

An ACT to prohibit the Inhabitants of this Island from employing, their Negroes or other Slaves, in selling or bartering. N^o. 116.

WHEREAS sundry persons do daily send their Negroes and other Slaves to the several Towns in this Island and other places, to sell and dispose of all sorts of Quick-stock, Corn, Fruit, Pulse, and other things under colour of which they traffick among themselves, and buy, receive and dispose of all sorts of stolen Goods, to the great damage of the Inhabitants of this place: For remedy whereof, and to the intent poor People and Servants may not want employment and encouragement, Be it enacted by his Excellency *Mitford Crowe*, Esq; Captain General and Governor in chief of this and other the *Caribbee-Islands*, lying and being to windward of *Guadaloupe*, the Honourable the Members of her Majesty's Council, and the General Assembly of this Island, and by the Authority of the same, that from and after publication of this Act, no person or persons whatsoever shall send or employ any Negro or Negroes, or other Slave or Slaves in selling, bartering, or disposing of any Goods, Wares, Merchandize, Stock, Poultry, Corn, Fruit, Roots, or other effects, or things whatsoever to any person or persons whatsoever: And if any white person whatsoever shall be found buying of or bartering with any Negro or Negroes, or other Slave or Slaves, any of the before enumerated Goods, or Commodities, or any other thing or things whatsoever, he or she shall for each offence, forfeit and pay the sum of five pounds current money of this Island to Her Majesty, Her Heirs and Successors, for the use of the Informer; to be recovered by complaint upon oath to the next Justice of the Peace, who is hereby impowered and required to administer the same. And if such white person shall not be able to pay his or her fine, in such case he or she shall receive one and twenty lashes on the bare back, by order of the said Justice before whom such complaint shall come.

AND be it further enacted by the Authority aforesaid, that all and every Negro or Negroes, or other Slave or Slaves who shall be found selling, or bartering any the before-mentioned goods or commodities, shall have and receive by order of any Justice of the Peace, one and twenty stripes on his or her bare back, upon proof thereof made by any white person.

PROVIDED that this Act do not extend to prevent any Negroes, or other Slaves from selling any Stock, or other things to his or her, or their Master, Mistress, Chief-overseer or Manager; or to prevent any Negroes or other Slaves from selling Milk, Horse-meat, or Fire-wood to any person or persons whatsoever.

PROVIDED also that all such Negroes and other Slaves who are employed in selling Milk, Horse-meat, or Fire-wood shall have at all such times that he, she, or they are selling the same, a metalled Collar locked about his, her or their Neck or Necks, Leg or Legs, with the name of his or her Master or Mistress engraven thereon, and the name of the

Preamble.

Clause I.

No Negroes to be employed in selling or bartering, on any account whatever; and the Persons found buying of, or bartering with any Negro, for each offence shall forfeit 5l. and if Poor receive 21 lashes, by Order of the Justice complained to.

Clause II.

The Negroes so selling, &c. shall receive 21 lashes.

Proviso.

Not to prevent Negroes selling stock or other things to his Master, &c. or Milk, Wood, and Horse meat to any other Person.

Proviso.

The said Negroes selling Milk, &c. to have a Collar.

Parish wherein they live, and also the name of the person who made such Collar.

Clause III.

Any white Person going with any Negro to dispose of Goods, without the consent of the Owner of such Negro, shall forfeit 20*l.* for the first offence; or if Poor receive 21 lashes.

AND be it further enacted by the Authority aforesaid, that if any white person or persons shall undertake to go with any Negro or Negroes, Slave or Slaves, or shall by any means suffer him or herself to be procured to go with any Negro or other Slave to dispose of any Goods whatsoever, without the consent of the Owner of such Negro or Slave, such white person or persons upon proof thereof before the next Justice of the Peace, shall forfeit and pay for the first offence twenty shillings current money to Her Majesty, Her Heirs and Successors, to and for the use of the Informer, to be recovered as in case of Servants wages; and for want of payment thereof, he or she shall by order of the Justice before whom such complaint is made, receive one and twenty lashes on his or her bare back; and for every conviction afterwards of the like offence, he or she shall forfeit and pay the sum of five pounds current money to Her Majesty for the use aforesaid; or be punished by receiving one and twenty lashes on the bare back.

And for every Conviction after, 5*l.* or 21 lashes.

Clause IV.

Punishment for such as shall make Collars for Negroes, contrary to their Master's knowledge, or consent.

AND be it further enacted by the Authority aforesaid, that if any person or persons whatsoever, shall presume to make any such Collars for Negroes Necks or Legs as aforesaid, whereby any Negro or Negroes, or other Slave or Slaves, may have the custody or keeping of them, contrary to his, her or their Master or Mistress's knowledge or consent, upon due proof by the oath of one or more credible witnesses, or the parties own confession before any one of Her Majesty's Justices of the Peace in this Island, the said Justice shall issue his Warrant or Warrants against each and every such Offender for ten pounds current money; to be levied as in case of Servant's wages, to Her Majesty for the use of the Informer or Informers, and the party guilty shall stand committed until the same be paid.

Clause V.

Penalty on such as suffer their Negroes to go at large, and receive a daily, weekly, or monthly Sum therefor, or any other consideration.

AND be it further enacted by the Authority aforesaid, that if any person or persons inhabiting this Island, being Owner or Possessor of any Negro or Negroes, or other Slave or Slaves, shall permit such Negro or Negroes, or other Slave or Slaves to go at large, and hire out him, her, or themselves to any person or persons, or follow any trade, occupation or calling, and receive the profits thereof to him, her, or themselves, or rendering to his or her said Master or Mistress, or to any other person or persons whatsoever for their use, a daily, weekly, or monthly sum of money, or any other income, or any manner of gratuity whatsoever, every such person so suffering such Negro or Negroes, or other Slave or Slaves to go at large, or hire him, her, or themselves as aforesaid, for every such offence shall forfeit the sum of ten pounds current money for each Negro or other Slave, upon Conviction thereof by the oath of any one or more credible witnesses, or the parties own confession before the two next Justices of the Peace, to the party complaining; to be recovered by Warrant from the said Justices as in case of Servants wages, to Her Majesty, Her Heirs and Successors, the one half to the use of the Fortifications of this Island, and the other to the Informer; and shall by the said Justices be obliged to give security in the sum of one hundred pounds current money, that the said Negro or any other of his Negroes or Slaves, shall not for the future commit by his consent, the aforesaid crime; and he, she, or they shall stand committed until they perform the same.

Clause VI.

Penalty on such as employ Negroes without agreeing with the Owner.
See the preceding Clause, and the Decree of 1789, No. 117.

AND be it further enacted by the Authority aforesaid, that whatsoever person or persons shall employ any Negro or Negroes, Slave or Slaves, without agreeing for them with the Owner, or such person as shall be in lawful possession of them, upon due proof thereof made, he, she, or they shall

shall forfeit and pay the sum of ten pounds current money to the same uses; and to be recovered after the same manner as is before expressed and mentioned, in case of any persons letting their Negroes go at large and hire out themselves.

AND whereas the Inhabitants of this Island do often put Hooks and Rings, or Collars round their Negroes Necks and Legs, that absent themselves and run away from their Master or Mistress's service, the better to distinguish them, so that hereby they may be apprehended and brought home: And whereas of late some persons have and do often take off such Pot-hooks and Rings, by which means they are not known, and thereby keep out much longer from their Master's and Mistress's service, to their great detriment and damage: For prevention of which, Be it enacted by the Authority aforesaid, that if any white person or persons shall take off any Pot-hook, Ring or Collar from any Negro or Negroes, or other Slave or Slaves Neck or Necks, Leg or Legs, without leave of their Master, Mistress, or Overseer, such person or persons shall forfeit and pay the sum of ten pounds current money to Her Majesty, Her Heirs and Successors, to be paid to the Owner of such Negro or other Slave from whose Neck or Legs, any Pot-hook, Ring or Collar shall be taken as aforesaid, due proof thereof being made before any of her Majesty's Justices of the Peace, or the parties own confession; to be recovered as in case of Servant's wages; and in case any Negro or Negroes shall be found guilty thereof, such Negro or Negroes shall receive forty lashes on his or her bare back, by order of any one of Her Majesty's Justices of the Peace.

Clause VII.

Penalty on such as shall take off a Negroe's Collar without leave of his Master, &c.

AND whereas many Hucksters and other persons in this Island have, notwithstanding the forfeitures and penalties of several Laws heretofore made against the trading with Negroes, still cunningly held and privately carried on a private correspondence with them, and thereby very much encouraged thefts and robberies, to the great damage of many of the Inhabitants of this Island: And whereas it is impossible altogether to discourage and find out such evil practices, without there be some fit persons appointed to discover, make known and prosecute all such persons as aforesaid; Be it therefore enacted by the Authority aforesaid, that within twenty days after the publication of this Act, the Clerk of the Markets of this Island shall, and is hereby required to hire annually two able Men, who shall be allowed and paid out of the Public Treasury of this Island, the sum of fifteen pounds current money of this Island, each *per Annum*; and such persons to be appointed shall have full power and Authority to apprehend any Negro or Negroes that come into the said Town to sell, or dispose of any Goods or Commodities whatsoever, without being licensed as aforesaid, either by having some white person with them, or a metal Collar on his Neck or Leg; and shall also diligently inspect the Tippling-houses, Huckstering-shops, Markets and all other suspected places within or near the said Town; and in case they or either of them shall find, or know of any white person or persons that shall trade, barter, or any ways deal with any Negro or Negroes, they shall proceed against such person or persons as before in this Act is appointed, and in like manner against all Negro and Negroes: And for the more strict performance of the duty required of the persons to be appointed as aforesaid, they shall before they enter upon their Office, appear before any one of Her Majesty's Justices of the Peace within the Town aforesaid and take the following Oath, *viz.*

See No. 82. Cl. 4.

Clause VIII.

The Clerk of the Market to hire two able Men, to apprehend any Negro, &c. that shall come to Town to sell any Goods, &c. without having a Collar.

And shall also inspect the Tippling-houses, Huckster-Shops, Markets, &c. and if they know of, or find any white Person trading as aforesaid, shall apply to a Justice of Peace.

See Cl. 4. 5; and 6.

The Oath to be taken by the Clerk of the Market, his Deputies, before they enter on their Office.

I A. B. do sincerely promise and swear, that I will diligently and carefully perform the duty required of me by an Act of this Island, entitled, “An Act to prohibit the Inhabitants of this Island, from employing their Negroes and other Slaves, in selling or bartering:” And I will use my utmost endeavours to discover and make known all such person and persons that shall any ways deal, or trade with any Negroes, or other Slaves; and as often as I shall discover or know of any such, I will inform one of Her Majesty’s Justices of the Peace thereof, and will prosecute all such person or persons to the utmost of my power.

So help me God.

Clause IX.

Penalty on the Justices retal’d to act herein.

AND be it further enacted by the Authority aforesaid, that if any Justice of the Peace within this Island (the Members of Her Majesty’s Council excepted) shall refuse doing and performing all, or any the matters and things enjoined him by this Law, for the space of six days after any complaint shall be made to him, such Justice shall forfeit to Her Majesty, to and for the use of the Party grieved, the sum of ten pounds current Money; to be recovered before the next Justice of the Peace to the Party complaining, as in case of Servants Wages, and be made incapable of serving in such post or office for the future.

Passed the 6th day of January, 1708.