

A  
**GENERAL DIGEST**  
OF  
**THE ACTS OF THE LEGISLATURE**  
OF  
**LOUISIANA:**

**PASSED FROM THE YEAR 1804, TO 1827, INCLUSIVE,**

**AND IN FORCE AT THIS LAST PERIOD,**

WITH

**AN APPENDIX AND GENERAL INDEX.**

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**1828.**

## DIGEST.



settlements on the adjacent Bayous, and it shall be the duty of the said officer, to keep his office within one mile of the church of St. Brigitte, and for the purpose of recording births and deaths, in that part of the parish of interior Lafourche, for which he shall be appointed, to open books and fulfil the same duties which are imposed on parish judges in this respect, by the acts to which this is a supplement.

Compensation  
allowed him for  
his services.

SECTION 2. The said officer shall receive, for the several duties imposed on him by this act, the following compensation, in lieu of that which is now received by parish judges, to wit: for every record of births and deaths, twenty-five cents; for registering or copying the same with the seal, fifty cents.

SECTION 3. This act shall be in force from and after the passage thereof.

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 BLACK CODE.

1. An Act prescribing the rules and conduct to be observed with respect to Negroes and other Slaves of this territory.

(Approved, June 7, 1806.)

Slaves to have  
the enjoyment  
of Sundays, &  
be paid when  
they work on  
that day.

SECTION 1. *Be it enacted by the Legislative Council and House of Representatives of the Territory of Orleans, in general assembly convened,* That the inhabitants shall leave to their slaves the free enjoyment of Sundays, and shall pay them for their labour on said day, when they will employ them at the rate of fifty cents: *Provided*, that the present section shall not be construed so as to extend to slaves employed as servants, carriage drivers, hospital waiters, or to those employed in carrying provisions to market.

Proviso.

Their rations.

SECTION 2. Every owner shall be held to give to his slaves the quantity of provisions hereafter specified, to wit: one barrel of Indian corn, or the equivalent thereof in rice, beans or other grain, and a pint of salt, and to deliver the same to the said slaves in kind, every month, and never in money, under a penalty of a fine of ten dollars for every offence.

Penalty for  
delivering them  
money instead  
of rations.

Clothing.

SECTION 3. The slaves who shall not have on the property of their owners, a lot of ground to cultivate on their

destroyed the permission of the slave for the purpose of unjustly appropriating to him or themselves the said provisions, such person or persons shall be punished with a fine of twenty dollars, and in case of insolvency, shall be sentenced to two months hard labour.

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Penalty for destroying a slave's permission.

SECTION 15. As the person of a slave belongs to his master, no slave can possess any thing in his own right, or dispose, in any way, of the produce of his industry, without the consent of his master.

Slaves cannot possess or dispose of property, &c.

SECTION 16. No slaves shall be parties to a suit in civil matters, either as plaintiffs or defendants, nor be witnesses in any civil or criminal matters against any white persons: *Provided however*, that their masters may act and defend in civil matters, and prosecute in criminal cases, to obtain satisfaction of the outrages and abuses which might have been committed against their slaves.

Slaves shall not be parties to civil matters, nor witnesses against white people.  
Proviso.

SECTION 17. The slaves shall be prosecuted in criminal cases, without its being necessary to make their owners parties thereto, unless the said owner be an accomplice; and for this purpose the slaves shall be indicted and tried without appeal by the judges of the place, according to what shall be hereafter prescribed.

Slaves, how prosecuted.

SECTION 18. The condition of a slave being merely a passive one, his subordination to his master and to all who represent him, is not susceptible of any modification or restriction, (except in what can incite the said slave to the commission of crimes,) in such a manner that he owes to his master, and to all his family, a respect without bounds, and an absolute obedience, and he is consequently to execute all the orders which he receives from him, his said master, or from them.

The respect due to masters, &c. from slaves.

SECTION 19. No slave shall, by day or by night, carry any visible or hidden arms, not even with a permission for so doing, and in case any person or persons shall find any slave or slaves, using or carrying such fire arms, or any offensive weapons of any other kind, contrary to the true meaning of this act, he, she or they, lawfully, may seize and carry away such fire arms, or other offensive weapons;

Slaves not to carry arms.

## DIGEST.



## Provisos.

but before the person or persons, who shall so seize such fire arms can possess the same of right, he, she or they shall go, within forty-eight hours after the said seizure, before the next justice of the peace, and shall declare, upon oath, the manner in which he, she or they have seized the said arms; and if the justice of the peace, upon the oath of such person or persons, or upon any other examination or proof, be satisfied that the said fire arms or other offensive weapons have been seized, pursuant to the true intent and meaning of this act, the said justice of the peace shall declare, by a certificate under his hand and seal, that the said arms are forfeited, and that they have lawfully become the property of the person or persons who has or have seized the same: *Provided*, that no certificate of the above description shall be delivered by any justice of the peace, until the owner or owners of the said fire arms or other offensive weapons, which shall have been seized as aforesaid, or the overseer or overseers who shall have the said slave or slaves in charge, upon whom the said fire arms or other offensive weapons shall have been seized, as aforesaid, be duly summoned to show cause, (if he, she or they have any,) why the said arms should not be forfeited, or until forty-eight hours shall have elapsed after the citation and oath made before the said justice of the peace: *Provided*, that the said slave or slaves do not actually carry the arms of his master to.....or from his plantation to.....with a special permission for that purpose.

## Hunter's permission.

SECTION 20. The inhabitants who keep slaves for the purpose of hunting, shall never deliver to the said slaves any fire arms for the purpose of hunting, without a permission by writing, which shall not serve beyond the limits of the plantation of the owners.

## Free people of color to carry certificate thereof.

SECTION 21. As slaves may declare themselves free, free coloured persons, who carry arms, are expressly directed to carry with them a certificate of a justice of the peace, attesting their freedom, for want of which they shall be subject to the penalty of the nineteenth section of this act.

## Slaves committing robbery

SECTION 22. The owners shall be bound, in case of robbery or other damages caused by their slave or slaves,

## DIGEST.

ployed, and the justice shall summon the parties against whom the said complaint shall be made, to appear before him, and shall inquire into, get full information and confirmation thereof, and if the said justice finds the complaint to be well founded and true, and the said person will not exculpate him or herself, or prove their innocence of the charge alledged against them, by their oath, which the said person so informed against, shall be permitted to take in all cases, where good and positive proofs of the offence are not adduced and brought forward. In this case the said justice may give such orders for the relief of such slave or slaves as he shall, in his opinion, think fit, and shall impose upon the person or persons who shall make default in the above regulations a fine in a sum not exceeding twenty dollars for each offence, which fine shall be recovered by an order of seizure and sale of the personal property of the offender, restoring the overplus, if any, which fine shall be paid to the church warden of the parish, wherein the said offence shall have been committed, for the benefit of the poor of the said parish, and it shall be the duty of said justices of the peace to inform themselves, from time to time, in what manner slaves are treated in their respective districts, and to enforce, by every means in their power, the strict execution of the present act.

Fine.

How recovered.

To whom paid.

Penalty for  
people of colour  
not paying due  
respect to the  
whites.

**SECTION 40.** Free people of colour ought never to insult or strike white people, nor presume to conceive themselves equal to the white; but, on the contrary, they ought to yield to them in every occasion, and never speak or answer to them but with respect, under the penalty of imprisonment, according to the nature of the offence.

## CRIMES AND OFFENCES.

Capital crimes,  
how tried and  
punished.

**SECTION 1.** As the natural purport of justice forbids that any person, let their situation in life be what it may, should be condemned without a legal hearing, and as the order of civil government requires that a just and equitable mode of administering justice should be established, as well as a suitable and proper system of proceedings in such