

AN ACT for the more effectual apprehending of Runaway Slaves, and to oblige the Provost Marshal of this Island to receive into his custody in the Common Gaol all Runaway Slaves, and to advertise them in the Newspaper of the Island, and if not claimed within a limited time to oblige him to sell them for the public benefit, for appointing a Committee of the Council and Assembly to inspect the Common Gaol from time to time, and for other purposes in this Act mentioned.—[30th April 1798.]

WHEREAS at present there is no sufficient law for the purposes in the title of this Act mentioned, we therefore your Majesty's dutiful and obedient subjects the governor and the council and assembly of the said Island of Dominica, do humbly pray your Majesty that it may be enacted and ordained,

1st.

1st. And be it and it is hereby enacted and ordained by the authority aforesaid, That it shall and may be lawful from and after the publication of this Act, for any white person or persons, or for any free person or persons, and he and they is and are hereby required and directed, to apprehend and take up in any part of this Island any slave or slaves who may be there found, and who may appear to such person or persons to be a runaway or runaways, and him he or them forthwith to conduct to the common gaol, and the provost marshal as gaol-keeper shall and he is hereby required to receive into his custody all such runaway slave or slaves so to be brought to him, and to pay the apprehender or apprehenders the sum of sixteen shillings and sixpence for each such slave, besides mile money at the rate of one shilling per mile for the distance which such slave may be brought, provided the said slaves shall not be owned by any inhabitant of this Island; and the provost marshal shall, after any such slave or slaves are brought and delivered to him as aforesaid, advertise him her or them in the public newspaper to be then next published, and if not claimed shall proceed to the sale, and sell and dispose of the said runaway slave or slaves in the manner and form hereinafter provided for the sale and disposal of any runaway slave or slaves belonging to any inhabitant of this Island; and if the runaway slave or slaves to be apprehended and committed as aforesaid shall be claimed, the owner or owners thereof, or his her or their attorney or agent shall first be obliged to verify their claim by affidavit in writing before any magistrate of this Island, by proving the property of such runaway slave or slaves, and having so done and delivered the same to the provost marshal, the said provost marshal shall, on being paid his lawful fees and disbursements for such runaway slave or slaves as hereinafter provided, deliver him her or them to his her or their respective owner or owners, or his her or their lawful attorney or agent.

2d. And be it further enacted and ordained by the authority aforesaid, That from and after the publication of this Act, it shall and may be lawful for any white person, free person of colour, or slave, to apprehend or take up any slave or slaves that shall be found off or from the plantation of his her or their owner renter or employer, or out of the town or plantation wherein or whereon his her or their owner renter or employer actually then is or usually reside (except slaves employed in bringing water or other necessaries for such owner, renter or employer's use, or unless attending upon some white or free person, and except tradesmen employed on any of the plantations of this Island, and not belonging thereto) without a permission in writing signed by such owner renter or employer, and the person or persons apprehending such slave or slaves, is and are hereby directed to conduct him her or them in forty-eight hours, or to cause him her or them to be conducted to the common gaol, or to the plantation, habitation, or usual place of residence of the owner renter or employer of such slave or slaves, who is hereby required to pay to the apprehender or apprehenders of such slave or slaves the sum of eight shillings and threepence for each slave, if taken up within two miles of such owner renter or employer's plantation, habitation, or the town or plantation wherein or whereon he or she usually resides at the time of such apprehending; and if taken up at any greater distance, sixteen shillings and sixpence, and one shilling for every computed mile such slave or slaves is or are conducted either to gaol or place of residence of the owner; and in case any dispute shall arise about the mile-money, the same shall be determined by any justice of the peace; and if such owner renter or employer shall refuse to pay such reward, any justice of the peace is hereby authorized and required, upon complaint, and the oath or oaths of the apprehender or apprehenders of such slave or slaves, of such refusal to pay as aforesaid, to issue his warrant of distress in nature of an execution directed to any constable to levy the same, with the charges, on the goods and chattels of such owner renter or employer, and the goods and chattels levied on, such constable is hereby required to expose to sale under the same regulations conditions and restrictions as are appointed for the sale of goods and chattels of defendants taken in execution by the provost marshal of this Island; provided always, that such sale shall be made within ten days from the day of levy, and it shall and may be lawful for such constable to deduct as a fee for his trouble, the sum of sixteen shillings and sixpence out of the proceeds of such levy and sale.

3d. And be it and it is hereby enacted and ordained by the authority aforesaid, That the provost marshal or his lawful deputy shall receive all runaway slave or slaves belonging to any inhabitant of this Island to be brought to him as aforesaid, and shall

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confine him or them in the common gaol, and shall pay the apprehender or apprehenders of such slave or slaves the rewards and mile-money specified in the second clause of this Act, and the said provost marshal shall immediately advertise such runaway slave or slaves in the public newspaper of this Island for three successive weeks, describing the sex, and as near as may be the age, size, complexion, or any other external marks whereby he she or they may be the more readily known, together with the country of the said slave, and his her or their name or names (if known) and shall also immediately, in a list to be put up on the outside of the door of his office, insert the name or names, age, size, and external or country marks as above expressed; and in case the provost marshal or his lawful deputy shall fail in performing the several matters in this clause directed, he shall forfeit and pay the sum of five pounds for every such neglect, to the informer or persons injured thereby, and all goal fees and other charges thereon, such penalties to be recovered before any two justices of the peace, on due proof of such neglect, and to be levied by their warrant of distress and sale as before directed in the second clause of this Act; and if the slave or slaves thus advertised, is or are not claimed within three months from and after the day on which he she or they were delivered into the hands of the provost marshal or his lawful deputy, it shall and may be lawful for the said provost marshal or his lawful deputy, and he is hereby required, to sell the said slave or slaves at public outcry to the highest bidder or bidders, and the monies arising from such sale, after deducting the several charges and goal fees for such slave or slaves as hereinafter provided, shall be returned to the owner or owners of such slave or slaves; and if such owner or owners do not appear to claim the same, then the provost marshal shall be at liberty to apply the same in part payment of his account against the colony, rendering at the same time to the clerk of the assembly a full account of the sale charges and net proceeds, for the inspection of the committee of public accounts on passing the account of the marshal, until the owner or owners may appear; and if such owner or owners do not appear and claim the same within one year after the sale, then the said application shall be final and conclusive for the public benefit of the colony; and in case any runaway slave or slaves shall die in gaol, the marshal's lawful fees and disbursements for such slave or slaves shall be charged to the public of this Island.

4th. And be it and it is hereby enacted and ordained by the authority aforesaid, That the provost marshal, over and above being reimbursed and paid the rewards and mile-money, to be paid by him as hereinbefore directed, shall be allowed and paid for the feeding and attending each negro committed to gaol as a runaway, the following sum, that is to say, one shilling and sixpence for every twenty-four hours, for receiving and discharging each runaway slave, seven shillings and sixpence and no more, and for advertising each slave in English and French, sixteen shillings and sixpence.

5th. And be it enacted by the authority aforesaid, That a committee of the council and assembly to be from time to time appointed, to consist of two members of the council to be named by the president of the board, and three members of the assembly to be named by the speaker, or a majority of such committee, or any two members thereof, shall have it in their power at all times hereafter to inspect the common gaol, and to enquire into the treatment of all slaves whatever therein confined, and to see that their daily allowance of wholesome food, which shall be equal to three-fourths of the daily allowance made by this Act, be regularly provided for and given to them; and if the goal-keeper shall on such enquiry be found not to have done his duty in either of the aforesaid particulars, he shall be fined by the committee, or a majority of them, in the sum of five pounds, and the provost marshal shall be answerable for the said fine, and be charged therewith in his account with the public.

Chas^r Winston, Speaker.

Passed the House of Assembly, this twenty-eighth day of September in the year one thousand seven hundred and ninety-seven.

F. Collins, Clerk of the Assembly.

Passed the Council, this twenty-seventh day of April one thousand seven hundred and ninety-eight.

Geo. Boyce, Assis^t Clerk of the Assembly.

Duly published in the town of Roseau, this thirtieth day of April in the year one thousand seven hundred and ninety-eight.

James Laing, P. M.

Andrew (L. S.) Cochrane Johnstone.