An Act for the better Ordering of Slaves

Be it enacted and ordained by the Governour Councill and Assembly and it is hereby Enacted by ye authority of the Same that no person whatsoever shall give leave to any Negroe slaue under his or her care charge or ownership unless such as usually waite on their persons or goe in Liverys to goe out of their plantations without a heded or white servant in which pcssel is to be expressed their names & number and also from and to what place on penalty of fourty shillings & paying for takeing up as runaways and whosoever shall not endeavour to apprehend any negroe slaues comeing into their plantations or where they have care or charge (except as before excepted) and apprehending any shall not punish them by moderate whipping shall forfeit forty shillings

And if any negroe slaues shall offer any violence by stricking or ye like to any white person shall for ye first offence be severely whipt by a Constable by order of a Justice of the peace and for ye second offence by like order shall be severely whipt his or her nose slitt and face burnt in some plain and for the third offence be left to two Justices and three freeholders to inflict death or other punishment according to their discretion. Provided such stricking or conflict be not by comand off or in Slaves full Defence of their owners person or goods

It is further enacted that all slaues shall have cloths ye men Drawers and caps and women petticoats once every year. It is further enacted that no slaue shall be free by becomeing a Christian but as to paym of debts shall be deemed & taken as all other goods and Chattells and where other goods and chattells are not sufficient to satisfie the said debts then so many slaues only as are necessary as well proportionably out of the Slaues assigned for dowry as those that belong to ye heir or Executor shall be sold for paym of debts and all negroes or slaues shall be accounted as freehold in all other cases whatsoever and descend accordingly

It is further Enacted by the authority aforesaid that no person whatsoever (except the Provost Marshall at ye goale of St Iago de la vega & Port Royall) shall keep any runaway slaue or slaues above ten dayes nor shall ye Provost Marshall or any other whatsoever employ any of them or suffer him her or them xxxxxxx in their custody to want convement food & water on Penalty of fourty pounds for every such offence And if any person shall suffer any slaue to die in their custody for want of food or water or dry and convement lodging ye Provost Marshall or any other person in whose custody the negroe was shall pay the owners fifty Pounds to be recovered by an action of debt in any Court of Record wthin this Island or be liable to an action of debt for the same

And be it further enacted by the authority aforesd. That whosoever shall take up any runaway slaue or slaues that such person or persons shall bring ye said runaeaves to his or their proper owners if they know them and receive for their pains twelue pence p mile for the first five miles and eight pence p mile for every mile more. Provided that it exceed not fourty shillings in the whole but if they doe not know ye owners then to ye next Marshall or goale upon paine of forfeiture for every day he or she shall keep such slaue or slaues beyond the said Ten days and thereof be convicted by confession or verdict ye sume of Twenty pounds to be levied by the Provost Marshall or his Lawfull deputy upon the goods and chattells of ye Person so neglecting to bring the said runaeaves and no person shall receive paymt for their taking up any slaue or slaues till he gives an account of his owne name & Place of aboad with ye time and place when and where taken up with an account of ye marke & sexe wch account of all such slaue or slaues comeing into his custody he shall cause to be fairly written and fixed upon a publick place in ye Goales of St Iago de la vega and Port Royall on ye Penalty of one hundred pounds and ye said Marshall shall enter ye said account in a booke and also take a receipt from ye Person to whome he delivers any runaway with a description of ye Person so whome delivered and in case ye Marshall shall refuse to make payment for ye takeing up runaway slaue or slaues and thereof oath be made before any Justice of the Peace the said Justice is hereby authorized to direct his warrant to any Constable to cause the value thereof to be immediately leuied upon ye goods of the said Marshall and ye said goods to be sold by Publick outcry & satisfaction to be made to ye party aggrieved returning ye overplus to ye said Marshall, and that it shall and may be lawfull for ye Marshall to detaine & keep in custody the bodies of all such runawaies so brought unto him untill ye owners of them or their assigns shall pay unto him ye full sume of what he so paid for them with two shillings & six pence p pound for layng out ye money & so proportionably for a greater or lesser sume and also six pence for every twenty four hours ye said slaue hath been in his custody & if ye said Marshall shall wilfully or negligently suffer any slaue or slaues to escape to be employed or by any ways or means to be out of their custody before he be duely delivd to ye owner or his assigns then ye said Marshall shall forfeit to ye owners fifty pounds for every slaue so escaping employed or being out of their custodies as aforesd

And it is further enacted by ye authority aforesd. That every Master or Mistress or overseer of a family in this Island shall cause all their slaues houses to be diligently & effectually searched once every fourteen days for clubs wooden swords & mischievous weapons and finding any shall take them away & cause them to be burnt and also upon any request made to search ye same for stolen cloths goods or any other things or commodities particularly suspected such that is not given them by their owners or overseers & honestly come by And in whose custody they shall find any thing suspected or knowne to be stolen goods ye same shall seize & take into their custody and a full and ample description of ye particulars thereof in writing wthin six dayes after discovery thereof shall send to ye clerke of ye Parish or Clerke of ye court of the precincts for ye time being who are hereby required to receive ye same and enter upon it ye day of its receipt and give account to ye Church or Court of ye Precincts in writeing that such lost goods are found to ye end ye owner giveing ye said Clerk proof by marke or otherwise that ye goods lost belong to him he may have ye same paying twelue pence to ye Clerke for his entry and declaration of ye same and ye parties by whome such lost goods are taken into custody are hereby required to make restitution of what is in being to ye owner on ye Penalty of twenty pounds for each neglect by ye Master Mistress overseer or Clerk as aforesaid

And be it further enacted by ye authority aforesd that if any slaues shall take up any runaway he or she shall have ye whole benefitt thereof and if any shall deprive a slaue of ye said benefitt and not lay ye same out in cloths or otherwise at ye discretion of the owner shall forfeit treble ye value

Cynia Hra Hickman

And

And it is further enacted by the authority aforesd that no ꝑson whatsoever shall attempt or endeavour to steale or carry off this Island any slave on penalty of Sixty pounds but whosoever shall actually doe ye same shall be guilty of felony and be excluded from the benefitt of his Clergy

Itt is further enacted by the authority aforesd That it shall and may be lawfull for any ꝑson to ruinate and destroy any Plantation deserted for ye space of two months last it become a receptacle for fugitives

Itt is further enacted by ye authority aforesd That upon complaint made to any Justice of any haynous or grievous crime committed by slave or slaves as burglary robbery burning of houses or Canoes killing or stealing of any neat or other cattle or other pettty injuries as maiming one another stealing of fowles provisions or other such like trespasses or injuries ye said Justice shall issue his warrant for apprehending the offenders & for all ꝑsons to come before him that can give evidence and if upon examination it probably appeareth that ye apprehended are guilty he shall comit them to Prison or take security for their forthcomeing as ye case shall require and also to certify to ye Justice next to him ye sd Cause and to require him by virtue of this act to associate himself to him which such Justice is hereby required to doe and they so associated are to issue their summons to three sufficient freeholders acquainting them with ye matter & appointing them a day hour & place when & where ye same shall be heard & determined at wch day hour & place ye said Justices and freeholders shall cause ye offenders & evidences to come before them and if they on hearing ye matter (ye said freeholders being by the said Justices first sworne to Judge uprightly & according to evidence) shall adjudge ye Criminall or Criminals guilty of ye offence complained off they shall give sentence of Death if ye crime by law deserve ye same or such other punishmt as ye Crime deserved and forthwth by their warrant cause immediate execution to be done by the Comon or any other executioner in such manner as they shall think fitt and if ye crime comitted shall not deserve death they shall condemne or adjudge ye Criminall or Criminalls to ye party or other injured and to his her or their heirs for ever after they have received such Corporall punishmt as ye Justices & freeholders aforesd shall appointe unless ye owners shall pay to ye party injured such sume or sumes of money as such time or times as ye Justices & freeholders shall appointe & if any Justice or freeholder shall neglect his duty above required shall forfeit twenty pounds

Provided nevertheless that when & as often as any of ye foremencioned crimes be comitted by more then one negroe ye shall deserve death that then & in all such cases only one of ye said Criminalls shall suffer death as exemplary ye rest to be returned to ye owners of negroes so offending shall bear proportionably ye loss of ye said negroe so put to death & also pay proportionably ye damage done by ye said Criminalls to ye party or partys injured as shall be allotted them by ye said Justices & freeholders and if any person shall refuse to pay his part so allotted him That then & in all such cases ye said Justices & freeholders are hereby required to issue out their warrant of distress upon ye goods & chattells of ye ꝑson so refusing and shall cause ye same to be sold by publick outcry to satisfie ye said money so allotted him to pay & to returne the overplus if any be to ye owner

And it is further enacted by ye authority aforesd That every Commission officer wthin this Island shall be & is hereby empowered and required on notice to him given of ye haunt residence or hideing place of any runaway negroes to raise a convenient party of men not exceeding Twenty and with them to pursue apprehend and take ye said runaways either alive or dead and whatsoever Commission officer shall neglect his or their duty herein shall forfeit ye sume of twenty pounds

Itt is further enacted by ye authority aforesd That if any slave or slaves shall comitt any murder or make any insurrection or rise in rebellion agt his Mates authority or make any preparation of armes as powder bullet or offensive weapons or hold any conspiracy for raising Mutinies or rebellion ye offenders shall be tryed by two Justices of the Peace & three freeholders associated together as before exprossed who are hereby impowered & required to trie ye said slaves so offending and inflict death or any other punishmt upon ye said offenders and forthwith by their warrant cause execution to be done by ye comon or any other executioner in such manner as they shall think fitt and if any ꝑson shall make away or conceale any negroe or negroes suspected to be guilty of ye forementioned Crimes and not upon demand bring forth ye suspected offender or offenders such ꝑson shall forfeit one hundred pounds

And it is further enacted by ye authority aforesd That ye Provost Marshall or his lawfull Deputy shall give an account in writeing at every sessions to be in this Island as often as ye same shall be held of what negroes he hath in his prisons at St Jago de la vega and Port Royall with their marks & sexes and ye time they have been in his goales & as near as he can learn how long each hath been from their respective owners on penalty of one hundred pounds for every default

And be it further enacted by ye authority aforesd That all Masters & owners of plantations shall and are hereby required to have at all times within six months from & after ye publication of this act one acre of ground well planted in provision for five negroes and so proportionably for a greater or lesser number under ye penalty of fourty shillings for every acre wanting

And it is further enacted by ye authority aforesd That no master or owner of slave or slaves shall let out for hire any slave or slaves to worke upon Port Royall as comon porters upon paine of twenty pounds for every such offence

And it is further enacted by ye authority aforesd That if any slave by punishmt for ye owner for running away or other offence shall suffer in life or limbe no person shall be liable to any law for ye same but if any out of wilfullness wantonness or bloody mindedness shall kill a slave he or she upon due conviction thereof shall suffer three months imprisonmt without baile or mainprize & also pay the sume of forty pounds to ye owner of such slave but if ye person so offending be a servant he or she shall receive on his or her bare back nine & thirty lashes by order of any two Justices of ye peace before whome ye matter shall be proved and after ye expiration of his or her time with his or her master or mistress he or she shall be further liable to serve the owner or owners of such slave ye full terme of four years by order of ye said Justices of ye peace And if any ꝑson shall kill a slave stealing or running away or that shall by night be found out of ye owners ground road or comon path and refuseth to submit such ꝑson shall not be liable to any damage or action for ye same any law custome or usage to ye contrary notwithstanding

And it is further enacted by the authority aforesd That if any negroe or negroes are taken stealing wood or timber in boats or Canoes and be thereof Convicted before any two of his Mates Justices of ye Peace ye said Justices are hereby required & empowered to condemne ye slave or slaves so taken to ye owners or proprietors of ye land where ye offence was comitted Six months without any satisfaction given to ye Person or persons to whome the same slave or slaves do belong

Exa Copia Jfra Hickman

And

And it is further inacted by the authority aforesd That all Masters or owners of boats wherryes and Canoes plying wthin
the harbour of Port Royall shall give their owne bonds of fifty pounds sterl not to carry any negroes without a ticket from their
owners or overseers (except as before excepted) all which said bonds are to be taken in the Kings name & recorded in the Secretys
office & thereupon due recovery to be made by all pties receiving damage in the same manner as is already appointed in the act requir-
ing all masters of ships & vessells to give security in the Secretarys office and the said Secretary is hereby empowered to take the
same as hee sees for each of the said bonds & no more and in case any such owners of boats and Canoes shall not within forty dayes
from & after the Publication of this act give in their bonds to the Secretary as aforesd they shall forfeit forty shills for every
week after the said fourty dayes are expired to be recovered by warr from any Justice of the peace one half to the use & benefit of such per-
son who shall informe or complaine of the same

And it is further enacted by the authority aforesd that this act be read and published in all respective churches within this
Island the first sunday after Christmass day and the first after midsomer day by the Clerk every year and where there are no churches to
be published by the Clerk of the peace every other sessions of the Peace in each Precinct on the penalty of five pounds sterl for each default

Itt is further enacted by the authority aforesd That all Penalties mentioned in this act and not declared where they shall be
recovered or how disposed of not exceeding forty shillings shall be recovered by warrant from any Justice of the peace and all
Penalties exceeding forty shillings shall be recovered by action of debt in any Court of Record within this Island one moiety or
half part of all such forfeitures shall be to our Sovereign Lord the King for the Publique use of this Island and the other moiety
or half part shall be to the informer or they that shall sue for the same

I Consent Tho Lynch
past & Cordall
Jno Hickman & concurd

The Assembly consent to this act Sam: Bernard speaker

Jamaica Confirmed

An act encouraging & setling of this Island