

An ACT to explain and amend an Act, intituled, "An Act for making Slaves
" real Estate, and the better government of Slaves and free Negroes."

[19th June 1813.]

Preamble.

WHEREAS by an Act, intituled, "An Act for making Slaves real Estate, and
" the better government of Slaves and free Negroes," it is enacted, That if any slave
shall steal goods or chattels to the value of six pounds current money, he shall be
guilty of felony, but does not add, without the benefit of clergy: And whereas it
is expedient and proper that the law upon this subject should be clearly defined,
and that other regulations should be made concerning slaves than are contained in
the said recited Act; We, therefore, Your Majesty's dutiful, loyal, and obedient
servants, Charles Brisbane, Knight, captain general and governor in chief in and
over Your Majesty's 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 ordained; and be
it and it is hereby enacted and ordained by the authority aforesaid, That if any
slave shall feloniously and forcibly take from the person of another, whether slave
or free, goods or money to the value of twenty shillings current money, by violence,
or putting him or her in fear, he or she shall be guilty of felony, without the benefit
of clergy.

Clause I.

Any slave felo-
niously taking
goods or money to
the value of twenty
shillings from any
other person.

Clause II.

Or stealing in a
house to the
amount of 6*l.* guilty
of felony without
benefit of clergy.

And be it further enacted by the authority aforesaid, That if any slave shall by
night break and enter into any mansion-house, shop, store, works, negro-house,
or other out-house, and take and carry therefrom goods or money to the value of
six pounds current money, he or she shall be guilty of felony without the benefit
of clergy.

Clause III.

Slave setting fire to
any dwelling guilty
of felony.

And be it further enacted by the authority aforesaid, That if any slave shall wan-
tonly or maliciously set fire, or cause or procure any other slave to set fire to any
cane-piece, dwelling-house, works, magoss-house, out-house, or any other building
whatever, he or she shall be guilty of felony without the benefit of clergy.

Clause IV.

Providing for the
trial of all slaves
guilty of crimes
which affect their
lives, in the court
of session.
Court to appoint
counsel; and in
cases of conviction,
owner to be paid the

And be it further enacted by the authority aforesaid, That if any slave or slaves,
charged with any or either of the said offences, or any other offence whatever, which
may render him or her liable to the punishment of death, shall be tried in all respects
in the same manner as free persons at the court of sessions; and upon such trial
the court are hereby required to appoint a barrister to act as counsel for the prisoner,
and the jury shall, if they find the prisoner guilty, ascertain the value of him or her,
and the owner of such slave shall be paid the same, as heretofore provided by the
above recited Act.
value of such slave.

Clause V.

Fees upon prosecu-
tion of slaves in the
court of sessions,
how paid.

And be it further enacted by the authority aforesaid, That the fees upon such
prosecution shall be the same as are payable on the prosecution of free persons, and
that the court may order the same to be paid by the prosecutor, if the prosecution be
frivolous or vexatious; or by the owner or owners of the slave, if he she or they shall
have endeavoured to obstruct or prevent the course of justice against such slave; or if
no such cause or causes exist, the court may order the same to be paid by the public
treasurer.

Clause VI.

Larcenous thefts,
and other offences
not affecting the
life of a slave, to
be tried and pu-
nished accordingly
by two justices.

And be it further enacted by the authority aforesaid, That for all or any larcenous
thefts or robberies, not hereinbefore mentioned, committed by any slave, he or she
shall be tried before any two of His Majesty's justices, and upon conviction shall
suffer such punishment as they deem proper, by whipping, imprisonment or pillory;
provided such whipping shall not exceed one hundred lashes, not more than fifty whereof
to be inflicted at one time; such imprisonment not to exceed the term of one year,
and

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and such standing in the pillory not to exceed twice for the same offence, or for the space of two hours at each time.

Whereas doubts have arisen whether, as the law now stands, manumissions executed in this Island, where both parties reside, and the same have been recorded in Tobago, Nevis, Antigua, and other Islands, are valid and effectual; and as many persons are now reputed free by virtue of such manumissions, it is reasonable that the law respecting them be declared and understood; BE it therefore further enacted by the authority aforesaid, That all manumissions executed in this Government before the operation of this Act, and recorded in any of the said Islands, although both parties reside within this government, shall be valid to every intent and purpose whatever.

Clause VII.
Explaining doubts respecting manumission registered in other colonies.

And be it further enacted by the authority aforesaid, That in order to remove any doubt which may arise as to the legality or propriety of punishing the owner or director of any slave, for any cruel conduct towards such slave, it is hereby expressly declared and enacted, That if any person shall cruelly or wantonly whip, maltreat, beat or imprison or keep in confinement, without sufficient support, any slave under his or her direction or care, such person shall be indicted for the same at the court of sessions, and upon being legally convicted thereof, shall suffer such punishment, by fine or imprisonment, or both, as the judges or justices of the said court shall think proper to inflict; and the said judges or justices are hereby authorized, if they shall deem it necessary for the further protection of the said slave, to order the marshal or his deputy to sell and dispose of such slave to any person, except the owner, at public outcry, and at the best price that can be produced for such slave; and the monies arising from such sale, after payment of the fees, shall be paid to the person having the first lien thereon; and in case of no such prior lien, then to the owners of the said slave; and that such slave shall not directly or indirectly become the property of the former owner.

Clause VIII.
Providing for the punishment of proprietors maltreating their slaves.

Authorizing the court to dispose of such slaves, if they see fit; and to order the proceeds to be paid to the owner, or otherwise.

And be it further enacted by the authority aforesaid, That if any person shall beat or maltreat any slave not belonging to herself or himself, such offender shall not only be indicted and punished for the same in like manner as mentioned in the preceding clause, but any punishment inflicted by the court of sessions for such offence shall not be considered as a bar to any action or suit at law which may be commenced by the owner of such slave, or be considered in mitigation of any damages which may otherwise be given or recovered for such trespass or injury.

Clause IX.
Persons maltreating slave not their property, punished by this Act; and liable, moreover, to prosecution at civil law.

And be it further enacted by the authority aforesaid, That in case any justice of the peace shall receive any complaint or intelligence which he in his own discretion shall think probable, that any slave hath been mutilated, cruelly punished, or otherwise maltreated or confined without sufficient support, it shall be lawful for such justice of the peace to call to his assistance some other justice, and then such two justices shall be and are hereby authorized to order any constable to bring such slave before them; or if the case shall require it, they are hereby authorized to go to such place where such slave shall be, and direct such slave to be produced and shown to them, that such enquiry and other proceedings may be made and had as shall be necessary for the further prosecution of the offence; and that if such justices shall think it proper or necessary, they shall be and they are hereby authorized to send such slave to some public place of security, or to the cage, if any, provided in the Island, to be there kept and detained, and supported at the expense of the owner and director of such slave, until further enquiry shall be made into the fact according to law; provided further, that all and every clause, matter and thing herein contained, be and are hereby suspended, until His Majesty's royal pleasure be known.

Clause X.
Requiring justices to take cognizance of complaints respecting cruelty exercised upon any slaves.

And to provide a place of security for them, when in particular cases they shall think it necessary. Provided, that every thing in this His Majesty.

Act contained do first receive the approbation of His Majesty.

Dated at Kingstown, this nineteenth day of January, and in the fifty-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 Faith and so forth; and in the year of our Lord God one thousand eight hundred and thirteen.

Edward Sharpe, Speaker.

Passed the Assembly, the nineteenth day of January one thousand eight hundred and thirteen.

Herbert P. Cox, Clerk of the Assembly.

Passed the Council, the tenth day of February one thousand eight hundred and thirteen.

Daniel P. Bernard, Dep. Clerk of the Council.

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COLONIAL LAWS RELATING TO

SAINT
VINCENT.

Assented to by his Excellency the Governor in Council, this third day of February one thousand eight hundred and fourteen.

Daniel P. Bernard, Public Secretary.
Charles Brisbane.

Duly published in Kingstown, this fourth day of February, in the year of our Lord one thousand eight hundred and fourteen, and in the fifty-fourth year of His Majesty's reign.

J. G. Nanton,
Acting Provost Marshal Gen.