

An ACT for the more effectual punishment of negroes and other slaves, and for taking away the benefit of clergy from certain offenders, and a supplementary act to an act, entitled, "An act to prevent the tumultuous meeting and other irregularities of negroes and other slaves, and directing the manner of trying slaves. Lib. BLC. fol. 536.

Passed 8th of June, 1751.

1723, ch. 15.

A Supplementary and explanatory act in 1753; ch. 26.

WHEREAS the laws in force for the punishment of slaves are found insufficient to prevent their committing very great crimes and disorders, and that a further provision is necessary to keep them in proper bounds and due order, and for a more speedy method to bring them to justice than is prescribed by the laws heretofore made:

Preamble.

II. BE IT THEREFORE ENACTED, by the right honorable the Lord Proprietary, by and with the advice and consent of his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same, That if any slave or slaves shall at any time consult, advise, conspire or attempt to raise any insurrection within this province, or to murder or poison any person or persons whatsoever, or to commit a rape upon any white woman, or to burn any house or houses, and be thereof convicted by confession or verdict, or who shall of malice stand mute, or peremptorily challenge above the number of twenty jurors, shall suffer death, as in cases of felony, without benefit of clergy.

Punishment of slaves, &c.

III. AND BE IT FURTHER ENACTED, That any slave who shall attempt to burn any dwelling-house, or out-house contiguous to, or used with, any dwelling-house, or any other house wherein there shall be any person or persons, or any goods, merchandises, tobacco, Indian corn or other grain or fodder, and shall be thereof convicted as aforesaid, shall suffer death as a felon, without benefit of clergy.

For attempting to burn houses, &c.

IV. AND BE IT FURTHER ENACTED, That every slave committing any of the felonies herein before mentioned, or any other offence which may by law subject such slave to the pains of death, shall be committed to the sheriff of the county where the offence shall be committed, and that at the next assizes, or county court, which shall first happen, to be held for the county where the offence shall be committed, the justices of assize, or either of them, or county court, which shall first happen, shall and may, by virtue of this act, try every such offender or offenders according to law, and upon the conviction of the offender or offenders, upon his, her or their voluntary confession, or the verdict of a jury, upon the testimony of one or more legal or credible witness or witnesses, or even the testimony or the evidence of other slaves, corroborated with such pregnant circumstances as shall convince and satisfy the jury who shall try the fact of the guilt of such slave or slaves, to give judgment according to the nature and quality of the offence.

For committing felonies, &c.

V. AND BE IT FURTHER ENACTED, That any slave or slaves who shall give any false testimony against any slave or slaves who shall be prosecuted as aforesaid, and shall be thereof legally convicted, shall have one ear cut off on the day of his or her conviction, and receive thirty-nine stripes on the bare back, and that the other ear shall be cropped the next day, and the like number of stripes given the offender on his or her bare back.

For giving false testimony.

VI. AND, to the end that such slave or slaves as shall be produced as a witness or witnesses against other slave or slaves may be deterred from giving false testimony, **BE IT ENACTED**, That the justices of assize, or either of them, then sitting, or the justice of the county court who shall preside, shall admonish and charge such witness or witnesses to declare the truth, the whole truth, and nothing but the truth, and acquaint him, her or them, with the danger and consequence of giving false testimony.

Witnesses to be admonished.

VII. AND BE IT FURTHER ENACTED, That when any slave shall be condemned to suffer death, that such slave shall be valued by the justices of assize, or either of them, then present, or county court, according to the best of their knowledge, which said whole value shall be paid by the treasurer of the respective shore on which such execution shall be, on the certificate of such sheriff, out of the public stock of this province in the hands of such treasurer, without fee or reward, to the master or owner of such slave, in case the said slave be actually executed.

Slave to be valued, &c.

VIII. AND BE IT FURTHER ENACTED, That where any slave shall be guilty of rambling, riding, or going abroad in the night, or riding horses in the day-time without leave, or running away, it shall

And punished for rambling.