

CAP. 29.

Enacts, *Clause 1.*—“ That every person who now hath, or within six months from and after the passing of this act shall have, in his or her possession, in this island, as owner or proprietor, or in the right of any other person whatsoever, or under his or her care or management, as the representative of any owner or proprietor, absent from this island, any slave or slaves who, at any time since

All slaves who have resided in St. Domingo, or any other island, &c. belonging to, or under government of France, since 23d August,

the

1791, to be
exported with-
in six months,
under penalty
of 200*l.* for
each;

except such as
have been
certificated
under

35 Geo. III.
cap. 22,
(Expired.)

or 36 Geo. III.
cap. 49.
(Expired.)

as well as do-
mestic slaves
of French per-
sons in King-
ston or Port-
Royal, who
shall obtain
certificates.

No such slaves
to be sold, ma-
numised, or
purchased,
except for
exportation,
under penalty
of 300*l.*

the twenty-third day of August, in the year one thousand seven hundred and ninety-one, hath or have inhabited or resided, or in anywise shall have been living or abiding in the island of St. Domingo, or any other island, colony, territory, or dominion, belonging to, or under the government of, the French nation, shall, within the said space of six months from and after the passing of this act, export, or cause to be exported, off this island, every such slave as aforesaid, under the penalty of two hundred pounds, to be forfeited for each and every such slave as aforesaid, which shall be refused or neglected so to be exported within the time aforesaid; and to be recovered in the supreme court of judicature, or one of the courts of assize in this island; one moiety whereof shall be to the use of his majesty, his heirs and successors, for the support of the government of this island, and the other moiety to the person suing for the same: **Provided nevertheless,** That nothing in this act contained shall extend or be construed to extend, to any such foreign slave or slaves, as hath or have been certificated, under the authority and by virtue of an act, entitled, *An act to provide further regulations for such slaves as have been admitted into this island; and to regulate the admission of slaves of a certain description,* passed in the year one thousand seven hundred and ninety-four, or of another act, entitled, *An act to prohibit the selling, purchasing, hiring, or employing, certain foreign slaves, except as therein mentioned,* passed on the twenty-fifth day of March, in the year one thousand seven hundred and ninety-six, within the time limited by the said acts respectively, by the clerk of the peace, or his lawful deputy, of any parish of this island, wherein the person owning or possessing such slave or slaves was, or resided, at such time; nor to compel the exportation of any domestic slave belonging to any French person, residing in either of the towns of Kingston or Port-Royal, who shall obtain a certificate for such slave, under the authority of the two sitting magistrates of the town of Kingston, from the clerk of the peace of the said town or precinct, in the manner by this act hereafter directed."

Clause 2.—“ That, from and after the passing of this act, it shall not be lawful for any person or persons whatsoever to sell or manumise, or to purchase, or to make or receive any conveyance of, any slave or slaves, of the description of slaves herein-before ordered to be exported, or by this act hereafter prohibited to remain or abide in this island, unless such sale and purchase, or such conveyance, shall be made *bonâ fide* for the express purpose of exporting the slave or slaves, so sold and purchased, or so conveyed, according to the directions of this act; and that every person selling, manumising,

shall be imported or brought into, or shall otherwise arrive in, this island, from any colony, territory, or dominion, belonging to any other nation now at war with Great-Britain: **And it is hereby declared,** That every foreign slave, of the description aforesaid, shall be, and he or she is hereby, prohibited to remain or abide any where in this island, under the pains and penalties by this act hereafter declared and enacted: **Provided nevertheless,** That nothing herein contained shall extend to prevent the remaining or abiding in this island, within the limits of the towns of Kingston and Port-Royal, or the hiring or employing in the said towns, and no where else, such domestic slaves of any French person or persons residing in either of the said towns, as shall have obtained certificates for such slaves, from the office of the clerk of the peace of the town of Kingston, in the manner hereafter directed; or shall affect any such foreign slaves as have been certificated, under the authority and by virtue of the two acts herein-before-mentioned, passed in the years one thousand seven hundred and ninety four and one thousand seven hundred and ninety-six, in the manner directed, and within the respective times limited, by the said acts; or such foreign sea-faring slaves, as by this act are hereafter excepted, provided they pass not the limits and boundaries thereby prescribed."

And no foreign slaves, as before described, to remain in this island,

except domestic slaves having certificates, who may abide, and be hired or employed in Kingston and Port-Royal.

On information or suspicion of foreign slaves being hired, harboured, &c. after the time limited by law,

any magistrate may associate two others with himself, and inquire into the grounds thereof; and, if well founded, may summon parties to produce such slaves, and witnesses to give evidence respecting them.

Clause 5.—"That, from and after the expiration of six months as aforesaid, after the passing of this act, it may and shall be lawful for any one of his majesty's justices of the peace, in any of the parishes or precincts of this island, upon information, complaint, or suspicion, that any slave or slaves, of the description herein-before given, and prohibited to remain or abide in this island, is or are hired, employed, harboured, or entertained by, or is or are in anywise in the possession of, any person or persons, or suffered to remain or abide on any settlement or property belonging to, or in the possession, or under the care or management, of any person or persons, as before-mentioned, in his respective parish or precinct, contrary to the true intent and meaning of this act, to associate with himself two other justices of the peace, of the same parish or precinct, who, together, shall enquire into the grounds of the said information or complaint, or of the suspicion as aforesaid; and, in case such information or complaint, or such suspicion, shall appear to be probable and well-founded, shall cause the person or persons informed against, or complained of, or so suspected, to be summoned to be and appear before them, at some time and place in such summons to be specified, to answer to such information or complaint, or to be examined on the subject of such suspicion as aforesaid;

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manumising, or purchasing; or making or receiving, any conveyance of, any such slave or slaves, contrary to the intention and meaning of this act, shall forfeit the sum of three hundred pounds for each slave so sold, manumised, purchased, or conveyed, to be recovered in the supreme court of judicature, or in one of the courts of assize in this island; one moiety whereof to be to the use of his majesty, his heirs and successors, for and towards the support of the government of this island, and the other moiety to the person suing for the same."

Clause 3.—“That any sale or sales, or conveyance or conveyances, of such slaves, and any manumission of such slaves, as shall be made contrary to the true intent and meaning of this act, and also all such sales and manumissions of foreign French slaves, as have heretofore been made, contrary to the true intent and meaning of any or either of the several acts, passed at different times since the year one thousand seven hundred and ninety-one, to prohibit the selling, purchasing, hiring, or employing, certain foreign slaves, except as therein mentioned, shall be null and void, to all intents and purposes whatsoever; save and except such slaves as may have been sold by one French person to another, provided the number of slaves so sold shall not, at any one time, have exceeded two in number; and provided also, that all such slaves, so excepted, shall be exported within the time prescribed by this act.”

Former as well as future sales of such slaves declared void;

except, in small numbers, from one French person to another; and these must also be exported.

Clause 4 —“That, from and after the expiration of six months after the passing of this act, it shall not be lawful for any person or persons whatsoever in this island, to hire, employ, harbour, or entertain, or in anywise to have in his or her possession, or to suffer to remain or abide on his or her settlement or property, or on any settlement or property in his or her possession, or under his or her care or management, as the attorney, agent, executor, administrator, guardian, mortgagee in possession, trustee, overseer, or otherwise, of any other person or persons, any slave or slaves who, to his or her knowledge, hath or have been imported or brought into, or hath or have otherwise arrived in, this island, since the twenty-third day of August, in the year one thousand seven hundred and ninety-one, or who shall, at any time hereafter, in anywise arrive therein; which slave or slaves hath or have, or shall have, at any time before such arrival, and since the day and year aforesaid, inhabited or resided, or been in anywise living or abiding, in the island of St. Domingo, or any other island, colony, territory, or dominion, belonging to or under the government of the French nation; or any slave or slaves who, after the passing of this act,

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shall

After six months, no French slaves as above described, to be hired, possessed, harboured, or entertained in,

nor to be brought into this island:

abovesaid; and also all persons capable, or judged by them to be capable, of giving evidence concerning the matters charged in such information or complaint, or the subject of such suspicion as aforesaid, to be examined touching their knowledge of the same: And the person or persons so informed against, complained of, or suspected, shall be enjoined and commanded by the said summons to produce, at the same time and place, before such justices, so associated, all and every such foreign slave or slaves as he, she, or they, shall have in his, her, or their, possession, or hired, employed, harboured; or entertained, by him, her, or them, or in anywise abiding or being on his, her, or their, settlement or property, or on any settlement or property in his, her, or their, possession, in the right of any other person, or under his, her, or their, care or management, as aforesaid."

Clause 6.---"That in case any person, so directed to be summoned, shall keep his or her gates shut, or shall keep him or herself out of the way, or secrete him or herself, so that the officer, directed to execute the said summons, shall not be able to serve the same personally, the affixing a copy thereof to the gate, or the leaving such copy at the dwelling-house, of such person, shall be taken as a service thereof, and be deemed to be as good and valid in law, as if the original thereof had been exhibited to the person named therein."

If persons summoned shut their gates, or otherwise prevent or evade the service, copy of summons affixed to gate, or left at dwelling, to be good service.

Clause 7.---"That it may and shall be lawful for the three justices of the peace, associated as aforesaid, in case such person or persons informed against, complained of, or suspected, as aforesaid, shall not appear before them, at the time and place required by the summons aforesaid, upon due proof on oath being made of the service thereof, to issue their warrant to the provost-marshal, or his lawful deputy, or any lawful constable, for the apprehending and bringing before them such person or persons; and, when so brought (and also in case any such person or persons, either voluntarily appearing, or brought before them by virtue of their warrant as aforesaid, shall refuse to be examined on oath, on the subject of any suspicion as aforesaid, or shall be found to prevaricate in his, her, or their, answers), to commit him, her, or them, to the common gaol, for such contempt; without bail or mainprize, for such time, not exceeding three months, as to their discretion shall seem fit."

Persons disobeying such summons, or behaving contumaciously before the magistrates, may be committed to gaol for three months.

Clause 8.---"That all and every person or persons, who shall be duly convicted, before such three justices of the peace, associated as aforesaid, on the oath or oaths of one or more credible witness or

Persons convicted of hiring or entertaining such slaves, contrary to law,

to be fined
200l for each
slave hired,
&c.

witnesses, or on his, her, or their, own voluntary confession, of knowingly and wilfully hiring, employing, harbouring, or entertaining, or in anywise retaining in his, her, or their, possession, any slave or slaves, of the description herein-before given; and prohibited to remain or abide in this island, or of knowingly suffering any such slave or slaves to remain or abide on his, her, or their, settlement or property, or on any settlement or property in his, her, or their, possession, in the right of any other person, or under his, her, or their, care or management, after the expiration of the time limited by this act, and contrary to the intent and meaning thereof, shall forfeit the sum of two hundred pounds for every slave so hired, employed, harboured, or entertained, or in anywise possessed, or suffered to remain or abide, on his, her, or their, settlement or property, or on any settlement or property in his, her, or their, possession, in the right of any other person, or under his, her, or their, care or management, as aforesaid; and in case such slave or slaves shall not be produced before the said justices, in the manner required as aforesaid, such person or persons, refusing or neglecting so to do, shall forfeit each the further sum of two hundred pounds, for every slave so proved to have been hired, employed, harboured, or entertained by, or in anywise in the possession of, any such person or persons, or suffered to remain or abide on his, her, or their, settlement or property, or on any settlement, or property in his, her, or their, possession, in the right of any other person, or under his, her, or their, care or management, as aforesaid, contrary to the intent and meaning of this act, and not produced by him, her, or them: And the justices aforesaid are hereby authorized and empowered to commit the offender or offenders to the common gaol of the county, wherein the offence shall have been committed, there to remain, without bail or mainprize, until he, she, or they, shall have duly paid the several penalties incurred as aforesaid; one moiety of which said penalties shall be to his majesty, his heirs and successors, for and towards the support of the government of this island, and the other to the informer or prosecutor."

besides 200l.
for each such
slave they re-
fuse or neglect
to produce
before the ma-
gistrates,

and to be im-
prisoned until
fine paid.

Informer may
prosecute, but
penalty on
conviction to
go to the
public.

Clause 9.---" That the informer shall be admitted both to prosecute and give evidence, in every such prosecution as aforesaid, **Provided nevertheless,** That in case any person or persons shall be convicted on the evidence of the informer or prosecutor, the whole of the penalty or penalties, incurred by such conviction, shall, after the deduction of the expence of such prosecution, be paid to the receiver-general for the time being, to be applied to the support of the government of this island."

Clause

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ment, without bail or mainprize, in the common gaol, for every such offence."

Proceedings against such slaves declared to be a criminal process, and only such description as may identify them necessary.

Clause 13.—"That every such process is, and shall be taken to be, of a criminal nature, and that any such particular description, as shall be sufficient to ascertain the person of any such slave, or to discriminate such slaves from any others, not being foreign slaves within the true intent and meaning of this act, shall be deemed to be a sufficient specification of any such slave or slaves, in any warrant issued under and by virtue of this act."

Proscribed slaves produced before magistrates, or apprehended by warrant to be committed to gaol, until transported, unless proof is made that they are not of such description.

Clause 14.—"That all and every slave or slaves, who shall be produced to the justices of the peace, associated as aforesaid, by the person or persons hiring, employing, harbouring, or entertaining, or having such slave or slaves in his, her, or their, possession, or suffering such slave or slaves to remain or abide on his, her, or their, settlement or property, or on any settlement or property in his, her, or their, possession, in the right of any other person, or under his, her, or their, care or management, or apprehended and brought before the said justices, by virtue of their warrant issued for that purpose, in the manner aforesaid, shall, by such justices, (unless due proof shall be made on the examination, to their satisfaction, that such slave or slaves is or are not of the description of slaves herein before given, and prohibited to remain or abide in this island, and that such slave or slaves doth, or do not, come within the intent or meaning of this act), be committed to the county gaol, there to be detained in safe and close custody, until such slave or slaves shall be transported in the manner hereafter declared."

Justices to issue their order to provost-marshal, to sell such slaves for transportation.

Clause 15.—"That the justices, associated as aforesaid, shall be, and they hereby are, empowered and required to issue their order to the provost-marshal, or his lawful deputy of the gaol to which any such slaves as aforesaid shall be by them committed, to sell all such slaves for transportation, in the manner hereafter declared; and the said justices are hereby further directed to transmit a copy of the examination, together with a copy of the warrant of commitment, and of the order aforesaid, to the clerk of the peace of the precinct wherein such justices shall act, to be recorded forthwith in his office; under the penalty of two hundred pounds, to be forfeited by the said clerk of the peace for every neglect so to do: And, in case any gaol-keeper shall refuse to receive into his custody any slave committed to his charge for the purpose of transportation, under the directions and by virtue of this act, or having received,

Copy of proceedings and order to be sent to clerk of peace, to be recorded.

Penalty of 200l. on gaol-keepers refusal.

shall

Clause 10.—“ That in all cases wherein any such slave or slaves, as aforesaid, shall be refused or neglected to be produced before the three justices, associated in the manner before directed, by any person or persons hiring, employing, harbouring, or entertaining, or having such slave or slaves in his, her, or their, possession, or suffering such slave or slaves to remain or abide on his, her, or their, settlement or property, or on any settlement or property in his, her, or their, possession, in the right of any other person, or under his, her, or their, care or management, when required so to do by any summons as aforesaid, or otherwise commanded by such justices as aforesaid, it may and shall be lawful for the said justices, and they are hereby empowered and required, to issue their warrant for the apprehending and bringing before them all such slaves as aforesaid, concerning whom such information or complaint as aforesaid shall have been made, or such suspicion as aforesaid shall lie; or who shall any how appear to such justices to be on any settlement or property, belonging to any such person or persons as aforesaid, or in his, her, or their, possession, or under his, her, or their, care or management; which warrant shall be directed to the provost-marshal, or any of his lawful deputies, or any lawful constable; who are hereby directed and enjoined to execute the same.”

On refusal to produce such slaves before magistrates, when summoned, warrant to be issued for their apprehension.

Clause 11.—“ That if any person whatsoever shall not, on demand made, open his or her gates, or shall otherwise resist any deputy-marshal, or any constable, in taking up any such slave as aforesaid, under the authority hereby given, and according to the meaning of this act, every such person shall forfeit the sum of two hundred pounds for every such offence.”

Persons resisting such warrant, to forfeit 200*l*.

Clause 12.—“ That in case any deputy, or other officer acting under the authority of the provost-marshal, or any other person or persons, shall make use of any opportunity that may be afforded to him or them, on occasion of the execution of any warrant issued by any magistrate or magistrates, in the manner aforesaid, under the authority and by virtue of this act, to make any levy, or to execute any judicial or mesne process in any civil cause, every such levy, and the execution of every such process, shall be null and void, to all intents and purposes whatsoever; and that every person making such levy, or executing, or attempting to execute, any such process, shall be subject and liable to all damages and expences arising therefrom; and, on conviction thereof before any three justices of the peace of the parish or precinct wherein the offence shall have been committed, shall suffer six months imprisonment.”

Deputy-marsals making other levies in civil causes, while executing such warrants, levy to be void.

The officer to be liable to all damages, and on conviction to be imprisoned for six months.

be filed among the records of the clerk of the peace's office of the precinct wherein such sale shall be made."

Purchaser to make oath that slaves shall be exported, and that they shall not be re-landed.

Clause 18.—"That every such purchaser of any slave, so directed to be sold for transportation as aforesaid, shall, at the time of executing such bond as aforesaid, also make oath before the provost-marshal; or his lawful deputy (either of whom is hereby authorized and required to administer the same), that every such slave so purchased by him shall be exported to (death or danger of the seas excepted); and that the said slave so purchased shall not, with his knowledge, privity, or consent, be re-landed in this island."

No slave to be delivered until bond taken, and oath made, under penalty of 300*l.* on provost-marshal, &c. and if slave found again, to be forfeited.

Clause 19.—"That the provost-marshal, or any of his deputies, shall not, under the penalty of three hundred pounds for each offence, deliver over to any purchaser or purchasers any slave, so sold for transportation as aforesaid, until such bond is entered into, and oath taken as aforesaid: And, in case any such slave, so sold for transportation as aforesaid, shall be found within this island, after the expiration of the thirty days before limited for his or her exportation, such slave shall become forfeited to the crown, and be re-sold for transportation, by the provost-marshal, or his lawful deputy, in the same manner, and under the like penalties, as are herein-before enacted."

Such slaves going at large, may be apprehended by any person, and on due proof re-sold, by order of a magistrate, for transportation.

Clause 20.—"That every slave sold for transportation, under and by virtue of this act, who shall be found at large within this island, at any time after such sale as is herein-before directed, may and shall be lawfully apprehended by any person whomsoever, and immediately taken before any of his majesty's justices of the peace; and, if it shall be made appear to the satisfaction of such justice, that such slave has been formerly sold for transportation, by virtue of this act, such justice shall, by warrant under his hand and seal, direct such slave to be delivered to the provost-marshal, or his lawful deputy, to be re-sold, for transportation only: And the monies arising from such sale, after the deduction of the commission of five pounds *per centum*, and all necessary expences, shall be paid over, one moiety thereof to the person apprehending such slave, and the other moiety to the receiver-general for the time being, for the support of the government of this island."

Application of proceeds.

Foreign persons of colour or negroes,

Clause 21.—"That, immediately from and after the passing of this act, in case any foreign person of colour, or foreign negro, shall be found going about, or at large, in any part of this island, except

shall not detain and keep in safe and close custody, every such slave, until such transportation shall be duly carried into effect, he shall, for every such default, forfeit the sum of five hundred pounds."

ing to receive and detain such slaves.

Clause 16.—"That the provost-marshal, or his lawful deputy, to whom any orders shall be issued, by any justices of the peace, associated in the manner aforesaid, for the selling for transportation any slave or slaves, under the authority and by virtue of this act, shall, under the penalty of five hundred pounds, carry the said order into effect, as soon after any such slave or slaves as aforesaid shall come into his possession or custody, as an opportunity shall offer, after the sale made, herein-after mentioned; and the monies arising from such sale, after deducting therefrom a commission of five pounds *per centum*, and all expences, shall be applied (except in such cases, wherein it shall hereafter by this act be otherwise directed) in the following manner; to wit, one moiety thereof to his majesty, his heirs and successors, for and towards the support of the government of this island, and the other moiety to the informer or prosecutor, or the person or persons apprehending such slave or slaves, as the case may be, **Provided always nevertheless,** That the said provost-marshal, or his lawful deputy, shall, under the penalty of one hundred pounds for each default, cause public notice of such sale to be given in the Royal Gazette, if such sale shall be intended to be had in either of the counties of Middlesex or Surrey; or in the Cornwall Chronicle, if in the county of Cornwall; for two weeks previous to the sale being made of any slave or slaves (specifying in such advertisement the number of slaves so intended to be sold), who shall be directed to be sold for transportation, under the authority and by virtue of this act."

Provost-marshal to execute such order of justices as soon as may be, under penalty of 500*l*.

Application of monies arising from sales.

Sales to be advertised for two weeks.

Clause 17.—"That every slave who, under the authority and by virtue of this act, shall be sold for transportation by the provost-marshal, or his lawful deputy, shall, notwithstanding such sale, remain in the custody of the said provost-marshal, or his said deputy, until the purchaser of such slave shall have entered into bond, with sufficient security, to our sovereign lord the king, under the penalty of five hundred pounds for every such slave so purchased, that every such slave shall be exported off this island, within thirty days after the date of such bond, and shall, in the mean time, be kept in close confinement on board the ship or vessel in which such slave is intended to be exported; which bond shall be taken by the said provost-marshal, or his lawful deputy aforesaid (for which the said provost-marshal, or his said deputy, shall receive, from the party entering into the same, all expences incidental thereto), and

Purchasers of such slaves to give bond in 500*l*. penalty to export them within thirty days, and to keep them in confinement during that time;

Bond to be lodged in clerk of peace's office.

be

except on the settlement or property of any person claiming to be the owner or proprietor of such person of colour or negro, or having such person of colour or negro in his or her possession, or under his or her care or management, as the representative, or in the right of another, and within the term of six months from and after the passing of this act, hereby allowed for the exportation of such foreign French slaves, as are herein-before mentioned; provided such foreign person of colour or foreign negro shall not have a certificate, passport, or police ticket, under the provisions of the act entitled, *An act for establishing regulations respecting persons of a certain description, arriving in this island, or resident therein, in certain cases*; or shall not be of the description of slaves, that are herein-before excepted from exportation, or are permitted to remain in this island; or unless such foreign person of colour, or foreign negro, shall be under the care of some white person properly authorized, who shall be *bonâ fide* conducting such person of colour or negro to some barquadier, for the purpose of exporting the same, according to the directions, and within the time limited by this act; all and every of his majesty's justices of the peace, and the peace officers of every parish of this island, and also all and every of his majesty's subjects, are hereby empowered, directed, and required, to apprehend, or cause to be apprehended, all and every such foreign person or persons of colour, or foreign negro or negroes, so found, and to carry the same, or to cause the same to be carried, before the nearest magistrate; who is hereby empowered and enjoined, to associate with himself two other magistrates of the same parish or precinct; which three magistrates shall, together, take the examination of such foreign person or persons of colour, or negro or negroes, and, unless proof shall be duly made, to their satisfaction, that such person or person of colour, or negro or negroes, so brought before them, is or are not of the description of slaves herein-before ordered to be exported, or prohibited to remain or abide in this island, or that he, she, or they, doth or do come within the intent or meaning of some or one of the exceptions or provisoes, by this act made and declared, they shall commit the said person or persons of colour, or negro or negroes, to the county gaol, and shall proceed to cause the same to be sold for transportation, by the provost-marshal, or his lawful deputy; and their proceedings be recorded by the clerk of the peace, according to the same regulations, and under the same penalties, as are herein-before enacted and declared; and the monies arising from such sales, shall be applied in the manner herein-before directed."

going at large, except on the properties they belong to,

(unless protected under

89 Geo. III. cap. 30. (Expired.) or by certificate;

or under the care of a white person, conducting them for transportation;)

to be apprehended and carried before a magistrate,

who is to associate with two others, and take examination; and unless residence be sanctioned,

to commit them to gaol, and cause them to be sold for transportation.

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Clause

In such cases where there is doubt, the onus probandi to be on the claimant.

Clause 22.---“ That whenever any question shall arise, whether any slave, or any foreign person of colour, or foreign negro, taken up, or otherwise brought before any magistrate as aforesaid, is such a slave as comes within the description of slaves herein-before ordered to be exported, or prohibited to remain or abide in this island, the proof to the contrary shall lie on the owner or claimant of such slave, foreign person of colour, or foreign negro, or on the defendant or defendants ; any law, custom, or usage, to the contrary notwithstanding.”

Slaves formerly transported from this island,

Clause 23.---“ And whereas many slaves of a most desperate character, who have heretofore been exported] off this island, by the private authority of their owners or proprietors, or of the representatives of such owners or proprietors, for misdemeanors by them committed, and sold into the colonies, islands, or territories, under the French government, have, during the late influx of foreign slaves, found the means to return from the said French colonies, islands, or territories, into this island, and are now at large therein, to the great annoyance and danger of this community : **Be it further enacted by the authority aforesaid, and it is hereby declared,** That all such slaves, so exported as aforesaid, who have already returned, or shall hereafter return to this island, from St. Domingo, or any other foreign colony, island, or territory, shall be deemed and taken to be foreign slaves, of the description hereby prohibited to remain or abide in this island, and be liable, immediately from and after the passing of this act, to be apprehended, and sold for transportation, by the order of the magistrates, in the same manner as is herein-before directed ; and that in case any such slave shall wilfully return from such transportation, and be found again, at any time thereafter, in this island, every such slave shall, on conviction thereof before a slave court, suffer death without benefit of clergy.”

already returned, or who may return thereto, to be treated in all respects as proscribed slaves.

If they again return to suffer death.

If foreign slaves are found employed in droggers, &c. the vessel to be seized and condemned.

Clause 24.---“ That, from and after the passing of this act, it shall not be lawful for any person or persons to hire, or employ, any such foreign slave or slaves, as is or are of the description by this act prohibited to remain or abide any where in this island, in drogging or navigating any vessel from any bay, harbour, or seaport, to another, in this island ; and that, if any such slave or slaves be found so hired, or employed, it may and shall be lawful for any of the officers of his majesty's customs of this island, and for the naval officer or his deputies, the receiver-general or his deputies, and the commanders of his majesty's different ships of war or armed vessels, and for any of the magistrates of this island, to
seize

SLAVE LAWS OF JAMAICA

seize such vessel, and also the slaves aforesaid : and they are hereby severally empowered and authorized to seize the same, and to proceed to the condemnation thereof in the supreme court of judicature, or any of the courts of assize, in this island."

Clause 25.—" That, on the conviction of such vessel and slaves, the said slaves shall be adjudged by the court to be sold for transportation, by the provost-marshal, or his lawful deputy, in the same manner, and under the same regulations, as are herein-before declared ; and that the said vessel, and the monies arising from the sale of the said slaves, after deducting the commissions and charges, shall be forfeited to the sole use and benefit of the party seizing the same : **Provided always nevertheless,** That nothing in this act contained shall extend to prevent the hiring or employing any foreign slave or slaves, in navigating any ship or other vessel, registered according to act of parliament, to and from the ports of this island, and any other part of his majesty's dominions, or any foreign port, or to affect any slave or slaves employed in navigating any foreign vessel, permitted to trade to any of the ports of this island."

In such case, the slaves to be sold for transportation.

Proviso.

Not to extend to vessels in foreign trade, or trading under free port acts.

Clause 26 —" That no such foreign seafaring slave or slaves as aforesaid shall be permitted or suffered to proceed further to the landward of this island, than the wharf, quay, or landing-place, where their labour may be indispensably necessary for the loading or unloading the cargo of the ship or vessel to which such slave or slaves shall respectively belong, on pain of being liable to be apprehended by any of his majesty's subjects, as is hereby before directed, and carried before the nearest magistrate for examination, and of being dealt with, if found to be of the description of foreign slaves hereby prohibited to remain or abide in this island, and to come within the true intent and meaning of this act, in the manner hereby before enacted and declared ; or, if found to be of any other description of foreign slaves, of being committed to the nearest workhouse, for a space of time not less than twenty-four hours, and till claimed by his or their respective owner, and the like reward, for taking up such slave or slaves, and other charges, enacted by the laws now in force respecting runaway slaves, be paid."

Foreign seafaring slaves, not to go about at large on shore, under pain of being apprehended, and dealt with as proscribed slaves, if of that description ; and of being sent to the workhouse, if they are not.

Clause 27.—" **And whereas** there is great reason to apprehend that people of colour or negroes may be sent from St. Domingo, or some other foreign island or colony, to different parts of this island, for the purpose of exciting sedition, or raising rebellions ; or that some of the foreign people of colour or negroes, who have of late

Foreigners of colour or negroes found exciting sedition, or suspected thereof, to be apprehended and committed to gaol, for trial ;

arrived from thence, and are permitted to reside here under the sanction of law, may be employed as emissaries for such purposes :
Be it further enacted by the authority aforesaid, That all and every of his majesty's justices of the peace, and the peace-officers of every parish in this island, and all and every of his majesty's subjects, be, and they hereby are, empowered and required to apprehend and secure, or cause to be apprehended and secured, all and every suspected person or persons of the above description, that may be found in any part of this island, and to bring, carry, or send, him, her, or them, before the nearest magistrate, to be by him examined ; who, upon finding that there are probable grounds of suspicion of seditious or rebellious practices, on the part of any such person or persons, or of his, her, or their, having exhorted, encouraged, or excited, any slave or slaves, or any free person of colour, or free negro, of this island, thereto, shall then, and in every such case, be obliged, under the penalty of five hundred pounds, to commit all and every such person or persons of colour, or negro or negroes, so brought before him, to close confinement, in any of the gaols of this island, until there shall be an opportunity of calling and assembling a slave court."

(in which the evidence of slaves is to be admitted)

and, if convicted, to suffer death ;

In doubtful cases, transportation for life.

Clause 28.—" That on the trial before such court of any such person or persons as aforesaid the evidence of slaves shall be received, and that no claim of a right of freedom shall be allowed to be pleaded on the behalf of the prisoner or prisoners, in bar of the jurisdiction of such court ; and, if such person or persons of colour, or negro or negroes, of the above description, upon his, her, or their, trial, shall be found guilty of seditious or rebellious practices, or of having exhorted, encouraged, or excited, any slave or slaves, or any free person of colour, or free negro, of this island, thereto, the said person or persons, so found guilty and convicted, shall suffer death without benefit of clergy : And, in case there shall not be sufficient proof to convict such person or persons of the charge, on which he, she, or they, shall be tried, but the jury shall, nevertheless, from the evidence before them find, by a special verdict, the prisoner or prisoners to be dangerous to the safety and tranquillity of this island, the court is hereby directed and required to remand such prisoner or prisoners to close confinement in gaol, and to adjudge and order him, her, or them, to be transported off this island for life."

Regulations for foreign slaves in

Clause 29.—" **And whereas** the peace and safety of this island requires, that all such domestic slaves, belonging to any French person or persons residing in the towns of Kingston and Port-Royal, which

which have been brought hither since the twenty-third day of August, in the year one thousand seven hundred and ninety-one, and have, before such arrival, at any time inhabited or resided, or in anywise been living or abiding, in the island of St. Domingo, or any other island, colony, territory, or dominion, belonging to or under the government of, the French nation, should be put under such regulations as may prevent their having the means of doing any mischief, by mixing with the slaves of this island: **Be it enacted by the authority aforesaid,** That every such French person, possessed of any such foreign French domestic slave or slaves of the description aforesaid, shall, under the penalty of one hundred pounds for each and every slave neglected to be registered, in the manner hereby directed, within thirty days after the twenty-fifth day of March, in each and every year, so long as this act shall continue to be in force, either by himself, herself, or agent, being a white person, give an account, on oath, of the number, names, and quality, of all such slaves in his or her possession, and produce the same before the two sitting magistrates of Kingston, on such day or days, within the time before limited, as shall be publicly appointed by the custos or chief magistrate for that purpose, at the clerk of the peace's office: And the said sitting magistrates are hereby required, in case it shall be made to appear to their satisfaction, that such slaves so brought before them are really and *bonâ fide* domestic slaves, belonging to the person in whose name such slaves are brought to be registered, and have never borne arms, or acted in any military capacity, before their arrival in this island, to direct the clerk of the peace to make out and deliver to the owner of every such slave, or his or her agent, a certificate for each such slave, in the following form; *viz.*

Kingston and Port-Royal.

The owners of such, in thirty days from 25th March, annually, are to give in their names and descriptions at clerk of peace's office, and certificates are to be granted them;

These are to certify, that on the _____ *day of* _____ *A. B.* in this form.
 (or his or her agent) *hath produced at this office a negro* (mulatto or other) *slave* (the name, sex, age, figure, and country of the slave to be described), *the property of* _____ (the name, rank, and occupation of the proprietor to be set forth) *resident in the town of Kingston* (or Port-Royal) *since the* _____ *day of*

Office of the clerk of the peace, Kingston,
dated the _____ *day of*

(Signed by the clerk of the peace.)

Which certificate shall be in force for one year from the date thereof: **Provided nevertheless,** That no one family shall be entitled to, or allowed to receive, certificates for any greater number than

to be in force for one year.

Slaves to be registered.

than six such domestic slaves: And such clerk of the peace shall register all such slaves, by making an entry of every such certificate, in the words thereof at length, in a book to be by him provided and kept for that purpose."

No stamp duty or fee on certificates; and if lost, they may be renewed, paying a fee of two shillings and six pence to clerk of the peace.

Clause 30.—"That every such certificate, as aforesaid, shall be free of any stamp duty imposed by any law now in force, and delivered to the owner of any slave, so registered as aforesaid, or to his or her agent, without any fee or reward whatsoever; and, in case any such certificate shall be lost or destroyed by accident, the same shall be renewed upon application, either personally or in writing, of the owner or possessor of the slave, for whom the same shall have been granted, and such slave being again produced before the clerk of the peace, at his office, and found to agree with the description entered in the register, upon payment of two shillings and six pence by the party applying for the same."

Clerk of the peace to make return to custos of certificates granted annually; in forty days from 25th of March, which is to be transmitted to governor, under penalty of 100l.

Clause 31.—"That the clerk of the peace aforesaid shall, within forty days after the twenty-fifth day of March, in each and every year during the continuance of this act, make a return of all the certificates issued at the preceding general registry, to the custos or chief magistrate of Kingston; in which shall be set forth the substance and date of every such certificate, under the pain of forfeiting the salary hereby granted for his trouble: which return shall be forthwith transmitted, by the said custos or chief magistrate, under the penalty of one hundred pounds, to the office of the secretary of the lieutenant-governor, or the governor or commander in chief for the time being."

for which he is to receive 100l. yearly, by an order on receiver-general.

Clause 32.—"That the custos or chief magistrate of Kingston shall be, and he is hereby empowered, immediately upon the receipt of such return, to draw an order on the receiver-general for the time being, for the payment of the sum of one hundred pounds, out of any monies in his hands unappropriated, to the clerk of the peace aforesaid; which shall be in full compensation to him, for his trouble in certificating and registering all such slaves as aforesaid."

No foreign domestic slaves to be hired out, but in Kingston or Port Royal; nor to be sent into the conn-

Clause 33.—"That the owner or possessor, or the owners or possessors, of any such foreign French domestic slaves as aforesaid, shall be, and they hereby are, prohibited from hiring the said slaves out in any parish of this island, the towns of Kingston and Port-Royal, as aforesaid, only excepted; or from sending such slaves any whither into the country (in either of which cases the cert-

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ificate last mentioned shall not protect any such slave from being apprehended and taken up, if found at a greater distance than half a mile from one of the said towns, and dealt with as a foreign slave, prohibited by this act to remain or abide in this island); or from hiring them out on board any ship, sloop, or vessel whatsoever, under the penalty of one hundred pounds for each and every such latter offence: And, in case of the seizure of any drogger or other vessel, for having any foreign slaves on board, the proof of their not coming under the description aforesaid shall lie upon the owner or owners, claimant or claimants, who, notwithstanding, shall be subject and liable to all expences, occasioned by stopping or detaining the said vessel."

try; (in which cases certificates of no avail) nor to be hired on board of vessels, under 100*l.* penalty.

In case of seizure of vessel, for having such slaves, *onus probandi* to lie on claimant.

Clause 34.—“ That in case any French person residing in Kingston or Port-Royal, or any other place in this island shall, at the time of the passing of this act, have in his possession, or shall at any time hereafter become possessed, in this island, of any foreign slave or slaves, who never, at any time, hath or have inhabited or resided, or in anywise been living or abiding, in the island of St. Domingo, or any other island, colony, territory, or dominion, belonging to, or under the government of, the French nation, or in any colony, territory, or dominion, belonging to any nation now at war with Great-Britain, since the commencement of hostilities, the said slave or slaves shall not be deemed to come within the meaning of this act, or be laid under the restrictions thereof: **Provided also,** That no slave imported from St. Domingo, or any other French island, colony, territory, or dominion, which slave hath been brought into or arrived in this island, before the twenty-third day of August, in the year one thousand seven hundred and ninety-one aforesaid, and hath constantly resided and lived in this island, ever since such arrival as aforesaid, shall be deemed, or construed to be, within the intent or meaning of this act, or be in anywise affected thereby, to whomsoever such slave may belong.

Proviso.

Foreign slaves who have never been in St. Domingo, or any other island, &c. belonging to France, or to any nation at war with Great-Britain, since hostilities commenced, as well as those who quitted St. Domingo, &c. before 23^d August 1791, not affected by this act.

Clause 35.—“ That in case any French or other person shall, in order to obtain a certificate from the clerk of the peace aforesaid, for any slave, be guilty of any false and wilful forswearing, or shall suborn or procure any other person to swear falsely, he or she, being thereof duly convicted, shall incur and suffer the pains and penalties inflicted by law on such persons as shall commit, or shall suborn any other person to commit, unlawful and corrupt perjury.

Persons swearing falsely to obtain certificates, guilty of perjury.

Clause 36.—“ That in case it shall appear to the two sitting magistrates of Kingston aforesaid, that there is just cause to suspect that any

In case of suspicious slaves being brought

to be certified,

they are to be proceeded against as proscribed slaves;

unless proof is made that they are not of such description.

All foreign slaves found in Kingston or Port-Royal without certificates, after 24th April, to be taken up and examined (except seafaring slaves on the wharves,) and, if certificate lost by negligence, owner to be fined 10s. and slave sent to workhouse;

any slave or slaves, brought before them to be certificated as aforesaid, are not domestic slaves, or do not really belong to the person or persons in whose name or names they are brought to be certificated and registered, or are slaves of such a character or description as may render them dangerous to the peace and tranquillity of this island, the said magistrates are hereby authorized, empowered, and required, to commit forthwith such slave or slaves to gaol, and to associate with themselves one or more other magistrates of the same precinct; which said magistrates, so associated, shall cause to be brought before them all persons capable of giving evidence, and shall, together, take the examination of such slave or slaves as aforesaid; and, unless proof shall be made to their satisfaction, that such slave or slaves are really domestic slaves, belonging to the person or persons in whose name or names they were brought to be certificated and registered, and of a character and description consistent with the true intent and meaning of this act, and that no fraud or collusion has been practised, or been intended to be practised, shall remand such slave or slaves to close confinement in gaol, and cause him, her, or them, to be sold for transportation, by the provost-marshal, or his lawful deputy, and their proceedings to be recorded by the clerk of the peace, in the same manner, and under the same regulations and penalties, as are herein-before enacted and declared; the monies arising from which sale or sales shall, after deducting the commissions and expences, be paid over to the receiver-general for the time being, to be applied towards the support of the government of this island."

Clause 37.—"That it may and shall be lawful for any peace officer of the parishes of Kingston and Port-Royal, and for any officer or private of the town-guard of Kingston, to apprehend any foreign French slave (seafaring slaves belonging to, and employed in navigating, vessels trading to and from this island, and any port without the same, and found only on the wharves, quays, or landing-places, of the said towns, in the manner herein-before mentioned, excepted) who, after the twenty-fourth day of April next, shall be found without a certificate as aforesaid, and to carry such slave before the clerk of the peace of such of the parishes aforesaid, wherein the said slave shall be found, for examination by a magistrate; and if it shall appear that such slave had been certificated as aforesaid, but that the certificate has been lost by negligence, the said magistrate shall order the owner or owners, claimant or claimants, of such slave, to pay to the person or persons who apprehended him for examination, the sum of ten shillings, and shall commit the said slave to the workhouse for such time, not exceeding

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ing twenty-four hours, as in his discretion he shall think fit; and, in default of the immediate payment of the ten shillings aforesaid, until the same shall be duly paid: But, in case no proof shall be offered to his satisfaction, that such slave had been certificated in manner aforesaid, the said magistrate shall be, and he hereby is, authorized and required to associate with himself two other magistrates of the same precinct; which three magistrates, so associated, unless it shall be duly proved to their satisfaction, that such slave is not a foreign slave, of the description herein-before ordered to be exported, or prohibited to remain or abide in this island, or that such slave had been duly certificated, but has lost his certificate, or unless good and sufficient security shall be given, that such slave shall be exported off this island within the time limited by this act (provided the said time shall not be then expired), shall cause such slave to be sold for transportation, by the provost-marshal, or his lawful deputy, in the manner, and under the regulations and penalties herein-before directed; and the monies arising from such sale, after deducting the commission and all expences, shall be applied in the manner herein-before declared."

but if it appears that any slaves apprehended have not been certificated, they are to be proceeded against as directed in the case of proscribed slaves.

Clause 38.—"That if any constable or peace officer, or any other person, shall wilfully destroy any certificate, granted in manner aforesaid, to any French domestic slave, by the clerk of the peace of the parish of Kingston, he shall, on being duly convicted thereof, before any three magistrates of the parish wherein the offence shall have been committed, be fined in a sum not exceeding twenty pounds, and be kept in confinement in the common gaol, until the fine be paid; provided that such confinement shall not exceed the term of two months."

Constables, &c. wilfully destroying certificates to be fined 20*l.*

Clause 39.—"That it may and shall be lawful for the lieutenant-governor, or the governor or commander in chief for the time being, upon apprehension of danger to this island, by and with the consent and advice of the privy-council, to order, by proclamation, all such foreign French domestic slaves as aforesaid, or such of them as the said proclamation shall set forth, to be exported off this island by their respective owners or possessors; and, in case such exportation shall not be complied with, according to the terms of, and within the time prescribed by, such proclamation, to order and direct, by warrant under his hand and seal, the provost-marshal, or his lawful deputy or deputies, to apprehend and take up all such slaves as aforesaid, and to keep them in close confinement and safe custody, until such means shall be found of conveying the said slaves out of this island, as the said lieutenant-governor, governor,

Governor, by proclamation, may order all foreign domestic slaves to be exported, and in case of non-compliance, may issue his warrant to provost-marshal, to take up and confine them.

governor, or commander in chief, shall, with the advice of the privy-council, approve of."

Masters of vessels on arrival, to declare on oath to naval officer, if slaves on board his vessel, other than the crew;

and specify particulars in writing.

Proviso.

Vessels from the coast of Africa excepted.

Masters of vessels neglecting to declare, to forfeit 70*l.* for each slave found on board,

Clause 40.—“ And, in order to prevent any further introduction of slaves from St. Domingo, or any other island, colony, territory, or dominion, belonging to, or under the government of, the French nation, or belonging to any other nation now at war with Great-Britain, **be it enacted by the authority aforesaid,** That, from and after the passing of this act, the master or commander of every ship, vessel, or boat, which shall arrive in any port in this island, from any port without the same, shall, immediately on his arrival, declare, upon oath, to the naval officer, or his deputy of such port, whether there is or are, to the best of his knowledge, any negro or other slave or slaves on board his vessel, not being slaves *bonâ fide* belonging to his said vessel, and employed in navigating the same; and, in his said declaration, shall specify the number, and sex or sexes, of such slaves, if any there be, on board his said vessel, the place or places where they were taken on board, and the name or names of their respective owners or proprietors, and such further particulars concerning them, and each of them, as shall have come to his knowledge; and shall also, at the same time, render, on oath, to the said naval officer, or his deputy, an account and list in writing, of all such slaves on board his said ship, vessel, or boat, as belong thereto, and are employed in navigating the same: **Provided nevertheless,** That the master or commander of any ship or vessel from the coast of Africa shall, so far as respects any slaves, being new negroes, on board his said ship or vessel, composing the cargo thereof as merchandise, be required and obliged only to declare on oath, generally, whether or not any of the slaves, of the description of new negroes as aforesaid, on board his ship or vessel, have been landed in St. Domingo, or any other island, colony, territory, or dominion, belonging to, or under the government of, the French nation, or of any other nation now at war with Great-Britain, since such slaves were brought from the coast of Africa.”

Clause 41.—“ That the master or commander of any ship, vessel, or boat, so arriving as aforesaid, who shall neglect or refuse to make such declaration on oath, or to render such account and list on oath, as aforesaid, shall, for every such offence, forfeit and pay the sum of seventy pounds, for each and every such slave, who shall have been on board at the time of the arrival of such ship, vessel, or boat, as aforesaid; one moiety whereof shall be to his majesty, his heirs, and successors, for the support

support of the government of this island, and the other moiety to the informer or informers; to be recovered before any three magistrates acting in and for the parish in which such offence shall have been committed: And that it shall be lawful for the collector and comptroller of the customs of the port, and for the naval officer, or his deputy, where such ship, vessel, or boat, shall have arrived, and they are hereby required and enjoined, to detain such ship, vessel, or boat, as aforesaid, until the same shall have been paid."

to be recovered before three magistrates. Vessels to be detained until fine paid.

Clause 42.—“ That it shall not be lawful for any master or commander of any ship, vessel, or boat, arriving in any port of this island, from any port without the same, to land, or suffer to be landed, any slave or slaves, not being slaves *bona fide* belonging to his said vessel, and employed in navigating the same (in which case all such slaves shall be under the regulations and restrictions, herein before provided and declared, for foreign seafaring slaves, employed in navigating vessels to and from this island), without a permit in writing from the naval officer, or his deputy of such port where he shall have arrived, under the pain of forfeiting the sum of two hundred pounds, for every such slave so landed; one moiety whereof shall be to his majesty, his heirs and successors, for and towards the support of the government of this island, and the other moiety to the informer; and of suffering the further punishment of six months imprisonment, without bail or mainprise, in the common gaol, on conviction of such offence, before any three magistrates of the parish or precinct wherein it shall be committed.”

No slave to be landed without a permit from naval officer, under the penalty of 200l. and six months imprisonment.

Clause 43.—“ That the naval officer, or his deputy, shall not grant to any master or commander of any ship, vessel, or boat, so arriving as aforesaid, any permit, in any other manner than is hereafter mentioned, to land, or suffer to be landed, any slave or slaves (new negroes from the coast of Africa, which have never been landed in St. Domingo, or any other French or other foreign island, colony, territory, or dominion, whether imported from Africa in British vessels, or found on board any prize vessel taken from an enemy, excepted) under the penalty of two hundred pounds for each and every slave, so permitted to be landed; to be recovered in the supreme court, or either of the courts of assize in this island; one moiety whereof to be to the use of his majesty, his heirs and successors, for the support of the government of this island, and the other moiety to the person suing for the same.”

Naval officer to grant no such permits, under penalty of 200l.

Unless oath be made by the owner, that such slave is not of the description before prescribed.

Clause 44.—“That it may and shall be lawful for the naval officer, or his deputy of any of the ports of this island, upon oath being made before him, by the owner or proprietor, or his or her agent, being a white person of known credibility, that any slave or slaves, mentioned in the declaration of such master or commander of any ship, vessel, or boat, as aforesaid, hath or have not, at any time theretofore, since the twenty-third day of August, in the year one thousand seven hundred and ninety-one, inhabited or resided, or in anywise been living or abiding, in St. Domingo, or in any other island, colony, territory, or dominion, belonging to, or under the government of, the French nation, or in any colony, territory, or dominion, belonging to any other nation now at war with Great-Britain, since the commencement of hostilities, to grant a permit, in writing, for the landing such slave or slaves as shall be specified in such oath.”

Persons here- in swearing falsely, guilty of perjury.

Clause 45.—“That in case any owner or proprietor of any slave or slaves as aforesaid, or his or her agent, shall be guilty of any false and wilful forswearing in taking the oath aforesaid, or shall unlawfully and corruptly procure or suborn any person to take the said oath falsely, he or she, being thereof duly convicted, shall, for every such offence, incur the pains and penalties inflicted by law on all such persons as shall commit wilful perjury, or shall procure or suborn any person to commit any unlawful or corrupt perjury.”

On informa- tion that per- mits have been fraudulently obtained, slaves to be ap- prehended, and proceeded against as di- rected in re- spect to those proscribed.

Clause 46.—“That in case information shall be given, on oath to any one of his majesty's justices of the peace, of the parish wherein such slave or slaves so landed may afterwards be found, that the permit to land such slave or slaves was fraudulently obtained, contrary to the intent and meaning of this act, and that such slave or slaves is or are of the description of foreign slaves, herein-before prohibited to remain or abide in this island, such justice of the peace shall be, and he hereby is, empowered and required to cause such slave or slaves to be apprehended, and to associate with himself two other justices of the peace of the same precinct; which justices so associated, upon the fact being duly proved before them to their satisfaction, shall cause such slave or slaves to be sold for transportation, by the provost-marshal, or his lawful deputy, under the same regulations as are herein-before directed; and the monies arising from such sale or sales shall be applied in the manner herein-before declared.”

Naval officer to receive a.

Clause 47.—“That the naval officer, or his deputy, of the several ports of this island, shall be entitled, for taking the declaration of

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of the master or commander of any ship, vessel, or boat, and the account and list, as aforesaid, and for administering the several oaths by this act required (which oaths they, or either of them, are hereby authorized and empowered to administer,) and for making out and granting the permit in writing, for landing any such slave or slaves as aforesaid, to demand a fee of five shillings for every such slave (new negroes excepted) so permitted to be landed, to be paid by the owner or proprietor of the said slaves, or the person applying for the same in his or her behalf, before such slave or slaves shall be landed; which fees shall be in full compensation to such naval officer, and his deputies, for the additional duty imposed on them by this act."

fee of 5s. for each permit, including the declaration list, &c.

New negroes excepted. The fee to be paid by the owner.

Clause 48.—“ That in case any attempt shall be made to land clandestinely any foreign slave, from on board any ship, vessel, or boat, in any port, harbour, bay, or creek, or any where on the sea-coast, of this island, contrary to the true intent and meaning of this act as aforesaid, it may and shall be lawful for any of the officer's of his majesty's customs, or any other of his majesty's subjects, to seize every such slave, and to carry the same before the nearest magistrate, who is hereby empowered and directed to associate with himself two other magistrates of the same precinct, who, together, shall examine into the fact of such attempt to land such foreign slave, and, upon due proof being made to their satisfaction that the same was clandestinely done, and not occasioned by shipwreck, or any other unavoidable or irresistible necessity, shall commit such slave to the county gaol, and order the same to be sold for transportation, by the provost-marshal or his lawful deputy, in the manner by this act before directed; and the monies arising from such sale, after deducting the usual commissions and charges, shall be applied to the sole use and benefit of the person or persons apprehending and seizing such slave.”

Foreign slaves taken in the attempt to be landed, to be proceeded with as if found ashore.

Clause 49.—“ That if any person or persons shall at any time be sued or prosecuted for any thing by him or them done or executed in pursuance and under the authority of this act, such action or prosecution shall be commenced within the space of six months next after the offence shall have been committed; and that the defendant or defendants therein may plead the general issue, “ not guilty,” and give this act and the special matter in evidence at any trial to be had thereupon, and that the same shall appear to have been so done, that the jury shall find a verdict for the defendant or defendants; and if the plaintiff or plaintiffs shall become non-suit,

Indemnity for persons executing this act.

Limitation of actions.

General issue.

non-suit,