

## B E R M U D A.

BERMUDA.

— No. 52. —

AN ACT to Ameliorate the condition of Slaves and Free Persons of Colour.

WHEREAS it is desirable to improve the condition of slaves and free persons of colour in these islands; We therefore, your Majesty's most dutiful and loyal subjects, the Assembly of these your Majesty's Bermuda or Somer's Islands, do most humbly beseech your Majesty, that it may be enacted by your Majesty's Governor, Council and Assembly, and it is hereby enacted by the authority of the same, that an Act, intituled, "An Act for the better government of Negroes, Mulattoes and Indians, bond and free, and for the more effectual punishing conspiracies and insurrections of them," passed on the twenty-fifth day of February one thousand seven hundred and sixty-four, be hereby repealed for and during the continuance of this Act, and after the expiration thereof, to revive and be of full force.

S. 2. And whereas it is necessary to ascertain and define what negroes and mulattoes, or other persons not being white persons, are to be considered as slaves; be it further enacted, that all negroes and mulattoes, or other persons not being white persons, who have hitherto been held, treated, deemed and considered as slaves, shall be so held, treated, deemed and considered as slaves, and their descendants to all intents and purposes, unless such negroes, mulattoes or others, not being white persons, shall clearly prove that they are entitled to freedom, in virtue of any deed of manumission, or bequeathed by the last will of his, her or their owners or proprietors, or other persons, to whom such negroes and mulattoes or others, not being white persons, were before accounted and deemed to have actually belonged as slaves, or unless the mother or mothers at the time or times of the birth or births of any such negroes and mulattoes or other persons, not being white persons, shall be clearly proved to have actually been free, and also that the mere circumstance of any negro, mulatto or other person, not being a white person, having been once or oftener in England, or in any part of the world, and who might antecedently thereto have been held, treated, deemed and considered as a slave, shall not be considered as any release, discharge or emancipation from his or her slavery.

S. 3. And be it further enacted, that if any slave or free person of colour shall at any time commit, advise or conspire to make rebellion or insurrection, he shall be adjudged guilty of felony without benefit of clergy.

S. 4. And be it further enacted, that any slave or free person of colour, who shall murder any person, or cut and maim, or do any bodily harm to any person with intent to murder, such person shall be adjudged guilty of felony without benefit of clergy.

S. 5. And be it further enacted, that any slave or free person of colour who shall commit any rape upon the body of any person, shall be adjudged guilty of felony without benefit of clergy.

S. 6. And be it further enacted, that any slave or free person of colour, who shall assault or threaten any person, with intent to steal from the person, or who shall steal any money, goods or chattels from the person, shall be adjudged guilty of felony without benefit of clergy; always provided, that in case such money, goods or chattels shall not be of the value of two pounds of current money of Bermuda, and no assault or threat or violence be used, that such slave or free person of colour shall be adjudged guilty of felony.

S. 7. And be it further enacted, that any slave or free person of colour, who shall steal any money, goods or chattels of the value of ten pounds of current money of Bermuda, shall be adjudged guilty of felony without benefit of clergy.

S. 8. And be it further enacted, that any slave or free person of colour, who shall wilfully burn any house or other building, or any vessel or boat either built or building, or shall break open any house or other building, or any decked vessel, either by night or by day, or shall wilfully and maliciously or wantonly kill or render

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useless any horse, mare, gelding, mule or ass or any cattle, shall be adjudged guilty of felony without benefit of clergy.

S. 9. And be it further enacted, that if any slave or free person of colour shall be accused of stealing any sheep, goat or goats, or swine, he or she shall be liable to be tried, and if found guilty, to be punished in the same manner as any slave or free person of colour found guilty of stealing above the value of forty shillings and less than ten pounds; provided always, that if the value of any sheep, goat or goats, or swine so stolen, shall be of the value of ten pounds or more, such slave or free person of colour shall be liable to be tried, and if found guilty, to be punished in the same manner as any slave or free person of colour found guilty of stealing money, goods or chattels of the value of ten pounds.

S. 10. And be it further enacted, that it shall and may be lawful for the Governor or Commander-in-Chief for the time being, when he shall see fit, except in case of murder, to commute sentence of death passed upon any slave or free person of colour for transportation for life and no shorter time.

S. 11. And be it further enacted, that in every case in which a jury shall find a verdict of guilty against any slave or slaves, for any offence the punishment of which shall amount to death or transportation, such jury shall find the value of each and every of such slave or slaves; and in case of the execution or transportation of any such slave or slaves on being sentenced to death, or of the transportation of any such slave or slaves on being sentenced to transportation, it shall and may be lawful for the public treasurer of these islands, and he is hereby authorized and required to pay from any unappropriated monies in the public treasury, the value of any such slave or slaves so found by such jury, to the owner or owners of such slave or slaves.

S. 12. And be it further enacted, that any theft committed by any slave or free person of colour, of any money, goods or chattels of the value of more than forty shillings and less than ten pounds, shall be considered simple felony, and within the benefit of clergy, and shall be tried at any court of general assize or court of quarter sessions, and that on the conviction of any slave or free person of colour of any such theft, it shall and may be lawful for the court before which such slave or free person of colour shall be tried, to sentence any such slave or free person of colour to transportation for life, or for any term not less than seven years, or for any term of imprisonment and hard labour, not exceeding two years, or to such corporal punishment as the court may think proper to direct, not exceeding thirty-nine lashes at any one time, or to all or any of such punishments.

S. 13. And be it further enacted, that if any slave or free person of colour shall assault or offer violence to or towards any white person, such slave or free person of colour shall upon conviction thereof be punished with transportation for life, or for a limited time, or to confinement and hard labour for a limited time with whipping, not exceeding thirty-nine lashes at any one time, or to such corporal punishment as the court in its discretion shall think fit to direct, not exceeding thirty-nine lashes at any one time.

S. 14. And be it further enacted, that if any slave or free person of colour, who shall hereafter be transported from these islands under the authority of this Act, shall return of his or her own free will before the time of such transportation shall be at an end, such slave or free person of colour shall be adjudged guilty of felony without benefit of clergy, on being duly convicted thereof.

S. 15. And be it further enacted, that if any transported slave shall return to these islands after the period of transportation shall expire, it shall and may be lawful for the Provost-Marshal General of these islands, or his deputy, and he is hereby authorized and required to expose such slave to public auction for sale as a slave; and that the proceeds of the sale of such slave shall be placed in the public treasury of these islands.

S. 16. And be it further enacted, that if any slave or free person of colour shall steal any money, goods or chattels under the value of forty shillings, or shall commit any petty assault or misdemeanor, it shall and may be lawful for one or more justices of the peace to try such offence in a summary manner; and in the case of a slave, on due notice being given to the owner or owners or possessor of such slave, or to his or their attorney or attorneys, or the person or persons having the care of such slave, to sentence such slave or free person of colour to imprisonment and hard labour for any time not exceeding one month, and to corporal punishment, not exceeding thirty-nine lashes, or to all or any of such punishments as such justice or justices may think fit; always provided, that it shall and may be lawful for such justice or justices

justices to bind over any party or parties in any case in which any slave or free person of colour shall be accused of stealing any money, goods or chattels under the value of forty shillings, or of committing any assault or misdemeanor whatever, to appear and answer or give evidence at the next ensuing court of general assize or court of quarter sessions, as to such justice or justices shall seem fit, and that it shall and may be lawful when any such slave or free person of colour so accused shall be so bound over for such court of general assize or court of quarter sessions, to sentence any such slave or free person of colour on being found guilty, either to such punishment as in this Section is hereinbefore authorized, in a summary manner, by one or more justices of the peace, or if such court of general assize or court of quarter sessions shall think fit, to such punishment as in this Act is hereinbefore directed for the punishment of simple felony within the benefit of clergy.

S. 17. And be it further enacted, that it shall and may be lawful for one or more justices of the peace, upon complaint made by a white person, to sentence any slave to hard labour for any term not exceeding six weeks, and to occasional solitary confinement, or to such corporal punishment as the justice or justices may think fit, not exceeding thirty-nine lashes at any one time, or to all or any of such punishments, who shall at any time refuse to work, or shall absent himself or herself from service without leave from his or her owner or owners, or master or masters, or of any person having control over such slave, or who shall be guilty of uttering any impertinent threatening or abusive language to or concerning any white person, or shall be found in a state of intoxication, or in any riotous or improper company, or shall be found abroad after the hour of ten at night without being able to give a good account of him or herself, or shall be guilty of any general misconduct; and every parish or town constable is hereby authorized and required at the request of the owner or owners, or master or masters, or of any person having control over such slave, to take such slave before such justice or justices; provided always, that nothing in this Act contained shall render it unlawful for any slaves to dance, who may be assembled for that purpose, after the aforesaid hour of ten o'clock at night, if any assembly of such slaves for that purpose shall be authorized by a license from any magistrate of the parish where such assembly shall take place, and if the leave of the owner or owners, master or masters of such slaves shall be obtained by such slaves respectively.

S. 18. And be it further enacted, that it shall and may be lawful for one or more justices of the peace, and they are hereby required to visit any gaol or other place of confinement within the parish or parishes respectively, for which such justice or justices are appointed, in which any slave or free person of colour sentenced to imprisonment for any offence shall be confined, at least once in every month, and upon complaint made by the keeper of any such place of confinement of the improper or disorderly conduct of any such slave or free person of colour confined therein, to sentence such slave or free person of colour to solitary confinement, for any time not exceeding ten days, or to such corporal punishment as such justice or justices shall think proper to direct, not exceeding thirty-nine lashes for any one offence, or either or both of such punishments.

S. 19. And be it further enacted, that when any runaway slave shall be concealed, harboured or entertained, or supplied with food or sustenance by any slave or slaves, such slave or slaves shall upon conviction thereof before any justice or justices of the peace, be sentenced to imprisonment and hard labour not exceeding ten days, and to such corporal punishment as such justice or justices shall direct, not exceeding thirty-nine lashes; always provided, that any free person who shall be guilty of any such offence, shall be indicted and prosecuted in any court of general assize or court of quarter sessions, and on conviction thereof, shall be sentenced to imprisonment and hard labour for any time not exceeding six weeks; and be it declared, that every person who shall sustain any damage by the commission of any such offence, shall be entitled to recover all such damage from any free person who shall commit any such offence.

S. 20. And be it further enacted, that if any owner or possessor of slaves, or in his absence his attorney or agent, shall wilfully permit and suffer any slave or slaves diseased, aged or otherwise disabled from working, to ramble or beg about the towns or country, such owner or possessor, or his attorney or agent so offending, shall upon conviction be fined by any two justices of the peace in any sum not exceeding five pounds for each offence, one half whereof shall be paid to the informer and the other half to the public.

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S. 21. And be it further enacted and declared, that in all cases in which corporal punishment is directed or authorized by this Act, such corporal punishment is to be inflicted by such constable as the Provost-Marshal General shall direct, in cases tried before courts of general assize and quarter sessions, or by such other person as by the Provost-Marshal General shall be authorized for that purpose, and by such constable as the justice or justices in summary cases may direct, or by such other person as by the justice or justices may be authorized for that purpose.

S. 22. And be it further enacted, that all fees and charges attending upon the conviction of any slave shall be paid by such slave, as far as such slave shall have property to answer the same; and that the amount of such fees and charges, or any part of such fees and charges not paid out of the property of such slave, shall be paid by the owner of such slave; always provided, that in all cases in which the punishment of any offence of which any slave shall be convicted shall amount to death or transportation, that all fees and charges attendant upon the conviction of such slave shall be paid out of the public treasury.

S. 23. And whereas in many countries the introduction of tread-mills into places of confinement for the punishment of prisoners has been found salutary in the prevention of crime; be it further enacted, that tread-mills be erected and used for the punishment of slaves and free persons of colour under sentence of imprisonment in the common gaols of Hamilton and Saint George respectively, and in such other places of confinement hereafter to be built or used as by law shall be directed, and that all slaves or free persons of colour who shall be sentenced to hard labour in the said gaols, or in such other places of confinement shall be employed upon the tread-mill; and the importation and erection of a tread-mill for the common gaol in the town of Hamilton, and one for the common gaol in the town of Saint George, is hereby authorized and required by and under the direction of a Committee of the House of Assembly, to be paid for out of any unappropriated monies in the public treasury of these islands.

S. 24. And be it further enacted, that a medical gentleman shall, when necessary, be called in by the visiting magistrate or magistrates to visit each and every place of confinement wherein a tread-mill shall be erected and used, to inquire into the health of all slaves and free persons of colour kept in any such place of confinement, and to certify as often as shall be necessary to the keeper of such place of confinement, that by reason of the severity of the labour, or from any other cause, there is a necessity for a partial or entire remission of labour upon the tread-mill, which said keeper is hereby authorized and required, when and as often as such medical gentleman shall so certify, to make such remission of labour upon the tread-mill as shall be certified to be necessary.

S. 25. And be it further enacted, that it shall and may be lawful for any free person of colour, who shall obtain a certificate of his or her general good character from the vestry of the parish in which such free person of colour shall reside, in vestry assembled or a majority of them, in the form following, to be sworn and give evidence in any court of justice, and to be examined touching any action or suit, and in all cases either criminal or civil in which white persons would be competent to give evidence or to be so examined.

*Form of Certificate.*

WE, the undersigned, being the majority of the vestry of \_\_\_\_\_ parish in vestry assembled, do certify, to the best of our knowledge and information, the general good character of *A. B.* a free person of colour of this parish.

S. 26. And be it further enacted, that it shall and may be lawful for any slave who shall obtain a certificate, and such only, from the vestry of the parish in which the owner or owners, or master or masters of such slave shall reside, in vestry assembled, or a majority of them, in the form following; and such vestry is hereby authorized and required previous to granting such certificate, to make inquiries of the owner or master of such slave as to the general character of such slave, to be sworn and give evidence in any court of justice, and to be examined touching any action or suit, and in all cases either criminal or civil in which a white person would be competent to give evidence, or so to be examined.

*Form*

*Form of Certificate.*

WE, the undersigned, being the majority of the vestry of \_\_\_\_\_ parish, in vestry assembled, do certify to the best of our knowledge and information, the general good character of *A. B.*, a slave of this parish.

Always provided, that no slave shall be admitted, either in any criminal or in any civil suit or action, to give evidence or be examined against his or her owner, or the wife or children of his or her owner, or against any person having any interest whatever in, or control over such slave, and that no slave shall be admitted to prove any deed or instrument in writing, as a witness to the execution of such deed or instrument in writing.

S. 27. And be it further enacted, that if any slave or free person of colour shall commit wilful and corrupt perjury in giving evidence or taking any oath, such slave or free person of colour shall on conviction thereof be sentenced to hard labour, or to stand in the pillory for such time as the court shall direct, or to whipping, or to all or either of such punishments at the discretion of the court, and shall incur all such disabilities as are incurred by white persons by the laws of England for the like offence.

S. 28. And be it further enacted, that the evidence of slaves and free persons of colour for or against slaves and free persons of colour, shall be received in all courts of justice, and before all magistrates, without any certificate from the vestry as hereinbefore mentioned, but that such uncertificated slave or free person of colour so giving evidence shall not be admitted to be sworn; and that every uncertificated slave or free person of colour giving evidence for or against any slave or free person of colour, shall be subjected to the punishments for perjury in this Act provided in case of giving false testimony, and shall be so told by the court or magistrate before whom such slave or free person of colour shall give evidence, before such evidence shall be given by such slave or free person of colour.

S. 29. And, in order more readily to ascertain what slaves and free persons of colour shall be deemed competent to give evidence in courts of justice, be it further enacted, that a book shall be kept in every parish by the vestry thereof, wherein shall be registered the names of all slaves and free persons of colour who shall obtain certificates as required by this Act; and that lists of such certificated slaves and free persons of colour shall be returned by the respective vestry clerks of the several parishes to the prothonotary of the court of general assize, at least one week before the holding of every court of general assize; and that the prothonotary of the court of general assize shall write the names of all such certificated slaves and free persons of colour upon a roll, to be by him kept in the court of general assize, and that all slaves and free persons of colour whose names shall be enrolled therein shall be held to be certificated; and for every certificate so enrolled, the prothonotary shall be entitled to receive from the public treasury the sum of one shilling, and the vestry clerk returning such lists of certificates, shall for every certificate so returned, be entitled to receive from the public treasury the like sum of one shilling.

S. 30. And be it further enacted, that in all cases in which the evidence of any slave is admissible in any court of justice in these islands, under and by virtue of this Act, a writ of subpœna or summons shall and may issue in the usual manner, upon the application of any person or persons requiring the testimony of such slaves, directed to the owner or owners or possessor of such slave, or in his or their absence, to the person or persons under whose immediate charge such slave may be, and to such slaves, requiring such slave to give evidence in court, and that if any owner or owners or possessor of such slave, shall intentionally prevent any such slave from obeying such writ of subpœna, the owner or owners or possessor of such slave shall incur the penalty of fifty pounds; and in case such slave shall wilfully neglect or refuse to obey such writ of subpœna he shall be liable to be proceeded against as for contempt of court, and to be sentenced therefor to imprisonment and hard labour, and corporal punishment, or all or any or either of such punishments at the discretion of the court; and in case any owner or owners, or possessor of such slaves shall intentionally prevent any such slave from obeying any summons, such owner or owners, or possessor of such slave shall incur the penalty of ten pounds for each and every such offence; and in case such slave shall wilfully neglect or refuse to obey such summons, he shall be liable to be proceeded against as for contempt of court, and to be sentenced to imprisonment and hard labour, or

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corporal punishment, or any or either of such punishments at the discretion of the court, or magistrate or magistrates; but before any such slave shall give evidence, the party requiring such evidence in civil cases shall pay to the owner or owners, or master or possessor of such slave, or pay into court for his or their use the sum of five shillings per day, for such time as the witness shall be absent from the work of his owner or owners, master or possessor, and in all criminal prosecutions or complaints that the like sum of five shillings per day shall be paid to the owner or owners, or master or possessor of such slave from the public treasury of these islands on the production of a certificate from the court, of such slave having given evidence, or having been in attendance for the purpose of so doing.

S. 31. And be it further enacted, in order more effectually to protect the right of freedom whenever it shall exist, that the chief justice, and in case of his absence, or illness, or of his having any interest in the cause, one of the assistant judges of the court of general assize shall, in all cases of contested freedom, have the power if he shall think fit to appoint a guardian to sustain any suit *in forma pauperis*, on behalf of any person laying claim to freedom, and that a jury trying any suit of contested freedom shall have the power, when they shall see fit from the merits of the case, to award the payment of the defendant's costs of suit from the public treasury of these islands.

S. 32. And be it further enacted, that it shall and may be lawful for any slave to enter into any contract or agreement in writing with his or her owner or owners, for the purpose of procuring his or her manumission; and that the chief justice, and in his absence or illness, or of his having any interest in the cause, one of the assistant judges of the court of general assize, shall in case of any dispute concerning such contract or agreement, have the power of appointing a guardian to sustain any suit *in forma pauperis*, for the purpose of enforcing the performance of such contract or agreement for such manumission; always provided, that such slave shall not, in the event of a failure on his or her part to comply with such contract or agreement, be entitled to a partial manumission, or any part of his time, but that the owner or owners shall refund any amount received on account of such contract, and then that such contract or agreement shall be null and void.

S. 33. And in order to facilitate the manumission of slaves when desired by their owners, or when any slave shall be legally entitled to manumission, be it further enacted, that no security shall be demanded upon the manumission of any slave, except when such slave is old or infirm, or otherwise incapable of maintaining him or herself.

S. 34. And be it further enacted, that it shall and may be lawful for any owner of a slave, to enter into any contract or agreement in writing with any white or free person for the benefit of such slave; and for the chief justice, and in case of his absence or illness, or of his having any interest in the cause, one of the assistant judges of the court of general assize, to appoint a guardian to sustain any suit *in forma pauperis*, to compel the performance of any such contract or agreement.

S. 35. And be it further enacted, in order to protect the interests of slaves, that the colonial secretary shall from time to time give notice in the Bermuda Gazette of all bequests in favour of slaves contained in any will or wills registered by him; and that it shall and may be lawful for the chief justice, and in case of his absence or illness, or of his having any interest in the cause, one of the assistant justices of the court of general assize, to appoint a guardian to sustain *in forma pauperis* any suit, to compel the payment or other settling of any such bequest, when the same shall be illegally disputed or unreasonably delayed.

S. 36. And be it further enacted, that any property bequeathed or given to any slave, or any property purchased with the value or proceeds thereof, shall in law be held and deemed to be to all intents and purposes the property of such slave, and that it shall and may be lawful for any slave to bequeath by will, or otherwise to dispose of such property so bequeathed or given, or any property purchased with the value or proceeds thereof.

S. 37. And be it further enacted, that no slave or free person of colour, who is now or hereafter may be seised or possessed of any lands, tenements or other freeholds, shall be considered or taken as a freeholder, for any other purpose whatever than for the enjoyment and protection of the said tenements or freeholds, and selling, leasing or assigning the same; and that no slave or free person of colour, whether freeholder or not shall be a juror, or shall be elected to or hold any parochial or public office whatever; and that no slave or free person of colour shall purchase or occupy any seat or pew in any church, except in such part of such church as shall

shall or may be set apart for or allotted to slaves and free persons of colour by the parishioners.

S. 38. And be it further enacted, that it shall and may be lawful for the clergymen of the established churches of England and Scotland, and all ministers having a right to perform the marriage ceremony in these islands, to join slaves together in holy matrimony according to the ceremonies of their respective churches, without fee or reward; always provided, that both the male and female shall have the consent of their owner or owners in writing for that purpose; and always provided, that without such consent, no slave either male or female shall be married to any slave or free person of colour, otherwise such marriage to be null and void.

S. 39. And be it further enacted, that every rector and every minister having a right to perform the ceremonies of marriage and baptism in these islands, shall keep a book wherein shall be registered the marriages of all slaves and free persons of colour, and the baptism of the infants of all slaves and free persons of colour, distinguishing the baptism of all such infants born in lawful wedlock from those not born in lawful wedlock; and that such book shall be kept and deposited within the parish church to which such rector shall belong, or within the chapel or meeting-house to which such minister shall belong.

S. 40. And be it enacted, that neither the joining of any slave or slaves in holy matrimony, nor the baptism of any slave whatever, shall have the effect of releasing or discharging such slave or slaves who may be so married or baptized, or their issue, from bondage or slavery, nor shall the marriage of any female slave confer any power or authority of her husband to or over such slave his wife.

S. 41. And be it further enacted, that whenever a husband and wife lawfully married shall both be slaves, and both be the property of one and the same person, or of the same persons, it shall not be lawful for such person or persons to dispose of or sell, or give, or in any manner convey, either the wife without the husband, or the husband without the wife; neither shall such slave be in any manner disposed of sold, given or conveyed, either the husband without the wife or the wife without the husband; and that any bargain, sale or any written instrument purporting to be a disposal, sale, gift or any sort of conveyance or bequest of such slave, except such bequest be to or for the manumission of such slave, either the husband without the wife or the wife without the husband, shall be null and void and of none effect.

S. 42. And be it further enacted, that it shall and may be lawful for any slave or free person of colour, being the husband of any female slave, to purchase as his slave, or by purchase to manumit such female slave, on paying the full value of such female slave as demanded by such owner; provided always, and it is hereby declared, that all the children of such female slave born subsequent to the purchase or manumission of such female slave, shall from the time of their birth be absolutely free; and provided always, that such female slave shall not be sold by such slave or free person of colour, or to satisfy the debts of such slave or free person of colour, or under any pretence whatever; and that such female slave, when retained in slavery after being purchased by such slave or free person of colour, shall upon the death of such slave or free person of colour be absolutely free.

S. 43. And be it further enacted, that it shall and may be lawful for any slave or free person of colour to purchase as his or her slave his or her child, or by purchase to manumit his or her child, on paying the full value of such child as demanded by such owner; provided always, and it is hereby declared, that all such children shall be absolutely manumitted and free on attaining the age of twenty-one years, and all the descendants of females so purchased shall be absolutely from their birth free; and provided always, that if such child so bought shall be held in slavery by his or her parent or parents, he or she shall not be sold to satisfy the debts of such slave or free person of colour, or under any pretence whatever, and that any such child so purchased, shall upon the death of the purchaser be absolutely free.

S. 44. And be it further enacted, that any married slave or married free person of colour, who shall notoriously cohabit with any woman other than his lawful wife, or any married female slave or free person of colour, who shall notoriously cohabit with any man other than her lawful husband, shall be sentenced by any two justices of the peace to solitary confinement or hard labour, for any time not exceeding thirty days.

S. 45. And whereas the establishment of savings banks, for the benefit of poor persons and servants, has in several communities been productive of many practical advantages, be it further enacted, that it shall and may be lawful for the

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Governor or Commander-in-Chief for the time being to appoint five responsible persons to make regulations for and to manage and conduct the business of a saving bank, or any branch or branches thereof, for the benefit of slaves and free persons of colour within these islands; always provided, that all accounts relating to the business of such savings bank, or any branch or branches thereof, shall be produced to, inspected and reported on from time to time, when called for by a committee to be appointed by the House of Assembly: and always provided, that no money shall be received into such savings bank from any slave, either male or female, or from any free man, being the husband of a slave, or from any free woman, being the wife of a slave, without a certificate from the owner or master of any such slave, certifying the amount to be tendered by such slave or free person of colour, and that such owner or master believes the same to have been honestly come by; and that printed forms of certificates, with proper blanks, shall be given by the managers of such savings bank to all free persons of colour who desire to pay money into such savings bank.

S. 46. And be it further enacted, that it shall and may be lawful for such managers to elect one of their number as a secretary, who is hereby authorized to sue in his name on behalf of such savings bank, or any branch thereof, all persons who shall be indebted to, or may rightfully owe any money to such savings bank; and who shall be liable to be sued in all cases in which such savings bank, or any branch thereof, shall be indebted to, or shall rightfully owe any money to any person whatsoever; always provided, that except in case of fraud or negligence on the part of any one or more of such managers, or their clerks, agents or servants, the private property of the said managers of the said savings bank shall not be liable to any person whatever pretending to have any claim on or against such savings bank; and in case of fraud or negligence of any clerk, agent or servant of such savings bank, or any branch thereof, that the property of such clerk, agent or servant shall be liable to such savings bank, for the consequences of any fraud or negligence on their part.

S. 47. And be it further enacted, that every person who shall be appointed a manager of such such savings bank shall, upon taking upon him the management thereof, make oath before the Governor or Commander-in-Chief for the time being, to give information to a justice of the peace as often as any money shall be tendered to the said savings bank by any slave or free person of colour which he shall have reason to believe to be dishonestly come by.

S. 48. And be it further enacted, that all money placed in such savings bank, or any branch thereof, according to the provisions of this Act, by any slave, and all property purchased with such money, or with any interest therein, shall be deemed and held to be the property of the slave by whom it shall be there placed; and that it shall and may be lawful for such slave to make bequest or otherwise to dispose of all such money or property.

S. 49. And be it further enacted, that all contracts or agreements entered into between slaves and free persons by virtue of this Act, shall be in writing, and be duly witnessed by two white persons.

S. 50. And be it further enacted, that all fines and forfeitures arising under this Act, be to His Majesty, his heirs and successors, for and towards supplying the funds established by an Act, intituled "An Act for raising a Public Revenue for the Support of the Government of these His Majesty's Islands."

S. 51. And be it further enacted, that this Act be in force for and during three years, and then determine and expire.

Passed the Assembly, this 1st day of May 1827.

By order of the House,

*John Noble Harvey,*  
Speaker.

Concurred to by the Legislative Council, the 13th day of July 1827.

*James Christie Esten,*  
President.

Assented to this 30th day of July 1827.

H. TURNER.