



## AN ACT TO PREVENT THE RUNNING AWAY OF SLAVES OUT OF THE CITY AND COUNTY OF ALBANY TO THE

448 LAWS OF THE COLONY OF NEW YORK.

[CHAPTER 790]

[Chapter 790 of Livingston & Smith and Van Schaack, where the title only is printed.]

AN ACT to Prevent the Runing away of Slaves out of the City and County of Albany to the French at Cannada.

[Passed, May 14, 1745.]

WHEREAS the City and County of Albany being the Frontier of the Colony, It is of great Importance during this time of War, that no Intelligence be Carried to the French at Cannada.

BE it therefore Enacted by his Excellency the Gouvernour the Council & the General Assembly, and it is hereby Enacted by the Authority of the same, That all & every Slave or Slaves belonging to any of the Inhabitants of the City & County of Albany, who shall from & after the first day of June in this Present year of our Lord, one Thousand Seven Hundred & Forty Five, be found going or Designing to go to Cannada, And be thereof convicted before Three or more of his Majesties Justices of the Peace for the said County, one whereof to be of the Quorum, who are hereby Authorized to hear & Determine the Same in Conjunction with Five of the Principle Freeholders of the said County (without a Grand Jury) Seven of whom agreeing, shall put their Judgment in Execution, according to this Act, or before any Court of Oyer & Terminer or general Goal delivery, He, she or they so convicted shall Suffer the Pains of Death, as in Cases of Felony without Benefit of Clergy in which Tryals the Evidence of one Slave, shall be good against another.

AND be it Enacted by the Authority Aforesaid, That all & Every Slave or Slaves who shall be found offending against this Act, shall be Immediately conveyed to the next Justice of the Peace for the said County and be by him Committed to Goal without Bail or mainprize until delivered by due Course of Law.

AND be it Enacted by the Authority aforesaid That the Charge of Prosecuting & Executing of any Slave or Slaves, by virtue of this Act, shall be deemed a County Charge, & shall be

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Laid, Assessed, Levyed, Collected & paid in the Same manner as the other necessary & Contingent Charges of the said County are, Provided the whole Charge shall not Exceed the Sum of Five Pounds on Conviction and Execution.

AND be it further Enacted by the Authority aforesaid, That the owner or owners of any such Slaves or Slave, as shall be Executed as aforesaid, shall be paid for the Same, in like manner as the Charge for Prosecution & Execution is by this Act directed, provided the Price Set on Such Slave does not Exceed the Sum of Thirty Five Pounds.

PROVIDED always & it is hereby further Enacted by the Authority aforesaid, That if any Master or Mistress of any Slave or Slaves be Inclined to have his, her or their Slave or Slaves Tryed by a Jury of Twelve Men, it shall be granted Such Master or Mistress, Paying the charge of the same, not Exceeding nine Shillings to the Jury, & in such Case there shall a Precept be Issued by the Justices to the next Constable to Summon a Jury of Twelve Men, who shall be sworn to Try according to Evidence, & the Justices shall Proceed to Tryall by the said Jury Summoned & Sworn as aforesaid (without a Grand Jury) To which Jurors no Peremptory Challenge shall be Allowed.

AND be it further Enacted by the Authority Aforesaid, that this Act & every Article & Clause therein contained, shall only be of Force during this Present War with the French & no Longer.

FRENCH IN CANADA