

A Supplementary and explanatory act to an act, entitled,
* An act for the more effectual punishment of negroes and other slaves, and for taking away the benefit of clergy from certain offenders, and a supplementary act to an act, † entitled, An act to prevent the tumultuous meetings and other irregularities of negroes and other slaves.

* 1751, ch. 14. † 1723, ch. 13.

WHEREAS by an act of assembly of this province, entitled, * An act for the more effectual punishment of negroes and other slaves, and for taking away the benefit of clergy from certain offenders, and a supplementary act to an act, entitled, An act to prevent the tumultuous meetings and other irregularities of negroes and other slaves, and directing the manner of trying slaves, made at a session of assembly begun and held at the city of Annapolis on the fifteenth day of May, in the year of our Lord one thousand seven hundred and fifty-one, amongst other things it was enacted, "that if any slave shall happen to be slain for refusing to surrender him or herself, contrary to law, or in unlawful resisting any officer, or other person, who shall apprehend, or endeavour to apprehend, such slave or slaves, and such officer or other person so killing such slave as aforesaid making resistance, shall be and he is by this act indemnified from any prosecution for such killing aforesaid:" And whereas some doubts may possibly arise about the construction of the said recited clause, and whether the person so killing such slave as aforesaid making resistance shall undergo any prosecution for the same; for the explanation whereof, and to prevent all disputes or doubts which may arise concerning the said clause.

Preamble

II. BE IT ENACTED, by the right honourable the Lord Proprietary, by and with the advice and consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same, That nothing in the above recited act contained shall be construed to indemnify any officer or oth-

The officer or other person killing a slave so resisting &c. shall undergo a legal trial, but

* 1751, ch. 14. section 9.

October,
1753.

may plead
the general
issue and
give this and
the above re-
cited act in
evidence.

Public to
pay the
charges of
the prosecu-
tion.

er person killing any slave or slaves resisting or refusing to surrender, from undergoing a legal trial, any thing contained in the said act to the contrary notwithstanding, but that it shall and may be lawful for any person, upon his or her trial for killing any slave or slaves, to give this, and the above recited act, in evidence, upon not guilty pleaded ; and if it shall appear upon the evidence, that such killing as aforesaid was done in the lawful execution, and in pursuance of the aforesaid act, that then such person or persons, so killing as aforesaid in pursuance and in the lawful execution of the aforesaid act, shall be acquitted and discharged thereof, and from all penalties, forfeitures and punishments for such killing as aforesaid.

III. AND BE IT ENACTED, That where any person or persons shall be prosecuted for killing a slave or slaves resisting, as by the said act, entitled, An act for the more effectual punishing of negroes and other slaves, and for taking away the benefit of clergy from certain offenders, and a supplementary act to an act, entitled, An act to prevent the tumultuous meetings and other irregularities of negroes and other slaves, that then and in such case the public of this province shall pay such person or persons all his costs and charges which he or they shall be at by means of any such prosecution.