

An ACT for the more effectually to prevent the desertion of Slaves, and for other purposes therein mentioned. [1800.]

WHEREAS the frequent desertion of Slaves in the Island of New Providence, from their owners hath become inconvenient and dangerous to the safety of the inhabitants, and the protection afforded them by the free people of colour, greatly tends to encourage desertion; For the more effectual prevention whereof, may it please your Majesty, that it may be enacted, and be it enacted by his excellency William Dowdeswell esquire, your Majesty's governor and commander in chief, the council and assembly of your Bahama Islands, and it is hereby enacted and ordained by the authority of the same, That within one month from and after the passing of this Act, every free negro, mulatto, mustee and Indian, shall repair to the office of police, and there enrol their names, ages, and place of abode, and whether born free or otherwise, of which a certificate specifying the same, shall be thereupon given under the hands and seals of the acting magistrates to every such free person of colour without any fee or charge whatever; and if any free person of colour shall neglect or refuse to enrol his or her name, age, place of abode and birth as aforesaid, it shall and may be lawful, and the acting magistrates are hereby empowered and directed to issue a warrant or warrants against every such defaulter, and him or her to bring before them or either of them; and after registering the name of any such defaulter, in manner aforesaid, to discharge him her or them, upon the payment of all legal fees upon such arrest, for which every such defaulter is hereby declared liable.

Preamble.

Names, ages, places of abode, and births of free negroes, &c. to be registered in the police office.

Penalty on neglect or refusal.

2d. And be it further enacted by the authority aforesaid, That a fit book shall be provided by the magistrates for the purpose of entering and recording the names, ages, places of abode and births of all such free people of colour, in which shall also be entered the number of all certificates by them granted; which book shall be kept in the said office, and at all fit hours be open to the inspection of any person or persons, upon the payment of all legal fees to the said magistrates of police upon search therein, and the said book is hereby declared good evidence in any court of law in these Islands against negro, mulatto, mustee or indian, whose names shall not be enrolled therein, in all questions where his her or their freedom shall come in contest.

Book to be kept at the police office, to register names, &c. and certificates to be granted.

3d. And be it further enacted by the authority aforesaid, That whenever it shall be ascertained by the magistrates aforesaid, that there are five or more runaway slaves in the Island of New Providence, it shall and may be lawful, and the acting magistrates or either of them are hereby empowered and directed, as often as the same shall appear to him or them necessary, by warrant to order and direct a sufficient number of the aforesaid male free people of colour, between the ages of sixteen and sixty years, to turn out in search of the said runaway slaves; and if the duty of the persons so summoned and employed, shall be hard upon them, and require their attention for more than seven days successively, it shall and may be lawful for the said magistrates or any of them, and they are hereby authorized and required, by summons in like manner directed to any number of other free persons of colour, to turn out and succeed those first summoned, for an equal space of time; and as often as may be required to summon and turn out other parties of free persons of colour, until all runaway slaves shall be apprehended and brought in, and their camps and places of resorts effectually destroyed.

When there are more than five runaways in number, in New Providence, acting magistrate to send out a number of male free people of colour in search of them.

4th. And the better to regulate the said service, and to render the duty of free persons of colour equal, The acting magistrates shall keep a correct roll or list of all the said free persons liable to be so employed, and alternately summon them and command their attendance as aforesaid, and appoint fit and proper white persons to command and accompany them.

A list of free people of colour so to be employed, to be kept, and white persons to be appointed to command them.

5th. And as an encouragement to the said free persons of colour, and the person or persons commanding the same, be it further enacted by the authority aforesaid, That for every runaway slave who shall be apprehended by them, over and above all sums already allowed by law, there shall be paid to them out of the public treasury of these Islands, such sum or sums of money as to his Excellency the Governor, by and with the advice of His Majesty's Council; shall deem adequate and proper, and he is hereby authorized and empowered to issue his warrant or warrants upon the treasury for the payment thereof.

Governor authorized to offer a reward for apprehending runaways.

BAHAMAS.

Free persons of colour, opposed in the execution of this Act, may wound and kill runaways, and in case of being sued, may plead this Act.

Free persons of colour to wear silver medals.

Penalty for not wearing them.

Penalty on free persons of colour not turning out when summoned.

List of runaways to be kept at the police office.

Penalty on owners not reporting runaways, and their return, &c.

Persons sued for any thing done under this Act, may plead the general issue, and recover double costs.

Continuance of this Act.

6th. And be it further enacted by the authority aforesaid, That in case any of the free persons of colour aforesaid, while acting in obedience to any summons from the magistrates aforesaid, shall be opposed by any runaway slaves, or find it otherwise impossible to arrest them, it shall and may be lawful for such free person of colour to fire upon or wound and kill any such runaway slave or slaves; and in case of any indictment or process being commenced against any such person of colour for any such act, he or they may plead this Act, and give the special matter in evidence.

7th. And be it further enacted by the authority aforesaid, That every free negro, mulatto, mustee or Indian, who shall obtain a certificate as aforesaid, from the magistrates aforesaid, shall within one month thereafter, at their own proper cost, provide themselves with a silver medal of the size of a dollar, on which shall be engraved in legible characters the initial letters of the name of such free person of colour, with the number of his or her certificate, with the word "Free;" which medal shall be worn at all times thereafter by such free person of colour, at his or her breast exposed to public view, in order that they may be generally known and distinguished from slaves; and in case any free person or persons of colour, shall at any time thereafter be found or discovered out of his or her house or usual place of abode without such medal exposed to public view at his or her breast, it shall and may be lawful for the said magistrates, or any other white person or persons whatsoever, to apprehend such free person of colour, and commit him her or them to the common gaol of Nassau, and there to be kept until he she or they shall provide such medal, and pay all legal fees upon such commitment.

8th. And be it further enacted by the authority aforesaid, That if any male free person or persons of colour, after he or they shall be duly summoned for the purposes aforesaid by the said magistrates, or any one of them, shall neglect or refuse to turn out and be employed as before directed, and in all respects act agreeably to the true intention of this Act, he or they shall for every such refusal or neglect, be imprisoned at the discretion of the said magistrates, in the common gaol of the town of Nassau, for any time not exceeding twenty days, and be liable to pay all legal fees thereon.

9th. And whereas, a correct list of all deserted slaves being kept in the office of police will be necessary, the better to enable the magistrates to carry this Act into execution; be it therefore enacted by the authority aforesaid, That the owners, proprietors or persons having the management of any slave or slaves who shall desert, shall within fourteen days after the desertion of any such slave or slaves, repair to the office of police, and there notify the same in writing to the magistrates, with the time of the desertion, the name, age, and description of any such slave or slaves; and in like manner within two days after the return or apprehending of any such slave or slaves, to notify the same; and in default thereof, to forfeit for every such neglect, twenty pounds, to be recovered in any court of record in these Islands, with full costs of suit, to be applied in aid of the expences of this government.

10th. And be it further enacted, That if the magistrates aforesaid, or any other person or persons employed by them, shall be sued or prosecuted for any thing done in pursuance of this Act, he or they may plead the general issue, and give the special matter in evidence, and be entitled to receive double costs on the event of a verdict against the plaintiff or plaintiffs.

11th. And be it further enacted by the authority aforesaid, That this Act shall continue and be in force from and after the passing thereof, for and during the term of two years, and from thence to the end of the then next session of the general assembly.