

Copy of an ACT for laying a Duty on all Negro Slaves that shall be imported into this Island [Jamaica] from the Coast of Africa, who shall be above a certain Age; and for regulating the Manner of ascertaining such Age.—23d December 1797.

JAMAICA, ff.

An Act for laying a Duty on all Negro Slaves that shall be imported into this Island from the Coast of Africa, who shall be above a certain Age; and for regulating the Manner of ascertaining such Age.

Preamble.

WHEREAS many Inconveniencies have arisen, and may arise, and much Mischief may be done to the Inhabitants of this Island, by the Importation of Old Negro Slaves from the Coast of Africa, for Sale in this Island; it having been found by Experience that Old Negroes are in general the People who have hitherto promoted Rebellions and rebellious Conspiracies among the other Slaves; and it being very difficult to civilize and season New Negroes who are above a certain Age: Whereby the preventing, as far as may be, the Importation into the said Island of Slaves
of

of that Description will be for the general Benefit and Advantage of Inhabitants thereof: Therefore we Your Majesty's dutiful and loyal Subjects, the Assembly of this Your Majesty's Island of Jamaica, humbly beseech Your Majesty that it may be enacted; be it therefore enacted, by the Lieutenant Governor, Council and Assembly of this Your Majesty's said Island, and it is hereby enacted and ordained by the Authority of the same, That, from and after the Thirty-first Day of December which will be in the Year of our Lord One thousand seven hundred and ninety-eight, there shall be raised, levied, and paid unto Your Majesty, Your Heirs and Successors, a Duty of Ten Pounds upon every Slave above the Age of Twenty-five Years, that shall be improved or brought into any Harbours, Bays, Ports, Creeks, Roads, Havens, or Quays, in or belonging to this Island, or at or near Port Royal Quays, from the Coast of Africa, whether direct or otherwise, and whether such Slaves shall be for Sale or not, to be paid by the Masters, Owners, or Importers of every such Slave; and which said Duty shall be over and above and in Addition to any other Duty or Duties made or to be made chargeable and payable on Slaves imported as aforesaid, by any Law or Laws of this Island, and shall be payable in the Manner directed by such Laws respectively, for the Payment of other Duty or Duties on the Importation of Slaves.

A Duty of Ten Pounds upon every Slave above Twenty-five Years of Age that shall be imported.

And, for the ascertaining the Ages of such Slaves, be it enacted by the Authority aforesaid, That on or before the said Thirty-first Day of December which will be in the Year of our Lord One thousand seven hundred and ninety-eight, the Custos Rotulorum or Senior Magistrate, together with the Justices of the Peace, or any Five of them, for the respective Parishes and Precincts of Kingston, Saint Catherine, Port Royal, Saint Thomas in the East, Saint David, Saint Mary, Saint George, Portland, Saint Ann, Trelawny, Saint James, Hanover, Westmoreland, Saint Elizabeth, Vere, and Saint Dorothy, shall, by Warrant under their Hands and Seals, appoint Persons of Integrity and Capacity to act as Inspectors at the different Ports or Harbours or Landing Places in or belonging to their respective Parishes or Precincts: And that the Number of Inspectors to be appointed in each respective Parish or Precinct shall be as follows; For Kingston Five, for Saint Catherine Three, for Port Royal Three; for Saint Thomas in the East Three, for Saint David Three, for Saint Mary Three, for Saint George Three, for Portland Three, for Saint Ann Three, for Trelawny Three, for Saint James Three, for Hanover Three, for Westmoreland Three, for Saint Elizabeth Three, for Vere Three, and for Saint Dorothy Three; which said Inspectors so appointed, or any Two of them, shall, within Twenty-four Hours after the Arrival of any Ship, Snow, Brig, Sloop, or other Vessel, having on board any Slaves from the Coast of Africa, whether direct or otherwise, at any Port or Bay in or belonging to any Parish wherein such Inspectors shall be appointed, repair on board such Ship, Snow, Brig, Sloop, or other Vessel, and inspect and examine such Slaves, and make a due Return thereof, within

Inspectors to be appointed.

Oath to be taken.

within Twenty-four Hours after such Inspection, upon Oath, or if a Quaker upon Affirmation, into the Office of the Receiver General, or to his lawful Deputy; which Oath or Affirmation shall be as follows;

“ Jamaica ss. Personally appeared before me A. B. and C. D. Inspectors, appointed by virtue and under Authority of an Act of the Lieutenant Governor, Council and Assembly of this Island, intituled, “ An Act for laying a Duty on all Negro Slaves that shall be imported into this Island from the Coast of Africa, who shall be above a certain Age, and for regulating the Manner of ascertaining such Age,” and made Oath on the Holy Evangelists of Almighty God, that they have inspected and examined a Cargo of New Negro Slaves, now on board a certain Ship or Vessel called The _____ whereof _____ is Master or Commander, arrived from _____ and that they were shewn to them by the said _____ or by _____ acting in his Behalf _____ Negro or other Slaves; and these Deponents further say, that according to the best of their Judgement, Knowledge, and Belief _____ of the said Slaves are above the Age of Twenty-five Years; and they further say, that they have not, nor hath either of them, nor hath any Person for them, or either of them, directly or indirectly received any Fee or Reward for making this Return, or are promised or will receive from any Person, or by any Means whatsoever, any Fee or Reward for making the same, except the Allowance, to which they are entitled under the said Act:” Which Oath shall be duly administered and attested by any Magistrate of the Parish where such Inspection shall be made.

Upon Inspectors making Return, they are to have One Shilling and Three-pence per Head, from the Consignee or Seller of such slaves.

And be it further enacted by the Authority aforesaid, That the said Inspectors making such Return as above directed, shall have and receive the Sum of One Shilling and Three-pence per Head for every Slave on board such Vessel they shall so inspect; which said Sum of One Shilling and Three-pence per Head shall be paid to the said Inspectors by the Consignee or Seller of such Negro or other Slaves, and in case of Refusal or of Non-payment thereof, any Justice of the Peace for the Parish, shall and is hereby empowered and required to enforce Payment thereof and of all Charges reasonably incident, by Warrant of Distress and Sale, under his Hand and Seal, to be levied on the Goods and Chattels of the Person or Persons refusing to pay or not paying as aforesaid.

Penalties on Masters and Owners of Vessels refusing to produce the Cargo or Cargoes of Slaves for Inspection.

And be it further enacted by the Authority aforesaid, That if any Master, Owner, or Consignee of any Ship, Sloop, or other Vessel, shall refuse to produce the Cargo of Negro or other Slaves before such Inspectors for Inspection, within the Time before limited, or shall land, sell, or dispose of any of the Slaves so imported, before such Inspection hath been made and reported accordingly, to the true Intent and Meaning of this Act; every such Master, Owner, or Consignee shall for every Offence respectively, forfeit the Sum of One thousand Pounds.

Penalty on Inspectors having accepted of the said

And be it further enacted by the Authority aforesaid, That if any Person or Persons being appointed an Inspector or Inspectors, and having accepted

accepted of the said Appointment under the Authority of this Act, shall neglect or refuse to do his or their Duty as therein required of him, every such Person so offending shall forfeit the Sum of Five hundred Pounds for each Offence, and be for ever hereafter rendered incapable of acting as such Inspector.

Appointment, and refusing or neglecting to do their Duty.

Provided always, and it is hereby enacted, That if any Slaves imported, and for whom the aforesaid Duty shall have been paid, shall be actually exported off this Island within Two Months after such Importation, for any other Island, Dominion, or Territory, there shall be repaid by the Receiver General to the Exporter or Exporters of such Slaves, at and after the Rate of Ten Pounds per Head for each Slave reported above the Age of Twenty-five Years; provided that the said Sum of Ten Pounds per Head on New Negroes to be exported, shall not be paid by the said Receiver General until the Exporter or Exporters shall have given to the Receiver General, or his lawful Deputy, satisfactory Proof, upon Oath, that the said New Negro Slaves so intended to be exported are bonâ fide Part of the Slaves on which the additional Duty of Ten Pounds, imposed by this Act, hath been paid; and shall, with good and sufficient Security, enter into Bond, to be lodged in the Receiver General's Office, conditioned that he or they, nor any Person or Persons for him or them, will not reland, or cause to be relanded, in any Port, Bay, Haven, or Creek, in or belonging to this Island, any of the Slaves so exported, without giving Notice of relanding to the Receiver General, or his lawful Deputy, within Forty-eight Hours after any such Slaves shall have been relanded: And the Sum of Money which shall be mentioned and expressed in the said Bond, shall be for double the Amount of the Sum paid by the Receiver General to the Exporter or Exporters for the Whole of the Cargo of Slaves so exported; and in case of Non-compliance with the Condition of the said Bond, the same shall become forfeited to the Use and Benefit of the Person prosecuting for the same in the Supreme Court, or either of the Courts of Assize in this Island.

Proviso.

And be it enacted by the Authority aforesaid, That the Ages of Slaves to be exported shall be ascertained and reported on Oath, as in the Case of Imported Slaves above the Age of Twenty-five Years, by the aforesaid Inspectors, or any Two of them; and for their Trouble therein, such Inspectors shall be entitled to have and demand a Fee, at and after the Rate of Two Shillings and Sixpence for each Slave inspected and examined.

Age of Slaves imported to be ascertained on Oath.

And be it further enacted by the Authority aforesaid, That if any Slaves so exported, who are above the Age of Twenty-five Years, shall at any Time subsequent to such Exportation be brought into any Harbour, Port, Bay, Haven, Creek, or Quay, in or belonging to this Island, they shall be subject and liable to the Duty herein-before imposed on Slaves coming from the Coast of Africa; and the Ship or Vessel in which

If Slaves above Twenty-five Years of age exported, be brought again to this Island, shall be liable to Duty.

G

the

the same shall be so returned, and the Master or Commander thereof, and all Persons interested, shall be liable to the same Rules and Regulations as is herein-before enacted and provided in respect to Ships or Vessels bringing New Negro Slaves from the Coast of Africa, or elsewhere.

Penalty on Masters, &c. of Vessels, using any Art to conceal the Age of Slaves.

And be it enacted by the Authority aforesaid, That if the Owner, Master, Commander, or Supercargo of any Ship or Vessel, in which New Negro Slaves shall be imported into this Island, shall, within the Period of Fourteen Days immediately preceding the Arrival of such Ship or Vessel, have shaved or cut the Hair from the Head, or oiled the Body or Bodies, of any Slave or Slaves on board such Ship or Vessel, or made Use of any other Means or Artifice, in order to conceal or prevent the ascertaining the respective Ages of such Slaves, he shall for every Offence forfeit the Sum of Two hundred Pounds, on Proof being had before any Justice of the Peace, by the Oath of One or more competent Witnesses or Witnesses.

How Monies collected by this Act, are to be applied.

And be it further enacted by the Authority aforesaid, That the Monies to be raised, levied, and collected by virtue of this Act, shall be by the Receiver applied in Aid of the Monies to arise for or in respect of any Duty or Duties imposed, or to be imposed by any Law or Laws of this Island, on the Importation of Slaves from the Coast of Africa, or to and for such Purposes as shall be at any Time directed by any Act of the Legislature of this Island.

And be it enacted, That the said Receiver General for the Time being shall, for doing his Duty herein, retain and keep, out of the Monies so to be collected, at and after the Rate of Five Pounds per Cent. and no more.

Receiver General to enter into Bond.

And be it enacted by the Authority aforesaid, That the Receiver General for the Time being shall, before he officiates pursuant to this Act, with good and sufficient Security, such as a Board of the Commissioners of Publick Accounts shall approve, enter into Bond, in the Secretary's Office of this Island, to Our Sovereign Lord the King, His Heirs and Successors, in the Sum of Five thousand Pounds Current Money of Jamaica, conditioned that he, his Heirs, Executors, or Administrators, shall render and give, to any Assembly when sitting, or to the Commissioners appointed or to be appointed for stating and settling the Publick Accounts, a just and true Account of all Monies by him received, in pursuance of this Act, when thereunto required; and that he, his Heirs, Executors, or Administrators, shall pay over all such Sums of Money as he shall so receive, to such Person or Persons as shall be lawfully authorized to receive the same.

How Penalties are recoverable and applied.

And be it enacted by the Authority aforesaid, That all Penalties in this Act mentioned, and not declared in what Manner they shall be recovered, shall be recovered in the Supreme Court of Judicature of this Island,

Island, by Action of Debt, Bill, Plaint, or Information, wherein no Effoin, Protection, Wager of Law, Imparlance, or Injunction, shall be granted or allowed, or Non vult ulterius prosequi be entered; One Moiety whereof shall be to 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, and the other Moiety to the Informer, or him, her, or them, who shall sue for the same.

And be it further enacted by the Authority aforesaid, That this Act, and every Clause, Matter, and Thing therein contained, shall continue, and be in Force from the Thirty-first Day of December which will be in the Year of our Lord One thousand seven hundred and ninety-eight, until the Thirty-first Day of December One thousand eight hundred and one, and no longer.

Duration of
this Act.

Passed the Council
this 20th Day of December,
M. Atkinson, Ass. Cl. Con.

I consent, this
23d Day of December 1797,
BALCARRES.

Passed the
Assembly this
18th Day of Dec. 1797.
Don. Campbell, Speaker.

Vera Copie Ext^r.
G. Atkinson, Sect.