

1760.

Passed 18th
of December.

An Act to remedy the Evils arising from irregular Assemblies of Slaves, and to prevent their possessing Arms and Ammunition and going from Place to Place without Tickets, and for preventing the Practice of Obeah, and to restrain Overseers from leaving the Estates under their Care on certain Days, and to oblige all Free Negroes, Mulattoes or Indians to register their Names in the Vestry Books of the respective Parishes of this Island, and to carry about them the Certificate and wear the Badge of their Freedom, and to prevent any Captain, Master or Supercargo of any Vessel bringing back Slaves transported off the Island.

Act 24.
Vol. II.Negroes pas-
sing without
Tickets, their
Owners liable
to forfeit 40s.

WHEREAS there hath lately been very dangerous Rebellions and Rebellious Conspiracies, amongst the Slaves of this Island; And whereas suffering Slaves to be intrusted with Arms and lodging large Quantities of Arms and Ammunition in Houses improperly guarded may be a Means of enabling such rebellious disposed Slaves to execute their Bloody Intentions. And whereas permitting Slaves to go abroad from their respective Places of Abode without Tickets, or suffering them to assemble from different Plantations or Places to beat their Drums, Goards, Boards, Barrels, or other Instruments of Noise, or blow their Horns, is productive of the most dangerous Consequences. And whereas on many Estates and Plantations in this Island, there are Slaves of both Sexes commonly known by the Name of Obeah Men and Obeah Women, by whose Influence over the Minds of their Fellow Slaves, through an established Opinion of their being endued with strange preternatural Faculties, many and Great Dangers have arisen destructive of the Peace and Welfare of this Island. In order to prevent for the Future such Rebellions or Rebellious Conspiracies, and the fatal Consequences of such Meetings; We your Majesty's most dutiful and loyal Subjects, the Lieutenant-Governor, Council and Assembly of this your Majesty's Island of *Jamaica*, beseech your Majesty that it may be enacted, Be it therefore Enacted by the Authority of the same, That no Negro, Mulatto or Indian Slave hereafter shall be suffered or permitted to go out of his or her Master or Owner's Plantation or Settlement, or to travel from one Town or Place to another, unless such Negro, Mulatto or Indian Slave shall have a Ticket from his Master, Owner, Employer or Overseer expressing particularly the Time of such Negro, Mulatto or Indian Slave's setting out, and where he is going, and his Return, under the Penalty of Forty Shillings for every Slave so offending, to be recovered from the Master, Owner, Employer or Overseer, in a summary Way before any one Justice of the Peace by Warrant of Distress, complaint being made to him upon Oath, unless the Master, Owner, Employer or Overseer of such Negro, Mulatto or Indian Slave, shall prove upon Oath, before any Justice of the Peace, where such Master, Owner, Employer or Overseer may or shall live or happen to be, that he did give the said Negro, Mulatto, or Indian Slave such Ticket as aforesaid, or that such Slave went away without his Consent; and all and every such Negro, Mulatto or Indian Slave or Slaves so travelling or going from one Plantation or Place to another without such Ticket as aforesaid, shall be apprehended and committed to Goal, and there be whipped by the Order of such Justice for his, her or their Offence in the Premises. And if any Justice shall refuse or neglect his Duty either in causing the Penalty to be forthwith levied (on Complaint being made to him as aforesaid) on any Per-

son who shall suffer a Slave being under his or their Direction, to go out without a Ticket as aforesaid, or shall not cause such Punishments to be inflicted, as are directed by this Act, on any Slave that shall go out without a Ticket as aforesaid, every Justice so offending shall forfeit the Sum of Five Pounds, any Law, Custom or Usage to the contrary notwithstanding.

1760.
Neglect of Justices to forfeit 5l.

II. AND be it further enacted by the Authority aforesaid, that at every Meeting of the respective Quarter Sessions in this Island, the Justices are hereby required and obliged, under the Penalty of Five Pounds on every Justice present, to order the Constables or Tithing Men to attend every Sunday or Holidays at Markets or Places of public Resort of Negroes in their respective Parishes, there to apprehend all such Slaves as they shall find without Tickets and being so apprehended that they carry them before any of the said Justices to be punished according to the Directions of this Act, which Order at each respective Quarter-Sessions the Justices are to direct the Clerk of the Peace to enter up as an Order of that Court, and to give Notice thereof at the most public Places in their respective Parishes, within ten Days after every Quarter-Sessions. And every Justice is hereby impowered and required to examine upon Oath, any Constable, Tithing Man, or other Person bringing before him any Slave or Slaves said to be apprehended for not having Tickets, that such Justice may be able to ascertain whether such Slave or Slaves were really and *bona Fide* taken up without a Ticket or Tickets. And if the Justices aforesaid, find that either the Constables or Tithing Men, or the Clerks of the Peace of their respective Parishes, do neglect or refuse to do their Duty as herein before directed, such Justices are authorized and impowered to lay a Fine not exceeding Two Pounds on all Constables, Tithing Men, or Clerks of the Peace so offending.

Justices to order Constables to attend on Sundays and Holidays at Negro Markets.

Neglect of Constables duty to forfeit 40s.

III. AND be it further enacted by the Authority aforesaid, that for the future all Slaves in this Island shall be allowed the usual Number of Holidays that were allowed at the several Seasons of Christmas, Easter and Whitsuntide. Provided that at any such respective Seasons no two Holidays shall be allowed to follow or succeed immediately one after the other, but that they be allowed such their usual Number of Holidays within the space of one Month immediately succeeding each such respective Season, any Law, Custom or Usage to the contrary notwithstanding. And if any Master, Owner, Guardian or Attorney of any Plantation or Settlement, or the Overseer of such Plantation or Settlement shall presume to allow any Holidays to any Slaves belonging to such Plantation or Settlements other than as directed by this Act to be given at the Seasons aforesaid, every Person so offending shall forfeit the Sum of Fifty Pounds.

Negroes to have discretionary Holidays. Not two following, on Penalty of 50s.

IV.* AND be it further enacted by the Authority aforesaid, That if any Master, Owner, Guardian or Attorney of any Plantation or Settlement, resident at the Time on such Plantation or Settlement, shall hereafter knowingly suffer any Negro, Mulatto or Indian Slaves to assemble together and beat their Drums, Goards, Boards, Barrels or any other Instruments of Noise, or blow their Horns upon any Plantation, Penn or Settlement, or in any Yard or Place under his, her, or their Care or Management, or shall not endeavour to disperse or prevent the same, by immediately giving Notice thereof to the next Magistrate or commissioned Officer, that a proper Force may be sent to disperse the said Slaves, every such Master, Owner, Guardian or Attorney shall for every such Offence upon Conviction thereof, upon an Indictment in the Supreme Court of Judicature, or before the Justices of Assize, pay a Fine of One Hundred Pounds to his Majesty, his Heirs and Successors, for and towards the Support of the Government of this Island

Suffering Negroes to beat drums, &c. to forfeit 100l.

* Vide Act 38. Cl. 34. and Act 6a. Cl. 8. 9. 10. and 11. Vol. 1.

1760. and the contingent Charges thereof. Provided nevertheless that Information of such Offence shall be made upon Oath, before any of his Majesty's Justices of the Peace, within the Space of five Days after the Commission of such Offence

Executo.

Overseers,
Bookkeepers,
&c. suffering
the same, to
suffer 12
Months Im-
prisonment.

VI.* AND be it farther enacted by the Authority aforesaid, That if any Overseer, or in his Absence any Book-keeper or other white Person having the Care and Management of any Plantation or Settlement, shall knowingly suffer any Negro, Mulatto or Indian Slaves to assemble together and beat their Drums, Goards, Boards, Barrels or any other Instruments of Noise, every such Overseer, Book-keeper or other white Person so offending, shall for every such Offence, upon Conviction thereof, upon an Indictment in the Supreme Court of Judicature, or before the Justices of Assize, suffer six Months Imprisonment, without Bail or Mainprize: Provided Information is made upon Oath as aforesaid, before one of his Majesty's Justices of the Peace, within the space of five Days after the commission of such Offence.

Slaves having
Fire arms in
their possess-
ion to suffer
death.

VI.† AND be it further enacted by the Authority aforesaid, That all Negroes, Mulattoes or Indian Slaves, who shall hereafter be found to have in his, her, or their Custody, any Gun, Blunderbuss, Pistol, Gun-powder, Bayonet, Sword, Cutlafs, Lance or any other military offensive Weapon, such Negro, Mulatto or Indian Slave, being thereof convicted before two Justices and three Freeholders, shall be adjudged a Felon, and shall suffer Death as a Felon, or such other Punishment as the Justices and Freeholders, or the major Part of them (one whereof to be a Justice) shall think proper to inflict; unless such Negro, Mulatto or Indian Slave shall be in Company with and under the Direction of a white Man.

Having Tick-
ets excepted.

VII.† Provided always, That nothing in this Act contained, shall extend or be construed to extend to prevent any Negro, Mulatto or Indian Slave or Slaves, having a Bayonet, Sword, Cutlafs or Lance, provided such Slave or Slaves, has or have a Ticket or Tickets from his, her or their Owners, Masters, Overseers or Employers, expressing the Reason of his, or their being so armed.

Tickets in
force for one
month.

VIII.† And be it further enacted by the Authority aforesaid, That no Ticket so given as aforesaid, shall continue or be in Force for more than one Calender Month, Tickets given to Watchmen excepted.

Owners or
others not to
suffer any
Slave to have
any military
weapons.

IX.† AND be it further enacted by the Authority aforesaid, That if any Master, Owner, Guardian, Attorney or Overseer of any such Plantation or Settlement, shall suffer any Slave with his or her Privity and Consent to have in Possession any Gun, Blunderbuss, Pistol, Gun-powder, Bayonet, Sword, Cutlafs, Lance or other military offensive Weapon, contrary to the true Intent and Meaning of this Act, every such Person so offending, shall for every such Offence, upon conviction thereof, upon an Indictment in the Supreme Court of Judicature, or before the Justices of Assize, forfeit the Sum of One Hundred Pounds to his Majesty, his Heirs and Successors, for and towards the Support of the Government of this Island and the contingent Charges thereof, provided Information is made upon Oath as aforesaid, before one of His Majesty's Justices of the Peace within the Space of five Days after the Commission of such Offence.

On penalty of
100l.
Provided in-
formation is
made within
five Days af-
ter such of-
fence.

X. AND in order to prevent the many Mischiefs that may hereafter arise from the wicked Art of Negroes, going under the Appellation of Obeah Men and Women, pretending to have Communication with the Devil and other evil Spirits, whereby the weak and superstitious are deluded into a Belief of their having full Power to exempt them, whilst under their Pro-

* Vide Act 38. Cl. 34. and Act 54. Cl. 8. 9. 10. and 11. Vol. 1.

† Vide the first part of Cl. 13. of Act 38. See also Act 122, and Act 165, Cl. 7. Vol. 1.

tection, from any Evils that might otherwise happen: Be it therefore enacted by the Authority aforesaid, That from and after the First Day of *January*, which will be in the Year of our Lord One Thousand Seven Hundred and Sixty one, any Negro or other Slave, who shall pretend to any supernatural Power, and be detected in making use of any Blood, Feathers, Parrots Beaks, Dogs Teeth, Alligators Teeth, broken Bottles, Grave Dirt, Rum, Egg-shells, or any other Materials relative to the Practice of Obeah or Witchcraft, in order to delude and impose on the Minds of others, shall, upon Conviction thereof before two Magistrates and three Freeholders, suffer Death or Transportation, any Thing in this Act or any other Law to the contrary notwithstanding.

XI. AND whereas the Overseers of Estates in this Island make a frequent Practice of leaving the several Estates under their Care and Management on the respective Seasons allowed for Negro Holidays, whereby many dangerous Meetings and pernicious Practices are carried on; in order therefore to prevent the like for the future, be it enacted by the Authority aforesaid, That if any Overseer in this Island, shall absent himself from the Estate under his Care and Management, on any of the particular Holidays herein before mentioned to be allowed to Slaves, or on any Sunday (except during the Time of Divine Service, or his being on military Duty) without leave of his Employer, every such Overseer so offending, shall for every Offence, forfeit the Sum of five Pounds, to be recovered by Information upon Oath, before any Justice of the Peace in a summary Way, in the Parish where such Offence shall arise, any Law, Custom, or Usage to the Contrary notwithstanding.

XII. AND whereas many Inconveniences have arisen from Slaves going about the Country under pretence of being free; in order to prevent the like for the future, be it enacted by the Authority aforesaid, That the Justices and Vestry in each respective Parish within this Island, shall within two Months after the Commencement of this Act, cause diligent Enquiry to be made within their respective Parishes, as to the Number of Negroes, Mulattoes or Indians of free Condition, and cause them to be warned to attend at their next Meeting, and give an Account in what manner they obtained their Freedom, that they may be registered in the respective Vestry-Books of such Parishes, and receive a Certificate of their Freedom from the Clerks of such Vestries respectively, which Certificate they are hereby obliged to have attested under the Hand and Seal of the Commander in Chief for the Time being, within the Space of three Months after the Date hereof, under the Penalty of six Months Imprisonment, which Certificate shall by the Commander in Chief for the Time being, be so attested without any Fee or Reward; and every Negro, Mulatto or Indian, that shall, after the Commencement of this Act, make appear his or her Title to Freedom, and receive a Certificate thereof as aforesaid, be it enacted by the Authority aforesaid,* That such Certificate of the Freedom of any Negro, Mulatto, or Indian, shall be taken out or annually renewed, on the Day appointed for choosing Vestry-men in the several Parishes of this Island, such Certificate to be attested under the Hand and Seal of the Commander in Chief as aforesaid; and such Negroes, Mulattoes, or Indians, shall and they are hereby obliged constantly to carry about them such Certificates and wear their Badges of Freedom, under the Penalty of Ten Pounds; all Free Negroes, Mulattoes, or Indians, possessed of a real Estate, or claiming any Privileges or Immunities by virtue of any Law of this Island, excepted.

XIII. AND be it enacted by the Authority aforesaid, That if any such

1760.

Slaves pretending to supernatural power to suffer death or transportation.

Overseers not to absent themselves from the Estates under their care on Sundays (except in time of divine Service, or military Duty.)

Forfeit five Pounds.

Free Negroes to have their Certificates attested.

And wear the badge of their Freedom.

* Certificate to be taken out only once in seven Years; Vide Act 29. Cl. 2. Vol. 2. See also Act 64. Cl. 14. Vol. 2.

1760. Negro, Mulatto, or Indian, shall neglect to attend the Vestry of each respective Parish as aforesaid, in order to shew their right to Freedom, after having been properly warned, such Warning to be attested on Oath by the Person serving the same, shall, on not shewing sufficient Reason for his or her Non-Attendance, be by Warrant under the Hand of one of his Majesty's Justices of the Peace for that Parish, where such Offender resides, taken up and committed to Goal for the Space of six Months.

Penalty on
Justices
Vestry Men
and Constables
neglect
of Duty.

XIV. AND be it enacted by the Authority aforesaid, That every Justice, Vestryman, and Constable, neglecting to do his Duty, as by this Act prescribed, every such Justice and Vestryman, shall for every such Offence forfeit the Sum of Fifty Pounds, and every Constable so offending, the Sum of Thirty Pounds, to be recovered in the Supreme Court of Judicature of this Island, by Bill, Complaint, or Information, which several Forfeitures 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.

XV. AND be it enacted by the Authority aforesaid, That if any Negro, Mulatto, or Indian as aforesaid, shall be obliged towards the Proof of Freedom, to make search in pursuance of this Act of his or her Title, in any Office of this Island, the Charge of such Search shall be made good to him or her at the Expence of the Parish where he or she resides.

XVI. AND be it enacted by the Authority aforesaid, That if any Captain, Master, or Supercargo of any Vessel, who shall hereafter undertake to transport any Slave or Slaves, and give a Receipt for his so doing, and shall bring back to this Island any Slave or Slaves so transported as aforesaid, except forced in by Stress of Weather, or some unavoidable Accident, such Captain, Master, or Supercargo so offending, shall for every such offence, upon Conviction thereof, upon an Indictment in the Supreme Court of Judicature, or before the Justices of Assize, forfeit a Sum not exceeding one Hundred Pounds, and suffer an Imprisonment not exceeding six Months, which Forfeiture 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.

Masters of
Ships, carry-
ing back
Slaves trans-
ported off
this Island
forfeit 100l.
or six months
Imprison-
ment.

XVII. AND be it enacted by the Authority aforesaid, That no Effoign, Wager of Law, Injunction, or *Non vult ulterius prosequi*, shall be entered or allowed in any Process had or commenced by virtue of this Act for the Recovery of any Penalty, upon any Offence committed contrary to the true Intent and Meaning thereof.

XVIII. AND be it enacted by the Authority aforesaid, That the Justices within their several and respective Parishes and Precincts within this Island, shall cause this Act to be publickly read in every Quarter Sessions, under the Penalty of Five Pounds for every Neglect or Refusal, to be paid by each Justice present at such respective Quarter Sessions, any Law, Custom, or Usage to the contrary notwithstanding.

Justices to
cause this act
to be read in
every Quarter
Session, on
penalty of 5l.

XIX. AND be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures in this Act mentioned, 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, Bill, Complaint, or Information, in any Court of Record within this Island, one Moiety or half Part whereof shall be 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 thereof, and the other Moiety or half Part to him or them that shall sue for the same.

XX. AND be it further enacted by the Authority aforesaid, That the
Secretary

Secretary of this Island, do within Twenty Days after the Passing of this Act, cause the same to be printed, and three Copies thereof be sent to his Honor the Lieutenant-Governor or Commander in Chief, three Copies thereof to each of the Members of his Majesty's Council and of the Assembly, and three Copies thereof to the Custos or Chief Magistrate of every Parish of this Island, and that he be paid for the same by the Receiver-General out of any Monies in his Hands unappropriated.

1760.

XXI. AND be it further enacted, That this Act, and every Matter and Thing therein contained, shall be and continue in Force from and after the first Day of January, which will be in the Year of our Lord one Thousand seven hundred and sixty-one.

An Act, to explain and amend an Act, intituled, an Act, to remedy the Evils arising from irregular Assemblies of Slaves, and to prevent their possessing Arms and Ammunition, and going from Place to Place without Tickets; and for preventing the Practice of Obeah, and to restrain Overseers from leaving the Estates under their Care on certain Days, and to oblige all free Negroes, Mulattoes, and Indians, to register their Names in the Vestry Books of the respective Parishes of this Island, and to carry about them the Certificate and wear the Badge of their Freedom; and to prevent any Captain, Master, or Supercargo of any Vessel, bringing back Slaves transported off this Island.

1761.

Passed 19th of December.

WHEREAS, by an Act, intituled, "*an Act to remedy the Evils arising from irregular Assemblies of Slaves, and to prevent their possessing Arms and Ammunition, and going from Place to Place without Tickets; and for preventing the Practice of Obeah, and to restrain Overseers from leaving the Estates under their Care on certain Days, and to oblige all Free Negroes, Mulattoes or Indians, to register their Names in the Vestry Books of the respective Parishes of this Island, and to carry about them the Certificate and wear the Badge of their Freedom; and to prevent any Captain, Master, or Supercargo of any Vessel, bringing back Slaves transported off this Island;*" it is among other Things enacted, that the Certificates of the Freedom of Negroes, Mulattoes, and Indians shall be renewed annually.

Act 29.
Vol. II.

II. AND whereas the obliging them to renew the same annually is unnecessary and a needless Expence, be it enacted by the Lieutenant 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 Negroes, Mulattoes, and Indians, who now are, or hereafter may become free, shall be obliged to take out or renew such Certificates once in Seven Years and not oftener, any Law, Custom, or Usage to the contrary notwithstanding.

Free Negroes to renew their Certificates once in seven years.

III. AND be it further enacted by the Authority aforesaid, That the Justices and Vestry in each respective Parish within this Island, shall annually order the Constables to warn all such Negroes, Mulattoes, and Indians of Free Condition, the Term of whose Certificates is near expiring, to attend the Vestry, the Day appointed for Chooling Vestry Men in the respective Parishes, to renew such Certificates.

Warning to be given when to attend.

IV. AND be it further enacted by the Authority aforesaid, That the Secretary