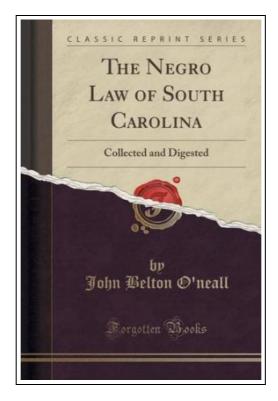
# The Negro Law of South Carolina: Collected and Digested (Classic Reprint)



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## THE NEGRO LAW OF SOUTH CAROLINA: COLLECTED AND DIGESTED (CLASSIC REPRINT)



Forgotten Books, United States, 2015. Paperback. Book Condition: New. 229 x 152 mm. Language: English. Brand New Book \*\*\*\*\*\* Print on Demand \*\*\*\*\*\*. Excerpt from The Negro Law of South Carolina: Collected and Digested Section 1. The Act of 1740, sec. I, declares all negroes and Indians, (free Indians in amity with this Government, negroes, mulattoes and mestizoes, who now are free, excepted) to be slaves: - the offspring to follow the condition of the mother: and that such slaves are chattels personal. Sec. 2. Under this provision it has been uniformly held, that color is prima facie evidence, that the party bearing the color of a negro, mulatto or mestizo, is a slave: but the same prima facie result does not follow from the Indian color. Sec. 3. Indians, and descendants of Indians are regarded as free Indians, in amity with this government, until the contrary be shown. In the second proviso of sec. 1, of the Act of 1740, it is declared that every negro, Indian, mulatto and mestizo is a slave unless the contrary can be made to appear - yet, in the same it is immediately thereafter provided - the Indians in amity with this government, excepted, in which case the burden of proof shall lie on the defendant, that is, on the person claiming the Indian plaintiff to be a slave. This latter clause of the proviso is now regarded as furnishing the rule. The race of slave Indians, or of Indians not in amity to this government, (the State, ) is extinct, and hence the previous part of the proviso has no application. Sec. 4. The term negro is confined to slave Africans, (the ancient Berbers) and their descendants. It does not embrace the free inhabitants of Africa, such as the Egyptians, Moors, or...



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