

Enclosure in No. 1.

Dominica.

AN ACT to consolidate and amend the LAWS relating to SLAVES.

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Preamble.

WHEREAS Laws for the encouragement, protection and better government of Slaves, and for the general amelioration of their condition, have from time to time been enacted in this Island, founded upon the principles of policy, justice and humanity, and it being expedient that such further provisions to that effect should now be made as may be consistent with a due regard to the interests of the proprietors of Slaves, We therefore, Your Majesty's dutiful, loyal and obedient Subjects, the Governor, Council and Assembly of this Your Island of Dominica, humbly pray Your Most Excellent Majesty that it may be enacted and ordained;

And be it and it is hereby Enacted, That every proprietor, renter, attorney or agent of any slave or slaves shall give or cause to be given to all such slaves as shall be under his, her or their care, a sufficient quantity of good and wholesome food, and shall provide dry and comfortable lodging for them, and shall give them good and sufficient clothing; that is to say, to each Male Slave above the age of ten years, once in every year, a kersey pennistone or drugget jacket, a hat or cap, a pair of Osnaburg or pennistone trowsers with four yards of Osnaburgs; a kersey pennistone or drugget wrapper, a hat or cap, an Osnaburg or pennistone petticoat, with four yards of Osnaburgs, to every Female above the age of ten years; and to Children of the age of ten years and above two years, a hat or cap, and three yards of Osnaburgs; and to Children under the age of two years, two yards of Osnaburgs; and also a blanket to each slave once in every three years; and an iron pot to every adult slave once in every three years; and to each domestic slave such decent clothing as shall at the least be equivalent to what is hereby directed to be given to the field or plantation negro; and in case of the sickness of any such slave or slaves, shall provide proper medical assistance and advice. Clause 1st.

And be it Enacted, That whereas there are many poor persons who are unable to purchase the clothing required to be furnished to such slaves by the foregoing Clause, it shall be lawful for any such poor persons to grant to any of his or her slaves (being adult and capable of labour), in lieu of such clothing, any number of days not less than Twelve, to be allowed to such slave consecutively, and exclusive of Saturdays and Sundays: Provided always, That such poor person shall at the time of making the returns of slaves under a certain Act passed the Nineteenth day of February One thousand eight hundred and eleven, intituled, "An Act for ascertaining the number of White Persons, Free Persons of Colour, and Slaves in this Island," make oath as follows: "I, G. H., do solemnly swear, That it has not been in my power to purchase the clothing required by the first Clause of an Act, intituled, 'An Act to consolidate and amend the Laws relating to Slaves,' to be by me furnished to the slaves under my charge during the last twelve months, and I have in consequence of such inability allowed to each of such slaves as are adult and able to labour the time required to be allowed in lieu of such clothing by the first Clause of the herein-named Act;" and should any proprietor, renter, attorney, agent or other person in charge of slaves neglect or refuse to comply with the enactments of these Clauses, he or she shall be punished by fine not exceeding Ten Pounds, or by imprisonment not exceeding One Month, for each offence, at the discretion of the Court before whom the same shall be proved. Clause 2d

And be it Enacted, That every proprietor, renter, attorney, agent or other person having charge of any slave or slaves, shall provide comfortable lodging and wholesome food for every old, infirm or diseased slave, and shall on no pretence discard any such slave, or knowingly suffer him or her to wander about; and should any such proprietor, renter, attorney, agent or other person offend against this Clause, he or she shall on conviction thereof be punished by fine not exceeding One hundred Pounds, or by imprisonment not exceeding Six Months, at the discretion of the Court before whom such offence shall be proved. Clause 3d.

And be it Enacted, That every field slave shall on working days be allowed half an hour for breakfast, and for dinner two hours out of crop, and one hour and a half during crop; and no slaves, except domestics, stock-keepers, watchmen and nurses or others, who may be required in attendance on the sick, shall be compelled to do any work whatever on any Sunday throughout the year, Clause 4th.

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on Good Friday, nor on Christmas-day or the day following, or on New-year's day; and if either of the said last-mentioned holidays shall fall on a Sunday, the following Wednesday shall be given in lieu thereof; nor shall any slave (except as aforesaid) be compelled to do any work whatever before the hour of Five in the morning, nor after Seven o'clock in the evening, except during the time of crop, when it shall be lawful to keep them at work until Nine o'clock at night, and no longer: Provided always, That it shall and may be lawful, in case of any accident or danger, at any hour of the day or night, for the proprietor, renter, attorney or manager, or other person in charge of any plantation or estate, to compel the slaves thereto attached to afford any assistance that may be required whenever such accidents or danger may arise; and any person having charge of slaves offending against the provisions of this Clause, shall on conviction before the Court of King's Bench incur the penalty of Fifty Pounds.

Clause 5th. And be it Enacted, That every proprietor, renter, attorney or agent of any slave or slaves, shall have the option of feeding them as directed in the first Clause, or of allotting to them a sufficient portion of land for that purpose, not being less than Half an Acre to each individual slave, and shall appropriate the Saturday in every week for the purpose of cultivating the same, except during crop time, when it shall be lawful to withhold such day, on allowing to each adult Three Pounds of salted or pickled fish, and to the mothers for each child of ten years and under, One Pound of the same: Provided always, That on no pretence whatever shall less than Twenty-six Days in each year be allowed to each slave; and in case of non-compliance with any enactment of this Clause, the offender shall on conviction forfeit the sum of Ten Pounds; and on complaint of any slave, or any other person on his behalf, to any magistrate, he is hereby authorized to issue a summons to be served by any constable requiring the attendance of any witnesses within Ten Days from the date of such summons, for the purpose of giving evidence on such complaint; and if such witness or witnesses shall refuse to obey such summons, he, she or they shall forfeit the sum of Ten Pounds; such penalty, when recovered, to be paid into the Public Treasury, for the uses of the Colony: Provided always, That if such complaint shall be found untrue, the Justice is hereby authorized to order the said slave to be punished in any number of stripes not exceeding Thirty-nine.

Clause 6th. And be it Enacted, That any proprietor, attorney, agent, renter, manager, overseer or other person in charge of any slave or slaves, shall, under the penalty of Fifty Pounds, make oath annually before the Commissioners at the time of making the Return of slaves under a certain Act passed the Nineteenth day of February One thousand eight hundred and eleven, intituled, "An Act for ascertaining the number of White Persons, Free Persons of Colour, and Slaves in this Island," to the following effect; "I [*naming the party, and his or her description*] do solemnly swear, That during the last Twelve Months I have fully complied with the several duties and obligations imposed upon me towards the slaves under my charge, under and by virtue of the first, second, third, fourth and fifth Clauses of an Act of the Legislature of this Island, made the
 day of 1831, intituled, 'An Act to consolidate and amend the Laws relating to Slaves.' So help me God;" which Oath the said Commissioner or Commissioners is and are hereby authorized and required to administer, and to transmit a Certificate of the same to the Treasurer, along with his or their Return, under the penalty of Fifty Pounds for every refusal or neglect; and that if any such Commissioner be himself a proprietor, attorney, manager, overseer, or other person in charge of any such slave or slaves, he shall make oath in form as aforesaid, before some Justice of the Peace, and shall duly transmit to the Treasurer a Certificate of the same, under the penalty aforesaid: Provided always, That where it shall happen that the party making such return shall not have been in charge of the said slaves during the whole of the preceding twelve months, then and in such case he shall only be required to make oath that the provisions and duties imposed by the said several Clauses have been truly and faithfully observed and complied with to the best of his knowledge and belief.

Clause 7th. Be it Enacted, That should any person detain, buy or exchange, or take as a gift of or from any slave his or her clothing, issued as aforesaid, such person shall be deemed guilty of a Misdemeanour, and upon conviction before any one or more of His Majesty's Justices of the Peace, shall, if a white or free person, forfeit

forfeit a sum not exceeding Ten Pounds, and if a slave, shall be punished by whipping, at the discretion of any Justice of the Peace, with any number of stripes not exceeding Thirty-one.

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And be it Enacted, That every proprietor or person in charge of slaves shall encourage such slaves to Christian baptism, and shall afford every reasonable facility to them to attend Divine Worship on Sundays; and any such owner or person having charge over slaves, who shall be proved to the satisfaction of two magistrates to have wantonly, or without sufficient reason, thrown obstacles in the way of slaves attending Divine Worship or having the rites of baptism performed upon him or herself, or his or her children, or to have refused to allow the contracting of marriage by any slave under his charge with any other slave not residing at a greater distance than five miles, shall be subject to a fine not exceeding Fifty Pounds: Provided always, That no marriage which may be solemnized between any slaves shall invest such slaves or their progeny with any rights at variance with the legal title of the owners of such slaves to the services of such slaves or their progeny, or with the duties which such slaves or their progeny are bound by law to render to such their owners or to any person having them in charge.

Clause 8th.

And be it Enacted, That after Thirty Days from the publication of this Act, no article shall be sold or exposed for sale in the public market, or any other place, store, shop or house, after the hour of half-past Ten o'clock in the forenoon of any Sunday; and any person convicted before any magistrate of offending against this Clause shall, if a free person, incur the penalty of Ten Pounds, and if a slave, shall be punished in any number of stripes not exceeding Thirty-one: Provided always, That nothing herein contained shall extend to prevent the sale of medicine, or of provisions for consumption in any inn or victualling-house, nor to prevent the sale of milk in any shop or store, nor of fresh fish or fresh meat in the market-house on Sunday, between the hours set apart for the celebration of Divine Service. And be it further Enacted, That on the first Sunday after the publication of this Act, and on every successive Sunday for thirty days thereafter, the Town Wardens shall and they are hereby required to give public notice by such means as may seem best to a majority of them, of the Sunday in which the provisions of this Clause will first be enforced.

Clause 9th.

And be it Enacted, That it may be lawful for any slave or slaves on plantations, having the consent of the proprietor, renter, attorney or other person in charge thereof, to use any drum or instrument of music for the purpose of dancing in the town of Roseau, or the indulgence of any innocent amusement; and that slaves may meet for such amusement or dancing as aforesaid at the River side only; provided such amusement or dancing shall not be continued after the hour of Eight o'clock in the evening.

Clause 10th.

And whereas on the days allotted for holidays slaves may become riotous and disorderly from the absence of the person in charge of them; Be it Enacted, That any manager, not having an overseer under him, who shall on such holidays absent himself from the plantation of which he has charge, except for the purposes of attending Divine Service or militia duty, shall forfeit the sum of Ten Pounds; and any overseer who shall absent himself from the estate (except as above) without the leave of his manager or employer, shall forfeit the sum of Five Pounds.

Clause 11th.

And whereas the most dreadful mortality has recently prevailed in this Colony from the small pox, an evil chiefly attributed to the neglect of vaccination; Be it Enacted, That every proprietor or person having charge of slaves, shall within Six Months after the passing of this Act, cause to be vaccinated all such slaves under his or her authority as shall not have undergone vaccination, or who shall not have had the small pox; and shall also within Six Months after the birth of every child born of a slave under his or her charge, cause such child to be vaccinated.

Clause 12th.

And be it Enacted, That if any person shall wilfully mutilate, wantonly or cruelly whip or cause to be whipped, beat, bruise, cut, wound or imprison or otherwise ill-treat, or keep in confinement without sufficient nourishment, or shall wantonly or wilfully cause or procure to be mutilated, cruelly whipped, beaten, bruised, cut, wounded, or kept in confinement without sufficient nourishment, or to be otherwise ill-treated, any slave, such person being duly convicted of the same before the Court of King's Bench, shall be punished by

Clause 13th.

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fine not exceeding Two hundred Pounds, or imprisonment not exceeding Six Months, or by both, at the discretion of the Court; and that it shall also be lawful for the said Court, in atrocious cases, where the same shall be so found by the Jury (who are hereby directed to certify on the back of the Indictment whether the case has been by them found atrocious or not), to take him or her, provided such slave consents thereto in open Court, out of the power of a master convicted of such violence as aforesaid, and to order the Marshal forthwith to sell and dispose of such slave to any other person but the then owner, at public outcry, at the best price that can be procured; the money arising out of such sale, after payment of all expenses, to be delivered to such owner.

Clause 14th. And be it Enacted, That if any free person shall be guilty of striking or beating any slave, the property of another, he or she shall, on conviction before two magistrates, forfeit any sum not exceeding Twenty Pounds.

Clause 15th. And be it Enacted, That if any owner, possessor, or other free person shall, either by force or fraud, take away or cause to be taken away from any slave any article of property which by the laws, customs and usages of this Colony such slave is authorized to possess, or shall sell or dispose of or destroy or injure the same, or if any person having purchased from such slave any such article shall refuse or neglect to pay for the same, or shall refuse to pay the wages due to any slave who may have been hired by him or her, or shall wantonly trespass upon his provision grounds, such offender shall, on conviction before any two magistrates, be fined in any sum not exceeding Ten Pounds, and shall also make full compensation for the injury which in the opinion of such magistrates the slave shall have sustained.

Clause 16th. And whereas although legacies to slaves have always been held good and valid in law, yet the legality thereof has never yet been declared; Be it Enacted, That any pecuniary bequest or legacy of a chattel to a slave is and shall be a valid legacy, and that the executor or executors or other representatives of the testator is hereby authorized and required to pay such legacy or deliver such chattel to the slave legatee.

Clause 17th. And it is hereby Enacted, That the evidence of slaves shall be admitted in all causes and against all persons whatever, and be subject to the same qualifications and restrictions, and to such only, as are applied to the evidence of His Majesty's white and free subjects: Provided always, That slaves shall be competent to bear testimony against their legal owners in cases of personal injuries only.

Clause 18th. And be it Enacted, That in all cases where the evidence of slaves shall be required in any Court of Justice in this Island, a writ of subpoena shall and may issue under the hand of the Secretary of the Island, or his Deputy, and under the seal of the Court, in the usual manner, upon the application of any person requiring the testimony of such slaves, directed to the proprietor of or the person under whose immediate charge such slave or slaves may be, requiring him, under the penalty of Twenty Pounds, to produce or cause to be produced in Court such slave or slaves for the purposes aforesaid; and in case any magistrate shall require the attendance of any slave to give evidence in any matter brought before him, he is hereby authorized to issue his summons, directed to the owner or person in charge of such slave, requiring him or her, under the penalty of Five Pounds, to produce such slave, or cause him or her to attend for the purposes aforesaid; and in case of neglect or refusal by such owner or person in charge, it shall be lawful for such magistrate (on proof being made upon oath of the service of such summons) to issue his warrant to the Provost Marshal to levy the same in a summary manner.

Clause 19th. And be it Enacted, That in case any slave shall wilfully and corruptly give false evidence, and be duly convicted of perjury, he or she shall suffer punishment by pillory, whipping or solitary confinement; and any slave who shall refuse or evade giving evidence when called upon by any Court of Justice for that purpose, shall for such contempt suffer punishment by whipping at the discretion of the Court not exceeding Thirty-nine stripes, or by solitary confinement not exceeding Ten Days.

Clause 20th. And be it Enacted, That no slaves being married and belonging to the same owner shall be sold separate and apart from each other, nor shall any slave under the age of Twelve Years be sold separate and apart from its mother, except for the purpose of being manumitted, or under sentence of a Court, as declared in the Thirtieth Clause of this Act: But whereas cases may occur where

where from the abandoned character of the parent, policy and humanity may require that the child should be removed from such improper influence, it is hereby provided, that if any proprietor or attorney or agent, having charge of slaves, shall be of opinion that the future well-being of the infant requires that it should be protected from the neglect of its mother, or taken out of the reach of her bad example, he is hereby authorized to apply to the next Court of King's Bench, Common Pleas or Petty Sessions, upon an affidavit stating the facts which appear to him to warrant such separation, which the Court is empowered to order, if in their judgment the good of the child will be thereby promoted.

And be it Enacted, That it shall and may be lawful for any free person on behalf of any slave to have and maintain an action or actions in his or her own name for the recovery of any debt or debts due or owing to any slave, as if the same were really due to him or herself, and also to maintain any action for the recovery of damages for any wrongs or injuries done to the person or property of such slave; and the Jury in returning their verdict shall, if they find for the plaintiff, declare the same for the use of such slave. Clause 21st.

And be it Enacted, That so much of the Act, intituled, "An Act to establish Courts of Petty Sessions at stated times for the Trial by Jury of runaway or other Slaves in custody of the Provost Marshal, for Crimes under any of the Laws of this Island now existing or hereafter to exist for regulating and in some instances varying their Punishment, as established by Laws now in force for the more speedy Trial of Slaves committed for Misdemeanour or petty offences by Justices of the Court of King's Bench and Grand Sessions of the Peace, immediately on the termination of their Session to hold Courts of Petty Sessions for the Trial or Gaol Delivery of Slaves then in custody of the said Marshal, and for other purposes connected therewith," passed the Tenth day of September One thousand eight hundred and seventeen, as directs the Provost Marshal to summon Twelve Jurors, six of whom shall be sufficient to form a Jury; and also so much of the fifth Clause of the said Act as authorizes the forming of a Petty Jury of six persons, be and the same are hereby Repealed, in so far as regards the trial of slaves for capital offences only; and that in future all such trials shall be by indictment in the Court of Grand Sessions to be found by a Grand Jury, and to be tried by a Petty Jury, in the same manner to all intents and purposes as all other criminals are by law directed in such cases to be tried. Clause 22d.

And whereas it is by law provided, that in certain cases the owner of slaves or persons having charge thereof, shall allot to each negro a portion of ground, and sufficient time for the due cultivation thereof; and whereas such provision has been found by experience to be highly beneficial to the negro, by encouraging his industry in raising stock and vegetables for sale, by which means his domestic comforts are greatly increased, and his habits improved; Now, to the end that the slave may not be defrauded of such time by persons acquiring an undue and dangerous influence over his mind, and the good intended by the Legislature thereby defeated, Be it Enacted, That any person employing the slave of another during such hours as are allotted for the good purposes aforesaid, or during the hours set apart for his meals and relaxation, either for hire or other inducement, without the sanction of the owner or person having charge of such slave, shall for every such offence, upon conviction before two magistrates, pay a fine not exceeding Ten Pounds. Clause 23d.

And be it Enacted, That no Gaol-keeper or any person acting under him, shall, on any pretence whatever, work or employ any slave or slaves sent to his custody (except in cleansing the gaol or in cleansing or cultivating the yard), nor hire or lend out such slave or slaves during the time they ought to be in his custody, or suffer them to be at any time without the walls (except as hereinafter provided), under the penalty of Ten Pounds for every offence; and that should the Provost Marshal, Gaol-keeper, or any constable, willingly or negligently suffer any slave or slaves to escape, who shall be committed to his or their custody for any offence under this Act, such Provost Marshal, Gaol-keeper or constable, on proof thereof before the Court of King's Bench, shall for every such offence forfeit a sum not exceeding Ten Pounds, without prejudice to the rights of the owner to sue for the value of such slave. Clause 24th.

And be it Enacted, That it shall be lawful for any Court or Magistrate before whom any slave shall be convicted of any offence not being capital, to sentence such Clause 25th.

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such offender to hard labour, in repairing and cleaning the streets of Roseau, or in any other public work, for such period as the said Court or Magistrate shall deem fit; such slave to be remanded to the common Gaol every noon and evening after the labour of the forenoon or day is over, to be there closely confined: Provided always, That the Provost Marshal shall not be entitled to more than one fee for the commitment of and release of such slave; and in case more than one slave shall be so sentenced, they shall be formed into a gang under the orders of the Town Wardens; and for the purpose of securing such offenders, and preventing their absconding while so employed as aforesaid, it shall and may be lawful to chain them two and two together; provided such chain shall in no case exceed four pounds weight for each slave; which chains the Town Wardens are hereby authorized and directed to provide; and also to appoint an overseer of the said gang, should their number be sufficient to require it; provided that the pay of such overseer for every working day shall not exceed Nine Shillings, nor the allowance to any slave to exceed One Shilling and three-halfpence for any working day; such expenses to be paid by the said Town Wardens out of the funds arising from the assessments on houses in Roseau; provided also, that it shall not be lawful for any owner or any other person in charge of any slave, to send such slave to be worked as aforesaid, otherwise than by order of a Court or Magistrate.

Clause 26th.

And be it Enacted and Declared, That murder, robbery, wilfully setting fire to houses or plantations, maliciously cutting or shooting with intent to kill, and all other felonies which are capital by the law to which the free inhabitants of this Colony are subject, shall, if committed by slaves, be tried under the same laws and in the same manner, and be followed on conviction by the same punishment as would follow the conviction of free persons for the like crimes.

Clause 27th.

And be it Enacted, That any slave who shall be convicted of having struck his or her master or mistress, or any free person having charge of them, or of theft to any amount under Twenty Pounds, or of any attempt to set fire to any house or building, cane-piece or coffee-piece, provision or pasture ground, or of entering any house or building with intent to steal therefrom, or who shall have been accessory to any of the said offences, shall suffer solitary confinement on bread and water, pillory, public whipping, or such other punishment as the Court before whom such offender may have been convicted shall in their discretion award.

Clause 28th.

And be it Enacted, That any slave who shall use defamatory language, words of abuse tending to provoke a breach of the peace, or menacing gestures towards any person whomsoever, shall on due proof of the same, before any Justice of the Peace, be punished by public whipping by any number of stripes not exceeding Thirty-nine; provided always, that complaint of such offence be made to such Justice within Six Days after its commission.

Clause 29th.

And be it Enacted, That any person whatever who shall be convicted of giving, selling or bartering gunpowder, fire-arms or other offensive weapons, lead, shot or any article whatsoever to or with runaways, or having any sort of intercourse or correspondence directly or indirectly with such runaways, shall suffer such punishment as the Court before whom the cause is tried shall in their discretion award; and no slave without the express consent and approbation of his owner, or the attorney, agent or manager under whose charge such slave may be, shall have in his possession any fire-arms or gunpowder, on pain of public whipping to the extent of Thirty-nine stripes, to be ordered by any magistrate before whom the offence shall be proved.

Clause 30th.

And be it Enacted, That if any slave shall practise the pretended art of witchcraft or obeah, by administering to any person whomsoever drugs or potion, or by the use of charms, amulets or other contrivances whatever, or if any free person shall use or practise the same against or upon any slave, the offender on conviction thereof before the Court of King's Bench or Petty Sessions shall suffer such punishment as the Court in its discretion shall award.

Clause 31st.

And be it Enacted, That any person whatever who by printing, writing, preaching or speaking shall induce or excite slaves to throw off their duty and obedience to their owners or other persons in charge of them, or to violate any of the laws in force in this Island, shall be deemed guilty of a high misdemeanour, and punished by banishment, fine or imprisonment, or such other punishment as the Court before whom such offender is tried shall direct.

And

And be it Enacted, That if any slave or slaves shall desert from his, her or DOMINICA.
 their owners, and go off, conspire or attempt to go off from this Island, in any Clause 32d.
 ship, boat, canoe or other vessel or craft, or shall aid, abet or assist any other
 slave or slaves in so doing, such offender or offenders being thereof duly con-
 victed, shall suffer such punishment as the court may award; and should any
 free person be duly convicted before the Court of Grand Sessions of inciting,
 aiding, abetting or assisting any slave or slaves in going off this Island, such
 person shall suffer punishment by banishment, fine or imprisonment, as the
 Court shall award, whether the slave or slaves so deserting or attempting to
 desert shall have been thereof previously convicted or not.

And be it Enacted, That if any slave shall be convicted before any one of Clause 33d.
 His Majesty's Justices of the Peace of gambling, quarrelling, fighting or rioting,
 such slave shall be punished by public whipping at the discretion of the said
 Justice, provided the number of stripes do not exceed Thirty-nine.

And be it Enacted, That if any slave shall disobey the lawful order of his Clause 34th.
 proprietor or the person under whose authority he is, or shall be guilty of
 neglect of duty, or shall be absent without permission from the proprietor
 or person in authority, or shall be guilty of any misconduct, such slave shall
 be punished at the discretion of the said proprietor or person in charge of him
 by confinement in the stocks or by whipping on the shoulders, or both, provided
 such whipping, if directed by the proprietor or attorney, shall not at any time
 or for any one offence exceed Thirty-nine stripes; and if directed by the ma-
 nager of a plantation, shall not exceed Ten stripes; and if by a slave superin-
 tendent of a plantation, shall not exceed Six stripes; and provided also, that
 no punishment by whipping exceeding Ten stripes shall be inflicted on the same
 day on which the offence is committed; and no punishment by whipping shall
 be inflicted on any slave before the effect of any former punishment shall be
 thoroughly cured; and if any female slave shall offend in like manner, such
 slave shall, if above Twelve years of age, be punished by solitary confinement
 in the stocks; and if under Twelve years of age, by confinement in the stocks
 or whipping, in such manner and to such extent as may reasonably be inflicted
 on children of that age; and any person convicted before the Court of King's
 Bench of any offence against this Clause, if a free person, shall forfeit a sum
 not exceeding Thirty Pounds and not less than Five Pounds, and if a slave,
 shall receive punishment (not at variance with this Clause) not exceeding Thirty-
 nine stripes, or such other punishment as a court may award: Provided always,
 That if the owner or person in charge of such slave shall desire to prefer his
 complaint against such slave for any such offence before a magistrate, he shall
 be at liberty to do so, and any one magistrate may take cognizance of such
 complaint, and upon conviction award punishment as directed by this Clause.

And be it Enacted, That in all cases where punishment by whipping is per- Clause 35th.
 mitted by this Act, a cat, such as is used in the British army, and no other
 instrument, shall be used.

And whereas there are slaves of notoriously bad character, and much in the Clause 36th.
 habit of absenting themselves from their duty, and who, during such absence,
 live by plunder; Be it Enacted, That it shall be lawful for any proprietor,
 renter, manager or overseer of any slave who is in the habit of absconding, to
 affix upon such slave a collar and chain or handcuffs not exceeding four pounds
 in weight; and it shall also be lawful for such slave to be taken out to work
 with such collar or chain with the other slaves; provided, that one or more of
 the fellow slaves of the said runaway or one or more free person or persons do
 upon oath before a magistrate testify to the bad conduct and habits of such
 slave, and that it is necessary so to confine the said runaway slave to keep him
 or her on the property; and previous to such slave being worked in chains as
 aforesaid, it shall be necessary for such proprietor, renter, attorney, manager
 or overseer to obtain a certificate from the magistrate before whom said testi-
 mony is produced, authorizing the same; and it shall be the duty of such pro-
 prietor, renter, attorney, manager or overseer to provide good and sufficient
 food for the said slave during such confinement; and it shall be further lawful
 for any such proprietor, renter, attorney, manager or other person in charge to
 have on their property or plantation, stocks, bilboes, places of solitary confine-
 ment, or other secure means for the purposes of confining or punishing slaves.

And be it Enacted, That if any slave shall have been committed to gaol, Clause 37th.
 and shall not be prosecuted at the following Court of Grand or Petty Sessions,

DOMINICA. the gaol-fees of such slave shall, if not otherwise ordered by the Court, be paid by the person at whose instance or complaint such slave was committed; and in default of payment of such fees, it shall be lawful for the presiding Judge to issue his warrant authorizing the Marshal to levy the amount thereof upon the goods and chattels of the person so making default, and also to order the release of such slave.

Clause 38th. And be it Enacted, That it shall not be lawful for any Court or Magistrate to order punishment to be inflicted on any slave who may fail to establish any accusation of personal maltreatment of such slave by his or her owner, or of any person in charge of such slave, unless it shall appear fully to the satisfaction of the Court or Magistrate before whom the complaint was made that such accusation was false, and had originated in a malevolent motive, in which case such Court or Magistrate shall certify the same, and in such certificate direct punishment to be inflicted on such slave, the same not to exceed Thirty-nine stripes, and only according to the provisions of the Thirty-fourth Clause of this Act.

Clause 39th. And be it Enacted, That if the owner of any slave in the Colony, or any person having any interest in any such slave, shall be unwilling to effect his or her manumission, or shall, by reason of any mortgage or settlement, or lease or charge upon or interest in such slave being vested in any other person or persons, be unable to execute a valid and effectual manumission of such slave; or if the owner or any other person having a charge upon or interest in any such slave shall be a minor, or idiot or lunatic, or if the real owner of any such slave shall be absent from the Colony to which the slave belongs, or shall not be known, or if any suit or action shall be depending in any Court of Justice in the Colony, wherein the title to the said slave or the right to his or her service shall or may be in controversy, or if the owner of any such slave shall demand as the price of his or her freedom a greater sum of money than may appear to any free person, acting on behalf of the said slave, to be the fair and just value thereof, then and in each and every of the cases aforesaid the Clerk of the Crown, on application to him for that purpose made by any free person on behalf of such slave, at least Thirty days before the next Court of King's Bench, shall issue a summons under his hand and the seal of the said Court, requiring the owner or the manager of such slave to appear by themselves or their agents before the said Court at its then next meeting; and the Clerk of the Crown shall, by notice to be inserted in any newspaper of the Island, call on all persons having, or claiming to have, any title or interest to or in the slave proposed to be manumitted, either in their own right, or as the agents, guardians, attornies, trustees or representatives of any person requiring them to attend and prefer such claims.

Clause 40th. And it is hereby further Enacted, That so soon as the Court of King's Bench shall have disposed of such other matters as may be before them, the President of the said Court, in the presence and in the name of the Court, and also in the presence of the owner or manager of the slave proposed to be manumitted, or upon proof being made to the Court upon oath of the due service and publication of such notice as aforesaid, then, if necessary, in the absence of such owner or manager, shall proceed to hear in a summary way what may be alleged by the said slave by any free person on his behalf, and by the owner or manager, or other persons claiming any interest in the said slave proposed to be manumitted, and attending in pursuance of any such notice; and in case the said parties, or any of them, shall refuse to effect such manumission at a price approved by the said Court of King's Bench, or in case it shall be made to appear to the said Court that a valid and effectual manumission of such slave cannot legally be effected by private contract, or that the owner of such slave, or any person having any charge upon or interest in such slave, is a minor, or idiot or lunatic, or that the real owner of such slave, or any person having any charge upon or interest in such slave, is absent from the said Colony, or is unknown or cannot be found, or that any action is depending in any Court of Justice in such Colony, wherein the title to such slave or the right to his or her services is in controversy, then and in every such case the said Court shall require the party appearing on behalf of such slave, and the owner or manager of such slave, if attending in pursuance of this notice, each to nominate an appraiser of his or her value; and the said Court shall nominate an umpire between such appraisers; but if such owner or manager, being duly summoned

summoned as aforesaid, shall fail to attend, or attending shall refuse or omit to nominate an appraiser, then the said Court shall not only nominate such umpire as aforesaid, but shall also nominate an appraiser on behalf of such owner or manager.

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And be it further Enacted, That the appraisers so to be nominated as aforesaid shall be sworn by and before the said Court to make a fair and impartial appraisement of the slave so to be manumitted; and within Seven days next after such their appointment such appraisers shall make a joint valuation of the said slave, and shall certify such their valuation under their hands and seals to any three members of the Court (the President being one) appointed by the said Court to meet for the purpose of receiving the same; and in case such joint certificate shall not be so made and delivered to the said members within the said term of Seven days, then the said umpire being duly sworn in manner aforesaid, shall, within the next succeeding Seven days, certify his valuation to the said members; and the valuation to be made in the manner aforesaid, either by the said joint appraisers, or in their default by the said umpire, shall be binding and conclusive, and shall remain of record in the office of the Clerk of the Crown: Provided nevertheless, That if it shall be made to appear to the said members within One calendar month next after such valuation shall have been made, that in the making thereof the said appraisers or umpire, or any of them, acted fraudulently or unjustly or under the influence of any improper motive, then, but not otherwise, it shall be lawful for the said members to set aside the said valuation, and to declare the same to be void, and to direct another valuation to be made in manner aforesaid, for which purpose new appraisers and a new umpire shall in manner aforesaid be appointed and sworn, and shall proceed to make a second valuation, which being certified to the said members in manner aforesaid, shall be to all intents and purposes binding and conclusive: Provided that such second or any subsequent valuation may in like manner be set aside by any Court of King's Bench on the grounds aforesaid, until a valuation is made not open to any such objection: Provided also, That if the amount of any such valuation shall not be paid in manner hereinafter mentioned within One calendar month next after the recording thereof, such record shall be cancelled, and it shall not be lawful for any such slave, or any person on his or her behalf, again to institute such proceedings as before mentioned for his or her manumission until the expiration of Twelve calendar months, to be computed from the date of such former valuation.

Clause 41st.

And be it Enacted, That in making any such valuation as aforesaid, the said appraisers or umpires, as the case may be, shall and they are hereby required to take into their consideration the qualities of the slave proposed to be manumitted, as well as his or her skill in any domestic service or employment or other labour whatsoever, with any other facts or circumstances which, in the opinion of such appraisers or umpire, ought to influence their or his judgment as to the price to be paid by such slave for his or her manumission: Provided always, That if after any such valuation shall have been made as aforesaid, and before the time of recording the same, it shall be alleged by or on behalf of the owner or manager of the slave proposed to be manumitted, that the money to be paid by such slave as the price of his or her freedom, or any part of that money, has been acquired by such slave by a donation *inter vivos* made by any person or persons not being related to such slave, with the intent of enabling or assisting such slave to effect the purchase of his or her freedom, it shall be incumbent on the aforesaid three members of the Court of King's Bench to stay the recording of such valuation until they shall have inquired into the truth of such allegation; and if by any evidence given on oath before such three members it shall be made out to their satisfaction that the money about to be paid by such slave as the price of his or her freedom, or any part of that money, has been acquired by such slave by a donation *inter vivos* made with the intention of enabling or assisting such slave to effect the purchase of his or her freedom, then and in every such case the said members shall order all further proceedings to be stayed, but without prejudice to the renewal by the said slave or by any person on his or her behalf of such proceedings as aforesaid for the manumission of such slave at any future time; and failing any such proof as aforesaid, the said members shall overrule such objection to the proposed manumission, and shall order the valuation of such slave to be recorded in the manner aforesaid: Provided also, That if at any time before the recording of

Clause 42d.

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any such valuation it shall be alleged, before the said members of the Court of King's Bench by the owner or manager of the slave proposed to be manumitted, that such slave hath, within five years next preceding the date of the application made to the Court on his or her behalf for such manumission as aforesaid, committed any robbery or theft, the said three members shall inquire into the truth of such allegation, and if it shall be made to appear to them by good and sufficient evidence on oath that such slave hath, within the said term of five years, committed any robbery or theft, the said members shall and they are hereby required to make an order for staying such recording as aforesaid, and thereupon the same and all other proceedings for the manumission of any such slave shall be stayed until the expiration of the full term of five years from the time of the commission of any such theft or robbery.

Clause 43d.

And be it Enacted, That upon or within One calendar month next after the recording of any such valuation as aforesaid, it shall be lawful for the said slave or any free person acting on his or her behalf to pay to the Treasurer of the Colony the appraised value of such slave, taking a receipt in writing from such treasurer for every such payment; and the said members of the Court of King's Bench shall, upon application to them for that purpose made by or on behalf of the said slave, make an order for the recording in the office of the Clerk of the Crown of such receipt, and the said members shall by such order further proceed to declare and adjudge that the slave by or on behalf of whom such money hath been paid is manumitted and free, and such slave shall thereupon be and be deemed, taken and reputed to be free to all intents and purposes.

Clause 44th.

And be it Enacted, That each appraiser and each umpire appointed under this Act for the making of any appraisement as aforesaid shall be entitled to demand and receive One Pound Sixteen Shillings; and for recording of every such valuation as aforesaid, the Clerk of the Crown shall be entitled to demand and receive Nine Shillings, and for recording any final order thereon Nine Shillings; such expenses to be paid as hereinafter is directed; that if any such appraisement as aforesaid shall have been rendered necessary by any difference of opinion between the party acting on behalf of any slave and the owner or owners or manager respecting the price to be paid for the slave proposed to be manumitted, the expense of such appraisement shall be borne by the slave and be added to the amount of the valuation, if such slave shall be appraised at a sum exceeding or equal to the price demanded by such owner or owners, or exceeding the sum offered by the slave or the party acting on his or her behalf, as the price of his or her freedom; but if the appraised value of such slave shall be less than the price previously demanded by his or her owner or owners, then the expense of such appraisement shall be wholly borne and defrayed by such owner or owners; and in case any such appraisement shall have been rendered necessary by any other cause than a difference of opinion as to the price to be paid for the manumission of the slave, the expense of the appraisement shall be equally divided between such slave and his or her owner or owners.

Clause 45th.

And be it Enacted, That the money to arise from the manumission of any slave by virtue of the proceedings before mentioned shall remain in the hands of the public Treasurer of the Colony, and shall bear interest at and after the rate of six per cent. per annum; and the Colony shall and is hereby declared to be pledged and responsible for the due payment of such principal money and interest; and the Treasurer shall and he is hereby authorized, upon application to him for that purpose being made, to lay out such money in the purchase of any other slave or slaves; and the slave or slaves so purchased, or in case of no such purchase being made, then the money in the hands of the said Treasurer and the interest accruing thereon shall be the property of the person or persons who was or were the owner or owners of such manumitted slave, and shall be subject and liable to all such and the same uses, trusts, limitations, conditions, mortgages, claims and demands, of what nature or kind soever, as such slave was held upon, under or subject unto, at such time of his or her or their manumission; and the treasurer shall hold the said money and the interest accruing thereupon, subject to such order as the Legislature may upon application of any person interested therein, and upon notice to all other persons interested therein or their agents, see fit to make; and such principal money and interest shall by such treasurer be paid and disposed of in pursuance of and in obedience to any such order.

And

And it is hereby Enacted, That every conviction in a fine or penalty before any one or more Justices of the Peace under this Act, shall be drawn up in the form or to the following effect; that is to say,

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Clause 6th.

“ Dominica : Be it Remembered, That on this day of _____
in the year of our Lord _____ *A. B.* is convicted before
Esquire one [or two] of His Majesty's Justices of the
Peace for the said Island, for that [he, she or they] on or about the
day of _____ in the said Island, contrary to law [here
state the offence]; and [we or I] the said Justice do declare and adjudge,
that the said *A. B.* hath forfeited the sum of _____ current money,
to be applied as the law directs.

Given under [our or my] hand and seal, at _____ on the day
and year first above mentioned.”

And no *certiorari* or other proceeding shall be granted to remove or suspend any conviction under this Act, otherwise than as follows : (that is to say), any person aggrieved by the judgment of any Justice or Justices before whom he or she shall have been convicted, may appeal to the next Court of King's Bench and Grand Sessions of the Peace, and the execution of such judgment shall in such case be suspended; the person so convicted entering into a recognizance at the time of such conviction, or within twenty-four hours after the same shall have been made, with two sufficient sureties in double the sum adjudged to be forfeited upon condition to prosecute such appeal with effect; and if upon hearing such appeal the judgment be confirmed, such appellant shall forthwith pay the sum he or she shall have been adjudged to forfeit, together with such costs as the Court shall award to be paid to the prosecutor or informer, and in default of such payment, shall remain in the custody of the Provost Marshal until full payment is made; but if the appellant shall make good his appeal and be discharged of the said conviction, reasonable costs shall be awarded to the appellant against such informer, which costs shall be paid as above directed for the appellant whose conviction may be confirmed.

And be it Enacted, That if any person or persons shall be sued for any thing done under and by virtue of this Act, he or they may plead the general issue, and give this Act in evidence; and if any plaintiff be nonsuited or discontinue his suit, or a verdict be given against him, he shall pay treble costs of suit; and all Judges, Justices and Juries are hereof to take notice, and govern themselves accordingly; and no action shall be commenced against any Justice for any thing done by him in the execution of this Act until notice in writing of the intended action shall have been served on him or left at his usual place of abode by the attorney of the party One calendar month before suing out or serving the same, containing the cause of action, and indorsed with the name of the attorney; provided, that no action shall be brought against any Justice for any thing done by virtue of this Act, unless the same shall be commenced within Six calendar months after the injury complained of.

And be it Enacted, That any fines or penalties imposed by this Act, the appropriation of which has not already been directed, shall be paid into the public Treasury for the uses of the Colony.

And be it Enacted, That the Act of this Island passed on the 23d day of December 1788, intituled, “ An Act for the encouragement, protection and better government of Slaves;” and also an Act passed on the 2d of June 1821, intituled, “ An Act for regulating the government and conduct of Slaves, and for their more effectual protection, encouragement, and the general melioration of their condition;” and also an Act passed the 21st January 1826, intituled, “ An Act for the further encouragement and protection and better government of Slaves, and for the general amelioration of their condition;” be and the same are hereby Repealed.

And be it Enacted, That this Act shall not operate or be construed to be in force until His Majesty shall be graciously pleased to signify his Royal Assent to the same.

Passed the Board of Council, } *Robert S. Jameson*, President of Council.
this 28th day of June 1831. } *Henry Trew*, Clerk of Council.

Passed the House of Assembly, } *H. J. Glanville*, Speaker.
this 28th day of June 1831. } *J. H. Newman*, Clerk of Assembly.

Passed the Patent Office, this }
28th day of June 1831. } *J. W. Patten*, Clerk of Patents.