

JAMAICA Ss.—An Act for removing Impediments to the Manumission of Slaves by Owners having only a limited interest.

¶ WHEREAS it sometimes happens that persons in possession of Slaves, by reason of their having only an interest for life, or other limited freehold estate, in such Slaves, or by limitations, trusts or other legal impediments, are prevented from giving an effectual manumission to such Slaves, although desirous so to do; and it is proper that owners should possess in all cases the power of rewarding fidelity and good conduct in their Slaves, by manumission where the same can be effected without prejudice to the rights of other persons; may it therefore please your Majesty that it may be enacted by the Governor, Council and Assembly of this island, and it is hereby enacted and ordained by the authority of the same, that from and after the passing of this act, any person or persons having legal or equitable estate for life, or for other freehold interest in and being in the actual possession of any Slave, and who shall be desirous or consenting that such Slave shall be made free, shall be entitled to make an application to the Custos or Senior Magistrate of the parish where such Slave shall reside, and in case such Custos or Senior Magistrate shall be related to the party applying, or interested in the matter, then to some other Magistrate, and shall deliver a written statement, verified upon the oath of the applicant or applicants, or, in case of absence, of his, her or their attorney duly constituted, which oath the said Custos or Senior or other Magistrate is hereby authorised to administer, stating the nature and extent of the interest of such person or persons, and the different rights, claims and limitations to which such Slave is subject, and the impediments which prevent such Slave being manumitted in the ordinary manner, and such Custos or Senior or other Magistrate shall associate to himself two other Magistrates disinterested in the matter, and shall enquire into the merits of the application, and if such application shall appear to the said Magistrates, or any two of them, to be well founded, three indifferent persons shall be appointed as valutors, one of whom to be named by the party or parties applying, and another by the person or persons entitled in remainder, or otherwise interested, and appearing before the said Magistrates, and the third to be nominated by the said Magistrates, and in case no other person or persons shall appear before the said Magistrates having an interest in the said Slave, then two of the said valutors shall be appointed by the said Magistrates, and such three persons shall enquire into the value of the Slave so intended to be manumized, and shall make their report in writing under their signatures to the said three Magistrates, provided that before such Custos or Senior or other Magistrate shall entertain such application it shall be made appear to him that notice has been given in the three county newspapers, for three weeks successively, of the intention to make such application, stating the name or names of the person or persons applying the name or names of the Slave, the place or places where such Slave has been resident for the last twelve months, and the time when such application is intended to be made; and it is hereby further enacted, by the authority aforesaid, that when such valuation shall be reported and approved of, the said Custos or Senior or other Magistrate and his associates shall, and they are hereby required to give an authority to the Receiver General to receive the amount of the valuation, and to place the sum when paid to the credit of the person or persons interested in the said Slave, and the said amount shall bear an interest of six per cent., payable out of the public funds, so long as the same shall remain in the hands of the Receiver General: and it is hereby further enacted, by the authority aforesaid, that the Receiver General shall give to the party or parties paying in the amount of the valuation, a certificate under his hand that the same has been paid to him, and upon the production of such certificate of the Receiver General to the said Custos or Senior or other

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Magistrate and his associates, they are hereby authorised and required again to meet and to give an order for the manumission of the said Slave in manner following :

Whereas A. B. of , did on the day of last past, appear before us, and did make a statement upon oath that he was tenant for life (or as the case may be) and in the actual possession of a certain Slave named , and that he was desirous that the said Slave should be made free, but that he was prevented from so doing by reason of legal impediments ; and whereas the said Slave named hath been valued by three indifferent persons at the sum of pounds, and a certificate of the Receiver General hath been produced to us that the amount of such valuation hath been paid into his office ; we do therefore, in pursuance of an act of the Governor, Council, and Assembly, for removing impediments to the manumission of Slaves, by owners having only a limited interest, made and passed in the fifth year of the reign of His Majesty King George the Fourth, declare the said Slave to be free. In witness whereof we have hereunto set our hands and seals this day of : and it is hereby enacted, by the authority aforesaid, that the said order of manumission, together with the valuation and the Receiver General's certificate, annexed thereto, shall be entered in the office of the Secretary of this island, and be recorded in a separate book for manumissions, and shall not be delivered out except under an order of the Court of Chancery or Supreme Court, but shall be kept in the said office as original documents, and a certified copy of the same shall be received as evidence in all Courts, and be of the same force as the originals ; and be it further enacted, by the authority aforesaid, that the amount of the valuation, or the interest thereof, shall be paid by the Receiver General under an order of the Court of Chancery, or of the Supreme Court, to be made upon the application of the person or persons interested in the money, and such money shall be considered as of the same nature, whether real or personal estate, as the Slave would have been if proceedings under this act had not taken place, and the said money shall be liable to the same descent, limitations, trusts, debts, and incumbrances as the Slave was subject to, and it shall be in the power of the said Courts, or either of them, to direct the principal or the interest thereof to be paid by the Receiver-General, according to the rights of the different owners or their creditors ; and be it further enacted, by the authority aforesaid, that in case any Slave manumised in pursuance of this act shall have belonged at the time of his or her manumission, to a tenant for life, or a tenant for life shall have become entitled to the interest of the money, and such Slave, after being so manumised, if a male, shall die in the life-time of the tenant for life, or being a female Slave, shall die in the life-time of the tenant for life, without leaving her surviving, any child or children born after the date of the manumission, or such child or children shall, after her death, die in the life-time of the tenant for life, then, and in every such case, the person or persons in remainder, shall not be considered to be entitled to the principal or interest of the said money, but the same shall be deemed the property of the tenant for life, as against all persons to take in succession without prejudice to the creditors of the person who limited the said Slave in settlement or the creditors of the tenant for life ; and whereas, it is now required by law in all cases of manumission by deed, that a bond should be given to the Churchwardens of the parish for payment of an annuity of five pounds for the maintenance of any Slave intended to be manumized, and such bond is in many cases unnecessary ; be it further enacted, by the authority aforesaid, that it shall not be necessary to give such bond to the Churchwardens provided that in lieu thereof the Slave intended to be manumized, shall be produced to the Magistrates and Vestry of the parish where such Slave shall reside, or it shall be otherwise shewn to their satisfaction, that the manumission is not given for the purpose of relieving the owner from the obligation of maintaining an aged or infirm Slave, a certificate whereof shall be given by the

Clerk of the Vestry, and shall be annexed to and entered in the Secretary's office with the deed of manumission.

Passed the Council, this 16th day of December 1824,
(Signed) W. BULLOCK, Cl. Con.

Passed the Assembly, this 16th day of December 1824,
(Signed) DAVID FINLAYSON, Speaker.

I consent, this 18th day of December 1824,
(Signed) MANCHESTER.
