

or owners shall sooner pay such forfeiture or forfeitures to the said justice or justices of the peace, to be applied in manner aforesaid.

Passed January 18th, 1785.

13.

Barbadoes.—An Act to remove Doubts concerning the Trial of Slaves manumitted after the Commission of Felonies of which they may stand accused.

WHEREAS doubts have arisen whether a Slave accused of murder or any other felony, and manumitted after the commission of the Act of which he is accused, is amenable and subject to the laws and statutes of this island now in force for the trial of Slaves charged with the commission of the aforesaid felonies.

Clause 1.

Be it therefore enacted by the Honourable John Spooner, President of His Majesty's Council, 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 any Slave or Slaves accused of murder or any other felony or felonies shall be liable to be tried as a Slave, and shall be amenable and subject to all the laws and statutes of this island now in force for regulating and directing the trial of Slaves, notwithstanding any attempt to elude the law by any deed or deeds of manumission to the said Slave or Slaves executed after the commission of the said murder, or any other felony or felonies of which the said Slave or Slaves shall stand charged with the commission.

Clause 1. If Slaves, accused of murder or other felony be subsequently freed they are to be tried as Slaves.

Clause 2. And the deeds of manumission to be void.

And be it further enacted by the authority aforesaid, that all deeds of manumission of any Slave or Slaves after the commission of any murder or other felony of which the said Slave or Slaves is or are accused, and previous to the trial and acquittal of the said Slave or Slaves for the said offence or offences, are and shall be of no effect, and shall be void to all intents and purposes.

Read three times and passed the Council unanimously, this 14th day of February, 1809. (Signed)

JAMES DOTTIN HUSBANDS, Deputy Clerk of the Council.

Read three times and passed the General Assembly unanimously, the 14th day of February, 1809. (Signed)

JAMES GRASELL, Acting Clerk to the General Assembly. (Signed) JOHN SPOONER.

Assented to by his Honour the President, on the 14th day of March, 1809. (Signed) J. DOTTIN HUSBANDS, Deputy Secretary.

14.

Barbadoes.—An Act to Repeal part of an Act entitled "An Act for the Governing of Negroes," and for building and regulating a New Cage.

WHEREAS the building heretofore used for the confinement of runaway Slaves in this island, and commonly called the cage, is inconvenient in its situation, and unfit for the purposes for which the same was intended; and whereas it is highly necessary for the preservation of private property, and for the promotion of public justice, that the building wherein such Slaves are confined should be healthy and commodious; and whereas it is expedient that the Acts, Statutes, Provisions, and Regulations heretofore made, passed, and enacted of and concerning the said cage, should be united and consolidated in one general Act; Be it therefore enacted by his Excellency the Right Honourable Stapleton, Lord Combermere, Knight, Grand Cross of the Most

Clause 4. Persons apprehending runaway Slaves, to take them before the treasurer or (in his absence or sickness) before a Justice of the Peace, and on making oath as required, to receive twelve shillings and six pence for each Slave.

Honourable Military Order of the Bath, and of the Portuguese Royal Military Order of the Tower and Sword, His Majesty's Captain General and Governor-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 passing of this Act, the seventh, eighth, ninth, and tenth, clauses of an Act of this island, entitled "An Act for the governing of Negroes," and all and every the acts and statutes of this island, which have been at any time heretofore made and passed in anywise relating to the said cage, shall be and the same are hereby, so far as the same concern or relate to the said cage, repealed and made void to all intents and purposes whatsoever, and the several provisions and regulations herein made respecting the said cage are hereby declared and enacted to be alone in force.

The 7th, 8th, 9th, and 10th Clauses of No. 82, Hall's Laws, and all other laws relating to the cage repealed.

And be it further enacted by the authority aforesaid, that a new cage shall be forthwith erected and built on the spot of land where Willoughby Fort stood, and which said spot of land together with the buildings thereon erected, is hereby given and allotted for the purpose aforesaid, in the place and stead, and for the purposes for which the present cage has hitherto been used under the regulations and restrictions hereinafter expressed.

Clause 2.
Directs a new cage to be erected, on the site of Willoughby Fort.

And be it further enacted by the authority aforesaid, that three members of His Majesty's Council to be appointed by the Commander-in-chief of this island for the time being, and five members of the General Assembly, to be appointed by the speaker of the said Assembly for the time being, shall be and they are hereby appointed commissioners, three of whom are hereby declared to be a board to superintend the building of the said new cage, which said commissioners or any three of them are hereby invested with full and ample powers to contract and agree with any person or persons whomsoever, for building the said cage, and completely finishing the same according to a plan hereto annexed; (which plan, however, may in any instance be varied from or altered by the consent of a majority of a board of the said commissioners, if they shall see fit,) and the said commissioners or any three of them, shall have full power and authority to agree with the said contractor, completely to build and finish the said cage in a masterly and workman-like manner, within a given time to be agreed on, and at and for a certain price or sum not exceeding the sum of three hundred pounds; and the said commissioners or any three of them are hereby required to take good and sufficient security from the contractor or contractors for the due performance of his or their contract, and when and so soon as the said commissioners or any three of them, shall certify in writing to the treasurer of this island for the time being, that the said building has been finished according to the contract and agreement entered into respecting the same, then, and in such case, the said treasurer shall pay to the said contractor the sum which shall appear by the said certificate, to be due and payable under and by virtue of the contract so to be entered into as aforesaid; and the said commissioners or any three of them, are hereby also fully authorized, whenever the said cage shall require to be repaired, to report the same to the House of Assembly, that measures may be immediately taken for making such repairs, it being hereby declared that the new cage shall be constantly kept in repair at the expense of the island.

Clause 3.
Commissioners for building the cage appointed, with power to enter into contracts, &c.

And be it further enacted by the authority aforesaid, that all and every person and persons who shall hereafter take up or apprehend any runaway or fugitive Negro or Negroes, or other Slave or Slaves, shall, and he and they is and are hereby ordered and directed in the first place, to bring the said Slave or Slaves, to the treasurer of this island for the time being, and shall before him the said treasurer (or in case of the sickness or absence of the said treasurer, then before any justice of the peace in Bridge Town, who is hereby required to return such affidavit to the said treasurer,) make oath of his name and place of abode, with the time when and the place where he apprehended such fugitive Slave or Slaves, and that he suspects and has good cause to believe that the said Slave or Slaves, is or are runaway, which oath the said treasurer is hereby required to take and enter in a book, to the intent that all owners of Slaves may come to the right knowledge and understanding when their Slaves were apprehended and by whom, and whether they might be

Clause 4.
Persons apprehending runaway Slaves, to take them before the treasurer or (in his absence or sickness) before a justice of the peace, and on making oath as required, to receive twelve shillings and six pence for each Slave.

wrongfully taken up or not; and the said treasurer is hereby directed and required, after such oath as aforesaid, to pay out of the public treasury of this island, to the person or persons so apprehending such Slave or Slaves, and so having made such oath before the said treasurer, or the said justice of the peace as aforesaid, the sum of twelve shillings and sixpence currency for each and every Slave so apprehended as aforesaid; and in case the said treasurer shall neglect or refuse to pay the said sum of twelve shillings and sixpence, the same shall be recovered against the said treasurer on complaint of the person or persons so apprehending such Slave or Slaves, to any justice of the peace, as in the case of servants' wages; and after such oath shall be so taken as aforesaid, the person or persons so apprehending such Slave or Slaves, shall under the penalty of five pounds, to be recovered on the complaint of any person as in the case of servants' wages, carry the same and deliver him, her or them, to the provost marshal of this island, or his lawful deputy or deputies, who is and are hereby strictly charged and required to keep such Slave or Slaves in safe custody according to the provisions of this Act, and to furnish the said Slave or Slaves with good and sufficient food and drink, which is to be proved upon oath, if by the owner of the said Slave or Slaves it shall be required to be done: Provided always, if the said provost marshal suffer any Slave to escape, he shall make such satisfaction to the owner, as by the governor and council shall be thought fit, and shall repay to the said treasurer the said sum of twelve shillings and sixpence, which he paid on apprehending such Slave: and if the said provost marshal shall suffer any Slave to be any ways employed out of the cage before he or she shall be legally released, he shall forfeit for each Slave so suffered to be employed as aforesaid, to the owner thereof, the sum of ten pounds currency, to be recovered as aforesaid.

And be it further enacted by the authority aforesaid, that the male and female Slaves confined in the cage be kept in confinement in separate apartments, without any communication between them, and that not more than eleven males and eleven females be kept and confined at the same time in the said cage; and that the names of all such Slaves so confined as aforesaid, together with the names and descriptions of their respective owners, if known, be advertised by the provost marshal, or his lawful deputy, two successive times in the public newspaper of this island, in which the minutes of the House of Assembly for the time being may be printed and published, by order of the said House of Assembly; and after such Slave or Slaves shall be confined in the said cage for the space of ten days, and after such two advertisements as aforesaid, the said two advertisements to be made within the said ten days, such Slave or Slaves shall be sent by the said provost marshal to the common gaol of this island, there to be safely and securely confined. And if such Slave or Slaves shall not be claimed by his or her owner or owners, or his, her, or their lawful agent or agents, attorney or attornies, manager or managers, or other person or persons lawfully authorized to claim the said Slave or Slaves, within three calendar months, commencing from the day on which the said Slave or Slaves may be sent by the said provost marshal to the said gaol, and upon payment of the expenses hereinafter mentioned, it shall and may be lawful to and for the provost marshal of this island for the time being, or his lawful deputy or deputies, as he or they are hereby fully authorized and empowered, to sell and dispose, at public auction, of such Slave or Slaves for the most money that can be obtained for the same; of the time and place of which sale, notice shall be given in the said public newspapers of this island, for two successive times, immediately after the said Slave or Slaves shall have been so confined in the said gaol before such sale takes place, and the money arising from the sale of the said Slave or Slaves shall be paid, by the said provost marshal, into the public treasury of this island, for the uses of the island; and in case the purchaser or purchasers at outcry of such Slave or Slaves, shall not pay to the said provost marshal the sum or sums so bid for such Slave or Slaves within ten days, or in case the said provost marshal, after receiving the same, shall refuse or omit to pay it over to the said treasurer within ten days after he shall have so received the same, then, and in either of such

Provision for returning to owners the proceeds of Slaves sold.

Persons so apprehending Slaves to take them to the provost marshal to be confined in the cage, who is to furnish them with proper food and drink.

Provision for removing Slaves from the cage to the gaol when the number of such Slaves exceeds the number of the cage.

Punishment on provost marshal for suffering Slaves to escape, employing them out of the cage.

The like advertisements as when confined in the cage, and minister provisions of sale.

Clause 5. Male and female Slaves to be kept in separate apartments, and not more than eleven of each to be confined in the cage at the same time. Their names, and their owners, if known, to be published; after being confined ten days in cage, to be removed to the gaol.

Persons claiming Slaves from cage or gaol, to repay the twelve shillings and sixpence. If not claimed within three months, to be sold, and the money paid into the treasury.

Remedies against purchaser or provost marshal for not paying the money arising by such sale.

cases happening, the same proceedings shall be had against the said purchaser or purchasers, by the said provost marshal, or against the said provost marshal by the said treasurer, as the case may be, for raising the said money with twenty per cent thereon, as are had and used on sales at outcry in the Courts of Common Pleas. Provided always, nevertheless, that if at any time after the sale of such Slave or Slaves, it shall appear to the satisfaction of the governor and council, on application for that purpose, that the owner or owners of such Slave or Slaves so sold as aforesaid, was or were absent from this island, or labouring under any legal disability, so that he or she could not claim the said Slave or Slaves, then, and in such case, it shall and may be lawful to and for the said governor and council to issue their order to the treasurer of this island for the time being, to pay over to such owner or owners the net amount raised at outcry by the sale of his or her Slave or Slaves. Provided always, nevertheless, that if a tenant for life shall not claim such Slave or Slaves at or before the time of sale, and the person or persons entitled in remainder, or any person by him lawfully authorized, shall in his behalf put in a claim for the same, and offer to pay all expenses which have been incurred at the cage and gaol, he shall be entitled to immediate possession in fee of all such Slave or Slaves, and the tenant for life shall forfeit his estate in the same.

Provision for remitting to owners the proceeds of Slaves sold.

Provision that remainder-man may claim Slaves in confinement if tenant for life neglect to do so.

And be it further enacted by the authority aforesaid, that if, upon any male or female Slaves being brought to the said cage for admission therein, it should happen that the number of Slaves brought for admission, together with the Slaves then in confinement, exceed the number of male and female Slaves allowed by this Act to be confined at one and the same time in the said cage, then, and in such case, those Slaves who have been the longest confined in the said cage, notwithstanding they may not have been there ten days, shall be delivered to the keeper of the common gaol, there to be safely and securely kept. Provided, nevertheless, that the same advertisements as are hereinbefore required to be made, respecting Slaves confined in the cage, shall be made of and concerning the said Slave or Slaves so removed under the circumstances aforesaid, in the same manner as if the said Slaves had remained under confinement in the said cage, save and except that in the said advertisements, or either of them, it shall be stated that the said Slave or Slaves hath or have been removed to the said gaol in consequence of the number of persons therein confined. And such Slave or Slaves so removed from the cage to the gaol aforesaid, previous to the time when they shall have been so removed, shall be sold in the event of not being claimed within three calendar months, after being so sent to the gaol in the same manner, and under and subject to the same rules and regulations as are hereinbefore prescribed, with respect to those Slaves which shall be removed from the cage to the gaol in the regular time prescribed by this Act.

Clause 6. Provision for removing Slaves from the cage to the goal when the number of each may exceed the provisions of the Act, although they may not have been confined ten days.

The like advertisements as when confined in the cage, and similar provisions of sale.

Clause 5. Male and female Slaves to be kept in separate apartments and not more than eleven of each to be confined in the cage at the same time. Their names, and known to the keeper; after being confined ten days in cage, to be removed to the goal.

And be it further enacted by the authority aforesaid, that when any Slave or Slaves shall be claimed to be released, either from the said cage or from the gaol, it shall and may be lawful to and for the said provost marshal, or his lawful deputy or deputies, to demand and receive from the owner or owners of such Slave or Slaves, the sum of twelve shillings and sixpence, so paid as aforesaid by the said treasurer, on the apprehending any such runaway Slave or Slaves as aforesaid, and pay the same over to the said treasurer, and until the same be paid it shall be lawful for the said provost marshal to detain and keep such Slave or Slaves in his possession as aforesaid; and the said provost marshal shall also demand and receive the following fees, which must be paid before the said Slave or Slaves shall be delivered up, to wit, the sum of two shillings and sixpence for each Slave who shall have been so confined and delivered, and seven-pence half-penny for every twenty-four hours for feeding each Slave, and in case the said fees shall not be paid, the said Slave or Slaves shall be sold in the same manner as if no claim had been made. Provided always, and it is hereby further enacted, that the keeper of the cage, or the keeper of the gaol, if the Slave or Slaves shall have been removed to gaol, shall, and each of them is hereby strictly charged and required, before he delivers any Slave or Slaves who shall be claimed, to take a receipt from the person or persons claiming such Slave or Slaves, that he or they have either in his, her, or their own right, or in any other right, claimed and received such Slave or Slaves; and the said receipt shall also contain the name and full

Clause 7. Persons claiming Slaves from cage or gaol, to repay the twelve shillings and sixpence paid by the treasurer, or apprehending them, and provost marshal's fees.

Requisites to be observed by keeper of cage or gaol, on delivering of Slaves.

Remedies against purchaser or provost marshal for not paying the money arising by such sale.

description of the person or persons claiming such Slave or Slaves, together with the place of his, her, or their residence, and also the name and description of the Slave or Slaves so claimed and delivered up, which receipts shall be taken and recorded in one or more proper bound book or books, to be kept for that purpose respectively, by the keeper of the cage, and the keeper of the gaol, which books shall and may be inspected at any time in the day, by any person or persons whomsoever, without any fee or reward being paid for the same.

Clause 8.
Provost marshal to be keeper of the cage, and to make a return every month to the clerk of the General Assembly, of particulars respecting confinement and discharge of Slaves: return to be laid before the assembly.

Treasurer to account for the monies received by him.

Clause 9.
The magistrates of the island to be visitors of the cage;

And to report abuses to the House of Assembly.

Clause 10.
Offences committed by keeper of the cage, or his deputies, how to be punished.

Clause 11.
Keeper of the cage, under a penalty, not to receive any Slave in the cage, without certificate from the treasurer.

And be it further enacted by the authority aforesaid, that the said cage so to be erected as aforesaid shall be, and the same is hereby expressly declared to be, placed under the immediate care and direction of the provost marshal of this island for the time being, or his lawful deputy, who is hereby declared to be the keeper of the said cage, and to be responsible for the good government and conduct of the same; and the said provost marshal, or his lawful deputy, shall every month make a true, just, and correct return on oath to the clerk of the General Assembly of this island for the time being, of the number of Slaves who have been confined in the said cage, or gaol, the day on which the said Slave or Slaves was or were first confined in the cage, and the day on which discharged, the number sent to gaol, and discharged or sold, which return shall be made according to the schedule hereunto annexed, and shall be laid by the said clerk before the House of Assembly at the meeting succeeding the receipt of the same; and the treasurer of this island for the time being, shall account with the committee of public accounts for all monies received by him by virtue of this Act, in the same manner as he is required to do for any other of the public monies in his hands.

And be it further enacted by the authority aforesaid, and it is hereby expressly declared, that the magistrates of this island are the proper and legal inspectors, visitors and supervisors of the said cage, and they, and each and every of them have and hath hereby full and ample power and authority given to and vested in them to visit and inspect the cage whenever they shall think proper so to do, and the said magistrates are, and each and every of them is hereby required to see that the said cage be constantly kept clean and healthy and wholesome, and that good and sufficient food be allowed to the said Slaves in confinement: And should it appear to the said magistrates, any, or either of them, that any abuses are suffered to exist, or that improper conduct is practised by any person or persons having the charge of the said cage, or in any manner connected with or employed in and about the same, then, and in such cases, the said magistrates, any or either of them are and is hereby required to make a report in writing of such conduct or of such abuses to the House of Assembly, at its first sitting after the same shall be discovered, in order that such measures may be adopted and carried into effect as may seem right and expedient to the said House of Assembly.

And be it further enacted by the authority aforesaid, that if the keeper of the said cage, or his deputy or deputies, shall be guilty of any crime, misdemeanour, or offence, or misbehave himself or themselves, in their respective situations, he or they shall and may be prosecuted at the Court of Grand Sessions for the same, and punished according to the nature of the said crime, misdemeanour, or offence, by fine or imprisonment, or either at the discretion of the said court.

And be it further enacted by the authority aforesaid, that the keeper of the said cage, shall not receive into the said cage any Slave or Slaves, without such certificate as aforesaid from the treasurer, under a penalty of five pounds, to be recovered, levied, and raised as in the case of servants' wages, on the complaint of any person whomsoever, one half of the said forfeiture to the use of the public, and the other half to the use of the informer.

Read three times and passed the Council unanimously, this 2nd day of December, 1817.

(Signed)

W. HUSBANDS, Deputy Clerk of the Council.

Read three times and passed the General Assembly, this 4th day of November, 1817.

(Signed)

J. W. E. ELDER, Acting Clerk of the General Assembly.

(Signed) COMBERMERE.

Assented to by his Excellency the Governor, on the 2nd December, 1817.

(Signed)

W. HUSBANDS, Deputy Secretary.