

ADDITIONAL
COLONIAL LAWS

RESPECTING

SLAVES.

BARBADOES.

No. 1.

AN ACT for more fully ascertaining the Slave population of the Island of Barbadoes.

WHEREAS it has been thought probable in the mother country that the re-establishment of peace may afford facilities to an illicit introduction of slaves into the British settlements in the West Indies: And whereas the legislature of this island, notwithstanding it feels the most thorough conviction that no such importation into this island ever has been or is likely to be attempted, is yet desirous to co-operate in any measures which may be deemed necessary for giving the full effect to the acts for the abolition of the slave trade: And whereas many advantages may be derived to the inhabitants of this island from a more exact specification and return of the slave population; 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 it shall and may be lawful for the said President or Commander in Chief of this island for the time being, and he is hereby authorized and required to appoint by commission under his sign manual, some fit and proper person resident within this island, to be registrar of slaves therein, and that such registrar shall be personally resident within this colony while he shall continue to hold the said office, except when from ill health or other necessary cause his temporary absence from this island shall be permitted by the Governor or Commander in Chief of this island for the time being, by and with the consent of His Majesty's Council, provided nevertheless, that such temporary absence shall not exceed the period of twelve months; and if the said registrar shall be at any time absent from this island, without such license or permission as aforesaid, he shall absolutely forfeit his office; and in case of the death, absence, or incapacity of the said registrar, or any avoidance of the said office, a new registrar shall be in like manner appointed by the Governor or Commander in Chief of this island for the time being by commission under his sign manual.

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2d. And be it further enacted by the authority aforesaid, that between the first day of March, and the first day of June now next ensuing, and in every third following year, every person who shall be then resident in this island, and who shall be in possession of any slave or slaves within the same, whether as proprietor, mortgagee, trustee, sequestrator, or receiver, lessee, manager, or attorney of or for such slaves, shall respectively make and deliver upon oath to the registrar so to be appointed as aforesaid, such schedules, lists, and particulars, in writing, as are

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herein-after mentioned ; that is to say, every person in possession of any slaves as aforesaid, shall so make and return a schedule or list in writing, therein specifying in the first place his or her own name and description, and the name and description of such other person or persons being the owner or owners of such slave or slaves on whose behalf the return is made, and the right or character in which the party making such return holds possession of and claims title to such slave or slaves, namely, whether as proprietor, mortgagee, trustee, sequestrator or receiver, lessee, manager, or attorney, executor, administrator, guardian, or otherwise ; and after such description as aforesaid, shall proceed to name, describe, and enumerate distinctly, the several negroes, mulatto or other slaves belonging to the same owner or owners, in manner following, that is to say, the schedule or paper containing the said list shall be divided into six perpendicular columns of convenient breadths, respectively entitled at the heads thereof, name, sex, colour, employment, age, and country ; and in the first of the said columns shall be inserted the name of each slave by which he or she has been usually called or known ; in the second of the said columns shall be inserted the sex of which such slave is ; the third of the said columns shall be inserted black or coloured (including under the term " coloured " all who are not black) ; in the fourth of the said columns shall be inserted the particular trade, occupation, or ordinary employment of the slave ; in the fifth of the said columns shall be inserted the age of the slave, according to the best of the knowledge and belief of the owner or other party making the return ; and in the sixth of the said columns shall be inserted, whether the slave is an African or a Creole, and if a Creole, the name of the island or colony in which such slave was born, and from which he or she was brought, according to the best of the knowledge, information, and belief of the owner or other party making the return ; and for the better ascertaining the proper forms of such returns of slaves as are hereby required to be made, so that no person may pretend ignorance thereof, a form or example of such return is contained in a schedule to this act annexed, to which all persons are required so far as shall be found practicable to conform.

3d. And be it further enacted by the authority aforesaid, That in all lists and schedules to be made and returned as aforesaid, after the first general return required by this act, there shall be in every succeeding return contained a true and particular account of all births and deaths of slaves belonging to the person or persons on whose behalf such return is made, within the three years next preceding since the last returns were made, and also an account of all deductions from or additions to the former list of slaves belonging to such person or persons within the same period, whether the same shall have happened by desertion, sale, or other transfer of property, enfranchisement, or by return of fugitive slaves, or by purchase, succession, reversion, or other lawful acquisition within this island, or by any lawful importation ; which particular cause or mode of deduction or addition shall in all cases be distinctly specified in such return, so that the general increase and decrease of slaves, their conditions and numbers, may be fully known and considered.

4th. And be it further enacted by the authority aforesaid, That every person making any and every such schedule or return shall, at the time of delivering the same to the registrar, take the following oath, which the said registrar is hereby empowered and required to administer, under the penalty of five hundred pounds current money of this island ; that is to say,

‘ YOU do swear, That the list or schedule now by you given in contains a true
 ‘ and exact account and description, according to the several particulars
 ‘ therein specified, of all the slaves now attached or belonging to the plantation
 ‘ called _____ in the parish of _____ or now belonging to you
 ‘ or in your possession (if any owner), or now belonging to or in the possession of
 ‘ [name the owner or possessor], according to the best of your knowledge, information,
 ‘ and belief. So help you GOD.’

And all and every such owner and owners, person and persons, who are of the denomination of the people called Quakers, is and are hereby required in like manner

manner to give in the same upon his or her, or their solemn affirmation: Provided nevertheless, that in case any owner of slaves resident in this island shall, from sickness or any bodily infirmity, be prevented from attending the said registrar, to deliver such list or schedule of his or her slaves as herein-before is directed, it shall and may be lawful for any other person in behalf of such owner to give in such his or her list or schedule in the form herein-before prescribed; such person so giving in for another, at the time of delivering such list or schedule, taking the following oath before the said registrar, who is hereby empowered and required, under the penalty aforesaid, to administer the same.

‘ YOU do swear, That the person for whom you are now about to give in a list
 ‘ or schedule of slaves is prevented doing so in his or her own proper person
 ‘ from illness or bodily infirmity; and that the list or schedule by you now given
 ‘ in was signed by such owner in your presence; and that the same contains a
 ‘ true and exact number and description of all the slaves now belonging to or in
 ‘ the possession of the said according to the best of your
 ‘ knowledge, information, and belief. So help you GOD.’

5th. And to the intent that all persons required to return lists or schedules by this act for any slaves may be duly apprized, and have sufficient notice of the respective times of returning the same; be it further enacted by the authority aforesaid, That the said registrar shall and he is hereby required, some time in the month immediately preceding the time herein appointed for the making such returns of slaves as aforesaid, to send advertisements in writing by him signed, purporting such respective times for giving in such returns to the rector or his officiating minister of each parish, who is and are hereby required to publish or cause the same to be published in their respective parish churches the two succeeding Sundays after receipt thereof, between the prayers and sermon, and then to fix the same up at the church-doors, to remain till after the time of making such returns has elapsed; and in case the said registrar or the rector or officiating minister shall in any respect fail herein, the party so offending for every such offence shall forfeit the sum of one hundred pounds current money of this island.

6th. And be it further enacted by the authority aforesaid, That the said registrar shall carefully preserve the lists and schedules so returned to him, and cause the same, within six months after the return thereof, to be copied as clearly and distinctly as may be into one book, or set of books, duly paged and indexed, to be by him kept in his office, to which all persons may have free access during office hours to examine the same, every person paying the sum of six shillings and three-pence for such access and examination; and the said registrar is hereby further directed and required, upon application for the same, to give copies in writing, certified by himself, of any list or lists that may be desired, the person requiring the same paying for each several list so required the sum of two shillings and sixpence for the same, if the number of slaves therein contained do not exceed twenty, and the further sum of one shilling and three-pence for every further number of slaves not exceeding ten, after the first twenty that shall be contained therein.

7th. And be it further enacted by the authority aforesaid, That when and so soon as all the returns, lists, or schedules which shall have been delivered to the said registrar pursuant to this Act, shall have been entered and recorded as aforesaid, the said registrar shall give notice thereof forthwith to the inhabitants of this island, in such manner as he shall deem most fit and effectual, and that the said books are and will continue open at the proper office for the inspection, free of any expense, of all persons who have made returns of slaves, for insertion therein, for the term of two months from the date of such notification, to the intent that all persons interested may be satisfied of the accuracy of the said books, and of the said returns therein contained; and also that if any owners or possessors of slaves within this island shall from any accident or unavoidable impediment have omitted to return full and proper lists or schedules of their slaves, as by this act is required, they must immediately apply to the governor or commander in chief of this island for the time being, and council, who, upon satisfactory proof that such omission has not been wilful, are hereby empowered and required to order the

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8th. And be it enacted by the authority aforesaid, That in case any person or persons whatsoever shall wilfully neglect to give in to the said registrar a list or lists, schedule or schedules, of his, her, or their slave or slaves as above directed, every such person or persons so neglecting shall forfeit and pay the sum of one hundred pounds for every such slave so neglected to be given in; one moiety thereof to be paid to the informer, and one moiety to be paid into the public treasury of this island; and all and every slave or slaves so neglected to be given in, if such slave be an African, shall be entitled to his, her, or their freedom, unless such person or persons so omitting to give in any such slave or slaves shall within six months after the discovery of such omission, establish by sufficient evidence before the governor or commander in chief of this island for the time being, and the members of His Majesty's council in council, that such African slave or slaves so omitted to be given in had been legally imported; and the treasurer of this island for the time being is hereby required and directed to pay to each African so rendered free the sum of four pounds annually and every year during the term of his or her natural life.

9th. And be it further enacted by the authority aforesaid, That any person or persons who may be at any time resident in this island, and who may have, keep, and retain in his, her, or their possession, as a slave or slaves, any African or Africans who may have been illicitly imported into this island, knowing the same to have been so illicitly imported, shall, upon conviction thereof at any court of grand sessions of oyer and terminer, general gaol-delivery, and general sessions of the peace of this island, forfeit and pay a sum not exceeding the sum of five hundred pounds, and be imprisoned in the common gaol of this island for any time not exceeding the period of two years.

10th. Provided always, and it is hereby enacted by the authority aforesaid, That all persons who shall think themselves aggrieved by any proceedings of the said registrar, in any matter relating to this act, may appeal by petition to the governor or commander in chief of this island for the time being, and the members of His Majesty's council in council, who are hereby desired and fully empowered to hear and finally determine thereon, and to remit or confirm all and every or any the penalties in this act contained, as to them shall seem fit.

11th. And be it further enacted by the authority aforesaid, That the said registrar shall make and prepare, or cause to be made and prepared, accurate and perfect duplicates of the said books, and shall authenticate and certify the said duplicates by the following affidavit:

‘ **B**EFORE *A. B.* [*inserting the name and title of the governor or commander in chief for the time being*] personally appeared *C. D.* [*naming himself*] the said registrar of slaves of this island; who, being duly sworn on the Holy Evangelists, makes oath and says, that he the said *C. D.* has carefully examined and compared all the preceding entries in this book with all the different returns of slaves delivered to him, or, to his knowledge or belief, to any deputy clerk or assistant by him appointed; and that he is enabled thereby to depose, and does depose, that the preceding return of the slaves of this island is in all respects correctly and faithfully made.’

Which affidavit, being subscribed by the said registrar, shall be sworn before the said governor or commander in chief for the time being, who shall subjoin thereto the following certificate under his hand:

‘ **I** *A. B.* [*inserting his name and title of office*] do hereby certify that the above affidavit was duly sworn before me this _____ day of _____ one thousand eight hundred and _____ Witnesses my hand, this _____ day of _____ one thousand eight hundred and _____

‘ *A. B.*’

And the said duplicate books, when so authenticated and certified, shall be delivered by the said registrar to the governor or commander in chief for the time being, who shall

shall forthwith transmit the same to His Majesty's principal secretary of state for the colonial department in England.

12th. And be it further enacted, by the authority aforesaid, That no erasure shall, on any pretence or for any cause whatever, be at any time permitted to be in any of the said books; but if any clerical error shall occur in the insertion of any name, description, or other particular therein, so that the same shall differ from the name, description, or particular contained in the schedule or return from which the same was made, or if any other mistake shall occur in the making up and keeping the said books, a line of red ink shall be drawn through any word or words improperly inserted, so as to leave the original word or words legible; and the correction thereof, by the insertion of any word or words which may have been erroneously omitted, shall either be interlined or written in the margin, and the registrar shall, either under such word or words written in the margin, or under a mark or reference there made to any such interlineation, subscribe his name at length.

13th. And be it further enacted by the authority aforesaid, That if the said registrar shall wilfully make or knowingly permit or suffer to be made any false or fraudulent entry in the books in his office, or either of them, or shall fraudulently erase, obliterate, or alter, or knowingly permit or suffer to be fraudulently erased, obliterated, or altered, any entry which shall have been duly made in the said books or either of them, the said registrar shall, upon conviction of any such offence before any court of grand sessions of oyer and terminer, general gaol-delivery, and grand sessions of the peace for this island, forfeit and pay a sum not exceeding the sum of five hundred pounds, and be imprisoned for any time not exceeding two years in the common gaol of this island; and if any deputy assistant or clerk of the said registrar shall commit or knowingly permit or suffer to be committed any such offence as aforesaid, he shall upon the like conviction thereof forfeit and pay a sum not exceeding the sum of five hundred pounds, and be imprisoned in the common gaol of this island for any time not exceeding the period of two years; and if any other person or persons in this colony shall wilfully make or cause or procure to be made any false or fraudulent entry in the said books or either of them, or shall fraudulently erase, obliterate, or alter, or cause or procure to be erased, obliterated, or altered, any entry which shall have been made in the said books or either of them, every such person or persons so offending shall upon like conviction thereof forfeit and pay a sum not exceeding the sum of five hundred pounds of like current money, and be imprisoned in the common gaol of this island for any time not exceeding the period of two years.

14th. And be it further enacted by the authority aforesaid, That all sums of money arising by this act, and all and every the forfeitures and penalties in the same contained, shall be to the King's most Excellent Majesty, His heirs and successors, and shall be applied, together with all other public monies not appropriated to any particular use, to and for all and every the uses, intents, and purposes of the annual acts for raising money to defray the expenses of this government, except as herein before is particularly directed.

15th. And be it further enacted by the authority aforesaid, That upon all questions respecting the freedom or slavery of any individual arising in any court or before any magistrate in this colony, a duly certified copy of the registration of such individual in the books of the said registrar shall be received as sufficient *prima facie* evidence of the slavery of such individual.

16th. And be it further enacted by the authority aforesaid, That the treasurer of this island for the time being shall pay to the said registrar so to be appointed as aforesaid, out of any of the public monies in his hands, at and after the rate of two hundred pounds annually and every year, by four equal quarterly payments, during all such time as he shall hold and exercise the said office of registrar; and the further sum of six hundred pounds current money of this island, when and at such times as he shall complete and produce to the commander in chief for the time being authenticated duplicates of the aforesaid books of registry.

17th. And

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17th. And be it enacted by the authority aforesaid, That all and every the fines, forfeitures, and penalties herein-before imposed, and for which the mode of recovery has not already been declared, shall be recovered on complaint to any justice of the peace, and the same proceedings shall be had thereon as in the case of servants' wages.

THE Return of A. B. of Slaves, the property of C. D. of which A. B. is Manager.

Name.	Sex.	Colour.	Employment.	Age.	Country.
Quash	Male	Negro	Cooper	45	Barbadian.
Harriet	Female	Mulatto	House Servant	30	Barbadian.
Quow	Male	Negro	Watchman	50	African.

THE Return of A. B. of Slaves, his own property.

Name.	Sex.	Colour.	Employment.	Age.	Country.
Kitty Ann	Female	Negro	Field	36	Barbadian.
Bob	Male	Negro	Cooper	40	Barbadian.

Read three times, and passed the General Assembly this seventeenth day of December one thousand eight hundred and sixteen.

J. R. Phillips, Clerk of General Assembly.

Read three times, and passed the Council unanimously this seventeenth day of January one thousand eight hundred and seventeen.

W. Husbands, Deputy Clerk of Council.

Return to the House of Assembly on the seventh day of January one thousand eight hundred and seventeen with alterations, and assented to by the House the same day.

J. R. Phillips, Clerk of the General Assembly.

Assented to by his Honour the President the ninth day of January one thousand eight hundred and seventeen.

W. Husbands, Dep. Sec.

John Spooner.