

BAHAMA ISLANDS:—An Act to amend and explain an Act intituled “ An Act for fixing the mode of trying Questions relative to the Freedom of Negroes, and for suspending certain Acts therein mentioned.”

Preamble, reciting an enactment in the Act to which this is an explanatory amendment.

WHEREAS in and by the seventh section of an Act of the General Assembly of these islands, made and passed in the seventh year of Your Majesty’s reign, intituled “ An Act for fixing the mode of trying Questions relative to the Freedom of Negroes, and for suspending certain Acts therein mentioned,” it is enacted, “ that any one being declared and adjudged a slave by the general court of the said islands, or any other court, should not therefore be precluded from another suit for freedom in the said general court, provided such new suit should be brought on grounds different from those on which the previous suit had been tried, and arising out of facts either occurring subsequent to the previous judgment, or not within the knowledge of the party applicant at the time of the previous trial:”

And whereas under and by virtue of the said proviso, it may be inferred (contrary to the true intent and meaning of the said Act) that if any person, claiming his or her freedom according to the mode therein prescribed, should fail to establish the same either by reason of any technical error in the proceedings or any mistake of the judgment had in every such case, should nevertheless be final and conclusive, any such error or mistake notwithstanding.

Nothing in the Act hereby amended to preclude an applicant for freedom from a new suit, even on the same grounds, in cases where such applicant has failed to establish his freedom from some technical error in the proceedings, or a mistake of the judge before whom the trial was.

May it therefore please Your Majesty, that it may be enacted and declared, and be it therefore enacted by his Excellency, Lewis Grant, esquire, Major-General of His Majesty’s forces, Captain-General and Governor in Chief, the Council and Assembly of these islands, and it is hereby enacted by the authority of the same, that nothing in the said Act contained shall extend, or be construed to extend, to preclude the party applicant from a new suit (though on the same grounds) in cases where the person or persons claiming his, her or their freedom, shall nevertheless fail to establish the same by reason of any technical error in the proceedings, or any mistake of the judge or judges before whom any such cause may have been tried.

Passed the House of Assembly, 18th December 1827.

(signed) *L. Kerr*, Speaker.

Passed the Legislative Council, 19th December 1827.

(signed) *Wm. Vesey Mummings*, President.

Assented to, the 22d day of December 1827.

(signed) *Lewis Grant*.

A true copy from the original Act.

(signed) *C. B. Nesbitt*, Dep. Secretary.