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shall accrue, or become due, from and after the passing of this act, the said interest shall be charged and paid in the like manner, and not otherwise.

Allowance to
be made for
an overcharge
of interest

II. AND be it further enacted by the authority aforesaid, That all and every person and persons, who have, or hath paid interest for his, or their quit-rents, from the passing of the said in part recited act, in such manner as hath been hitherto insisted upon by his Majesty's Receiver-General, shall be allowed a discount out of their quit-rents to become due hereafter, for all payments made by him or them, exceeding what is expressed and declared by this law; and the Receiver-General is hereby required and obliged to discount the same; any law, custom, or usage to the contrary notwithstanding.

III. AND be it further enacted by the authority aforesaid, That the Secretary of this island do cause this act to be printed, and copies thereof transmitted to the Receiver-General, and to the Justices and Vestry of each parish in this island, within thirty days next after the passing thereof; and that the Receiver-General pay him for the same out of any money in the hands of the Receiver-General unappropriated.

An Act for confirming the Articles executed by Colonel Robert Bennett, and Quao the Commander of the Rebels, for paying Rewards for taking up and restoring runaway Slaves, and making Provision for four White Persons to reside at Crawford's Town and New Nanny Town, and for granting Freedom to two Negroes who were Guides to Colonel Bennett†.

Act 126.

WHEREAS upon the late submission of Quao, and all the Rebels then under his command, to his Majesty's government, and his engaging for the party of rebels under his command to accept of such terms as the said Quao sued for, articles of agreement were entered into and executed by Colonel Robert Bennett, who commanded a party of militia in the late expedition against the rebels and the said Quao; the tenor of which articles is as follows:

JAMAICA, *js.*

Articles of
Pacification.

WHEREAS his Excellency Edward Trelawny, Esq; Governor and Commander in Chief of the island aforesaid, hath given power and authority to Colonel Robert Bennett to treat with the rebellious negroes, this day, being the twenty-third day of June, one thousand seven hundred and thirty-nine, Captain Quao, and several others of them under his command, surrendered under the following terms, *viz.* First, That all hostilities shall cease on both sides for ever, *Amen*; Second, † That the said Capt Quao and his people shall have a certain quantity of land given to them, in order to raise provisions, hogs, fowls, goats, or whatsoever stock they may think proper, sugar-canes excepted, saving for their hogs, and to have liberty to sell the same; Third, That four white men shall constantly live and reside with them in their town, in order to keep a good correspondence with the inhabitants of this island; Fourth, That the said Capt. Quao and his people shall be ready on all commands the Governor or the Commander in Chief for the time being

† Vide Acts 120 and 133, Vol. 1; and an Act for the better government of the Maroon Negroes passed Dec. 1, 1780. † See Act 9, Clause 2, Vol. 2.

shall send him, to suppress and destroy all other party and parties of rebellious negroes, that now are or shall from time to time gather together or settle in any part of this island, and shall bring in such other negroes as shall from time to time run away from their respective owners, from the date of these articles; fifth, That the said Capt. Quao and his people shall also be ready to assist his Excellency the Governor for the time being, in case of any invasion, and shall put himself, with all his people that are able to bear arms, under the command of the General or Commander of such forces, appointed by his Excellency to defend the island from the said invasion; sixth, That the said Capt. Quao and all his people shall be in subjection to his Excellency the Governor for the time being, and the said Capt. Quao shall once every year, or oftener, appear before the Governor, if thereunto required; seventh, That in case any of the hunters belonging to the inhabitants of this island, and the hunters belonging to Capt. Quao, should meet, in order to hinder all disputes, Capt. Quao will order his people to let the inhabitants hunters have the hog; eighth, That in case Capt. Quao or his people shall take up any runaway negroes that shall abscond from their respective owners, he or they shall carry them to their respective masters and owners, and shall be paid for so doing, as the Legislature shall appoint; ninth, That in case Capt. Quao and his people should be disturbed by a greater number of rebels than he is able to fight, that then he shall be assisted by as many white people as the Governor for the time being shall think proper; tenth, That in case any of the negroes belonging to Capt. Quao shall be guilty of any crime or crimes that may deserve death, he shall deliver him up to the next magistrate, in order to be tried as other negroes are; but small crimes he may punish himself; eleventh, That in case any white man, or other the inhabitants of this island, shall disturb or annoy any of the people, hogs, stock, or whatsoever goods may belong to the said Capt. Quao, or any of his people, when they come down to the settlements to vend the same, upon due complaint made to a magistrate he or they shall have justice done them; twelfth, That neither Capt. Quao, nor any of his people shall bring any hogs, fowls, or any other kind of stock or provisions to sell to the inhabitants, without a ticket from under the hand of one or more of the white men residing within their town; thirteenth, That Capt. Quao, nor any of his people, shall hunt within three miles of any settlement; fourteenth, That in case Capt. Quao should die, that then the command of his people shall descend to Capt. Thomboy, and at his death to descend to Capt. Apeng, and at his death Capt. Blackwall shall succeed, and at his death Capt. Glass shall succeed; and when he dies the Governor or Commander in Chief for the time being shall appoint whom he thinks proper.

In witness to these articles, the above named Colonel Robert Bennett and Capt. Quao have set their hands and seals the day and year above written.

ROBERT BENNETT, (L.S.)
The mark X of Capt. QUAO.

That all negroes that have gone to them, or been taken by them within three years, shall be pardoned their offence and restored to their masters, who shall be obliged to use them well; that if hereafter any of their negroes shall endeavour to entice, or should entice any negroes from any plantation, the free negro shall be punished capitally; that the negroes shall be formed into companies, to be commanded in chief by a white man each, and when ordered out upon service, they shall receive pay; that they shall be obliged to cut such roads as the Governor shall order, and that they immediately cut a road so as to be rideable the nearest way possible to a plantation.

II. AND whereas notwithstanding his Excellency the Governor hath approved of the said articles, and that they are generally esteemed such as great

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advantages may be derived from; yet it may be too much in the power of some ill disposed or inconsiderate persons, who have a right of property in the said negroes, or some of them, to render ineffectual the said articles of agreement, by disturbing or seizing upon the said negroes, who in confidence, or under the security of the said articles, may come in their way. To prevent therefore the discontents and other ill consequences that may attend such a perverseness or indiscretion, we, your Majesty's most dutiful and loyal subjects, the Assembly of this your island of *Jamaica*, do humbly beseech your most Excellent Majesty, that it may be enacted; be it therefore enacted by the Governor, Council, and Assembly of this your Majesty's island, and it is hereby enacted by the authority of the same, That the said articles of agreement, and every article and clause therein contained be, and they are hereby ratified and confirmed upon the conditions and terms in the said articles expressed; and that no person whatsoever give any interruption, or presume to seize upon or detain the said negroes, or any of them, upon any pretence or claim of property, or disturb the said negroes in the possessions and privileges granted, or intended to be granted to them by the said articles of agreement, until a manifest breach shall appear to be made, on the part of *Quao* or his successors, of the said articles, or some or one of them, under the penalty of five hundred pounds for every such interruption, seizure, detention or disturbance, to be recovered in the Supreme Court of Judicature of this island, by action of debt, bill, plaint, or information, wherein no essoin, protection, imparlance, or wager of law shall be granted or allowed, or *Non vult ulterius prosequi* be entered; and one moiety 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; and the other moiety to the informer, or him or them that shall inform or sue for the same.

Runaway slaves, when taken, how to be disposed of.

This clause is obsolete, see act 68, vol. 2.

AB 57.

III. †AND whereas the said *Quao* has engaged to send all slaves, who shall hereafter run away and fall into his hands, to the Chief Magistrate of each parish where they shall be taken; be it enacted by the authority aforesaid, That all runaway slaves to be taken by *Quao*, or any of the negroes under his command, shall be by him or them delivered to the next Magistrate, who is hereby directed and obliged to pay the said *Quao*, or the said negroes bringing such runaways to him, the sum of ten shillings, under the penalty of five pounds for every neglect or refusal of such Magistrate to pay the same; and every such Magistrate to whom any negro or negroes shall be delivered by the said *Quao*, or any of the negroes under his command, as aforesaid, shall be, and he is hereby obliged, under the penalty of five pounds, within ten days after such negro or negroes shall be so delivered to him, to send such negro or negroes to the respective owner or owners, if the Magistrate shall know the owner or owners, and shall receive from the owner, for each slave so sent, the sum of ten shillings, paid by him to *Quao* or any of the negroes under his command as aforesaid, with poundage at and after the rate of two shillings and six-pence *per* pound for laying out his money, besides mile-money, such as is ordered or directed to be paid by the owners of runaways, by an act, entitled, *An Act for the better Order and Government of Slaves*; and in case the owner shall neglect or refuse to pay the said sum herein before directed to be paid to such Magistrate, or his order, and oath be made thereof before any other Justice of the Peace, the said Justice is hereby authorized and required, under the penalty of five pounds, to issue his warrant, and direct the same to any Constable to distrain on the goods of the said owner, and the same, or so much thereof as will satisfy and pay the said sum herein before directed to be paid to the

† Vide Act 133, Cl. 1, vol. 1.

said Magistrate; and in case the Magistrate to whom any runaway slaves shall be delivered as aforesaid, shall not know, nor be informed, who the owner of such runaway slave shall be, such Magistrate shall send the said runaway slave to the next Marshal, who is hereby required to pay to the said Magistrate the sum herein before directed to be paid by the owner, in case such runaway slave shall be brought to him; and to be recovered in the same manner of the said Marshal, in case of neglect or refusal; and that it shall and may be lawful for the said Marshal to detain and keep in his custody the body of such runaway slave, until the owner shall reimburse him what he shall have paid as aforesaid, for such runaway slave, together with such pounceage and other charges as are allowed to Marshals paying for runaway slaves, by the said act, entitled, *An Act for the better Order and Government of Slaves.*

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IV. AND whereas it is thought necessary, that four white persons should reside among the said negroes at *Crawford's Town* and *New Nanny Town*, who have lately surrendered and submitted themselves to the government, in order that such white persons may receive and communicate such orders as shall be sent by his Excellency the Governor to the said negroes; be it enacted by the authority aforesaid, That each of the said four persons, who are, or shall be appointed by his Excellency the Governor, or the Commander in Chief for the time being, for the above mentioned service, shall be paid at and after the rate of two hundred pounds *per Annum* for and during such time as he hath resided, or shall reside, and be upon actual duty among the said negroes.

Provision for the four white people that reside at the Negro towns.

V. AND whereas *Mark* a negro man, belonging to *Andrew Orgill Esq;* and *Cæsar*, a negro man, belonging to *Mr. Richard Clarke*, distinguished themselves, and behaved well as guides to the party under the command of *Col. Robert Bennett*, and also have on other publick services behaved well; be it therefore further enacted by the authority aforesaid, That as an encouragement for their service, the said negroes, named *Mark* and *Cæsar*, be, and they are hereby absolutely manumitted, and for ever set and made free; and they are hereby accordingly manumitted, and for ever set and made free. And be it further enacted by the authority aforesaid, That the Secretary of this island do within thirty days after the passing of this act, cause the same to be printed, and copies thereof transmitted to the *Custos*, or Chief Magistrate of each of the respective parishes in this island; and that the Receiver-General shall pay him for the same out of any fund or funds in his hands unappropriated.

An Act for preventing of Frauds and Breaches of Trust by Attornies or Agents of persons absent from this Island, and by Trustees, Guardians, Executors and Administrators, acting for and on the Behalf of Minors and others; and by Mortgagees in Possession of Estates mortgaged; and Sequestrators appointed by Authority of the Court of Chancery†.

WHEREAS several frauds and breaches of trust may be committed by attornies, trustees, guardians, executors, administrators, mortgagees

Act 127.
This Act revised by Act

X x

† Vide an Act passed Dec. 23, 1784, relative to the foreclosure of Mortgages, and Mortgagees in possession.