

1748.

Beneficed Ministers adjudged freeholders; and admitted to vote at elections, without taking the oath.

IV. AND whereas doubts may arise upon the construction of an oath appointed by an act for regulating elections, to be taken before any person, whose qualification or freehold is challenged, shall be admitted to vote at the election of members; which oath divers beneficed ministers have scrupled to take, and thereby have been deprived of the rights and privileges of freeholders, which they ought to have and enjoy; be it therefore enacted by the authority aforesaid, That all Rectors of parishes or beneficed ministers in this island shall be deemed and adjudged, and they are hereby declared to be freeholders, to all intents and purposes whatsoever; and shall be accordingly admitted to vote as such at any future election of any members of the Assembly within their respective parishes, without taking the aforesaid or any oath whatsoever; any thing contained in the said Law to the contrary notwithstanding.

V. AND be it further enacted by the authority aforesaid, That this act shall take place and be in force from the twenty-eighth day of June in the year of our Lord one thousand seven hundred and forty-eight.

*An Act for making free Negroes, Indians, and Mulattoes Evidence in all Causes against one another, in all the Courts of this Island.*

Act 153.

Free negroes, &c. good evidence against each other.

WHEREAS great doubts have arisen, how far free negroes, *Indians*, and *Mulattoes* may be evidence against one another, in the several courts of this island; from whence great inconveniencies do and may arise, such of them as are born free not being liable to be tried before the Justices and freeholders, as slaves and persons manumitted are: For remedy whereof, may it please your Majesty that it may be enacted; be it therefore enacted by the Governor, Council, and Assembly of this your Majesty's island of *Jamaica*, and it is hereby enacted by the authority of the same; That all free negroes, *Indians*, and *Mulattoes*, shall be, and are hereby made good evidence, in all causes and controversies, in all the courts of this island, against one another; and all courts are hereby authorized to receive their testimony on oath, in that behalf, in the same manner as if they were white inhabitants of this island.

Proviso.

II. PROVIDED that this act be not construed to extend to admit their evidence against any negroes, *Indians* or *Mulattoes*, that have the liberties of white persons, by any law of this island, in any case whatsoever.

Manumitted slaves to be tried as if born free.

III. †AND be it further enacted by the authority aforesaid, that so much and such part of the act of the Governor, Council, and Assembly of this island, entituled, *An Act for the better Order and Government of Slaves*, which subjects negroes born slaves and afterwards manumitted to be tried for any crimes by two Justices of the Peace and three freeholders, be, and stand repealed; and that for the future all such negroes, *Indians* or *Mulattoes*, who have been, or shall be manumitted by their masters, or otherwise, shall be tried for all offences, in the same manner as if they were born free; any thing in the said act, or in any other act, law, custom, or usage to the contrary notwithstanding.

Proviso.

IV. PROVIDED nevertheless, That no negro, *Indian* or *Mulatto*, who shall be made free, shall be admitted to give evidence by virtue of this law, unless

† Vide the Maroon Act, Cl. 3, passed Dec. 1, 1780; and also an Act to prevent slaves charged with crimes from availing themselves of posterior manumissions, passed Dec. 23, 1781.



he has been manumitted or made free for the space of six months before the time he shall be produced to give his testimony; any thing herein before contained to the contrary notwithstanding.

1748.

V. AND be it further enacted by the authority aforesaid, That if any such negro, *Inian* or *Mulatto*, shall in any cause, where he shall give his testimony, be guilty of perjury, he shall suffer such pains and penalties, upon being legally convicted thereof, as persons guilty of wilful and corrupt perjury are by law liable to.

Punished for perjury.

*An Act for causing the Streets, Ways, and Avenues leading into and out of the Town of St. Jago de la Vega to be cleansed; and for keeping the same constantly clean, and in good Repair.*

WHEREAS the streets of the town of St. Jago de la Vega, and the paths, ways, roads, and avenues immediately leading into and out of the same, are greatly incumbered, and in particular places almost choaked up by dunghills, and other filth, and by the great number of penguin fences, and poponax, and other trees and bushes growing in and about the same, which harbour vermin of all kinds; and such lots of land as are not built on, but lye open, are converted into places for depositing the dung and rubbish of the town, to the great annoyance of the inhabitants; whereas, if the same were kept clean and open, and some proper places, at convenient distances, appointed for the laying and depositing of such filth, dung and rubbish as shall be made in the said town, and such penguins, poponax, and other trees and bushes rooted up, and the streets, and such part of the ways and avenues immediately leading into and out of the same, kept clean and open, it would greatly contribute to the healthiness and convenience of the inhabitants; may it please your Majesty, that it may be enacted; and be it enacted by the Governor, Council, and Assembly of this your Majesty's island of Jamaica, That the Justices and Vestry of the parish of St. Catharine be authorized and impowered, and they are hereby authorized and impowered to contract and agree with a proper person or persons, at a certain sum, who will undertake the same, to cleanse the streets, and such part of the ways, paths, roads, and avenues, that are immediately joining on and leading into the same, and the vacant lots of land that are in the said town, or any part of the same; and to remove and carry away all the filth and dunghills, and rubbish of all kinds, that are in and among the same; and to root up, cut down, and destroy all such penguin fences, poponax, and other trees and bushes, and other impediments as are in the said streets, roads, ways, and avenues, in or immediately joining to, and leading into and out of the said town, or any part of the same; and to carry and deposit the same in such place or places as shall be assigned by the said Justices and Vestry for that purpose; and also to agree with such person or persons, from year to year, jointly or separately, for such sum or sums of money, as they shall judge convenient, for such term as they shall judge convenient for the keeping the said streets, ways, roads, paths, and avenues, and vacant lots of land, or such particular parts thereof as they agree upon, constantly clean and free from all dung, filth, rubbish, penguins, poponax, and other trees and bushes, and other impediments; and likewise to

Act 154.

Justices and Vestry to be authorized and impowered to contract and agree with a proper person or persons, who will undertake the same, to cleanse the streets, and such part of the ways, paths, roads, and avenues, that are immediately joining on and leading into the same, and the vacant lots of land that are in the said town, or any part of the same; and to remove and carry away all the filth and dunghills, and rubbish of all kinds, that are in and among the same; and to root up, cut down, and destroy all such penguin fences, poponax, and other trees and bushes, and other impediments as are in the said streets, roads, ways, and avenues, in or immediately joining to, and leading into and out of the said town, or any part of the same; and to carry and deposit the same in such place or places as shall be assigned by the said Justices and Vestry for that purpose; and also to agree with such person or persons, from year to year, jointly or separately, for such sum or sums of money, as they shall judge convenient, for such term as they shall judge convenient for the keeping the said streets, ways, roads, paths, and avenues, and vacant lots of land, or such particular parts thereof as they agree upon, constantly clean and free from all dung, filth, rubbish, penguins, poponax, and other trees and bushes, and other impediments; and likewise to

† Amended by Act 136, Vol. 1. see also Act 146, Vol. 1. and an Act passed Dec. 23, 1770, for erecting a market-house in St. Jago de la Vega, and laying a tax on the inhabitants for a nightly watch.