

Anno
1779.
N^o 289.

An Act to prevent the purchasing of Cotton from Slaves, and also stolen Cotton from any Person or Persons whatsoever; also laying a Penalty on Persons who shall suffer their Slaves to plant and gather Cotton, or who shall purchase Cotton from Slaves.

WHEREAS the Laws now in Force in this Island, prohibiting Slaves from planting Cotton, have been found to be ineffectual for answering the Purposes thereby intended; Slaves not only continue to plant Cotton, notwithstanding the aforesaid Prohibitions, but frequently vending stolen Cotton to White Persons and others in the said Island, to the great Prejudice of the White Planters thereof:

And whereas Cotton Wool is the Commodity by which the Poor of this Island are principally supported; for preventing therefore as far as may be such Abuses, and the said Injury done the poor Inhabitants of this Island for the future, and for the encouraging the planting of Cotton in this Island by the poor Inhabitants thereof, We Your Majesty's most dutiful 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
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Most Sacred Majesty, That it may be Enacted and Ordained; And be it, and it is hereby Enacted and Ordained by the Authority aforesaid, That from and after the Publication of this Act, every Person and Persons lading on Board any Ship or Vessel in any of the Roads in this Island any Cotton Wool, as of the Growth or Product of this Island, shall, before the clearing out of the said Ship or Vessel, procure an Affidavit signed and sworn to before some Justice of the Peace in the said Island, either by the Grower, Maker, or Shipper of such Cotton, or his or their known Agent, Manager, Overseer, or Apprentice, expressing the Number (which Number shall not be expressed in Figures, but specified in full Length in Words at large) and Marks of the said Bags or Packages, and describing the Name or Names of the Plantation or Plantations, Land or Lands where the same grew or were produced, which Affidavit shall be attested, under the Hand of the said Justice of the Peace, to have been sworn to in his Presence, who is hereby required to do the same without Fee or Reward; and which said Affidavit shall be delivered to the Collector or other principal Officer of the Customs of the said Island, who is hereby directed to receive the same without Fee or Reward, previous to the clearing out of the said Ship or Vessel.

And whereas Cotton Wool is sometimes imported into the said Island from Colonies belonging to His Majesty, or from Foreign Colonies, in order to be exported to Great Britain or elsewhere; Be it Enacted by the Authority aforesaid, That where any such Cotton Wool shall be actually imported into, and landed in this Island, and shall be afterwards shipped and loaded on Board any Ship or Vessel in any of the Ports of the said Island, every Person so shipping or loading the said Cotton Wool shall, before the clearing out of the said Ship or Vessel, produce and deliver to the Collector or other principal Officer of the Customs of the said Island, an Affidavit signed and sworn to before some Justice of the Peace in the said Island by such Shipper, or his or their known Agent or Factor, expressing the Number and Marks of the said Bags or Packages, and that the same is not of the Growth of this Island, which Affidavit shall be attested under the Hand of the said Justice of the Peace, to have been sworn to in his Presence, who is hereby required to do the same without Fee or Reward; and which said Affidavit shall be delivered to the Collector or other principal Officer of the Customs of the said Island, who is hereby directed to receive the same without Fee or Reward, previous to the clearing out of the said Ship or Vessel.

And whereas some Persons in the said Island, notwithstanding the Penalty imposed by an Act of this Island on such Owners or Possessors of Slaves as shall permit their Slave or Slaves to plant or gather Indigo, Cotton, Ginger, Coffee, or Cocoa for the Use of such Slave or Slaves, still permit their Slaves to plant and gather Cotton for the Use of such Slaves, to the great Detriment of the White (more particularly to the poor) Planters thereof; Be it therefore Enacted by the Authority aforesaid, That any Person or Persons whatsoever, Owner or Possessor, or Owners or Possessors of Slaves, that shall permit his, her, or their Slave or Slaves to plant or gather Cotton for the Use of such Slave or Slaves, such Master, Owner, or Possessor shall forfeit the Sum of One hundred Pounds Current Money of the said Island, over and above the Sum of Ten Pounds Current Money of the said Island already imposed by virtue of an Act of the said Island in such Case made and provided; which said Sum of One hundred Pounds shall be recovered as is directed by the aforesaid Act.

And, in order to prevent as far as may be the purchasing of Cotton from Slaves in the said Island, Be it Enacted by the Authority aforesaid, That if any Person or Persons in the said Island shall, after the Publication of this Act, purchase from any Slave or Slaves in the said Island any Cotton Wool, such Person or Persons, on being convicted thereof by Oath before any Magistrate of the said Island, by the Oath of One credible Witness, shall forfeit the Sum of One hundred Pounds Current Money of the said Island, to be recovered by Bill, Plaint, or Information in His Majesty's Court of King's Bench and Common Pleas of the said Island; which said Sum of One hundred Pounds, and also the other Penalties hereby imposed, shall be paid into the Hands of the Treasurer of this Island, to be applied to the Repairs of the Forts and Fortifications thereof.

And be it Enacted by the Authority aforesaid, That where there shall be probable Cause to suspect that any Person hath purchased stolen Cotton from any White or other Person, or Cotton from Negroes, which hath been planted and gathered by Negroes, that on Information thereof to any Justice of the Peace for the said Island, it shall and may be lawful for such Justice, and he is hereby required so to do, to summon the Person or Persons who shall be suspected to have purchased such Cotton to appear before such Justice of the Peace to prove, either by the Oath of such respective Person, or that of any other Person or Persons whatsoever, how he came by such Cotton; and in case the Person or Persons who shall be suspected of having purchased such Cotton in Manner aforesaid, shall refuse or omit to give such Proof, that then and in such Case it shall and may be lawful for the said Justice of the Peace, and he is hereby required to issue his Warrant, under his Hand and Seal, against such Person or Persons, commanding him, her, or them to appear before him, in reasonable Time, to shew Cause why the aforesaid Penalty herein-

before imposed on the Purchasers of stolen Cotton, or Cotton planted and gathered by Negroes for their own Use, should not be levied on such Person or Persons Goods and Chattels, Lands or Tenements, or in Default thereof, why Execution should not issue against the Body or Bodies of such Person or Persons; and in case such Person or Persons so summoned should neglect or refuse to attend at the Time to be mentioned in such Warrant, then, on Oath made of the Service of such Warrant or Summons, it shall and may be lawful for such Magistrate, who is hereby required to do the same, to issue an Execution under his Hand and Seal, directed to the Provost Marshal of the said Island, or his lawful Deputy, directing him to levy the said Penalty, with all reasonable Costs, on the Goods and Chattels, Lands or Tenements of such Person, and for Want thereof, to take the Body or Bodies of such Person or Persons, and him, her, or them to keep in Custody, in the Common Gaol of this Island, for the Space of Three Calendar Months, unless in the mean Time the said Penalty and reasonable Costs are paid and satisfied.

And be it Enacted by the Authority aforesaid, That any Person or Persons swearing falsely in any Affidavit required to be taken by this Act shall be deemed guilty of wilful and corrupt Perjury, and be deemed liable to be prosecuted in all Respects as Persons guilty of Perjury are in Great Britain, any Thing herein contained to the contrary in anywise notwithstanding.

And whereas many Persons may have purchased Cotton before the Publication of this Act, it is Enacted and Ordained by the Authority aforesaid, That such Purchaser or Purchasers shall not be liable to the Penalties inflicted by this Act, provided such Purchaser or Purchasers shall procure and deliver to the Collector, or other principal Officer of the Customs of the said Island, an Affidavit signed and sworn to before some Justice of the Peace in the said Island, that the said Cotton was purchased by him, her, or them, before the Publication of this Act.

Dated in Saint Christopher's, this Twenty-seventh Day of March, in the Nineteenth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. and in the Year of our Lord One thousand Seven hundred and Seventy-nine.

Read and passed the Assembly this 26th Day of March 1779.

RICHARD SYMONS, Clerk to the Assembly.

Read and passed the Council this 26th Day of March 1779.

WILLIAM BRADE, Clerk to the Council.
THOMAS HARCUM, Speaker pro tempore.

Saint Christopher's. Passed the Governor in Chief this 27th Day of March 1779.

WILLIAM MATHEW BURT.

Published in the Town of Plymouth, the 6th of April, in the Year of our Lord 1779.

NATHANIEL HARRIS, D. P. M.

Recorded this 14th Day of April 1779.

A Copy of all the Acts now in Force in the Island of Montserrat for the Government and Management of Slaves.

Extracted by

EDWARD B. WYKE,
Deputy Secretary and Register of Montserrat,
September 15th, 1788.