

SLAVE LAW

OF

JAMAICA.

57 GEO. III. CAP. 25.

An act for the subsistence, clothing, and the better regulation and government of slaves; for enlarging the powers of the council of protection; for preventing the improper transfer of slaves; and for other purposes.—[Passed 19th December, 1816.]

WHEREAS it is expedient that the laws now in force relating to slaves should be revised, and other provisions enacted, to promote their moral and religious instruction, and by means whereof their general comfort and happiness may be increased, as far as is consistent with due order and subordination, and the well-being of this colony: may it therefore please your Majesty that it may be enacted; be it therefore enacted by the Governor, Council, and Assembly, of this your Majesty's island of Jamaica, That, from and after the commencement of this act, the act, entitled *An act for the protection, subsisting, clothing, and for the better order, regulation, and government of slaves,*

Preamble.

50 Geo. III.
cap. 16 re-
pealed.

B

and for other purposes, passed the fourteenth day of December, in the fiftieth year of your majesty's reign, may be and stand repealed, and the same is hereby repealed accordingly.

Slaves to be religiously instructed, and such baptized as can be made sensible of a duty to God and of the Christian faith.

II. And be it further enacted, by the authority aforesaid, that all owners, proprietors, and possessors, or, in their absence, the managers, or overseers, of slaves, shall, as much as in them lies, endeavour the instruction of their slaves in the principles of the Christian religion, whereby to facilitate their conversion, and shall do their utmost endeavours to fit them for baptism, and, as soon as conveniently can be, cause to be baptised all such as they can make sensible of a duty to God, and the Christian faith, which ceremony the clergymen of the respective parishes are to perform when required.

No shop to be kept open during divine service.

III. And be it enacted, That from and after the passing this act, no shop shall be kept open during the time of divine service.

Slaves to be allowed one day in every fortnight, besides Sundays, except during crop, under penalty of 20l.

IV. And be it further enacted, by the authority aforesaid, That from and after the commencement of this act, the slaves belonging to, or employed on, every plantation or settlement, shall, over and above the holidays hereinafter to be mentioned, be allowed one day in every fortnight, to cultivate their own provision grounds, exclusive of Sundays, except during the time of crop, under the penalty of twenty pounds, to be recovered against the overseer or person having the care of such slaves: Provided always, That the number of days, so allowed to the slaves for the cultivation of their grounds, shall be at least twenty-six in the year.

So as the number of days may be at least 26.

Slaves exempted from labour on Sundays during crop, and no mills to be

V. And be it enacted, by the authority aforesaid, That, during the crop, not only shall the slaves, as heretofore, be exempted from the labour of the estate or plantation on Sundays, but that no mills shall be

put about or worked between the hours of seven o'clock on Saturday night and five o'clock on Monday morning, under the penalty of twenty pounds, to be recovered against the overseer or other person having the charge of such slaves.

worked between seven o'clock on Saturday night and five o'clock on Monday morning, under the penalty of 20*l*.

VI. And be it enacted, by the authority aforesaid, That every master, owner, or possessor, of any slave or slaves, or his or her overseer or chief manager, shall, under the penalty of ten pounds for each neglect, personally inspect into the condition of the negro-grounds once in every month at least, in order to see that the same are cultivated, and kept up in a proper manner, of which oath shall be made, as in this act is hereafter directed: And whereas it may happen that on some plantations, pens, settlements, and towns on this island, there may not be lands proper for the cultivation of provisions, or where, by reason of long continuance of dry weather, the negro-grounds may be rendered unproductive; then, and in that case, the masters, owners, or possessors, do, by some other ways and means, make good and ample provision for all such slaves as they shall be possessed of, equal to the value of three shillings and four pence currency per week for each slave, in order that they may be properly supported and maintained, under the penalty of fifty pounds.

Negro-grounds to be inspected every month.

Where there are not proper lands, each slave is to have provision equal to 3*s*. 4*d*. per week.

VII. And be it further enacted, by the authority aforesaid, That every master, owner, or possessor of slaves, shall, once in every year, provide and give to each slave they shall be possessed of, proper and sufficient clothing, to be approved of by the justices and vestry of the parish where such master, owner, or possessor of such slaves shall reside, under the penalty of one hundred pounds.

Proper clothing to be given to slaves annually, under penalty of 100*l*.

VIII. And be it further enacted by the authority aforesaid, That every master, owner, proprietor, or pos-

Yearly accounts to be given in of the

provision made for, and clothing delivered to, slaves, under penalty of 100*l*.

essor of slaves, his or her overseer, or chief manager, at their giving in an account of their slaves and stock, to the justices and vestry, on the twenty-eighth day of December, in every year, or at the vestry which shall be held next after that day, shall, under the penalty of one hundred pounds for every neglect, give in an account, on oath, of the nature and quantity of the clothing actually served to each slave on such plantation, pen, or other settlement, for the approbation of the justices and vestry, as aforesaid; and shall likewise, at the same time, declare, on oath, that he has inspected the negro-grounds (where such negro-grounds are allotted) of such plantation, pen, or settlement, according to the directions of this act, and that every negro on the property is sufficiently provided with grounds.

Account of births and deaths of slaves to be given in yearly, under penalty of 50*l*.

IX. And be it further enacted, by the authority aforesaid, That on the twenty-eighth day of December, in every year (the time of giving in as aforesaid), or within thirty days after, the owner, overseer, or manager, of every plantation, pen, or settlement, shall give in to the justices and vestry of their respective parishes, on oath, an account of all the births and deaths of the slaves of such plantation, pen, or settlement, for the preceding year, under the penalty of fifty pounds, to be recovered from the owner of such plantation, pen, or other settlement.

If neglect in giving in accounts proceed from overseers or managers, owners to deduct the penalty from their wages.

X. And be it further enacted, by the authority aforesaid, That if the not giving in upon oath such several accounts shall be owing to the neglect of the overseer or manager of such plantation, pen, or other settlement, it shall and may be lawful for the owner, proprietor, or possessor, of such plantation, pen, or other settlement, to stop and detain the penalty he or she shall suffer by this law out of the wages of such overseer or manager.

XI. And be it further enacted, by the authority aforesaid, That in case it shall appear to the satisfaction of the justices and vestry, from the return of the owner, overseer, or manager, aforesaid, that there has been a natural increase of the number of slaves on any such plantation, pen, or other settlement, the owner or proprietor of such plantation, pen, or other settlement, shall pay to the overseer the sum of three pounds for every slave born on such plantation, pen, or other settlement, in the time aforesaid, and which shall be then living, such sum to be by the said overseer divided in equal proportions among the mothers of the surviving children, the midwife, and the nurse or nurses attending such children; and the owner or proprietor of such plantation, pen, or other settlement, shall have a deduction from the first of his or her public taxes that shall become due of the sum so paid, on producing a certificate from the justices and vestry of such increase, and a receipt of the overseer of the sum so paid.

Overseers to be paid 3/ for every slave born on plantations, to be divided between the mothers, midwives, and nurses;

and which is to be deducted from the taxes of the proprietors.

XII. And, in order that further encouragement may be given to the increase and protection of negro infants, be it further enacted, by the authority aforesaid, That every female slave, who shall have six children living, or who, having raised from infancy, and during the period of nurture, a child or children of deceased mothers, and which shall continue to live with her as her adopted child or children, shall have of her own, and of such so raised and adopted child or children, six children living, shall be exempted from all hard labour in the field or otherwise; and the owner or possessor of every such female slave shall be exempted from all manner of taxes for such female slave, any thing in the act, commonly called the poll-tax law, or any other of the tax laws of this island, passed or annually to be passed, to the contrary not-

Females who have six children living, whether their own or adopted, are to be exempted from hard labour, and their owners from taxes for them;

proof being given that the mother, or adoptive mother, and children, are living.

Possessors of slaves not to turn them away on account of infirmity,

but keep them on their properties, and provide for them, under penalty of 20/.

withstanding, and a deduction shall be made for all such female slaves from the taxes of such owner, or possessor, by certificate of the justices and vestry: Provided nevertheless, That proof be given on oath, to the satisfaction of the said justices and vestry, not only that the requisite number of children, together with the mother, or adoptive mother, are living, but also that the mother is exempted from all manner of field or other labour, and is provided with the means of an easy and comfortable maintenance.

XIII. And be it further enacted, by the authority aforesaid, That no master, owner, or possessor, of any slave or slaves, whether in his or her own right, or as attorney, guardian, trustee, executor, or otherwise, shall discard or turn away any such slave or slaves, on account or by reason of such slave or slaves being rendered incapable of labour or service to such master, owner, or possessor, by means of sickness, age, or infirmity; but every such master, owner, or possessor, as aforesaid, shall be, and he is hereby, obliged to keep all such slave or slaves upon his, her, or their properties, and to find and provide them with sufficient clothing, wholesome necessaries of life, and not suffer such slave or slaves as aforesaid to be in want thereof, or to wander about or become burthensome to others for sustenance, under the penalty of twenty pounds for every such offence, to be recovered in a summary manner before any two justices of the peace in this island; who are hereby authorized, empowered, and required, to cause such master, owner, or possessor, his, her, or their attorney, or agent, and such other persons as they shall judge necessary, to be summoned before them, to enable them to judge and determine of the propriety of such information, and whether such master, owner, or possessor, ought to incur the said penalty; and, in the mean time, and un-

til such trial can be had, the said justices of the peace, upon their own view, or upon the information of any free person, on oath, are hereby empowered and required to take up such wandering, sick, aged, or infirm slave or slaves, and to lodge him, her, or them in the nearest workhouse, there to be clothed and fed, but not worked, at the expense of the master, owner, or possessor, until such trial as aforesaid can be had; and if it shall appear to the said justices, on such trial, that the party or parties so complained of, is or are guilty of the said offence, and shall refuse to pay the said sum of twenty pounds, and the fees of such workhouse, for the maintenance of such slave or slaves, together with the charges of clothing and of the conviction, the said justices are hereby required and empowered, under the penalty of twenty pounds, forthwith, by warrant under their hands and seals, directed to the constable, to commit such offender or offenders to the common gaol of the county or parish where the offence shall be committed, there to remain until he or she shall pay the said sum of twenty pounds and charges as aforesaid; one moiety of which said fine shall be paid to the informer, who is hereby declared to be a good witness, and the other moiety shall be paid into the hands of the churchwardens of such parish, for the poor of the said parish; any law, custom, or usage, to the contrary notwithstanding.

XIV. And whereas, from the decease and change of residence of many proprietors of slaves, and other circumstances, and from the manumission of negro, mulatto, and other slaves, without any suitable provision being made for their future maintenance, many unhappy objects, afflicted with contagious distempers, or disabled from labour by sickness, age, and otherwise, and, having no owners, prove dangerous, or

Wandering slaves may be taken up and sent to the workhouse, to be supported till possessor summoned and matter inquired into.

If possessor found guilty, and refuse to pay penalty, workhouse fees, &c. he is to be sent to gaol till he pay.

Justices and vestries to lay taxes for support of disabled negroes,

who are to be passed to the parishes where their former owners resided ;

as are those free poor who have been manumised.

Vestries to make regulations for their accommodation.

become a burthen or nuisance to the several towns and parishes of this island : For remedy whereof, be it further enacted, by the authority aforesaid, That the justices and vestrymen of the several towns and parishes in this island be empowered to lay a tax upon the several towns and parishes, in the same manner as the parochial taxes are usually laid, for the purpose of raising such a sum as they shall judge sufficient to provide for the maintenance, clothing, medical care, and attendance, in the workhouses, or other convenient places, of the said several towns and parishes of this island, of such negro, mulatto, or other slaves, or other unhappy objects, as aforesaid : And the magistrates respectively of such town and parish are hereby empowered and required, upon application being made to them, or either of them, or upon view, to order all such objects, as aforesaid, to be removed and conveyed to the respective workhouses of each parish, where (if a slave) the former proprietor or proprietors, owner or owners, of such slave lived or resided ; or, if a person manumised or made free, of the parish wherein the owner or owners commonly resided, or the property was situated, to whom or to which such manumised person belonged immediately previous to the execution of such manumission ; or if such manumission be by will, immediately previous to the decease of the testator or testatrix, there to be lodged and taken care of, as aforesaid : And the magistrates and vestries of the several towns and parishes, as aforesaid, are hereby empowered and required to make, from time to time, all such humane and salutary regulations, for the purposes aforesaid, as to them shall seem necessary and expedient ; and the supervisor or keeper of the workhouse in such parish, to which such slave or free person shall be sent by warrant from any other parish, shall be

obliged to receive the same, under the penalty of twenty pounds.

XV. And it is hereby enacted and declared, That every parish in this island to which any manumised person shall be removed, in pursuance of this act, or any clause of any former act for this purpose, as to the place of the legal settlement of such person, shall be entitled to claim all the advantages to be derived by law from the security-bond, directed to be entered into and given, in and by an act, passed in the fifteenth year of his present majesty, entitled *An act for regulating the manumission of negro, mulatto, and other slaves, and to oblige the owners to make a provision for them during their lives*, by any person or persons manumising any slave or slaves, to the churchwardens of whatsoever parish such bond may have been given, as fully as if the same had been entered into to the churchwardens of the parish to which such manumised person shall become burthensome.

XVI. And be it further enacted, by the authority aforesaid, That in case any goods, chattels, or slaves, belonging to the owners of such old, infirm, and deserted slaves, as aforesaid, who shall have become burthensome to any parish for support, shall thereafter be found in any part of this island, it may and shall be lawful for the churchwardens of every such parish to recover the full amount of all expenses, to which such parish shall at any time have been put, on account of such deserted slaves, before any two justices of the peace of the parish or precinct wherein such goods, chattels, or slaves, shall be found, by distress and sale of the same.

XVII. And whereas it sometimes happens, that aged, infirm, or disabled slaves, belonging to the estates of insolvent debtors, remain in the custody of the provost-marshal of this

In the case of manumised persons becoming burthensome to any parish, such parish may have recourse to the security bond entered into under 15 Geo. III. cap. 18.

Property of owners liable for support of deserted slaves, though not in the parish they become burthensome to.

Disabled slaves, the property of insolvent debtors, in custody of provost-marshal, may be removed by order of two magistrates to the parish where their owner resided.

Such order being recorded in clerk of peace's office, provost-marshal and his deputies indemnified in acting under it.

If negroes afflicted with contagious diseases are

island, or his deputies, without a possibility of the same being sold for the benefit of the creditors of such estates: Be it enacted, by the authority aforesaid, That upon proof being made on oath, by any deputy-marshal, before any two magistrates of the district wherein he shall hold his appointment, that any slave or slaves of the above description has or have been in his custody for more than six months thereto preceding, that such slave or slaves have been repeatedly put up to sale by public outcry, that no bidder has offered to purchase the same, and there is no probability of his or her being sold, it may and shall be lawful for the said two magistrates to make an order, under their hands and seals, for the removal of such slave or slaves to the parish wherein the owner of such slave or slaves resided, at or immediately before the time when he or she took the benefit of the act for the relief of insolvent debtors, now in force, or hereafter to be in force, there to be maintained and provided for, according to the directions of this act, hereinbefore declared.

XVIII. And it is hereby enacted, That such order, being recorded in the office of the clerk of the peace of the precinct, wherein the gaol of such deputy-marshal, as aforesaid, shall be situated, shall be deemed and taken, in all the courts of this island, as a complete and perfect acquittal of all demands, claims, suits, and actions of every kind, on or against such provost-marshal, or any of his deputies, as may or shall be made, instituted, or preferred, by any person or persons whatsoever, on account or by reason of the removal of any such slave or slaves, as aforesaid, out of his or their custody.

XIX. And whereas negroes afflicted with the yaws, coco-bay, or other contagious disease, are sometimes permitted to leave their masters' property, and

travel about the country, to the great annoyance of the public and of those in the neighbourhood: Be it enacted, that every owner or proprietor of slaves, or his, her, or their overseer, as the case may be, permitting the same, shall forfeit the sum of twenty pounds for every such offence; one moiety of which to be paid to the informer, and the other moiety to the churchwardens, for the poor of the parish in which the offence shall be committed, and which forfeiture shall be recovered in a summary manner, on oath of the informer, or other person complaining, to be levied by warrant of the said magistrates; who, on refusal or failure of payment, are hereby authorized to commit the delinquent to the county or nearest gaol until paid.

XX. And be it further enacted, by the authority aforesaid, that every field-slave on any plantation or settlement shall, on work-days, be allowed half-an-hour for breakfast, and two hours for dinner; and that no slaves shall be compelled to any manner of field-work upon the plantation before the hour of five in the morning, or after the hour of seven at night, except during the time of crop, under the penalty of fifty pounds, to be recovered against the overseer or other person having the charge of such slaves.

XXI. And be it further enacted, by the authority aforesaid, That for the future all slaves in this island shall be allowed the usual number of holidays that were allowed at the usual seasons of Christmas, Easter, and Whitsuntide: Provided, That at every such respective season no two holidays shall be allowed to follow or succeed immediately one after the other; any law, custom, or usage, to the contrary notwithstanding: And if any master, owner, guardian, or attorney, of any plantation or settlement, or the overseer of such plantation or settlement, shall

allowed to leave the property, and travel about the country, the owner, &c. permitting the same, to forfeit 20*l.* for each.

Field slaves are to have half an hour for breakfast and two hours for dinner, and not to work before five nor after seven, except during crop, under penalty of 50*l.*

Slaves to be allowed the usual holidays, but they are not to have two successive days.

If persons allow them more holidays at those seasons, they forfeit 5*l.*

presume, at the seasons aforesaid, to allow any holidays to any slave on any such plantation or settlement, other than is directed by this act to be given, every person, so offending, shall forfeit the sum of five pounds.

Slaves taking up runaways, or discovering their being harboured, are to be rewarded at discretion of a magistrate.

XXII. And, in order to encourage slaves for every good and worthy act that they shall do, be it further enacted, by the authority aforesaid, That every slave or slaves, that shall inform against any person who shall have or conceal any runaway slave or slaves, so that such runaway slave or slaves may be taken and restored to his or their owner or owners, or be committed to any workhouse, every such slave or slaves, so informing, shall be entitled to such reward as any justice shall think just and reasonable, and be paid by such person or persons as such justice shall determine ought to pay the same, not less than ten shillings, nor exceeding twenty shillings, to be enforced by a warrant under the hand and seal of such justice.

If they kill or take rebels, they are also to be rewarded.

XXIII. And be it further enacted, by the authority aforesaid, That if any slave or slaves shall kill or take any slave or slaves in actual rebellion, he or she shall receive from the churchwardens of the respective parishes, where such slave or slaves shall have been killed, the sum of three pounds, and the sum of five pounds if taken alive, and a blue cloth coat, to be paid and furnished by the churchwardens of the respective parishes where such slave or slaves shall have been killed or taken; the whole expense whereof shall be reimbursed by the receiver-general for the time being, out of any monies in his hands unappropriated.

Persons willfully killing slaves to suffer death.

XXIV. And be it further enacted, by the authority aforesaid, That if any person hereafter shall wantonly, willingly, or blood-mindedly, kill, or cause

Generated on 2024-10-03 22:55 GMT / https://hdl.handle.net/2027/nyp.33433075913313
Public Domain, Google-digitized / http://www.hathitrust.org/access_use#pd-google

to be killed, any negro or other slave, such person, so offending, shall, on conviction, be adjudged guilty of felony, without benefit of clergy, and shall suffer death accordingly for the said offence: Provided always, That such conviction shall not extend to the corrupting the blood, or the forfeiture of lands or tenements, goods or chattels; any law, custom, or usage, to the contrary thereof in anywise notwithstanding.

XXV. And, in order to prevent any person from mutilating, dismembering, or cruelly beating or confining, any slave or slaves, Be it further enacted, by the authority aforesaid, That if any master, mistress, owner, possessor, or other person whatsoever, shall, at his, her, or their own will and pleasure, or by his, her, or their direction, or with his, her, or their knowledge, sufferance, privity, or consent, mutilate or dismember any slave or slaves, or wantonly or cruelly whip, maltreat, beat, bruise, wound, or imprison, or keep in confinement, without sufficient support, any slave or slaves, he, she, or they, shall be liable to be indicted for such offence in the supreme court of judicature, or in any of the assize-courts of this island; and, upon conviction, shall be punished by fine not exceeding one hundred pounds, or imprisonment not exceeding twelve months, or both, for each and every slave so mutilated or dismembered, punished, or confined; and such punishment is declared to be without prejudice to any action that could or might be brought at common law, for recovery of damages for or on account of the same, in case such slave or slaves shall not be the property of the offender: And in atrocious cases, where the owner of such slave or slaves shall be convicted of such offence, the court, before whom such offender shall have been tried and convicted, are hereby empowered, in case

Blood not corrupted there by.

Persons mutilating slaves, or consenting thereto, may be fined 100l. and imprisoned twelve months.

besides being liable to an action of damages.

Court may, in atrocious cases, manumit mutilated slaves,

and order the penalty to be paid to vestry,

who are to allow each slave 10*l.* per annum.

Slaves complaining to a magistrate may be sent to the workhouse, to be supported and attended till meeting of vestry,

who are hereby created a council of protection, and are to inquire into such mutilations, and prosecute the offenders.

they shall think it necessary for the future protection of such slave or slaves, to declare him, her, or them, free and discharged from all manner of servitude, to all intents and purposes whatsoever: And, in all such cases, the court are hereby empowered and authorized, if to them it shall appear necessary, to order and direct the said fine of one hundred pounds to be paid to the justices and vestry of the parish to which the said slave or slaves belonged, to the use of the said parish; the said justices and vestry, in consideration thereof, paying to each of the said slave or slaves, so made free, the sum of ten pounds *per annum* for his or her maintenance and support during life: And in case any slave or slaves shall suffer any before-mentioned mutilations, or wanton punishment, or confinement, such slave or slaves, on his, her, or their application to any justice of the peace, the said justice of the peace shall be, and is hereby, directed, required, and empowered, on view, and its appearing to his satisfaction that such mutilation, or wanton punishment, have been really suffered, to send such slave or slaves to the nearest workhouse where such offence shall be committed; and such slave or slaves shall be there safely kept, and carefully attended, but not worked, at the expense of such parish, until such time as there shall be a legal meeting of the justices and vestry of such parish, which meeting the said justice shall call as soon as conveniently may be; which justices and vestry, so met, are hereby created and appointed a council of protection of such slave or slaves: and the said justices and vestry, so met, are hereby directed and empowered to make further and full inquiry, upon view, and by the examination of witnesses, into the commitment of the mutilation or punishment of such slave or slaves; and, if to them it shall appear proper, the said justices and vestry

are hereby empowered and required to prosecute to effect such owner or owners; the expense of which prosecution shall be paid by the parish where such offence shall be committed: And in case the owner or owners of such slave or slaves shall appear capable of paying the costs and charges of such before-mentioned prosecution, the said justices and vestry are hereby empowered to commence suit or suits against such owner or owners of such slave or slaves, and recover all costs and charges out of purse, by them laid out and expended in such suit or suits: And the keeper or supervisor of the workhouse, where such slave or slaves shall have been first committed, is hereby directed and required, upon due notice of the first meeting of the justices and vestry of the parish where the offence was committed, to produce such slave or slaves for the inspection and direction of such justices and vestry, under the penalty of one hundred pounds for every neglect in not producing before such justices and vestry such slave or slaves.

Owners may be sued for costs.

Workhouse-keeper to produce mutilated slaves at first vestry, under penalty of 20l.

XXVI. And be it further enacted, by the authority aforesaid, That in case any justice of the peace shall receive any complaint or probable intelligence, from any slave or otherwise, that any slave or slaves is or are so mutilated or punished, or is or are confined without sufficient support, it shall and may be lawful for such justice of the peace, and he is hereby empowered and required, forthwith to issue his warrant to any constable, ordering him immediately to proceed to the place where such slave or slaves are confined, and such slave or slaves to release and bring before such justice, who, on view of the fact, is hereby authorized to send such slave or slaves to the workhouse, for protection, there to be kept, but not worked, until inquiry shall be made into the fact, according to law.

Justices being informed that slaves are mutilated or confined without support, are to issue their warrants in order that they may be brought before them.

No slave to have more than ten lashes at a time for one offence unless the owner, &c; or supervisor, &c. be present, nor more than thirty nine on any account in one day, under penalty.

XXVII. And, in order to restrain arbitrary punishment, be it further enacted, by the authority aforesaid, That no slave on any plantation or settlement, or in any of the workhouses or gaols in this island, shall receive more than ten lashes at one time and for one offence, unless the owner, attorney, guardian, executor, or administrator, or overseer, of such plantation or settlement, having such slave in his care, or supervisor of such workhouse, or keeper of such gaol shall be present; and that no such owner, attorney, guardian, executor, administrator, or overseer, supervisor or gaol-keeper, shall, on any account, punish a slave with more than thirty-nine lashes at one time, and for one offence, nor inflict, or suffer to be inflicted, such last-mentioned punishment, nor any other number of lashes, in the same day, nor until the delinquent has recovered from the effects of any former punishment, under a penalty not less than ten pounds, or more than twenty pounds for every offence; to be recovered against the person directing or permitting such punishment, in a summary manner, upon conviction before any two magistrates, by warrant, besides being subject to be prosecuted by indictment in the supreme or assize courts, or courts of quarter-sessions, of this island, as for an offence against this act.

Complaints of slaves being improperly punished to be inquired into summarily by two magistrates.

XXVIII. And be it further enacted, by the authority aforesaid, That in case any justices of the peace shall receive any complaint, or probable intelligence, from any slave or otherwise, that any slave or slaves has or have been improperly punished, contrary to the true intent and meaning of this act, it shall and may be lawful to and for such magistrate to associate one other of the magistrates of the said parish with him, and to inquire in a summary manner into such complaint; and if upon inquiry it shall be found that the said complaint is true, it shall be the duty of

the said magistrates, and they are hereby required to proceed against the offender according to law; but if it shall appear that such complaint was groundless, the said magistrate shall punish the complainant, and the person giving information thereof, in such manner as to them may seem proper.

and, where they are groundless, complainants to be punished.

XXIX. And be it further enacted, by the authority aforesaid, That no such person shall, on any pretence whatsoever, punish any negro or other slave, whether his own property or otherwise, by fixing or causing to be fixed, an iron or other collar round the neck of such slave, or by loading the body or limbs of such slave, for any offence whatsoever, with chains or weights, of any kind, other than a light collar without hooks, to indicate that such slave is an incorrigible runaway, or one accustomed to commit depredation on grounds of the other negroes, and which collar shall only be put on by the directions of a magistrate, on complaint being made, under a penalty not less than five pounds, nor exceeding fifty pounds, to be recovered in a summary manner before any two or more justices of the peace of the parish or precinct where the offence shall be committed; and all and every the justices of the peace within this island are hereby authorized, directed, and required, under the penalty of one hundred pounds, on information and view of such offence, to order such collar, chains, irons, or weights, to be immediately taken off from the slave or slaves wearing or bearing the same.

Penalties on persons putting weights or chains on slaves, or iron collars, other than here designated.

XXX. And be it further enacted, by the authority aforesaid, That no slave, such only excepted as are going with fire-wood, grass, fruit, provisions, or small stock, and other goods which they may lawfully sell, to market, and returning therefrom, shall hereafter be suffered or permitted to go out of his or her master's or owner's plantation or settlement, or to

No slave to travel (unless to market) without a ticket,

under penalty
of 40s. on the
owner, &c.,

if he cannot
prove he gave
a ticket, or that
the slave went
without his
consent.

If Justices do
not inflict this
penalty, they
forfeit 5l.

Tickets to be
only for one
month.

Free people
granting tickets
to slaves of
others to be
punished as the
court shall
direct.

travel from one town or place to another, unless such slave shall have a ticket from his master, owner, employer, or overseer, expressing particularly the time of such slave's setting out, and where he or she is going, and the time limited for his or her return, under a penalty not exceeding forty shillings for every slave so offending, to be recovered from the master, owner, employer, or overseer, in a summary manner, before any one justice of the peace, by warrant of distress, complaint being made to him upon oath; unless the master, owner, employer, or overseer of such slave shall prove upon oath, before any justice of the peace of the parish or precinct, where such master, owner, employer, or overseer, may or shall live, or happen to be, that he did give the said slave such ticket as aforesaid, or that such slave went away without his consent, in which case the justice to order punishment; and if such justice shall refuse or neglect his duty, either in causing the penalty to be forthwith levied, on complaint being made to him, as aforesaid, on the owner, overseer, or any other person, who shall suffer a slave, being under his or their direction, to go without a ticket, as aforesaid, every justice so offending shall forfeit the sum of five pounds; any law, custom, or usage, to the contrary notwithstanding.

XXXI. And be it further enacted, by the authority aforesaid, That no ticket shall be granted to any slave or slaves for any time exceeding one calendar month.

XXXII. And whereas, the more effectually to conceal runaway slaves, or prevent their being apprehended, tickets are given by Indians, free negroes, or free mulattoes: Be it therefore enacted, by the authority aforesaid, That any Indian, free negro, or mulatto, granting or giving such ticket, with such intent,

shall be liable to be tried for the said offence before the supreme court of judicature, or in either of the courts of assize in this island where the offence shall be committed; and, on conviction, shall suffer transportation, or such other punishment as the court, in their discretion, shall think proper to inflict, not extending to life.

XXXIII. And be it further enacted, by the authority aforesaid, That if such ticket shall be granted or given by any white person, with such intent, as aforesaid, to any slave or slaves, before or after his or their absenting themselves from their owner, employer, overseer, or manager, such white person shall be liable to be tried for the same before the supreme court of judicature, or either of the assize courts of this island where the offence shall be committed; and, on conviction, shall suffer such punishment as the court, in their discretion shall think proper to inflict, not extending to life.

XXXIV. And be it further enacted, by the authority aforesaid, That if any master, owner, guardian, possessor, or attorney, overseer, or book-keeper, of any plantation or settlement, shall hereafter suffer any strange slaves to assemble together and beat their drums, or blow their horns or shells, upon any plantation, pen, or settlement, or in any yard or place under his, her, or their care or management, or shall not endeavour to disperse or prevent the same, by immediately giving notice thereof to the next magistrate or commissioned officer, that a proper force may be sent to disperse the said slaves, every such master, owner, guardian, possessor, or attorney, overseer, or book-keeper, shall, for every such offence, upon conviction thereof, upon an indictment in the supreme court of judicature or courts of assize, or quarter-sessions of the parish wherein such offence shall be committed,

White people doing so to be also punished at discretion of the court.

Penalty of 50l. for not endeavouring to suppress unlawful assemblies of slaves.

Information must be given within fourteen days.

Civil and military officers to suppress such assemblies.

Overseers, &c. who suffer such assemblies, to be imprisoned six months,

if information given in fourteen days.

pay a fine of fifty pounds to his Majesty, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof: Provided nevertheless, That information of such offence shall be made, upon oath, before any of his Majesty's justices of the peace, within the space of fourteen days after the commission of the offence.

XXXV. And be it further enacted, by the authority aforesaid, That all officers, civil and military, shall be, and are hereby, empowered and required to enter into any plantation, settlement, or other place, to disperse all such unlawful assemblies, and to suppress and prevent all unlawful drummings, or other noise, as before mentioned, any law, custom, or usage, to the contrary notwithstanding, according to the nature, degree, or circumstances, of the case.

XXXVI. And whereas it has been found by experience that rebellions have been often concerted at negro dances, and nightly meetings of slaves, and as it has been found also that those meetings tend much to injure the health of negroes: Be it further enacted, by the authority aforesaid, That if any owner or proprietor, overseer, or, in his absence, any book-keeper, or other person having the care and management of any plantation or settlement, shall suffer any slaves to assemble together, or beat their drums, or blow their horns or shells, every such owner or proprietor, overseer, book-keeper, or other person, so offending, shall, for every such offence, upon conviction thereof, upon an indictment in the supreme court of judicature, or before the justices of assize, or court of quarter-sessions wherein such offence shall be committed, suffer imprisonment, without bail or mainprize, for any term not exceeding six calendar months; provided information is made, upon oath as aforesaid, before one of his Majesty's justices of the peace, within fourteen days

after the commission of such offence; but nothing herein contained shall be construed to prevent any master, owner, or proprietor, of any plantation or settlement, or the overseer thereof, from granting liberty to the slaves of such plantation or settlement only, for assembling together upon such plantation or settlement, and playing and diverting themselves in any innocent amusements, so as they do not make use of military drums, horns, or shells; but that they shall and may grant such liberty when and as often as they please, any thing in this or any other act to the contrary notwithstanding: Provided, That such amusements are put an end to by ten of the clock at night.

Slaves may have diversions on the properties they belong to, if no drums, &c. are used;

but they must be over by ten at night.

XXXVII. And, in order to prevent riots and nightly meetings among negro and other slaves, to the disturbance of the public peace, and endangering their healths: Be it further enacted, by the authority aforesaid, That all negro burials shall in future take place in the day-time only, so that the same may be ended before sunset; and if any master, owner, or possessor, of slaves, his or her overseer or chief manager, shall knowingly suffer or permit the burial of any slave otherwise than as before directed, he shall forfeit the sum of fifty pounds; and if any burials shall take place in any of the towns of this island, or in savannas, commons, or other places, not in charge of an overseer, after sunset, every person of free condition, in whose house, yard, or premises, any slaves shall be permitted to assemble for attending such burial, shall forfeit a sum not less than five pounds, nor exceeding fifty pounds, and the negro or other slaves, who shall meet for the purpose of attending such burial, or be found thereat, shall, upon conviction before two or more magistrates, suffer such punishment as the said

Negro burials to be over by sunset, or owner, &c. forfeits 50l.

Burials in towns, &c. must also be over before sunset.

magistrates shall direct, not exceeding thirty-nine lashes.

Penalty on persons permitting unlawful assemblages of slaves at their houses or settlements.

if complained of in fourteen days.

XXXVIII. And be it further enacted, by the authority aforesaid, That if any Indian, free negro, or mulatto, or white person, shall, hereafter suffer any unlawful assembly of slaves at his or her house or settlement, every such Indian, free negro, mulatto, or white person, shall, upon due conviction thereof, before any court of quarter-sessions, suffer punishment by fine not exceeding one hundred pounds, or imprisonment not exceeding six months: Provided nevertheless, That information thereof shall be given on oath, within fourteen days, of such unlawful meeting.

Owners, &c. of slaves knowingly permitting them to keep horses, &c. to forfeit 30l. for each offence.

XXXIX. And whereas the permitting and suffering negro and other slaves to keep horses, mares, mules, or geldings, is attended with many and great mischiefs to the island in general, in order, therefore, to remedy the same, Be it further enacted, by the authority aforesaid, That, from and after the commencing of this act, no master, owner, proprietor, attorney, guardian, trustee, or other person in possession of any plantation, pen, or settlement, or holding a property of slaves, although not settled on any property, shall knowingly permit or suffer any slave or slaves to keep on such plantation, pen, or settlement, any horse, mare, mule, or gelding; and in case of so doing, shall, for every offence, forfeit the sum of thirty pounds, to be recovered in a summary manner, before any two justices of the peace for the parish or precinct where such offence is committed or permitted.

When stock given in, oath to be made that none of the horses, &c. be- long to any

XL. And be it further enacted, by the authority aforesaid, That every master, owner, proprietor, attorney, guardian, trustee, or other person, at the respective times of their giving in an account

of their slaves and stock to the justices and vestry, shall also make oath that none of the said horses, mares, mules, or geldings, so given in, do belong to any negro or other slave; and that such person so giving in, or his, her, or their employer or employers, hath not, nor have, in his, her, or their possession, to his, her, or their knowledge or belief, any horse, mare, mule, or gelding, belonging to, or reputed to belong to, any slave or slaves; and in case any person or persons shall neglect or refuse so to do, any person so neglecting or refusing shall, for every offence, forfeit the sum of thirty pounds, to be recovered in the same summary manner, and to be disposed of as hereinafter mentioned: And if any person or persons hereafter shall discover any horse, mare, mule, or gelding, belonging to any negro or other slaves, he shall forthwith take and send the same to the nearest pound of the parish where such horse, mare, mule, or gelding, shall be found; and the keeper of the pound aforesaid shall, and he is hereby obliged to, receive the same, under penalty of ten pounds for each and every horse, mare, mule, or gelding so refused, unless the same shall be disordered so as to endanger the cattle or other stock already in the pound, in which case only it shall and may be lawful for such pound-keeper to refuse such disordered horse, mare, mule, or gelding; and upon reception into the pound of any horse, mare, mule, or gelding, the property or supposed property of any negro or other slave, the pound-keeper aforesaid shall, for four successive weeks, advertise the same in the Gazette or Chronicle of the county where such pound is situate, under the head of negro stock, and describing the height, colour, and marks in the most particular manner; and, in one week after the expiration of the said four weeks'

slave, under penalty of 30l. for neglect or refusal.

Any person discovering horses, &c. belonging to slaves must send them to the pound.

From which they are to be advertised and sold.

Net proceeds to be divided between the sender in of the stock and the poor.

Properties of persons manumising slaves subjected to the annual sum allowed by law for their support.

Slaves to be manumised by will not exempted from any debt against the estate of the testator.

Wills valid for the disposal of goods, &c. sufficient for the manumission of slaves.

advertisement, shall put up and sell the same, at the usual place of public sales in the said parish, and after deduction of the usual charges of the pound, in which no mile-money shall form a part, shall pay one moiety of the net proceeds to the person who brought in such horse, mare, mule, or gelding, and the other moiety to the church-wardens of the parish, for the benefit of the poor of the said parish.

XLI. And whereas it may happen that slaves directed to be manumised by will, may find it difficult to establish their freedom, by reason of the person or persons acting under such will refusing to enter into the security required by law on the manumission of slaves: Be it enacted, by the authority aforesaid, That, from and after the passing of this act, whenever any person shall, by will in writing, expressly manumise, or direct to be manumised, any slave or slaves, belonging to him or her, the usual bond required by law in cases of manumission shall not be necessary, but the estate of the person so manumising any slave or slaves, or directing any slave or slaves to be manumised, shall be, and the same is hereby declared to be, liable to the payment of the annual sum required by law to be paid to any slave manumised, and the freedom of such slave, so manumised, or directed to be manumised, by will, shall be at once established: Provided always, That nothing in this act contained shall extend, or be construed to extend, to exempt such slaves so manumised from any debt or demand against the estate of the testator to which such slave or slaves should be otherwise liable: And provided always, and it is hereby enacted, That any will in writing, which by law would be deemed valid and sufficient for disposing of goods and chattels, or other personal estate, shall be, and the same is hereby declared to be, valid and sufficient for manumising, or

directing to be manumised, any slave or slaves, any thing in a certain statute, made and passed in the twenty-ninth year of the reign of his Majesty king Charles the Second, commonly called the statute of frauds and perjuries, or in a certain act of the governor, council, and assembly, of this island, made and passed in the sixteenth year of his present Majesty's reign, entitled, *An act to regulate the devises of negro, mulatto, and other slaves in wills*, or any act, law, usage or custom, to the contrary thereof in anywise notwithstanding.

XLII. And whereas it is expedient to prevent slaves from being purchased by persons for the purposes of resale, and to prevent such resales: Be it enacted, That, from and after the passing of this act, if any person or persons shall be found travelling about from place to place, exposing or offering for sale any negro, mulatto, or other slave or slaves, it shall and may be lawful for any person whomsoever, to seize and detain any such person or persons, and the slave and slaves, under his or their charge, and to carry such person or persons, and slave or slaves, before any one of his Majesty's justices of the peace or parish where such offence shall be committed, which said justice is hereby authorised and required to call to his assistance one other justice of the said parish, and which two justices, being so associated, shall, on due proof, on oath, that the party or parties, brought before them, had been found exposing or offering a slave or slaves to sale, contrary to the true intent and meaning of this act, cause the said slave or slaves, so offered for sale, to be publicly sold by warrant, under the hands and seals of the said two justices, one moiety of the monies arising from the sale thereof, after deducting the expences of the said sale, to be paid into the hands of the churchwardens of the said parish where the

16th Geo. III.
cap. 14, page 9.

Persons travelling about the country for the purpose of trafficking in slaves to be taken up and carried, with the slaves, before a justice, who is to proceed against them as herein directed.

On due proof, such slaves to be sold, one moiety of sale to the poor the other to the informer.

offence shall be committed, for the use of the poor of the said parish, and the other moiety to the use of the person or persons, who shall bring the offender or offenders before the said justices.

The oath of the informer sufficient.

XLIII. And it is hereby enacted and declared, That the oath of the person or persons, bringing such offender or offenders before the said justices, shall be received and taken, and shall be considered good evidence against such offender or offenders.

Sales of slaves made as aforesaid to be null and void, and the slaves forfeited.

XLIV. And be it further enacted, by the authority aforesaid, That if any sale or sales of slaves shall be so made, as aforesaid, the same shall be, and are hereby declared to be, null and void, and that no title shall accrue to the purchaser or purchasers thereof; and any slave or slaves, so sold, shall become forfeited, and any justice of the peace, on receiving information, on oath, of any such sale or sales, shall issue his warrant to take up such slave or slaves; and if it shall appear to his satisfaction that such slave or slaves has or have been so sold, he shall declare the same to be forfeited, and proceed to sell the said slave or slaves, and apply the money arising from such sale in manner hereinbefore mentioned.

Justices on information, to issue warrants to take up slaves so sold, to sell them, and apply the money as before.

XLV. And it is hereby enacted, by the authority aforesaid, That no writ of *certiorari*, or other process, shall issue, or be issuable to remove any proceedings whatsoever, had in pursuance of this act, into the supreme court of judicature, or any other of the courts of this island.

Proceedings under this act cannot be removed into the supreme or other courts.

XLVI. And whereas it is absolutely necessary that the slaves in this island should be kept in due obedience to their owners, and in due subordination to the white people in general, and, as much as in the power of the legislature, all means and opportunities of slaves being concerned in rebellious conspiracies, and committing other crimes, to the ruin and destruc-

tion of the white people and others in this island, prevented, and that proper punishments should be appointed for all crimes to be by them committed: Be it further enacted, by the authority aforesaid, That if any slave or slaves shall, after the commencement of this act, enter into or be concerned in any rebellion, or rebellious conspiracy, or commit any murder, felony, burglary, robbery, or set fire to any houses, out-houses, negro-houses, cane-pieces, grass or corn pieces, or break into such houses, out-houses, or negro-houses, in the day time, no person being therein, and stealing thereout, or compass or imagine the death of any white person, and declare the same by some overt act, or commit any other crime which would subject white persons, or persons of free condition, to be indicted for felony, such slave or slaves shall, for every such offence or offences, upon trial and conviction thereof, in manner hereinafter mentioned, suffer death, transportation, or such other punishment as the court shall think proper to direct, according to the nature and extent of the offence.

XLVII. And be it further enacted, by the authority aforesaid, That if any slave shall assault or offer any violence, by striking or otherwise, to or towards any white person, or persons of free condition, such slave, upon due and proper proof, shall, upon conviction, be punished with death, transportation, or confinement to hard labour for life, or a limited time, or such other punishment, according to the nature of the offence, as the court shall in their discretion think proper to inflict; provided such assault or violence be not by command of his, her, or their owners, overseers, or persons entrusted with them, or in the lawful defence of their owners' persons or goods.

XLVIII. And be it further enacted, by the authority aforesaid, That if any slave or slaves shall here-

Slaves concerned in rebellions, or committing murder, or other felony, to suffer death, transportation, &c. as the court may think fit.

Slaves guilty of assaults or other violence, to be punished at discretion of the court,

unless by order or in defence of their owner, &c.

How slaves possessing fire

or other arms without knowledge of their owner, &c. are to be dealt with.

after be found to have in his, her, or their, custody, or possession, any fire-arms, pikes, sabres, swords, cutlasses, lances, gunpowder, slugs, or ball, without the knowledge of his, her, or their owner, proprietor, or possessor, or his, her, or their overseer, such slave or slaves shall be taken before two magistrates, who shall, if they are of opinion that the same was with evil intent, commit such slave or slaves to the gaol, to be tried by a slave-court, as hereinafter directed; and, upon conviction, the said slave or slaves shall suffer death, transportation, or such other punishment as the court shall think proper to direct.

XLIX. And, in order to prevent the many mischiefs that may hereafter arise from the wicked art of negroes going under the appellation of obeah men and women, and pretending to have communication with the devil and other evil spirits, whereby the weak and superstitious are deluded into a belief of their having full power to exempt them, whilst under their protection, from many evils that might otherwise happen: Be it further enacted, by the authority aforesaid, That from and after the commencing of this act, any slave who shall pretend to any supernatural power, in order to excite rebellion, or other evil purposes, or shall use, or pretend to use, any such practices, with intent, or so as to affect or endanger the life or health of any other slave, shall, upon conviction thereof, suffer death or transportation; any thing in this or any other act to the contrary in anywise notwithstanding.

Slaves pretending to supernatural power may be sentenced to death, &c.

Punishment on slaves preaching or teaching as Anabaptists, or otherwise, without permission.

L. And whereas it has been found that the practice of ignorant, superstitious, or designing slaves, of attempting to instruct others, has been attended with the most pernicious consequences, and even with the loss of life: Be it enacted, That any slave or slaves, found guilty of preaching and teaching as Anabaptists, or otherwise, without a permission from their

owner and the quarter-sessions for the parish in which such preaching or teaching takes place, shall be punished in such manner as any two magistrates may deem proper, by flagellation, or imprisonment, in the workhouse to hard labour.

LI. And whereas a practice of nightly and other private meetings has frequently taken place amongst the slaves in several parts of this island, and which have been unknown to the owner, attorney, or other person having charge of the slaves of the property, and as such meetings are injurious to the health of the slaves, and of dangerous tendency: Be it further enacted, by the authority aforesaid, That in future all such meetings shall be deemed unlawful, and the persons who shall or may attend them, shall be liable to be apprehended and taken before any magistrate of the parish wherein the offence shall be committed; and, if any person of free condition attend such meeting, and it appears to the said magistrate, on the oath of the person accusing the party, that he or she is guilty, he or she shall be committed to gaol, to be tried at the next quarter-session of the parish for the said offence, and, if convicted thereof, he or she shall be sentenced to imprisonment in the county goal for such period of time as the justices, before whom he or she shall be so convicted, think proper to direct, not exceeding three months: And if the offender be a slave, he or she shall be tried at a slave-court, and, if convicted thereof, he or she shall be sentenced by the said court to hard labour for such time as the court shall think proper to direct, or to receive such other punishment, by flogging, not exceeding thirty-nine lashes at one time, as the court shall order and direct.

LII. And be it further enacted, by the authority aforesaid, That if any negro or other slave or slaves

Nightly meetings of slaves unlawful, and free people attending them how punishable.

If offender be a slave, he or she is to be punished as slave court may direct.

Slaves preparing or giving poison, though

death does not ensue, are to suffer death.

Punishment on slaves having any poisonous drugs, pounded glass, &c. in their possession.

Slaves found at any meeting, formed for administering unlawful oaths, &c. are to be punished as court shall direct,

as are white or free people present at such meetings.

shall mix or prepare, with an intent to give or cause to be given, any poison, or poisonous or noxious drug, pounded glass, or other deleterious matter, in the practice of obeah or otherwise, although death may not ensue on the taking thereof, the said slave or slaves, together with their accessories, as well before as after the fact (being slaves), being duly convicted thereof, shall suffer death; any thing in this or any other act to the contrary in anywise notwithstanding.

LIII. And be it further enacted, That if there shall be found in the possession of any slave any poisonous drugs, pounded glass, parrots' beaks, dogs' teeth, alligators' teeth, or other materials notoriously used in the practice of obeah or witchcraft, such slave, upon conviction, shall be liable to suffer transportation from this island, or such other punishment, not extending to life, as the court shall think proper to direct.

LIV. And whereas it is necessary to prevent secret and unlawful meetings of slaves: Be it therefore enacted, by the authority aforesaid, That all and every slave or slaves, who shall be found at any meeting, formed either for the purpose of administering unlawful oaths, by drinking human blood mixed with rum, grave-dirt, or otherwise, or of learning the use of arms, or for any other unlawful or dangerous purpose, such slave or slaves shall, on conviction thereof, suffer death, or transportation for life, as the court shall direct.

LV. And be it further enacted, by the authority aforesaid, That if any person or persons, either white or of free condition, shall be present at any such meeting, and aiding and assisting in any of the unlawful purposes before mentioned, such person or persons shall, upon conviction thereof in the supreme court, or either of the courts of assize of this island,

be punished by death, transportation off this island for life, or fine or imprisonment, or both, at the discretion of the court before whom such person or persons shall be tried.

LVI. And be it further enacted, That if any person or persons, having knowledge of such unlawful meetings, as aforesaid, shall not forthwith give information thereof to a justice of the peace, such person or persons shall, on conviction before the supreme or either of the courts of assize of this island, suffer such punishment, by fine or imprisonment, or both, or by public whipping, as the court before which such person or persons shall have been so convicted shall direct.

Persons having knowledge of such unlawful meetings, and not giving information thereof, to be punished at discretion of court.

LVII. And be it further enacted, by the authority aforesaid, That if any negro or other slave shall, after the commencement of this act, steal any horned cattle, sheep, goat, hog, horse, mare, mule, or ass, or shall kill any such horned cattle, sheep, goat, hog, horse, mare, mule, or ass, with intent to steal the whole carcass of any such horned cattle, sheep, goat, hog, horse, mare, mule, or ass, or any part of the flesh thereof, such negro or other slave shall, on conviction thereof, suffer death, transportation, or such other punishment as the court shall in its discretion inflict.

Slaves stealing horned cattle, sheep, horses, &c. may be condemned to death.

LVIII. And whereas great numbers of horned cattle, sheep, goats, hogs, horses, mares, mules, and asses, are frequently stolen and killed by negro and other slaves, in so secret and private a manner that it is with the greatest difficulty they can be found out and discovered, in such manner as to convict them of such offence, although large quantities of beef, mutton, and the flesh of other valuable animals, are found upon him, her, or them: in order, therefore, to prevent such evils in future, and to punish the perpetrators of such acts agreeable to their crime, Be it

If slaves have in their possession twenty pounds of meat, unaccounted for, they are to be whipped, not exceeding thirty-nine lashes; and if above twenty pounds, justices to assign punishment, not affecting life.

Punishment on slaves maiming or injuring horned cattle, horses, &c.

enacted by the authority aforesaid, That if any negro or other slave shall fraudulently have in his, her, or their custody, or possession, unknown to his or her master, owner, overseer, or other persons who shall have the overlooking or employing of such slave, any fresh beef, veal, mutton, pork, or goat, or the flesh of horse, mare, mule, or ass, in any quantity not exceeding twenty pounds weight, without giving a satisfactory account in what manner he or she became possessed thereof, such negro or other slave, upon conviction thereof before any two magistrates, shall be whipped in such manner as such magistrates shall direct, not exceeding thirty-nine lashes; and if there shall be found in his, her, or their custody or possession a larger or greater quantity than twenty pounds weight of fresh beef, veal, mutton, pork, or goat, or the flesh of horse, mare, mule, or ass, and such slave shall not give a satisfactory account how he or she became possessed of such meat, then such negro or other slave, upon conviction thereof, shall suffer such punishment as the said two justices shall think proper to inflict or direct, not extending to life or imprisonment for life.

LIX. And be it enacted, by the authority aforesaid, That if any negro or other slave shall wantonly and cruelly cut, chop, shoot at, or otherwise maim and injure, any horned cattle, horse, gelding, mare, mule, or ass, such negro or other slave shall, for every such offence, be tried, in a summary manner, before two or more justices of the peace of the parish or precinct where the offence shall be committed; and the said justices of the peace shall, on conviction of such slave or slaves, order and direct such punishment to be inflicted as they shall think proper, not exceeding fifty lashes, to be inflicted at one or more different times, or two months' hard labour in the workhouse; and in all cases where, from such treat-

ment as above set forth, any horned cattle, horse, gelding, mare, mule, or ass, shall be killed, or shall die within ten days after the offence committed, although the carcass, or any part of the flesh thereof, may not be stolen, such negro or other slave shall be tried at a slave-court, and, on conviction thereof, suffer death, transportation, or confinement to hard labour for life, or such other punishment as the court shall think proper.

LX. Be it further enacted, by the authority aforesaid, That if any slave or slaves shall, by wantonly and cruelly cutting, chopping, striking, or, by any other manner or way whatsoever, mutilate, disfigure, dismember, or injure, any slave or slaves, so as to endanger life, although death shall not ensue, or that such slave or slaves shall become a cripple, or lose any of his or her limbs, or be deprived of the use thereof, all and every or any such slave or slaves so offending shall, for every or any such offence, be tried at a slave court, and, upon conviction, shall, for the first offence, suffer such punishment, not extending to life, as the court shall think proper to direct, according to the circumstances of the case; and, for a second offence, upon conviction, shall suffer death, or transportation for life, as the court shall direct.

LXI. And whereas the practice of negroes to clear their grounds by fire is highly dangerous to the neighbouring properties, and frequent instances of alarm and injury occur for want of some restraint in that respect: For prevention of so great an evil, be it further enacted, That if any injury shall arise to the owner, proprietor, or possessor of one property, by a slave or slaves on the adjoining property clearing ground by fire, the slave or slaves, who shall so clear ground by fire, by which injury shall result to the adjoining property, shall be proceeded against, tried,

Punishment on those wantonly cutting and chopping any other slave.

Punishment on slaves clearing their grounds by fire, if injury arise.

Overseers, &c. having knowledge that any fire has been made for such purpose, and not doing their utmost to extinguish it, to be fined at discretion of two justices.

Slaves absent five days, or found eight miles from home, without tickets, to be deemed runaways.

Slaves, who shall run away for a longer period than six months, to be punished as the court shall direct.

and punished, if found guilty, as and for a misdemeanour; and if the overseer, or other person then actually having charge of the property on which such fire shall originate, shall have knowledge that any negro under his charge has made any such fire for clearing his or her ground, and shall not forthwith use his best endeavours to cause the same to be extinguished, and such fire shall cause injury to the neighbouring property, such overseer or other person shall suffer such fine as any two justices of the peace of the parish, wherein such injury shall happen, shall award, not exceeding ten pounds for one and the same offence; the complaint whereon shall be heard, determined, and the penalty, when imposed, shall be enforced, in a summary manner, before any two justices of the peace.

LXII. And whereas it is very dangerous to the peace and safety of this island to suffer slaves to continue out as runaways, and it is absolutely necessary to declare and make known to the public what slaves shall be deemed such: Be it enacted, by the authority aforesaid, That, from and after the commencement of this act, any slave or slaves who shall be absent from his owner or employer, without leave, for the space of five days, or who shall be found at the distance of eight miles from the house, plantation, or other settlement, to which such slave or slaves shall belong, without a ticket or other permit to pass, except as hereinbefore excepted in going to and returning from market, shall be deemed a runaway.

LXIII. And be it further enacted, by the authority aforesaid, That if any slave shall run away from his or her owner or lawful possessor, and continue absent for a term exceeding six months, such slave, being convicted thereof, shall be sentenced to be confined to hard labour for such time as the court shall

determine, or be transported for life, according to the magnitude of the offence.

LXIV. And be it further enacted, by the authority aforesaid, That if any slave shall run away from his or her lawful owner or possessor, as aforesaid, and continue absent for any term not exceeding six months, such slave shall be liable to be tried before two justices, and, upon conviction thereof, shall, for the first offence, suffer such punishment, by flogging, or confinement to hard labour not exceeding three months, as the said two justices shall think proper to direct; but if the said slave hath frequently run away, and is by his owner or possessor declared to be an incorrigible runaway, he shall be tried as if he had been run away from his said owner or possessor, and continued absent for a term exceeding six months, and such slave, being convicted thereof, shall be sentenced to be confined to hard labour or be transported for life, as the court shall direct.

Punishment on those who continue absent for a shorter period than six months.

and those who are incorrigible runaways,

LXV. And be it further enacted, by the authority aforesaid, That any slave or slaves, who shall knowingly harbour or conceal any runaway slave or slaves, shall be liable to be tried for the same at the slave court hereinafter appointed, and, on conviction, shall suffer such punishment as the court shall think proper to direct, not extending to life.

Slaves, harbouring runaways to receive punishment not extending to life.

LXVI. And be it further enacted, by the authority aforesaid, That any slave, or other person or persons whatsoever, who shall apprehend any runaway slave or slaves, shall, for every one so apprehended, be entitled to receive from the owner, employer, overseer, or manager of such slave or slaves, the sum of ten shillings, and no more, besides mile-money at the rate of one shilling *per* mile for the first five miles, and six pence *per* mile for every mile afterwards: provided nevertheless, That nothing in this act con-

Owner, &c. to pay 10s. and mile-money for each runaway taken up.

This act not to alter rewards to maroons.

Slaves, when apprehended, to be conveyed to the owner, &c. or the workhouse of the parish; but if no workhouse in the parish, then to the nearest gaol.

Workhouse or gaol-keeper must receive such slaves, and pay reward and mile-money, under the penalty of 5*l*.

Workhouse and gaol keepers to advertise weekly in each county paper all runaways in their possession, with full descriptions of them, under a penalty of 10*l*. charging 3*s*. 4*d*. for each

tained shall be construed to extend to an allowance of the said sum of ten shillings, and mile-money, in addition to the sum allowed to maroon negroes for apprehending runaways: And provided also, That it is not hereby intended to deprive the said maroons of their legal and established reward of forty shillings for each negro.

LXVII. And be it further enacted, by the authority aforesaid, That the person or persons, so apprehending such runaway slave or slaves, shall convey him, her, or them, to their respective owner, employer, or manager, or to the workhouse of the parish in which they may be apprehended; if any workhouse is established there, and, in case of there being no workhouse, to the next gaol; and the gaoler or workhouse-keeper is hereby required and ordered to receive such slave or slaves into his or their custody, and to pay the party delivering such slave or slaves the said sum of ten shillings and mile-money as aforesaid, and no more, for each slave so delivered, under the penalty of five pounds.

LXVIII. And, to the end that the owners and proprietors of runaway slaves may have a due knowledge where such slaves are confined, after their being apprehended and sent to any workhouse or gaol in this island, in order that such owners or proprietors may apply for such slaves, be it further enacted, by the authority aforesaid, That, from and after the commencement of this act, all and every the keepers of the workhouses or gaol-keepers in any of the parishes of this island shall, and they are hereby obliged, once in every week, to advertise in the Gazette of St. Jago de la Vega, the Royal Gazette, and the Cornwall Chronicle, the height, names, marks, and sex, and also the country, where the same can be ascertained, of each and every runaway slave then in their custody, toge-

ther with the time of their being sent into custody, and the name or names of the owner or owners thereof, if known, and that upon oath, under the penalty of ten pounds for every slave so neglected by him to be advertised; and for the expense of such advertisement, they the said workhouse-keepers or gaol-keepers shall and may, and they are hereby authorized to, charge the owner or proprietor of such runaway slaves, so advertised, at and after the rate of three shillings and four pence *per* month for each paper, and no more; which said sum of three shillings and four-pence *per* month for each paper to be paid to the printers of the several papers respectively, the amount of whose accounts, after being properly authenticated upon oath, shall be paid annually by the treasurers for the time being of the several workhouses in this island: And that it shall and may be lawful for the keeper of the workhouse or gaol-keeper to detain and keep in his or their custody such runaway slave or slaves, so brought unto him or them, until the owner or owners thereof, or some person on their behalf, properly authorized, shall pay unto him or them what he or they so paid to the person or persons, who apprehended and brought such slave or slaves into custody, with two shillings and sixpence in the pound for laying out his or their money, the cost of advertising, at and after the rate above mentioned, and sixpence for every twenty-four hours such slave or slaves shall have been in custody, for maintenance, and two pence per day for medical care and extraordinary nourishment where necessary, the expense of clothing when supplied, and also the charges of advertising above directed, and no other fees whatever; and that the gaoler, workhouse-keeper, or supervisor, and no other person, shall attest, upon oath, that the charges in the account for mile-money, and the reward for apprehending such slave, were

paper per month, which owners are to reimburse.

Advertising accounts to be paid annually by treasurers.

Slaves may be detained till all expenses paid

with 2s. 6d. in the pound

also 6d. per day for main-tenance, 2d per day for medical care where necessary, &c.

which charges must be attested.

Slaves committed under judgment excluded from payment of fees.

actually paid to the person who brought such runaway, and that the whole of the charges in the said account are strictly conformable to law ; Provided always, and it is hereby declared, That the owner or owners of any slave to be committed by the judgment of any slave court, or by order of the magistrates, to any workhouse, by way of punishment, shall not be answerable for, or compelled to pay, the workhouse fees for the time such slave shall be so committed and confined.

Slaves in confinement to have sufficient provisions, under penalty of 10l. Rations for them

LXIX. And be it further enacted, by the authority aforesaid, That the keeper of every workhouse or gaol in this island shall, under the penalty of ten pounds for every neglect, provide and give to every slave confined in such workhouse or gaol a sufficient quantity of good and wholesome provisions daily; that is to say, not less than one quart of unground Guinea or Indian Corn, or three pints of the flour or meal of either, or three pints of wheat flour, or eight full grown plantains, or eight pounds of cocoas or yams, and also one herring or shad, or other salted provisions equal thereto, and shall also, under the like penalty, provide and supply every such slave, confined as aforesaid, with good and sufficient clothing where necessary.

also clothing.

On a negro or other person detained as runaway alleging himself to be free, custos to summon a special sessions, to investigate the truth thereof.

LXX. Provided always, and it is hereby enacted, by the authority aforesaid, That in case any negro or other person sent in, and detained in, any gaol or workhouse, as a runaway slave, shall allege himself or herself to be free, it shall be the duty of the custos or senior justice of the parish or precinct, wherein such gaol or workhouse is situated, to convene, as soon as conveniently may be, a special sessions, consisting of not less than three justices of the peace of such parish or precinct, and of which special sessions, and of the time and place of holding the same, due notice shall

be given in the several county newspapers of this island; and which special sessions, being so convened, shall carefully and attentively investigate, inquire into, and examine, the truth of such allegation; and if it shall appear to such special sessions that such person, so detained, as a runaway slave, is free, such person shall be forthwith discharged, and, in case it shall appear to such special sessions, that such person is a slave, he or she shall be forthwith remanded to the workhouse or gaol, whereto he or she had been sent: Provided always, and it is hereby declared, That the decision of such special sessions shall be without prejudice to the prosecution of the right or title of any person to such runaway, or to the prosecution, by such person detained as a runaway, of his or her right or title to his or her freedom.

If entitled to freedom, to be forthwith discharged; if a Slave, remanded.

Decision not to prejudice title.

LXXI. And it is hereby further enacted, by the authority aforesaid, That no slave or slaves, so detained as a runaway slave or slaves, shall be sold by any gaoler, supervisor, or workhouse-keeper, until such special sessions has been convened and held, and such investigation, inquiry, and examination had, and without the same being certified by the justices attending such special sessions, under their hands and seals; and the sale of any runaway slave or slaves, made without such certificate being obtained, shall be, and the same is hereby enacted and declared to be, null and void, to all intents and purposes, and no right, title, or interest whatsoever, shall pass thereunder to any purchaser whomsoever, any thing in this act, or in an act of the Lieutenant-Governor, Council, and Assembly of this island, made and passed in the thirty-second year of his present Majesty's reign, entitled, *An act for establishing public workhouses in the several parishes in this island*, or any other act,

No slaves, detained as above, to be sold until such investigation takes place.

Such sale declared void

32 Geo. 3. Cap. 11. Page 23.

law, usage, or custom, to the contrary in anywise notwithstanding.

Four weeks' notice in county papers to be given by supervisors, &c. of replevins, &c. brought against them for slaves in the work-house.

LXXII. And be it further enacted, by the authority aforesaid, That, from and after the commencement of this act, every supervisor, intendant, or keeper of any public workhouse in this island, who shall have any action in replevin, *homine replegiando*, or ejection, brought against him for any negro or other slave or slaves in his custody, shall, under a penalty for every offence, not less than five pounds, nor exceeding fifty pounds, as shall be inflicted by the judges of His Majesty's Supreme Court of Judicature or courts of assize in this island, immediately after he receives such replevin, *homine replegiando*, or ejection, give notice in the several county newspapers of such action, and at whose suit it is brought, and the name or names of such negro or other slave or slaves, together with his, her, or their, mark or marks, and the best information he can get concerning the real owner of such slave or slaves, and shall continue such notice for four weeks, before the trial shall be had upon such replevin, *homine replegiando*, or ejection, or such slave or slaves be taken out of the custody of such supervisor, intendant or workhouse-keeper; the costs of which, and all other expenses incurred, shall be paid to such supervisor, intendant, or workhouse-keeper, by the person who shall recover such slave or slaves: And if any person or persons shall give notice to such supervisor, intendant, or keeper of any workhouse, of his, or her, or their, intention to take the defence of any action so brought, such supervisor, intendant, or keeper of a workhouse, shall detain in his custody the slave or slaves, for or by whom such action shall be brought, until the trial of such action or order of the court thereon, under the penalty of one hundred pounds, unless the security

Expenses to be paid by person recovering.

If any person give notice to supervisors, &c. of an intention to defend such actions, supervisors must detain in custody the slaves in dispute until trial, under penalty of 100l.

offered in cases of *homine replegiando* shall justify, before a judge of the grand court or courts of assize, in such sum as such judge shall think proper, notice of such justification, and the time and place thereof, and the judge before whom the same is to be taken, being given to the person intending to take the defence of such action.

LXXIII. And be it further enacted, by the authority aforesaid, That no runaway slave shall, on any account be committed to gaol by any magistrate of a parish where there is any workhouse established, but to such workhouse only.

LXXIV. And whereas, several slaves have found means to desert from their owners, and depart from this island, to the great damage of such owners, in evil example to other slaves, who may [*be*] thereby induced to attempt or conspire to do the same; And whereas, there is reason to suspect that such slaves have been aided and assisted in such escape and departure by other persons, and there is not any adequate punishment provided by law for such desertion or departure, or attempting or conspiring to desert and depart this island, or for persons aiding, assisting, or abetting, such deserters: For remedy whereof, Be it enacted, by the authority aforesaid, That, from and after the commencement of this act, if any slave shall run away from his, her, or their owner or owners, employer or employers, and go off, or conspire or attempt to go off, this island, in any ship, boat, canoe, or other vessel or craft whatever, or be aiding, or abetting, or assisting to any other slave or slaves in such going off this island, he, she, or they, so running away, and going off, or conspiring or attempting to go off, or so aiding, assisting, or abetting, in such going off, being thereof convicted,

Runaways to be committed to workhouses only.

Slaves attempting to depart this island, or assisting others in such attempts, may be sentenced to death.

shall suffer death or such other punishment as the court shall think proper to direct.

Free people of colour assisting slaves in going off are to be transported,

LXXV. And be it further enacted, by the authority aforesaid, That if any Indian, free negro, or mulatto, shall, from and after the commencement of this act, knowingly be aiding, assisting, or abetting, any slave or slaves in going off this island, and shall be convicted thereof, either in the supreme court or in other [either of] the courts of assize of this island, such Indian, free negro, or mulatto, shall be forthwith transported off this island by the provost marshal or his lawful deputy, into whose custody such person or persons shall be committed; and if such person or persons, so convicted, sentenced, and transported, shall be afterwards found at large in this island, he, she, or they, on proof of his or their identity before the said supreme court or courts of assize as aforesaid, shall suffer death without benefit of clergy.

and suffer death if they return.

If white people do so, they forfeit 300l. for each,

LXXVI. And be it further enacted, by the authority aforesaid, That if any white person or persons shall knowingly be aiding, assisting, or abetting, any slave or slaves in going off this island, he, she, or they, being convicted thereof, by bill, plaint, or information, in the supreme court of judicature, or either of the courts of assize of this island, shall forfeit the sum of three hundred pounds for each slave; one moiety whereof shall be to our sovereign lord the king, 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 party or parties at whose suit or complaint such person was convicted; and shall also suffer imprisonment, at the discretion of the said court, for any space of time not exceeding twelve months, without bail or mainprize.

and may be imprisoned a year.

LXXVII. And be it further enacted, by the authority aforesaid, That it shall and may be lawful to proceed against the person or persons so aiding, assisting, or abetting, any slave or slaves in going off this island, whether the principal or principals be convicted or not, any thing in this or in any other act, law, custom, or usage to the contrary thereof notwithstanding.

Accessaries may be proceeded against though principals are not convicted.

LXXVIII. And be it further enacted, by the authority aforesaid, That no negro or other slave shall be allowed to travel the public roads with dogs, or cutlasses, or other offensive weapons, without a ticket from his owner, or to hunt any cattle, horses, mares, mules, or asses, in any part of this island, with lances, guns, cutlasses, or other instruments of death, unless in the company of his or their master, overseer, or some other white person by him or them deputed, or by permission in writing; and if any negro or other slave shall offend, contrary to the true intent and meaning of this act, he, she, or they, being thereof convicted before two justices, shall suffer such punishment as they shall think proper to inflict, not extending to life, or transportation for life.

If slaves, not authorized, travel with dogs, &c. or hunt with instruments of death, punishment may be awarded by two justices.

LXXIX. And whereas it is necessary to declare how and in what manner slaves shall be tried for the several crimes which they may hereafter commit: Be it enacted, by the authority aforesaid, That, from and after this act shall commence and be in force, upon complaint made to any justice of the peace of any murder, felony, burglary, robbery, burning or destroying of houses, out-houses, negro-houses, or cane, grass, or corn-pieces, or breaking into such houses, out-houses, or negro-houses, in the day-time, no person being therein, and stealing thereout; rebellious conspiracies, compassing or imagining the death of any white person or persons, or any other

On complaint of felonies, burglaries, &c. by slaves, justice to issue a warrant.

offence whatsoever, committed by any slave or slaves, that shall subject such slave or slaves to suffer death, transportation, or confinement to hard labour, such justice shall issue out his warrant for apprehending such offender or offenders, and for all persons that can give evidence, to be brought before him, or any other justice of the peace; and the evidence of slaves against one another, in this and all other cases, shall be received; and if, upon examination, it appears probable that the slave or slaves apprehended is or are guilty, the justice before whom such examination shall be had and taken, shall commit him, her, or them, to prison, and bind over the witnesses to appear at a certain day, not less than ten days from the day on which the complaint shall be made, and at the place where the quarter-sessions are usually held, and where there are no quarter-sessions held at the place where the parochial business is usually transacted (except in the precinct of Saint Thomas in the East and Saint David, where such trial shall take place at the place where the quarter-sessions are usually held), and shall certify to two other justices of the peace the cause of such commitment, and require them, by virtue of this act to associate themselves to him, which the said justices are hereby severally required to do, under the penalty of twenty pounds for every neglect or refusal; and the said justices, so associated, shall issue out their warrant, directed to the deputy-marshal of such parish or precinct, to summon twenty-four persons, such as are usually warned and empanelled to serve on juries (the master, owner, or proprietor, of the slave or slaves so complained of, or the attorney, guardian, trustee, overseer, or book-keeper, of such master, owner, or proprietor, or the person prosecuting, his or her attorney, guardian, trustee, overseer, or book-keeper, always excepted),

Slaves to be evidence against each other.

Justice to commit and bind over witnesses to appear.

Justice to call in two other justices (who must attend or each forfeit 20*l*.) and they are to summon a jury, from which particular persons are excepted.

personally to be and appear before the said justices, or any three or more justices of the peace of the said parish, associated for the same purpose, at the day and place aforesaid, to be expressed in such warrant, and between the hours of eight and twelve of the clock in the forenoon, when and where the said persons so warned by the deputy-marshal as aforesaid are hereby severally required to attend, under the penalty of five pounds on each defaulter, and when and where the said justices shall cause the said slave or slaves, so complained of, to be brought before them, and thereupon twelve of the said persons, so summoned as aforesaid, shall compose a jury to try the said slave or slaves, and shall by the said justices (the charge or accusation being first read) be sworn to try the matter before them, and to give a true verdict, according to evidence; and such charge or accusation shall be deemed valid, if sufficient in substance; and if the said jurors shall, upon hearing the evidence, unanimously find the said slave or slaves guilty of the offence wherewith he, she, or they, stand charged, the said justices shall give sentence of death, without benefit of clergy, or transportation, or confinement to hard labour for life, or a limited time, according to the nature of the offence, and shall cause such sentence to be carried into execution at such time and place as they shall think proper, women with child only excepted, whose execution shall be respited until a reasonable time after delivery: Provided always, That nothing in this act contained shall hinder or prevent the said justices, upon any such trial, where any slave or slaves shall be condemned to die, from respiting the execution of such sentence for any term not exceeding thirty days, or until the pleasure of the governor, or the person executing the functions of

It is the duty of the
justice of the peace
to cause the same to be
performed.

Jurors not attending to forfeit 5l.

Twelve persons to compose a jury.

If slaves convicted, justices may give sentence of death, transportation, &c.

Justices may suspend execution for thirty days, if they see cause,

and must do it
on application
of the jury,

except in cases
of rebellion,
when they may
order immediate
execution.

When business
of quarter
sessions ended,
justices to
form them-
selves into a
slave-court,

for the purpose
of gaol
delivery,

governor, shall be known, in case proper cause shall appear to them for so doing; and that if the jury, upon any such trial, shall apply to the said justices to suspend the execution of any sentence until the pleasure of the governor, or person executing the functions of governor, is known, the said justices shall be obliged to suspend the same for thirty days, and to report the particulars of the trial to the governor, or the person executing the functions of governor, forthwith, under the penalty of fifty pounds on each justice who sat on such trial, except in cases of trial of any slave or slaves convicted of actual rebellion, or for rebellious conspiracy, in all which cases the said justices shall, if they think it expedient, order the sentence passed on such slave or slaves to be carried into immediate execution: And it is hereby declared, That at every court of quarter-sessions, held in each and every parish or precinct within this island, the justices there assembled shall and may, after the usual business of the said court shall be done, form themselves into a court, for the purpose of inquiring into, hearing, and determining, all manner of offences for which any slave or slaves are liable to be punished with death, or transportation, or confinement to hard labour, as aforesaid, and shall open the said court by proclamation, declaring the same to be a slave-court for such purpose; and shall thereupon, on the like charge in writing, and in like manner, in all other respects, as the three justices associated and met as hereinbefore mentioned are, by this act directed to proceed in the trial of slaves for such offences, proceed to try, and deliver the gaol or workhouse within the said parish or precinct of all and every slave or slaves, who shall or may then be in the custody of the marshal or keeper of the workhouse, within each and

every parish or precinct, and shall further call a jury, consisting of twelve jurors, to be called and taken from the panel returned to the said court of quarter-sessions, and shall cause them to be severally sworn, as they shall appear, to try all and every such slave or slaves as shall be brought before them, charged with any such offences as aforesaid, and a true verdict give, according to evidence, as in other cases: Provided always, That no less than three justices shall constitute a court for the trial of any slave or slaves, for any crime or offence that shall subject such slave or slaves to suffer death, transportation, or confinement to hard labour for life, as aforesaid: Provided always, That if any slave or slaves shall have been detained in custody, under commitment, for six calendar months, and no indictment shall have been preferred against him, her, or them, or person appearing to prosecute the complaint, during that time, it shall be the duty of the said justices, so associated for the purpose of holding such slave-court, to discharge such slave or slaves by proclamation, at the expiration of such six calendar months, from the time of the commitment of such slave or slaves: And provided always, That in any case, upon an indictment against any slave or slaves for murder, where malice prepense shall not be proved to the satisfaction of the jurors, such jurors shall be, and they are hereby declared to be, at liberty to return a verdict of manslaughter, if they shall think the nature of the case shall require it, and the person or persons so found guilty of manslaughter shall suffer such punishment as the court shall think fit to inflict, not extending to life, or transportation for life.

LXXX. And be it further enacted, by the authority aforesaid, That all and every the jurors, who have

Not less than three justices to constitute a court for trial of slaves in certain cases.

Slaves detained under commitment for six months, and no indictment preferred against them, to be discharged by proclamation.

Where slaves are indicted for murder, if malice prepense do not appear, verdict of manslaughter may be returned.

Jurors summoned for

quarter-sessions must serve in slave-courts, under penalty of 5*l*.

been returned to serve as jurors at the quarter-sessions to be holden as aforesaid, are hereby required, under the penalty of five pounds, to be and appear at the said slave-court, so to be formed and holden, as aforesaid, and to serve as jurors thereon as they shall respectively be called; and that upon all trials of slaves under this act, no peremptory challenges of any of the said jurors, or any exception to the form of the indictment, shall be allowed.

Penalty of 10*l*. on persons warned to attend trials, and neglecting to do so.

LXXXI. And be it further enacted, That all witnesses of free condition, legally warned, and who do not attend to give evidence at any trial under this act, or shew, by affidavit, a sufficient cause for his or her absence, shall be liable to a fine of ten pounds.

Jurors, witnesses, &c. under this act, protected in their persons,

LXXXII. And be it further enacted, by the authority aforesaid, That all jurors serving at slave-courts, and every person or persons whose presence may be requisite at the examination of any slave or slaves, and who shall be required by warrant or summons under the hand and seal of any justice of the peace, and all and every slave and slaves, who shall be brought as witnesses, shall be protected in their persons from all mesne or judicial process whatsoever, in their going to, attending at, and returning from such examinations or trial, and that such slaves shall not be subject to be levied on.

and slaves levied on.

Records to be kept by clerk of the peace, who must attend trials, and record proceedings in thirty days, under penalty of 20*l*.

LXXXIII. And be it further enacted, by the authority aforesaid, That a record shall be entered up of all proceedings on the trials of slaves for any crime that shall subject any slave or slaves to suffer death, transportation, or confinement to hard labour, in a book to be kept for that purpose by the clerk of the peace, or his lawful deputy, of the parish or precinct; who is hereby obliged to attend all such trials, and to record the proceedings within thirty days after such

trial, under the penalty of twenty pounds for each neglect ; and he shall be entitled to receive from the churchwardens of such parish the sum of five pounds, and no more, for attending each trial, entering up the record, and all other business incidental thereto : and further, that the deputy-marshal for the said parish, or some proper person acting under him, shall, under the penalty of fifty pounds, warn the jurors, and attend the trials of all slaves, and also attend at the execution of such offenders as shall be condemned to die ; and that he shall be entitled to receive from the churchwardens of the said parish, for warning jurors and attending the trials of slaves at all special slave-courts, the sum of five pounds for each court, to be held under this act, and the further sum of five pounds for attending the execution of each offender as shall be condemned to die.

His fee.

Deputy marshals must warn jurors and attend at such trials, under penalty of 50*l*.

Their fees.

Punishment on slaves for giving false evidence.

If slaves, against whom warrants are issued, are concealed by owners, &c. they forfeit 100*l*.

LXXXIV. And be it further enacted, by the authority aforesaid, That in case any slave or slaves shall, with evil intent, give false evidence in any trial had under this act, such slave or slaves, being thereof convicted, shall suffer the same punishment as the person or persons, on whose trial such false evidence was given, would, if convicted, have been liable to suffer.

LXXXV. And be it further enacted, by the authority aforesaid, That in future, whenever a warrant shall be granted by one or more of his Majesty's justices of the peace against any slave, if the said slave cannot be immediately taken on the said warrant, the owner, possessor, attorney, guardian, or overseer, of such slave shall be served with a copy of the said warrant, and if he, she, or they, do not carry the said slave before a magistrate, to be dealt with according to law on the said warrant, and if it should be afterwards proved that the owner, possessor, attorney, guardian, or overseer, of such slave, wilfully detained

E

or concealed the said slave, he, she, or they, shall forfeit the sum of one hundred pounds.

Six days' notice of trial to be given to owners, &c. of slaves.

LXXXVI. And be it further enacted, by the authority aforesaid, That in all trials of any slave or slaves under this act, six days' notice of such trial shall be first given to the owner, proprietor, or possessor, of such slave or slaves, his, her, or their lawful attorney or attorneys, or other representative or representatives: any law, custom, or usage, to the contrary notwithstanding.

How such notices are to be served where owners reside in a different parish to that in which their slaves may have committed offences, and are to be tried.

LXXXVII. And whereas it may some-times happen that the owner, proprietor, or possessor of a slave may reside in a different parish or precinct from that wherein such slave may have committed the offence for which he or she is to be tried, Be it therefore enacted, That in such cases the clerk of the peace of the parish or precinct wherein the offence is to be tried, shall transmit the notice of such trial to the clerk of the peace of the parish or precinct, wherein the owner, proprietor, or possessor as aforesaid may reside, who shall forthwith thereupon, under the penalty of twenty pounds, deliver such notice, and a copy thereof, to one of the lawful constables of the said parish, to be by him, under the penalty of ten pounds, served on such owner, proprietor, or possessor; and the said constable is hereby required to make an affidavit of the manner in which he may have served the said notice, to be sworn to before any justice of the peace, and shall return such notice, so sworn to, to the clerk of the peace from whom he received the same, to be by him transmitted to the clerk of the peace of the parish or precinct where the offence is to be tried in due time; for which duty the clerk of the peace of the parish, where the warrant shall be served, shall be paid the sum of one pound six shillings and eight-pence, and the constable the sum of one pound

six shillings and eight-pence, by the acting churchwarden of the said parish.

LXXXVIII. And be it further enacted, by the authority aforesaid, That in all cases where the punishment of death is inflicted, the execution shall be performed in a public part of the parish, and with due solemnity; and care shall be taken by the gaoler or deputy-marshal that the criminal is free from intoxication at the time of his trial, and from thence to and at the time of his execution, under the penalty of twenty pounds; and the mode of such execution shall be hanging by the neck, and no other, and the body shall be afterwards disposed of as the court shall direct.

Executions
must be public
and solemn.

LXXXIX. And be it further enacted, by the authority aforesaid, That in all cases, where any slave or slaves shall be put upon his, her, or their, trial, and receive sentence of death, or transportation, or commitment to hard labour for life, the court, at the time of trying such slave or slaves, shall also inquire of the jury, upon their oaths, what sum or sums of money the owner, proprietor, or possessor, of the said slave or slaves, ought to receive for such slave or slaves, and certify the same, so that such sum or sums of money do not exceed the sum of one hundred pounds for each slave so sentenced as aforesaid; and, if the conviction be for running away, the value to be set by the jury shall not exceed fifty pounds.

Slaves sentenced to be executed or transported to be valued by the jury.

XC. And be it further enacted, by the authority aforesaid, That in all cases where any slave or slaves shall be brought to trial, and sentenced to death or transportation, and valued according to the directions of this act, the provost-marshal or his lawful deputy shall, under the penalty of two hundred pounds, carry such sentence into execution as soon after the passing

Provost marshal must execute sentences without delay under penalty of 200*l*.

and render account of net proceeds of sales, on back of certificate of valuation.

If charges amount to or exceed sale, receiver-general to pay the whole.

Valuation of slaves sentenced to death, &c. under this act, to be paid by receiver-general.

thereof as an opportunity shall offer; and in case of sentence to transportation, shall forthwith sell such slave or slaves for transportation to the best advantage in his power; and shall, under the penalty of two hundred pounds, within the space of one month from the time of such sale, render to the owner, proprietor, or possessor, of such slave, or other person legally entitled to receive the same, a just and true account, upon oath, of the sale or sales of such slave or slaves, and of the legal charges attending the same, and pay over to such owner, proprietor, or possessor, or other person legally entitled to receive the same, the proceeds of such sale or sales, after deducting all legal charges, as aforesaid; and if it shall happen that the charges due to the provost-marshal or his legal deputy, for confinement and subsistence of said slave or slaves, shall amount to or exceed the amount of the sales, the same shall be sworn to by the said provost-marshal or his lawful deputy, on the back of the certificate of valuation, in which case the receiver-general shall pay the whole amount of such valuation.

XCI. And be it further enacted, by the authority aforesaid, That in all cases, where any slave or slaves shall be sentenced to death or confinement to hard labour for life, and be valued according to this act, such slave or slaves shall be paid for by the receiver-general of this island, out of any monies in his hands, upon production of a legal certificate of such sentence and valuation, but not otherwise; and in all cases, where any slave or slaves shall be sentenced to transportation, and valued in manner aforesaid, the receiver-general shall, in like manner, upon production of a like certificate, together with the account upon oath, hereinbefore directed to be made by the provost-marshal or his lawful deputy, but not otherwise, pay

the amount of the valuation of such slave or slaves, after deducting the amount of such account.

XCII. And be it further enacted, by the authority aforesaid, 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 transported 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 transported; which bond shall be taken by the said provost-marshal, or his lawful deputy as aforesaid (for which the provost-marshal, or his said deputy, shall receive from the party entering into the same all expenses incidental thereto), and be filed among the records in the office of the clerk of the peace of the parish or precinct where such slave was tried.

Purchasers of slaves sentenced to transportation to give bond in 500/ penalty to transport them in thirty days.

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

XCIII. And be it further enacted, by the authority aforesaid, 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, in writing, on some part of the said bond, before the provost-marshal, or his lawful deputy, as aforesaid, (either of whom is hereby authorized and required to administer the same), that every such slave, so purchased by him, shall be transported 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.

Purchasers to make oath that slaves shall be transported, and that they shall not be re-landed.

No slave to be delivered until bond taken and oath made, under penalty.

Slaves returning from transportation to be re-sold for transportation.

Such slaves going at large may be apprehended by any person, and on due proof re-sold.

Appropriation of the money.

XCIV. And be it further enacted, by the authority aforesaid, 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 transportation, 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 hereinbefore enacted, and the net proceeds of such re-sale shall be paid over to the receiver-general for the use of the public.

XCV. And be it further enacted, by the authority aforesaid, 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 hereinbefore 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 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 deducting a commission of five pounds *per centum*, and all necessary expenses, 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.

XCVI. And be it further enacted, by the authority aforesaid, That if any negro or other slave, who shall have been transported from this island under the direction of this act, or of any other act heretofore in force respecting slaves, for murder, rebellion, or being engaged in a rebellious conspiracy, or obeah, or arson, shall wilfully return from transportation, such negro or other slave shall, upon conviction, suffer death without benefit of clergy.

If slaves return from transportation for murder, &c they are to suffer death.

XCVII. And be it further enacted, by the authority aforesaid, That if the master of any ship or vessel shall knowingly and wilfully bring back to this island any negro or other slave, who shall have been transported from this island under and by virtue of this act, or any other act heretofore in force respecting slaves, such master, being convicted thereof by bill, plaint, or information, in the supreme court of judicature, or either of the courts of assize of this island, shall forfeit the sum of three hundred pounds for each slave so brought back; one moiety whereof shall be to our sovereign lord the King, 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 party or parties at whose suit or complaint such person was convicted, and shall also suffer imprisonment, at the discretion of the court, for any space of time not less than three nor exceeding twelve months, without bail or mainprize.

Masters of vessels, wilfully bringing back transported slaves, to forfeit 300*l.* for each, and suffer imprisonment at the discretion of the court.

XCVIII. And be it further enacted, by the authority aforesaid, That if any negro or other slave, who may be sentenced to be confined in the workhouse for the term of two years, or a less time, shall escape from such confinement before the expiration of his sentence, such negro or other slave, being retaken, shall, on proof of his or her identity before two justices of the peace, be adjudged by them to be sent

Slaves sentenced to confinement in workhouse for two years, escaping, may be ordered fifty lashes, and re-committed;

back to confinement, to complete the term for which he or she was sentenced to confinement, and to receive a whipping, not exceeding fifty lashes.

and those sentenced for life, escaping, may be transported.

XCIX. And be it further enacted, by the authority aforesaid, That if any negro or other slave, who may be sentenced to be confined to hard labour for life in any workhouse, shall escape therefrom, every such negro or other slave, being retaken, shall, on proof of his or her identity before two magistrates, be adjudged by them either to be recommitted to his or her former punishment, or to be transported off this island for life.

If marshal, constable, &c. suffer them to escape, they forfeit 50*l*. and may be sued for their value.

C. And be it further enacted, by the authority aforesaid, That if the provost-marshal, or any of his lawful deputies, or any lawful constable or workhouse keeper, shall willingly or negligently suffer any slave or slaves to escape, who shall be committed to his or their custody for any offence under this act, such marshal, constable, or workhouse keeper, who shall suffer such escape, shall, on conviction thereof before two magistrates, forfeit the sum of fifty pounds, to be recovered in a summary manner, by warrant under the hands and seals of the said two magistrates, for the use of the parish, and without injury to the rights of the owner to sue for the value of the same.

Fees of slaves discharged by proclamation to be paid by the public, proof being given that they were properly maintained.

CI. And be it further enacted, That when any slave or slaves shall be discharged by proclamation, the deputy-marshal or workhouse keeper, shall be entitled to receive all such fees, as shall be due to him or them for such slave or slaves, at the time of such discharge, from the public, upon application and due proof made in the most solemn manner to the assembly, or any committee thereof, that such slave or slaves, during the time they were in the custody of such deputy-marshal or workhouse keeper, was or were found and provided with proper and sufficient pro-

visions and necessary clothing, agreeably to this law.

CII. And be it further enacted, by the authority aforesaid, That no gaol-keeper in this island, or any person acting under him as clerk or deputy, shall, on any pretence whatsoever, work or employ any slave or slaves sent to his custody, upon any plantation, pen, or settlement, belonging to, or in the possession of, any such gaol-keeper, nor hire or lend such slave or slaves out to work for any other person or persons, during the time such slave or slaves shall be in his custody, but that all such slaves shall be and remain in the common gaol of the county, parish, or precinct; in order to be inspected by any person or persons desiring the same; and in case any gaol-keeper shall offend herein, he shall, for every offence, forfeit the sum of fifty pounds.

Gaol keepers not to work out slaves sent to them for confinement, under penalty of 50*l*.

CIII. And whereas, there are many inferior crimes and misdemeanors committed by slaves, which ought to be punished in a summary manner before two magistrates: Be it therefore enacted, by the authority aforesaid, That all misdemeanors and inferior crimes committed by any slave or slaves, not hereinbefore mentioned and directed in what manner they are to be tried, shall be tried in a summary manner before two or more justices of the peace of the parish or precinct, where the offence shall be committed, reasonable notice of the time and place of such trial being given to the owner, proprietor, or possessor of such slave or slaves, or his, her, or their attorney or attornies, or the person or persons having the care of such slave or slaves; and the said justices of the peace shall, on conviction of such slave or slaves, order and direct such punishment to be inflicted as they shall think proper, not exceeding fifty lashes, or six months' imprisonment to hard labour.

Two justices may inquire into inferior crimes, giving notice to owners, &c. of slaves, and order punishment.

Clerks of peace to attend such summary trials, under penalty of 50*l.* for which they are to be paid 1*l.* 6*s.* 8*d.*

Fee to constables.

Justices to enforce this act as well during martial law as at other times.

Recovery and application of penalties not before disposed of.

CIV. And be it further enacted, That the clerk of the peace for attending such summary trial, and making out the order of the magistrates thereat, which he is hereby bound to do, under the penalty of fifty pounds, shall be entitled to receive from the churchwardens of the parish, the sum of one pound six shillings and eight-pence; and the constable, for attending at the trial and at the execution of the order of the magistrates thereon, shall receive the sum of ten shillings, except in the city of Kingston, where the fees to the clerk of the peace shall be thirteen shillings and four-pence, and to the constable five shillings, in consequence of the great number of such trials in that city.

CV. And be it further enacted, by the authority aforesaid, That it shall and may be lawful for the justices aforesaid, and they are hereby required, to do their several and respective duties under this act when martial law shall happen to be in force, as they might or ought to have done if martial law were not subsisting; any law, custom, or usage, to the contrary in anywise notwithstanding.

CVI. And be it further enacted, by the authority aforesaid, That all penalties in this act mentioned, and not already declared how they shall be recovered and applied, shall, if not exceeding fifty pounds, be recovered in a summary manner before any two of His Majesty's justices of the peace, by distress and sale of the offender's goods and chattels, and, if amounting to or exceeding fifty pounds, to be recovered in the supreme court of judicature, or in either of the courts of assize, by action of debt, bill, plaint, or information, wherein no *essoin*, protection, or *wager of law*, or *non vult ulterius prosequi*, shall be entered; one moiety of which penalties shall be paid to the churchwardens, for the use of the parish

where the offence shall be committed, and the other moiety to the informer, or him, her, or them, who shall sue for the same: Provided always, That all proceedings, for the recovery of penalties under this act, shall be instituted within twelve months after the offence be committed.

Proceedings to be commenced within twelve months.

CVII. And be it further enacted, by the authority aforesaid, That all crimes committed by slaves during the time the act entitled, *An act for the protection, subsisting, clothing, and for the better order and government of slaves, and for other purposes*, passed in the year one thousand eight hundred and nine, was in force, shall be heard, tried, and determined, and such slave punished, in the manner directed by the said act, and as if the same were now in full force, and for which purpose only the said recited act shall be considered as still in force.

Offences committed under former act may be heard, tried, &c. as if it were still in force.

CVIII. And be it further enacted, by the authority aforesaid, That this act shall commence, continue, and be in force, from the thirty-first day of December in the present year. (1816.)

Commencement of this act.