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Schedule of documents transmitted with Lieutenant General Sir Henry Warde's despatch No. 9, dated Barbadoes, 24th October 1826.

No. 1. (Bill.)

- 1 Act No. 82 of Hall's Laws
- 2 ditto — 91 ditto
- 3 ditto — 92 ditto
- 4 ditto — 93 ditto
- 5 ditto — 112 ditto
- 6 ditto — 116 ditto
- 7 ditto — 117 ditto
- 8 ditto — 161 ditto
- 9 ditto — 164 ditto
- 10 ditto — 196 ditto
- 11 Act No. 5 of Moore's Laws
- 12 ditto — 37 ditto
- 13 A Manuscript Act passed 14th March, 1809
- 14 ditto ditto 2d December, 1817
- 15 ditto ditto 28th July, 1818
- 16 ditto ditto 29th July, 1818
- 17 ditto ditto 26th May, 1819
- 18 The Speaker's explanation respecting No. 1 Bill dated 23rd October, 1826
- 19 Minutes of Legislative Council of 17th October 1826.

Documents in explanation of No. 1. (Bill).

No. 2. (Bill.)

No. 3. (Bill.)

- 1 A Manuscript Act passed 27th February, 1739
- 2 ditto ditto 21st January, 1783
- 3 ditto ditto 5th February, 1817
- 4 Mr. Hind's explanation of No. 3 Act.
- Copy of Dr. Maycock's speech delivered on the 2d August 1825,
- Copy of the 13th article of his Majesty's instructions.

Documents in explanation of No. 3. (Bill)

No. 1. (Bill.)

An Act to repeal several Acts and Clauses of Acts respecting Slaves, and for consolidating and bringing into one Act, the several Laws relating thereto, and for the better Order and Government of Slaves, and for giving them further Protection and Security, for altering the Mode of Trial of those charged with capital and other Offences, and for other Purposes.

WHEREAS many circumstances arising out of the present state of the Slave population, render it necessary that the laws enacted by the prudence and wisdom of our forefathers for their government, should be revised, consolidated, and brought into one Act, in order to prevent confusion, and that justice may more effectually be executed. And whereas for the purpose of giving further security and protection to Slaves, the mode of trial of those charged with capital or other offences, should be altered. And whereas, to the end that such desirable objects may be effected, it is necessary that all the hereinafter mentioned Acts and Clauses of certain Acts, should be repealed, viz., an Act entitled "An Act for the governing of Negroes;" passed the eighth day of August, in the year of our Lord one thousand six hundred and eighty eight; also one other Act, entitled "An Act for the encouragement of all Negroes and Slaves, that shall discover any Con-

Preamble.
The following Acts and Clauses of Acts in Hall's edition of the Laws of the Island, repealed.
No. 82.
No. 91.

Clause 1.

Be it therefore enacted by his Excellency Sir Henry Warde, Knight, Commander of the Most Honourable Military Order of the Bath, 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, all and every the hereinbefore mentioned Acts and Clauses of Acts, and every part thereof, as also all and every such Acts or Clauses of Acts as are or may be thereby repealed, shall be and stand annulled, repealed, and made void to all intents and purposes whatsoever, anything in the said Acts and Clauses of Acts, or in any other Act or Acts, contained to the contrary in anywise notwithstanding.

The foregoing Acts and Clauses, and all Acts and Clauses thereby repealed, to be and stand repealed

Clause 2.

And be it further enacted by the authority aforesaid, that the governor, or commander-in-chief of this island for the time being, the senior member of council, and the speaker of the House of Assembly, the chief baron of the Court of Exchequer, and the attorney general of this island, each, and all of them for the time being, or the persons executing the aforesaid offices for the time being, shall, and they are hereby directed and empowered to, form themselves into a committee of protection for the full and effectual securing to Slaves the rights and privileges afforded to them by the several provisions and clauses of this Act; and the said persons holding or executing the aforesaid offices are hereby constituted, and they shall be deemed and called, "The Committee of Protection for Slaves," and it shall and may be lawful for the said committee so constituted as aforesaid, to appoint, by a majority of votes, some person of legal knowledge and acquirement to fill the office of secretary to the said committee, and to perform such duties as shall be hereinafter prescribed; and the said secretary so appointed, shall be deemed and called "The Acting Protector of Slaves," and shall receive out of the public treasury a salary of four hundred pounds currency per annum, and the treasurer of the island for the time being, is hereby directed to pay to the said Acting Protector of Slaves, on his producing an order signed by the said "Committee of Protection," or the major part of them, at and according to the rate of four hundred pounds currency per annum as aforesaid, and the Acting Protector of Slaves so appointed, is hereby required and directed to furnish and assist with his aid and advice, to the utmost of his ability, without fee or reward, all Slaves who stand accused of any heinous offences or felonies on examinations before magistrates, or before the proper Courts where Slaves so offending are appointed to be tried by the provisions of this or any other Act of this island; and shall furnish without fee or reward his professional assistance to all Slaves claiming to be free, or desiring to lodge any complaint against any person where the owners or possessors of such Slaves shall detain them in slavery, or shall neglect or refuse to prefer such complaints. And the said Acting Protector shall in such cases appear in their behalf before the proper tribunals where such complaint or claim is directed to be lodged or tried by this or any other Act of the island. And the said Acting Protector of Slaves, either from information, or from his own knowledge of any cruelty or injustice practised against, or of the maiming or murder of any Slave or Slaves, shall lodge a complaint thereof before any magistrate, to the end that the necessary steps may be taken for the trial and conviction of the offender or offenders; and all judges of the several courts, and all justices of the peace and coroners of this island, are hereby directed to recognise the said Acting Protector of Slaves, as the legal adviser and advocate of Slaves in the several courts and offices of this island. And the said committee of protection shall, as often as they think fit, demand and receive from the Acting Protector of Slaves, an account of all his proceedings in the several cases in which he shall have been engaged in the exercise of his aforesaid office. And the said committee of protection shall and may at their discretion displace the said Secretary or Acting Protector of Slaves, and appoint in his stead some other fit and competent person to perform the duties of the said office. And the said Acting Protector of Slaves shall keep an office in some part of Bridge Town, and shall give his attendance there on such days, and during such hours as the

The governor, senior member of council, speaker of the assembly, chief baron of the exchequer, and attorney general, appointed a committee of protection for Slaves.

They are to appoint an acting protector of Slaves who is to be paid four hundred pounds per annum.

The duties of the acting protector of Slaves are here pointed out.

Committee of protection to require of the acting protector an account of his proceedings.

They may remove him and appoint another at discretion.

He is to keep an office in Bridge Town, and give his attendance

there as the committee of protection shall direct.

And to take an oath for the execution of his office before the governor.

Clause 3.
The evidence of Slaves admitted in actions for trespass or assault, and in cases of misdemeanor, murder, felony, or other offence (except forgery) against any person whomsoever.

Proviso—
Certificate of baptism to be produced, and also the certificate of a clergyman as to their religious principles and knowledge of the obligation of an oath.

Proviso—
Owner or other person may be examined as to Slave witness being worthy of credit.

Proviso—
White or free persons not to be convicted on Slave testimony unless corroborated by circumstantial evidence.

Proviso—
Evidence of Slaves to be taken against each other without such certificates.

Owners of Slaves to be duly summoned when required as witnesses.

Any person refusing to produce a Slave as a witness, to forfeit ten pounds, recoverable as servants' wages as for a contempt.

Clause 4.
Evidence of Slaves to be taken against persons of free condition, who associate with them, although such Slaves may not be otherwise competent witnesses within the provisions of this Act.

said committee of protection or the major part of them may think fit to direct. And the said Acting Protector of Slaves shall, before he enters on his office, appear before the governor, or commander-in-chief of this island for the time being, and take the following oath. "I A. B. do swear that I will faithfully and conscientiously, to the best of my knowledge and ability, execute and perform the duties of the Acting Protector of Slaves in the island of Barbadoes, without fear, favour, partiality, or affection. So help me God."

And be it further enacted by the authority aforesaid, that the evidence of Slaves shall be admitted and received on oath before any coroner, justice of the peace, or before any judge or jury, of any of the civil or criminal courts of this island, as witnesses in all cases where civil actions for trespass or assault may be brought, and in all cases of misdemeanour, or of murder, felony, or any other offence (save and except forgery) which under the laws now in force, or hereafter to be in force in this island, would subject any person or persons to suffer death, transportation, imprisonment, fine, or corporal punishment. Provided always, that the Slave or Slaves so appearing as a witness or witnesses shall produce before such judge, coroner, justice of the peace, or civil or criminal courts, a certificate of his, her, or their baptism, under the hand of the resident clergyman of the parish wherein such baptism has been performed. And also a certificate from any clergyman of the established church, that such Slave or Slaves, so produced as witness or witnesses, is and are so far instructed in the principles of the Christian religion, as, in the judgment of the party certifying, adequately to understand the obligation of an oath. Provided always, that in every such case the master or owner of any such Slave or any other person or persons, shall and may be summoned and examined as to the character of any such Slave, in order the more satisfactorily to determine whether such Slave is worthy of credit or not.

And provided, and it is hereby expressly declared, that no white or free person shall be convicted of any of the crimes, or adjudged guilty of any of the offences aforesaid, on the testimony of any Slave or Slaves, unless such testimony shall be corroborated by circumstantial evidence to the satisfaction of the Justice, Coroner, or Court and Jury, before whom such Slave or Slaves shall be produced as witness or witnesses. Provided always, nevertheless, that the evidence of Slaves shall be taken and received as hitherto without such certificates as aforesaid, in all cases against each other; and where any person or persons shall require the testimony of any Slave or Slaves before any Court, Judge, Coroner, or Justice, a writ of subpœna shall and may be issued in the usual manner by such Court, Judge, Coroner, or Justice, directed to the owner or possessor of such Slave or Slaves, or to the person under whose immediate charge such Slave or Slaves may be, requiring him or her to bring and produce, or cause to be brought and produced in Court, or before such Judge, Coroner or Justice, such Slave or Slaves at the time and for the purposes in the said writ mentioned. And if the person to whom such writ may be directed, shall, on proof of the same having been served on him or her by some white person, neglect or refuse to produce such Slave or Slaves, he or she shall forfeit the sum of ten pounds currency, to the uses of the island, to be levied and raised as in the case of servants' wages by warrant from the said Court, Judge, Coroner, or Justice; and the person so offending shall be also deemed guilty of a contempt of the authority of the said Court, Judge, Coroner, or Justice, and be liable to be punished for the same accordingly.

And be it further enacted by the authority aforesaid, that where it shall be proved by legal evidence that any person or persons of free condition is or are in the habit of associating himself, herself, or themselves, with any Slave or Slaves, in cock-fighting, gambling, getting drunk together, or in the commission of any theft or other crime, the evidence of any Slave or Slaves shall in all such cases, and in all courts be taken and received against such person or persons of free condition, although such Slave or Slaves may not be a competent witness or witnesses within the provisions of this Act.

And be it further enacted by the authority aforesaid, that every owner, proprietor, or possessor of any Slave or Slaves shall furnish and provide such Slave or Slaves in each and every year with decent and sufficient clothing, suitable to sex, age, and condition, according to the custom of the island. And if any owner, proprietor, or possessor, shall make default in furnishing such decent and sufficient clothing as aforesaid within each and every year, or in making full compensation for the same to such Slave or Slaves, or in allowing or affording the means to such Slave or Slaves of furnishing or providing himself, herself, or themselves, with such decent and sufficient clothing as aforesaid, every person so offending, shall, on full and satisfactory proof being thereof made to any justice of the peace, forfeit and pay a sum of not less than twenty shillings, and not exceeding fifty shillings for each and every Slave who shall not have been decently and sufficiently clothed within the year as aforesaid, or to whom no compensation for the same, or the means of obtaining such clothing shall have been afforded as aforesaid, one moiety of such forfeiture to be to the informer, and the other moiety to be paid into the public treasury.

Clause 5.
Owners of Slaves under a penalty of not less than twenty shillings, and not exceeding fifty shillings, to furnish them annually with decent and sufficient clothing suitable to sex, age, and condition.

And be it further enacted by the authority aforesaid, that if the owner or owners, or any other person or persons having the lawful charge of any diseased, maimed, or worn-out Slave or Slaves, shall suffer or permit such Slave or Slaves to go and be at large, or to infest the public highways, towns, streets, lanes, or avenues leading to any of the towns of this island, every person so offending shall, for every such offence, upon conviction thereof before any justice of the peace, forfeit and pay the sum of ten pounds current money of this island, to be levied and raised as in the case of servants' wages, one moiety thereof to be to the use of the informer, and the other moiety to be paid into the public treasury.

Clause 6.
Owners of diseased Slaves suffering them to go at large, or infest the highways, &c. to forfeit ten pounds, recoverable as servants' wages.

And whereas by the custom of this island, Slaves are allowed to possess and enjoy personal property: be it therefore further enacted by the authority aforesaid, that if any owner or other person shall deprive any Slave of any kind of personal property, which he or she shall have honestly acquired, such person so offending shall, on conviction thereof before any justice of the peace, forfeit double the value of the property so taken away, to the use of said Slave. And the Acting Protector of Slaves is hereby directed to prosecute for the recovery of all such property where the owner or possessor of such Slave shall be the offender; and in every other case if the owner or possessor of such Slave shall neglect or refuse to prosecute for the same, such prosecution shall be conducted by the acting protector of Slaves on the behalf of such Slave. Provided always, that nothing in this clause contained shall extend to prevent any owner or overseer of any plantation or place from destroying or causing to be destroyed any hog, sheep, goat, or feathered stock, belonging to or kept by any Slave or Slaves, when found trespassing on the lands of such plantation or place, or committing any damage thereon.

Clause 7.
Owners of Slaves, or other persons, depriving them of their personal property, to forfeit double the value of such property to the use of said Slaves. The acting protector to prosecute where an owner is the offender; and in every other case where the owner shall neglect to prosecute.

Proviso—
Hogs, sheep, &c. of Slaves trespassing on plantation of owner or others may be destroyed.

And be it further enacted by the authority aforesaid, that if any Slave shall be found out of his or her owner's or proprietor's plantation or property, armed with any warlike or offensive weapon or weapons, such Slave shall and may be deprived of such weapon or weapons by any person whomsoever, unless he or she shall have a letter or paper descriptive of such weapon or weapons, and as being the property of his or her owner or proprietor; and the person so taking away such weapon or weapons, shall carry the same to any neighbouring justice of the peace, and on making oath, which oath the said justice is hereby authorized and empowered to administer, that such weapon or weapons was or were found in the actual possession of a Slave, be paid the sum of six shillings and three-pence currency, by the warden of the parish, in which the weapon or weapons was or were seized and taken away, on producing an order of the said justice to that effect. And if any person or persons shall within three weeks after claim the said weapon or weapons, and produce full and sufficient proof to the said warden of his or her property therein, and also repay to the said warden the said sum of six shillings and three-pence, the said warden shall, and he is hereby directed to restore such weapon or weapons to the owner or owners. But should no such claim, proof of

Clause 8.
Any person may deprive a Slave of warlike weapons, unless furnished with a certificate.

The weapons to be carried before a justice of the peace, upon whose certificate the warden shall pay six shillings and three-pence to the person seizing the same.

Weapons so seized to be restored to the owners, if claimed within three weeks, on repayment to the warden of the said six shillings and three-pence.

In default of a claim,

the weapons to be sold by the warden, and the money applied to the uses of the parish.

property, and repayment of the said sum of six shillings and three pence be made within the said three weeks, then, and in such case, the said warden shall, and he is hereby directed to have such weapon or weapons sold, and to apply the money arising therefrom to the uses of the parish for which he is warden.

Clause 9.

Slaves not to assemble on plantations and beat drums or blow horns, &c., except as hereafter provided; owner or other person permitting the same to forfeit ten pounds.

And be it further enacted by the authority aforesaid, that if any owner, proprietor, or overseer, or in his absence, any bookkeeper or other person having the care, direction, and management of any plantation or place without the limits of any of the towns in this island, shall suffer any Slaves to assemble together thereon, and to beat drums, or blow horns, or shells, or to use any loud instruments, save and except as is hereinafter provided, every such owner or proprietor, overseer, bookkeeper, or other person as aforesaid, shall, upon conviction thereof before any justice of the peace, forfeit and pay the sum of ten pounds currency, to be levied and raised as in the case of servants' wages, one moiety thereof to the informer, and the other moiety to be applied to the public uses of this island. Provided always, that nothing herein contained shall be construed to prevent any

Proviso—

Slaves with consent of owners may assemble on plantations for dancing and amusing themselves. Such amusements to be over by nine o'clock at night, and the Slaves not to be allowed to re-assemble.

master, owner, or proprietor, or the attorney of any plantation or place, or the overseer thereof, from granting liberty at any time or times to the Slaves of such plantation or place for assembling together upon such plantation or place, and to allow any other Slaves not their own to assemble with them, and for dancing and diverting themselves in the mill yard, or any other place, as such master, owner, proprietor, attorney, or overseer may think proper to allow, so as such amusements are put an end to by nine o'clock at night; the Slaves and other persons attending such dancing and amusements not to be permitted or allowed to re-assemble in the

Owner of the plantation to be present thereon during such amusements, and for two hours after.

Negro houses, or in any other part of the plantation or property, or in any public or private road leading through or near to such plantation or property: the owner, proprietor, or overseer of such plantation or property to be actually present upon such plantation or property during the time such dancing or amusements are kept up, and for two full hours after the same shall be over. And be it further enacted, that no

No funeral of a Slave to take place after seven o'clock at night, and music and singing not to be permitted on such occasions.

owner, proprietor, or overseer, or other person in charge of any plantation or place, shall suffer or permit the funeral of any Slave within such plantation or place, after the hour of seven o'clock at night, or any heathenish or idolatrous music, singing, or ceremonies on any such occasion; and if any owner, proprietor, or overseer, or other person in charge of any plantation or place shall be guilty of any offence under this clause, or shall neglect or refuse to observe or enforce the particular directions, matters, and things herein contained, he or she shall, unless so far as the same may already be provided for, forfeit and pay the sum of ten pounds, to be levied and raised as in the case of servants' wages; one moiety whereof shall be to the use of the informer or informers, and the other moiety to be paid into the treasury of this island. Provided that all complaints under this clause be made within ten days after the commission of any offence against the provisions of the same.

Owner, or other person guilty of offences, &c. under this clause to forfeit ten pounds. Complaints to be made within ten days after the commission of the offence.

And be it further enacted by the authority aforesaid, that if the owner or occupier of any house, yard, or place, within the limits of either of the towns of this island, shall suffer any Slaves to assemble and dance in such house, yard, or place without having previously obtained the sanction of some justice of the peace for that purpose, the person so offending shall, provided complaint thereof be made to a justice of the peace within ten days next after the commission of the offence, forfeit and pay the sum of five pounds currency, to be recovered as in the case of servants' wages; one moiety thereof to be to the use of the informer, and the other moiety to be paid into the public treasury.

Clause 10.

Owner of a house in either of the towns not to suffer Slaves to dance therein, without a justice's sanction, under a penalty of five pounds. Complaint to be made within ten days.

And be it further enacted by the authority aforesaid, that it shall and may be lawful for the Governor or Commander-in-Chief of this island for the time being, whenever he shall think fit or deem it advisable so to do, to issue his order or proclamation directing and requiring all owners or possessors of Slaves, and all other persons having Slaves under their charge, not to grant permission to, or suffer their Slaves, or the Slaves under their charge to assemble together and dance for and during the

Governor may issue his order to owners of Slaves, not to permit them to assemble and dance for any given period.

time being, whenever he shall think fit or deem it advisable so to do, to issue his order or proclamation directing and requiring all owners or possessors of Slaves, and all other persons having Slaves under their charge, not to grant permission to, or suffer their Slaves, or the Slaves under their charge to assemble together and dance for and during the

time and period to be mentioned in said order or proclamation; and every person disobeying or violating such order or proclamation, shall forfeit and pay the sum of fifty pounds, current money of this island, half to the use of the informer, and the other half to the public use, to be recovered before any two justices of the peace, as in the case of servants' wages. Provided that complaint thereof be made within fourteen days after the offence shall be committed.

And be it further enacted by the authority aforesaid, that the governor, or commander-in-chief of this island for the time being, shall and may, by and with the advice of his council, whenever it shall seem necessary, issue his order to the commanding officer of any regiment, battalion, or corps of militia of this island, directing and requiring him, at the time to be mentioned in such order, to have the Negro houses within the parish of such regiment, battalion, or corps, or any of them, searched diligently and effectually by the men composing such regiment, battalion, or corps, or by a sufficient number thereof necessary for such service, in order to discover and ascertain whether any fugitive or runaway Slaves, or any warlike or mischievous weapons or articles are concealed in such Negro houses, and his report thereof forthwith to make to the governor or commander-in-chief for the time being, who is hereby authorized and empowered to act on such report, by and with the advice of the council, as may seem best for the safety of the island; and every commanding officer of any regiment, battalion, or corps, refusing or neglecting to perform and discharge the duty so required of him by the governor or commander-in-chief, shall forfeit and pay the sum of fifty pounds currency, to be recovered before any two justices of the peace, and levied and raised as in the case of servants' wages.

And be it further enacted by the authority aforesaid, that when any person or persons shall hereafter take up or apprehend any runaway or fugitive Slave or Slaves, he, she, and they, is and are hereby ordered and directed to take the said Slave or Slaves to a justice of the peace; and if such person or persons shall make oath before such justice, of his, her, or their name or names, and place or places of abode, with the time when, and place where he, she, or they apprehended such Slave or Slaves, and shall also, on oath, fully satisfy the said justice that there is good cause to suspect that the said Slave or Slaves is or are runaway, the said justice shall, and he is hereby directed to give a certificate of such oath, and also a warrant for committing such Slave or Slaves to the Slave prison, lately established on the pier head of Bridge Town, to the person or persons by whom he she or they was or were apprehended; and the person or persons so receiving such certificate and warrant shall thereupon take the same, together with such Slave or Slaves, to the provost marshal of this island, or his lawful deputy or deputies, who is and are hereby strictly charged and required, under a penalty of twenty pounds currency, to receive and keep such Slave or Slaves in safe custody in the said Slave prison; and the said provost marshal, or his lawful deputy shall, on receiving such Slave or Slaves, endorse the receipt thereof, on the back of the justice's certificate of the oath taken by the person or persons apprehending such Slave or Slaves; and the treasurer of this island for the time being shall, and he is hereby directed to pay out of the public treasury, to the person or persons so apprehending such Slave or Slaves, the sum of twelve shillings and sixpence currency for each and every Slave, if apprehended in the country, and six shillings and three-pence if apprehended in town, on the said justice's certificate of the oath aforesaid, endorsed by the said provost marshal, or his lawful deputy, in manner as aforesaid, being lodged with him, and which certificate the said treasurer is hereby required to take and enter in a book to be by him kept for that purpose, 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 wrongfully taken up or not; and in case the said treasurer shall neglect or refuse to pay either of the sums to which such person or persons shall be so entitled for taking up any Slave or Slaves as aforesaid, the same shall and may be recovered against the said treasurer, before any justice of the peace, as in the case of ser-

Penalty of fifty pounds imposed on any person violating such order. Complaint to be made within fourteen days.

Clause 12. The governor, with the advice of his council, may issue his order to the commanding officer of any regiment of militia, to have Negro houses searched for fugitive Slaves or warlike weapons.

Every commanding officer refusing to perform the duty so required of him to forfeit fifty pounds.

Clause 13. Persons apprehending runaway Slaves are to take them before a justice, who on being satisfied that they are runaway, is to give a warrant for committing them to the Slave prison.

Provost marshal, under a penalty of twenty pounds, to receive and keep such Slaves in custody in the Slave prison.

Clause 10. The treasurer of the island to pay twelve shillings and sixpence for each Slave apprehended in the country, and six shillings and threepence if apprehended in town, to the person so apprehending such Slave.

Clause 11. Governor may issue his order to owners of Slaves, not to permit them to assemble and dance for any given period.

The provost marshal to furnish Slaves committed to the Slave prison with sufficient food and drink, and not to receive any without a justice's warrant, under a penalty of five pounds.

Proviso—

Remedies against provost marshal, for suffering Slaves to escape from his charge, or allowing them to be employed in any other manner than directed in the Act.

Proviso—

Any person apprehending run-away Slaves, may carry them at once to their owners, and receive the reward.

Clause 14.

Male and female Slaves confined in the Slave prison, to be kept in separate apartments, and the number not to exceed eleven each.

When such number shall be exceeded, those longest in confinement to be removed to the goal.

Names of Slaves confined and the names of owners (if known) to be advertised, and if not claimed within three months & all expenses paid, they are to be sold by the provost marshal.

Proviso—

If such person is not a native of the island, the governor and council may order him to quit the island in twenty-one days.

Money arising from the sale thereof to be paid into the treasury.

vants' wages. And the said provost marshal, or his lawful deputy, shall furnish each and every Slave so committed to the said Slave prison with good and sufficient food and drink, to be proved on oath, if required, by the owner or possessor of such Slave; and the said provost marshal, his lawful deputy, or the keeper of the said Slave prison, shall not receive and lodge in the said Slave prison any Slave or Slaves without a warrant from a justice of the peace, under a penalty of five pounds currency for each and every Slave, to be recovered, levied, and raised as in the case of servants' wages, on the complaint of any person; one moiety thereof to the use of the public, and the other moiety to be to the use of the informer. Provided always, that if the said provost marshal shall suffer any Slave committed to the said Slave prison or gaol to escape therefrom, he shall make such satisfaction to the owner, as by any two justices of the peace shall be thought fit, and shall repay to the said treasurer the said twelve shillings and sixpence or six shillings and three-pence, as the case may be, 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 Slave prison or gaol, in any other manner than hereinafter directed, 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 five pounds currency, and the further sum of three shillings and nine-pence per day for each day, or any part of a day the said Slave shall be so employed, to be recovered as aforesaid. Provided, nevertheless, that nothing herein contained shall be construed to prevent any person taking up or apprehending any runaway Slave or Slaves, from carrying him or her to his, her, or their owner or owners, and receiving the like sum from such owner or owners, as he would be entitled to receive from the public treasury, which, if not forthwith paid, shall and may be recovered from such owner or owners before any justice of the peace as in the case of servants' wages.

And be it further enacted by the authority aforesaid, that the male and female Slaves confined in the Slave prison, be kept in confinement in separate apartments without any communication between them, and not more than eleven males and eleven females to be kept and confined at the same time in the said Slave prison. And if upon any male or female Slaves being brought to the said Slave prison for admission therein, it shall happen that the number of Slaves brought for admission, together with the Slaves then in confinement, exceed the number of male and female Slaves hereinbefore mentioned, then and in such case, those Slaves who have been the longest confined in the said Slave prison shall be delivered to the keeper of the common gaol there to be safely and securely kept, and the names and descriptions of all such Slaves so confined as aforesaid, either in the Slave prison or the gaol, together with the names of their respective owners, if known, shall be advertised by the provost marshal, or his lawful deputy two successive times in two of the public newspapers of this island; and if such Slave or Slaves shall not be claimed by his, her, or their owner or owners, or his, her, or their lawful agent or agents, attorney or attorneys, 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 was or were delivered into the custody of the said provost marshal, and payment made 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, and he and they is and are hereby fully authorized and empowered to have such Slave or Slaves appraised by any three or more competent freeholders, and to sell and dispose of such Slave or Slaves for the appraised value, or a greater sum if a purchaser can be obtained, giving due notice of the time and place of such sale in two of the said public newspapers of this island for two successive times immediately before such sale takes place; and the money arising from the sale of the said Slave or Slaves, after deducting all fees and expenses payable to the said provost marshal, 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

of such Slave or Slaves shall not pay to the said provost marshal the sum or sums agreed to be given 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, and in either of such 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 at sales at outcry in the Courts of Common Pleas, and all necessary writs for that purpose shall be issued under the hand and seal of the chief judge for the time being of the precinct of Saint Michael. 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 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 reversion, or any person by him or her lawfully authorized, shall in his or her behalf put in a claim for the same, and pay all expenses which have been incurred at the Slave prison and goal, he or she shall be entitled to immediate possession in fee of such Slave or Slaves, and the tenant for life shall forfeit his or her estate in the same: Provided always, that until such Slave or Slaves can be sold for the appraised value, he, she or they shall be kept at work, together with the other Slaves in confinement in the manner hereinafter directed: Provided always, that in case any person committed to the said Slave prison or common gaol under the authority of this Act, as being a Slave, shall claim to be free, but shall not be able satisfactorily to prove the same, the said provost marshal of the island for the time being or his lawful deputy shall forthwith put advertisements in all and several of the newspapers of the island, describing the person so committed, and requiring all and every person and persons having knowledge of the person so committed, to appear before him the said provost marshal or his lawful deputy within three months then next after, to the end that it may be ascertained whether such person or persons is free or not, and which said advertisements shall be continued in the said several newspapers of the island for three months; and if at the expiration of the said three months, the said provost marshal or his lawful deputy shall not have received satisfactory information of the freedom of such persons, he is hereby authorized and required to certify the same to the Governor or Commander-in-Chief of this island for the time being, and the members of His Majesty's Council, who are hereby fully authorized and empowered to hear and determine upon the case so certified to them by the said provost marshal or his lawful deputy, and unless it shall be proved to the satisfaction of the Governor or Commander-in-Chief for the time being, and Council, that the person so claiming to be free is *bonâ fide* a Slave, they shall and are hereby authorized and empowered forthwith to set him or her at liberty, and such person is hereby declared to be, and to be held and taken as a free person: Provided nevertheless, that if it shall appear to the Governor or Commander-in-Chief for the time being, and Council, that such person claiming to be free is not a native of this island, they shall, if they think proper, order him or her to quit this colony within twenty-one days; and if he or she shall fail to comply with such order so given, it shall and may be lawful for any constable to apprehend the person so offending, and to commit him or her to the common gaol of this island, there to be confined until he or she shall be sent away from the island: And provided also, that nothing herein contained shall at any time operate as a bar to any person or persons who may afterwards establish by due course of law the

Remedies against purchasers not paying their purchase money to the provost marshal, and against the provost marshal after receiving not paying it into the treasury.

Proviso—
If the owner of a Slave thus sold was, at the time, absent from the island, &c., the governor and council may direct the treasurer to pay the net proceeds to such owner.

Proviso—
If a tenant for life do not claim Slaves before sale, and the remainder man puts in his claim the same to be delivered up to him.

Proviso—
Until Slaves are sold they shall be worked as directed in the Act.

Proviso—
If persons committed as Slaves claim to be free, but cannot prove it, the provost marshal shall advertise for proof.

And if at the end of three months he has not received satisfactory proofs of such person's freedom, he is to certify the same to the governor and council, who are to determine thereon, and unless it be proved that the person claiming to be free is *bonâ fide* a Slave, he or she is to be set at liberty as a free person.

Proviso—
If such person is not a native of the island, the governor and council may order him to quit the island in twenty-one days.

Proviso—
The rights of persons not to be affected.

Proviso—
 Provost marshal may take bond for the appearance of a person claiming to be free, instead of holding him in custody.

right of property to or in any person so declared free by the Governor or Commander-in-Chief for the time being, and Council: Provided always, that instead of such person so committed under the authority of this Act as a Slave but claiming to be free being held in custody, it shall and may be lawful to and for the said provost marshal or his lawful deputy, to take bail in two good and sufficient securities in the sum of fifty pounds current money to him and his successors in office for the uses of the public of this island, for the appearance of such person before the Governor or Commander-in-Chief and Council, when his or her case shall come on to be heard, anything hereinbefore contained to the contrary thereof in anywise notwithstanding.

Clause 15.
 The provost marshal to demand and receive the fees herein mentioned, before he delivers up any runaway Slave.

And be it further enacted by the authority aforesaid, that when any runaway Slave or Slaves shall be claimed to be released, either from the said Slave prison 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 said twelve shillings and sixpence, or six shillings and threepence as the case may be, so paid as aforesaid by the said treasurer on the apprehending of 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 and may 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 up, and sevenpence halfpenny 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, and under the like restrictions as if no claim had been made: Provided always, and it is hereby further enacted, that the keeper of the Slave prison, 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 delivering up any Slave or Slaves who shall be claimed, to take a receipt from the person or persons claiming such Slave or Slaves, that he, she, 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 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 book or books to be kept for that purpose respectively by the keeper of the Slave prison, 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.

If the fees are not paid, he may sell the Slaves as if no claim had been made.

Proviso—
 The keeper of the Slave prison and gaol, shall take receipt for all Slaves delivered up.

Clause 16.
 The magistrates of the island to visit the Slave prisons, and to see that they are kept clean and healthy, and that sufficient food is allowed to the Slaves in confinement.

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 Slave prison, and other prisons allotted for the confinement of Slaves, 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 said Slave prison, and other prisons, 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 Slave prison and other prisons be constantly kept clean, healthy, and wholesome, and that good and sufficient food be allowed to the said Slaves in confinement; and the said Slave prison shall be and the same is hereby 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 Slave prison, and to be responsible for the good government and conduct of the same.

The provost marshal to be keeper of the Slave prison.

Clause 17.
 The keeper of the Slave prison for any offence, shall be punished by the order of two justices, as hereinafter directed.

And be it further enacted by the authority aforesaid, that if the keeper or keepers of the said Slave prison hereinbefore mentioned, or any other prison or prisons allotted for the confinement of Slaves, or any of their deputies, shall be guilty of any crime, misdemeanour, or offence, or shall misbehave himself or themselves in their respective situations, he or they

shall and may be punished according to the nature of the said crime, misdemeanour, or offence, by fine and imprisonment, or either, at the discretion of any two justices of the peace; such imprisonment not to exceed one month, and such fine not to exceed five pounds current money.

And be it further enacted by the authority aforesaid, that whenever there shall be ten or more runaway Slaves in confinement under the provision of this Act, in the said Slave prison and gaol, or either, for the space of ten days, the said provost marshal or his lawful deputy shall, under a penalty of five pounds current money, report the same to some one of the acting magistrates of Bridge Town, who, together with any two or more of the acting magistrates of the said town, shall have power to order and direct the said Slaves to be worked on the treadmill hereinafter directed to be provided, or to be worked in cleaning and repairing the streets of Bridge Town, and the public roads within one mile of said town, or on any public roads within the said town, or within the distance of one mile from it; and the said Slaves when so employed on such work, (excepting on the treadmill) shall be under the immediate care and inspection of some proper person or persons to be hired for that purpose by the said acting magistrates, and each person so employed, shall be paid out of the public treasury, the sum of sevenpence halfpenny per day for each Slave committed to his charge, and the person or persons so to be employed, shall be answerable for the security of the said Slaves. And in order to prevent their escape, it shall and may be lawful for him or them to make use of such proper means and powers as he or they, with the sanction of the said acting magistrates or any two of them, may think fit to adopt; and in case any Slave whilst so employed, shall escape, the person or persons so hired and in charge of them, shall repay to the said treasurer, the said twelve shillings and sixpence, or six shillings and threepence, as the case may be, by him paid on the apprehension of such Slave, to be levied and raised by the said treasurer on complaint to any justice of the peace, as in the case of servants' wages.

And be it further enacted by the authority aforesaid, that the committee appointed by law, for directing the repairs of the town-hall, or a sufficient board of them shall, and they are hereby authorized and required to have constructed and erected at the public expense, one or more good and sufficient treadmill or mills, within such part of the gaol yard, attached to the said town-hall as to them shall seem most convenient for that purpose, and to see that the same is and are at all times kept in proper order and repair; and the said committee shall be, and they or any sufficient board of them, are hereby authorized and empowered to draw on the treasurer of this island for the time being, for all such sum and sums of money as may be required to meet the expenses of constructing and erecting the said mill or mills, and which may from time to time be required to keep the same in proper order and repair; and the said treasurer shall pay, and he is hereby directed to pay, all such sum and sums of money as may from time to time be drawn for by the said committee or a sufficient board of them, for the purposes aforesaid. And the said treadmill or mills, shall be under the direction and management of the provost marshal, or his lawful deputy for the time being, and shall be used as directed in the preceding clause of this said Act, and also as a mode of punishment for Slaves, for any offences committed under this or any other Act of this island, if so ordered by the court or justices, before whom such Slaves shall be tried and convicted.

And be it further enacted by the authority aforesaid, that the several Coroners of this island shall, and they are hereby severally and respectively required and directed, whenever they hold inquests on the bodies of Slaves, to transmit copies of every such inquest and of all the evidence taken thereon, and of the proceedings thereof, to the governor or commander-in-chief of this island for the time being, within five days after the taking of every such inquest, and also within the same time, to return the original inquisition, evidence, and proceedings, to the crown office of the island, there to be kept and preserved as records; and where any such inquests shall be held on the body of any Slave who may happen to die in the said Slave prison, gaol, or other prison, the Coroner taking the same, shall also within the time above limited transmit copies of the same, and of all the

Clause 18. When ten or more runaway Slaves be in confinement, they may, by order of the acting magistrates of Bridge Town, be worked on the treadmill or otherwise, as herein directed.

Proviso— Proper persons to be employed to superintend them.

Who are authorized, under the sanction of the magistrates, to use proper means to prevent their escape. Remedies against the persons having charge of such Slaves and suffering them to escape.

Clause 19. The town-hall committee are authorized to have one or more treadmills erected within the gaol yard, and kept in repair at public expense.

Clause 16. The magistrates of the island to visit the treadmills to be under the directions of the provost marshal, and used as a mode of punishment for Slaves.

Clause 20. Coroners holding inquests on the bodies of Slaves, to transmit copies of their proceedings to the governor within five days after, and to return original inquisition and proceedings to the crown office.

The keeper of the Slave prison for any Slave who happens to die in prison, to transmit copies within the same time to the owner.

evidence taken thereon, and of the proceedings thereof to the owner or proprietor of said Slave, or to his or her representative, attorney, or overseer; and if any Coroner shall neglect or refuse to conform himself to the directions in this clause contained, he shall, for every such neglect or refusal, forfeit and pay the sum of ten pounds current money, to be recovered before any justice of the peace, as in the case of servants' wages, one moiety to be to the use of the complainant, and the other moiety to be paid into the public treasury.

Clause 21.

And for the benefit and protection of the fair trader, and for the discouragement of persons hawking and peddling about the country, pay no trade tax, and also for the better prevention of the sale and barter of stolen goods, be it further enacted by the authority aforesaid, that if any owner, proprietor, attorney, overseer, or other person having the charge, management, or direction of any Slave or Slaves, shall suffer or permit any such Slave or Slaves to go and beat large for the purpose of supporting and feeding himself, herself, or themselves, or paying hire for himself, herself, or themselves, or to follow any trade, business, or occupation, for the benefit and advantage of such owner, proprietor, attorney, or overseer, or other person having the charge, management, or direction of such Slave or Slaves, or for the benefit and advantage of any other person or persons whomsoever, every person so offending, shall forfeit and pay the sum of five pounds current money of this island, for each and every such Slave, to be recovered before any justice of the peace as in case of servants' wages; one moiety thereof to be to the use of the informer, and the other moiety to be paid into the public treasury. And in every such case the *onus probandi*, whether any such Slave or Slaves do or do not go at large, contrary to the true intent and meaning of this clause, shall, where the same cannot be fully proved by the complainant, rest upon the party complained against, but who shall nevertheless be allowed to discharge and absolve himself or herself from the penalty aforesaid, by his or her own oath: Provided always, that nothing in this clause contained, shall extend or be construed to extend to any Slave or Slaves who shall be regularly settled in any house, shop, or place, in carrying on any kind of trade or business for the benefit of his, her, or their master or mistress, provided such Slave or Slaves be furnished with half yearly licenses for that purpose, by his, her, or their master or mistress.

And be it further enacted by the authority aforesaid, that if any person shall, from and after the passing of this Act, employ any Slave or Slaves without first agreeing with the owner or other person having the charge, management, and direction of such Slave or Slaves, such person so offending shall, for every Slave so employed, forfeit and pay the sum of five pounds current money, to be recovered and applied in such manner as directed in the immediately preceding clause: Provided always, that nothing in this clause contained, shall extend, or be construed to extend to any person who may employ any Slave or Slaves regularly settled in trade or business, and furnished with licenses in the manner provided for in the immediately preceding clause of this Act.

And be it further enacted by the authority aforesaid, that it shall and may be lawful for any person or persons to seize and apprehend any Slave or Slaves in whose possession may be found any sugar canes, sugar, rum, cotton, ginger, aloes, or other staple and export production of the soil, plate wrought or melted down, iron, lead, copper, pewter, brass, tin, or any other article or thing likely to have been stolen, and take from such Slave or Slaves all such goods and articles, unless he, she, or they, be furnished with a ticket or note descriptive of the same, and within five days after to restore the same to the lawful owner or owners (if known), on being paid the sum of five shillings, current money, by such owner or owners, as and for the trouble of such person or persons in seizing and taking away the same; but if the owner or owners of any article or thing not of a perishable nature, which may be so seized and taken away, cannot be found or known within the said five days, then, and in such case, the person or persons so seizing and taking away the same, shall deliver the same over to the warden of the parish in which the same were so seized and taken away; and the said warden shall, and he is hereby directed at the expense

Penalty on any coroner neglecting his duty herein.

Slaves not to go at large or pay hire, &c., under a penalty of five pounds upon the owner.

The *onus probandi* to be upon the owner, as to Slaves going at large, where the same cannot otherwise be proved.

Proviso—

All Slaves furnished with licenses half yearly by the owner, are allowed to carry on trade, &c.

Clause 22.

Any person employing a Slave without agreeing with the owner to forfeit five pounds.

Proviso—

Not to extend to the employing of Slaves furnished with licenses as herein provided for.

Clause 23.

Any person may apprehend Slaves having in possession sugar canes, sugar, &c., or other articles likely to have been stolen, and take the same away, and within five days restore them to the owner (if known)

Where the owner of any article not of a perishable nature cannot be found within the limited time, the same shall be delivered to the warden of the parish, who is to advertise them three times.

of the parish, to cause advertisements to be published three times in the several newspapers of this island, fully describing such articles and things, and when and where seized, under a penalty of twenty pounds current money, to be recovered before any justice of the peace, as in the case of servants' wages, one moiety thereof to the informer, and the other moiety thereof to the party or parties aggrieved; and every Slave so found in the possession of any such articles or things without a ticket, or note, descriptive of the same as aforesaid, shall be whipped at the discretion of any justice of the peace, not exceeding thirty-nine stripes, unless he or she shall satisfy such justice that the articles or things were lawfully in his or her possession; and if at the end of one month after such articles or things shall be so advertised as aforesaid by the said warden, the same shall not be claimed by the rightful owner or owners, or being claimed by such owner or owners, and he, she, or they shall fail or refuse to pay the said sum of five shillings to the person or persons who seized the same, and the expense of such advertisements to the said warden, the said warden shall, and he is hereby authorized and empowered to sell and dispose of such articles and things for the uses of the parish: Provided always, that if any Slave liable to be seized and apprehended for having in his or her possession any article or thing contrary to the provisions of this Act, and such Slave shall be in charge of any waggon, cart, cattle, or horses, belonging to his or her owner, proprietor, or possessor, it shall not be lawful to seize and detain such Slave to the prejudice of such owner, proprietor, or possessor, but only to seize and detain the articles or things found in his or her possession, and to make report thereof to such owner, proprietor, or possessor within twenty-four hours after, to the end that all such Slaves may be brought to trial.

The Slave from whom any articles are taken away, shall he whipped at the discretion of the justice, unless he can shew that he was lawfully possessed of them.
If at the end of a month the articles are not claimed, &c., the warden shall sell them for the uses of the parish.

Proviso—
If a Slave liable to be seized under this clause, be in charge of any waggon, &c., only the articles and not the Slave, shall be detained, and report made to the owner.

And to the end that industrious and honest Slaves may be duly encouraged in the cultivation of cotton and aloes, and all legal difficulties to the sale or barter of the same removed, and that they may in every respect be entitled to the like protection in the cultivation and sale of those articles as at present secured by law to the white and free inhabitants of the island: Be it further enacted by the authority aforesaid, that where any Slave or Slaves shall plant cotton or aloes, to his, her, or their own use, the same shall be reaped under the immediate inspection of some white person living on the plantation or place to which such Slave or Slaves shall belong; and if there shall be no white person living on the plantation or place to which such Slave or Slaves shall belong, then the same shall be reaped under the inspection of some other fit and proper white person, and when reaped the same shall be inspected by some one or more of the cotton inspectors, in like manner as by law they are required to inspect the cotton and aloes of the white and free inhabitants of this island, and certifies thereof given so as to legalize the same being sold, bartered, or disposed of; the person or persons under whose inspection the same was reaped, making oath before the said cotton inspectors, or some or one of them, that the said cotton or aloes was actually and *bona fide* reaped under his, her, or their immediate inspection from the lands or gardens of such Slave or Slaves.

Clause 24.
Where Slaves plant cotton or aloes for their own benefit, the same must be reaped under the inspection of a white person, and inspected in like manner as the cotton and aloes of the white and free inhabitants.

And be it further enacted by the authority aforesaid, that if any white free person or Slave shall purchase or receive any stolen goods from any Slave or Slaves, knowing the same to have been stolen, every such person shall, on conviction thereof, be adjudged as the actual thief or stealer thereof, and be punished accordingly by the court before which such white free person or Slave shall be tried: Provided always, that such conviction of any such person shall not absolve from punishment the Slave or Slaves, according to the provision of this Act, from whom such goods were purchased or received.

Clause 25.
Any white or free person purchasing goods from a Slave, knowing the same to be stolen, shall be punished as the actual thief.
Proviso—
Such conviction not to absolve from punishment, the Slaves from whom the goods were purchased.

And be it further enacted by the authority aforesaid, that where any stolen goods shall be found in the custody of any white or free person, and the person from whom the same were stolen, or any other person, cannot swear or depose against such person in whose custody such goods were found, as the actual thief or stealer thereof, or if it cannot be proved that the same were purchased or received from any Slave or Slaves, with the

Clause 26.
A white or free person found in the possession of stolen goods, to be proceeded against as in England, and to be deemed an accessory to the felony after the fact.

knowledge of their being stolen, every such person shall be proceeded against as receivers of stolen goods knowing the same to be stolen are proceeded against in that part of Great Britain called England, and he or she shall be taken and deemed an accessory to such felony after the fact, and on conviction thereof before the Court of Grand Sessions, be adjudged the same punishment as an accessory to the felony after the fact committed: Provided always that it shall and may be lawful for the said Court of Grand Sessions, to order and direct such accessory to be prosecuted as for a misdemeanour before the principal shall be convicted, as to the said court, from the nature and circumstances of the case, shall seem proper, and if thereof convicted, shall be punished by fine and imprisonment, which shall exempt such offender from being punished as accessory to the felony, though the principal should thereof be afterwards convicted, any law, usage, or custom to the contrary in anywise notwithstanding; and if any Slave shall be found in the possession of any stolen goods under the circumstance aforesaid, such Slave shall, on conviction thereof before any justice of the peace, be whipped, not exceeding thirty-nine stripes.

Clause 27.

And whereas great danger and impediment is daily caused to passengers in the streets and highways, from the riotous and tumultuous squabbles of Slaves, and from their careless and violent manner of riding and driving over the roads of this island: Be it therefore further enacted by the authority aforesaid, that if any Slave or Slaves shall be guilty of quarrelling, threatening, or fighting with one another, or of insolent language or gestures to or of any white person, or of swearing or uttering any obscene speeches, or of drunkenness, or making, selling, throwing, or firing squibs, serpents, or other fireworks, or of cock-fighting or gaming, or of riding upon a faster gait than a walk, or of driving a faster gait than a gentle trot, on any road of this island, or through any of the streets or lanes of the towns of this island, or of cruelly whipping, beating, or ill-using any horse, mare, gelding, mule, ass, or cattle, while under his, her, or their charge in the drawing of any waggon, cart, carriage, or chaise, or of negligently or improperly driving, or leaving without a driver any such waggon, cart, carriage, or chaise, or of any disorderly conduct, or misbehaviour in the squares, streets, lanes, paths, or highways of this island, every such Slave shall, upon conviction thereof before any justice of the peace, be whipped at the discretion of the said justice, according to the nature of the offence, not exceeding thirty-nine stripes, but the punishment of pregnant women in this and all other cases shall be committed for imprisonment; and it shall and may be lawful for any constable or other person, on any offence being committed in his presence by any Slave or Slaves, contrary to the provisions of this or any other Act of this island, to apprehend such Slave or Slaves without a warrant, and to take him, her, or them, before a justice of the peace, to be dealt with according to law.

Clause 28.

A person of free condition concealing a Slave guilty of any offence, or obstructing the due execution of this Act, shall pay a fine of not less than five pounds, nor exceeding twenty-five, for every such offence, forfeit and pay a sum not less than five pounds, and not exceeding twenty-five pounds current money of this island, unless where the same shall otherwise be provided for under this Act, to be recovered in a summary manner before any justice of the peace, as in the case of servants' wages, one moiety thereof to the informer, and the other moiety to be paid into the public treasury; and if the person so offending be a Slave, he or she shall be whipped at the discretion of any justice of the peace, not exceeding thirty-nine stripes.

Clause 29.

And be it further enacted by the authority aforesaid, that if any person shall knowingly suffer or permit any species of gambling to be carried on by Slaves within his or her plantation, property, or premises, such person shall

Proviso—
But, by order of the court may be prosecuted as for a misdemeanour, before the principal is convicted.

The offender being a Slave, to be whipped.

Slaves guilty of quarrelling and fighting, or of insolent language to a white person, &c. or of fast riding or driving on the public roads, or cruelly using horses or other animals, or other misbehaviour, to be whipped.

Punishment of pregnant women to be by imprisonment.

Slaves committing offences in presence of constable or other person, may be apprehended without a warrant.

And if a Slave, to be whipped.

An owner of a plantation suffering gambling to be carried on by Slaves, to be fined

for the first offence, on conviction thereof at the Court of Grand Sessions, forfeit the sum of twenty-five pounds current money, and suffer one month's imprisonment in the common gaol of this island, and for each subsequent offence the like fine, and the imprisonment to be doubled: Provided that complaint thereof be made to a justice of the peace within one month after the happening of the offence.

and imprisoned, and for a second offence the punishment to be doubled. Complaint to be made within a month.

And be it further enacted by the authority aforesaid, that the several constables within this island are hereby strictly enjoined and required to use their best endeavours, at all times, to prevent Slaves from gaming, assembling at huckster's shops, tippling houses, or dram shops, or any unlawful meetings, and if necessary it shall and may be lawful for them to take to their aid and assistance a sufficient guard to disperse such Slaves, and in case of resistance to seize and secure such Slaves, and to take them before any justice of the peace to be examined and dealt with according to law: and any two justices of the peace are hereby empowered to fine all constables neglecting to put the several clauses of this Act into force, in the sum of five pounds current money for every offence, or commit him to gaol not exceeding fourteen days.

Clause 30. Constables are to prevent Slaves from gaming or assembling at dram shops, &c., and may take a guard to disperse them.

Justices to punish constables for not putting this Act in force.

And be it further enacted by the authority aforesaid, that if any person shall let or hire to any person's Slave, or suffer any such Slave, at the instance or on the credit of any other person, to have the use or ordering of any land, house, room, or shed, except with the consent of the owner, proprietor, or other person having the lawful charge of such Slave, the person so offending shall pay to the churchwarden of the parish where the land, house, room, or shed may be situate, at the rate of five pounds current money per month for every such Slave, for so long a time as he or she shall have the use, ordering, or possession of any such land, house, room, or shed as aforesaid, to be recovered by such churchwarden before any justice of the peace, as in the case of servants' wages, and applied to the uses of such parish.

Clause 31. Any person hiring land or a house to a Slave, without the owner's consent, to forfeit five pounds per month to the uses of the parish.

And be it further enacted by the authority aforesaid, that if any Slave shall commit any theft or larceny, or be discovered in the attempt to commit any theft or larceny under the value of forty shillings, or shall steal or be discovered in the attempt to steal any canes, trash, cane tops, corn-stalks, peat-trees, cotton wood, fruit, goods, or chattels, on any ground provision whatsoever, whether the same be growing or not growing, under the value of forty shillings, or shall be guilty of any offence which by the laws of England, or the laws in force in this island, would, in the case of a white or free person, be deemed petit larceny, misdemeanour, or other inferior offence, for the trial of which no other provision has been made, every Slave so offending, and being brought to trial before two or more justices of the peace of this island, upon complaint of the party injured, or of any person in his or her behalf, and being convicted thereof, shall suffer such corporal punishment not exceeding thirty-nine stripes, and imprisonment not exceeding three months, or either, with or without hard labour, in the public service, as such justices shall think proper, due regard being always had to the circumstances of the case, and to the age, sex, state of health, condition, and character of the Slave to be so punished: Provided always, that the justices before whom any offender under this clause may be brought for trial, shall, in awarding punishment, be well satisfied that the offender was not driven to the deed from a want of food; and in case it should appear, on proper inquiry, that such offender was on that account urged to the commission of the offence, the justices shall, and they are hereby required to lessen the punishment in proportion to the excitement which led to the offence. And where, on the trial of any Slave for any such offence as aforesaid, it shall appear that the owner of such Slave cannot afford the necessary food for his or her subsistence, the acting protector of Slaves, shall, by the order of the said justices, take temporary possession of such Slave, and have him or her hired out, and his or her hire paid to such owner, until his or her circumstances shall be bettered, or he or she shall be able to dispose of such Slave or Slaves; but if it shall appear to the said justices, that the owner of any such Slave had ample means to furnish such Slave with food, and withheld the same,

Clause 32. A Slave who shall commit or be discovered in the attempt to commit theft or larceny, under the value of forty shillings, or shall steal or be discovered in the attempt to steal any canes, &c., or commit any offence as would, in the case of a white or free person, be petit larceny, he is to be whipped and imprisoned.

Clause 33. A person of free condition concealing a Slave guilty of an offence, or abetting the due execution of this Act shall be liable to the same punishment as if he were a Slave. Justices trying any offender under this clause must be satisfied that he was not driven to the deed from want of food.

Should it appear that an owner cannot afford necessary food to a Slave, the acting protector is to take temporary possession of the Slave, and hire him out until the owner's circumstances are bettered: but if it appear that the owner had the means and withheld the same, the justices

shall indict him to the Grand Sessions, and on conviction he is to be punished by fine and imprisonment.

When the acting protector shall sell a Slave, the owner shall receive the purchase money, unless claimed by a creditor.

Proviso.—

The owner being only tenant for life in such Slave forfeits his estate; and remainder man to take possession.

Without prejudice to any liens thereon.

Clause 33.

Slaves guilty of treason or concerned in rebellion, or who shall make preparation of arms, &c., or wilfully commit murder, rape, forgery, felony, or robbery, or set fire to any house, &c., or enter and break into any house, &c., at night or in the day, with an intent to steal, or shall steal thereout goods above the value of forty shillings or imagine the death of any person, and declare it by some overt Act, or steal horned cattle, &c.,

to be tried at the Grand Sessions in the like manner as white and free-coloured persons, and on conviction suffer death. Slaves guilty of offences not provided for by this act, which would subject white or free persons to a prosecution for felony, to be punished in the manner that such persons would be, or in a milder manner as the court shall think fit.

Clause 34.

A Slave who shall wilfully cut, chop, injury, or administer poison to horned cattle, &c., is to be tried before two justices & sentenced to corporal

the justices before whom any such Slave shall be brought to trial, are hereby required to indict such owner to the Court of Grand Sessions, who upon conviction thereof, shall be fined at the discretion of the court, in any sum not exceeding one hundred pounds, or imprisoned for any time not exceeding six months; and the said acting protector, shall, by order of the said court, forthwith take such Slave into possession, and have him or her sold for the most money that can be obtained; and such sale, by the said acting protector, shall be, and it is hereby declared to be, good and valid, against all claims and demands whatsoever; and until such Slave shall be sold, he or she shall be hired out by the said acting protector, and the money arising by such sale or hire, after deducting thereout all necessary expenses, shall be paid over by the said acting protector to the owner of such Slave, unless any judgment, creditor, or creditors of such owner, shall in the mean time claim such money; in which case the same shall be paid to such creditor or creditors, according to his, her, or their legal priority: Provided always, that in case any such Slave shall be owned by any person, who is only tenant for life, instead of such Slave being sold as aforesaid, the tenant for life shall absolutely forfeit his or her estate in such Slave, and the person next in remainder or reversion, shall be entitled to the possession of such Slave, and may enter and take possession of such Slave; subject, nevertheless, in the hands of reversioner or remainder-man, to all liens and encumbrances, attaching on and affecting the life-estate of such offender.

And be it further enacted by the authority aforesaid, that if any Slave or Slaves shall be guilty of treason, or shall enter into, or be concerned in, any rebellion or rebellious conspiracy, or shall plan, excite, raise, or in any way promote rebellion or insurrection, or make preparation, or be privy to the preparation of arms, powder, bullets, or offensive weapons, or hold any council or conspiracy, or be privy to the holding of any council or conspiracy, for the purpose of rebellion or insurrection within this island, or shall wilfully or maliciously commit any murder, rape, forgery, felony, or robbery, or shall wilfully set fire to any house, out-house, negro-house, canes, stacks of cane-trash, cane-tops, corn-stalks, pea-trees, cotton, wood, or piles of lumber, or shall enter and break into any house, out-house, negro-house, or other building, either at night or in the day time, whether any person be therein or not, with an intent to steal, or shall steal thereout any goods or chattels above the value of forty shillings currency, or shall compass or imagine the death of any person or persons whomsoever, and declare the same by some overt act, or shall steal any horned cattle, sheep, goat, horse, gelding, mare, mule, or ass, or shall steal any other live stock, or feathered stock, such live stock or feathered stock being above the value of forty shillings currency, such Slave or Slaves, shall for every such offence be indicted and tried at the Court of Grand Sessions of this island, in the like manner as white and free-coloured persons, and on conviction thereof be deemed guilty of felony, and suffer death without benefit of clergy; and where any Slave or Slaves shall commit any other crime not hereinbefore or herein-after provided for, the commission of which crime within this island, by any white, free-coloured, or free-black person or persons, would subject such white, free-coloured, or free-black person or persons, to a prosecution for felony, either by the laws of this island, by the statute laws of Great Britain, in force in this island, or by the common law of Great Britain, such Slave so offending shall, on conviction thereof at the Court of Grand Sessions, suffer and be liable to the same punishments as white, free-coloured, or free-black persons, would be liable to suffer for the same offences, if convicted thereof, or such other milder punishment as the court in its discretion, and according to the nature of the case, shall think fit to inflict.

And be it further enacted by the authority aforesaid, that if any Slave shall wilfully, and in a wanton manner cut, chop, shoot at, or otherwise maim, lacerate, or injure, or administer poison to any horned cattle, horse, mare, mule, ass, sheep, goat, or hog, such Slave shall, for every such offence, be tried before any two justices of the peace, and the said

justices shall on conviction of such Slave, order and direct such corporal punishment, imprisonment and hard labour, or imprisonment without hard labour, either together or separately to be inflicted on him or her, as such justice shall think proper, such corporal punishment not exceeding thirty nine stripes, and such imprisonment not to exceed the term of six months; and in all cases where, from such treatment as above set forth, any horned cattle, horse, mare, mule, or ass, shall be killed, or shall die within ten days next after the offence committed, although the carcass, or any part of the flesh thereof may not be stolen, such Slave shall be tried for such killing or death at the Court of Grand Sessions, and on conviction thereof shall be deemed guilty of felony, and shall suffer death without benefit of clergy, transportation for life, imprisonment, and hard labour, or imprisonment without hard labour, as the court shall, on consideration of all the circumstances of the case, think proper.

punishment, imprisonment, and hard labour.
When from any such treatment any horned cattle &c. shall be killed or die, within ten days after, the offender shall be tried at the court of Grand Sessions and punished with death, transportation, &c., as the court shall think proper.

And be it further enacted by the authority aforesaid, that in all cases where any Slave or Slaves shall be put upon his, her, or their trial, and shall receive sentence of death, or transportation for life, the jury at the time of trying such Slave or Slaves, shall also inquire upon their oaths, what sum or sums of money the owner, proprietor, or possessor of the said Slave ought to receive; provided that such sum or sums of money do not exceed the sum of one hundred pounds current money of this island, for each Slave so sentenced as aforesaid, and the court before whom such Slave or Slaves may be tried, shall make certificate thereof to the treasurer of this island, for the time being, therein requiring the said treasurer to pay (who is directed to pay) the value of said Slave or Slaves, to the owner or owners thereof; and where any such Slave or Slaves shall be owned by any person or persons, who is or are only tenant or tenants for life, the jury at the time of assessing the value of such Slave or Slaves, shall also settle and determine what part or parts of such sum or sums of money shall be paid to the tenant or tenants for life, and what part or parts thereof shall be paid to the person or persons next in remainder, or reversion of such Slave or Slaves, and which shall be binding on all parties interested in any such Slave or Slaves; subject, nevertheless, and without prejudice, to any claims which may be preferred to the said treasurer, by any creditor or creditors having liens on such Slave or Slaves, whose claims and demands shall be paid in due priority, out of the sum or sums of money at which such Slave or Slaves may be so valued as aforesaid.

Clause 35.
When Slaves are sentenced to death or transportation for life their value to be ascertained by the jury, by whom they are tried; not exceeding one hundred pounds each, and paid to the owner from the public treasury.

If the owner be only tenant for life, the jury shall apportion the sum between him and the remainderman.

Creditors on such Slaves to receive the value.

And be it further enacted by the authority aforesaid, that in case upon any accusation against any Slave or Slaves for murder, where malice prepense shall not be proved to the satisfaction of the jury, such jury shall be at liberty to find such Slave or Slaves guilty of manslaughter, if the nature of the case shall require it, and the Slave or Slaves so found guilty of manslaughter shall suffer such punishment as the court shall think proper to inflict, not extending to life or limb.

Clause 36.
Slaves may be found guilty of manslaughter, and punished not extending to life or limb.

And be it further enacted by the authority aforesaid, that if any white, free-colored, free-black person or Slave shall wilfully, maliciously, and unlawfully pretend to any magical and supernatural charm or power, in order to promote the purposes of insurrection or rebellion of the Slaves within this island, or to injure or affect the life or health of any person whomsoever, or wilfully and maliciously shall use and carry on the wicked and unlawful practice of Obeah, and shall be thereof convicted at the Court of Grand Sessions, the offender shall suffer death without benefit of clergy, or transportation as the said court shall think proper.

Clause 37.
Any white, free person, or Slave, unlawfully pretending to supernatural power, for the purposes of insurrection, or to affect the life of any person, or wilfully practising Obeah, to suffer death or transportation.

And be it further enacted by the authority aforesaid, that if any white, free-coloured, free-black person or Slave wilfully and maliciously in the practice of Obeah, or otherwise shall mix or prepare, or have in his or her possession, any poison, or any noxious or destructive substance, or thing with an intent to administer to any person or persons whomsoever, or wilfully and maliciously, shall actually administer to, or cause to be administered to, or taken by any person whomsoever, any poison, or any noxious or destructive substance, or thing whatsoever, although death may not ensue, every such offender, together with his or her counsellors, aiders, or abettors knowing of, and being privy to such evil intentions and offences,

Clause 38.
Any white, free person, or Slave, in the practice of Obeah, who shall prepare or have in possession poison or any destructive substance, with intent to administer or shall administer it to any person, with the aiders and abettors to suffer death, transportation, or other punishment.

shall, upon conviction thereof at the Court of Grand Sessions, suffer death without benefit of clergy, transportation, or such other punishment as the said court shall think proper.

Clause 39.
Persons who pretend to power of divination and practice of fortune telling, if Slaves, to be whipped, imprisoned, or worked in the public service;

And be it further enacted by the authority aforesaid, that if any person or persons pretending to have the power of divination, shall in any manner, or by any means whatsoever, carry on or practice what is commonly called fortune telling, or shall pretend to possess the charm or power of discovering or leading to the discovery of any lost or stolen goods, articles, or things, and shall practice or attempt to practice the same in any manner, or by any means whatsoever, every person convicted thereof, before any justice of the peace, and being a Slave, shall be whipped, imprisoned, or worked in the public service, at the discretion of the said justice, such whipping not to exceed thirty-nine stripes, and such imprisonment or working in the public service not to exceed one month; and a white, free-coloured, or free black person, he or she shall forfeit and pay a sum of not less than ten pounds, and not exceeding twenty-five pounds currency, to be recovered as in the case of servants' wages, one moiety thereof to the informer, and the other moiety to be paid into the public treasury.

if of free condition, to be fined not less than ten pounds, and not exceeding twenty-five pounds.

Clause 40.
The wilful murder of a Slave by any person to be punished by death without benefit of clergy;

And be it further enacted by the authority aforesaid, that if any person shall wilfully and maliciously kill and murder, or cause to be killed and murdered any Slave, whether such Slave be the property of the person so killing and murdering, or causing the killing or murdering, or of any other person or persons, such person so offending, shall, on conviction thereof at the Court of Grand Sessions, by the testimony of any one or more credible witness or witnesses, be adjudged guilty of felony, and shall suffer death without benefit of clergy: Provided always, that such conviction shall not extend to the corrupting the blood, or the forfeiture of lands, tenements, Slaves, goods, or chattels, any law, custom, or usage, to the contrary notwithstanding.

but not to extend to the corrupting the blood, or forfeiture of lands, &c.

Clause 41.
A person who kills by accident the Slave of another, shall only pay the value. If a Slave be killed whilst committing theft, or breaking at night into any house, &c., or setting fire at night or in the day to any house, &c., the person so killing, shall not be punished criminally or otherwise.

And be it further enacted by the authority aforesaid, that if any person shall unfortunately kill or maim by accident the Slave of another, such person shall only be liable to an action at law by the owner of such Slave, for the value of the Slave so killed or maimed; but if any Slave shall be killed whilst in the act of committing or attempting to commit any robbery or theft, or in the act of breaking at night into any house, outhouse, or negro-house, or in the act of setting fire, either at night or in the day-time, to any house, outhouse, negro-house, canes, stacks of cane-trash, cane-tops, corn stalks, pea-trees, or cotton-wood, or stacks of dry fuel, or piles of lumber, or whilst maliciously setting fire to any property of any value, the person or persons killing any such Slave, shall not be punished for the same, either criminally or otherwise, any law, usage, or custom, to the contrary notwithstanding.

Clause 42.
A Slave wilfully striking a white person, for the first offence, to suffer imprisonment, with or without labour, and corporal punishment. For a repetition of the offence, to be transported for life or imprisoned with or without hard labour.

And be it further enacted by the authority aforesaid, that if any Slave shall wilfully strike or assault any white person, such Slave shall for the first offence, on conviction thereof, before any two justices of the peace, suffer imprisonment with or without hard labour in the public service, not exceeding six months, and corporal punishment not exceeding thirty-nine stripes; and for a repetition of the like offence, be tried at the Court of Grand Sessions, and be punished with transportation for life, imprisonment, and hard labour in the public service, or imprisonment without such hard labour, according to the nature of the offence, and the circumstances of the case as the court shall in its discretion think proper to inflict.

Proviso.
That the striking be not in defence of the owner's person or property.

Provided that such striking or assault be not in the necessary defence and protection of his or her owner's person or property.

Clause 43.
A Slave who strikes his master or mistress, to be punished with death or transportation.

And be it further enacted by the authority aforesaid, that if any Slave shall strike his or her master or mistress, such Slave shall, upon conviction thereof before the Court of Grand Sessions, suffer death without benefit of clergy, transportation, solitary confinement, or such corporal punishment as the nature of the offence may deserve, and as the court in its discretion shall think proper to inflict.

Clause 44.

Whereas it is highly expedient to restrain owners and other persons having the government and direction of Slaves from discriminately, wantonly, or cruelly exercising the power they possess over their Slaves: and whereas

the cruelty of punishment by flogging necessarily depends much more upon the manner of inflicting it, than upon the number of stripes, it is therefore deemed most conducive to the ends of humanity, to trust to the discretion and good feelings of the justices before whom complaints of such offences shall be made: Be it therefore further enacted by the authority aforesaid, that if any person shall commit any wanton act or acts of cruelty towards any Slave or Slaves, or if the same shall be committed by his or her direction or order, or with his or her knowledge, privity, or consent, or shall wantonly, maliciously, and cruelly whip, beat, or bruise any Slave or Slaves, or keep in confinement without sufficient food and support any Slave or Slaves, or shall suffer, permit, cause, or procure the same to be done, whether such Slave or Slaves may or may not belong to him or her, such person or persons shall and may be summoned before any two justices of the peace to answer for the offence, and such justices are hereby ordered and empowered on conviction thereof, to impose a penalty on the person so offending of not less than twenty-five pounds, and not exceeding one hundred pounds currency, according to the nature of the offence; and it shall and may be lawful for any justice of the peace, and he is hereby authorized and required upon complaint or information of any offence aforesaid, being made or given to him by any person whomsoever, whether such person be a white free coloured, or free black person, or a Slave, to summon the offender or offenders, and such Slave or Slaves so alleged to have been cruelly punished, and all such witnesses as may be material to prove the said offence, and to take down the examination of such offender or offenders in writing, and also the state, appearance, marks, and condition of the Slave or Slaves, and all other circumstances that may be necessary to prove the fact, and to join to him some other justice of the peace, and to examine into the alleged offence, which if proved to their satisfaction, they shall set a fine on the offender or offenders, not less than twenty-five pounds currency, and not more than one hundred pounds currency each, for every Slave so cruelly punished as aforesaid, whether such Slave or Slaves may or may not belong to such offender or offenders; but if such offence cannot be fully proved, and the Slave or Slaves so alleged to have been cruelly punished shall be produced before the said justices, and if the marks or traces of recent and cruel flogging, laceration, or punishment shall appear on the person or persons of such Slave or Slaves, and if such Slave or Slaves shall, before the said justices, declare such marks or traces to be the consequence of such cruel and unlawful punishment or correction, and being duly examined by the said justices, shall make a particular, consistent, and probable statement of all the circumstances attendant on such cruel and unlawful punishment, then and in every such case, although such Slave or Slaves may not be a competent witness or witnesses within the provisions of this Act, yet the party or parties accused, shall thereupon be considered guilty of the offence, and be convicted in any sum not exceeding and not less than the penalty aforesaid, unless such party or parties shall by his, her, or their oath or oaths, or by the oath or oaths of some credible witness or witnesses, prove that the punishment of which the marks or traces may be apparent, was not inflicted by him, her, or them, or by his, her, or their procurement, or with his, her, or their knowledge or consent: Provided always, that if any Slave or Slaves shall make complaint of any such offence as aforesaid, and upon the hearing thereof before the said justices, the same shall appear to them to be frivolous, vexatious, or unfounded, the said justices are hereby directed and required to order every such Slave to be whipped, not exceeding thirty-nine stripes, and imprisoned with or without labour in the public service for any time not exceeding three months. And be it further enacted, by the authority aforesaid, that if any white or free person shall maim, mutilate, or dismember, or cause to be maimed, mutilated, or dismembered any Slave or Slaves, whether such Slave or Slaves may or may not belong to him or her, he or she shall, for every such offence, be prosecuted at the Court of Grand Sessions, and upon conviction thereof shall be punished by fine, to be paid into the public treasury of the island, and imprisonment, or either, as the court shall think fit; such fine not to be less than one hundred pounds currency, and such imprisonment

A person who wantonly commits cruelty towards a Slave by whipping, bruising or beating, &c., shall be fined by any two justices not less than twenty five pounds and not exceeding one hundred pounds.

A justice on information of any offence, to summon the offender and the Slave alleged to have been so cruelly punished; and to take examinations and the state and appearance of the Slave and to join to him some other justice to hear the complaint.

If the offence be not fully proved, but the marks of recent cruel flogging appear on the person of the Slave, declare the same to be the consequence of such punishment, the accused to be considered guilty;

although such Slave may not be a competent witness otherwise, unless the accused by his own oath or that of some credible witness shall disprove the charge.

Slaves making frivolous, vexatious, or unfounded complaints, to be punished by order of the justices.

Clause 45. Any white or free person maiming or dismembering a Slave, to be punished at the Grand Sessions with fine, not less than one hundred pounds, and imprisonment not less than six months.

not to be less than six months for each and every Slave so maimed, mutilated, or dismembered, and the said court shall award the yearly interest or a proportion of the interest of the said fine, to be paid to the said Slave for life by the treasurer of this island; and it shall and may be lawful for the judge and justices of the said Court of Grand Sessions, and they are hereby required, to order and adjudge such Slave or Slaves if maimed, mutilated, or dismembered by his, her, or their owner, or by the direction of such owner, to be delivered to and taken possession of by the acting protector of Slaves for the time being, to be by him forthwith sold and disposed of to some person of good and humane repute, for the best price that can be obtained for the same, and the money arising by such sale to be paid over into the public treasury for the uses of the public; but if there be any debt or debts affecting the said Slave or Slaves, then and in such case the money shall be paid to the creditor or creditors of his, her, or their owner in due priority. And it is hereby further enacted, that such sale from the said acting protector shall be held and deemed competent and sufficient in law to vest the absolute property in, and to give a good title to the purchaser or purchasers of such Slave or Slaves. Provided always, that if any owner or proprietor guilty of any of the offences in this clause mentioned, shall be only tenant for life, in such case the estate for life shall be forfeited, and the person next in remainder or reversion shall forthwith be entitled to the possession of such Slave or Slaves, and may enter and take possession of him, her, or them, accordingly, subject nevertheless, in the hands of such reversioner or remainder-man, to all liens and encumbrances attaching on and affecting the life-estate of such offender; and for a second offence being committed by any person on his or her other Slave or Slaves, he or she shall forfeit the possession of the whole of his or her property in lands and Slaves, and the same shall become vested in certain trustees, to be appointed by the governor or commander-in-chief of this island for the time being, and council, to be thereafter, by the said trustees, conducted for the benefit of such owner or proprietor, and his or her creditors, and all others interested therein; but if such offender shall be tenant in fee simple, and he or she shall so desire it, such property in lands and Slaves shall and may, by an order of the governor or commander-in-chief of the island for the time being, and council, be sold by the acting protector of Slaves, and the money to arise by such sale shall be paid to the creditors, if any, of such owner, and if there be no such creditors, then to the owner, for his or her use or uses; but if such offender shall be only tenant for life, in such case the property shall be vested in trustees as aforesaid during the life of such tenant, and the person so offending shall, for such second offence, be rendered incapable of holding the possession of, or having any control, management, or direction whatsoever over Slaves: and be it further enacted, that the said acting protector of Slaves shall have and receive, and be allowed to deduct a commission of fifty shillings by and out of every one hundred pounds which, under the provisions of this Act, shall be raised by him in the sale of any Slaves or other property, as and for his trouble in selling the same.

And be it further enacted by the authority aforesaid, that all punishments by whipping prescribed by this Act, as also all private punishments by or under the orders of the owners or proprietors of Slaves, or other persons lawfully authorized thereto, shall be inflicted with the like instrument, and in the like manner now in the use and practice in his Majesty's army or navy, and in no other manner whatever, except in private punishments, where a milder instrument may be preferred and used; and where the punishment of female Slaves by whipping shall be necessary, the same shall be inflicted in private, and in a decent manner, without any unnecessary exposure of the body of any such female Slave; and where any female Slave shall be in a state of pregnancy, she shall not, on any pretence whatsoever, be punished in any other way than by confinement; and if any person shall offend against the provisions of this clause, every such person shall for every such offence forfeit and pay the sum of ten pounds current money of this island, to be recovered before any justice of the peace, as in the case of servants' wages.

The court shall award the yearly interest of the fine, or proportion of it, to be paid to the Slave for life.

A Slave maimed by the owner to be taken into possession by the acting protector, and sold to a person of humane repute, and the money paid into the treasury.

Where there are creditors it shall be paid to them.

Proviso—

Where an owner is only tenant for life, the remainder-man may take possession, subject to all encumbrances.

An owner committing a second offence on his other Slaves, shall forfeit the possession of the whole of his property in lands and Slaves, and the same shall be vested in trustees and conducted for his benefit and others interested, or sold by the acting protector.

If the offender be only tenant for life, the property to be vested in trustees during life.

The offenders to be incapable of holding or having any control over Slaves.

The acting protector to be allowed a commission for selling the property.

Clause 46.

Slaves to be whipped with the like instruments and in like manner as practised in his Majesty's army and navy, except where a milder instrument may be preferred.

Female Slaves to be punished in a private and decent manner, and when pregnant, only to be confined, and not whipped.

Persons offending against the provisions of this Act to forfeit ten pounds.

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Clause 47.

Any person fixing a collar, chains, or irons on a Slave, to be bound to the Grand Sessions, & punished by fine and imprisonment.

Owners of refractory or runaway Slaves shall confine them in stocks.

Justices are empowered to order collars, chains, or irons to be taken off from Slaves.

Proviso—

Where the owner of refractory or runaway Slaves can satisfy a justice that the improper conduct of Slaves was not occasioned for want of food, or by cruel treatment, he may issue a warrant for committing such Slaves to the Slave prison, to be confined therein and worked, not exceeding six months.

Proviso—

Diseased or unserviceable Slaves not to be confined.

Clause 48.

A Slave who shall discover and give information of any intended insurrection, or the concealment of gunpowder or warlike instruments, for the purpose of rebellion, and the accused shall be convicted thereof, the value of such Slave so informing, not exceeding two hundred pounds, shall be paid the owner.

The Slave to be freed and sent at the public expense to any place he may desire, and be paid ten pounds per annum;

but if the Slave prefer remaining in the owner's possession to being set free, he shall be allowed twenty-five pounds per annum.

Clause 49.

A white or free person who shall sell or give to a Slave gunpowder or weapons, or any poison or destructive drug, shall be fined by a justice not exceeding fifty pounds.

If the offence cannot be fully proved, and the Slave to whom the same were sold or given shall make a consistent statement of all the cir-

And be it further enacted by the authority aforesaid, that if any person on any pretence whatsoever, shall fix, or cause to be fixed, any metal collar round the neck of any Slave, whether such Slave be his or her own property or otherwise, or shall fix, or place, or cause to be fixed or placed, any chains, weights, or irons, of any kind, shape, or form whatsoever on the body or limbs of any Slave, such person shall be prosecuted at the Court of Grand Sessions, and punished by fine and imprisonment at the discretion of the court. Provided always, that nothing in this clause contained shall prevent owners of Slaves from confining refractory and disorderly Slaves, or such as are addicted to run away in iron or wooden stocks, or secure places of confinement, or by other means of security, so that such Slaves are thereby confined without bodily hurt, and all and every the justices of the peace of this island are hereby authorized, directed, and empowered, on information of such offence, and view of such Slaves, to order such collar, chains, weights, or irons, to be immediately taken off, from the Slave or Slaves bearing the same. Provided also, and to the end that runaway or refractory Slaves may be fully punished, be it further enacted, that if the owner, proprietor, or possessor of any runaway or refractory Slave or Slaves shall make it appear to the satisfaction of any justice of the peace upon his or her own oath, or the oath of any credible witness or witnesses, that such the improper conduct of such Slave or Slaves was not occasioned for the want of food or clothing, or from cruel treatment, it shall and may be lawful for such justice by his warrant to commit such Slave or Slaves to the said Slave prison, or the gaol, there to be confined with or without labour on the treadmill or otherwise, for any time not exceeding six months, and such Slave or Slaves during such time shall be fed at the public expense. Provided always that no maimed, diseased, or unserviceable Slave, shall, under the authority of this clause, be committed to the said Slave prison or gaol.

And be it further enacted by the authority aforesaid, that if any Slave shall discover and give information of any evil designs or plots of any other Slave or Slaves, or of any free person or persons of any description whatsoever, for the beginning, encouraging, or keeping up of any insurrection, rebellion, or of the possession or concealment by any Slave or Slaves, of any gunpowder or mischievous or warlike instruments, for the purpose of insurrection or rebellion, whereby the accused shall be thereof legally convicted, every such Slave so causing such conviction as aforesaid, shall be appraised at his or her full value, not exceeding two hundred pounds current money, by the jury before whom the accused may be tried, and the court shall make certificate thereof to the treasurer of this island for the time being, requiring him to pay, and he is hereby directed to pay, the value of such Slave to the owner thereof. And be it further enacted, that such Slave so making such discovery, and giving such information as aforesaid, shall, on full conviction of the accused as aforesaid, be declared free, and shall accordingly from thenceforth be absolutely free to all intents and purposes whatsoever, and shall at the public expense be sent wherever his or her wishes may point out, and be paid the annual sum of ten pounds current money, from the public treasury; but should such Slave prefer remaining in his or her owner's possession to being freed, such Slave shall in that case annually and every year be paid the sum of twenty-five pounds current money from the public treasury during his or her natural life.

And be it further enacted by the authority aforesaid, that if any white, free black, or free coloured person shall sell, barter, or give to any Slave or Slaves, any gunpowder, warlike or mischievous weapon or weapons, or any poison, noxious or destructive drug, substance, or thing, and the same shall be established to the satisfaction of any two justices of the peace, the said justices are hereby authorized and empowered to set a fine upon the person so offending in any sum not exceeding the sum of fifty pounds, current money of this island; but if such offence cannot be fully proved, and the Slave or Slaves to whom any such gunpowder, warlike or mischievous weapon or weapons, or such poison, noxious or destructive drug, substance, or thing, was or were alleged to have been sold, bartered, or given by any such person shall be produced before the said justices, and shall make a parti-

circumstances of the sale or gift, although the Slave be not otherwise a competent witness, yet the accused shall be considered guilty unless he shall, by his own oath or that of some credible person, disprove the charge.

If it shall appear to the justices that the accused knew that the articles were for illegal purposes, they may commit him or her to gaol, to remain and be tried at the Grand Sessions, who upon conviction shall suffer death or transportation for life.

Clause 50.

A Slave who in time of invasion behaves courageously, and shall kill one or more of the enemy or rebels, shall be rewarded as the legislative may think fit.

The legislature may reward such Slave with freedom, and pay his value to the owner.

Clause 51.

If a Slave engaged in battle, in opposing any insurrection be killed, the owner shall be paid his value not to exceed one hundred pounds.

In cases not already provided for, where owners of Slaves, paid for by the public, are only tenants for life, the authority determining the question of payment, to apportion the sum between the tenants for life and remaindermen.

The right of creditors not to be thereby prejudiced.

Any person tempting a Slave to leave his

Clause 53.

And be it further enacted by the authority aforesaid, that if any person shall directly or indirectly tempt or persuade any Slave or Slaves to leave

particular, consistent, and probable statement of all the circumstances of such sale, barter, or gift, then, and in every such case, although such Slave or Slaves may not be a competent witness or witnesses, within the provisions of this Act, yet the party accused shall thereupon be considered guilty of the offence, and be convicted in a penalty not exceeding the sum of fifty pounds as aforesaid, unless such party shall, by his or her own oath, or the oath or oaths of some credible witness or witnesses, prove that he or she did not sell, barter, or give to such Slave or Slaves, any such gunpowder, warlike, or mischievous weapon or weapons, or any such poison, noxious, or destructive drug, substance or thing as aforesaid. And be it further enacted, that if on the trial of any offender under the provisions of this clause it shall appear to the said justice upon clear and positive testimony that such offender knew that such gunpowder, warlike or mischievous weapon or weapons, or such poison, noxious or destructive drug, substance or thing so by him or her sold, bartered, or given to any Slave or Slaves, was or were for any mischievous and illegal purpose or purposes, the said justices shall, and they are hereby empowered and directed forthwith to commit such offender to the common gaol of this island, there to remain without bail or mainprize until such offender can be tried at the Court of Grand Sessions, who on conviction thereof at the said Court of Grand Sessions, shall be adjudged guilty of felony, and shall suffer death without benefit of clergy, or transportation for life, as the court in its discretion shall think fit to inflict.

And be it further enacted by the authority aforesaid, that every Slave who in the time of invasion by any foreign foe or enemy, or other attempt to be made on this island, or in case of rebellion and insurrection shall engage and courageously behave in battle, or who shall by any means kill or destroy one or more of the enemy or rebels, shall, upon the report thereof, supported by the oath of any two credible white persons before the commander-in-chief of this island for the time being, be rewarded at the public expense, in such manner as the legislature may think fit to direct. And should the legislature conceive that such Slave should be rewarded with freedom, it shall and may be lawful for them to declare such Slave free, and have the value of such Slave ascertained and paid to the owner thereof from the public treasury, not exceeding the sum of one hundred pounds current money.

And be it further enacted by the authority aforesaid, that if any Slave engaged in battle in opposing any invasion or insurrection as aforesaid shall be killed, the value of such Slave, not exceeding the sum of one hundred pounds current money, to be set and ascertained before any justice of the peace by the oaths of two credible witnesses, shall be paid to the owner of such Slave out of the public treasury, by certificate from under the hand of the commander-in-chief of this island for the time being.

Provided always, and be it further enacted by the authority aforesaid, that in all cases not already provided for, where any Slave or Slaves shall be paid for out of the public treasury, under any of the provisions of this Act, and such Slave or Slaves shall be owned and possessed by any person or persons, who is or are only tenant or tenants for life, the authority determining the question which may lead to such Slave or Slaves being so paid for as aforesaid, shall at the same time settle and determine what part or parts of the sum or sums of money so to be paid for such Slave or Slaves, shall be paid to such tenant or tenants for life, and what part or parts shall be paid to the person or persons next in remainder or reversion of such Slave or Slaves, and which shall be binding upon all parties interested in any such Slave or Slaves. Subject nevertheless, and without prejudice to any claims which may be preferred to the said treasurer by any creditor or creditors having liens on such Slave or Slaves, whose claims and demands shall be paid in due priority out of the sum or sums of money at which such Slave or Slaves may be so valued agreeably to the directions of this Act.

And be it further enacted by the authority aforesaid, that if any person shall directly or indirectly tempt or persuade any Slave or Slaves to leave

his, her, or their, owner's or proprietor's service, or conceal him, her, or them, or shall entertain, harbour, secrete, or employ any Slave or Slaves, who may be absent or run away from such service, such person so offending shall for every such offence upon conviction thereof, by his or her own confession, or the oath of any one or more credible witness or witnesses, before any two justices of the peace, be adjudged to pay and shall pay to the owner or proprietor of such Slave or Slaves, the sum of ten pounds current money, for each and every such Slave, and the further sum of ten shillings, like current money, for every day, or any part of a day, which the offender shall be proved or adjudged to have unlawfully detained any such Slave, contrary to the provisions of this Act; and in case any complainant, under this clause, cannot fully support his or her complaint, it shall and may be lawful to and for the said justices, and they are hereby authorized and empowered to examine the party complained against, upon his or her oath, touching the matter of such complaint, and which examination shall be held, taken, and considered as good evidence for the purposes aforesaid. But if any offender legally summoned, and return thereof made to the said justice, upon the oath of the constable, (except in case of extraordinary sickness, so as to disable him or her,) shall neglect or refuse to appear, or appearing shall refuse to be sworn and examined in manner as aforesaid, the complaint shall be taken *pro confesso*, and the said justice shall give judgment thereon accordingly, as if the same had been otherwise fully proved. And the said justices before whom any such offender shall be tried, are hereby strictly enjoined to command and direct him or her to deliver and restore to the complainant, and into his or her safe possession, each and every such Slave or Slaves, and in default or refusal thereof the said justices shall further adjudge such offender to forfeit and pay the sum of two hundred pounds, current money of this island, as and for the value of each and every Slave so detained: Provided nevertheless, that if any Slave or Slaves so entertained, harboured, secreted, or employed, contrary to the provision of this Act, shall happen to die a natural death, at any time before the day of complaint, or between that day and the time of giving judgment as aforesaid, and the same be duly proved to the satisfaction of the said justices, by the oath of any one or more credible witness or witnesses, such offender shall not be liable to the forfeiture of two hundred pounds current money, as and for the value of such Slave as aforesaid, any thing in this Act to the contrary notwithstanding. And if any Slave shall be guilty of any offence under the provision of this clause, he or she shall on conviction thereof be whipped, at the discretion of any justice of the peace, not exceeding thirty-nine stripes.

owner's service, or harbouring a runaway Slave to forfeit ten pounds to the owner's use, and ten shillings per day for each Slave unlawfully detained.

If the complaint cannot otherwise be fully supported, the accused to be examined on oath touching the same.

The offender summoned and not appearing, or appearing shall refuse to be sworn, the complaint to be taken *pro confesso*.

A penalty of two hundred pounds to be imposed on an offender refusing to deliver up a Slave to the owner.

Proviso—

Such penalty not to attach on any offender if the Slave die before judgment pass.

Slaves guilty of any offence under this clause to be whipped.

Clause 54.

Where Slaves unlawfully detained are hired out, the hirer shall not incur any penalty unless he refuse to restore them when lawfully demanded, but the person hiring them out to be liable to the penalties. Persons lawfully possessed of the Slaves of others as attorney, &c., and shall refuse to deliver them to their lawful owners, shall be declared unlawful detainers and subject to the penalties in this Act.

Clause 55.

Justices empowered to hear complaints of owners against their Slaves for running away, or otherways misbehaving, and to punish them where owners may not wish to exercise their own authority.

And be it further enacted by the authority aforesaid, that where any Slaves unlawfully detained contrary to the provisions of this Act, are or shall be lent, rented, or hired out, the borrower, renter, or hirer, shall not incur the penalties imposed by this Act, unless such borrower, renter, or hirer, shall refuse to restore any such Slaves, or either of them, when lawfully demanded or recovered, but the person lending, renting, or hiring out, shall be liable and subject to all such penalties, and be levied upon for the same accordingly: And be it further enacted, that if any person or persons shall be lawfully possessed of the Slave or Slaves of any other person or persons, as attorney, overseer, agent, renter, or otherwise, for any certain time or term, and shall, after the end and expiration thereof, refuse to deliver up and restore such Slave or Slaves to the lawful owner or owners, every such person shall be declared an unlawful detainer, and shall be subject and liable to the like forfeitures, as hereinbefore appointed, in cases of the unlawful detaining of Slaves.

And be it further enacted by the authority aforesaid, that if any Slave shall run away, or absent himself or herself from the service of his or her owner, proprietor, or other person, having the lawful charge or direction of such Slave, or if any Slave shall misbehave himself or herself to his or her owner, proprietor, or other person having the lawful charge of him or her, and such owner, proprietor, or other person as aforesaid, shall think fit to prefer a complaint for the same before any justice of the peace, instead of exercising his or her authority on the occasion, such justice, to

whom any such complaint shall be made, shall, and he is hereby directed to hear and determine the same, and upon conviction thereof, to sentence such Slave to be whipped, at the discretion of the said justice, not exceeding thirty-nine stripes, or to be worked in the public service for any time not exceeding six months.

Clause 56.

Any justice, or other person having a justice's warrant, may raise an armed guard, not exceeding twenty men, to search for and apprehend runaway Slaves. Guard to be paid by the owner fifty shillings, for each runaway Slave apprehended by them. If any Slave resist the authority of the guard, and any of them be killed or wounded, the guard shall not be punished. And be it further enacted by the authority aforesaid, that any justice of the peace, or any other person having a warrant of a justice of the peace for that purpose, shall and may, upon notice given of the harbouring place or places of any fugitive Slaves, raise and arm a guard of any number of men, not exceeding twenty, to apprehend and take them, and the said guard shall be entitled to the sum of fifty shillings, current money of this island, to be paid by the owner or possessor of every fugitive Slave taken by them, on such Slave being delivered into the possession of such owner or possessor, which, if not forthwith paid, shall and may be recovered before any justice of the peace, as in the case of servants' wages; and if, in the taking of any such fugitive Slave as aforesaid, such Slaves shall resist the authority of the guard with arms or weapons of offence, and any of them, in consequence of such resistance, shall be killed or wounded by the said guard, the said guard, or any one or more of them, shall not be punished or punishable for the same either criminally or otherwise, any law to the contrary notwithstanding.

Clause 57.

A Slave who shall take up a runaway, or inform against a person who may harbour a runaway, so that he be taken, such Slave shall be entitled to twelve shillings and sixpence, from the owner of the runaway: which if not forthwith paid, to be recovered by complaint to a justice. And in order to give due encouragement to Slaves, be it further enacted by the authority aforesaid, that every Slave or Slaves who shall take up any runaway Slave or Slaves, or inform against any person who shall harbour or conceal any runaway Slave or Slaves, so that such runaway Slave or Slaves may be taken and restored to his, her, or their owner or owners, proprietor or proprietors, every such Slave or Slaves so taking up any such runaway Slave or Slaves, or so informing as aforesaid, shall be entitled to the sum of twelve shillings and sixpence, to be paid by the owner or owners, proprietor or proprietors, of such runaway Slave or Slaves, and which, if not forthwith paid, the same shall be recovered before any justice of the peace, as in the case of servants' wages, upon complaint of the owner or proprietor of the Slave or Slaves entitled to the same, or upon the complaint of the acting protector of Slaves.

Clause 58.

When penalties are rewarded by justices, they are to issue executions directed to a constable for raising the same as servants' wages. Constables to have the like fees as the provost marshal. And be it further enacted by the authority aforesaid, that in all cases not otherwise provided for, where any forfeitures or penalties shall be awarded by any justice or justices of the peace under any of the provisions of this Act, such justice or justices at the time of awarding the same, shall issue an execution or executions, under his or their hand and seal, or hands and seals directed to any constable for levying and raising such forfeitures or penalties, as in the case of servants' wages, and the constables levying executions under the authority of this Act, shall be entitled to demand and receive the like fees as the provost marshal of the Courts of Common Pleas within this island, is entitled to demand and receive on levying executions to him directed from the said courts.

Clause 59.

Purchasers of effects sold by virtue of this Act who do not pay for them within twenty days, to incur twenty per cent more, to be raised by a justice's warrant. And be it further enacted by the authority aforesaid, that if any person or persons, who, on the sale at outcry of any goods, chattels, or effects by virtue of this Act, shall happen to be the highest bidder or bidders, shall not pay the sum by him, her, or them, bid at such sale at outcry within twenty days after, then, and in such case, the justice or justices awarding the judgment or judgments in satisfaction of which such goods, chattels, or effects may be sold, or any other justice or justices of the peace shall and may issue a writ of twenty per cent against the person or persons who shall so fail in payment, directed to any constable, to be proceeded on in the same manner as writs of twenty per cent issuing from the judges of the Common Pleas. And for satisfying which writ, the goods, chattels, or effects so purchased, shall be subject and liable, prior and preferable to any other debt or demand against such purchaser or purchasers, and what the same shall prove insufficient for raising, shall be levied and raised on any other estate of such purchaser or purchasers. And in case any constable, to whom any execution or writ of twenty per cent shall be directed, shall, after raising the whole or any part of the money, for which the same issued, neglect to pay the same over within ten days, to the person or persons

entitled to such money, the justice or justices issuing such execution or writ of twenty per cent, or any other justice or justices of the peace shall, and he and they is and are hereby required forthwith to issue an execution against such constable, directed to some other constable for levying and raising in manner as aforesaid, whatever sum of money he shall so make default in paying over. And by the order of any two justices of the peace, such constable so making default shall stand committed to prison for six months; and further, until the whole amount received by him be actually paid.

directed to him, pay same over to the person entitled, the justices shall issue an execution against such constable for raising the same. Constable so making default to be imprisoned for six months, &c.

And be it further enacted by the authority aforesaid, that it shall and may be lawful for any justice of the peace to issue precepts or warrants for apprehending and bringing before him or any other justice of the peace, any white, free black, or free coloured persons, or Slaves, charged with having committed any offence or offences against the provisions of this or any other Act in force in this island, to the end that proper bail may be taken (where the offences areailable) for their appearance before the court or courts authorized and empowered to try such offenders, and in default or refusal to give such bail, the offenders may be committed to prison by warrant under the hand and seal of any such justice of the peace; but if any such offender or offenders shall be charged with the commission of any crime which, under the provisions of this or any other Act in force in this island, may subject such offender or offenders to suffer death or transportation, such justice shall, by warrant under his hand and seal, commit such offender or offenders to the common gaol of this island, there to remain, without bail or mainprize, until he, she, or they, shall be tried or released by a due course of law.

Clause 60. Justices shall issue warrants for apprehending offenders, and take bail for their appearance on the day of trial, and for want of bail commit the parties.

And be it further enacted by the authority aforesaid, that if any Slave or Slaves shall commit any capital or other offence against the provisions of the present or any other Act of this island, and such Slave or Slaves shall thereafter be manumitted and set free from Slavery, such Slave or Slaves shall, nevertheless, be tried in like manner, and be subject and liable to the same punishment for any such offence as if he, she, or they, had not been so manumitted and set free, but still continuing in Slavery. Provided always, that if the offence committed by any such Slave or Slaves be a minor offence, only subjecting such Slave or Slaves to be whipped, such Slave or Slaves shall not be liable to be punished for the same as a Slave, unless complaint thereof be made to some justice of the peace within one month after such offence shall be committed.

Offenders charged with crimes which would subject them to suffer death or transportation, they are to be committed without bail or mainprize.

Clause 61. Slaves manumitted after committing any capital or other offence, shall nevertheless, be tried and punished as Slaves.

And be it further enacted by the authority aforesaid, that in all cases in which any person shall be adjudged to be transported, the transportation shall be adjudged to be, and shall be, to such place or places as the Governor or Commander-in-Chief of this island for the time being, with the advice of his privy council, shall direct or appoint; and the expense attending such transportation shall be defrayed out of the public treasury, by an order from the Governor or Commander-in-Chief of the island for the time being, by and with the advice and consent of the Council, upon the usual address for that purpose being made by the General Assembly for the time being. And be it further enacted, that in case any person ordered or adjudged to be transported shall be found at large within this island after sentence of transportation pronounced, he or she shall be guilty of felony without benefit of clergy.

If a minor offence, only subjecting such Slave to be whipped, the complaint must be made within a month after the commission of the offence.

Clause 62. Persons adjudged to be transported, to be sent to such place as the governor and council shall direct. The expenses to be defrayed out of the treasury.

And be it further enacted by the authority aforesaid, that if any owner, proprietor, or other person, shall wilfully or knowingly send off, or cause to be sent off this island any Slave or Slaves charged with any capital offence, in order to evade the punishment of such Slave or Slaves, every person so offending shall, on conviction thereof at the Court of Grand Sessions, be adjudged to pay a fine not exceeding five hundred pounds, and not less than two hundred pounds, to be paid into the public treasury for the uses of the island; and be it further enacted, that if any Slave shall be guilty of any offence under the provisions of this clause, such Slave shall, on conviction thereof before any two justices of the peace, be whipped by order of the said justices, not exceeding thirty-nine stripes, and be imprisoned with or without labour, in the public service, for any time not exceeding twelve months.

Persons found at large after sentence of transportation shall be guilty of felony.

Clause 63. An owner or other person wilfully sending off the island any Slave charged with a capital offence, to be fined not exceeding five hundred pounds, and not less than two hundred. A Slave guilty of such offence to be whipped and imprisoned.

Clause 64.
Slaves imprisoned by sentence of a court or order of justices are to be fed at the public expense, and may, if so ordered, be worked on the tread-mill, or otherwise.

Classification of Slaves to be observed.
Seven pence half-penny per day for each working day to be paid the owners of Slaves during imprisonment.

Clause 65.
If Slaves convicted of theft be possessed of personal property, the court or justice trying them may issue a warrant for so much as will defray the expenses of prosecution, and making good the loss of the party robbed. In such case their punishment to be proportionably mitigated.

Clause 66.
Penalties not otherwise applied, to be paid into the treasury.

The treasurer shall account for all monies received under this Act, and to have commissions as herein mentioned for all receipts and disbursements.

Clause 67.
Offences, against the Acts hereby repealed, if not determined at the time of the passing of the Act, committed by Slaves shall be tried and punished as herein provided.

If by white or free persons they shall be amenable thereto.

The Acts and clauses of Acts to be put in force for punishing offenders thereunder.

Clause 68.
This Act not to be in force until His Majesty's pleasure is known.

And be it further enacted by the authority aforesaid, that where any Slave or Slaves shall by sentence of the Court of Grand Sessions, or by the order of any justices be imprisoned, such Slave or Slaves during such imprisonment, shall be fed at the public expense, and shall and may if so directed by the said court or the said justices be worked in the tread-mill or otherwise in the public service, together with the Slaves confined in the Slave prison or gaol in the manner in this Act hereinbefore directed and required; due attention being paid to the classification of all Slaves so worked in reference to their character, conduct, and offences, and the sum of sevenpence halfpenny currency per day for each working day in the week shall be paid for every such Slave or Slaves to the owner or owners of such Slave or Slaves during such imprisonment by the treasurer of the island for the time being, upon the certificate of the said court, or of the said justices, whether such Slave or Slaves shall during such imprisonment be worked or not in the tread-mill or otherwise as aforesaid.

And be it further enacted by the authority aforesaid, that if any Slave possessed of personal property shall be prosecuted and convicted for any theft or robbery, it shall and may be lawful for the court or justices before whom such Slave shall be tried and convicted, to issue a warrant or warrants directed to any constable to attach and sell a sufficient part of such personal property to defray the expenses of the prosecution, and to make good to the party injured the amount of such theft or robbery, and in such case the punishments prescribed for such offences shall be proportionably mitigated, by the court or justices before whom the offender may be tried.

And be it further enacted by the authority aforesaid, that all fines, forfeitures, and penalties which may be imposed on any offender or offenders by virtue of the provisions of this Act where the manner of applying the same is not otherwise particularly directed, shall when levied and raised, be paid into the treasury of the island, to and for the public use. And the treasurer of the 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 the said treasurer shall be allowed a commission of ten shillings for every hundred pounds which he shall receive, and the like sum of ten shillings for every hundred pounds which he shall pay or disburse under the provisions of this Act.

And be it further enacted by the authority aforesaid, that all crimes and offences committed by Slaves or by any other persons against the provisions of any of the Acts or clauses of Acts herein and hereby repealed which shall not be heard, tried and determined, at the time of the passing of this Act, shall, if Slaves, be heard, tried and determined, in the manner hereinbefore provided and punished in the manner directed in the said Acts or clauses; and if white, free black, or free coloured persons, they shall be amenable thereto, and punished as therein directed. And to that end the said Acts and clauses of Acts shall be deemed and taken to be in full force and effect for punishing all such crimes and offences as shall be committed thereunder prior to the passing of this Act, anything herein before mentioned, seeming to the contrary notwithstanding.

Provided always, and be it further enacted by the authority aforesaid, that this act or any thing herein contained shall not be in force until His Majesty's pleasure on the same shall be known.

Read three times and passed the Council unanimously, the seventeenth day of October, one thousand eight hundred and twenty six.

(Signed) WM. HUSBANDS, Deputy Clerk of the Council.

Read three times and passed the General Assembly this third day of October, one thousand eight hundred and twenty six.

(Signed) JOHN MAYERS, Clerk of the General Assembly.

Assented to by his Excellency the governor, on the twenty-third day of October, one thousand eight hundred and twenty-six.

(Signed) WM. HUSBANDS, Deputy Secretary.