





Tobacco through any Cane Paths or Ranges on either Side of which Canes are Planted (if a White shall forfeit for each time he or she shall so offend five Shillings the one Molesty to the Door of the Danish the other to him or them that shall inform to be recovered immediately by a Magistrate from the next Judge Justice of the Peace or Magistrate of Court or Justice who are hereby empowered to grant the same directed to the Constable for carrying the said Fine and if a Black he shall suffer a severe Whipping not exceed Thirty nine Lashes.

And if by their or any of their carrying Fire or Smoking Tobacco through Cane Paths or Ranges as aforesaid any Cane shall happen to be burnt then and in such Case the party who shall be a Sufferer shall have the Damages caused by the next two Freeholders and accordingly shall on their Report under their hands and by the Oath of one or both of them recover in any Court of Record within this Island the full Value of the Damages. Reported to be done that is to say from a White if free if a Servant or Black then from the owner and if the Damages appear to be more than the said Servant's time or Wage shall be worth then it shall be at the Election of the Disputator of said Servant or Slave either to pay the Damages or deliver up his right and Title in either to him or them whose Cane were so burnt together with all Costs and Charges he or she shall be at in prosecuting the same any Law Usage or Custom to the contrary in any wise notwithstanding.

And in as much as many or most of the Inhabitants through Carelessness or some other Good ends do not leave sufficient distance or Ranges betwixt their and their Neighbours Cane on the borders or bounds of their respective Plantations whereby several times Damage is done by Fire: Be it and it is hereby Enacted by the Authority aforesaid that on the Bounds or Borders of all Plantations within this Island where Cane are or shall be planted that there shall be a Range of ground left to consist of thirty five feet in breadth at the least whereof the windward Plantation must allow twenty feet to windward of the Line or mark Trees and the seaward fifteen feet And least the said Edition or allowance of ground should be too little to prevent a Fire it is further Enacted that when and as often as there shall be occasion for burning the ground or Trash on either side of the bounds or Line then the party that shall have occasion to Fire or burn his ground shall give the other twenty four hours warning or Notice before hand at the least to the end all damage may be prevented.

And it is likewise Enacted and Ordained that where any Cane shall be burnt Topping to the Bounds of any Plantation or Plantations and the said Range or Distance of ground not left or warning not given there shall Damages be done which shall be born and made good by the party who shall be a Sufferer and if the same of his or their neglect or nonperformance of either to be recovered in any Court of Record within this Island And to the end the said Damages may be ascertained Be it enacted that the same shall be valued and appraised by two Freeholders of the Danish where it shall so happen upon whose Estimate or Report under their hands together with the Oath of one or both of them the Judgement shall be grounded Provided that this Cause shall not be in force or take its due Effect in any place or places where Cane are planted within the bounds aforesaid until they shall be ripe or cut off.

And it is hereby Enacted and Ordained that where any White shall be taken or found breaking a Cane or Cane in any Plantation within this Island he she or they shall immediately forfeit and pay two Shillings or Cane in any Plantation within this Island he she or they shall immediately forfeit and pay two Shillings one half to the owner or Informer the other half to the Door of the Danish to be recovered after the same manner as a Fine for carrying Fire through Cane is by this Act and if the said White shall not have whereon to Levy the said Fine then he or she shall be whipt on the bare back not exceeding Twenty Lashes and where any Negro or Slave shall be caught or found doing the like he or she shall suffer a severe Whipping not exceeding Thirty nine Lashes and when any Black shall be seen breaking of Cane as aforesaid and will not stand to be caught or taken then it shall be lawful for the Owner of the Cane or any other Person or persons whatsoever to use all possible means to take them and if in pursuit it shall so happen that any Negro shall be wounded or killed, there shall no remedy or satisfaction be made for the same any Law Usage or Custom to the contrary in any wise notwithstanding. Dated in Mountserrat the thirteenth of June in the first Year of the Reign of our Sovereign Lady Anne Anno. Dom. 1702.

Wm. Stille Speaker.

Signed Chr: Corington  
Confirmed by Her Majesty in Council the Eighth Day  
of May 1703.

By Order of the Lords of Trade  
and Plantations - - -  
Attue Copy  
Examined  
Wm. Stille Secy

Whitehall Sept. 26. 1704.



