

C H A P: V.

An Act, for an additional Tax on all free Negroes, Mulattoes, Mustees, and such Persons, Male and Female, as now are, or hereafter shall be, intermarried with any such Persons, resident in this Government.

Preamble.

I. **W** H E R E A S Complaints have been made by divers Freeholders and other Inhabitants of this Government, of great Numbers of free Negroes, Mulattoes, and other Persons of mixt Blood, that have lately removed themselves into this Government, and that several of them have intermarried with the white Inhabitants of this Province; in Contempt of the Acts and Laws in those Cases made and provided :

II. *B E it Enacted by his Excellency the Palatine, and the rest of the true and absolute Lords Proprietors of Carolina, by and with the Advice and Consent of the rest of the Members of this present General Assembly, now met at Edenton, for the North-East Part of the said Province, and it is hereby Enacted, by the Authority of the same, That all free Negroes, Mulattoes, and other Persons of that Kind, being mixed Blood, including the Third Generation, who are, or hereafter shall be, Inhabitants or Residents, in this Government, both Male and Female, who are of the Age of Twelve Years and upwards, shall, from the Ratification of this Act, be deemed and taken for Tithables, and as such each and every of them shall, Yearly, pay the same*

Free Negroes,
Mulattoes, &c,
deemed Tithables
at the Age of 12
Years.

A. D. 1723.

This Act obsolete; to pay according to Act 1760, chap. 2.

White Persons intermarrying with Negroes, &c. liable to the same Taxes.

Slaves set free, to depart in Six Months and not return, on Penalty of being sold for Seven Years.

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Levies and Taxes as the other tithable Inhabitants do, and shall, and are hereby made liable to pay the same Yearly, to such Person or Persons, in such Manner, and at such Times and Places, and to be subject to such Fines and Penalties, as in and by an Act, intituled, *An Act for making the Sum of Twelve Thousand Pounds, Public Bills of Credit, for exchanging such of the Public Bills of Credit as are now current, thereby to render them the more useful to the Government; and for regulating the Taxes; which the other Inhabitants of this Province, being Tithables, are obliged and subject to.*

III. *AND be it further Enacted, by the Authority aforesaid, That from and after the Ratification of this Act, any white Person or Persons whatsoever, Male or Female, Inhabitant of this Government, or that may or shall remove themselves hither from other Parts, that now is, or hereafter shall be, married with any Negro, Mulatto, Mustee, or other Person being of mixed Blood, as aforesaid, shall be, and are hereby made liable to the same Levies and Taxes, as the Negroes, Mulattoes, and other mixed Blood, as herein above is expressed; and it is the true Intent and Meaning of this Act, that all and every of the aforesaid Tithables removing themselves into this Government, shall pay the Levy and Taxes assessed for the Year they come hither, provided they come before the Tenth Day of June in that Year.*

IV. *AND forasmuch as divers of the Inhabitants of this Government, for Causes them thereunto moving, have set free Slaves of sundry Kinds, who are all, by Law, obliged to depart the Government in Six Months after their being so freed, otherwise they are liable to be sold to such Person or Persons as shall give Security for transporting them out of this Government; notwithstanding the said Law, and contrary to the true Intent and Meaning thereof, many of such freed Negroes, and Slaves of other Kinds, after having departed this Government for a little Time, have returned again, deeming themselves Inhabitants of this Government by such Departure and Return: For the Prevention whereof for the future,*

V. *BE it therefore Enacted, by the Authority aforesaid, That all Slaves, of what Kind soever, which shall hereafter be set free, shall be obliged to depart this Government within Six Months after being so freed, according to the Directions of the aforesaid Act, and shall not return into this Government, under the Penalties and Pains hereafter expressed: And if any Slave or Slaves being so freed and set at Liberty, having departed as before directed, shall presume to return back into this Province, it shall and may be lawful for any Person or Persons whatsoever to apprehend and take up such Slave or Slaves so offending, and carry him or them before some Magistrate, who is hereby authorized and empowered, upon due Proof made, to commit such Person or Persons so offending, to the Provost-Marshal of the County where such Offender or Offenders shall be apprehended, till the next General Court to be held for this Government, and shall then sell him or them for Seven Years, at public Vendue, to the highest Bidder; and the Money arising by the said Sale, after Charges paid, shall be applied, the one Half to the Apprehender, and the other Half towards defraying the contingent Charges of the Government; and at the End and Expiration of the said Seven Years, the said Slave or Slaves so set free, shall, and are hereby compelled to depart this Government, within Six Months after being so freed: And if any such Person or Persons*

A. D. 1723.

Time liable to be sold again.

Persons harbouring Slaves so sold, to forfeit 100 l.

so departing shall presume to return a Second Time, they are hereby made liable to be apprehended, taken up and sold, as aforesaid.

VI. *And be it further Enacted, by the Authority aforesaid,* That after such Sale made as aforesaid, if any Person or Persons, Inhabitants of this Government, shall presume to harbour, conceal or detain, any such Negro or Slave set free, upon Pretence of Debt, or otherwise, such Person or Persons so offending shall forfeit and pay One Hundred Pounds current Money; one Half to the Use of the Public, and the other Half to him or them that shall sue for the same: To be recovered by Bill, Plaint or Information, in any Court of Record within this Government; wherein no Injunction, or Wager of Law, shall be allowed or admitted of.