

397

An ACT for rendering more effectual two certain Acts of this Island, respecting foreign slaves and foreigners of a certain description; one passed in the year one thousand seven hundred and ninety-nine, and the other passed in the year one thousand eight hundred and one.—[22d November 1814.]

WHEREAS two certain Acts of this Island, the one intituled, "An Act to prevent any intercourse or communication between the slaves of this Island, and foreign slaves of a certain description, and for other purposes, passed in the month of March in the year of our Lord one thousand seven hundred and ninety-nine;" and the other intituled, "An Act for establishing regulations respecting persons of a certain description arriving in this Island, or resident therein, in certain cases," made and passed in the month of March, in the year of our Lord one thousand eight hundred and one, are not sufficient, under the circumstances of the times, to effectuate the purposes thereby intended; We, Your Majesty's dutiful and loyal subjects, the governor, council and assembly of this Your Majesty's Island of Jamaica, do humbly beseech Your Majesty, That it may be enacted, and be it enacted by the governor, council and assembly of the said Island, and it is hereby enacted by the authority of the same, That in addition to the declaration mentioned in the third clause of the last-mentioned Act passed in the year one thousand eight hundred and one, every alien who shall arrive in this Island after the passing of this Act, shall also declare to the naval officer of the port in which such alien shall arrive, the place of his or her birth, and the length of time of his or her residence in the country or countries, place or places in which such alien shall have principally resided previous to his or her arrival, and also the name of the ship or vessel in which such alien arrived, the country to which such ship or vessel belongs, and the name of the master thereof; and every alien who shall neglect or refuse to make such declaration as hereinbefore and in the said third clause of the said Act directed to be made, or shall make a false declaration thereof, shall for every such offence be proceeded against, as in and by the said clause directed, or on conviction thereof before any two justices of the peace, or members of the corporate body of the city and parish of Kingston, upon the oath of one or more credible witnesses, be committed to the common gaol, or some other proper place of confinement, until the pleasure of the governor, lieutenant governor, or person executing the functions of governor, shall be known thereupon.

Preamble.  
39 Geo. 3. cap. 29.

41 Geo. 3. cap. 17.

Additional declaration to be made by aliens on their arrival in this island.

Punishment in the event of refusal.

And be it further enacted by the authority aforesaid, That any alien who shall, upon her or his arrival in this Island, receive the certificate from the naval officer or his deputy, as directed by the fourth clause of the said Act, such alien shall, within the space of twenty-four hours after he or she shall have obtained the same, appear with such certificate before any justice of the peace of the parish wherein such certificate shall have been obtained; and if in the city and parish of Kingston, before one of the members of the corporate body thereof, at their next sitting thereafter; and which said justice of the peace or corporate body shall, if he or they shall see no good cause to the contrary, by endorsement upon the said certificate, grant such alien permission to reside within the said parish or precinct; but if such justice of the peace or corporate body aforesaid shall see cause why such alien shall not be permitted to reside in such parish or precinct, he or they shall commit such alien to the common gaol, or some other proper place of confinement, without bail or mainprize, and report the same forthwith to the governor, lieutenant governor, or person executing the functions of governor.

Aliens to produce the certificate of the naval officer before a justice of the peace; and in Kingston before the corporate body, within 24 hours after obtaining the same; and permission to reside in the parish is to be granted them, if no good cause to the contrary.

And be it further enacted by the authority aforesaid, That the governor, lieutenant governor, or person executing the functions of governor, shall and may, if he shall think fit, cause every alien who shall so offend, or be committed as aforesaid, to be sent off this Island.

Governor may order off the Island any alien offending herein.

And be it further enacted by the authority aforesaid, That when and as often as it shall happen that no proclamation shall be issued, as directed by the seventh clause of the said Act, that no master of any ship or vessel shall land, or permit or suffer any person, being an alien, to land in any part of this Island, before the arrival of such ship or vessel in the port or place to which such ship or vessel shall be bound; and any person offending herein shall forfeit and pay the sum of one hundred pounds for each alien so landed, or permitted or suffered to land as aforesaid, to be recovered before any two justices of the peace of the parish wherein such ship or vessel shall arrive; and if within the precinct of the city and parish of Kingston, before any two members of the corporate body of the said city and parish, the one before

Regulations for the conduct of masters of vessels, in the event of there not being a proclamation in force.

## JAMAICA.

half thereof to go to the informer, and the other half to the poor of the said parish; and if any alien shall land in this Island from any ship or vessel, before the arrival of such ship or vessel in the port or place to which she shall be bound, against the wish and without the consent of the master of such ship or vessel, the said master shall immediately upon his arrival, report to the naval officer or his deputy, the names, colour, sex, description of person, the port or place where such alien shall have embarked on board his ship or vessel, and the place where such alien shall have landed; and upon neglect or refusal to make such report, or upon making a false report thereof, such master shall, for every such offence, upon conviction thereof before any two justices of the peace, or corporate body, as aforesaid, forfeit and pay the sum of one hundred pounds, one half thereof for the informer, and the other half for the poor of the said parish in which such master shall be convicted.

Aliens are to appear with their certificates once a year before the justice of the peace, and in Kingston before the corporate body.

Penalty in case of refusal.

And be it enacted by the authority aforesaid, That all persons not being natural born subjects of His Majesty, and not naturalized, residing in this Island, shall in and during the month of August in each and every year, appear before any justice of the peace of the parish in which such alien shall reside, and if in the city and parish of Kingston, before the corporate body thereof, and shall then show to such justice of the peace or corporate body, the certificate or passport under which such alien shall have been permitted to reside in the said parish; and if any alien shall refuse or neglect to appear as aforesaid, without a good and sufficient excuse, or shall appear without showing his or her passport or certificate, and without giving good and sufficient reason for not showing the same, such alien shall be committed by such justice of the peace or corporate body, to the common gaol, or some other proper place of confinement, there to remain without bail or mainprize, until the pleasure of the governor, lieutenant governor, or person executing the functions of governor, shall be known thereupon; and which said justices of the peace shall, within one month, lodge in the office of the clerk of the peace of their respective parishes, and the corporate body in the police office, a list of all such persons as shall have so appeared before them respectively, and shall also notify on the back of each certificate the appearance aforesaid of such alien.

Regulations for the conduct of captains commanding companies or troops of militia in regard to aliens.

And be it further enacted by the authority aforesaid, That upon any person not being a natural born subject of His Majesty, and not naturalized, enlisting or being enrolled in any company or troop of the militia of this Island, the officer commanding such company or troop at the time of such enlistment or enrolment, shall forthwith take down the name of such person, his place of birth, place of residence in the parish, and length of time of such residence, his occupation and colour, of which he shall immediately make a return to the colonel or officer commanding the regiment to which such company or troop shall belong, under a penalty of ten pounds for each neglect herein, to be recovered before any two justices of the peace of the parish to which such company or troop shall belong, and if in the city and parish of Kingston, before any two of the members of the corporate body; and which said return the colonel or officer commanding the said regiment shall, within twenty days after receiving the same, transmit to the clerk of the peace of the parish in which such person shall be enlisted or enrolled; and if in the city and parish of Kingston, to the police office, under a penalty of twenty pounds for each neglect, to be recovered as last aforesaid; and which said penalties shall be paid to the use of the poor of the parish wherein such conviction shall take place.

Persons having aliens in their employ or resident with them, must give in an account of them to police officer, (if in Kingston), and to clerks of peace in other parishes, under penalty of £.

And be it further enacted by the authority aforesaid, That every person and persons whomsoever, who shall have any person or persons, not being natural born subjects of His Majesty, and not having been naturalized, living in his her or their employ, or residing within his her or their houses, shall, on or before the twenty-eighth day of March next, or within twenty days after making a return of all such person or persons not being natural born subjects of His Majesty, and not having been naturalized, to the police officer of the city and parish of Kingston, as to such persons as reside in the said city and parish, and to the clerks of the peace of the several other parishes in which such person or persons reside, or in which his her or their plantation or house may be, whereon such person or persons as aforesaid are employed or reside; and in such return shall be set down the name, colour, country, and occupation of such person or persons, aliens as aforesaid, the length of time such person or persons, aliens as aforesaid, shall have been in his her or their employment, or the length of time of such residence as aforesaid, and also the country from whence such person or persons, aliens as aforesaid, last came; and in every case of neglect or default he sh

or

or they shall forfeit and pay the sum of one hundred pounds, to be recovered in a summary manner before any two of His Majesty's justices of the peace of the respective parishes; and if in the city and parish of Kingston, before any two of the corporate body, upon the oath of one or more credible witness or witnesses, one half thereof shall be to the informer or informers, the other moiety to the poor of the parish in which such plantation or dwelling shall be.

And be it further enacted by the authority aforesaid, That from and after the passing of this Act, all person or persons whomsoever who shall employ or take to reside with him her or them any person or persons, not being natural born subjects of His Majesty, and not having been naturalized, shall, within fourteen days after such employment or residence, give in to the police officer of the city and parish of Kingston, as to such persons as reside in the said city and parish, and to the clerks of the peace of the several other parishes, in which such person or persons, aliens as aforesaid, shall be employed or reside, a return thereof, wherein shall be set down the names, colour, country, and occupation of such person or persons aliens as aforesaid; and in every case of neglect or default therein, he she or they shall forfeit and pay the sum of one hundred pounds, to be recovered as last aforesaid, one moiety thereof to be for the informer or informers, and the other moiety thereof to be for the poor of the parish as aforesaid.

And those employing any in future must, within fourteen days, make a return of them under the same penalty.

And be it further enacted by the authority aforesaid, That from and after the passing of this Act, all person and persons whomsoever who shall now have, or shall or may hereafter have any person or persons not being natural born subjects of His Majesty, and not naturalized in his her or their employ, or residing with him her or them, he she or they shall upon such person or persons, aliens aforesaid, quitting such employment or residence as aforesaid, give a notice thereof in writing to the police officer of the city and parish of Kingston, as to such persons as reside in the said city and parish, and to the clerks of the peace of the several other parishes in which such person or persons, aliens aforesaid, shall have been employed and resided; and in every case of neglect or default, he she or they shall forfeit and pay the sum of one hundred pounds, to be recovered and applied as aforesaid.

The like notice to be given on aliens quitting their employment or residence.

And be it further enacted by the authority aforesaid, That persons giving in such returns as aforesaid shall pay to the police officer of the city and parish of Kingston, and clerks of the peace of the several other parishes, the sum of two shillings and sixpence for each person in such return so to be made to them respectively, and no more; and that the said police officer and clerks of the peace shall enter such returns so to be made to them respectively, into a book to be kept for that purpose, under the penalty of five pounds for each neglect or default, to be levied by warrant under the hands and seals of any two of the members of the corporate body of the city and parish of Kingston, if such neglect or default shall happen within the precinct of the said city and parish, and by any two justices of the peace of the parish wherein such neglect or default shall happen, and the penalties so levied to be applied to the use of the poor of the city and parishes wherein such penalties shall be levied.

Fee to the police officer and clerks of peace;

and penalty if they neglect to enter such returns.

And be it further enacted, That if any master or commander of any ship, vessel or boat, shall not comply with the regulations contained in the first section of the said recited Act, passed the eleventh day of March one thousand eight hundred and one, such master or commander, upon proof thereof in manner as directed in and by the said Act, shall not only be liable to the penalty imposed by the said Act, but shall also be committed to gaol for three months, by warrant under the hand and seal of one or more of His Majesty's justices of the peace, or by one or more of the corporate body of the city and parish of Kingston, if within the precinct thereof.

Punishment on matters of vessels neglecting to comply with the regulations contained in the act of 41 Geo. 3. cap. 17.

And be it further enacted by the authority aforesaid, That all negroes or people of colour from the Island of Saint Domingo found on shore here without a special license from the governor or the person executing for the time being the functions of governor, shall be deemed and taken to be persons of a dangerous description, and on conviction under any law respecting persons of a dangerous description shall be transported for life; and that any person who shall apprehend, and have committed to gaol brigand negroes or people of colour of the aforesaid description, shall be entitled to a reward of twenty pounds for every person so apprehended and transported, on presenting to the receiver general a certificate of the fact, signed by the

Negroes, &c. from St. Domingo found here, without a license from the governor, to be deemed persons of a dangerous description.

Rewards to persons apprehending them and to witnesses.

## JAMAICA.

magistrates who shall or may pass such sentence of transportation ; and if any person shall be prosecuted and convicted under the eleventh or thirteenth clauses of the said Act, by the information of any witness or witnesses, such witness or witnesses shall be entitled to the sum of twenty pounds, to be paid by the receiver general of this Island, on the production to him of a certificate of such conviction.

Governor empowered to order search to be made for aliens, and to apprehend, secure and send them off the island, if necessary for public safety.

And be it further enacted, That immediately from and after the passing of this Act, it shall and may be lawful to and for the governor, or person executing the functions of governor for the time being, at any time to issue orders to all and every or any person or persons whomsoever to make, search for and apprehend, and keep in safe and secure custody any person whomsoever not being a natural born subject of His Majesty, to the end that such proceeding may be had with regard to every such person respectively, as the safety of the Island may appear to require, and to cause to be kept in confinement on board any ship or vessel, or otherwise, and for such time as he shall deem necessary ; and also to cause to be sent off the Island every such person so to be apprehended as aforesaid, as he shall deem to be a dangerous or suspicious character with regard to the public safety and tranquillity.

Under such orders of the governor, persons may command access for search by force.

And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for all and every or any person or persons, under any such orders as aforesaid, to break open houses or closes for the purpose of effectually searching for all and every or any such person or persons so to be apprehended as aforesaid, if free access shall not be given, or may not be had for that purpose, and also to use and exercise any force whatsoever that may be necessary or expedient in order to carry into full execution any such orders as aforesaid.

Officers, &c. of militia disobeying such orders, to be tried by a court martial.

And be it further enacted by the authority aforesaid, That if any officer or private of the Militia shall not obey any such orders as aforesaid, every such person so offending shall be liable to be tried by a general court martial and to the sentence thereof.

Persons sent off the island under this act, to suffer death if they return.

And be it further enacted by the authority aforesaid, That if any person sent off this Island under this Act shall afterwards return to this Island, every such person shall suffer death without benefit of clergy, any thing contained in any former Act notwithstanding.

Expenses incurred to be paid by the receiver general, after being audited by the commissioners of public accounts.

And be it further enacted by the authority aforesaid, and the commissioners of public accounts are hereby directed to authorize the receiver general to pay all such expenses as may at any time hereafter be incurred in the apprehending and transporting from this Island any person who may be apprehended and transported from this Island by virtue of this or the hereinbefore recited Acts, such expenses being first audited and approved of by the said commissioners of accounts.

Owners, &c. of drogging vessels carrying aliens or foreign slaves from one port to another without a passport, to forfeit 70*l.* for each.

And be it further enacted by the authority aforesaid, That from and after the passing of this Act, if any owner of a drogger or drogging vessel, being the master thereof, or the master not being the owner, shall take or carry any alien or foreign slave from any one part to any other part of this Island, unless such person shall have a passport according to the regulations made by the hereinbefore recited Act of the forty-first year of the reign of George the Third, such master or owner of a drogger as aforesaid shall for every such offence forfeit and pay the sum of seventy pounds for every such alien or foreign slave, who shall have been by him carried from any one port to any other port of this Island as aforesaid, one moiety thereof to the informer or informers, and the other moiety to the churchwardens of the parish wherein the port shall be situated to which the said master or owner of a drogger as aforesaid shall have carried such person or persons, for the use of the poor of the said parish, to be recovered in a summary manner before any two members of the corporate body of the city and parish of Kingston, if the offence shall be committed within the precinct thereof, and any two magistrates of such other parish where the offence shall be committed; and in default of payment, that such offender or offenders shall be committed to the common gaol, there to remain without bail or mainprize until the same shall be paid.

This act to be in force until 31st December 1817.

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 in the present year, until the thirty-first day

401

THE TREATMENT OF SLAVES.

day of December, in the year of our Lord one thousand eight hundred and seventeen.

JAMAICA.

Passed the Council, twenty-third November one thousand eight hundred and fourteen. (Signed) *R. Robertson, Cl. Com.*

Passed the Assembly, this twenty-third day of November one thousand eight hundred and fourteen. (Signed) *James Lewis, Speaker.*

I Consent,  
*Manchester.*

Twenty-third November, one thousand eight hundred and fourteen.