

An Act for adding of Commissioners to those already appointed, to inspect the Buildings that are to be erected at the Bath in the Parish of St. Thomas in the East.

1744.

WHEREAS the good intention of the several acts heretofore made, for rendering the Bath in the parish of St. Thomas in the East useful to the publick; hath been rendered ineffectual, for want of a competent number of Commissioners to carry the same into execution; may it therefore please 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 Charles Price, William Wynter, Matthew Gregory, John Elletson, William Forbes, Samuel Wheeler, Peter Valleite, and Edward Hodgings, Esquires, be, and they are hereby added to the Commissioners heretofore appointed for the purposes of the said several acts; and that the said Commissioners have the same powers and authority, to all intents and purposes, as if they had been named in all or either of the said acts; any law, custom, or usage to the contrary in any wise notwithstanding.

Act 139

An Act for making and opening a Road fit for Wheel-carriages, from the Parish of St. Anne to the Parish of St. Thomas in the Vale; and for empowering other Trustees to execute so much of the Trusts as remain unexecuted by or under an Act, entitled, An Act for vesting the Estate real and personal of Thomas Finch, late of the Parish of Kingston, Esquire, in Trustees, the better to enable his Securities to pay the Sum of Three Thousand and Eight hundred Pounds, due from the said Thomas Finch, as Commissioner, to the Publick of this Island.

Act 140.

Obsolete.

An Act to explain and amend an Act, entitled, An Act for the better Order and Government of Slaves; and for making free and rewarding a Negro named Hector, belonging to Thomas Fuller, Esquire, and paying his said Master the Value of the said Negro.

Act 141.

Repealed by the Consolidated Slave Law.

An Act to regulate the selling of Gun-powder, and to prevent the selling of Fire-arms to Slaves.

WHEREAS, by the sale of gunpowder without restriction, it often falls into the hands of negro and other slaves, which may prove of

Act 142.

1744.

No person to
sell under
12lb. of gun-
powder, with-
out a licence.

pernicious consequence to the inhabitants of this island, if not timely prevented; may it please 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 no person whatsoever within this island shall, after the one and twentieth day of *February* next, sell, or otherwise dispose of by retail, in any quantity less than twelve pounds weight, any sort of gunpowder to any person whatsoever within this island, (except as herein after is excepted) before such person shall have first obtained a licence, under the hand and seal of the Governor or Commander in Chief for the time being; which licence is not to be granted but upon a certificate from the Justices and Vestry of the parish where such person resides, that he is duly qualified, and fit to be trusted with the sale of such powder; which certificate shall be recorded in the Secretary's Office before such licence shall be granted; and such person or persons, obtaining such licence or licences as aforesaid, shall be obliged before he or they shall vend, sell, or dispose of any powder, to take the following oath before a Justice of the Peace of the precinct where he or they reside, *viz.*

The oath to
be taken
by those li-
censed.

I A. B. do swear, That I will not vend, sell, or dispose of, or suffer any person or persons in my service or employ, or under my command, to vend, sell, or dispose of any gunpowder to any white person or persons, not knowing them to be house-keepers, unless such person or persons shall have a certificate from some Justice of the Peace of the precinct where he or they shall reside, or Commission-Officer of the company or troop of militia to which he or they belong, that they are persons proper to be entrusted with the same; and that I will not vend, sell, dispose of, or deliver or suffer to be vendid, sold, disposed of, or delivered to any free Mulatto, negro, or Indian, any powder without a certificate from the captain of the company in the precinct to which he belongs; and that I will not vend, sell, dispose of, or deliver, or suffer to be vendid, sold, disposed of, or delivered, any powder, to any Mulatto, Negro, or Indian slave, upon any pretence whatsoever.

So help me God.

Licensed persons to give
500l. security.

One retailer
in each town.

And that no person shall have a licence granted unto him or them, for the sale of powder, as aforesaid, without first becoming bound to our Sovereign Lord the King in a bond, with sufficient surety or sureties, in the Secretary's Office of this island, in the sum of five hundred pounds, for the due performance of the said trust, agreeable to the said oath; and that there shall not be licences granted to more than one person in each of the three towns of *St. Jago de la Vega, Port-Roya, and Kingston,* where powder shall be sold by retail as aforesaid only, (except as herein after is excepted;) and for each of which licences the person or persons to whom they are granted shall pay for the same, together with the bond, to the Secretary of this island, the sum of fifteen shillings, and no more; and that no person or persons whatsoever, not having a licence as aforesaid, shall vend, sell, dispose of, or deliver any gunpowder by retail in a quantity less than twelve pounds weight, (except as herein after is excepted) under the penalty of fifty pounds, and of suffering six months imprisonment, without bail or mainprize.

50l. Penalty
for selling
gunpowder
to negroes;

II. AND be it enacted by the authority aforesaid, That if any person whatsoever shall, ten days after the passing of this act, sell to any negro, or other slave, any gunpowder, every such person shall forfeit the sum of fifty pounds, and shall suffer six months imprisonment; and if any person, having a licence to sell powder, shall sell to any negro, or other slave, any quantity of gunpowder, after the above limited time, every such person, over and above the

said forfeiture and imprisonment, shall be guilty of wilful and corrupt perjury, and be punished accordingly.

1744.

III. AND be it further enacted by the authority aforesaid, That no person whatsoever shall, ten days after the passing this act, sell to any slave or slaves any gun, pistol, or other fire-arms, under the penalty of forfeiting fifty pounds, and of suffering six months imprisonment. Or fire-arms.

IV. AND be it further enacted by the authority aforesaid, That the person so licensed to sell powder and ammunition in any of the three towns, shall, in order to prevent any dangers that may happen, be obliged to put and keep all his powder, except the quantity of two barrels at a time, in the magazines; and the captain of the fort, and all others that have the custody of the said magazines, or any of them, are hereby obliged and required to receive and keep the said powder, and deliver out the same as occasion shall require, under the penalty of one hundred pounds; for which he shall have and receive from the owner at and after the rate of two shillings and six pence *per* barrel.

Retailers to keep all their powder, except 2 barrels in the magazine.

V. AND to prevent such persons to whom such licences shall be granted, as aforesaid, from extorting or demanding a larger price than what is common and usual for gunpowder; be it enacted by the authority aforesaid, That they, or any of them, shall not demand or receive any greater prices than such as shall from time to time be settled by the Justices and Vestries of the said respective towns, or the major part of them, for the best pistol-powder, under the penalty of forty shillings for every such offence; to be recovered upon the oath of any one white person, before any of his Majesty's Justices of the parish where the offence shall be committed; one half whereof shall be to the informer, and the other half to the poor of the parish where the offence shall be committed; any law, custom, or usage to the contrary in any wise notwithstanding.

Price of gunpowder to be settled by the Justices and Vestries.

VI. PROVIDED always, and be it nevertheless excepted and further enacted, That it shall and may be lawful for the Commanding-Officer of each parish, or the Captain or Commanding-officer of each troop or company belonging to any of the regiments of militia within this island, to sell to any person or persons belonging to his or their regiment, troop, or company, any quantity of powder not exceeding two pounds at any one time.

Proviso.

VII. AND be it enacted by the authority aforesaid, That all penalties in this act mentioned, exceeding forty shillings, and not said how they shall be recovered, shall be recovered in his Majesty's Supreme Court of Judicature of this island, by action of debt, bill, plaint, or information; wherein no *essoyn*, protection, or wager of law shall be allowed, or *Non vult ulterius prosequi* be entered; any law, custom, or usage to the contrary in any wise notwithstanding; one half of which penalties or forfeitures shall go to his Majesty, his heirs and successors, for the contingent charges of the government of this island; and the other half to him or them who shall sue for the same.

Recovery of fines.

VIII. AND be it further enacted by the authority aforesaid, That the Secretary of this island do forthwith cause this act to be printed, and copies thereof transmitted to the Justices and Vestries of the respective parishes in this island; and do also forthwith cause a copy thereof to be fixed up in the most noted place of each of the said three towns.

An Act to empower Alexander Inglis, Clerk, Rector of the Parish of St. Andrew, and all future Rectors of the said Parish, to grant Leases of Part of the Glebe Lands belonging to the said Rectory, for a Number of Years certain.

1745.

WHEREAS Alexander Inglis, Clerk, Rector of the parish of St. Andrew, in this island, is seized in right of his rectory of a certain piece

Act 143.