

NEGROES.

12. No Persons shall be deemed Inhabitants of this Province; so as to reap the Benefit of the Laws as such, but such as have actually lived within the Province for Three Years, the Privilege allowed by this Act excepted. *Ibid.* §. 4.

13. No Persons importing any Servants or Slaves, shall be liable to pay Duty for such of them as shall die, or be exported before Sale: Provided such Death or Exportation shall happen within Three Months after such Importation; and that the Owner make Oath before the Naval Officer, that such Servants or Negroes, so exported or dead, are Part of those Imported or made Entry of. 1735, *ch.* 6, §. 1, 2.

14. For Prevention of Frauds, by Non-Residents importing Negroes from *Pennsylvania, Virginia,* or other Provinces; every Person in whose Custody such Negroes shall be found, shall be deemed the Importer, and be liable to pay the Duties to the Naval Officer, under the Penalties inflicted by the Acts of 1715, *ch.* 36; and 1717, *ch.* 10, (*See above, Art. 8 and 9,*) for Concealment. *Ibid.* §. 3.

15. All Persons importing Negroes by Land or Water, into this Province, shall, at the Time of Entry, pay to the Naval Officer 2*l.* Current Money, over and above the Duties now payable by Law, (*viz.* Art. 8 and 9 *above,*) for every Negro so imported or brought in, to be applied to the Use of the County Schools; on Forfeiture of 10*l.* Current Money, for every Negro so brought in, and not paid for. One Half of which Penalty to the Informer, the other Half to the Use of the County Schools: Which Duty shall be collected, accounted for, and paid, by the Naval Officers, in the same Manner as the former Duties upon Negroes, &c. 1763, *ch.* 28, §. 1.

16. But Persons removing from any other of his Majesty's Dominions, in order to settle and reside within this Province, may import such Negroes as they shall be possessed of, for carrying on their proper Occupations at the Time of their Removal, Duty free. *Ibid.* §. 2.

17. Importers of Negroes, exporting the same within Two Months from the Time of their Importation, on Application to the Naval Officer, shall be repaid the aforesaid Duty. *Ibid.* §. 3.

18. No Negro or Mulatto Slave, Free Negro, or Mulatto born of a White Woman, during the Time of Servitude by Law, shall be received as Evidence in any Cause wherein any Christian White Person is concerned. 1717, *ch.* 13, §. 2.

19. Yet, where other sufficient Evidence is wanting, they may be admitted at the Discretion of the Court, as Evidence against any Negro, or Mulatto Slave, Free Negro, or Mulatto born of a White Woman, during the Time of Servitude by Law, where such Testimony doth not extend to Deprivation of Life or Member. *Ibid.* §. 3. *But see below, Art. 39, 40 and 41.*

20. For preventing the concealing of Capital Crimes committed by Slaves, and the conveying them away from Justice by their Owners: Where any Negro or Mulatto Slave, or Mulatto born of a White Woman, during the Time of Servitude by Law, or *Indian* Slave, shall be capitally Convicted, the Court shall immediately value such Negro, &c. And Three Fourths of such Value shall be paid to the Owner out of the Public Levy. *Ibid.* §. 4. (*But see below, Art. 42, 45 and 48; whereby the full Value shall be paid to the Owner.*)

21. To prevent Charges to the Owners of Slaves, by Trials in the County Courts, any Slave charged with Pilfering or Stealing, may be brought before a single Magistrate; who, on Proof thereof, may award such Punishment by Whipping, according to the Nature of the Crime, as he shall think fit, not exceeding Forty Lashes. *Ibid.* §. 6.

22. For preventing the tumultuous Meetings, &c. of Slaves, the several County Courts are required, yearly, in *November* Court, to appoint the Constable of

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every Hundred, where they think it expedient, to suppress the tumultuous Assembling of Slaves. 1723, *ch.* 15, §. 2.

23. Every Constable, so appointed, shall repair once a Month, to all suspected Places within his Hundred; and, if he find any Slaves, (except such as belong to the Owner of the Place) without a Licence under their Owner's or Overseer's Hand, shall Whip every such Negro on the bare Back, at his Discretion, not exceeding Thirty-nine Stripes. *Ibid.*

24. For enabling the Constable to put this Act in Execution, he may require as many Persons as may be necessary, to repair with him to such Places: Every Person so required, and refusing, shall forfeit 100*lb.* Tobacco; and all White Persons present shall aid such Constable, on Penalty of 100*lb.* Tobacco: One Half to the County, the other Half to the Informer. *Ibid.* §. 3.

25. All Slaves belonging to the Owner of the Place, if required, shall aid the Constable, on Penalty of each receiving Thirty-nine Stripes on the bare Back. *Ibid.*

26. Every Constable, so appointed, shall be allowed 500*lb.* Tobacco in the County Levy. *Ibid.* §. 4.

27. Any Negro, or other Slave, convicted before a single Magistrate of striking any White Person, such Magistrate may cause one of the offending Slave's Ears to be Cropt. *Ibid.*

28. The Owner of any Plantation may warn any strange Negro, or other Slaves, (not sent by their Owners on lawful Occasions) to be gone to their Owners; and, on Refusal or Delay so to do, may correct such Slave by Whipping, not exceeding Thirty-nine Lashes. *Ibid.* §. 5.

29. Any Persons encouraging Negroes to meet in Companies on their Plantations, (unless on lawful Occasion) shall forfeit 1000*lb.* Tobacco to the Use aforesaid. *Ibid.*

30. Owners, suffering any of their Slaves to keep any Horses or Mares, or to raise any Cattle or Hogs, as the proper Right of such Slaves, shall forfeit 500*lb.* Tobacco; and all such Horses, &c. shall likewise be forfeited. One Half to the Informer, the other to the Use aforesaid. *Ibid.* §. 6.

31. Runaway, out-lying Slaves, refusing to surrender themselves, or making Resistance against Persons legally empowered to take them up, may be shot, killed, or destroyed by such Persons. *Ibid.* §. 7. *See below, Art. 44 and 45.*

32. This Act shall be read in every County Court, by the Sheriff, or his Deputy, on Forfeiture of 500*lb.* Tobacco for every Omission. One Half to the Use of the County, the other to the Informer. *Ibid.* §. 8.

33. Free Mulatto Women, and their Bastard Issue, shall be subject to the same Penalties as White Women and their Issue are, for having Mulatto Bastards, by the Act of 1715, *ch.* 44. (*See above, Art. 3 and 4.*) Free Negro Women, having Bastards by White Men, and their Issue, shall be subject to the same Penalties; and the Proceedings hereon shall be the same as prescribed in that Act. 1728, *ch.* 4.

34. Any Negro, or other Slave, convict of Petit-Treason, Murder, or wilfully burning of Dwelling-houses, shall have Judgment to have the Right Hand cut off, to be hanged, quartered, and the Head and Quarters set up in the most public Places of the County. 1729, *ch.* 4, §. 1.

35. Persons stealing any Negro, or other Slave, or who shall counsel, hire, aid, or abet, or command any Person to commit the same, or who shall be accessory to the said Offence; on Conviction, Outlawry, standing Mute, or peremptorily Challenging above Twenty, shall suffer Death without Benefit of Clergy. 1737, *ch.* 2, §. 4.

36. The full Value to be adjudged by the Court, of any condemned Slave, who shall either be actually executed, or die after Condemnation, under Confinement in Order for Execution, shall be paid to the Owner by the