

THE  
LAW S  
O F  
J A M A I C A,

Passed by the

Assembly,

And Confirmed by

His MAJESTY

I N

COUNCIL,

*April 17. 1684.*

---

To which is added,  
The State of J A M A I C A,  
As it is now under the Government of  
Sir T H O M A S L Y N C H.

*With a large Mapp of the Island.*

---

L O N D O N,

Printed by H. H. Jun. for Charles Harper, at  
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THE  
S T A T E  
O F  
J A M A I C A,

Under  
Sir THOMAS LYNCH  
H I S  
M A J E S T I E S  
Present  
Captain G E N E R A L  
and Chief

G O V E R N O U R,

September 20. 1683.

Containing  
*A short Description of the Island.*  
*The Manner of Government.*  
*The Method of holding Courts.*  
*An Account of all the Officers ; And of the Laws.*

**T**HE Island of *Jamaica* lies in about 18  
Deg. North Latitude, is distant from  
*Hispaniola*, West, about 35 Leagues; From  
the great Island of *Cuba*, South, 26  
Leagues; From the Main Land of *America*  
and *Carthagena*, North, about 150 Leagues.  
This Island is of an Oval Form, and  
lies due East and West, and has a conti-  
nued

nued ridge of lofty Mountains that run from the East to the West end of the Island; so that the Traverse from South to North is difficult.

*Description  
of the Island.*

This Island is about 150 Miles long, *de Plano*, by the Chart, but by the Common Ways and Computation, judged twice as long, the Breadth is unequal, the two ends narrow, where broadest, it's about 52 Miles. It contains about seven Millions and 500000 Acres, so is above seventy times bigger than *Durvadoes*. Of this Land (as I conjecture) there is 1087000 Acres taken up; by a moderate Calcule there may be 350000 Acres of *Savanna*, or Pasturage, wherein feed great numbers of Horses, neat Cattel, and Sheep. About a Million of Acres of barren, rocky and unplatable Land, and six Millions and a half that's manurable and useful. This Land differs in Climate, Soil, &c. because of the interposition of Capes, Bays, Rivers, Mountains, &c. So that the good Land lies in Veins, and the Settlements are separated. It has abundance of excellent Ports and Roads, and is subject to no Storms or Hurricans, as the Windward Islands are. It's watered with innumerable Springs, has above Eighty Rivers that run into the Sea, and above five or six times as many inland Rivers that run into them. The

The King is Sovereign Lord of this Island, and in Writs, Commissions, Grants, &c. is stiled King of *England*, &c. Lord of *Jamaica*.

*Lord of Jamaica.*

After his Majesties happy Restauration, in the Year 1661. this Island began to be planted, and was then put under a civil Government, since that time it has been divided into Fifteen Parishes, and they into Eight Provinces or Precincts, for its more Regular Government in Civil, Ecclesiastical and Military Affairs.

*Division of the Island.*

The Government is constituted by a Charter or Commission under the great Seal of *England*, which on change of Governours is always publisht, and afterward Recorded, because it may be seen by all, for it contains the Powers Granted to the Governours, and the Royal Concessions to the People, as calling Assemblies, assimilating their Laws to those of *England*, being Governed by known Laws, without which no mans Liberty or Freehold is to be taken away.

*The Government.*

The Governour here Commands during his Majesties pleasure, and has no Sallary but what only is paid by his Majesty in the Island, without Donatives or Presents from Assemblies or particular Persons. Under the Title of Captain General, and Chief Governour, his Majesty

*Governours*

jeſty has been pleaſed to veſt his Governours with all his Powers, Civil, Eccleſiaſtical, or Military, which they are to diſcharge according to the Laws, and thoſe Powers and Inſtructions they have from his Majeſty, and by the advice of of his Majeſties Council in the Iſland: On the Governours Diſability or Abſence the Lieutenant Governour ſucceeds. If there be none, then the Council Governs, and the firſt Councellor preſides till his Majeſties pleaſure be declared therein.

*The Council.*

The Council conſiſts Generally of about Twelve, appointed by his Majeſty. They inſpect the Revenue, and give orders for the iſſuing of it out, adviſe in Matters Relating to the Government. They think themſelves limited by the Law, like the Kings Council in *England*, ſo meddle not with Property, unleſs it comes by Writ of Error out of the Grand Court, or Appeal out of the Admiralty, judicially before them, which has ſeldom happened. As the Governour repreſents the King, ſo do they the Houſe of Lords, for by the Commiſſion and Inſtructions, they are joined with the Governour and Aſſembly, to Paſs Laws. Their Names are ranked in his Majeſties Inſtructions as followeth, *viz.*

Sir

2/3/17 saying that Sir Thomas Modyford did not return to Jamaica till about 1682" V

|                        |                        |
|------------------------|------------------------|
| Sir Henry Morgan, Kt.  | Col. Hender Moleworth, |
| Sir Franc. Watson, Kt. | Lieutenant Governour.  |
| Col. Thomas Freeman.   | John White Esq;        |
| Col. John Cope.        | Sir Charles Modyford   |
| Col. Robert Byndlofs.  | Bar <sup>t</sup> .     |
| Col. Thomas Ballard.   |                        |
| Col. Thomas Fuller.    |                        |

for Sir Thomas Modyford, I of R were taken out in P.C.F.C. AD 1680.

The King has been so gracious to the <sup>The Af-</sup>  
Inhabitants of this Island, that all the <sup>sembly.</sup> Governours have had Commands and Directions to assimilate the Laws and Government as near as possible to that of England, and has therefore by his Instructions and Charter of Government, constituted Assemblies for the making of Laws, like the Parliament in England. Their number is Thirty two, chosen in the Fifteen Parishes. Their Names as follows:

Samuel Bernard alias in 1693 was Royal Eng. in America Vol 2 p 326

St. CATHARINES.

Samuel Bernard, Esq; Speaker,  
Col. John Bourden,  
Thomas Ballard, Esq;

St. THOMAS.

Lieut. Col. Edward Stanton,  
Ralph Whitfeild.

Mr Ballard was Lieut to Sir Henry Tabburnis Rect in Ireland at commencement of Civil Wars in Cf Remembrance Office Dublin vide Roll 1 parchment 25 also Norris or Norris Ballard same place also parchment 27 + 0

## St. DAVIDS,

Major Thomas Ryves,  
Capt. James Lobley.

## PORT ROYAL,

Lieut. Col. Samuel Bach,  
Capt. Reginold Wilson,  
Mr. Coward, Merchant.

## St. ANDREWS,

Col. Samuel Barry,  
Capt. Francis Scarlet.

## St. THOMAS in the Vale,

Major George Nedham,  
Dr. Fulke Rose.

## St. DOROTHIES,

Dr. Bonner,  
Peter Beckford, Esq;

## CLARENDON,

Thomas Sutton, Esq;  
Richard Dawkins, Esq;.

## VERE,

William Puzey, Merchant,  
John Peek, Esq;



St. ELIZABETHS,

Lieut. Col. *Richard Scot*,  
*Thomas Raby*.

St. JAMES,

*Samuel Jenks*, Esq;  
Capt. *Thomas Clarke*.

St. ANNS,

Lieut. Col. *Whitgift Aylemer*,  
Major *Benjamin Smith*.

St. MARIES,

*Andrew Orgile*, Esq;  
*John Moon*, Esq;

St. JOHNS,

Major *Thomas Ayscough*,  
*Francis Price*, Esq;

St. GEORGES,

Capt. *Henry Archbold*,  
*Edward Broughton*, Esq;

These are chosen indifferently by the Free-holders of the several Parishes and Precincts by vertue of Writs issued out of the Chancery, under the Great Seal of the Island, directed to the Provost-Marshal, as High Sheriff. That (after the

manner of *England*) signifies the time and place of Election, there indents, afterwards makes Returns, &c. All the Methods and Proceedings of this Assembly are conformable to those of *English* Parliaments, as much as so little a Body may so great an one. In all, the Governour has a Negative, Prorogues, Dissolves, &c. The Laws they make are generally Municipal, proper only for the usage of the Island, and are of force for what term his Majesty pleases, as may appear by his manner of passing them in the following Book.

Church  
Govern-  
ment.

The King is here (as in *England*) Head of the Church, his Governours, as his Substitutes or Chancellours, Collates to all Benefices that are worth from 100*l.* per *Annum*, to about 400*l.* *St. Andrews* it's supposed will be worth more, when the Glebe Land is out of Lease. There is as yet not above Nine Churches. All the Ministers are sober, orthodox, and good Men. None but such as conform to the Church of *England*, and are recommended by my Lord Bishop of *London*, can be admitted. They have Institution and Induction by an Instrument under the Great Seal of this Island; they have Clerks, keep Records of Marriages, Funerals, Christnings, &c. They have also Church-war-  
dens,

dens, Vestrys, of which the Minister is to be. There are also Surveyors of Highways, &c. exactly after the manner of England, and as the Laws of the Island direct.

Ecclesiastical mulctuary Laws are not of force here, for his Majesty considering this as a fertile and large Island, fit for a Royal Colony, and not being willing his Subjects should all go to Proprietorships or to foreign Countries, hath, to draw them hither, permitted liberty of Conscience, that has been confirmed to Dissenters by divers *Laws*, and the Kings Instructions, ever since his happy Restoration, of which Grace they have always, and do now, make a modest use, being respectful to the Government, and ready to comply with all Civil or Military Duties.

*Liberty of  
Conscience.*

For this or the like Considerations his Majesty has been graciously pleased to give liberty to all Strangers, who may (upon taking the *Oath of Allegiance*) demand a Patent for Naturalization, that enfranchises them as a native Inhabitant for it. They pay a small Fee, as appears by the Act in the following Book, made for that purpose.

*Naturalization.*

The King has been pleased to honour this Island with a large gilt Mace, as a signal Mark of his Favour, and to make the

*The Mace*

the Government appear more great and formal: It's carried before the Governour and Chancellour on Solemn Occasions.

The Islands  
Seal.

The King has likewise honoured this Island with Arms, and with a publick Broad Seal; on one side of it his Majesty is seated on his Throne, with two *Indians* on their knees, presenting him *Fruits*, and two *Cherubins* aloft, supporting a *Canopy*; underneath his Feet this *Motto*;

*Duro de Cortice fructus quam Dulces?*

The Islands  
Arms.

The Inscription about it is, *Carolus Secundus Dei gratia, &c. Dominus Jamaicae*; On the other side is an *Escutcheon*, bearing a *Cross* charged with the five *Pines*; two *Indians* for the *Supporters*, and for the *Crest* an *Alligator*. The Inscription in the *Orle*, Inclosing all, is,

*Ecce alium Ramos porrexit in orbem  
Nec sterilis crux est.*

The *Motto* underneath the *Escutcheon* is,

*Indus Uterq; serviet uni.*

All this, as I have heard, was design-  
ed by the present Lord Arch-bishop of  
*Canterbury*, in the Year 1661. and the Seal  
then delivered to Sir *Charles Littleton*, that  
came hither Chancellour, for the Chan-  
cellours always keep it, and with it Seal  
all Publick Grants, Commissions, Pat-  
tents, &c.

The King by a Clause in the Com-  
mission for the Government, appoints <sup>The Chancel-  
lour.</sup> the Governour to be Chancellour, as  
judging it fittest to entrust him with the  
Equity, who is to see the *Laws* executed;  
and not thinking it for the good of his  
Subjects to have many great Officers in  
a young Colony; And that if the Seal  
were in private hands it would be erected  
into an Office: Now it's worth little or  
nothing. For the Chancellour has no  
Fee, only for granting Land, and that  
amounts to very little now. Nor has he  
more than one Clerk, that's called a Re-  
gister, or Clerk of the Pattents, whose  
Office is worth 55 *l. per Annum*. The  
Chancellour has three Masters, that on  
occasion sit with him, and take Oaths to  
Commissions, Answers, &c. <sup>Chancery.</sup> The second  
*Monday* every Month this Court sits, and  
then is Sealing day, which is now punctu-  
ally observed, That no body may be sur-  
prized, nor Pattents Sealed at any other  
c time:

time: The *Chancery* Causes are few, and suddenly dispatch'd.

*How Land  
is granted.*

All the Grants for the King's Lands are pass'd after this manner: His Majesty by his *Proclamation* in 1661. having promised his Subjects and all others that would transport themselves to *Jamaica*, That they and their Children should have the Benefits and Immunities of his native Subjects of *England*; And likewise Thirty Acres of Land *per* Head. They therefore on arrival take an Order from the Governour for so much: This Order is directed to a legal, sworn Surveyor, and by him returned to the Clerk of the Pattents, who by Directions of the Kings Attorney, draws the Pattent, and affixes the Plat to it; This at Sealing day is Sealed, and afterwards enrolled in the Office of Enrolments; for all which the Surveyor and Clerk have as in the Act for Fees. In all these Grants, Royal Mines are excepted. The Tenant holds as in *Common Soccage*, pays a Half-penny *per* Acre, is to serve in Arms, &c.

*The Revenue.*

The Revenue his Majesty has in this Island, is his Quit-Rents, Fines, Escheats, Forfeitures, Licenses for Taverns, Impost on strong Liquors, &c. as may be seen by the Act for the Revenue in the following Book.

This

This is all received by a Collector or Receiver-General, and he is supervised by a Deputy, Auditor, or Surveyor, who bring the Accounts to the Governour and Council, and they issue the Warrants for paying the Fortifications, Salaries, Publick Expences, &c. according to the King's Orders and the Directions of the Law: Every half year an Account thus Pass'd, is to be remitted to the Auditor-General in *England*, to be laid before the Lords of the Treasury, and Lords of the Council; By which Method it seems impossible any part of this Revenue should be imbezelled or misapplied.

That the Acts of Navigation and Trade may be exactly complied with, his Majesty has here a Naval Officer, who remits twice a year all Bonds, Entries, &c. to the Lords of the Treasury and Commissioners of the Customs; And keeps likewise Accounts of all Ships, Goods, Persons, Negroes, &c. that come to the Island. The Naval Officer is likewise a kind of Master of Attendance, to assist and provide for the Kings Ships.

The King doth not only appoint his Governour to be his Chancellour, but likewise the Bishop's Ordinary, and Judge of the Prerogative Court, supposing, That he who is intrusted with the whole, may

may be fittest to be trusted with particulars; And in this all Governours have been exceeding careful: The Secretary of the Island has this Office. The Wills are proved before the Governour as Judge; If no Will, he gives the Administration to the next of Kin, or greatest Creditor, and they give Security, and take their Oaths, to bring into the Office Inventories, to Administer faithfully, &c. Great care is taken herein, that right may be done to the People that are absent. The Judge has no Fee: The Secretary as in his Table of Fees.

*The Admiralty.*

The other Office, the Governour is vested with by his Majesties Commission under the great Seal, is that of Vice Admiral to his Royal Highness, from whom he has a large Commission without a Fee or Salary: By Virtue of this Commission the Governour has constituted an Admiralty Court at *Port-Royal*, with Judge, Register, Marshal, Proctors, &c. that proceed exactly to the Civil and Maritime Laws practised in *England* and *Europe*.

*Judge Admirals particular Commission.*

The Judge Admiral has also a particular Commission from the Governour, to Hear and Determine all Petty Differences betwixt Seamen and Masters, because their Differences should be suddenly dispatch'd,



spatch'd, and without the charge of calling Admiralty Courts. To order this more regularly, the Marshal attends the Judge; The Register keeps a particular Record of what's done: A Sailor can have no Dispute with an Inhabitant, because (by the Law) the one is not to Deal, nor the other to give Credit. And this Judge and Register likewise have order to take the Depositions and Informations of all that have lost by Pyrates or others, that their Names, Losses, &c. may be remembred; so that on occasion satisfaction may be demanded, or the Pyrates punish'd.

The Governour is not only Vice-Admiral to his Royal Highness by the King's and his Royal Highness Commission, but has a Commission to command all the Men of War that come into these Ports and Coasts, and by virtue thereof grants Commissions of War against the Kings Enemies, Pyrates, &c.

This Island being the last Royal Colony the King has been pleased to settle, better Measures for its Government and Laws seem to be taken; For here all are enjoined to Enroll their Deeds, to prevent fraudulent Conveyances, as may appear by the Act made for that purpose, in the ensuing Book; The Secretary of the Island has this Office, and the Entries and Dispatch

*Vice-Admiral.*

*Office of Enrolments.*

*Secretary of the Island.*

Dispatch of Ships, the granting Licenses to Marry, and leave to sell Wine, giving Tickets, &c. His Fees for all are seen in the Laws following; And what Security he and the other Officers must give for their faithful Execution and honest Discharge of their several Places.

*Provost  
Marshal  
General.*

The Provost Marshal General is the executive Officer of Justice, he and his Deputies are the Officers that attend the Governour, Courts and Assemblies, execute all Writs and Orders, and do what High Sheriffs, Ushers of the Black Rod, Sergeants, Goalers, &c. do in *England*: The Governours may except against the Patent Officers Deputy, but cannot make an Officer, where the Offices are patented, as they are for the most part (and for Lives too) in *England*.

*Militia.*

The Militia in this Island is better Arm'd, and much better Disciplin'd than in *England*, and do much more duty, as waiting on the Governours, guarding the Forts, especially at *Port-Royal*, where there are Ten Companies of about 200 in each, one of which watches every Night. All the Militia is commanded by the Governour, as Captain General, according to his Majesties Powers and the Act of Militia. There's Eight Regiments in the Eight Provinces, and a Troop of Horse  
in

in every Province, that makes one Regiment. At *Port-Royal* is a Captain of the Castle (and Three honorary Captains of Forts) and Twelve Gunners and Matroses, all paid by the King, out of the Revenue arising in the Island; these lodge in the Castle and Forts, and take a constant care of the Guns, Arms Ammunition, &c. In *Port-Royal* is a Castle and four Forts, wherein are mounted 145 Guns.

*Captain of  
the Castle  
and Gun-  
ners.*

In each of these Eight Provinces or Precincts, the Colonel, or Gentleman of the best Ability and Estate, is the *Custos Rotulorum*, and with the other Justices of the Precincts, holds Quarterly a Session for punishing Misdemeanours and those Crimes that are there cognizable, and have Clerks of the Peace, Deputy-Marshals or Under-Sheriffs, Juries, &c. all exactly after the manner of *England*, and there every thing is determined and regulated by the Laws of *England*, or the Municipal Laws of the Island, for the Peace and good Government of the Precinct.

*Quarter  
Sessions.*

In each Province or Precinct is likewise held a Petty Court, that is, in the nature of *Court Baron*, or *Sheriffs Court*, where the ablest Gentleman is Judge, and has two of the Justices to be his Assistants, and

*Petty  
Courts.*

and these very justly and formally hear and determine all Actions, Pleas, &c. arising among the Neighbours in the Precincts, not exceeding 20 *l.* if it does, they take a *Justicias* out of Chancery, that for the Peoples ease is always granted. But nevertheless by the *Certiorari*, Writ of Error, &c. they may bring Causes out of these Courts into the Kings-Bench, or Grand Court.

Grand  
Court.

The Grand Court has a Chief Justice, commissioned by the Governour, under the great Seal of the Island, that has 120 *l. per Annum* Salary, paid by the King; he has four Justices to his Assistants, that serve as the Petty Judges do, for nothing, only the honour and satisfaction to serve the King and Country. This Court is attended by the Marshals, Clerk of the Crown, Coroners, &c. And has a particular Clerk or Prothonotary, and does in its Power and Proceeding, resemble the Kings-Bench, Common Pleas, Exchequer and Assizes in *England*; It is (like the Terms) held Quarterly at *St. Jago de la Vega*: The Manner of holding it, Fees, Proceffes, &c. appear at large in the ensuing Law, made for that purpose.

This Account may be sufficient to give a View of the Government and of the Advantages the Planters and Inhabitants enjoy

enjoy under his Majesties immediate Protection, which cannot but with the greatest reason invite every man that resolves upon foreign Settlements, to prefer the State of this Government to all new Discoveries and Undertakings, especially to Proprieties of what nature soever, and the rather when it shall be considered, That his Majesty, for security of Trade, and Protection of his Subjects against Enemies and Pyrates, has always Frigates attending this Island and his other Governments, and is ready to give such further Assistance, as the occasion shall require, when as it cannot be expected that an equal Care should be had of Proprieties and such Colonies that have withdrawn themselves, though not from the Tye of their Allegiance, yet from that nearer Dependance which might more endear them to his Majesty, and deserve the same Care, Charge, and Protection, which other Plantations, under a more immediate Direction and Influence of the Crown, have never wanted from His Most Gracious Majesty.

*JAMAICA,*

Octob. 1. 1683.

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AT THE  
**COURT**  
 AT  
**WHITEHALL,**

The 23<sup>d</sup>. of February, 1682.

P R E S E N T

*The King's Most Excellent MAJESTY.*

*Lord Keeper.*

*Lord President.*

*Lord Privy Seal.*

*Duke of Ormond.*

*Duke of Beaufort.*

*Earl of Oxford.*

*Earl of Chesterfield.*

*Earl of Sunderland.*

*Earl of Clarendon.*

*Earl of Bath.*

*Earl of Craven.*

*Earl of Ailesbury.*

*Earl of Conway.*

*Earl of Nottingham.*

*Earl of Rochester.*

*Lord Bishop of London.*

*Mr. Secretary Jenkins.*

*Mr. Chancellor of the*

*Exchequer.*

*Lord Chief Justice*

*Pemberton.*

*Mr. Godolphin.*

**W**Hereas by the Powers given unto Charles  
 Earl of Carlile, late Governour in Chief  
 of the Island of Jamaica, and in his Ab-  
 sence to the Commander in Chief thereof  
 for the time then being, Dated the Third day of Novem-  
 ber, in the 32<sup>d</sup>. Year of His Majesties Reign, as also

B

by

by a Commission unto Sir Thomas Lynch, Knight, now Governour in Chief of the said Island, bearing Date the Sixth Day of August, 1681. His Majesty has been Graciously Pleased to Authorize and Impower the Governour, Council, and Assembly of the said Island to Constitute and Ordain Laws, which are to continue and be in force untill His Majesties Pleasure be signified to the contrary. And forasmuch as certain Laws have in pursuance of the said Powers and Commissions been transmitted unto His Majesty, with the Humble Desire of the said Council and Assembly, that His Majesty would be Pleased to pass the same, in the Words following.

## An A C T

### Appointing the Number of the Assembly.

**B**E it Enacted and Ordained by the Governour, Council, and Assembly, and it is hereby Enacted by the Authority of the same, that in every Assembly hereafter to be called by His Majesties Writs, and held within this Island, there be Chosen Three Representatives for the Parish of *St. Catharines*, the like number for the Parish of *Port Royal*, and Two for each other of the respective Parishes that now are, or hereafter shall be in this Island; and that the Provost Marshal, or his Lawful Deputy, give to every Person Elected, within ten Days after his Election, notice that he is so Elected.

*Provided* Always, that every Person Elected shall be a Free-holder in this Island, and that none have Right to Vote in any Election, but those that are Free-holders in the same Parish where the Election is to be made.

<sup>3</sup> For *St. Catharines*.

<sup>3</sup> For *Port Royal*.

<sup>2</sup> For every other Parish.

The Provost Marshal to give notice in 10 days to all that are Elected.

Every Member a Free-holder, and none else to Vote in Elections.

## An ACT

*For Regulating Servants.*

**B**E it Enacted and Ordained by the Governour, Council, and Assembly, and it is hereby Enacted and Ordained by the Authority of the same, That all and every Master or Masters of Slaves, for the first five Working Slaves, shall be Obliged to keep one White Man Servant, Over-seeer or Hired Man for Three Months at least; and if the Number increase to Ten, Two; and for every Ten after the first, One, to be Resident in the Plantation, where the Negroes are employed; and if any shall be wanting for the space of six Months of the proportion aforesaid, he, she, or they for every Servant so wanting, shall forfeit five pounds to the Use of the Parish where such Default shall be made, to be Recovered by the Church-Wardens by Action of Debt in any Court of Record in this Island.

*One White Man for the first five Slaves.*

*For 10. Slaves two White Men.*

*For every ten more one White Man.*

*On Penalty of 5 l. to the Parish.*

And it is further Enacted and Ordained by the Authority aforesaid, That all Masters, Mistresses, or Over-seeers of Slaves, who shall not truly inform the Constable or Constables, within their several Precincts, when thereunto required, of all such Hired Men, or Servants, and Working Slaves, as shall justly and truly belong unto them, or under their Care, shall forfeit the Sum of Twenty pounds, to be Recovered by Bill, Complaint, or Information in any Court of Record within this Island, where no Essoign, Protection, or Wager of Law shall be allowed; one Third of which Penalty shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the Contingent Charges thereof; one Third to the Church-Wardens of the Parish where the Offence shall be Committed, for the Use of the said Parish; and the other Third to the

*All owners shall give account of their Slaves, &c. when required,*

*One Penalty of 20 l.*

*on Third to the King.*

*One Third for the Parish.*

*One Third  
to the Infor-  
mer or he that  
shall sue  
and if the Con-  
stable neglect*

*he shall for-  
feit 20l.*

*as before.*

*All Ser-  
vants to  
have accord-  
ing to Inden-  
ture, where no  
Contract, un-  
der 18. to  
serve 7 years,  
above 18. 4  
years,  
and at the end  
of their time  
to have 40s. of  
the last Master,  
and a Certi-  
ficate,*

*or forfeits 40s.*

*Who employs  
a Freeman  
without Certi-  
ficate forfeits  
10l.*

*None to  
Trade with  
Servant or  
Slave without  
consent of the  
owner, on  
forfeiture of  
treble value,  
and 10l.*

*All Contracts  
by Servants or  
Slaves void.*

*Servants that  
lay hands on  
their Employ-  
ers,*

the Informer, or he that shall sue for the same. And whatever Constable or Constables shall neglect his or their Duty herein, by not demanding an Account every six Months, and returning the same unto the Justices sitting at the next Quarter-Sessions of that Precinct, which they are hereby required to do, shall for every such Default forfeit the like Sum of Twenty pounds, to be Recovered and applyed in manner and form aforesaid.

That all Servants shall have according to their Contract and Indenture, and where there is no Contract, or Indenture, Servants under Eighteen Years of Age at their Arrival in this Island, shall serve Seven Years, and above Eighteen Years of Age, shall serve Four Years, and all Convicted Felons, for the time of their Banishment, and at the expiration of the Times aforesaid, shall receive from their last Master, Mistress, or Employer Forty shillings, and a Certificate of their Freedom upon Demand; and whosoever shall refuse, without just Cause, to give such Certificate to Servant, Artificer, or Labourer, whose Time is expired, or Contract performed, shall forfeit forty shillings for every such Refusal.

And whosoever shall Employ any Free Person without a Certificate from the last Employer, of the Performance of his or their last Bargain or Contract, shall forfeit Ten pounds.

That no Person or Persons presume to Trade with any Servant or Slave without the Master or Mistresses Consent, on Penalty of forfeiting to the Master or Mistress of such Servant or Slave, treble the value of the things Traded for, bought, or Sold, and also Ten pounds Currant Money of this Island, to be recovered by such Master or Mistress by Action of Debt in any Court of Record; And all Contracts made with Servants or Slaves to be utterly void.

That if any Servant or Hired Labourer shall lay violent Hands upon his or her Employer, Over-seer, or other Person put in Authority over him or her, such Servant or Labourer shall for such Offence Serve his

his or her Employer without any Wages twelve Months, by Order of any Justice of the Peace on Conviction. shall serve one Year without Wages.

That by the like Order and Conviction any Overfeer or Artificer, Hired Labourer or Servant, that shall embezel, purloin, make away, or waste any of his or her Employers Money, Goods or Chattels, not exceeding the value of Forty shillings, shall serve, or make Satisfaction, according to the Discretion of any one of His Majesties Justices of the Peace; and if above the value of forty shillings, to serve two Years by the like Order without any Wages, and be further liable, in case that Time will not satisfy; and if any such Person as aforesaid shall embezel, purloin, or make away any Money, Goods or Chattels of any others than their Masters, Mistresses, or Employers, they shall incur the same Penalty, and serve the Party injured as aforesaid, after their Time expired with their Masters or Mistresses. Servants that shall purloin, under 40s. shall serve at discretion, if above 40s. 2 years and be further liable. If they purloin from others then their owners they shall serve after their time expired.

And be it further Enacted by Authority aforesaid, That if any Freeman of this Island shall at any time hereafter beget a Woman-Servant with Child, he shall (upon due Proof thereof made, which Proof shall be by the Oath of the said Woman, as in other Cases of Bastardy) give good Security to save the Parish harmless; and as a further Punishment for his Offence, and for and towards Satisfaction of the Master or Mistress of such Servant, shall forfeit and pay unto the said Master and Mistress the full sum of Twenty pounds currant Money of this Island, and shall likewise provide for the Maintenance of the said Servant and Child, and in case of failure herein, shall serve the Master or Mistress of such Servant, double the time that she had to serve at the time of the Offence committed, or shall procure one in his or their stead, that shall be obliged so to do. And in case one Servant shall beget another with Child, then the Man-Servant shall, after the Expiration of his Term, serve the Master or Mistress of the Woman-Servant, double the time she had to serve, at the time of the Offence committed. A Free-man that gets a Woman-Servant with Child, shall save the Parish harmless, and pay the owner 20l. and maintain the Servant and Child, or shall serve the owner double the time of the Woman-Servant. If a Man-Servant get a Woman-Servant with Child-

*If a Man-Servant Marry without Consent.*

*If a Free-man Marry a Servant.*

*Suits between Servants and Masters*

*to be heard by two Justices.*

*Servants that absent themselves,*

*how they shall serve.*

*None to turn away a sick Servant,*

*the Penalty 20l. to the Parish.*

*Servants that get sickness by Misbehaviour*

*shall serve double the time,*

*and so shall those who trouble their Masters with unjust Complaints.*

*No Servant shall be Whipt Naked.*

That any Man-Servant Marrying without the Masters or Mistresses Consent, shall serve two Years for such Offence; but if any Free-man shall Marry a Servant, he shall be liable to pay the Master or Mistress Twenty pounds, and she shall be free.

That all Suits between Servants and their Masters or Mistresses relating to their Freedom, shall be heard and determined by any two Justices of the Peace without any Appeal; and if any Servants absent themselves from their Masters or Mistresses Service without Leave, or a Ticket from their Master, Mistress, or Overseer, shall for every such Days Absence, serve one Week, and so in proportion for a longer or shorter time, the whole Punishment not to exceed Three Years.

That if any Person shall turn away any Sick or Infirm Servant, under pretence of Freedom, or otherwise, and such Servant shall die for want of Relief, or become Chargeable to any Parish, the Offender shall forfeit Twenty pounds of Currant Moneys of this Island, to the Use of the Parish where such Death or Charges shall happen, to be Recovered by the Church-Wardens by Action of Debt in any Court of Record, unless the Party offending shall pay the same, and also receive the said Servant, if Living, and him to maintain during the whole time the said Servant had to serve. But if any Servant, through wilful Misbehaviour, shall happen to have the *French P O X*, *Yaws*, or any other Disease, broken Bones, Bruises, Sickness, Impediment, or Imprisonment, he or she shall serve their Masters or Mistresses double the Time thereby neglected, and also for all Charges occasioned by reason thereof, at Ten shillings *per* Month, after their time by Indenture or otherwise be expired; and also Masters or Mistresses of Servants, who shall receive unjust Molestation by complaints or Suits of Law, shall have the same Remedy for their Expences and Loss of Time.

That no Servant be Whipt Naked without Order of a Justice of Peace, upon Penalty of Five pounds, to be Recovered by the Party Injured by Action of Debt

in any Court of Record. And whosoever shall not give to each White Servant Weekly, four pounds of good Flesh, or four pounds of good Fish, together with such convenient Plantation Provision, as may be sufficient, shall forfeit to the Party Injured Ten shillings for each Offence. And whosoever shall not Yearly give to each Servant three Shirts, three pair of Drawers, three pair of Shooes, three pair of Stockings, and one Hat or Cap, and to the Woman proportionably, shall forfeit to the Party Injured forty shillings.

*Servants allowance weekly,*

*the Penalty 10s.*

*Their allowance yearly,*

*the Penalty 40s.*

That no Master, Mistres, or Over-seer shall cause or suffer any Christian Servant to be Buried or Interred, until the Body of such Servants shall be viewed by a Justice of the Peace, Constable, or Tything-man, or by two such Neighbours, as the said Justice, Constable, or Tything-man shall choose and appoint, on Penalty of Twenty pounds currant Money of this Island, unless such Person died Ten Miles from the Dwelling of a Justice, Constable, or Tything-man, and hath been viewed by two of the next Neighbours, and in default of Neighbours, by two of the same Family, or that the said Justice, Constable, Tything-man, or Neighbours have not within Six Hours after Notice given, come to view the Dead Body; and whosoever upon Notice given, and Request made to view such Dead, shall not within four Hours after such Notice repair to the view, or on the view finding any suspicious Tokens of the Bodies unlawful Death, shall not forthwith give Notice to the Coroner, or in Default of a Coroner of that Parish, to the next Justice of the Peace, shall forfeit Ten pounds, which Justice, in such Cases, is hereby empowered to act as a Coroner.

*No Servant to be buried until viewed,*

*on Penalty of 20l.*

*unless they die 10 Miles from a Justice, &c.*

*Those that refuse to view or give notice to the Coroner, &c. shall forfeit 10l.*

That whosoever shall entertain a Servant, knowing the same to be so, shall forfeit for every Day and Night after the first, five pounds; and not knowing him to be a Servant, Twenty shillings for every Day and Night after the first, so that the whole exceed not treble the value of the Servants time remaining to be served with the Master or Mistres. *Provided, that this Clause extend not to Servants, by contract made*

*He that entertains a Servant forfeits every night 5l.*

*If against knowledg 20s. each night,*

*not to extend to Servants by contract made in this Island, &c.*

in

*Forgers of  
Contracts to  
be set in the  
Pillory.*

*He that en-  
tains a Ser-  
vant that is  
Drunk, &c.  
forfeits 20s.  
one half to the  
Parish,  
one half to the  
Informcr.*

*A Servant  
that hides ano-  
thers Servant  
or Slave shall  
serve one year,*

*or be whipt 39  
lashes.*

*None shall  
Ride, Load, or  
Carry on his  
Employers Car-  
riages, on Pe-  
nalty of three  
Months-service*

*Constables  
to Apprehend  
Run-aways,*

*and how to dis-  
pose of them,*

*the bringer to  
receive 8 d. per  
Mile,*

*which the Goa-  
ler is to pay.*

in this Island, but such as are attested by a Justice of the Peace, nor to such as entertain any as bring a Certificate of their Freedom, attested under the Name of a Justice of Peace, though the same be false and forged, or for any other Person whose Name the bringer personateth, but such forger, falsifier, person-ater, or bringer, and every one of them shall be set in the Pillory, and lose his Ears on Conviction thereof in the Supream Court of Judicature: But whosoever shall entertain a Servant any time, if the said Servant shall be Drunk, Trade or Game during the said Time, shall forfeit the Sum of Twenty shillings, the one half to the Parish where the Offence shall be committed, and the other half to the Informer, to be levied by a Warrant from any Justice of the Peace. And also if a Servant or Hired Labourer shall be guilty of hid- ing or entertaining any Person's Servant or Slave, he shall forfeit one Years service to the Master or Mistress of such Servant or Slave, or receive Thirty Nine Lashes on the Naked Back at the Election of the Party Injured, to be ordered by any Justice of the Peace to any Constable in the Precincts.

That no Person shall Ride, Load, or Carry on his Employers Horses, Cattle, Carts, and Carriages (or willingly suffer the same to be done) any Goods or thing whatsoever, other then the Masters or Mistresses, without such Master or Mistresses Consent, on Pen-alty of Three Months Service for each and every such Default.

And all Constables and Tything-men are to be di- gient in Apprehending and Searching for Run-aways, on Penalty of Twenty pounds for every Neglect, and upon the Apprehending of Run-aways, if the Master or Mistress be known, the Servant shall be carryed to the Masters or Mistresses nearest home, on Penalty of Forty shillings; if not known, to the next Com- mon Gaol, and the bringer to receive of Master, Mistress, or Gaoler, Eight pence *per* Mile, so as the whole exceed not Forty shillings, which said Gaoler is here- by impowered and commanded to receive such Run-  
away



Run-away or Run-aways, and to pay unto the bringer Eight pence *per* Mile as aforesaid, for every such Run-away so brought to him, on Penalty of Forty shillings; and that it shall and may be Lawful for the Marshal to detain and keep in Custody the Bodies of all such Run-aways so brought unto him, until the Master or Mistrefs of them, or their Assigns shall pay unto him the full Sum of what he hath so paid for them, with Two shillings six pence *per* pound for laying out the Money, and so proportionably, and also six pence for every Twenty four Hours the said Run-away hath been in his Custody; and if the said Marshal shall suffer any Run-away so brought to him to escape, before he be duly delivered to his Master or Mistrefs, or his or her Assigns, that then the said Marshal shall pay unto the Master or Mistrefs of the said Run-away, so much as he shall be Condemned in by the Verdict of a Jury at Common Law; also any one may take up any suspected Persons, and carry him or her to any Justice to be Examined.

*and to keep them till he is reimburs'd,*

*with 2 s. 6 d. per pound for laying out the Money, &c.*

*but if he lets them escape to pay the damage;*

*any may take up suspected persons.*

That the Captain, or any other Commission-Officer, shall at the Head of every their respective Company and Troop, Publish, or cause to be Published this present Act once every Twelve Months, under the Penalty of Five pounds.

*Every Captain to publish this Act once every Year on Penalty of 5 l.*

*Provided also,* That the several Fines, Forfeitures, and Penalties before mentioned in this Act, and not declared where they shall be Recovered, and how Disposed of, be one Moyety to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island and Contingent Charges thereof; the other to the Informer, to be Recovered by Action of Debt, (if not exceeding Forty shillings) as all Penalties of Service, before any Justice of the Peace, and if above Forty shillings, and not for Service, in any Court of Record within this Island wherein no Essoign, Protection or Wager of Law shall be allowed, any Law, Custom, or Usage to the contrary in any wise notwithstanding.

*The Fines and Penalties in this Act to be, one half to the King,*

*one half to the Informer;*

*how to be recovered.*

And be it further provided, That no Person or Persons shall be sued, molested, or troubled for any Fine or Forfeiture against this present Act, unless the Party so Offending shall be sued or impleaded for the same within two Years at the most after the said Offence shall be committed.

*But within  
two Years.*

## An A C T

### *For the High-ways.*

*The Vestry  
to choose four  
Surveyors,*

*every third  
Monday in  
January,*

*and if they  
neglect they  
shall forfeit  
40s. each man,*

*and the Justi-  
ces shall ap-  
point Survey-  
ors,  
who shall pro-  
cure them-  
selves to be  
sworn,*

*and give a  
just Account,*

*on Penalty  
of 10l.*

**F**OR the better amending and keeping clear the Common High-ways, and known broad Paths within this Island, leading to Church and Market, and for laying out New High-ways, and turning Old High-ways, where it shall be needful, be it Enacted and Ordained by the Governour, Council, and Assembly, and it is hereby Enacted and Ordained by the Authority of the same, that the Vestry of each Parish, or the Major part of them, shall, on every third *Monday* in *January* before Noon, at their Parish Church, or other Convenient place, choose four or more Free-holders, each seized of at least Thirty Acres Free-hold in Right of himself or Wife, to be Surveyors for the Year ensuing; if the Vestry neglects, each Person absent or negligent shall forfeit Forty shillings, and the Justices at their next Sessions being informed thereof, shall appoint four or more such Surveyors as aforesaid, every Person so Chosen or Appointed shall within Ten Days (due Notice being given him by the Clerk of the Vestry) procure himself to be Sworn before some Justice in the said Parish, Diligently and Faithfully to perform the said Office for the Year ensuing, and give a just Account to the Justices and Vestry (if required) of what he shall receive, pay, or do, by virtue of his Office, on Penalty of Ten pounds *Sterling*.

That

That the Surveyor being Sworn as aforesaid, shall within sixteen Days after their having viewed and considered the High-ways and Bridges, inform the Justices and Vestry of the Defects, Wants, and Alterations needful in the same, to the end (as they are hereby empowered) the said Justices and Vestry may lay a Tax of such Money, Labour, or other things, as to them shall seem convenient and necessary, which if the Justices and Vestry shall not do before the last day of February in each Year, then the said Surveyor shall make such Tax in Writing, which being Confirmed by any two Justices in the said Parish, shall stand good till some Complaint be made at the Quarter-Sessions in that Parish, and the Justices then and there to confirm or alter the same without Appeal from thence.

*And shall in 16 days Inform of the wants in the High-ways,*

*that the Justices, &c. may lay a Tax,*

*before the last day of February.*

That the High-ways be sixty foot wide in standing Wood, forty foot where the Wood is only on one side, and twenty four foot in open Ground, and that the Surveyors have Power to cut down, dig up or remove as well all sorts of Trees, Bushes, Prickle, Fences, Rails, Gates, or Inclosures, or other thing or things, as may any ways streighten, hurt, hinder, or incommode the High-ways, as also to dig for Stone or Gravel, Clay, Marl, Sand or Earth in any Land not Planted or Inclosed, as Yard or Garden to a House, or to Press any Cart, Carriage, Workman, or other thing fit to be employed in the High-ways for such Reasonable satisfaction to the Parties concerned, as such Surveyor can agree for, and in case of Disagreement, such as the next, or any Justice in the Parish shall appoint. *Provided* Nevertheless, that where Gates are, or shall be erected, of at least Ten foot between Post and Post, or the High-way streightned by Inclosure on both sides, but the way so well kept by Causey-way or otherwise, that two Carriages may meet and pass each other, and the Ground as firm as is necessary, then the said Surveyors shall forbear to pull down or remove such Gates or Fences, any thing herein seeming to the contrary notwithstanding. But if any Person shall again erect, or cause any Nufance, in the High-ways, which was by the

*The breadth of the High-ways,*

*the Surveyors Power;*

*Giving satisfaction as he can agree, or the Justice appoint.*

*where the Surveyors shall not pull down Gates.*

*They that cause Nufance shall forfeit 5 l.*

Sur-

Surveyor removed, for such Offence he or they shall forfeit Five Pounds.

*Where Paths  
or Roads are  
wanting*

*a Jury to lay  
out Paths,*

*or Alter them,*

*with most Con-  
veniency and  
least Prejudice;*

*of which the  
Surveyor is to  
make return,*

*that it may be  
recorded,*

*on Penalty  
of 20 l.*

*The Vestry  
may agree  
with Persons  
and Surveyors,*

*which they are  
to record.*

And in Case where a New Path or Road is wanting, or where Old Ways may, with more Conveniency be turned or altered, or where to some Plantation or Plantations no High-ways are yet laid out, to lead them into the High Roads which go towards the Market or Church, or to any convenient Harbour or Landing-place, fitting for receiving a Shoar or Shipping off any Goods, upon Notice thereof given to any Justice of the Peace, he shall on request issue his Warrant to the next Constable in the said Parish to Summon a Jury to meet at some convenient place and Day, therein to be mentioned, to view and lay out, or alter such Paths or Roads, which said Justice is hereby impowered to administer an Oath to the said Jury, that according to the best of their Skills and Judgments, and with most Conveniency to the Publick, and least Prejudice or Damage to any particular Person, they will lay out such Way, which having done, the Surveyor is to make Return thereof to the Justices at the next Quarter-Sessions of the Parish, where the same Way is, as well under his own, as the Hand of the Jurors, by whose Oath the same is laid out, to the end the same may be there Filed, or Recorded, and after known for a Publick High-way. And if the said Surveyor shall neglect his Duty therein, he shall forfeit Twenty pounds. And be it further Enacted, That every Vestry with consent of the Justices, may agree for two Years with particular Persons for their Parts and Proportion of the Ways by them to be cleared, as also with the Surveyors what part of the Parish they shall look after, and such Agreements shall discharge the parties from other Duties, than what is agreed for; as also the Surveyor from looking after any other part than what is allotted him; and such Justices and Vestry-Men are to Record all their doings touching the Ways in the Vestry-Book: which Record in all places shall be deemed good Evidence.

And

And the said Surveyors may respectively issue their Warrants to the Constable or Tything-men to warn in Workers, or to levy Money according to the Tax or Rate made as aforesaid, and whosoever shall fail to send in his proportion of Workers, with such Tools as shall be convenient, shall for every Head pay three shillings *per* day upon Conviction, to be Recovered before any Justice of the Peace by the Surveyor.

*The Surveyors may issue out Warrants,*

*to warn in Workmen or levy 3 s. per day for defaults.*

And if any Justice neglect his Duty touching the Premises or any part thereof, he shall forfeit Ten pounds, and every Vestry-man, Surveyor, Constable, Tything-man, Juror, or Clerk of the Vestry, who shall neglect his or their Duty, where no Penalty is before set, shall respectively forfeit Five pounds for each Offence.

*If the Justice neglects to forfeit 10 l. and others 5 l.*

All which said Forfeitures shall be to the Use of the High-ways, and if not exceeding Forty shillings, to be Recovered by Action of Debt before any Justice of the Peace, if above Forty shillings, in any Court of Record, where no Essoign, Protection, or Wager of Law shall be allowed.

*to the use of the High-ways,*

*how to be recovered.*

## An A C T

### *Appointing the Prices of Meat.*

**B**E it Enacted and Ordained by Governour, Council, and Assembly, and it is hereby Enacted by the Authority of the same, that no Person or Persons upon any pretence whatsoever shall presume to ask, demand, and receive for fresh Beef, Mutton, or Goat, any more, greater or higher rate or price; than hereafter is mentioned, *viz.* For fresh Beef or Goat four pence *per* pound, and Mutton six pence, to be weighed without the Heads, Entrails, or Feet, and that the Sewet be Sold at no higher Rates than the Meats aforesaid, under Penalty of forfeiting Twenty pounds currant Money of this Island, for every time they shall take, ask, or receive any higher price. and if any Person

*None to take greater prices for Meat then,*

*here Mentioned,*

*on Penalty of 20 l.*

E

son

*Nor refuse to sell so,*  
*on Penalty of 20l.*  
 son or Persons shall refuse to sell any Beef, Mutton, or Goat by weight, he or they for every such Offence shall forfeit Twenty pounds currant Money of this Island.

*He that shall destroy a Turtoise Nest,*  
*shall forfeit 40s. or be Whipt.*  
 And be it further Enacted by the Authority afore-  
 said, that any Person whatsoever that shall destroy any Turtle Nests, or take away any of the Eggs thereof upon any Bay or place within this Island, where the Turtle shall lay, shall forfeit forty shillings currant Money of this Island, or receive so many Lashes on the bare Back, as any Justice shall Order, not exceeding Nine and Thirty for every such Offence.

*One third of the Money to the King,*  
*one third to the Parish,*  
*one third to the Informer.*  
 The one third part of all the aforesaid Penal Sums of Money shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the Contingent Charges thereof, one Third to the Church-wardens for the Use of the Parish, the other Third to the Informer, to be Recovered in any Court of Record within this Island by Bill, Complaint or Information, in which no Essoign, Wager of Law, or Protection shall be allowed.

## An A C T

*Against Blasphemy, and for preventing Disorders in Ale-Houses, Taverns, and Victualling-Houses.*

*None shall have Licenses,*  
*but such as bring Certificates,*  
**B**E it Enacted and Ordained by the Governour, Council, and Assembly, and it is Enacted and Ordained by the Authority of the same, That no Person or Persons whatsoever in this Island be enabled to have and receive any License or Licenses from the Governour for the time being to Retail any strong Liquors, unless they bring Yearly Certificates under the Hands of two of the Justices of the Peace living in the same

same Precincts, where the same Person keeps, or intends to set up his House of Entertainment, and have also given good Security in the Secretaries Office of One Hundred pounds that he shall suffer no Disorders to be committed in his said House, or any thing there done contrary to the Laws of *England*, or of this Island, and that no Persons whatsoever presume to sell Rum or Rum-punch or any other Mixture of Rum without License first obtained from the Justices in Sessions, and Security given to the Clerk of the Peace of the said Precincts, under the Penalty of Forty shillings for every such Offence.

*and have given good security of 100l.*

*to keep good orders.*

*None to sell Rum without License,*

*on Penalty of 40s.*

*Provided* always, and it is hereby further Enacted and Ordained, that whatsoever Person so Licensed as aforesaid, shall Entertain or Receive any one in their Houses, to Tipple or Drink in the time of *Divine Worship* or Service, shall forfeit Twenty shillings for every such Offence, and the Person or Persons there so found, shall pay each of them five shillings, both which Forfeitures shall be levied by Distress, by Warrant from any Justice of the Peace within this Island, and whosoever shall by Publick and open Profaneness or Blasphemy Dishonour Almighty God, and be thereof duly Convicted in the Supream Court of Judicature, shall be Fined Twenty pounds Currant Money of this Island, or more, at the Discretion of the Court for every such Offence, and that such as are either Servants or not worth so much, shall be lyable to such Corporal Punishment, as the Judges shall think meet, loss of Life and Limb only excepted.

*Nor entertain any to Drink at Divine Service time, on Penalty of 20s and the Drinkers 5s.*

*Blasphemers or Profaners*

*shall be fined 20l. or more,*

*or be Punisht.*

And it is further Enacted, That if any of the said Persons, so having received Licenses as aforesaid, shall keep or suffer any Common Gaming in their Houses, they shall forfeit Ten pounds Currant Money of this Island; and whosoever shall by false Dice or other Fraud or Deceit win any Money or other things shall forfeit treble the value thereof, being Convicted by Verdict, Confession, or otherwise, and that no Sum exceeding forty shillings won at any Game, or betting on the side of any, shall be recoverable, and all Bonds,

*Licensed People that suffer Gaming shall forfeit 10l,*

*and they that win by false Dice or fraud shall forfeit treble the value.*

*Nor shall any Sum above 40s. won at Gaming be recovered;*

Con-

*and all bonds,  
&c. for above  
that Sum void.*

*The maker  
of Rum may  
sell it.*

*The Penal-  
ties to be,  
one half to the  
King,*

*one half to the  
Informer.*

Contracts, and Securities whatsoever for above the Sum aforesaid, won as aforesaid, shall be void. *Provided* nevertheless, that nothing herein contained shall be deemed or construed to hinder or abridge any maker of Rum, but that by himself, Servants, or others, he may vend and sell the same pure and unmixt, any thing in this Act to the contrary in any wise notwithstanding.

*Provided* also, That the aforesaid Penalties mentioned in this Act, and not declared where they shall be Recovered, or how disposed of, be one half to Our Sovereign Lord the King, for and towards the Support of the Government of this Island, and the Contingent Charges thereof, the other to the Informer, who shall sue for the same in any Court of Record within this Island, wherein no Essoign, Protection, Injunction, or Wager of Law shall be allowed.

## An A C T

### *Impowering Justices of the Peace to decide Differences not exceeding Forty shillings.*

*Debts not  
exceeding 40s.*

*shall be deter-  
mined by the  
Justices,*

*without Ap-  
peal,*

**W** *Hereas*, many inconveniencies may arise unto the Inhabitants of this Island by being vexed and troubled with Suits at Law for small and trivial Injuries, Debts, and Trespases, wherein the accustomed Fees and Charges usually exceed the Original Debt and Damages; for prevention whereof, Be it Enacted and Ordained by the Governour, Council, and Assembly, and it is hereby Enacted by the Authority of the same, that all manner of Debts, Trespases, and other Matters, not exceeding the value of Forty shillings, wherein the Tithes of Lands are not concerned, shall and may be heard, adjudged, and determined by any of His Majesties Justices of the Peace of this Island, within their respective Precincts without Appeal, which said Justices are hereby required



quired upon Complaint made, to grant a Warrant or Summons against the Person complained of, thereby requiring him to Appear and Answer the said Complaint, and in case of Non-appearance, to issue out a Warrant of Contempt directed to the Constable to bring the Contemner before him, as well to Answer the said Contempt, as the Plaintiffs Action, and may if he see Cause, fine the Contemner, provided the said fine exceed not Ten shillings, to be for the Use of the Parish where such Offence shall be committed, and after Judgment given in either Case, may grant a Warrant of Distress directed to the Constable, to levy the said Fine, Debt, Damages and Charges upon the Defendants Goods and Chattels, who by vertue thereof shall expose the same to Sale, returning the Overplus, if any be, to the Defendant, and for want of such Distress, to take the Defendants Body into Custody, and him carry and convey to the Common Gaol of the Precincts, there to remain till he shall have satisfied the said Debt and Charges, and it shall be Lawful for the Justice of Peace to receive for each Warrant One shilling and Three pence, and no more, and for the Constable for serving of each Warrant the like Sum, together with six pence for each Mile he shall be compelled to Travel in Execution of the Premisses, provided the whole exceed not five shillings; and the Justice is hereby required to keep a Record of all such Proceedings, under the Penalty of Ten shillings, the one half to be for the Poor of the Parish, and the other half to the Informer, to be Recovered as aforesaid.

And whereas the Uncertainty of the Expiration of Laws heretofore made for the better Government of this His Majesties Island may hereafter create some Doubts and Disputes concerning the Validity of the several Judgments made and given by the several Judges and Justices of the Peace within this Island, as also all the Proceedings of the Military Officers upon the same; for prevention whereof, Be it further Enacted and Ordained by the Authority aforesaid, that all and every Judgment and Judgments made or given by

*for which the Justices shall grant Process,*

*of Contempt, and fine the Contemner,*

*not above 10s. and that to the Parish,*

*And levy Damage and Charges,*

*or put the Body in Custody,*

*till satisfaction be made.*

*The fee to the Justice, &c.*

*The Justice to keep a Record on Penalty of 10s. one half to the Poor, one half to the Informer.*

*What appointed to be done by this Act is Ratified, also all done by the Military Officers,*

*Judges and Ju-  
stices by any  
of the former  
Acts,*

*is hereby Con-  
firmed and  
they saved  
harmless,*

*and may bring  
this Act in  
Evidence.*

any of the Judges or Justices of the Peace within this His Majesties Island upon or by vertue of any of the aforefaid Laws, and all other Proceedings whatsoever, and all and every Act or Acts, thing or things done or acted thereupon are hereby Ratified, Confirmed and Adjudged Valid and Lawful to all intents and purposes whatsoever, and all and every Judge and Judges of the several Courts, the several Justices of the Peace, the Military Officers, and all other Persons whatsoever within this His Majesties Island, that have any ways Acted by or under the Authority of the aforefaid Laws, or any of them, are hereby for ever saved and kept harmless, and indemnified against all manner of Persons whatsoever; and if any Person shall be sued or any ways molested by reason thereof, it shall be Lawful for him or them so sued or molested to plead the general Issue, and give this Act in Evidence, any Law, Custom, or Usage to the contrary in any wise notwithstanding.

## An A C T

### *Rating Liquors Sold by Retail.*

*Rates of*

*Madera Wine,  
Brandy,*

*forfeiture 40s.*

**B**E it Enacted and Ordained by the Governour, Council, and Assembly, and it is hereby Enacted and Ordained by the Authority of the same, that from and after Publication hereof, all Vintners and Tavern-keepers, or any other Person or Persons who do or shall Utter or Sell by way of Retail *Madera* Wines or Brandy, and shall presume by any means directly or indirectly to take or receive above the Rates hereafter mentioned for the aforefaid Liquors, *viz.* For *Madera* Wine fifteen pence the Quart, and Brandy two shillings and six pence the Quart, and so proportionably for a greater or lesser Quantity, shall forfeit the Sum of Forty shillings for every such Offence, to be levied by Warrant from any of His Majesties Justices of the Peace

of

of the Precincts, where the Fault is committed, on the Goods and Chattles of any Person or Persons so Offending, the one half of which Forfeiture shall be to the Church-Wardens for the Use of the Parish, the other to the Informer, any Law, Custom, or Usage to the contrary notwithstanding.

*one half to the Parish,  
one half to the Informer.*

## An A C T

### *For the Restraining and Punishing Privateers and Pirates.*

**W**Hereas nothing can more contribute to his Sacred Majesties Honour, than that such Articles as are Concluded and agreed on in all Treaties of Peace, should by all His Majesties Subjects according to their Duty, be most inviolably preserved and kept in and over all His Majesties Dominions and Territories, and whereas not only against such Treaties of Peace made by His Majesty with his Allies, but also contrary to His Majesties Royal Proclamation, several of his Subjects have and do continually go off from this His Majesties Island of *Jamaica* into Foreign Princes Services, and Sail under their Commissions, contrary to their Duty and good Allegiance, and by fair means cannot be restrained from so doing.

*Preamble.*

Be it therefore Enacted by the Governour, Council, and Assembly, and it is hereby Enacted by the Authority of the same, that from and after Publication hereof, it shall be Felony for any Person, which now doth, or within four Years last past heretofore hath, or hereafter shall Inhabit or belong to this Island, to serve in *America* in an Hostile manner, under any Foreign Prince, State, or Potentate, or any Employed under any of them against any other Foreign Prince, State, or Potentate, in Amity with His Majesty of *Great Britain*, without special License for so doing, under the Hand and Seal of the Governour

*Felony for any that belongs to the Island, to serve in America against any Prince in Amity with his Majesty,*

*without License.*

nour

*And sh<sup>e</sup> all suf-  
fer death.*

*This Act  
not to ex-  
tend to those  
abroad.*

*that return by  
the first day  
of January  
next,*

*and give secu-  
rity for their  
good behavi-  
our.*

*All Felonies  
done on the  
Sea shall be  
Tryed on the  
Land,*

*as if the Of-  
fence had been  
done there.  
To that end  
Commissions  
shall be di-  
rected, as here  
provided,*

nour or Commander in Chief of this Island for the time being, and that all and every such Offender, or Offenders contrary to the true intent of this Act, being thereof duly Convicted in His Majesties Supream Court of Judicature within this Island, to which Court Authority is hereby given to hear and to determine the same, as other Cases of Felony, shall suffer pains of Death without Benefit of the Clergy.

*Provided* nevertheless, that this Act, nor any thing therein contained, shall extend to any Person or Persons, which now are, or have been in the Service or Employment of any Forreign Prince, State, or Potentate whatsoever, that shall return to this Island, and leave and desert such Service and Employment before the first day of *January* next ensuing, rendring themselves to the Governour or Commander in Chief for the time being, and give him such Security as he shall appoint for their future good behaviour, and also that they shall not depart this Island without the Governours Ticket.

And for the better and more speedy Execution of Justice upon such, who having Committed Treason, Piracies, Felonies, and other Offences upon the Sea, shall be Apprehended in, or brought Prisoners to this Island, Be it further Enacted by the Authority aforesaid, That all Treasons, Felonies, Piracies, Robberies, Murthers, or Confederacies committed, or that hereafter shall be committed upon the Sea, or in any Haven, Creek, or Bay, where the Admiral hath Jurisdiction, shall be Inquired, Tryed, Heard, Determined, and Judged within this Island, in such like form, as if such Offence had been Committed in and upon the Land, and to that end and purpose Commissions shall be had under the Kings Great Seal of this Island, directed to the Judge or Judges of the Admiralty of this Island for the time being, and to such other substantial Persons, as by His Majesties Governour or Commander in Chief of this Island, for the time being, shall be named or appointed, which said Commissioners, to such a *Quorum* of them, as by such Commission

mission shall be thereunto Authorized, shall have full Power to do all things in and about the Inquiry, Hearing, Determining, Adjudging, and Punishing of any of the Crimes and Offences aforesaid, as any Commissioners to be appointed by Commission under the Great Seal of *England*, by vertue of a Statute made in the Twenty Eighth Year of the Reign of King *Henry* the Eighth, are Impowered to do and execute within the Kingdom of *England*, and that the said Offenders, which are, or shall be Apprehended in, or brought Prisoners to this Island, shall be liable to such Order, Process, Judgments, and Execution, by vertue of such Commission to be grounded upon this Act, as might be awarded or given against them, if they were proceeded against within the Realm of *England*, by vertue of any Commission grounded upon the said Statute.

*and proceedings accordingly.*

And all Tryals heretofore had against such Criminal or Criminals before any Judge or Judges by vertue of such Commission or Authority at any time heretofore granted, and all Proceedings thereupon, are hereby Ratified, Confirmed, and adjudged Lawful, and all such Judges, with all and every the Inferiour Officers, that have Acted thereby, are hereby indemnified to all intents and purposes whatsoever, and in case they, or any of them, shall at any time hereafter be sued, vexed, molested or troubled for any such their proceedings as aforesaid, he or they so sued, vexed, or molested, shall plead the General Issue and give this Act in Evidence, any Law, Statute, Custom or Usage to the contrary in any wise notwithstanding.

*All former proceedings of the like kind ratified,*

*and all Officers Indemnified,*

*and may give this Act in Evidence.*

Be it further Enacted by the Authority aforesaid, That all and every Person or Persons, that shall any way knowingly Entertain, Harbour, Conceal, Trade or hold any Correspondence, by Letter or otherwise, with any Person or Persons, that shall be deemed or adjudged to be Privateers, Pirates, or other Offenders within the Construction of this Act, and that shall not readily endeavour to the best of his or their Power to Apprehend or cause to be Apprehended such Offender or

*Those that hold Correspondence with such Persons,*

G Offenders,

*shall be Pro-  
secuted as Ac-  
cessaries.*

Offenders, shall be liable to be prosecuted, as Accessaries and Confederates, and to suffer such Pains and Penalties, as in such Case by Law is provided. And for the better and more effectual Execution of this Act,

*The Com-  
mission-Officers  
are to raise  
Men,*

*on notice of  
Privateers or  
Pirates,*

*to Seize and  
Apprehend  
them,*

*and if any Re-  
sist to kill and  
destroy them,*

*and they who  
Resist shall be  
deemed Felons,*

*and every Of-  
ficer that shall  
neglect his Du-  
ty shall forfeit,  
50l.*

*one half to the  
King,*

*one half to the  
Informer,*

*and they that  
refuse to repair  
with their  
Arms*

*shall be fined by  
a Regimental  
Court Marshal.*

Be it further Enacted by the Authority aforesaid, That all Commission-Officers, in their severall Precincts within this Island, are hereby required and empowered upon his or their knowledge or Notice given, That any Privateers, Pirates, or other Persons suspected to be upon any unlawful Design, are in any place within their respective Precincts, to raise and levy such a Number of well Armed Men, as he or they shall think needful for the Seizing, Apprehending and carrying to Gaol all and every such Person or Persons; and in case of any Resistance or Refusal to yield Obedience to His Majesties Authority, it shall be Lawful to kill or destroy such Person or Persons, and all and every Person or Persons that shall Oppose or Resist, by Striking or Firing upon any of the Commanded Parties, shall be deemed, taken, and adjudged as Felons without Benefit of the Clergy, and every such Officer that shall omit or neglect his Duty herein shall forfeit Fifty pounds currant Money of this Island for every such Offence, to be Recovered in any of His Majesties Courts of Record within this Island, by Bill, Plaint, or Information, wherein no Eessoign, Wager of Law, or Protection shall be allowed; one Moyety thereof to be to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island and the Contingent Charges thereof, and the other Moyety to the Informer; and all and every Person or Persons, that upon Orders given him or them shall refuse to repair immediately with his or their Arms well fixed, and Ammunition, to such place or places as shall be appointed by the said Officer, and not readily Obey his Commands in the Execution of the Premisses, shall be liable to such Fine or Corporeal Punishment, as by a Regimental Court Marshal shall be thought fit.

*Provided*

Provided fur her, that the Governours Assent to the passing of this or any other Act, shall not extend, or be Construed to extend to the determining of this present Sessions of the Assembly.

*The Governours Assent shall not determine the Sessions.*

## An Act

### *Ascertaining the Quit-Rents and manner of Receipt thereof.*

**B**E it Enacted and Ordained by the Governour, Council, and Assembly, and it is hereby Enacted by the Authority of the same, That a Patent Sealed under the Great Seal of this Island, and Recorded in the Office of Inrolments Established in this Island shall Evidence the Patentee or Patentees just Right and Title to all and every parcel of Lands, House or Houses, Tenements or other things in the said Patent granted, and be a good Bar to the Right and Title of His Majesty, his Heirs and Successors: And to the End His Majesties Grants may not be hindred, delayed, or obstructed, the Keeper of the Seal, or Chancellor for the time being, shall and is hereby obliged the next *Tuesday* before each Grand Court to cause all such Grants and Patents, as are in Office, to be Sealed at *St. Jago de la Vega*, and all Inferiour Officers, who are concerned in drawing and passing the same, are then and there likewise to be ready to do their Duty.

*A Patent Sealed and Enrolled,*

*shall give a just Title to Land or Houses.*

*and bar his Majesty, &c.*

*the Keeper of the Seal*

*shall Seal all Patents next Tuesday before each grand Court,*

*and all Officers to be ready.*

And forasmuch as all Titles of Land are derived from his Majesty, and the Land hath been laid out, and Patents made by his Majesties Officers, in which many Errors or Mistakes may have happened, which according to the strict Rules of Law, might make many Grants void in all, or in part. Be it therefore Enacted by the Authority aforesaid, That all Lands granted, or hereafter to be granted by His Majesty, his Heirs or Successors, upon Surveys made or to be made, be for ever good to the

*Though Errors may be in Patents,*

*yet all Lands so granted shall be good,*

*which are  
comprized  
within the  
Survey,*

*but where the  
King &c.  
are aggrieved  
by Mistakes,  
a re-survey  
shall be made,*

*and a confir-  
mation made,*

*reserving the  
just Rents,*

*for which the  
Chancellor  
shall have 10 s.  
the Clerk of  
the Patents 8 s.*

*but no Retro-  
spect for the  
Rent.*

*The Run  
and mark't  
Lines,*

*to be the bounds  
of the Land.*

the Patentee, and to those to whom the Right of the Patentee shall come, for all Lands comprized within the Survey or Bounds, any Misnomer, Misbounding or Mistaking of Quantity, or other Error notwithstanding, against His Majesty, his Heirs and Successors, or any other Person or Persons claiming under him or them for ever, and that all such Grants shall be taken as strongly against His Majesty, his Heirs and Successors, as the Grants of any other Person or Persons should or ought to be taken against him or them, or his or their Heirs or Assigns. *Provided nevertheless,* and be it further Enacted by the Authority aforesaid, That where either His Majesty or the Patentee are aggrieved by Mistake in Quantity, a re-survey shall be made, by one Surveyor indifferently Sworn between the King and Patentee, or who claimeth in his Right before any of His Majesties Justices of the Peace, upon which re-survey a Confirmation of the former Grant shall issue under the Seal of this Island reciting the Error, and reserving for the future the same Rent mentioned in the said Grant according to the just Quantity found by such re-survey, for which Confirmation the Chancellor shall receive Ten shillings, and the Clerk of the Patents Eight shillings, and no more, to be paid as all other Charges of the said re-survey by the Party requiring the same, but no Retrospect shall be had to what Rent ought to have been paid, be the Quantity more or less, any thing in this Act contained to the contrary in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That if any Dispute shall ever arise upon any Survey, wherein the Survey or Plot given into the Patent-Office shall vary from the real Run and marked Lines, in all such Disputes the Judges before whom the same shall happen, shall adjudge the real Run and marked Lines, which are proved before them to be Run and Marked, to be the bounds of the Lands granted, any Law, Custom, or Usage to the contrary notwithstanding.

*And*



And Whereas there have been uncertainties and Disputes in the payment of His Majesties Quit-Rents reserved in the Patents formerly granted, by reason of the words, Manured and Planted; and whereas his said Majesty hath been and now is Graciously pleased, that whatsoever shall arise from the Quit-Rents, shall be applied towards the support of the Government, and defraying the Contingent Charges of this Island; in Consideration whereof, and to ascertain the same, Be it Enacted and Ordained by the Authority aforesaid, That every Parcel or Parcels of Land of what Nature and Quality soever granted and Patented before the Twenty fifth Day of *June*, One Thousand Six Hundred Seventy and One, shall for Arrears and growing Rents pay for every Thirty Acres Annually the Sum of one shilling, and so proportionably for every Parcel under one hundred Acres, and for every hundred Acres two shillings six pence, and proportionably for a greater Quantity, and for all Lands of what Quality soever from the aforesaid time to the Twelfth Day of *March* One Thousand Six Hundred Seventy and Four, shall pay one half peny *per* Acre, and so proportionably for a greater quantity; and for Foot-Land, one half peny *per* Foot for two sides of the Square added together, and so proportionably for a greater or lesser quantity, as a certain established Quit-Rent and Acknowledgment to His Majesty, his Heirs and Successors for ever, any Law, Custom, or Usage, or any thing contained in the said Patents to the contrary notwithstanding.

*Quit-Rents applied towards the support of the Government,*

*Land granted before the 25th. of June 1671.*

*Shall pay for every 30 Acres 1 s.*

*And every 100 Acres 2 s. 6 d.*

*And from that time to the 12th. of March 1674. One half peny per Acre.*

*Foot-Land one half peny per Foot for two sides of the Square,*

*for ever.*

And for the more speedy and easie Collecting of the said Quit-Rents, Be it further Enacted by the Authority aforesaid, That the Receiver of the Quit-Rents, or his Lawful Deputy shall twice every Year (to say) after each Feast of *St. Michael* the Arch-Angel, and of the Annunciation of the Blessed *Virgin Mary*, keep an Office in the Town of *St. Jago de la Vega*, in the Parish of *St. Catharines*, and in the Town of *Port Royal* during the space of one Month at each place, and then and there to receive the Quit-Rents

*The Receiver at Michaelmas and our Lady-day,*

*shall keep his Office at St. Jago,*

*and at Port-Royal, one Month in each place,*

H

from

and there at-  
end,  
from 8 to 11  
and from 2 to 5.

on Penalty of  
5 l.

One half to His  
Majesty.

one half to the  
Informer.

from the Persons concerned, which said Office he shall attend from the Hours of Eight to Eleven before Noon, and from the Hours of Two to Five in the Afternoon, and upon Receipt of His Majesties Quit-Rents, thereof to Acquit and Discharge all Persons, on the Penalty of Five pounds *Sterling*, which said Penalty shall be, the one half to His Majesty, his Heirs and Successors for and towards the Support of the Government of this Island and Contingent Charges thereof, and the other half to the Informer, to be Recovered in any Court of Record within this Island, wherein no Wager of Law, Essoign, Protection or Injunction shall be allowed.

## An A C T

*For preventing Damages in Plantations, Preserving of Cattle, and Regulating Hunting.*

*All Planta-  
tions on Sa-  
vanna's ways,  
&c.  
shall be Fenced,  
to be Judg'd by  
Oaths  
of three Men,  
and the Da-  
mage done shall  
be paid for dou-  
ble,  
and Recovered  
before a Justice  
if not above  
40 s.*

**B**E it Enacted by the Governour, Council, and Assembly, and it is hereby Enacted by the Authority of the same, That all Plantations bounding on *Savanna's*, High-ways, Watering-places, and all Pastures made out of Wood-land, shall make sufficient Fences, which sufficient Fences shall be judged by Oath of Three Free-holders before any one of His Majesties Justices of the Peace, which said Free-holders shall be Chosen, one by the Party grieved, the other by the Owner of the Cattle, and the other by the Justice of the Peace, and if either of them do not appear, or refuse to make their Choice, that then in such Case the said Justice shall name two, and what Damage shall be done by any Stock in any Plantation so Fenced as aforesaid, the said Damage to be Appraised upon the Oath of the said Free-holders, and the Owners of the said Stock shall pay double the Damage so committed, or done by their Cattle, Proof being made appear by the Oath of one or more, to be Recovered

covered before any Justice of the Peace, if not exceeding Forty shillings, if above, in any Court of Record by Action of Debt. if more at Common Law.

And it is further Enacted and Provided by the Authority aforesaid, That no Person or Persons whatsoever shall kill or destroy any Cattle, Horse, Mare, Mule, or Asinego, but he, she, or they who shall kill or destroy any of the afore-mentioned Stock, shall forfeit for each they shall kill or destroy the Sum of Fifteen pounds currant Mony, to be Recovered by Action of Debt in any Court of Record within this Island by the Owner or Proprietor of the said Beast. None shall kill any Cattle, &c.  
on Penalty of 15 l.  
To be Recovered at Law.

And it is further Enacted by the Authority aforesaid, that all Owners of Neat Cattle shall keep one White Man at each respective Pen, and at all Pens whereunto belongs above Two hundred Cattle, the Owner of such Pen shall keep two White Men, upon pain of forfeiting Ten Pounds for every White Man, that shall be wanting, as before, for the space of Three Months, to be recovered in any Court of Record by Action of Debt, the one half to the Parish for the Use of the Poor, the other Moyety to the Informer, or him that sues for the same. There shall be one White Man at every Pen of Cattle, and where there is more then 200 head 2 White Men, on Penalty of 10 l.  
one half to the Parish,  
one half to the Informer.

And it is further Enacted by the Authority aforesaid, That all Persons and Owners of Cattle, that shall fail to Pen their Cattle once in three Nights, at the least, that all such Cattle doing Damages shall pay double the Damage, to be Recovered as aforesaid. They that Pen not their Cattle in 3 Nights, shall pay double the Damage done by such Cattle.

And it is further Enacted by the Authority aforesaid, That all Strays of any sort of Cattle, where ever they shall be found and taken up, shall belong to the Proprietor of the Ground, where they are accustomed to feed, *Provided* the said Proprietor cause the said Stray or Strays to be Cryed by the Common Cryer three distinct Court Days in the Court of the said Precinct, describing all the Marks of the said Stray, with the Age and Kind; and further that the said Proprietors do turn loose again the said Stray, to continue in the same feeding Ground where the same was accustomed to feed, and tying a Withe about the Neck of the said All Strays shall belong to the Proprietor where they are found,  
but must be Cryed 3 days,  
and continue in the same ground one Year, with a Withe about the Neck,

*And if not  
Claimed in  
that time,  
shall remain to  
the Proprietor.*

*This not to ex-  
tend to Ear or  
Burnt Mark't  
Cattle.*

faid Stray (which shall be a Common Mark for Strays) and in that manner to continue one whole Year from the first taking up or Penning of the same. *Provided* further, that if in the mean time no Person shall Challenge or Claim the same, that then the property of all such Strays remain to the Proprietor of the Ground, as before, they giving Satisfaction for taking up the said Stray. *Provided always*, That this Act extend not to any Ear-marked or Burnt-marked Beast, Horse, Mare, Colt, or any other sort of Cattle, but all such shall belong to the Owners or Proprietors of the same, if Claimed at any time after the expiration of the Year.

*The Clerks  
of the Court  
shall Toll all  
Cattle,*

*which shall be  
good against  
any former  
Sale,  
except where  
the Marshal  
has levied by  
Execution,  
and the Clerk  
to have 1 s.*

It is further Enacted by the Authority aforesaid, That the Clerks of each respective Courts of Record in this Island are hereby empowered to make Entry and Toll any sort of Cattle, that shall be Sold from one Person to another, taking as near description of the several Marks, Natural or otherwise, as can be, and vouched by two sufficient Persons known by the Clerk, which Entry or Toll shall be good against any former Sale or Bargain, or any other Title whatsoever, except in all such Cases where the Provost Marshal or his Deputy hath levied the same by Execution, and the Clerk of the said Court shall take Twelve pence for each such Entry and for keeping a Record of the same, and no more.

*None shall  
carry Fire or  
smoak Tobacco,  
on Penalty of  
10 s.*

*And liable to  
Damages,*

*or to be Whipt  
if not of Abi-  
lity.*

And it is further Enacted by the Authority aforesaid, That no Person whatsoever shall presume to carry any Fire, or smoak Tobacco in any Savanna or Plantation, or High-ways whatsoever, under the Penalty of Ten shillings for each time they shall so offend, and be further liable to pay all Damages that shall accrue to any Person or Persons by means of the same, to be Recovered (if not exceeding Forty shillings) before any Justice of the Peace, if exceeding Forty shillings, by Action of Debt in any Court of Record within this Island: and if the Person so offending, be not able to make satisfaction, then the said Person shall be whipped for every such offence

at

at the Discretion of any one Justice of the Peace. *Provided*, That this Clause extend not to Owners of Land, to carry Fire in their own Plantations, or burn their own *Savanna*, yet to be liable as before, if thereby they injure or burn any other Persons *Savannas*, or Plantations, and that all Penalties for carrying of Fire, shall belong to the Person that sues for the same.

*Owners of Land may carry Fire, but liable to Damage if they injure others. Penalties belong to those that sue.*

And whereas it is found by experience that several Common Drivers of Cattle, or Horse-catchers do frequently Ride and drive Gangs of Mares and other Cattle from off their own feeding Ground or Pasture, whereby those that are big, cast their Young, and Young ones are often separated from their Dams, and do likewise often deface the Marks of such Cattle and Horses, or new Mark them for themselves or others with wrong Marks, to the great Damage of all such Proprietors; for prevention whereof, Be it further Enacted by the Authority aforesaid, That no Person or Persons whatsoever shall hereafter presume to drive or ride in any *Savanna* as a Common Horse-catcher after any Horses or Mares without having first given Security for their Honesty, and obtained leave from the Proprietor or Proprietors of such *Savanna's* or the Major part of them, under the Penalty of Twenty pounds, to be Recovered as aforesaid; one third part whereof shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the Contingent Charges of the same; one third part to the Proprietor or Proprietors of such *Savanna's* where the Offence shall be committed; the remaining third to the Informer, or he that shall sue for the same.

*All Custom of Horse-drivers,*

*to Prevent which*

*none shall Ride or Drive as a Common driver, till they have given security,*

*on Penalty of 20l.*

*One third to the King,*

*one third to the Proprietors of the Land,*

*one third to the Informer.*

And it is further Enacted by the Authority aforesaid, That if any such Common Driver or Horse-catcher, or any other Person employed by or for him or them, shall presume to Sell or Barter any Horse, Mare, or Colt, or other Cattle, but such as he shall bring two sufficient Free-holders of the place where he doth Inhabit, or other good sufficient Evidence to vouch before the Clerk of some Court of Record within the

*No Common Driver shall sell Cattle,*

*till he bring Vouchers,*

*on Penalty of  
50l. as afore-  
said,*

*And whoever  
shall so Buy  
without Vouch-  
ing*

*shall forfeit  
20l. to be dis-  
posed of as a-  
foresaid.*

*Horse-catch-  
ers that frau-  
dulently deface  
marks,  
shall be guilty  
of Felony.*

*None that  
keep Goats shall  
let them feed  
on other Mens  
Land;*

*if they do it is  
Trespass.*

*None shall  
Hunt but they  
that have 5  
Acres of Land  
Planted;*

*those not so  
Qualified shall  
forfeit their  
Dogs and 10l.*

*one half to the  
King,*

*one half to the  
Informer.*

Precincts where they shall be Sold or Bartered as afore-  
said, that he bred them, or otherwise came Lawfully  
possessed of them, under the Penalty of Fifty pounds,  
to be Recovered and Disposed of as aforesaid. And  
whosoever shall Buy, Barter, or Bargain with any such  
known Horse-Catcher or Driver, for any Cattle or  
Horses without the same be first vouched as aforesaid,  
he, she, or they so Offending shall for every such Of-  
fence forfeit and pay the Sum of Twenty pounds, to  
be Recovered and Disposed of as aforesaid.

And it is further Enacted by the Authority aforesaid,  
That if any Driver or Horse-catcher shall at any time  
hereafter fraudulently or designedly put any false  
Burnt Mark, Ear-Mark, or any other Marks, or de-  
face any old Mark, he or they shall for such Offence  
be guilty of Felony.

It is further Enacted by the Authority aforesaid,  
That no Person or Persons that are Keepers or Owners  
of Goats, shall suffer their Goats to feed in any Per-  
sons Land except their own, and if any do suffer the  
same to feed in any Persons Land, it shall be deemed  
Trespass, and the Owner of the Land shall Recover  
in any Court of Record full Costs of Suit in the said  
Action, besides what Damage shall be given by the  
Jury.

Be it further Enacted by the Authority aforesaid,  
That no Person whatsoever shall be capable of Hunt-  
ing with any Gang of Dogs in this Island, that is not  
a Planter in it, and hath not at least five Acres of  
Land Planted, and that any Person that shall presume  
to Hunt any Gang of Dogs within this Island, being  
not Qualified as aforesaid, shall forfeit for every such  
Offence his Gang of Dogs, and the Sum of Ten  
pounds *Sterling*, to be Recovered in any Court of  
Record within this Island, by Bill, Complaint, or Infor-  
mation, the one Moyety or half part of all such For-  
feitures shall be to our Sovereign Lord the King, his  
Heirs and Successors, for the Support of the Govern-  
ment and Contingent Charges thereof, and the other  
Moyety shall be to the Informer, or any Person that

sha

shall sue for the same. And it shall not be Lawful for any Planter or Planters in this Island to own any Hunting Gang of Dogs which shall not properly belong to themselves, their Mates in Planting, or Hunted by their Servants, under the Penalty of Ten pounds Sterling for each time he or they shall so offend, to be Recovered in manner and form aforesaid, and to be disposed of as aforesaid.

*None shall own any Gang of Dogs that belong to another, on Penalty of 10l. to be as aforesaid.*

And it is further Enacted and Ordained by the Authority aforesaid, That if any Hunting Gang of Dogs shall kill or maim any Tame Stock belonging to any Planter or Person whatsoever, or do him or them any Prejudice or Damage, the Party so Damnified, if the Damage amount to not above Forty shillings, Satisfaction for the same shall be Recovered by War-rant from any Justice of the Peace, but if it amount to more than Forty shillings, the Person or Persons so injured shall sue for the same at Common Law. And if any Person shall kill or maim any manner of Tame Stock, as Sheep, Hogs, or Goats, either by Hunting or otherwise, and shall not forthwith discover the same to the next Justice or Constable, to the end the Damage may be known and Recovered, as aforesaid, such Offender killing, maiming, or injuring any such Tame Stock, and not discovering it as aforesaid, shall pay Five pounds for every Default, besides Damages to be Recovered by the Party Injured in any Court of Record.

*If a Gang of Dogs Injure any Tame Stock, the Injured Party shall Recover by a Justice, if 40s. If more by Law; and they that Injure Tame Stock, and do not discover the same, shall pay 5l. and Damages to the Party Injured.*

It is further Enacted and Ordained by the Authority aforesaid, That no Person whatsoever shall Hunt any Gang of Dogs within four Miles of any Crawl or Settlement (except in his own Land, or leave from the Proprietor of the same, upon pain of Ten pounds Sterling, and that no Person or Persons whatsoever shall set any Snare or Engine in any place whatsoever (his Planted Ground only excepted) under Penalty of Forty shillings for every time any Person shall so Offend in either of the Premisses, to be Recovered as aforesaid, and disposed of as aforesaid, and to pay all other Damages that shall accrue by the same.

*None shall Hunt within 4 Miles of any Settlement, except in his own Land or with leave, on Penalty of 10l. None shall set Snares except in his own Planted Ground, on Penalty of 40s. to be disposed as aforesaid.*

An

## An A C T

*Securing the Purchasers of Thomas Bun's Land upon Port-Royal.*

**W** Hereas, one *Thomas Bun*, late of this Island, in the Fourteenth Year of his Majesties Reign, Patented a certain Parcel of Land on *Port-Royal*, and after that, Constituted and Appointed one *Martin Vanolphin* his Attorney, thereby giving him full Power and Authority for him, and in his Name, to Bargain and Sell all and singular the Lands and Tenements of the said *Thomas Bun*, and that he the said *Martin Vanolphin*, in pursuance of the aforesaid Authority, did for a Valuable Consideration, well and truly paid to the aforesaid *Thomas Bun*, Bargain and Sell the aforesaid Parcel of Land unto *William Parker*, Esquire, and *Robert Swanley*, and that a Moyety of the said Land was Sold by the said *Swanley* to one *Thomas Tothill*, Deceased, whose Estate real was, in pursuance of an Act of this Island, exposed to Sale, and Sold for and towards the Satisfaction of the just Debts of the said *Thomas Tothill* to *Sir Charles Modyford*, Baronet, and the whole Purchased as aforesaid, Sold by the said *Sir Charles Modyford*, *William Parker*, Esq; to *Edward Yeomans*, Esq; for a Valuable Consideration, and the aforesaid Letter of Attorney, through the Ignorance and Neglect of those Times, not Proved and Recorded, as the Law of this Island now requires; To the intent therefore that the several Purchasers may for ever hereafter be quieted in their several Purchases, and secured in their Titles and Covenants, and a speedy Improvement made by Building thereon; Be it therefore Enacted and Ordained by the Governour, Council, and Assembly, and it is hereby Enacted and Ordained by the Authority of the same, That the Sales made as aforesaid

by

Thomas Bun  
took up Land,

and appointed  
an Attorney to  
sell it,

which he did  
do to two Pur-  
chasers,

but the Letter  
of Attorney  
being not Re-  
corded,  
caused Dis-  
putes.



by *Martin Vanolphin* to *William Parker*, Esquire, and *Robert Swanly*, and the Sale or Sales of them and either of them unto any other Persons or Persons whatsoever, are and shall be deemed and adjudged good and effectual in the Law to all Intents, Constructions, and Purposes whatsoever, as if the said *Thomas Bun* himself had, by his own Deed, or Bargain and Sale, Actually and Really Sold and Conveyed the same, and all and singular the Land Sold and Conveyed, as aforesaid, be and remain to the Heirs and Assigns of such Purchaser or Purchasers, their Heirs and Assigns for ever, as shall Claim by, from and under the Title or Purchase of the said *Sir Charles Modyford*, Baronet, and the said *William Parker*, Esq; any Law or Custom, Usage or Pretence of Right whatsoever to the contrary in any wise notwithstanding.

Therefore the Sale made by the Attorney to the first Purchasers, and by them afterwards to others,

is hereby Confirmed,

to them and their Heirs.

## An A C T

### *Encouraging the Importation of White Servants.*

**F**Orasmuch as it is provided in an Act of this Country, Intituled, An Act for Regulating Servants, for the strengthening and better Defence of this His Majesties Island, every Master and Owner of Slaves shall have such quantity of White Servants proportionable to the Number of Slaves as is therein directed, and as by the said Act doth more plainly appear; and to the intent also all due Encouragement may be given Merchants, Masters, and Importers of White Servants to bring the same, and may not then be discouraged, nor their Servants lie upon their Hands for want of Buyers,

For Encouragement to Importers of Servants.

Be it Enacted by the Governour, Council, and Assembly, and it is hereby Enacted by the Authority of the same, That no Merchant, Master, or Importer of White Servants, shall presume to Sell any White

None shall Sell any White Servants till they have been 10 days Imported,

K

Servant

on Penalty of 10l. one half to the King, one half to the Informer.

And for that 10 days the Importers shall pay the Master of the Ship for their Diet; nor shall the Master of the Ship remove them, on Penalty aforesaid.

Servant or Servants, before they have been Ten Days Imported, under the Penalty of Ten pounds for every such Servant so Sold, the one Moyety to be to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the Contingent Charges thereof, the other Moyety to the Informer, to be Recovered by Bill, Plaint, or Information in any Court of Record within this Island, wherein no Essoign, Protection, or Wager of Law shall be allowed. *Provided* nevertheless, that for the Ten Days after Importation of any such White Servants, as aforesaid, the Factor or Seller shall pay the Master for their Diet aboard the Ship; nor shall they be removed by the said Master from thence before the Ten Days be past, under the Penalty aforesaid, to be Recovered and Disposed of as aforesaid.

The Master of a Ship that Imports 50 Men Servants,

on due Proof thereof,

shall pay no Port-charges.

Debts made for Servants shall be determined by the Justices.

After the 25. of March 1683

And be it likewise Enacted by the Authority aforesaid, That whatsoever Master or Commander of any Ship or Vessel, that shall bring in or Import into this Island to the Number of fifty White Male Servants, and due Proof upon Oath being thereof made before the Naval Officer (who is hereby empowered to administer the same) shall for that Voyage be altogether freed and exempted from paying any Port-charges for the said Ship or Vessel, wherein the said Servants shall be Imported, any other Custom or Law to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That any Debt or Debts Contracted for any Servant or Servants Sold within this Island, shall or may be Recovered by Warrant from any Justice of the Peace in the same manner as is provided in the Act empowering Justices of the Peace to decide Differences not exceeding Forty shillings, any Law, Custom, or Usage heretofore to the contrary notwithstanding.

And it is also hereby Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of *March* next ensuing, no Person or Persons whatsoever, employing themselves in the Trades or Exercises

ercises of Coopers or Porters within this Island shall use any Negro Slave or Slaves in their said Trades or Occupations, under the Penalty of Twenty pounds for every such Offence, to be Recovered and Disposed of as aforesaid.

*None shall employ Negroes for Coopers or Porters, on Penalty of 20l.*

*Provided*, also, That nothing be herein Construed to prohibit any Master or Owner of any Sugar-Work within this Island from making Cask at their respective Plantations, or other convenient place, as heretofore, any thing in this Act to the contrary notwithstanding.

*Except Masters of Sugar-Works.*

## An A C T

### *For Registering of Deeds and Patents.*

**B**E it Enacted by the Governour, Council, and Assembly, and it is hereby Enacted and Ordained by the Authority of the same, That a Deed in due form of Law made and within Three Months after the Date thereof acknowledged by the Party or Parties that grant the same, or proved by the Oath of one sufficient Witness or more before the Governour, or some one of the Judges of the Courts of this Island, and the same Recorded at length in the Office of Enrolments, which said Office shall always be kept at *St. Jago de la Vega* within the said three Months, shall be Valid to pass the same without Livery, Seizin, Attornment, or any other Act or Ceremony in the Law whatsoever, and that no Deed hereafter made without such Acknowledgment or Proof and Enrolment shall be sufficient to pass away any Free-hold or Inheritance or to Grant any Lease for above the space of three Years.

*A Deed made in form, and acknowledged in 3 Months and Recovered,*

*shall pass any Estate without other Ceremony,*

*but without such Ceremony not for above 3 Years.*

*Provided* nevertheless, That any Old Deeds or Conveyances heretofore made for Lands or Houses, and omitted to be Recorded upon being Acknowledged or Proved, and at any time after the making hereof, Recorded

*But Old Deeds not recovered heretofore,*

*on Recording  
shall be Valid,*

*but a second  
Bill of Sale  
Recorded be-  
fore the first  
shall take  
place.*

*If the Vendee  
have omitted  
Inrolling,  
yet do it before  
a second Sale  
of the Vendor,*

*it shall be good.*

*Deeds made  
out of the  
Island,*

*and Deeds  
owned before  
the Lord May-  
or of London,*

*and Recorded  
in 6 Months  
after Arrival,*

*shall be Valid.*

Recorded in the said Office of Enrolments, shall be effectually Valid and of force, but if it shall happen that any second Bill of Sale or Conveyance for a Valuable Consideration be made by the said Vendor or his Heirs for the same Land or Houses, or any part thereof, and the same be duly Executed and Recorded, then it is hereby declared, that the last Vendee shall have and enjoy the said Land or Houses, any thing in this Proviso or otherwise to the contrary notwithstanding. And if any Vendee hath omitted to execute and inroll his Deed within the time as aforesaid, but shall at any time afterwards have done the same, no second Sale being made by the first Vendor, his Heirs or Executors, the same shall nevertheless be good to the said Vendee, his Heirs and Executors, and a perpetual Bar against the first Vendor, his Heirs and Executors, any thing in this Act or any other to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That all Deeds and Conveyances granted and made out of this Island, and remitted hither, being Proved before the Governour or any of the Judges of the Courts of Common-Pleas as aforesaid, and all those Deeds and Conveyances where any Granter or Conveyancer shall Personally appear in His Majesties Court held before the Lord Mayor and Aldermen of the City of *London* for the time being, and shall then and there own and acknowledge such Deed, Grant, or Conveyance to be his Act and Deed, and an Attest thereof be made under the Seal of the Mayoralty of the said City, and the same be Recorded in the aforesaid Office within six Months of the Arrival of the Ship that brought the same, shall to all intents and purposes whatsoever be as Valid, as if the said Deeds or Conveyances had been here Made, Acknowledged, Proved, and Recorded according to the form and time herein before appointed.

*Provided* nevertheless, That if any Person here Lawfully empowered, shall in pursuance of that Power, make Sale of any Lands or Free-hold to any Person whatsoever

whatsoever within this Island, and the Deeds thereof be duly Proved and Recorded according to the true meaning of this Act, before any Conveyance from the Proprietor or Proprietors of the same Land or Free-hold or any part thereof be here produced, proved, and Recorded as aforesaid, the said Deed so made and passed here shall stand good and effectual in the Law to all intents and purposes whatsoever.

*But a Deed made in the Island for the same Land,*

*shall take place before one made anywhere else.*

And it is hereby further Enacted and Ordained by the Authority aforesaid, That any Mortgage of any Lands, Tenements, Real or Personal Estates whatsoever within this His Majesties Island, having received full satisfaction and payment of all such Sum and Sums of Money as are really due to him by such Mortgage, shall at the Request of the Mortgager, enter Satisfaction upon the Margent of such Mortgage Recorded, or to be Recorded in the Office of Enrolments, which shall for ever hereafter discharge, defeat, and release the same, and shall likewise perpetually Bar all Actions brought, or to be brought thereupon in any Court of Record within this Island, and if such Mortgagee shall not within three Months after request and tender made for his reasonable Charges repair to the Office of Enrolments, and there make such Acknowledgment as aforesaid, he, she, or they so refusing shall for every such Offence forfeit and pay unto the Party or Parties aggrieved the Sum of fifty pounds Currant Money of this Island, to be Recovered in any of His Majesties Courts of Record within this Island, by Bill, Plaint, or Information, wherein no Essoign, Wager of Law, or Protection shall be allowed.

*A Mortgage being satisfied,*

*at the request of the Mortgager,*

*satisfaction shall be entered,*

*which shall discharge it, and bar all Claims,*

*and if the Mortgager refuse to make Acknowledgment,*

*he shall forfeit 50 l.*

And be it further Enacted and Ordained by the Authority aforesaid, That it shall and may be Lawful for the Judges before whom such Acknowledgment of Deeds or other Writings are and shall be made, to demand and receive for every Deed of the value of Twenty pounds or more, Ten shillings, and for every Deed under the value of Twenty pounds, Five shillings, and no more, under the Penalty of Twenty pounds, the one half to be to our Sovereign Lord the

*The Judges for Acknowledging Deeds of 20 l. or more, shall take 10 s. for those under 20 l. 5 s. and no more, on Penalty of 20 l.*

L King,

*One half to the King,* King, his Heirs and Successors, for and towards the Support of the Government of this Island and the Contingent Charges thereof, and the other half to the *one half to the Informer.* Informer, to be Recovered as aforesaid.

And be it further Enacted by the Authority aforesaid, That the Clerk of the Enrolments shall and may take and receive for Enrolling and Copying an Ordinary Deed, Grant, or Patent for one or more Parcels of Land, or any Deed or Conveyance not exceeding the length of such Patent, five shillings; for every Deed exceeding the length aforesaid eight pence *per sheet,* accounting Twenty Lines to a sheet, and eight Words to a Line; for every Short Writing not exceeding the length aforesaid, Twelve pence; for Recording every Plot, one shilling and three pence; for searching the Record, Twelve pence; and for Acknowledging Satisfaction in the Margent of a Mortgage recorded, one shilling and three pence, and no more, under the Penalty of Ten pounds to the Uses, and to be Recovered as aforesaid.

*The Clerk of the Enrolments shall have*  
*for a Patent 5 s.*  
*if longer 8 d. for each sheet,*  
*if shorter 1 s.*  
*for a Plot 15 d.*  
*searching the Record 1 s.*  
*Satisfaction on a Mortgage 15 d.*  
*and no more, on Penalty of 10 l.*

And be it likewise Enacted by the Authority aforesaid, That all Patents already granted and not Enrolled, shall be Enrolled in the Office of Enrolments within six Months, and all Patents hereafter to be granted shall be Enrolled within six Months after the Sealing such Patents, which Enrolments, as likewise all such as are already there Enrolled, shall be good and valid in the Law notwithstanding any Clause inserted in the said Patents directing the contrary.

*All Patents already granted shall be Enrolled in 6 Months,*  
*and all to be granted in 6 Months after Sealing.*

And whereas it is most manifest, That the Estates of several Orphans have been preserved and vastly Improved by being, during their Minority, Leased out by their Guardians, and whereas it may be Disputable whether such Leases are Warranted by the Laws of *England*;

*Improving Orphans Estates.*

Be it therefore Enacted and Ordained by the Authority aforesaid, That all Leases heretofore made or granted, or that hereafter shall be made or granted, of the Estate of any Orphan, by the respective Guardian, for any term of Years, not exceeding the Minority of

*Leases of Orphans Estates,*  
*not exceeding their Minority,*

of

of such respective Orphans, shall be good and valid in the Law, any Law, Custom, or Usage to the contrary in any wise notwithstanding. *shall be good.*

*Provided* always, That this Act or any thing therein contained, shall not extend to contradict or alter any Power given or to be given by the Parent to any Guardians, or to give liberty for the future to any Guardian to Lease out the Estate of any Heirefs for any longer Term or Time, than till she shall complete the Age of Fourteen Years. *So that it be not against the Will of the Parents nor of an Heirefs Estate till she be above 14 Years old.*

Be it likewise Enacted and Ordained by the Authority aforesaid, That the Clerk of the Enrolments, or whosoever shall execute the said Office for the time being, do find two sufficient Sureties, with himself, to become bound to our Sovereign Lord the King, his Heirs and Successors, in a Bond of the Penalty of Two Thousand pounds for the true and faithful Execution of the said Office, and for keeping of the same in the Town of *St. Jago de la Vega*, as is herein before declared, and not elsewhere, which said Bond shall be Recorded in the Supream Court of Judicature within this Island, and be kept by the Chief Justice of the same for the time being, to be made use of according as is directed in an Act, Intituled, An Act Impowering the Secretary to take Security; and whosoever after Publication hereof shall Officiate in the said Office before he hath given such Security as aforesaid, he or they so Offending shall forfeit the Sum of Five Hundred pounds, to be recovered by Bill, Complaint, or Information in any of His Majesties Courts of Record within this Island, wherein no Essoign, Protection, or Wager of Law shall be allowed the Defendant; one Moyety whereof shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the Contingent Charges thereof, and the other Moyety to him or them that shall prosecute the same. *The Clerk of the Enrolments shall find Security, of 2000l. for the due Executing his Office, which Bond shall be kept by the Chief Justice, he that Acts before so doing shall forfeit 500l. one half to the King, one half to the prosecutor.*

An

## An A C T

For the Ferry between St. Catharines  
and St. Andrews.

Preamble.

William Parker Esq;

for 14 Years,

to take Toll for  
the Ferry,for a Man 7 d.  
half penny;Horse and Man  
15 d.every Beast  
7 d. half penny;small Cattel  
6 d.and keep a Ta-  
vern without  
License;but shall finish  
the way in  
one Year,to be 8 foot  
broad,

Whereas William Parker, of the Parish of St. Andrews, Esquire, hath at his particular Charge found out and made a very Convenient Way between the Salt and Fresh River in the Parish of St. Andrews and St. Catharines, which will be of great Use and Advantage to the whole Island, in causing a more near and easie Correspondence with the several Precincts, and whereas the said William Parker hath likewise set up and erected a Ferry for the better Accommodation of the said Passage, and whereas the same cannot be maintained without great and constant Charges, be it therefore Enacted and Ordained by the Governour, Council, and Assembly, and it is hereby Enacted and Ordained by the Authority of the same, That the said William Parker, his Heirs and Assigns be by this Act Impowered and Authorized, for the space and term of Fourteen Years from the making hereof, to ask, demand, sue for, recover, and receive as a Duty and Toll for the Transporting of any Person over the said Ferry, Seven pence half penny; for every Horse and Man, fifteen pence; for every grown Beast, that hath no Rider, seven pence half penny, for every Sheep, Calf, or Hog, six pence; and that the said William Parker, his Heirs and Assigns may and shall erect a Tavern or Victualling-House near the said Ferry, and shall not be compelled to renew or pay any License Money for the same. Provided always, That if the said William Parker or his Assigns shall not finish and compleat the said Way and Passage within Twelve Months from and after the making of this Act, and that in all places it be not less than eight Foot broad, and that the same be



be always kept in good and sufficient Repair, that the  
aforesaid Limitation of the Rates, which shall be paid  
by virtue of this Act, or any Letters Patents granted  
for the same, shall cease, determine, and be utterly  
void.

*and keep it in  
Repair,*

*else this grant  
shall be Void.*

And be it further Enacted and Ordained by the Au-  
thority aforesaid, That no other Person whatsoever  
presume to erect, maintain, or keep a Ferry or Raft  
over the same Rivers for the space or term of Four-  
teen Years from and after the making hereof, under  
the Penalty of Five Hundred pounds Currant Money  
of this Island, the one half to be for the Use of our  
Sovereign Lord the King, for and towards the Sup-  
port of the Government of this Island and the Con-  
tingent Charges thereof, the other half for the Use of  
the said *William Parker*, his Heirs or Assigns, to be  
Recovered by Action of Debt, Bill, Plaint, or Infor-  
mation in His Majesties Supream Court of Judicature  
within this His Majesties Island, wherein no Protection,  
Essoign, Injunction or Wager of Law shall be allowed.

*None else  
shall keep a  
Ferry for 14  
Years,*

*on Penalty of  
500 l.*

*one half to the  
King,*

*one half to  
William Par-  
ker, Esq;*

## An A C T

*Impowering the Church-Wardens of St. Ca-  
therines to receive Twelve pence per Tun,  
for all Goods made up in Cask that are  
Landed on, or Shipped from the Bridg at  
Passage Fort for maintaining and repair-  
ing the same.*

**W**Hereas it is evident that the making and repair-  
ing the Bridg at *Passage Fort* hath been very  
chargeable to the Parish of *St. Catherines* considering  
the said Bridge is for the publick Use of several Pa-  
rishes, in respect whereof some care ought to be taken  
for easing the said Parish of the great Charge they  
are at in maintaining the same, and that the several  
M Persons

*Preamble.*

Persons that make use of the said Bridge, should proportionably pay towards the doing of it.

*All Goods in  
Cask,*

*that pass over  
the Bridg,*

*shall pay 1s.  
per Tun.*

Be it therefore Enacted by the Governour, Council and Assembly, and it is hereby Enacted by the Authority of the same, That from and after the making hereof, all Goods whatsoever made up in Cask, and that are Landed either upon, or Shipped from the said Bridge shall pay Twelve pence *per Tun*, and so proportionably for a greater or lesser quantity.

*The Bridge  
shall be kept  
in Repair,*

*on Penalty of  
10l.*

*one half to the  
Informer,  
one half to the  
Poor.*

And it is Enacted by the Authority aforesaid, That the Church-Wardens of St. *Catherines* for the time being shall take care that the Bridg be kept in sufficient Repair, and in case of their Neglect therein, that then the aforesaid Church-Wardens shall forfeit respectively Ten pounds, one half thereof to the Informer, and the other half to the Poor of the said Parish to be recovered by Bill, Plaint, or Information in any Court of Record within this Island, wherein no Essoign, Protection or Wager of Law shall be allowed.

*The Church-  
wardens shall  
Appoint,*

*Collectors for  
this Toll,*

*and who re-  
fuse to pay,*

*their Goods  
may be stopd.*

And it is further Enacted and declared by the Authority aforesaid, That the Church-Wardens of the said Parish of St. *Catherines*, are hereby Empowered to Appoint such Person or Persons as they shall think fit for collecting the aforesaid Duty, and to employ the same to the use and behoof of the aforesaid Parish, and if any Person or Persons shall refuse to pay the aforesaid Duty, it shall be lawful for such Collector, as shall be appointed by the Church-Wardens aforesaid, to detain or keep in his possession the Goods of the Person or Persons so refusing, until he or they shall have satisfied the same, as it is before expressed, any Law, Custom or Usage to the contrary notwithstanding.

An

# An A C T

## For Confirmation of Pious, Charitable and Publick Gifts and Grants.

**T**O the Intent that Pious, Charitable and publick Gifts and Grants, so necessary in new Colony's to be encouraged and made Good, may not be defeated, but may take Effect according to the True Intent and Meaning of the Donor or Donors, Devisor or Devisors, notwithstanding any Incapacity in the Grantee or Devisee, or those to whose Use the same is granted or devised:

*Preamble,*

Be it therefore Enacted and Ordained by the Governors, Council and Assembly, and it is hereby Enacted and Ordained by the Authority of the same, that for and during the Term and Time of Twenty years next ensuing, all Gifts, Grants, Conveyances, and Devices of any Houses, Lands, Tenements, Rents, Goods or Chattels, to any Good, Pious, Charitable or Publick use or uses, as for the maintenance of Lawful Ministers, erecting or maintaining of Churches, Chappels, Schools, Universities, Colledges, or other places for Education of Youth, or maintenance of men of Learning, or any Alms-houses or Hospitals, or any other uses whatsoever, heretofore made and hereafter to be made within the time aforesaid, be and are hereby for ever confirmed and made good, according to the true intent and meaning of the Donor or Donors, Grantor or Grantors, Devisor or Devisors, the Statute of Mortmain, or any other Statute, Law, Custom, or Usage, to the contrary notwithstanding,

*All Pious  
Gifts,*

*given in 20  
years next to  
come,*

*shall be good  
for ever.*

Provided nevertheless, and it is hereby Enacted and Ordained that no Gifts, Grants or Devise to any Person or Persons whatsoever for any Superstitious use, or for maintenance of any Minister or Teacher whatsoever

*Unless given  
to superstitious  
uses,*

*or contrary to  
the allowance  
of the Church  
of England.*

soever other then such as are lawfully Ordained and Allowed of by the Church of *England*, be hereby confirmed and made good, any thing herein, or in any other Act seeming to the contrary in any wise notwithstanding.

## An A C T

*Declaring it High Treason to counterfeit His Majesties Broad Seal of this Island.*

*Preamble.*

**F**Orasmuch as by the Laws of this Island no due and condign Punishment hath been heretofore provided for such as shall falsify, forge or counterfeit his *Majesties* Broad Seal of this Island, by reason whereof diverse evil disposed persons may be emboldened to perpetrate and commit the said Offence, to the dishonour of His Majesty, and the disinheriting of many of His *Majesties* good Subjects; for prevention whereof,

*To falsify  
the Broad Seal  
shall be High  
Treason.*

Be it Enacted and Ordained by the Governor, Council and Assembly, and it is hereby Enacted and Ordained by the Authority of the same, that whosoever shall at any time hereafter Falsify, Forge or Counterfeit His *Majesties* Broad Seal of this Island, that every such Offence shall be Deemed and Judged High Treason, and the Offender or Offenders therein, their Councellers, Ayders, Abettors, or Concealers being legally convicted thereof by the Oaths of two lawful and credible Witnesses upon Trial or otherwise, then every such Person and Persons so Offending as aforesaid shall be deem'd, declared and adjudged to be Traytors and shall suffer and have such Pains, Penalties and Forfeitures, as in like Cases is Ordained by the Laws and Statutes of His *Majesties* Kingdom of *England*.

An

An A C T

For Clearing of Rio Cobre above and  
below Caymana's.

**W** Hereas the River called *Rio Cobre*, or the Town The River Cobre, River that passeth by *St. Jago De La Vega* is for several Miles together about the *Caymana's* stop having lost its right Channel, up, and hath wholly lost its old Channel by means of the extraordinary Floods, and by the abundance of Trees and great quantities of Rubbish that hath been fallen above the said River, and upon other small Rivers and Gullies that fall into the same, whereby several Plantations above and below the stop are upon by which several Plantations are injured, small Floods totally overflown, and the stop by the means aforesaid daily encreaseth, so that it is evident, that in a short time, if no remedy be applyed, all the settlements and Sugar-works thereabouts will be altogether lost, and what is good Manurable Land now will be turned into mere Bog and Morafs, unfit to raise Cattle in, or convert to any other use, which will not only be a very great loss to this Island in General, but an utter ruin to the settlers in particular, who have expended great Sums of Money in planting thereabouts; for prevention of so great and growing a mischief, Be it Enacted therefore and Ordained by the Governour, Council & Assembly, and it is hereby Enacted to prevent which, and Ordained by the Authority of the same, that the Governour or Commander in chief for the time being that a Commission do Issue out, do issue out a Commission, in the nature of a Commission of sewers under the Broad Seal of this Island, thereby constituting and appointing twelve good and sufficient Freeholders such as the Governour or Commander in chief as aforesaid, with the major part of the Council shall think fit to nominate and choose out Appointing 12 Men, of the Parishes of *St. Catherines* and *St. Andrews*, whereof five shall be a *Quorum* and one of which five shall of St. Catherines and St. Andrews, be

N

be a Justice of the *Quorum*, thereby giving and granting unto them or any five or more of them, full power and Authority to assess, lay and receive a reasonable Tax upon the Lands or Negroes, or upon both as to the said Commissioners, or to any five or more of them, shall seem just and convenient, of all Persons whatsoever, who have any Lands bounding any ways upon the said River, or upon whosoever shall receive Advantage by clearing the said River, towards the clearing the Old Channel, or by turning the present Course of it some other way, as upon a due survey of the premisses, shall seem most necessary, and which may be done with the least Charge or prejudice to any Person, and that the limits of the said Commission to Tax be and extend upon all the Lands bounding on both sides of the River, from the Plantation of *Hender Molesworth* Esq; commonly called *Cow-park*, unto the Mouth of the said River where it falleth into the Sea. And be it further Enacted by the Authority aforesaid, That every such Person as shall be named a Commissioner in the said Commission, after he hath knowledg thereof, shall take his Corporal Oath to lay a reasonable Tax upon all the Lands or *Negroes*, or upon both, as aforesaid, and that he will to the best of his Skill and Knowledg execute the said Commission, which Oath shall be taken before the Governour or Commander in Chief, or before whom by the Kings Writ of *Dedimus Potestatem*, he shall appoint, or before the Justices of the Peace in the Quarter Sessions of the Precincts, where any of the said Commissioners shall reside, and whosoever of the said Commissioners shall refuse to take the said Oath shall forfeit the Sum of Five pounds; And further, That whosoever shall wilfully fell any Trees or cast or suffer to be cast the same, as also any Cane, Trash or other Rubbish whatsoever, into the said River, or into any other River or Gully that shall come into the same, whereby the said stop shall be any wise increased, shall forfeit for every such Offence the like Sum of Five pounds, both which forfeitures shall be

*who shall lay a Tax,*  
*on those who bound on the River,*  
*towards the clearing the Channel,*  
*or altering its course,*  
*from Cow-park to the Rivers Mouth.*  
*The Commissioners shall take an Oath,*  
*justly to execute the Commission,*  
*or forfeit 5 l.*  
*They that fell Trees or cast Rubbish into the River,*  
*shall forfeit 5 l.*

one

one third part to Our Sovereign Lord the King, His <sup>one third to the King,</sup> Heirs and Successors, for and towards the Support of the Government of this Island, and the contingent Charges thereof, and the other two thirds to whom <sup>two thirds to those that sue towards the charge.</sup>soever shall sue for the same, towards the Expence of Preventing the Overflowing of the said River, or towards the cutting of a new Channel as aforesaid, and that each of the said Commissioners, that shall <sup>The Commissioners that sit shall have every day 5 s.</sup>meet and sit as aforesaid, shall for each day they so sit receive towards their Expence Five shillings *per Diem* out of the said Moneys to be levied as aforesaid.

And be it further Enacted by the Authority aforesaid, That the said Commissioners unto whom the Commission as aforesaid shall be directed, or any Five or more of them by vertue of the said Commission, and of this present Act, shall have full power and Authority to See, Survey and View the said Lands as do use to be o'reflown, or any part of them, and all the said Lands and *Negroes* or their severall Owners who possess any Lands or *Negroes* within the Bounds and Limits aforesaid, to Tax, Rate, Assess and Charge <sup>And shall View the Lands,</sup> with such Sum and Sums of money, as well for the present clearing of the Old Channel of the said River or for the making a new, if it shall be found necessary, as also for the keeping of it clear, after it shall be cleansed, or turned another way, and that the said Commissioners, or any Five or more of them, shall <sup>and Tax them,</sup>and may make and appoint diligent and able Surveyors, Collectors and Overseers, and such other Officers as they shall think fit to Survey and Oversee, and to Levy, Receive and Lay out the Money to be Levied and Expended in and about the premisses, and to do and execute whatsoever shall be needful and expedient to be done therein according to the directions and <sup>and shall Appoint Surveyors and other Officers,</sup>Orders, which shall from time to time be prescribed by the said Commissioners or any Five or more of them, and to allow them for their pains; what shall <sup>to execute their directions,</sup>be thought reasonable, and also that it shall and may be lawful for the said Commissioners, or any Five or more of them, by Warrant under their hands and Seal <sup>and shall pay them,</sup>

to

*They may also  
take Carts,  
Wains or Ne-  
groes,*

*if the Owners  
are not ma-  
king Sugar,*

*but not above  
5 Negroes a  
Week from one  
Plantation,*

*which they  
shall pay for.*

*The Commis-  
sioners shall  
give Warrants  
to distrain,*

*for the Money  
Assessed,*

*or in want of  
distrains,*

*shall sue for it,*

*Constables,  
&c. shall be  
assisting,  
and shall have  
1 s. in the  
pound.*

*If any Action  
be brought for  
any thing done  
by this Act,*

to Command the taking of any Cart, Wain or Negroes of any Person within the Bounds and Limits of the said Commission to help towards the clearing and removing the Premisses, or toward the making a new Channel, *Provided* always that the Owners of such Carts, Wains or Negroes are not then making Sugar, and that they take not above five Negroes for a Week out of a Plantation, and a Wain or Cart for the same time, and that the Owners of such Carts, Wains or Negroes, that shall be so employed, be allowed out of their respective Taxes what shall be thought reasonable for the hier of them, by the said Commissioners as aforesaid. *And* be it Enacted by the Authority aforesaid, that it shall and may be Lawful for the said Commissioners or any Five or more of them, by Warrants under their Hands and Seals, to give Authority to any Person or Persons to Levy the said Sums of Money by them from time to time to be Assessed upon the Persons, Lands or Negroes, or upon all or any of them as aforesaid by distress and sale of the Goods of such Person or Persons that shall not pay, or refuse to pay the same, and the Overplus of the value rising upon such sale shall return to the Owner of the same, and in default of such distress to be taken and sold, it shall and may be Lawful for such Collectors as shall be appointed by the said Commissioners, or any Five or more of them, to sue the Factor or Attorney of such Person or Persons as have Lands lying within the Limits aforesaid.

And that all Constables, Marshals and Tything-men be Aiding and assisting in the levying all such Taxes, as shall be assessed and levyed as aforesaid, and that they receive Twelve Pence in the Pound for Levying the same. And be it further Enacted by the Authority aforesaid, that if any Action or Suit shall be brought against any Person or Persons for taking any Distress or Sale of the same, or for turning the Course, of the River through any Persons Land, or for Cutting a new Channel through the same, or any other thing done by the Authority of this Act, the Defendant in  
any



any such Action, or Suit shall plead the General Issue the Defendant shall plead the general Issue,  
 and give this Act in Evidence, whereupon Issue shall and the Jury shall give treble  
 be Joyned, and the Jury shall find for the Defendant, Damages,  
 and Asses treble Damage for his wrongful vexation  
 in that behalf. *Provided* always and it is the true In-  
 tent and Meaning of this Act, that if any new Chan- through whose Land a Chan- nel shall be Cut,  
 nel for the Conveiance of the said River be cut through  
 any Persons Lands, all such Damages as he receiveth  
 thereby, shall be valued by the said Commissioners or he shall be paid for the Da- mage,  
 any five or more of them, and Satisfaction shall be  
 made to the Owners of such Lands out of the Money  
 so to be Assessed and Levied as aforesaid, and whatso- and Land Re- covered shall return to the Owners.  
 ever Land shall be Recovered by means of Draining,  
 what now is overflown shall belong to the first Pro-  
 prietors; and that this Act continue in Force for the  
 Term of Five Years and no longer, any thing in this This Act to con- tinue only 5 Years.  
 Act or any other seeming to the contrary notwith-  
 standing.

## An A C T

### For Regulating Building, and preventing Fire.

**B**E it Enacted by the Governour, Council, and At Port- Royal,  
 Assembly, and it is hereby Enacted by the Au- none shall Build within 30 foot of the Sea,  
 thority of the same, That no Person whatsoever pre-  
 sume to Build any House at *Port-Royal* within thirty  
 Foot of the High-Water Mark, and that when any  
 House or Houses are already Built, or hereafter shall  
 be Built, on the Harbor side nearer than thirty Foot  
 of the High-Water Mark, the Wherry Place only except the Wherry-place, if they do the Houses shall be puld down,  
 excepted, such House or Houses so Built or to be Built,  
 shall and are hereby, adjudged, deemed and taken to  
 be publick Nusances; and the Proprietor or Proprietors  
 of the same shall cause such House or Houses Built  
 thereon to be taken down and removed within in 6 Months  
 six Months after conviction thereof, or otherwise Build

O

or

*or a Wharf  
Built.*

*No House shall  
be Built fur-  
ther North  
than Major  
Bach's, &c.*

*If Fire break  
out in any  
Town,*

*the Chief Of-  
ficers shall or-  
der the Pul-  
ling down,*

*or blowing up  
Houses,*

*which shall be  
paid for if it  
stop the Fire,*

*by those whose  
Houses are not  
Burnt,*

*for which a  
Tax shall be  
made.*

*If the House  
where the Fire  
began shall be  
puld down,*

*the Owner shall  
have no Satis-  
faction.*

or cause to be Built within six Months a strong sub-  
stantial Wharf, so as the same may make a firm Pass-  
age or way of Thirty Foot from High-Water Mark.  
Provided that no House shall be Built further North-  
ward on the Harbour then Major *Samuel Bach* and  
Captain *Anthony Swimmer* on any Land Wharfed or to  
be Wharfed out between *Fort James* and *Fort Carlisle*,  
but that all Land so made out of the Harbour, or to be  
made, shall remain unbuilt on.

And be it further Enacted and Declared by the afore-  
said Authority, That when any Fire shall happen to  
break out either at *Port-Royal*, or at any other Town  
already Built, or which hereafter shall be Built within  
this Island, that two or three of the Chief Military or  
Civil Officers of the same Town or Parish shall or  
may and hereby are Empowered to give all such dire-  
ctions for the Pulling down or blowing up any such  
House or Houses, that shall be by them adjudged meet  
to be pulled down or Blown up for the stopping and  
preventing the further spreading of the same, and if it  
shall happen that the pulling down or blowing up any  
such House or Houses by the directions aforesaid, shall  
be the Occasion of stopping the said Fire, or the Fire  
stops before it comes to the same, then all and every  
Owner of such House or Houses shall receive Satis-  
faction, and be paid for the same by the rest of the In-  
habitants, whose Houses shall not be Burnt, who are  
hereby empowered to make such Rate or Rates for the  
raising and Levying such Sum and Sums of Money as  
shall be thought convenient by the Justices and Vestry  
men of the Parish.

Provided always, That if that House where the Fire  
shall first begin and break out shall be Adjudged fit to  
be Pull'd down to hinder the further spreading and in-  
crease of the same, that then the Owners of such  
House shall receive no manner of satisfaction for the  
same, any thing in this *Act* or any other *Act* to the  
Contrary Notwithstanding.

And whereas it may be doubted that the Sea may  
encroach upon the Southward part of the Town of

*Port-*

*Port-Royal* for the prevention whereof be it Enacted by the Authority aforesaid that all Proprietors or Owners of Land or Houses their Factors, Agents, Attorneys, and Guardians of Children, or any Persons employed by them or any of them that are Interested on the Southermost part of *Port-Royal* from *Fort Rupert* to the House and Land now Inhabited by one *Edward Watkins*, and known by the Sign of the *Blew Bell*, be hereby Enjoyned and Obliged by this Act within twelve Months after Publication hereof Substantially to Wharf out, and Secure and keep Secured their respective Proportions of Land joining on the Sea, with substantial Wharf of lasting Timber at least one Foot into the Sea, under the Penalty of Ten Pounds currant Money of this Island, for every Year any such Person or Persons shall Neglect the same, one third part thereof to our Sovereign Lord the King his Heirs and Successors, for and towards the Support of the Government of this Island and the contingent Charges thereof, one the third part to the Church-Wardens of the Parish of *Port-Royal* for the time being, for the use of the Poor, and the other third part to the Informer or he that shall Sue for the same, in any Court of Record within this Island, wherein no Effoin, Protection, or Wager of Law shall be allowed.

*Owners of Houses on the South side of Port-Royal,*

*must Wharf against the Sea in one Year,*

*on Penalty of 10l. for every Year,*

*one third to the King,*

*one third to the Parish,*

*one third to the Inform.*

And that the Owners or Proprietors of such Land or Houses as aforesaid many be the better Encouraged to Wharf out as is before appointed, the Street now called the Church Street, shall be no more deemed, accounted or taken for a Street, but shall be Added or Annexed to each Propriety and Freehold in Proportion to their Respective Interest bounding upon the same, for which Consideration they are hereby Obliged to leave a Passage at least eighteen Foot open to the Sea.

*To Encourage them to Wharf,*

*Church-Street is added to their Lands,*

*for which they are to leave 18 foot from the Sea.*

*Provided* that nothing in any Clause of this Act shall Permit and suffer any Person or Persons whatsoever, to Build any House nearer to the Church on the South-side, than what are already Built for the whole length of the Church aforesaid.

*Nons to Build on the South side of the Church.*

And

*None to fetch  
Stones from the  
Riffs below  
Low-Water  
Mark,*

*nor from any  
part of the  
Eastmost side of  
Port-Royal,  
on Penalty of  
10l.*

*None to cast  
Ballast into  
the Harbour,  
on Penalty of  
20l.*

*No Wrecks  
shall be laid up  
in Port-Royal  
Harbour,  
but if any  
sink they shall  
be removed in  
one Month,  
or the Owners  
pay 20l. every  
Month.*

*The Fines of  
this Act shall  
be,  
one third to the  
King,*

*one third to the  
Parishes,*

*one third to the  
Informers.*

And be it further Enacted by the Authority afore-  
said, That no Person or Persons do fetch or cause to  
be fetched in any Boat, Vessel, or Canoa, from the  
Riffs or Shoals, or dig up any Stones below High-  
Water Mark from the Eastermost and Southermost  
Parts of any of the Cays lying off *Port-Royal*, and  
that no Stones small or great be fetched or taken up for  
ballast or any other use from the Eastermost side of the  
Point on *Port-Royal*, so far as *Plum-Point* on Penalty of  
Ten Pounds for every such offence, and that no Com-  
mander and Master of any Ship or Vessel cast or hoist  
out any Ballast overboard into the water within the  
Harbour of *Port-Royal*, or any other Harbour or Bay  
upon the Penalty of Twenty Pounds for every such  
offence.

And be it further Enacted, that no Wrecks be laid  
up within the Harbour of *Port-Royal*, or if any such  
decay'd Vessels or Wrecks sink in the Harbour by neg-  
lect of the Owner or Owners, Possessor or Possessors of  
the same, and not removed within one Month after  
the sinking thereof, the said Owner or Owners, Pos-  
sessor or Possessors of the same shall forfeit Twenty  
Pounds for every Month such Vessel shall so lie.

*Provided* also that the severall Fines, Forfeitures and  
Penalties before mentioned in this Act, and not decla-  
red where they shall be recovered and how disposed of,  
be one third to our Sovereign Lord the King,  
his Heirs and Successors, for and towards the support  
of the Government of this Island and Contingent  
Charges thereof, one third to the Church-Wardens  
for the use of the Respective Parishes, and one third  
to the Informer to be recovered by Action of Debt in  
any Court of Record within this Island, where no  
Essoins Protection or Wager of Law shall be allowed,  
any Law, Custom or Usage to the contrary notwith-  
standing.

And forasmuch as great and diverse complaints  
are daily made by Masters and Commanders of Ships  
and Vessels Trading to this Island, that upon their  
Ships or other Vessels coming into any Harbour of the  
same,

same, the Seamen belonging to the said Ships or Vessels do run on Shore, insomuch that they have not left on Board a sufficient Number of men to watch the said Ships or Vessels; Be it therefore Enacted and Ordained by the Authority aforesaid, That all and every Person or Persons that shall receive or entertain any Seaman or Seamen belonging to any Trading Ships or Vessels Riding in any Harbour of this Island, after the Ships Bell Ringing to set Watch, at eight of the Clock at night, every such Person or Persons receiving or Entertaining of every such Seaman as aforesaid, shall forfeit for the Entertainment of every such Seaman, the Sum of Forty Shillings, one half to the Poor of the Parish, where the offence is or shall be committed, and the other half to the Master or Commander that shall Prosecute for the same, to be recovered by a Warrant from a Justice of the Peace, as in cases of Debt not exceeding Forty Shillings.

*All that entertain Seamen,*

*after 8 at night,*

*shall forfeit 40 s. one half to the Poor, one half to the Master of the Ship.*

## An A C T

*For the Maintenance of Ministers, and the Poor, and Erecting and Repairing of Churches.*

FOR raising a convenient maintenance for the Ministers and Poor, and Erecting and Repairing of Churches within this Island, *Be it Enacted* by the Governour, Council and Assembly, and it is hereby Enacted by the Authority of the same, That the respective Justices of every Parish within this Island, or any two of them, shall every Year issue out their Warrants to the Constables and Tything-men, to Summons the Freeholders of that Parish together, on the Second *Tuesday* in *January* for the Choosing of Ten Vestry-men, and two Church-Wardens such as shall conform to the Church of *England*, and if they shall neglect to Issue their Warrant, so as the Election

*The Justices shall cause the Free-holders*

*to Meet on the 2d Tuesday in January.*

*to Choose Vestry men and Church-Wardens.*

*else the Justices shall forfeit 5. l.*

*If the Freeholders neglect to Choose, the Justice in Ten days after shall lay a Tax.*

*for the Minister, &c.*

*or shall forfeit 5. l.*

*The Justices and Vestry-men that are Absent shall forfeit 5. l.*

*The Roll with a Warrant, shall be given the Constables.*

*who shall have 1. s. in the Pound.*

*and his Charges if he Distrain.*

*If the Justices neglect to Issue, the Warrant they shall forfeit. 5. l.*

be not made that day, they shall respectively forfeit five pounds Currant mony of this Island; and in Case the said Freeholders duly Summoned as aforesaid, shall not appear, or appearing do not Choose the said Ten Vestry-men and two Church-Wardens, that then in their Default the said Justices shall within ten days after the said second *Tuesday in January*, or any day after as to them shall seem convenient, lay a reasonable Tax on the said Parish for the maintenance of the Minister and Poor, and for Erecting convenient Churches and repairing such as are already made, and making convenient seats in them, and if the said Justices and Vestry-men shall neglect their duty herein they shall respectively forfeit five Pounds Currant money of this Island.

And be it further Enacted and Ordained by the Authority aforesaid, That such of the Justices and Vestry-men that shall not be present at the time appointed to make the said Taxes, and thereof be convicted by a Certificate under the hands of such as do appear, and have no sufficient excuse for the same, shall respectively forfeit five Pounds Currant Mony of this Island, and a Roll of the said Tax so made shall be delivered into the hands of the respective Constables of the said Parishes with a Warrant under the same signed by any two Justices of the Peace, empowering him or them to Levy the said Tax, and upon refusal to distrain and sell by Publick Outcry and pay the same into the hands of the Church-Wardens, retaining to himself Twelvepence per pound for Levying thereof; and if any Person shall refuse to Pay what he is so Assessed and the said Constables Distrain for the same, all his Charges shall be paid him with such further allowance for his pains, as the said Justices or any one of them shall Judge reasonable; and if the said Justice or Justices shall neglect to Issue the said Warrant, he or they shall respectively forfeit, five Pounds Currant Mony of this Island; and if the said Constables or any of them fail of their duty herein, they shall respectively forfeit five Pounds

Currant

Currant Mony of this Island: And the Church-Wardens so Chosen shall undertake the said Office, and receive and keep a good account of the Monies or goods Levied by Vertue of this Act, and the same Issue by Order from the said Justices and Vestry-men of the Parishes for the purposes and intents aforesaid; and the Church-Wardens shall as often as thereunto required, yield and give a just and true account unto the Justices and Vestry-men of all their Receipts and Disbursements; and in case the said Church-Wardens, or any of them shall neglect their Duty herein they shall respectively forfeit five Pounds Currant Mony of this Island for every refusal.

*The Church-Wardens shall keep the Account,*

*and give it to the Justices,*

*which if they neglect they shall forfeit 5. l.*

And be it further Enacted and Ordained by the Authority aforesaid, That the respective Justices of the Parishes of *St. Dorothy* and *St. Thomas* in the Vale, or any two of them shall every Year Issue out their Warrants to the Constables and Tything-men, to Summon in the Freeholders of the said Parishes, the Second *Tuesday* in *February*, for the Choosing of ten Vestry-men and two Church-Wardens as aforesaid; and that the said Justices and Vestry-men, or the Major part of them are hereby impowered to lay on the Parishioners a reasonable Tax over and above the Rate imposed on them by Vertue of this Act, by the Justices and Vestry-men of the Parish of *St. Catharines*; Provided it exceed not one Hundred Pounds Currant Mony of this Island, for and towards the Building and Erecting Churches, and making convenient Seats in them in their respective Parishes, and to no other uses whatsoever; and that whatsoever Rate or Rates hath been already assessed by the Justices and Vestry-men of the Parish of *St. Dorothy's* upon their Parishioners or any other Person or Persons having Land, Goods or Stock within the said Parish, is hereby Ratified Confirmed and Declared Lawful, any Clause in this Act seeming to the contrary notwithstanding, a Roll of any Taxes so made shall be delivered into the hands of the respective Constables of each Parish with a Warrant under the same signed by any two of the Justices,

*The Justices of St. Dorothy and St Thomas in the Vale shall Summon the Freeholders.*

*the Second Tuesday in February, to Choose Vestry-men &c.*

*who shall Lay another Tax.*

*not exceeding 100. l.*

*for the building Churches.*

*what Taxes, have been already made in St. Dorothy's are Ratified;*

*this Tax the Constables shall gather by Warrant,*

*and on refusal shall Distrain.*

Justices, Impowering him or them to Levy the said Tax, and upon refusal to Distrain and Sell by Publick Outcry as aforesaid, any thing in this Act seeming to the contrary notwithstanding.

*The Justices and Vestry shall enquire into former Arrears, and cause the same to be Levied; the Minister shall have no Fees in his own Parish for Christning, Marrying, or Burial, on Penalty of 5l. but what the Justices and Vestry shall allow, the Forfeiture shall be half to the Poor, half to them that sue.*

And be it further Enacted and Ordained by the Authority aforesaid, That the Justices and Vestry-men of each Parish have full Power to enquire into Arrears of former Subscriptions and Taxes, and to Levy the same Arrears by Warrant from the Justices to the Constables aforesaid, and that the Minister Demand no Fee in his own Parish for Christnings, Marriages, Churchings, or Burials under the Penalty of five Pounds for every offence, unless such as the Justices and Vestry-men shall allow, any Law, Custom, or Usage to the contrary notwithstanding, the one half of all which Forfeitures shall be to the Poor of the Parish and the other Moiety to him or them that shall sue for the same, in any Court of Record within this Island.

*Where no Distress can be made,*

*an Action of Debt shall lye,*

And forasmuch as many Persons who may by Vertue of this Act, & the Actr for mending and repairing the High-ways, be Taxed, and have nothing in the Parish where they are Taxed upon which any Distress may be made, It is therefore Enacted and Ordained by the Authority aforesaid, That in such Cases from and after the making hereof, an Action of Debt shall lie in any Court of Record, or before any Justice of the Peace as in other Debts for the several Church-Wardens and Surveyors of each Respective Parish and their Successors to recover against any of the said Persons Rated or Assessed by vertue of this Act, or any of them, or their Agents or Attorneys here, all such Sum and Sums of Mony as are or shall be rated or assessed upon them as aforesaid.

*And the Rate produced in Court, shall be Evidence,*

And that the same Rate or Assessment produced in such Court of Record or before such Justice of the Peace as aforesaid, shall be sufficient Evidence and proof for the recovery of all such Sum or Sums of Mony so Rated or Assessed as aforesaid: *Provided* nevertheless, and it is the true intent and meaning hereof



hereof, That no Justices of the Peace and Vestry-men shall have power to assess any such Person or Persons as aforesaid above the Sum of one shilling *Per Annum*, and for every hundred Acres of Land, and so proportionable for a greater or lesser quantity.

*But none shall be Rated above 1. s. Per Annum for 100. Acres of Land.*

And it is hereby further Enacted and Ordained by the Authority aforesaid, That any Person or Persons aggrieved or Rated in any such Assessment or Tax have hereby liberty granted to Appeal to the Justices sitting in the Quarter Sessions in their Respective Precincts in this Island; *Provided*, that such Appeal to them be made at the first or second Quarter Sessions after such Taxes made and not afterwards, and that there it Appearing to the said Justices that he, she or they were Over-rated, Taxed or Assessed, the said Justices are hereby Authorized and Impowered, if they find him, her or them, so Over-rated or Assessed, to ease him, her or them, as to their discretion shall seem meet, but that no Appeal shall lie further, or to any other Court or Place in this Island, for any Tax or Rate made or Assessed by the Justices and Vestry-men of each respective Parish in this Island, any Law, Custom, or Usage to the contrary in any wise notwithstanding: And be it further Enacted and Ordained by the Authority aforesaid, That the Church-Wardens of each respective Parish within this Island, do buy or cause to be bought one Fair, well-bound Book, wherein the Minister, and in case there be no Minister there resident, the Respective Church-Wardens upon notice thereof given by the Masters of the several Families, who are hereby required to give such notice under the Penalty of five Pounds shall Register or cause to be Registered by the Clark of the Vestry of that Parish, the Times of the Births, Christnings, Marriages, and Burials, of all such Person or Persons that shall from time to time be Born, Christned, Married, or Buried, within the said Parish, under the Penalty of five Pounds for every such Default; And that the said Clark or Person that shall Register the same, shall have and receive

*Any that are aggrieved may Appeal to the Justices in Sessions, so that it be done the first or second Sessions,*

*but to no other Court,*

*the Church-wardens shall buy a Book,*

*and by notice of the Masters of Families, who otherwise forfeit 5l. therein shall be Registered, the Births, Christnings, Marriages and Burials, on Penalty of 5l. if the Register fails,*

*for each of which he shall have 15d.*

as a Fee for each Entry Fifteen Pence and no more.

And it is hereby further Enacted by the Authority  
 aforesaid, That all such entries duly made and kept as  
 aforesaid shall at all times hereafter be Deemed, Judged  
 and taken as an Authentique Record of all such Births,  
 Christnings, Marriages, and Burials, and in all and  
 every the Courts of Records in this Island; But if any  
 Person hereby Authorized to make such Entry or any  
 other whatsoever shall make or cause to be made any  
 false Entry, or shall raze out or Imbezel any Entry  
 or Books of Entry, he or they so offending shall be  
 proceeded against and Punished in manner and form,  
 as the Laws of *England* provide against such as Steal,  
 Raze, or Imbezel, Records; The one Moiety of all  
 which Forfeitures or Penalties, or any other mentioned  
 in this Act, and not directed how to be disposed of,  
 shall be to the Poor of the Parish where the fault is  
 committed, the other Moiety or half part to the In-  
 former, to be recovered by Bill, Plaint or Information  
 in any of his Majesties Courts of Record in this Island,  
 wherein no Wager of Law, Effoin, Protection or In-  
 junction shall be allowed, any thing in this Act or in any  
 other Act to the contrary in any wise notwithstanding.

And be it further Enacted and Ordained by the  
 Authority aforesaid, That the Parish of *Port-Royal*  
 do allow and pay unto the Minister thereof two  
 Hundred and fifty Pounds *Per Annum* of Currant  
 Money of this Island, and that the Parish of *St Catha-  
 rines* do allow and pay unto the Ministers thereof One  
 Hundred and forty Pounds of the like Money *Per  
 Annum*, and not less; And that the Parish of *St. Tho-  
 mas, St. Andrews* and *St. Johns*, do allow and pay unto  
 their Respective Ministers One Hundred Pounds of  
 like money *Per Annum*, and that all the other Parishes  
 within this His Majesties Island, that either have or  
 shall have a Minister, do allow and pay Eighty Pounds  
 Currant Money and not less, as a constant Yearly  
 Salary for the support and Maintenance of every of  
 their Ministers to be Paid at their Respective dwelling  
 Houses every six Months, without any Charge or  
 defalcation

And this  
 shall be taken  
 for an Authen-  
 tique Record  
 in all the  
 Courts;

they that make  
 false Entrys, or  
 raze or Imbe-  
 zel such Books,  
 shall be Puni-  
 shed as the  
 Laws of Eng-  
 land Appoint;

the Fines to go,  
 one half to the  
 Poor, one half  
 to the Informer.

Port-Royal  
 shall pay to the  
 Minister 250l.  
 Per Ann.

St. Catharines  
 140l.

St. Thomas  
 &c. 100.

all other Pa-  
 rishes 80l. Per  
 Ann.

one half every  
 6 Months  
 without  
 Charge;

defalcation by equal Portions; and none to be Capable of being presented to the said Benefices, or receiving the profits of the same, unless they produce due Testimonials that they are qualified according to the Canons of the Church of *England*, by having taken Deacon and Priests Orders, and the said Testimonials to be Recorded in the Secretaries Office.

*but the Minister must be qualified,*

*else all not have the Profits.*

And be it further Enacted and Declared by the Authority afore said, That no Minister not duly qualified as afore said, Presume to Marry any Person or Persons whatsoever under the Penalty of one Hundred Pounds Currant Money of this Island, one third thereof to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island and the Contingent charges thereof, one third to the Poor of the Parish, where the offence shall be committed, and the other part to him or them that shall Sue for the same in any of the Courts of Records within this Island; and that no Minister presume to Marry any Persons whose Banes have not been Published three times in their Parish-Church or have a Licence from the Governour or Commander in Chief for the time being, Authorizing him thereunto, under the like Penalty, and to the same uses, to be recovered as afore said, or twelve Months Imprisonment: *Provided* always, and it is the true intent and meaning of this Act, That no Ecclesiastical Law or Jurisdiction, shall have Power to Inforce, Confirm, or Establish any penal Mulcts or Punishment in any case whatsoever, any thing in this Act or any other to the contrary notwithstanding.

*Nor Marry any Persons,*

*on Penalty of a 100l.*

*one third to the King,*

*one third to the Poor, one third to them that sue;*

*nor without Banes or Licence,*

*under the like Penalty,*

*or one Years Imprisonment.*

*No Ecclesiastical Law to Inforce Mulcts, &c.*

And whereas this Island in the twenty ninth Year of his Majesties Reign by an Act of this Country was divided into fifteen Parishes, which were called, distinguished and known by several names hereafter mentioned, that is to say, *St. Thomas, St. Davids, Port-Royal, St. Andrews, St. Katharines, St. Dorothy's, St. Thomas in the Valley, Clarendon, Vere, St. Johns, St. Georges, St. Maries, St. Anns, St. James, St. Elizabeths,* Be it therefore Enacted and Ordained by the Authority

*The Island being formerly divided*

*into these Parishes,*

*shall so continue.*

ity

rity aforesaid, That all and every of the said several Parishes rest, remain and for ever hereafter be distinguished and known by the aforesaid respective Names, and by no other whatsoever, any thing in this or any other Law to the contrary notwithstanding.

## An A C T

### *Ascertaining the Value of Foreign Coins, and Establishing Interest.*

**B**E it Enacted by the Governour Council and Assembly, and it is hereby Enacted by the Authority of the same, That each single Spanish Dubloon or French Pistol shall be Currant, and pass for twenty Shillings Currant Money, each single Piece of *Sevil, Mexico, or Piller*, and each French Crown at five shillings, Currant Money, a *Peru* Piece of Eight at Four shillings, and all Monies whatsoever of those Coins aforesaid, shall in all Payments whatsoever be proportionably rated, any Law, Custom, or Usage to the contrary notwithstanding.

*Spanish and  
French Pistols  
shall pass for  
20s.  
Pieces of 8 &  
French Crowns  
for 5s.  
except Peru, &  
that shall be  
4s.*

That whosoever shall for base lucre by any way or means Coin, Falsify, Impair, Diminish, Seal, Wash, Clip, File, or Lighten, any of the Money aforesaid, or any other Money Currant in this Island, shall be guilty of High Treason, any Law, Custom, or Usage to the contrary notwithstanding.

*and whosoever  
shall falsify it,  
shall be guilty  
of High Treason.*

*After the  
21st. July  
1681.*

*Interest shall  
be at 10. per  
Cent.*

And it is further Enacted and Declared by the Authority aforesaid, that from and after the twentieth day of *July* in the Year of our Lord one Thousand six hundred eighty and one no Person or Persons whatsoever upon any Contract made or to be made shall directly or indirectly take for the Loan of any Monies above the Value of Ten pounds Currant Money for the forbearance of One Hundred Pounds Currant Money of one Year, and so after the Rate for a greater or lesser Sum for a longer or shorter time,

time, which said Interest is hereby declared to be only recoverable upon Penal Bonds and Mortgages.

*on Bonds or Mortgages only,*

That all Bonds, Contracts, and Assurances whatsoever, made hereafter for the Payment of any Principal Money to be lent on Usury, whereupon or where-  
by there shall be received or taken above the Rates of Ten Pounds Currant money in the Hundred as

*and no more.*

*on loss of the whole,*

aforesaid, shall be utterly Void, and that all and every Person or Persons whatsoever, who shall hereafter upon any Contract to be made, take, accept, or receive, by any way or means, or Corrupt Bargain, Loan, or Exchange, Shift, or Interest, of any Moneys, or by

*or if more be taken by any severe way,*

deceit or any other Fraudulent Conveyance for forbearance or giving day of payment for one whole Year, or in proportion for a longer or shorter time for their Monies, the Sum of Ten Pounds Currant Money aforesaid, shall Forfeit and lose for every such

*they that take it,*

*shall lose treble the Principal,*

his or their Offence treble the Value of the Money lent or bargained for, by any way or means whatsoever; One Moiety of which Forfeitures shall be to Our Sovereign Lord the King, his Heirs and Successors for and towards the support of the Government of this Island, and the Contingent Charges thereof, the other Moiety to him or them that shall Sue for the same, in any Court of Record within this Island, wherein no Effoin, Protection, or Wager of Law shall be allowed.

*one half to the King,*

*one half to him that shall sue.*

And whereas certain evil disposed Goldsmiths, deceitfully do make and sell Plate and other Gold and Silver Wares to the great Defrauding of his Majesties Subjects of this Island, for remedy whereof, Be it Enacted by the Authority aforesaid, That no Goldsmith or Worker in Gold or Silver within this Island,

*No Gold or Silver-smith,*

from and after the first day of *August* in the Year of our Lord One Thousand Six Hundred Eighty and One, shall Work, Sell, Exchange, or cause to be Wrought, Sold, or Exchanged, any Plate or other Goldsmiths Wares of Gold, less in fineness than twenty two

*after the 1st. day of August 1681.*

*Carrats*, and that from the time aforesaid, no Goldsmith or Worker in Gold or Silver shall Make, Sell

*shall sell Gold Wares less fine then 20 Carrats,*

or Silver then  
of 11 ounces  
2d. weight,

nor without  
his own Mark,  
on Forfeiture  
of the whole ;

or under  
this Standard,  
on Forfeiture,  
for the first  
Offence of treble  
the Value ;

one half to  
the King,

one half to the  
Party aggrie-  
ved,

and the 2d.  
time shall stand  
in the Pillory.

or Exchange in any place within this Island, any Plate or Goldsmiths Wares of Silver less in fineness than that of Eleven Ounces two Penny weight, and that no Goldsmiths or Worker in Gold or Silver shall presume to put to Sale, Exchange or Sell, any Plate of Goldsmiths work of Gold or Silver, before he hath set his own Mark to so much thereof as may conveniently bear the same, upon pain of Forfeiting the Value of the thing so Sold or Exchanged.

And be it further Enacted and Ordained by the Authority aforesaid, That whatsoever Goldsmith or Worker in Gold or Silver as aforesaid, from and after the said first day of *August*, shall presume to Sell or Exchange any Gold or Silver Wares, of less fineness than aforesaid, for every such first offence, shall forfeit treble the Value of the said Wares so Sold or Exchanged, one half whereof shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island, and the Contingent Charges thereof, and the other half to the Party aggrieved to be recovered in manner and form aforesaid, and whosoever shall offend the Second time, and thereof be convicted, shall stand in the Pillory for the space of one Hour, and lose his Ears for the same.

## An A C T

*For the better Securing certain Titles, made by way of Release and Confirmation, under the Great Seal of this Island.*

**W**Hereas *Nicholas Keen* and *John Duray* Late of this Island, Died Aliens, or otherwise Incapable by Law to make any good Devise or other Conveyance of such Real Estate, as they, or either of them Died Seized of in this Island: And forasmuch as *Redman Macragh* Claiming under one *Dennis Macragh*

Redman  
Macragh,

Macragh Deceased, who Claimed under the last Will and Testament of the said *Nicholas Keen* hath as well through his own Industry and Expence as the great Charge and Hazard of the said *Dennis*, very Considerably Improved the said Estate of the said *Nicholas Keen*; And that *Samuel Bradway* Executor of the Last Will and Testament of the said *John Duray*, to whom also the said *John Duray* did by his Last Will and Testament in Writing Devise, Give and Bequeath all his Real Estate, hath out of the same, Satisfied and Paid the Debts of the said *John Duray*, and by his own Care and Cost very much Advanced and Improved the Real Estate of the said *John Duray*; And that the said *Redman Macragh* and *Samuel Bradway*, have on their Humble Petitions, severally obtained a Grant for the same, under the Great Seal of this Island, by way of Release and Confirmation, that is to say, a Grant unto the said *Redman Macragh*, his Heirs and Assigns for Ever, of all the Real Estate of the said *Nicholas Keen*, and the said *Samuel Bradway*, another Grant as aforesaid, unto him, his Heirs and Assigns for Ever, of all the Real Estate of the said *John Duray*:

*having Improved the Estate of Nicholas Keen an Alien,*

*and Samuel Bradway that of John Duray,*

*and having for those Estates obtained grant under the broad Seal;*

*those grants are hereby Confirmed*

*to them and their Heirs for ever.*

Be it therefore Enacted and Ordained by the Governour, Council, and Assembly, And it is hereby Enacted and Ordained by the Authority of the same, That the said Grants severally made under the Great Seal of this Island, by way of Release and Confirmation of the Estate of the said *Nicholas Keen* Deceased unto *Redman Macragh*, his Heirs and Assigns, and the Grant made as aforesaid, by way of Release and Confirmation of the Estate of *John Duray* unto the said *Samuel Bradway*, his Heirs and Assigns, be hereby Ratified and Confirmed, and the several Estates hereby also Released, and Confirmed unto the said several Grantees, their Heirs and Assigns for ever, any Statute, Law, Custom, or Usage, to the contrary in any wise Notwithstanding.

## An A C T

## For settling the Militia.

*Preamble.* **W** Hereas the Situation of this Island, amidst Subtle, Rich and Potent Nations, cannot but sufficiently Convince every reasonable Man of the Necessity the Inhabitants have, of being well Armed and Trained up in the Art *Military*, as well for the Honour and Service of His Most Excellent Majesty, As the Preservation of our own Lives and Fortunes;

Be it therefore Enacted and Ordained by the Governour, Council, and Assembly, And it is hereby Enacted and Ordained by the Authority of the same, That no Person whatsoever from 15 to 60 Years of Age, remain Unlisted by themselves, Masters, Mistrisses, or Employers, under the Captains, in the respective Places of their Abode, in Foot, or Horse, the space of six Weeks, on Penalty of Forty Shillings and so for every Six Weeks, such Persons shall remain Unlisted; And that every Foot Souldier be provided with a well Fixed *Musket* or *Fusee* or (if the Officer so appoint) with a good *Pike* and *Sword*, or *Launce* and *Pistol*, Each *Musqueteer* to have six Charges of Powder and one *Cartouch Box*, and so shall appear, when and where Appointed, upon Penalty of Ten Shillings for his Default in not Appearing, & Four Shillings for want of each Charge of Powder, *Gun*, *Pike*, *Sword*, *Pistol*, or *Cartouch-Box*, so as the whole Penalty for any Person at one time Exceed not Ten Shillings; and that every Souldier belonging to the Horse, shall when and where commanded, appear and be provided with a good Serviceable Horse of Ten Pounds Value at the least, Covered with a good Saddle, with Holsters, Breast-Plate and Crupper, and a Case of good Pistols, Hanger, Sword or Rapier, and half a Pound of Powder, on Penalty of Ten Shillings for each times ab-

sence,

No man  
from 15 to 60  
Years shall be  
unlisted,

the space of 6  
Weeks on Pe-  
nalty of 40s.

every Souldier  
must be provi-  
ded with good  
Arms and A-  
munition,  
and appear  
when Appoin-  
ted,  
on Penalty,

how the Horse  
shall be pro-  
vided,  
on Penalty,



fence, and Six Shillings for default of each the particulars abovementioned, so as the whole Penalty for one time exceed not fifteen Shillings, and that every Foot Souldier shall have at his Habitation and Abode two Pounds of good Powder, and Six pounds of size-able Bullet, and every Trooper have at his Usual place of abode, a well Fixed *Carbine* with Belt and *Swivel* and Four pounds of fine powder, with twelve pounds of Sizable Bullets, on Penalty of Ten Shillings for each Default, and that each of them shall bring the same into the Field, when Commanded, upon Penalty of answering the same at a Court Martial: Provided nevertheless, that nothing herein be Construed to Extend to force or compel any Person, that hath or shall be in Commission in this Island to List himself in any Company or Troop, or to serve in any Capacity beneath the former Commission, unless such Person hath been Degraded by a Court Martial.

*what Amunition the Foot shall keep by them,*

*what the Horse,*

*on Penalty of 10s.*

*Proviso for Commission Officers.*

And it is further Enacted by the Authority aforesaid, That no Person so Listed as aforesaid shall depart thence without a discharge from the Commander of the Company or Troop where Listed, on Penalty of forty Shillings, and that no Commander of any Company or Troop shall refuse when desired to give a discharge in Writing to any that is removing his Abode out of the Precincts under the Penalty of Five Pounds.

*None that is Listed shall depart without a discharge,*

*on Penalty of 40s.*

*which no Officer shall refuse to give,*

*on Penalty of 5l.*

And whereas at the Town of *Port-Royal*, Guards, and Watches are every Night set and appointed, Be it therefore Enacted and declared by the Authority aforesaid, That it shall and may be Lawful for any Person or Persons Listed in the Regiment of *Port-Royal* (except on extraordinary occasions) to put a well Armed Man in their room, who if approved of by the Captain of the Guard, shall excuse his or their Absence; *Provided* always, that the Commission Officers and Serjeants of the Respective Companies be obliged in their respective turns, to Mount the Guards in their proper Persons, and that no Person shall refuse to be a Serjeant, Corporal, or Drummer, in the Company

*In the Watches at Port-Royal,*

*any man may put another in his room,*

*except the Commission Officers and Serjeants;*

*none shall refuse an Inferior Office,*

*on Penalty of 5l.* or Troop, wherein he is Listed, under the Penalty of Five Pounds.

*All Captains of Foot and Horse,*  
*shall Provide Trumpets, Drums, &c.*  
*on Penalty of 10l.*  
*and all Colonels, &c. shall once every Year,*  
*cause inquiry to be made if all be duly listed,*  
*on Penalty of 100l.*  
*and cause their Regiment to meet once in 2 Months,*  
*except Port-Royal,*  
*who shall meet once in 11 Weeks.*

And be it further Enacted and Ordained by the Authority aforesaid, That all Captains of Companies of Foot or Troops of Horse, shall within Six Months from and after Publication of this Act, Provide for their Companies, and Troops, Drums and Colours, Trumpets, Trumpeters, and Banners at their own Charge, under Penalty of Ten pounds, and so for every Six Months such Commanders shall remain unprovided; and that all the Colonels of the respective Regiments, or next Chief Officer in their Absence shall once every Year at the least Issue out their Warrants to their Inferiour Officers, commanding them to make diligent Search and Inquiry in their several Precincts, that all be duly Listed, Armed, and Equipped, and to return to them such defects as shall be found, to the end the same may be reformed, on Penalty of 100 Pounds; and that once every two Months, or oftener, as occasion shall require, and Command be given by the Commander in Chief, the several Companies and Troops in each Regiment shall Meet at the next and most convenient Places, to be appointed by their respective Officers, to be then and there by them Mustered and Exercised, only the Regiment on *Port Royal* shall Meet and Exercise one Company in each Week Successively, and the whole Regiment once in Eleven Weeks.

*Whilst the Souldiers are in Arms,*  
*they shall observe the Laws of War,*  
*which shall be Established by the Commanders in Chief.*

And it is further Enacted and Ordained by the Authority aforesaid That during the time the said Officers and Souldiers are in Arms they shall observe and keep all and every of the Laws and Articles of War, and give all due Obedience to their Superior Officers, which Laws and Articles the Commander in Chief with Advice of a General Council of War, is to make and Establish, and the Commanders of the several Regiments to give out Copies of the said Articles unto their Respective Officers, that the same may be publickly read once every Six Months unto the Souldiers, whilst they are in Arms, that all Persons may the better know and observe their Duties. And if it shall happen

happen that any of the Officers or Souldiers, shall, when they are out of Arms, endeavour to take revenge by force, for any thing his or their Superiour Officers Lawfully did in pursuance of his or their duty, and this Act, the said Officers and Souldiers shall be brought to a Court Marshal and there punished, as if the offence had been done in time of Service or Exercise: *Provided* that the said Punishment do not Extend to Life or Limb.

*They that seek revenge*

*shall be punished by a Court Marshal.*

And be it further Enacted by the Authority aforesaid, That once every Year, or oftener if thereunto commanded, each particular Captain shall give to his Field Officer, and the Field Officer to the Commander in Chief, fair Written Rolls of their respective Companies and Regiments; and if any Field Officer, Captain or other Inferior Officer, or Souldier, shall neglect or contemn performing the Lawful Commands of their respective Superiour Officers, he or they shall be punished by Fine, Casheering or Punishment according to the Discretion of a Court Marshal, which the Commander in Chief is to Appoint and Establish, and the Orders of the said Court Marshal, are hereby declared to be Binding in all Military Affairs; And if any Person upon any Invasion, or other Publique Military Service, be Wounded or Disabled, he shall be Cured and Maintained out of the Publique Revenue, and if any Person whatsoever shall be Sued, Molested, or Impleaded, for any thing Lawfully commanded in the Execution and Pursuance of this present Act, he shall plead the General Issue, and give this Act in Evidence, and shall thereupon, if found for him, recover Costs of Suit and treble Damages.

*Once every Year,*

*the Officer shall give in Muster Rolls;*

*offenders against Superior Officers shall be punished by Court Marshal,*

*the Orders whereof shall be Binding;*

*they that are hurt in Publick Service, shall be Cured at the Publick Charge, and they that are troubled for any thing done by this Act, shall bring it in evidence.*

And be it further Enacted by the Authority aforesaid, That upon every Apprehension and appearance of any Publique danger or Invasion, the Commander in Chief do forthwith call a Council of War, and with their Advice and Consent Cause and Command the Articles of War to be Proclaimed at *Port-Royal* and *St. Jago de la Vega*, from which said Publication the Martial Law is to be in Force, that then it shall

*On eminent danger the Commander in Chief,*

*shall put the Marshal Law in Execution,*

and

and may be Lawful for the said Commander in Chief to Command the Persons of any of His Majesties Leige People, as also their Negroes, Horses, and Cattle, for all such Services as may be for the Publick Defence, and to pull down Houses Cut down Timber, command Ships and Boats, and Generally to Act and do with all full Power and Authority, all such things as he and the said Council of War shall think Necessary and Expedient for His Majesties Service and Defence of this Island: *Provided* always and it is the true Intent & meaning of this Act, that as soon as the Common Law revives and is in Force, the said Negroes, Servants, Cattle, Ships or Boats, so Employed as aforesaid, be immediatly discharged; and to the end it may be certainly known, when the Martial Law ceaseth, and the Common Law taketh place, It is hereby declared, that upon Lodging the Colours, and discharging the Souldiers from their Arms, the Martial Law ceaseth and the Common Law revives and taketh place. *Provided* also that the Marshal or his Deputy shall not presume to arrest, any such Souldier, within one Month after every such discharge, nor in the time of his going or coming, to or from the place of Exercise, or Rendevous, under the Penalty of Ten pounds, and of being further liable to an Action of false Imprisonment; and in case of any such Arrest, it shall be Lawful for the respective Captain, or other Commission Officer to release any of his or their Souldiers so Arrested.

And it is hereby further Enacted and Ordained by the Authority aforesaid, That if upon any Alarm or Invasion any Person or Persons whatsoever shall suffer either by the Landing of an Enemy, or drawing together His Majesties Forces of this Island, all such Damage or Damages whether in Servants Negroes, Horses, Cattel, or in the Labour of any of them, or in the expence of Provision, or by Fire, or by any other Loss whatsoever, that may Accrue by the means aforesaid, that then upon due application and Proof thereof made unto the Governour and Council, the said Damages shall be reasonably Valued, and forthwith paid out

*and shall Command all things for the Publick Defence,*

*by advice of a Council of War,*

*which shall be discharged when the Common Law revives,*

*and that shall be when the Colours are Lodged;*

*But none shall be arrested in one Month after such discharge,*

*on Penalty of 10l.*

*and the Officer may release his Souldier.*

*All damages sustained by an Invasion &c.*

*shall be paid out of the Revenue,*

out of the Publick Revenue; and that if there be no Money there, the Governour and Commander in Chief do forthwith call an Assembly, and recommend to them all Cases of the like Nature, so that Money may be Legally raised for the Publick Disbursements, and every one receive just and equal satisfaction for their losses.

*Provided* always, and it is hereby Enacted and declared by the Authority aforesaid, That the several Fines and Forfeitures Mentioned in this Act, and not Declared in what manner they shall be recovered, and how disposed of, that all such as do Relate to any Person under the degree of a Captain, shall be to the respective Captains to Defray the Charge of their Companies or Troops, and to be Levyed before the next Exercising day, by distress and Sale of the Offenders Goods by the Captains Warrant to the Sergeant or Corporal, and if no Distress be found, the Punishment to be by Riding the Wooden Horse, or being tyed Neck and Heels, not exceeding an Hour at the discretion of their Officer, but if the offender be a Servant the Owners Goods shall be lyable to the Distresses and Sales as aforesaid, so that Satisfaction may be made; and for all other Penalties mentioned in this Act, the same shall be levyed by Distress and Sale of the Offenders Goods and Chattels by the Provost Marshal by Warrant from the Commander in Chief one half thereof shall be to Our Sovereign Lord the King, His Heirs and Successors for and towards the Support of the Government of this Island, and the Contingent Charges thereof, and the other half to the Informer.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful for any Commission Officer belonging to the Regiment on *Port-Royal* under the degree of a Captain, in the absence of the said Captain from off the Point, to Grant Warrants of distress against any Persons whatsoever that shall Absent themselves from their Duty on the night Guards, without sending a sufficient Person to

T

serve

*but if there be no stock to satisfy,**an Assembly shall be called and Money raised.**All Fines made by this Act,**and not disposed of,**shall be to the Captains,**and levyed by the Captains Warrant,**if a Servant,**the Owners Goods shall be lyable,**all other Fines**one half to the King,**one half to the Informer.**Any Commission Officer on Port-Royal,**may grant Warrants of distress,*

*against any  
that neglect  
their duty.*

serve and Watch in their Stead, which said Warrants so Granted shall be as Effectual to all Intents and Purposes whatsoever, as if they or any of them had been granted by the Captains themselves.

*No Boats  
shall pass Fort  
Charles,  
without gi-  
ving notice to  
the Captain,  
on Penalty of  
20s.*

And be it likewise Enacted by the Authority aforesaid, That no Wherry, Ships Boat or Canoa, shall at any time pass the Fort at *Port-Royal* under the Penalty of Twenty Shillings to be recovered by Warrant from any Justice of the Peace, without giving Notice to the Captain of the said Fort, or whosoever shall Command in Chief therein in his Absence; which said Notice shall be sufficient Leave to pass the said Fort, without any further Charge or trouble whatsoever, unless the said Captain or other his Subordinate Officer have reasonable cause to suspect the Person so desiring leave, to have some evil design in going off with, or carrying off any Persons contrary to Law, in which Case it shall and may be Lawful for the said Captain or his aforesaid Officer to hinder their departure out of the Harbour until the said Captain or Officer be satisfied of the Lawfulness of their occasion, any Act, Custom, or Usage, to the contrary notwithstanding.

*But if the  
Captain suspect  
any Boat,*

*he may stop it.*

*None are to  
fire any small  
Arms after 8  
at Night,  
unless on an  
Alarm,*

*which 4 Mus-  
kets shall make;*

*they that Of-  
fend in either,*

*shall be Pu-  
nished by a  
Court Marshal.*

Be it also further Enacted by the Authority aforesaid, That no Person whatsoever presume to Fire any small Arms after eight of the Clock at Night, unless in case of an Alarm, Insurrection, or other lawful occasion, and in either of the said Cases Four Muskets or small Arms distinctly Fired shall be taken for an Alarm from Quarter to Quarter; and every Person that shall be duly convicted before a Regimental Court Marshal, of neglecting his Duty in taking and giving forward any Alarm by Firing Four Muskets or small Arms as aforesaid, or shall be Guilty of Firing any small Arms after Eight of the Clock at Night, unless as aforesaid, shall be Fined, or otherwise punished at the discretion of a Court Marshal, not extending to Life or Limb.

*The Trans-  
gressor shall be  
secured by the  
next Officer.*

And whosoever shall be found to be a Transgressor herein, by the next Commission Officer under Pen-  
nalty

nalty of Five Pounds be caused to be Apprehended, on Penalty of 5l. and sent under a Guard to the next Marshal, who is hereby obliged under Penalty of Twenty Pounds to receive and secure the said Offender until he shall be Tried or Discharged by a Court Marshal as aforesaid. and kept by the Marshal on Penalty of 20l.

And for the better Prevention of False Alarms, That no Captain, Master, or Commander of any Ship, or Vessel, Riding at Anchor in the Harbour of *Port-Royal* or any other Bay or Harbour, or any other Person, Fire any Gun after Sun set, under Penalty of Forty Shillings for every Gun so Fired, to be Levied by Warrant from the Chief Officer not under the Degree of a Captain, who is hereby Impowered to Administer an Oath and give Judgment thereupon by Distress or Sale of the Offenders Goods, and for want of Distress the said Chief Officer is hereby Impowered to Commit such Offender to Goal, there to remain until payment of the same; and that in Case the said Chief Officer shall not perform his Duty therein, he shall forfeit Ten Pounds, to be levied by Warrant from the Governour or Commander in Chief for the time being; *Provided* always that this Clause shall in no ways concern or extend to any Captain, or Officer of any of His Majesties Ships of War for their Firing of one Gun for the setting of the Watch. None shall Fire any great Guns after Sun set, on Penalty of 40s. for each, to be levied by the Chief Officer, in which if he fails, he shall Forfeit 10l. this not to extend to his Majesties Ships of War.

*Provided* always and it is hereby further Enacted and declared by the Authority aforesaid, That nothing in this Act contained be expounded, construed, or understood, to diminish, alter or abridge the power of the Governour or Commander in Chief for the time being, but that in all things, and upon all occasions, he may act as fully and freely as Captain General and Chief Governour, to all Intents and Purposes, as if this Act had never been made, any thing in this Act to the contrary notwithstanding. Nothing in this Act to abridge the power of the Captain General.

*Provided* also, And it is hereby Enacted and Declared by the Authority aforesaid, That nothing within this Act, or any clause therein contained shall be deemed,

Nor give  
him Power to  
send any off this  
Island,

or do any thing  
against the  
known Laws.

deemed, construed or understood, to give any Captain, General or Commander in Chief, any Power or Authority for the sending any Person or Persons off this Island against their will, or to do any other act or thing contrary or repugnant unto the known Laws of *England* or this Island.

## An A C T

### *For prevention of Law Suits.*

Titles to  
Lands,

on Valuable  
Consideration,  
made by the  
Marshal, &c.

are Confirmed,

if the Possessors  
continue seven  
Years in them  
without Interruption.

**B**E it Enacted and Ordained by the Governour, Council, and Assembly, And it is hereby Enacted and Ordained by the Authority of the same, That all Possessions of, or Titles to any Lands or Houses whatsoever, derived by or from any Sales, for Valuable considerations made either by the Provost Marshals, Creditors, or by the Executors, or Administrators, of any Persons Deceased, or by the Husbands in Right of their Wives, or by the Endorsements or Delivery up of Patents, or by any Decrees in Chancery, or by any Last Wills and Testaments, or by any Patent Granted upon Judgment given in Writs of Escheat or *Cessavit*, and the said Person, or any claiming under them now being in Possession of the same, be by this present Act Ratified, Confirmed, and Declared good and Legal to all Intents and Purposes whatsoever; *Provided* always that such Possessors or Purchasors, their Heirs, or Assigns, have or shall continue in quiet or peaceable Possession of the same, for the space of Seven Years without any Claim or Interruption, and the said Sales, Patents, Decrees, and Possessions, as aforesaid, to be a perpetual Bar against all manner of Persons Claiming, or to Claim, any Right or Title by Descent, Purchase, Marriage, or Limitation, for or by reason of any former Grant, Gift, Patent or Conveyance, any Law, Custom, or Usage, in any wise to the contrary notwithstanding.

And



And it is hereby Enacted and Declared by the Authority afore-  
said, That in all Writs of Escheat here-  
after to be Granted, the Provost Marshal be com-  
manded to Inquire by a Jury of Twelve Free and Law-  
ful Men upon their Oaths, (they then being upon  
the Premises) the true Value of all and singular, the  
Real Estate, which any Person so Dying without  
Heirs, was at the time of his Death Seized of, and  
that after Office found and returned into the Supreme  
Court and Judgment hereupon given and Recorded,  
It be Lawful for the Governour for the time being,  
or in his absence, the Commander in Chief, to pass  
any Grant of the said Escheated Estate, under the  
Broad Seal of this Island. *Provided* that a Clause be  
therein Inserted, that the said Grant shall determine  
and be Void, in case any Right Heir appears and  
Claims the same, and Legally approves himself to be  
Heir within Three Years after the Date of the said  
Patent, and that the Value of the said Escheated Estate,  
as it was Apprifed at, shall be secured to be paid in  
to the Treasury of this Island, after the Expiration  
of Three Years from the Date of the Patent, (If no  
Heir in the mean time shall Obtain the same,) by such  
Person or Persons to whom the Governour or Com-  
mander in Chief, as afore-  
said, shall by Patent under  
the Broad Seal of this Island grant the same, and  
that the Treasurer or Receiver, be hereby required  
to pay or cause to be paid, the Sum or Sums of Money  
the said Escheated Estate was Valued at out of the  
Treasury, unto or for the Use of such Heir, who shall  
Claim the same, and Approve Himself to be Heir, be-  
fore any other Payment whatsoever, which Proof of  
the Heirs Title shall be made by any publick Attesta-  
tion, or otherwise, as shall be believed, to be Evidence  
by the Judges and Jury, to be recovered at any time  
without Limitation.

*In Writs of  
Escheat,*

*the Marshal  
shall enquire  
by a Jury  
the true Value  
of the Estate,*

*on which a  
Grant shall  
pass*

*Provided it  
shall be Void,*

*if the right  
Heir appear in  
three Years,  
and a Clause  
inserted that  
the value be se-  
cured to be  
paid in 3 Years  
in to the  
Treasury,*

*and thence to  
the right Heir,*

*before any o-  
ther Payment*

*All Bills of  
Sale made and  
acknowledged,*

And be it further Enacted by the Authority afore-  
said, That all Bills of Sale and Conveyances whatso-  
ever, heretofore made, or that hereafter shall be made,  
by Husband and Wife, and acknowledged before the

*before any of  
the Judges and  
Recorded, shall  
be good in Law.*

Judge of any Court of Record within this Island, and duly Recorded, shall be good and Valid in Law against all Persons whatsoever, that can or may pretend to Claim any Estate in the Lands or Tenements so conveyed, to all Intents and purposes whatsoever, as if the same had passed by Fine and Recovery in any of his Majesties Courts of *Westminster*.

*Where Im-  
provement is  
made on Es-  
cheated Lands,  
the Heir shall  
pay the Char-  
ges,*

*and Interest.*

*Provided* always that where any true and Valuable, Improvement is made on such Escheated Land by the Patentee or Patentees during the said Three Years, that such Heir before his Entering upon the same shall satisfy and pay unto such Patentee or Patentees, all such Charges, as the Chancellor for the time being shall judge to be reasonably Expended, together with the Interest of the same, according to the Custom of this Country, any thing herein contain'd to the Contrary notwithstanding.

## An A C T

*For Establishing Courts, and directing  
the Marshals Proceedings.*

*The Judges  
of the Supream  
Court.*

*have Power of  
all Pleas,*

*and shall keep  
Court at St.  
Jago,*

**F**OR the better and more Orderly Regulation and Establishment of the several Courts of Justice within this Island, as well in respect of the time as place for holding the same, and also directing the Marshals Proceedings, Be it Enacted by the Governour, Council, and Assembly, and it is hereby Enacted and Ordained by the Authority of the same, That the Judges of the Supream Court of Judicature for the time being, are hereby fully Impowered and Authorized to have Cognizance of all Pleas, Civil, Criminal, and Mixt, as fully and amply, to all intents and purposes whatsoever, as the Courts of Kings Bench, Common Pleas and Exchequer within His Majesties Kingdom of *England*, have or ought to have; and the said Court shall be duly and constantly kept

kept at the Town of *St. Jago de la Vega* and not else  
where, once every three Months, and not oftner,  
and that there be Five Judges at the least appointed  
to hold the same Court, three whereof to be a *Quorum*,  
and that the several Inferior Courts of Common  
Pleas established, or that shall be Established in the  
several Precincts of this Island, shall have Jurisdiction  
over all Causes wherein any Free-hold is not con-  
cerned, to the Value of Twenty Pounds with Costs  
and no more, and that the same be held and kept at  
the same time and in the same place of the respective  
Precincts, where the Justices of the Peace shall hold and  
keep the Quarter Sessions once every three Months, and  
that none of the said Courts be kept oftner, nor in any  
other place or manner than is hereby declared.

*once every 3  
Months;*

*the Inferior  
Courts*

*shall hold Pleas  
of 20l. and no  
more,*

*and held once  
every 3  
Months.*

*Provided* always and it is hereby Enacted by the  
Authority aforesaid, that in respect *Port-Royal* is the  
Chief Seat of Trade within this Island, and it is  
found by Experience that a quicker and more speedy  
dispatch of all Maritim and Merchandizing affairs  
give the greatest satisfaction to all Parties concerned,  
it shall and may be Lawful for the Judg or Judges  
of the Court there Established, to hold and keep the  
same once every two Months and not oftner, and that  
it shall and may be Lawful for the Chancellour here  
for the time being upon application made to Grant  
Justices to any of the Inferiour Courts, within this  
Island, any thing herein contained to the contrary not-  
withstanding.

*The Judges  
of the Court  
at Port-Royal*

*may hold  
Court every 2  
Months,  
the Chancellour  
may Grant  
Justices unto  
the Inferior  
Courts.*

And be it further Enacted by the Authority afore-  
said, That it shall not be Lawful for any Person or  
Persons whatsoever Appointed, Elected or Chosen, to  
be a Judge or Judges of the aforesaid Courts, to E-  
xecute or Officiate his or their said Place or Office,  
until such time as he or they shall respectively take  
the Oaths of Allegiance and Supremacy in open Court;  
and that none of the said Judges directly nor indirectly  
shall ask, demand, or receive any other profit, bene-  
fit or advantage, from any of the Clerks of the said  
Courts, or other Person whatsoever, under colour

*None shall be  
Judge in any  
of the Courts,*

*till they have  
taken the  
Oaths,*

*nor shall re-  
ceive any Pro-  
fit from the  
Clerks, &c.*

*but what is  
allowed by the  
Laws,*

or

*on Penalty of  
500l.*

or pretence of such their Place, Office or Authority, but what is allowed them by the Acts of this Island, under the Penalty of Five Hundred pounds of Currant Money of this Island.

*The Judges  
shall make  
rules and Or-  
ders in their  
Courts ;*

And be it further Enacted by the Authority aforesaid, That all and every of the Judges of the several Courts before mentioned, be and are hereby sufficiently Empowered to make, order and establish all such Rules, and Orders for the more orderly practising and proceeding in their said Courts, as fully and amply to all Intents and purposes whatsoever, as all or any of the Judges of the several Courts of the Kings

*and no Coun-  
cillour to Prac-  
tise there till  
admitted,*

Bench, Common Pleas, and Exchequer in *England* Legally do; and that no Councillour or Attorney be suffered to practise in any of the said Courts, until

*and has taken  
the Oaths.*

they be first admitted by the same, and have taken as well the Oath of an Attorney, as the Oaths of Allegiance and Supremacy under the Penalty of Twenty pounds of Currant Money of this Island; and what-

*on Penalty of  
20l.*

soever Councillour or Attorney shall by negligence or ignorance mistake his Clients Cause, and Imperfectly lay his Action or ill Draw the Declaration, whereby the Client shall suffer a Nonsuit, he or they so offend-

*and if by Igno-  
rance of the  
Attorney, &c.*

*the Client lose  
his Cause,*

ing shall be lyable by Rule of Court, without any other Process or course of Law whatsoever, to pay unto the party aggrieved full Costs of Suit. And to the end that no Person shall be Damnified by mistake of his Lawyer, for matter of Form only, Be it En-

*the Attorney  
shall pay the  
Costs;*

acted and Declared by the Authority aforesaid, That the Judges shall at all times on Motion made in Court, order Amendments, and shall not upon Arrest of Judgment or Writ of Errour for matter of Form only, reverse any Judgment whatsoever: And be it En-

*The Judges may  
order Amend-  
ments,  
and shall not  
for Form only  
reverse a  
Judgment.*

acted and Declared by the Authority aforesaid, That no Action of Wast shall be permitted to be brought or allowed to lie within any Court of this Island, and that no Freeholder whatsoever, being of known Residence, shall be Arrested by any Process out of any of the said Courts upon the Penalty of Twenty pounds Currant Money to be paid by the Plaintiff to the

*No Action of  
Wast shall lye  
in any Court,  
nor Freeholder  
Arrested,  
on Penalty of  
20l.*

Party

Party so Arrested, and what Action or other proceeding whatsoever shall be entred, sued, had, made, or prosecuted thereupon, contrary to the true intent and meaning thereof, shall and is hereby declared to be void and of no Effect to all intents and purposes whatsoever: And that no Suit be had or Proceſs taken out of the Supream Court of Judicature for any matter or Cause of Action under the Value of Twenty pounds Currant Money of this Island, upon the Penalty of Twenty Pounds of the like Money, to be paid by the Plaintiff in the ſaid Action, but that the ſame be tryed in the Court of the Precincts, where ſuch Cause of Action doth ariſe: *Provided* that both Parties reſide there, and that the Inhabitants and Reſidents in *St. Catharines, St Dorothy's St. Thomas in the Vale, and St. Johns,* Sue as formerly in the Supreme Court for any Sum whatsoever, until they ſhall have Petty Courts Erected in their own Pariſhes, any thing in this Act to the contrary notwithstanding.

*No Proceſs out of the Grand Court for Action under 20l.*

*on Penalty of 20l.*

*except theſe Pariſhioners,*

*until they have Inferior Courts.*

And it is further Enacted by the Authority aforeſaid, That in all and every the Inferiour Courts within this Island, upon Summons duly ſerved, and the Defendant not appearing, Judgment ſhall go by default in the ſame manner and form, as in the Supreme Court; *Provided* always that it is the true Intent and Meaning of this Act, that as well in the Supreme Court as any other the Inferiour Courts within this Island, the Provost Marshal or his Lawful Deputy ſhall appear in open Court and there depoſe upon Oath, that the Party or Parties againſt whom Judgment ſhall go by default, hath been legally Summoned Fourteen Days before the ſaid Court, any thing in this Act or any other to the contrary notwithstanding.

*In the Inferiour Courts,*

*Judgment ſhall go by default;*

*Provided proof be made,*

*that the Parties were legally Summoned.*

And it is likewise Enacted and Ordained by the Authority aforeſaid, that upon any Declaration exhibited in debt upon ſpecialty or Bill under hand, or in caſe of a book Debt upon a *Conceſſit Solvere* and diſcloſing the ſpecial matter to the Chief Judge of the Supream Court of Judicature, that the ſaid debtor

*Any Debtor that is gone off, on diſcloſing the matter to the Judge,*

*he shall grant  
an Attach-  
ment,*  
*against his  
goods and  
Chattels,*  
*in whose hands  
soever,*  
*and on convicti-  
on, and the  
Plaintiff swear-  
ing the Debt  
is due,*  
*and no part  
paid,  
and giving se-  
curity to restore  
if disproved,*  
*he shall have  
Judgment.*

against whom the Plaintiff is entred, is either gone off this Island, or that upon process already taken out against him, a *Non est Inventus* hath been returned, an Attachment shall then Issue, thereby commanding the Provost Marshal, or his lawful Deputy to attach such Moneys, Goods, Chattels, or Debts in the hands of the Possessors of the same, be they Attorney, Wife, Servant or any other Person, and also require them to appear at the next Court, to shew Cause, why the said Money, Goods, Chattels or Debts, or so much thereof as will satisfy the said Debts then demanded, should not be delivered to the Plaintiff; at which Day, if the said Possessor or Debtor, be they Attorney, Wife, Servant, or other Person, as aforesaid, be convicted by Confession, Verdict, or otherwise, that the said Moneys, Goods, Chattels or Debts do properly belong to the person so gone off this Island, or otherwise absented himself as aforesaid, and if the Plaintiff before or after due proof made, do solemnly swear in open Court, that his Debt is true, and that directly or indirectly no part or parcel of what he demanded is satisfied, and also give in Security in double the Sum he demands, to restore the same with treble Damages, or so much thereof as shall at any time afterwards be disproved, that then and in all such Cases the Plaintiff shall have Judgment to recover the said Debt out of the said Money, Goods, Chattels or Debts so attached as aforesaid.

*But if any  
appear for the  
Debtor,*  
*the Attach-  
ment shall be  
dissolved.*  
*But if any in  
whose hands  
Goods or Money  
is Attachd,*

*Provided* always, That if any will appear as Attorney to the said Debtor, and put in Bail to answer the Action and pay the Condemnation, that then and in all such Cases the Attachment on the said Money, Goods, Chattels or Debts shall be dissolved, and Proceedings had according to the Custom of the Common Law; but if the Possessor or owner of such Money, Goods, Chattels or Debts, be they Attorney, Wife, Servant, or other person, as aforesaid, shall after Attachment so laid on them in the respective hands, dispose of the said Money, Goods, Chattels, or Debts, towards the payment of any other Debts, before the

said

said Debt, for which the Attachment was laid, be satisfied, or the said Attachment be dissolved, that then and in all such Cases the said Party, for such their Default, shall be liable to make satisfaction to the Plaintiff out of their own proper Estates.

*shall part with it before the Attachment be satisfied or dissolved, they shall make satisfaction.*

And be it further Enacted and Ordained by the Authority aforesaid, That in all Debts not exceeding Forty Shillings, upon Complaint made to any Justice of the Peace, that the Debtor against whom he complaineth is gone off this Island, or otherwise absented himself, that then it shall and may be lawful for the said Justice of the Peace to issue out a Warrant of Attachment to be levied by the Constable, in manner and form as is before prescribed, to the Provost-Marshal for the Execution of the Writ, and to be immediately determined by the said Justice, any Clause in this Act or any other to the contrary notwithstanding.

*All Debts of this kind not above 40s.*

*shall in the same manner be recovered by the Justice of the Peace.*

And be it further Enacted and Ordained by the Authority aforesaid, That all Summons and other Process hereafter mentioned shall be served and executed in manner and form, as is herein directed, and in no other manner or way whatsoever, (that is to say) That all Summons as well from the Supreme Court as all other the Inferiour Courts within this Island, *Port-Royal* only excepted, shall be delivered to the Party, or left at their respective Dwellings fourteen days before the several Courts by a sworn Marshal, and that at *Port-Royal* all Summons shall be delivered ten days before the Courts, otherwise it shall be deemed and taken as no Service, and the Defendant not bound by it to appear; and that all Replevins, Foreign Attachments at the Supreme Court and Warrants of Arrest be served at any time as heretofore; and that no Execution shall be taken out, served or executed until Twenty Eight Days be fully expired after Judgment, except at *Port-Royal*, where Execution shall issue Ten Days after Judgment obtained; and that no Negroes, Horses, or any manner of Utensils belonging to a Plantation, Brick or Pot-work, nor any other

*All Process shall be served as here directed.*

*viz. 14 days before the Courts for Summons,*

*except at Port-Royal which shall be 10 days,*

*and Executions 28 days after Judgment.*

*except Port-Royal which shall be 10 days; no Utensils shall be taken where Goods are offered.*

Negroes

Negroes whatsoever, from and after the making hereof shall be taken in Execution, where the Party against whom the Execution is obtained, shall offer Goods for satisfaction of the Debt and Costs of Suit.

*The Defendant shall have liberty*

*to carry his Goods to a Market,*

*and there sell them,*

*acquainting the Marshal therewith.*

*But if the Defendant delay it,*

*then the Marshal may sell the Goods.*

*But where Utensils are taken in Execution,*

*they shall remain in the Defendants hands,*

*on which a Venditioni Exponas shall Issue.*

And it is further Enacted, That the said Defendant who hath his Goods taken upon Execution shall have free liberty to convey and carry off the Goods so taken at his own proper Costs and Charges to the next and most convenient place and Market for disposal of the said Goods, and there shall have free power and liberty to make Contracts, bargain for and sell the Goods so taken in Execution, the Defendant first acquainting the Marshal who levied the execution upon the Goods, with such Bargain or Contract, to the end the Marshal may deliver the same, and receive the Produce thereof according to his Precept.

And it is further Enacted by the Authority aforesaid, That if the Defendant, after his Goods shall be so taken in Execution as aforesaid, shall delay or neglect selling or disposing of the Goods until ten days before the next ensuing Court, that then and in all such Cases, it shall and may be lawful for the Marshal to take the said Goods and Chattels of the Defendant, and the same to sell by publick Outcry.

And it is further Enacted by the Authority aforesaid, That where no such Goods as aforesaid shall be shewn and offered to the Provost-Marshal, so that the Negroes, Working-Cattel, or necessary Utensils must be taken in Execution, that then and in all such Cases the said Negroes, Horses or Utensils shall not be removed, but remain still in the Defendants possession, and that upon the Marshals return at the same Court as aforesaid, that he hath levied such Effects and left them in the Defendants hands, there issue out a *Venditioni Exponas*, without any charge of Mile-money, in these words following.



The King to the Provost-  
Marshal, Greeting,

**W**Hereas We lately commanded thee by Our Writ, In this Pre-  
cept to the  
Provost-Mar-  
shal.  
That of the Goods and Chattels real and per-  
sonal of A. B. Thou shouldest levy or cause to be levi-  
ed.

as also

Costs of Suit which C. D. hath recovered a-  
gainst him, By Vertue of which Writ thou didst return  
unto Us, that thou hadst taken in Execution of the Goods  
of the said A. B. to the Value of the said Debt and Costs  
of Suit, which said Goods remain in the Custody of the  
said A. B. by thee in form as aforesaid taken, thou ex-  
pose to sale, and the Money thereof coming thou imme-  
diately render to the said C. D. for his Debt or Dam-  
mages and Cost as aforesaid, but if the Goods aforesaid  
shall be imbezell'd or made away, or that the said A. B.  
doth not deliver the same, that then thou levy the said  
Debts or Dammages and Costs upon any other the Goods  
and Chattels of the said A. B. and immediately expose  
them to sale, and if thou canst not find sufficient Goods or  
Chattels, by which the whole Debt or Dammage and Costs  
may be satisfied, that then you take the Body of the said  
A. B. and him safely keep, so that thou have his Body  
before Us, at Our next Court, to satisfie the said C. D. of the  
said Debt or Dammages and Cost, or so much thereof as by  
thee cannot be levied, and have thou then and there this  
Writ. Witness, &c.

But if the De-  
fendant make  
away the  
Goods,  
the Marshal  
shall levy any  
other,  
or in want of  
Goods take the  
body of the  
Defendant.

By vertue whereof the said Goods shall be sold by  
publick Outcry at the next Court of the Precincts,  
where the Goods are taken, and if they are so arrested  
or taken in the Parish of St. Catharines, St. Dorothy's  
St. Thomas in the Vale, or St. John's, until they  
shall have petty Courts of their own erected, Publi-  
cation shall be then made at the same Court, that the  
Return is made, that the said Goods shall be sold

The Goods  
so taken shall  
be sold by Out-  
cry.

*and the Money  
paid to the  
Plaintiff,*

*on Penalty of  
half the Debt,*

*Where the  
Defendant has  
not such Goods,*

*the Marshal  
shall not lay  
the Execution  
on Utensils,*

*if the Defen-  
dant shew him  
any Cattel in  
a Pen.*

twenty Days after by publick Outcry in the Parade place of *St. Jago de la Vega*; and the Money arising from the said Sale shall not remain in the Marshals hands, but be paid to the Plaintiff, or his Order within ten days, under the Penalty of half the Debt to be recovered by the Plaintiff to his own Use, in any Court of Record within this Island, where no Essoin, Protection, or Wager of Law shall be allowed.

And it is further Enacted by the Authority aforesaid, That where the Person against whom such Execution is issued, hath not the Goods aforementioned in this Act by him to shew and offer to the Marshal within the time prescribed, that nevertheless the Marshal shall not lay the Execution upon any Negroes, Working-Cattel, or Utensil upon or belonging to any Plantation, Brick or Pot-work, or any other Negroes whatsoever; if the Defendant shew or deliver to him any other Stock or Cattel being in a Pen, the said Cattel or Stock to be sold by publick Outcry, upon *Venditioni Exponas*, to be issued as aforesaid.

*All Acci-  
dents that hap-  
pen to Goods  
whilst in the  
Defendants  
hands, shall be  
born by the De-  
fendant,*

*and tho the  
Defendants  
Body be taken,*

*yet if Goods can  
be found they  
may be levied  
for Payment.*

And it is further Enacted and Ordained by the Authority aforesaid, That all Accidents that happen, whilst the Goods that are taken in Execution, remain in the Defendants possession, be born and made good by the Defendant, and that no property shall be by the Defendant transferred or made in or to any such Goods that shall be so taken in Execution by vertue of this Act. *Provided* always and it is hereby further Enacted and Declared, That where the Body of the Defendant shall be taken in Execution, that nevertheless if any Effects afterwards appear, the Plaintiff may take out another Execution, and levy the same on the said Effects, for satisfaction of the said Debt, any Law, Custom or Usage to the contrary notwithstanding.

*Where Pri-  
soners have no-  
thing to main-  
tain them,*

And it is further Enacted by the Authority aforesaid, That where any Prisoner or Prisoners under Execution, shall have nothing to maintain him, her or themselves, that then he, she or they disclosing the same

same upon Oath unto two Justices of the Peace of the Parish where he, she or they, shall be Prisoners, and making it appear to the Judges of the Supreme Court, on Oath made, that he, she or they, have given notice to all their Creditors ten days before the said Court, that they or either of them intend to take the benefit of this Act, bringing likewise to the said Court a Certificate of such their Oath under the Hands and Seals of the said they shall be let to Hire, Justices, that then the Prisoner or Prisoners so taken in Execution shall be publickly let to hire at the said Court, the Marshal receiving for his Fees a proportionable share with the other Creditors, and the Money so arising from the said Hire shall be paid to such persons, as the Court shall appoint, to be equally divided among the Creditors as aforesaid, but in case and what they gain equally divided amongst the Creditors; but if the Creditors refuse to let the Debtor be hired, they shall allow him 3s. 8c 6d. per Week, any Creditors shall refuse to consent to letting the said Prisoner or Prisoners to hire, that then such Creditor shall pay or cause to be paid to the said Prisoner or Prisoners Three Shillings and Six Pence Weekly. *Provided* always and it is hereby Enacted, That if any Prisoner or Prisoners so let to hire shall at any time afterwards come to have or enjoy an Estate, having not first satisfied their Debts, that then at all times hereafter the Judgment obtained against him, her or them, shall remain good and in force, and another Execution shall be taken out and levied against the Goods and Chattels of the said Prisoner or Prisoners, wheresoever they shall be found. and if the Debtor ever come to an Estate, the Judgment shall be good, and he shall pay all his Debts.

And be it further Enacted by the Authority aforesaid That if the Provost-Marshal by himself or any of his Deputies shall levy any Execution in any other manner than what is herein before declared, or shall ask demand or receive any Mile-Money for the Executing any Writ of Execution or *Venditioni Exponas*, shall forfeit One hundred Pounds currant Money of this Island for every such Offence, to be recovered in any Court of Record within this Island, wherein no Effoin, Protection or Wager of Law shall be allowed, the one Moity whereof shall be to Our Sovereign Lord the King, His Heirs and Successors, for and to- If the Provost-Marshal shall do otherwise then here directed, he shall forfeit 100l. for every Offence, one half to the King, wards

*one half to the  
Party aggriev-  
ed.*

towards the support of the Government of this Island, and the contingent Charges thereof, the other Moity to the party aggrieved.

*And the o-  
ther Fines not  
already disposed  
of.*

*shall be one half  
to the King,*

*one half to the  
Informer.*

And it is further Enacted by the Authority aforesaid, That the several Fines, Forfeitures and Penalties beforementioned in this Act, and not declared how they shall be disposed of, shall be recovered in any Court of Record within this Island, wherein no Essoin, Protection or Wager of Law shall be allowed, the one Moity whereof shall be to Our Sovereign Lord the King, His Heirs and Successors, for and towards the support of the Government of this Island, and the Contingent Charges thereof, and the other Moity to the Informer, or he that shall sue for the same.

## An A C T

*Appointing where the Laws of this  
Island shall be Lodged.*

*Preamble.*

**W**Hereas no place hath been hitherto appointed for the lodging and securing the Acts of this Island, so that his Majesties Subjects have been at no Certainty where to find the same, and take Copies thereof to their great detriment and Inconvenciency; for remedy whereof for the future, Be it Enacted and Ordained by the Governour Council and Assembly, And it is hereby Enacted by the Authority of the same, That from and after the end and determination of this present Session, as well the Original Acts heretofore made and Enacted since the Seventeenth Day of *March*, in the Year of Our Lord One Thousand Six Hundred and Eighty, as those also herewith, or that shall hereafter be Enacted, shall be Lodged in the Secretaries Office of Enrolments at *St. Jago de la Vega*, and not elsewhere, and the Secretary for the time being shall at all Office Hours be ready to shew all or any of the said Acts when thereunto required by any  
of

*After the end  
of the Session,*

*all Acts now  
made or to be  
made,*

*shall be Lodged  
in the Secreta-  
ries Office  
at St. Jago de  
la Vega,*

of His Majesties Subjects as may or shall have occasion to View the same, and shall give Copies thereof, or any Clause in any of them contained, for which he shall be allowed Eight pence *per Sheet* accounting Sixteen Lines to a Sheet, and Fourteen Words to a Line, and that he shall likewise be allowed for Comparing and Examining any Copy containing the whole body of the Laws, with the Originals, Forty shillings Currant Money and no more. And to the end His Majesties Subjects may be fully satisfied no Embezelment, Razure, or Defacements of the said Acts, or any of them shall for the future be Committed in the said Office, it is Enacted and Ordained by the Authority aforesaid, that the Secretary of this Island, or his lawful Deputy that shall Act in his Room or Stead shall give in bond with good and sufficient Security to Our Sovereign Lord the King, His Heirs and Successors, in the Penalty of Four Thousand Pounds in the following Condition,

*who shall shew them and give Copies when required,*

*at 8d. per sheet,*

*and have 40s. for Examining the whole.*

*and that no Imbezelment or Razure be made*

*He shall give Security in 4000l.*

**T**HE Condition of this Obligation is such, that if *In this Form.* the above bound A. B. shall and do well and faithfully Execute and Perform the Offices and places of Secretary, and Clerk of the Enrolments for this His Majesties Island of Jamaica, and also faithfully and truly keep and preserve in his said Office, all and every the Acts of this Island made since the seventeenth Day of March, in the Year of our Lord God One Thousand Six hundred and Eighty, so that his Majesties Subjects may have recourse thereunto, and do in all things else comply with the Duty of the said Offices according to the Trust reposed in him, and according to the Laws of this Island in such Cases made and provided, that then the above-written Obligation to be void and of none Effect, or else to remain in full force and vertue.

On Penalty  
of 500l. for e-  
very fault,

one half to the  
King,

one half to the  
Informer.

Which Bond  
and Security  
shall excuse  
him,

from giving a-  
ny other Secu-  
rity.

*Provided* always that neither the said Secretary nor his Deputy for the time being, do or shall from and after the Twentieth Day of *November* next ensuing, presume to Act or Officiate his said Office until he or they shall enter into the aforesaid Bond, with the Condition before recited, upon Penalty of Five Hundred Pounds for every time he or they shall so Officiate or Act in his said Office to be recovered in the Supream Court of Judicature in this Island, by Bill, Plaint or Information, wherein no Effoin, Protection, Injunction, Wager of Law, or *Non vult ulterius prosequi*, shall be admitted or allowed, the one half to be to our Sovereign Lord the King, His Heirs and Successors, for and towards the Support of the Government of this His Majesties Island and the Contingent Charges thereof, and the other half to the Informer, or him that shall Sue for the same, any Law, Custom or Usage, to the contrary in any wise notwithstanding.

*Provided* also and be it hereby Declared, That if the Secretary or his Lawful Deputy for the time being in this Island, shall enter into Bond as aforesaid, which said Bond shall be lodged as is appointed in an Act entituled an Act for Regulating Fees, That then it shall be accounted sufficient to discharge him or them from entring into any other Bond, or Security required by the Acts of this Island, any thing herein or in any other Act to the contrary notwithstanding.

At



AT THE  
**COURT**  
 AT  
**WHITEHALL,**

The 17th. of *April*, 1684.

P R E S E N T

*The King's Most Excellent MAJESTY.*

*Lord Arch-Bishop of  
 Canterbury.*

*Lord Keeper.*

*Lord President*

*Duke of Ormond.*

*Duke of Beaufort.*

*Earl of Huntingdon.*

*Earl of Sunderland.*

*Earl of Clarendon.*

*Earl of Bath.*

*Earl of Cravan.*

*Earl of Alisbury.*

*Earl of Nottingham.*

*Earl of Rochester.*

*Lord Bishop of London.*

*Lord Dartmouth.*

*Mr. Secretary Go-  
 dolphin.*

*Mr. Chancellor of  
 the Exchequer.*

*Mr. Chancellor of  
 the Dutchy.*

*Lord Chief Justice of  
 the Kings-Bench.*

**W** *Hereas by His Majesties Commission,  
 to Sir Tho. Lynch, Captain  
 General, and Governour in Chief,  
 of*

of the Island of Jamaica; bearing date the sixth day of August, 1681. His Majesty has been graciously pleased to Authorize and Impower the Governour, Council and Assembly of the said Island, to Constitute and Ordain Laws, which are to Continue and be in Force, till His Majesties Pleasure be signified to the Contrary, And forasmuch as certain Laws have in pursuance of the said commission, been transmitted unto His Majesty, with the humble Desire of the Council and Assembly, That His Majesty would be pleased to Pass the same in the Words following.

### An A C T

Requiring all Masters of Ships and Vessels to give Security in the Secretaries Office.

*Masters of Ships before they Land any thing, except living Creatures, to wait on the Governour, and give Security;*

*Not to carry any Person off without the Governours Ticket: Nor depart without Leave.*

**B**E it Enacted by the Governour, Council and Assembly, and it is Enacted and Ordained, by the Authority of the same, That the Master of every Ship or Vessel, or some other for him, in case of disability, before he Trade within this Island, or Land any Goods on the same (living Creatures only excepted) shall wait upon the Governor or Commander in Chief, for the time being, and give in Security in the Secretaries Office, with one sufficient Freeholder or well known Merchant, such as by common Repute is held to be worth so much, in the Sum of One Thousand Pound currant money of this Island; That he shall not carry off this Island any Person without the Governours Ticket; Nor Depart himself with his Ship or Vessel, without the Governours Leave, under the Penalty of Fifty Pounds, currant money of this Island, to be recovered by due course of Law, in any Court of Record



Record within the same ; one Third thereof shall be to our Sovereign Lord the King, His Heirs and Successors, for and towards the support of the Government of this Island and the Contingent Charges thereof, One Third to the Governour or Commander in Chief for the time being, and the other Third to the Informer , which Security , the Secretary of this Island for the time being, is hereby Impowered to take.

*Who are to have the Penalty.*

*The Secretary to take the Security.*

*Provided* always, and it is the true intent and meaning of this *Act*, That the Masters of all Sloops, Barks and Vessels , Trading to and from any Parts, Ports, and Harbours within this Island, or that shall be employed in Turtling or Fishing, for the use of this Island, shall be obliged to give Security in the Secretaries Office but once every year, and that all Masters of Sloops, Barques , and any other Vessels belonging to the Inhabitants of this Island, Trading to and from this Island, shall be obliged to give Security, in manner and form as aforesaid, but once in six months , any thing in this *Act* seeming to the contrary notwithstanding.

*Masters trading in and about this Island to give Security but once every Year.*

*And Traders belonging to the Inhabitants once in six Months.*

*And* be it further Enacted by the Authority aforesaid That the Secretary of this Island for the time being, or his lawful Deputy, shall not deliver any Person a Ticket under the hand of the Governor to go off this Island, unless his Name have been set up in the Secretaries Office one and twenty days, a List of which Names shall be duly set up in the Secretaries Office, both at *St. Jago de la Vega* , and *Port-Royal* , and that the said person do bring before him one or more of good credit and repute to make Oath, which Oath any Justice of the Peace (except the said *Secretary* ) is hereby impowered to administer ; that he hath known him or her to go by that name for one year, if he or she have been here so long, if not, then that he hath known him or her by that name so long as he or she hath lived in this *Island*, and that the said Affidavit be kept filed in the said Office, otherwise that he take good security for the paying such Persons

*No Persons to have Tickets till after their Names have been up in the Secretaries Office 21 days.*

*Oath to be made of the knowledg of the Person.*

*And filed in the Secretary's Office.*

A a debts

*Which the Secretary is to observe under the Penalty of the damage.*

*The Bonds to be sued in two years after their date, else to be void. The Bonds to be in the Kings name, but to lye in trust for the Persons concern'd.*

*Judgments to remain in the nature of Bonds.*

*No Execution issue till the Party agriev'd summon the Parties against whom the Judgment is obtained.*

*But if then they Prove their damages they shall have Verdict. And the Judgment to remain for the satisfaction of others.*

debts so departing, all which the said Secretary is bound to observe under the penalty of being liable himself to satisfy all the Creditors of such Person or Persons, or Masters or Mistresses of Servants, so obtaining a ticket, or otherwise carried off by any Master of Ship or Vessel that shall not have given sufficient security according to the intent and true meaning of this Act, by which the aggrieved Person shall by vertue of this Act have remedy at Common Law against the said Secretary, Deputy Secretary or his or their Security; *Provided* nevertheless that if the said Bonds are not sued within two years after their several dates, they are hereby declared *null and void* to all Intents and Purposes whatsoever. *Provided* always, & it is hereby declared to be the true intent and meaning of this Act, that the said Bonds so given as aforesaid shall be taken in the Kings name, but are hereby declared to be only to and for the use, and in trust for the person or persons concerned. And that when any of the said Bonds shall be put in suit, and Judgment thereupon obtained, the Judgment shall remain in the same nature the Bonds were, and that no execution issue out thereupon before the person aggrieved shall by *scire facias* or other Process, summon the person or persons against whom the Judgment aforesaid is obtained, to appear and shew cause why execution should not Issue upon the said Judgment; and if the Plaintiff in the said *Scire facias* shall duly prove, what damages he hath sustained, and thereupon a Verdict be found for him, the Judges shall in such cases award execution for so much as the Jury shall then find and no more, and the former Judgment is hereby declared still to remain Cautionary for the satisfaction of such other of his Majesties Subjects as shall Legally prove themselves damnified, and recover the damages as aforesaid by due course of Law, and if any Judgments have been already obtained and thereupon execution taken out for the whole sum mentioned in the Bond, that in such cases the said Judgment remain in force, but that all Process there-

thereupon do surcease and be stopt, and that no benefit he had of the said Judgment before the *Scire facias* be taken out, and the Damages legally proved as aforesaid.

*Provided* also, That the said Secretary or his Deputy, be obliged to keep his Office both at *Port-Royal*, and *St. Jago de la Vega*, and give attendance at both places, from Eight to Eleven of the Clock in the morning, and from Two to Five of the Clock in the afternoon, except on *Sundays* and such Holy-Days as are usually observed in this Island under the Penalty of Twenty pounds, currant money of this Island, One moiety whereof to be to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island and Contingent Charges thereof, the other moiety to the Informer, to be recovered in any Court of Record by Action, Bill, Plaint or Information wherein no Essoign, Protection or Wager of Law shall be Allowed.

*The Secretary to have his Office at Port-Royal and St. Jago.*  
*And give attendance except Sundays and some Holy-days, under Penalty of 20s.*  
*To the King and Informer.*

## An A C T

### *For Regulating Fees ;*

**B**E it Enacted and Ordained by the Governor, Council and Assembly, and it is hereby Enacted and Ordain'd by the Authority of the same, That the Establishment of the Fees belonging to the Several Officers in this Island be as followeth.

*Fees shall be as followeth.*

### *That the Secretary's Fees be ;*

**F**OR a Permit for every Vessel that departs this Island, one Shilling.

*Permit.*

For every Bond entred into by an *English Man* not to carry any one off this Island, without the Governors Ticket, five Shillings.

*Bonds.*

For

For every bond as abovesaid for an *Aliens Ship*, ten Shillings.

*Setting up a Name.* For Entering a Caveat, setting up a Name under writing, any person in the Office, or a Permit for a Vessel to trade about this Island, each Six Pence.

*Ticket.* For a Ticket to depart this Island, Two Shillings and Six-Pence.

For taking a Bond obligatory One Shilling and Three Pence.

*License for Marriage.* For a License for Marriage, Sixteen shillings and Six-pence.

*Letters of Administration.* For letters of Administration, Warrant of appraisment, Bond and filing the Inventory, Fourteen Shillings.

*Recording a Will.* For Recording a will of one sheet Two Shillings and Six-Pence.

For every Sheet more, Eight-Pence.

*An order of Governour and Council.* For every Order of the Governour and Council, or Copy thereof, one Shilling and Three Pence.

*License to sell Drink.* For a License to draw Drink, Sixteen Shillings and Six-Pence.

*Let pass for a Ship.* For a let pass for a Ship to depart, Five Shillings.

*A Protest.* For every Protest under Hand and Seal Six Shillings.

For every mile distance from *St. Jago de la Vega*, One Shilling.

For a Citation Two Shillings and Six-Pence.

*ADedimus.* For a Dedimus Ten Shillings.

*That the Fees of the Supream Court be;*

*Jury.* **T**O the Jury every Verdict Four Shillings.

*Writ.* For a writ of Summons, Arrest, Replevin or forreign Attachment, each One Shilling and Three Pence.

*Declarati- on.* For Filing a Declaration and the Copy of it annexed to the Writ Two Shillings and Six-Pence.

A Bond for forreign Attachments, Arrests, and Replevins, and upon no other writs Two Shillings and Six-Pence.

For a Replication or Rejoynder Two Shillings.

For

For entering a Common Plea Seven Pence Half-Penny.

For a Special Plea Two Shillings and Six-Pence.

For recording a Judgment One Shilling and Three Pence.

For a *Venire facias* Seven Pence Half-Penny.

For an *Habeas Corpus* by Order of Court Two Shillings and Six-Pence.

To the Clerk for receiving every Verdict and Continuance, each Seven Pence Half-Penny.

To the Judge for signing each Writ One Shilling and Three Pence.

*To the Judge  
for the Writ.*

For a *Retraxit*, or *non Suit* recorded, each one Shilling.

For a Writ of Possession, Seizin or Restitution, each Five Shillings and Six-Pence.

For an Execution or *Venditioni*, each Two Shilling Six-Pence.

For a *Subpœna* One Shilling and Three Pence.

For a *Recognizance* or Deposition taken in Court, each One Shilling and Three Pence.

For Entering satisfaction upon record for *Superfedas*.

For Taxing Costs, each one Shilling and Three pence.

For a Commission of reference to Auditors Five Shillings.

*For a Com-  
mission.*

For a Writ of Inquiry or *Scire facias* and returning the Record upon a Writ of Error, Two Shillings and six-pence.

For Filing each Warrant of Attorney Four Pence.

For entering a report of *Auditors*: And for an Exemplification of a Record, each five Shillings.

*Exemplifi-  
cation.*

For every Judgment confessed out of the Court, to the Judge, Two Shillings Six Pence.

*Judgment  
confessed out of  
Court; Declara-  
tion to be filed  
before Proceſs  
go out.*

And be it further Enacted and Ordained by the Authority aforeſaid, That no Clerk of the *Supream Court*, or any other Person who ſhall officiate the ſaid Office, do deliver out to any Lawyer, Attorney, Solicitor or other person, any Writ whatſoever until a declaration be firſt Filed in the Clerks Office, for the

Except Arrests  
or Subpoenas.

On penalty of  
5l.

same, except Warrants of *Arrests* and *Subpoenas* under the penalty of Five Pounds for every Writ so given out.

*That the Provost-Marshal's Fees be ;*

Commit-  
ment.

FOR every Commitment, and for every Release-ment either in Common Law or Chancery, each Two shillings six-pence.

Dyet.

For dyet as the prisoner can agree, or to find himself, or if the Prison allowance *per day*, Six-Pence.

Serving  
Writs in St.  
Jago.

For Executing any Writs in the Town of *St. Jago de la Vega*, two shillings and six-pence.

Aboard  
Ships.

For an *Arrest* aboard a Ship besides Boat hire, Five shillings.

Possession,  
&c.

For executing a Writ of Possession, Seizing, Writ of Escheat, Cessavit or Assignment of Dower, each Ten shillings.

As the Par-  
ties can agree,  
not exceeding  
5l.

For Summoning a Jury to Execute a Writ of *Escheat*, *Cessavit* or Assignment of Dower, as the Parties can agree with the Marshal ; Provided it exceed not Five pounds.

Return of a  
Habeas Corpus.

For a Return of a *Habeas Corpus cum causa*, if in the Town of *St. Jago de la Vega*, two shillings and six-Pence.

Attendance  
on a Prisoner.

For his attendance on the Prisoner to any other place *per day* Four shillings.

Special Jury  
&c.

For summoning a Special Jury six shillings.

For the return of a *Venire facias* one shilling.

For every Bond with Suretys for appearance to be paid by the Defendant six-pence.

For Copy of a Warrant six-pence.

For allowance of a *Supersedeas* One shilling.

Writs of en-  
quiry, &c.

For Executing all Writs of Enquiry, Writs of *Partition*, *Proprietate probanda*, *Forcible Entry*, Writs of Possession, each Ten shillings.

Serving  
process,

For serving every Summons at Common Law, *Subpoena* in Chancery, or forreign Attachments besides Writ Money, Two shillings.

For his Fees upon each Verdict two shillings and six-pence.

For

For every Commitment in Chancery besides the  
Persons dyet *per* day two shillings.

*Commitment in Chancery, &c.*

For each License to sell drink sixteen shillings and  
Eight-pence.

*License to sell Drink.*

For Levying a debt by Execution, for the first  
hundred pounds three pounds.

*Levying Executions.*

For every hundred more exceeding the first, two  
pounds.

For all fums under one hundred pound twelve-  
pence *per* pound.

And That he take no more Fees then for the Mo-  
ney that is really due to the Plaintiff without any  
pretence of Mile money or any other charge whatsoever.

*And not to take Fees for more than is due to the Plaintiff.*

For an Assignment of a Bail Bond two shillings  
and six-pence.

*Bail Bond Assigned.*

For disbursing his money, for taking up runaway  
Negroes which are brought to Prison, Two shillings  
and six-pence in the Pound.

*Disbursing Money for Negroes.*

For dyet for every Negroe *per* day six-pence.

For executing every White person two Pound ten  
shillings.

*Executing any white man.*

For executing every Slave one pound.

To the Bailiff that keeps the Jury for every action  
tryed one shilling.

*Every slave: Bailiff Cryer, &c. their Fees.*

To the Cryer for every Witness sworn seven-pence  
half-penny.

For serving all Procces issuing out of the Supream  
Court (*Subpœna's Executions & Venditioni's* only except-  
ed) *per* Miles three-pence.

*Mile Money on serving Procces.*

Which Miles shall be accounted from the Supream  
Court to the several places where the Writ shall be  
served according to common Computation.

And it is hereby enacted and ordered by the Au-  
thority aforesaid, That the Clerk of the Supream  
Court, the Marshal nor any other person whatsoever,  
shall hereafter for any action where the Verdict of  
the Jury shall amount to above twenty pound (ex-  
cept where Titles of Land are tried,) take any other  
or greater Fees then what are allowed in the Petty  
Courts of this Island under the penalty of one hun-  
dred

*Clerk Marshal &c. of the Grand Court to take but petty Court Fees in Actions not above 20l. except Titles of Land, under Penalty of 100l.*

dred Pounds Currant money to be recovered by action of Debt, in any Court of Record within this Island, wherein no *Essoign*, *Protection* or *Wager* of Law shall be allowed, one Moiety whereof shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island and the contingent charges thereof, and the other moiety to the Party aggrieved or them that shall sue for the same.

One half to the King the other to the Party aggrieved.

*That the Fees of Inferiour Courts be;*

*The Jury.* **T**O the Jury upon each Verdict two shillings.  
*Summons, &c.* For a Summons six-pence.  
 For confessing Judgment out of Court, one shilling and three-pence.  
 For Copying and Filing a Declaration, each one shilling.  
*To the Judge, Procefs, &c.* To the Judge for signing any Procefs, each one shilling.  
 For entring a Plea, Replication or Rejoynder, each one shilling.  
 For a *Capias* one shilling and six-pence.  
 For a Summons for a Jury six-pence.  
*To the Clerk.* To the Clerk for Receiving the Verdict, and Entring Judgment, each one shilling.  
 For a *Retraxit*, *Non Suit* and recording the same, each one shilling.  
 For an Execution or *Venditioni*, each one shilling.  
 For *Scire facias* two shillings and six-pence.  
 For an Exemplification of a Record five shillings.  
*To the Crier.* To the Crier for every Verdict one shilling.  
 For *Subpœna* one shilling six-pence.  
*Certifying a Record.* For certifying a Record upon a Writ of Error five shillings.  
*A commission.* For a commission to, and return of the Auditors, each four shillings.  
*A Bond on Arrests, &c.* For every Bond taken upon a Warrant of Arrest or Replevin, each one shilling.  
 For filing of a Warrant of Attorney four-pence.

To



To the Crier for every Witness sworn six-pence.

For a Continuance each Court, and a Replevin, each one shilling.

For acknowledging satisfaction upon Record, and Taxing costs, each one shilling.

*Provided* always, and it is hereby Enacted and Ordained by the Authority aforesaid, that none of the inferiour Courts intermeddle with or determine any Actions whatsoever where Titles of Lands are to be determined, any former Custom, or any Usage to the contrary notwithstanding.

*The Inferiour Court not to meddle with Titles of Land.*

*That the Fees of the Marshals of the Inferiour Courts be ;*

**F**OR the Return of *Cepi Corpus, Nulla bona, & Non est inventus*, each four pence.

For the Return of a Proclamation, one shilling.

For the Return of a *Habeas Corpus* two shillings.

For every name returned upon an Exigent four pence.

For a Return upon a Record upon a Writ of Error, two shillings.

For serving every Proceſs *per Mile*, three pence.

For serving a Replevin one shilling and six-pence.

For release of a Felon one shilling and six-pence.

For every Commitment and releasment, each one shilling and six-pence.

*Proceſs per Mile.*

*That the Clerk of the Peace his Fees be ;*

**F**OR drawing every Indictment two shillings six-pence.

*Indictment, &c.*

For a *Supersedeas* and for every one indicted and acquitted of felony each two shillings.

For allowance of a *Certiorari* to remove an Indictment, or a Record, each five shillings.

For every Traverse, two shillings.

For every Recognisance taken in Court two shillings six-pence.

For an order of Court drawing it up and entring it three shillings.

For Copy thereof six-pence.

*License to  
sell Rum.*

For a License to sell Rum, and Rum-punch, and for drawing the Bond two shillings six-pence.

*That the Coroners Fees be ;*

**F**OR an inquisition taken upon the body of any person that came by an untimely death, to be paid out of the goods of the deceased, three Pounds.

To the Justices of the Peace for every Warrant one shilling and three pence.

For every Affidavit, Examination, *Mittimus* and Release, each one shilling.

For every Recognizance two shillings six-pence.

*That the Fees of the Great Seal be ;*

*Bill of com-  
plaint, answer  
&c.*

**F**OR filing a Bill of Complaint, Answer or Demurrer, each one shilling and six-pence.

*Every 100.  
Acres of Land  
taken up.*

For every hundred acres of Land taken up ten shillings, and so in proportion for a greater or Lesser quantity.

*Subpoena, &c.*

For sealing a *Subpoena* or any other Process out of Chancery six-pence.

*Recording  
all Process.*

For Recording and Copying a Bill, Answer, Replication, Rejoinder, Demurrer, Reports or other Proceedings eight pence *per* sheet, accounting fifteen lines to a sheet and eight words in a line.

*Filing a Re-  
plication, &c.*

For filing a Replication, Rejoinder, or Surrejoinder, for each one shilling six-pence.

*Subpoena to  
answer.*

For a *Subpoena* to answer, or for Witnesses, three names in a *Subpoena*, each *Subpoena* two shillings, if more, *per* name six-pence.

*A Bond, In-  
junction, &c.*

For a Bond one shilling and 3d.

For an Injunction two shillings and six-pence.

*A Commis-  
sion, &c.*

For a Commission out of Chancery six shillings eight pence.

For putting down a day of hearing one shilling and three pence.

For

For drawing and entring an Order, or Copying an Order, each one shilling three pence.

For a Decree six shillings three pence.

*A Decree.*

If exceeding nine sheets, *per sheet* eight pence.

For Copying a Decree, if not above six sheets, three shillings, if more, *per sheet* Eight pence.

For searching the Records or filing any papers, each one shilling.

*Searching the Records.*

For an Affidavit, or an Oath, to an answer before a Master of Chancery, each one shilling.

*Oath before a Master in Chancery, &c.*

For allowing of Costs one shilling three pence.

For filing exceptions to an answer or report, each two shillings six-pence.

For a Copy of a Report or Exception to an Answer each two shillings six-pence.

For an Attachment two shillings six-pence.

*An Attachment.*

For an Attachment with Proclamation, six shillings three pence.

For a Commission of Rebellion twelve shillings six-pence.

*Commission of Rebellion.*

### *That the Surveyers Fees be ;*

**F**OR Entring the Order into his Book one shilling three pence.

For surveying or resurveying two pence *per acre*.

*Surveying or Resurveying.*

For drawing the plat, one shilling three pence.

For surveying every house or Land at *St. Jago de la Vega, Port-Royal, Passage-Fort*, or any other Bay or Harbour, if not exceeding one hundred and twenty foot Square, and so in proportion: For a greater quantity of foot Land ten shillings.

*In St. Jago, Port-Royal, &c.*

To the Clerk of the Warrants for drawing a Warrant for the Seal four shillings.

*The Clerk of the Warrants.*

### *That the Lawyers Fees be ;*

**F**OR a retaining fee five shillings.

For drawing a Declaration two shillings.

For a pleading fee five shillings.

*That*

## That the Naval Office Fees be ;

- Entring Ships.* **F**OR Entring of all Ships and Vessels trading to this Island from abroad, for taking account of the Passengers names and for clearing the said Vessels, four shillings six-pence.
- Passengers names. Clearing.* For Examining and Recording Certificates that Bonds are given according to the Acts of *Navigation* and *Trade*, five shillings.
- Examining Certificates about Bond given.* For every Bond taken here not to break the said Acts, with Duplicates of the same, five shillings.
- Taking Bonds.* For Examining of all Coquets, Bills of store and Certificates, of the freedom of Ships or Vessels trading to this Island, two shillings six-pence.
- Examining Coquets, &c.* For taking an Account of all such Ships or Vessels trading to this Island, two shillings and six-pence.
- Account of such as load the growth of the Island.* For taking an account of all such Ships or Vessels as load the growth of this Island, with the particulars shipt and whither bound, two shillings six-pence.
- Vessels trading about the Island.* For entring and clearing all Vessels trading about this Island, one shilling three pence.
- For every Warrant of Appraisement, or Survey, two shillings six-pence.
- Every Oath.* For every Oath administred one shilling.

## That the Clerk of the Markets Fees be ;

- Every Beef 6d. Mutton, &c. 3d.* **F**OR every Beef killed six-pence.
- For every Veal, Mutton, Lamb, Goat, Turtle, Hog or Kid, each three pence.
- Where any Dispute shall arise about Weights between the Buyer and the Seller, and complaint be made to the Clerk to decide it by weighing at his Scales, to be paid for each draught by the party in the wrong, three pence.
- Paid for weighing.* For marking every Pot from the Gill to the Gallon inclusive one penny.
- Marking Measures.* For marking all Weights from the ounce to the half Hundred weight gross inclusive, one penny.
- Marking Weights.*

For

For Sealing every Ell or Yard, one penny.

*Sealing  
measures.*

*Provided* also that no fee whatsoever shall be taken for Weights and Measures as abovesaid, above once every year, and that only in each Market within this Island, and that no Stillyards be made use of in any Market or hucksters shop under the Penalty of twenty shillings for each time so made use of.

*Fees but once  
a year*

*No Stillyards  
to be used in  
Markets, &c.  
Under the  
Penalty of 20s.*

The one half of such Forfeitures to be to the poor of the Parish, the other to the Informer that shall sue for the same before any Justice of the Peace.

*Half forfei-  
tures to the  
Poor, the o-  
ther half to  
the Informer.*

*Provided* always that the Clerk of the Market or other person Officiating under him, shall not take or demand any of the fees abovesaid for killing of meat, but of such persons as shall sell in the said Market.

*Not to take  
fees for meat  
sold out of  
the Market.*

And that no Butcher or Turtler sell any meat or Turtle by retail but in open Market, under the Penalty of forty shillings, to be recovered before any Justice of the Peace to the use of the Poor of the said Parish.

*No Butcher  
to sell by re-  
tail but in  
the Market.  
On Penalty of  
40s. to the  
Poor.*

*And* be it further Enacted, and Ordained by the Authority aforesaid, that what Officer soever shall ask, demand, or take any greater or other Fees then are before mentioned for the matters aforesaid and be thereof duly Convicted in any Court of Record, within this *Island*, shall forfeit the sum of one hundred pounds Currant Money.

*Whoever  
takes more  
Fees*

*shall forfeit  
an 100l.*

*Half to the  
King.*

One moiety whereof to be to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this *Island*, and the Contingent charges thereof.

And the other Moiety to the Informer, or him that shall sue for the same in any Court of Record, wherein no *Essoign*, *Protection* or *Wager* of Law shall be allowed.

*Half to the  
Informer or  
him that shall  
sue.*

*And* If any Counciller, Lawyer, or Attorney shall ask, demand or receive, upon any Bills of cost that are not signed by themselves, and are not according to the Fees herein set and Established, and shall thereof be Convicted in any Court of Record, he shall forfeit the Sum of ten Pounds, Currant Money,

*If a Lawyer  
receive any  
greater Fees*

*he shall for-  
feit 10l.*

*Party aggrieved.  
And Practice  
no more in  
any Court.*

*The Officers  
to enter into  
Bonds with  
Security of  
4000l.*

*To perform  
their Offices ;  
which Bonds  
are to  
be Lodged  
in the hands  
of the Justice.*

*There to re-  
main Cautionary,  
as those  
for Masters of  
Ships.*

*The chief  
Justice to give  
Copys to any  
Injured.*

*All other  
Officers to  
give Security  
according to  
the trust, as  
the Governour,  
& Council shall  
direct.*

*And whoſo  
Officers with-  
out ſo doing,  
and taking an  
oath to Per-  
form,  
and thoſe of  
Allegiance  
and Supremacy,  
Forfeits 500l.  
Half to the  
King.*

to the party aggrieved and be uncapable of practiſing any more in any of the Courts within this *Iſland*.

*And* Forasmuch as great harms and damages may accrue unto the People of this *Iſland* through willful mistakes or negligent performances of the several Offices before mentioned, Be it therefore Enacted, and Ordained, by the Authority aforesaid, that the Secretary, Povoſt, Marshal and Clerk of the Supreme Court: shall each of them enter into Bonds with good Security to our Sovereign Lord the King, his Heirs and Successors, in the sum of four thousand pounds currant money, for the true performance of their respective Offices, which Bonds shall be Lodged in the hands of the Chief Justice for the time being, there to remain Cautionary for the Security of the Inhabitants of this *Iſland* from all such losses or damages, as any person or persons shall or may hereafter sustain, and to be put in suit and thereon recovery to be made in the same manner as is appointed in an Act Intituled, an Act requiring all Masters of Ships and Vessels to give Security in the Secretary's Office.

*And* the Chief Justice in whose hands the said Bonds shall be deposited shall not refuse to give unto any person injured a true Copy of any of the said Bonds, and to produce the Original in Court upon any tryal that shall be had for the breach of any of them.

*And* all other Officers shall give such Security proportionable to the Trust reposed in them, as the Governour for the time being, by and with the Advice of the Council shall think fit.

And whoſoever shall Officiate in any of the said Offices before they have given good and sufficient Security as aforesaid, and have taken an Oath for the true and just performance of their several Offices, and also the Oaths of Allegiance and Supremacy, shall forfeit the Sum of five hundred pounds currant money, One half to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this *Iſland* and the Contingent charges thereof,

thereof, and the other moiety to the Informer, to be recovered by Bill, Plaint or Information in any Court of Record within this Island, wherein no Essoign, Protection or Wager of Law shall be allowed, any thing in this Act or any other seeming to the Contrary notwithstanding.

*Half to the Informer.*

### An A C T

#### *Encouraging the Setling of this Island.*

**B**E it Enacted and Ordained by the Governour, Council, and Assembly, and it is hereby Enacted and Ordained by the Authority of the same, That it shall and may be Lawful for the Governour or Commander in Chief for the time being, or any of his Successors, Governours of this Island, by Instrument under the broad Seal of the same, to make any Alien or Aliens, Foreigner or Foreigners, being already Setled in this Island, or such as shall hereafter come to settle and plant in it, Having first taken the Oath of Allegiance, to be at all intents and purposes fully and compleatly Naturalized; and that the said Person so approved of and named in the said Letters Pattents, as aforesaid, shall by vertue of this Act have and enjoy, to them and their Heirs, the same Immunities and Rights, of and unto the Laws and Priviledges of this Island, in as full and ample manner as any of his Majesties natural born Subjects have or enjoy within the same, or as if they themselves had been born within any of his Majesties Realms, or Dominions, any former Law, Act, Ordinance, Usage or Custom to the contrary notwithstanding. And to the intent the said Letters, Pattents, and Instruments under the broad Seal of this Island aforesaid may be obtained without any great difficulty or charge, Be it therefore Enacted and Ordained by the Authority aforesaid that the Governour or Commander

*The Governour to make any Alien free Naturalized.*

*They taking the Oaths of Alegiance and Supremacy.*

*And then shall have the Priviledges of his Majesties Subjects.*

*For which Patent the Governour to have 5l.*

*And his Clerk*  
105.

*All Aliens  
that have for-  
merly pur-  
chased, &c.  
Which has  
been sold or  
taken by Es-  
cheat.  
The purchasers  
shall remain*

*in Quiet Pos-  
sessions by Ver-  
due of this Act.*

der in Chief shall have, and receive for the same five pounds currant money of this Island, and his Clerk for writing of it ten Shillings, and no more shall be paid to any Person or Persons for the Passing the same, upon any pretence whatsoever: And whereas several Aliens and Foreigners that have formerly transported themselves to this his Majesties Island, have taken up and patteded in their own names, several parcels of Land or otherwise made purchases of Lands, houses or other real Interest, and afterwards the same have been sold devised or else taken by Escheat or *Cessavit* & granted to any of his Majesties Liege people, Inhabitants of this Island: It is therefore hereby Enacted and Ordained by the Authority aforesaid, that all such Person or Persons that have so brought or do hold by vertue of any device of any Alien or Aliens any Lands Houses or Tenements, be as well secured and by vertue of this Act be for ever confirmed in the quiet and peaceable Possession of all such purchases or devices as if they had been sold or devised by any of his Majesties Natural born Subjects, and shall be good to their Heirs and Assigns for ever any former Law, Custom or Usage to the contrary in any wise notwithstanding.

## An A C T

*For Ordering Boats and Wherries, and  
better Government of Seamen.*

*Freight of  
Goods and  
Persons.*

**B**E it Enacted by the Governour, Council and Assembly, and it is hereby Enacted by the Authority of the same, that no Shallopman Boatman or Wherriman or any other Person or Persons Employed in any Shallop, Boat, Wherry or other Vessel, shall ask or demand for transportation of any Goods, Person or Persons but according to the Rates hereafter mentioned, *viz.*

For



For a Boat or Wherry from *Passage-Fort* to *Port-Royal*, *Salt Ponds*, or *St. Andrews* or from *St. Andrews* to *Passage-Fort*, or backwards from any of the aforesaid places in the day time two shillings and six-pence, and in the night three shillings, and at usual times when there are six Passengers or more of every Person six-pence; and whatsoever Wherriman shall refuse to carry any Person to or from the aforesaid places at the Rate aforesaid shall forfeit twenty shillings to be recovered from the Owner of such Boat by a Warrant of distraint from any of his Majesties Justices, and to be disposed of for the Poor of the Parish.

*From Passage-Fort. From St. Andrews.*

*A Boat-man that refuses to go*

*Forfeits 20s.*

*To the Poor of the Parish.*

And the freight of any Goods or Liquors betwixt any of the aforesaid places, three pence the hundred.

*Freight of Goods Port-Royal and St. Andrews, &c.*

For any quantity not exceeding a Barrel, seven pence half-penny per Barrel, and Eighteen-pence per Hoghead.

And that no Boat-man or Shallop-man have for the freight of one hundred weight of any Goods, if he brings them from the North side of this Island, between the Eastermost point and point *Negril*, to any part of the South side, more then two shillings; Provided the same exceed not the quantity of a Barrel.

*From the North side.*

For every Barrel three shillings.

And for every Hoghead eight shillings, and so proportionably for a greater quantity then a Barrel.

And for every head of great Cattle brought alive ten shillings.

And for a Sheep or Hog twelve-pence.

*Freight of Cattle from the North side.*

And for every Passenger two shillings.

*And Passengers.*

And the same Rates they shall receive for Passengers Goods or Cattle, from the South side to the North side, and that each Boat-man have for the freight of any Goods from *Port-Royal* to *Port-Morant* or *Richardsons Bay* or any Landing place between them, and so back from the said places to *Port-Royal* nine-pence per hundred not exceeding an Hoghead, except it be Barrels at two shillings per piece.

*And the same From the South side to the North side.*

*From Port-Royal to Port-Morant and thereabouts. Freight of Goods.*

And for an Hoghead five shillings.

And for Wood which they shall carry at ten shillings per Ton.

Of Passengers.

And Eighteen-pence per head for Passengers. And that they shall have from *Port-Royal* to any part of *St. Davids*, or from any part of *St. Davids* to *Port-Royal* six-pence for every hundred, not exceeding an Hoghead.

From *Port-Royal* to *St. Davids* & *thereabouts*.

And for every Hoghead four shillings.

And for every Passenger twelve-pence per head.

And for every Ton of Wood eight shillings per Ton.

And that the said Boat-men or Shallop-men shall demand and receive for Freight of any Goods they shall carry to *Port-Royal* from any Landing place between *Point Negril* and *Point Pedro* Eighteen-pence per Hundred.

From *Port-Royal* to *Point Negril* and *Point Pedro*.

Two shillings per Barrel, and six shillings per Hoghead.

*Aligator Pond*.

And from *Aligator Pond* twelve-pence per hundred, and six shillings per Hoghead.

*Milk River*.

And from *Milk River* twelve pence per hundred, two shillings per Barrel, five shillings per Hoghead.

*Carlisle Town*.

From *Carlisle Town*, twelve pence per hundred, two shillings per Barrel, and four shillings six-pence per Hoghead.

And Old Harbour and back to *Port-Royal*.

And from *Old Harbour*, six-pence per hundred, fifteen pence per Barrel, three shillings per Hoghead.

And that the said Boat-men shall receive the said Rates from *Port-Royal* to any the said places.

And whatsoever Shallop-man, Boat-man, or Wheriman, or any other Person or Persons Employed therein, shall demand greater Rates than is mentioned in this Act, shall forfeit ten pounds Sterling for every such default.

On penalty of 10l. for each default.

Half to the King.

The One half to be to our Sovereign Lord the King, for and towards the support of the Government of this Island, and the Contingent charges thereof.

And the other half to the Informer who shall sue for the same in any Court of Record, wherein no Essoign,

Half to the Informer.

Essoign, Protection, or Wager of Law shall be allowed.

And be it further Enacted and Ordained, That no Negro, Indian, or Mulatto, shall be permitted or allowed to row in any Wherry belonging to this Island, and that no Owner of any Canoa shall be permitted to Imploy any of them without having one White Man therein, and that all Owners of Boats, Wherries, or Canoas, shall every night chain and lock every of them to some Bridge or firm Post, and also take away the Oars, Sails and Rudder, and secure them in some safe place under lock and key.

*No Negro Indian or Mulatto to row in a Wherry, nor in a Canoa, without one White Man.*

*All Boats Wherries and Canoas to be Chained every night.*

And whatsoever Master or Owner of any Wherry, Boat, or Canoa shall offend in any of the foregoing clauses, shall forfeit for every such offence ten Pounds Sterling to be recovered and disposed of as aforementioned.

*On Penalty of 10l.*

Provided always and it is hereby intended that each Master or Owner of Wherry, Boat, or Canoa, shall have six months time allowed them from the making hereof to furnish themselves with White Men in order to the performance of this present Act.

*But all Owners to have six Months from the making this Act.*

And it is Enacted and Ordained by the Authority aforesaid, that all Masters of Boats, Shallops, or other Vessel that trade from place to place in or about this Island, shall every time they arrive at Port-Royal leave an account of their Loading in writing at the Naval Office at any time between Sun and Sun.

*Masters of Vessels that trade about the Island shall leave an account of their Loading at the Naval Office.*

Provided that their loading is nothing but the Growth, Production, or Manufactory of this Island, and such notice and account given in writing as aforesaid, shall be accounted a sufficient entry and discharge any such Master from any trouble whatsoever.

*Which shall be an entry if they have only the growth of the Island.*

And it is further Enacted and Declared by the Authority aforesaid, That any Person or Persons who shall hereafter be indicted or impleaded for the stealing or felonously taking away of any Shallop, Boat, Wherry Canoa or other Vessel, from any part of this Island or shall be consenting, aiding, or assisting to the doing of the same, and shall thereof be convicted according to Law shall be adjudged guilty of Felony. And

*Felony to steal a sloop Boat or Canon.*

*The intention to steal any Sloop Boat &c.*

*And Prov'd or Confest.*

*Shall forfeit 10l. to the King.*

And it is further Enacted and Declared, That if the intention contrivance, or plotting of any Person with others to steal away any Shallop, Canoa, Boat, Wherry, or other Vessel, shall evidently appear by sufficient proof, or their own confession, the Offender or Offenders, if free, shall be condemned by the Justices in Sessions to pay the sum of ten Pounds to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the Contingent Charges thereof.

*And pay it presently, or else be sold.*

*Not exceeding the term of four years.*

*But if they are servants they shall be whipt,*

*not exceeding 39 Lashes.*

*And after Expiration of their times be sold for 4 years, and the Money shall be to the King.*

And if the said Person or Persons so found guilty, shall not presently pay the said ten Pounds, or give Security for the same, the Justices in Sessions shall presently expose the Offender or Offenders to publick sale for the payment thereof, not exceeding the term of four years.

But if the said Person or Persons so Offending shall be servants, then he or they shall be ordered by the Justices in Sessions to be whipt, not exceeding thirty nine Lashes on the bare back in some publick place of the said Island and also that he or they so Offending shall after their time expired by Indenture, Custom or Covenant, with his or their Master, Mistress or Employer, be sold by the Justices in Sessions for the term of four years, and the Money that he or they shall be sold for, shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island and the Contingent Charges thereof.

*No Seaman shall be trusted.*

*Those that trust or retain them shall lose their Money.*

*Excepting Trade.*

And it is further Enacted by the Authority aforesaid, that no Seaman belonging to any Ship or Vessel whatsoever shall be trusted for any thing, and that whosoever shall trust him or them, or retain any of them in their houses, shall lose his or their money which they so trusted them withal, and be likewise liable to be proceeded against, as by the Act of this Country for retaining mens Servants, and to be Subject to all those penalties therein mentioned (excepting matter of Trade) and if any Victualler or Retailer

tailer of strong Liquors do trust any Sea-faring man, not generally residing upon, or belonging to this Island, above the value of forty shillings, though he have Bond or Bill for the same, he shall lose his or their money which they so trusted them withal.

*A Victualler that trusts them above 40s. shall lose it thro by Bond or Bill.*

And if any Commander of Ship or Vessel shall entice away any Seaman belonging to any other Ship before he be Lawfully discharged, he shall forfeit fifteen Pounds Sterling.

*A Commander that entices men from another Ship, shall forfeit 15l.*

The one half thereof to the use of our Sovereign Lord the King, for and towards the support of the Government of this Island, and the Contingent charges thereof.

*Half to the King.*

And the other half to him or them that shall sue for the same, in any Court of Record, by Bill, Plaint or Information, any thing herein or any other Act contained to the contrary notwithstanding.

*Half to the Informer.*

And whereas many times disputes have risen at *Port-Royal* about executing the Warrants of Justices of the Peace upon the Water which is within the Body of the said Precinct:

It is therefore Enacted by the Authority aforesaid, that all such Warrants given by Justices of the Peace against any Person or Persons on Board any Ship or Vessel be directed to the Provost-Marshal or his Lawful Deputies, or any of the Lawful Constables of the place according to the tenor of the said Warrant, who are hereby Required and Impowered to execute the said Warrant and to receive for the same three shillings.

*Warrants from Justices to be executed aboard Ships at Port-Royal, Directed to the Provost Marshal or Constables.*

And whereas diverse Sea-men out of an opinion of Implying themselves here to better advantage have taken an occasion to desert the Ships they belong unto, just as they are ready to sail, to the great endangering both Ship and Cargo:

Be it therefore Enacted by the Authority aforesaid, that whatsoever Seaman shall desert the Ship he belongs unto, and shall be found or taken after the departure of the said Ship, and cannot produce sufficient testimony of his being Lawfully discharged by the Master or Commander thereof, shall by order of any

*Seamen that desert their Ships, and taken after the Ship is gone, and cannot Prove a legal discharge.*

shall receive  
31 Lashes on  
the bare back.

one Justice of the Peace receive thirty one Lashes on the bare back by the Common Hangman, or other Inferiour Servant of the Prison, who shall hereby be Comanded in any publick manner the said Justice shall direct.

And forasmuch as diverse Inconveniencies happen by the disorderly going on board Ships before the Master hath been on shore with the Governour, as well in the miscarriage of Letters as the ingrossing the most useful Commodities.

None shall  
go aboard any  
Ship without  
leave,

until the Mar-  
shal has been  
on board;  
on Penalty of  
40s.

Be it further Enacted by the *Authority* aforesaid, that no Person whatsoever without leave of the Chief Officer upon *Port-Royal* shall presume to go on Board any Ship or Vessel at her entring into Harbour until the Marshal or his Deputy have first been on board with the Master, and brought him on shoar to the said Chief Officer, under the Penalty of fourty shillings to be recovered by Warrant from any Justice of the Peace, in the same manner as is directed in the *Act* Impowering Justices to decide all differences not exceeding fourty shillings, the one half to the Informer the other half to the Poor of the Parish.

Half to the In-  
former,  
Half to the  
Poor.

None to treat  
for any Mer-  
chandize or  
Tunnage till  
the Master has  
been with the  
Governour,

on Penalty of  
50l.

Half to the  
King.

Half to the In-  
former.

And be it further Enacted by the *Authority* aforesaid, That no Master, Merchant, Factor, or other Person whatsoever, presume to Treat, Grant, or obtain a promise for any Merchandize or Commodity, to the value of ten shillings, or any quantity of Tunnage or Freight, until the Master hath been with the Governour or Commander in Chief of this Island, or some other Officer as he shall appoint, under the Penalty of fifty Pounds on each Person that shall so Treat, Grant, or obtain a promise as aforesaid, any Custom or Usage to the contrary heretofore notwithstanding; the same to be one half to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island, and the Contingent Charges thereof, and the other half to the Informer to be recovered by Bill, Plaint, or Information in any Court of Record within this Island.

## An A C T

## For Regulating SURVEYORS.

**B**E it Enacted by the Governour, Council, and Assembly; and it is hereby Enacted and Ordained by the *Authority* of the same, That no Person whatsoever shall presume to act or perform the Office or Employment of a Surveyor General, within this Island, before he hath given good and sufficient security in the Sum of Four thousand Pounds currant Mony of this Island for the just and faithful performance of his Office and trust, according to the Duty of his said Office and Employment, and that the Bonds for security be carefully kept and recorded in the Secretary's Office and upon any damages received by any Person from the said Surveyor, or any Deputed under him in the negligent or corrupt performance of his or their Surveys, and due application thereon made to the Governour, the said Bond shall be put in suit, and due Recovery thereon made, for such Damages as they shall prove to have received, in the same Manner and Form as is declared and provided by the *Act* entituled an *Act* requiring all Masters of Ships and Vessels to give security in the Secretary's Office.

*None to undertake surveying till he has given 4000l. security.*

*The Bonds to be kept in the Secretary's Office.*

*Recovery to be made for damages, as in the Act for Masters of Ships.*

*Provided* always, and it is the true intent and meaning of this *Act*, That it shall and may be Lawful for any Person or Persons whatsoever to Survey, Resurvey and run any dividing Lines and give Plats of any Land already Pattented, or that shall be Pattented or Surveyed within this his Majesties Island, except where the King is or shall be a party, in which case only the Surveyor General, his Deputy, or Deputies, or any other Person thereunto Lawfully authorized by the Governour for the time being, shall Survey, Resurvey or run dividing Lines and give Plats thereof, any Law Custom or Usage seeming to the Contrary in any wise notwithstanding.

*Any person may survey where the King is not concerned.*

*There only the Surveyor General or his Deputy.*

Be

*In what  
time the Sur-  
veyor General  
is to do his Of-  
fice after an  
Order receiv'd.*

*St. Katharines,  
Port-Royal,  
&c.*

*Vere, Claren-  
don, &c.*

*Other Pari-  
shes.*

*On Penalty of  
100l.*

*Half to the  
King.*

*Half to him  
that shall sue.*

*Those that  
employ Survey-  
ors and are not  
ready,*

*shall pay the  
Surveyor 10s.  
per day.*

*The Survey-  
or Generals Of-  
fice to be at  
St. Jago de la  
Vega on Pe-  
nalty of 500l.  
Where he or  
his Deputies  
are to attend  
in the Mor-  
ning and Af-  
ter noon,*

Be it further Enacted and Ordained by the *Authority* aforefaid, That the Surveyor General, or any other Per-  
son thereunto Lawfully authorized as aforefaid, shall  
by himself or his Deputy or Deputies execute every  
such Order or Warrant for the surveying or running  
out of Lands, as from time to time shall be directed to  
him or them as aforefaid, within a reasonable time af-  
ter the proving of such an Order or Warrant, That is  
to say; In any place within the Parishes of *St. Kathe-  
rines, Port-Royal, or St. Andrews* within one Month, in  
any place within the Parishes of *Vere, Clarendon, St. Do-  
rothy, St. John, St. Mary, St. Thomas* in the Vale, *St.  
David* or *St. Thomas* to windward within three Months,  
and in any other Parish whatsoever within this Island,  
within six Months upon penalty of one hundred Pounds  
currant Mony of this Island for every such Default, the  
One half to our Sovereign Lord the King his Heirs and  
Successors, for and toward the support of the Govern-  
ment of this Island and the Contingent charges thereof,  
and the other Moiety to the Person aggrieved or to him  
that shall sue for the same, to be Recovered in any of  
his Majesties Courts of Record within this Island, by  
Bill, Plaint or Information, wherein no Essoign, Pro-  
tection or Wager at Law shall be allowed.

*Provided* always, That if any Person under the pre-  
tence of surveying Lands shall cause the Surveyor or  
any of his Deputies to take a journey, and when he  
comes at the time and place Assigned shall not be there  
ready to shew him the Land that is to be surveyed, so  
that he cannot perform the same, the Parties aforefaid  
shall pay and satisfie unto the said Surveyor or his De-  
puty Ten shillings *per diem* for every day he shall so lose,  
for his pains and charges in the said journey.

*And* be it further Enacted by the *Authority* afore-  
faid, That the said Surveyor General by himself, or  
his Deputy erect his Office at the Town of *St. Jago de  
la Vega*, under the penalty of Five hundred Pounds cur-  
rant Money of this Island to be recovered and levied as  
aforefaid to the uses aforefaid; and that he or his De-  
puty keep or attend his Office from Eight to Eleven in  
the



the Forenoon, and from Two to Five in the Afternoon, every day except *Sundays* and Holy-days, under the penalty of Fourty shillings, to be recovered by Warrant from any Justice of the Peace to the uses aforesaid, any Custom or Usage heretofore to the contrary notwithstanding.

*Provided*, That a power be left in the Kings Majesty and his Officers to re-examine the Surveyors for what concerns his Majesty.

*On Penalty of 40s.*  
*Power left to Examine for the King.*

## An A C T

*For further Directing and Regulating the proceedings of Surveyors.*

**F**Orasmuch as it hath been found by Experience that the *Act* Entituled An *Act* for *Regulating Surveyors* hath not sufficiently Provided against the several abuses by sundry evilly disposed Surveyors, formerly, and now also often done and committed contrary to their Duty, and the Trust reposed in them, to the damage of his Majesty: and of his Leige People of this Island, and which in some cases may tend to the utter ruine of many of his good Subjects, for prevention whereof, Be it Enacted by the Governour, Council, and Assembly, and it is hereby Enacted and Ordained by the Authority of the same, That no Surveyor whatsoever presume to deliver any Plat, whereby any parcel of Land shall pass the Broad Seal of this Island, before he hath himself in his own Person actually Surveyed and measured the said Land on every-side thereof, where it is accessible and possible to be done, and hath also seen the Lines fairly made, and the Corner-Trees marked with the first Letters of his Name and Surname expressed in the Order, and that the said Plat shall truly represent the respective parcels of Land, with their true bounds and bearings, and expressing the sort of Wood every

*No Surveyor shall deliver any Plat which he hath not actually Survey'd,*

*and seen the Trees fairly marked,*

*on Penalty of  
50l.*

Corner-Tree is of, with the Alphabetical Marks aforesaid, and also insert the Scale of the same, either drawn or expressed therein, under the Penalty of Fifty Pounds for every such Default.

*The Surveyor  
or is to give notice  
when he  
runs on Land  
already taken  
up,  
to the Owner,*

*or the Neighbours,  
on Penalty of  
20l.*

And be it further Enacted & Ordained by the Authority aforesaid, That where any Surveyor shall be called or imployed to survey or resurvey any parcel of Land bounding upon any Land already taken up, the said Surveyor, before he presume to run upon any such Lines, shall give notice thereof, to the reputed Owners or Possessors of the said Land, if he know them, and that they are Inhabitants in the Precinct where the said survey or resurvey is intended to be made or done; and if he do not know the Owner of the said Land, or that the said Owner dwell not in the Precinct, that then he give notice to the two next Neighbours, under the Penalty of Twenty Pounds for every such Default.

*No Surveyor  
is to lay out  
Land for himself,*

*but by another  
Surveyor,  
on Penalty of  
50l.*

And be it further Enacted and Ordained by the Authority aforesaid, That no Surveyor shall presume to survey or lay out any Land to pass the Broad Seal of this Island, directly or indirectly for his own use, but shall imploy some other Surveyor to do the same, under the penalty of Fifty pounds.

*Surveyors  
that have been  
negligent,*

*and given Plats  
by Projection,*

*to the Prejudice  
of the  
King and his  
Subjects,*

*shall make actual  
surveys of  
such Lands,  
at the request  
of the Owners  
of the Lands.*

And whereas fundry Surveyors have practised to give Plats to pass the King's Grant for several parcels of Land, upon some of which parcels they have, either through negligence or evil design, never made any actual survey, viz. either marking one Corner-Tree or more, and running and marking no Lines, but projecting the whole, or else some part where the natural Situation of the Land would well permit the due survey and cutting Lines, which tends to the dishonour of his Majesty, and great damage, even in some case, to the ruine of many of his good Subjects of this Island; Be it therefore Enacted and Ordained by the Authority aforesaid, That all present Surveyors who have given Plats whereby any parcel of Land hath passed the Broad Seal of this Island, without actual Surveying on all sides where the Situation of the said Land makes it possible to be done, shall on request to them made at any time compleat any former survey, according

according to the Plat by them given, running fair Lines where they had before projected only, and marking Trees in the said Lines with three Notches in Wood-Land, according to Custom, and making fitting Marks in other Lands. And it is hereby also provided, That no Surveyor, or who hath executed the Office as a Surveyor, is hereby Obligated to make re-  
*No Surveyor obliged where lands have been Patented four years.*  
 survey or cut Lines in Lands which have been patented more then Four years; and whatsoever Surveyor, or that hath Executed the Office of a Surveyor in this Island, shall after due request as aforesaid, deny, *If the Surveyor refuse on request,*  
 refuse, or delay to cut the above-said Lines, and rectifie the above-mentioned Errors, in such manner as is before expressed, shall forfeit for every Three Months *he shall forfeit for every three Months 20l.*  
 they shall so deny, refuse, or delay the same, the sum of Twenty pounds, to be recovered in any Court of Record in this Island, one half whereof to our Sovereign Lord the King, for the Publick use of this Island, *one half to the King, the other half to the Informer.*  
 and the other half to the Informer, Party injured, or who will sue for the same.

*And* for prevention of Disputes and Differences that may arise also of an Evil practice of some Surveyors, who when an Order hath been given for running out Land, have made their own advantages of the same, running it out for other Persons; It is also hereby Enacted, That every Surveyor shall at any time, when an Order for the survey of Land is offered him, immediately take a *Memorandum* thereof, with the place where the party bringing it, desires it should be run out, mentioning also the time of the receipt thereof, and shall also write the same on the back of the said Order, and shall also survey the said Land accordingly for the said Person, if he be ready in reasonable time after due notice by the said Surveyor given to shew the said Land; *Surveyors shall take a Memorandum of the Orders brought them, with the time of the receipt, and shall Survey it;*  
 And if it shall so happen, that the said Surveyor shall have received an Order already, which he believes is for the said parcel of Land, he shall then declare the same, and also shew the said Order, if desired, under the penalty of Forty pounds for every such default; *But if he has receiv'd an Order for the same Land already, he shall declare it, on Penalty of 40l.*  
 and every Surveyor shall on every survey return two  
 Plats

Every Surveyor shall return two Plats.

Plats of the said survey into the Pattent-Office, the one to be left there, and the other to be affixed to the Grant.

The Clerk of the Pattent is to fix one Plat on the Grant,

and keep the other in the Office,

which the Secretary shall record; and the Clerk of the Pattents shall have 10s. for each.

If he or the Secretary offend, they shall forfeit 20l. each.

And it is hereby also further Enacted, that the Clerk of the Pattents shall affix one of the two Plats delivered him by the Surveyor (as above provided) unto the Grant, and keep the other Plat in the said Office, without any embezelment of the same, and that the Secretary of this Island shall Record a true Copy of the Plat so affixed to the Grant or Pattent, next unto the Record of each respective Grant or Pattent; And that the Clerk of the Pattents shall receive for Writing an Original Pattent Ten shillings, and no more; and if the Clerk of the Pattents or Secretary of this Island shall offend against any of the Clauses of this Act, he or they who shall so offend, shall forfeit the sum of Twenty pounds for each Offence by him or them Committed.

Where any original Plat is lodg'd,

they shall give a true Copy for 2s. 6d.

If they refuse, they shall forfeit 40s.

one half to the Poor, the other half to the party aggriev'd.

And it is also hereby Enacted, That every Surveyor or Clerk of the Pattents, or any other Person in whose hands soever any Original Plat is Lawfully lodged, shall on request by any one made, give a true Copy of any Plat in their possession, and receive Two shillings & six-pence for the same, and no more; And whosoever aforesaid shall refuse or deny the same, shall forfeit Forty shillings for every such Offence, to be recovered by Warrant from any Justice of the Peace, one half of which Forfeiture to be received by the said Justice, and paid by him to the Church-Wardens, for the use of the Poor of the Parish, and the other half to the party complaining.

Surveyors may take 3d. per Acre,

for Surveying Land, and no more.

And whereas in an Act, Entituled, *An Act for regulating Fees*, it is made Lawful for every Surveyor to receive Two pence *per Acre* for all Lands by him or them surveyed, *viz.* for the survey of the same, and no more. It is hereby Enacted by the Authority aforesaid, That it shall and may be Lawful for every Surveyor to receive One penny *per Acre* more then the said Act allows; that is, Three pence *per Acre* for surveying any quantity of Land, and no more.

And

And it is hereby Enacted, That every Person who shall receive a Commission from the Governor to be a Surveyor in this Island, shall give Bond with sufficient Surety in the sum of Three hundred Pounds, for the true and just performance of his Office, before he Act in the same, under the Penalty of Fifty Pounds for every such Offence, the said Bond to be carefully kept and Recorded in the Secretaries Office, that upon any negligence or corrupt performance of their Office, it may be put in suit in the same manner as is declared and provided for the recovery of the Bond for Security given by all Masters of Ships and Vessels, and appointed in the Act, Entituled, *An Act requiring all Masters of Ships and Vessels to give Security in the Secretary's Office.*

*Every Surveyor shall give Bond, with Security of 300l. before he act, on Penalty of 50l.*

*the Bond to lie in the Secretaries Office,*

*to be put in use as that which Masters of Ships give in that Act*

But it is hereby Provided nevertheless, That if the Surveyor General shall keep his Office, and perform the Duties herein required both in his own Person and his Deputies, and as is provided in an Act, Entituled, *An Act for Regulating Surveyors*, that then it shall and may be Lawful for the said Surveyor General to employ Deputies as formerly hath been done; But that his Bond of Four Thousand Pound, mentioned in the aforesaid Act, shall remain Cautionary for Security, That himself, and also his Deputies, do well observe and perform all the Directions and Clauses of this Act for future Surveys, under the several Penalties therein expressed.

*If the Surveyor General perform his Duty,*

*he may employ Deputies;*

*but the Bond of 4000l. to remain Cautionary, for himself and his Deputies.*

Be it further Enacted by the Authority aforesaid, That if *Robert Felgate* or any Person whatsoever, who have any Original Plat in their Custody, do not return the same into the Patent-Office, at or before the Five and twentieth day of *March* next ensuing, shall, upon due Conviction thereof, for every Plat so kept back, forfeit the sum of One hundred Pounds.

*Any Surveyor that does not return what Plats he has in his hand into the Office, before the 25th. day of March, 1684.*

*shall forfeit for each Plat 100l.*

And it is also hereby Enacted and Ordained by the Authority aforesaid, That all Penalties mentioned in this Act, and no provision made where they shall be recovered, or how disposed of, shall be re-

*The Penalty in this Act shall be,*

*one half to the King,*

*the other half to them that shall sue.*

covered by Bill, Plaint, or Information, in any Court of Record within this Island, wherein no Essoign, Protection, or Wager of Law, shall be allowed, one half of which Forfeitures shall be unto our Sovereign Lord the King, towards the Support of the Government of this Island, and the Contingent Charges thereof, and the other half to him or them that shall sue for the same, any Law, Custom or Usage to the contrary notwithstanding.

## A

### *Supplemental and Explanatory ACT.*

*The Minister of each Parish to be of the Vestry, and no Order made without his notice.*

*St. Dorothy's in the Vale, pay all Duties to St. Catherines, till they have Churches of their own;*

*the Magotty to St. John's,*

*except Highways.*

*St. Catherines and St. Dorothy's to build the Bridge over black River; the Road from the Crescent to Maj. Nedham's*

**B**E it Enacted and Ordained by the Governour, Council and Assembly, and it is hereby Enacted and Ordained by the Authority of the same, That the Minister of each Parish be constantly one of the Vestry, and that no Vestry presume to make any Order, without having first given timely notice to the said Minister to be there.

*And* be it further Enacted by the Authority aforesaid, That the Inhabitants of the Parish of *St. Dorothy's* and *St. Thomas in the Vale*, pay all Parish Dues and Duties, as formerly to the Parish of *St. Catherines*, till each be provided of a Church and Minister of their own, and that the Precincts of the *Magotty* pay all Parochial Duties to the Parish of *St. John* (reparation of the High-ways only excepted) until there be a Church built and a Minister settled in the Parish of *St. Thomas in the Vale*, and when the Parish of *St. Dorothy* shall be provided of a Church and Minister, that then the Bridge lying over *Black River* shall be built and repaired whensoever there shall be occasion for the same, at the Common and equal Charge of the Parishes of *St. Catherine* and *St. Dorothy*; And the High-ways from the Ford of *Rio Cobre* at the Crescent unto Major *George Nedham's*

*ham's Walk, to be kept and maintained at the charge of the Inhabitants of St. Thomas in the Vale.*

*at the Charge of St. Thomas in the Vale.*

Be it Enacted by the Authority aforesaid, That a North North-West Line, from the head of *Swift-River*, to the South bounds of *St. Anns* shall be the Easterly and Westerly Bounds of the Parishes of *St. Elizabeth* and *Clarendon*.

*The Bounds of St. Elizabeth and Clarendon.*

And be it further Enacted by the Authority aforesaid, That from and after the Twentieth day of *December*, in the Year of our Lord One thousand six hundred eighty and three, no Common Horse-catcher presume to Ride or Drive in any *Savanna*, to take up any Horses, Mares or Colts, without having first given Bond, with sufficient Security, in the sum of One hundred Pounds, to the Justices sitting in open Sessions of the Peace for that Precinct, where the said Horse-catcher shall Ride or Drive as formerly, under the Penalty of Ten Pounds for each Offence, which Bonds to be taken in the King's Name, and due recovery thereon to be had as is appointed in an Act requiring all Masters of Ships and Vessels to give Security in the Secretary's Office. And the said Horse-catcher having given such Bond with Security aforesaid, shall obtain an Order from the Justices then sitting in Sessions, to Ride and Drive as aforesaid, any Law, Custom or Usage to the contrary in any wise notwithstanding.

*No Horse-catcher to Drive in any Savanna, till he has given Bond with Security of 100l.*

*on Penalty of 10l.*

*as in the Act for Masters of Ships;*

*and then he shall have an Order from the Justices.*

And be it further Enacted by the Authority aforesaid, That from and after the first day of *December*, in the Year of our Lord One thousand six hundred eighty three, no Common Horse-catcher whatsoever shall Mark Horse, Mare or Colt, or any sort of neat Cattle, without having first given notice in the Parish-Church the Sabbath-day before they intend to mark, under the Penalty of Twenty Pounds for every such Default.

*But shall not mark Cattle, without giving notice,*

*on Penalty of 20l.*

And it is further Enacted by the Authority aforesaid, That from and after the first day of *December*, in the Year of our Lord One thousand six hundred eighty three, it shall be inserted in the Bond of Masters of

of

*No Master of  
a Ship to car-  
ry off a slave,  
without a Tic-  
ket,*

*as here expres-  
sed,*

*on forfeiture of  
double the wa-  
lue of the slave;  
one half to the  
King,*

*the other half  
to him that  
shall sue.*

*The Secretary  
to have 2s. 6d.  
for the Ticket.*

*Night-guards  
to be kept in  
St. Jago.*

*and how,*

*and on Neglect  
to be fined,*

*as in the Act of  
the Militia.*

of Ships or Vessels, giving Security in the Secretary's Office, That no Master of any Ship or Vessel presume to carry off this Island, any Slave or Slaves, without a Ticket under the hand of the Governour or Commander in Chief, wherein shall be inserted the Owners Name, who shall also make Oath before some one Justice of the Peace, that the said Slave or Slaves is his or hers, or that they have sufficient Power from the Owner of such Slave or Slaves, to transport the same, upon Forfeiture of double the value of such Slave or Slaves so carried off without such Ticket; One half of which Forfeiture to be to our Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island, and the Contingent Charges thereof, the other Moiety to him or them that shall sue for the same; and that the Secretary take Two shillings six-pence as his Fee for each such Ticket, Provided he insert as many in each Ticket as the Owner of the Slave or Slaves shall require.

And whereas it is thought fit and necessary, that Night-Guards be duly and Constantly kept in the Town of St. Jago de la Vega, Be it therefore Enacted and Ordained by the Authority aforesaid, that from and after the Twentieth day of October, in the Year of our Lord One thousand six hundred eighty three, at the Town of St. Jago de la Vega, there be Constantly and duly kept each Night in the Year a Guard consisting of Eleven persons; that is to say, three Troopers with a Corporal or other Officer, and six Foot-Soldiers with a Corporal or other Officer, such as the Captains of Troop and Company or their superiour Officers shall appoint, and whatsoever Officer or Soldier shall neglect his or their Duty herein, shall be fined in manner as is appointed for Non-appearance in Arms in the Act for settling the Militia, any Law, Custom or Usage to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid



said, That it shall and may be Lawful for any Captain of a Troop or Company within this Island, or other Officer impowered by the Act for settling the Militia, to Issue out Warrants for the levying of such Fines and Forfeitures, Relating to any Person under the degree of a Captain, and direct the same as well unto the Marshal of each Regiment as the Serjeant or Corporal of the respective Troop or Company, any Law, Custom or Usage to the Contrary notwithstanding.

*Officers in  
the Militia,  
may levy for-  
feitures by  
Warrant.*

And be it further Enacted by the Authority aforesaid, That the Surveyors of the High-ways for the several Parishes and Precincts of this Island for the time being, upon any sudden or extraordinary occasions for the repairing the High-ways, shall represent the same to the Justices of the respective Precincts where the Ways are broken, upon which the Major part of the said Justices, together with the Surveyors, are hereby impowered at any such time or times to lay a Tax upon the Inhabitants of the said Precincts of such Money, Labour, or other things, as to them shall seem necessary and convenient, for the Immediate repair of the same, any former Law to the contrary notwithstanding.

*Surveyors of  
the High-ways  
upon any sud-  
den occasion,*

*shall represent  
it to the Justi-  
ces,*

*who may lay a  
Tax for the  
immediate Re-  
pairs.*

Be it also Enacted by the Authority aforesaid, That when any Sugar, Ginger, Anotto, Indico, Cacao, Cotton or Piemento (being the Production of this Island) shall be taken upon Writ of *Venditioni Exponas*, the same shall be carried to *Port-Royal* at the charge and risque of the Defendant, and there be appraised by the Church-Wardens for the time being, and in absence of one of the said Church-Wardens, then by the Church-Wardens present and either of the Church-Wardens of the foregoing Year, and in absence of both the Church-Wardens for the time being then by both the Church-Wardens that were for the preceding Year, the said Church-Wardens being first sworn to appraise the said Goods according to their just value, without favour or affection to either party; which Oath any one Justice of the Peace is hereby impowered to administer,

*Goods taken  
by Venditioni  
Exponas,*

*shall be carried  
to Port-Royal  
at the Defen-  
dants charge,  
and appraised  
by the Church-  
Wardens,*

*or others here  
appointed,*

*they taking an  
Oath to ap-  
praise to the  
value;*

*and then shall  
be delivered to  
the Creditor  
for so much  
Money.*

and the said Goods so taken and appraised, shall by the Provost-Marshal be forthwith delivered to the Plaintiff, for so much Money as the same shall be appraised at, which shall be taken and accepted by the Plaintiff, as so much Money Effectually paid him, any former Law to the contrary notwithstanding.

*For which  
the Appraisers  
shall have 4d.  
in the Pound;*

*but if they re-  
fuse to appraise  
the Goods,*

*they shall for-  
feit 10l.*

*one half to  
the King,*

*the other half  
to the Infor-  
mer.*

And it is further Enacted by the Authority aforesaid, That the said Church-Wardens shall receive from the Defendant Four pence out of every Twenty shillings value of what they shall so appraise; and if they or any of them shall refuse to appraise upon Oath the Goods so taken as aforesaid, he or they so refusing, shall forfeit for every such refusal the sum of Ten Pounds, to be recovered by Bill, Plaint, or Information, in any Court of Record within this Island, the same to be one half to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the Contingent charges thereof, and the other half to the Informer or he that shall sue for the same.

*All shall be  
liable to Ar-  
rests, unless they  
have Five A-  
cres planted,  
or a House of  
10l. per Ann.*

Be it also Enacted by the Authority aforesaid, That none shall be deemed or adjudged to be Freeholders of known residence, unless he possess Five Acres planted, or a House of the value of Ten Pounds *per Annum* on his Free-hold, and all others shall be liable to an Arrest, any former Law or Custom to the contrary notwithstanding.

*No poor Pri-  
soners shall be  
let to publick  
Hire,*

*until they have  
delivered in to  
Court a List of  
what they can  
claim,*

And whereas it is Provided by an Act, Entituled, *An Act for establishing of Courts, and directing the Marshal's Proceedings*, that Poor Prisoners that have not wherewith to maintain themselves, may under certain terms and conditions therein expressed, be publicly let to Hire, towards satisfaction of their Creditors, by which diverse Frauds have been committed: Be it therefore Enacted by the Authority aforesaid, That no Prisoner hereafter shall have the benefit of that Act until he or she have first delivered in to the Court a true and perfect List of all the Debts, Goods and Monys, that he or she hath, or can claim in this Island, and there made a full assignment and delivery thereof unto the

the Provost-Marshal, for the use of the Creditors, and have further taken in open Court this following Oath: and assigned it to the Provost-Marshal.

**I** A. B. do swear, That I have now delivered in to the Court a true and perfect List of all the Debts, Goods and Monys, which I have, or can any way lay claim unto in this Island, and that there hath not been either by my self or any other by my direction, made over, concealed, or any ways secured for me, any other Goods, Debts, or Monys, more than is there expressed, excepting only Five Pounds reserved for my necessary Subsistence: So help me God. and taken this Oath;

And the Goods, Debts, and Mony, so assign'd and delivered unto the Provost-Marshal, shall be by him accounted for and paid unto the said Creditors, in such Proportions as by the said Act is directed for the Hire or Wages of the said Servant, any Law or Custom heretofore to the contrary notwithstanding. And such Goods and Debts shall be paid to the Creditors in proportion.

Provided also, That the several Fines, Forfeitures, and Penalties, aforementioned in this Act, and not declared where they shall be recovered and how disposed of, be one Moiety to our Sovereign Lord the King, his Heirs and Successors, for and toward the support of the Government of this Island, and contingent charges thereof, the other Moiety to the Informer or him that shall sue for the same in any Court of Record within this Island, wherein no Essoign, Protection or Wager at Law shall be allowed, any Law, Custom or Usage to the contrary notwithstanding. The Fines in this Act to be, one half to the King, and the other to him that shall sue.

## An A C T

*For keeping open old Paths to Publick Watering-places.*

**F**Orasmuch as it hath not been hitherto Provided by any of the Acts of this Countrey, to give full and sufficient power to the Justices of the Peace to grant Preamble.

*The Justices  
shall issue  
Warrants for  
Juries, to meet,*

*and lay out  
such Paths as  
have been used  
to Watering  
Places for se-  
ven years last  
past,*

*being first  
sworn by the  
Justices;  
which the Sur-  
veyor of the  
High-ways shall  
return to the  
Sessions,  
and if appro-  
ved there,  
shall be recor-  
ded; and where  
new Fences shall  
be wanting, the  
Precincts shall  
be at the charge.*

grant Warrants to lay out, upon occasion, broad Paths to Common and known Watering-places, whereby the Inhabitants of this Island may in time be much prejudiced, Be it therefore Enacted and Ordained by the Governour, Council and Assembly, and it is hereby Enacted by the Authority of the same, That upon notice given to any Justice of the Peace, he shall on request Issue his Warrant to the next Constable in the said Parish, to summon a Jury to meet at some convenient place and day therein to be mentioned, to view and lay out such Path or Roads as have been used to any Publick, Common or known Spring, River or Watering-place for seven years last past, which said Justice is hereby empower'd to administer an Oath to the said Jury, That according to the best of their Skills and Judgments they will Lay out such Way as aforesaid; which having done, the Surveyor of the High-ways is to make return thereof to the Justices of the next Quarter-Sessions of the Precincts, and if approved by the said Justices, shall be there filed or Recorded, and after known for a publick High-way; and where new Fences on both sides of the Path shall be needful, the same to be made and maintain'd at the charge of the Precincts.

## An A C T

### *Appropriating certain Lands upon Port-Royal to the Publick Use.*

**W**Hereas some private persons have Patteded parcels of Land upon *Port-Royal*, and built Houses very near unto the Walls of *Christ-Church* and *Fort Rupert*, which not only encumber both, but may happen to endanger their loss or ruin, Be it Enacted and Ordained by the Governour, Council and Assembly, and it is hereby Enacted and Ordained by the Authoriry of the same, That no person whatsoever

soever having Land on the South-side of *Port-Royal*, between *Christ-Church* and the Sea, or at the Eastermost end of *Port-Royal*, within two hundred Foot of the Wall that runs near North and South, cross *Port-Royal*. Commonly known by the name of the *Breast-Work*, shall ever hereafter presume to build any House or other Fabrick thereon, and if any Houses are already Erected within the Limits aforesaid, they shall be pulled down, any Law, Custom or Usage to the contrary notwithstanding.

*None that has Land at the South-side of Port-Royal, between Christ-Church and the Sea, or within 20 foot of the Breast Work, shall build any house thereon, and if any already built they shall be pulled down.*

And that all Persons having Land or Houses within the Limits aforesaid, may receive just and due satisfaction for the same, It is Enacted and Ordained by the Authority aforesaid, That Capt. *Peter Beckford*, Capt. *Reginold Wilson*, Capt. *Thomas Clerk*, and any other Person chose by the Proprietor are hereby appointed and impowered to view the said Lands and Houses as aforesaid, and to appraise them according to their just and true value; and whatsoever the said Appraisers or any two of them, being first sworn by any one of his Majesties Justices of the Peace, who is hereby impowered to administer the same, to appraise the said Lands or Houses according to the best of their Judgments, shall judge to be the value of the said Land and Houses, shall be deemed and taken for the full worth of the said Lands and Houses, and paid to the Proprietors out of his Majesties Treasury of this Island, which payment, or (in case of the refusal of the Proprietors) tender of payment, shall for ever be a good Bar against any Title to any Land or Houses within the Limits aforesaid, any Patent, Deed, Law, Custom or Usage to the contrary notwithstanding.

*Gentlemen appointed to View and Appraise such Lands and Houses. The value of which appraisal, shall be paid to the Proprietors out of the Kings Treasury, which payment or tender shall be a good Bar against any Patent, &c.*

## An ACT

*For punishing Idle Persons and Vagabonds,  
and for Relief of the Poor.*

*Preamble.*

*The Justices  
and Vestry to  
lay a tax to  
build a house of  
Correction,*

*and make or-  
ders to Govern  
the same,*

*which shall be  
of force.*

*And all  
Rogues, Vaga-  
bonds, &c.*

*shall be appre-  
hended,*

**W**Hereas diverse Idle Persons and Vagabonds, though of able bodies, use loitering, and refuse to work for reasonable Wages in the several parts where such persons happen to dwell and abide; not having living otherwise to maintain themselves, whereby the charge of several Parishes may be much encreast; For prevention whereof, Be it therefore Enacted by the Governour, Council and Assembly, and be it hereby Enacted by the Authority of the same, That from and after the first day of *January*, in the Year of our Lord God, One thousand six hundred eighty and three, the Justices and Vestry of each Parish within this Island, or the Major part of them, if to them it shall seem convenient and necessary, are hereby fully impowered to Lay a reasonable Tax, for the Building one or more Houses of Correction within their several Parishes, and for the providing Stocks of Money and all other things necessary for the same, and for governing of the same, and for correction and punishment of Offenders thither Committed, such Orders as the said Justices and Vestry or the Major part of them shall from time to time make, reform or set down in that behalf, shall be of force, and be duly perform'd and put in execution, any Law, Custom or Usage to the contrary in any wise notwithstanding.

*And* be it further Enacted by the Authority aforesaid, That all Rogues, Vagabonds and other idle persons that shall be found wandring from place to place, or otherwise misordering themselves, shall be apprehended by the Constables or Tything-men of each respective Parish within this Island, and to carry him

or

or her so apprehended before some one Justice of the Peace of that Precinct; and if upon examination it appear, that the apprehended be Persons fit and able to work, and do refuse so to do, but wander about as aforesaid, That then the said Justices shall order him or her to be whipped on the naked back, not exceeding Thirty nine Lashes in the whole by the said Constable or Tything-man, and shall be forthwith sent from Parish to Parish by the Constables or Tything-men of the same, the next straight way to the Parish where he or she dwelt for one whole Year then last past. And for such other poor or impotent persons wandering from place to place as aforesaid, they shall be sent from Parish to Parish by the Constables or Tything men of the same, to the place of their last abode.

*and carryed before a Justice; if found able to work and will not,*

*they shall be whipt, not exceeding thirty nine lashes,*

*and sent to the Parish where they dwelt.*

*So shall all other poor and impotent Persons.*

Provided always, and it is hereby further Enacted, That no such person or persons, as above-mentioned, shall be returned as aforesaid, if he, she, or they have continued to dwell in the said Parish above the space of three Months; And whatsoever Constable or Tything-man that shall neglect his or their Duty herein shall forfeit the sum of Forty shillings for every default, one half of which Forfeiture to be to the Church-Wardens, for the Poor of the said Parish, and the other half to the Informer, to be recovered before any Justice of the Peace, any Law, Custom or Usage to the contrary notwithstanding.

*None to be return'd that have dwelt in a Parish above three Months;*

*Officers not doing their Duty herein, shall forfeit 40s.*

*one half to the Poor,*

*the other half to the Informer.*

And be it further Enacted by the Authority aforesaid That it shall and may be lawful for the Church-Wardens of each Parish within this Island, with the assent of any two Justices of the Peace in that Precinct, to bind any poor Children belonging to the said Parish to be Apprentices where they shall see convenient, until such a Man-Child shall come to the age of one and twenty Years, and such a Woman-Child to the age of eighteen Years, or the time of her Marriage, to be as effectual to all intents and purposes as if such Child were of full age, and by Indenture of Covenant bound him or her self, any Law, Custom or Usage to the contrary in any wise notwithstanding

*The Church-Wardens, with assent of two Justices, may bind out any poor Children,*

*until a man child come to 21 years, and a Woman Child to 18 years, or Marriage.*

An

## An A C T

*For Vacating several irregular Grants surreptitiously obtained for Royal Mines, Shoal-Water, Anchorage and Fishery.*

*Preamble.*

**W**HEREAS there have been several irregular Patents and Grants surreptitiously obtained, contrary to former Usage, Law, and the publick good of this his Majesties Island, for Fishery and Shoal-Water, in and about the Harbour of *Port-Royal*, and other Harbours, and the Water before several persons Land, and also Royal Mines, and also the Parade in the Town of *St. Jago de la Vega*, and the Fishery in and between *Rio Cobre*, and the Salt River in *St. Andrew's* Parish, It is therefore Enacted and Ordained by the Governour, Council, and Assembly, and be it Enacted by the Authority of the same, That all and every such Grants and Pattents are and be hereby declared null and void, to all intents and purposes whatsoever, the said Letters Pattents, or any thing in them or any of them contained, or any other Law, Custom, or Usage to the contrary thereof in any wise notwithstanding.

*All grants for Fishery and Shoal-water,*

*and for the waters before other mens Lands, are to be Void.*

*And no Patent granted which shall be prejudicial to Anchorage. &c. which shall be good. The owners of Land may take the Shoal-water to make Wharfs, but none else.*

*Pattents for the Parada on Port-Royal.*

*And* that no such Grants, or Pattents as is now or shall be hereafter Granted that shall be prejudicial to Anchorage, Navigation, or Common Fishery, shall be good; Provided always nevertheless, that all Owners of any Land adjoyning upon any Harbour, Bay or Creek, shall have Liberty to take up the Shoal-Water to make Wharfs, or Bridges convenient, before their own Land and none else, and that all Patents already Granted for Shoal-Water or building of Wharfs, or Bridges, before any Mans own Land shall be deemed good.

*And* whereas there have been several Pattents, for the *Parada* place upon *Port-Royal*, and for eleven hundred



hundred Acres of Land without the breast-work, or of part thereof Granted to several persons since Grant thereof was made to several persons and their Heirs, or Successors to the use of the Parish of *Port-Royal*; under pretence that the said Grants to them, to the said uses, are void in Law, Be it Enacted and Ordained by the Authority aforesaid, *And it is hereby Enacted and Ordained by the Authority of the same, That* the said several Grants or any other Grants, or Patents first made to the use of the Parish shall be deemed good, and valid to the passing of the Premises therein contained, and that all other Pattents Granted to any Person or Persons whatsoever, of any Part of the said *Parada* place, or of the said eleven hundred Acres of Land, or any thing else since the dates of the said Grants, or any of them to the use aforesaid, be and are hereby adjudged null and void to all intents and purposes whatsoever, any thing in the said Letters Pattents or any of them or any other Law, Custom or Usage to the contrary thereof in any wise notwithstanding.

*and part of other Land surreptitiously obtained Void,*

*and those made to the Parish, good,*

*notwithstanding any Patent or Law to the contrary.*

## An A C T

*For Raising a Publick Revenue, for the support of the Government of this his Majesties Island.*

**W**E his Majesties Most Dutiful and Loyal Subjects, the Assembly of this his Majesties Island being duely sensible of his Majesties extraordinary Grace and Favour in restoring to us our ancient form of making Laws, and in the great assurance given us of his Princely resolution to apply not only the Revenue by us now intended to be raised, but even all his Majesties Quit-rents arising from Lands Granted, or to be Granted, within this Island, to the Support of the Government of this his Majesties Island, and

*Preamble.*

*The Assembly* the Contingent charges thereof, and to no other uses  
*Considering his* whatsoever; and welikewise taking into our confide-  
*Majesties great* rations the great expence his Majesty hath and may  
*expence,* be at in and about the support of the Government  
of this his Island, and the Contingent charges there-  
of, as also the great Sums of Money required for  
the reparation of his Forts and Fortifications, now  
much decayed, and the apparent danger, and Incon-  
*do give* veniency that may accrue by any longer Neglect, have  
*towards build-* Chearfully and Unanimously given and Granted, and  
*ing and re-* do hereby give and Grant unto his Most Excellent  
*pairing forts,* Majesty his Heirs and Successors, for and towards the  
*and paying Con-* Building, and Repairing Forts and Fortifications, and  
*tingent Charge.* for the defraying of the many necessary and Contin-  
gent Charges, in and about the support of the Go-  
vernment of this his Majesties Island, a certain impost  
on the severall Liquors and goods hereafter mentioned,  
and Humbly Beseech his Majesty to accept the same,  
And that it may be Enacted, and be it Enacted by the  
Governour, Council, and Assembly; *And* it is hereby  
Enacted and Ordained by the Authority of the same,  
That from and after the first day of *November*, in the  
Year of our Lord, One thousand six hundred eighty  
and three, all the following Liquors and goods here-  
after specified that shall be Imported, shall pay after  
the Rates hereafter mentioned, that is to say, all *Spanish*  
and *Madera* Wines, the sum of Four Pounds *per Tun*;  
all Wines Imported of the growth of the Western  
Islands or mixture of the *Madera* Wines, with those  
of the Western Islands, the sum of Ten Pounds *per*  
*Tun*, every *Tun* of *French* or *Rhenish* Wines three  
Pounds, every gallon of brandy one shilling, every  
Gallon of *English* Spirits three pence, every *Tun*  
of Bear or Sider eight shillings, every *Tun* of Mum  
or Metheglin forty shillings, for every hundred Pounds  
of White Sugar, Ten shillings, for every hundred  
Pounds of Muscovados or Paneal Sugar, six shillings,  
for every Pound of Indico six-pence, for every Pound  
of Tobacco two-pence, for every hundred Pound of  
Ginger ten shillings, for every Gallon of Rum, one  
shilling

*An Impost on*  
*Liquors, and*  
*other goods,*

*so that from*  
*the first of*  
*November,*  
*1683:*

*All Spanish &*  
*Madera wines*  
*shall pay 4l.*  
*per Tun.*  
*of the Western*  
*Islands.*  
*10l. per Tun.*  
*French wine*  
*3l.*  
*Brandy 1s. per*  
*Gallon.*  
*English Spirits*  
*3d.*  
*Bear 8c. 8s.*  
*per Tun.*  
*Mum, &c. 40s.*  
*per Tun.*  
*white Sugar*  
*10s. per Hun-*  
*dred.*  
*Muscovado's,*  
*6s. per hun-*  
*dred.*  
*of Indico 6d.*  
*per Pound.*  
*Tobacco 2d.*  
*Ginger 10s.*

shilling six-pence, for every hundred pound of *Cacao* per hundred.  
 ten shillings, and so Proportionably for a greater or *Rum 18d. per*  
 lesser quantity of the several *Liquors* and *Goods* afore- *Gallon.*  
 said, Imported into this Island by way of *Merchan-*  
*dize.* *Cacao 10s.*  
*per hundred.*

And be it further Enacted by the Authority afore- *Importers*  
 said, That every Merchant or other person Importing *shall make up*  
 any *Wines*, or other *Liquors* into this Island shall (be- *accounts in 20*  
 ing thereunto required by the Collector) within *days and give*  
 twenty days after Landing make up accounts and give *bonds.*  
 Bonds in the penalty of double the value the same  
 shall amount unto, and upon such account so to be  
 made up and Bond given as aforesaid, shall be allow- *and shall be al-*  
 ed after the Rate of ten *per cent* for Leakage, and *lowed ten per*  
 shall have time for payment thereof as is hereafter menti- *Cent for Lea-*  
 oned, that is to say, from the end and expiration *kage,*  
 of the first two Months, from the making up such *and shall pay*  
 accounts to pay one third part thereof, and another *at the end of*  
 third part at the end of the fourth Month, and the *the first two*  
 remainder at the end of the sixth Month, and that *Months, one*  
 every Hogshead of Wine or other Liquors that shall *third part of*  
 not have full seven Inches or above left therein, and *the Money ;*  
 every Butt or Pipe not above nine Inches shall be ac- *one third at the*  
 counted for outs, and the Merchant or Importer to *end of the*  
 pay no Custom for the same; and in case of difference *fourth Month,*  
 that may arise between the Importer or Master of the *the rest at the*  
 Vessel touching Leakage on board, and for Wine or *end of six*  
 Liquor that shall happen to sour within the aforesaid *Months.*  
 twenty days, the person or persons so aggrieved shall *A Hogshead not*  
 have a Warrant of Survey from the Naval Officer, *above 7 Inches,*  
 who is hereby Impowered and required to Grant the *and a Pipe 9,*  
 same, and that returns of such Warrants to be Gran- *shall be outs.*  
 ted as aforesaid, shall be made upon Oath to the said *Liquors that*  
 Naval Officer, and by him remitted to the Collectors *prove bad in*  
 Office in order to the making up their Accounts *20 days,*  
 with the Collector, and better proving their Damage *shall be sur-*  
 by ill Stowage or otherwise; and in case any such Ma- *vey'd,*  
 ster or Importer shall (being thereunto required as afor- *and returns*  
 said,) refuse to make up his Accounts and give Bond *made on Oath,*  
 as aforesaid, he shall lose the benefit of the ten *per cent*  
 for *Those that*  
*make not up*  
*their Accounts*  
*in 20 days,*  
*shall lose the*  
*benefit of the*  
*10 per Cent.*

*and the time for payment, if the receiver sue, the Defendant shall pay treble Damages.*

for Leakage, and time given for the payment of the Money and if the receiver shall be forced to use for the same and do recover, the Defendant shall pay treble Damages.

*If the Master when he enters, shall own he has Madera wine,*

And it is further Enacted by the Authority aforesaid, That if (at the Entry of any Ship or Vessel in the Naval Office) it shall appear by the Masters report or otherwise, that he hath Imported any *Madera Wines*, he the said Master or the Boat-swain shall take the following Oath, which the said Naval Officer is hereby Impowered to administer.

*He shall take this Oath,*

**I** A. B. do swear, That the Wines by me Imported, were taken on Board at the Island of Madera, and that I do not directly nor indirectly know but that the said Wines are of the growth of the said Island without any mixtures of the Wines of the growth of any of the Western Islands, so help me God.

*and if he refuse to take it, the Wines shall be deemed to be of the Western Islands.*

And if the said Master or Boat-swain shall refuse to take the abovesaid Oath, that then the said Wines so Imported shall be deemed and taken to be Wines of the growth of the Western Islands, and shall pay Customs accordingly.

*Liquors Exported in a year,*

*shall draw back half the Custom,*

*which the Collector shall repay on Penalty of double the sum.*

And it is further Enacted, and declared by the Authority aforesaid, That if all or any of the aforesaid Liquors or goods liable to the Duties aforesaid, be landed and afterwards exported within twelve Months after the Importation thereof, that the Collector, or Receiver, shall discount or repay unto the Owners or their Assigns half the Customs of the said Liquors, and goods according to the Rates before mentioned, which the Collector or Receiver is to repay or discount on the penalty of double the sum for every such refusal to the party aggrieved.

*All vessels that come from the north of the Tropick of Cancer,*

And it is likewise further Enacted and declared, by the Authority aforesaid, That all Ships and Vessels, coming from any place to the North-ward of the *Tropick of Cancer*, to trade within this Island shall respectively pay for every Tun such Ship or Vessel shall contain

tain, and for every time they arrive, one pound of Good and new Gun-powder; and also all Ships and Vessels trading any way to the Southward of the Tropick of Cancer, shall respectively pay for every Tun such Ship or Vessel shall contain one pound of good and new Gun-powder, once every Year and no more, the same to be to our Sovereign Lord the King, his Heirs and Successors, for the Publick use of this his Majesty's Island.

*shall pay for every time one pound of Gun-powder;*

*and all vessels trading to the Southward of the Tropick of Cancer, shall pay for every Tun one Pound of Powder every year only.*

And it is likewise further Enacted and Ordained by the Authority aforesaid, That the Collector or Receiver appointed for the receipt of such Gun-powder, shall receive *in specie*, and not presume in lieu thereof to receive Money, or any other consideration whatsoever, upon Penalty of Twenty Pounds Currant Money for every such Offence.

*The Collectors shall receive it in specie,*

*on Penalty of 20l.*

And it is likewise Enacted, by the Authority aforesaid, That if any Master or Commander of any Ship or Ships, Merchant, Factor, Purser, Marriner or any other person whatsoever without the Presence of the Collector or some person appointed by him, or notice given him, or before his or their Regular Entry made with the said Collector, or payment of the Duty, or security given by Bond as aforesaid, shall after Sun-set and before Sun-rising put on shoar or put into any Boat or Vessel in order to Landing, any of the Liquors or any Goods contained or mentioned in this Act, with an intent to defraud his Majesty of his Customs, for the same, the said Liquors and Goods shall be forfeited, two third parts to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island, and the Contingent charges thereof, and the other third part to the Informer or Seizor, be it the Receiver, his Agents or any other person whatsoever, the same to be recovered by Bill, Plaint or Information in any Court of Record within this Island, any thing in this Act or any other to the contrary notwithstanding; and all manner of persons are hereby required to be aiding and assisting to the Receiver, his Agents, the Informer, Discoverer

*Whoever shall without the Presence of an Officer,*

*or before Entry,*

*shall after Sun-set, or before Sun-rising, land any Goods that pay Impost, the Goods shall be forfeited, two thirds to the King,*

*the other third part to the Seizor or Informer.*

*All Persons are to be aiding and assisting to the Receiver.*

and Seizor of such Liquors or Goods so Landed or unladen, contrary to the true intent and meaning of this Act.

*The Receiver  
by Warrant  
may search,*

*for concealed  
Goods,*

*which if found  
shall be forfei-  
ted,*

*if search be  
made within  
three days.*

*The Collector  
to give atten-  
dance from 9 to  
11, and from  
2 to 4,*

*on Penalty of  
20l.*

*All that have  
License to  
Retail strong  
Liquors,*

*shall pay every  
year 5l.*

*and they that  
sell without Li-  
cense,  
shall forfeit  
10l.*

And it is hereby further Enacted by the Authority aforesaid, That it shall and may be lawful for the Receiver, his Agents, the Informer or Discoverer, by the vertue of a Warrant from the Commander in Chief or any of his Majesties Justices of the Peace to that purpose first obtain'd, with one Constable or more to search according to Law all manner of Houses, Cellars, Warehouses and Shops, for such Liquors and Goods as they or any of them shall be Informed were carried there to be concealed in prejudice to the true meaning of this Act, and such Liquors and Goods so found shall be forfeited and condemned in manner and form before mentioned, Provided that the search be made within three days after Information.

And it is likewise further Enacted and Ordained by the Authority aforesaid, That during the Continuati- on of this Act, the Collector or his Deputy give his or their attendance at his Office from Nine to Eleven of the Clock in the Morning, and from Two to Four in the Afternoon, upon Penalty of twenty Pounds Currant Money of this Island for every default.

Be it likewise Enacted and Ordained by the Autho- rity aforesaid, That all and every person or persons whatsoever in this Island, which from and after the making of this Act, shall have or receive from the Governour or Commander in Chief of this Island, a License to Sell and Retail any strong Liquors in any part of the Island, shall pay for the said License, and every Year renewing of the same, the sum of Five Pounds Currant Money to our Sovereign Lord the King, his Heirs and Successors; and whosoever shall presume to sell by Retail any of the strong Liquors as aforesaid, without such License had and obtained as aforesaid, shall forfeit for every such Offence the sum of Ten Pounds Currant Money of this Island.

And it is hereby Enacted and Declared by the Au- thority aforesaid, That if any new Setler or Comer shall

shall Import into this Island any Rum, Sugar, Tobacco, Indico, Cocoa, Ginger or Cotton here by himself or any other person or persons, for his or their better conveniency in settling and planting, and shall not declare his or their intentions upon Oath before the Collector, who is hereby Impower'd to administer the same at the time of Importation, but shall likewise make the same appear within three Months after his or their arrival by some visible effect, which he or they shall shew in order to it, that then the same being sufficiently made known and appear to the said Collector or Receiver of the said Goods shall not be chargeable with any Duty or Customs, any thing in this Act to the contrary notwithstanding; and the said New-comers to enjoy the aforesaid priviledge for three Months after their arrival; Provided also that it shall and may be lawful for any Master or Merchant of any Ship or Vessel to Land or put on Shoar any of the said Goods without being further liable to pay any Duty or Custom for any part or parcel thereof, more then what he shall sell or dispose of within this Island, any thing in this Act to the contrary notwithstanding.

*All that come to settle and bring Rum, &c.*

*tho they declare not to the Collector,*

*yet if they make it appear in 3 Months after their arrival,*

*the Goods shall not pay Custom;*

*and the Importers may land such Goods paying Customs,*

*only for what they shall sell.*

And it is further Enacted by the Authority aforesaid, That as well his Majesties Quit-Rents arising from Lands Granted or to be Granted within this Island, and every part and parcel thereof, as also all and every part of the Revenue hereby Granted, or which hereafter shall grow due by vertue of this Act or any thing herein contained shall be applied and appropriated and are hereby appropriated to the Support of the Government of this his Majesties Island and the Contingent charges thereof and to no other use, intent or purpose whatsoever.

*The Quit-Rents and all Moneys arising by this Act,*

*shall be applid to the support of the Government, and to no other use.*

And That his Majesties Forts and Fortifications within this Island may for the future be kept in better repair, and if his Majesty in his great Wisdom shall think convenient, other new ones may be built, Be it further Enacted by the Authority aforesaid, That the Sum of One thousand two hundred and Fifty Pounds per Annum, arising as aforesaid, be during the term of Twenty one Years, annually paid and appro-

*That the Fortifications may be kept in order and repair, and new ones built,*

*1250l. per An. shall be appropriated to that use,*

riated

appropriated unto the repairing, building and rebuilding of his Majesties Forts and Fortifications within this *and to no other.* Island, and to no other use, intent or purpose whatsoever, and the same is hereby appropriated accordingly.

*The Receiver shall annually charge the 1250l.*  
*for the Fortifications, in a distinct Book, which shall lie open for all Persons to View, without any Fees, and the Receiver shall at all times, when required,*  
*give a true account upon Oath, of the disbursements of this 1250l.*  
*and shall also enter into Bond and Security of 5000l. which shall lie in the Secretaries Office,*

And it is further Enacted by the Authority aforesaid, That the Collector or Receiver-General of this Island for the time being, or he that shall Officiate in his room or stead, shall annually during the term aforesaid out of the Money received by vertue of this Act, charge down the said One thousand two hundred and fifty Pounds, so as aforesaid appropriated to the particular account of the Fortifications, and shall keep a distinct Book of accounts for the same, which Book of accounts shall be free and open at all Office-hours, for all persons to view the same, without paying any manner of Fee therefore; and that the said Receiver-General or his Deputy, shall (when and as often as thereunto required by the Governour, Council or Assembly when sitting, or to any Committee by them or either of them to be appointed) give in upon Oath (which Oath they are hereby impowered to administer) a just and true account of the particular Disbursements out of One thousand two hundred and fifty Pounds *per Annum*, so appropriated as aforesaid, and that the said Receiver-General shall with good and sufficient Security, such as shall be approved of by the Governour and a *Quorum* of the Council, enter into Bond in the Penalty of Five thousand Pounds, (which Bond shall lie and be Recorded in the Secretary's Office) under the Condition hereafter expressed; That is to say.

*Under this Condition, truly to account,*

**T**He Conditon of this Obligation is such, That if the above bound A. B. Collector or Receiver-General shall well and truly account for as often as he shall be thereunto required by the Governour for the time being and a *Quorum* of the Council or a Committee of the Assembly, all and every such Sum or Sums of Money which either have or shall come to his hands, either by vertue of an Act, Entituled,



Entituled, An Act for raising a Publick Impost, made at an Assembly held by Prorogation the Twenty first day of September, in the Thirty fourth Year of his Majesties Reign, or an Act, Entituled, An Act for raising a Publick Revenue for the Support of the Government of this his Majesties Island, made at an Assembly held by Prorogation, the Fifth day of September, in the Thirty Fifth Year of his Majesties Reign that now is, or any other Act or Acts whatsoever, as also well and truly to pay the Sum of One thousand two hundred and fifty Pounds Yearly and every Year, for and during the time of the aforesaid Act, made in the Thirty fifth Year of his Majesties Reign, Entituled, An Act for raising a Publick Revenue for the Support of the Government of this his Majesties Island, shall be in force by Warrant of the Governour, with the advice and consent of a Quorum of the Council, for and towards the repairing and building Fortifications, and also pay all other Sums of Money according to the intent and meaning, and to the uses mentioned and directed in the said Acts, that then this present Obligation to be void, otherwise to remain in full force and vertue.

*for all Monys received,*  
*by this or other Acts,*  
*and to pay the 1250l. yearly,*  
*by Warrant of the Governour,*  
*and all other Sums,*  
*according to the intent of the said Acts,*  
*then to be void.*

And in case the said Collector or Receiver-General, or his Deputies, shall presume to act in the said Office longer than Twenty Days after the Passing of this Act before he or they have given the Security, with the Condition aforesaid, or shall misapply or pay any part or parcel of the One thousand two hundred and fifty Pounds so applied as aforesaid, he or they shall for every such Offence forfeit the Sum of Two thousand five hundred Pounds, one half whereof shall be to our Sovereign Lord the King, his Heirs and Successors, for the support of the Government of this Island, to be laid out upon the said Fortifications, and the other half to him or them that shall sue for the same in any Court of Record within this Island, where no Essoign, Protection, Injunction, Wager of Law, or *Non vult ulterius prosequi*, shall be admitted or allowed, any thing in this Act or any other seeming to the contrary notwithstanding.

*And if the Collector shall Act more than 20 days after the Passing this Act, before he give such security, or misapply any part of the 1250l. he shall forfeit 2500l. One half to the King, for the Fortifications; the other half to them that shall sue for the same.*

*The Collector or Receiver shall not pay away part of the 1250l. nor any other Money arising from the Quit-Rents, or by this Act,*

*without a Warrant from the Governour;*

*but if the Collector shall pay any sum,*

*or any person misapply any of these sums, contrary to the true intent,*

*they shall forfeit treble the sum.*

And that the said Collector, Receiver or his Deputy shall not at any time hereafter upon any pretence whatsoever pay the said One thousand two hundred and fifty Pounds *per Annum* or any part or parcel thereof or any other sum or sums of Money whatsoever arising from the Quit-Rents or by vertue of this Act, unless he or they shall first have or receive for his or their Authority a Warrant under the Hand and Seal of the Governour or Commander in Chief for the time being, with the advice and consent of the Council, expressing the Sum to be paid, and the end and purpose whereunto the Sum is or shall be applied; and in case the Collector or Receiver-General or his Deputy shall contrary to the true intent and meaning hereof, pay any sum or sums of Money whatsoever, or if any other person or persons whatsoever shall misapply any of the Moneys so as aforesaid appropriated contrary to the true intent and meaning of this Act, the Offender or Offenders shall forfeit and pay treble the sum by him or them so paid or mispaid.

*All forfeitures in this Act, not already appointed, how they shall be disposed of, shall be one half to the King,*

*the other half to the Informer.*

Be it further Enacted by the Authority aforesaid, That all Forfeitures and Penalties mentioned in this Act, and not declared how they shall be disposed of, and in what manner to be recovered, shall be one half to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the Contingent Charges, and the other half to the Informer, to be recovered by Bill, Plaint or Information in any Court of Record wherein no Essoign, Protection, Wager of Law, *Non vult ulterius Prosequi*, or Injunction, shall be allowed, any thing in this Act or any other to the contrary in any wise notwithstanding.

*After the first day of November, 1683.*

*the Act for a Publick Impost, made the 21st day of September, 1682.*

And it is further Enacted and Ordain'd by the Authority aforesaid, That from and after the First of November, One thousand six hundred eighty three, an Act Entituled, *An Act for raising a Publick Impost*, made at an Assembly held at the Town of St. Jago de la Vega by several Prorogations the Twenty first day of September,

September, one thousand six hundred eighty two, in the thirty fourth Year of his Majesties Reign that now is, and all and every Clause and Clauses therein contained, be and are hereby repealed to all intents and purposes whatsoever. shall be void and repealed.

And it is hereby Enacted and Declared by the Authority aforesaid, That this present Act, Entituled, And this Act shall continue in force An Act for raising a Publick Revenue for the Support of the Government of this his Majesties Island, remain and continue in force for the term of Twenty one Years, for 21. Years, and no longer. and no longer.

**W**Hich Laws having upon the perusal of the Right Honourable the Lords of the Committee of Trade and Foreign Plantations been presented to His Majesty at this Board, His Majesty was graciously pleased, with the Advice of His Privy Council, to Approve and Confirm the same for the space of Twenty one Years, to Commence from the first day of November last, preceding the Date hereof, as also certain other Laws confirmed by His Majesty in Council the twenty third day of February, 1682. Not hereby repealed, and pursuant to this His Royal pleasure thereupon signified and expressed all the said Laws, as aforementioned, are hereby Approved and Confirmed for the space of twenty one Years accordingly.

Phil. Lloyd.

An

## An A C T

*For the better Ordering of Slaves.*

**B**E it Enacted and Ordained by the Governour, Council, and Assembly, and it is hereby Enacted by the Authority of the same, That no person whatsoever shall give leave to any *Negroe* Slave under his or her care, charge or ownership, unless such as usually wait on their person, or go in Liveries, to go out of their Plantations without a Ticket or White Servant, in which Ticket is to be expressed their Names and Numbers, and also from and to what place, on penalty of Fourty shillings, and paying for taking up as runaways; and whosoever shall not endeavour to apprehend any *Negroe* slave, coming into their Plantations or where they have care or charge (except as before is excepted) and apprehending any shall not punish them by moderate whipping, shall forfeit forty shillings.

*No Negroe shall go out of their Plantations without a ticket.*

*or a White Servant,*

*on 40 s. penalty to the owners;*

*and who neglects to take up such servants or Negroes shall forfeit 40s.*

*A Negroe that strikes a white Person, for the first offence shall be whipt; how punished for the second;*

*how for the third.*

*Provided, it be not in the defence of their owners.*

*All slaves shall have Cloaths.*

*None shall be free by being a Christian, in payment of debts they be accounted Chattels,*

*And* if any *Negroe* slave shall offer any violence by striking or the like, to any Person, shall for the first offence be severely whipt by the Constable, by Order of the Justice of the Peace; and for the second offence by like order shall be severely whipt, his or her Nose slit, and Face burnt in some place; and for the third offence, be left to two Justices and three Free-holders, to inflict Death or any other punishment according to their Discretion; *Provided*, such striking or conflict be not by Command of, or in Lawful defence of their owners Persons or Goods.

It is further Enacted, That all Slaves shall have Cloaths; that is, Men, Drawers and Caps; and Women, Peticoats, once every year. It is further Enacted, That no Slave shall be free by becoming a *Christian*, but as to payment of Debts, shall be deemed and taken as all other Goods and Chattels are not suffi-

sufficient to satisfy the said Debts, then so many Slaves only as are necessary, as well proportionably out of the Slaves assigned for Dowry, as those that belong to the Heirs and Executors, shall be sold for payment of Debts, and all *Negroes* and Slaves shall be accounted as Free-hold in all other Cases whatsoever, and descend accordingly. but otherwise Free-hold.

It is further Enacted by the Authority aforesaid, That no Person whatsoever (except the Provost-Marshal at the Goal of St. *Jago de la Vega* and *Port-Royal*) shall keep any run-away Slave or Slaves above ten days, nor shall the Provost-Marshal, or any other whatsoever, employ any of them, or suffer him, her or them, in their Custody, to want convenient Food and Water, on Penalty of Forty Pounds for every such Offence; And if any Person shall suffer any Slave to die in their Custody, for want of Food or Water, or dry and convenient Lodging, the Provost-Marshal, or any other Person in whose Custody the *Negro* was, shall pay the owners Fifty Pounds, to be recovered by an Action of Debt in any Court of Record within this Island, or be liable to an Action of Debt for the same. None shall keep a run-away Slave above ten days, nor shall the Provost-Marshal let them want in prison, on Penalty of 40l. Nor shall any one suffer a Slave to dye for want, on Penalty of 50l. to the owners.

And be it further Enacted by the Authority aforesaid, That whosoever shall take up any run-away Slave or Slaves, that such Person or Persons shall bring the said run-aways to his or their proper owners, if they know them, and receive for their pains twelve Pence *per Mile* for the first five Miles, and eight Pence *per Mile* for every Mile more, Provided that it exceed not Forty Shillings in the whole; but if they do not know the owners, then to the Marshal or Goal, upon pain of forfeiture for every day he or she shall keep such Slave or Slaves beyond the said ten days, and thereof be convicted by Confession of Verdict, the sum of twenty Pounds, to be levied by the Provost-Marshal, or his lawful Deputy, upon the Goods and Chattels of the Persons so neglecting to bring the said run-aways, and no Person shall receive payment for their taking up any Slave or Slaves, till he give They that take up run-aways, shall bring them to their owners if they know them, and receive 12s. per mile for the first five miles, and 8d. for every mile more, not exceeding 40s. but if they know not the owners then to the Marshal. On Penalty of 20l. and shall give account of themselves and such Negroes.

(or shall have no Payment) an account of his own Name and Place of abode, with the time and place when and where taken up, which account shall be first up, with an account of the Mark and Sex, which account of all such Slave or Slaves coming into his Custody, he shall cause to be fairly written and fixed upon a publick place in the Goals of St. Jago de la Vega and Port-Royal, on the Penalty of two hundred Pound; and the said Marshal shall enter the said Account in a Book, and also take a Receipt from the Person to whom he delivers any run-away, with a description of the Person to whom delivered; and in case the Marshal shall refuse to make payment for the taking up a run-away Slave or Slaves, and thereof Oath be made before any Justice of Peace, the said Justice is hereby Authorized to direct his Warrant to any Constable, to cause the value thereof to be immediately levied upon the Goods of the said Marshal, and the said Goods sold by publick Out-cry, and satisfaction to be made to the party aggrieved, returning the Over-plus to the said Marshal, and that it shall and may be lawful for the Marshal to detain and keep in custody the Bodies of all such run-aways so brought unto him, until the owners of them, or their Assigns, shall pay unto him the full sum of what he so paid for them, with two shillings and six pence per Pound for laying out the Money, and so proportionable for a greater or lesser sum, and also six-pence for every twenty four hours the said Slave hath been in his Custody; and if the said Marshal shall willingly or negligently suffer any Slave or Slaves to Escape, to be employed, or by any ways or means to be out of their Custody, before he be duly delivered to the owner or his Assigns, then the said Marshal shall forfeit to the owners Fifty Pounds for every Slave so Escaping, employed, or being out of their Custodies as aforesaid.

on Penalty of 200l.  
What the Marshal must do, in this case,  
but he may detain till he is paid the money he laid out,  
and 2s. 6d. in the Pound for his laying out the money, and 6d. for every night the Slave has been in custody;  
but if he let any Escape or be employed,  
he shall forfeit 50l.

All Negroes Houses shall be searched, once every fourteen days for Weapons.

And it is further Enacted by the Authority aforesaid, That every Master or Mistres or Overseer of a Family in this Island, shall cause all their Slaves Houses to be diligently and effectually searched once every fourteen days, for Clubs, wooden Swords, and mischief-

mischievous Weapons, and finding any, shall take them away and cause them to be burnt, and also upon any request made, to search the same for stolen Cloaths, Goods, or any other things or Commodities, particularly suspected Flesh, that is not given them by their Owners or Overseers, and honestly come by; And in whose Custody they shall find any thing suspected or known to be stolen Goods, the same shall seize and take into their Custody, and a full and ample Description of the particulars thereof in Writing, within six days after discovery thereof, shall send to the Clerk of the Parish, or Clerk of the Court of the Precincts for the time being, who are hereby required to receive the same, and enter upon it the day of its receipt and give account to the Church or Court of the Precincts, in writing, that such lost Goods are found, to the end, the Owner, giving the Clerk proof by mark or otherwise, that the Goods lost belong to him, he may have the same, paying twelve pence to the Clerk for his Entry and Declaration of the same; and the parties, by whom such lost Goods are taken into Custody, are hereby required to make restitution of what is in being to the Owner, on the Penalty of Twenty Pounds for each Neglect by the Master, Mistress, Overseer, or Clerk, as aforesaid.

*Or for stolen Goods, &c.*

*Which shall be seized if found, and an account given thereof to the Clerk, &c.*

*who shall give notice,*

*that it may be return'd, paying to the Clerk 1s.*

*On Penalty of 20l.*

And be it further Enacted by the Authority aforesaid, That if any Slaves shall take up any run-away, he or she shall have the whole benefit thereof, and if any shall deprive a Slave of the said benefit, and not lay the same out in Cloths or otherwise, at the discretion of the owner, they shall forfeit treble the value.

*If a Slave take up a run-away he shall have benefit,*

*or forfeit treble the value.*

And it is further Enacted by the Authority aforesaid, That no Person whatsoever shall attempt or endeavour to steal or carry off this Island any Slave, on Penalty of Sixty Pounds, but whosoever shall actually do the same, shall be Guilty of Felony, and be excluded from the benefit of his Clergy.

*None shall attempt to steal a Negroe on Penalty of 60l, but they which do it shall be Guilty of Felony.*

It is further Enacted by the Authority aforesaid, That

it

*Plantations that are deserted may be destroyed.* it shall and may be Lawful for any Person to ruinate and destroy any Plantation deserted for the space of two Months, lest it become a Receptacle for Fugitives.

*On great Crimes done by Negroes.* It is further Enacted by the Authority aforesaid, That upon complaint made to any Justice of any heinous or grievous Crime committed by any Slave or Slaves, as Burglary, Robbery, Burning of Houses or Canes, killing or stealing of any Neat or other Cattel, or other petty Injuries; as Maiming one the other, stealing of Fowls, Provisions, or such like Trespasses or Injuries, the said Justice shall issue his Warrant for apprehending the Offenders, and for all Persons to come before him, that can give Evidence; and if upon Examination it probably appeareth, that the apprehended are Guilty, he shall commit them to Prison, or take security for their forth-coming, as the case shall require, and also to certifie to the Justice next to him, the said cause, and to require him by vertue of this Act, to associate himself to him, which such Justice is hereby required to do, and they so associated are to issue their Summons to three sufficient Free-holders, acquainting them with the Matter, and appointing them a day, hour, and place, when and where the same shall be heard and determined, at which day, hour and place, the said Justices and Free-holders, shall cause the Offenders and Evidences to come before them, and if they, on hearing the matter, (the said Free-holders being by the said Justices first sworn to Judge uprightly, and according to Evidence) shall adjudge the Criminal or Criminals Guilty of the Offence complained of, they shall give Sentence of Death, if the Crime by Law deserve the same, or such other Punishment as the Crime deserveth, and forthwith, by their Warrant, cause immediate Execution to be done by the Common or any other Executioner, in such manner as they shall think fit, and if the Crime committed shall not deserve Death, they shall condemn or adjudge the Criminal or Criminals, to the party or parties injured, and to his, her, or their

*the Justices shall issue out their Warrants,*

*and being apprehended,*

*Two Justices and three Free-holders,*

*shall Judge the Criminals*

*to Death if there be reason,*

*and cause Execution to be done on them,*

*or otherwise*



their Heirs for ever, after they have received such corporal Punishment as the Justices and Free-holders <sup>as they see</sup> <sup>cause,</sup> afore-  
said shall appoint, unless the owners shall pay to to the parties injured such sum or sums of Money, at  
such time or times as the Justices and Free-holders shall appoint, and if any Justice or Free-holder shall ne- <sup>but if any of</sup> <sup>them neglect</sup> <sup>they shall for-</sup> <sup>feit 20l.</sup>  
glect his Duty above required, he shall forfeit twenty Pound.

*Provided* nevertheless, That when and as often as any of the fore-mentioned Crimes be committed by <sup>Such crimes</sup> <sup>committed by</sup> <sup>more than one</sup> <sup>Negroe,</sup>  
more than one *Negroe* that shall deserve Death, that then and in all such cases only one of the said Crimi-  
nals that shall suffer Death, as Exemplary, the rest to <sup>there shall only</sup> <sup>one suffer, and</sup> <sup>the rest return-</sup> <sup>ed to their own-</sup> <sup>ers,</sup> <sup>who shall bear</sup> <sup>their part of</sup> <sup>the loss,</sup>  
be returned to the owners; which owners of *Negroes*, shall bear proportionably the loss of the  
said *Negroe* so put to Death, and also pay proportionably the damage done by the said Criminals to the  
party or parties injured, as shall be allotted them by the said Justices and Free-holders: And if any Person <sup>which if they</sup> <sup>refuse,</sup>  
shall refuse to pay his part so allotted him, That then, and in all such cases, the said Justices and Free-holders  
are hereby required to issue out their Warrant of Distress upon the Goods and Chattels of the Person so <sup>distraint shall</sup> <sup>be made on</sup> <sup>their Goods.</sup>  
refusing, and shall cause the same to be sold by the publick Out-cry, to satisfy the said Money so allotted  
him to pay and to return the Over-plus, if any be, to the owner.

And it is further Enacted by the Authority afore-  
said, That every Commission-Officer within this Island, <sup>any Commission</sup> <sup>Officer may</sup> <sup>raise Men,</sup>  
shall be and is hereby impowered and required on notice to him given of the *Haunt residena*, or hiding-  
place, of any run-away *Negroes*, to raise a convenient Party of Men, not exceeding twenty, and with them <sup>not exceeding</sup> <sup>20, to pursue</sup> <sup>Run-aways.</sup>  
to pursue, apprehend and take the said run-aways, either alive or dead; and whatsoever Commission-  
Officer shall neglect his or their Duty herein, shall forfeit the sum of twenty Pounds.

It is further Enacted by the Authority afore-  
said, That if any Slave or Slaves shall commit any Murder, <sup>A Slave that</sup> <sup>commits mur-</sup> <sup>der, or makes</sup> <sup>Insurrection,</sup>  
or make any Insurrection, or rise in Rebellion against his

his Majesties Authority, or make any preparation of Arms, as Powder, Bullets, or offensive Weapons, or hold any Conspiracies for raising Mutinies or Rebellion, the Offenders shall be tried by two Justices of the Peace, and three Free-holders, associated together, as before express'd, who are hereby impowered and required, to try the said Slaves so Offending, and inflict Death, or any other Punishment, upon the said Offenders, and forthwith, by their Warrant, cause Execution to be done by the Common or any other Executioner, in such manner as they shall think fit; and if any person shall make away or conceal any Negro or Negroes, suspected to be Guilty of the fore-mentioned Crimes, and not, upon Demand, bring forth the suspected Offender or Offenders, such person shall forfeit one hundred Pounds.

*shall be tryed by two Justices and three Free-holders.*

*who may inflict Death or other Punishment.*

*they that conceal a suspected Negroe,*

*shall forfeit an 100l.*

*The Marshal shall give account,*

*what Negroes are in Prison,*

*On Penalty of 100l.*

*All Masters are to have one acre of Provision,*

*for every five Negroes, on Penalty of 40s. for each acre.*

*No Negroes shall be Porters on Port-Royal, on Penalty of 20l.*

And it is further Enacted by the Authority aforesaid, That the Provost-Marshal, or his Lawful Deputy, shall give an account in Writing, at every Sessions within this Island, as often as the same shall be held, of what Negroes he hath in his Prison, at St. Jago de la Vega, and Port-Royal, with their Marks and Seals, and the time they have been in his Goals, and as near as he can learn, how long each hath been from their respective owners, on Penalty of one hundred Pounds for every Default.

And be it further Enacted by the Authority aforesaid, That all Masters and Owners of Plantations, shall, and are hereby required, to have at all times, within six Months from and after the Publication of this Act, one Acre of Ground well planted with Provision for five Negroes, and so proportionally for a greater or lesser number, under the Penalty of forty shillings for every Acre wanting.

And it is further Enacted by the Authority aforesaid, That no Master or owner of Slave or Slaves, shall let out for hire any Slave or Slaves to work upon Port-Royal as Common Porters, upon pain of twenty Pounds for every such Offence.

And it is further Enacted by the Authority aforesaid,

said, That if any Slave, by punishment from the owner, for running away, or other Offence, shall suffer in Life or Limb, no person shall be liable to the Law for the same; but if any one out of wilfulness, wantonness, or bloody mindedness, shall kill a Slave, he or she, upon due conviction thereof, shall suffer three Months Imprisonment, without Bail or Mainprize, and also pay the sum of Fifty Pounds to the owner of such Slave; but if the person so Offending be a Servant, he or she shall receive on his or her bare Back, nine and thirty Lashes, by order of any two Justices of the Peace, before whom the matter shall be proved, and after the Expiration of his or her time with his or her Master or Mistress, he or she shall be further liable to serve the owner or owners of such Slave the full term of Four Years, by order of the said Justices of the Peace. And if any person shall kill a Slave, stealing or running away, or that shall by night be found out of the owners Ground, Road, or Common Path, and refuseth to submit, such person shall not be liable to any Dammage or Action for the same, any Law, Custom, or Usage to the contrary notwithstanding.

*If a Slave suffer under punishment for Offence, no Person shall be liable.*

*But if any one kill a Slave wantonly, they shall suffer three Months Imprisonment, and pay 50l. if free; but if a Servant, shall be whipt,*

*and serve the owner of the Slave 4 Years.*

*but if any one kill a Negroe by night that refuses to submit, no damage shall fall on them.*

And it is further Enacted by the Authority aforesaid, That if any Negro or Negroes are taken stealing Wood or Timber, in Boats or Canoa's, and be thereof convicted before any two of his Majesties Justices of the Peace, the said Justices are hereby required and impowered to condemn the Slave or Slaves so taken, to serve the Owners or Proprietors of the Land where the Offence was committed, six Months, without any satisfaction given to the person or persons to whom the same Slave or Slaves do belong.

*Negroes taken stealing Wood in Boats,*

*shall serve the Proprietors, six Months.*

And it is further Enacted by the Authority aforesaid, That all Masters or Owners of Boats, Wherries, and Canoa's, plying within the Harbour of Port-Royal, shall give their own Bonds of Fifty Pounds Sterling, not to carry any Negroes, without a Ticket from their Owners or Overseers, (except as before

*All owners of Boats,*

*shall give 50l. Bond, not to carry any Negroe without a Ticket,*

excepted) all which said Bonds are to be taken in the King's Name, and recorded in the Secretary's Office, and thereupon due recovery to be made by all persons receiving damage, in the same manner as is already appointed in the Act, *requiring all Masters of Ships and Vessels to give security in the Secretary's Office, and the Secretary is hereby impowered to take one Shilling as his Fee for each of the Bonds, and no more; and in case any such owners of Boats and Canoa's shall not within forty days, from and after the Publication of this Act, give in their Bond to the Secretary, as aforesaid, they shall forfeit forty Shillings for every Week after the said forty Days are expired, to be recovered by Warrant from any Justice of the Peace, and to the use and benefit of such person, who shall inform and complain of the same.*

*which shall be recorded in the Secretary's Office, that damage may be recovered.*

*As in the Act for Masters of Ships.*

*For which the Secretary is to have 1s.*

*Which if they Neglect to do,*

*they shall forfeit 40s. for every Week to the Informer. To be levy'd by Warrant of a Justice.*

*This Act shall be Read,*

*the Sunday after Christmas. And the Sunday after Mid-summer every year,*

*On Penalty of 5l.*

*All Penalties in this Act not above 40s. shall be recovered by Warrant of the Justice,*

*and all above by Action of Debt, half to the King,*

*half to the Informer.*

And it is further Enacted by the Authority aforesaid, That this Act be Read and Published in all respective Churches within this Island, the first Sunday after Christmas-Day, and the first after Mid-summer, by the Clerk every Year, and where there are no Churches, to be published by the Clerk of the Peace every other Sessions of the Peace in each Precinct, on Penalty of Five Pound sterling for each Default.

It is further Enacted by the Authority aforesaid, That all Penalties mentioned in this Act, and not declared where they shall be recovered, or how disposed of, not exceeding forty Shillings, shall be recovered by Warrant from any Justice of the Peace, and all Penalties exceeding forty Shillings shall be recovered by Action of Debt, in any Court of Record within this Island, one Moiety or half part of all such Forfeitures shall be to our Sovereign Lord the King, for the publick use of this Island, and the other Moiety or half part shall be to the Informer, or they that shall sue for the same.

Thomas Modyford. entered at  
 Exeter Col Oxford November 1629  
 left Oct 1632.  
 Being at that time Col. Thomas  
 Modyford, he left England  
 for the West Indies in June 1647  
 in the Achilles, <sup>owned</sup> Tho. Croxson  
 of London. ~~Merchant~~ a Vessel  
 of 350 Tons burthen originally  
 bound for Antigua. but puttem  
 onto Barbados for Provisions. The  
 Col remained in that Island.  
 Having soon after his Landing  
 purchased there the  
 Moiety of the Estate of  
 Major Helliard. after  
 the Restoration here mor  
 eth to Jamaica. where  
 he arrived 4 June 1664.  
 Sir Thomas Lynch succeeded  
 him in the Government

An ACT

Ascertaining SALT to the Parishes of  
 St. Catherines, St. Thomas in the  
 Vale, and St. Dorothy's.

WHEREAS the Parishioners of St. Cathe-  
 rines, St. Thomas in the Vale, and St. Dorothy's  
 for several Years last past have been furnished with Salt  
 from Sir Thomas Modyford, Sen. Baronet, his Salt-  
 Pond, in consideration of their having surrender'd  
 their Right unto the said Salt-Ponds, unto the said  
 Sir Thomas; and the said Parishioners desiring the  
 continuance of the said Custom, and to ascertain  
 the same from Sir Charles Modyford, Baronet, the  
 Heir and present Possessor, who hath declared his  
 willingness thereunto.

In P.C.F.C. Letters of  
 Administration taken  
 out for Sir Thomas  
 Modyford R.D. 1680  
 Sir James Modyford 1673  
 Preamble.  
 Sir Thomas Modyford  
 State independent  
 says Drumpster  
 was called the  
 argylls

Be it therefore Enacted by the Governour, Coun-  
 cil, and Assembly, and it is hereby Enacted by  
 the Authority of the same, That the said Sir Charles  
 Modyford, his Heirs, Executors, Administra-  
 tors, or Assigns, shall for ever Yearly furnish each  
 Master, or Mistrefs, or Overseer of any Family or  
 Plantation in the Parish of St. Catherines, St. Tho-  
 mas in the Vale, and St. Dorothy's, according to a  
 Note of each Head of Blacks or Whites, signed  
 by the said Master, or Mistrefs, or Overseer, of  
 the number of Heads belonging to them, and re-  
 siding in the said Parish, and that they desire Salt  
 for that Year, and at the same time bring in their

Sir Charles  
 Modyford;  
 shall furnish  
 St. Catherines  
 St. Thomas and  
 St. Dorothy.

Notes, and pay in their Money, or tender the same, at the Court-House in *St. Jago de la Vega*, to the said *Sir Charles Modyford*, his Heirs, Executors, or Assigns, or whom he or they shall appoint, from the Fifth Day of *January*, to the Sixteenth Day of the same Month, in every Year; that is to say, Twelve pence per Bushel for so many Bushels as they claim, not exceeding half a Bushel per Head, so that the whole exceed not Five Thousand Bushels so to be provided for the said Parishes; Provided also, That such tender shall be good, though no body be at the place and times aforesaid to receive the Money.

*to those that claim every Year from the fifth to the sixteenth of January;*  
*with half a Bushel of Salt for every Head not exceeding 5000 Bushels at 12d. per Bushel.*

*How the tender is to be made.*

Provided also, and it is the true intent and meaning of this Act, That such of the Parishioners that Neglect to make their claim as aforesaid, and those claiming and paying their Money, do not fetch their proportion of Salt, as above-said, between the First of *May*, and the last day of *August*, every Year, from the Salt-Ponds, as aforesaid, shall forfeit their Money so paid, and lose also the benefit of this Act for that Year.

*And how the Parishioners may forfeit their Salt and Money.*

And it is further Enacted by the Authority aforesaid, That for every Bushel of Salt duly claimed and demanded, and not delivered within the time before appointed, and at the Salt-Ponds, the said *Sir Charles Modyford*, his Heirs, Executors, Administrators, or Assigns, shall forfeit and pay to the parties aggrieved, Two Shillings for every such Bushel, to be recovered by Warrant from any of his Majesties Justices of the Peace, (not exceeding Forty Shillings) or in any Court of Record within this Island, wherein no Injunction, Protection, or Wager of Law shall be allowed.

*But if Sir Charles does not deliver the Salt,*

*he shall forfeit 2s. for every Bushel, to be recovered by a Justice, not exceeding 40s. If more in any Court of Record.*

Provided always, That if the said *Sir Charles Mody-*

Modyford, his Heirs, Executors, or Administrators, shall Sell or Dispose of any Salt, before he hath delivered, or secured to be delivered, such quantities of Salt, as shall be claimed and paid for at the times appointed by this Act, That then he or they shall pay unto the Parties grieved, Five Shillings per Bushel, for every Bushel wanting to compleat their respective Parcels, any thing in this Act, or any other Act, Deed, or Pattent, to the contrary notwithstanding.

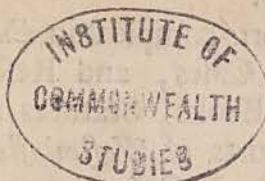
*If Sir Charles Sell Salt, so that he cannot comply with this contract,*

*he shall forfeit 5s. per Bushel to the party aggrieved.*

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F I N I S.

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