

AN ACT to restrain Thefts committed by Negro and other Slaves ; and to prevent the dishonest Traffick carried on by such as deal with them.—
[4th May 1790.]

WHEREAS it is become highly necessary, in order to restrain the thefts committed by negro and other slaves, and to prevent the dishonest traffick carried on by such as deal with them, that the present laws should be put in force, and further regulations added to them; We, Your Majesty's most dutiful and loyal subjects, the governor in chief of all Your Majesty's Leeward Charribbee Islands in America, and council and assembly of the said Island of Saint Christopher, pray Your most excellent Majesty, That it may be enacted, and it is hereby enacted by the authority aforesaid, That if any negro or other slave shall have in his possession in any of the towns in this Island, or in any of the roads leading to the same, any sugar, syrup, cotton, molasses, rum, canes, sprouts, pewter, brass, copper, iron, oats, lumber of all kinds, plantation articles or utensils, or any kind of merchandize, except such provisions as may have been given them for allowance, without a ticket or paper from his master or mistress containing an account of the same, in his possession, or without his master or mistress being present, every such negro or other slave shall be apprehended and carried before some justice of the peace of the said Island, who shall by his warrant commit such negro or other slave to the public gaol or cages of the said Island, there to remain until the said justice or some other shall try the said negro or other slave; provided that such trial shall be had within the space of forty-eight hours after commitment, otherwise the negro or other slave shall be convicted by such justice of such possession as aforesaid, then such negro or other slave shall be publicly whipt at such time or times as the said justice shall think proper; and every person apprehending and carrying before such justice any negro or other slave who shall be convicted as aforesaid, shall receive the sum of eight shillings and three-pence for his reward in so doing, as a charge incident to the said conviction, and to be paid by the owner or possessor of such slave so convicted; and that such sugar, syrup, cotton,

cotton, molasses, rum, canes, sprouts, magoss and oats, which such negro or other slave shall have in his possession, shall be forfeited to such informer, and all such other articles hereinbefore mentioned to be returned to the owner, he or they proving their property in such articles.

And be it enacted by the authority aforesaid, That if any white or free person or persons shall treat for, cheapen or bargain or purchase, or cause to be treated for, cheapened or bargained for, or purchased from any negro or other slave, any sugar, syrup, cotton, molasses, rum, canes, sprouts, magoss, pewter, brass, copper, iron, lead, oats, lumber of all kinds, plantation articles or utensils, or any kind of merchandize, except such provisions as may have been given to them for allowance whatsoever, without such ticket as aforesaid, such person or persons shall upon conviction for the first offence against this Act be subject to the penalty of ten pounds current money, or if the goods shall exceed ten pounds in value, then to pay double the value of such goods, and suffer one month's imprisonment. And in case of neglect or refusal to pay the penalty, be subject to a further imprisonment of two months. And for the second and every other succeeding offence be subject to the penalty of twenty pounds, and three months imprisonment, or double the value of the goods, should the same exceed the sum of twenty pounds, and suffer the like imprisonment. And in case of refusal or neglect to pay the said penalty, be subject to a further imprisonment of three months; the one-fourth part of such penalty to be paid to the person or persons who shall discover such offence, and the other three-fourths to be paid into the treasury of the said Island, for the use of the public of the said Island. And if any negro or other slave shall be convicted before one or more justices of the peace of having purchased from any other slave any of the articles before mentioned, such negro or other slave so convicted, shall be publicly whipped, at the discretion of such justice or justices, not exceeding fifty lashes.

And be it further enacted, by the authority aforesaid, That in case any white or free person shall upon oath declare that he has cause to suspect and verily believes that any sugar, syrup, cotton, molasses, rum, canes, sprouts, magoss, pewter, brass, copper, iron, lead, oats, lumber of all kinds, plantation articles or utensils, or any kind of merchandise, except such provisions as may have been given to slaves for allowance, has been purchased from any negro or other slave, and is concealed in any place or places whatsoever, it shall and may be lawful for any justice, on such oath as aforesaid, to issue his warrant or warrants to search such place or places. And if any sugar, syrup, cotton, molasses, rum, canes, sprouts, magoss, pewter, brass, copper, iron, lead, oats, lumber of all kinds, plantation articles or utensils, as may have been given, or any kind of merchandise, except such provisions as may have been given to _____ for allowance, shall be found in such place or places, and the person or persons inhabiting therein, or having the command of the same, shall not be able to give a satisfactory account of the manner in which the said sugar, syrup, cotton, molasses, rum, canes, sprouts, magoss, pewter, brass, copper, iron, lead, oats, lumber of all kinds, plantation articles or utensils, or other merchandise, except such provisions as may have been given to slaves for allowance, came into such place or places, that then the person or persons inhabiting or having such command as aforesaid, shall be considered as having purchased such sugar, syrup, cotton, molasses, rum, canes, sprouts, magoss, pewter, brass, copper, iron, lead, oats, lumber of all kinds, plantation articles or utensils, or other merchandise, except such provisions as may have been given to them for allowance from some negro or other slave, and be subject to the penalties imposed by this Act for so doing.

And be it enacted by the authority aforesaid, That for the better execution of this Act, and all other Acts of a similar nature, there shall be appointed by the governor or commander in chief for the time being, at the recommendation of the council and assembly, two persons as supervisors of the town of Basseterre, one person for the town of Old Road, one person for the town of Sandy Point, and one person for the town of Deep Bay, each of which supervisors shall receive from the public treasury of the said Island the annual sum of fifty pounds, by even quarterly payments, as long as they shall continue in the said _____ And such supervisors shall from time to time be removable, and others be appointed in their stead, by the governor or commander in chief aforesaid, on the recommendation aforesaid, and not otherwise. And the said supervisors and every of them are hereby required

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and commanded to be watchful and diligent in endeavouring to detect, and apprehend and bring to justice, all offenders against this Act, and all other Acts of a similar nature, and they are required and commanded, at any meeting of the council and assembly, when summoned or required by any member of the council and assembly, to appear and answer all such questions upon oath as shall be put to them, or any of them, either in the council or assembly, respecting their conduct in their said offices; and such of the said supervisors as shall neglect to appear as aforesaid, or shall be declared by any resolution of the council and assembly not to have been watchful and diligent in the execution of their offices, shall forfeit for every such offence the sum of fifty pounds, to be paid into the treasury of the said Island for the use of the public of the same; and in case of refusal or neglect to pay the same, such supervisor so neglecting or refusing shall suffer three months imprisonment; and such supervisor offending as aforesaid shall forfeit his office, and be rendered incapable of holding the same at any time thereafter, and the said supervisor shall also forfeit all such sum or sums of money as shall be due to him for such salary at the time of being convicted, in manner as hereinbefore directed, for having offended contrary to the directions of this Act; and from and immediately after such forfeiture of office aforesaid, the governor or commander in chief for the time being, at the recommendation of the council and assembly of this Island, shall appoint some person to act as supervisor in the stead of such person so removed as aforesaid.

And be it enacted by the authority aforesaid, That no negro or other slave belonging to this Island shall be permitted to be in any of the streets, or alleys of the towns thereof, between the hours of ten o'clock and five in the morning, without a ticket or note, or a lighted candle in a lantern, from his or her master or mistress. And the supervisors herein before appointed are directed to use due diligence in apprehending such negro or other slaves offending as aforesaid, and committing him/her or them to any *cage* that shall be erected for the purpose of confining negroes, for which the said supervisor shall have and receive nine pence per day for providing each negro with provisions; or to the common gaol of this Island, to be examined and punished in such manner as any two justices of the peace shall direct for that purpose, not exceeding thirty-nine lashes. And the owner or owners of such negro or other slave are hereby directed to pay the expenses attending the apprehending, commitment and conviction of such slave or slaves.

And be it further enacted by the authority aforesaid, That in case any white or free person shall beat or ill treat, or take away from any negro or other slave, by force, or without his or her consent, any article or articles for which such negro or other slave shall produce a ticket, or shall beat or ill treat, or take away from such negro or other slave, by force, without his or her consent, any articles whatsoever, which the said negro or other slave is authorized to sell and dispose of, that then and in such case, upon complaint made to any justice of the peace in this Island of the same, by the master or mistress of such negro or other slave, such justice shall and is hereby directed to order such person or persons before him, and any other justice of the peace, in order to examine into such complaint; and in case such justices shall think it necessary, they shall examine such person or persons upon oath with respect to the said complaint, who shall then be compelled to answer upon oath such questions as the justices may put; and if he or she do not *make it appear* to the satisfaction of such justices *that he or she did not beat or ill treat, or take away by force, or without the consent* of such negro or other slave, any of the articles for which he or she are charged in such complaint, he or she refusing shall be fined at the discretion of the said justices any sum not exceeding ten pounds, current money, for each offence, to be recovered by warrant under the hands and seals of the said justices of the peace, directed to any constable of this Island, commanding him to levy on the goods and chattels of such offender or offenders sufficient to pay such fine, with all costs and charges attending the same; and for want of such goods and chattels to commit such offender or offenders to the common gaol of this Island for any time not exceeding thirty days. And in case any person shall refuse to attend such justice or justices of the peace when thereunto required, to answer any complaint made against him or her in manner as above directed, such person shall forfeit the sum of fifty pounds current money, to be levied and recovered in like manner as is directed in the case of beating, ill-treating, or taking away any of the articles from any negro or other slave, *in manner as herein before is directed*; and for want of sufficient goods and chattels to pay such fine, the person so offending as

aforesaid shall be committed to the common gaol of this Island for the space of three months.

And be it further enacted by the authority aforesaid, That every white or free person who shall be found selling by retail sugar, syrup, rum or molasses, shall be obliged, as often as required by any two justices of the peace, to produce a certificate under the hand-writing and with the signature of the person or persons from whom they purchased the same, and upon refusal thereof they shall be considered as having purchased the same of negroes without license or ticket, against the regulations of this Act, and suffer the fines and penalties as is hereby directed.

And be it further enacted by the authority aforesaid, That all fines and penalties laid and imposed by this Act, and not hereinbefore particularly applied, shall be paid into the hands of the public treasurer of this Island, to be applied in such manner as the first person in command in this Island, by and with the advice and consent of the council and assembly, shall direct and appoint.

And it is hereby further enacted by the authority aforesaid, That in case any action, suit or prosecution shall be commenced or carried on against any justice or justices, supervisor or supervisors, or other person or persons, for any matter or thing done under or by virtue of this Act, it shall and may be lawful for every such justice or justices, supervisor or supervisors, or other person or persons, defendant or defendants in such action, suit or prosecution, to plead the general issue, and give the special matter in evidence; and in case any plaintiff or plaintiffs, prosecutor or prosecutors in such action, suit or prosecution, against any such justice or justices, supervisor or supervisors, or other person or persons as aforesaid, be nonsuited, or that judgment shall go against such plaintiff or plaintiffs, prosecutor or prosecutors, by default, discontinuance upon verdict or demurrer, that then such plaintiff or plaintiffs, prosecutor or prosecutors, shall pay to such defendant or defendants treble costs and damages sustained by such action, suit or prosecution as aforesaid.

Dated in Antigua the fourth day of May, in the thirtieth 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 in the year of our Lord one thousand seven hundred and ninety.

Read, and passed the assembly, the 15th day of April 1790.

John Garnett, Speaker.

James Ward, Clerk of the Assembly.

Read, and passed the council, this 27th day of April 1790.

E. Moore, Clerk of Council.

Passed by the governor in chief the 4th day of May 1790, and in the thirtieth year of His Majesty's reign,

Thomas



Seal.

Shirley.