

Laws of His Majesty's Province of Upper-Canada; Passed in the Second Session of the Provincial Parliament of Upper Canada, Met at Newark, on the Thirty-First day of May, in the Thirty-Third Year of the Reign of our Sovereign Lord George the Third (1793). Niagara: Gideon Tiffany, Printer to the King's Most Excellent Majesty, 1795.

33 George III – Chapter 7

An Act to prevent the further introduction of Slaves, and to limit the Term of contracts for Servitude within this Province.

Whereas it is unjust that a people who enjoy freedom by law should encourage the introduction of slaves, and whereas it is highly expedient to abolish slavery in this province so far as the same may gradually be done without violating private property; Be it enacted by the king's most excellent majesty, by and with the advice and consent of the legislative council and assembly of the province of Upper-Canada, constituted and assembled, by virtue of and under the authority of an Act, passed in the parliament of Great-Britain, entitled an act to repeal certain parts of an Act passed in the fourteenth year of his majesty's reign, entitled, "an act for making more effectual provision for the government of the province of Quebec, in North America, and to make farther provision for the government of the said province," and by the authority of the same, That from and after the passing of this act, so much of a certain Act of the parliament of Great-Britain, passed in the thirtieth year of his present majesty, entitled, "An Act for encouraging new settlers in his majesty's colonies and plantations in America," as may enable the governor, or lieutenant governor of this province, heretofore parcel of his majesty's province of Quebec, to grant a licence for importing into the same any Negroe or Negroes, shall be, and the same is hereby repealed; and that from and after the passing of this act, it shall not be lawful for the governor, lieutenant governor or person administering the government of this province, to grant a licence for the importation of any negroe, or other person to be subjected to the condition of a slave, or to a bounden involuntary service for life into any part of this province; nor shall any negroe, or other person who shall come or be brought into this province After the passing of this Act, be subject to the condition of a slave, or to such service as aforesaid, within this province, nor shall any voluntary contract or indenture of service that may be entered into by any parties within this province, after the passing of this act, be binding on them, or either of them, for a longer time than a term of nine years from the day of the date of such contract.

II. Provided always, That nothing herein contained shall extend, or be construed to extend to liberate any negroe, or other person subjected to such service as aforesaid, or to discharge them or any of them from the possession of the owner thereof, his or her executors, administrators or assigns, who shall have come or been brought into this province, in conformity to the conditions prescribed by any authority for that purpose exercised, or by any ordinance or law of the province of Quebec, or by proclamation of any of his majesty's governors of the said province for the time being, or of any act of the parliament of Great-Britain, or shall have otherwise come into the possession of any person, by gift, bequest or bona fide purchase before the passing of this Act, whose property therein is hereby confirmed, or to vacate or annul any contract for service that

may heretofore have been lawfully made and entered into, or to prevent parents or guardians from binding out children until they shall have obtained the age of twenty-one years.

III. And in order to prevent the continuation of slavery within this province, Be it enacted by the authority aforesaid, That immediately from and after the passing of this act, every child that shall be born of a negro mother, or other woman subjected to such service as aforesaid, shall bide and remain with the master or mistress, in whose service the mother shall be living at the time of such child's birth (unless such mother and child shall leave such service, by and with the consent of such master or mistress) and such master or mistress shall, and is hereby required to give proper nourishment and cloathing to such child or children, and shall and may put such child or children to work, when he, she or they shall be able so to do, and shall and may retain him or her in their service until every such child shall have attained the ace of twenty five years, at which time they and each of them shall be entitled to demand his or her discharge from, and shall be discharged by such master or mistress, from any further service. And to the end that the age of such child or children maybe more easily ascertained, the master or mistress of the mother thereof, shall and is hereby required, to cause the day of the birth of every inch child as shall be born of a negroe or other mother subjected to the condition of a slave, in their service as aforesaid, to be registered within three months after its birth, by the clerk of the parish, township or place wherein such master or mistress reside, which clerk shall be authorized to demand and receive the sum of one shilling, for registering the same. And in case any master or mistress shall refuse or neglect to cause such register to be made, within the time aforesaid, and shall be convicted thereof, either on his or her consession, or by the oath of one or more credible witness, or witnesses, before any justice of the peace, he or she shall, for every such offence, forfeit and pay the sum of five pounds, to the public stock of the district.

IV. And be it further enacted by the authority aforesaid, That in case any master or mistress shall detain any such child born in their service as aforesaid, after the passing of this act, under any pretence whatever, after such servant shall have attained the age of twenty-five years, except by virtue of a contract of service, or indentures, duly and voluntarily executed, after such discharge as aforesaid, it shall and may be lawful for such servant to apply for a discharge to any of his majesty's justices of the peace, who shall and is hereby required thereupon to issue a summons to such master or mistress, to appear before him to shew cause why such servant should not be discharged, and the proof that such servant is under the age of twenty five years, shall rest upon and be adduced by the master or mistress of such servant; otherwise it shall and may be lawful for the said justice to discharge such servant from such service as aforesaid. Provided always, That in case any issue shall be born of such children, during their infant servitude, or after, such issue shall be entitled to all the rights and privileges of free born subjects.

V. And be it further enacted, That whenever any master or mistress shall liberate or release any person subject to the condition of a slave from their service, they shall at the same time give good and sufficient security to the church or town wardens of the parish or township where they live, that the person so released by them shall not become chargeable to the same, or any other parish or township.