



ANTIGUA:

An Act for the better Government of Slaves and free Negroes.

17th 130.
Confirmed 8
May, 1703.

WE your Majesty's most loyal, dutiful, and obedient Subjects, the Governor in Chief of your Majesty's *Leeward Charibbee* Islands, and the Council and Assembly of this your Majesty's Island of *Antigua*, humbly pray your most Sacred Majesty that it may be enacted, and be it, and it is hereby enacted by the Authority of the same, That no Person whatsoever shall give leave on the *Sabbath* Day to any Slave under his or her Care, Charge, or Ownership (unless such as usually wait on their Person, or in Liveries) to go out of their Plantations, without a Ticket, or White Servant with them, in which Ticket is to be expressed the Names and Numbers, and also to and from what Place, on Penalty of paying, for taking up such Slave or Slaves as Runaways, Three shillings.

No Person to permit Slaves to go without Ticket or White Person on *Sundays*, on Penalty of 3 s.

II. AND be it further enacted by the Authority afore said, That any Person, who shall take up any Slave or Slaves belonging to another, and shall keep the said Slave or Slaves in his or their Custody or Plantation longer than Twenty four Hours, without sending the said Slave or Slaves to the Owner or Owners they belong to (if he or they can any Ways know them) or without delivering the said Slave or Slaves to the Provost Marshal of this Island for the time being, shall for every Day each Slave as shall be kept or entertained by him or them, after the first Twenty four Hours, forfeit Twelve Shillings *per Diem*, and, if the said Slave be of any Trade, Twenty four Shillings *per Diem*, for each Day such Slave or Slaves shall be by him or them knowingly entertained or employed; if under Six Pounds, to be recovered before any Two Justices, as in and by the Act of Courts is directed, for Servants recovering their Wages, between the Months of *August* and *March*; if above, by Action of Debt at Common Law, in which no Protection, Effoign, or Wager of Law shall be allowed.

Detaining another's Slave above 24 Hours to pay 12 s. *per Diem*.

if a Tradesman 24 s. *per Day*.

If under 6 l. recoverable before 2 Justices, if above, by Action at Law. No Effoign, &c.

III. AND if any Person shall privately delude, entice, or persuade any Slave or Slaves, being in quiet Possession of another, out of his or their Custody, by any Encouragement or Inducement whatsoever, shall be liable to the same Penalty of every Day, the said Slave or Slaves shall, by their Means or Procurement, desert their Owners or Masters Service, as in case of entertaining a Runaway longer than Twenty four Hours, to be recovered after the same Manner; but in case any Person shall violently, or by force, or otherwise, take any Person's Slave or Slaves out of his or their Plantation or Custody, shall be deemed guilty of Robbery, and indicted as in Cases of Robbery; and in case any Person or Persons shall take away any Slave or Slaves, or endeavour to carry off from this Island, or delude away from their Owners, shall be guilty of Felony, and excluded the Benefit of Clergy.

Enticing Slave to pay the like, and to be recovered as before.

Taking Slave by Violence deemed Robbery, Endeavouring to carry him off the Island, Felony without Benefit of Clergy.

IV. AND

Dealing with Slaves for Cotton, &c. unless by Owner's leave, Offender bound to Sessions, and there fined and punished.

IV. AND be it further enacted by the Authority aforesaid, That any Person who shall deal with any Slave or Slaves for any Sugar, Cotton, or Tobacco, or any other Goods whatsoever, without leave given from the Owner of the said Slave or Slaves, express by a Note, or some White Person (which Note or White Person shall specify what Goods he shall so sell, and the Quantity) and that none presume to deal with any Slave, otherwise than as is before directed, under the Penalty that such Person so offending, shall be bound over by the next Justice to the good Behaviour, until the next Sessions of the Peace, or General Sessions, and there to be fined, or receive such other Punishment, as the Justices shall think convenient.

Negroes selling any thing after 10 a Clock on Sundays, to be whipped and paid for as Runaways.

V. AND that all Negroes who shall (though with a Ticket or other leave from their Owners or Possessors) sell any Thing, in any of the Towns on the *Lord's Day*, he or they shall be taken up and whipped, and paid for as Runaways, if not returned, or going to their respective Masters by Ten of the Clock, to the Intent that all opportunities of Idleness and Robbery may be taken away.

Slave striking a White Person to be whipped,

VI. AND if any sturdy Slave should impudently strike or oppose any White Person, any Justice, upon Complaint or Proof made, shall order a Constable to cause such Slave to be publickly whipped, at their Discretion; and if such White Person be any Way hurt, wounded, or disfigured by any Slave's Resistance, such offending Slave or Slaves shall have their Nose slit, or any Member cut off, or be punished with Death, at the Discretion of the Justices; always excepting, That such Slave do not the same by his or her Owner's or Master's Order, or in Defence of his or her Person or Goods; and it shall be lawful for all Persons to take away from any Slaves, any hurtful Clubs or other mischievous Weapons whatsoever, unless such Slave or Slaves have any Charge of their Owner's or Master's Goods to defend.

if a White Person be wounded, &c. the Slave's Nose to be slit or Member cut off. Exception.

VII. AND be it enacted by the Authority aforesaid, That the Provost Marshal of this Island, or Deputy, shall be obliged to receive all Runaways brought to him, into his Custody, and shall pay the Bringer Three Shillings for taking the said Runaway, and Nine pence *per Mile* for as many Miles as the said Negro is brought to the Gaol, from the Place taken at; and the said Marshal is to keep the said Slave or Slaves in safe Custody, and, in a List at the Prison Door, shall insert the Names of Negroes in his Custody, their Age, and their Masters Names, if known, against the said Negroes Names belonging to him; and in case the said Marshal fail to pay the said Bringer, or receive the Slave or Slaves brought, or to put up their Names, he shall forfeit Five Pounds for every such Fault, to be recovered before a Justice.

Marshal or Deputy to receive all Runaways, and pay the Bringer 3 s. besides 9 d *per Mile*.

Slaves to be kept in Prison, and a List of their Names, &c. on Prison Door.

Marshal not paying the Bringer, nor putting up Slave's Name to forfeit 5 l. How recovered.

Marshal suffering Slave to escape or detaining him to forfeit 50 l. or if he perish for want, to forfeit 50 l. Marshal's Fees for Slave.

VIII. AND in case the said Marshal shall willfully or neglectfully suffer an Escape any Way whatsoever, of the Slave by him received, or employ him in any Work, he shall pay the Owner, as in case of any Persons detaining another's Slave above Twenty four Hours, until such Slave be delivered the Owner, or forfeit Fifty Pounds current Money; and in case any Slave perish in Custody for want, he shall forfeit Fifty Pounds like Money; the Marshal to have Three Shillings for taking such Slave into his Custody, and Twelve pence each Twenty four Hours the Slave lies in Prison; as also upon the Marshal's Delivery of any Slave or Slaves to his Owner or Possessor, the Sum of Three Shillings, besides Nine Pence *per Mile*, which the Bringer of the said Slave or Slaves has received from the Provost Marshal or his Deputy.

Slave lying 3 Months in Gaol to be sold for the Fees, &c.

IX. AND if any Slave or Slaves lie so long as Three Months, such Slave or Slaves is to be taken out, and sold at out-cry for the Fees, by Order of Two Justices of the Peace, and the Overplus, if any be, after the paying the aforesaid Fees, and all the above mentioned Charges, shall be returned to the Owner, or, for want of knowing such Owner, to the Treasurer for the time being, to remain to the Use of the Publick, till the Owner shall appear; and the Provost Marshal, or his Deputy, shall be obliged upon Oath to account, and

and pay once every Year at least unto the Treasurer for the time being, all such Money that such Negro Slave or Slaves, or other Slaves, shall be sold for, on Forfeiture for every such Neglect for not accounting and paying the said Money, where no Owner is to be found, after his just Fees, and Charges of Sale are deducted, Twenty Pounds for the Use of the Publick of this Island, to be recovered as hereafter set down in this Act.

Marshal to account annually for Slaves sold under Penalty of 20 l.

X. AND it is also enacted by the Authority aforesaid, That any Person taking up a Runaway, and knowing his Master, either by the Slave's Confession, or otherwise, shall, on Penalty of Forfeiture of Forty Shillings, carry such Slave so known, or cause him to be carried to his Master or Owner, and not to the Gaol or Marshal, unless the Owner be unknown to him; and if any Owner or Master shall refuse to pay Three Shillings for taking such Slave up, and Nine Pence *per Mile*, for the Distance he was taken up at (being brought to him) shall, besides the said Fees, forfeit Forty Shillings.

Persons taking up Runaway to carry him to Owner, if known, under Penalty of 40 s.

Owner refusing to pay 3 s. and 9 d. *per Mile*, to forfeit 40 s.

XI. AND if any Marshal or Deputy shall deny to deliver any Slave in his Custody on tender of his due Fees and Disbursements, he shall lose his Fees, and forfeit Forty Shillings besides, each Refusal, and pay as in case of wrong detaining another's Slave for each Day detained.

Marshal detaining Slave on tender of Fees to forfeit 40 s.

XII. AND it is further enacted by the Authority aforesaid, That on Complaint made to any Justice of any Crime done by any Slave or Slaves, such Justice shall issue out his Warrant for apprehending the Offenders, and for all Evidences; if the said Justice find such Crime not Capital, he may appoint publick Correction of such Slave, according to Discretion, and award Satisfaction to the Parties injured, not exceeding Six Pounds; but if the Crime be heinous, or the Damage greater than Six Pounds, then the said Justice shall commit the said Offender to Prison, or take Security, at his Discretion, and then appoint a Day for the Witness to appear, which Crime, Day, and Time such Justice is to certify to the next Neighbouring Justice, who shall join with the aforesaid Justice at the Time and Day appointed, as aforesaid; which said Two Justices (according to the Evidences that shall be given before them) shall give Sentence as the Crime deserveth, and the said Justices shall forthwith issue out their Warrant for executing the said Sentence, and such Justices may, if they see fit, condemn any Slave to the Party injured, until the Owner pay such Damage, as shall be by them adjudged to be paid to any Person injured.

On Complaint of Slave's committing a Crime Justice may order Correction, except in Capital Cases.

XIII. AND any Justice, who shall neglect his Duty herein enjoined, shall forfeit for each time offending Twenty Pounds; but in case more than One Slave be combining in a Crime, it is at the Discretion of such Justices to adjudge One to Death for example's sake, and save the Rest; and to command the other Owners to contribute in Proportion for the Slave dying to his Owner, as they judge the Value, and, on Refusal of Payment, such Justices are to issue Execution on their Goods and Chattels, and sell them at publick Outcry, to satisfy the Money by them so appointed to be paid or contributed.

Justice neglecting his Duty to forfeit 20 l.
Slaves combining in a Crime, One to be put to Death
Owners of the other Slaves to contribute toward him executed, &c.

XIV. AND it is further enacted by the Authority aforesaid, That if any Slave lose Life or Limb by Punishment for a Crime, by his Master, or the Justices Order, no Person shall be liable to the Law, for the same.

Slave losing Life or Limb by Punishment. Person not liable to the Law.

XV. AND whereas an Act, intituled, *An Act for bringing in Runaway Negroes, and Encouragement of such who shall bring them in*, dated the Eighth Day of February, One thousand six hundred eighty one, confirmed by King Charles the Second of Blessed Memory, it was there provided, by a Clause in the said Act, "That what Negro or other Slave should absent himself from their Masters or Mistresses Service for the Space of Three Months, or upwards, should be punished with Death:" And whereas the said Clause in the said Act by Experience is sometimes found too severe, by reason of new ignorant Slaves; be it therefore enacted by the Authority aforesaid, That the said Clause is repealed, made null, and void

Clause concerning Runaway Negroes, an Act of 3rd Feb. 1681 repealed.

Slaves absent-
ing 3 Months
shall suffer
Death, &c.

XVI. AND for the future be it enacted, That what Slaves soever shall absent themselves from their Masters or Mistresses Service, during the Space of Three Months, or upwards, shall be punished with Death, loss of Limb, or Member, or publick Whipping, at the Discretion of Two Justices of the Peace, whom the said offending Slaves shall be brought before.

if put to Death,
Owner to have
18 l. for him.

XVII. AND be it enacted by the Authority aforesaid, That the Owner of such Slave or Slaves, as shall be punished with Death for the Offence aforesaid, shall be satisfied for the Loss of such Slave, Eighteen Pounds current Money, to be paid out of the Publick Treasury of this Island.

The Charge of
Publick Punish-
ment to be paid
by Treasurer, if
not exceeding
5 l.

XVIII. AND be it further enacted by the Authority aforesaid, That upon any Publick Punishment, that shall by Sentence of any Justice or Justices be inflicted by Virtue of this Act, the Charge incident thereto shall be born by the Publick, and paid by the Treasurer by Order of the said Justice or Justices, provided the same exceed not Five Pounds current Money.

Persons killing
a Slave steal-
ing, &c. in-
demnified.

XIX. AND be it further enacted by the Authority aforesaid, That if any Person kill a Slave stealing, or in Pursuit of him, being a Runaway, and refuse to submit, such Person shall not be liable to any Prosecution at Law; any Law, Custom, or Usage to the contrary notwithstanding.

Selling Rum,
&c. to Slave on
the Sabbath
Day to forfeit
3 l.

XX. AND be it further enacted by the Authority aforesaid, That if any Person whatsoever shall sell any Rum to a Slave on the Sabbath Day, or any sort of dry Goods, by Barter, or otherwise, he shall forfeit Three Pounds current Money for each Offence.

All Penalties
under 6 l. to be
recovered by
Warrant to
Constable from
Justice.
Constable's Fee.

XXI. AND be it further enacted by the Authority aforesaid, That all Penalties mentioned in this Act, and not directed how to be recovered and disposed of, if not more than Six Pounds in Money, shall be levied by a Justice's Warrant, directed to a Constable, who is, on Penalty of Forty Shillings for each Refusal, to execute all Warrants, and other Precepts directed to him, and to receive for his Pains Eight *per Cent.* out of the said Forfeitures; and at above Six Pounds, to be recovered by Action of Debt in any Court of Record of this Island, and shall be One Half to the King, for the Use of the Publick of this Island, and the other Half to the Informer or Person suing for the same.

Free Negroes,
&c. having no
Land, to choose
a Master in 30
Days to live
with.

XXII. AND be it further enacted by the Authority aforesaid, That all Free Negroes, Mulattoes, or *Indians*, not having Land, shall be obliged in Thirty Days after the Date hereof to choose some Master or Mistress to live with, who shall be owned by them, and with whom they shall live, and take their Abode, to the Intent that their Lives and Conversations may be known, to be called to their respective Duties; and if any Free Person, not being a White, shall presume to strike a White Servant, he shall be by Order of the next Justice (on Proof of his striking) severely whipped, at the Discretion of the said Justice; and that all Persons who are not Whites, and are fit to go out to Trades, shall be bound Apprentice to any Person that will receive them for Seven Years (unless they choose a Master or Mistress to be bound to) by the next Justice, who shall be informed of such Persons, and who is immediately to cause them to be bound, in Ten Days after such Information, to any willing to receive them, on Penalty of forfeiting Ten Pounds.

Free Negro
striking White
Servant, to be
whipped.

Negroes fit for
Trades to be
bound for 7
Years.

No Free Negro
shall possess a-
bove 8 Acres of
Land, nor be a
Freeholder;
such Person
having above 8
Acres may sell
it in 6 Months,
or else the Over-
plus forfeited
to the Queen.
Minister marry-
ing Free Person
to a Slave shall
forfeit 50 l. to

XXIII. AND be it enacted by the Authority aforesaid, That for the future no Free Negro shall be Owner or Possessor of more than Eight Acres of Land, and in no Case shall be deemed and accounted a Freeholder: Always provided, That if any Negro ever be Possessor of more than Eight Acres of Land in his own Right, may within Six Months make Sale of the Overplus of the said Land, and for want of Sale of the said Land in the aforesaid Time, the said Overplus above Eight Acres to be forfeited to the Queen.

XXIV. AND be it further enacted, That if any Minister of this Island shall marry any Free Person to any Slave in this Island, such Minister shall forfeit to the Use of the Publick Fifty Pounds current Money, to be recovered

vered by Warrant under the Hand of the Governor in Chief, Deputy Governor, or President for the time being, of said Island, in nature of an Execution; directed to the Provost Marshal of this Island, who shall levy the same.

be recovered by Governor's Warant.

XXV. AND be it further enacted by the Authority aforesaid, That the said Free Person so marrying such Slave, shall pay to the Owner of the Slave he hath married the Sum of Twenty Pounds, or be obliged by Order of Two Justices to serve Four Years; all the aforesaid Forfeitures to be to the same Uses, and recovered after the same Manner, as before recited in this Act.

The Free Person so married, shall forfeit 20*l.* to the Owner, or serve 4 Years. How recovered.

XXVI. AND it is further enacted by the Authority aforesaid, That if any White Person shall strike, beat, or otherwise abuse any Free Negro, *Indian*, or Mulatto, on Proof thereof made to any Justice of the Peace, he shall be bound over to the Sessions, and be punished at the Discretion of the Justices then sitting; any Law or Usage to the contrary notwithstanding.

White Person beating Free Negro, &c. bound to Sessions to be punished.

Dated the Twenty eighth Day of June, One thousand seven hundred and two, and in the First Year of the Reign of Queen Anne; over England; Scotland, France, and Ireland; &c.

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