

No. 1. (Voucher).

Barbadoes.—An Act for amending an Act of this Island, entitled an Act for the Governing of Negroes, and for providing a proper Maintenance and Support for such Negroes, Indians, or Mulattoes as shall be hereafter manumitted or set free, and also for preventing certain Inconveniences from them arising to the Inhabitants of this Island.

WHEREAS the sentence of death passed by the justices and freeholders in pursuance of an Act of this island bearing date the eighth day of August, one thousand six hundred and eighty-eight, entitled "An Act for the Governing of Negroes," against any Negro or other Slave tried before them is immediately put into execution, without any stay or respite, whereby the owner or possessor of such Negro or other Slave is prevented from bringing a writ of error to reverse the judgment or sentence, which in some instances hath been thought erroneous, and many times by the malice or ill-will of the prosecutor, as well as by the obstinacy of the owner or possessor of the Slave complained against, the pains of death hath, in pursuance of the letter or construction of the said Act been inflicted on such Slave, when more proper and effectual methods might have been used if the justices and freeholders had been empowered so to do, and thereby the large sums of money that have been paid out of the treasury for such executed Slave might and ought to have been saved, as well as the life of such Slave preserved. And whereas many persons in this island having manumitted and set free several Negroes and other Slaves without making proper provision for their maintenance and support, they continuing their baseness, have, instead of supporting themselves by honest labour and industry, through idleness and other vices, been greatly injurious to the inhabitants, in enticing and corrupting other Slaves to steal, and rob their owners, presuming that as they cannot be tried as Slaves, the evidence or testimony of a Slave, cannot legally be received against them, and thereby have hitherto escaped with impunity. To prevent and remedy the mischiefs and inconveniences before mentioned from happening hereafter; be it enacted by his Excellency the Honourable Robert Byng, Esq. Captain-general and Governor-in-chief of this and all other His Majesty's Caribbee Islands to windward of Guadaloupe, &c. The Honourable the members of His Majesty's Council, and the General Assembly of this island, and by the authority of the same; that for the future, if the justices and freeholders, or the major part of them, on the trial of any Negro or other Slave or Slaves for life, for any the crimes mentioned in the Act or statute aforesaid, shall find that the matters charged are not of a heinous nature, nor the criminal or criminals not to be an old offender or offenders, and shall think him, her, or them, an object deserving less severity, the said justices and freeholders, or the major part of them shall and they are hereby directed and empowered to use their best endeavours to compromise the offence between the prosecutor and owner or possessor of such Negro or Slave or Slaves, and prescribe such proper and effectual methods between both parties as to the said justices and freeholders or the major part of them, shall appear to be most requisite and equitable for saving the life of such Slave or Slaves, and for satisfying and repairing the loss or injury done to the prosecutor, who shall, and is hereby entitled to demand from the said justices an execution which they are hereby directed and empowered to issue to be proceeded on as in case of servants' wages against the owner or possessor of any Slave or Slaves, for the sum agreed to be paid in satisfaction for such offence, and not complied with to such prosecutor. Yet if the means so prescribed, shall not be agreed to by both or either of the parties concerned, but they, either, or any of them, shall insist to have the said Slave or Slaves condemned, and executed, according to the strict words and appointments of the said Act, then and in such case, the said justices shall commit such Slave or Slaves to the common gaol of this island, and shall certify the whole evidence and all

Sentence of death being passed on a Slave and appeal moved for; execution to be stayed for ten days to obtain writ of error.

Court of error to give judgment as they may think fit.

Costs to be awarded against persons making vexatious appeals.

Justices and freeholders trying Slaves for life where the offences are not heinous nor the criminals old offenders, may compromise the matter or certify the same to the governor and council, who are empowered to do what they think just.

Testimony of Slaves with corroborating circumstances to be received against free persons.



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their proceedings with their opinion concerning the said Slave or Slaves to the governor or commander in chief of this island for the time being, and council, who shall and are hereby empowered and humbly desired to hear and determine the same, and do therein what they think just and equitable in either confirming, disapproving or altering the appointments made by the said justices and freeholders to prevent the execution of the said Slave or Slaves, or to direct the said justices and freeholders strictly to put the said law in force against the offender or offenders, who shall at the owner's or possessor's charge and expense continue in the common gaol of this island till such determination shall be had and made.

And be it further enacted by the authority aforesaid, that if on the trial of any Negro, or other Slave or Slaves, before the said justices and freeholders, and after judgment of death shall be given thereon, the owner or possessor of such Negro or other Slave or Slaves, or any person in his, her, or their behalf shall desire to appeal from such judgment, the execution of such Slave or Slaves shall and is hereby directed to be stayed for the space of ten days, that such owner or possessor may have time to apply to the governor or commander in chief of this island for the time being, for a writ of error for transmitting the papers and proceedings of such trial to the court of errors, there to be heard and determined, and in the mean time the criminal or criminals shall by the said justices be committed to the common gaol of this island, there to continue at the owner's or possessor's charge and expense, closely confined till the said ten days shall be expired, or till such writ of error shall be heard and determined, and the said court of errors shall, and is hereby fully authorized and empowered to give such judgment as may be proper according as the circumstances of the case shall appear, without being strictly confined, only to affirm or reverse the judgment or sentence of the said justices and freeholders, and such judgment so to be given by the said court of errors shall, and is hereby declared to be binding and conclusive, and be strictly observed by all parties concerned.

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Court of error to give judgment as they may think fit.

And be it further enacted by the authority aforesaid, that the governor or commander in chief of this island for the time being, and council shall be, and they are hereby empowered and humbly desired if they think fit, to award cost against any person who shall appear to be obstinate or vexatious in not complying with what the justices and freeholders direct or appoint, or for bringing a writ of error for their judgment without having good cause for so doing.

Costs to be awarded against persons making vexatious appeals.

And be it further enacted by the authority aforesaid, that no person whatsoever who shall hereafter apprehend or take up any Negro or other Slave or Slaves that hath or have been runaway from his, her, or their owner or possessor, for above the space of six or twelve months, shall be entitled to demand and receive the respective sums mentioned and appointed in the said Act entitled "An Act for the governing of Negroes," unless it shall appear that a guard was on purpose raised for seizing and apprehending such Slave or Slaves, and that it was with very great difficulty he, she, or they, was or were apprehended; but the sum to be paid for taking up such Slave or Slaves, if the owner or possessor and the constable or other person disagree about the same, shall be settled and determined by the nearest justice of the peace to the habitation of the owner or possessor not exceeding the sum of ten shillings for six months, and twenty shillings for twelve months, and such justice shall and is hereby empowered to cause the sum he shall think reasonable to be paid, not exceeding the sums aforesaid, to be raised as in the case of servants' wages.

The sums given by former Act for apprehending runaway Slaves not to be paid unless a guard was raised for the purpose.

And be it further enacted by the authority aforesaid, that hereafter the evidence or testimony of any Slave, where the same is supported with very good and sufficient corroborating circumstances, against any free Negro, Indian, or Mulatto, whether baptized or not, shall be received, allowed, and taken before any justice of the peace, or in any court of record or other judicature in this island, and shall be deemed and adjudged as the same is hereby declared to be as good, valid, and effectual in the law, to

Testimony of Slaves with corroborating circumstances to be received against free persons.



all intents and purposes whatsoever, as if the Slave giving evidence or testimony was free, baptized, and not under servitude or bondage to any person whatsoever.

And be it further enacted by the authority aforesaid, that whoever shall hereafter by deed, or will, or by any other ways or means whatsoever manumit, set free, or discharge from Slavery any Negro or other Slave or Slaves, such person or persons shall for the better support of such Negro or Slave, and to prevent their becoming burthensome to the parish in which he, she, or they, shall live or reside, deposit, or direct to be paid into the hands of the churchwarden for the time being of the said parish, for each Negro or other Slave so manumitted, set free, or discharged from Slavery, the sum of fifty pounds current money, to be by the said churchwarden and the vestry of the said parish for the time being improved to the best advantage; and the said vestry shall direct and appoint the sum of four pounds current money for the maintenance and support of such person so manumitted and set free, to be annually paid to him or her; and in case such person or persons shall neglect or refuse to deposit, or direct such sum to be paid for the purpose aforesaid, the same shall by the churchwarden for the time being, immediately after such manumission or freedom be recovered by action in the court of common pleas for the proper precinct, or by a suit in equity against the person or persons, or his, her, or their representative giving such freedom; and be levied on his, her, or their proper estate, which is hereby made chargeable with the payment thereof. And if the said vestry shall, after the payment or recovery of the sum before mentioned, refuse to appoint such annual sum to the said free person, or the same shall not be annually paid to him or her, he or she shall, and is hereby enabled and empowered to recover the said annuity as in case of servants' wages before any justice of the peace, who is hereby directed and required to hear and determine the same, and to proceed thereon against the churchwarden of the said parish for the time being, in manner aforesaid.

Recites the vestry of former law respecting the manumission of Slaves.

The sum of fifty pounds to be paid on the manumitting of a Slave.

The manumitted Slave to receive four pounds per annum.

Mode of recovering the fifty pounds, and also the four pounds per annum.

Churchwarden to proceed to enforce the manumission of slaves, directed to be paid by will.

Read three times and passed the Council unanimously, and was assented to by his Excellency, this 27th day of February, 1739.

(Signed) WILLIAM DUKE, Deputy Clerk of Council.

Read and passed the General Assembly this 12th day of February, 1739, *nemine contradicente*.

(Signed) EDWARD GROVE, Deputy Clerk of the General Assembly.

(Signed) ROBERT BYNG.

No. 2. (Voucher.)

Barbadoes.—An Act to amend an Act of this Island, entitled "An Act for amending an Act of this Island, entitled an Act for the governing of Negroes, and for providing a proper Maintenance and Support for such Negroes, Indians, or Mulattoes, as hereafter shall be manumitted or set free; as also for preventing certain Inconveniences from them arising to the Inhabitants of this Island."

WHEREAS by an Act of this island, bearing date the twenty-seventh day of February, one thousand seven hundred and thirty-nine, entitled "An Act for amending An Act of this Island, entitled an Act for the the Governing of Negroes, and for providing a proper Maintenance and Support for such Negroes, Indians, or Mulattoes, as hereafter shall be manumitted or set free; as also for preventing certain Inconveniences from them arising to the Inhabitants of this Island," it is enacted that whoever shall hereafter, by deed or will, or by any other ways or means whatsoever, manumit, set free, or discharge from slavery, any Negro or other Slave or Slaves, such person or persons shall for the better support of such Negro or Slave, and to prevent their becoming burthensome to the parish in which he, she, or they shall live or reside, deposit or direct to be paid into the