

Antique

In Act for the preventing & punishing of those who shall willfully Burn or fire any houses: 43

Forasmuch as Divers Inconveniences and very Great Damages may happen to the Inhabitants of this Island by many Peasants Wandring and Ill Disposed persons who make it a common and bad practice to wandring and with lighted torches to goe out of planting In and about the plantations of several persons where Sugar Canees doe grow, which may become y^e Ruin of the Owners of such plantations by firing the same.

Be it therefore Ordained and Enacted by the Governour Council and Assembly, and by the authority of the same that if any Person or persons whatsoever shall from & after the publication of this Act, Be taken or knowne either by day or by night to carry fire or lighted torches or to smoke torches or smokes, Tobacco pipes such pipes by going & planting In and about Barradoes of any pt^o In this Island, where such Canees are growing or otherwise out of the common Roades that then every person soe offending the said Act being proved by Oath of one witness shall pay to the publique Treasury of this Island by way of fine the Summe of one Thousand pds. of Tobacco or Sugar to be levied by way of distress upon his goods & Chattels by warrant from the Governour: And if any person or persons soe offending the time being to the prouest Marshall of this Island. And if any person or persons soe offending shall at the committing of such offence be a Servant or Slave that then the owner of any such plantation where such offence is committed, or any other Person by him employed for that purpose shall bring such Servant or Servants, Slave or Slaves before the next Justice of the peace, who shall by virtue of this Act, upon the Oath of one witness cause the said offend^r or offend^{rs} to be publickly whipped duod: to the Discretion of such Justice of the peace except the Master or owner of such Servants or Servants Slave or Slaves will Redeeme such Person by paying the fine aforesaid: And if any Servant or Servants Slave or Slaves, so offending shall upon the committing of such offence make his escape by running away from the Master or owner of any such plantation where such offence is committed, or from any Person by him or them employed, that then such Master or owner or employed shall make his or their Complaint to the next Justice of the peace, who shall by his warrant Summon such offend^r or offend^{rs} before him, if he or they be Christian Servant or Servants: But if a Slave or Slaves then upon Complaint made as aforesaid the Justice shall Issue out his warrant to the Master or owner of such Slave or Slaves then by commanding him or them to Deliver up such Slave or Slaves to Receive his or their due and deserved Punishment upon penalty of forfeiting the fine aforesaid.

And it is further Enacted by the authority aforesaid that if any person or persons whatsoever shall be found faulting In the High wayes or Roades of this Island, with fire or lighted torches or smoking of Tobacco or other wayes to enter into the standing Sugar Canees or wandring out of planting In the Barradoes or plantations of any Person or persons whatsoever In this Island with fire or lighted torches, or light pipes of Tobacco where such Canees are growing: And shall willfully or carelessly fire the same: that then such offend^r or offend^{rs} shall upon the proof thereof by two sufficient witnesses suffer Death as shall be by Law ofago or Custom heretofore used or made to the contrary in any wayes notwithstanding, Dated at the Sessions house In: Saltmouth the 5th Day of August 1672

Samuell Irish Speake

14 Aug 1672

Chas. Warner