and conduct of Slaves, and for their more effectual protection, encouragement, and the general melioration of their condition.* - - - 2d June 1821 - - - - - p. 22
- N° 10.—*An Act to amend and make perpetual an Act, intituled, “ An Act to prevent the buying of Coffee or other Produce from Slaves, to regulate the business of cleaning Coffee, and to prohibit the possession of Coffee in Berry and Parchment, unless to the amount and the description of Persons herein allowed and accepted.”* - - - 22d March 1821 - - - - - p. 29

JAMAICA.

- N° 11.—*An Act to amend the Slave Act, by altering the mode of carrying into execution the sentence of Death on Slaves.* - - - 14th December 1821 - p. 31

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- N° 12.—*An Act for the Trial of Slaves accused of Criminal Matters or Offences by Jury.* - - - 4th June 1822 - - - - - ibid.

N^o 13.—*An Act to aid and assist the Magistrates in the performance of their duty, and for establishing a Police and Nightly Watch, as also a Criminal Gang, in the said Island.* - - - 6th March 1823 - - - p. 33

NEVIS.

N^o 14.—*An Act to alter and amend an Act, intituled, "An Act for settling and regulating the Trial of Criminal Slaves by Jury," to ascertain and regulate the fees of Justices of the Peace and the charges of Constables, and to authorize the said Justices to compel the payment of such fees and charges by the Parties on whom the same shall be chargeable.* - - - 4th January 1820 - - - p. 37

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ST. VINCENT.

N^o 16.—*An Act to repeal an Act, intituled, "An Act for making Slaves real Estate," and to ameliorate the condition of Slaves, and for other purposes.* 6th June 1821 - - - p. 46

TOBAGO.

N^o 17.—*An Act to repeal an Act, intituled, "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," and to substitute a new Law in lieu thereof.* 9th February 1821 - - - p. 62

N^o 18.—*An Act to continue for a further time an Act, intituled, "An Act to regulate the conduct and to fix the value of the Labour of Negroes acting as Porters and Labourers in the town of Scarborough and Plymouth."* - - - 12th October 1821 - - - p. 63

N^o 19.—*An Act to place a sum of Money at the disposal of the Committee appointed for the purpose of receiving Tenders for a Vessel to go to Cumuna to bring up certain Slaves who have absented themselves from the service of their Owners.* - - - 25th January 1823 - - - ibid.

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Colonial Department, }
Downing-Street, }
12th March 1824. }

R. J. WILMOT HORTON.

COLONIAL ACTS.

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N^o 1.—*AN ACT for repealing an Act, intituled, “ An Act for settling and regulating the Trial of Criminal Slaves by Jury,” and for establishing a more regular and solemn Judicature for the Trial of Slaves accused of Felony without benefit of Clergy, or other Capital Crimes.*

WHEREAS it is expedient that the present mode of trying Slaves accused of Felony should be abolished, and that the trial of Slaves in cases of Felony without benefit of Clergy, and other capital Crimes, should in future be assimilated as closely as possible, to that of free Persons; May it therefore please Your Most Excellent Majesty, That it may be enacted; And be it Enacted by the Governor in Chief in and over Your Majesty's islands of Antigua, Montserrat and Barbuda, and the Council and Assembly of this Your Majesty's island of Antigua, and it is hereby enacted and ordained by the authority of the same, That an Act of this island, intituled, “ An Act for settling and regulating the Trial of criminal Slaves “ by Jury,” dated the twenty-eighth day of February, which was in the year of our Lord one thousand seven hundred and ninety-eight, and every clause, matter and thing therein contained, shall be and the same is and are hereby repealed.

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And be it further enacted, that on the last Friday in the month of January, and the last Friday in the month of July in the present year, and in each and every year henceforward, there shall be held at the court-house, in the town of Saint John in the said island of Antigua, a court for hearing and determining all felonies without benefit of clergy, and other offences which, by the laws of this island, are or may be punishable with death, committed or perpetrated by slaves; which said court shall be called or styled “ The Court of King's Bench and Grand Sessions for the “ Trial of criminal Slaves,” and shall have and is hereby invested with the same, and as full power to hear, judge, determine and execute, in all felonies without benefit of clergy, and other offences which, by the laws of this island, are or may be punishable with death, committed by slaves within this island and the islands thereto adjacent, and belonging in the said island, as the court of King's Bench in that part of Great Britain called England, as in England, and as justices of Oyer and Terminer, and General Gaol Delivery, have in England; and also shall have, and is hereby vested with the same powers to hear, try, judge, determine and execute, in all felonies without benefit of clergy, and other offences which, by the laws of this island, are or shall be punishable with death, committed by slaves, and to do all such other matters and things therein, as by any law or act of this island the court of King's Bench and Grand Sessions for Antigua, and justices of Oyer and Terminer, and General Gaol Delivery in the said island have, or are empowered to do, in regard to crimes committed by free persons; and shall adjudge and determine in all and every felonies without benefit of clergy, and other offences which, by the laws of this island, are or may be punishable by death, committed by slaves, according to the laws and statutes of Great Britain in force, or to be in force here, and the particular laws and acts of the said island of Antigua, and the general laws of the Leeward Carribee Islands.

And be it further enacted, that the said court of king's bench and grand sessions for the trial of criminal slaves, hereby established, shall be and is hereby declared to be, to all intents and purposes, a court of record; and also that no particular commission shall be necessary for holding the said court, or appointing justices thereof;

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but the justices thereof shall be and are hereby authorized and enabled to act in all things aforesaid by virtue of this Act, without further writ, commission or authority.

And be it further enacted, that the several persons following shall be justices of the said court and no other; (that is to say), the lieutenant-general of His Majesty's island of Antigua, Montserrat and Barbuda for the time being, the lieutenant-governor of this island for the time being, all the members of His Majesty's council for this island for the time being, the speaker of the assembly of this island if he shall be one of His Majesty's justices assigned to keep the peace within this island, the justices of the court of common pleas and the barons of the exchequer of this island for the time being, and all His Majesty's justices of the peace of this island for the time being, except always that if any one of the said persons shall then happen to be commander-in-chief of the islands of Antigua, Montserrat and Barbuda, he shall not be a justice of the said court, which so acting as commander-in-chief, because in him rests the exercise of the prerogative annexed to the high executive power of pardoning or respiting criminals.

And be it further enacted, that the said court of king's bench and grand sessions for the trial of criminal slaves, hereby established, shall have power and authority to sit and adjourn respectively, from time to time, during the space of thirty days from the first time of meeting, hereby appointed for holding each court respectively, and no longer; and if by alarms or other causes the court cannot meet at the time hereby prefixed, the person in chief command on this island may appoint any other day for holding the said court, and the same shall be held accordingly, so always as there shall be fourteen days from the day of making such order unto the day thereby to be appointed for holding the said court.

And be it further enacted, that the clerk of the crown of this island for the time being, or his lawful deputy, shall be the clerk of the said court of king's bench and grand sessions for the trial of criminal slaves, hereby established; and the provost-marshal of this island for the time being, or his lawful deputy, shall be the marshal of the same court; and that the said provost-marshal or his deputy shall, at his own expense, find a crier and at least three more under officers to attend the grand and petty juries.

And be it further enacted, that summons by way of letter shall be issued by the secretary to each of the respective justices of the said court of king's bench and grand sessions for the trial of criminal slaves hereby established, requiring their attendance at the day hereby appointed for holding each court; which summons shall be timely delivered to the marshal, so that he may serve it six days at least before each day for holding the same court, and the marshal or his deputy appointed for that purpose shall serve it accordingly.

And be it further enacted, that all coroners and constables of this island are hereby required, at their peril, to attend without further notice at the said courts respectively, from the beginning of the sessions to the end thereof, unless excused or sooner discharged by the court, otherwise shall be liable to fines on nonattendance, not under three pounds, nor above ten pounds current gold or silver money of the said island.

And be it further enacted, that all justices of the peace, coroners and other persons, who shall have taken any inquests, depositions, recognizances, or other papers relating to the matters cognizable by the said court hereby established, shall send the same to the clerk of the crown four days before the holding each of the said courts; and if taken within such four days, then as soon after the same were taken as conveniently may be.

And be it further enacted, that the clerk of the crown at his peril shall, ten days at least before the sitting of each court hereby established, issue out a writ or precept in general terms, in the King's name, which shall be tested generally to this effect: "Witness the justice of the said court hereto subscribing and sealing;" and the marshal, at his peril, shall address himself to some of the said justices upon the island, applying to them, in course, according to their degrees, beginning with the lieutenant-general first, and so downwards in order, and shall get the said writ or precept signed by two or more of them, the tenor whereof shall be to summon a sufficient grand jury, and sufficient petty juries, of the freeholders and inhabitants of this island, to serve at the next court of king's bench and grand session for the trial of criminal slaves, to be held for this island on

on the day of next (or instant), in the town of Saint John, in this island, and to publish the holding of the said court. Antigua.

And be it further enacted, that by virtue of the said writ the provost marshal or his deputy shall summon thirty persons of the best note, not being members of the court, freeholders and inhabitants of this island, to serve as grand jurors; and at least forty-eight sufficient freeholders and inhabitants of this island, to serve as petty jurors at the said courts respectively; and to prevent disputes about good service of notice to such jurors, the summons shall by a short writing, signed by the marshal or his deputy, to this effect: "Mr. *A. B.* appear on the "day of next or instant, and serve as a grand juror or petty juror " (distinguishing which in the summons) at the court of king's bench and grand "session for the trial of criminal slaves," which summons shall be served personally, or by leaving it at the usual place of abode of the person summoned at least four days before, exclusive of the day of attendance; and the marshal or his deputy shall publish further the holding each of the said courts, in the contract paper of this island, five days before the holding each court, if there shall be any contract paper, and if there shall be no contract paper then in any other paper published in this island; and if there shall be no paper published, then by fixing up a publication in writing, in a large hand, at the north and south gates of the court-house in Saint John's, at least five days before the day of holding each of the said courts; and so when held on an appointment by the governor, or person in chief command, in cases of alarms and interruptions as aforesaid.

And be it further enacted, that any person who shall be concerned to defend or prosecute in the said court hereby established, shall and may have subpœnas for witnesses to attend under penalty of fifty pounds current gold and silver money of this island for each witness not attending, to be served, in case the evidence of a slave be required, upon the owner or proprietor of such slave, or the representative of such owner or proprietor, and the penalty to be paid in default by such owner or proprietor, or representative as the case may be, and to be recovered in manner and for the same uses as is by law established in case of subpœnas for witnesses to attend in the court of common pleas of this island, which subpœnas shall be signed and sealed only by the secretary of this island, or his lawful deputy for the time being, and shall be tested in the King's name; but nothing herein to hinder the binding over any witness to appear at the said court hereby established by recognizances: and in case a recognizance should be required for the appearance of any slave, the owner or proprietor, or representative of the owner or proprietor of such slave, shall enter into the recognizance required, or in default thereof, the said slave shall be committed.

And be it further enacted, that the fines of jurors not appearing at the call of their names at the courts hereby established, or departing without leave of the said courts, shall be as follow: viz. a grand juror, for every default ten pounds current gold or silver money of this island; and every petty juror, five pounds like money for each default.

And be it further enacted, that all fines imposed or recognizances estreated, under or by virtue of this act, shall be recovered in the mode and manner pointed out by the act, constituting the court of king's bench and grand sessions for this Island.

And be it further enacted, that on the application of counsel on the part of the master or proprietor, or the representative of the master or proprietor, of any slave or slaves confined in the common gaol on any charge or charges of felony without benefit of clergy, or other offences which by the laws of this island are or may be punishable with death, to any two or more justices of the court of common pleas, when neither the court of king's bench and grand sessions, nor court of common pleas is actually sitting, it shall and may be lawful for the said two or more justices, at any time of the year, to issue a writ of habeas corpus out of court, and make the said writ returnable before them either out of court, or in court, and to hear and determine therein; and in all cases to remand or discharge, with or without bail, as to them shall seem fit, as effectually as the said court of king's bench and grand sessions, or court of common pleas, could or might if sitting determine in the case of a free person.

And be it further enacted, that nothing herein contained shall be construed to prevent the governor or commander-in-chief of the islands of Antigua, Montserrat, and Barbuda for the time being, from issuing at any time or times a commission or

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commissions of oyer and terminer and gaol delivery, for the trial of slaves accused of felonies without benefit of clergy, or other offences which by the laws of this island are or may be punishable with death; but all and every courts and court which shall or may be at any time hereafter convened and held under or by virtue of any such special commission, shall be and the same are and is hereby invested with as full and ample power and authority, in every respect, as the court of king's bench and grand sessions for the trial of criminal slaves hereby established.

And be it further enacted, that in all cases of the trial of slaves for felony without benefit of clergy, or other offences which by the laws of this island are or may be punishable with death, the prosecution shall be carried on at the suit of the Crown, by the attorney or solicitor-general, or by both those officers if thought necessary, and in their absence by the senior king's counsel, and counsel shall be assigned by the court to the slave so charged with felony, upon his or her application, or upon the application of his or her proprietor on his or her behalf, or of the representative of such proprietor.

And be it further enacted, that in all trials for felonies, or other offences cognizable by the said court, the testimony of slaves for and against one and another shall be valid and admissible in law; and such testimony shall be taken (as has always heretofore been usual and customary in this island) without oath.

And be it further enacted, that all slaves charged with felonies without benefit of clergy, or other offences which by the laws of this island are or may be punishable with death, in the said court of king's bench and grand sessions for the trial of criminal slaves hereby established, shall be tried upon a regular indictment, and with every other legal formality which is essential to the trial of free persons under a similar charge; and the said court of king's bench and grand sessions for the trial of criminal slaves shall be considered as auxiliary to the court of king's bench and grand sessions for Antigua, and shall in every respect (except as is hereinbefore specially directed, provided and specified,) from time to time and at all times hereafter be summoned, convened, assembled, composed, constituted, held and adjourned, and in all its process and proceedings as to the summoning and forming of juries, and otherwise, wholly and entirely guided and governed, under, by and according to the same forms, regulations, rules of practice, provisions, conditions, reservations and restrictions, as are prescribed, provided, reserved and established, for settling and regulating the constitution, process, practice and proceedings of the said court of king's bench and grand sessions for Antigua, in and by an act of this island, intituled, "An Act for establishing courts of common pleas, error, king's bench, and grand sessions, and for the better regulating and settling due methods for the administration of justice."

And be it further enacted, that whenever sentence of death shall be passed upon any slave or slaves by the said court of king's bench and grand sessions for the trial of criminal slaves hereby established, the president of the said court shall, within twenty-four hours after the sitting of the said court, issue a warrant under his hand and seal directed to the provost-marshal of this island, or his lawful deputy, to cause such slave or slaves to be executed according to law, at such time and place as the said president of the court shall appoint, but not sooner than four days after judgment.

And be it further enacted, that in case any slave or slaves indicted for felony without benefit of clergy, or any other offence which by the laws of this island is or may be punishable with death, shall on trial be found guilty by the jury of any minor offence, to which the punishment of death is not by law annexed, it shall and may be lawful for the said court of king's bench and grand sessions for the trial of criminal slaves hereby established, and it is hereby authorized and empowered by warrant under the hand and seal of the president of the said court, to cause to be inflicted on such slave or slaves so convicted of any minor offence, such corporal punishment, and in such place, at such time, or for such period, as it shall in its discretion think fit.

And be it further enacted, that whenever sentence of death shall be passed upon any slave or slaves by the said court of king's bench and grand sessions for the trial of criminal slaves hereby established, the president of the said court shall within the space of thirty-six hours after passing such sentence, give due notice of the same to the governor or person in chief command in this island for the time being.

And be it further enacted, that every or any slave who may be now in custody in the common goal of this island, under a charge of felony without benefit of clergy

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clergy, or any other offence which by the laws of this island is punishable with death, shall be tried under and by virtue of this act, and not otherwise.

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Dated at Antigua, the 15th day of March, in the year of our Lord 1821, and of His Majesty's reign the second.

(signed) *Nicholas Nugent*, Speaker.

Passed the Assembly the 4th of January 1821.

(signed) *Nathaniel Humphrys*, Clerk of the Assembly.

Passed the Council the 8th day of March 1821.

By command, (signed) *Thomas Shirley Warner*, Dep^y Sec^y, &c.

(signed) B. D'URBAN, (L. s.)

Duly published this 17th day of March 1821.

(signed) *R. L. Nanton*, D. P. Marshal.

ANTIGUA.

N^o. 2.— *AN ACT for raising the sum of Ten thousand Pounds Sterling, for the immediate relief of the Slave Population of this Island.*

WHEREAS it is found indispensably necessary that a sum of ten thousand pounds sterling should be forthwith raised and paid, applied and disposed of in manner hereinafter particularly mentioned and set forth, for and towards the immediate support and subsistence of the slave population of this island: And whereas in the existing disastrous and calamitous situation of the colony, it is found altogether impracticable at this particular period to raise such sum of money for our own internal resources, and it hath been therefore deemed expedient to apply in such our emergency to His Majesty's Government for present relief by a loan to the amount of such sum of money: We therefore Your Majesty's most dutiful and loyal subjects, the Captain General and Governor in Chief in and over Your Majesty's islands of Antigua, Montserrat and Barbuda, and the Council and Assembly of this Your Majesty's island Antigua, do most 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 his Excellency the captain general of this government, and the president of the council, and speaker of the assembly of this island for the time being, shall have full power and authority to draw upon the honourable the Lords Commissioners of His Majesty's Treasury for the full amount of the sum of ten thousand pounds, sterling money of Great Britain, by one set of bills of exchange, to consist of three parts, and made payable ninety days after sight to the order of the honourable Samuel Warner and the honourable Henry Hodge, Thomas Conll, Thomas Rogers, Samuel Lightburn Darrell, Richard Weston Nanton and Thomas Franklin Nibbs, esquires, being a joint committee of the council and assembly of this island, hereby appointed for the purposes hereinafter particularly mentioned and set forth, who are hereby accordingly authorized and required to receive the said bill, and to remit the same with all convenient speed to some responsible mercantile house in Great Britain, with directions and instructions to such mercantile house to hold the money arising therefrom, (in the event of the said bill being accepted,) to the order of the said joint committee, and that the same be by such joint committee paid, applied and disposed of in manner hereinafter particularly mentioned and set forth.

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And be it and it is also further enacted and ordained, by the authority aforesaid, that the said joint committee, or any five or more of them, shall and they are hereby authorized and required, with, from, and out of the said sum of ten thousand pounds, to purchase in this and all and every of the other islands in this government or in its vicinity, all and every such species of food and provisions as they shall think necessary and proper for the support of slaves, and in such quantities and at such prices as they shall think most conducive for the proper and speedy relief and supply of the island; and that for the greater convenience of making such purchases, the said committee be authorized and required to draw bills of exchange, not exceeding the said sum of ten thousand pounds sterling hereinbefore mentioned, in their own names, for such smaller sums of money as shall from time to

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time be found necessary to enable them so to do, on any such mercantile house to which the said bill of ten thousand pounds may have been by them remitted, payable at ninety days sight, in favour of any person or persons with whom they may contract for the purchase of any such provisions, or who may be disposed to advance the amount of such bills of exchange respectively in ready money to the said joint committee, to be by them applied for such purpose.

And be it also further enacted, by the authority aforesaid, that the said joint committee shall provide proper stores and warehouses in the town of Saint John for receiving all such provisions as shall be by them purchased by virtue of this act, and shall be authorized and empowered to employ some proper person or persons to act as their clerks or agents in transacting such business as may be required to be performed under their immediate superintendence and direction, and that such joint committee be allowed to retain to and reimburse to themselves, out of the monies in their hands, all expenses attending the execution of the several duties required of them by this act.

And be it also further enacted and ordained, by the authority aforesaid, that the provisions so to be purchased by the said joint committee shall be by them sold and delivered to each and every proprietor or proprietors of slaves, or his or their attorney or representative only, who shall hereafter apply to them for relief under this act, and who shall be able to prove on oath, to the satisfaction of the said joint committee, that he, she or they is or are wholly incapable of supplying the slaves in his, her or their possession with proper and necessary food and provisions from any other resources in his, her or their power, and that such provisions are not intended by him, her or them respectively, to be applied or disposed of in any other manner than for the immediate subsistence of their slaves respectively; on which, proof being made as aforesaid, the said joint committee are hereby authorized and empowered to issue to such applicants respectively from time to time, so long as they shall be in funds for such purpose, such quantity of provisions as they the said joint committee shall in their discretion think adequate for the immediate subsistence of the number of slaves in the possession of the said parties respectively; provided always nevertheless, that the said joint committee, in selling and delivering any such provisions, do in all cases strictly adhere to the regulations contained in the act of the general council and general assembly of the Leeward Islands, commonly called the Amelioration Act, so as to secure the repayment thereof to them of the price from the said purchasers respectively, by a prior lien on the slaves for whose use such provisions have been supplied; and provided also, that the said parties be not made chargeable for any greater price or prices for the said commodities than what may be sufficient to cover the original cost thereof, with the subsequent expenses arising on the purchase, storing and sale thereof, except only as is hereinafter provided.

And be it and it is further enacted, by the authority aforesaid, that in order to secure the repayment to the said joint committee, by the purchasers of such provisions, of the several sums of money due from them respectively, each and every proprietor of slaves, who shall at any time hereafter obtain relief under this act, shall be, and they and each and every of them is and are hereby respectively and peremptorily required and made liable, from and out of the first sugar or other produce to be made and produced on their estates respectively, to pay over to the said joint committee on or before the first day of May next ensuing the date of this act, such quantity of sugar or other produce, as at the then existing valuation thereof shall be deemed sufficient by the said joint committee to cover the value of the quantity of provisions supplied to them respectively in manner aforesaid; and if any such proprietor or proprietors of slaves, or his or their attorney or representative, shall refuse or neglect to pay over such sugar or other produce at the time and on the terms hereinbefore appointed, the said joint committee are hereby authorized and directed to issue a warrant under their hands and seals, signed by any five or more of the said committee, directed to the deputy provost-marshal of the said island, to levy the amount thereof on the slaves of such defaulter or defaulters respectively; and the said deputy provost-marshal is hereby accordingly required to execute such warrant under a penalty of two hundred pounds current gold and silver money of said island; and all and every such slaves so to be levied upon by the said deputy provost-marshal shall respectively be sold at public auction to the best bidder, for ready gold and silver money, as soon as may be conveniently done, after the expiration of ten days from the time of making such levy, five days notice of such sale thereof being first given by the said deputy provost-marshal; and if any
overplus

overplus shall remain in the hands of the said deputy provost-marshal after such sale, the same, after deducting the expenses and costs of such levy, to be paid over to the person by law entitled thereto; provided always, that nothing herein contained shall be construed to prevent any proprietor of slaves, if he, she or they can effect such payment, from paying the amount due by him, her or them for the supply of such provisions, in money or bills of exchange, to be approved by the said joint committee.

And be it further enacted, by the authority aforesaid, that if any proprietor or proprietors of slaves, to whom or for the use of the slaves of whom any provisions shall be supplied under this act, or his, her or their attorney or known agent or servant, shall sell, give away, exchange or otherwise apply and dispose of the said provisions or any part thereof, except only for and towards the absolute supply and relief of his, her or their slaves respectively, 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 current gold and silver money of this island, to be recovered by bill, plaint or other information in any court of record in this island; and if such fine shall not be paid during the sitting of the court wherein such offence shall be prosecuted, such offender or offenders shall suffer one year's imprisonment without bail or mainprize, in lieu of the said fine.

And be it further enacted, by the authority aforesaid, that in the event of the loan hereby required being obtained from His Majesty's government, all monies and produce collected and received from all or any proprietor or proprietors of slaves, obtaining relief under this act by the purchase of provisions in the manner and on the conditions hereinbefore mentioned from the said joint committee, shall be and are hereby made and declared to be a fund in the hands of such joint committee for discharging and paying the said sum of ten thousand pounds, to be borrowed from His Majesty's government as aforesaid on or before the first day of May next ensuing the date of this act; and which said monies and produce the said joint committee are hereby accordingly directed and required, as soon as possible after the said first day of May next, to remit in the best manner in which such remittances can be effected, to such mercantile house to whom the said bill of exchange for ten thousand pounds shall have been originally remitted by the said joint committee, to be held by such mercantile house payable to the order of the honourable the lords commissioners of the treasury, or their agents properly authorized to receive the same, to the amount of the full sum paid by the said lords commissioners or their agents, and all interest accruing thereon, and of all expenses incident thereto.

And be it further enacted, by the authority aforesaid, that in case it shall so happen that the lords commissioners of His Majesty's treasury shall decline to advance the sum of money so urgently required for the purposes mentioned in this act, and refuse payment of the said bill of ten thousand pounds, so to be drawn on them by his Excellency the Captain General and the President and Speaker of this island, and by reason of such refusal the several bills of exchange hereinbefore directed to be drawn by the said joint committee of both houses of legislature on the mercantile house to whom such bill may be by them remitted, to the amount of the said sum of ten thousand pounds, shall be returned protested, then and in such event all the said monies and produce so to be collected and raised by the said joint committee from all or any proprietor or proprietors of slaves obtaining relief by the purchase of provisions under this act, shall be and they are hereby declared to be a fund in the hands of such joint committee for the purpose of discharging all such sum or sums of money as shall be due to the holders of all or any bill or bills of exchange, so to be drawn by the said joint committee, and returned under protest as aforesaid, together with damages, interest, and all incidental costs and charges thereon, according to the usage and custom of merchants; and the said joint committee are hereby accordingly directed and required, on the first day of May next ensuing, or as soon after as possible, to take up all and every such bill or bills of exchange from the respective holders thereof, by payment of the full amount thereof, with interest and damages, in produce, at a fair valuation thereof, according to the then existing ready money price to be obtained for such produce; but in case the holder or holders of any such bill or bills of exchange shall refuse or decline to receive such produce at a fair valuation thereof, that then the said joint committee shall proceed to remit the same to the said mercantile house by them originally fixed upon, conditioned for the payment of such bills of exchange as may be by them drawn in favour of any such person or persons so refusing or declining to receive the said produce, with bills of lading of such produce to be annexed to such bills of exchange,

Antigua.

exchange, so to be drawn respectively, in order to secure the due payment thereof to the respective holders thereof.

And be it further enacted and ordained, by the authority aforesaid, that if it shall so happen that from any inevitable misfortune or accident, occasioned by hurricane, earthquake, or other contingencies arising from the act of God, the produce to be made in the ensuing year on the estate or estates of any proprietor or proprietors of slaves, who may obtain relief under this act by the purchase of provisions for the supply of their slaves respectively, shall prove insufficient and inadequate for the payment to the said joint committee of the full amount due by him, her or them respectively, for the purchase of such provisions, or any part thereof, then and in such case, and not otherwise, in order that a sufficient fund may be at once provided to enable the said joint committee to pay off on the first day of May next ensuing, or as soon after as possible, the amount of the loan to His Majesty's government, if the same shall be obtained; or to take up any bill or bills of exchange, to be by them drawn on any mercantile house in manner aforesaid, and which may be returned protested in case such loan shall be denied, according to the provisions hereinbefore made for such purpose, a tax shall be and is hereby directed to be generally imposed on all owners and possessors of slaves in this island, not exceeding the sum of eighteen shillings for each slave, to be determined and assessed by the said joint committee, as circumstances shall require and render the same necessary, in manner hereinafter mentioned.

And be it further enacted, by the authority aforesaid, that in order to enable them to ascertain and fix to what extent the said tax hereby imposed, or any part thereof may be rendered necessary, the said joint committee hereby appointed shall proceed on or before the first day of April next ensuing the publication of the act, to call upon each and every proprietor of slaves obtaining relief under this act, and indebted to them for the purchase of provisions in manner aforesaid, to appear before them and state on oath the quantity of sugar or other produce at that time actually made and produced on his, her or their estate respectively, and the probable future expectations for the then existing crop; and if on such investigation it shall appear that any deficiency will be required to be supplied by general contribution, that then the said joint committee shall assess the amount necessary to be paid by every proprietor of slaves in this island, and give public notice in the several newspapers of the amount of such tax, and requiring all and every owners and possessors of slaves respectively, to pay the same on or before the said first day of May next into the hands of such joint committee for the purposes of this act; and if any such owner or owners, possessor or possessors of slaves shall neglect or refuse to pay such tax, so assessed by the said joint committee, within the time herein limited for the payment thereof, that then the amount thereof shall be recovered by warrant under the hands and seals of the said joint committee, directed to the deputy provost-marshal of this island, in the same manner as hereinbefore directed in case of default in payment of the amount due by persons obtaining relief by the purchase of provisions under this act.

And be it further enacted and ordained, by the authority aforesaid, that all and every sum or sums of money which shall remain due and unpaid from any purchaser or purchasers of provisions under this act to the said joint committee on the first day of May next, by reason of the insufficiency of the produce made on their estates respectively, occasioned by the circumstances hereinbefore mentioned, and not otherwise, shall continue to be and remain charged and chargeable on the slaves of each and every such proprietor or proprietors, as a prior lien thereon to any other debt or incumbrance whatsoever due to any subject, and shall be payable to and recoverable by the said joint committee from and out of the ensuing crops of the estates of each and every such proprietor or proprietors respectively, in the same manner as is hereinbefore already provided for the receipt and recovery of the payments directed to be made on the first day of May next; and the said joint committee are hereby therefore directed and required to receive and recover the same, and to pay, apply and dispose of all monies and produce to be by them so collected and received, for and towards the reimbursement to each and every proprietor of slaves, (who shall not have sought or obtained relief under this act, and shall have been compelled to pay the tax hereby generally imposed on slaves,) of all and every sum or sums of money so paid by him, her or them respectively, each and every proprietor of slaves so situated being hereby declared to be a public creditor to the amount which may be by him, her or them actually contributed for the general relief of the colony.

And

And be it further enacted and ordained, by the authority aforesaid, that inasmuch as it is the intention of this act that all monies advanced or expended for the immediate relief of the slave population by the said joint committee, shall be fully repaid to them by each and every proprietor of slaves obtaining the benefit of the provisions hereby directed to be purchased and supplied to them, the said joint committee are hereby authorized and empowered, in addition to the original cost of the articles as hereinbefore directed to be charged to such proprietors respectively, to require from each and every of them, according to the amount of their respective debts, the payment of a full share and proportion of all interest, damages, and expenses which may arise or accrue to the said joint committee on the negotiation by them of the said bill of exchange of ten thousand pounds, so to be drawn on the lords commissioners of the treasury by the captain general, president and speaker of this island, or any other smaller bill or bills of exchange to be drawn by the said joint committee, or any mercantile house in Great Britain, to the amount of ten thousand pounds, and invested in the purchase of provisions in the manner and for the purposes hereinbefore stated and set forth; which said additional charge shall be recoverable by the said joint committee in the same manner as is hereinbefore directed in case of default of payment of the original cost of the provisions supplied to such persons respectively.

Antigua.

Dated at Antigua, the seventeenth day of September, in the year of our Lord one thousand eight hundred and twenty-two, and in the third year of His Majesty's reign.

(signed) *Nicholas Nugent*, Speaker.

Passed the Assembly the twelfth day of September, one thousand eight hundred and twenty-two.

(signed) *Nathaniel Humphrys*, Clerk of Assembly.

Passed the Council the twelfth day of September, one thousand eight hundred and twenty-two.

(signed) *Thomas Shirley Warner*, Acting Secretary, &c.

(signed) B. D'URBAN, (L. s.)

Duly published this eighteenth day of September, one thousand eight hundred and twenty-two.

(signed) *R. L. Nanton*, D. P. Marshal.

Certified to be faithfully extracted from the book of acts.

(signed) *Thomas Shirley Warner*, Acting Sec. &c.

BARBADOES.

N^o 3.—AN ACT for the better Prevention of the Practice of Obeah.

Baradoes.

Preamble.

WHEREAS it is expedient to prevent the evils and offences which arise from the wicked arts and pretensions of persons going under the appellation of Obeah men and woman: And whereas the provisions now by law made for the prevention of such evils and offences have been found ineffectual for that purpose;

Clause 1.

Be it therefore enacted by his Excellency the right honourable Stapleton Lord Combermere, Knight Grand Cross of the most honourable Military Order of the Bath, and of the Portuguese Royal Military Order of the Tower and Sword, His Majesty's Captain-general and Governor-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 any person who shall wilfully, maliciously and unlawfully pretend to any magical and supernatural charm or power, in order to promote the purposes of insurrection or rebellion of the slaves within this island, or to injure and affect the life or health of any other person, or who wilfully and maliciously shall use or carry on the wicked and unlawful practice of obeah, shall upon conviction thereof suffer death or transportation, as the court by which the said offender may be tried shall think proper, any thing in this or any other act of this island to the contrary in anywise notwithstanding.

Any person maliciously pretending to any supernatural charm, so as to promote insurrection of the slaves, or affect the life of any other person, or who wilfully practises obeah, shall suffer death or transportation.

And be it further enacted, by the authority aforesaid, that from and after the passing of this act, if any person wilfully and maliciously in the practice of obeah,

Clause 2.

Any person in the practice of obeah who

shall mix or prepare, or have in possession any destructive substance, with intent either to administer or have it administered to any person, though death may not ensue, such person, with their aiders, &c. being privy to such evil intentions, shall suffer death, &c.

Clause 3.

Repeals the act for the punishment of slaves found practising obeah.

Passed the 23th July 1818.

or otherwise, shall mix or prepare or have in his or her possession any poison, or any noxious or destructive substance or thing, with an intent to administer to any person (whether the said person be white or black, or a person of colour,) or wilfully and maliciously shall actually administer to, or cause to be administered to, or taken by any such person as aforesaid, any poison, or any noxious or destructive substance or thing whatsoever, although death may not ensue upon the testimony thereof, every such person, together with his or her counsellors, aiders and abettors, knowing of and being privy to such evil intentions and offences, shall, upon conviction thereof, suffer death, transportation, or such other punishment as the court by which such offender may be tried shall think proper, any thing in this or any other act of this island to the contrary in anywise notwithstanding.

And be further enacted, by the authority aforesaid, that from and immediately after the passing of this act, the act intituled, "An Act for the punishment of " Slaves found practising Obeah shall be and the same is hereby repealed and " made void to all intents and purposes."

Read three times, and passed the Council unanimously, this twenty-eighth day of July one thousand eight hundred and eighteen.

W. Husbands,
Dr Clerk of the Council.

Combermere.

Read three times, and passed the General Assembly *nem. con.* this thirtieth day of June one thousand eight hundred and eighteen.

Jn^o W^m Edw^d Elder,
Act^s Clerk of the Gen^l Assembly.

Assented to by his Excellency the Governor, on the 28th day of July 1818.

W^m Husbands, Dr Sec^y.

A true copy from the Secretary's office, attested this 2d day of March 1819.

W^m Husbands, Dr Sec^y.

BARBADOES.

N^o 4.—AN ACT to repeal and amend certain Acts made for the government and protection of Slaves.

Preamble.

WHEREAS certain parts of the acts of this island passed for the governing of slaves have long since been and are now wholly and altogether obsolete, and of no force and effect; but whereas by reason of the many false accusations and wicked contrivances made and used by certain evil-disposed persons against the character and well-being of the British settlements in the West Indies, it is expedient to repeal by a positive enactment such parts of the said acts and statutes; be it therefore enacted, by his Excellency the right honourable Stapleton Lord Combermere, Knight Grand Cross of the most honourable Military Order of the Bath, and of the Portuguese Royal Military Order of the Tower and Sword, His Majesty's Captain-general and Governor-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 the fifth clause of a certain act or statute of this island, intituled, "An Act for the governing of Negroes," being number thirty-two in Hall's Laws of Barbadoes, be and the same is hereby repealed and made void.

Clause 1.

Repeals the fifth clause of N^o 32, Hall's laws.

Clause 2.

Repeals N^o 92, Hall's laws.

And be it further enacted, by the authority aforesaid, that an act or statute of this island, intituled, "An additional Act to an Act, intituled, 'An Act for the " governing of Negroes,' " and which is mentioned as number ninety-two in Hall's Laws of Barbadoes, shall be and the same is hereby repealed.

Clause 3.

Declares null and void the act herein mentioned.

And whereas doubts have arisen respecting the true construction, intent and meaning of a certain act which passed in the year one thousand eight hundred and five, and intituled, "An Act for the better protection of the Slaves of this Island;" be it therefore enacted, by the authority aforesaid, that the said act shall and the same is hereby declared to be null and void.

Clause 4.

Any person who shall wilfully kill and murder a slave, either his own property or that of another, and

hereafter wilfully and maliciously 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

or more competent witness or witnesses, 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.

Read three times, and passed the Council unanimously, the twenty-eighth day of July one thousand eight hundred and eighteen.

W^m Husbands,
D. Clerk of the Council.

Combermere.

Read three times, and passed the General Assembly *nemine contradicente*, this twenty-eighth day of July one thousand eight hundred and eighteen.

J^{no} W^m Edw^d Elder,
Acting Clerk of the General Assembly.

being duly convicted by sufficient evidence, shall suffer death; proviso, that thereby he shall not forfeit his lands, &c.

Passed 29th July 1818.

Assented to by his Excellency the Governor, on the 29th day of July 1818.

W^m Husbands, D. Secretary.

A true copy from the Secretary's Office, attested this 2d day of March 1819.

W^m Husbands, D. Secretary.

BAHAMA ISLANDS.

N^o 5.—AN ACT to extend certain Privileges of Persons of Free Condition within these Islands.

WHEREAS by the fifth clause of the act passed in the twenty-fourth year of the reign of his late Majesty King George the Third, intituled, "An Act for governing Negroes, Mulattoes, Mustees and Indians, and for suspending several Acts therein mentioned;" it is enacted, that the oath of free negroes, mulattoes, mustees or indians, shall not be good or valid in law against any white person, excepting in matters of debt: And whereas it is deemed expedient and necessary, that such persons should be made competent witnesses in all civil causes or suits whatsoever; May it therefore please Your Majesty, that it may be enacted, and be it enacted by his Excellency Lewis Grant, esquire, Major-general of Your Majesty's forces, Captain-general and Governor-in-chief of the Council and Assembly of the said 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 negro and negroes, mulatto and mulattoes, indian and indians, and all and every other person and persons of colour born in these islands, and being of free condition by birth, or by manumission under and by virtue of any deed or will, or other instrument in writing, duly recorded in the office of the secretary and register of records for these islands, or under and by virtue of any verdict and judgment obtained and given by the general court of these islands, in pursuance of an act of the General Assembly of the said islands, made and passed in the forty-fifth year of his late Majesty's reign, intituled, "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," and who shall have been baptized and instructed in the principles of the Christian religion, shall and lawfully may be admitted and received to give evidence for or against white persons in any civil cause or suit whatsoever, which may after the passing of this act be instituted and prosecuted in any of the courts of law or equity in these islands; provided always, that no such negro, mulatto, indian, or other person of colour, shall be deemed or taken to be competent to give evidence under and by virtue of this act, unless such person shall have been baptized into the Christian religion, and shall have been free at least three years 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, duly and regularly authenticated by the minister of the parish in which such person shall have been so baptized, or by the churchwardens thereof in case of the death or absence of such minister; and provided also, that no such negro, mulatto, indian, or other person of colour, being of free condition by manumission as aforesaid, or by verdict and judgment obtained and given in the said general court as aforesaid, shall be admitted to give evidence under this act, unless he or she shall have been so manumitted, or declared free previous to the commission or existence of the fact respecting which he or she shall be produced to give his or her evidence; and any negro, mulatto, indian, or other person of colour as aforesaid, who shall at any time have been a slave, or have been used and considered

Preamble.

Proviso.

Bahamas.

as such, and who shall have obtained freedom by manumission, will or the like, or by judgment of a competent tribunal, shall not be held or considered as having been free within the meaning of or for any of the purposes contemplated by this act, until after such manumission, will or the like shall have been actually recorded, or judgment regularly entered up as aforesaid, neither shall any baptism which shall take place within three years immediately previous to the production of any such witness as aforesaid be a sufficient qualification within the meaning of this act.

II. And be it further enacted, by the authority aforesaid, that after the passing of this act the secretary and register of records of these islands shall record in a separate book or books, all manumissions by deed, will or other instrument in writing produced to him for that purpose, provided the execution thereof shall have been first proved according to law; and after such registry, the said register shall and is hereby required to grant a certificate or certificates to any person or persons requiring the same of any manumission or manumissions having been registered and recorded in his office, in which certificate or certificates he shall state the name of the manumission and the date of the manumission, and whether the manumission was by will, deed or other instrument in writing, and he shall also state therein the day when such manumission was lodged to be recorded, and such certificate shall be deemed, taken and received as good evidence of the manumission of the person or persons therein mentioned to be manumitted, unless it can be proved that such manumission was a forgery, or obtained by fraud or other undue means.

III. And be it further enacted, by the authority aforesaid, that any negro, mulatto or other person of colour, born within His Majesty's dominions (the settlements in Africa excepted) who may be permitted to settle within these islands, and who shall have produced and recorded in the secretary's office a certificate of his or her birth and freedom under the public seal of the government in which they were born or made free, and who shall have actually resided five years within these islands after the date of such record, shall be entitled to the same privileges extended by this act to like persons born within these islands, and under the same restrictions and limitations hereinbefore provided concerning the same.

IV. And be it further enacted, by the authority aforesaid, that if any negro, mulatto, indian or other person of colour, of free condition, shall in any civil cause or suit as aforesaid, whenever he or she shall give his or her testimony, commit wilful and corrupt perjury, such negro, mulatto, indian or other person of colour, shall on conviction thereof suffer such punishment as may be inflicted according to the laws and statutes of Great Britain, in force within these islands, in such case made and provided.

Passed the House of Assembly, December 11th, 1821.

L. Kerr, Speaker.

Passed the Legislative Council, 18th December 1821.

W^m Vesey Munnings, President.

Assented to the 23d day of January 1822.

Lewis Grant.

A true copy from the original act.

C. R. Nesbitt, Dep. Sec.

BAHAMAS.

N^o 6.—*AN ACT to amend an Act, intituled, "An Act to establish a Triennial Registration of Slaves in the Bahama Islands."*

Bahamas.

WHEREAS it is expedient that an act passed in the second year of His Majesty's reign, intituled, "An Act to establish a Triennial Registration of Slaves in the Bahama Islands," should be amended; be it enacted by his Excellency Lewis Grant, esquire, Major-general of His Majesty's forces, Captain-general and Governor-in-chief in and over these islands, the Council and Assembly in and for the same; and it is hereby enacted by the authority of the same, that in case of the birth of any slave or slaves within these islands, or of the arrival in or importation into the same of any slave or slaves, between any two of the triennial returns provided for by the act to which this act is an amendment, all such slaves so born or arriving in or imported in the islands may, at the discretion of the owner of such slave or slaves,

or

Intermediate registration of slaves born, &c. between triennial returns may be made at the discretion of the owner.

or others having charge or possession of the same, be registered in the office of the register of slaves at any time previous to the then next ensuing general registration of slaves, any thing contained in the said act to which this act is an amendment to the contrary notwithstanding; and all returns of slaves in virtue of this act as aforesaid shall be made and received, and by the register registered according to the form as nearly as may be of the schedule marked (A.) annexed to the said act to which this act is an amendment, and under the same liabilities, pains and penalties provided in and by the said hereby amended act in the case of false returns and of wilful and corrupt perjury in making such false returns, knowing them to be such.

Bahamas.

Duty of register in receipt of returns.

And be it further enacted, by the authority aforesaid, that this act shall be and continue in force for and during the continuance of the act to which this act is an amendment, and no longer.

Passed 28th January 1823.

BERMUDA.

No. 7.—AN ACT for increasing the number of Clergymen within these Islands.

WHEREAS it is deemed expedient to divide the eight parishes westward of the Public Ferry into four livings as soon as circumstances shall admit thereof; and in order to enable the said parishes to support four clergymen for the said four livings, to grant some aid from the public treasury of these islands: We therefore Your Majesty's most dutiful and loyal subjects, the General Assembly of these Your Majesty's Bermuda or Somers' Islands, do most humbly beseech Your Majesty that it may be enacted, and be it enacted by Your Majesty's Governor and Commander-in-chief, Council and Assembly, and it is hereby enacted by the authority of the same, that upon a vacancy taking place in the living at present composed of the parishes of Pembroke, Devonshire, Smith and Hamilton, by the death of the incumbent, resignation or otherwise, the said parishes of Pembroke and Devonshire, together with the glebe, parsonage-house, school-house and appurtenances, situate in the said parish of Pembroke, shall constitute one living; and the said parishes of Smith and Hamilton, together with the annual interest, profits or issues payable by law for the glebe, situate in the parish of Hamilton, and which has been sold in fee-simple conditional under and by virtue of an act of the legislature, shall constitute another living; and that upon any vacancy taking place in the living at present composed of the parishes of Paget, Warwick, Southampton and Sandy's, by the death of the incumbent, resignation or otherwise, the said parishes of Paget and Warwick, together with the annual interest, profits or issues payable by law for the glebe, situate in the said parish of Paget, and which has been sold in fee-simple conditional under and by virtue of an act of the legislature, shall constitute one living; and that the said parishes of Southampton and Sandy's, together with the glebe, parsonage-house and appurtenances, situate in the said parishes of Southampton and Sandy's, shall constitute another living.

Bermuda.

And be it further enacted, by the authority aforesaid, that for each of the said four livings there shall be one incumbent or rector, regularly educated for the church of England, who shall reside either on the glebe appropriated to the living, or where there is no glebe at some place as nearly central between the two parishes, composing the living, as he can be accommodated with a suitable house; and that it shall be the duty of such rector or incumbent to perform service and the usual duties on every Sunday, alternately in the forenoon and afternoon, in the parish church of each of the said parishes composing his living.

And be it further enacted, by the authority aforesaid, that there be allowed annually out of the public treasury of these islands, in aid of the parishes composing the livings aforesaid, the stipends or sums of money following, to wit, to the rector of the parishes of Pembroke and Devonshire the sum of two hundred pounds, to the rector of the parishes of Smith and Hamilton the sum of two hundred pounds, to the rector of the parishes of Paget and Warwick the sum of two hundred pounds, and to the rector of the parishes of Southampton and Sandy's the sum of two hundred pounds; and that the said stipends be annually paid out of any unappropriated monies in the public treasury, for and during the residence of the said rectors as by this act prescribed, and the performance of the duties respectively within their livings, on certificates thereof being produced from the vestries of the parishes respectively composing their livings.

Bermuda.

And be it further enacted, by the authority aforesaid, that when and as often as the inhabitants and freeholders of any of the above mentioned parishes, assembled in full parish meeting in consequence of proper notice for that purpose to be given, shall by vote freely and voluntarily fix on the incumbent of such parishes, during his continuance to hold the living within the same, an annual sum of money, in addition to the stipends by this act fixed and allowed, (and such vote shall be entered on the parish records, together with the terms and conditions, if any, whereon the same shall be granted,) it shall and may be lawful for the vestry or assessors of such parishes to provide for and enforce the payment of such additional salary, in the like manner with other parochial charges.

And be it further enacted, by the authority aforesaid, that the sums hereby fixed and allowed the respective incumbents by this act contemplated, together with such additional sum as may from time to time be allowed by the parishes respectively, shall be as and for and in lieu of all and every other sum of money directed to be paid the incumbents of any of the said parishes out of the public treasury, or to be raised for them by assessments in the said several parishes by the act intituled "An Act for settling a yearly Revenue upon the Ministers of these Islands," or by any other act in the like case made and provided.

And be it further enacted, by the authority aforesaid, that this act be in force for and during the term of thirty years, and no longer.

Passed the Assembly this 11th day of March 1820.

By order of the House,

John Noble Harvey, Speaker.

Concurred to by the Legislative Council the 16th day of March 1820.

Robert Kennedy, President ad interim.

Assented to this 17th day of March 1820.

William Lumley.

CAPE OF GOOD HOPE.

N^o 8.—*A PROCLAMATION issued by Lord Charles Henry Somerset, for religious Instruction and treatment of Slaves.*

Cape of
Good Hope.

Proclamation by his Excellency the Right honourable General Lord Charles Henry Somerset, one of His Majesty's most honourable Privy Council, Colonel of His Majesty's 1st West India Regiment, Governor and Commander-in-chief of His Majesty's Castle, Town and Settlement of the Cape of Good Hope, in South Africa, and of the Territories and Dependencies thereof, and Ordinary and Vice-admiral of the same, Commander of the Forces, &c. &c. &c.

WHEREAS I having taken into consideration the happy increase of the means of religious instruction, and the opportunities for religious worship which have been established in this settlement, and the benefit which is resulting therefrom to the community at large; and being confident that there exists but one feeling in the breasts of the inhabitants, that it is the bounden duty of every true Christian to civilize the lower classes, and to ameliorate their condition as far as may be consistent with the security of the state, and with a due consideration to the rights and privileges of all; and whereas it must be evident to every well-disposed and religious person, that the propagation of Christianity amongst slaves will tend, beyond any other measure, to promote morality amongst them, and to improve their condition and conduct,—do (under a sanguine hope that the following regulations may conduce to those desirable objects, and to the removing of any existing evils) hereby proclaim and order, that,

1st. Sunday being commanded in all Christian states to be a day of rest, it is hereby forbidden and declared illegal to compel a slave to perform field labour on the Sabbath day, or any other work, but such as is ordinarily considered work of necessity; complaint in such case to be made to the local authority, who is hereby empowered to exact a penalty for every such offence, if proved, not exceeding 50 rds. nor less than 10 rds.

2d. Slave

2d. Slave proprietors who have caused their slave children to be baptized in the Christian religion shall, as far as relates to such slaves, be exempt from any tax which has been imposed on slaves in this colony.

3d. The manumission of a slave who has embraced the Christian religion shall not be subject to the customary payment of 50 rds. to the reformed church; but such slave shall, nevertheless, be entitled (the same as other members of the church) to support from the vestry, under the usual regulations and conditions.

4th. Christian slave proprietors residing in Cape Town, and other towns and villages, and their immediate vicinity, where free schools are or may be established, are, after the 1st day of June next, to send their slave children above three years, and under ten years of age, at least three days in each week to the established free school nearest to their dwelling; and those whose residence will not permit them to afford this consoling advantage to their slave children, are anxiously invited to avail themselves of any means which may offer for giving them instruction.

5th. Slaves who have been baptized, and who are not within the prohibited degrees of consanguinity, may intermarry, with their proprietors (or respective proprietors) consent had in writing, and delivered to the local authority; and the children of such marriages shall be the property of the proprietor of the mother. The same shall hold good with regard to slaves of either sex, intermarrying with free persons; in which case also, when the wife is a slave, the children of such marriage belong to her proprietor.

6th. The consent, in writing, of the proprietor or respective proprietors, (as the case may be,) transmitted to the clergyman through the local authority, shall supersede the necessity of being asked in the church, or of appearing before the matrimonial court, to legalize the marriages of slaves; and the respective local authorities shall be responsible that all marriages between slaves are without delay enregistered as all other marriages are, and that a notification of the marriage be made to the general or district office (as the case may be) established for the enregisterment of slaves.

Slave marriages shall be celebrated in the church on Sundays, where the locality will permit; and in other cases, the clergyman will, once in twelve months, appoint the most convenient places in their respective districts for the purpose of marrying slaves and baptizing children, so as to remove the inconvenience arising from remote habitations, which marriages it shall be lawful for the clergyman to perform upon receiving the written consent of the proprietors, through the local authority, as above directed. The marriages of slaves, and the baptism of their children, shall be performed without fee or reward.

7th. After the celebration of marriages, it is forbidden for the parties to be sold separately, or the children of such marriages without the parents, (or the survivor of them,) until such children shall have attained the age of ten years, except under a decree of the court of justice.

8th. Children not born in wedlock of a slave woman, who has embraced the Christian religion, and has been baptized, shall not be sold from their mother, unless they shall have fully attained their ninth year; neither shall such Christian female slaves, so baptized, be sold, without selling to the same person any child she may have under the age of nine years, except under a decree of the court of justice.

9th. The regulations prescribed in the preceding clause, respecting children born of mothers who have embraced the Christian religion, and have been baptized, shall also be observed with regard to children born of slaves not of the Christian religion, and not having attained their eighth year, to whom the special care and attention of the mother must be considered indispensable; and all sales, not in conformity to the restrictions comprehended in this and the foregoing clauses, are hereby declared null and void.

10th. In order further to insure the observance of the preceding clauses, separate books shall be kept in the respective offices for the enregisterment of slaves, of all slave marriages, and of all slave children born in lawful wedlock, for which purpose owners shall report to that office, in their respective districts, the date and proof of baptism. Those who neglect causing the children of their Christian slaves, born in wedlock, to be baptized within twelve months after the birth of such children, shall incur a penalty of not less than 25 rds. and not exceeding 100 rds. for each offence, and shall be compelled to have such child or children baptized at their own expense.

11th. Slaves who have embraced the Christian religion, and have been incorporated in the church by baptism (although transferred or become the property of heathens) are not to be deprived of the right of attending at church, or place of
Christian

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Christian worship on Sundays, under a penalty of 10 rds., to be paid by the proprietor, unless justifiable cause can be shown for such prevention.

12th. The evidence of a slave upon oath, after baptism, may be received by the constituted authorities or competent courts, the same as that of any other Christian.

13th. The property possessed by a slave, whether acquired by work in extra hours, (with the permission of the proprietor,) by donation, legacy, inheritance, or by any other honest means, is inherent in the slave, and in no event belongs to the proprietor, except in cases of suicide. In cases where differences may arise with respect to the property of a slave, or the means by which such property has been acquired, either party may bring the case under the cognizance of the local competent court. Every slave is entitled to dispose of his or her property, or other rights legally acquired, as well during life as by will at his or her demise, according to the laws of the colony; but in consideration of the peculiar circumstances which attach to this class of the community, it is here enacted, that if a slave die intestate, having no husband, wife or child (as the case may be,) the last declaration of the party, relative to the disposal of his or her property, if made before two credible witnesses of the age of twenty-five years or upwards, assembled for the purpose, who shall depose on oath to the truth of their statement, shall be considered valid and effectual for the disposal of his or her property, under the direction of the Orphan Chamber, provided such disposal be not in favour of either of the said two witnesses; and the Orphan Chamber shall make the disposal accordingly. In cases where intestate slaves have no relations, and make no declaration, or last will and testament, such as above described, as to the disposal of their property, the property shall be paid by the Orphan Chamber into a fund formed for the purchase of such female slave children, as shall have been at one of the established schools during a period of four years, and who shall be particularly recommended by the committee for their moral and exemplary conduct during that period.

The value of the female slaves, whose freedom is thus purchased, shall be fixed according to their actual value at that period by a commission of the court of justice, and such purchases shall be exempt from all taxes and charges ordinarily imposed upon the manumission of slaves.

This fund shall be placed under the direction of a board, consisting of his excellency the governor for the time being, the colonial secretary, the chief justice, the president of the Orphan Chamber, the colonial chaplain, and the senior ministers of the reformed and Lutheran churches, and such other person or persons as the governor for the time being shall be pleased to appoint, who are also empowered to receive all donations and legacies which may be made in aid of the objects of this fund. In the disposal of property left by slaves, the fees to which the Orphan Chamber shall be entitled, shall be on a scale of one-half only of the established fees of that institution.

14th. Every slave is to be daily supplied with sufficient and wholesome food; and in cases of dissatisfaction relating thereto, appeal may be made by either party to the local authority; and if deficiency or bad quality be proved, the proprietor or employer for the time being shall incur a penalty of 25 rds., and for a second offence a penalty of 50 rds., to be disposed of as hereinafter directed in clause 23.

If on the contrary, the complaint be proved to be unfounded or frivolous, the complainant may be proceeded against as hereinafter directed.

15th. Every slave is to be kept provided with good and sufficient clothing by the proprietor for the time being; and in case of dissatisfaction, appeal may be made under the same provisions and penalties, on either side, as stated in clause 14.

16th. Slaves employed in garden or field labour are not to be compelled to work more than 10 hours in each 24 hours, from the 1st April to the 30th September; nor more than 12 hours in 24 hours, from the 1st October to the 31st March inclusive; except during the ploughing or harvest seasons, or on extraordinary occasions, when a remuneration shall be made to them in money, or by an additional proportion of food, according to the discretion of the local magistrates, (if appealed to,) under a penalty not exceeding 50 rds., nor less than 10 rds.

17th. Proprietors or persons employed by them are not at liberty to inflict any punishment on a slave, beyond what may be considered a mild domestic correction; this correction is only to be given with rods, or other implements of domestic punishment; it is not to exceed 25 stripes, and is in no case to be repeated within 24 hours, nor until the delinquent shall have recovered from the effects of any former correction,
under

under a penalty, in breach of any of the provisions of this clause, not exceeding 100 rds. nor less than 50 rds. for each offence.

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18th. Should it be necessary for the security or safety of a family or individual to put a slave in irons, the same shall be reported within 24 hours to the local authority, under a penalty of 50 rds., stating the cause and circumstances under which such measure could be justified.

19th. Maltreatment of a slave by the proprietor, not attended with death, may be punished by fine, imprisonment, banishment, or other sentence of the law according to the nature of the case, and the degree of cruelty exercised, and the slave may be publicly sold for the account of the proprietor, but under special condition of never again coming into his power, or into that of his parents, children, brothers, or sisters; but when the maltreatment of a slave has been attended with death, it must be recollected, that the court, in giving judgment, will be guided by the law applicable to homicide.

20th. Maltreatment of a slave by the overseer, or representative of the proprietor, or other individual, shall be punished as if the same had been inflicted on a free person placed under the superintendence or direction of such overseer, or other representative of the proprietor. Domestic punishment is forbidden to be inflicted on a slave by any other hand than that of the proprietor, employer, or overseer (not being a slave,) except in cases where the proprietors or employers, having no free person in their employ, are females, or infirm, or suffering under disease, or are upwards of 60 years of age, under a penalty of 100 rds. nor less than 50 rds. to be paid for each offence by the person who has caused such illegal punishment to be inflicted.

21st. On the complaint of a slave to the local magistrate against the proprietor, or other individual, the magistrate shall take charge of the complaining slave, and inquire into the case forthwith; in order, should the complaint be well founded, to proceed against the person complained of in such manner as the law directs; but should the complaint prove groundless, the slave shall be condemned to such legal punishment as the nature of the case may require.

22d. The corpse of a slave shall not be interred, without permission being first obtained from the fiscal, landdrost, or field cornet, under whose immediate jurisdiction the employer, for the time being, resides, under a penalty of 50 rds.

23d. All penalties incurred under the provisions of any of the clauses in this proclamation shall be disposed of as follows: one-third to the informer, and two-thirds to the fund specified in Clause 13, for purchasing the freedom of female slave children of the free schools.

24th. It is clearly to be understood, that none of the provisions contained in the foregoing Clauses do, or will affect, in any degree, the property of the proprietors in their slaves, or their just claims to their services.

And that no person may plead ignorance hereof, this shall be published and affixed in the usual manner.

God save the King!

Given under my hand and seal, at the Cape of Good Hope, this 18th day of March 1823.

(signed) *C. H. Somerset.*

By command of His Excellency the Governor.

(signed) *C. Bird,*
Secretary.

DOMINICA.

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N^o 9.—*AN ACT for regulating the government and conduct of Slaves, and for their more effectual Protection, Encouragement, and the general melioration of their Condition.*

Preamble.

WHEREAS it is expedient that the laws respecting the slave population of this island should be revised and amended, as far as is consistent with due order and subordination, and the welfare of the colony; We, therefore, Your Majesty's dutiful, loyal and obedient subjects, the Governor, 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;

Clause 1.

And be it, and it is hereby enacted and ordained, by the authority aforesaid, that every owner, renter or director, or the attorney, agent or representative of such owner, renter or director of any slave or slaves, shall issue and distribute to him, her or them good and sufficient clothing once in every year; that is to say, a Pennistone or drugget jacket, a hat or cap, and Osnaburgs or Pennistone trowsers, with three yards of Osnaburgs to the male adults; a Pennistone or drugget wrapper, and an Osnaburg or Pennistone petticoat, and a hat, with three yards of Osnaburgs to female adults, and to children according to their size and age; and also a blanket to each adult, male and female, and one also to every two children once in every three years; and shall provide for them dry and comfortable lodgings; and in the cases of the sickness of any of the said slaves, the owner, renter or director of such slave or slaves, shall provide proper medical assistance and advice, and shall also 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 may be called in shall order or direct; and in case of failure of such owner, renter or director of such slave or slaves, or the attorney, agent or representative of such owner, renter or director of such slave or slaves, to issue such sufficient clothing, and provide comfortable lodging and medical assistance as aforesaid, such owner, renter or director of slaves, or his, her or their attorney, agent or representative, shall be deemed guilty of a misdemeanor, and be liable to be fined in any sum not exceeding fifty pounds, to be recovered by indictment in His Majesty's court of king's bench and grand sessions of the peace, one moiety of the fine so imposed to be paid to the informer, and the other into the public treasury for the benefits of the colony.

Preamble.

And whereas slaves frequently sell the clothing and necessaries issued to them by their owners or employers, to their own personal detriment, and that of their owners;

Clause 2.

Be it, and it is hereby further enacted and ordained, by the authority aforesaid, that it shall not be lawful for any person or persons whomsoever to purchase any clothing or necessaries from any slave or slaves; and if any person or persons, either white or free or slaves, shall detain, buy or exchange, or otherwise receive of any slaves their clothing or necessaries so issued as aforesaid, such person or persons shall be deemed guilty of a misdemeanor, and upon conviction by the oath of one or more credible witness or witnesses before any two of His Majesty's justices of the peace, if a white or free person of colour, shall forfeit a sum not exceeding ten pounds, to be levied by warrant under the hands of such justices of the peace, by distress and sale of the goods and chattels of the offender, one moiety thereof to be paid to the informer, and the remainder into the treasury for the public uses of the colony; and if a slave, shall and may be punished by inflicting any number of lashes not exceeding thirty-nine.

Preamble.

And whereas from the extensive quantities of land belonging to the respective plantations, and not occupied in the cultivation of the staple commodities of the island, and from the facility afforded to the slaves of raising provisions thereon, it has been found that by allotments of proper portions of ground, and time to work them, the provisions raised on such grounds are more advantageous to the slaves than any allowance of rations;

Clause 3.

Be it, and it is hereby enacted, by the authority aforesaid, that every owner, renter or director, or the attorney, agent or other representative of such owner,
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renter or director, of any slave or slaves attached to plantations, shall and he is hereby required to allot to each and every such slave or slaves a sufficient portion of land, not less than half an acre for each slave of whatever age; and also allow one day in every week over and above Sundays and the holidays hereinafter prescribed, for the purpose of cultivating the said land in provisions, and to each child under ten years of age a sufficient quantity of good and wholesome food; and any owner, renter or director who shall neglect to allow to such slave or slaves such portion of land and time to work it as aforesaid, shall on conviction be fined in any sum not exceeding fifty pounds, to be sued for and recovered as is directed by the first clause of this act; provided always, that in cases where it may be absolutely necessary for the purpose of taking in the crops of sugar and coffee, to employ such slave or slaves at work on the days hereinbefore directed to be allowed for the cultivation of their grounds, the owner, renter or director of such slave or slaves so employed shall and he is hereby required to issue an allowance of salted or pickled fish, not less than two pounds for every adult, and half that quantity for every child under ten years of age, in lieu of such day; and provided also, that in all cases such slave or slaves shall be allowed at least twenty-six days in each and every year for the purposes aforesaid, over and above Sundays and the holidays hereinafter prescribed, under the penalty of any sum not exceeding fifty pounds for every neglect, to be sued for and recovered as is directed by the first clause of this act.

And be it enacted and ordained, by the authority aforesaid, that during the crop not only shall the slaves as heretofore be exempted from the labour of the estate or plantation on Sundays, but that no mill shall be put about or worked between the hours of seven o'clock on Saturday night and five o'clock on Monday morning, under the penalty of twenty pounds, to be recovered as aforesaid against the manager or other person having the charge of such slaves; and no store or shop shall be kept open during the time of divine service, under the penalty of ten pounds, to be recovered as aforesaid against the keeper of the same. Clause 4.

And whereas a relaxation from labour on certain fasts and festivals, and indulgence in innocent recreations and amusements, are but reasonable and just; Preamble.

Be it, and it is hereby further enacted and ordained, by the authority aforesaid, that the slaves in this island (house servants, stock-keepers, watchmen and fishermen excepted,) shall not be required to labour for their masters or owners on any Sunday throughout the year, Christmas-day, and the day following, New Year's-day, and Good Friday; and in cases where any one of the said holidays fall on a Sunday, then the Wednesday following shall be allowed such slave or slaves in lieu of such Sunday. Clause 5.

And be it, and it is hereby further enacted and ordained, by the authority aforesaid, that it may be permitted for any slave or slaves on any plantation or in any house of the said island, by and with consent and approbation of the said owner or renter, or the attorney, agent or representative of such owner or renter, on each and every estate and plantation of the said island, to use any instrument or instruments of music for the purpose of dancing, or in the indulgence of any innocent amusements; provided the said dancing or amusements do not continue after eight o'clock in the evening in the town of Roseau, nor beyond the hour appointed by the manager or overseer on plantations. Clause 6.

And whereas, on the different days allotted for holidays and times of recreation, slaves may become riotous and disorderly, from the absence of the managers, overseers or persons in charge of them; to prevent the mischief arising therefrom,

Be it, and it is hereby further enacted and ordained, by the authority aforesaid, that any manager, not having an overseer under him, who shall absent himself from the plantation of which he has the charge on such holidays and festivals aforesaid (divine service and militia duty excepted,) shall forfeit the sum of five pounds; and any overseer who shall absent himself from the estate he lives on at such time (with the above exception only,) without the leave of his manager or employer, shall forfeit the sum of three pounds, such fine and forfeiture to be recovered and appropriated as prescribed by the first clause of this act. Clause 7.

And be it, and it is hereby further enacted and ordained, by the authority aforesaid, that all owners and possessors, or in their absence the managers and overseers of slaves, shall as much as in them lies promote and encourage the religious instruction of all slaves belonging to them, or committed to their charge. Clause 8.

And whereas, since the late distresses particularly, some instances have occurred of owners and renters of slaves permitting infirm, disabled and diseased slaves to

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wander at large as mendicants, to the great nuisance of the inhabitants of the towns and parishes ;

Clause 9.

Be it, and it is hereby further enacted and ordained, by the authority aforesaid, that no owner or possessor of any slave or slaves, whether in his or her own right, or as attorney, guardian, trustee or 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 through age, sickness or infirmity, or any other cause, but shall be, and he, she and they is and are hereby obliged to keep every and all such slave or slaves upon his, her or their properties, and provide them with proper necessaries as aforesaid, and not suffer them to wander about and become burthensome to others for sustenance, under the penalty of twenty pounds for every such offence ; to be recovered in a summary manner, on complaint before any two justices of the peace for this island, who are hereby authorized, empowered and required to cause such master, owner or possessor, his, her or their attorney and agent, and such other persons as they shall judge proper, to be summoned before them to enable them to determine upon the propriety of such complaint.

Preamble.

And whereas instances have occurred of slaves afflicted with contagious disorders being allowed to wander about the streets of the towns, and public highways and bye-roads of the country ;

Clause 10.

Be it, and it is hereby further enacted and ordained, by the authority aforesaid, that any owner or possessor of any slave or slaves, whether in his or her own right, or as attorney, guardian, trustee or executor, or otherwise, who shall knowingly suffer any slave or slaves to leave the property to which they belong, and to wander about the country or in town, shall for each offence forfeit the sum of twenty pounds, to be recovered as prescribed by the ninth clause of this act.

And whereas it is just and proper that the slaves should be protected in their persons from the violence and inhumanity of such white persons or free persons of colour as may have no lawful authority over them, or who having, may exert such authority in an unjustifiable or cruel manner ;

Clause 11.

Be it, and it is hereby further enacted and ordained, by the authority aforesaid, that if any white person or persons, or free person or persons of colour whatever, shall be convicted of the wilful murder of any slave or slaves, or shall be accessory thereto, such white person or persons, or free person or persons of colour, shall suffer death or such other punishment as the court may adjudge.

Clause 12.

And be it, and it is hereby further enacted and ordained, by the authority aforesaid, that if any master, mistress, owner or possessor, attorney, manager, overseer or employer, 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, or wantonly or cruelly whip, beat, bruise, cut, wound, or imprison or keep in confinement without sufficient support, any slave or slaves, it shall and may be lawful to and for any of His Majesty's justices of the peace of the said island, and they are hereby authorized and required, upon complaint or information thereof, to summon the offender to appear before him, and all such witnesses as may be material to prove the said offence, and shall take down the examination of such offender in writing, and also the state, appearance, marks and condition of the slave or slaves, and all other circumstances that may be necessary to prove the fact, and shall return the same to the clerk of the crown, and shall also bind over the said offender in any sum not exceeding three hundred pounds, with two securities, to appear at the next court of king's bench and grand sessions of the peace ; and the clerk of the crown shall, before the sitting of the said court of king's bench and grand sessions of the peace, send such recognizance to the attorney-general of the said island, who is hereby required to proceed against such offender by indictment ; and upon trial of such offender, his examination, if signed by him, or the statement in writing of the magistrate, shall be *prima facie* evidence of such offender having committed the offence, and upon conviction he shall be punished by fine, not exceeding two hundred pounds, or imprisonment, not exceeding six months, or both ; and in atrocious cases, the court before whom such offender shall have been tried and convicted are hereby empowered, in case they think it necessary for the future protection of such slave or slaves, to order the marshal to sell and dispose of such slave or slaves to any person (except the owner) at public outcry, for the best price that can be procured for such slave, and the monies arising from such sale, after the payment of the said fees, shall be paid to such owner.

And whereas by the present existing law, although punishment by fine is denounced

denounced against any white person or free person of colour who shall beat, wound, maim, or ill-treat the slave or slaves of any other person, or deprive such slave of his, her or their property; yet, as the testimony of such slave or slaves is inadmissible for his or their conviction, by which such enactment has proved of little effect, as such offence may occur when no white or free person of colour is present, and the offender or offenders from hence may escape with impunity;

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Be it, and it is hereby further enacted and ordained, by the authority aforesaid, that from and after the publication of this act, any white person or free person of colour, who shall beat, maim, wound, or ill-treat any slave or slaves the property of another person or persons, or deprive such slave or slaves of his, her or their property, on complaint being made thereof by the owner or owners of such slave or slaves, or his, her or their representatives, to any justice of the peace, and the slave or slaves being produced, and the marks of the blows or wounds being exhibited before any of His Majesty's justices of the peace, such justice shall and he is hereby empowered, authorized and required, should he deem the complaint sufficiently founded, to summon the party so accused before him, and to examine him on oath, and on his refusal to be examined, such contumacy shall be construed an admission of the fact, and thereupon to bind over such white person or free person of colour charged with such offence, himself in the sum of two hundred pounds, with two securities, being freeholders, in the sum of one hundred pounds each, to appear at the next ensuing court of king's bench and grand sessions of the peace, then and there to answer the charge alleged against such white or free person of colour, the said justice having previously examined upon oath such slave or slaves, (should he, she or they have been baptized,) and duly explain and enforce to them the nature and solemnity of an oath; which examination the justice shall return, with the recognizance, to the clerk of the crown, prior to the sitting of such court; and on the parties appearing before the court, the testimony of any slaves who may have been present (he, she or they having been duly baptized) shall be received, as far it shall appear clear and consistent in the opinion of the court; provided always, nevertheless, that no white person, or free persons of colour, shall be convicted of any of the offences aforesaid on the testimony of any slave, unless two of the said slaves at least do clearly and consistently agree with each other, and depose to the same effect, 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 person shall be convicted on the testimony of any slaves for any of the offences aforesaid, unless the same shall be prosecuted within twelve months after the commission thereof; and on the conviction of the person or persons charged with such offence, such offender or offenders shall be subject to a fine not exceeding the sum of one hundred pounds, or imprisonment for a term not exceeding three months, at the discretion of the court; and the proprietor shall or may moreover have his action of damages in the court of common pleas against any white person or free person of colour so offending, for any loss of time and labour sustained of such slave or slaves by him, her or them so beaten, maimed, wounded or ill-treated.

Clause 13.

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, shall take away or cause to be taken away from any slave any article or thing whatsoever, or shall take away or cause to be taken away from any slave any stock, vegetables, provisions, grass tops, or any article or thing which such slaves 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 for any labour performed by them; or shall remove or take away by force from any slave or slaves on the ground, or scatter about or destroy any article or thing whatsoever aforesaid, or cause the same to be done, in any 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 he is 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,

Clause 14.

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plaint, who shall be compelled to answer upon 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 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 gaol for any time not exceeding one month, and such constable shall execute such warrant under the penalty of twenty-four 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.

Preamble.

And whereas a practice hath formerly prevailed, but which has been so universally discountenanced as to be at present in almost general disuse, of punishing ill-disposed slaves, and such as are apt to abscond from their owners, by causing to be fixed round the necks of such slaves heavy iron collars, with projecting iron branches or hooks, to prevent future desertion;

Clause 15.

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 whatever, under the penalty of fifty pounds, 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 slaves, for any offence whatsoever, with chains, irons or weights of any kind (except where it is absolutely necessary for securing the person of such slave by a light collar or handcuff not exceeding four pounds weight,) and all and every the justices of the peace within this island are hereby authorized, directed and required, under the penalty of fifty pounds, on information and view of such offence, to order such heavy collar, chains, irons or weights to be immediately taken off from the slave or slaves wearing or bearing the same; and if the person ordered to take off the same shall refuse or neglect so to do, he shall be deemed guilty of a misdemeanor, and punished accordingly: provided always, that nothing contained in this clause shall prevent owners of slaves having on their properties stocks, bilboes or other secure means, to confine refractory slaves, or such as are addicted to running away, so that they are thereby confined without bodily hurt.

And whereas in cases of breaches of plantation discipline, it is necessary for the sake of preserving order and the safety of the property, that prompt punishment should be inflicted, to a certain extent, at the discretion of those to whom the charge of such property is intrusted;

Clause 16.

Be it therefore enacted and ordained, by the authority aforesaid, that in cases of breaches of plantation discipline or disorderly conduct, moderate punishments for the purpose of maintaining due order on the plantation shall be allowed; provided that no more than twenty lashes shall be inflicted at a time for one offence by a manager, nor more than five by any overseer, unless the owner, attorney or supervisor be present, nor shall the owner, attorney or director of any slave or slaves inflict, order or cause to be inflicted 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 effect of the 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, besides being subject to be prosecuted by indictment in the court of king's bench and grand sessions of the peace.

Clause 17.

And be it, and it is hereby further enacted and ordained, by the authority aforesaid, that every slave or slaves not attached to plantations, who shall disobey the orders of his, her or their owner, renter or employer, or shall be guilty of drunkenness, quarrelling, fighting, neglect of duty, or absence without permission from such owner, renter or employer, shall be punished at the discretion of his, her or their said owner, renter or employer by confinement, not exceeding fifteen days, or flogging on the bare breech; provided the number of lashes do not exceed twenty for any

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one offence (if inflicted by the owner,) or twelve if inflicted by any renter or employer.

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And be it, and it is hereby enacted and ordained, by the authority aforesaid, that all and every slave or slaves, who shall be convicted of the wilful murder, or who shall have been accessory thereto, of any white person, free person of colour, free black, or slave, shall be deemed guilty of felony, and suffer death, or such other punishment as the court may direct. Clause 18.

And be it, and it is hereby enacted and ordained, by the authority aforesaid, that if any slave or slaves shall be guilty and convicted of rebellion, conspiracy or of robbery, or the attempt of robbery or of burglary, burning or destroying of any cane-piece, house or houses, stores, shops, works or outhouses, or negro houses, or of stealing thereout or therefrom at any time money or goods exceeding the amount of twenty pounds, shall suffer death, or such other punishment as the court may direct; and such slave or slaves convicted of robbery or theft under the value of twenty pounds, or of gaming or any misdemeanor, shall be punished at the discretion of the court. Clause 19.

And be it further enacted and ordained, by the authority aforesaid, that any slaves who shall be found assembled for mutinous or other dangerous purposes, and who shall refuse to go home to their different houses and plantations when ordered so to do by any white or free persons whatsoever, and who shall be convicted thereof, the ringleader or principal offender shall suffer death, and the others (according to the nature of their crimes or offences) such other punishment by banishment or public flogging on the bare breech, provided such flogging does not exceed thirty-nine lashes; and that if any free negro, free person of colour, or white person, shall hereafter suffer any unlawful assembly of slaves at his or her house or settlement, every such free or white person shall, upon due conviction thereof, suffer punishment by fine not exceeding twenty pounds, or imprisonment not exceeding three months, provided that information shall be given on oath within ten days after such unlawful meeting. Clause 20.

And be it further enacted and ordained, by the authority aforesaid, that any slave or slaves who shall be convicted of giving, selling or bartering gunpowder, fire-arms, or other offensive weapons, salt, salt provisions, clothes or other necessaries, lead or shot whatsoever, or having intercourse or correspondence with runaways directly or indirectly, shall (according to the degree of the delinquency of such slave or slaves) suffer death, banishment, or such other punishment as shall seem meet, at the discretion of the court where such slave shall be tried. Clause 21.

And whereas instances frequently occur of slaves assuming the art of witchcraft, or pretending to supernatural powers, or possessing what is commonly called by them obeah, and dealing in spells, charms and philtres, and thereby influencing the minds of weak and credulous slaves, and frequently stimulating them to actions of the highest atrocity against their masters, renters, managers and overseers, by administering drugs and potions of secret and generally of a poisonous nature, as well as to their fellow slaves or others to whom they bear evil intentions; Preamble.

Be it, and it is hereby further enacted and ordained, by the authority aforesaid, that any owner, renter, manager or overseer of any plantation, or any person whatsoever, who shall discover any slave or slaves practising any of the above arts, or pretending to any supernatural powers, or in possession of any drugs or potions, he the said owner, manager or overseer shall cause the said slave or slaves to be committed to the common gaol of this island, to stand his, her or their trial according to law; and on conviction of the said slave or slaves of the aforesaid crimes, he, she or they shall suffer death, or such other punishment at the discretion of the court, by banishment or flogging on the bare breech, as the said court shall deem meet, provided such flogging does not exceed thirty-nine lashes. Clause 22.

And be it, and it is hereby further enacted, that any slave who under the authority and by virtue of this act shall be sold for transportation by the provost-marshal, notwithstanding such sale shall remain in the custody of the provost-marshal until the purchaser of such slaves shall have entered into bond, with sufficient security to our Sovereign Lord the King, under the penalty of two hundred pounds for every such slave so purchased, that every such slave, if any opportunity should offer, be transported off this island within three months after the date of such bond, and shall in the meantime be kept in close confinement, for which the provost-marshal shall receive from the party entering into the same all expenses incident thereto, and such bond shall be filed among the records in the office of the said provost-marshal. Clause 23.

And be it further enacted and ordained, by the authority aforesaid, that every Clause 24.
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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 in writing on some part of the said bond before the provost-marshal as aforesaid, (who is hereby authorized and required to administer the same,) that every such slave so purchased by him shall be transported as aforesaid, and that the slave so purchased shall not within his knowledge, privity or consent be relanded in this island.

Clause 25.

And be it further enacted and ordained by the authority aforesaid, that the provost-marshal 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 three months before limited, provided any opportunity should occur for his, her or their transportation, such slave shall become forfeited to the colony, and be resold for transportation by the provost-marshal, in the same manner and under the like penalties as hereinbefore enacted; and the net proceeds of such resale shall be paid over to the treasurer for the use of the public, which fine shall be recovered by indictment in the court of king's bench and grand sessions of the peace.

Clause 6.

And be it, and it is hereby further enacted and ordained, by the authority aforesaid, that every slave sold for transportation under and by virtue of this act, who shall be found at large within the island at any time after such sale as is hereinbefore directed, may and shall be lawfully apprehended by any person whatsoever, and immediately taken before any of His Majesty's justices of the peace; and if it shall appear to the satisfaction of the said 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 to be resold for transportation only, and the monies arising from such sale, after deducting the customary expenses and marshal's fees, shall be paid over, one moiety thereof to the person apprehending such slave, and the other moiety to the treasurer for the time being for the public uses of the island.

Clause 27.

And be it, and it is hereby further enacted and ordained, by the authority aforesaid, that if any negro, or other slave or slaves, who shall have been transported from this island by virtue of this act, or of any other act heretofore in force respecting slaves, for murder, or being engaged in rebellion, conspiracy, or obeah or arson, or shall return from transportation, such negro or other slave or slaves shall upon conviction suffer death without benefit of clergy.

Clause 28.

And be it hereby further enacted and ordained, by the authority aforesaid, that if any master of any ship or vessel shall knowingly and wilfully bring back to this island any negro or other slaves, 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 indictment in the court of king's bench and grand sessions of the peace of this island, shall forfeit the sum of two hundred pounds for each slave so brought back, one moiety whereof shall be paid to our Sovereign Lord the King, His heirs and successors, for the public uses of this island, and the other moiety to the party or parties at whose suit or complaint such person was convicted, and shall suffer imprisonment at the discretion of the court for any space of time not less than three months, and not exceeding twelve months, without bail or mainprize.

Clause 29.

And be it hereby further enacted and ordained, by the authority aforesaid, that if the provost-marshal or any constable 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 or constable 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 said colony, and without injury to the rights of the owner to sue for the value of the same.

Clause 30.

And be it, and it is further enacted by the authority aforesaid, that if any slave or slaves shall have been committed to gaol, and who shall not be prosecuted at the following court of petty sessions, the gaol fees of such slave or slaves shall be paid by the person at whose instance such slave was committed, if not otherwise ordered or directed by the court, such fees to be recovered by the marshal by action of debt or on the case.

Clause 31.

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 whatever,

whatever, work or employ any slave or slaves sent to his custody, nor hire or lend such 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 in order to be inspected by any person or persons desiring such inspection; and in case any gaol keeper shall offend herein, he shall for every offence forfeit the sum of ten pounds, to be recovered as provided by the first clause of this act.

And be it further enacted and ordained, by the authority aforesaid, that all fines and penalties to be incurred by virtue of this act, which have not been hereinbefore declared how they shall be recovered and applied, shall, if not exceeding twenty pounds currency, be recovered in a summary manner before any of His Majesty's justices of the peace, by distress and sale of the offender's lands, goods and chattels; and if exceeding twenty pounds, to be recovered in any court of record by action of debt for the uses of the colony. Clause 32.

And be it further enacted and ordained, by the authority aforesaid, that if any person or persons shall be sued for any thing done under and by virtue of this act, he or they may plead the general issue, and give this act in evidence; and if any plaintiff be nonsuited or discontinue his suit, or a verdict be given against him, he shall pay treble costs of suit, and all judges, justices and juries are hereof to take notice and govern themselves accordingly; and no writ shall be sued out against or copy of any process shall be served on any justice for any thing done by him in the execution of this act, until notice in writing of such intended writ or process shall have been served on him or left at his usual place of abode by the attorney for the party one calendar month before suing out or serving the same, containing the cause of action, and indorsed with the name and place of abode of the attorney; provided that no action shall be brought against any justice for any thing done by virtue of this act, unless the same shall be commenced within six calendar months after the act complained of. Clause 33.

And be it, and it is hereby enacted and ordained, by the authority aforesaid, that after the passing of this act all free born or manumitted persons of colour, and all such who may hereafter possess such rights, shall be and are hereby declared and are competent to give evidence as witnesses in all civil and criminal cases whatsoever, any act or provision to the contrary notwithstanding. Clause 34.

And be it, and it is hereby enacted and ordained, by the authority aforesaid, that the act of the legislature of this island, intituled, "An Act for the encouragement, protection and better government of Slaves," be and the same is hereby repealed. Clause 35.

And be it, and it is hereby further enacted and ordained, by the authority aforesaid, that one hundred copies of this act be printed. Clause 36.

Chas Court, Speaker.

Passed the House of Assembly, this 1st day of June 1821.

J. H. Newman, Clerk of Assembly.

Passed the Board of Council, this 2d day of June 1821.

F. H. Garraway, Acting Clerk of the Council

Duly proclaimed in the Town of Roseau, the 2d day of June 1821.

Henry Trew, P. Marshal.

DOMINICA.

N^o 10.—*AN ACT to amend and make perpetual an Act, intituled, "An Act to prevent the buying of Coffee or other Produce from Slaves, to regulate the business of cleaning Coffee, and to prohibit the possession of Coffee in berry and parchment, unless to the amount and by the description of Persons herein allowed and excepted."*

WHEREAS the act of the legislature of this island, intituled, "An Act to prevent the buying of Coffee or other Produce from Slaves, to regulate the business of cleaning Coffee, and to prohibit the possession of Coffee in berry and parchment, unless to the amount and by the description of persons herein allowed and excepted," will by the terms of the limitation thereof expire in thirty days after the first day of July now next ensuing, or at the then next meeting of the assembly of this island: And

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whereas it is expedient to amend and make perpetual the same, we, therefore, the Governor, 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 :

Clause 1.

And be it and it is hereby enacted and ordained, by the authority aforesaid, that if after the publication of this act any person or persons shall tempt, seduce, bribe, solicit, or attempt to persuade any slave or slaves to steal from their owners or employers; or from any person or persons whomsoever, any quantity of coffee, sugar, syrup, molasses, rum, high or low wines, or any other plantation produce whatsoever, and to bring the same to him, her or them, for the purpose of giving or buying, or selling or exchanging by barter the same, such person or persons being of such offence duly convicted by indictment, in the court of king's bench and grand sessions of the peace of this island, within one year next after the commission of the same, shall suffer imprisonment in the common gaol of this island for any space of time not exceeding twelve months, nor less than six months, by the judgment of the said court in the discretion thereof to be awarded.

Clause 2.

And be it also further enacted and ordained, by the authority aforesaid, that if any person or persons shall hereafter excite, solicit, entice or persuade any slave or slaves to steal, or attempt to steal, upon or from off of any sugar, coffee or other plantation in this island any lead, copper, brass, iron or other materials, or any implement or utensils anyways used or employed on such plantations, and to bring or carry the same to him, her or them for the purpose of giving or buying, or selling or bartering the same in any mode whatsoever, such person or persons being convicted of such offence as aforesaid, by indictment in the court of king's bench and grand sessions of the peace, shall by the judgment of the said court suffer imprisonment for any space of time not exceeding twelve months, nor less than six months, provided the said offence be prosecuted therein within one year after the commission thereof.

And whereas some persons who are really and truly coffee planters within the intent and meaning of this act find, from the peculiar situation and circumstances of their plantations, great difficulty and disadvantage in cleaning thereon their crops of coffee ;

Clause 3.

For their relief therefore, be it and it is hereby further enacted and ordained, by the authority aforesaid, that it shall and may be lawful for the treasurer of this island, and he is required to grant from time to time as occasion shall require, a licence to any person being a coffee planter, or being charged with the management of a plantation belonging to a coffee planter, within the true intent and meaning of this act, who shall apply to him for the same, and shall produce and deliver to him a certificate of any three of His Majesty's justices assigned to keep the peace in the said island, that such person is a proper person to be entrusted with such licence, and who shall take and subscribe before him an oath not to clean or bonify any other coffee than coffee being of the proper growth and production of his respective plantation, or of the plantation whereof he shall have the charge as aforesaid ; on which licence there shall not be payable to the treasurer, nor shall he demand or take any sum of money whatsoever for the person to whom such licence shall be granted.

Clause 4.

And be it, and it is hereby enacted and ordained, by the authority aforesaid, that the said act, intituled, "An Act to prevent the buying of Coffee or other Produce from Slaves, to regulate the business of cleaning Coffee, and to prohibit the possession of Coffee in berry and parchment, unless to the amount and by the description of persons herein allowed and excepted," shall with these amendments be and the same is hereby declared to be perpetual.

Passed the Board of Council this 6th day of March 1821.

F. H. Garraway,

Act^s Clerk of the Council.

Arch^d Gloster, President.

Cha^s Court, Speaker.

Passed the House of Assembly this 21st day of March 1821.

J. H. Newman, Clerk of Assembly.

Duly proclaimed in the town of Roseau this 22d day of March 1821.

H. Nisbett, D^r P. Marshall.

Assented to this 22d day of March 1821.

Sam^l Ford,
Whittingham.

JAMAICA.

4th December 1821.

N^o 11.—*AN ACT to amend the Slave Act, by altering the mode of carrying into execution the Sentence of Death on Slaves.*

WHEREAS it is expedient that the power of carrying into execution the sentence of death upon a slave should (except in the cases hereinafter provided and excepted) be from henceforth vested in the governor, or person executing the functions of governor, 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 Your Majesty's island, and it is hereby enacted and ordained, by the authority of the same, that from and after the passing of this act no sentence of death pronounced on any slave, except as hereinafter provided under and by virtue of the act of the legislature of this island, made and passed in the fifty seventh year of the reign of his late Majesty, intituled, "An Act for the subsistence, clothing, and the better regulation " and government of Slaves, for enlarging the powers of the Council of Protection, " for preventing the improper transfer of Slaves, and for other purposes," shall be carried into execution, unless by warrant under the hand and seal of the governor, or the person executing the functions of governor, who is hereby authorized and empowered to issue such warrant; provided nevertheless, that in all cases where sentence of death shall be passed on any slave or slaves convicted of actual rebellion, or of rebellious conspiracy, such sentence shall be carried into execution as heretofore.

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No sentence of death pronounced on slaves, except as hereinafter provided, is to be carried into execution without the governor's warrant.

And be it further enacted, by the authority aforesaid, that on the trial of any slave or slaves who shall be tried for any capital offence, except as aforesaid, the evidence given on such trial shall, in case of conviction and sentence of death being passed, together with a copy of the charge upon which such slave or slaves shall have been so convicted, and the sentence, be transmitted forthwith to the governor, or the person executing the functions of governor, certified under the hands and seal of the senior presiding magistrate at such trial, or in case of his death or absence, of one of the other justices constituting the court.

The evidence, and a copy of the charge against slaves tried for capital offences, to be transmitted to the governor.

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N^o 12.—*AN ACT for the Trial of Slaves accused of Criminal Matters or Offences by Jury.*

WHEREAS by an act of this island, passed in the year of our Lord one thousand six hundred and ninety-three, intituled, "An Act to restrain the insolence " of Slaves, and for preventing them from committing any outrages, as also the " better ordering such Slaves, &c." it is enacted and ordained, that all slaves guilty of felony shall be tried for the commission of such felony before the governor in council of the said island, which manner of trial has by experience been found to be attended with manifold difficulties and inconveniences; and whereas many other provisions of the said act are manifestly inexpedient and improper; we therefore Your Majesty's dutiful and loyal subjects, the Council and Assembly of this Your Majesty's island of Montserrat, 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 the first, second, third, fourth, fifth, seventh, eighth, ninth, tenth, twelfth and thirteenth clauses in the aforesaid act, as well as an act passed in this island in the year of our Lord one thousand seven hundred and fourteen, and intituled, "An Act for repealing a certain clause in an Act made in " the reign of King William, intituled, An Act to restrain the insolence of Slaves, and " for preventing them from committing any outrages, as also for the better ordering " of such Slaves," be from henceforward repealed, annulled and made void to all intents and purposes whatsoever.

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And be it also enacted and ordained, by the authority aforesaid, that from and after the publication of this act, each and every slave who shall be accused of any criminal matter or offence, shall agreeably to the dictates of humanity and justice,

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be tried by the court of king's bench and common pleas, during the sittings of the said court, in the months of March, April, May, June, July and August, in all respects and forms as a free person.

And be it also enacted and ordained, by the authority aforesaid, that for the trial of all such slaves as shall be committed for any criminal matter or offence after the sitting of the said courts as aforesaid, a court shall be holden at the court-house in the town of Plymouth in this island, and before his honour the chief justice, and the assistant justices of the court of king's bench and common pleas, or any three of them, on the first Tuesday in the months of September, November, December, January and February in each and every year.

And be it also enacted and ordained, by the authority aforesaid, that the judges constituting the said court, or any two of them, shall have full power and authority to sit and adjourn from time to time, during the space of ten days, and no longer, from the first day appointed for holding such court in each month respectively : And be it also enacted and ordained, by the authority aforesaid, that the provost-marshal or his lawful deputy shall issue summonses in writing to the white freeholders and inhabitants of this island, to serve as a grand jury and petit jury upon the trial of all such slaves as aforesaid ; which summonses shall be issued at least four days before the sittings of the said last-mentioned court, and shall be personally served or left at the usual place of abode of the party summoned : And be it also enacted and ordained, by the authority aforesaid, that all jurors and others whose duty it is to attend, or who are required to attend the sitting of the said court, not attending, or not appearing when called in court, or departing without the leave of the said court, which court is hereby authorized and directed to meet at the hour of ten o'clock in the forenoon precisely, in the days and months specified as aforesaid, shall be fined two pounds current money of the said island, unless a sufficient reason is assigned at the next or adjourned court for their non-attendance, to be levied by warrant from the bench, to be directed to the provost-marshal of the said island, or his lawful deputy, to be issued before the adjournment or the separation of the court.

And be it enacted, by the authority aforesaid, that the provost-marshal, or his lawful deputy, shall be and is hereby empowered and strictly enjoined and required, diligently to receive and collect in all monies due or to become due for any fine or fines imposed by this act, and in case of non-payment, to arrest and detain in custody the body or bodies of any and all person and persons on whom such fine or fines shall be imposed, until such fine shall be paid and satisfied, together with all expenses arising from the arrest and detention of such person or persons ; and the marshal or his deputy shall annually, or oftener if called upon by the committee of public accounts of the council and assembly of this island, from time to time to be appointed, account on oath for the monies collected and received for such fines, and pay the balance into the hands of the treasurer of this island for the time being, upon pain of answering double the value thereof to His Majesty, his heirs and successors, for the public uses of this island, in any suit to be commenced for the same : And for the encouragement of the marshal in doing his duty in collecting such fines and other monies which may become due as aforesaid, be it further enacted, by the authority aforesaid, that for all monies arising thereby, which shall be paid by such marshal or his deputy without suit or prosecution at law to compel him to the payment thereof, he shall retain and be allowed at and after the rate of five per cent.

And be it further enacted and ordained, by the authority aforesaid, that all monies which, after the payment of the charges of collecting the same, shall be raised and paid in on account of any fines or forfeitures to be imposed by the court hereby established, shall be to the use of His Majesty, his heirs and successors, and applied to the public uses of this island.

And be it also enacted and ordained, by the authority aforesaid, that in order to promote and further the purposes of justice, and that the advantages and benefits to be derived from such fair and open trial as is established by this act, shall be secured to the slave in the event of the owner or proprietor of any slave refusing or being unable to provide counsel to defend such slave or slaves, that then it may and shall be lawful for the judges of the court before whom any slave shall be tried as aforesaid, to nominate and appoint one of the barristers of the court of king's bench and common pleas to appear and argue as counsel on behalf of the said slave ; and which counsel, so nominated and appointed as aforesaid, shall receive and be paid out of the public treasury of this island the sum of seven pounds four shillings current gold and silver money of the said island,

island, for each and every occasion upon which he shall be so called upon to appear and argue : And whereas, in cases of criminal offences committed by slaves, it may not be always possible to procure the testimony of free persons, and as it may therefore become indispensably necessary, in order that the ends and purposes of justice may not be defeated, and the provisions of this act rendered nugatory, to admit the testimony of persons in the condition of slavery ; be it also enacted and ordained, by the authority aforesaid, that in all trials as aforesaid, the testimony of each and every witness, of whatever colour or condition, class or denomination, shall be taken upon oath, before the said court by whom any slave or slaves shall be tried, agreeably to the form of oath usually administered in courts of justice, any law usage or custom to the contrary in anywise notwithstanding.

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And be it enacted and ordained, by the authority aforesaid, that whenever it may be necessary to have the evidence of any slave or slaves, at any trial under and by virtue of this Act, any one justice of the said court, upon the application of either party, is hereby empowered to issue a summons to the owner or proprietor of such slave or slaves, or to the acting attorney, manager or agent of such owner or proprietor, to produce such slave or slaves at the time and place appointed in such summons, such summons to be issued and served forty-eight hours before the time appointed for such trial ; and such person or persons so receiving such summons, shall produce such slave or slaves so required, under the penalty of fifty pounds current gold and silver money of the said island, unless such an excuse is made as may appear reasonable to the said court ; which said fine, when imposed, shall be levied by warrant under the hands and seals of the said justices, or any two of them, directed to the provost marshal or his lawful deputy, on the goods and chattels, lands and tenements of the defaulters.

And be it further enacted and ordained, by the authority aforesaid, that all indictments found by the grand jury, under and by virtue of this act, shall be tried on the day of finding, and no traverse of an indictment allowed in any case, without good cause shown to the court ; and if good cause is shown, and the indictment postponed, it shall come peremptorily to trial at the next court, unless good cause again be shown.

And be it enacted, by the authority aforesaid, that this act shall continue in force for three years from the publication thereof, and from thence to the next meeting of the council and assembly.

Dated at Antigua, the twentieth day of July, in the third year of the reign of our Sovereign Lord George the Fourth, 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 twenty-two.

W. D. Furlonge, Speaker.

Passed the Assembly this 4th day of June 1822.

Henry Dyott, Clerk of the Assembly.

Passed the Council this 29th day of June 1822.

T. Hart, Dep. Sec^r, &c.

B. (L. s.) D'URBAN.

MONTSERRAT.

N^o 13.—*AN ACT to aid and assist the Magistrates in the performance of their Duty, and for establishing a Police and Nightly Watch, as also a Criminal Gang in the said Island.*

WHEREAS it is expedient, for the prevention and punishment of crimes and offences, that a police should be instituted, and a criminal gang established in this island ; we therefore, Your Majesty's dutiful and loyal subjects, the Captain-general and Governor in chief, in and over Your Majesty's island of Antigua, Montserrat, and Barbuda, and the Council and Assembly of this Your Majesty's island of Montserrat, do 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 within ten days after the passing and publication of this act, all the magistrates in the said island, excepting the president of His Majesty's council, and the other

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members thereof, the speaker of the house of assembly and the senior king's counsel, the chief justice and assistant justices of the court of king's bench and common pleas, are authorized and required to assemble and meet at the court-house in the town of Plymouth, in the said island, and having so assembled and met, they or the major part of them shall choose and elect two sober and reputable white men or free men of colour, to serve as police officers; which white men or free men of colour as aforesaid, after being so appointed as aforesaid, shall each and both of them take the following oath; I, *A. B.* do swear, that I will, to the utmost of my ability, execute the several trusts and charges committed to me, by and under an act, intituled, "An Act to aid and assist the Magistrates in the performance of their duty, and for establishing a Police and Nightly Watch, as also a Criminal Gang in the said Island."

And be it also enacted and ordained, by the authority aforesaid, that the said magistrates, or a major part of them, shall also choose and elect one sober and respectable white man, who shall be considered as the principal or head of the police; and that these three policemen, so chosen and appointed as aforesaid, shall form and act as a body of police, under the control, orders and directions of the magistrates as aforesaid, in preventing offences, and in detecting criminals and offenders, and bringing them to justice, and in putting into force and execution the laws and regulations of the island.

And be it also enacted and ordained, by the authority aforesaid, that the duty of the said head of the police shall be to attend to the sitting or any other magistrate, together with such other of the inferior police officers as the magistrates may desire, or occasion may render necessary, on each and every day in each and every week, and at any time the said magistrates may appoint to hear and determine upon such charges of public crimes and offences as may be brought before them; and the said head of the police is, when duly authorized, directed to summon or cause to be summoned, persons accused of offences or crimes and evidences; and if the accused person be a slave, to summon his or her owner or director to be and appear before the sitting magistrate, at such time as they may order and appoint; when after a full investigation and hearing, the said magistrates will form their determination and sentence, according to the established laws of this island in such case made and provided.

And whereas it has frequently happened that complaints are exhibited before the magistrates of the said island, which turn out upon investigation frivolous and vexatious, and as these complaints may in all probability be made in consequence of there being no proper or sufficient fee demanded by the said magistrate for issuing the warrant to bring the party or parties charged to answer the complaint; be it and it is hereby enacted, by the authority aforesaid, that in every case where a complaint is made against any person or persons, that the magistrate or magistrates to whom such complaint is made, shall previously to the issuing the warrant, to bring the party or parties complained against before him or them, to answer such complaint, as a remuneration for his or their trouble for issuing the warrant and hearing the complaint, receive from the complainant the sum of four shillings and sixpence gold and silver money of the said island.

And be it further enacted, by the authority aforesaid, that if upon hearing the complaint in any case, the person or persons complained against shall be found to be in error in any degree, that then and in such case, whether they be bound over to appear to answer such complaint at the next court of king's bench and common pleas, or at the grand sessions of the peace to be holden for the said island, or the complaint dismissed upon reprimand or otherwise, by the said magistrate or magistrates, that he or they shall order and direct that the said party so complained against, and found in error, shall immediately and before departure from the presence of the said magistrate or magistrates, reimburse to the complainant the said sum of four shillings and sixpence so advanced for obtaining the warrant to appear and answer to the said complaint; and shall also pay to the said magistrate or magistrates, the further sum of four shillings and sixpence gold and silver money, making together nine shillings; if otherwise, the said sum of nine shillings for issuing the warrant, and advanced by the complainant, shall not be returned to him, but the expense shall be borne by him for making a frivolous and vexatious complaint.

And be it also enacted, by the authority aforesaid, that should the party complained against refuse to pay, under the circumstances aforesaid, the said sum of nine shillings when so ordered and directed, the said magistrate or magistrates are hereby authorized

authorized and directed to commit him her or them so contemptuously refusing, to the common gaol, there to remain for the space of seven days, or until the said sum of nine shillings be fully paid and satisfied: provided always, that in every case where slaves are concerned or complained against, no fee shall be required to be paid in any respect whatsoever by them.

And be it also enacted, by the authority aforesaid, in order to ensure the due performance and execution of the provisions of this act, so far as relate to the magistracy, that the aforesaid magistrates shall each in his turn sit and preside weekly, and every day in the week, from twelve till two in the forenoon, under the penalty of ten pounds gold and silver money for each and every default; the sitting magistrate for the week having it at all times in his power, in cases of difficulty or otherwise, to request the assistance and co-operation of one or more of his brother magistrates, accordingly as it seems to him proper or necessary so to do; provided that no magistrate shall be liable to the penalty if he procures some other magistrate to sit and act in his stead.

And be it also enacted, by the authority aforesaid, that the said magistrates, or a majority of the same, are hereby authorized and empowered, from time to time to discharge such police officer or officers as may be negligent or incompetent to fulfil the duties of his or their situation, and to fill up all vacancies which may happen by such discharge or otherwise by election as aforesaid; and also to make such further rules and regulations as they from time to time shall consider beneficial and proper: provided always, that such rules and regulations be not in any respect contrary to the meaning and intention of this act.

And be it also enacted, by the authority aforesaid, that the said magistrates, or the major part of them, shall order and direct the two police officers alternately, night by night, to patrol and inspect the streets lanes and alleys of the said town of Plymouth, in the said island, each and every night at irregular periods, with the intent to discover and apprehend all lurkers, thieves or suspected persons who may be within the said town, whom upon such discovery and apprehension they shall confine in the dark hole, or in such other place as may hereafter be provided for such purpose, and bring in the morning to justice as aforesaid.

And be it enacted, by the authority aforesaid, that if any robbery is committed, or any gambling or riotous houses or house of ill-fame is kept, or any nuisance or irregularity is committed, such as slaves congregating in bodies in the streets, lanes, alleys, bays or landing places in the town of Plymouth aforesaid, or carrying lighted sticks or matches in the streets, lanes or alleys of the town of Plymouth aforesaid, the police officer or officers who hath or have been informed or made acquainted with the same, and who shall not have taken active and proper measures to prevent, suppress or disperse the same, or to apprehend and bring to justice the offenders, shall be discharged from his or their situation, lose his or their pay that may be then due to him or them, and be rendered incapable of ever serving again in the same situation or capacity.

And be it also enacted, by the authority aforesaid, that if any slave or slaves shall be convicted before any magistrate or magistrates of any offence hereinbefore mentioned, or shall be heard to utter indecent and blasphemous language openly in the public streets, he she or they shall, upon conviction thereof, before any magistrate of the said island, receive such corporal punishment by working in the chain gang, or otherwise as the law permits, and the said magistrate shall deem proportionate to the offence.

And be it enacted, by the authority aforesaid, that the police officers ringing at the hour of eight o'clock, and for the space of five minutes, as a notice or warning, a large brass or iron bell, to be placed in the centre of the square called Gallows Square, within the limits of which square the police officers shall see that the negroes selling provisions shall confine themselves for their public market, clear the town of every negro or other slave discovered after the hour of nine o'clock at night, until day-light in the morning, without a note purporting to be a pass from his or her owner or director, then and in that case they are hereby ordered to apprehend all slaves so discovered, and to confine them in the dark hole during the night, and have them brought before the sitting magistrate in the morning, to be punished according to the nature of the offence; and the expenses attending the caption and detention of such slaves shall be paid by the public.

And be it also enacted, by the authority aforesaid, that the police officers shall be ready, when called upon, to aid and assist each other; and it is hereby ordered and directed, that the constables appointed for the town of Plymouth, and through-

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out the island generally, when called upon particularly so to do, shall afford ready and prompt assistance to the said police officers in putting into effect and execution the intent, meaning and provisions of this act.

And be it also enacted, by the authority aforesaid, that if the slave or slaves so taken up as aforesaid, prove to be runaway, in that case the owner or director shall pay the sum of nine shillings gold and silver money, for taking up, and the further sum of nine pence gold and silver money per mile, for every mile such slave or slaves may have been sent direct to the owner or director as hereinbefore expressed; but if such owner or director shall not be known after such slave or slaves shall have been confined twenty-four hours, the magistrate taking cognizance of the matter, shall by his warrant send the said slave or slaves to the head of the police, to be worked in the criminal gang to be hereinafter instituted, until claimed by his her or their owner or director.

And be it also enacted, by the authority aforesaid, that when any slave or slaves shall be brought before any justice or justices of the peace, or before any court of justice in this island, legally authorized to try such slave or slaves, and if lawfully convicted of any crime less than felony without benefit of clergy, it shall and may be lawful for the justice or justices, or the judges of such court as aforesaid, before whom such slave or slaves shall be convicted, to order and adjudge that such slave or slaves shall be kept to hard labour, for any time not exceeding three months, in amending and keeping in repair the streets, lanes or alleys in the town of Plymouth, or the public roads, under the orders and superintendence of the head of the police and his officers.

And be it also enacted, by the authority aforesaid, that in all cases where any slave or slaves shall be subject or made liable by this act to work or labour upon the streets or high roads, they shall be kept, if more in number than one, linked together two and two by a light chain, and worked together in one body or gang, to be called the criminal gang, and at such times as negroes upon estates are usually kept and worked together, and shall be committed to the dark hole, or such other place as may be selected every evening after the labour of the day is over, and there kept until the succeeding day; and the head of the police is furthermore directed to provide food for such slave or slaves, and shall be allowed at and after the rate of nine pence per day for each and every slave so long as he is in confinement; and he is also directed to furnish such slave or slaves with such medical assistance, in the event of sickness, as is usually done in the case of imprisoned sick slaves, and also to provide for such sick slave or slaves such nourishment and care as shall be ordered and directed by the medical attendant, charging the expenses incurred thereby in his quarterly account.

And whereas it often happens that negro and other slaves who have been duly convicted of felonies and sentenced to death for the same, receive a free pardon from the chief governor or other commander-in-chief, and escape without punishment, because although their offence may require correction they are not thought deserving of death; be it therefore enacted, by the authority aforesaid, that whenever the governor or commander-in-chief for the time being shall think a culprit so convicted and sentenced as aforesaid, a fit object of mercy, and shall grant him a pardon, he may annex to such pardon a condition, that the said culprit so pardoned shall be compelled to work in the criminal gang hereinbefore instituted, for such time as he the said governor or commander-in-chief for the time being shall think proper.

And be it also enacted, by the authority aforesaid, that the police officers appointed by virtue of this act, shall have the same power and authority, independently of their office, in executing all warrants, summonses and other orders of the magistrates, as any constable duly appointed and sworn by virtue of any usage or law now in force.

And be it also enacted, by the authority aforesaid, that the head of the police aforesaid, shall receive and be paid out of the public treasury the sum of seventy pounds of gold and silver money of this island in quarterly payments, and each of the inferior police officers the sum of sixty pounds gold and silver money annually in like quarterly payments.

And be it also enacted and ordained, by the authority aforesaid, that his honour the president, and any two of the sitting magistrates of the said island, are hereby authorized to draw upon the treasurer of this island, at the expiration of every quarter of a year, in favour of the police officers, for the respective sums due to them, and also for any sum not exceeding thirty pounds per annum for repairs of the stocks,
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dark hole, or other incidental expenses they may incur under this act; and the said treasurer is hereby authorized and directed to pay such drafts free from every deduction whatever, and to charge the same in the treasury books of this island.

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And be it also enacted, by the authority aforesaid, that all expenses incurred by this act for carrying into execution the several clauses and provisions thereof, shall be raised in the usual manner that taxes in the said island are raised, and paid out of the general fund of the said island.

And be it enacted, by the authority aforesaid, that the penalty of ten pounds gold and silver money imposed upon the magistrates for neglecting to do what is enjoined them by this act, shall be to the use of His Majesty, his heirs and successors, and to be applied as the council and assembly shall direct.

And be it enacted, by the authority aforesaid, that the head police officer, in case of non-attendance of the said magistrates, shall immediately give notice thereof to the president of the said island, who shall forthwith issue his warrant, directed to the said police officer, to levy the fine upon the goods and chattels of the defaulters, together with all expenses attending such levy.

And be it enacted, by the authority aforesaid, that this act shall and do remain in force for the term of two years from and after the publication thereof, and from thence until the next meeting of the council and assembly of this island.

Dated at Montserrat, the fifth day of March, in the year of our Lord one thousand eight hundred and twenty-three, and of His Majesty's reign the fourth.

Edm^d Semper, Speaker pro tempore.

Passed the Assembly this 1st day of March 1823.

Henry Dyott, Clerk of the Assembly.

Passed the Council this 1st day of March 1823.

Terence Hart, Dep. Secy, &c.

B. (L. s.) D'URBAN.

Duly published this 6th day of March 1823.

Mich^t Jos. Semper, Dep. Pro. Mar.

NEVIS.

N^o 14.—*AN ACT to alter and amend an Act, intituled, "An Act for settling and regulating the Trial of Criminal Slaves by Jury;" to ascertain and regulate the Fees of Justices of the Peace, and the Charges of Constables, and to authorize the said Justices to compel the payment of such Fees and Charges by the Parties on whom the same shall be chargeable.*

WHEREAS an act, intituled, "An Act for settling and regulating the Trial of Criminal Slaves by Jury," hath been found inconvenient, defective, and very difficult to be carried into execution, whereby very heavy expenses have been incurred by persons prosecuting; and also offenders have frequently escaped the punishment justly due for their misdeeds; for remedy whereof, we, Your Majesty's most loyal and obedient subjects, the Captain-general and Governor-in-chief of Your Majesty's islands of Saint Christopher, Nevis, Anguilla and the Virgin Islands, and the Council and Assembly of this Your Majesty's island of Nevis, humbly pray Your most sacred 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 passing and publication of this act, it shall and may be lawful for any one or more of His Majesty's justices of the peace in this island, to hear and determine, in a summary way, any complaint or complaints against any slave or slaves whatsoever, for any misdemeanor or offence under the degree of felony, or for insolent or abusive language or behaviour, or for any other misconduct deserving punishment; and for that purpose any one or more of the said justices is and are hereby fully authorized and empowered to issue out his or their warrant or warrants for the apprehending of any slave or slaves whatsoever, upon any such complaint as aforesaid, and upon conviction of the offender or offenders, by witness, confession or otherwise, to adjudge and cause to be inflicted on such slave or slaves any corporal or other punishment, or both, at the discretion of the said justice or justices, any thing in the said recited act to the contrary thereof in anywise notwithstanding:

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provided always, that such corporal punishment shall not extend to life or member, nor exceed at any one infliction the number of thirty-nine lashes with the whip or cat-o'-nine-tails; and the said justice or justices may direct and order the expenses of such proceeding to be paid by the owner, renter or director of such slave or slaves, or by the prosecutor, or between them, as the said justice or justices shall deem just.

2. And be it also enacted and ordained, by the authority aforesaid, that upon any complaint made to any justice of the peace within this island, of any capital crime or felonious act or acts alleged to have been committed by any slave or slaves, the said justice shall issue his warrant for apprehending the offender or offenders, and shall summon all such persons as he the said justice shall think fit to give evidence to come before him; and if, upon examination into such complaint, the same shall appear to be well grounded, the said justice shall commit the accused slave or slaves to the common gaol of this island, or if the offence be bailable, may admit such accused slave or slaves to bail, to stand his her or their trial, on any day within ten days after such commitment or bailment, at the public court-house of this island; and such justice shall, within forty-eight hours after such commitment or bailment, give notice in writing to some other two or more justices (one of whom shall be of the quorum, if such justice so giving notice be himself not of the quorum) to attend at the court-house on the day and hour mentioned in the said notice, then and there to proceed to the trial of such accused slave or slaves mentioned in the said notice; and the said justice shall also, within forty-eight hours after such bailment or commitment, or as soon as may be, bind over all person or persons, by recognizance to His Majesty, before him, who may be competent to prosecute or give evidence on the trial of the said accused slave or slaves; and the said justice, or any one or more of the justices mentioned in the said notice, shall and may, at any time before the conviction or acquittal of such accused slave or slaves, grant a warrant or precept in writing, under their hand, or the hand of one of them, directed to any constable, requiring such constable to summon any witness or witnesses to give evidence on such trial; and any person or persons having had due notice by such constable, and neglecting or refusing to attend on such trial as a witness or witnesses, and not showing to the satisfaction of the associated justices any lawful excuse for such neglect or refusal, shall forfeit not less than ten pounds current money, or more than fifty pounds like money, at the discretion of the said associated justices: And whereas it is very unusual for any person in holy orders to sit on the trial of any person charged with a capital offence, be it enacted, by the authority aforesaid, that whenever in such case it shall happen that the magistrate first applied to be a clergyman, then and in such case the said magistrate shall, within twenty-four hours after the commitment or bailment of any slave or slaves, give notice in writing to any three or more justices of the peace, one whereof shall be of the quorum, to attend at the court-house on such day as they appoint, within ten days after their receiving such notice as aforesaid, to try the offender or offenders; and the justices named in the said notice are hereby required and empowered to try the said offender or offenders on such day as they shall appoint for this purpose, or as soon afterwards as practicable, at the court-house in Charlestown in this island; and for that purpose, they shall or may from time to time cause, by their precept or warrant directed to the provost-marshal, his deputy, or to any constable, the said offender or offenders, and all necessary witnesses, to come or be brought before them the said justices on a day to be specified in the said precept or warrant.

3. And be it also enacted and ordained, by the authority aforesaid, that the said associated justices, any two or more of them, shall issue a warrant under his or their hands and seals, at least five days before the day appointed for proceeding to the trial of such accused slave or slaves, directed to the provost-marshal of the said island, or his lawful deputy, authorizing and requiring him to summon twelve respectable inhabitants of the said island (being whites) to appear before the said associated justices, or any three of them, one whereof to be of the quorum, at the said court-house, at the said town of Charlestown, at the time specified in the said warrant; which twelve inhabitants as aforesaid shall be summoned by such marshal, or his deputy, twelve hours at least before the time appointed for the meeting of the court.

4. And be it enacted and ordained by the authority aforesaid, that the said associated justices, or any three of them, one whereof to be of the quorum, and six of the said twelve 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

and determine upon all evidences, proofs and testimonies at such trial so to be had as aforesaid.

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5. And be it enacted, by the authority aforesaid, that before the said associated justices shall proceed to try any accused slave or slaves committed or bailed as aforesaid, the said justices, in open court, on the day of proceeding to trial, shall take the following oath, which shall be administered to them by the secretary of this island, or his lawful deputy, or in their absence by the person acting as clerk of the court:—"You shall serve the King, and indifferently administer justice to all men, without respect of persons, nor deny right to any. So help you God."

6. And be it also enacted and ordained, by the authority aforesaid, that the jury to be sworn for the trial of such accused slave or slaves shall be chosen in the same manner as juries are in the court of king's bench and common pleas of this island: provided always, that if by reason of defaults or other cause there shall not be present in court a full jury of six such inhabitants as aforesaid, for the trial of any accused slave or slaves, then and in such case the said associated justices shall be and are hereby authorized and empowered to order a sufficient number of the by-standers to be impanelled with the other jurors to make up the number of six, and the jury so impanelled shall be competent for all the purposes meant or intended by this act: provided always, that no juror shall be sworn who shall be challenged for cause, and such cause allowed by the court.

7. And be it enacted and ordained, by the authority aforesaid, that immediately after such jury shall be chosen, the following oath shall be administered to them:—"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."

8. And be it enacted and ordained, by the authority aforesaid, that to all witnesses examined upon any trial to be had by virtue of this act, if whites, or free people of colour, or other persons, being slaves, who shall appear to be sensible of the nature and religious obligation of an oath, the same oath shall be administered as would in similar cases be administered to witnesses in the court of king's bench and common pleas of this island.

9. And be it enacted and ordained, by the authority aforesaid, that if the said jury as aforesaid shall find any slave or slaves guilty of the offence or offences wherewith such slave or slaves shall or may have been charged, then the justices presiding at the trial shall either on the day of trial, or within ten days after, if they shall see no just cause to suspend their sentence, or to arrest the judgment, pass sentence of death, or such other punishment, upon such slave or slaves, according to the offence or offences whereof he she or they shall have been convicted, according to law.

10. And be it enacted, by the authority aforesaid, that in case any sentence of death be passed on any slave or slaves, then they the said associated 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, at such time and place as they shall appoint, not before six days after passing such sentence of death.

11. 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, the said justices shall and they are hereby required, as soon as may be, and within twenty-four hours after the sentence, to give notice of the said sentence of death so passed to the person in chief command in this island for the time being, upon such notice as aforesaid, shall be and is hereby authorized and required to give notice of such sentence forthwith to the governor-in-chief of these islands or the commander-in-chief for the time being.

12. And be it enacted, by the authority aforesaid, that in case the offence or offences of which such slave or slaves shall or may have been convicted by virtue of this act, shall be such as is or are not by the law punishable with death, but with corporal punishment, or imprisonment, or transportation, then the said associated justices, or any three of them, 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, or to order and direct such imprisonment, or to sentence in offences now by law punishable by transportation, or which may hereafter be made so punishable, such offender or offenders

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to be transported to such parts or places as the commander or governor-in-chief of these islands may appoint, and to be imprisoned until such sentence can be carried into execution.

13. And be it enacted and ordained, by the authority aforesaid, that in cases determinable by one or more justices of the peace, (in a summary way,) the said justice or justices shall inquire into and assess the damages sustained by any person or persons by reason of the offence or offences committed by any such slave or slaves; and in case the offender or offenders shall be tried before a court and jury, such court and jury shall inquire into and assess such damages so sustained as aforesaid; and the justice or justices before whom the complaint may have been heard and determined, or the offender or offenders tried, shall adjudge the amount of the damages assessed as aforesaid, or so much thereof as they shall deem proper to be paid by the owner or owners of such slave or slaves, or by the public of this island, to the party or parties aggrieved as to justice may appertain, not exceeding the value of such slave or slaves so convicted; and thereupon such slave or slaves, if the same shall not be sentenced to death or transportation, shall, after having suffered the punishment assigned for his her or their offence or offences, be delivered to his her or their owner or owners, or the representatives of such owner or owners, provided he she or they shall pay such damages as shall or may have been adjudged as aforesaid; but upon neglect or refusal to do so, within ten days after judgment, it shall and may be lawful for the said justice or justices respectively, and he and they is and are hereby required to adjudge such slave or slaves to be sold by the provost-marshal or his deputy at public sale in the town of Charlestown, at the expiration of twenty days after such judgment, for the most money that can be obtained for each slave or slaves, unless the owner or owners of such slave or slaves shall in the mean time pay the amount as adjudged, and all costs and charges incurred up to the time of such payment; and that out of the amount of such sale the provost-marshal or his lawful deputy shall pay such damages as aforesaid, according to the discretion of such judgment, after deducting all costs and charges attending the sale, and shall after such deductions and payment pay over the remainder, if any, to such owner or owners of such slave or slaves, representative or representatives of such owner or owners; and it is hereby enacted and declared, that the bill of sale of the said marshal or his deputy for the slave or slaves so sold shall be a good and sufficient title to the purchaser at such sale.

14. And whereas it is usual, upon petition preferred to the assembly of this island, to allow to the owner or owners of a slave or slaves executed the value thereof, be it enacted, by the authority aforesaid, that before the treasurer of this island shall pay any sum of money allowed to such owner or owners of such slave or slaves executed, he shall pay to the person or persons to whom damages shall have been awarded as aforesaid, the amount thereof, not exceeding the sum allowed by the assembly, and pay the overplus, if any, to the owner or owners of such slave or slaves executed.

15. And be it enacted and ordained, by the authority aforesaid, that in order to prevent the magistrates and the inhabitants of this island from refusing or neglecting, upon application made, to sit, hear and determine causes of slaves, as by this act they are required and directed to do, in case any justice of the quorum or justice of the peace, upon application or notice made as hereinbefore directed, shall neglect or refuse to perform any duty imposed in and by this act, without having a reasonable or lawful excuse for such neglect or refusal, he shall forfeit the sum of fifty pounds, to be recovered by action of debt, by the party aggrieved by such neglect or refusal, in any court of record within this island, with full costs of suit, one half of such penalty to the use of the party suing, the other half to the use of His Majesty, to be paid into the public treasury of this island; and if any inhabitant, being a white person, after he shall have been duly summoned to attend as a juror, shall not appear, or wilfully make default, without having a reasonable or lawful excuse for such neglect or refusal, such person neglecting or refusing to appear, or making such wilful default, shall for every refusal, neglect or default, forfeit not less than five pounds, or not more than twenty pounds, current money of this island, at the discretion of the court who shall try such action, with full costs, one half of such forfeiture to be paid to the person aggrieved by such refusal, neglect or default, and the other half to the use of His Majesty, his heirs or successors, to be applied to the support of the government of this island and the public charges thereof.

16. And be it enacted, by the authority aforesaid, that in all prosecutions instituted

tuted against slaves for capital crimes, the prosecution shall be conducted by a counsel for the crown, to be named by the president of His Majesty's council, at the expense of the public of this island.

17. And be it enacted and ordained, by the authority aforesaid, the justice or justices who shall attend for the purpose of holding a court, in capital or felonious cases, as is hereinbefore directed, shall have full power and authority to adjourn the said court and jury whenever and as often as they shall see just occasion, and to summon another jury in case the same shall be necessary: and the said court shall have the same powers and authorities in cases before them, as the court of king's bench and common pleas of this island possess in matters under their jurisdiction, as to committing of prisoners or bailing them, or punishing witnesses for not appearing, and all persons guilty of any contempt of the said court.

18. And be it enacted and ordained, by the authority aforesaid, that the said provost-marshal, or his lawful deputy, shall attend every trial in felonious or capital cases, so to be had as aforesaid, upon pain of forfeiting for every wilful neglect the sum of fifty pounds current money of this island, to be recovered by warrant under the hands and seals of the said 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 sums mentioned in the schedule to the act annexed, on each trial, unless the payment of the same shall have been otherwise adjudged and awarded by the justices.

19. And be it enacted and ordained, by the authority aforesaid, that the colonial secretary of this island, or his lawful deputy, shall, upon receiving notice from the said justices, or from any one or more of them, attend every trial by jury to be had by virtue of this act, and shall also administer the oaths to justices, jurors and witnesses, and make entries of the proceedings in a book to be kept by him for that purpose, and shall be allowed in his public accounts for each trial the sums mentioned in the said schedule, unless the payment of the same shall have been otherwise adjudged and awarded by the said justice: and in case the said secretary, or his lawful deputy, shall wilfully neglect to attend on each trial, he shall forfeit the sum of fifty pounds current money of this island, to be recovered by warrant under the hands and seals of the said justices, directed to the provost-marshal, or his lawful deputy, and applied in the same manner as the former penalties of this act are directed to be applied.

20. And whereas it is just and proper, that gentlemen who accept and execute the burthensome office of justices of the peace, and the constables and others acting under their authority, should receive a reasonable compensation for their trouble, and that such compensation should be ascertained, and provision made for the prompt payment thereof by law, and also that the said justices and every of them should be empowered to direct the payment of costs by the parties, on complaints made before them, as to justice may appertain; be it therefore enacted and ordained, by the authority aforesaid, that the fees, after the rate specified in the schedule hereunto annexed, shall and may be demanded and received in future by the justice or justices of this island, and that the same shall be paid by the party or parties applicant in the first instance, and that such justice or justices is or are hereby authorized and empowered, upon all complaints and matters between party and party cognizable by them, or one or more of them, to adjudge and award the costs and charges thereof to be paid by either of the said parties, or by and between them, and in such manner as in the judgment and discretion of such justice or justices shall appear to be right; and if any person or persons liable to pay such fees as aforesaid, or who shall or may have been adjudged to pay such costs and charges as aforesaid, shall refuse or neglect to pay the same in five days after judgment, in current gold and silver money, according to the true intent and meaning of this act, and exclusive of any damages which shall or may have been assessed as is hereinbefore directed, then and in such case it shall and may be lawful for the said justice or justices, and he and they is and are hereby authorized and empowered, by warrant under his hand and seal, or their hands and seals, directed to the provost-marshal of this island, or his lawful deputy, or to any constable, to direct the same to be levied on the goods and chattels of such person or persons ordered to pay such fees and charges, and for want of such goods and chattels, by their warrant, under their hands and seals, to commit the person or persons so neglecting or refusing, to the common gaol of this island, there to remain without bail or mainprize, for any space of time not exceeding five days, unless such fees or costs and charges, together with the charges

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and expenses of commitment, shall be in the meantime paid : provided always, that should it appear to the magistrate or magistrates before whom any complaint shall be made or tried, that the person or persons complaining hath just ground of complaint, but that such person or persons is or are unequal to the payment of the expenses of the prosecution, that it shall be lawful for the magistrate to certify the same to the commander-in-chief for the time being in this island, who is hereby authorized to direct payment of the same by order in writing out of the treasury of the island ; and the treasurer is hereby directed to pay the same to the bearer of such order.

Dated at Saint Christopher, the eighth day of January, in the sixteenth 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 twenty.

Magnus Morton, Speaker.

Passed the Assembly this 4th day of January 1820.

John Huggins, Clk. of the Assembly.

Passed the Board of Council this 4th day of January 1820.

John R. Small, Cl^r Sec^r.

(L. s.) C. W. MAXWELL.

Published by beat of drum in Charlestown, this 27th day of January 1820.

William Keepe, Dep. Pro. Marshal.

SCHEDULE referred to in this ACT.

JUSTICES FEES.

	£.	s.	d.
For taking information on oath - - - - -	-	9	-
For a warrant to apprehend, or a summons, including any number of persons - - - - -	-	9	-
For every warrant or summons for a witness or witnesses, including any number - - - - -	-	3	-
For hearing a charge of a breach of the peace - - - - -	-	18	-
For the trial of slaves under a felony - - - - -	-	18	-
For merely taking a recognizance - - - - -	-	3	-
For every warrant of commitment - - - - -	-	9	-
For every supersedeas or discharge from prison - - - - -	-	3	-
For every certification or notification to other justices - - - - -	-	3	-
For every warrant for jurors - - - - -	-	3	-
For attending every trial or examination by jury, each justice - - - - -	1	16	-
For every certification of sentence of death, each justice - - - - -	-	3	-
For signing warrant of execution - - - - -	-	3	-
For every notice of colonial secretary to attend trial, or other notice to any other person not before mentioned - - - - -	-	3	-
For copy of minutes of proceedings, or other papers, on trial by jury by the secretary, every ninety words - - - - -	-	2	-
For every certificate thereto - - - - -	-	3	-
For attending every examination of slaves produced for manumission ; for each slave, and to each justice - - - - -	1	10	-
For every certificate that the slave is not likely to become chargeable to the country - - - - -	-	3	-
For every certificate thereon - - - - -	-	3	-
For every deposition, when not for the growth and manufacture of the produce of the country - - - - -	-	3	-
For every public warrant - - - - -	-	3	-

CONSTABLES FEES.

For executing a warrant or summons against any person complained of - - - - -	-	6	-
For leaving the parish, and executing warrant in another parish ; for each - - - - -	-	6	-
For executing any public warrant in one parish - - - - -	-	18	-

For

Assemblies.] TREATMENT OF SLAVES IN THE COLONIES. 43

	£.	s.	d.	
For summoning each witness - - - - -	-	3	-	} Nevis.
For executing warrant on shipboard, including boat-hire - - -	-	18	-	
For executing warrant of commitment to gaol; for each person - - -	-	3	-	
For bringing up a prisoner from gaol - - - - -	-	3	-	
For attending or inflicting corporal punishment on each person at the cage door, or at any place in Charlestown - - - - -	-	3	-	
For - - ditto - - - ditto - - at the gallows - - - - -	-	3	-	

SECRETARY'S FEES ON Trial of CRIMINAL SLAVES.

For attending as clerk of the crown, and performing the duties thereof; each day - - - - -	1	16	-
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MARSHAL'S FEES.

For summoning jury - - - - -	1	16	-
For attending trial - - - - -	1	16	-

A true Copy of the Original Act.

John R. Small, Colonial Secretary, &c.

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N 15.—AN ACT for the Relief of the Negro Population of the Island of Nevis.

WHEREAS it has been found of late that provisions for the negro population of this island cannot be purchased as heretofore upon credit, and for payment in rum and molasses; and in consequence thereof, and the distressed state of the greater number of the planters of this island, many of the estates have been for some time past, and are likely to continue, without any provisions for their negroes, and are and will be thereby incapable of being worked, to the utter ruin of the holders, and the great loss and injury of the mortgagees and other creditors of the same: And whereas it has become absolutely necessary for the causes aforesaid, and from motives of humanity, immediately to enable the possessors of plantations, who are not able from their own resources to procure the necessary supply of food for their slaves, to purchase the same, by making the plantations, together with the slaves, stock and chattels thereto belonging, and also the ensuing crops thereof, liable in the first place to such debts as shall be contracted solely for the purchase of provisions for the slaves of such respective plantations: We, therefore, Your Majesty's most dutiful and loyal subjects, the Captain-general and Governor in chief of these Your Majesty's islands of St. Christopher, Nevis, Anguilla and the Virgin Islands, and the Council and Assembly of this island Nevis, do pray Your Most Excellent Majesty, that it may be enacted, and be it and it is hereby enacted, by the authority aforesaid, that any debt or demand, accruing by virtue of any contract or agreement made in writing, or any bill of exchange drawn after the first day December, in this present year, by any owner, renter, possessor, mortgagor or mortgagee, in possession, or tenant of any sugar plantation in this island, or in his absence by his attorney, agent or manager, for the purchase of flour, grain of any kind, corn, meal, fish, or any other negro provisions only, such debt or demand and bill of exchange, certified as hereinafter mentioned, shall be deemed and taken the first lien or charge upon the plantations, lands, tenements, and the slaves and stock thereon, and therewith worked and used, for the use of whose slaves such provisions were purchased, and also on the ensuing crops of the same, and shall take precedence of all other debts, charges and incumbrances, notwithstanding such plantations, lands, tenements, slaves and stock shall have been previously mortgaged, or subject to judgments or other charges; and if any of the crops so liable shall be attached or extended for any other debt or demand, the same shall be in the first place liable to pay such debts as shall have accrued and have been secured under the provisions of this act.

And be it enacted, by the authority aforesaid, that in all agreements and contracts for such negro provisions as aforesaid only, which shall be made payable in cash, the seller shall not be obliged to receive produce of any kind, nor shall any tender for the same be a good tender unless made in gold and silver money; and in case any action shall be brought for the recovery of any debt, under and secured by the provisions of this act, the judgment (if the contract or agreement shall have been for cash,

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cash, or on a bill of exchange) shall be for gold and silver money, and the secretary or clerk of the court shall enter on the judgment, and also add in the body of the execution, these words, "for gold and silver money, according to the form of the act for the relief of the negro population of this island Nevis ;" but where the judgment shall not be for gold and silver money, the words "gold and silver money" shall be omitted in the entry, and no judgment shall have such priority, and be such lien as aforesaid, without such entry as aforesaid ; and the same words shall be entered by the marshal in his sale book at the head of the list of the lands, goods, tenements, slaves or chattels sold by him by virtue of any execution under this act.

And be it further enacted, by the authority aforesaid, that the honourable Josiah Webbe Maynard, and Finlay Nicholson esquires, and William Lawrence, Joseph Jones, and Frederick Huggins, esquires, being a joint committee of the board of council and house of assembly, or any three of them, be, and they or any three of them are hereby authorized and required, as soon as may be after passing of this Act, to purchase, either here or elsewhere, any quantity of negro provisions as they may think necessary and requisite for the support of the slaves on the said plantations of this island, not exceeding in value the sum of three thousand pounds sterling, from any person or persons disposed to furnish the same, and who shall be willing to receive in payment the bills certified as hereinafter mentioned ; and that the said committee, or any three of them, shall provide proper storehouses in Charlestown, if necessary for receiving such provisions, and may hire vessels and employ some proper person or persons as their agents and clerks to transact the necessary business, and to receive and deliver such provisions and keep the regular accounts.

And be it further enacted, by the authority aforesaid, that the provisions so to be purchased by the said joint committee, shall be by them sold and delivered to every proprietor or possessor, owner, renter or tenant of slaves on any plantation, or in his absence to his attorney or representative, if any such, otherwise to his manager, who shall apply to them for relief under this act, such quantity of provisions as such joint committee, or any three of them, shall in their discretion think adequate to the subsistence of the number of slaves in the possession of the persons requiring such assistance ; and that the said committee, or any three of them, shall be authorized to receive in payment bills of exchange drawn by such proprietors, owners, renters, possessors or tenants, or in their absence by their attorneys or managers, which bills shall be made payable to such person and persons as the said committee shall direct, or if required, shall be made payable to the order of the drawer or drawers, and shall be then indorsed by such drawer or drawers : provided always, that no bill of exchange, drawn as aforesaid solely in payment of provisions, whether the same shall be delivered to the said joint committee, or any other person, shall be a prior lien or charge on any plantation, slaves, stock or chattels, unless such bill be certified by the said committee, or any three of them, at the foot thereof, in the words following :
 " Nevis, of 182 This bill is chargeable as a first
 " lien upon real and personal estate in Nevis, according to the form of the act,
 " intituled, ' An Act for the relief of the Negro Population of this Island ;' " which
 certificate shall be signed by the said committee, or any three of them ; and if any
 person or persons shall falsely make and forge, counterfeit, or cause or procure to
 be falsely made, altered, forged or counterfeited, any certificate in order to defraud
 any person or persons, or shall alter and publish as true any counterfeited certificate
 with intent to defraud any person, knowing such certificate to be false, altered, forged
 or counterfeited, every person so offending, being duly convicted, shall be deemed
 guilty of felony, and shall suffer death as a felon without benefit of clergy.

And be it enacted, by the authority aforesaid, that before the said committee shall certify any bill of exchange, the party or parties drawing the same shall make oath in writing, to the effect following ; { I, A. B. } do swear, that the
 { we, A. C. & D. E. } bill now exhibited, and for which a certificate is required, has been drawn
 { by me, } and is intended to be delivered to in payment
 { by us, } of corn, flour, grain, or other negro provisions solely, and purchased from the
 said for the use and subsistence of the slaves on [here
 describe the plantation by name or otherwise,] and not for any other use or purpose
 whatsoever ; and that { I am } wholly incapable of supplying the said slaves
 { we are } with proper and necessary food from any other resources in { my }
 { our } power : which
 said

said oath may be taken before, and the oath administered by, any one of the said joint committee, which said affidavit shall be retained by the said member of the said committee, and lodged with the treasurer of this island; and if any person before any person hereby authorized to administer such oath, shall wilfully make a false oath, being convicted thereof, he shall for every such offence suffer the like punishments as persons convicted of wilful and corrupt perjury in England; and if any person or persons, his or their agents or managers, or servants, shall give away, sell or exchange, or embezzle or make away with any of the provisions purchased under this act, then and in such case every person or persons so offending, shall forfeit for each offence not less than five pounds, or more than one hundred, at the discretion of any two magistrates, who are hereby empowered to hear and determine such offence, one half with full costs to be paid to him who shall inform and sue for the same, the other half to be paid into the public treasury; and in case the fine so imposed shall not be paid or secured to the satisfaction of the said two magistrates, such offender shall be sentenced to imprisonment in the common gaol, for any time not exceeding thirty days, at the discretion of the said magistrates, and no conviction shall be questioned for want of any matter of form; and the offence may be alleged generally, that the said offender had either sold, exchanged, embezzled, or made away with provisions furnished under the act for the relief of the negro population of this island Nevis.

And be it further enacted, by the authority aforesaid, that in case any bill of exchange, so certified by the said joint committee, or any three of them, shall be returned protested for nonpayment, the usual damages of ten per centum and ten per centum per annum interest, as by law established, shall be chargeable thereon, and upon judgment obtained against the drawer, shall and may be levied on the plantations, lands, negroes, stock and chattels which were in the possession of the drawer at the time the said bill was drawn, as owner, renter, possessor, mortgagor or mortgagee in possession, attorney or manager of such owner, renter, possessor, mortgagor or mortgagee in his absence, notwithstanding such drawer may not be in the possession of such tenements at the time of action brought, judgment recovered, or execution levied; and upon all judgments and executions so obtained, the like entry shall be made by the secretary or clerk of the court, as in cases of judgments on contracts by note in writing under the provisions of this act.

And be it enacted, by the authority aforesaid, that in all sales by the provost-marshal or his deputy, or other officer, of lands, tenements, slaves, goods and chattels levied on and sold by virtue of executions issued in pursuance of this act, for gold and silver money or bills of exchange, the provost-marshal, his deputy or other officer, shall notify that the same will be sold for gold and silver money only, and shall receive in payment from the purchasers of the same, gold and silver money only, and shall pay over to the plaintiff in the suit, or his attorney, the levy money, within forty-eight hours after such sale, under the penalty of fifty pounds, to be sued by the party aggrieved, who shall receive the same with full costs of suit, by action of debt, wherein no imparlance or wager of law shall be allowed; and the court of king's bench and common pleas may herein give relief by rule of court, as is usual in cases of officers not complying with the exigencies of writs.

And be it further enacted, by the authority aforesaid, that no contracts or agreements made, or bills of exchange drawn, and bearing date after the first day of December one thousand eight hundred and twenty three, shall be entitled to any of the benefits provided by this act.

Dated at Saint Christopher, the fourth day of December, in the third year of the reign of our Sovereign Lord George the Fourth, 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 twenty-two.

Magnus Morton, Speaker.

Passed the Assembly this second day of December one thousand eight hundred and twenty-two.

John Huggins, Clerk of Assembly.

Passed the Council this second day of December one thousand eight hundred and twenty-two.

By command.

Benjamin Lord, Clerk Secretary.

Published by beat of drum this tenth day of December one thousand eight hundred and twenty-two.

W^m Keepe, Dep. Pro. Mar.

A true Copy. *Benjamin Lord*, Secretary.

(L. s.) CHAS W. MAXWELL.

Saint Vincent.

SAINT VINCENT.

N^o 16.—*AN ACT to repeal an Act, intituled, "An Act for making Slaves Real Estate, and to ameliorate the condition of Slaves, and for other purposes."*

Preamble.

WHEREAS it is expedient that the laws now in force in these Islands, relative to slaves, should be revised, and other provisions enacted to promote their moral and religious instruction, by means whereof their general happiness and comfort may be increased, as far as may be consistent with due order and subordination, and the well-being of these Islands; We, Your Majesty's most dutiful and loyal subjects, Sir Charles Brisbane, Knight, Commander of the Most honourable Military Order of the Bath, Captain-general and Governor in Chief in and over the Island of Saint Vincent and its dependencies, and the Council and Assembly of the same, pray Your Most Excellent Majesty that it may be enacted;

Repeal of all other acts.

Clause 1.—And be it, and it is hereby enacted, by the authority aforesaid, that the several acts intituled, "An Act for making Slaves real Estate, and the better government of Slaves and free Negroes;" and an act, intituled, "An Act to oblige Proprietors and Possessors of Slaves in their own rights or right of others, Managers and Conductors of Estates, to give in returns of runaways, and punish Obeah men;" and an act, intituled, "An Act to repeal the thirty-ninth and fortieth clauses of an act, intituled, 'An Act for making Slaves real Estate, and the better government of Slaves and free Negroes;'" and 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 an act, intituled, "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," may be repealed; and the same are hereby repealed accordingly.

Slaves real estate, and widow's dowable.

Clause 2.—And be it further enacted, by the authority aforesaid, that all slaves shall and are hereby declared to be real estate, and not chattels, and shall descend unto the heirs of the person or persons dying seised thereof, according to the custom and manner of inheritance held in fee-simple, and widows shall be capable of being endowed thereof; provided always, that any executor or administrator may inventory the said slaves, but not take them into his custody, to the intent that if there be not sufficient goods and chattels to pay the debts of the deceased, the said slaves shall be taken and sold by such executor or administrator for the payment of the said debts, and be chattels to that purpose and not otherwise.

Executors may inventory slaves.

Slaves sent off the island without the consent of reversioners.

Clause 3.—And be it further enacted, by the authority aforesaid, that if any person seised of any slaves, for the term of his her or another life only, or if any widow seised of any slaves of the dower of her husband, shall send off, or directly or indirectly consent to the sending off these islands, or shall sell or dispose of any such slaves, so that they or any of them are sent off these islands as aforesaid, without the lawful consent of him her or them in reversion or remainder, being of full age, and also of the executor or administrator, where they are liable for the payment of debts for the want of other effects, or the trustee or trustees, where they are held for the use of any other; or if any such widow shall marry a husband who shall send off, or consent to the sending off, or to the selling or disposing of any such slaves, so that they are sent off as aforesaid, without the lawful consent of him her or them in reversion or remainder, the executors or administrators of every of them, or trustees as aforesaid, then and in such case the person or persons in reversion or remainder, or the executors or administrators, and every of them, or those who have any trust reposed in them for the use of any other, is and are hereby empowered to have an action or actions at law against such tenant for life, widow or husband, for the recovery of treble the full value of such slaves sent off as aforesaid.

Executors may advance debts and legacies to prevent sale of slaves.

Clause 4.—And be it further enacted, by the authority aforesaid, that for the better preserving slaves on estates in these islands, and for saving estates from being ruined by the entire recovery of legacies left by testators, and of debts due from their estates, which might with more ease be paid without injuring any person concerned, by the allowance of time for the payment of such debts and legacies after they shall become due, it shall and may be lawful for any devisee, trustee, executor or administrator, not having sufficient effects in his or their hands, belonging to the testator, intestate or trust estate, out of his her or their own monies, to pay and satisfy, or cause to be paid

paid and satisfied, any legacy or just debt, after the same shall become due from the estate, that the slaves may be preserved on the plantation, and be prevented from being levied on and carried from it; and the money which any devisee, trustee, executor or administrator, shall pay and satisfy, or cause to be paid and satisfied, for the discharging such legacies and debts as aforesaid, shall remain charged and secured upon the estate or estates, for the relief of which the same shall be so paid as aforesaid, with interest thereon, at and after the rate of six pounds per cent per annum, until the same be fully paid and satisfied.

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Clause 5.—And be it further enacted, by the authority aforesaid, that no free black or coloured person, who is now or hereafter may be seised or possessed of any lands, tenements or other freehold, shall be considered or taken as freeholders, for any other purpose whatever than for the enjoyment and protection of the said tenements or freeholds, and of leasing or assigning the same.

Coloured persons not freeholders.

Clause 6.—And be it further enacted, by the authority aforesaid, that all owners, proprietors and possessors, or in their absence the managers or overseers of slaves, shall, as much as in them lies, promote the instruction of their slaves in the principles of the Christian religion and the moral duties of mankind, and as soon as conveniently can be, shall cause them to be baptized; which ceremony the clergyman of the respective parishes shall perform when required.

Slaves taught principles of religion.

Clause 7.—And be it further enacted, by the authority aforesaid, that no shop or store shall be kept open on Sundays between the hours of ten o'clock in the forenoon and one o'clock in the afternoon, under a penalty of ten pounds for each offence.

No shop kept open on Sundays.

Clause 8.—And be it further enacted, by the authority aforesaid, that during crop, not only shall the slaves as heretofore be exempted from the labour of the estate or plantation on Sundays, but that no mills shall be put about or worked between the hours of seven o'clock on Saturday night and four o'clock on Monday morning, under the penalty of twenty pounds, to be recovered against the proprietor, manager, overseer or other person having the charge of such estate.

No mills worked between seven on Saturday and four on Monday.

Clause 9.—And be it further enacted, by the authority aforesaid, that every field slave, on any plantation or estate, 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 any plantation, before the hour of five in the morning, or after the setting of the sun, except during the time of crop, under the penalty of fifty pounds, to be recovered against the proprietor, manager, overseer or other person having the charge of such estate.

Slaves allowed time for meals.

Clause 10.—And be it further enacted, by the authority aforesaid, that all owners, managers or renters of slaves within these islands, shall allow to their slaves, except those necessary about their houses, and stock keepers, Christmas day and the two days next following, for their recreation, and no more or other days during the twelve Christmas holidays; and if any person, owner, renter or manager of any plantation or estate, do not allow their slaves the same days as before mentioned, for their recreation and as holidays, or shall allow them any other or more days in the Christmas holidays than as aforesaid, the person or persons so offending shall forfeit the sum of fifty pounds current money of these islands.

Christmas day and the two following holydays.

Clause 11.—And be it further enacted, by the authority aforesaid, that every owner or possessor of slaves shall employ some person, duly qualified, to practise physic and surgery, to attend them as occasion shall require; and that when any slave shall be sick or unable from any accident or cause whatsoever to perform his or her usual labour, the said owner or possessor, or his or her attorney or manager, shall cause such slave to be visited by the said medical practitioner, and shall provide such medicines, food and other necessaries as shall be deemed requisite by him, under a penalty of fifty pounds current money for every default, neglect or refusal.

Slaves to have medical attendance.

Clause 12.—And be it further enacted, by the authority aforesaid, that if any owner or possessor of slaves, or in his absence his attorney or agent, shall wilfully permit and suffer any slave or slaves, blind, diseased, aged or otherwise disabled from working, or having any infectious disorder, to ramble or beg about the towns or country, such person so offending shall, upon conviction, be fined by any two justices of the peace, in any sum not exceeding fifty pounds, nor less than twenty-five pounds current money for each offence, one half whereof shall be paid to the informer, and one half to the public.

Diseased slaves wandering about

Clause 13.—And be it further enacted, by the authority aforesaid, that for every infant slave which shall be born within these islands, and which shall survive

Rewards paid for rearing children.

Saint Vincent.

three weeks, the midwife and nurse shall each be entitled to demand and receive one dollar, and if there should be no nurse in attendance, the midwife shall be entitled to demand and receive two dollars; and upon every infant slave attaining the age of fifteen months, the mother thereof shall be entitled to demand and receive six dollars, and upon every such infant being incorporated in the grass or vine gang, the mother or person nursing the infant shall be entitled to demand and receive the further sum of two dollars; the said several premiums or sums of money shall in the first instance be paid by the owner or owners, or person or persons having the direction of the said slaves, but shall be deducted by him or them so paying the same from the public taxes, which shall become due and payable by the owner or owners, possessor or possessors of the said slaves, next after the payment by him or them of the said several sums of money, and the amount thereof charged by the treasurer against the public.

Slaves having six children exempt from hard labour.

Clause 14.—And be it further enacted, by the authority aforesaid, that every female slave who shall have six children living, or who having raised from infancy and during the period of nurture a child or children of deceased mothers, and which shall continue to live with her as her adopted child or children, shall have of her own and of such so raised and adopted child or children six children living, shall only be employed in light 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 Act, or any other of the tax acts of these islands, 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, upon the certificate of the justice taking the annual returns, that proof was given on oath to his satisfaction, not only that the requisite number of children, together with the mother or adopted mother, are living, but also that the mother had been employed in light field or other labour, and was provided with the means of an easy and comfortable maintenance.

Manumissions.

Clause 15.—And be it further enacted, by the authority aforesaid, that all manumissions of any slave or slaves, duly executed and recorded in the register's office of these islands, shall be good valid and effectual conveyances in the law, to all intents and purposes whatsoever; and the register of deeds, or his lawful deputy, shall publish the names of the parties executing the deed, and the names of the slave or slaves thereby manumitted, in three successive Gazettes or other newspapers published next after the acknowledgment of such manumission, at the expense of the party recording the deed; provided always, that no owner or possessor of any slave or slaves, whether in his or her own right, or as attorney, guardian, trustee, executor or otherwise, shall manumit any such slave or slaves on account or by reason of such slave or slaves being rendered incapable of labour or service to his, her or their owner or possessor, by means of sickness, age or infirmity of mind or body, under the penalty of two hundred pounds, to be recovered before any two justices of the peace, and upon conviction to be levied by warrant under their hands and seals, directed to the provost-marshal-general, or his lawful deputy, which fine shall be paid to the treasurer, or his lawful deputy, who is hereby empowered and directed to allow to each of the said slave or slaves so made free the sum of twenty pounds per annum, to be paid quarterly, for his or her maintenance and support during life.

Detaining free persons in slavery, fined.

Clause 16.—And whereas advantages may be taken of the ignorance of persons who may have been imperfectly manumitted, in order to detain them in slavery, be it further enacted, that any person or persons who shall knowingly or wilfully keep or detain, or cause to be kept or detained, or connive at or assist in the detention of any person or persons whatsoever in slavery, who shall be entitled to freedom, he, she or they, upon the freedom of such person or persons being established, either by the judgment of any court, or by the execution of any deed or will, or any other satisfactory proof to be produced before any two justices of the peace, shall forfeit and pay to such person or persons so detained treble the amount of any hire that such person or persons would have produced during the time he, she or they were so detained in slavery, the rate of which hire shall be settled by the said justices, to be levied on the goods chattels and slaves of the offender or offenders, by a warrant under the hands and seals of two justices, directed to the provost-marshal-general, or his lawful deputy.

Killing slave, felony.

Clause 17.—And be it further enacted, by the authority aforesaid, that if any person shall wantonly, wilfully or maliciously kill or cause to be killed any slave, such person so offending shall, on conviction, be adjudged guilty of felony, without

out the benefit of clergy, and shall suffer death accordingly; and if the slave so killed shall be the property of any other person or persons, or if any person or persons shall have any interest whatsoever in the said slave, the real and personal estate of the person convicted of the said offence shall be subject to and is hereby charged with payment of treble the value of the slave killed, unto the proprietor or unto such person or persons entitled to any remainder or reversionary interest therein, or unto any executor or administrator entitled to claim the slave for the payment of debts: provided always, that such conviction shall not extend to the corruption of blood or the forfeiture of lands or tenements, goods or chattels, except as is hereinbefore excepted.

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Clause 18.—And be it further enacted, by the authority aforesaid, that in order to restrain arbitrary punishment, no slave on any plantation or estate shall receive more than ten stripes at one time, and for one offence, *unless* the owner, attorney, guardian, executor, administrator or manager of such plantation or estate, having such slave under his care, shall be present; and no such owner, attorney, guardian, executor, administrator or manager, shall on any account punish a slave with more than thirty-nine stripes at one time, and for one offence, nor inflict or suffer to be inflicted such last-mentioned punishments, nor any any other number of stripes in the same week, nor until the delinquent has recovered from the effects of any former punishment, under a penalty, not less than fifteen pounds, or more than thirty pounds for every offence, to be recovered against the person directing or permitting such punishment, in a summary manner, before any two justices of the peace; and upon conviction, to be levied by their warrant, directed to the provost-marshal-general, besides being subject to be prosecuted by indictment in the court of grand sessions of the peace of these islands, as for an offence against this act.

Slaves not to receive more than ten stripes.

Clause 19.—And be it further enacted, by the authority aforesaid, that no person shall on any pretence whatsoever, punish any 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 or weights of any kind, other than a light collar without hooks, to indicate that such a slave is an incorrigible runaway, or one accustomed to commit depredations on the grounds of the other slaves, and which collar shall only be put on by the direction of a justice, on due proof of the offence, under a penalty not less than five pounds, nor exceeding fifty pounds, to be recovered in a summary manner, before any two justices of the peace; and all and every the justices of the peace are hereby authorized 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 and bearing the same, save and except slaves committed to the gaol or cage.

No chains or collars without directions.

Clause 20.—And be it further enacted, by the authority aforesaid, that in case any justice of the peace shall receive any complaint or probable intelligence from any slave or otherwise, that any slave or slaves has or have been wantonly or improperly punished or confined, contrary to the true intent and meaning of this act, it shall and may be lawful to and for such justice to associate one other justice with him, and to issue their warrant to any constable, ordering him immediately to proceed to the place where such slave or slaves are or is confined, and to release and bring him, her or them before the justices, who are hereby authorized to commit the said slave or slaves to the gaol, until inquiry shall be made into the facts; and if upon such inquiry it shall be found that the said complaint is true, it shall be the duty of the said justices, and they are hereby required to prosecute the offender according to law; but if it shall appear that such complaint was groundless, the said justices shall punish the complainant, and the person giving information thereof, if a free person, by imprisonment not exceeding ten days, and if a slave, by any number of stripes not exceeding thirty-nine, and commitment to hard labour for a period not exceeding ten days; and the costs and charges of the prosecution shall be paid by the treasurer, or his lawful deputy, in case the owner or owners of the slave or slaves shall not be capable of paying them, upon the certificate of the president of the court to that effect.

Two justices to inquire into slave complaints.

Clause 21.—And be it further enacted, by the authority aforesaid, that if any 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, wantonly or cruelly whip, maltreat, beat, bruise, cut, wound or imprison, or keep in confinement without sufficient support, any slave or slaves, he, she or they shall be liable to be indicted for such offence, and upon conviction shall

Cruelty towards slaves punished.

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shall be punished by fine not exceeding one hundred and fifty pounds, or imprisonment not exceeding twelve months, or both, for each and every slave so wounded, punished, or confined as aforesaid; and such punishment is declared to be without prejudice to any action that may be brought for the recovery of treble the value of such slave or slaves, for or on account of the same, in case such slave or slaves shall not be the absolute and entire property of the offender; and in atrocious cases, where the owner of such slave or slaves shall be convicted of such offence, the court 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 whatsoever, and to order and direct the said one hundred and fifty pounds to be paid to the treasurer, or his lawful deputy, who shall pay to each of the said slave or slaves so made free, the sum of fifteen pounds per annum, for his or her maintenance and support during life.

Detaining other persons slaves punished.

Clause 22.—And whereas persons who illegally detain the slaves of others, and employ them in their service, do it so cunningly and secretly that evidence by white or free persons cannot be had against them; be it further enacted, by the authority aforesaid, that upon suspicion of any illegal detaining or employing, any justice of the peace shall and is hereby required, upon application, to issue a summons to the party accused, and any witnesses required by either party, requiring him her or them to attend at a certain day to answer the premises, directed to a constable; and on the trial such justice shall and may examine the person or persons accused, and all the witnesses, on his her or their oaths, concerning such illegal detaining or employing, and if confessed by the party or parties accused, or proved by any other evidence, such justice shall give judgment for the party injured, to recover, as hereinafter directed, any sum under twenty pounds; and if any white or other person so suspected or charged, being summoned, shall refuse or neglect to attend, or, attending, shall refuse to answer on oath the interrogatories of the said justice touching his or her offence, or answering shall confess such offence, then and in such case his or her absence, silence or confession shall be deemed equal proof of his or her guilt, and the said justice shall give judgment against him or her as hereinbefore directed; but should it appear to the justice that the information is groundless or malicious, then and in that case the informer (if a slave) shall be punished with any number of stripes not exceeding thirty-nine, at the discretion of the said justice; and the justice, giving judgment, shall make a record of his proceedings, and return it into the office of the clerk of the crown, under his hand and seal, and the complainant or party injured may sue forth execution thereon after the expiration of three days from giving judgment, by a warrant under the hand and seal of the clerk of the crown of this island, or his lawful deputy, directed to the provost-marshal, or his lawful deputy, to be levied upon the goods and chattels of the offender, which shall be immediately carried to the next town, and sold at public sale, at the expense of the offender or offenders, to satisfy the debts and costs; and in default of sufficient goods and chattels of the offender being found for the purpose aforesaid, he she or they shall be taken and imprisoned upon such execution, until satisfaction be made of the judgment, and all fees; and the justice, for hearing the trial, and making out the record, shall be authorized to demand and receive twelve shillings, and no more, and the clerk of the crown shall also be entitled to receive one shilling and sixpence for filing, and three shillings for the execution, and the marshal, or his lawful deputy, six shillings for executing the warrant upon the body of such offender, in default of goods and chattels, and if levied on goods and chattels, then he shall, besides the said six shillings, be entitled to eighteen pence in the pound for levying and selling; and such recovery before a justice of the peace shall be a bar to any further prosecution for the same offence.

Fees allowed to justices and others.

Witnesses not attending.

Clause 23.—And be it further enacted, by the authority aforesaid, that any person or persons whatsoever, being duly summoned as aforesaid, for the space of twenty-four hours, to attend at the day of trial as witnesses, shall neglect to attend, he she or they shall for such neglect forfeit ten pounds current money, to be recovered before any one justice of the peace, and levied by his warrant, directed to the provost-marshal-general, on the goods and chattels of the offender, and sold, as last mentioned, to the use of the party complaining; and then another day, on such failure of the attendance of any material witness summoned, shall be granted for trial, on the complainant desiring such further day, and on his paying such fees and costs down for such further day, as the justice and others shall be entitled to.

Prosecution of persons detaining.

Clause 24.—And be it further enacted, by the authority aforesaid, that any person who shall take up any slave or slaves belonging to another, and shall keep the said slave

slave or slaves in his or her custody or possession longer than forty-eight hours, without sending the said slave or slaves to the owner or owners thereof, if he or she can any way know him her or them (or without delivering the said slave or slaves to the provost-marshal-general, or his lawful deputy,) shall forfeit and pay for every day each slave (not being of any trade) is kept or entertained by him or her after the first forty-eight hours twelve shillings, but if the slave detained be of any trade, then the person detaining him shall forfeit twenty-four shillings each day he or she shall so detain such slave; and if the forfeiture incurred by such detention be under twenty pounds, the same may be recovered before any justice of the peace, to be levied on the goods and chattels of the person offending, and in default thereof, on his her or their person or persons; but if the forfeiture so incurred be above twenty pounds, then the same may be recovered by an action of debt at common law, in which no protection or wager of law shall be allowed.

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Clause 25.—And be it further enacted, by the authority aforesaid, that any white or free person or persons who shall inveigle entice or seduce any slave or slaves out of the custody of his or her or their owner or possessor, by any encouragement or inducement whatsoever, shall be liable to the same penalty for every day the said slave or slaves by such means or procurement shall be absent from their owner or possessor, as in the case of entertaining a runaway for longer than forty-eight hours, and to be recovered after the same manner; and every person, whether white, free or a slave, who shall violently and by force, or otherwise, take any slave or slaves out of the plantation or custody of his or their owner or possessor, shall be deemed guilty of felony, and shall be indicted, and shall suffer as in cases of felony; and any person or persons, whether white, free or a slave, who shall inveigle or entice away from his or their owner or owners any slave or slaves, and shall carry or endeavour to carry such slave or slaves off these islands, shall be deemed guilty of felony without benefit of clergy.

Enticing away slaves and carrying off.

Clause 26.—And whereas it is very dangerous to the peace and safety of these islands to suffer slaves to continue out as runaways, and it is absolutely necessary to declare and make known what slaves shall be deemed such; be it therefore enacted, by the authority aforesaid, that any slave or slaves who shall be absent from his her or their 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 estate to which such slave or slaves shall belong, without a ticket or other permit to pass, except as hereinafter is excepted, in going to and returning from market, shall be deemed a runaway.

Slaves absent five days or eight miles a runaway.

Clause 27.—And be it further enacted, by the authority aforesaid, that when a slave shall be runaway from the service of his or her owner or employer, every other slave who knowing such slave to be runaway, shall entertain, harbour, receive or conceal, or any way aid, assist or comfort, afford or give sustenance to him or her, shall upon conviction thereof before any justice of the peace, for the first offence be publicly whipped with any number of stripes, not exceeding thirty-nine; and if it shall happen that any offender or offenders shall be convicted the second time of the like offence, he she or they, upon such second conviction, shall be adjudged to be publicly whipped with any number of stripes, not exceeding fifty, and so in proportion for each subsequent offence.

Harbouring runaways.

Clause 28.—And be it further enacted, by the authority aforesaid, that any person who shall take up a runaway slave, and knowing the owner or possessor thereof, is hereby directed within forty-eight hours, either to give such owner or possessor notice thereof, or to send home the said slave, if the distance does not exceed eight miles, and if the distance does exceed eight miles, it shall be at the option of the person taking up such runaway, either to give such notice as aforesaid, or to send such runaway to the owner or possessor or to the common gaol, and the owner or possessor of such slave, or the provost-marshal-general or his deputy, if such slave be sent to gaol, shall pay to the person taking up such slave, the sum of twelve shillings, and twelve pence per mile for the distance sent, and if the owner or possessor of such runaway shall refuse to pay the above reward and charges if sent to him or her, then such runaway shall be sent to the common gaol, and the provost-marshal-general, or his lawful deputy, is hereby directed to pay the same reward and charges for bringing in the said runaway, at the rate of twelve pence per mile, and also the sum of forty shillings over and above the said reward and charges; and if such owner or possessor of such runaway shall detain such runaway in his or her possession, without paying the reward and charges as aforesaid, the same, together with the penalty of forty shillings for such detainer and refusal, shall be recovered

Taking up runaways, how to proceed.

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in a summary manner, before any one justice of the peace, by warrant under his hand and seal, complaint being first made on oath before him, and the owner or possessor of such runaway being first summoned to attend to answer the complaint aforesaid, and having at least forty-eight hours notice for such attendance.

Search warrants for runaways.

Clause 29.—And be it further enacted, by the authority aforesaid, that it shall and may be lawful for any justice of the peace, and he is hereby authorized and required upon complaint made to him on oath, that any slave or slaves are runaway, and have absented themselves from the service of their owners or employers, and at the request of their owners or employers, or their attornies, and not otherwise, to grant a warrant to search for and apprehend all such runaway slaves, as also such slaves as the complainant shall have just cause to suspect to be guilty of wilfully entertaining, harbouring or concealing such runaway slaves, and to bring them before such justice, to be dealt with according to law for their offences; and it shall and may be lawful for any person or persons so authorized by warrant as aforesaid, to enter any negro house or houses by day or night, to search for any slave or slaves, having first given notice to the master, owner, manager or overseer on the plantation to which such house or houses belong, and after such warrant obtained and notice given as aforesaid, to break open the door or doors of such negro houses into which admittance shall have been refused.

Marshal to receive runaways.

Clause 30.—And be it further enacted, by the authority aforesaid, that the provost-marshal-general, or his lawful deputy, shall receive all runaways into his custody, and if brought by a slave, to be accompanied by a note from a white or free person, which note the marshal shall produce if required; and the said provost-marshal-general, or his lawful deputy, shall keep the said slave or slaves in safe custody, and shall affix a list of the names of such runaway slaves in his custody on the courthouse door, and shall further cause an advertisement to be inserted in the public gazette of this island, within six days next after receiving each slave into the common gaol, containing the name or names of such slave or slaves in his custody, the names of the owner or owners if known, but if not known, an exact description of the person of such slave or slaves, which advertisement shall be republished once in every month, whilst such slave or slaves shall continue in gaol, and not oftener.

Marshal's fees, and proceedings on sale of runaways.

Clause 31.—And be it further enacted, by the authority aforesaid, that the provost-marshal-general, or his lawful deputy, shall be entitled to and be paid six shillings for taking such slave into his custody, and two shillings each twenty-four hours the slave shall continue in prison, for his maintenance; and upon the delivery of any slave to the owner or possessor of the same, he shall be paid the further sum of six shillings besides the twelve shillings for taking up, and one shilling per mile, and the forty shillings penalty, which the bringer of the said slave shall have received from him; and if any slave or slaves shall continue in prison for three months after the proper publications as aforesaid, such slave or slaves shall be taken out and sold at public sale for the fees, by order of two justices of the peace, and the overplus, if any there be, after paying the aforesaid fees, and all the abovementioned charges, together with five pounds per centum commission on the sale, shall be returned to the owner, or if such owner be unknown, to the treasurer for the time being, to remain to the use of the public until the owner shall appear; and the provost-marshal-general, or his lawful deputy, shall be obliged upon oath to account and pay over once in every year at least unto the treasurer for the time being all such sums of money as he shall have received on account of the sales of such slaves, under the penalty or forfeiture for every neglect or default the sum of one hundred pounds current money.

Marshal, how proceeded against.

Clause 32.—And be it further enacted, by the authority aforesaid, that in case the provost-marshal or his lawful deputy shall refuse to pay the bringer of any runaway the several sums of money hereinbefore directed to be paid, or shall refuse to receive the said slaves so brought, or shall neglect or refuse to put up and publish his her or their names, or shall wilfully or negligently suffer any runaway received by him to escape, or shall employ him in any work, or shall refuse to deliver any runaway to his owner or possessor on tender of his legal fees, and all disbursement, for every such offence the provost-marshal-general or his lawful deputy shall forfeit and pay the sum of ten pounds current money, to be levied on his goods and chattels by a warrant under the hand and seal of any justice of the peace, to be directed to the coroner; and if any slave or slaves in the custody of the provost-marshal-general shall perish from want or neglect, he shall forfeit and pay the full value of the slave to the owner thereof, to be recovered in the manner hereinbefore mentioned, and shall moreover be subject to an indictment for such offence.

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Clause 33.—And be it further enacted, by the authority aforesaid, that if any slave shall run away from his or her owner or 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 direct, or be transported for life, according to the magnitude of the offence; and if any slave shall run away as aforesaid, and continue absent for any term not exceeding six months, such slave shall be liable to be tried before two justices of the peace, and upon conviction thereof shall, for the first offence, suffer such punishment, by whipping, or confinement to hard labour, not exceeding three months, as the said two justices shall think proper to direct; but if the said slave hath frequently run away, and is by his owner or possessor declared to be an incorrigible runaway, he shall be committed to be tried as if he or she had been run away from his or her said owner or possessor and continued absent for a term exceeding six months; and such slave being convicted thereof, shall be sentenced to hard labour, or be transported for life, as the court shall direct.

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Runaways, how proceeded against.

Clause 34.—And whereas several slaves have found means to desert from their owners and depart from these islands, to the great damage of such owners and evil example to other slaves: And whereas there is reason to believe 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 conspiring to desert or depart from these islands, or for persons aiding, assisting or abetting such deserters; for remedy whereof, be it further enacted, by the authority aforesaid, that 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 from any of these islands, in any ship, boat, canoe, or other vessel or craft whatsoever; or shall aid, abet or assist any other slave or slaves in such going off these islands, 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 be deemed guilty of felony without benefit of clergy, and shall suffer death accordingly: And if any slave or slaves shall seize, take and carry away, or cause, procure, persuade or entice any other slave or slaves to seize, take and carry away from these islands, or any of them, any ship, boat, canoe, or other vessel or craft whatever, or shall embark on board any ship, boat, canoe, or other vessel or craft whatever, with intent to seize, take or carry away the same, and shall be duly convicted of the said offence, he she or they shall likewise be adjudged to be guilty of felony without benefit of clergy, and shall suffer death accordingly.

Runaways going off the island, or stealing a boat.

Clause 35.—And be it further enacted, by the authority aforesaid, that if any white or free coloured person, Indian or free negro, shall knowingly aid, assist or abet, any slave or slaves in so going off these islands, and shall be convicted thereof in the court of grand sessions of the peace in this island, such white or free coloured person, Indian or free negro, shall be forthwith transported off these islands, by the provost-marshal-general 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 these islands, he she or they, on proof of his her or their identity before the said court of grand sessions of the peace as aforesaid, shall suffer death without benefit of clergy.

Persons aiding the same.

Clause 36.—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 these islands, whether the principal or principals be convicted or not, any thing in this or any other act, law, custom or usage to the contrary notwithstanding.

Accessaries proceeded against before principal.

Clause 37.—And be it further enacted, by the authority aforesaid, that in case any negro, or other person sent in and detained in the common gaol as a runaway slave, shall allege himself or herself to be free, it shall be the duty of any justice of the peace, upon application made to him, to convene a meeting, consisting of not less than three justices of the peace, within ten days after such application, and of which meeting, and of the time and place of holding the same, due notice shall be given in the several newspapers of this island, and the said justices shall investigate, inquire into and examine the truth of such allegation; and if it shall appear to such meeting that such person so detained as a runaway slave is free, such person shall be forthwith discharged; and in case it shall appear to

Freedom claimed by runaways investigated.

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such meeting that such person is a slave, he or she shall be remanded to the common gaol: provided always, and it is hereby declared, that the decision of such justices shall be without prejudice to the prosecution of the right and title of any person to such runaway, or to the prosecution by such person detained as a runaway, of his or her right or title to his or her freedom, or for damages for his or her illegal detention or imprisonment against the person or persons causing the same.

Not to be sold without certificate of justices.

Clause 38.—And be it further enacted, by the authority aforesaid, that no negro or other person detained as a runaway slave or slaves so claiming their freedom as aforesaid, shall be sold by the provost-marshal-general until such meeting of justices has been convened and held, and such investigation, inquiry and examination had, and without the same being certified by the justices attending such meeting, under their hands and seals, and filed with the clerk of the crown, at the public expense; and the sale of any runaway slave or slaves so claiming their freedom, made without such certificate being obtained, shall be and the same is hereby declared to be null and void to all intents and purposes whatsoever.

No slave to travel without a ticket.

Clause 39.—And be it further enacted, by the authority aforesaid, that no slave, such only excepted as shall attend the market with firewood, grass, fruit, provisions or small stock, and any other goods which they may lawfully sell, shall be permitted or suffered to go out of the plantation or estates of his or her owner or employer, or to travel from one town or place to another, unless such slave shall have a ticket from his or her owner, employer or manager, expressing particularly the time of the departure of such slave, 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 owner, employer or manager, in a summary manner, before any one justice of the peace, by warrant under his hand and seal, upon complaint being made to him upon oath, unless the owner, employer or manager of such slave shall make oath before such justice of the peace that he gave the said slave such ticket as aforesaid, or that such slave went away without his consent, in which case the justice shall convict such slave as a runaway, and proceed as hereinbefore directed in such cases; and if such justice shall refuse or neglect to do his duty in causing the penalty to be forthwith levied on the owner, employer or manager, or any other person who shall suffer a slave, being under his her or their direction, to go without a ticket as aforesaid, every justice so offending shall forfeit the sum of five pounds, to be recovered against him in any court of record; and no ticket shall be granted to any slave or slaves for any time exceeding one calendar month.

Giving tickets improperly, punished.

Clause 40.—And whereas, the more effectually to protect runaway slaves, tickets are given by whites, free negroes or coloured persons, be it further enacted, by the authority aforesaid, that any white person, free negro or coloured person, granting or giving such ticket in their own name, or in the name or names of any other person with such intent, shall be liable to be tried for the said offence before the court of grand sessions of the peace in this island, and on conviction shall suffer transportation, fine or such other punishment as the court shall direct, not extending to life.

Slave killed in pursuit of runaways paid for.

Clause 41.—And be it further enacted, by the authority aforesaid, that if the slave of any person shall be killed in pursuing runaways or slaves charged with other crimes, by the order of his owner, employer or manager, or any other lawful order, the slave slain shall be paid for by the public, and the value settled by any two justices of the peace.

Nightly meetings prevented; owner or managers permitting them imprisoned.

Clause 42.—And whereas dances and other nightly meetings of slaves are highly injurious to their health and morals, be it therefore enacted, by the authority aforesaid, that if any owner, manager or overseer shall permit or suffer any slave or slaves to hold any assembly or meeting of slaves at any time for the purpose of dancing or for any other purpose, after the hour of ten o'clock at night, or shall permit or suffer any drums, horns or shells to be beat or sounded upon any plantation or estate, or in any yard, house or place under his or her care or management; or if such meetings shall be held, or such drums, horns or shells beat or sounded, without his or her privity or knowledge, and he or she shall not use his or her utmost endeavour to prevent the same, either by his or her own power or authority, or in case of necessity, by timely application to one of His Majesty's justices of the peace for the assistance of the civil power, such owner, manager, overseer or other person so offending, shall for every such offence, upon conviction thereof, upon an indictment

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in the court of grand sessions of the peace, 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 owner or proprietor of any plantation or estate, or the manager thereof, from granting liberty to the slaves of such plantation or estate only to assemble together upon such plantation or estate, and play and divert themselves in any innocent amusements, so as they do not make use of military drums, horns or shells, but they shall and may grant such liberty when and as often as they please, provided that such amusements are put an end to by ten of the clock at night.

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Clause 43.—And be it further enacted, by the authority aforesaid, that if any Indian, free negro, coloured or white person, shall hereafter suffer any unlawful assembly of slaves at his or her house, or adjoining their place of abode, or shall attend any such assembly elsewhere, every such Indian, free negro, coloured or white person, shall, upon due conviction thereof, before any court of sessions, suffer punishment by fine, not exceeding one hundred pounds, or imprisonment, not exceeding six months: provided nevertheless, that information thereof shall be given on oath, within fourteen days after such unlawful meeting.

Free persons suffering unlawful assemblies, or attending them, punished.

Clause 44.—And whereas camps and settlements are established by runaways and others, which are of dangerous tendency, be it further enacted, by the authority aforesaid, that all slaves who shall or may establish any camp or settlement, unknown to his, her or their owner or employer, shall be liable to be apprehended, and if convicted thereof, he, she or they shall be deemed guilty of felony, without benefit of clergy, and suffer death accordingly.

Slaves forming settlements punished.

Clause 45.—And whereas it is necessary to prevent secret and unlawful meetings of slaves, be it further 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, or entering into unlawful compacts, or of learning the use of arms, or opposing or resisting any persons employed to apprehend them, or for any other unlawful or dangerous purpose, such slave or slaves shall, on conviction thereof, be deemed guilty of felony, without benefit of clergy, and suffer death or transportation for life, as the court shall direct; and if any person or persons whether 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, upon conviction thereof, in the court of grand sessions of the peace, be punished by death, transportation off these islands for life, or fine or imprisonment, or both, as the court shall direct; and if any person or persons having any knowledge of such unlawful meetings as aforesaid, shall not give information forthwith thereof, to a justice of the peace, such person or persons shall, on conviction before the court of grand sessions of the peace, suffer such punishment by fine or imprisonment, or both, as the court shall direct.

Slaves administering oaths, or resisting persons apprehending them.

Clause 46.—And be it further enacted, by the authority aforesaid, that if any slave or slaves shall be found to have in his her or their custody or possession, any firearms, pikes, sabres, swords, cutlasses, lances, gunpowder, slugs or ball, without the knowledge of his her or their owner or possessor, or his her or their possessor, or his her or their manager, such slave or slaves shall be taken before two justices, 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 as hereinafter directed, and upon conviction the said slave or slaves shall suffer transportation, imprisonment, or such other punishment as the court shall direct.

Having arms in their possession.

Clause 47.—And in order to prevent the many mischiefs that may arise from the wicked art of negroes and other persons going under the appellation of obeah men and women, be it further enacted, by the authority aforesaid, that any person, whether free or slave, who shall pretend to use any supernatural power, for any evil purpose whatsoever, or shall use or pretend to any such practices with an intent or so as to affect or endanger the life or health of any slave or other person, shall upon conviction thereof be deemed guilty of felony, without benefit of clergy, and shall suffer death accordingly.

Obeah practices punished.

Clause 48.—And be it further enacted, by the authority aforesaid, that if any person whatsoever, whether free or slave, shall mix or prepare, with an intent to give

Poisoning persons.

- Saint Vincent.** 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 person or persons, together with their accessaries, as well before as after the fact, being duly convicted thereof, shall be deemed guilty of felony, without benefit of clergy, and shall suffer death accordingly.
- Obeah or poison found on persons.** Clause 49.—And be it further enacted, by the authority aforesaid, that if there shall be found in the possession of any person or persons, whether free or slave, any poisonous drug, pounded glass, or other materials, notoriously used in the practice of obeah, such slave or other person upon conviction shall be deemed guilty of felony, and shall suffer transportation from these islands, or such other punishment not extending to life as the court shall direct.
- Slaves preaching punished.** Clause 50.—And whereas the practice of ignorant, superstitious or designing slaves attempting to instruct others, has been attended with the most pernicious consequences, be it further enacted, by the authority aforesaid, that any slave or slaves found publicly preaching or teaching any religious subject, shall upon due proof thereof be punished in such manner as any two justices may deem proper, by whipping or imprisonment.
- Taking 20 s. by force, or breaking into house and stealing to the value of 6 l. felony.** Clause 51.—And be it further enacted, by the authority aforesaid, that if any slave shall feloniously and forcibly take from the person of another, whether a 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 benefit of clergy; and if any slave shall break or enter, in any manner whatsoever, into any mansion-house, shop, works, negro-house, or other outhouse, 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 benefit of clergy.
- Striking whites or free persons.** Clause 52.—And be it further enacted, by the authority aforesaid, that if any slave shall assault or offer violence by striking, or otherwise, to or towards any white person or persons of free condition, such slave shall, upon conviction thereof, be punished by transportation or confinement to hard labour for life, or for a limited time, or such other punishment, according to the nature of the offence, as the court shall in its discretion think proper to inflict; and in case any white person or persons of free condition shall be maimed, injured or mutilated in body by any slave or slaves as aforesaid, then such slave or slaves, being duly convicted thereof, shall be deemed guilty of felony without benefit of clergy, provided such assault or violence be not by the command of his or their owner, manager or person entrusted with the charge of them, or in the lawful defence of the person or goods of their owner.
- Slaves using defamatory language.** Clause 53.—And be it further enacted, by the authority aforesaid, that if any slave or slaves using any defamatory language or words of abuse, tending to provoke a breach of the peace, towards any person or persons whatsoever, shall and may be punished by any justice of the peace, upon due proof of the same, by whipping or imprisonment, provided that the complaint be made to such justice within two days after the offence hath been committed.
- Slaves maiming slaves.** Clause 54.—And be it further enacted, by the authority aforesaid, that if any slave or slaves shall, by wantonly or 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 such slave or slaves so offending shall be tried by the court of sessions, and upon conviction shall, for the first offence, suffer such punishment, not extending to life, as the court shall 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; and where one slave murders another, the price paid by the public, on executing the murderer as hereafter directed, shall be equally divided between the owner of the offender, and the owner of the slave slain.
- Slaves fighting punished.** Clause 55.—And be it further enacted, by the authority aforesaid, that all slaves that shall be taken fighting, or who shall draw a knife or cutlass, either in assaulting another or in his own defence, shall be publicly whipped by order of a justice of the peace; and if in Kingstown or Calliaqua, by order of any town warden, with any number of stripes not exceeding thirty-nine.

Clause 56.—And be it further enacted, by the authority aforesaid, that if any slave shall 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 carcass of any such horned cattle, sheep, goat, hog, horse, mare, mule or ass, or any part of the flesh thereof, such slave shall, on conviction thereof, suffer death, transportation or such other punishment as the court shall direct.

Saint Vincent.
Stealing cattle.

Clause 57.—And be it further enacted, by the authority aforesaid, that if any slave shall fraudulently have in his her or their custody or possession, unknown to his or her owner, possessor, manager or other person who shall have the charge of such slave, any fresh beef, veal, mutton, pork or goat, in any quantity not exceeding twenty pounds weight, without giving a satisfactory account in what manner he or she became possessed thereof, such slave, upon conviction thereof before any two justices of the peace, shall be whipped in such manner as such justices shall direct, not exceeding thirty-nine stripes; and if there shall be found in his her or their custody or possession a greater quantity than twenty pounds weight of fresh beef, veal, mutton, pork or goat, and such slave shall not give a satisfactory account how he or she became possessed of such meat, then such slave, upon conviction thereof, shall suffer such punishment by whipping or confinement to hard labour as the said two justices shall direct, not exceeding fifty lashes, or one month's imprisonment.

Having meat or flesh in their possession.

Clause 58.—And be it further enacted, by the authority aforesaid, that if any slave shall wantonly or cruelly cut, chop, shoot at or otherwise maim or injure any horned cattle, horse, gelding, mare, mule, ass or sheep, such slave shall for every such offence be tried in a summary manner before two or more justices of the peace, and the said justices shall, on conviction of such slave or slaves, order and direct such punishment to be inflicted as they shall think proper, not exceeding fifty stripes, to be inflicted at one or more different times; and in all cases where from such treatment as above set forth any horned cattle, horse, gelding, mare, mule, ass or sheep 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 slave shall be tried at the court of sessions, and on conviction thereof suffer transportation or confinement to hard labour, or such other punishment as the court shall direct.

Cruelty to cattle.

Clause 59.—And whereas the practice of slaves clearing their grounds by fire, is highly dangerous to the neighbouring properties, and alarm and injury may occur for want of some restraint in that respect, be it further enacted, by the authority aforesaid, 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 misdemeanor; and if the manager or other person then actually having charge of the property on which such fire shall originate, shall have knowledge that any slave 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, although such fire shall not cause injury to the neighbouring property, such manager or other person shall suffer such fine as any two justices of the peace shall award, not exceeding ten pounds for each 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.

Clearing ground by fire to injury of next estate.

Clause 60.—And be it further enacted, by the authority aforesaid, that if any slave or slaves shall enter into or be concerned in any rebellion or rebellious conspiracy, or commit any murder, felony, burglary, robbery, or set fire to any house, works, outhouse, negro-house, magass-house, or other building, cane piece, grass or corn piece, or break into such house, works, outhouse, negro-house, or other building 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 any overt act, or commit any other crime not herein provided for, the commission of which by white persons, or persons of free condition, would subject them to a prosecution for felony, by the laws of these islands, or the laws of Great Britain in force here, such slave or slaves shall for every such offence or offences, upon trial and conviction thereof, in manner hereinafter mentioned, suffer death without benefit of clergy, transportation, or such other punishment as would be inflicted upon any such white or free person, according to the nature and extent of the offence.

Slaves punished for crimes as white.

Saint Vincent.

Slaves charged with crimes tried at sessions, and paid for by the public.

Clause 61.—And be it further enacted, by the authority aforesaid, that if any slave or slaves charged with any of the beforementioned offences, or any other offence whatsoever, which may render him her or them liable to the punishment of death, transportation or imprisonment for life, 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 cases be taken for and against slaves, but in no other case whatever be admissible;) and six days before the sitting of the court, the clerk of the crown and peace shall deliver a list of all the slaves so to be tried, to the president of the court, who shall thereupon appoint a barrister to act as counsel for each prisoner; and in case of an indictment between the said six days, and the sitting of the court, then and in such case counsel shall be appointed for the prisoner as early as may be, and the jury shall if they find the prisoner guilty, ascertain the value of him or her, and such value of such condemned slave shall be paid to the owner or possessor of such slave so condemned or executed, out of the public treasury of these islands, upon producing the certificate of such condemnation and appraisement, under the hand and seal of the judge presiding at the trial of such slave or slaves, and also the certificate of the provost-marshal-general of the execution, transportation or imprisonment of such slave or slaves, except it shall appear that the owner or possessor of such slave or slaves had refused to deliver up such slave or slaves as hereinafter mentioned.

Fees same as free persons.

Clause 62.—And be it further enacted, by the authority aforesaid, that the fees upon such prosecutions shall be the same as are payable on the prosecution of free persons, and 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 or slaves, if he she or they have endeavoured to obstruct or prevent the course of justice against such slave or slaves, or if no such cause or causes exist, the court may order the same to be paid by the public treasurer; and in cases where any slave or slaves shall be discharged by proclamation, the fees of the officers of the court shall be paid by the public, unless the court shall direct otherwise.

Misdemeanors tried by justices.

Clause 63.—And whereas there are many inferior crimes and misdemeanors committed by slaves, which ought to be punished in a summary manner, by order of two or more justices of the peace, be it further enacted, by the authority aforesaid, that all misdemeanors and inferior crimes committed by any slave or slaves, for the trial whereof no provision has been made, shall be tried in a summary manner before two or more justices of the peace, reasonable notice of the time and place of such trial being given to the owner 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 as they shall think proper, not exceeding fifty stripes or six months imprisonment, or confinement to hard labour.

False evidence punished.

Clause 64.—And be it further enacted, by the authority aforesaid, that in case any slave or slaves shall wilfully or corruptly give false evidence in any trial had under this act, such slave or slaves being thereof convicted, shall receive such punishment by whipping, as the justices trying the cause shall think proper to direct.

Slaves sold for transportation by marshal.

Clause 65.—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-general or his lawful deputy shall carry such sentence into execution, as soon after the passing thereof as the court shall direct, 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 within the space of one month from the time of such sale, render to the treasurer or his lawful deputy a just and true account certified under his hand, of the sale or sales of such slave or slaves, and of the legal charges attending the same, and pay over to him the proceeds of such sale or sales, after deducting all legal charges as aforesaid, and also five per cent commission on the said sale or sales, and if it shall happen that the charges due to the provost-marshal-general or his lawful deputy, for the confinement and subsistence of the said slave or slaves, shall exceed the amount of the sales, the same shall be sworn to by the said provost-marshal-general or his lawful deputy, in which case the treasurer or his lawful deputy shall pay to him such further sum as shall be sufficient to satisfy his said charges, beyond the amount of such sales.

Clause 66.—And be it further enacted, by the authority aforesaid, that the purchaser of every slave, who by virtue of this act shall be sold for transportation by the provost-marshal-general, or his lawful deputy, shall immediately after such sale enter into a bond, with two sufficient securities to our Sovereign Lord the King, in the penal sum of five hundred pounds for every such slave so purchased, with a condition thereunto annexed, that every such slave shall be transported off these islands within thirty days after the date of such bond, and shall in the mean time be kept in close confinement by the provost-marshal-general, at the expense of the purchaser, which bond shall be taken by the provost-marshal-general or his lawful deputy, at the expense of the purchaser, and be filed among the records in the office of the clerk of the crown of the said island.

Saint Vincent.

Purchaser to give bond for the transportation of slaves within thirty days.

Clause 67.—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 in writing on some part of the said bond, before the provost-marshal-general or his lawful deputy, (either of whom is hereby authorized and required to administer the same,) that every slave so purchased by him shall be transported according to the sentence, (death or dangers of the seas excepted,) and that the slave so purchased shall not with his knowledge, privity or consent be relanded in these islands.

Shall make oath to transport them.

Clause 68.—And be it further enacted, by the authority aforesaid, that the provost-marshal-general or his lawful deputy shall not deliver over to any purchaser or purchasers any slave so sold for transportation, until such purchaser shall be in all things prepared to carry the said sentence of transportation into effect, according to the condition of his said bond; and in case such purchaser shall not perform the condition of his said bond, within the thirty days before limited, the said bond shall be deemed forfeited, and the slave to have been transported shall also become forfeited to the crown, and be resold for transportation by the provost-marshal-general 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 treasurer for the use of the public.

Penalty on marshal delivering

Clause 69.—And be it further enacted, by the authority aforesaid, that every slave sold for transportation by virtue of this act, who shall be found at large within these islands at any time after such slave shall have been delivered by the provost-marshal-general to any purchaser for the purpose of being transported as 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-general, 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 to the person apprehending such slave, and the other moiety to the treasurer or his lawful deputy.

Slaves found at large re-fold.

Clause 70.—And be it further enacted, by the authority aforesaid, that if any slave who may have been transported under the directions of any other act heretofore in force or who shall be hereafter transported under the directions of this act, for any crime to which such punishment shall be attached, shall wilfully return from transportation, such slave shall upon conviction be deemed guilty of felony without benefit of clergy, and shall suffer death accordingly.

Slaves returning suffer death.

Clause 71.—And be it further enacted, by the authority aforesaid, that if the master of any ship or vessel, or any other person whatsoever, shall knowingly and wilfully bring back to these islands any slave who may have been transported from these islands under and by virtue of any other act heretofore in force, or who shall hereafter be transported under the directions of this act, such person being convicted thereof by bill, plaint or information in the court of grand sessions of the peace, or other court of record, shall forfeit the sum of three hundred pounds for every 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 these islands, 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 exceeding twelve, or less than three months, without bail or mainprize.

Persons bringing them back.

Saint Vincent.

Execution how
carried into effect.

Clause 72.—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 publicly performed with due solemnity, and care shall be taken by the provost-marshal-general, or his lawful deputy, that the criminal shall be free from intoxication at the time of his or her 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.

Buying sugar from
slaves.

Clause 73.—And be it further enacted, by the authority aforesaid, that if any person or persons whomsoever shall buy, barter or truck for or receive, by any means, of or from any slave or slaves, sugar, cotton, rum, melasses, cocoa, coffee or other goods, or merchandize of any sort, except firewood, fish, poultry, goats, hogs, grass, fruit and vegetables of any sort, without the knowledge or consent of the owner or possessor of such slave or slaves, signified by a note in writing, specifying the nature and quantity of goods, or by sending some white or free person with such slave or slaves, upon complaint made to any justice of the peace, the person or persons so offending shall be bound to his her or their good behaviour, and to appear at the next sessions of the peace to be held for these islands, and upon conviction thereof, such person or persons shall be fined in a sum not exceeding fifty pounds, or double the value of the goods so clandestinely bought.

Buying stolen goods.

Clause 74.—And be it further enacted, by the authority aforesaid, that if any person or persons shall buy, barter or truck for or receive, by any unlawful means, from any slave or slaves, any goods or chattels whatsoever, knowing the same to be stolen, although the principal felon or felons is or are not known, or convict, such person or persons shall and may be prosecuted at the court of grand sessions of the peace, and upon conviction shall be adjudged to be guilty of a misdemeanor, and fined in any sum not exceeding one hundred pounds current money of these islands, nor less than twenty pounds like money, and be imprisoned also for any time not exceeding one year; and in case such offender shall neglect, refuse or be unable to pay the fine immediately, he or she shall undergo such corporal punishment, instead of the said fine, by whipping, as the court shall direct; and upon conviction of the like offence a second time, the person so offending shall be deemed a felon, and punished accordingly.

Conviction of mis-
demeanor bar to
felony.

Clause 75.—And be it further enacted, by the authority aforesaid, that if any person shall be convicted of a misdemeanor for buying, bartering or trucking with any slave, contrary to this act, such conviction shall be a bar to any other prosecution for being accessory to the felony committed by the principal, if the principal be afterwards convicted; and any lost or stolen goods found on any person or persons shall be deemed evidence against him her or them that they bought, trucked or bartered for such goods of or with a slave, so far as to make him her or them liable to a misdemeanor by virtue of this act, unless such person or persons shall give sufficient evidence to the court how he she or they came by the goods; and it shall not be any ways necessary in the indictment or information for such misdemeanor to name particularly the slave or slaves of whom such goods were bought, had, bartered, trucked or received, but the laying it to be from a slave unknown shall be sufficient.

Selling strong liquors
to slaves.

Clause 76.—And be it further enacted, by the authority aforesaid, that no retailer or retailers of strong liquors, shall sell any liquor or liquors of what nature or quality soever, to any slave or slaves, under the penalty of five pounds current money for every such offence so committed, and the forfeiture of his or her licence; and all justices of the peace and constables are hereby required and empowered to disperse all unusual concourses of slaves, in or about the towns or elsewhere, and to take up or cause to be taken up all slaves who shall be found armed with clubs or other offensive weapons, or playing at dice or other unlawful sports, or drinking in the public-houses or other places; and such slaves so taken up shall be whipped by order of the justice at his discretion, so as such whipping does not exceed thirty-nine stripes.

Warrant against
slaves served on
owner.

Clause 77.—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 or manager of such slave shall be served with a copy of the said warrant, and if he she or they do not bring the said slave

slave before a justice to be dealt with according to law on the said warrant, and it should be afterwards proved, that the owner, possessor, attorney, or manager of such slave wilfully detained or concealed the said slave, he she or they shall forfeit the sum of two hundred pounds; and in case the slave be afterwards apprehended and sentenced to death, transportation or imprisonment for life, the owner of such slave is hereby debarred from having or receiving from the public treasury of these islands any consideration or remuneration for any slave so sentenced as aforesaid.

Saint Vincent.

Clause 78.—And be it further enacted, by the authority aforesaid, that all warrants from any justice or justices of the peace directed to any constable or constables, or to the provost-marshal-general or his lawful deputy, to make levies, or for any other matter whatsoever, shall be duly executed by such constable or constables, the provost-marshal-general or his lawful deputy, under the penalty of ten pounds current money, to be levied in manner aforesaid, by warrant of any justice or justices, whose former warrant he or they shall neglect or refuse to execute; and if the provost-marshal-general or his lawful deputy shall neglect or refuse to perform or execute any of the duties prescribed unto him by this act, and for which no penalty is declared, he shall forfeit and pay the sum of fifty pounds current money for each neglect or refusal, to be levied as aforesaid.

Warrants duly executed.

Clause 79.—And be it further enacted, by the authority aforesaid, that if any justice of the peace shall refuse or neglect upon application made to him, immediately to take proper measures to apprehend and bring to trial any slave or slaves whatsoever, for felony or any other crime of a lower nature, charged on any slave or slaves, such justice shall forfeit fifty pounds current money of these islands, to be recovered by action, bill, plaint or information, in any court of record within these islands, or by indictment or information before the court of grand sessions of the peace, one moiety to the prosecutor or informer, and the other moiety to His Majesty, his heirs and successors, for the public uses of these islands.

Justice refusing punished.

Clause 80.—And be it further enacted, by the authority aforesaid, that all justices and constables, and the clerk of the crown and provost-marshal-general, or their lawful deputies, shall be entitled to demand and receive the same fees as are prescribed for similar duties by the several dockets now in force, except otherwise provided for by this act; and it shall be lawful for not less than two justices, at their discretion, in cases of poverty or otherwise, to order and direct the fees of the officers which may be incurred in cases brought before them, to be paid by the public, which they shall certify under their hands, to the treasurer, or to his lawful deputy.

Fees

Clause 81.—And be it further enacted, by the authority aforesaid, that all fines and forfeitures laid by this act, where no particular method of recovery of the forfeitures mentioned in this act is directed, and the same do not amount to more than twenty pounds current money, the same shall be recovered by warrant from any one justice of the peace directed to the provost-marshal-general, or his lawful deputy, to be levied on the goods and chattels of the offender; which goods and chattels shall be immediately carried to the next town, and sold by public sale, at the expence of the offender; and in default of sufficient goods and chattels of the offender to be found, then on the body of the offender, who shall be imprisoned until satisfaction be made of the forfeiture and fees; and if the forfeitures amount to more than twenty pounds currency, then the same shall be levied by a warrant from two justices of the peace in manner aforesaid, of which proceedings the justice or justices shall from time to time make a record, and return the same into the office of the clerk of the crown, under his or their hands and seals, four-days before the sessions next following; and each justice, for hearing the trial and making up the record as aforesaid, shall and may receive twelve shillings currency, and no more, and the clerk of the crown one shilling and sixpence for filing, and the marshal, or his lawful deputy, shall, for making each levy of fines and forfeitures of twenty pounds and under, receive ten per cent, and for fines and forfeitures above twenty pounds five per cent.

Fines how levied.

Clause 82.—And be it further enacted, by the authority aforesaid, that all fines and forfeitures imposed by this Act, and not herein before disposed of, shall be paid into the public treasury of these islands, and to be to the use of His Majesty, his heirs and successors, towards defraying the public charges of the same.

Fines how applied.

Act in force for five years.

Clause 83.—And be it further enacted, by the authority aforesaid, that this act shall continue and be in force for five years from the publication thereof, and from thence until the next quarterly meeting of the legislature.

Dated in Kingstown, the sixth day of June, in the first year of the reign of our Sovereign Lord George the Fourth, by the grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith; and the year of our Lord one thousand eight hundred and twenty.

John Dalzell, Speaker.

Passed the Assembly this 6th day of June 1821.

Herbert P. Cox, Clerk of the Assembly.

Passed the Council this 5th day of September 1821.

Andrew Rose, Clerk of the Council.

Assented to by his Excellency the Governor-in-Chief this 11th day of September 1820.

Andrew Rose, Public Secretary.

CHARLES (GREAT SEAL) BRISBANE.

Saint Vincent, duly published in Kingstown, this eleventh day of September, one thousand eight hundred and twenty, and in the first year of His Majesty's reign.

John G. Nanton, Provost-Marshal-General.

TOBAGO.

N^o 17.—AN ACT to repeal an Act, intituled, "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;" and to substitute a new Law in lieu thereof.

Tobago.

WHEREAS circumstances existed at the passing of the said recited act, which then rendered it expedient, but which now no longer remain to impede the manumission of slaves;

Be it and it is hereby enacted, by His Majesty's most dutiful and loyal subjects, his Excellency Sir Frederick Philipse Robinson, 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 hereof, the said recited act shall be and is hereby declared to be repealed.

Whereas several persons have paid into the public treasury of this island, the amount directed to be paid under the first clause of the said recited act, upon lodging their respective manumissions, and it would be unjust to deprive such persons of the claim which such payment gave them upon the public of this colony by way of annuity for the sum so paid;

Be it and it is hereby enacted, by the authority aforesaid, that the following persons; viz. Mary Ross, Ruth Steel, Frances Halket, Eliza Smith, Lydia Nesbitt, Flora Robertson, Martha Alexander, Jenny Harris and Fanny Plannel, who appear by the treasury books to have lodged the sum of one hundred pounds each, as directed by the said clause, shall be entitled to receive from the public treasurer of this island, who is hereby authorized and directed to pay the same, out of any unappropriated public money in his hands, at and after the rate of eight pounds currency per annum each, for and during the natural lives respectively of the said Mary Ross, Ruth Steel, Frances Halket, Eliza Smith, Lydia Nesbitt, Flora Robertson, Martha Alexander, Jenny Harris and Fanny Plannel, any thing herein contained to the contrary thereof notwithstanding.

John Robley, President of the Council.

Passed the Council the 9th January 1821.

Samuel Hall, Clerk of the Council.

Elphinstone Piggott, Speaker of the House of General Assembly.

Passed the House of General Assembly this 18th day of January 1821.

James Wilcock, Clerk of General Assembly.

Assented to this 9th day of February 1821.

T. P. Robinson, Governor.

Duly proclaimed by me this 10th day of February 1821.

J. M. Collier, Deputy Provost-Marshal.

TOBAGO.

N^o 18.—*AN ACT to continue for a further time an Act, intituled, "An Act to regulate the conduct and to fix the value of the labour of Negroes, acting as Porters and Labourers in the Towns of Scarborough and Plymouth."* Tobago.

WHEREAS an act, intituled, "An Act to regulate the conduct and to fix the value of the labour of Negroes, acting as Porters and Labourers in the Towns of Scarborough and Plymouth," will shortly expire; and it is expedient that the said recited act should further continue and remain in force; be it therefore and it is hereby enacted by His Majesty's most dutiful and loyal subjects, his Excellency Major-general Sir Frederick Philipse Robinson, 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 the said hereinbefore recited act shall continue in force for three years from the publication of this act, and from thence until the end of the next meeting of the legislature. Preamble.

(signed) *Elphinstone Piggott*, Speaker of the House of G^l Assembly.

Passed the House of Gen^l Assembly this 11th day of October 1821.

(signed) *James Wilcock*, Clerk of Gen^l Assembly.

(signed) *Jno. Robley*, President of the Council.

Passed the Council the 12th October 1821.

(signed) *Samuel Cox*, Acting Clerk of Council.

I assent to this Bill, (signed) *F. P. Robinson*, Governor.

Duly proclaimed by me this 15th October 1821,

(signed) *S. M. Collier, D^y P. M.*

TOBAGO.

N^o 19.—*AN ACT to place a Sum of Money at the disposal of the Committee appointed for the purpose of receiving Tenders for a Vessel to go to Cumana, to bring up certain Slaves who have absented themselves from the service of their Owners.*

WHEREAS sundry negro slaves lately left the said island, and information has been received from the governor of Cumana that the said slaves have been taken up by the civil authorities of that place, and are at present in the gaol of that city:

And whereas it is expedient and highly necessary to prevent negroes and other slaves from leaving the said colony, or absenting themselves from the service of their owners, (a practice which has lately become frequent,) and to bring them to justice with all convenient speed:

And whereas the committee appointed for the purpose of receiving tenders for a vessel to go to Cumana have contracted with the owner of a vessel for that purpose; but it is necessary to place a certain sum of money at the disposal of the said committee for the purpose of redeeming the said slaves, and paying the expenses attendant on bringing them up, and during their confinement in gaol;

We, therefore, His Majesty's most dutiful and loyal subjects, his Excellency Sir Frederick Philipse Robinson, Knight, Commander of the most honourable Order of the Bath, Captain-general and Governor-in-chief in and over the island of Tobago and its dependencies, the Council and General Assembly of the said island of Tobago, do humbly pray His most Excellent Majesty that it may be enacted, and be it enacted accordingly by the authority aforesaid, that immediately after the passing hereof the honorable F. W. Nichol, the chairman of the said committee, shall be and he is hereby entitled to receive a warrant (signed in council) under the hand of his excellency the Governor or Commander-in-chief for the time being, directed to the public treasurer, for the payment of five hundred pounds current money of the said island, for the purposes aforesaid, which the said public treasurer is hereby required to pay out of any monies in his hands not specifically appropriated to any other purpose or purposes; and in case after discharge of the aforesaid expenses any

surplus

Tobago.

surplus should remain in the hands of the said committee, such surplus shall be returned by them to the public treasurer for the public uses of the colony.

(signed) *Christopher Irvine*,
Speaker of the House of General Assembly.

Passed the House of General Assembly, this 24th day of January 1823.

James Wilcock, Clerk of General Assembly.

William Brasnell, President of the Council.

Passed the Council, this 25th day of January 1823.

(signed) *T. B. Manning*, Clerk of the Council.

I assent to this Bill,

(signed) *F. P. Robinson*, Governor.

Duly proclaimed by me, this 27th day of January 1823,

(signed) *J. M. Collier*, Dep. Pro. Marshal.

God save the King.

TOBAGO.

N° 20.—*AN ACT to empower the Magistrates to take charge of and confine Lunatic and Insane Persons, and to provide for their Maintenance and Support, and to prevent abuse in the manumission of Slaves.*

Preamble.

WHEREAS there are sometimes persons who by lunacy or other causes are so far disordered in their senses that it may be dangerous to permit them to go abroad: And whereas it is necessary and expedient to prevent persons from manumitting slaves under such circumstances, or slaves who by old age and other causes are prevented from obtaining a livelihood;

Clause 1.

Be it therefore enacted, by His Majesty's most dutiful and loyal subjects, his Excellency Sir Frederick Philipse Robinson, Knight, Commander of the most honourable Military Order of the Bath, Captain General and Governor-in-chief in and over the island of Tobago and its dependencies, the Council and General Assembly of the same; and it is hereby enacted by the authority aforesaid, that from and after the passing of this Act, it shall be lawful for two or more justices of the peace, where such lunatic or insane person shall be found, by warrant directed to any one or more constables, to cause such persons to be apprehended and brought up before them to be examined, and if necessary, the said justices are hereby authorized to order them to be confined in some secure place within the town of Scarborough, as such justices shall under their hands and seals direct and appoint.

Clause 2.

Be it, and it is hereby further enacted, by the authority aforesaid, that all reasonable charges of keeping, maintaining and curing such persons during such restraint (which shall be during such time only as such lunacy or insanity shall continue) shall be satisfied and paid, (such charges being first proved upon oath and certified by two justices,) and examined and passed by the committee of public accounts, in the same manner that accounts against the public are paid and satisfied.

Clause 3.

And be it, and it is hereby enacted, by the authority aforesaid, that the justices committing such lunatics, or any other justices, may visit any house where such lunatics shall be confined, for the purpose of inquiring whether the said lunatics be sufficiently provided with food and other comforts, and no person having charge of any lunatic or lunatics, shall suffer him, her or them to go abroad without the permission of a visiting justice or justices first had and obtained in writing.

Clause 4.

Be it, and it is hereby enacted, by the authority aforesaid, that nothing in this act contained shall be construed to restrain or abridge the power of the King or Lord Chancellor, nor shall restrain or prevent any friend from taking such lunatic or insane person under his or their own care and protection.

Clause 5.

And whereas persons may manumit slaves who in consequence of lunacy, old age, contagious diseases, and other bodily infirmities are unable to provide for their own maintenance, and to avoid paying the public taxes and supporting them when no longer able to work; Be it therefore, and it is hereby enacted, by the authority aforesaid, that no person or persons shall be considered free, or legally manumitted, unless the deed of manumission by which such freedom or emancipation is to take effect, be indorsed by the signatures of three medical practitioners

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tioners of physic in this island, certifying that the person or persons intended therein to be manumitted has or have been thoroughly and minutely examined by them, and that the said person or persons is or are of sound mind and in good bodily health, and perfectly capable to work for their own maintenance and support; provided nevertheless, that nothing herein contained shall operate to restrain persons manumitting infants and children under the age of ten years.

Be it, and it is hereby enacted by the authority aforesaid, that the public register of deeds of this island shall not receive and record deed or deeds of manumission, unless so certified and indorsed in the above manner, under the penalty of twenty pounds current money of this island, to be recovered in any court of record in this island by indictment, information or other process.

Passed the House of General Assembly, this 12th day of April 1823.

James Wilcock,
Clerk of General Assembly.

Christ^r Irvine,
Speaker of the House of
General Assembly.

Passed the Council this 15th day of April.

T. B. Manning,
Clerk of the Council.

W^m Brasnell,
President of the Council.

I assent to this Bill,
F. P. Robinson, Governor.

Duly proclaimed this 17th day of April 1823.

J. M. Collier, D. P. Marshal.

God save the King.

Tobago.

Clause 6.

VIRGIN ISLANDS.

N^o 21.—*AN ACT for meliorating the Condition of the Free Coloured and Free Black Inhabitants of these Islands.*

WHEREAS an act was passed by the legislature of these islands on the sixth day of February one thousand seven hundred and eighty-three, intituled, "An Act for the good government of Negroes and other Slaves, for preventing the harbouring and encouragement of Runaway Slaves, and for restraining and punishing all Persons who shall abet the pernicious practices of trafficking with Slaves for any of the staple or other commodities of these Islands;" wherein amongst other things it is enacted, in the thirty-second clause of the said recited act, that for the future no free negro, indian, mustee or mulatto shall be owner or possessor of more than eight acres of land, and in no case be deemed a freeholder; and it is also enacted, by the thirty-seventh clause of the said in part recited act, that no free negro, mulatto, mustee or indian, after the publication of the said act, should in future purchase or acquire by bequests, or by any other means, or be at any one time possessor, renter or employer of more than fifteen slaves; and it is also enacted, by the thirty-ninth clause of the act now in recital, that if any free person shall presume to strike any white person (servant or otherwise,) he or she shall by order of any one justice, on proof of such striking or beating, be severely whipped at the discretion of the magistrate for the first offence; for the second offence, whipped and imprisoned at the discretion of the justice; and for the third offence, suffer such punishment as is in the said act provided for slaves committing the like offence: And whereas it is expedient and proper that the said clauses of the said act should in the particulars aforesaid be repealed; We therefore Your Majesty's most loyal and obedient subjects, the Captain General and Governor-in-Chief of Your Majesty's islands of Saint Christopher, Nevis, Anguilla and the Virgin Islands, and the Council and Assembly of the said Virgin Islands, humbly pray Your Most Sacred 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 several clauses of the said act in the particulars hereinbefore recited be, and the same are hereby repealed and made void to all intents and purposes whatsoever; and be it, and it is also hereby enacted and ordained by the authority aforesaid, that the said free coloured and free black inhabitants of these islands shall from henceforth after the publication

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cation of this act, hold, occupy, possess and enjoy all their properties, real and personal, of whatever nature, kind or quality soever, and that they and every of them shall be competent to transmit the same to their and every of their legal representative or representatives, or others, at his and their free will, in as full and ample manner as any subject of His Majesty within these islands might or could do, be the same acquired by gift, grant, purchase, bequest, devise or any otherwise, any law, custom or usage of these islands, to the contrary notwithstanding.

Clause 2.

And whereas the said free coloured and free black inhabitants of the said Virgin Islands ought of right to be represented in the Commons House of Assembly of these islands; be it and it is hereby further enacted and ordained, by the authority aforesaid, that every free coloured and free black man, professing the Christian religion, being a British-born subject, having attained the age of twenty-one years, and who shall have been actually possessed, at least twelve months before the day of election, of ten acres of land in fee-simple or fee-tail for the term of his own life, or for the term of another person's life, or of any lands in any of the towns within the said Virgin Islands, having a house, storehouse or any other building thereon erected of the clear yearly value of ten pounds at least, shall be capable of voting for and electing one able and sufficient white freeholder (possessing the qualification requisite to enable any other representative to a seat in the House of Assembly) from henceforth to represent the said free coloured and free black inhabitants in the said Assembly of the Virgin Islands, and that the said election shall take place at the court-house in the Road Town of the said island of Tortola, on the day succeeding the day on which the poll for electing the fifteen members to serve in the said House of Assembly shall have been closed, except the same shall happen to fall on a Sunday, then the said election shall take place on the day after the poll for such election, not to be opened before the hour of nine o'clock in the forenoon, nor closed before one of the clock in the afternoon of the day on which the same shall take place.

Clause 3.

And be it, and it is hereby enacted and ordained, by the authority aforesaid, that the said free people of colour and free black inhabitants shall be informed of the time of such election by a notice in writing put up in the most public place in each division and town in the said Virgin Islands by the magistrate, who may from time to time be appointed the returning officer for taking the poll, or by any constable to whom said notice shall be sent by such returning officer, seven days before the day of election, which shall be deemed a sufficient notice; and in all other respects this act shall be considered and taken, and be subject to the same regulations as are mentioned and contained in the Assembly Act for electing, re-electing and choosing members in case of the absence or death, or general election triennially, as is therein mentioned.

Clause 4.

And be it further enacted by the authority aforesaid, that nothing in this act shall be deemed, considered, or construed to have or be of any force, effect or authority whatsoever respecting the free coloured and free black inhabitants being represented in the assembly of the said Virgin Islands, until the same shall have met with His Majesty's royal concurrence and approbation, and until the same shall be duly certified in these islands; but the said suspension is not to extend to the repealing clauses mentioned in the other parts of the said bill.

Dated at Saint Christopher, the 31st day of August, in the 58th year of his Majesty's reign, and in the year of our Lord 1818.

Passed the House of Assembly the 25th day of July 1818.

Chas Lloyd, Clerk.

Passed the Board of Council the 31st day of July 1818.

By Command, (signed) *W^m N. Allen*, Clerk of Council.
Mark. D. Trench, Speaker.

(signed) THOMAS (L.S.) PROBYN.