

No. 5. (MOORE.) An Act to amend an Act entitled "An Act for the Governing of Negroes."

Preamble. Hall's Laws, No. 82, Cl. 2d, recited.

WHEREAS, by an Act or Statute of this island, passed the eighth day of August, one thousand six hundred and eighty-eight, entitled "An Act for the Governing of Negroes," it is among other things enacted, "that it shall and may be lawful for all masters, overseers, and other persons whatsoever, to apprehend and take up any Negro or other Slave or Slaves that shall be found out of the plantation of his or their master or owner at any time, especially Saturday nights, Sundays, or other holidays, not being on lawful business, and with a letter from their master, or a ticket, or not having a white man with them (except only such Negro or other Slave or Slaves as usually attend their masters, and have on a livery), and the said Negro or other Slave or Slaves correct by a moderate whipping; and after notice given to their master, owner, or overseer, him or them detain until the said master, owner, or overseer pay to the said person that took him up, two shillings and sixpence for every such Negro or other Slave, he making oath before the next justice of the peace (if thereunto required by the owner of such Negro or other Slave,) that he found or saw no letter or ticket with him." And whereas divers ill-disposed and malicious persons, against whom they had conceived malice and ill-will have, under colour of the said recited Act, though contrary to the spirit and true intention thereof, made it their practice to apprehend, take up, and correct Slaves, whom of their own knowledge they knew were on the lawful business) of their owners, merely because such Slaves were without tickets, which practice being very prejudicial and injurious to the owners of Slaves, particularly to those who, from the situation of their different estates, render it necessary that their Slaves should be frequently passing from one estate to another, and from their dwelling houses and estates to the towns and bays: For remedy thereof for the future, be it enacted by his Excellency Charles Pinfold, Esq., Captain General, Governor, and Commander-in-chief of this island, &c., the Honourable the members of his Majesty's Council, and the General Assembly, and by the authority of the same, that when any person shall hereafter, by virtue of the said recited Act or otherwise, apprehend and take up any Negro or other Slave or Slaves that shall be found out of the plantation of his, her, or their master or owner, and without a letter or ticket of such master or owner, such person so apprehending such Slave or Slaves shall not correct or whip him, her, or them, as directed by the said Act, but shall immediately carry the said Slave or Slaves to the next justice of the peace, and shall make oath before the said justice that he found or saw no letter or ticket with such Slave or Slaves, and further also, that he verily believed such Slave or Slaves was or were not on the lawful business of his, her, or their owner or owners; and the said justice shall thereupon summon before him the owner or owners of such Slave or Slaves, and shall direct the said owner or owners to pay unto the person so apprehending such Slaves, two shillings and sixpence for every such Slave; and the said justice shall also inquire into the cause of such Slave or Slaves absence from the plantation of his, her, or their owner or owners, and if it shall appear to the said justice that the said Slave or Slaves was or were not on lawful business, he or they shall, by order of the said justice, be corrected by a moderate whipping: Provided always, nevertheless, that this Act shall not extend to owners and overseers of plantations, who shall take up and apprehend Slaves found by them on such plantations, nor to any other person who shall take up and apprehend Slaves at any public meetings of such Slaves on Saturday nights, Sundays, or other holydays, or who shall take up and apprehend Slaves using and carrying of large clubs, wooden swords, or other mischievous and dangerous weapons, or doing any act tending to a breach of the peace, or disturbance of the neighbourhood; but all owners and overseers of plantations apprehending Slaves found by them on such plantations, and all other persons apprehending them at their public meetings on Saturday nights, Sundays, and other holydays, or carrying dangerous weapons, or doing any

Clause 1. A person who apprehends a Slave out of the owner's plantation without a livery, letter, or ticket, is not to correct, but to carry such Slave to the next justice, and make oath he saw or found no letter or ticket with such Slave, and that he believed such Slave was not on the owner's lawful business, upon which the justice is to summon the owner before him, and direct such owner to pay the person apprehending the Slave two shillings and sixpence; and the justice is also to inquire into the cause of the Slave's offence; and if the Slave was not on lawful business, to order a moderate whipping.

Proviso— This Act not to extend to Slaves apprehended on a plantation, or at any public meeting of Slaves on Saturday nights, &c., or to Slaves carrying large clubs, &c., or doing any Act tending to a breach of the peace.

the offender shall be committed to jail, or worn out here to remain for any time not exceeding two months, unless such owner fail or manumit for any time not exceeding two months, unless such owner



act tending to a breach of the peace, or disturbance of the neighbourhood, as aforesaid, shall and may, in all such cases, proceed against such Slaves in the manner prescribed by the said recited Act, entitled "An Act for the governing of Negroes," any thing in this Act contained to the contrary notwithstanding.

And be it further enacted by the authority aforesaid, that nothing contained herein shall be of force or effect until His Majesty's pleasure shall be signified and declared in this island, of and concerning the same.

Clause 2.

Passed April 15th, 1766.

Confirmed July 24th, 1767.

No. 37. (MOORE.) An Act to prevent distempered, maimed, and worn-out Negroes from infesting the Towns, Streets, and Highways of this Island.

WHEREAS it has for some time past been the cruel practice of some persons possessing Negroes (who from their old age and infirmities are incapable of further service to their inhuman owners,) to drive them from their plantations to beg, steal, or starve; which said unhappy objects are daily infesting the public streets of the several towns in this island, greatly to the annoyance and nuisance of the inhabitants thereof. To prevent such inhuman practices for the future, so disgraceful and dangerous to the country, Be it therefore enacted by his Excellency David Parry, Esq., Captain General, Governor and Commander-in-chief of this island, Chancellor, Ordinary, and Vice-Admiral of the same, the honourable the members of His Majesty's Council, and the General Assembly of this island, and by the authority of the same, that from and after the publication of this Act, the owner or owners of any distempered, maimed, or worn-out Negro or Negroes, Mulatto, or other Slaves, suffering such distempered, maimed, or worn-out Negro, Mulatto, or other Slaves, to infest the towns, streets, lanes, public highways, or avenues leading to the several towns of this island, upon notice or summons under the hand and seal of any magistrate in this island, delivered to the owner or owners of such Negro, Mulatto, or other Slave or Slaves, or left at his, her, or their most usual place of residence, with a white person, acquainting him, her, or them, with the nuisance the public sustain thereby, the said owner or owners of such distempered Slave or Slaves (Negro or Mulatto) not removing the same within the space of four days after receiving such notice as aforesaid, shall, on conviction before the magistrate who issued such notice or summons, or any other magistrate for the body of this island, forfeit and pay for every offence the sum of five pounds, and the magistrate before whom such conviction shall be had, shall cause such distempered, maimed, or worn-out Slave or Slaves to be immediately removed and conveyed to the owner or owners of such Slave or Slaves, or to his, her, or their habitation or place of residence, and pay the charges and expenses thereof with or out of the said penalty of five pounds, one-third of the overplus, if any be, of the said sum to be applied to the use of the constable or person who shall apprehend such distempered, maimed, or worn-out Slave or Slaves, and the other two thirds to be placed in the public treasury; and if any person or persons offending as aforesaid, shall not immediately upon his, her, or their being thereof as aforesaid convicted, pay to the said justice or justices of the peace before whom such convictions shall be made, the said forfeiture or forfeitures for the uses aforesaid, then every such justice or justices of the peace, is and are hereby empowered and required by warrant of distress under his or their hands and seals, to levy on the goods and chattels of the offender, and in failure of goods and chattels in possession of such offender whereon such forfeiture may be levied, then, and in such case, every such justice or justices to commit every owner or owners of such distempered, maimed, or worn-out Slave or Slaves to the common gaol of this island, there to remain without bail or mainprize for any time not exceeding two months, unless such owner

Preamble  
Hall's Laws, No. 82  
Cl. 2d, recited.

Preamble.

Clause 1.  
A person who sends a Slave out of the owner's plantation without a hivery letter, or ticket is not to correct but to carry such Slave to the nearest Justice of the Peace, and there to deliver him to the Justice of the Peace, who is to inquire into the cause of the Slave's offence, and if the Slave was not on lawful duty, the magistrate is to cause such Slave to be removed to the owner, or habitation of the owner, and pay the charges out of the penalty.

The magistrate is to cause such Slave to be removed to the owner, or habitation of the owner, and pay the charges out of the penalty.

One-third of the overplus of the penalty to be paid the person apprehending the Slave, and the other two-thirds placed in the public treasury.

The penalty if not immediately paid, is to be by warrant of distress levied on the offender's goods, and on failure of goods

the offender shall be committed to gaol, there to remain for any time not exceeding two months, unless the penalty be sooner paid.