

BAHAMAS.

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

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

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

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

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

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

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

and to be sold for transportation.

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

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

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

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

Penalty for refusing or neglecting to report French slaves.

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

French slaves condemned to be sold for transportation.

Proviso.

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

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

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

Slaves acquitted to be transported in three months.

Penalty.

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

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

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

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

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

Fines, &c. in whose name.

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

Persons sued to plead the general issue.

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

Continuance of this Act.

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

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

Preamble.