

person in possession shall be entitled to receive mile-money, at the rate of one shilling per mile, for the first five miles, and sixpence per mile for every mile afterwards, and a sum not exceeding three shillings and fourpence per diem, for each and every day such Slave shall have been absent from home, for the purpose of attending at the court, as a compensation for the loss of the labour of such Slave: and the judges presiding at the trial, upon application made to them in court after the trial, are hereby authorized, if they shall deem it equitable and right, under the circumstances of the case, to assess the amount of such mile-money and compensation, and grant a certificate thereof under their signature; and such certificate, after being approved of by the commissioners of public accounts, shall be paid by the receiver general to the person or persons to whom such certificate shall be granted: and in order to remove as much as possible any temptation to commit perjury, by those Slaves who shall be required to give evidence, Be it enacted, by the authority aforesaid, that the court shall not be at liberty to exercise the power given by this Act, for declaring any Slave free, and discharged from all manner of servitude, where the owner of such Slave has been convicted of particular offences, if any Slave shall have been sworn upon the trial, as a witness on the part of the prosecution, And be it further enacted by the authority aforesaid, that if any Slave shall commit wilful and corrupt perjury, in giving evidence upon any of the occasions hereinbefore mentioned, such Slave shall be liable to be tried therefore, and upon conviction thereof, shall be sentenced to hard labour in the workhouse, or to stand in the pillory, for such time as the court shall direct, or to whipping, or to all or either of such punishment, at the discretion of the court. And it is hereby enacted by the authority aforesaid, that the Slaves, whose attendance are required as witnesses, shall be protected in their persons, from all civil process whatsoever, in going to, attending at, and returning from such examinations or trials, as are herein before mentioned, and that such Slaves shall, during such time, not be liable to be levied on for debt or otherwise.

No. 11.

MY LORD,

King's House, Jamaica, 8th January 1827.

WITH a reference to my despatch of 23rd ultimo, I have now the honour to enclose an authenticated copy of the Act, entitled "An Act to alter and amend the Slave Laws of this Island," passed in the last session.

I have the honour to be,

&c. &c. &c.

(Signed)

MANCHESTER.

The Right Honourable the Earl Bathurst, K. G.

&c. &c. &c.

An Act to alter and amend the Slave Laws of this Island.

PREAMBLE.—WHEREAS it is expedient that the laws now in force, relating to Slaves, should be revised and consolidated, and other provisions be enacted to promote their religious and moral 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.

1.—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, an Act entitled, "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 the nineteenth day of December, in the fifty-seventh year of the reign of his late Majesty King George the Third;

also an Act, entitled "An Act to amend the Slave Act, by altering the Mode of carrying into Execution the Sentence of Death on Slaves," passed the fourth day of December, in the second year of the reign of his present Majesty King George the Fourth; also an Act, entitled "An Act to take away Clergy from Offenders in Rape on Slaves," passed the eleventh day of December, in the fourth year of the reign of his present Majesty King the Fourth; also an Act, entitled "An Act for removing Impediments to the Manumission of Slaves, by Owners having only a limited Interest," passed the eighteenth day of December, in the fifth year of the reign of his present Majesty King George the Fourth; also an Act, entitled "An Act to prevent Levies on Slaves on Saturday," passed the eighteenth day of December, in the fifth year of the reign of his present Majesty King George the Fourth; and also an Act, entitled "An Act to enable Slaves to receive Bequests of Money or other personal Estate," passed the twenty-first day of December, in the sixth year of the reign of his present Majesty King George the Fourth, shall be and stand repealed, and the same are hereby repealed accordingly.

2.—Whereas doubts may be entertained, whether the Act of the 25th George III., cap. 8, has been repealed by any Act or Acts heretofore passed, in order to put an end to such doubts, be it enacted by the authority aforesaid, that nothing in any Act heretofore passed, or nothing in this Act contained, shall repeal the said mentioned Act, but that the same shall be in as full force and virtue as if the said several Acts had never been made.

3.—And be it further enacted by the authority aforesaid, that all owners, proprietors, and possessors, and 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 baptized all such as they can make sensible of the duty to God and the Christian Faith, which ceremony the clergyman of the respective parishes are to perform, when required, without fee or reward.

4.—And be it further enacted by the authority aforesaid, that it shall and may be lawful for any Slave or Slaves, who has or have been baptized, who may be desirous of entering into the holy state of matrimony, to apply to any clergyman of the established church to solemnize such marriage, who is hereby required to perform the same without any fee or reward, if such clergyman shall, upon examination of such Slaves, consider them to have a proper and adequate knowledge of the nature and obligation of such a contract, provided always that such Slave shall produce to the clergyman a permission in writing from his owner, or from the legal representative of his owner, for that purpose.

5.—And whereas, by the ninth section of the eighth George the Second, chapter fifth, it is enacted "that whenever hereafter any Slave or Slaves, taken on any writ of *venditioni* shall be exposed to Sale, the provost marshal, or his deputies respectively, shall sell all such Slaves singly, unless in cases of families, in which case, and in no other, the said provost marshal, or any of his deputies, may set up to sale such family or families, consisting of a man and his wife, his or their children;" and whereas it seems necessary further to enforce this provision: Be it therefore enacted by the authority aforesaid, that in all cases where a levy shall be made by any deputy marshal, or collecting constable of a family or families, each family shall be sold together and in one lot: Provided always that nothing in this Act contained shall be understood to interfere with levies on individual Slaves, nor be construed to authorize excessive levies.

6.—And be it further enacted by the authority aforesaid, that no white persons, or persons of free condition, shall expose on a Sunday, after the hour of eleven o'clock in the forenoon, any goods or provisions for sale in any market, or in any shop or other places, under a penalty not exceeding five pounds for every offence, to be recovered in a summary manner before any two magistrates; and if any Slave do commit such offence, the goods so exposed to be forfeited by order of any justice of the peace, for the benefit of the poor of the parish where such offence is com-

mitted; provided that nothing herein shall extend to prevent the keeping open any druggist's shop, tavern, or lodging-house, or the sale of fresh meat and fresh fish or milk, on Sunday; such sale, however, not to take place in any town or place during the hours appointed for the celebration of divine service therein: Provided always, that sufficient notice be given in the market, that the hour for closing it has arrived.

7.—Whereas it is expedient to render the Sabbath as much as possible a day of rest and for religious worship: and whereas it would be right and proper that the Slaves should be protected on some other day in the week besides Sunday, from being taken or levied upon for debt under any process issuing out of any of the courts of justice in this island, or by collecting constables for taxes: Be it therefore enacted by the authority aforesaid, that it shall not be lawful to make any levy upon any Negro or any other Slave on Saturday, and that they shall be exempt from all such process, and also from levies by collecting constables, for taxes on that day the same as on Sunday.

8.—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 any plantation or settlement shall, over and above the holydays 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.

9.—And whereas much mischief is occasioned by persons employing the Slaves of others: Be it enacted by the authority aforesaid, that from and after the commencement of this Act, no person or persons whomsoever shall employ the Slave or Slaves of others for any reward or hire to be paid to them on the Sunday or any other day allowed such Slave by law, without the consent in writing of such owner or owners or overseers, first had and obtained, under a penalty not exceeding five pounds for each Negro so hired or employed; such penalty to be recovered in a summary manner, by warrant under the hands and seals of two magistrates of the parish in which the property is situated where the offence shall have been committed; and in case of non-payment of such penalty, to commit the offender or offenders to the common gaol of the county in which such offence shall have been committed, for a space not exceeding twenty days, or until such penalty shall be paid; and such penalty shall be for the benefit of the party, proprietor, or possessor of such Slave complaining, in case such offence shall be proved by a disinterested person; and in case such offence shall be proved by the owner, proprietor, or possessor of such Slave, such penalties shall be for the benefit of the poor of the parish in which the same offence shall be committed.

10.—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.

11.—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, cause the condition of the Negro grounds to be inspected 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.

12.—And whereas it may happen that on some plantations, pens, settlements, and towns in 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.

13.—And be it further enacted by the authority aforesaid, that every owner, master 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 five pounds for each Slave for whom such clothing shall not be provided, to be recovered in a summary manner before three justices of the peace.

14.—And be it further enacted by the authority aforesaid, that every master, owner, proprietor, or possessor 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 March 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, penn, 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, or caused to be inspected, the Negro grounds (where such Negro grounds are allotted) of such plantation, penn, or settlement, according to the directions of this Act, and that every Negro on the property is sufficiently provided with grounds, or where there are no Negro grounds, such ample provision as hereinbefore directed.

15.—And be it further enacted by the authority aforesaid, that when the number of Slaves belonging to any master, owner, or possessor, shall not exceed forty, and such master, or owner, shall not comply with the enactments contained in the two foregoing clauses of this Act, the justices and vestry of the parish where such master, owner, or possessor of such Slaves reside, shall have power and authority to impose a penalty not exceeding fifty pounds, to 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.

16.—And whereas by the usage of this island, Slaves have always been permitted to possess personal property, and it is expedient that such laudable custom should be established by law: Be it therefore enacted by the authority aforesaid, that if any owner, possessor, or any other person whatsoever, shall wilfully and unlawfully take away from any Slave or Slaves, or in any way deprive or cause any Slave or Slaves to be deprived of any species of personal property by him, her, or them lawfully possessed, such person or persons shall forfeit and pay the sum of ten pounds over and above the value of such property so taken away as aforesaid, the same to be recovered under the hands and seals of any three justices of the peace before whom the complaint shall be laid and the facts proved: Provided nevertheless, that nothing in this Act shall be construed or deemed to authorize any trespass, or to allow any Slave or Slaves to turn loose or keep on his owner's, or other person's property, any horses, mares, mules, asses, cattle, sheep, hogs, or goats, without the consent of his owner or person in possession of such lands being first had and obtained.

17.—Whereas it is expedient that the owners of Slaves or other persons should have it in their power to reward the fidelity of Slaves, or to make them bequests as a reward for their services or good conduct: Be it therefore enacted by the authority aforesaid, that any pecuniary bequest or legacy of a chattel to a Slave, shall be deemed and considered to be a valid and legal bequest or legacy, and the executor or executors, or other representative of the testator, shall be authorized to pay the amount of such legacy, or to deliver such chattel to the Slave: Provided always, that nothing herein contained shall be deemed to authorize the institution of any action or suit at law or in equity, for the recovery of such legacy, or to make it necessary to make any Slave or Slaves a defendant or defendants to a suit in equity.

18.—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 Slaves, anything 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 notwithstanding, 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 adopted mother are living, but also that the mother is exempted from all manner of field or hard labour, and is provided with the means of an easy and comfortable maintenance.

19.—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 and become burdensome to others for sustenance, under the penalty of twenty pounds for every such offence, to be recovered in a summary manner before any three 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 until such trial can be had, the said justices of the peace, upon their own view, or upon the information of any white or 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, she, or they, 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.

20.—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 for labour by sickness, age, and otherwise, and having no owners, prove dangerous, or become a burden 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 manumized or made free, of the parish wherein the owner or owners commonly resided, or the property was situated to whom or to which such manumized 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 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.

21.—And it is hereby enacted and declared, that every parish in this island to which any manumized 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 the reign of his late Majesty King George the Third, 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 manumizing 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 manumized person shall become burdensome.

22.—And be it further enacted by the authority aforesaid, that all owners or others who may manumize such Slaves as are old, infirm, or unable to work for their maintenance, are hereby obliged to provide for such maintenance, by allowing each and every such Slave at the rate of ten pounds per annum, under the penalty of one hundred pounds, to be recovered in Grand or Assize Courts, and to be paid over to the churchwardens of the parish where such Slave may reside, which parish shall after the recovery of such sum, provide for, and pay the sum of ten pounds annually for the support of such Slave.

23.—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 burdensome to any parish for support, shall thereafter be found in any part of this island, it shall and may 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 any such deserted Slaves, before any three 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.

24.—And whereas it sometimes happens that aged, infirm, and disabled Slaves, belonging to the estates of insolvent debtors, remain in the custody of the provost marshal of this 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 three 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 that there is no probability of his or her being sold, it may and shall be lawful for the said three 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 direction of this Act, hereinbefore declared.

25.—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: Provided always, that if such Slave should at any time thereafter recover and become saleable, it shall be the duty of the supervisor of the workhouse in which such Slave is confined, to report the same to the provost marshal general, and thereupon the supreme court shall order such Slave to be sold by the provost marshal for the benefit of the insolvent's estate.

26.—And whereas Negroes afflicted with the yaws, cocobay, or other contagious diseases, are sometimes permitted to leave their master's 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, to be recovered in a summary manner, before any three magistrates, one moiety of which to be paid to the informer, and the other moiety to the churchwardens of the poor of the parish in which the offence shall be committed; and which forfeiture shall be recovered 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.

27.—And be it therefore enacted, 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 Slave 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.

28.—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 holydays that were allowed at the usual seasons of Christmas, Easter, and Whitsuntide; provided that at every such respective season, no more than three holydays 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 settlements, shall presume at the seasons aforesaid to allow any holydays to any Slaves 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.

29.—And in order to encourage Slaves to detect runaways: Be it 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, her, 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 twenty shillings nor exceeding forty shillings, to be enforced by a warrant under the hand and seal of such justice.

30.—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 re-imbursed by the receiver-general for the time being, out of any monies in his hands unappropriated.

31.—And be it further enacted by the authority aforesaid, that if any person hereafter shall, with malice aforethought, kill or murder 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 and tenements, goods or chattels; any law, custom, or usage to the contrary thereof in anywise notwithstanding.

32.—And be it further enacted by the authority aforesaid, that if any person or persons shall at any time after the commencement of this Act, unlawfully and carnally know and abuse any female Slave under the age of ten years, every such unlawful and carnal knowledge shall be felony, and the offender thereof, being duly convicted, shall suffer as a felon, without benefit of clergy.

33.—And be it further enacted by the authority aforesaid, that if any person or persons shall at any time, after the commencement of this Act, commit a rape on any female Slave, then and in every such case, every person being thereof lawfully convicted, shall be deemed guilty of felony, and suffer death without benefit of clergy: Provided always, that nothing herein contained shall 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.

34.—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, or brand 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, or Courts of Quarter Sessions 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 they shall think it necessary, for the future protection of such Slave or Slaves, to declare him 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, or branding, such Slave or Slaves on his, her, on 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, on 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 the Special Sessions, hereinafter mentioned, shall meet ; and such Slave shall be kept separate and apart from Slaves committed to such workhouse as runaways or criminals, in a place appropriated in such workhouse for that purpose ; and the said justice of the peace, to whom such application shall have been made as aforesaid, is hereby required and directed forthwith, to certify the nature of such application or complaint, to the custos or senior magistrate in the parish or precinct wherein such workhouse shall be situate, whose duty it shall be, and he is hereby directed and required to convene a Special Sessions, consisting of not less than three justices of the peace of such parish or precinct, which Special Sessions, when met, is hereby empowered and required 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 upon such examination it shall appear to them that the complaint of such Slave or Slaves is frivolous or unfounded, it shall be lawful for them, and they are hereby required to dismiss the complaint, and to direct such Slave or Slaves to be delivered over to his, her, or their owner or owners, or possessor, or his, her, or their legal representatives, or to direct such punishment by confinement to hard labour, or whipping, or both, as to them may seem proper ; but if upon such examination and inquiry as aforesaid, it shall appear to the satisfaction of the said justices, that the complaint is well founded, they are hereby directed to lodge the examinations with the clerk of the crown, or clerk of the peace, that the parties may be prosecuted according to law, and to bind over the said offenders and witnesses in a sum not exceeding fifty pounds, with securities, to appear at the Grand or Assize Courts, or Quarter Sessions of the parish, and to remand the said Slave or Slaves to the workhouse, to be kept until such time as there shall be a legal meeting of the justices and vestry of such parish, which meeting, the custos or chief magistrate is hereby required to call as early as conveniently may be ; and such justices and vestry, when met, are hereby appointed a council of protection of such Slave or Slaves, and are hereby directed and empowered, if they think proper, to make further inquiry 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 a 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 of the workhouse where such Slave or Slaves shall have been first committed, is hereby directed and required, upon due notice of the meeting of the said Special Sessions, or of the first meeting of the council of protection of the parish where the offence was committed, to produce such Slave or Slaves for the inspection and direction of such Special Session and council of protection, under the penalty of one hundred pounds for every neglect in not producing before such council of protection such Slave or Slaves.

35.—And be it further enacted by the authority aforesaid, that if after due notice of such meeting being convened a sufficient number of magistrates and vestrymen do not attend to form a council of protection, the

custos or senior magistrate who may preside at such meeting is hereby empowered and required to inflict a fine, not exceeding ten pounds, upon any vestryman or magistrate voluntarily absenting himself, to be levied by warrant under his hand and seal.

36.—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 cruelly 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 or proof 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.

37.—And in order to restrain arbitrary punishments: 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 keeper of such workhouse, or keeper of such gaol shall be present; and that no such owner, attorney, guardian, executor, administrator or overseer, workhouse keeper 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 on the same day, nor until the delinquent has recovered from the effects of any former punishment, under a penalty not less than ten pounds, nor 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 three magistrates by warrant of distress and sale, and in default of payment, the said magistrates are hereby required and empowered to commit such offender to the common gaol for any space of time, not exceeding ten days, 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.

38.—And be it further enacted by the authority aforesaid, that no person or persons shall, after the commencement of this Act, commit or send any Slave or Slaves belonging to him, her, or them, to any workhouse in this island for any offence whatsoever, for a longer space of time than ten days, without a commitment or warrant to be signed by a justice of the peace, nor shall give nor direct or cause to be given to any Slave in such workhouse, more than twenty lashes without a warrant from a justice of the peace under a penalty of five pounds for each and every such offence; and if any person shall further punish or cause to be punished, any such Slave or Slaves for the same offence for which he, she, or they had suffered such punishment as aforesaid, (or such punishment as a justice of the peace shall have directed) either by re-committing such Slave or Slaves to the same workhouse, or committing or sending him, her, or them to any other workhouse or otherwise howsoever, such person shall suffer such punishment by fine, not exceeding ten pounds: And if any workhouse keeper shall give, or cause to be given, any number of lashes contrary to the true intent and meaning of this clause, such workhouse keeper shall suffer punishment by fine, not exceeding ten pounds: and the several penalties and fines under this clause are to be recovered before any three justices of the peace, who may commit the person so offending to gaol until such penalties or fines are paid, or may issue their warrant for the levying and sale of the same, of the goods and chattels of the offender.

39.—And be it further enacted by the authority aforesaid, that in case any justice or 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 two

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 complaints was groundless, the said magistrates shall punish the complainant and the person giving information thereof, in such manner as to them may seem proper.

40.—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 depredations on the 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 of not less than five pounds nor exceeding fifty pounds, to be recovered in a summary manner before 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.

41.—And be it further enacted, that no Slave (such only excepted as are going with firewood, grass, fruit, provisions, or small stock, and other goods which they may lawfully sell, to market, and returning therefrom) shall, from and after the commencement of this Act, be suffered or permitted to go out of his or her master's or owner's plantation or settlement, or to 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 on 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 neglect or refuse 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.

42.—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.

43.—And whereas it is very dangerous to the peace and safety of this island to suffer Slaves to continue 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.

44.—And be it therefore 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 con-

victed 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.

45.—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 time 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 or her owner or possessor, declared to be an incorrigible runaway, he or she shall be tried as if he or she had been run away from his or her 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.

46.—And be it further enacted by the authority aforesaid, that every Slave or Slaves who shall knowingly harbour or conceal any runaway Slave or Slaves, or shall furnish a ticket or letter to such runaway Slave or Slaves, for the purpose of enabling them to escape detection, shall be liable to be tried for the same at the Quarter Sessions or Special Slave Court, hereinafter appointed, and on conviction shall suffer such punishment as the court shall think proper to direct, not extending to life.

47.—And be it further enacted by the authority aforesaid, that if a white person, or person of free condition, shall wilfully and knowingly employ, harbour, or conceal any runaway Slave, he, she, or they, shall be liable to be indicted in the Court of Quarter Sessions of the parish or precinct where such offence has been committed, and on conviction shall suffer such punishment by fine not exceeding fifty pounds, or by imprisonment not exceeding three months, as the court shall think proper to inflict, and also the further sum of three shillings and four pence per day for every day such Slave or Slaves may have been so runaway, to be paid to the owner or possessor of such Slave, to be recovered in the same manner, and by the same remedy as the fine: Provided nevertheless, that nothing in this clause shall prevent the injured party from prosecuting under the Act commonly called the Inveigling Act, if it shall be deemed proper.

48.—And be it further enacted by the authority aforesaid, that it shall and may be lawful for any justice of the peace, and he is hereby authorized and required upon complaint made to him on oath, that any Slave or Slaves are runaway, or on suspicion or probable intelligence of the same, and that he, she, or they have absconded themselves from the service of their owners or employers, to grant a warrant to search for and apprehend all such runaway Slaves, as also such Slaves as the complainant shall have just cause to suspect to be guilty of wilfully entertaining, harbouring, or concealing such runaway Slaves; and it shall and may be lawful for any person or persons so authorized by warrant as aforesaid, to enter any Negro house or houses or other place occupied by any Slave or Slaves, having first given notice to the master, owner, manager, or overseer on the plantation, to which such house or houses, or other places as aforesaid, belong, or proprietor, or occupier of any house; and after such warrant obtained, and notice given as aforesaid, to break open the door or doors of such Negro houses or rooms, into which admittance shall be refused, provided such warrant be executed by a lawful constable, or some white person or free person, specially sworn as a constable for the purpose.

49.—And whereas the more effectually to conceal runaway Slaves, or to prevent their being apprehended, tickets are given by ill-disposed persons of free condition: Be it therefore enacted by the authority aforesaid, that any white person, or person of free condition, granting or giving a letter or ticket to enable any Slave to absent himself or herself from his or her owner or possessor, shall be liable to be tried for the said offence, before the Supreme Court of Judicature, or in either of the Courts of the Assize, or Courts of Quarter Sessions in this island, where the offence shall be committed, and on conviction, shall suffer such punishment by fine or imprison-

ment, or both, as the court in their discretion shall think proper to inflict, not extending to life.

50.—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 sixpence per mile for every mile afterwards: Provided nevertheless, that nothing in this Act contained, 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.

51.—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 a justice of the peace, who shall or may commit him, her, or them, to the nearest workhouse, and the workhouse keeper is hereby required and ordered to receive such Slave or Slaves into 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.

52.—And to the end that the owners or proprietors of runaway Slaves may have a due knowledge where such Slaves are confined, after their being apprehended and sent to any workhouse 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 workhouse 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 Saint 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 custody, together 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 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 fourpence per month for each paper, and no more, which said sum of three shillings and fourpence per month for each paper, so 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 workhouse keeper to detain and keep in custody such runaway Slave or Slaves until the owner or owners thereof, or some person on their behalf properly authorized, shall pay unto such workhouse keeper what shall have been 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 the money, the cost of advertising at and after the rate above mentioned, and sixpence for twenty-four hours such Slave or Slaves shall have been in custody for maintenance, and twopence 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 workhouse keeper 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 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 court, or by order of any 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.

53.—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 cocoes 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.

54.—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 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 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 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.

55.—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 workhouse keeper until such Special Sessions has been convened and held, and such investigation, inquiry, and examination had, and the same being certified by the justices attending such Special Sessions under their hands and seals; and the sale of any such 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, anything 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 late Majesty's reign, entitled "An Act for establishing public Workhouses in the several Parishes in this Island;" or any other Act, law, usage, or custom to the contrary in anywise notwithstanding.

56.—And be it further enacted by the authority aforesaid, that from and after the commencement of this Act, every workhouse keeper in this island, who shall have any action in replevin, *homine replegiando*, or ejectment, 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 ejectment, give notice in the several country 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 ejectment, or such Slave or Slaves to be taken out of the custody of such workhouse keeper; the costs of which, and all other expenses incurred, shall be paid to such workhouse keeper by the person who shall receive such Slave or Slaves; and if any person or persons shall give notice to such workhouse keeper of his, her, or their intention to take the defence of any action so brought, such workhouse keeper 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 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.

57.—And whereas several Slaves have found means to run away 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 running away or departure, or attempting or conspiring to run away and depart from this island, or for persons aiding, assisting, or abetting such runaways; 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, shall suffer such punishment as the court shall think proper to direct, not extending to life.

58.—And be it further enacted by the authority aforesaid, that if any white person or person of free condition, 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 mainprise.

59.—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, anything in this or any other Act, law, custom, or usage to the contrary thereof notwithstanding.

60.—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 three justices, shall suffer such punishment as they shall think proper to inflict, not extending to life or transportation for life.

61.—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, and blow their horns or shells, upon any plantation, penn, 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, 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.

62.—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 and other noise as before mentioned, any law, custom, or usage to the contrary notwithstanding, according to the nature, degree, or circumstances of the case.

63.—And whereas it has been found by experience, that rebellions often have been 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 the Negroes: Be it therefore 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, anything in this or any other Act to the contrary notwithstanding: Provided that such amusements are put an end to by twelve of the clock at night.

64.—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 therefore enacted by the authority aforesaid, that all Negro burials shall in future take place in the day-time, 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 three or more magistrates, suffer such punishment as the said magistrates shall direct, not exceeding thirty-nine lashes.

65.—And be it further enacted by the authority aforesaid, that if any white or free person shall hereafter suffer any unlawful assembly of Slaves at his or her house, or settlement, every such free 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.

66.—And be it further enacted by the authority aforesaid, that if any white or free person or persons, or any Slave or Slaves, shall knowingly suffer any person to game with any Slave or Slaves, in any house or outhouse in his charge, or shall be found gaming with any Slave or Slaves, such person and persons shall and may be apprehended and taken before any three justices of the peace in the parish in which such person or persons shall be apprehended, who are hereby authorized and empowered to inflict on such person or persons if a Slave or Slaves, such corporeal punishment by whipping, not exceeding thirty-nine lashes, as such justices shall, upon conviction thereof, think proper to order and direct, and if a white or free person, shall and may commit such white or free person to the nearest common gaol for any period of time not exceeding six days.

67.—And whereas it may happen that Slaves directed to be manumized by will, may find it difficult to establish their freedom, by reasons 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 commencement of this Act, whenever any person shall, by will in writing, expressly manumize, or direct to be manumized, 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 manumizing any Slave or Slaves, or directing any Slave or Slaves to be manumized, 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 manumized, and the freedom of such Slave so manumized or directed to be manumized 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 manumized, from any debt or demand against the estate of the testator, to which such Slave or Slaves should be otherwise liable.

68.—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 manumizing, or directing to be manumized, any Slave or Slaves, anything 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 in this island, made and passed in the sixteenth year of his late 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, in anywise notwithstanding.

69.—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: Be it therefore enacted by the authority aforesaid, that 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 should 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 authorized 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 inquire 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 valuers, 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, or if a minor by his or her guardian, and appearing personally, or by his, her or their attorney or attorneys lawfully constituted, 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 valuers shall be appointed by the said magistrates, and such three persons shall inquire into the value of the Slave so intended to be manumitted, and shall make their report in writing under their signatures, to the said three magistrates: Provided always, that if the person having such vested estate or interest as aforesaid, or such estate in remainder, shall be covert, the consent of such femme covert to such manumission, and her authority to any person or persons to appoint a valuator, given in the same manner as by the laws of this island is required, in the execution of deeds by femme covert, and recorded in the office of secretary of this island, shall be sufficient to authorize the magistrate to give such authority and order as hereinafter mentioned, and when such femme covert is absent from this island, to dispense with her appearance before them: Provided, that before such custos, or senior, or other magistrate, shall entertain such application, it shall be made to 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.

70.—And be it 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.

71.—And it is 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 magistrate and his associates, they are hereby authorized and required again to meet, and 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, declare the said Slave to be free. In witness whereof, we have hereunto set our hands and seals this _____ day of _____”

72.—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.

73.—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 encumbrances, 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.

74.—And be it further enacted by the authority aforesaid, that in case any Slave manumized 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 manumized, if a male, shall die in the lifetime of the tenant for life, or being a female Slave, shall die in the lifetime 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 lifetime 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.

75.—And whereas it may sometimes happen that the persons desirous of effecting such manumission as aforesaid, may wish to invest the consideration of such manumission in the purchase of other Slaves, instead of placing the same in the hand of the receiver general, or may be prevented from carrying their intentions into effect, without incurring considerable expense by reason of the estate to which the Slave or Slaves so intended to be manumized may belong, being in the hands of a receiver appointed by the Court of Chancery: Be it enacted by the authority aforesaid, that in all such cases it shall and may be lawful for the person or persons so desirous of effecting such manumission as aforesaid, under and subject to the same regulations as are hereinbefore prescribed, relative to persons having only a limited interest, to invest the consideration which he, she, or they, shall have received, in the purchase of other Slave or Slaves to be held by him, her, or them, subject to the same descent, limitations, trusts, orders, debts, and encumbrances to which the Slave or Slaves so manumized shall have been subject.

76.—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.

77.—And whereas it is expedient to prevent Slaves from being purchased by persons for the purposes of re-sale, and to prevent such re-sale: Be it enacted, that from and after the commencement 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 of the parish where such offence shall be committed; which said justice, is hereby authorized and required to call to his assistance two other justices of the said parish, and which three 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 three justices, one moiety of the monies arising from the sale thereof, after deducting the expenses of the said sale, to be paid into the hands of the churchwardens of the said parish where the 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.

78.—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.

79.—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.

80.—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.

81.—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 destruction of the white people and others in this island, prevented, and that proper punishment should be appointed for all crimes by them committed: Be it therefore 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 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.

82.—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 intrusted with them, or in the lawful defence of their owners, persons, or goods.

83.—And be it further enacted by the authority aforesaid, that if any

Slave or Slaves shall hereafter be found to have in his, her, or their custody or possession, any fire-arms, pikes, sabres, swords, cutlasses, lances, gun-powder, slugs, or balls, without the knowledge or consent of his or their owner, proprietor, or possessor, or his, her, or their overseer, such Slave or Slaves shall be taken before three 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 at the Court of Quarter Sessions or Special Slave Court, as hereinafter directed, and upon conviction, the said Slave or Slaves shall suffer transportation, or such other punishment as the court shall think proper to direct, not extending to life.

84.—And in order to prevent the many mischiefs that may hereafter arise from the wicked acts 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 which might otherwise happen: Be it further enacted by the authority aforesaid, that from and after the commencement 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, or any such punishment as the court may direct, anything in this or any other Act to the contrary in anywise notwithstanding.

85.—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 or 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 three magistrates may deem proper, by whipping, or imprisonment in the work-house to hard labour.

86.—And whereas the assembly of Slaves and other persons after dark, at places of meeting belonging to dissenters from the established religion and other persons professing to be teachers of religion, has been found extremely dangerous, and great facilities are thereby given to the formation of plots and conspiracies, and the health of Slaves and other persons has been injured in travelling to and from such places of meeting at late hours in the night: Be it further enacted by the authority aforesaid, that from and after the commencement of this Act, all such meetings between sunset and sunrise shall be held and deemed unlawful; and any sectarian, dissenting minister, or other person professing to be a teacher of religion, who shall, contrary to this Act, keep open any such place of meeting between sunset and sunrise, for the purpose aforesaid, or permit or suffer any such nightly assembly of Slaves therein, or be present thereat, shall forfeit and pay a sum not less than twenty pounds, or exceeding fifty pounds for each offence, to be recovered in a summary manner before any three justices by warrant of distress and sale, one moiety thereof to be paid to the informer, who is hereby declared a competent witness, and the other moiety to the poor of the parish in which such offence shall be committed, and in default of payment thereof the said justices are hereby empowered and required to commit such offender or offenders to the common gaol, for any space of time not exceeding one calendar month: Provided always that nothing herein contained shall be deemed or taken to prevent any minister of the presbyterian kirk, or licensed minister, from performing divine worship at any time before the hour of eight o'clock in the evening, at any licensed place of worship, or to interfere with the celebration of divine worship, according to the rites and ceremonies of the Jewish and Roman Catholic religions.

87.—And whereas under pretence of offerings and contributions, large sums of money and other chattels have been extorted by designing men professing to be teachers of religion, practising on the ignorance and superstition of the Negroes in this island, to their great loss and impoverish-

ment: And whereas an ample provision is already made by the public and by private means for the religious instruction of the Slaves: Be it enacted by the authority aforesaid, that from and after the commencement of this Act, it shall not be lawful for any dissenting minister, religious teacher, or other person whatsoever, to demand or receive any money or other chattel whatsoever from any Slave or Slaves within this island, for affording such Slave or Slaves religious instruction, by way of offering contributions, or any other pretence whatsoever; and if any person or persons shall, contrary to the true intent and meaning of this Act, offend herein, such person or persons shall, upon conviction before any three justices, forfeit and pay the sum of twenty pounds for each offence, to be recovered in a summary manner by warrant of distress and sale, under the hands and seals of the said justices, one moiety thereof to be paid to the informer, who is hereby declared a competent witness, and the other moiety to the poor of the parish in which such offence shall be committed, and in default of payment, the said justices are hereby empowered and required to commit such offender or offenders to the common gaol for any space of time, not exceeding one calendar month.

88.—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 therefore 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 white person, or person of free condition attend such meeting, and it appears to the said magistrate on the oath of the person accusing the party, or on the oath of any other person, that he or she is guilty, he or she shall be committed to the gaol to be tried at the next Quarter Sessions of the parish for the said offence, and if convicted thereof, he or she shall be sentenced to imprisonment in the county gaol for such period of time as the justices before whom he or she shall be convicted, think proper to direct, not exceeding three months; and if the offender be a Slave, he or she shall be tried at the Quarter Sessions or Special 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 whipping, not exceeding thirty-nine lashes at one time, as the court shall order and direct.

89.—And be it further enacted by the authority aforesaid, that if any Negro or other Slave or Slaves 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 or such other punishment as the court shall award, anything in this or any other Act to the contrary in anywise notwithstanding.

90.—And be it further enacted, that if there shall be found in the possession of any Slave any poisonous drugs, pounded glass, or any materials 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.

91.—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, or such other punishment as the court shall direct.

92.—And be it further enacted by the authority aforesaid, that if any white person, or person 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 with 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.

93.—And be it further enacted by the authority aforesaid, 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 or Courts of Quarter Sessions of this island, suffer such punishment by fine or imprisonment, or both, or by public flogging, as the court before which such person or persons shall have been so convicted shall direct.

94.—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.

95.—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 crimes: Be it 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 person 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 magistrate, shall be whipped in such manner as such justice 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 any three justices shall think proper to inflict or direct, not extending to life, or imprisonment for life.

96.—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 three 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 treatment 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 the Court of Quarter Sessions, or Special Slave Court, and on conviction thereof suffer death, transporta-

tion, or confinement to hard labour for life, or such other punishment as the court shall think proper.

97.—Be it further enacted by the authority aforesaid, that if any Slave or Slaves shall, by wantonly or 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 the Court of Quarter Sessions, or Special Slave Court, and upon conviction shall suffer death, transportation for life, or such other punishment as the court shall direct.

98.—And whereas the practice of Negroes to clear their grounds by fire, is highly dangerous to the neighbouring proprietors, 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, 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.

99.—And whereas it is necessary to declare how and in what manner Slaves should be tried for crimes and offences: Be it enacted by the authority aforesaid, that from and after this Act shall commence and be in force, all and every charge or complaint against any Slave or Slaves of murder, rape, felony, burglary, robbery, burning or destroying houses, out-houses, stores, Negro houses, or cane grass, or cane pieces, or breaking into such houses, out-houses, stores, or Negro houses, in the daytime, no person being therein, and stealing thereout, rebellion, rebellious conspiracies, or any other offence whatsoever, committed by any Slave or Slaves that shall subject such Slave or Slaves to suffer death, transportation, or confinement to hard labour for life, or for a term exceeding one year, shall be heard, tried, and determined, at the Court of Quarter Sessions, or Special Slave Court for the parish or precinct where the offence shall be committed, as part of the business of such court, and by indictment before the grand and petit juries of such court, as indictable offences are now conducted at such courts against white persons and persons of free condition, but first disposing of such business of the court as shall concern white persons and persons of free condition, and then proceeding with the trial of Slaves against whom bills may be found by the grand jury; and the justice before whom such charge or complaint is made shall issue out his warrant for apprehending the offender or offenders, and all persons that can give evidence, who being brought before him or any other justice of the peace, if, upon examination it appears probable that the Slave or Slaves apprehended is or are guilty, shall commit the offender or offenders to gaol for trial at the next Court of Quarter Sessions or Special Slave Court, and secure the attendance there of the witnesses by recognizance or committal to gaol, as public justice may require; and in all cases the evidence of Slaves shall be admitted against Slaves before the justice, the court, and the grand or petit jury; and in case of the grand jury finding a true bill, then in any parish where the Court of Quarter Sessions is now usually holden, such Slave or Slaves shall have the indictment or charge distinctly read to him, her, or them, in open court, which indictment or

charge shall be deemed valid if sufficient in substance, and shall not be quashed for defect in form, and thereupon the plea shall be taken down and entered, and such Slave or Slaves shall be put upon his, her, or their trial before a petit jury, in like manner as is the practice usual and accustomed at the Quarter Sessions on the trial of indictments against white persons and persons of free condition; and if a petit jury be already formed for any preceding business of the court, it shall be lawful to proceed to try the indictment against such Slave or Slaves, upon calling over the names of the jurors, and causing them to be sworn to try all and every such Slave or Slaves as shall be brought before them, and a true verdict give according to evidence as in other cases; reserving to the crown and to the prisoner the power of challenging any of the said jurors, upon assigning cause, to be approved of by the court: And provided, that no owner or proprietor of any prisoner, or the attorney, guardian, trustee, overseer, or book-keeper, of such owner or proprietor, or the person prosecuting his or her attorney, guardian, trustee, overseer, or book-keeper, shall be allowed to sit as a juror upon the trial of such prisoner, and the place of such juror as shall be set aside upon challenge or for the causes aforesaid, shall be supplied by others returned upon the pannel to serve as jurors; or if a sufficient number should not be in attendance, then such deficiency shall be supplied by a writ of tales, to be issued by the court in which such trial shall take place, and the same jury shall serve for every case, under the preceding regulations, at the same court, unless the court shall see, or the jury of themselves declare, that the circumstances of one trial too intimately affect another trial, to proceed without bias, in which case a new jury shall be called; and if the said jurors shall, upon hearing the evidence, unanimously find the Slave or Slaves guilty of the offence with which he, she, or they stand charged, the court shall pass sentence of death without benefit of clergy, or transportation, or confinement to hard labour for life, or a limited time, or whipping, or such other punishment as the court shall think proper, according to the nature of the offence: Provided always, that no sentence of death or transportation, pronounced upon any Slave or Slaves, shall be carried into effect, unless by warrant under the hand and seal of the governor, or the person exercising the functions of governor, who is hereby authorized to issue such warrant, and before whom shall be previously laid the charge or indictment, the evidence taken down at the trial, and the sentence of the court, or a true copy thereof, attested by the justice presiding at the trial, or in case of his death or absence, of one of the other justices constituting the court; except when sentence of death shall be passed upon any Slave or Slaves convicted of rebellion or rebellious conspiracy, in which case the court shall and may proceed to pass sentence, and carry the same into execution as heretofore, at such time and place as public expedience may require, or if no pressing occasion arise, the court may, if it sees fit, refer the proceedings to the governor, in the manner and to be disposed of by him as in other cases of public convictions: Provided always, that if it shall be necessary or expedient for the furtherance of justice and the safety of the public, to hold any court before the stated Court of Quarter Session, it shall be lawful to convene a Special Slave Court, and the custos or senior magistrate of the parish or precinct, shall issue a special writ of venire, directed to the provost marshal general or his lawful deputy, to summon and warn forty-eight persons, such as are usually warned and empannelled to serve on juries for the parish or precinct, personally to be and appear at such court, at the usual place for holding the Quarter Session, at such day and time as may be expressed in such venire, then and there to inquire for our Sovereign Lord the King, of and concerning all such matters and things as shall be given them in charge, and enjoined, when and where the said persons so warned by the provost marshal, or his lawful deputy as aforesaid, are hereby severally required to attend, under the penalty of five pounds on each defaulter, and when and where the said Special Slave Court shall proceed in like manner in all respects, as is the usual custom and practice at a Grand Court of Quarter Sessions of the peace, for indictable offences against persons of free condition.

100.—And whereas this mode of trying Slaves will materially interfere

with the facilities granted to those parishes, which are component parts of a precinct, wherein Special Slave Courts are now allowed: Be it enacted, that in the parishes of St. Thomas in the Vale, and St. John (part of the precinct of St. Catherine), indictments against Slaves shall be preferred before the grand jury, convened and sworn at the Court of Quarter Sessions of the respective precincts, and the attendance of all witnesses to support the charge before the grand jury, shall be secured as aforesaid, and when a true bill shall be returned against any Slave or Slaves, such trial shall be proceeded in a Special Slave Court, to be convened by the custos or senior magistrate of such parish, to meet at the place such court is at present held by law, and thereupon the custos, or in his absence the senior magistrate of the parish where such trial is to take place, shall and may hold such Special Slave Court, at the place where parochial business is usually transacted in such parish, and shall sign and issue a writ of venire to the provost marshal, or his lawful deputy, for convening twenty-four persons of the parish qualified to serve on juries, at the time and place appointed by the writ of venire, to form a petit jury for the trial of Slaves against whom bills of indictment have been found at the Quarter Sessions, such trial to take place under the same regulations as are hereinbefore contained, as to trials of Slaves in the Courts of Quarter Sessions, and the provost marshal, his deputy, and all persons under recognizance, and the persons so warned as jurors for any breach of the duty hereby imposed, in regard to such Special Slave Court, shall suffer the like penalties, under the like remedies as if done in regard to the Quarter Sessions, and all proceedings of such Special Slave Courts shall be returned into the office of the clerk of the peace of the precinct, there to be recorded and kept as part of the records of the said parish: 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 of Quarter Sessions so assembled for the purpose of holding such Court of Quarter Sessions, to discharge such Slave or Slaves by proclamation at the expiration of 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 propense shall not be proved to the satisfaction of the jurors, such juror 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.

101.—And whereas the ends of justice are sometimes defeated by the incapacity or gross neglect of their duties by the clerks of the peace: Be it enacted by the authority aforesaid, that if a charge in writing of any misdemeanour, or gross neglect, or frequent neglect committed by a clerk of the peace, or if his ignorance or incapacity to fill such office be exhibited against him to the Quarter Sessions, a majority of the justices on open examination, and proof thereof there, may discharge him from the office, or suspend him for such space of time as the justices shall think proper, and in default of appointment of another sufficient person, resident in the parish, by the *custos rotulorum*, to the office of such clerk of the peace before the next Quarter Sessions, the justices at the said or any subsequent court, may appoint to the office.

102.—And be it further enacted by the authority aforesaid, that the custos, magistrates, and vestry in every parish of this island, are hereby empowered and required to employ a person who has been regularly admitted as a barrister or attorney at law in the courts of this island, to attend the trials of all Slaves for capital offences in the Quarter Sessions or Special Slave Courts, and to take the defence of such Slaves, at such rate of salary or remuneration by fees, as they may see fit, to be paid out of the parochial funds.

103.—And be it further enacted by the authority aforesaid, that all witnesses, whether white or of free condition, legally warned, and who do not attend to give evidence at any trial under this Act, or show by affidavit a

sufficient cause for his or her absence, shall be liable to a fine of ten pounds.

104.—And be it further enacted by the authority aforesaid, that all jurors serving at any of the courts herein mentioned, 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 person from all mesne or judicial process whatsoever in their going to, attending at, and returning from such examination or trial, and that such Slaves shall not be subject to be levied on.

105.—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 trials of Slaves at all 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.

106.—And be it further enacted by the authority aforesaid, that in case any Slave or Slaves shall give false evidence on any trial had under this Act, such Slave or Slaves being thereof convicted, shall suffer the same punishment as persons convicted of wilful and corrupt perjury.

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

108.—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 or possessor of such Slave or Slaves, his, her, or their lawful attorney or attornies, or other representative or representatives, any law, custom, or usage to the contrary notwithstanding.

109.—And whereas it may sometimes 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 where 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.

110.—And whereas it sometimes happens that runaway Slaves are apprehended in consequence of the commission of crimes, and in such cases it is frequently impossible to ascertain the owners or other persons on whom notices of trial ought to be served; Be it therefore enacted, that whenever it shall so happen that the name of the owner cannot be discovered, a public notice shall be given for three weeks in the three county papers, of the name and description of the Slave, of the nature of the offence, and of the day of trial, which shall be deemed to be sufficient notice of such trial.

111.—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 it shall be the duty of the rector or curate to prepare the criminal while under sentence, and to attend at the place of execution, 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.

112.—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.

113.—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, 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, in obedience to the warrant from the governor or person executing the functions of governor for the time being, or the warrant of the justices in cases of conviction for rebellion or rebellious conspiracy; and in case of sentence to transportation, shall, upon receiving a warrant from the governor or person executing the functions of governor for the time being, for that purpose, 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 lawful 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.

114.—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.

115.—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 the 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.

116.—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 dangers of the seas excepted), and that the said Slave so purchased, shall not with his knowledge, privity, or consent, be relanded in this island.

117.—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 their 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.

118.—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 justices that such Slave had 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.

119.—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 directions of this Act, or of any other Act heretofore in force respecting Slaves, for murder, rebellion, or any other crime which would have subjected him to the punishment of death, shall wilfully return from transportation, such Negro or other Slave shall, upon conviction, suffer death without benefit of clergy.

120.—And be it further enacted by the authority aforesaid, that if the master of any ship or vessel, or any other person or persons shall knowingly and wilfully bring back to this island, or shall be aiding and assisting in the bringing back, or cause to procure to be brought 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, or person, or persons being convicted thereof, by bill, plaint, or information in the Supreme Court of Judicature, or either of the Courts of Assizes 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.

121.—Whereas it is now difficult to transport Slaves with effect: Be it enacted by the authority aforesaid, that in future all Slaves sentenced to transportation that cannot be sold within one month, shall be committed by warrant of any justice of the peace to hard labour in the workhouse till transportation can be effected, and the receiver general shall pay such value to the owner as may have been fixed by the jury: And if thereafter the provost marshal or his lawful deputy shall be able to effect the sale for transportation, he shall, under the penalty of two hundred pounds, within the space of one month from the time of such sale, render to the receiver-general a just and true account upon oath, of the sale of the Slave or Slaves, and of the legal charges attending the same, and pay over to the receiver general the proceeds of such sale or sales, after deducting all legal charges.

122.—And whereas instances have occurred of convicted Slaves under confinement to hard labour in the workhouse for life, having conducted themselves in such an orderly and correct manner as to obtain the approbation and confidence of the persons having charge over them, and to evince in every respect a complete reformation of manners, and as it is expedient to hold out encouragement to convicts who have so conducted themselves, as well as to render them an example for imitation, to the end that a laudable excitement may prevail amongst persons in their otherwise desperate condition: Be it enacted by the authority aforesaid, that it shall and may be lawful for the governor or person exercising the functions of governor for the time being, upon the representation of the commissioners of the workhouse of the parish where any deserving convict shall be, that such convict has conducted himself or herself, for a period of not less than three years, in such an orderly and correct manner as to obtain the approbation and confidence of the person having charge over him or her, and to evince in every respect a complete reformation of manners, to direct the workhouse keeper, under his sign manual, to put the said convict up to public sale, and to sell and dispose of him or her to the highest and best bidder, with the approbation of the said convict; and the title given upon the sale thereof, shall be as legal and effectual as any sales made under the workhouse law, and the proceeds of the said sale, after deducting the charges thereof, shall be paid over to the receiver general to be applied in aid of the island contingencies.

123.—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 any time, shall escape from such confinement before the expiration of his or her sentence, such Negro or other Slave being retaken, shall, on proof of his or her identity before three justices of the peace, be adjudged by them to be sent 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.

124.—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 three magistrates, be adjudged by them, either to be recommitted to his or her former punishment, or to be transported off this island for life.

125.—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 wilfully 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 three magistrates, forfeit a sum not exceeding fifty pounds, to be recovered in a summary manner by warrant, under the hands and seals of the said three magistrates, for the use of the parish, and, without injury to the rights of the owner, to sue for the value of the same.

126.—And be it further enacted by the authority aforesaid, 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 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 provisions and necessary clothing, agreeably to this law.

127.—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, nor hire or lend such Slave or Slaves to work for any other person or persons during the time such Slave or Slaves shall be in 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 a sum not exceeding fifty pounds.

128.—And whereas there are many inferior crimes and misdemeanours 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 misdemeanours and inferior crimes committed by any Slave or Slaves, including swearing, obscene language, drunkenness, and indecent and noisy behaviour, 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 thirty-nine lashes, or three months imprisonment to hard labour.

129.—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 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 of 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.

130.—And be it further enacted by the authority aforesaid, that from and after the commencement of this Act, upon any complaint made before a justice of the peace, of any murder, felony, burglary, robbery, rebellion, or rebellious conspiracy, treason, or traitorous conspiracy, rape, mutilation, branding, dismembering, or cruelly beating, or confining without sufficient support, a Slave or Slaves, or in any cases of seditious meeting, or of

harbouring or concealing runaway Slaves, or giving false tickets or letters to such runaway Slaves, to enable them to elude detection, or on any inquisition before a coroner, the evidence of any Slave or Slaves, respecting such complaint or inquisition, shall be received and taken by such justice of the peace, or coroner, and on any prosecution in any of the courts of this island for any of the crimes beforementioned, the evidence of a Slave or Slaves shall also be admitted and received: Provided always, that before such evidence shall be received, a certificate of his or her baptism shall be produced, and the justice of the peace, coroner, or court, shall be satisfied, on due examination had, that such Slave comprehends the nature and obligation of an oath: And provided also, that nothing herein contained shall prevent the court from receiving objections as to the competency of such witness, or from receiving evidence as to the credibility of such witness in like manner as they would receive the same as to white persons and persons of free condition: And provided also, that no white person or persons of free condition shall be convicted of any of the crimes aforesaid, on the testimony of any Slaves, unless two of the said Slaves, at least, clearly and consistently depose to the same fact or circumstance, such Slaves being examined apart and out of the hearing of each other: And provided also, that no white person or persons of free condition, shall be convicted on the testimony of any Slave or Slaves of any crime or offence, as aforesaid, unless the complaint shall have been made within twelve months after the commission thereof, and unless the crime or offence shall have been committed subsequent to the commencement of this Act.

131.—And be it further enacted by the authority aforesaid, that every justice of the peace or coroner who shall take the deposition of any Slave, shall certify as part of the jurat, that the deponent had been duly examined, and found to possess a competent knowledge of the nature and obligations of an oath; and such justice of the peace or coroner shall take from the person in possession of such Slave, or from some fit and proper person, a recognizance in a sum not exceeding one hundred pounds, nor less than twenty pounds, conditioned for the production of such Slave as a witness in the court at which the indictment is to be preferred or tried; and such justice or coroner shall forthwith transmit to the clerk of the crown, such deposition and recognizance; and in case the person in possession of such Slave as aforesaid, shall refuse to give or shall not produce such bail for the appearance of such Slave as a witness, or the person in possession of such Slave, shall be the party accused, or if under the circumstances of the case, the justice of the peace or coroner shall see cause to apprehend that the witness may be withheld from giving his or her testimony, then such justice of the peace or coroner shall have the power of securing the attendance of such Slave as a witness, by a committal to gaol in the same manner as the attendance of a witness for the crown, who is unable to find bail for his appearance is now ensured; and the marshal or keeper of such gaol shall allow to the said Slave the sum of one shilling and eight pence per diem, for his or her support during confinement; and such allowance shall be repaid to the marshal, or keeper of the gaol, in the same manner as the allowance to witnesses for the crown is now paid to him; and in case the party in possession of a Slave, shall produce him or her as a witness at the court where any indictment is preferred or had, according to the condition of a recognizance entered into, by or on the part of such person in possession as aforesaid, such person in possession shall be entitled to receive mile money, at the rate of one shilling per mile for the first five miles, and sixpence per mile for every mile afterwards, and a sum not exceeding three shillings and four-pence per diem for each and every day such Slave shall have been absent from home for the purpose of attending at the court, as a compensation for the loss of the labour of such Slave; and the judges presiding at the trial, upon application made to them in the court after the trial, are hereby authorized, if they shall deem it equitable and right, under the circumstances of the case, to assess the amount of such mile-money and compensation, and to grant a certificate thereof under their signature; and such certificate, after

being approved of by the commissioners of public accounts, shall be paid by the receiver general to the person or persons to whom such certificate shall be granted.

132.—And in order to remove, as much as possible, any temptation to commit perjury by those Slaves who shall be required to give evidence: Be it enacted by the authority aforesaid, that the court shall not be at liberty to exercise the power given by this Act, for declaring any Slave free and discharged from all manner of servitude, where the owner of such Slave has been convicted of particular offences, if any Slave shall have been sworn upon the trial as a witness on the part of the prosecution.

133.—And be it further enacted by the authority aforesaid, that if any Slave shall commit wilful and corrupt perjury, in giving evidence upon any of the occasions hereinbefore mentioned, such Slave shall be liable to be tried therefore, and upon conviction thereof shall be sentenced to hard labour in the workhouse, or to stand in the pillory for such time as the court shall direct, or to whipping, or to all or either of such punishments, at the discretion of the court.

134.—And it is hereby enacted by the authority aforesaid, that the Slaves whose attendance are required as witnesses, shall be protected in their persons from all civil process whatsoever in going to or attending at, and returning from such examinations or trials, as are hereinbefore mentioned; and that such Slaves shall, during such time, not be liable to be levied on for debt or otherwise.

135.—And whereas it may sometimes happen, that white persons or persons of free condition, associate themselves in crime with Slaves: Be it therefore enacted, that if any white or free person or persons shall be found in the company of any Slave or Slaves, and aiding or assisting them in the commission of any crime or illegal offence, or shall employ them in such offences, the testimony of such Slaves shall be received against such free person or persons whether baptized or not, except where the life of such white or free person or persons shall be affected; and admitted in such manner as the testimony of accomplices in crime is now received in courts of law.

136.—And be it further enacted by the authority aforesaid, that the operation of this Act, nor any part thereof, shall not be suspended by martial law, any law, usage, or custom to the contrary thereof in anywise notwithstanding.

137.—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.

138.—And be it further enacted by the authority aforesaid, that all offences committed during the time the Act entitled "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 in the year 1816, and all other Acts by this Act repealed, were in force, shall be punished in the manner directed by the said Acts, but shall be heard, tried, and determined in the form prescribed by this Act. And it shall be lawful to recover and apply all penalties incurred thereunder as fully and effectually as if the said Acts were still in force and unrepealed.

139.—And be it further enacted by the authority aforesaid, that this

Act shall commence, continue, and be in force from the first day of May next, until the first day of May 1830.

Passed the Assembly this 7th day of December 1826,
(Signed) **DAVID FINLAYSON**, Speaker.

Passed the Council this 22nd day of December, 1826,
(Signed) **W. BULLOCK**, Clerk Council.

I consent, this 22nd day of December, 1826,
(Signed) **MANCHESTER**.

No. 12.

Extract from a Despatch from His Grace the Duke of Manchester, addressed to Earl Bathurst, dated King's House Jamaica, 8th January 1827.

WHEN I had the honour of reporting to your Lordship the proceedings of the last session, I omitted to acquaint you that the free population have been very materially benefited by all fees and expenses having been abolished on Bills granting privileges. And all that is now required to entitle individuals to Bills granting any privilege, except that of being magistrates, or being members of the Council and Assembly, is a certificate from respectable persons of their having been decently educated, and their characters being unexceptionable.

These Bills entitle the objects of them to save deficiency, which was the great boon the free population have always sought, and nothing can show more clearly how much this class of persons has been satisfied with the new regulation in their favour, than that twenty-five privilege Bills were passed during the last session, although the abolition of fees did not take place very early in the session.

I have, &c.

(Signed) **MANCHESTER**.

The Earl Bathurst, K. G.

&c. &c. &c.

APPENDIX.

Extract from a Despatch from His Grace the Duke of Manchester to Earl Bathurst, dated King's House, Jamaica, 31st December, 1825.

REFERRING your Lordship to my Despatch of 23d instant, I have the honour to enclose, for your Lordship's information, a copy of a Bill to enable Slaves to give evidence in certain cases, and under certain restrictions.

I have, &c.

(Signed) **MANCHESTER**.

The Earl Bathurst, K. G.

&c. &c. &c.

An Act to enable Slaves to give Evidence in certain Cases, and under certain Restrictions, and for other Purposes.

WHEREAS it is expedient to make certain regulations for the purpose of admitting Slaves, who are properly qualified by their religious knowledge and good character, to give evidence, in particular cases of crime committed by white or free persons against Slaves, and such regulations may become an excitement to Slaves in general to pay more attention to religious instruction, and may tend to the improvement of their moral principles and