

An act for the Gradual Abolition of Slavery

Feb.15, 1804, Acts 28th G.A. 2nd sitting, ch.CIII, p.251-254.

SEC. 1. *BE it enacted by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same*, That every child born of a slave within this state, after the fourth day of July next, shall be free; but shall remain the servant of the owner of his or her mother, and the executors, administrators or assigns of such owner, in the same manner as if such child had been bound to service by the trustees or overseers of the poor, and shall continue in such service, if a male, until the age of twenty five years; and if a female until the age of twenty one years.

2. *And be it enacted*, That every person being an inhabitant of this state, who shall be entitled to the service of a child born as aforesaid, after the said fourth day of July next, shall within nine months after the birth of such child, cause to be delivered to the clerk of the county whereof such person shall be an inhabitant, a certificate in writing, containing the name and addition of such person, and the name, age, and sex of the child so born; which certificate, whether the same be delivered before or after the said nine months; shall be by the said clerk recorded in a book to be by him provided for that purpose; and such record thereof shall be good evidence of the age of such child; and the clerk of such county shall receive from said person twelve cents for every child so registered: and if any person shall neglect to deliver such certificate to the said clerk within the said nine months, such person shall forfeit and pay for every such offence, five dollars, and the further sum of one dollar for every month such person shall neglect to deliver the same, to be sued for and recovered by any person who will sue for the same, the one half to the use of such prosecutor, and the residue to the use of the poor of the township in which such delinquent shall reside.

3. *And be it enacted*, That the person entitled to the service of any child born as aforesaid, may, nevertheless within one year after the birth of such child, elect to abandon such right; in which case a notification of such abandonment, under the hand of such person, shall be filed with the clerk of the township, or where there may be a county poorhouse established, then with the clerk of the board of trustees of said poorhouse of the county in which such person shall reside; but every child so abandoned shall be maintained by such person until such child arrives to the age of one year, and thereafter shall be considered as a pauper of such township or county, and liable to be bound out by the trustees or overseers of the poor in the same manner as other poor children are directed to be bound out, until, if a male, the age of twenty five, and if a female, the age of twenty one; and such child, while such pauper, until it shall be bound out, shall be maintained by the trustees or overseers of the poor of such county or township, as the case may be, at the expence of this state; and for that purpose the director of the board of chosen freeholders of the county, is hereby required, from

time to time, to draw his warrant on the treasurer in favor of such trustees or overseers for the amount of such expence, not exceeding the rate of three dollars per month; provided the accounts for the same be first certified and approved by such board of trustees, or the town committee of such township; and every person who shall omit to notify such abandonment as aforesaid, shall be considered as having to retain the service of such child, and be liable for its maintenance until the period to which its servitude is limited as aforesaid.

A. Passed at Trenton, Feb. 15, 1804.