

*An Act for the more effectual punishing of Crimes committed by Slaves.* 13<sup>o</sup> 201.

**W**HEREAS by several Laws of this Island, the Punishment of Death is to be inflicted on Slaves for committing such Crimes as by the said Laws are declared; which Crimes often remain undetected, by the Omission of the Owners or Proprietors prosecuting such Slaves: For the encouraging therefore the Discovery of all Crimes that shall hereafter be committed by any Slave, as aforesaid, be it enacted by the Governor, Council, and Assembly of this his Majesty's Island of *Jamaica*, and it is hereby enacted and ordained by the Authority of the same, That in all Cases where any Slave shall be put upon his Trial by the Owner, Proprietor, or Person entrusted with such Slave, and shall suffer Death by the Sentence of such Persons as are impowered to pronounce the same, such Person shall likewise enquire of his, her, or their Value, and certify the same under the Hands of the Majority of them (one of which shall be a Justice of the Peace) to the Commissioners for the time being, for paying of Parties to be sent out for suppressing rebellious and runaway Slaves; which said Commissioners shall, out of the Fund provided or to be provided for that Purpose, pay to the Owner or Owners, whose Slave or Slaves the same were before Conviction, the full Value, he, she, or they were valued at by the said Persons who tried and condemned him, her, or them, the said Slave or Slaves; which said Sum the said Commissioners shall pay to the said Owner or Owners, in full Recompence of the Losses he, she, or they have sustained: And in all Cases of Murder, the Owner or Owners of the said Slave or Slaves killed, shall receive the full Value of such Slave or Slaves, as well as the Owner or Owners of the Slave or Slaves executed for such Murder.

Owner prosecuting his Slave, shall, if such Slave be capitally convicted, receive the Value of him.

II. PROVIDED always, That no one Slave shall be appraised at above the Sum of Forty Pounds, current Money of this Island; any Law, Custom, or Usage to the contrary in any wise notwithstanding.

Proviso.

III. AND be it further enacted by the Authority aforesaid, That if the said Commissioner (having Money sufficient in his Hands) shall refuse to pay such Sum or Sums of Money as such Slave or Slaves shall be appraised at, upon producing a Certificate as aforesaid, the Owner, Proprietor, or other Person intrusted with such Slave, may bring an Action of Debt in the Supreme Court for the said Sum such Slave or Slaves were valued at; whereupon the Plaintiff, on Judgement obtained, shall recover treble Damages against the said Commissioner; any Law, Custom, or Usage to the contrary notwithstanding.

Penalty on Commissioner not paying the Value of such Slaves to the Owners of them, &c.

IV. AND be it further enacted by the Authority aforesaid, That no Slave shall be dismembered at the Will and Pleasure of his Master, Owner, or Employer, under the Penalty of One hundred Pounds; to be recovered in any Court of Record against the Person who shall dismember, or order the dismembering of such Slave or Slaves as aforesaid; one Half whereof shall be to his Majesty, his Heirs, and Successors, for and towards the Support of the Government of this Island, and the contingent Charges thereof; the other Half to such Person or Persons who shall inform and sue for the same.

No Slave to be dismembered at the Will of his Owner

V. BUT if any Slave, having been one whole Year in this Island, shall run away, and continue absent from his Owner's Service for the Space of Thirty Days, upon Complaint and Proof made of such Absence by the Owner, Attorney, Trustee, or Guardian, before any two Justices of the Peace and three Freeholders within this Island, pursuant to the Method and Directions prescribed by an Act, intituled, *An Act for the better Order and Government of Slaves*, it shall and may be lawful for such Justices and Freeholders to order

Slave absenting himself from his Owner's Service 30 Days, how to be punished

such

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The Punishment of a Slave for gaming.

such Slave to be punished, by cutting off one of the Feet of such Slave, or inflicting such other corporal Punishment as they shall think fit.

VI. AND be it further enacted by the Authority aforesaid, That if any Slave or Slaves shall be seen playing with Dice, Cards, or at any other Game whatsoever, whereby any Profit or Gain may arise, that such Slave or Slaves, so seen or taken playing or gaming, shall, upon Complaint to any Justice of the Peace, be whipped through the Streets of the Town where such Offence shall be committed; and in such Parish where no Town is, in the most publick Place thereof, the Owner or Owners of such Slave paying the Charge of such Whipping.

Penalty on Retailers of Rum, &c. suffering Negroes to drink or game in their Houses.

VII. AND whereas many and great Inconveniencies and Mischiefs do and may arise and happen by the Retailers of Rum and Rum-punch entertaining of Negroes, and other Slaves drinking and gaming in their Houses; be it therefore further enacted by the Authority aforesaid, That no Retailers of Rum and Rum-punch, or other Liquors, from and after the first Day of *October* next, shall suffer any Negroe, or other Slave, to game or use any Sort of Play within their Houses, or suffer any Slave or Slaves to meet to drink therein, under the Penalty of forty Shillings; to be recovered before any Justice of the Peace in the Parish where the Offence shall be committed; one Half whereof shall be to such Person as shall inform or sue for the same, the other Half to the Poor of the Parish where the Offence shall be committed; any Law, Custom, or Usage to the contrary notwithstanding.

Penalty on Overseer, &c. of Plantations suffering above five Negroes to assemble thereon at a time, &c.

VIII. AND whereas the permitting or allowing of any Number of strange Negroes to assemble on any Plantation or Settlement, or any other Place, may prove of fatal Consequence to this your Majesty's Island, if not timely prevented: And forasmuch as Negroes can, by beating on Drums, and blowing Horns, or other such like Instruments of Noise, give Signals to each other at a considerable Distance of their evil and wicked Intentions; be it further enacted, That in one Month's Time after the passing of this Act, no Proprietor, Attorney, or Overseer, presume to suffer any Number of strange Negroes, exceeding Five, to assemble on his Plantation or Settlement, or on the Plantation or Settlement under the Care of such Attorney, or Overseer; nor shall any Proprietor, Attorney, or Overseer, suffer any beating on Drums, Barrels, Goards, Boards, or other such like Instruments of Noise on the Plantations and Settlements, as aforesaid, under his or their Care, under the Penalties hereafter mentioned; that is to say, every Proprietor or Attorney that shall offend contrary to the true Intent and Meaning of this Act, shall for every such Offence forfeit Ten Pounds, current Money of this Island; and every Overseer that shall offend contrary to the true Intent and Meaning of this Act, shall for every such Offence forfeit the Sum of Five Pounds of the like current Money: All which Forfeitures shall be recovered before any Two of his Majesty's Justices of the Peace, by him, her, or them that shall complain of the same; the one Moiety or half Part to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the contingent Charges of the same; the other Moiety or half Part to the Person or Persons complaining; any Law to the contrary thereof notwithstanding.

which shall be levied by Warrant from a Justice of Peace.

IX. AND be it also further enacted, That any Justice of the Peace, upon Complaint made to him of such drumming, blowing of Horns, or other such-like Noises or Concourse of Negroes, shall, within two Days after such Complaint at farthest, issue out a Warrant under his Hand and Seal, directed to the Constable or Constables of the said Parish, to demand and receive from every Person so offending the Forfeitures mentioned in this Act; and upon Refusal or Non-payment, to distrain on his or their Goods and Chattels, and the same to sell at publick Outcry, after six Days Notice given, by affixing upon a Paper in the most publick Place of the said Parish all such Goods so distrained on, before they shall presume to dispose of the same, reserving to him or themselves six Pence in the Pound for his or their Trouble; and the Overplus, after such Deductions, to be paid to the Owners.

Officer, may enter all Places to prevent Negroes assembling.

X. AND be it also enacted by the Authority aforesaid, That all Officers, Civil and Military, shall be, and are hereby impowered and required to enter into any Plantation, Settlement, or any other Place, to suppress and prevent all Drumming and other Noises, or Concourse of Negroes, as above mentioned; any Law to the contrary thereof in any wise notwithstanding.

Penalty on Justices, &c. neglecting their Duty.

XI. AND be it also enacted, That every Justice of the Peace, or Military Officer, that shall refuse to do his or their Duty herein, shall, for every such Default, forfeit Twenty Pounds current Money of this Island: And every Constable that shall neglect to do his or their Duty, according to the true Intent and Meaning of this Act, shall, for every such Neglect, forfeit the Sum of Ten Pounds like current Money; every of which said Forfeitures shall be one Half to the Informer, the other Half to the Poor of the Parish; to be recovered before any Two of his Majesty's Justices of the Peace in the said Precinct.

XII. AND forasmuch as the permitting of Mulattoes and Negroes to keep large Stock on Commons has occasioned great Abuses, they having destroyed the old Breeders, and marked the Young with their own Marks: Be it therefore further enacted by the Authority

rity aforesaid; That no Mulatto or Negro (free Mulattoes, Negroes, and *Indians*; having Settlements; and ten Slaves thereon, always excepted) shall hereafter presume to keep any Horses; Mares, Mules, Asses, or neat Cattle whatsoever, on Penalty of forfeiting the same; to be recovered before any Justice of the Peace in the said Parish; one Half of which shall be to the Informer, the other Half to the Poor of the Parish in which such Offence shall be committed.

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Negroes &c.  
keeping Horses  
&c. to forfeit  
the same.

XIII. PROVIDED nevertheless, That any two of his Majesty's Justices of the Peace in every Precinct may license, and they are hereby empowered to license and permit any Mulatto or Negroe (not being a Slave) to keep any such Stock during their good Behaviour; any thing in this, or any other Law to the contrary notwithstanding.

XIV. AND to the Intent that it may be known who are free, and that such as are so may be distinguished from those that are Slaves; be it further enacted by the Authority aforesaid, That every free Mulatto, Negro, or *Indian*, not having a Settlement and ten Negroes thereon, shall furnish him or herself with a Certificate of his or her being free, under the Hand and Seal of any Justice of the Peace where such Negroe or other Slave shall live, and a publick Badge of a blue Cross to be worn upon the Right Shoulder, to denote the same: And in case any such Negro, Mulatto, or *Indian*, shall not be furnished with such Certificate and Badge, it shall and may be lawful for any Person or Persons to seize, apprehend, and take up such Negro, Mulatto, or *Indian* (although free) and imprison and use him or her as a Slave passing without a Ticket; any Law, Custom, or Usage to the contrary thereof in any wise notwithstanding.

Free Negro to wear a Badge of a blue Cross on his Right Shoulder, &c.

XV. AND be it further enacted by the Authority aforesaid, That every Captain, or some other Commission Officer, shall, at the Head of every respective Company and Troop in this Island, publish, or cause to be published, this present Act, on or before the first Day of *October* next, and once every six Months after, under the Penalty of Ten Pounds; to be recovered before any Two of his Majesty's Justices of the Peace; one Half to the Informer, the other to the Poor of the Parish where such Offence shall be committed.

This Act to be read at the Head of every Company every six Months.

XVI AND be it further enacted, That the Secretary shall deliver a Copy of this Act, within one Month after the passing the same, to each and every Parish within this Island, for which he shall receive the Sum of Twenty Shillings from the respective Church-wardens of the said Parishes (to be paid out of the publick Stock of the Parish) and no more; any thing in this Act, or any other to the contrary notwithstanding.

Secretary to deliver a Copy of this Act to every Parish.

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