

NEVIS:—An Act to establish and vest in the Magistracy of this Island the Protection and Guardianship of Slaves.

“ WHEREAS it is expedient that the protection and guardianship of slaves should be vested officially in such persons as are duly appointed and solemnly sworn to administer justice in this island: And whereas the magistrates thereof have been and are upon all occasions most fully competent to support and maintain the rights and interests of the slave population; May it therefore please Your most excellent Majesty that it may be enacted, and be it, and it is hereby enacted, by the Commander-in-Chief for the time being of Your Majesty’s Islands of Saint Christopher, Nevis, Anguilla and the Virgin Islands, and the Council of Assembly of this Island of Nevis, and by the authority of the same, that all and singular the justices named and appointed for the time being, or hereafter to be named and appointed in and by the general commission of the peace for this island, shall be, and they and every of them are hereby declared and constituted to be jointly and severally public protectors and guardians of slaves, and they and every of them are enjoined and required, under the penalty hereinafter mentioned, to hear and investigate all complaints whatsoever which may be made to them by any slave; and if such complainant shall charge any person whatsoever with an offence or injury of a felonious nature, the justice or justices before whom the complaint shall be made, shall forthwith issue his or their warrant to cause the person charged with such offence to be apprehended and brought before him or them, and shall proceed to investigate such charge and complaint, and if such charge or complaint shall appear upon such investigation to be well founded, the justice or justices aforesaid shall forthwith commit the offender for trial, or take bail for his appearance according to law, and shall issue such process, and do and perform all such things, as may be lawful and necessary for bringing the offending party to justice; and if any such slave shall charge any person whatsoever with a civil wrong or a criminal misdemeanor, by him done to, or committed against such complainant, the justice or justices before whom the complaint shall have been made, shall proceed, within three days, to investigate or to try and finally determine the same, in such manner, and by such ways and means, as in such cases now are or hereafter may be by law provided.

And

And be it further enacted, that if any justice shall, without lawful and sufficient cause, neglect or refuse to hear and investigate the complaint of any slave against any person whomsoever, or shall wilfully or maliciously refuse in such cases to remedy oppression and enforce the laws, as to justice and right may appertain, he shall be subject to the penalty to His Majesty of any sum not exceeding two hundred pounds, to be recovered by indictment in the Court of King's Bench and Common Pleas of this island, such penalty to be paid to the treasurer of this island, or his lawful deputy, for the public uses thereof.

And be it further enacted, that if any action, suit or prosecution shall be commenced or prosecuted against any justice or officer, or any other person, for any matter or thing by him done or performed by virtue of this Act, it shall and may be lawful for the defendant, in any such action, suit or prosecution, to plead the general issue, and give this Act and the special matter in evidence; and if the plaintiff in such action or suit shall be nonsuited, or shall discontinue such action or suit, or if judgment shall be given against such plaintiff, or if the defendant in such prosecution shall be acquitted, or if judgment be given in his favour, then, and in every such case, the person who shall have caused such prosecution, not being His Majesty's attorney-general, solicitor-general, or other Crown lawyer, acting *bonâ fide* officially, and such plaintiff respectively shall pay to such defendant treble costs of suit, for which such defendant shall have the like remedy, as in other the like cases: Provided always, and be it further enacted, that any prosecution for any penalty under this Act, or any action, suit or prosecution, for any thing done under or by virtue thereof, shall be instituted or brought respectively within twelve calendar months next after incurring such penalty or doing such thing, and not afterwards.

Dated at St. Christopher, this 2d day of October, in the ninth year of the reign of Our Sovereign Lord George the Fourth, by the grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and in the year of our Lord 1828.

(signed) *William Pemberton,*
Speaker.