

SAINT CHRISTOPHER.

An ACT for raising a tax of fifteen shillings per poll on all Negro and other Slaves, and six pounds per centum on the yearly value of all Houses, Warehouses, Stores, Shops, and Tenements within the several Towns of this Island, to be applied for and towards the purchase of a certain number of Negroes and other Slaves, for the use of the Public of this Island; and for directing and appointing in what manner such Negro and other Slaves shall be employed.

[20th December 1789.]

WHEREAS it is eligible for the colony, and approved of by government, that a certain number of negroes should be purchased for the fortifications on Brimstone Hill and other defences of the Island, and employed on the same, and in lieu of all aids that might otherwise be expected, or that have hitherto been granted by the colony for that purpose; We, therefore, Your Majesty's most dutiful and loyal subjects, the governor in chief in and over all Your Majesty's Leeward Charribbee Islands in America, and the council and assembly of the Island of Saint Christopher, do pray Your most excellent Majesty, That it may be enacted; and be it and it is hereby enacted by the King's most excellent Majesty, by and with the advice and consent of the governor in chief in and over all His Majesty's Leeward Charribbee Islands in America, and the council and assembly of Saint Christopher, and by the authority of the same, That from and after the publication of this Act, the commissioners hereinafter named shall and they are hereby authorized and empowered to contract for the purchase of any number of male slaves not exceeding one hundred and twenty, in manner hereinafter mentioned; and the said commissioners are hereby required and directed in no case whatever to contract for the purchase of any slaves but such as are healthy, able, and of good characters; for which purpose the said commissioners are hereby required to procure and demand from the master or mistress of such slaves, and every one of them, a certificate under his or her hand, of the health, ability and character of such slaves; which certificate the said commissioners are hereby required from time to time to lay before the council and assembly of this Island, before whom, or before a committee thereof, the master, mistress or seller of such slaves shall be obliged to answer upon oath all such questions as the council and assembly or either of them, may think proper to put concerning the ability, age and character of such slaves; nor shall any contracts or agreements for the absolute purchase of such slaves be made, until such negro or other slave or slaves be produced before the council and assembly, and by them approved of; after which, the said commissioners shall and they are hereby required to procure from such master or mistress an absolute sale of such slave or slaves to them the said commissioners, the survivor and survivors of them, and the executors, administrators, and assigns, to and for the use of the public of this Island, to be employed in manner as hereinafter mentioned.

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And be it further enacted by the authority aforesaid, That the said commissioners shall and they are hereby directed to contract for the purchase of the slaves in manner as hereinafter is limited; (that is to say) that every owner, renter and possessor of a plantation in this Island, shall have a power to sell one negro or other slave, according to the limitations hereinafter mentioned; and in case the owners, renters, and possessors of plantations shall not be willing and desirous to sell their negroes or other slaves in manner as hereinbefore is directed, and the commissioners shall be unable to get a sufficient number from such owners, renters and possessors, that then it shall and may be lawful for the said commissioners to contract for the purchase of as many such slaves from any other person or persons whatsoever, as shall be sufficient to make up the number of one hundred and twenty, according to the directions and limitations hereinbefore directed; and the said commissioners are hereby directed to conform to the regulations of this Act, in the contract for the purchase of slaves, in manner as herein is directed and in no other manner whatsoever.

And be it further enacted by the authority aforesaid, That the slaves so purchased in manner aforesaid, shall be employed on the works and fortifications of Brimstone Hill and other defences of the Island, subject to the immediate supervision of the chief

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chief engineer stationed on the Island for the time being, who shall take care that the said negroes and other slaves be solely employed on the fortifications and works of defence of the said Island within the engineers department, and in no other department whatever.

And be it further enacted by the authority aforesaid, That the commissioners hereinafter named, or any three or more of them, shall and they are hereby authorized from time to time, as often hereafter as they shall judge necessary, to examine in what manner the said slaves have been employed ; and in case the said chief engineer shall refuse at any time hereafter to give full information to the said commissioners, or any three or more of them, or shall employ the negroes contrary to the directions of this Act, the said commissioners, or any three or more of them, are to report the same to the council and assembly of this Island ; and it shall and may be lawful to and for the council and assembly of this Island, at any time that it shall appear to them that the said slaves or any of them are employed in any other manner than directed by this Act, to make a representation of the same to the commander in chief of His Majesty's troops for the time being ; and in case the said misemployment shall not immediately on such representation be rectified, then it shall and may be lawful for the said council and assembly, by a resolution of both houses, to sell and dispose of all the said slaves, and to pay the money arising from such sales into the public treasury of this Island, for the use of the public thereof, and to be applied in such manner as the council and assembly and the governor or commander in chief for the time being shall direct ; and it shall and may be lawful to and for the council and assembly, at any time that it shall appear to them that any steps shall be taken for the removal of any of the said slaves from this Island, by a resolution of both houses to sell and dispose of all the said slaves, and to pay the money arising from such sales into the public treasury, for the use of the public of this Island, to be applied in such manner as the council and assembly and the governor or commander in chief for the time being shall direct.

And be it further enacted by the authority aforesaid, That the commissioners hereinafter named, or the survivors or survivor of them, and the executors, administrators and assigns of such survivor, are hereby required and directed to sell and dispose of all such slaves hereinbefore directed to be purchased for the use of the public, as soon as the fortification of Brimstone Hill and the other defences of the Island shall be completed.

And be it further enacted by the authority aforesaid, That the monies arising from the sale of such slaves shall be paid into the public treasury of this Island, within ten days after the day of such sale, by the said commissioners, or the survivors or survivor of them, and the executors administrators and assigns of such survivor, under the penalty of treble the amount of the sum that they or either of them shall retain in their or either of their hands, to be applied in such manner as the council and assembly and the governor or commander in chief for the time being shall direct and appoint

And be it further enacted by the authority aforesaid, That the council and assembly of the Island for the time being, or any seven of them, shall be and they are hereby named and appointed commissioners for executing the several duties enjoined by this Act.

And for raising a fund sufficient for the purchasing of the slaves hereinbefore mentioned ; BE it further enacted by the authority aforesaid, That every owner, renter, or possessor of negroes and other slaves within this Island, shall stand charged and is hereby charged with the payment of fifteen shillings per poll for every negro or other slave of which he or she shall be severally owner, renter or possessor ; and every owner, renter, or possessor of any houses, warehouses, stores, shops or tenements within the several towns of this Island, shall be chargeable, and is hereby charged at and after the rate of six pounds per centum on the yearly value of all such houses, warehouses, stores, shops and tenements of which he or she shall be owner, renter or possessor ; which said tax or duty of fifteen shillings per poll on all negroes and other slaves, and of six pounds per centum on the yearly value of all houses, warehouses, stores, shops and tenements within the several towns of this Island, shall be paid at such times and in such manner as is hereinafter mentioned, (that is to say) five shillings per poll on all negroes and other slaves, and two per centum on the yearly value of all houses, warehouses, stores, shops and tenements, part thereof at or upon the first day of
June,

June, in the year of our Lord one thousand seven hundred and ninety; five shillings more per poll, and two per centum on the yearly value on all houses, warehouses, stores, shops and tenements; other part thereof, at or upon the first day of June which will be in the year of our Lord one thousand seven hundred and ninety-one; five shillings per poll, and two per centum on the said yearly value of all houses, warehouses, stores, shops and tenements, residue thereof, at or upon the first day of June which will be in the year of our Lord one thousand seven hundred and ninety-two, to be paid and applied for the payment of the slaves hereinafter directed to be purchased for the use of the public of this Island.

And be it further enacted by the authority aforesaid, That all and every the owners, renters, and possessors of negroes and other slaves, and in their absence from the Island, their attornies and managers, guardian, executor, or administrator, shall deliver to the respective persons hereinafter named, on or before the first day of May in each and every year during the continuance of this Act, in such places as they by their several precepts shall direct and appoint, a true and exact list or account upon oath of all and every the slaves of which he she or they are owners, renters, or possessors, or of which they are the attornies or managers, guardians, executors or administrators, at the several times prescribed for delivering such list or account; which oath the said persons hereinafter appointed to take and receive such lists or account, and every of them, is and are hereby empowered and authorized and required to administer; and if any owner, renter, possessor, attorney, manager, guardian, executor or administrator, shall neglect or refuse to deliver in such list or account upon oath, at such days and times as by this Act is directed, such person or persons so neglecting or refusing shall forfeit and pay the sum of two hundred pounds current money of this Island, to be recovered and applied in manner as hereinafter is mentioned and declared.

And be it further enacted by the authority aforesaid, That the several persons, or any two of them, in and by this Act nominated and appointed to take the lists of negroes and other slaves, and assessments of houses, warehouses, stores, shops and tenements, twenty days at least in each and every year during the continuance of this Act, before such poll and assessment are to be taken, shall cause to be inserted in the public papers of the said Island a notice addressed to all owners, renters and possessors of negroes and other slaves, and of any houses, warehouses, stores, shops or tenements within the several towns of this Island, to appear on the day and at the place appointed by the said notice, and to give in upon oath such list of negroes and other slaves, and likewise the yearly value of their houses, warehouses, stores, shops and tenements aforesaid, which notice shall be deemed as valid and effectual as a personal summons.

And be it further enacted by the authority aforesaid, That the several persons hereinafter named, or either of them, are hereby nominated and appointed to take the lists of slaves and assessment of houses, warehouses, stores, shops and tenements, for the several parishes hereinafter mentioned, (that is to say) for the parish of Saint George Basseterre, the honourable Archibald Esdaile, Webbe Hobson, and Alexander Fraser, esquires; for the parish of Saint Peter Basseterre, the honourable Samuel Crooke, James Tyson and John Tyson, esquires; for the parish of Saint Mary Bayon, the honourable John Smith, Thomas Clement Caines and George Akers, esquires; for the parish of Christ Church Nicola Town, the honourable Abraham Charles Adye, James Ottley and Nicholas Richards, esquires; for the parish of Saint John's Capisterre, the honourable Robert Thomson, John Woodiey, Thomas Caines and John Hutchinson Wallwin, esquires; for the parish of Saint Paul's Capisterre, the honourable Lewis Brotherson, Benjamin Markham Brotherson and Joseph Rawlins, esquires; for the parish of Saint Ann Sandy Point, the honourable Edward Parson, Richard Rawlins, Ralph Adye and William Digby Lawler esquires; for the parish of Saint Thomas Middle Island, the honourable John George Goldfrap, Stedman Rawlins and Henry Rawlins, esquires; for the parish of Trinity Palmetto Point, the honourable Archibald Esdaile, William Tyson, George Tyson and John Rawlins, esquires: Which said several lists and assessments as aforesaid the said several persons are hereby required duly to return and deliver to the treasurer of this Island, or to such persons as he shall for that purpose appoint, within ten days after taking such list and making such assessment as aforesaid.

And be it further enacted by the authority aforesaid, That the said treasurer shall and is hereby obliged and authorized forthwith to prosecute all such persons

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as shall refuse or neglect to give in a list of their negroes and other slaves, or the yearly value of their houses, warehouses, stores, shops and tenements, within the several towns of the said Island, agreeable to the notice inserted as aforesaid, and the directions of this Act, under the penalty of five hundred pounds, to be recovered and applied in manner as by this Act is hereinafter declared.

Provided always, and be it further enacted by the authority aforesaid, That in case of the death or absence from the Island of any of the persons nominated to take and receive such lists, and to make such assessments aforesaid, in the times hereinbefore mentioned, then the first person in command in this Island shall and he is hereby authorized and empowered, by warrant under his hand and seal, to appoint others in the stead of such as are dead or absent; which said persons, after the appointment, shall be enjoined and obliged to follow the directions of this Act, and upon neglect or default so to do, shall be liable to the penalty of two hundred pounds current money, to be recovered and applied as hereinafter is directed.

And be it further enacted by the authority aforesaid, That the treasurer shall, within the space of eight days next before the day of each payment, affix or cause to be affixed in every parish of this Island, at the church door, or other most conspicuous place, notices in writing, and shall advertise such notice also in the public newspapers in this Island, that all and every person or persons, being owners, renters, or possessors of slaves, or, in their absence, their attorneys or managers, guardians, executors and administrators, and all owners, renters or possessors of any houses, warehouses, stores, shops or tenements within the several towns of this Island, are required and enjoined, on such days of payment, to come to such place as the said treasurer shall direct or appoint, and to discharge and pay such said taxes according to the list of negroes and other slaves, and the assessment of the yearly value of all houses, warehouses, stores, shops and tenements within the several towns in this Island, that shall be delivered to him by the several persons by this Act appointed and directed; and the said treasurer is hereby required to do and advertise in like manner yearly and every year during the continuance of this Act, for payment of the taxes and assessments as aforesaid; and in case any the persons above mentioned should neglect or make default in payment of the said taxes on the days for that purpose hereinbefore limited, that it shall and may be lawful to and for the first person in command in this Island, and he is hereby required, upon oath made by the said treasurer, what sum of money is due and in arrear from such defaulter or defaulters, under his hand and seal, forthwith to issue his warrant or warrants, directed to the provost marshal of this Island, or his lawful deputy, directing him forthwith to distrain on the goods and chattels of such defaulter or defaulters, and for want thereof, to levy on the lands and tenements of such defaulter or defaulters, sufficient to pay and satisfy such sum or sums of money so due and in arrear; which said goods and chattels, lands and tenements so distrained or levied on, shall be sold within twenty days next after such distress or levy, rendering the overplus, if any be, after deducting all reasonable and accustomed fees, to the owners of such said goods and chattels, lands and tenements: Provided always, that such sale shall be made in the nearest town to the place the said goods and chattels, lands and tenements shall be so distrained or levied upon, in the presence of six credible white persons at the least; any thing in this Act contained to the contrary in anywise notwithstanding.

And be it further enacted by the authority aforesaid, That in case the provost-marshal, or his lawful deputy, shall refuse or neglect to make such distress or levy in ten days after the aforesaid warrant or warrants shall be delivered to him by the treasurer aforesaid, or shall refuse or neglect well and truly to pay to the treasurer aforesaid, in gold or silver money, as he by such warrant or warrants shall have distrained or levied for, in ten days after such distress or levy, for each and every such refusal or neglect, he shall forfeit and pay the sum of three hundred pounds current money, to be recovered and applied as hereinafter is expressed and declared: And further, that the said provost marshal or his lawful deputy, their heirs executors and administrators, shall not be discharged or acquitted, but they and every of them shall to all intents and purposes be liable to make good all deficiencies proceeding from such neglect or refusal as aforesaid, and also all such fines and forfeitures as the said provost marshal or lawful deputy shall incur by virtue of this Act; any thing hereinbefore contained to the contrary notwithstanding.

And be it further enacted by the authority aforesaid, That all and every the sum or sums of money which shall be collected and raised by virtue of this Act, shall be applied towards making payment to all such persons as shall have sold and disposed of any slave or slaves to the use of the public of this Island, in manner as hereinafter is directed; (that is to say,) the treasurer shall pay to each and every person who shall have sold and disposed of one or more slaves, one-third of the amount of his or her demand against the public of this Island for the sale of such slave or slaves, within three months after the first payment of the taxes raised and imposed by virtue of this Act, and which will become due and payable on the first day of June one thousand seven hundred and ninety, one-third of the balance arising to the person or persons aforesaid, for or on account of such slave or slaves as aforesaid, shall be made within three months after the second payment of the said taxes hereby raised and imposed, and which will become payable on the first day of June in the year of our Lord one thousand seven hundred and ninety one; and the remainder or residue of such amount as aforesaid, shall be made to such person or persons as aforesaid, within three months after the last payment of the taxes hereby laid and imposed, and which will become payable on the first day of June in the year of our Lord one thousand seven hundred and ninety-two; and the residue of all monies arising by virtue of this Act, not herein disposed of, shall be paid and applied in such manner as the governor in chief or commander on the Island, with the consent of the council and assembly, shall direct and appoint.

And for the better ascertaining the exact sums due to the said before-mentioned persons, BE it further enacted by the authority aforesaid, That the first person in command in this Island shall and is hereby required to issue orders on the treasurer for the several sums which shall become payable as aforesaid, which orders the said treasurer is hereby directed to register and pay in manner as hereinbefore is directed, to the several persons aforesaid in rotation, according to the date of the registry of their several orders: Provided always, that it shall and may be lawful to and for any person or persons having demands against the public as before mentioned, to discount with the treasurer any tax or taxes he she or they or any other person or persons whatsoever may have to pay into the treasury from time to time by virtue of this Act, as far as the amount of the sum or sums of money they are so entitled to receive, according to the limitations of payment hereinbefore directed, any thing hereinbefore contained to the contrary in anywise notwithstanding.

And be it further enacted by the authority aforesaid, That if the treasurer shall at any time or times during the continuance of this Act neglect or delay for the space of twenty days to apply to the chief person in command in this Island for his warrant or warrants of distress against all and every person who shall refuse or neglect to make payment of their said taxes; or if he shall neglect or delay to deliver the said warrant or warrants of distress to the provost marshal or his lawful deputy three days after the same is granted, or shall employ, convert or dispose of any of the money arising or to arise by virtue of this Act, to any other uses or purposes than such as are herein directed and appointed, or if he shall neglect or refuse yearly and every year, or oftener if required, to lay before the council and assembly of this Island, or a committee of both, or either, for that purpose to be appointed, and to render and give to them a just and regular account of all and singular receipts, disbursements and dispositions of money arising by virtue of the same, in order to their being by them viewed and examined, the said treasurer, his heirs executors administrators and securities, shall not be discharged and acquitted, but he they and every of them shall to all intents and purposes be liable to make good the same, until such time as his said accounts shall have been viewed and examined in manner aforesaid, and also in every and each of the said cases he shall forfeit and pay the sum of one thousand pounds current money of this Island, to be recovered and applied in manner as hereinafter is declared.

And be it further enacted by the authority aforesaid, That all and every the penalties and forfeitures in and by this Act laid and imposed, shall go and be disposed of in manner following; (that is to say) two third parts thereof to go and be applied to the use of the public of this Island, and the other third part thereof to such person or persons who shall inform and sue for the same, to be recovered in any of His Majesty's courts of record in this Island, by action of debt, bill, plaint or information, in which no essoign, protection or wager of law, or any more than one imparlance shall be allowed.

And

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And be it further enacted by the authority aforesaid, That if any action, suit or information shall be commenced or prosecuted against any person or persons for any matter or thing by him or them done in pursuance or execution of this Act, it shall and may be lawful to and for the defendant or defendants in any such suit or action, to plead the general issue, and give this Act and the special matter in evidence at any trial thereupon to be had; and if the plaintiff in such suit be non-suited, discontinue his action, or verdict be found against him, or judgment be awarded against him, or demurrer, in each and every of the said cases such plaintiff shall pay treble costs of suit.

Dated the _____ day of _____ in the _____ year of the reign of our Sovereign Lord George the Third, by the Grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, and so forth; and in the year of our Lord one thousand seven hundred and _____

Read, and passed the Assembly, this 29th day of October 1789.

John Garnett, Speaker.

James Ward, Clerk of Assembly.

Read, and passed the Council, this 18th day of November 1789.

E. Morre, Clerk of Council.

Thomas



Shirley.

SAINT CHRISTOPHER'S:

Published in the town of Basseterre, on Monday the twenty-first, and in the towns of Old Road and Sandy Point, on Tuesday the twenty-second days of December, in the year of our Lord one thousand seven hundred and eighty-nine.

George Berkeley, Deputy P. Marshal.