



Havana op 't Eyland Cvba (Havana on the island of Cuba), attributed to Joan Vinckeboons, ca. 1639, detail

REGULATING ENSLAVED AND FREE AFRICANS in SPANISH CUBA, 1574

REGULATION (by number in the Municipal Ordinances for Havana, 1574)

49. No tavern-keeper may sell wine to Negro slaves. But since many slaves who work for wages which they bring to their masters whom they support thereby, and those Negroes travel far to work, and sometimes need to drink wine, the tavern-keepers may allow them to drink not more than half a pint in their taverns . . . but are not to allow them to take it out in a jar or vessel; the Negroes must drink it in the tavern. . . .

50. No one may employ a Negro to sell wine. Nor may a free Negro woman sell it, nor a tavern-keeper, unless he is a trustworthy person, . . .

52. No Negro slave may carry swords, knives or other weapons, even though he is in the company of his master, except when he accompanies his master at night . . . or goes to the field with him during the day . . . The hooked knives, points, stripping knives and other weapons which the Negro herdsmen and field Negroes carry may not be taken away from them, not will they be punished for carrying them if they are on their way either home from the field or to the field from home.



Sugar cane cultivation with hoes, machetes, and other tools (Trinidad, 18th c.)

PUNISHMENT

by offense

Offense #1: 2 ducats

Offense #2: 4 ducats

Offense #3: pay double;
lose license

2 ducats

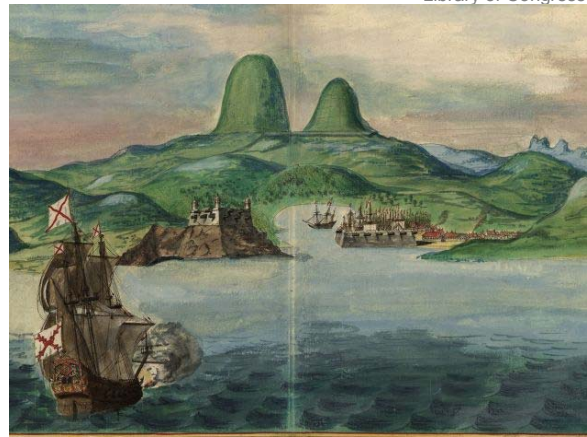
Offense #1: confiscation
of weapons

Offense #2: confiscation
of weapons; 20
lashes

53. Free Negroes of whom there are many in this town who are citizens and officials, and, because this is a port, if it is their turn to keep watch, are authorized to own and carry arms, unless for some reason the authorities forbid any of them to carry them.

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54. Many citizens hire Negroes to work for wages. Such Negroes are employed in different occupations, and go about like free men, working at what they please, and at the end of the week or month they hand over their wages to their masters. houses to board travellers, and have in such houses their own Negro women. It frequently happens that such Negroes, when they know that a fleet or a ship is leaving, hide and run away with the linen they are given to wash and with other articles given to them for safe keeping, until the departure of the fleet or ship, knowing that the passenger cannot stay on shore but must depart, and they keep these articles. Others keep the tools which are given to them for their work. There are other problems as well.



Vinckeboons, *Havana*, ca. 1619, detail

We therefore order that no one may hire out a Negro man or woman, or set them up in a house to earn their own keep, or to take in lodgers . . . without first notifying the Municipal Council which must issue a license for it . . .

55. No Negro slave may have a hut of his own to sleep in, even though he is hired out for wages; he will sleep in his master's house. The huts cannot be rented out, nor can their master give them to the Negroes, . . .

Confiscation of the hut unless the master has a license from the Municipal Council

56. No Negro slave may stay outside the home of his master or of the person whom he is serving at night after curfew, unless he is sent on an errand by his master or by the person whom he is serving; . . .

30 lashes

57. No white person or Negro may allow a Negro slave to spend the night in his house, . . .

#1: 3 ducats; 10 days in prison
 #2: 6 ducats; 20 days in prison
 #3: exile for one year from the town

58. Some persons shelter fugitive and runaway slaves on their plantations or ranches, give them food, employ them for several days, and frequently buy them from their masters saying that they are ready to buy them at their own risk, if they find them, and the owners, since the slaves have run away and they do not know where they are, sell them for less than they are worth, and there are other frauds and deceits.

We therefore order that no person may shelter and feed a runaway slave on his plantation or ranch, nor may any planter or overseer shelter, feed or employ him, on pain of being proceeded against as a receiver or concealer of stolen goods, and of being obliged to pay the slave's master all the wages that the slave may have earned from the day he employed him until he is restored to his master, even though he escapes; and if the slave is not recovered, he must pay the owner the price of the slave. And . . . it must be understood that a runaway is any slave who stays on any plantation or ranch for more than one day. . . .

59. Any planter and overseer may and must apprehend any fugitive or runaway Negro, without penalty or slander, and then take him to the judge; and if he does not have the means of doing this, he must inform the slave's master and the authorities that he has imprisoned the slave in the stocks which are required to be kept on the plantations or ranches.



Slaves in stocks, Brazil, early 1800s

60. Many people avail themselves of the services of their slaves and do not feed and dress them. The result is that such slaves go and steal food from the neighboring plantations and, due to such ill-treatment, rise up in revolt and run away.

We accordingly order all those who have Negroes on their plantations, ranches, pig farms, or other places, to give them enough to eat for the work they perform, and, in addition, two pairs of trousers or coarse undershirts, at least once every year, and not to punish them excessively or cruelly.

To supervise the enforcement of this ordinance and ascertain how the slaves are treated, the mayors of this town are required to visit the ranches and plantations, one during the month of March and the other during the month of October, to obtain information about the treatment of the Negroes, and whether they have been given food and clothes; and if they find bad Negroes, who disturb the others, they are to order their masters to have them sold outside the island.

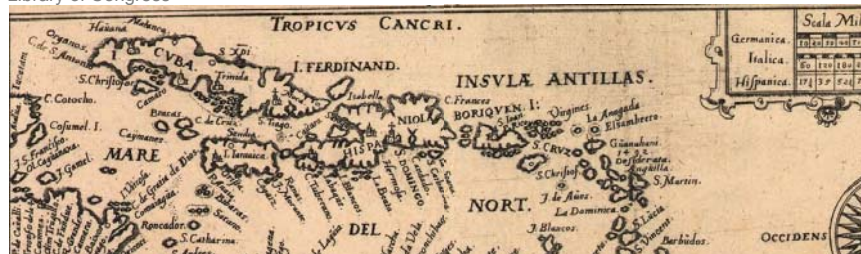
61. Many people treat their slaves with great cruelty, whipping them brutally, larding them with different kinds of resin, burning them, and inflicting other cruelties from which they die. The slaves are so intimidated and punished, that they kill themselves, or throw themselves into the sea or run away, or rise up in rebellion, and one has merely to say that the master killed his slave, and no [criminal] proceedings are instituted against him. . . .

"anyone who treats his slave with such cruelty and excessive punishments will be compelled by the authorities to sell the slave, and he will be punished in the light of the excesses committed."

62. Many Negroes run away to the mountains and crags, and only occasionally are the deserters and rebels caught by the overseers, planters, and swineherds.

We therefore order and command that any planter, overseer, cowherd, or other person who apprehends a runaway Negro within two leagues from this town, shall be paid by the master of the slave four ducats; if the slave is apprehended further away, within twenty to forty leagues, twelve ducats; and if the slave is apprehended more than forty leagues away, fifteen ducats. . . .

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Levinus Hulsius, map of the Caribbean and South America (*Nova et exacta delineatio Americae partis*), 1602, detail of northern Caribbean