

An Act for the further Restriction of Slaves, by prohibiting them from planting any Indigo, Cotton, Ginger, Coffee, or Cocoa, and from keeping a public Market on Sundays; and for further restraining licentious Meetings of Negroes.

WHEREAS it appears that the Laws now in Force, relating to Negroes and Slaves, are not extensive enough to restrain them, and that Lenity and Indulgence, instead of producing the desired Effects, have rather given Encouragement to Robberies and Disorders, by furnishing Pretences whereby the Offenders often escape Punishment: And whereas the Labour and Industry of many of the poorer Sort of the People of this Island is defeated by the Thefts of Slaves, who, under Colour of planting Indigo, Cotton, Ginger, Coffee, and Cocoa for their own Use, do often steal the said Commodities, to the great Loss and Detriment of the Planters thereof: And whereas the said Commodities, or any stolen Goods or Provisions, may easily be disposed of without the Knowledge of the Owners at the public Market, which Slaves have been suffered to keep on the Lord's Day, whereon great Numbers of them assemble in and about the Towns of Plymouth and Kinsale, and other Parts of the Island, frequently committing Riots and Disorders, to the great Terror and actual endangering of the Inhabitants: For the preventing therefore, as far as may be, such Abuses for the future, we Your Majesty's most dutiful, loyal, and obedient Subjects, the Governor in Chief of all Your Majesty's Leeward Charibbee Islands in America, and the Council and Assembly of this Your Majesty's Island of Montserrat, humbly pray Your Sacred Majesty, that it may be Enacted and Ordained; And be it, and it is hereby Enacted by the Authority aforesaid, That any Person whatsoever, Owner or Possessor of Slaves, that shall permit his or her Slave or Slaves to plant or gather Indigo, Cotton, Ginger, Coffee, or Cocoa for the Use of such Slave or Slaves, such Master, Owner, or Possessors shall forfeit Ten Pounds lawful Money of this Island; and if any White Man, Free Negro, or Free Mulatto, shall expose to Sale any Indigo, Cotton, Ginger, Coffee, or Cocoa, suspected to appertain to a Slave, any Justice of the Peace may cause the Party suspected, and having the Indigo, Cotton, Ginger, Coffee, or Cocoa in Possession, to be brought before him, and to make Oath before him, that the Indigo, Cotton, Ginger, Coffee, or Cocoa, doth not directly or indirectly belong to any Slave; and if the Party refuses to make such Oath, any the aforesaid Commodities shall be seized by the Justice's Order, and become forfeited to the Use of the Informer; and if any Person or Persons whatsoever shall hereafter buy, barter, truck for, or otherwise receive from any Slave or Slaves any Indigo, Cotton, Ginger, Coffee, or Cocoa, such Person or Persons so offending shall, upon Conviction by the Oath of One creditable Witness before any Justice of the Peace, be bound over by the said Justice to their good Behaviour until the next General Sessions of the Peace and Gaol Delivery, and there be fined, not exceeding Twenty Pounds, nor less than Five Pounds Current Money of this Island; and in case such Person or Persons be unable, or refuse or neglect to pay the same Fine immediately, then and in such Case such Person or Persons shall be committed to the Common Gaol of this Island, there to remain for the Space of Two Months, or else be

PREAMBLE.

Penalty on Persons permitting their Slaves to plant Indigo, Cotton, &c.

Any Free Person suspected of selling Indigo, Cotton, &c. for a Slave, to be examined upon Oath:

On Refusal, to forfeit the Indigo, Cotton, &c. to the Informer.

Penalty on Persons buying Indigo, Cotton, &c. from Slaves.

In the binding of the Manuscript Copy of this Act, the Blank here cannot be filled up.

Majesty, His Heirs and Successors, to be paid into the public Treasury of this Island towards carrying on the Forts, Fortifications, or other public Works of this Island.

And be it further Enacted by the Authority aforesaid, That if any Negroes or other Slaves shall keep any Market within the Town of Plymouth or Kinsale, or in any other Parts or Places within this Island, and shall carry or sell any Provisions or other Goods in any of the aforesaid

Lawful to take Provisions from any Slave, offering them to Sale on Sunday, and to give such Slave a Whipping.

aforesaid Towns or Places on the Lord's Day, it shall and may be lawful for any Person or Persons to take the said Provisions or other Goods from any such Slave or Slaves, and convert them to their own proper Use; and the Person is hereby further impowered to give such Slave or Slaves a moderate Whipping.

Penalty on Persons buying Provisions, &c. from Slaves on a Sunday, or selling to them strong Liquor or dry Goods.

And be it further Enacted by the Authority aforesaid, That if any Person whatsoever shall buy, barter, truck for, or receive any Provisions or other Goods from any Slave in any of the aforesaid Towns or Places, or shall sell any Rum or Punch, or other Liquors, or any Sort of dry Goods, by Barter or otherwise, on the Lord's Day, he shall forfeit Five Pounds Current Money for each Offence.

No Slave to go to either of the Towns of Plymouth or Kinfales without Ticket, on a Sunday.

And be it further Enacted by the Authority aforesaid, That no Person whatsoever shall give Leave to any Slave under his or her Care, Charge, or Ownership (unless such as usually wait on their Person) to go to either the aforesaid Towns on Sundays, notwithstanding such Slave carry with him nothing to sell, without a Ticket, in which Ticket is to be expressed his or her Name; and the Constables in the said Towns are hereby strictly charged and commanded diligently to examine any Negro or other Slaves that shall come into any the aforesaid Towns on Sundays, and if they have no Ticket as aforesaid, the said Constables are hereby empowered to take up and whip such Slaves, not exceeding Thirty-nine Lashes, and shall be paid for their Trouble Six Shillings out of the public Treasury; but if any the said Constables shall be remiss, or neglect their Duty herein, he or they shall forfeit for every such Offence Forty Shillings Current Money.

Constables to take up all Slaves coming into any of the aforesaid Towns on a Sunday, without Tickets, and give them a whipping. Penalty on neglecting their Duty herein.

Penalty on Master, &c. of Plantations suffering a Drum to beat, &c.

And be it Enacted by the Authority aforesaid, That whatsoever Master, Mistress, Owner, or Renter of any Plantation in this Island, being thereupon resident, and not being abroad from his or her Plantation, and where none such resident on the Plantation, then if any Manager of any such Plantation, and having the Care thereof, and thereon resident, and being at Home, or if any Overseer being at Home, and the Master, Mistress, Owner, or Renter happens to be absent from Home, shall suffer any Slave or Slaves to beat any Drum or Drums, or empty Casks or great Gourds, or to blow Horns, Shells, or loud Instruments for the Diversion or Entertainment of Slaves in his, her, or their Plantation, he, she, or they shall forfeit Twenty Pounds Current Money of this Island for every such Offence, unless they suppress the same in One Hour after the same begins: Provided that Information thereof be given upon Oath to One of His Majesty's Justices of the Peace for this Island within Three Weeks after the Offence committed.

Proviso.

On Complaint of Slaves committing a Crime, Justice may order Correction, except in Capital Cases.

And it is also Enacted by the Authority aforesaid, That on Complaint made to any Justice of the Peace of any Crime done by any Slave or Slaves, such Justice shall issue out his Warrant for apprehending the Offender or Offenders, and for all Evidences; if the said Justice find such Crime not Capital, he may appoint public Correction of such Slave, according to Discretion, but if the Crime be very heinous, then the said Justice shall commit the said Offender to Prison, to be tried by the Council as usual.

Fines and Forfeitures how to be recovered.

And be it further Enacted by the Authority aforesaid, That all Fines and Forfeitures in this Act specified, and not declared how and in what Manner to be levied and disposed of, shall be recovered by Warrant from a Justice of Peace to any Constable, if not above Six Pounds, and by Warrant from Two Justices for any Fine exceeding Six Pounds; which Constable is hereby fully impowered to execute the said Warrant, and to take such Fees as shall be thought reasonable and sufficient by the said Justices; One Half of such Fines shall be and enure to the Informers, the other Half shall be to His Majesty, His Heirs and Successors, to be paid into the public Treasury of this Island, towards carrying on the Forts and Fortifications, or other public Works of this Island.

The Uses of the Fines and Forfeitures.

Dated in Montserrat, this Twenty-third Day of December 1736, and in the Tenth Year of the Reign of our Sovereign Lord George the Second, by the Grace of God of Great Britain, France, and Ireland, King, Defender of the Faith, &c.

Read and passed the Assembly this 23d Day of December 1736.

CHAS^s MOLINEUX, C. A.

JOHN MOLINEUX, Speaker.

Read and passed the Council this 23d Day of December 1736.

GEO. FRENCH, D. Sec. and C. C.