

AN ACT for more fully ascertaining the Slave Population, &c. &c.

Preamble.

WHEREAS it has been asserted in the mother country, that the re-establishment of peace will afford facilities to an illegal introduction of slaves into the British settlements in the West Indies and in South America: And whereas the honourable Court of Policy of this Colony, notwithstanding it feels the strongest conviction that no such importation into this Colony ever has been, or is likely to be attempted, since the enactments of the Abolition Acts of the mother country, is yet anxiously desirous to join in carrying into full execution all measures that may be deemed necessary for giving strength and efficacy to statutes 47 Geo. III. s. 1. cap. 36, and 51 Geo. III. cap. 23, for the abolition of the slave trade:

And whereas many advantages may be derived to the inhabitants of this Colony, from a more exact specification and return of the slave population, which advantages, in fact, were experienced whilst a Registration Act was heretofore in force and vigour: Be it therefore enacted by his Excellency Major General Murray, Lieutenant Governor, &c., President of and in conjunction with the honourable the Court of Policy of this united Colony, by law established, and by the authority of the same,—

Enacts appointment of registrar, and how to be appointed.

Sect. 1. That it shall and may be lawful for the said Governor for the time being, by and with the consent of the honourable the Court of Policy of this united Colony, to appoint, and he is hereby authorized and required to appoint, by commission under his sign manual, by and with the consent of the honourable the Court of Policy, some fit and proper person, resident within this united Colony, to be registrar of slaves therein; and that such registrar shall be personally resident within this

this Colony while he shall continue to hold his said office, except when from ill health, or other necessary cause, his temporary absence from this united Colony shall be permitted by the Governor for the time being: Provided, nevertheless, that such temporary absence shall not exceed the period of twelve months; and if the said registrar shall be at any time absent from this Colony, without such licence or permission as aforesaid, he shall absolutely forfeit his office; and in case of death, absence, or incapacity of the said registrar, or any avoidance of the said office, a new registrar shall in like manner be appointed by the Governor of this united Colony for the time being, by and with the consent of the honourable the Court of Policy, under the sign manual of the Governor for the time being aforesaid.

Sect. 2. And be it further enacted by the authority aforesaid, That between the first day of the month of June now next ensuing, and the first day of the month of September now next ensuing, and in every third following year, every person who shall then be resident within this Colony, and who shall, on the 31st day of May, of the respective years of registration, be in possession of any slave or slaves, within the same, whether as proprietor, mortgagee, trustee, sequestrator or receiver, guardian, lessee, attorney, or in whatever other name or title he may hold the same, not herein described, shall respectively make and deliver upon oath to the registrar, so to be appointed as aforesaid, such schedule, lists and particulars, in writing, as are hereinafter mentioned, that is to say, every person in possession of any slave or slaves as aforesaid, shall so make and return a schedule or list in writing, therein specifying, in the first place, his or her own name and description, and the name and description of such other person or persons, being the owner or owners of such slave or slaves on whose behalf the return is made, together with the name of the plantation, if any, to which such slave is attached, and the right or character in which the party making such return holds possession of, and claims title to, such slave or slaves, namely, whether as proprietor, mortgagee, trustee, sequestrator or receiver, attorney, executor, administrator, guardian or otherwise; and, after such descriptions as aforesaid, shall proceed to name, describe, and enumerate distinctly the several negroes, mulatto, or other slaves belonging to the said owner or owners, in manner following, that is to say: the schedule or paper containing the said list, shall be divided into six perpendicular columns of convenient breadth, respectively, entitled at the heads thereof, "Name, Colour, Age, Employment, Condition, and Country." And in the first place of the said columns, shall be inserted the name of each slave by which he or she has been usually called or known; in the second of the columns, shall be inserted the colour of such slave, including under the term coloured, all those who are not black; in the third of the said columns, shall be inserted the age of such slave; in the fourth of the said columns, shall be inserted the particular trade, occupation, or ordinary employment of the slave; in the fifth of the said columns shall be inserted the condition of the slave, whether invalid, superannuated, or able; and in the sixth of the said columns, shall be inserted whether the slave is an African or Creole, and if a Creole, the name of the Island or Colony in which such slave was born, or from which he or she was brought, according to the best of the knowledge, information, and belief of the owner, or other party making the return. And for the better ascertaining of the proper forms of such returns of slaves as are hereby required to be made, and that every person may strictly adhere thereto, a form, or example of such returns, is contained in a Schedule to this Act annexed, to which all persons are required, so far as shall be found practicable, to conform; in which said Schedule, the above-mentioned six perpendicular columns are drawn and described; and in which are set out and marked two large and distinct lateral divisions, the one for the purpose of inserting the names, colour, age, employment, condition, and country, as aforementioned, of males, and the other of females, as herein required, for the purpose of this Act or Ordinance.

Between the 1st day of June and the 1st of Sept. all persons in possession of slaves to return lists or schedules thereof, upon oath, to the registrar of this colony, containing the name, description, and other particulars of the parties making such returns.

Schedules to describe the names, colour, age, employment, condition, and country.

Sect. 3. And be it further enacted by the authority aforesaid, That in all Lists or Schedules to be made and returned as aforesaid, after the first general returns required by this Act, there shall be in every succeeding return contained a true and particular account of all births and deaths of slaves belonging to the person or persons on whose behalf such return is made, within the three years next preceding, since the last returns were made; and also an account of all deductions from, or additions to, the former list of slaves belonging to such person or persons, within the same period; whether the same shall have happened by desertion, sale, or other transfer of property, enfranchisement, or return of fugitive slaves, or by purchase,

After the expiration of three years, returns to be delivered, containing an account of all deductions from, and additions to, the former stock of slaves, whether by birth, death, or otherwise.

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succession, or reversion, or other lawful acquisitions, within this united Colony; or by any lawful importation; which particular cause or mode of deduction, or addition, shall in all cases be distinctly specified in such return, so that the general increase and decrease of slaves, their condition, and numbers, may be fully known and considered.

Returns to be made on oath.

Sect. 4. And be it further enacted by the authority aforesaid, That every person making any and every such schedule and return, shall, at the time of delivering the same to the registrar, take the following oath; which the said registrar is hereby empowered and required to administer, under the penalty of six thousand guilders, Holland's currency, (that is to say):

Form of oath.

“ You do Swear, That the List or Schedule now by you given in, contains  
 “ a true and exact account and description, according to the several parti-  
 “ culars therein specified, of all the slaves now attached or belonging to the  
 “ Plantation called \_\_\_\_\_ in \_\_\_\_\_ or now belong-  
 “ ing to you, or in your possession [*if any owner,*] or now belonging to or in  
 “ possession of [*name the owner or possessor,*] within this Colony, according  
 “ to the best of your knowledge, information, and belief.  
 “ So help you GOD.”

Persons who shall, from sickness or otherwise, be prevented from attending personally to deliver in returns to the registrar, may appoint a substitute.

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

Form of oath to be taken by such substitute.

“ You do Swear, That the person for whom you are now about to give in a List  
 “ or Schedule of slaves, is prevented doing so in his or her own proper person,  
 “ from illness or bodily infirmity; and that the List or Schedule by you now  
 “ given in, was signed by such person in your presence; and that the same  
 “ contains a true and exact number and description of all the slaves now  
 “ belonging to or in the possession of the said \_\_\_\_\_ according  
 “ to the best of your knowledge, information, and belief.  
 “ So help you GOD.”

The registrar to publish the periods for making returns.

Sect. 5. And to the intent that all persons required by this Act or Ordinance to return lists or schedules for any slaves, may be duly apprised, and have sufficient notice of the respective times of returning the same; Be it further enacted by the authority aforesaid, That at every period after the first registration, the time for which is now by this Act appointed, the said registrar shall and he is hereby required, some time not less than two months immediately preceding the period herein appointed for the making such returns of slaves as aforesaid, to give notice thereof in the official gazette of the Colony, purporting such respective periods for giving in such returns to him the said registrar; and in case the said registrar shall in any respect fail therein, for every such offence he shall forfeit the sum of twelve hundred guilders, Dutch currency.

The returns to be registered within a limited time, exactly according to the returns.

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

Office copies of the registered lists or returns, to be delivered if required. The registrar to be entitled to certain fees.

When all the returns are registered, notice thereof

Sect. 7. And be it further enacted by the authority aforesaid, That when and so soon as all the returns, lists or schedules, which shall have been delivered to the said registrar,

registrar, pursuant to this Act or Ordinance, shall have been entered and recorded as aforesaid, the said registrar shall give notice thereof to the inhabitants of this united Colony, in manner as aforesaid, that the said books are and will continue open at the proper office, for the inspection, free of expense, of all persons who have made returns of slaves, for insertion therein, for the term of two months from the date of such notice; to the intent that all persons interested, may be satisfied of the accuracy of the said books, and of the said returns therein contained; and also that if any owners or possessors of slaves within this Colony, shall, from any accident or unavoidable impediment, have omitted to return full and proper lists or schedules of their slaves, as by this Act is required, they must immediately on discovering such error or omission, apply to the Governor for the time being of this united Colony, in non-sessions of the honourable the court of policy, or to the same, in conjunction with the honourable the court of policy, during its established and ordinary sessions; who upon satisfactory proof that such omission has not been wilful, shall thereupon order the admission, registration, and correction of such returns or schedules by the said registrar.

Sect. 8. And be it further enacted by the authority aforesaid, That in case any person or persons whatsoever shall wilfully neglect to give in to the said registrar, a list or lists, schedule or schedules of his or her or their slave or slaves, as above directed, every such person or persons so neglecting, shall forfeit and pay the sum of twelve hundred guilders, Holland's currency, for every slave so neglected to be given in; one moiety thereof to be paid to the informer, and one moiety to be paid into the public treasury of this Colony; such forfeiture or fine to be levied and recovered by the honourable the fiscals, or either of them, or by the registrar himself, who in such matters is hereby empowered and authorized to levy and recover the same by fiscal action, before the honourable the court of criminal and civil justice of this united Colony. And all and every slave or slaves so neglected to be given in, if such slave be an African, shall be entitled to his her or their freedom, unless such person or persons so omitting to give in any such slave or slaves, shall, within six months after the discovery of such omission, establish by sufficient evidence, before the Governor for the time being, that such African slave or slaves, so omitted to be given in, had been legally imported; and such African so rendered free, shall hereby become entitled to the usual sum for maintenance allowed in such or similar cases by the Colony.

Sect. 9. And be it further enacted by the authority aforesaid, That any person or persons who may be at any time resident in this Colony, and who may have, keep and return in his her or their possession, as a slave or slaves, any African or Africans who may have been illicitly imported into this Colony, knowing the same to have been illicitly imported, shall, upon conviction thereof, in like manner as above mentioned, by action brought by their honours the fiscals, or either of them, or by the registrar himself, as empowered and authorized so to do by this Act or Ordinance, forfeit and pay a sum not exceeding six thousand guilders, Holland's currency, and be imprisoned in the common gaol of this Colony, for any time not exceeding the period of two years.

Sect. 10. Provided always, and it is hereby enacted by the authority aforesaid, That all persons who shall think themselves aggrieved by any proceedings of the said registrar, in any matter relating to this Act, may address by petition the Governor for the time being, who is hereby required and fully empowered to hear the parties upon any such application, and determine thereon, and either to remit, or otherwise, as to him may seem just and fitting, the penalties and forfeitures hereby imposed; he, the Governor, being required, at the next ordinary sessions of the court of policy, to inform the said court of such his direction, upon any such application having been made to him.

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

“Before *A. B.* [inserting the name and title of the Governor for the time being,] personally appeared *C. D.* [naming himself,] registrar of slaves of this Colony, who being duly sworn on the Holy Evangelists, makes oath and saith, That he the said *C. D.* has carefully examined and compared all the preceding entries in this book, with all the different returns of slaves delivered to him, or to his knowledge or belief, to any deputy, clerk,

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to be given; and the means of supplying omissions within a limited time therein specified.

The governor may direct returns to be received and registered after the limited time, in cases of accident or unavoidable impediment, and not from wilful default.

Persons omitting to register slaves, liable to forfeit 1,200 G. H. C. for each slave unregistered.

Persons who may have, keep and retain any African, who may have been illicitly imported, knowing the same, to be prosecuted. Persons convicted, as before, to forfeit 6,000 G. H. C. and imprisoned.

Parties who may think themselves aggrieved by the registrar, may apply to the governor for relief.

The registrar to make duplicates of registers, and how to be authenticated.

Form of oath to be taken by the registrar.



hold and exercise the said office of registrar; and the further sum of six hundred pounds sterling, at the exchange as above explained, at such time as he shall complete, and produce to his Excellency the Governor for the time being, authenticated duplicates of the aforesaid books of registry.

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Sect. 16. And be it further enacted by the authority aforesaid, That all and every the fines, forfeitures and penalties hereinbefore imposed, shall be recovered, on complaint to their honors the fiscals, or either of them, or to the registrar, as an officer of the Colony, for the especial purposes of matters arising out of this Act or Ordinance, who shall bring the aforesaid claim and levy of forfeitures and penalties before the honourable the court of justice, in the usual and ordinary manner, as in the case of other fiscal actions.

Fines, forfeitures, and penalties, how to be recovered.

Sect. 17. And in order to prevent the giving in of double returns which might occur from a doubtful construction of this Act or Ordinance, as to the party, whether the actual proprietor, or the party in possession, shall make the aforesaid return; It is hereby enacted, That the actual proprietor or his representative, and not the party, who by hire or otherwise may have temporary possession of any slave or slaves, is bound to give in the returns, as above directed.

Persons in legal possession to make the returns, *i. e.* not persons hiring or having temporary possession.

Sect. 18. And whereas in cases of litigated claims to and concerning any individual slave or slaves, where returns, under this Act or Ordinance, shall have been made by different persons claiming the same, it may be difficult and impossible for the registrar, as above named, for the purposes of this Act or Ordinance, justly to ascertain the rights thereto of such litigating parties; he, the aforesaid registrar, is hereby directed and authorized, as much as in him lies, to insert the required return, with reference solely to the direct occupation and possession, at the time of the return made, of the party making the same: And it is further therefore hereby declared and ordained, That the returns of registry, under this Act or Ordinance, shall be receivable only as evidence for the express purposes of this Act, and shall in no ways be deemed or considered admissible, as substantiating any claims between individuals in litigation. Lastly, the honourable the Court of Policy reserves to itself all right of from time to time explaining further the enactments of this Ordinance; hereby confirming, however, all previous laws and regulations touching and concerning this matter, not contrary to the regulations of this Act or Ordinance now published and established.

Returns of registry made under this Act, to be receivable only as evidence for the express purposes of this Act.

And that no ignorance may be pretended of the several orders contained in this Ordinance, these presents shall be published, and sent round for general information.

Thus done and enacted at our adjourned assembly, held at the Court House, George Town, Demerary, the eighteenth of March, one thousand eight hundred and seventeen, and published the twenty-fifth following.

(Signed) *John Murray.*

By Command of the Court, *Charles Wilday*, Cl<sup>k</sup> Ct. Policy.