



T H E

L A W S

O F

St. C H R I S T O P H E R ' s .



No. 1.

1711.

*An Act for the establishing Courts ; and setting due Methods for the Administration of Justice in this Island. **

** Repealed by the sixty-third Clause of an Act passed in 1724. Vid. No. 59.*



No. 2.

*An Act for the better Government of Negroes, and other Slaves. **

** This Act not being found sufficiently effectual, was amended by a new Law in 1722. Vid. No. 52.*

HEREAS the Behaviour of Negroes, and other Slaves on this Preamble.

Island, has of late, and particularly since the War, been more insolent, and their Villanies more frequent and notorious than ever heretofore : Therefore, for their better Government for the future, We, Your Majesty's most dutiful and loyal Subjects, the Governor in Chief of all Your Majesty's Leeward *Caribbee* Islands in *America*, the Lieutenant-Governor, and Council of *St. Christopher's*, together with the Assembly of the same, humbly pray Your Most Excellent 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 Day of the Date of this Act, it shall and may be lawful for any Justice of the Peace of this Island, upon Complaint made to him of any Felonies, or other Crime committed by any Negro, or other Slaves whatsoever, on this Island, to issue out his Warrant for apprehending of the Offender or Offenders, and him or them, within

Justices to try Negroes without a Jury.

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within the Term of three Days after his or their being in Custody, taking to his Assistance one other Justice of the Peace, near the Place where the Offence shall be committed, without a Jury, to hear, examine, try, award, and appoint Pains, Penalties, and inflict, or cause Execution to be done, as to Life or Limb, or other Punishment, by Warrant under their Hands and Seals, in which they are to regulate themselves to the known Laws and Practice of the Courts in *England*, in all Criminal Cases; any Statute, Law, or Usage to the contrary notwithstanding.

Carrying off
other Persons
Negroes Felony.

II. And be it further Enacted, by the Authority aforesaid, That if any Person or Persons whatsoever do, by Force or Persuasion, carry off from this Island any Negro, or other Slave, other than his own, or such as he or they may be lawfully interested in, or possessed of, he shall be guilty of Felony, and be debarred the Benefit of Clergy.

Penalty on
dealing with
Negroes.

III. And be it further Enacted, by the Authority aforesaid, That if any Person or Persons whatsoever shall presume, by themselves, or others under him or them, to trade, traffick, or deal with any Negro, or other Slaves, for Sugar, Syrrup, Molosses, Indigo, Tobacco, Ginger, Cotton, Copper, Brass, Pewter, or any other Goods, Merchandize, or any Stock or Poultry whatsoever, without the Knowledge or Consent of the said Master or Owner of such Negro, or other Slave or Slaves, signified by a Note in Writing, or by sending some white Person with the said Negro, or other Slave or Slaves; upon Complaint made to the next Justice of the Peace, the Person or Persons so offending, shall be bound to his or their Behaviour, and to appear at the next Quarter-Sessions of the Peace to be held for this Island, and there be fined, as the Court shall think fit, not exceeding Twenty Pounds, or double the Value of the Goods so clandestinely bought.

By Act No 52.
Clause Nine-
teen, dealing
with Negroes
for above 20s.
is made Felony.

Punishment
of a Negro
striking or
wounding a
white Person.

IV. And be it further Enacted, by the Authority aforesaid, That if any Negro, or other Slave, oppose, struggle with, or strike any white Person whatsoever, upon Complaint made to the next Justice of the Peace, the said Negro, or other Slave, so offending, shall be publicly whipt by the Constable of that Division, or some other Person which the said Justice shall appoint to do the same, at the Discretion of the said Justice; but in case such white Person be hurt, wounded, bruised, or maimed by such Negro, or other Slave, then, and in such case, the Negro, or other Slave, shall be sentenced and adjudged to Death, dismembering, or such other Punishment as two Justices, in their Discretion, shall think fit.

Penalty on
harbouring
run-away
Slaves.

V. And, for the better preventing of running away of Negroes, and other Slaves, as also to hinder and obstruct evil-minded People from entertaining them; be it further Enacted, by the Authority aforesaid, That what Person or Persons soever shall, for the future, harbour or entertain any Negro or other Slave, other than his own (being run away above twenty-four Hours) and not give the Owner, if to him known, an Account of such Negro, or Slave, being in his Custody, shall pay unto the Owner of such Slave, if a common Field Negro, twelve Shillings; if a Tradesman, twenty Shillings, for each twenty-four Hours after the first Hour of such run-away Negro, or other Slave, being in his, her, or their Custody; but if the Master shall not be known, then the Party, in whose Custody such run-away Negro, or Slave, shall be, shall carry him or them to the Provost Marshal of the Island, or his lawful Deputy for the Time being, who is hereby obliged to receive him or them into his Custody, and pay the Bringer twelve Shillings for taking up each such run-away Negro, or other Slave; and nine Pence *per* Mile, for as many Miles as each such Negro, or other Slave, is brought to the Gaol, from the Place where he or they were taken; and the Marshal is to keep the said Negro, or other Slave, so run away, in safe Custody, and by a List (to be set up at the Prison Door, or some other publick Place) insert the Names of such Negroes, or other Slaves, that are in his Custody, their Age, and other Marks, as also their Masters Names, if known; and if the Marshal, or his Deputy, shall refuse to pay the Bringers aforesaid, or receive the Negro, or other Slaves, or neglect to put their Names in the List, he or they shall forfeit and pay for every such Offence the Sum of Six Pounds current Money.

If the Owners
be not known
Slaves to be
committed to
the Custody
of the Marshal.

Penalty on
Marshal suffering them
to escape.

VI. And, in case the said Marshal, or his Deputy, shall neglectfully, or willingly suffer such Negro, or other Slaves, to escape, or shall put them to work, he shall forfeit and pay to the Owner, for every twenty-four Hours Absence of such Negro, or other Slave, who hath escaped by the said Marshal's Negligence or Wilfulness, the Sum of Twenty Shillings current Money: And in case any Negro, or other Slaves, perish for want of Provisions, he shall forfeit and pay unto the Owner of such Slave Fifty Pounds current Money.

VII. Pro-

VII. Provided always, That the said Marshal shall, upon Delivery of any Negro, or other Slave, to their respective Master or Owner, receive from him or them the Twelve Shillings paid for taking each Negro, or other Slaves, and the Nine Pence *per* Mile; and for every Twenty-four Hours he or they have been in his Custody, shall receive Twelve Pence: And if any Negro, or other Slave, shall happen to lie so long in Prison as Three Months, such Negro, or other Slave or Slaves, are to be taken out of Prison, and sold at Public Outcry, for the Fees and Charges aforesaid, by Warrant under the Hands and Seals of Two Justices of the Peace; and the Overplus, if any, after the Payment aforesaid, to the Owners, if known, otherwise to the Treasurer for the Time being, for the Use of the Publick, till the Owner shall appear, to whom the Treasurer shall be obliged to account, and pay what remains in his Hands, all necessary Charges being first deducted; and the Marshal, or his lawful Deputy, is hereby enjoined to give Notice to One or more Justices, when the Term of Three Months is expired, for each such Negro or other Slave, or forfeit and pay for each and every such Neglect the Sum of Four Pounds current Money.

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Proviso.

VIII. And be it further Enacted, by the Authority aforesaid, That if any Person or Persons shall kill a Negro, or other Slave, in just Defence of his Person or Property, or in his Pursuit of such Negro, or other Slave, being run away, or broke out of Prison, and resisting or refusing to submit; such Person or Persons shall not be liable to any Prosecution, Molestation, or Damage whatsoever, either in Law or Equity; any Law, Usage, or Custom to the contrary notwithstanding.

Persons not liable to any Prosecution for killing a Negro in their own Defence, &c.

IX. And be it further Enacted, by the Authority aforesaid, That from and after the Publication of this Act, whensoever any Negro, or other Slave, shall be taken and condemned for any Crime, Offence, or Misdemeanour by him or them committed, that before Execution do pass upon them, any or either of them, that they shall be valued and appraised by two neighbouring Freeholders, by Warrant under the Hands and Seals of the two next Justices of the Peace; which said Appraisers are hereby directed not to value or estimate any such Negro, or other Slave, of what Quality, Condition, Age, Circumstance, or Estate soever he, or she, or they be, for more than the Sum of five thousand Pounds of Sugar for each and every Slave executed; but in case of Disability, as Lameness, by having but one Limb, or being otherwise incapable of Service, then the said Estimation or Valuation to be less, according to the Conscience, best Skill and Judgement of the said Appraisers, upon their Oaths, to be given before the next Magistrate, before their Return of their Report.

Condemned Slaves to be appraised.

X. And because it seems just and reasonable, that an equal and fair Distribution should be made by and between the Parties Sufferers, of the Valuation or Appraisement of such condemned Negroes, as aforesaid; be it further Enacted and Ordained by the Authority aforesaid, That after Execution done upon such Negro or Negroes, or other Slave or Slaves, that the Treasurer of this Island for the Time being shall be obliged to pay the Appraisement of the Value of such Slave or Slaves so executed in Manner as aforesaid, in Manner and Form following; that is to say, Three thousand of the said five thousand Pounds of Sugar unto the respective Owner or Owners of such Slave or Slaves so executed, and the other Two thousand thereof to the respective Person or Persons so robbed, plundered, prejudiced, or damaged, as in and by this Act is directed.

Value of such Slaves how to be distributed

XI. Provided always, That the Damages sustained in the Felony committed by such Negro executed, do amount to the Value of Two thousand Pounds of Sugar, which Damages shall be inquired of by the said Justices who tried the said Slave, either by the Oath of the Party, or by such other Means, as shall be thought most likely to find out the Truth, otherwise the Surplusage, or the Valuation of such Damage, to redound to the Owner or Proprietor of such Slave or Slaves so executed.

Proviso.

XII. And in regard great Neglect and Delay hath been made heretofore by the Provost-marshal of this Island, in the due Execution of his Office upon the Body of such Criminals as aforesaid; be it Enacted by the Authority aforesaid, That the Provost-marshal of this Island for the Time being, or his lawful Deputy, upon notice given him from the Justices of Peace, or either of them, who awarded the Execution, of the Time and Place, when and where any Negro-malefactor is to be executed, that he or they do not fail to attend the Discharge of their Duty and Function, under the Penalty of Ten Pounds current Money; to be levied by Warrant of Distress upon the Goods and Chattels, to be signed and sealed by the next Justice of the Peace, directed to the Constable, and immediately to be sold at Outcry; and for

Penalty on Marshal refusing to attend the Execution of any Criminal.

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want of Assets, such Marshal, or his Deputy, so offending, to be committed to the publick Gaol, by Warrant under the Hand and Seal of the next Justice of Peace, directed to the Constable; and for each and every such Execution so done and performed by the Provost-marshal, or his lawful Deputy, they shall be paid the Sum of five hundred Pounds of Sugar, to be allowed out of the Sum, for which such Negro so executed shall be appraised at; or, in the Absence or Neglect of the said Marshal, and his Deputy, whosoever, being lawfully appointed, shall do, or cause Execution to be done upon the Body of such Criminal or Malefactor as aforesaid, upon Certificate thereof from the Justice or Justices who awarded the Execution, he or they shall receive the Benefit of the said Sum of five hundred Pounds of Sugar, to be paid in Manner as aforesaid.

Negroes escaping, to be out-lawed in four Months.

XIII. And, forasmuch as the Negroes, and other Slaves, upon committing any Crime, frequently escape to the Mountains, so that they cannot be taken in a long Time; be it further Enacted, by the Authority aforesaid, That what Negro, or other Slave soever, shall at any Time hereafter commit a Felony, or other Crime, and shall absent him or themselves, so that he or they cannot be taken and brought to Trial in the Space of four Months after the Crime committed, every such Negro, or other Slave, shall be, and is, by virtue of this Act, declared to be out-lawed; and if the Master or Owners of such Negro, or other Slave, be a Means of the hindering their being brought to Trial, every such Master or Owner is hereby foreclosed and debarr'd of having any Benefit by this Act, or of receiving any thing for such Negro, or other Slave, if killed or brought to Trial by any other Means; and if any Person shall send off his Negro, that hath killed another, he shall pay unto the Owner of such Negro so killed, as aforesaid.

Penalty on selling strong Liquors to Slaves upon Sundays, &c.

XIV. And, be it further Enacted, by the Authority aforesaid, That no Retailer or Retailers of Strong-liquors, shall, after Publication hereof, on *Sundays*, or Holy-days, sell any Liquor or Liquors, of what Nature or Quality soever, to any Slave or Slaves, under Pain and Penalty of Three Pounds current Money for every such Offence so committed; and all Justices of the Peace, and Constables, are hereby required, and fully impowered to disperse all unusual Concourses of Negroes in or about the Towns, or elsewhere, on *Sundays*, or other Holy-days; and to take up, or cause to be taken up, all Negroes, who shall be found armed with Clubs, or other offensive Weapons, or playing at Dice, or other unlawful Sports, or drinking in the Publick-houses; and such Negroes so taken up, shall be publickly whipt, not exceeding thirty Stripes.

Justices to make further necessary Orders.

XV. And, because it is not possible to foresee and provide against all the Difficulties that may happen in the Execution of this Act; be it Enacted, by the Authority aforesaid, That the Justices of the Peace, in their Sessions, may, from Time to Time, make and publish such further Orders and Regulations, as shall be found necessary for the better Government of Negroes.

Reward for apprehending Slaves absconding in the Mountains, in order to go over to the French.

XVI. And, whereas lately sundry Negroes, and other Slaves, have deserted their Masters and Owners, and have withdrawn themselves into the late *French Quarter* and there absconded themselves in the Grounds called the *Salt Ponds*, and in other Grounds lying to windward of *Frigatt Bay*, with design and Intent not only to go over themselves to the Enemy, when Opportunity shall present, but also to persuade and intice other Negroes and Slaves to go with them, to the Prejudice of the Owners, and the publick Good and Welfare of this Island; be it therefore Enacted and Ordained, by the Authority aforesaid, That what Person or Persons soever, either white or black, free or bond, shall take or apprehend such Negro or Negroes, or other Slave or Slaves, so absconding, as aforesaid, in such Lands or Mountains about the *Salt Ponds*, or to windward of *Frigatt Bay*; all and every such Person or Persons, so taking and apprehending such Negro, or other Slave or Slaves, and bringing them safe to the Provost-marshal, or his lawful Deputy, shall receive, as a Reward for taking and apprehending each and every such Negro or Negroes, Slave or Slaves, the Sum of twenty Pieces of Eight, to be paid by the Master or Owner of such Negro or Negroes, or other Slave or Slaves, so taken, as aforesaid; and the Provost-marshal, or his lawful Deputy, to be paid their Fees of Commitment, for such Slave or Slaves, as aforesaid, by their respective Owners; and such Slave or Slaves so committed, to remain in Custody in the common Gaol, until the Money and Fees be paid and discharged in Manner as aforesaid; and upon written Publications, put up in the most convenient Places of this Island by the Provost-marshal, or his lawful Deputy, of such Negroes so taken up in Manner as aforesaid, and giving the best

and fairest Descriptions possible, of their Persons, Marks, Features, and Countries, in case the Owner or Owners of such run-away Slave or Slaves, so taken up, and in Custody, as aforesaid, shall not, within one Month's Time after such Publication put up, come in, and lay his, her, or their Claim or Claims to such run-away Slave or Slaves, so taken up, and in Custody, as aforesaid, and make his, her, or their just Right and Property thereunto; then, and in such Case, the said run-away Slave or Slaves shall be sold at publick Outcry by the Provost-marshal, or his lawful Deputy, and, the Money and Charges deducted thereout, the Overplus to remain in the Hands of the Treasurer of this Island for the Time being, for and during the Space of twelve Months, for the Use of the Owner or Owners of such Slave or Slaves, as aforesaid; and if none such appear within that Time, then such Overplus to be employed for the Use of Her Majesty's Fortifications in this Island.

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XVII. And be it further Enacted, by the Authority aforesaid, That if any Justice of the Peace within this Island shall neglect or refuse to perform his Duty, as by this Act he is enjoined and required, he or they, so offending or neglecting, shall forfeit and pay for every such Neglect or Refusal the Sum of Twenty Pounds current Money; to be sued for and recovered in any of Her Majesty's Courts within this Island; the one Half to the Informer, and the other Half towards the Fortifications of this Island.

Penalty on Justice neglecting his Duty.

XVIII. And where any Clause of this Act requires the Marshal, or his Duputy, or the Constable, to do or perform any Duty; where a Penalty is not already mentioned, he or they so neglecting or refusing to do the same, the Justice or Justices, before whom the Matter lies, shall fine such Person or Persons for each such Offence, according to their Discretion, not exceeding Ten Pounds current Money; and such, and all other Penalties arising by virtue of this Act, not directed how to be levied or disposed of, shall be levied by Warrant under the Hands and Seals of two Justices of the Peace, on the Goods and Chattels of the Party or Parties so offending, by the next Constable, and sold at public Outcry, rendering the Overplus, if any, to the Owner; the Fines and Forfeitures to be the one Moiety to the Informer, the other to Her Majesty's Use; and applied to the Fortifications of this Island.

Justices to fine Constables, &c. at their Discretion, where no Penalty is mentioned.



No. 3.

An Act to regulate and settle the Militia of this Island; to mount the Guards, go the Rounds and Petty-Rounds, and do their Duty in their Turns, as shall be ordered them.

Expired.



No. 4.

An Act for selling strong Liquors by Retail; and taking out Licences.

Expired.



No. 5.

An Act for raising a Levy, to defray the publick Charges of this Island.

Expired.

Saint Kitts. Acts of Assembly, passed in the island of St. Christopher; from the year 1711, to 1769. Printed (by permission of the Council and Assembly) by Daniel Thibou, M.DCC. LXIX. [1769]. Eighteenth Century Collections Online, link.gale.com/apps/doc/CW0124215630/ECCO?u=fred46430&sid=bookmark-ECCO&pg=21. Accessed 3 Oct. 2023.