

1722.

No. 52.

\* Another Act was passed in 1759, which punishes a Negro or other Slave with Death for attempting to poison a white or free Person. Vid. No. 180.

An Act for attainting several Negroes therein mentioned; and for the more effectual preventing Negroes from running away from their Masters Service; and for explaining and rendering more effectual an Act, intituled, An Act for the better Government of Negroes, and other Slaves. \*

Preamble.

WHEREAS it has been found by Experience, that the laws now in Force for the better Government of Negroes, and other Slaves, and for punishing such as do withdraw from the Service of their Masters, have proved too mild and gentle to curb and restrain them; and that they have so abused the Lenity of the Laws, that great Numbers of them have deserted the Service of their Masters, and fled to the mountainous Parts of this Island, and there have armed and assembled themselves in Bands, to oppose their Masters, and any that come in Pursuit of them; and in the Night Time, when they cannot be easily discovered or taken, do frequently commit divers Thefts and Robberies in the Plantations of this Island, to the insupportable Wrong and Damage of many of His Majesty's good Subjects: And whereas they are daily inticing other Negroes to resort to, and join with them; and it is much to be apprehended, that their Numbers will very much increase, without the Aid of some Law, to give some extraordinary Encouragement for the taking their Chiefs or Ringleaders, and for the inflicting of condign Punishment upon such as shall be taken: And whereas it is notorious, That *Johnny Congo*, belonging to the Honourable Lieutenant General *Mathew, Christopher*, belonging to *William M'Dowall*, Esquire, and *Antego Quamina*, belonging to *Marmaduke Bachelor*, Esquire, have, for a long while past, and still do, head several armed Bands, or Companies of fugitive Negroes in this Island, and do all that in them lies to entice other Negroes to desert their Masters Service, and join with them; and have themselves committed, and been the Occasion of committing, many flagrant Thefts and Felonies: We, therefore, Your Majesty's most dutiful and loyal Subjects, the Chief Governor of all Your Majesty's Leeward *Carribbee* Islands in *America*, and the Council and Assembly of the Island of *St. Christopher's*, do most humbly pray Your Majesty that it may be Enacted; and it is hereby Enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Chief Governor, Council, and Assembly aforesaid, and by the Authority of the same, That the said *Johnny Congo, Christopher, and Antego Quamina*, and every of them, be, and hereby are, convicted and attainted of Felony, and shall suffer the Pains of Death.

Three Negroes attainted of Felony.

Reward for apprehending them.

II. And, for the Encouraging the speedy taking the said *Johnny Congo, Christopher, and Antego Quamina*, it is hereby further Enacted, by the Authority aforesaid, That if any white Person or Persons shall apprehend and take the said *Johnny Congo, Christopher, and Antego Quamina*, or any of them, and shall deliver his or their Bodies alive into the Custody of the Provost Marshal of this Island, or his lawful Deputy, or shall bring sufficient Proof of the said white Person's having, in Pursuit of the said Negro or Negroes, killed him, or any of them; he or they shall, for each of the said Persons so taken and delivered, or killed as aforesaid, receive from the Treasurer of this Island for the Time being (who is hereby authorized and required to pay the same, upon a Certificate thereof from the said Provost Marshal, attested by any one Justice of the Peace of the said Island) a Reward of Thirty Pounds current Money of this Island, or the Value thereof in Sugar.

Slaves absenting from their Master's Service how to be punished.

III. And, for the preventing any Negroes, or other Slaves, deserting their Masters Service for the future, and also for the encouraging of such as are deserted to return thereto; be it, and it is hereby Enacted, by the Authority aforesaid, That where any Negro or other Slaves, who hath or shall have lived upon this Island for the Space of Twelve Months, shall at any Time after the Publication of this Act, absent or withdraw himself from his Master's, Owner's, or Renter's Service for the Term of Six Months in one continued Space of Time; or where any such Negro, or other Slave, that now is absent from his Master's, Owner's, or Renter's Service, shall not return to the same within the Space of Three Months after the Publication of this Act; every such Offence shall be adjudged Felony, and the Offenders, and every one of them, shall suffer Death.

IV.

IV. And in case any Negro, or other Slave, that now is absent from his Master's Service, except the aforesaid *Johnny Congo, Christopher, and Antego Quamina*, shall voluntarily come in, and surrender himself to his Master, or any Magistrate in this Island, within the aforesaid Term of Three Months; such Negro, or other Slave, so surrendering, shall be, and is hereby pardoned and acquitted of any Offence (Murder only excepted) which he shall or may have committed during the Time of such his Absence, and before his Notice of this Act.

V. And be it further Enacted, by the Authority aforesaid, That any Person or Persons who shall kill any Negro, or other Slave, who has been absent for the aforesaid Term of Six Months, in one continued Space of Time, from his Master's, Owner's, or Renter's Service, after the Publication of this Act; or shall apprehend or take any such Negro, or other Slave; so as that he be legally convicted of such Offence; such Person or Persons shall receive a Reward for every such Negro, or other Slave, so killed or taken, from the Treasurer of this Island for the Time being (who is hereby authorized and required to pay the same) upon due Proof made before any one Magistrate of this Island, of his or their killing such Negro, or other Slave, or upon Certificate of such Conviction from the Magistrate before whom such Negro, or other Slave, was tried, the Sum of Six Pounds current Money of this Island, or the Value thereof in Sugar.

VI. And be it further Enacted, by the Authority aforesaid, That after any Negro, or other Slave, is or shall be run away from the Service of his Master, Owner, or Renter; every Negro, or other Slave, who, knowing such Negro, or other Slave, is run away from his Master's, Owner's, or Renter's Service, shall entertain, harbour, receive, or conceal, or any ways aid, assist, or comfort, afford or give any Sustenance to any such Negro, or other Slave, so run away, shall, upon Conviction thereof, according to the Laws and Customs of this Island, for the first Offence be publickly whipt upon the bare Back with any Number of Stripes not exceeding Fifty; and if it shall happen that any such Offender or Offenders shall be convicted a second Time of the like Offence, he or they, upon such second Conviction, shall be adjudged to be publickly whipt, upon the bare Back, with any Number of Stripes not exceeding One hundred; and if such Offender or Offenders shall be thereof convicted a third Time, he or they, upon such third Conviction, shall be adjudged to have a further Number of Stripes, not exceeding One hundred and Fifty; and so for each After-offence.

VII. And every other free Person or Persons, who, knowing that such Negro, or other Slave, is run away from his Master's, Owner's, or Renter's Service, shall entertain, harbour, receive, or conceal, or any ways aid, assist, or comfort, afford or give any Sustenance to any such Negro, or other Slave, so run away, shall forfeit (to be levied as hereafter directed) for the first Offence the Sum of Ten Pounds current Money of this Island; and for the second Offence, double, and Six Months Imprisonment; and for the third Offence, One hundred Pounds, and one Year's Imprisonment; and be moreover liable to pay for any such Offence to the Owner of such run-away Negro, or other Slave, such several Sum or Sums of Money as are mentioned and enacted in an Act of this Island, intituled, *An Act for the better Government of Negroes, or other Slaves*, and past in the tenth Year of Her late Majesty's Reign; which said aforementioned Act is hereby confirmed, and declared to be in Force, to all Intents and Purposes whatsoever.

VIII. And be it further Enacted, by the Authority aforesaid, That whenever any of the aforesaid Negroes, attainted by this Act, shall be apprehended, any two Justices of the Peace may and shall award Execution to be done on his or their Bodies, by Warrant under their Hands and Seals, directed to the Provost Marshal, or his lawful Deputy; and that all Felonies or other Crimes created by this Act, and committed by any Slave, shall be tried and adjudged; and all Slaves condemned to die, before Execution, shall be valued and appraised, to be paid for by the Treasurer of this Island, as is directed by the aforesaid Act; and in all Trials of Negroes, or other Slaves, the Justice or Justices shall and may hear the Evidence of any other Slave, and give such Credit thereunto, as he or they shall in Conscience be convinced such Evidence deserves.

IX. And, for the easier and readier apprehending of any Negro, or other Slave, run away from his Master's or Owner's Service; be it, and it is hereby further Enacted, by the Authority aforesaid, That it shall and may be lawful for the Master or Owner of any Negro, or other Slave, or any other Person or Persons by his Direc-

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Encourage-  
ment for ab-  
sent Negroes  
to return to  
their Owners.

Reward for  
killing or  
taking them.

Entertaining,  
&c. run-away  
Slaves how to  
be punished.

Penalty on  
free Persons  
harbouring,  
&c. them.

When they  
are appre-  
hended, Two  
Justices may  
award Execu-  
tion against  
them, &c.

Negro-Houses  
may be  
searched for  
such Slaves.

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Penalty on their Owners neglecting to prosecute them for Murder, &c.

tion, to enter any Negro House or Houses, by Night or Day, to search for any Negro, or other Slave, absenting himself from his Service, without any Warrant from any Magistrate for that Purpose, having first given Notice thereof to the Master, Owner, or Overseer, on the said Plantation.

X. And be it further Enacted, by the Authority aforesaid, That if any Negro, or other Slave, shall have absented himself from his Master's Service above the Space of Six Months; or shall have wilfully murdered any Christian, or Slave Belonging to his own Master, and the Master or Owner of such Negro, or other Slave, shall conceal or neglect to prosecute such Slave, guilty of any the aforesaid Crimes, for the Space of Three Months after such Offence committed; that then, and in such Case, if any other Person shall prosecute such Slave for such Offence, and he, she, or they, shall be legally convicted thereof, the Master or Owner of such Negro, or other Slave, shall forfeit and pay the full Value of the said Slave to the Person or Persons so prosecuting; and the Master or Owner, in such Case, shall be, and is hereby debarred from receiving from the Treasurer or Publick of this Island, any Sum or Sums of Money, or other Consideration, for such Negro, or other Slave, so convicted or executed; any-thing herein before contained to the contrary thereof in any-wise notwithstanding.

Penalties how to be levied.

XI. And for the more speedy and effectual enforcing the payment of such Forfeiture, it is hereby further Enacted, by the Authority aforesaid, That any Justice of the Peace for this Island, may, in such Case, issue out his Warrant, directed to Two substantial Persons, to value and appraise such Negro, or other Slave, so prosecuted and convicted, as aforesaid; and in case the Master or Owner shall refuse to pay what he, she, or they shall be so appraised at, to issue his Warrant to the Provost Marshal, or any Constable in the said Island, commanding him to levy the same upon the Goods and Chattels of such Master or Owner, and to pay the same to the Person or Persons so prosecuting as aforesaid.

Slaves not to go out of the Plantation without a Ticket, &c.

XII. And be it further Enacted, That no Master, Owner, or Renter of Negroes, or other Slaves, shall give any Slave or Slaves Leave on *Sundays*, or any other Time, to go out of their Plantations (except such as usually wait upon them, and no other) except with a Ticket under the Master's, Mistress's, or Manager's Hands, specifying the Time allowed such Negro, or other Slave, to be absent; and if any Master or Owner of a Plantation finds any Negro, or Slave, on his Plantation without a Ticket, or Business from his Master or Owner, and doth not punish him with a moderate Whipping, not exceeding Twenty Stripes, he shall forfeit Twelve Shillings current Money.

on Pain of being apprehended and whipt.

XIII. And be it further Enacted, by the Authority aforesaid, That any white or free Person or Persons may apprehend any Negro or Negroes, or other Slave or Slaves, that shall be found out of his Master's or Owner's Plantation at any Time, especially *Saturday* Nights, or *Sundays* and Holydays, not being on their Master's or Mistress's Business, nor having such a Ticket, or not having a white Man with them, (except as before) and the said Negro or Negroes, Slave or Slaves, may correct with moderate Whipping, as aforesaid: And if any such Negro, or other Slave, shall be armed with Clubs, wooden Swords, or other mischievous Weapons, and found out of their Master's or Owner's Plantation, though with a Letter or Ticket, they may be taken up, disarmed, and whipped, as aforesaid.

Penalty on Owners suffering them to blow Horns, &c.

XIV. And be it Enacted, by the Authority aforesaid, That whatsoever Master, Mistress, Manager, or Overseer, who has any Negroes under his Care, shall suffer his or their Negroes or Slaves, at any Time, to beat Drums, blow Horns, or use any other loud Instruments, or shall suffer any publick Meetings or Feastings of strange Negroes or other Slaves, in his or her Plantation; he or she so offending shall forfeit Twenty Pounds current Money for every such Offence; provided Information of the same be made and given upon Oath to one of His Majesty's Justices of the Peace of this Island, within one Month after such Offence committed:

Negro Houses to be searched every 14 Days, and Goods not honestly got to be taken from thence.

XV. And that every Master, Mistress, or Overseer of a Family, shall, under the Penalty of Twenty Shillings, current Money, cause all his or her Negroes Houses to be searched once every Fourteen Days at the least, for run-away Negroes, Clubs, wooden Swords, and other mischievous Weapons, and also for Cloaths, and other Goods not honestly come by; and what they suspect to be stolen they shall seize, and give Notice thereof to the Clerk or Constable of the Parish, within Six Days after, who shall set up a short Notice of the same on the Posts of the Church-door; whereby

whereby the Loser, declaring the Marks, or describing the Goods, may have the same again without Cost or Charges.

XVI. And be it further Enacted, by the Authority aforesaid, That such Christians as shall apprehend and bring any run-away Negro unto the Provost Marshal of this Island, or his Deputy, or to the Gaol, shall deliver upon Oath an Account of the Name, and when and where he apprehended such fugitive Slave, and that he knew of no Ticket the Slave had, nor of his Owner; and the Keeper of the Gaol, at the Re-delivery of such Slave, shall take a Receipt of the Person to whom delivered, with a Description of the Slave delivered.

XVII. And be it further Enacted, by the Authority aforesaid, That the Commanding Officer on this Island for the Time being, if he shall have Notice of the Residence or Hiding of any run-away Negroes, or other fugitive Slaves, shall and may raise and arm, of Dragoons, or Foot Militia, a sufficient Number of Men, to pursue and apprehend, or kill any such Negroes, or other Slaves: And if any Person of the Dragoons or Foot, being in Health, and able to travel, shall refuse to go in quest of such Run-aways, he shall forfeit Thirty Shillings current Money: And whoever shall apprehend or take any run-away Slave, absconding in the Mountains of this Island, or in the Lands lying to Windward of *Frigate-Bay*, or who hath been absent from his Master's Service Two Months, or more; shall receive, as a Reward for taking and apprehending each and every such Negro, the Sum of Twenty-eight Shillings; to be paid by the Owner of the said Negro, if delivered to him; or by the Marshal, if delivered at the Gaol.

XVIII. And be it further Enacted, by the Authority aforesaid, that whatsoever Negro, or Slave, shall hear another Negro, or Slave, speaking any Words tending to Mutiny or Rebellion; or that shall have, or shall prepare any Guns, Powder, Ball, Swords, or warlike Instruments, other than what are allowed for watching, and shall discover the same to any Justice of the Peace; the said Justice, and one other next Justice, shall cause the Slave accused to be apprehended; and if they find the Accusation just, the said Slave shall be tried by Two Justices of the Peace, in the Manner as Murders and other Felonies are hereby before directed to be tried; and if the said Slave be found guilty, and condemned to Death, he shall be appraised in such Manner as, and at no greater Price, than is appointed and limited in and by the above-mentioned Act; and the Negro, or Slave, giving such Information, shall be paid by the Treasurer, out of the Treasury, Three Pounds current Money: But if any Negro, or Slave, so accusing or informing against any other Negro, or Slave, shall not make good his Accusation, to the Satisfaction of the Persons who shall try the Negro, or Slave, so accused; then such Accuser shall have and receive such Punishment, not extending to Life or Member, as the said Justices shall think fit.

XIX. And be it further Enacted, by the Authority aforesaid, That if any Person or Persons shall buy any Sugar, Rum, Molasses, Syrup, Cotton, Wine, or other strong Liquors, Plate, wearing Apparel, or household Goods, from any Negro, or other Slave, except such Negro, or Slave, shall have a Ticket for that Purpose from his or her Master, Owner, Renter, or Overfeer; such Buyer or Purchaser, being legally convicted of any such Crime, not exceeding Twenty Shillings Value, shall suffer Six Months Imprisonment; and for every such Crime exceeding Twenty Shillings Value, shall be, and is hereby declared to be guilty of Felony, and shall suffer accordingly.

XX. And it is further Enacted, by the Authority aforesaid, That the one Moiety of all the Penalties and Forfeitures imposed, laid, and arising by virtue of this Act, shall be paid to the Treasurer of this Island for the Time being, for the defraying the publick contingent Charges of this Island; and the other Moiety thereof to the Informer; to be levied by Distress and Sale of the Goods and Chattels of every and any Person and Persons offending or acting contrary to this Act, and the true Meaning and Intent thereof, by Warrant under the Hand and Seal of any one Justice of the Peace of this Island; to be directed to the Provost Marshal, or his lawful Deputy, or to any Constable of the Island.

XXI. And be it further Enacted, by the Authority aforesaid, That in every Action, Suit, Indictment, Information, or Prosecution, wherein or whereby any Person or Persons shall be sued, indicted, prosecuted, or molested, for the doing of any Matter or Thing in the said Acts, or either of them, contained; it shall be lawful for all and every the said Persons, their Heirs, Executors, and Administrators, to plead

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The Name of any Slave, and where apprehended, to be delivered on Oath.

Commanding Officer to raise the Militia to pursue Negroes.

Negroes discovering others preparing to rebel, to have 3 l. Reward on Conviction of the Parties.

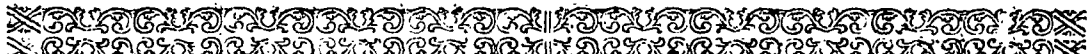
Penalty on Persons buying Goods of Slaves who have not a Ticket for that Purpose.

Forfeitures how to be divided.

Persons sued may plead the general Issue.

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plead the general Issue; and to give this Act in Evidence in any Court or Courts of Justice where the Matter shall be depending: And also, that the said Acts, and either of them, shall be taken and allowed in all Courts within this Island as publick Acts; and all Judges, Justices, and Juries, are hereby required to take Notice thereof accordingly.



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,  
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