

An ACT to oblige Proprietors and Possessors of Slaves in their own Right or Rights of others, Managers and Conductors of Estates, to give in Returns of Runaways, and punishing Obcah Men. [10 August 1803.]

WHEREAS there are many slaves wandering through the country under various pretences, many of whom claim to be free, and others to be in the execution of their duty, and from the want of an account of runaway negroes published by authority, it is absolutely impossible to detect the imposition, and to distinguish between those on their duty or those deserted; therefore, to facilitate the apprehension of such evil-disposed persons, We, Your Majesty's most dutiful and loyal subjects, Henry William Bentinck, esquire, captain general and governor in chief in and over the Islands of Saint Vincent, Bequia, and such other the Islands, commonly called The Grenadines, as lie to the northward of Carriacou in America, and the council and assembly of the same, have enacted, and be it and it is hereby enacted by the authority aforesaid, That every proprietor, possessor, renter, manager or overseer of slaves, shall, on the twentieth day of August, the twentieth day of November, the twentieth day of February, and the twentieth day of May, in every year, give in on oath to a justice (where any slave or slaves is or are run away) an account of such slave or slaves as may have run away, or be absent from the estate or their duty at that time, stating how long each slave has been absent, their sex, country and age, as nearly as can be ascertained, description of person, and also an account of any thing taken away by the runaway that may lead to detection; and every justice of the peace shall be obliged to receive every such return without fee or reward, and shall within seven days thereafter deliver the same to the provost marshal, or his lawful deputy, who shall cause the same to be published in the gazette, and shall charge the sum of three shillings and six-pence in his account with the public, for the returns of each period, which shall be allowed him, and shall be paid out of the public treasury of these Islands; and if any justice of the peace shall refuse to receive any such returns, he shall, on the oath of one white person before the court of sessions, forfeit the sum of fifty pounds current money for each and every such offence; and if after receiving the return or returns he shall neglect to transmit the same to the provost marshal or his lawful deputy, he shall, on like proof, in like way, forfeit the sum of fifty pounds current money, over and above paying all such fines, forfeitures and charges as may be incurred by any person or persons prosecuted for neglect, or refusal of return, to be recovered in the same court; and the decree of the court against the defaulter or defaulters shall be sufficient

Preamble.

Clause I.
Returns to be made of runaways.

Justice of peace obliged to receive returns and deliver them to provost marshal.

Penalty in cases of repeal or neglect.

SAINT
VINCENT.

Statement of pos-
sessor's of slaves to
be furnished by
provost marshal.

sufficient evidence for the said defaulter or defaulters to recover the amount of the fines and forfeitures and charges he she or they may have suffered by the neglect or refusal of such justice of the peace; and every person neglecting or refusing to give in such return, at such periods, to any of the justices of the peace in their neighbourhood, shall forfeit the sum of thirty-three pounds current money for each and every offence, to be levied by the provost marshal, or his lawful deputy, on the goods and chattels of the offender or offenders; and the provost marshal, or his lawful deputy, shall, on the first day of every session of the council and assembly, lay before them a statement of the persons resident in the Island possessing slaves, as delivered in according to an Act, intituled, "An Act for compelling Owners of Slaves to keep a proportionable number of White Protestant Servants, and a Statement of those who have made the aforesaid Returns on oath;" and those who appear to have neglected or refused to comply with the provision of this Act shall be deemed defaulters, and the amount of their fines shall be charged against the marshal, and be deducted from his account with the public, the same as though they had been received by him.

Clause II.
Punishment for the
harbouring of run-
aways.

And be it further enacted by the authority aforesaid, That if any runaway be found harboured or concealed by any coloured free person, or if any runaway slave be apprehended in their house or out-house, or be employed in any manner by them, they shall, over and above the penalties inflicted by the fourth clause of the Act, "for making slaves real estate, &c. &c." stand two several times in the pillory in the public market place, from the hours of nine to eleven in the forenoon, proof thereof been made before two justices of the peace by one free witness; but if any free person shall be charged with the above offence by a slave, or on the confession of the runaway, the justices shall then admit the accused to prove their innocence on oath; but if the person accused refuse to prove his or her innocence by oath, or shall stand mute, they shall be deemed guilty and punished accordingly; but if they shall clear themselves on oath from the charges, the justice shall inflict such punishment on the accuser by moderate whipping, as may to him seem proper from the circumstances of the case.

Clause III.
Proceedings in case
of runaways dis-
covered on estates.

And be it further enacted by the authority aforesaid, That if any runaway be found to have been concealed in any negro-house or watch-house, or employed in any negro ground of any estate, and the owner or director of the runaway shall give information to any justice of the peace within forty-eight hours, the justice shall then summon the proprietor or manager of such estate, and tender an oath to him, that of his certain knowledge the negro houses of the estate had been searched by a white man, in conformity to the ninth clause of the said Act, "for making slaves real estate, &c. &c." and within the time directed by that clause; and if he shall neglect to appear to the summons, or appearing shall refuse to take the said oath, or shall stand mute, he shall be considered as guilty of a breach of the aforesaid clause, and shall incur the penalties thereby inflicted; and every runaway so found, shall be deemed a separate offence, and incur a separate penalty, and the provisions of the aforesaid clause shall be extended to the negro grounds as well as negro houses.

Clause IV.
Providing against
Obeah practices.

And whereas much mischief arises from the practice of a certain description of people, known by the name of Obeah men or Obeah doctors; BE it enacted by the authority aforesaid, That if any person, either white, coloured, or a slave, shall be convicted (if white or free, on the oath of a free person before the court of sessions, and if a slave, on the evidence of any slave before any two justices of the peace,) of practising any obeah, conjuration, incantation or divination, by any charm, ceremony, cards, sieve, bible and key, or by or with any means or instruments whatever, for the curing of any disease, or for the protection or injury of any person or thing, or for the discovery of any hidden matter or thing, or recovery of any stolen or lost goods, or shall administer any love potions or philtres, he she or they shall suffer punishment in the public market place by whipping, at the discretion of the court, if a free person; or the justices, if a slave; and in case it shall be proved that any person has died from apprehension or administration of any potion or drug, the offender or offenders shall be judged guilty of felony without benefit of clergy, and shall suffer death accordingly.

Dated in Kingstown, the tenth day of August, in the forty-third year of the reign of our Sovereign Lord George the Third, by the grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender
of

THE TREATMENT OF SLAVES.

SAINT VINCENT.

of the Faith, and so forth; and in the year of our Lord one thousand eight hundred and three.

David Miller, Speaker.

Passed the Assembly, the tenth day of August one thousand eight hundred and three.

Herbert P. Cox, Clerk of the Assembly.

Passed the Council, this sixth day of September one thousand eight hundred and three.

Michael Reilly, Dep. Clerk of the Council.

Assented to by His Excellency the Governor in Chief, this ninth day of September one thousand eight hundred and three.

Michael Reilly, Dep. Clerk of the Council.
Henry William Bentinck.

Duly published in Kingstown, the tenth day of September in the year of our Lord one thousand eight hundred and three, and in the forty-third year of His Majesty's reign.

William Alexander, Provost Marshal.