

An ACT for establishing Regulations respecting Slaves arriving in this Island, or resident therein, except such as are imported direct from the Coast of Africa. [Passed 31st May 1794; revived 12th October 1799.]

Preamble.

WHEREAS for several years past a spirit of anarchy and insubordination, and a desire to subvert all order and good government, have existed in the French colonies, and spread their baneful influence among the slaves, and given them ideas of equality and liberty totally subversive of all good government: And whereas it is expedient and necessary, for the safety and tranquillity of this His Majesty's Island of Tobago, that means should be adopted for preventing such destructive principles from being introduced among our slaves, either from those Islands, or from such other parts where the same may have extended, and to correct and remedy the same, if already introduced here; BE it therefore enacted by His Majesty's most loyal subjects, the governor in chief, the council, and general assembly of this His Majesty's Island of Tobago, and it is hereby enacted by the authority aforesaid, That after the publication of this Act, and during the continuance of the same, the master of every ship or vessel which may arrive in any port or place in this Island shall, immediately on his arrival, declare in writing to the collector or comptroller, or other chief officers of the customs for this Island, whether there are to the best of his knowledge any slave or slaves on board his said vessel, and also specify the place he or they came from, his her or their destination, and such other circumstances respecting them as may be within his knowledge.

Clause I.

Every master of a vessel to declare at the custom house on his arrival, the number and particular description of any slaves he may have on board.

Clause II.

Under penalty of 33^l.

And be it further enacted and ordained by the authority aforesaid, That the master or commander of every ship or vessel, so arriving as aforesaid, who shall neglect or refuse to make such declaration as aforesaid, shall for every such offence forfeit and pay the sum of thirty-three pounds current money for each and every such slave who shall have been on board at the arrival of such ship or vessel as aforesaid, whom he shall have wilfully neglected or refused to declare as aforesaid, one moiety whercof shall be to the informer, and the other moiety for the public use of the Island; the above penalty to be recovered before any one or more justice or justices of the peace acting in this Island, by the confession of the party, or on the oath of one or more credible witness or witnesses; and in case such master or commander

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commander as aforesaid shall neglect or refuse forthwith to pay such penalty as he shall be adjudged to pay in the manner aforesaid, that it shall and may be lawful for the collector or comptroller, or other chief officer of the customs, to detain such ship or vessel as aforesaid, until the same be so paid.

And be it further enacted by the authority aforesaid, That no permit shall be granted by the collector or comptroller, or other principal officer of His Majesty's customs, to land any such slaves as aforesaid, without permission in writing being first had and obtained from his excellency the governor or commander in chief for the time being, who, on report to him being made of such slave or slaves being imported, is hereby authorized and required to order the master or commander, the officers or mariners of the vessel importing such slave or slaves, and the slaves themselves, if necessary, to appear before him; as also all or every person to whom the said slave or slaves shall or may be consigned, or who may have any interest therein, and shall then require them to answer on oath all such questions as he may choose to put to them, respecting the slave or slaves so imported as aforesaid, in order to obtain a full and distinct knowledge of the principles and morals of the said slave or slaves, the reason why they were imported, and every such matter or thing as may enable him to judge whether they may be permitted to be landed for the purpose of being sold, without prejudice to the tranquillity or safety of the colony, or danger to the morals or principles of the slaves residing in it; and after due examination so taken by his excellency the governor or commander in chief as aforesaid, he shall certify under his hand and seal, to the master or commander of such ship or vessel importing such slave or slaves as aforesaid, whether the whole, or any number of the said slave or slaves may be landed; which certificate shall contain a particular denomination of the names, sex and description of such slaves so to be landed; and shall forthwith be lodged with the collector or comptroller of His Majesty's customs, and is and shall be to them a sufficient authority for granting permission to land the slave or slaves so enumerated and described in the said certificate.

Clause III.
Such slaves not to be landed without permission in writing from the governor or commander in chief.

And be it further enacted by the authority aforesaid, That if any slave or slaves, not direct from the coast of Africa, shall be landed in this Island, after the publication of this Act, and during the continuance of the same, without a permission in writing, signed by the collector or comptroller, or other principal officer of His Majesty's customs, conformable to the certificate of his excellency the governor or commander in chief for the time being, lodged with them, any such slave or slaves so landed are hereby declared to be forfeited.

Clause IV.
Slaves landed without permission, to be forfeited.

And be it hereby enacted by the authority aforesaid, That it is lawful for any free person to give information against such slave or slaves so landed as aforesaid, to any justice of the peace; and the justice of the peace to whom such information is given, is hereby authorized and required to issue his warrant to a constable, to bring the said slave or slaves before him; and if on examination he finds the information to be true, he is then to commit him or them to the custody of the provost marshal, who is hereby authorized and required to sell the said slave or slaves by public outcry, in the town of Scarborough, within ten days, subject to a bond with two good and sufficient securities, to oblige the purchaser or purchasers to return the said slave to the place from which he last came, under the penalty of fifty pounds current money; and any person or persons who shall give information to any of His Majesty's justices of the peace, of any such slave or slaves so landed without permission as aforesaid, and which shall, in consequence of such information, be committed to the custody of the provost marshal for the purposes above mentioned, he she or they are hereby entitled to and shall receive the sum of twenty-five pounds for every such slave or slaves, to be paid by the treasurer of this Island, on receipt of a warrant under the hand and seal of the governor or commander in chief for the time being, and which warrant the said governor or commander in chief is hereby authorized and required to issue, on receiving a certificate of such information and commitment from the justice or justices of the peace to whom the information was given.

Clause V.
Slaves landed without permission, how to be taken up and sold by the provost marshal.

And be it hereby further enacted by the authority aforesaid, That in case any slave or slaves, now in this Island, whether imported direct from the coast of Africa, or from any other place, shall by words, actions, or otherwise howsoever, endeavour to excite sedition, promote conspiracies, or spread a spirit of revolt, mutiny, or disobedience, either against their respective owners, or the government, magistrates, or white inhabitants

Clause VI.
Slaves resident now in the Island shewing any spirit for promoting seditious principles, how to be tried and disposed of.

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of this Island, it shall and may be lawful to hold the same court for trials as provided by the Slave Act; and in case such slave or slaves shall be convicted thereof, then, in addition to such punishment as may be provided by the laws for such crimes (if such punishment shall not extend to death,) the members of the said court shall order such slave or slaves to remain in the custody of the provost marshal or his lawful deputy, and shall certify their proceedings to the governor or commander in chief for the time being, within five days of the time of their last sitting; and it shall and may be lawful to and for such governor or commander in chief for the time being, to issue his warrant to the provost marshal or his lawful deputy, to sell such slave or slaves by public outcry, in manner hereinbefore mentioned, but subject to a bond from the purchaser or purchasers, to transport such slave or slaves to the place from whence they last came, or to such place, or one of such places as the said governor or commander in chief for the time being shall, by warrant under his hand and seal (and which he is hereby authorized to issue), direct and appoint; and the said provost marshal shall within ten days after the receipt of such warrant, proceed to execute the same, and forthwith certify to the governor or commander in chief for the time being, the manner of his executing the same; and the said provost marshal or his deputy shall be entitled to retain out of the purchase money of any slave or slaves sold by virtue of this Act, at the rate of five pounds for every hundred pounds of the produce of such sale, and pay the remainder into the hands of the treasurer, for the public uses of this Island.

Clause VII.
Slaves convicted on
information of their
masters to be ap-
praised,

And be it further enacted by the authority aforesaid, That in case any slave or slaves shall be convicted and sold in the manner mentioned in the last clause, upon the information of the master or owner of such slave or slaves, or of his or their attorney, manager, overseer, book-keeper or other white person acting in their behalf, or being in their actual service, and the same be certified by the Court to the governor and by him to the provost marshal, that then, previously to any sale of such slave or slaves, the same shall be valued by two indifferent persons to be appointed by the said provost marshal, who in case of disagreement are hereby authorized to call in a third and be guided by his decision; and the said valuation shall be certified by the provost marshal to the governor or commander in chief for the time being, in his certificate of the sale of such slave or slaves, and the governor or commander in chief for the time being shall issue a warrant under his hand and seal to the public treasurer, for the payment of the whole amount of such valuation to such master or mistress or owner, in addition to the reward hereinbefore made payable as he she or they shall be entitled thereto; but in case the information on which such slave or slaves shall be convicted as aforesaid, shall be given by any person or persons other than the master, mistress or owner of such slave or slaves, or his her or their attorney, manager, overseer, book-keeper, or some person acting in his her or their behalf, or in his her or their actual service, then the governor or commander in chief for the time being shall issue his warrant to the public treasurer, for the payment of no other or further sums than the actual money received by the sale of such slave or slaves, after deducting thereout the sum hereinbefore directed to be paid to the provost marshal for his trouble, and also deducting the reward payable to the person giving such information as aforesaid, and all other expenses attending such sale; which sum shall be accepted and taken by such master, mistress or owner, in full compensation for the value of the slave or slaves to be sold in manner hereinbefore directed; and in case no person shall offer himself a bidder for the slave or slaves by this Act directed to be exposed to sale, then the provost marshal shall keep such slave or slaves in confinement, and certify the same to the governor or commander in chief for the time being, who shall, by and with the advice of His Majesty's council of this Island, take such steps and give such directions therein as shall appear most beneficial to this colony, and be agreeable to justice, equity and humanity.

Clause VIII.
This Act to con-
tinue in force three
years.

And be it further enacted by the authority aforesaid, That this Act shall continue and be in force for three years from the publication thereof, and until the next meeting of the legislature after the expiration of the said three years.