

ANNO 16° GEORGII III. CAP. 14.

Enacts.—“That all devises of negroes in wills heretofore made, or hereafter to be made, and duly proved and recorded in the secretary's office of this island, on or before the 1st day of January, one thousand seven hundred and seventy seven, and not executed according to the form of the said statute of frauds and perjuries,* have been, and shall be, good and valid to pass such negro, mulatto, and other slaves, according to the intent and meaning of such wills: And from and immediately after the said first day of January, no devise of any negro, mulatto, or other slave, by will, shall be good and valid in law to pass such negro, mulatto, or other slave, unless such will shall be duly executed according to the form prescribed by the said statute of the twenty-ninth year of king Charles the second, commonly called the statute of frauds and perjuries;* any law, custom, or usage, to the contrary thereof notwithstanding.”

Devises of slaves in wills, though not in the form prescribed by stat. 29. Car. II. declared valid, if will recorded in a limited time; after which time, such devises must be according to that form.

See 57, Geo. 3, cap. 25, c. 41.

CAP. 15.

Enacts, Clause 3.—“That, from and after the passing of this act, it shall and may be lawful for executors and administrators to maintain, sue, prosecute, and defend, in the name or names of such executor or executors, administrator or administrators, in any of the courts of this island, any action or actions, suit or suits, touching and concerning any mulatto, negro, or other slave or slaves, the property of, or in the possession of, their respective testators or intestates at the time of his or her decease, and which slave or slaves, from and after the death of such testator or intestate, came into the possession of any person or persons whatsoever, and to recover the same by judgment of the same court, in like manner as the testator or intestate, if living, might have done; any law, custom, or usage, to the contrary in anywise notwithstanding: **Provided always nevertheless,** That such action or actions, suit or suits, be not maintained, sued, prosecuted, or defended, against the heir, devisee, or other person lawfully possessed, of such slave or slaves, but only as against a stranger, or other person having no legal or just title thereto.”

Executors, &c. authorized to maintain actions for recovery of slaves belonging to the deceased,

from persons having no legal title thereto.

ANNO 17° GEORGII III. CAP. 7.

Enacts, Clause 1.—“That, from and immediately after the passing of this act, if any guardian or guardians, trustee or trustees, lessee or lessees, or other person or persons having possession of the estate of any minor or minors, shall wilfully deliver up the slave

Persons wilfully delivering up slaves of minors, for satisfaction of writs to which they are not liable, declared guilty of a misdemeanor.

* This statute provides:—“That devises shall be in writing, and signed by the party so devising the same, or by some other in his presence, and by his express directions, and shall be attested and subscribed, in the presence of the said devisor, by three or four credible witnesses, or else they shall be utterly void, and of none effect.”—By clause 41 of the slave act, p. 141. wills are made valid for manumissions, and the estate liable for the annuity, without a bond.