

CAP. 28.

Indians
brought since
Dec. 28, 1741,
and their de-

Enacts, *Clause 1.*---“ That all Indians whatsoever, brought to this island since the twenty-eighth day of December, which was in the year of our Lord one thousand seven hundred and forty-one, and their descendants, are hereby declared to be free people, to all intents

Intents and purposes whatsoever, any law, custom, usage, contract, or agreement, to the contrary thereof in anywise notwithstanding: And that if any person or persons shall sell or buy any such Indian or Indians, such person or persons shall forfeit the sum of five hundred pounds; to be recovered, by action of debt, bill, plaint, or information, in the supreme court of judicature, at the instance of the attorney-general, or clerk of the crown in the same court, who are hereby directed to prosecute and sue for the same; in which action no essoin, protection, wager of law, imparlance, or injunction, shall be allowed, or *non vult ulterius prosecui* be entered; the whole of which penalty, when recovered, after deducting the necessary charges and expences of prosecution, shall be paid to the receiver-general, for the use of his majesty, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof." (See 14 Geo. 2. cap. 6.)

scendants, declared free.

500l. penalty on buyers and sellers of them. Recovery of such penalty,

and application.

Clause 2.---" That if any person or persons whatsoever shall be convicted, in his majesty's supreme court of judicature or courts of assize in this island, of kidnapping or stealing of any Indian, or transporting him, her, or them, from their settlements or elsewhere, to this island or elsewhere, for sale, such person or persons shall be deemed guilty of felony, and shall suffer death as a felon, without benefit of clergy; any law, custom, or usage, to the contrary notwithstanding." (By 31 Geo. 3. cap. 3, cl. 13, *Indians must not be entrusted with the command of droggers.*)

Persons kidnapping or stealing Indians, with intent to sell them, to suffer death.