

or which may in any manner be construed to contravene the same, either wholly or in part, be, and the same are hereby declared to be, suspended for and during the continuance of this Act.

Duration of the Act,
until 28th Jan. 1829,
and from thence, &c.

57.—And be it further enacted by the authority aforesaid, that this Act shall be and continue in force from and after the passing thereof until the twenty-eighth day of January, which will be in the year of our Lord one thousand eight hundred and twenty-nine, and from thence to the end of the then next session of General Assembly, and no longer.

Passed the House of Assembly,
15th December, 1826,
L^s KERR, Speaker.

Passed the Legislative Council,
19th December, 1826,
P. BROWN, President.

Assented to the 22d day of December, 1826.

WM. VESEY MUNNINGS.

A. B. }
v. } Trespass on the case.
C. D. }

General Court, Hilary, 7th Geo. IV.

THE above-named plaintiff, A. B., being duly sworn, saith that the following Slaves, the alleged property of E. F., of the Island of Elenthera, planter, as this deponent is advised and believes, are material witnesses on this deponent's behalf in the above cause, namely, G. H. place of abode, governor's harbour at Elenthera aforesaid, colour black, sex male, and about thirty years of age; also J. K., same place of abode, same colour, same sex, and about twenty-eight years of age; and also L. M., same place of abode, a Mulatto, sex female, and about twenty-two years of age; as the said three several Slaves are registered in the office of the clerk of the crown of these islands, as being competent to give evidence in the several courts of the same, in pursuance of the act of Assembly in that case made and proved; and the deponent on his said oath further saith, that he doth not require the evidence of more than two of the said Slaves, to any one point at issue, in the above cause, or the evidence of any one of them, to any point, matter, or thing, concerning which the said Slaves, or any of them, as this deponent is advised and verily believes are legally incompetent to give evidence, on any account whatsoever.

(Signed) A. B.

Sworn to this day of
A. D., 1826.

Before me,

(Signed) N. P., Prothonotary.

A true copy from the original Act,

(Signed) J. NESBITT, Secretary.

“An Act to amend, consolidate, and bring into one Act, the several Laws relating to Slaves, and for giving them further Protection and Security, and for suspending several Acts and Clauses of Acts therein mentioned, and for other Purposes.”

(January 28th, 1824.)

Preamble.

WHEREAS it is expedient that the laws which from time to time have been enacted for the government of Slaves should be amended, consolidated, and brought into one Act, and other provisions made for their protection and the promoting of their moral and religious instruction, and by means thereof, their general comfort and happiness, so far as is consistent with due order and subordination, and the well being of this colony: May it therefore please your Majesty that it may be enacted, and be it enacted by his Excellency Lewis Grant, Esquire, Major-general of your Majesty's Forces, Captain-general, and Governor-in-Chief, 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 passing of this Act, all and every the hereinafter-mentioned laws and clauses, and parts of laws,

so far forth as the same do relate to Negro or other Slaves, be, and the same are hereby suspended for and during the continuance of this Act, anything in the said laws or clauses of laws, or in any other law to the contrary notwithstanding, that is to say, an Act passed in the seventh year of the reign of his late Majesty King George the Third, entitled "An Act for governing Negroes, Mulattoes, and Indians;" also one other Act, passed in the eighth year of his said late Majesty's reign, entitled "An Act for suspending a Clause in an Act entitled, 'An Act for governing Negroes, Mulattoes and Indians, and for amending the said Act;'" also one other Act, passed in the twentieth year of his said late Majesty's reign, entitled "An Act for suspending Parts of certain Clauses, and amending other Clauses in an Act, entitled an Act for governing Negroes, Mulattoes and Indians;" also one other Act, passed in the year last aforesaid, entitled "An Act for governing Negroes, Mulattoes, Mustees, and Indians, and for suspending several Acts therein mentioned;" also one other Act, passed in the same year last aforesaid, entitled "An Act to amend a Clause in an Act passed in the seventh year of his said late Majesty's reign, entitled 'An Act for governing Negroes, Mulattoes and Indians;'" also one other Act passed in the twenty-fourth year of his said late Majesty's reign, entitled "An Act for governing Negroes, Mulattoes, Mustees and Indians, and for suspending several Acts therein mentioned," save and except the first section of this said Act, as printed in the printed copy of the Acts of assembly, being the second section of the same Act in the original manuscript thereof; also all and every Act and Acts, clause and clauses of Acts, respecting the governing of Negroes, Mulattoes, Mustees and Indians, which in and by the said last-recited Act are or were thereby suspended during the continuance of the said Act; also one other Act, passed in the thirty-seventh year of his said late Majesty's reign, entitled "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."

2.—And whereas it is due to good policy, as well as to humanity and justice, that the condition of Slaves should be rendered as comfortable as possible, by supplying them with good, wholesome and sufficient provisions, with proper clothing and other necessaries, and it is expedient that the same should be regulated by law: Be it enacted that the master, owner, or possessor of every plantation, pen, or other lands whatsoever within these islands, shall provide and give to every Slave above the age of ten years, at and after the rate of one peck of unground Indian or Guinea corn, or twenty-one pints of wheat flour, or seven quarts of rice, or fifty-six pounds of potatoes, coconos or yams, per week, over and above a sufficient quantity of land, as and for the proper ground of every such Slave, and one-half of the aforesaid allowance to each child below the aforesaid age of ten years.

3.—And be it further enacted by the authority aforesaid, that no master, owner, or possessor of any Slave, whether in his or her own right, or as attorney, guardian, trustee, executor, or otherwise, shall manumit, discard, or turn away, any such Slave, by reason of such Slave being rendered incapable of labour by sickness, age, or infirmity; and all such manumissions shall be void*; and every master, owner, or possessor, shall be, and he is hereby obliged to keep every such sick, infirm, disabled, or superannuated Slave on his estate or premises, and to find and provide such Slave with wholesome necessaries of life, and not to suffer any such Slave to be in want thereof, or to wander about and become burdensome to others, under the penalty of ten pounds for every offence, to be recovered in a summary manner before any two justices of the peace; who are hereby authorized and required to cause any master, owner, or possessor offending in the premises, or his, her, or their agent, or attorney, and such persons as they shall judge necessary, to be summoned before them, to enable them to judge of the justice of such charge, and to determine whether such master, owner, or possessor ought to incur the aforesaid penalty; and in the mean time, and until such trial can be had, the said justices of the peace, on

Laws suspended

Allowance of provisions, clothing, and land to Slaves.

Manumission of old or infirm Slaves incapable of labour void, and provision to be made for such old or infirm Slave by the owner, under certain penalty.

* See an amendment of 7th Geo. IV. section 3d, by which the manumission remains valid, the manumitter continuing liable for the maintenance of the manumitted person.

their view, or on the information of any white person on oath, are hereby required to take up any such wandering, sick, aged or infirm Slave, and to lodge him or her in the nearest workhouse, or other place of security, there to be clothed and fed, but not compelled to work, at the expense of such master, owner, or possessor, until such trial as aforesaid can be had; and if it shall appear to the said justice upon such trial, that the party or parties complained of is or are guilty of the offence alleged, and he, she, or they shall refuse to pay the said penalty, together with the workhouse fees and charges of conviction, the said justices are hereby authorized and required to commit such offender or offenders to the next common gaol, there to remain without bail or mainprize until he, she, or they shall pay the same.

Vestries empowered to levy a tax on the inhabitants for the support of infirm Negroes.

4.—And whereas, by reason of deaths or removals of proprietors of Slaves, or of Slaves having heretofore been manumitted without any suitable provision being made for their maintenance, and from other causes, some such Slaves or manumitted persons rendered unable to labour by disease, old age, or other means, have become burdensome to the inhabitants; for remedy whereof, Be it further enacted by the authority aforesaid, that it shall and may be lawful for the vestries of the several parishes and islands, once in every year, to lay a tax upon the inhabitants, in the same manner as the parochial taxes are usually laid, for the purpose of raising such sum as they shall judge necessary for the maintenance, clothing, medical care and attendance of all such Negro, Mulatto or other Slaves or other such manumitted persons; any two justices of the peace are hereby authorized and required upon application being made to them, to order all such Slaves or other persons as aforesaid, to be removed and conveyed to the workhouse of the parish where (if a Slave) the former owner or owners, proprietor or proprietors lived or resided, or (if a person of colour made free) where the person or persons who manumitted or set free such person of colour resided before his or her manumission, there to be lodged and taken care of. And the justices of the peace and vestries of the several islands and parishes are hereby authorized and required, from time to time, to make such regulations for the purposes aforesaid, as to them shall seem necessary and expedient.

All Acts and clauses of Acts imposing any duty or tax on the manumission of Slaves, suspended.

Proviso—

5.—And be it further enacted by the authority aforesaid, that all and every Act and Acts, clause and clauses thereof, whereby any tax or duty whatever, is or hath been imposed on the manumission of any Slave or Slaves within these islands, shall be, and the same hereby are (so far as relates to the imposition of any such tax or duty), suspended for and during the continuance of this Act: Provided always that nothing herein contained shall extend or be construed to extend to prevent the public secretary or register of records of the colony, or any his lawful deputy or deputies, from asking, demanding, and receiving from the person or persons liable to pay the same, any his lawful fee or fees for the recording of any manumission or manumissions, or otherwise giving legal effect hereunto.

Slaves being husband and wife, or reputed husband and wife, and their child or reputed child, being under fourteen years of age, and belonging to the same owner, not to be sold separately, or otherwise than in one entire lot.

By the 32d section of amended Slave Act of 7th Geo. IV. all sales, bequests, conveyances, &c., for separating families contrary to the provisions of this Act, shall be null and void.

No executor or administrator to assent to any legacy made in any will separating husband and wife, or child, but the interest

6.—And be it further enacted by the authority aforesaid, that from and the passing of this Act, at no sale or transfer of Slaves hereafter to be made, whether by private contract or public sale, or under or by virtue of any mortgage, execution for debt, or other legal process whatsoever, or otherwise howsoever, shall the husband and wife, or reputed husband and wife and child, or reputed child of such husband and wife, or reputed husband and wife, (the said husband and wife, or reputed husband and wife, and the said child or reputed child of such husband and wife, or of such reputed husband and wife, or of either of them, being the property of the same owner or owners, and the said child being below the age of fourteen years,) be sold or transferred, the one without the other, or otherwise than in one entire lot, and in one and the same lot, and to one and to the same person or persons; nor shall any executor or other person taking upon himself the burden of execution of any last will, assent to any specific legacy of a Slave, or deliver to any legatee or legatees, any Slave or Slaves to him, her, or them, by the testator or testatrix of such executor or administrator, specifically bequeathed in any case wherein the effect of any such assent or delivery would be to separate or cause to be separated from each other the husband and wife, or reputed husband and wife, or separate or cause to be

separated any child under the age of fourteen years from his or her parents or reputed parents, or either of them, contrary to the true intent and meaning of this Act; but such executor or administrator in every such case, after such inventory and appraisement of the goods and chattels of his or her testator or testatrix made, had, and returned, as by law is required, shall sell or dispose of every such husband and wife, or reputed husband and wife, and every such child or reputed child, and his or her parents or reputed parents, or either of them, in one separate and entire lot, and in one and the same lot, and to the same person or persons; and all claim, right, title, interest, or demand whatever, (either in law or equity) which any such legatee or legatees, without the provisions of this Act might or could have had or claimed in, to, or against any such Slave so bequeathed as aforesaid, by any such testator or testatrix, and afterwards so sold and disposed of by any such executor or administrator, shall thenceforward and for ever thereafter be transferred to, and exist in the nett proceeds of the lot in which the Slave to such legatee as aforesaid bequeathed, shall have been included and sold, and shall be rated or proportioned in amount according to the rate or proportion which the sum at which such Slave shall have been appraised shall bear comparatively in relation to the several sum and sums at which other the Slave or Slaves in the same lot included shall have been also appraised.

of any such legatee to exist in the proportionate amount of the nett proceeds of the lot to which such husband and wife, or child may belong.

7.—And be it further enacted by the authority aforesaid, that if any person or persons, contrary to the true intent and meaning of this Act, shall wilfully and knowingly make or cause to be made any transfer or sale of any such Slave or Slaves, or if any executor or other such administrator of any last will shall assent to the specific legacy of any such Slave, or shall deliver or cause to be delivered to any such legatee or legatees, the Slave or Slaves to him, her, or them so as aforesaid bequeathed, every person so offending shall for every such offence forfeit and pay the sum of one hundred pounds, to be recovered and applied in manner hereinafter provided: Provided always, that nothing herein contained, shall extend or be construed to extend, to affect any mortgage or mortgages of Slaves, duly made and executed previous to the passing of this Act, and which shall have been duly recorded or registered in the public office in Nassau, on or before the first day of July, one thousand eight hundred and twenty-four.

Penalty on persons making such sales, and on executors assenting to such legacies.

Not to affect mortgages of Slaves registered before 1st July 1824.

8.—And be it further enacted by the authority aforesaid, that every master or owner shall provide and give to every Slave in his or her possession, two suits of proper and sufficient clothing in the course of every year, under the penalty of fifty pounds for each offence.

Annual clothing of a Slave.

9.—And be it further enacted by the authority aforesaid, that all masters and owners, or in their absence their overseers, shall, as much as in them lies, endeavour to instruct their Slaves in the Christian religion, and shall do their endeavour to fit them for baptism, and as soon as conveniently may be, shall cause to be baptized all such Slaves as they can make sensible of a Deity, and of the Christian faith.

Slaves to be instructed in the Christian religion and fitted for baptism.

10.—And whereas, nothing would tend more effectually to promote the moral and religious improvement of Slaves, or contribute more to their mutual society, help, and comfort, than to encourage (so far as may be possible, and under such restrictions only as their state of present intellectual advancement, the religious establishment of the colony, and a due regard to the rights of private property may require,) marriages between Slaves, and between Slaves and free people: Be it further enacted by the authority aforesaid, that from and after the passing of this Act, it shall and may be lawful to and for the several rectors or incumbents of parishes within this colony, each in his respective parish church or chapel, or for any other minister of the established church, in any such church or chapel, by and with the permission of the rector or incumbent (or if there be no such rector or incumbent there resident, then of the churchwardens) of the parish to which such church or chapel may belong, or in parishes, or on islands being parts of parishes whereon there shall be no such church or chapel, then for any such rector or incumbent or other such minister as aforesaid, (in any private dwelling there situate,) upon every Sunday, and

This and the 11th, 12th, and 13th sections of this Act suspended by 26th section of the amended Consolidated Slave Act of 7th Geo. IV.

Encouragement of marriages between Slaves, and between Slaves and free people.

between the hours of eight and twelve in the forenoon of every such day, and without the publication of banns, or asking in church, or any dispensation, license of marriage, or other faculty or license whatever, save as hereinafter is required, and whether the parties then and there to be married or either of them shall dwell within the parish to which such church or chapel may belong, or within which such private dwelling is situate, or not, marriages between Slaves, and between Slaves and free people, who are not within the degrees of consanguinity prohibited by God's law, nor labouring under the legal disabilities of a prior marriage, or want of reason, and who profess the Christian religion, on production to such rector or incumbent or other such minister, of the consent in writing of the owner or owners of such Slave or Slaves respectively, in that behalf first had, and to such rector or incumbent or other such minister addressed: Provided always, that no such rector or incumbent, or other minister as aforesaid, shall celebrate or proceed to celebrate any such marriage, unless the persons to be married shall fourteen days at least before the celebration of such marriage, respectively deliver or cause to be delivered to such rector or incumbent, or other minister as aforesaid, a notice or memorandum in writing of the Christian name or names of every such person being a Slave, and the Christian name or names, and surname, or name by reputation, of every such person being free, together with the name or names, and place or places of abode of the owner or owners of every such Slave respectively.

Suspended (see observation on 10th section of this Act.)

11.—And whereas many of the parishes into which this colony has been divided by law, are without incumbents, and in many cases it hath been found expedient that islands and quays, separate and apart from each other, should be formed and united into one parish: And whereas it is necessary to provide for the celebration of such marriages in such of the said parishes whereof there shall be no such incumbent, and in such islands or quays, being parts of parishes, whereon no such rector or incumbent shall be actually resident: Be it therefore enacted by the authority aforesaid, that from and after the passing of this Act, the power of solemnizing such marriages as aforesaid, which herein and hereby is given to the several rectors or incumbents, or other ministers as aforesaid, shall and lawfully may, under the like rules, regulations, and restrictions, hereinbefore and hereinafter set forth and specified, be exercised by any justice of the peace, or minister of the established church, in any such parish whereof there now is, or hereafter shall or may be, no rector or incumbent as aforesaid, or on any island or quay (being part of any parish) whereon no such rector or incumbent shall be actually resident.

Where there is no resident rector or incumbent in a parish, marriages may be celebrated by a justice of the peace.

Register of such marriages to be kept.

Suspended, (vide as above.)

12.—And in order to preserve the evidence of all such marriages, and to make the proof thereof more certain and easy, and to prevent the forging or counterfeiting of any such consent: Be it further enacted by the authority aforesaid, that from and after the passing of this Act, all such marriages as aforesaid, shall be had and solemnized in the presence of one credible free witness or more, besides the minister or other persons as aforesaid who shall celebrate the same; and that the minister, or in case there be no minister there resident, the churchwardens of the parish within which any such marriage shall have been so celebrated, shall, upon application made to him or them by the parties so married, or either of them, his, her, or their owner or owners respectively, register, or cause to be registered, the said marriage in the common register book of christenings, marriages, and burials belonging to such parish respectively, in like manner and form as heretofore hath been customary with regard to any other marriages, under the penalty of five pounds for every default: Provided also, that in every such entry or register there shall be expressed the date of the consent under which such marriage was celebrated, and the name or names, place or places of abode, of the parties married, and of his, her, or their owner or owners respectively.

All such marriages declared as valid, as though solemnized after publication of banns, or by virtue of license from the ordinary,

13.—And be it further enacted by the authority aforesaid, that all marriages so had and solemnized as aforesaid, by any such rector or incumbent, minister or justice of the peace, under and by virtue of any such consent as aforesaid, shall be, and the same are hereby declared to be, good,

valid, and binding to all intents and purposes in the law whatsoever, (saving always the just right of ownership, which in no case whatever shall be in anywise hurt, prejudiced, straightened or otherwise affected thereby,) as though the same had been solemnized after publication of banns, or by virtue of any dispensation, faculty or other license whatsoever, of any ordinary, judge, or other person whomsoever, having authority to grant the same; and the issue procreate of all such marriages, shall be deemed legitimate: Provided however that the marital power and authority to be thus acquired by the husband over the wife, shall in no such case as aforesaid, impugn, diminish or interfere with the rights or authority of the owner or owners in, to, and over his, or her, or their Slave or Slaves, or the issue of such Slave or Slaves, or the duty and services of such Slave or Slaves, in any manner whatsoever.

Suspended. (see observation on 10th section of this Act.)

14.—And be it further enacted by the authority aforesaid, that any master, owner, or other person whatsoever, who shall wilfully mutilate any Slave, or cause, permit, or suffer any Slave to be mutilated with his or her privity or consent, shall be liable to be indicted and prosecuted in the General Court for the same, and upon conviction shall be punished by fine not exceeding one hundred pounds, and imprisonment not exceeding twelve months for every offence; and such punishment is declared to be without prejudice to any action that could or might be brought by the owner or proprietor for recovery of damages for or on account of the same; and in cases where the owner of any such Slave shall be guilty of any such offence, it shall and may be lawful for the court, if it shall deem necessary for the future protection of such Slave, to declare him or her to be free, and discharged from all manner of servitude, to all intents and purposes whatever. And in all such cases it shall and may be lawful for the court to order the fine to be paid to the vestry of the parish to which such Slave belonged, to the use of the said parish, the vestry in consideration thereof paying to such Slave so made free, an annuity of ten pounds per annum during life. And in case any Slave or Slaves shall suffer any such mutilation as aforesaid, any justice of the peace is hereby authorized and required, on view of the fact, to send such Slave to the nearest workhouse, there to be kept and carefully attended, at the expense of the parish, until such time as there can be a meeting of the justices and vestry of such parish; which justices and vestry are hereby created a council of protection for such Slave, and are authorized and required to make a full inquiry respecting the mutilation of such Slave; and if to them it shall appear proper, shall cause the owner or owners of such mutilated Slave, to be indicted and prosecuted, the expense of which prosecution shall be paid by the parish where such offence shall be committed. And in case the owner or owners of such Slave or Slaves shall be able to pay the costs and charges of such prosecution, the churchwardens and vestry are hereby required to commence a suit or suits against such owner or owners, in which they shall recover all costs and charges by them laid out and expended in such criminal prosecution and civil action. And the keeper of the workhouse to which any such Slave shall have been committed, is hereby required, upon due notice of the meeting of such justices and vestry, to produce such mutilated Slave or Slaves for their inspection, under the penalty of twenty pounds for every neglect.

Penalty on mutilating or maiming Slaves.

15.—And be it further enacted by the authority aforesaid, that it shall not be lawful for any court of justice to pass any sentence whereby any Slave shall be directed to be mutilated or maimed for any offence whatever.

Slaves not to be mutilated by sentence of any court.

16.—And be it further enacted by the authority aforesaid, that if any person shall wilfully and with malice aforethought, kill, or cause to be killed, any Negro or other Slave, every such person shall be adjudged guilty of felony and murder, and shall suffer death without benefit of clergy: Provided always that no such conviction shall extend to the corruption of blood, or the forfeiture of lands and tenements, goods and chattels, any law to the contrary notwithstanding.

Persons wilfully killing a Slave guilty of felony.

17.—And be it further enacted by the authority aforesaid, that if any person shall wantonly or cruelly whip, maltreat, beat, bruise, wound, imprison, or keep in confinement without sufficient support, any Slave or

Penalty on persons guilty of cruelty towards Slaves.

Slaves, he, she, or they shall be subject to be indicted for the same in the General Court, and shall suffer such punishment by fine or imprisonment, or both, as the court shall think proper to inflict; and such punishment is declared to be without prejudice to any action that may be brought for recovery of damages, in case such Slave shall not be the property of the offender.

Punishment of Slaves.

See explanation of this power by the amended Consolidation Slave Act of 7th Geo. IV. section 4th. such supervisor &c., not to punish without the consent of owner.

18.—And in order to restrain arbitrary punishment, Be it further enacted by the authority aforesaid, that no Slave shall, on any account, receive more than twenty lashes at any one time, or for any one offence, unless the owner or employer of such Slave, or supervisor of the workhouse or keeper of the gaol shall be present; and that no such owner, employer, supervisor, or gaol keeper, shall on any account punish a Slave with more than thirty-nine lashes, at one time and for one offence; nor inflict, or suffer to be inflicted, any second punishment on the same day, nor until the delinquent shall have recovered from the effects of any former punishment; nor shall any female Slave above the age of twelve years be punished otherwise than in private, under the penalty of ten pounds for every offence.

Duty and fees of provost marshal.

19.—And whereas it is customary for owners to commit their Slaves to the common gaol for slight offences which are not punishable under this Act: Be it therefore enacted, that in all cases where any owner or possessor of a Slave shall send him or her to gaol for any such trivial offence, the provost marshal or his deputy or gaoler shall forthwith take and receive such Slave into custody, and him or her safely keep until released by the owner, and shall receive for his trouble three shillings, together with one shilling for every day such Slave shall have remained in gaol, provided such Slave shall have been maintained by the provost marshal.

Fixing iron collars on Slaves declared unlawful.

20.—And whereas a mischievous practice hath prevailed in some colonies of punishing ill disposed Slaves, and such as are apt to abscond from their owners, by fixing iron collars with projecting bars or hooks round their necks, Be it enacted and declared, that such practice is utterly unlawful, and that no person shall, on any account whatever, punish any Negro or other Slave, whether his own property or otherwise, by fixing or causing to be fixed any iron or other collar round the neck of such Slave, or by loading the body or limbs of such Slave with chains, irons, or weights of any kind, other than such as are absolutely necessary for securing the person of such Slave while in confinement, under the penalty of fifty pounds; and any justice of the peace is hereby authorized and required, on information or view of such offence, to order such collars, chains, irons, or weights to be immediately taken off under the penalty of one hundred pounds for every neglect or refusal.

Allowance of holy-days.

21.—And be it further enacted by the authority aforesaid, that every Slave within these islands shall be allowed the usual number of Christmas holydays, to wit; Christmas-day and the two following working days.

Penalty on overseers absenting themselves during the Christmas holydays.

22.—And be it further enacted by the authority aforesaid, that every overseer who shall absent himself from the estate under his care or management on any of the aforesaid holidays, without leave from his employer, shall for every such offence forfeit the sum of five pounds for each day.

Penalty on not returning births and deaths on plantations every 1st of January.

23.—And be it further enacted by the authority aforesaid, that on the first day of January, which will be in the year of our Lord one thousand eight hundred and twenty-five, and on the first day of January in every succeeding year, or within thirty days after, the owner, manager, or overseer of every plantation or settlement within these islands, shall give upon oath to the churchwardens of the parish, an account of all the births and deaths of the Slaves on such plantation or settlement, for the year immediately preceding, under the penalty of fifty pounds, to be recovered from the owner of such plantation or settlement.

To fall on the overseer if through his neglect.

24.—And be it further enacted by the authority aforesaid, that if the not giving in such accounts shall be owing to the neglect of any overseer or manager, it shall and may be lawful for the owner, proprietor, or possessor of such plantation or settlement, to stop and detain the penalty which he or she shall be compelled to pay, together with his or her costs and charges, out of the wages of such manager or overseer.

Penalty on Slaves hurting cattle.

25.—And be it further enacted by the authority aforesaid, that no Negro

or other Slave shall be allowed to hurt any horned cattle, horses, mares, mules, asses, or other animals, with lances, guns, cutlasses, or other arms, unless in the company of his master, overseer, or some other white person, or by his permission in writing. And any Negro or other Slave, who shall offend contrary to the true intent and meaning of this Act, shall suffer such punishment by whipping as any two justices of the peace shall think proper to inflict, not exceeding fifty lashes.

26.—And be it further enacted, that every person from whose service any Slave shall abscond; shall within fourteen days thereafter give notice thereof, by public advertisement, wherein shall be inserted the name and description of such runaway, by means whereof he or she may be more easily known and apprehended; and in case the owner shall neglect to do so, he or she shall not be entitled to any satisfaction from the treasury for any such Slave executed or transported by virtue of this Act for any crime whatever.

Public notice of Slaves absconded to be given.

27.—And be it further enacted, that it shall not be lawful either to sell or buy any runaway Slave, and that any person selling or buying any such Slave while absent, shall forfeit the sum of thirty pounds.

Penalty on selling or buying any runaway Slave.

28.—And be it further enacted by the authority aforesaid, that all Slaves who shall have been in these islands for the space of two years, and shall run away, and continue absent for a term not exceeding six months, shall, upon conviction before any two justices of the peace, suffer such punishment as the said justices shall think proper to inflict, not extending to life or limb.

Penalty on Slaves running away.

29.—And be it further enacted by the authority aforesaid, that any Slave who shall run away from his owner or lawful possessor, and be absent for more than six months, being duly convicted, shall be sentenced to be transported for life, or shall suffer such other punishment not extending to life or limb, as the court shall think proper to inflict.

Slaves absent more than six months to be transported.

30.—And be it further enacted by the authority aforesaid, that any Slave who shall knowingly harbour or conceal any runaway Slave, shall be liable to be tried for the same as hereafter directed, and upon conviction shall suffer such punishment as the court shall think proper to inflict, not extending to life or limb; and that every free person who shall commit any such offence may be indicted and prosecuted for the same, in the General Court, and being convicted, shall suffer such punishment by fine and imprisonment, as the court shall think proper, according to the magnitude of the offence; and such punishment is hereby declared to be without prejudice to any action or suit which may be brought by the party injured for recovery of damages, for and on account of the same.

Penalty on harbouring runaway Slaves.

Suspended by 6th sect. of the amended Consolidated Slave Act of 7th Geo. IV.

31.—And be it further enacted by the authority aforesaid, that every Slave who shall take up any such runaway Slave, so that such runaway may be taken and restored to his or her owner or owners, shall be entitled to such reward as any two justices of the peace shall think reasonable and just, not exceeding three pounds, to be paid by such person or persons as the said justices shall determine ought to pay the same.

Reward to Slaves apprehending runaways.

32.—And whereas it is dangerous to the peace and safety of these islands to suffer Slaves to continue out as runaways, and it is absolutely necessary to declare what Slaves shall be deemed runaways: Be it therefore enacted and declared, that every Slave who shall be absent from his or her owner or employer, without leave, for ten days together, and shall be found at the distance of eight miles from the house, plantation or settlement to which he or she belongs, without a ticket or permit to pass, (such only excepted as are going with fire wood, grass, fruit, provisions or small stock, and other goods which they may lawfully sell, to market and returning therefrom) shall be deemed a runaway.

What Slaves deemed runaways.

33.—And be it further enacted by the authority aforesaid, that any free person who shall apprehend any runaway Slave, shall be entitled to receive from the owner, employer, overseer or manager of such Slave, the sum of twenty shillings and no more, besides mile money at the rate of two shillings per mile for the first five miles, and one shilling per mile afterwards: Provided such Slave had absented himself or herself ten days without the privity, knowledge, or consent of the proprietor, owner, or other white per-

Reward to free persons apprehending runaways.

son residing on the plantation or place to which such Slave shall belong; which term of absence shall be declared on the oath of such proprietor, overseer or other white person as aforesaid, if required by the party taking up the Slave; but it is the true intent and meaning of this Act, that every person who shall apprehend any Slave that is actually runaway, shall be entitled to the aforesaid reward, although such Slave shall not be eight miles from home, and although the aforesaid term of ten days shall not have elapsed.

Reward to Slaves taking rebel Negroes.

34.—And be it further enacted by the authority aforesaid, that any Slave who shall take or kill another Slave in actual rebellion, shall receive from the churchwardens of the parish in which any such Slave shall have been killed, the sum of five pounds, and ten pounds if taken alive; also a blue cloth coat with a red cross on the right shoulder; the whole expenses whereof shall be reimbursed by the receiver-general for the time being, out of any money in his hands unappropriated.

35.—And be it further enacted by the authority aforesaid, that if any Slave shall be killed by any person or persons in the execution of this Act, or under the authority of the same, the person or persons by whom such Slave may be killed, shall, as speedily as may be, give information thereof to some justice of peace, who is hereby required to take his examination, and also the evidence or information of any person or persons respecting the same; and any white person or free person of colour killing such Slave, who shall neglect forthwith to give the information hereby required, shall forfeit and pay the sum of one hundred pounds.

Runaways apprehended, how dealt with.

36.—And be it further enacted by the authority aforesaid, that any person or persons apprehending any runaway Slave, shall convey him or her to his or her owner, employer or manager, if resident on the island in which such Slave shall have been apprehended; but if not therein resident, or if payment of the reward and other charges hereinbefore mentioned shall not be made, then to the nearest gaol or workhouse, the keeper whereof is hereby authorized and required to receive such Slave into his custody, and to pay the party delivering such Slave the sum of twenty shillings, and more money as aforesaid, and no more, under the penalty of five pounds: Provided nevertheless, that no gaoler or workhouse keeper shall pay any such sum or sums before such person shall have taken an oath (which oath such gaoler or workhouse keeper shall file in his office, and produce when thereunto required by the owner or possessor of such Slave, under the penalty of five pounds) that the Slave so apprehended was at the reputed distance of eight miles from the house, plantation or settlement to which such Slave belongs, (except as is before excepted) and that such Slave had no ticket or permit in writing from his or her owner or possessor, employer or overseer at the time of being apprehended, and that such Slave had been first carried to his or her owner, employer or manager, provided such owner, employer or manager shall be in the island where such Slave shall have been apprehended, and the payment of the reward and charges aforesaid was neglected or refused to be made.

Runaways taken up to be advertised in the Gazette.

37.—And to the end that the owners and proprietors of Slaves so apprehended may obtain information of the gaol or workhouse in which they are confined, Be it further enacted by the authority aforesaid, that the keeper of every workhouse or gaol shall and they are hereby required, once in every month, to advertise in the Royal Gazette, or other public newspaper, and at the most public place in the island on which such Negro shall be apprehended, the height, names, marks and sex, and also the country (when the same can be ascertained) of every runaway Slave then in his custody, and the time such Slave was put into his custody, and also the name or names of the owner or owners thereof, if known, under the penalty of ten pounds for every neglect or omission, and for the expense of such advertisement it shall and may be lawful for the keeper of every gaol or workhouse to charge the owner or owners of each runaway Slave at and after the rate of twelve shillings per month and no more, and to detain any such Slave in custody until the same, together with the charges of apprehending and other fees, and poundage after the rate of two shillings in the pound, shall be paid, and also one shilling for every twenty-four hours such

Slave shall have been in custody for subsistence, and sixpence per day for medical care and extraordinary nourishment where necessary. And the gaoler, workhouse keeper, or supervisor, shall attest every such account upon oath.

38.—And be it further enacted by the authority aforesaid, that the keeper of every workhouse or gaol within these islands, shall provide and furnish every such Slave confined in such workhouse or gaol, with a sufficient quantity of good and wholesome provisions, according to the allowance hereinbefore required to be given upon every plantation, under the penalty of ten pounds for every neglect.

Gaoler to furnish confined Slaves with victuals.

39.—And be it further enacted by the authority aforesaid, that after any runaway Slave shall have been in the custody of the provost marshal or the keeper of the workhouse or gaol, and shall have been duly advertised as aforesaid for the space of twelve calendar months, if no person shall claim such Slave and pay the fees and other monies hereinbefore directed, it shall and may be lawful for the provost marshal, or the keeper of such gaol or workhouse *, to sell every such Slave at public auction to the highest bidder, and that the monies arising from such sale shall be applied in the first place, towards payment of the expense of taking up, keeping and advertising such Slave, together with all fees and charges hereinbefore mentioned; and the overplus (if any) shall be paid into the public treasury to be applied towards the contingent expenses of this government: Provided always, that every such sale be at the usual place of public auction in the town of Nassau, between the hours of ten and twelve o'clock in the forenoon; that thirty days notice thereof be given in the Royal Gazette or other public newspaper; and that previous to every such sale every such Slave be carried before a magistrate, who is hereby required to examine whether such Slave has been duly advertised, and whether his or her marks and description agree with the advertisement, and to certify the same if found accurate or sufficient.

Slaves who shall have remained in custody twelve months unclaimed, how dealt with.

*Suspended by the 5th section of amended Consolidated Slave Act of 7th Geo. IV.

40.—And be it further enacted by the authority aforesaid, that no gaoler or workhouse keeper shall on any pretence whatever employ any Slave sent to his custody on any plantation belonging to him or in his possession; nor hire nor lend any such Slave to work for any person or persons, under the penalty of fifty pounds for every offence.

Slaves in the custody of the gaoler not to be hired out.

41.—And be it further enacted by the authority aforesaid, that any Negro or other Slave who shall be confined in any workhouse or other place of confinement, and shall escape therefrom before trial or the expiration of his or her sentence, upon being retaken, and proof being made of his or her identity before any two justices of the peace, shall be adjudged to be sent back to confinement, and shall receive punishment by whipping not exceeding fifty lashes.

Punishment on Slaves escaping from confinement before trial.

42.—And be it further enacted by the authority aforesaid, that if the provost marshal, or any of his deputies, or any constable, gaoler, or workhouse keeper, shall willingly or negligently suffer any Slave to escape, so that such Slave shall not be retaken, such marshal, constable, gaoler, or workhouse keeper, shall forfeit a sum not exceeding twenty pounds, without prejudice to the owner's action of damages.

Penalty on gaoler suffering Slaves in his custody to escape from punishment.

43.—And be it further enacted, that if any Negro or other Slave at any time of invasion, or appearance of any enemy, shall be killed in service of the country, the owner shall be paid out of the public treasury the full value of such Slave, to be ascertained by any two justices of the peace.

Slaves killed in the public service to be paid for.

44.—And be it further enacted by the authority aforesaid, that if any master, owner, guardian, or attorney of any plantation or settlement shall suffer any strange Slaves, exceeding twelve in number, to assemble together, and beat their drums, or blow their horns or shells, in any place under his, her, or their care and management, or shall not endeavour to disperse or prevent such meeting by giving notice thereof to the next magistrate or commissioned officer that a proper force may be sent for the purpose, every such master, owner, guardian, or attorney, shall forfeit for every such offence the sum of fifty pounds; provided information of such offence be given upon oath within five days after the commission of such offence.

Penalty on persons having charge of any plantations on permitting more than twelve strange Slaves, there to assemble.

45.—And be it further enacted by the authority aforesaid, that all

All officers authorized

to disperse unlawful assemblies. officers, civil and military, shall be and they are hereby empowered and required to enter into any place whatever, in order to disperse any unlawful assembly of Slaves, and to suppress and prevent all riotous unlawful drumming or other noise, any law, custom, or usage to the contrary notwithstanding.

Penalty on Slaves having fire-arms, &c. in possession. 46.—And be it further enacted by the authority aforesaid, that any Slave who shall hereafter be found to have concealed in his or her house, or otherwise in his or her possession, any fire-arms, gunpowder, slugs, or balls, shall, on conviction before any two justices, suffer such punishment as the said justices shall think proper to inflict by whipping.

Punishment of Slaves offering violence to a white person. 47.—And be it further enacted by the authority aforesaid, that any Slave who shall offer violence (by striking or otherwise) to any white person, shall be punished with such punishment, not extending to life or limb, as the court shall think proper to inflict: Provided such conflict or striking be not by command of the owner of such Slave, or his or her attorney, overseer, or other person having authority over such Slave, or in the lawful defence of his owner's person or property.

Punishment of Slaves preparing or giving poison. 48.—And be it further enacted by the authority aforesaid, that if any Negro or other Slave shall mix or prepare with intent to give any poison or poisonous drug, or shall actually give, or cause to be given any such poison or poisonous drug, although death may not ensue from the taking thereof, such Slave, together with all and every accessory and accessories, as well before as after the fact, (being Slaves,) being thereof duly convicted, shall suffer death, transportation for life, or such other punishment as the court shall think proper.

Punishment of Slaves found with the flesh of beef, mutton, &c., in their possession. 49.—And whereas, horned cattle, sheep, horses, mares, and asses, are frequently stolen and killed by Negro and other Slaves in so secret and private a manner, as to render conviction very difficult, for prevention thereof, Be it further enacted, that if any Negro, or Slave or Slaves shall fraudulently have in his, her, or their possession, any fresh beef, mutton, or veal, or the flesh of any horse, mare, mule, or ass, in any quantity exceeding five pounds, and not exceeding twenty-eight pounds, every such Negro or other Slave shall, upon conviction before any two justices of the peace, be whipped in such manner as such justices shall direct, not exceeding thirty-nine lashes; and if there shall be found fraudulently as aforesaid in his, her, or their custody or possession, a larger quantity than twenty-eight pounds' weight of such beef or other flesh, that then every such Negro or other Slave shall suffer such punishment as the justices shall think proper to direct, not extending to life or limb.

Punishment of Slaves stealing cattle. 50.—And be it further enacted by the authority aforesaid, that if any Negro or other Slave shall feloniously steal any horned cattle, sheep, horse, mare, gelding, mule, or ass, or shall kill any such horned cattle, sheep, horse, mare, gelding, mule, or ass, with intent to steal the same, or any part of the flesh thereof, such Negro or other Slave shall suffer death, or such other punishment as the court shall think proper to inflict.

Punishment of Slaves for aiding Slaves in running away. 51.—And whereas several Slaves have lately found means to depart from these islands to the great damage of their owners, and to the evil example of other Slaves, who may thereby be induced to attempt to conspire to do the same: And whereas there is reason to suspect that Slaves have been aided and assisted in their departure by other persons, and no adequate punishments are provided by law for such offences, for remedy thereof: Be it further enacted by the authority aforesaid, that if any Negro or other Slave shall run away from his or her owner or owners, employer or employers, and go off, or conspire or attempt to go off, these islands in any ship, boat, canoe, or other vessel or craft whatsoever, or be aiding, abetting, or assisting, to any other Slave or Slaves in deserting and going off, or conspiring and attempting to go off, or aiding, assisting, or abetting in such going off, being thereof convicted, shall suffer transportation, or such other punishment as the court shall think proper to inflict, not extending to life or limb.

Of free persons of colour suspended by 6th section of amended consolidated Act, passed 7th Geo. IV. 52.—And be it further enacted by the authority aforesaid, that if any free Negro, Indian, or Mulatto shall be aiding, assisting, and abetting any Slave or Slaves in deserting and going off these islands, and shall be

thereof convicted, he, she, or they shall be subject to be transported from these islands by the provost marshal or his deputy; and any such person so convicted, sentenced, and transported, who shall afterwards be found at large within these islands, shall suffer death without benefit of clergy.

53.—And be it further enacted by the authority aforesaid, that any white person who shall knowingly be aiding, assisting, or abetting any Slave in deserting and going off these islands, shall forfeit the sum of one hundred pounds; and shall also suffer imprisonment for any space of time not exceeding twelve months, without bail or mainprize; and such punishment is declared to be without prejudice to any suit or action which may be brought or had by the party injured for recovery of damages, for and on account of the same.

Of white persons.
Persons aiding Slaves going off these islands may be proceeded against whether the principal be convicted or not.

54.—And be it further enacted by the authority aforesaid, that it shall and may be lawful to proceed against the person or persons so aiding, assisting, and abetting such Slave or Slaves in going off these islands, whether the principal or principals be convicted or not; anything in this or any other act, or any law, usage, or custom to the contrary notwithstanding.

55.—And be it further enacted, that no Negro or other Slave, shall on any pretence, barter or carry about for sale or barter, any dry goods of any kind whatever, unless by a ticket, or consent in writing, of his or her owner or owners to that effect, specifying the articles they may have for sale, and in default of such ticket or consent, it shall and may be lawful for any white person to take and seize all such goods, and to deliver them to the provost marshal or his deputy, who shall forthwith sell the same at public auction, and pay the nett proceeds thereof into the public treasury.

Slaves not to carry any dry goods about for sale, without a ticket from their owners.

56.—And be it further enacted by the authority aforesaid, that no Negro or other Slave shall vend or retail any spiritous liquors whatever; and if any Slave without the knowledge of his or her owner or employer, shall sell or vend any spiritous liquors whatsoever, such Slave for every such offence, shall be publicly whipped by order of any two justices of the peace; but if it shall appear to have been done with the knowledge of his or her owner or employer, then, and in that case, such owner or employer shall forfeit the sum of forty pounds, to be recovered in manner hereinafter directed.

Slaves not to vend spiritous liquors.

57.—And be it hereby enacted, that every Slave who shall play at dice or cards, or be guilty of any other kind of gaming, shall be publicly whipped by order of any two justices of the peace; and any keeper of a tavern or punch-house, who shall suffer any Slave or Slaves to game, get drunk, or tittle in or about his or her house, shop or premises, or to remain in or about the same, after the hour of eight o'clock at night; or shall at any other time sell rum, or any other spiritous liquors to any Slave to whom he or she shall have been forbidden by the owner or employer of such Slave to sell liquor, shall suffer any such Slave after having been so forbidden, to loiter or remain in or about his or her house, shop or premises, shall forfeit the sum of twenty pounds.

Punishment of Slaves for gambling.

58.—And whereas it is deemed expedient and proper, that the trial of Slaves charged with treason, murder, or other felonious offence, not having the benefit of clergy, should hereafter be had and proceeded on in the General Court of these islands, according to the form and practice of the said court, used and followed therein on the trial of white persons, or free persons of colour charged with the like offences: Be it therefore enacted by the authority aforesaid, that from and after the passing of this Act, when any Slave or Slaves shall be charged with treason, murder, burglary, robbery, burning of houses, or other felony, or offence whatsoever, from which the benefit of clergy is taken away by any statute or act of parliament of Great Britain now or hereafter to be in force within the Bahama Islands, or by this or any other Act of the General Assembly of the same islands, the trial of such Slave or Slaves (a bill or bills of indictment being first found by the grand inquest for the body of the said Bahama Islands, and which bill or bills of indictment, the Attorney-General of these islands, or other officer prosecuting in the name of his Majesty, shall and lawfully may prefer) shall be had and proceeded upon in the General Court of said

The same practice to be observed on the trial of Slaves charged with capital offences, as on the trial of white persons or free persons of colour charged with the like offence.

Bahama Islands, by and before the chief justice and assistant justices of the said court, or some or one of them, in the same manner and form, and according to the same course, usage, and practice established, observed, and followed therein, for and upon the trial of any white person, or free person of colour, charged with the like crimes and offences, save and except only, that the evidence of Slave against Slave shall in all cases be received.

Sentence of death to be pronounced by one of the judges of the General Court, on any Slave convicted of any capital offence not clergyable.

59.—And be it further enacted by the authority aforesaid, that when any Slave or Slaves shall be convicted in the said court of any treason, murder, or other felony or offence, from which the benefit of clergy is taken away as aforesaid, it shall and may be lawful for the chief justice and assistant justices of the said General Court, or some one of them, to pronounce sentence of death upon such Slave or Slaves, so convicted as aforesaid; and the provost marshal of the said islands, or his lawful deputy, is hereby authorized and required to cause such sentence to be carried into execution at such time and place as such chief justice and assistant justices, or some or one of them, shall think proper to direct and appoint.

Parts of Acts relative to the mode of proceeding on the trial of Slaves suspended.

60.—And be it further enacted by the authority aforesaid, that so much and such part and parts of any Act or Acts of the General Assembly of the said Bahama Islands as prescribe or regulate any mode of proceeding on the trial of Slaves accused of crimes punishable with death, different from that hereinbefore established and appointed, shall be, and the same is, and are hereby suspended from and after the passing of this Act, for and during the continuance of this Act and no longer.

Mode of proceeding on the trial of Slaves for any clergyable offence.

61.—And be it further enacted by the authority aforesaid, that upon complaint being made to any justice of the peace of any clergyable felony or other offence committed by any Slave or Slaves, and which is hereby declared to be punishable with transportation, such justice shall issue his warrant for apprehending such offender or offenders, and for all persons that can give evidence to be brought before him or any other justice of the peace, and evidence of Slave against Slave shall in all cases be received; and if upon examination the charge shall appear to be well founded, the justice before whom such examination shall be had and taken, shall commit the accused to prison, and bind over the witness to appear at a certain day and place, not less than ten, or more than thirty days from the day on which the complaint shall have been made; and shall certify to any other justice of the peace the cause of such commitment, and require him to associate himself with him, which the said justice is hereby required to do under the penalty of forty pounds; and the said justices so associated shall issue their warrant to summon seven persons, such as are liable to serve on ordinary juries (the master, owner, or proprietor of the Slave or Slaves so complained of, or the attorney, guardian, overseer or manager of such owner or proprietor, or the person prosecuting, his or her attorney, guardian, overseer or manager always excepted) personally to be and appear before the said justices, at the day and place appointed for the trial, between the hours of eight and twelve of the clock in the forenoon, when and where the said justices shall cause the accused to be brought before them; and thereupon five of the persons so summoned shall (the charge of accusation being first reduced to writing and read) be sworn to try the matter before them, and give a true verdict according to evidence, which charge or accusation shall not be questioned for any want of form, but shall be deemed valid if sufficient in substance; and if the said jurors shall, upon hearing the evidence, unanimously find the said Slave or Slaves guilty of the offence of which he, she, or they shall stand charged, the said justices shall forthwith pass sentence upon such offender or offenders according to the nature of the offence, and shall cause such sentence to be carried into execution, at such time and place as they shall think proper: Provided always, nevertheless, that the justices of the peace, or any two or more of them, resident upon any of the islands within this government, shall and may hereafter hold Slave courts upon the first Tuesday in January, April, July, and October in every year, to continue and be holden five days successively (if necessary) and not longer; and shall have full power and authority to inquire into, hear and determine, all and all manner of clergyable offences, or other offences com

mitted by any Slave or Slaves, and which is hereby declared punishable with transportation or other punishment, not extending to life or limb; and shall open the said court by proclamation, declaring the same to be a Slave court for such purpose; and that any two of the said justices shall thereupon proceed to try and deliver the workhouse or gaol within the islands or parish, of all Slaves who shall be in custody of the gaoler or workhouse keeper, charged with any such last-mentioned felony or offence, and shall cause a jury to be called, and taken from the panel returned to the said court, forthwith to be sworn, as they shall appear, to try all and every such Slave and Slaves as shall be brought before them charged with any of the offences last aforesaid, and to give a true verdict according to evidence, as in other cases.

Sentence of death to be pronounced by one of the judges of the General Court, on any Slave convicted of any capital offence not clergyable.

62.—And be it further enacted by the authority aforesaid, that not less than two justices and five jurors shall constitute any such Slave court; and that upon any such trial no peremptory challenge of any juror, or any exception to the form of the indictment, shall be allowed.

Who shall constitute a Slave court.

63.—And be it further enacted by the authority aforesaid, that any Slave wilfully giving false evidence on any trial to be had before any Slave court under this Act, shall suffer the same punishment as the person or persons on whose trial such false evidence was given, would, if convicted, have been liable to suffer, or such other punishment as the justices shall award, not extending to life or limb.

Punishment of Slaves giving false evidence, to the mode of proceeding on the trial as slaves suggested.

64.—And be it further enacted by the authority aforesaid, that when any Slave or Slaves shall be discharged by proclamation, or shall die in custody, the marshal, gaoler, or workhouse keeper shall be entitled to receive out of the public treasury all such fees as shall be due for such Slave or Slaves at the time of such discharge or death.

Gaol fees due for Slaves dying in custody to be paid by the public, Mode of proceeding on the trial of Slaves for any clergyable offence.

65.—And be it further enacted by the authority aforesaid, that the constables of the respective islands and districts shall be obliged to attend every such trial or court under the penalty of twenty pounds for such neglect; and the constable executing any sentence shall be entitled to receive out of the public treasury the sum of twenty shillings upon producing the certificate of the justices aforesaid.

Constables to attend Slave courts.

66.—And be it further enacted, that any person who shall be drawn and duly summoned to serve as a juror in any trial to be had by virtue of this Act, and who shall neglect to attend, or after appearance shall depart without leave, shall forfeit the sum of six pounds.

Penalty on persons neglecting to attend

67.—And be it further enacted by the authority aforesaid, that no such trial of any Slave shall be had until after reasonable and sufficient notice of such trial shall have been given to the owner or proprietor of such Slave, or to his, her, or their attorney or attorneys, or other representative or representatives, where any such can conveniently be found within the colony; any law, usage or custom to the contrary notwithstanding.

Notice of trial of any Slave to be given to the owner.

68.—And be it further enacted by the authority aforesaid, that in all cases where any Slave shall receive sentence of death or transportation, the jury shall appraise and value such Slave, and the justices shall certify such valuation: Provided always, that such valuation shall not in any case exceed sixty pounds for any one Slave: And provided also, if it shall appear that the owner or possessor of such Slave had treated him or her with inhumanity, and that necessity or hard usage might have driven such Slave to the commission of the offence of which he or she shall have been convicted, that then, and in such case, no valuation shall be made nor certificate granted, and the owner shall not be entitled to receive any allowance whatever for such Slave from the public.

Valuation of Slaves sentenced to be transported to be made by a jury.

69.—And be it further enacted by the authority aforesaid, that in all cases where any Slave valued as aforesaid, shall be executed or transported by virtue of this Act, such Slave shall be paid for at the public expense, and the nett money arising from the sale of any Slave sold for transportation shall be accounted for on oath by the provost marshal or his deputy, and paid over to the receiver general for the use of the public.

Appropriation of monies arising from the sale of transported Slaves.

70.—And be it further enacted by the authority aforesaid, that any Negro or other Slave who shall be transported from these islands by virtue

Slaves transported and returning shall suffer death.

of this Act, and shall wilfully return from transportation, shall, upon conviction, suffer death, without benefit of clergy.

Penalty on persons concealing Slaves against whom warrants shall be granted.

71.—And be it further enacted by the authority aforesaid, that when any warrant shall be granted by any one or more of his Majesty's justices of the peace against any Slave who cannot be taken, the owner, attorney, possessor, guardian or overseer, of every such Slave, shall be served with a copy of the said warrant, and if he, she, or they do not send or produce such Slave to the justice or justices to be dealt with according to law, and it shall afterwards be proved that such owner, attorney, guardian, possessor or overseer, wilfully detained or concealed such Slave, he, she, or they, shall forfeit the sum of one hundred pounds.

Manumitted Negroes to be tried as Slaves.

72.—And be it further enacted, that all such Negroes, Mulattoes, Mustees, and Indians, as have been Slaves, and have been or shall be made free, shall, for all misdemeanours and offences under the degree of felony, be tried and adjudged in manner and form hereinbefore directed for the trial of Slaves, and the evidence of a Slave or Slaves shall be admitted on such trials; any law, usage, or custom to the contrary notwithstanding.

Summary mode of punishment for inferior offences.

73.—And whereas misdemeanours and offences of inferior degree are frequently committed by Slaves, which ought to be punished in a summary manner: Be it therefore enacted by the authority aforesaid, that it shall and may be lawful for any two justices of the peace, in a summary manner, to hear and determine all crimes and misdemeanours below felony, or other offences whatsoever, committed by every Slave or Slaves, and to which the punishment of transportation hath not been annexed by this Act, committed by any Slave or Slaves, giving sufficient notice to the owner or owners of such Slave or Slaves, or his, her, or their attorney or attorneys, or to the person having the care of such Slave or Slaves of the time or place of trial; and to order and direct such punishment to be inflicted on any such Slave, as the justices in their discretion shall think fit, not exceeding fifty lashes. And the constable attending such trial, and executing any such sentence, shall be entitled to have and receive ten shillings, to be paid by the master, owner, or possessor of such Slave or Slaves, on non-payment whereof, it shall and may be lawful for the justices to issue their warrant for levying the same, together with costs and charges.

Runaway Slaves to be committed to gaol only, when there is no workhouse to receive them.

74.—And be it further enacted by the authority aforesaid, that no runaway Slave shall, on any account, be committed to gaol by any magistrate of a parish where there shall be a workhouse established, but to such workhouse only.

Powers vested in vestries and justices to be executed by justices or vestries where there are not both.

75.—And be it further enacted, that in all cases in which by this present Act, or by any other Act of the General Assembly, any power or authority is vested in the justices and vestries, such power and authority shall be executed by the justices, or any two of them, in islands where there are no vestries, or by the vestrymen, or any six of them in islands where there are no justices.

Penalties how recovered and appropriated.

76.—And be it further enacted by the authority aforesaid, that all forfeitures and penalties given by this Act, of which the recovery and applications have not been otherwise directed, shall, if not exceeding twenty pounds, be recovered in a summary manner before any two of his Majesty's justices of the peace, and shall be levied, together with costs, by distress and sale of the offender's goods and chattels; and if exceeding twenty pounds, shall be recovered with costs in the General Court of these islands, by action of debt, bill, plaint, or information, wherein no essoign, protection, wager of law, or *non vult ulterius prosequi* shall be allowed or entered; one moiety of which penalties shall be to the use of the parish where the offence shall have been committed, and the other moiety to the informer, or to him, her, or them, who shall sue for the same.

Duration of this Act.

77.—And be it further enacted by the authority aforesaid, that this Act, and every clause, matter, and thing therein contained, shall continue and be in force for and during the term of five years from the passing thereof, and from thence to the end of the then next session of the General Assembly and no longer.