

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 Coull, 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.

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

Antigua.

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

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.

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.