

S L A V E S.

COPY OF AN ACT PASSED IN 1817 BY THE LEGISLATURE
OF ANTIGUA.

For Restricting the Exportation of Slaves from that Island.

Downing-street, }
30th May 1821. }

HENRY GOULBURN.

Antigua.

AN ACT for Restricting the Exportation of Slaves from the Island
of Antigua.

WHEREAS various considerations at present conspire to dictate the expediency of restricting the existing privilege of exporting Slaves from the said island, **MAY** it therefore please Your Most Excellent **MAJESTY**, That it may be Enacted, and be it Enacted by Your Majesty's Commander-in-Chief, in and over your islands of Antigua, Montserrat and Barbuda, and Your Majesty's Council and Assembly of this your Island of Antigua; and it is hereby enacted and ordained by the Authority of the same, **THAT** from and after the passing of this Act it shall not be lawful to export, transport, carry, convey, or send any slave or slaves (except in such special cases as are hereinafter excepted) from the said island of Antigua, to any island, settlement, colony, plantation, territory or place whatsoever, any law or usage to the contrary notwithstanding; and if any slave or slaves shall from and after the passing of this Act be so unlawfully exported, transported, carried, conveyed or sent, or shall be embarked, put on board, or transhipped, at or from the said island, with intent to be so unlawfully exported, transported, carried, conveyed or sent, every and all such slave or slaves shall be forfeited to His Majesty; and every ship or vessel in which the same shall be so exported, transported, carried, conveyed, sent, embarked, put on board, or transhipped, together with all her boats, guns, tackle, apparel and furniture, shall also be forfeited, and shall and may be seized and prosecuted as is hereinafter mentioned and provided: Provided always, that nothing herein contained shall extend or be construed to extend to prevent any slave or slaves who shall be really and truly a domestic servant, or domestic servants, from attending his her or their owner or employer, or owners or employers, or any part of his her or their family or families, by sea, to any place whatsoever, or to prevent any slave or slaves from being employed in navigation upon the seas. But if any domestic slave or slaves, or any slave or slaves employed in navigation, shall be so embarked, carried, or employed in any ship or vessel sailing from any port or place in the said island, on a voyage to any island, settlement, colony, plantation, territory or place whatsoever the name and description, or names and descriptions, of every and all such slave or slaves shall be inserted in or indorsed upon the clearance or outward permit of such ship or vessel, by or in the presence of the naval officer of the said island, or his lawful deputy; and the owner or employer, or owners or employers, of every and all such domestic slave or slaves, or the master or other person having charge of the ship or vessel on board which any slave or slaves shall be so employed in navigation, shall, previously to such insertion or indorsement being made as aforesaid, declare upon oath before the said naval officer, or his lawful deputy, that the said slave or slaves is or are really and truly embarked in the said ship or vessel as and for a domestic servant, or domestic servants, or as and for a mariner or mariners (as the

case may be), and not for the purpose of being sold or disposed of elsewhere; and the said naval officer, or his lawful deputy, shall thereupon certify under his hand that the slave or slaves so embarked were reported and described on oath to him as a domestic servant, or domestic servants, or as a mariner, or mariners, as the case may be; (and for every such certificate the said naval officer, or his lawful deputy, shall be entitled to receive the sum of two shillings and three-pence, and no more;) and if any slave or slaves shall be found on board of any such ship or vessel bound on any such voyage as aforesaid, whose name and description, or names and descriptions, shall not be inserted in or indorsed upon the clearance or permit, and certified as aforesaid, or who shall be untruly or fraudulently therein or thereupon described, with intent to violate or elude the prohibition in this act contained, every and all such slave or slaves shall be forfeited, and shall and may be seized and prosecuted as is hereinafter mentioned and provided; and the master or other person having the charge of such ship or vessel in which the same shall be so embarked without such certificate as aforesaid, and the owner, employer or other person by whom or by whose procurement such slave or slaves shall be so untruly and fraudulently described with such intent as aforesaid, shall respectively forfeit and pay the sum of one hundred pounds of current gold and silver money of the said Island, for every such slave or slaves, to be recovered and applied as is hereinafter mentioned and expressed; provided also, that nothing herein contained shall extend or be construed to extend to slaves navigating in droughers, or plying as boatmen, watermen or fishermen along the coasts or shores of the said island, or to mechanics going to the island of Barbuda for the purpose of aiding and assisting vessels wrecked there, or otherwise in distress; for the return of which last-mentioned persons within the period of three months security by bond shall be given to the naval officer in twice their estimated value; provided also, that nothing herein contained shall be construed or taken to prevent any slave or slaves from being put on board any ship or vessel (by the order of His Majesty's commander in chief, either by sea or land,) for the purpose of being employed in His Majesty's military or naval service, and from being by such order so employed howsoever or wheresoever the said service may require, any thing hereinbefore contained to the contrary notwithstanding; and provided also, that nothing herein contained shall be taken to prohibit the exportation of any slave or slaves who shall be proved on oath before any two or more of His Majesty's justices of the peace of the said island to be of infamous character, and shall be certified so to be under the hands of the same justices; and any and every such certificate to that effect, so given and subscribed, shall be a good and valid warrant and protection to the owner or owners, and master or other person having charge of any ship or vessel in which any slave or slaves of the above description shall be so embarked for exportation as aforesaid.

2. And be it hereby enacted and ordained, that the certificate of the magistrates shall be produced to the naval officer, who is hereby required to indorse on the clearance of the vessel in which the slaves are intended to be exported the names and descriptions of such slaves; and that the said certificate shall afterwards be delivered over by the naval officer, and considered as one of the papers of said vessel for such voyage.

3. And be it further enacted, that if any person shall wilfully forswear in taking any oath by this act authorized or required to be taken, or if any person shall unlawfully procure or suborn any person to forswear, in taking any oath by this act authorized or required to be taken, every such person shall incur and suffer the like pains and penalties as are by law inflicted upon persons committing wilful and corrupt perjury, or subornation of perjury respectively.

4. And be it further enacted, that the several penalties and forfeitures imposed and inflicted by this act, (whether pecuniary or specific) shall and may be sued for, prosecuted and recovered in His Majesty's Court of Vice Admiralty in the said island; and shall go and belong to such person and persons in such shares and proportions, and shall and may be sued for, and prosecuted, tried, recovered, distributed and applied in such and the like manner, and by the same ways and means, and subject to the same rules and directions as any penalties or forfeitures incurred in the British colonies or plantations in America, by force of any Act of Parliament relating to the trade and revenues of the said British colonies or plantations in America, now go and belong to, and may now be sued for, prosecuted, tried, recovered, distributed and applied in the said colonies or plantations under and by virtue of a certain Act of Parliament made in the fourth year of His present Majesty, intituled, "An Act for granting certain duties in the British colonies and

plantations in America, for continuing, amending and making perpetual, an Act, passed in the sixth year of the reign of his late Majesty King George the Second, (intituled, "An Act for the better securing and encouraging the trade of His Majesty's Sugar Colonies in America) for applying the produce of such duties, and of the duties to arise by virtue of the said Act, towards defraying the expenses of defending, protecting and securing the said Colonies and Plantations, for explaining an Act made in the twenty-fifth year of the reign of King Charles the Second, intituled an Act for the encouragement of the Greenland and Eastern trades, and for the better securing the Plantation trade, and for altering and disallowing several drawbacks on exports from this kingdom, and more effectually preventing the clandestine conveyance of goods to and from the said colonies and plantations, and improving and securing the trade between the same and Great Britain."

5. And be it further enacted, that all ships or vessels, and slaves, that shall or may become forfeited for any offence committed against this Act, shall and may be seized by any officer of His Majesty's customs, or by the commanders or officers of any of His Majesty's ships or vessels of war, who in making and prosecuting any such seizures shall have the benefit of all the provisions made by the said Act of the fourth year of His present Majesty, or any other act of parliament for the protection of officers seizing and prosecuting for any offence against the said act, or any other act of parliament relating to the trade and revenues of the British colonies or plantations in America.

6. Provided always, and it is hereby expressly declared, that this Act shall not be in force or have any effect or operation whatsoever until approved and confirmed by His Majesty, and such approbation and confirmation shall have been duly notified and published.

Dated at Antigua, the sixteenth day of May, in the year of our Lord one thousand eight hundred and seventeen, and in the fifty-seventh 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.

(Signed) *Nicholas Nugent,*
Speaker.

Passed the Assembly the 17th day of April 1817.

(Signed) *Nuth. Humphrys,*
Clerk of Assembly.

Passed the Council the 15th day of May 1817.

By Command,

(Signed) *Sam. L. Bridges,*
Dep^y Clerk of the Council.

Duly published this sixteenth day of May 1817.

(Signed) *John Roberts,*
Dep^y Pro. Marshall.

(Signed) *Thomas Norbury Kerby,* (L. S.)