

CHAPTER DCCCLXXXI.

AN ACT FOR THE GRADUAL ABOLITION OF SLAVERY.

(Section I, P. L.) When we contemplate our abhorrence of that condition to which the arms and tyranny of Great Britain were exerted to reduce us, when we look back on the variety of dangers to which we have been exposed, and how miraculously our wants in many instances have been supplied and our deliverances wrought, when even hope and human fortitude have become unequal to the conflict, we are unavoidably led to a serious and grateful sense of the manifold blessings which we have undeservedly received from the hand of that Being from whom every good and perfect gift cometh. Impressed with these ideas, we conceive that it is our duty, and we rejoice that it is in our power, to extend a portion of that freedom to others, which hath been extended to us, and a release from that state of thralldom, to which we ourselves were tyrannically doomed, and from which we have now every prospect of being delivered. It is not for us to enquire why, in the creation of mankind, the inhabitants of the several parts of the earth were distinguished by a difference in feature or complexion. It is sufficient to know that all are the work of an Almighty Hand. We find in the distribution of the human species that the most fertile as well as the most barren parts of the earth are inhabited by men of complexions different from ours and from each other, from whence we may reasonably, as well as religiously infer, that He, who placed them in their various situations, hath extended equally His care and protection to all, and that it becometh not us to counteract His mercies:

We esteem it a peculiar blessing granted to us, that we are enabled this day to add one more step to universal civilization by removing as much as possible the sorrows of those who have lived in undeserved bondage, and from which by the as-

sumed authority of the Kings of Britain, no effectual legal relief could be obtained. Weaned by a long course of experience from those narrow prejudices and partialities we had imbibed, we find our hearts enlarged with kindness and benevolence towards men of all conditions and nations, and we conceive ourselves at this particular period extraordinarily called upon, by the blessings which we have received, to manifest the sincerity of our profession and to give substantial proof of our gratitude:

(Section II, P. L.) And whereas the condition of those persons who have heretofore been denominated negro and mulatto slaves, has been attended with circumstances which not only deprived them of the common blessings that they were by nature entitled to, but has cast them into the deepest afflictions by an unnatural separation and sale of husband and wife from each other, and from their children, an injury the greatness of which can only be conceived by supposing that we were in the same unhappy case. In justice, therefore, to persons so unhappily circumstanced, and who, having no prospect before them whereon they may rest their sorrows and their hopes, have no reasonable inducement to render that service to society which they otherwise might, and also in grateful commemoration of our own happy deliverance from that state of unconditional submission to which we were doomed by the tyranny of Britain:

[Section I.] (Section III, P. L.) Be it enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That all persons, as well negroes and mulattoes as others who shall be born within this state, from and after the passing of this act, shall not be deemed and considered as servants for life or slaves; and that all servitude for life or slavery of children in consequence of the slavery of their mothers, in the case of all children born within this state from and after the passing of this act as aforesaid, shall be and hereby is utterly taken away, extinguished and forever abolished.

[Section II.] (Section IV, P. L.) Provided always, and be it

further enacted by the authority aforesaid, That every negro and mulatto child born within this state after the passing of this act as aforesaid who would in case this act had not been made, have been born a servant for years or life or a slave, shall be deemed to be and shall be, by virtue of this act the servant of such person or his or her assigns who would in such case have been entitled to the service of such child until such child shall attain unto the age of twenty-eight years, in the manner and on the conditions whereon servants bound by indenture for four years are or may be retained and holden, and shall be liable to like correction and punishment, and entitled to like relief in case he or she be evilly treated by his or her master or mistress, and to like freedom dues and other privileges as servants bound by indenture for four years are or may be entitled unless the person to whom the service of any such child shall belong shall abandon his or her claim to the same, in which case the overseers of the poor of the city, township or district, respectively where such child shall be so abandoned, shall [by indenture] bind out every child so abandoned as an apprentice for a time not exceeding the age hereinbefore limited for the service of such children.

[Section III.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That every person who is or shall be the owner of any negro or mulatto slave or servant for life or till the age of thirty-one years, now within this state, or his lawful attorney shall, on or before the said first day of November next, deliver, or cause to be delivered, in writing to the clerk of the peace of the county or to the clerk of the court of record of the city of Philadelphia, in which he or she shall respectively inhabit, the name and surname and occupation or profession of such owner and the name of the county and township, district or ward wherein he or she resideth, and also the name and names of any such slave and slaves and servant and servants for life or till the age of thirty-one years, together with their ages and sexes severally and respectively set forth and annexed, by such person owned or statedly employed and then being within this state, in order to ascertain and distinguish the slaves and servants for life and years till the

age of thirty-one years, within this state who shall be such on the said first day of November next, from all other persons, which particulars shall by said clerk of the sessions and clerk of said city court be entered in books to be provided for that purpose by the said clerks; and that no negro or mulatto now within this state shall, from and after the said first day of November, be deemed a slave or servant for life or till the age of thirty-one years unless his or her name shall be entered as aforesaid on such record except such negro and mulatto slaves and servants as are hereinafter excepted; the said clerk to be entitled to a fee of two dollars for each slave or servant so entered as aforesaid from the treasurer of the county, to be allowed to him in his accounts.

(Section VI, P. L.) Provided always, That any person in whom the ownership or right to the service of any negro or mulatto shall be vested at the passing of this act, other than such as are hereinbefore excepted, his or her heirs, executors, administrators and assigns, and all and every of them severally shall be liable to the overseers of the poor of the city, township or district to which any such negro or mulatto shall become chargeable, for such necessary expense, with costs of suit thereon, as such overseers may be put to through the neglect of the owner, master or mistress of such negro or mulatto, notwithstanding the name and other descriptions of such negro or mulatto shall not be entered and recorded as aforesaid; unless his or her master or owner shall, before such slave or servant attain his or her twenty-eighth year, execute and record in the proper county, a deed or instrument securing to such slave or servant his or her freedom.

[Section IV.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the offenses and crimes of negroes and mulattoes as well slaves and servants and [sic] [as] freemen, shall be inquired of, adjudged, corrected and punished in like manner as the offenses and crimes of the other inhabitants of this state are and shall be enquired of, adjudged, corrected and punished, and not otherwise, except that a slave shall not be admitted to bear witness against a freeman.

[Section V.] (Section VIII, P. L.) And be it further enacted

by the authority aforesaid, That in all cases wherein sentence of death shall be pronounced against a slave, the jury before whom he or she shall be tried shall appraise and declare the value of such slave, and in case such sentence be executed, the court shall make an order on the state treasurer, payable to the owner for the same and for the costs of prosecution, but in case of a remission or mitigation for the costs only.

[Section VI.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That the reward for taking up runaway and absconding negro and mulatto slaves and servants and the penalties for enticing away, dealing with or harboring, concealing or employing negro and mulatto slaves and servants shall be the same, and shall be recovered in like manner as in case of servants bound for four years.

[Section VII.] (Section X, P. L.) And be it further enacted by the authority aforesaid, That no man or woman of any nation or color, except the negroes or mulattoes who shall be registered as aforesaid shall at any time hereafter be deemed, adjudged or holden, within the territories of this commonwealth, as slaves or servants for life, but as free men and free women, and except the domestic slaves attending upon delegates in Congress from the other American states, foreign ministers and consuls, and persons passing through or sojourning in this state, and not becoming resident therein; and seamen employed in ships, not belonging to any inhabitant of this state nor employed in any ship owned by any such inhabitant: [Provided such domestic slaves be not aliened or sold to any inhabitant] nor (except in the case of members of Congress, foreign ministers and consuls) retained in this state longer than six months.

[Section VIII.] (Section XI, P. L.) Provided always, and be it further enacted by the authority aforesaid, That this act, nor anything in it contained, shall not give any relief or shelter to any absconding or runaway negro or mulatto slave or servant, who has absented himself or shall absent himself from his or her owner, master or mistress, residing in any other state or country, but such owner, master or mistress, shall have like right and aid to demand, claim and take away his slave

or servant as he might have had in case this act had not been made. And that all negro and mulatto slaves now owned, and heretofore resident in this state, who have absented themselves or been clandestinely carried away, or who may be employed abroad as seamen, and have not returned or been brought back to their owners, masters or mistresses, before the passing of this act may, within five years be registered as effectually as is ordered by this act concerning those who are now within this state, on producing such slave before any two justices of the peace, and satisfying the said justices by due proof of the former residence, absconding, taking away or absence of such slave as aforesaid; who, thereupon, shall direct and order the said slave to be entered on the record as aforesaid.

(Section XII, P. L.) And whereas attempts may be made to evade this act by introducing into this state negroes and mulattoes bound by covenant to serve for long and unreasonable terms of years, if the same be not prevented:

[Section IX.] (Section XIII, P. L.) Be it therefore enacted by the authority aforesaid, That no covenant of personal servitude or apprenticeship whatsoever shall be valid or binding on a negro or mulatto for a longer term than seven years, unless such servant or apprentice were at the commencement of such servitude or apprenticeship under the age of twenty-one years; in which case such negro or mulatto may be holden as a servant or apprentice respectively according to the covenant, as the case shall be until he or she shall attain the age of twenty-eight years, but no longer.

[Section X.] (Section XIV, P. L.) And be it further enacted by the authority aforesaid, That an act of assembly of the province of Pennsylvania, passed in the year one thousand seven hundred and five, entitled "An act for the trial of negroes,"¹ and another act of assembly of the said province, passed in the year one thousand seven hundred and twenty-five, entitled "An act for the better regulating of negroes in this province,"² and another act of assembly of the said province passed in the year one thousand seven hundred and sixty-

¹ Passed January 12, 1705-06, Chapter 143.

² Passed March 5, 1725-26, Chapter 292.

one, entitled "An act for laying a duty on negro and mulatto slaves imported into this province,"¹ and also another act of assembly of the said province, passed in the year one thousand seven hundred and seventy-three, entitled "An act for making perpetual an act for laying a duty on negro and mulatto slaves imported into this province and for laying an additional duty on said slaves,"² shall be and are hereby repealed, annulled and made void.

Passed March 1, 1780. See the Acts of Assembly passed October 1, 1781, Chapter 953; March 29, 1788, Chapter 1345; December 8, 1789, Chapter 1476. Recorded L. B. No. 1, p. 339, &c.

CHAPTER DCCCLXXXII.

AN ACT TO COMPEL THE SETTLEMENT OF THE PUBLIC ACCOUNTS.

(Section I, P. L.) Whereas in the course of the present contest between the inhabitants of the United States of America and Great Britain very large and great expenditures and advances of public money have been made by the good people of Pennsylvania in the common cause:

(Section II, P. L.) And whereas many of the persons to whom such advances of money have been made, regardless of the public welfare, as well as of their own credit and character, have refused or neglected and do still refuse or neglect to exhibit their accounts and vouchers and to settle their accounts notwithstanding the opportunity which has been given and the repeated calls which have been made upon such defaulters by the auditors appointed and authorized in [and] by an act of assembly of this commonwealth, entitled "An act for settling the accounts of the late committee and council of safety,"³ passed on the second day of September, which was in the year of our Lord one thousand seven hundred and seventy-eight;

¹ Passed March 14, 1761, Chapter 467.

² Passed February 26, 1773, Chapter 681.

³ Passed September 2, 1778, Chapter 806.