

A. D. 1753.

C H A P. VI.

An additional Act, to an Act, concerning Servants and Slaves.

I. **W**HEREAS by an Act, intituled, *An Act, concerning Servants and Slaves*, among other Things, it is provided, That no Slave shall go armed with Gun, Sword, Club, or any other Weapon, or shall keep any such Weapon, or shall hunt or range in the Woods with a Gun, upon any Pretence whatsoever, except such Slave or Slaves who shall have a Certificate, as in the said Act is provided: And whereas the Remedy in the said Act provided, has proved ineffectual to restrain many Slaves in divers Parts of this Province, from going armed, which may prove of dangerous Consequence: For Remedy whereof,

Preamble.

II. **W**E pray it may be Enacted, *And be it Enacted, by the Honourable Matthew Rowan, Esq; President, by and with the Advice and Consent of his Majesty's Council, and the General Assembly of this Province*, That from and after the passing of this Act, no Certificate shall be signed by any Chairman of any County Court in this Province, allowing any Slave to carry a Gun and hunt in the Woods, unless the Master, Mistress, or Manager of such Slave, shall first enter into Bond, with sufficient Security, to the County Court, either before, or at the Time such Certificate shall be given, for the good and honest Behaviour of such Slave; which Bond may be assigned over to any Person or Persons who shall be injured by such Slave; which Assignee shall and may maintain an Action thereon, and recover such Damages as he or she shall or may sustain by such Slave, in any Court of Record in this Province, by Action of Debt, Bill, Complaint, or Information; wherein no Essoign, Injunction, Protection, or Wager of Law, shall be allowed or admitted of.

Slaves not to hunt with a Gun unless their Owners give Security for their Behaviour.

III. **A**ND *be it further Enacted*, That no Slave shall have, or carry a Gun in any Plantation where Crop is not tended, nor more than one in any Plantation where there is Crop tended, nor after Crop is housed: And the Master, Mistress, or Overseer of any Slave, with whom shall be found any Gun, Sword, or other Weapon, contrary to the true Intent and Meaning of this, and the before-recited Act, shall forfeit and pay, to the Person finding the same, the Sum of Twenty Shillings Proclamation Money, to be recovered by a Warrant before any one Justice of the Peace for the County where the Offence shall be committed; any Punishment inflicted on the Slave, Forfeiture of the Gun, Sword, or other Weapon notwithstanding; unless such Master, Mistress, or Overseer, shall, by their own Oath, or other Proof, make appear, that such Slave, carrying a Gun, Sword, or other Weapon, was without their Consent or Knowledge.

In what Cases Slaves may carry Guns.

IV. **A**ND *be it further Enacted*, That the Justices of each County Court, when and where they judge it necessary, shall divide their respective Counties into Districts, and Yearly, at the first Court to be held for their Counties respectively after the first Day of May, shall appoint Three Freeholders in each District as Searchers, who shall take the following Oath, *viz*,

Court to appoint Searchers.

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Their Oath.

I A. B. do swear, That I will, as Searcher for Guns, Swords, and other
among the Slaves in my District, faithfully, and as privately as I can, do
the Trust reposed in me, as the Law Directs, to the best of my Power.

So help me G.

Who are to search
Negro Quarters.

Which Searchers shall four Times in a Year, or oftener if they think ne-
cessary, search and examine the Quarters and other Places where Negroes resort in the
District, for any Gun, Sword, or other Weapon, and upon finding any of the
Weapons, are hereby required to seize the same, and convert them to their own
use, as by the afore-recited Act is directed.

Pen. on Searcher
refusing to act.

V. *AND* be it further Enacted, That any Person appointed Searcher as
afore said, who shall neglect or refuse to act, shall forfeit and pay the Sum of Forty
Pounds Proclamation Money, to such Person who shall next succeed him; to be
averred as other Fines in this Act mentioned.

Searchers Privi-
leges.

VI. *AND* for the Encouragement of such Searchers faithfully to execute
their Office; *Be it further Enacted, by the Authority aforesaid,* That each and
every Searcher shall, as to his own Person, be, during the Time of his Continuance
in Office, exempted from serving as a Constable, or upon the Roads, or in the
Court, or as a Juror, and shall not be obliged to pay any Provincial, County, or
other Tax, of what Kind or Nature soever.

Who may be ap-
pointed Searchers.

VII. *PROVIDED* always, That no Person but such as are liable to be
appointed Constables, shall be obliged to serve as Searchers; any Thing in this
Act to the contrary notwithstanding.

Penalty on Slaves
hunting with
Dogs.

VIII. *AND* be it Enacted, by the Authority aforesaid, That no Slave shall hunt
or range in the Woods with a Dog or Dogs, except such as shall have a Certificate
for Hunting, obtained as is in this Act directed: And if any Slave shall be
offending herein, it shall and may be lawful for any Person or Persons to kill
and destroy the said Dog or Dogs, and to bring the said Slave before the next Magistrate,
who shall, on due Proof of his Offence, order the said Slave such Correction
as he shall judge reasonable, not exceeding Thirty Lashes.

In what Cases
outlaw'd or con-
victed Slaves shall
be paid for.

IX. *AND* be it further Enacted, by the Authority aforesaid, That if any Slave
or Slaves shall be kill'd on Outlawry, or shall commit any Crime or Misdemeanor
for which he, she, or they shall be capitally convicted, the Owner of such
Slave or Slaves so outlawed or executed, shall be debar'd all Claim on the Public
for the Value of such Slave or Slaves, and the Justices of the County Court, and
Freeholders, who shall value the Slave or Slaves so killed, or sit on the Trial
of such Slave or Slaves so capitally convicted, shall not make any Certificate of the Value
of the same, unless it shall be made appear, on Motion for such Certificate, by
the Owner, or some other Person, that such Slave or Slaves, killed on Outlawry,
or capitally convicted, shall have been sufficiently cloathed, and shall likewise have con-
stantly received, for the preceeding Year, an Allowance, not less than a Quarter
Corn per Diem.

Y. AND be it Enacted, by the Authority aforesaid, That in Case any Slave or Slaves, who shall not appear to have been clothed and fed according to the Intent and Meaning of this Act, shall be convicted of stealing any Corn, Cattle, Hogs, or other Goods whatsoever, from any Person not the Owner of such Slave or Slaves, such injured Person shall and may maintain an Action of Trespas against the Master, Owner, or Possessor of such Slave, in the General or County Court, and shall recover his or her Damages, with Costs of Suit, any Law, Usage, or Custom to the contrary, notwithstanding.

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Slaves not fed according to the Act, stealing Corn, &c. injured Person to sue the Owner for Trespas.

C H A P. VII.

An Act, for erecting the upper Part of Anson County, into a County and Parish, by the Name of Rowan County, and St. Luke's Parish; and for appointing a Place for holding a Court in the said County. R E P.

See Act passed Sept. 1756, Cha. XXII.

C H A P. VIII.

An Act, to amend an Act; intituled, An Act, for dividing Part of Granville, Johnston, and Bladen Counties, into a County and Parish, by the Name of Orange County, and the Parish of St. Matthew, and for appointing Vestrymen for the said Parish, and other Purposes therein mentioned. R. E P.

SIGNED by:

MATTHEW ROWAN, Esq; President.

JAMES MURRAY, President of the Council.

SAMUEL SWANN, Speaker.

