

*An Act for the Security of the Subject to prevent the Forfeiture of Life and Estate upon killing a Negro or other Slave.*

WHEREAS *Negroes, Indians, Mulattoes*, and other Slaves, are very numerous within these Islands, and that the wilful killing of any such Slave as aforesaid (by the strict Laws of *England*) comes within the Penalty of Murder, the Judgment whereof is Forfeiture of Life and Estate; and whereas the Privileges of *England* are so universally extensive as not to admit of the least Thing called *Slavery*, occasioned the making such Laws for the Preservation of every individual Subject in his or their Lives, Estates, and indisputable Properties; but here, in his Majesty's Colonies and Plantations in *America*, the Cases and Things are wonderfully altered; for the very Kindred, nay, sometimes even the Parents of those unfortunate Creatures (upon the Coast of *Africa*) expose their Issue to perpetual Bondage and Slavery, by selling them unto your Majesty's Subjects trading there, and from thence are brought to these and other your Majesty's Settlements in *America*, and consequently purchased by the Inhabitants thereof, they being (for the Brutishness of their Nature) no otherwise valued or esteemed amongst us than as our Goods and Chattels, or other personal Estates; therefore our prudent Neighbours in *America*, as *Barbadoes*, &c. have thought fit (in Case of killing any such Negro or Slave) to make Laws to prevent the Penalty and Forfeitures aforesaid; We therefore, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda or Summer Islands* in *America*, do most humbly beseech your Majesty, that it may be enacted, and be it enacted by your Majesty's Lieutenant Governour, Council and Assembly, and hereby it is enacted and ordained by the Authority of the same, That from and after Publication hereof, that if any Person or Persons whatsoever within these Islands, being Owner or Possessor of any *Negroes, Indians, Mulattoes*, or other Slaves, shall, in the deserved Correction or Punishment of his, her, or their Slave or Slaves, for Crimes or Offences by them committed, or supposed to be committed, accidentally happen to kill any such Slave or Slaves, that then the aforesaid Owner or Possessor shall not be liable to any Imprisonment, Arraignment, or Prosecution, nor subject to any Penalty or Forfeiture whatsoever.

Owners of Slaves happening to kill them in correcting of them, shall not be imprisoned for it, &c.

White Persons killing Slaves in pursuing them, are exempted from Prosecution.

AND it is hereby further enacted by the Authority aforesaid, That if any White Person or Persons, or other Subject or Subjects, Inhabitants of these Islands, or others, shall, at any Time or Times hereafter, find, perceive, or discover any *Negroes, Indians, Mulattoes*, or other Slave or Slaves, committing any Felony or Burglary whatsoever in the Night-time, and shall endeavour to resist, or make his or their Escape, that then, and in every such Case, if any such Slave or Slaves (in the Pursuit or Apprehension) happen to be slain, that then the Person or Persons so pursuing or assisting in apprehending the Felon, or Offender, or Offenders, shall be acquitted and exempted from the Prosecution and Penalties aforesaid.

Provido.

PROVIDED always, and it is hereby enacted by the aforesaid Authority, That if any Person or Persons whatsoever as aforesaid, shall maliciously and wilfully kill or destroy, or any Manner of Ways cause or procure to be killed or destroyed any Slave or Slaves whatsoever, whereof he, she, or they, or any of them are Owners, that then, and in every such Case, the aforesaid Person and Persons, and each and every of them, shall forfeit and pay unto our Sovereign Lord the King, his Heirs and Successors, the full Sum of Ten Pounds Current Money, to be employed for and towards the Support of the Government of these Islands and the Contingent Charges thereof.

BUT

BUT if it shall happen, That any Slave or Slaves be wilfully killed as afore-  
said, by any Person or Persons whatsoever that is not Owner thereof, that Penalty on Per-  
sons killing  
Slaves that are  
not their own. then the afore-  
said Person and Persons, and each and every of them, shall for-  
feit and pay the full Sum of Ten Pounds Current Money, to be employed to  
the Uses above mentioned, and also pay the Owner or Owners of all and  
every such Slave and Slaves such Sum and Sums of Money as the afore-  
said Slave or Slaves so killed shall be valued at, as if then alive, according to the  
Judgment upon Oath of any Five able and sufficient Freeholders, or any  
Three of them, appointed by Warrant of the Justice of the Peace of the  
Tribe or Parish where such Offence shall be committed, together with the  
Charges thereby occasioned; all which the aforementioned Sum or Sums of  
Money shall be recovered by Way of Action in any Court of Record within  
these Islands, wherein no Essoign, Protection, or Wager of Law shall be  
allowed.

Bermuda Islands. Acts of Assembly, made and enacted in the Bermuda or Summer Islands, continued to 1736. Printed by John Baskett, Printer to the King's most Excellent Majesty, MDCCXXXVII. [1737]. Eighteenth Century Collections Online, [link.gale.com/apps/doc/CW0124397760/ECCO?u=fred46430&sid](https://link.gale.com/apps/doc/CW0124397760/ECCO?u=fred46430&sid) Accessed 20 Apr. 2024.