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P A P E R S

PRESENTED TO PARLIAMENT, BY

HIS MAJESTY'S COMMAND,

IN EXPLANATION OF THE MEASURES ADOPTED BY
HIS MAJESTY'S GOVERNMENT,

FOR GIVING EFFECT TO THE ACT

FOR THE

ABOLITION OF SLAVERY

THROUGHOUT THE BRITISH COLONIES.

PART II.

(In Continuation of the Papers presented this Session, No. 177.)

J A M A I C A—(*continued*),

BARBADOES, BRITISH GUIANA,

AND MAURITIUS.

1833—1835.

Ordered, by The House of Commons, to be Printed,
10 June 1835.

SCHEDULE.

SCHEDULE of INSTRUCTIONS addressed by Mr. Secretary Spring Rice, and Lord Glenelg, to the Officers administering the Government in His Majesty's Possessions in the West Indies, and on the Continent of South America, &c.

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P A P E R S

RELATING TO THE

ABOLITION OF SLAVERY.

SCHEDULE of INSTRUCTIONS addressed by Mr. Secretary *Spring Rice*, and Lord *Glenelg*, to the Officers administering the Government in His Majesty's Possessions in the West Indies, and on the Continent of South America, &c.

(G.)

COPY of a CIRCULAR DESPATCH addressed by Mr. Secretary *Spring Rice* to the Governors of the West India Colonies, &c.

Sir,

Downing-street, 30 September 1834.

Despatch
(G.)

AS it is very probable that the great change effected in the condition of the negro population of His Majesty's Colonies may lead to many consequent alterations in the system of the cultivation of lands, and in the general pursuits of industry; I am desirous of directing your attention specially to a subject which cannot but be of the highest interest and importance to the community with which you are officially connected. I wish to obtain the benefit of your opinion, and of the local experience which you are enabled to command, in relation to the effect which free labour and the apprenticeship of the negroes is likely to produce upon the pursuits of profitable industry. With this view you will be so good as to inform me whether you conceive that labour is likely to be applied profitably to the production of any new articles, whether of agriculture or of manufacture; whether the production of the staple articles is likely to be affected; whether capital is likely to be diverted into new channels, or to be applied to the more extended production of articles at present known in the markets; whether there exist any and what obstacles which impede this change or this extension of industry; and how such obstacles, if existing, may be removed. I am aware that the subjects of inquiry which are thus suggested to you include a most extended field of investigation; but the importance of the inquiry, both as bearing on the interest of the Colony and of the mother country, is too obvious to require any argument of mine in its support. The promotion of industry, the consequent creation and accumulation of capital, the possession of property, and the respect for laws which give that property protection, are the progressive steps by which, if governed and influenced by the still higher sanctions of religious and moral principle and education, the advancement of communities in improvement and happiness is permitted to take place. It becomes important, therefore, to those who are charged with responsible duties to consider with the most earnest anxiety what steps they may be called on to take or to recommend for the purpose of accelerating, as far as human agency can do so, the development of those causes of prosperity on which the welfare of nations depends.

You will perceive that the objects which I contemplate will best be attained by procuring information on the following points:

1. The present state of productive industry, distinguishing the articles raised for consumption within the colony, and their relative value to the exported produce.
2. The possible changes which the Act for the Abolition of Slavery may produce in the agricultural, manufacturing and commercial system; especially the domestic economy of the agricultural labourer.
- 3d. What appear to be the obstacles which impede the powers of production or exchange, and to what causes may they be attributed.
- 4th. The remedies, whether legislative, financial or administrative, by which any of those obstacles may be lessened or removed.

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Despatch
(G.)
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Entertaining a confident persuasion that you will not only appreciate but participate in the views and feelings which have prompted these inquiries, and that you will feel equally disposed with His Majesty's Government to assist in any measures which may not only make a sympathy for the Colonies but which have a tendency to promote their improvement, I recommend this subject to your early and most serious consideration.

I have, &c.
(signed) *T. Spring Rice.*

(H.)

CIRCULAR DESPATCH addressed by Lord *Glenelg* to the Governors of the West India Colonies, &c.

Despatch
(H.)
—

Sir,

Downing-street, 15 June 1835.

I HAVE had under my consideration the several Returns which have been received in answer to my predecessor's Circular Despatch of the 16th of March, showing the number of persons, heretofore resident in and connected with the Colonies, to whom special commissions have been issued by the Governors or Lieutenant-governors, under the Act for the Abolition of Slavery.

These Returns exhibit a diversity of conduct and of judgment amongst the Colonial Governments, as to the degree of forbearance or freedom with which these commissions should be issued, which I find it difficult to account for by any difference of local circumstances. By the Marquess of Sligo in Jamaica, and by Sir Lionel Smith in Barbadoes, whose judgments are on every account of the highest authority, I find that no special commissions whatever have been issued to gentlemen connected with those Islands; whilst in Trinidad I perceive that no less than 29 of such commissions have been bestowed.

In some cases it may be easily believed that a scattered population, or one which is subdivided by the mountainous or otherwise impracticable nature of the country, will require a larger proportion of magisterial agency than has been calculated upon in the distribution of the number of stipendiary magistrates sent out from this country; and in several instances it appears that the magistrates did not arrive in time, and that commissions were issued to supply their place, which, from a natural desire to show consideration for the parties holding them, may not have been recalled with promptitude when no longer necessary. Moreover, until experience should have shown in what manner the new system would work, every speculative estimate of the extent of the agency required must have been entertained with much doubt, and for security's sake a larger computation may have been preferred.

From whatever reasons these diversities of practice may have proceeded, I feel that the time has arrived when it is necessary to revert to the spirit of the intentions by which Parliament was governed in passing the Act for the Abolition of Slavery, and especially those clauses of it which provided for the establishment of a stipendiary magistracy.

It is not consistent with those intentions that the powers of a special magistrate should continue to be exercised by any person who has an interest in apprenticed labour; and it is only with great circumspection and in peculiar cases that the special commission should be given to parties who, though not interested in apprentice labour, have been habitually resident in the Colonies, and are in consequence unavoidably much connected with the colonial society.

I have, therefore, to instruct you to revoke, within the shortest time which will admit of the arrangements necessary to be made for transferring their duties, all commissions which shall have been granted to the former class of colonists; and I have further to direct, with respect to the special magistrates of the latter class, that you reduce their number as low as can be done consistently with the due execution of the law. In carrying into effect this instruction, you will take the utmost care not to occasion any unnecessary pain or irritation to the parties concerned. You will inform them that the measure is one of a general character, and taken in pursuance of the known views of Parliament, without reference to individuals, and upon a principle which, as it applies to human nature at large, ought not to give offence to any class of men.

SLAVERY IN THE BRITISH COLONIES.

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men. You will at the same time convey to them the thanks of His Majesty's Government for their services, in all cases in which you may have reason to believe that those services have been honestly rendered.

Despatch
(H.)

If, after a careful reference to the experience of the past year, you should be decidedly of opinion that it will not be practicable to have the law duly administered in the ensuing season of crop, without an additional number of paid magistrates, in substitution for the local special magistrates, you will be pleased to report to me the grounds of your opinion; and in so doing you will have especial reference to the proportion of magistrates to population in Jamaica, where the Governor has declared the number of 58 to have been sufficient, even in the first year of the new system. If you consider a larger proportion to be required by any Island under your government, you will be pleased to state the difference of circumstances by which you conceive the demand to be justified. I transmit to you herewith, for your further guidance in considering the question, a copy of the recent correspondence between this Department and the Marquess of Sligo, as laid before Parliament, which will make you acquainted with the manner in which the apprenticeship system has been administered in Jamaica.

Vide Paper No. 177,
ordered to be printed
16 April 1835.

It is my purpose to seek from Parliament the power to augment the total of paid magistrates to such a number as will make the whole number of magistrates, in all the Colonies having apprentices, bear the same proportion to the whole apprentice population of those Colonies, that the number of paid magistrates in Jamaica bears to the apprentice population of that Island. This power of augmentation, however, His Majesty's Government will hold in reserve, to be used only in case they should be convinced, by specific reports from the Colonial authorities, that the increase cannot be dispensed with.

In the case of some Islands, where it has been already shown to the satisfaction of His Majesty's Government that a small increase at least is necessary, or will become so on the revocation of the unpaid commissions, additional magistrates will be sent out without delay.

I have, &c.

(signed) *Glenelg.*

(I.)

CIRCULAR DESPATCH, addressed by Lord *Glenelg* to the Governors of the West India Colonies, &c.

Sir,

Downing-street, 12 July 1835.

Despatch
(1.)

IN order that His Majesty's Government may be enabled to compare the administration of the apprentice laws in different Colonies and Districts, it is their desire that the special magistrates should be instructed to keep records of all the punishments inflicted by their authority, distinguishing corporal punishments from others, and specifying, in each case, the amount of punishment and the nature of the offence. I transmit to you herewith a Specimen of the Returns of Proceedings upon complaints of slaves, required from the protectors in the Crown Colonies, under the laws for the melioration of slavery which were lately in force there. This specimen, *mutatis mutandis*, may afford some general guidance as to the kind of record which should be required of the special magistrates. I also enclose Forms of such summary Returns as I wish you to transmit monthly to me from each of the special magistrates, and of the Abstract which you will also be pleased to transmit monthly, for the purpose of exhibiting the general result of these summaries as regards each Island or Province at large. The record of proceedings in each case which comes before the special magistrates will enable the Governor or Lieutenant-governor to exercise the most complete superintendence over those officers; and in the fullest confidence that this superintendence will be effectual to every necessary purpose, I do not require that these records should be forwarded to the Secretary of State. They must, however, be transmitted punctually every month to the Governor or Lieutenant-governor, and, after due examination by him, be deposited in the public archives, so as to be producible at any period when His Majesty's Government may see cause to call for their production.

Table A.

Table B.

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Despatch
(1.)
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duction. It is my wish that the summaries and abstracts should reach this office as regularly as possible ; and for the purpose of better ensuring punctuality in the transmission both of the records and the summaries to the Governor or Lieutenant-governor, you will be pleased to direct that the salary of the stipendiary magistrates shall not be issued without your certificate that these documents, for the period for which the salary is claimed, or for a term not falling short of that period by more than one month, have been already placed in your hands.

I have, &c.
(signed) *Glenelg.*

FORM of RETURNS.

Form of Returns. No. 1.—The name, age, sex, residence, and mode of employment of the slave by whom or on whose behalf the complaint was preferred.

No. 2.—The names of the owner or owners, and manager or managers of the slave, their places of abode, their callings or professions.

No. 3.—The time when, and the person through whom, the complaint was first preferred to, or first reached the protector.

No. 4.—The substance of the complaint.

No. 5.—The proceedings taken upon the complaint, with the date of each successive proceeding.

No. 6.—The names of the witnesses, if any, examined in support of the complaint, and the substance of the evidence of each witness.

No. 7.—Substance of the defence made by the accused party or parties.

No. 8.—The names of the witnesses, if any, examined in support of the defence, and the substance of the evidence of each witness.

No. 9.—The result of the proceeding, if terminated.

No. 10.—Explanatory remarks upon the case which could not properly be comprised under any of the preceding heads.

SLAVERY IN THE BRITISH COLONIES.

TABLE (A.)

Name of Island, Province, or Government. EXHIBITING the Number and Effect of the RETURNS of PUNISHMENTS, received by the Governor or Lieut.-Governor, from the Special Magistrates, from the last day of the Month of _____, 18____, to the first day of the Month of _____, 18____.

Name of Special Magistrate,	DISTRICT.	Total Number of Apprentices comprised in the District of this Magistrate.		Total Number of Punishments inflicted.	Total Number of Males punished.		Total Number of Females punished.	Average Number of Stripes in the Punishments by Whipping.	Maximum Number of Stripes in any one case of Punishment by Whipping.	Maximum of Severity in any one case of Punishment by Confinement.	Maximum of Severity in any other mode of Punishment.
		Males.	Females.		By Whipping.	Otherwise than by Whipping.					
Signature of the Governor, Lieutenant-Governor, or Officer, administering the Government.											

TABLE (B.)

GENERAL RESULTS.

Total Number of Apprentices throughout the Island, Province, or Government.	Total Number of Punishments inflicted under the authority of Special Magistrates throughout the same.	Proportion per Cent. of Punishments to Apprentices.	Total Number of Males Punished.		Total Number of Females Punished.	The Average Number of Stripes inflicted in cases of Punishment by Whipping.	The Maximum Number of Stripes inflicted in any one case of Punishment by Whipping.	The Maximum of Severity in any one case of Punishment by Confinement.	The Maximum of Severity in any other mode of Punishment.
			By Whipping.	Otherwise than by Whipping.					

(K.)

Despatch
(K.)CIRCULAR DESPATCH, addressed by Lord *Glenelg* to the Governors of the West India Colonies, &c.

Sir,

Downing-street, 15 July 1835.

I HAVE had under my consideration various representations which have been addressed to this Department on the subject of the inadequacy of the present allowance of 300 *l.* a year to the stipendiary magistrates. From these statements I am led to believe that the rate at which the salaries of these officers has been fixed is by no means calculated, in all instances, to afford them a sufficient remuneration for the duties they are required to perform.

Under this impression, I have felt myself called upon, in justice to individuals from whom such arduous and responsible duties are required, to take immediate steps for affording them such allowances, on account of the keep of horses and house rent, as the case would appear to demand. In carrying such intention into effect, I have not been insensible to the difficulty which exists of regulating such allowances by any general rule which should meet the justice of all cases. In some Colonies, that rate of remuneration which in others would afford a suitable provision to the officer, is rendered altogether inadequate by the high price which he is compelled to pay for the necessaries of life. Elsewhere the same consequence is produced by the charge imposed upon the officer in the form of travelling expenses. With a view to meet this difficulty, I have, in concert with the Lords Commissioners of the Treasury, fixed upon a sum which shall be considered as the maximum of allowance to be granted under any circumstances, leaving to the Governors of the several Colonies a discretionary power to regulate the scale of allowance according to the demands of each individual case. From the information I have been able to collect, it has been decided that 150 *l.* should be the maximum, in the proportion of 100 *l.* for house rent, and 50 *l.* for the keep of a horse.

In calculating the scale of allowance to each officer, it is hardly necessary that I should impress upon you the necessity of observing the strictest economy. You will bear in mind that these allowances should only be issued in cases where you are fully satisfied that they are absolutely necessary to enable the parties to obtain due accommodation, and to perform their duties effectively; and upon proof being adduced that the expense has been actually incurred for house rent or for the keep of a horse. You will authorize the payment of these allowances at the same periods as the salaries of the magistrates, but by distinct warrants or requisitions, addressed to the commissary on the station, and supported by certificates to show that the parties are duly entitled to them under the foregoing regulations.

I have, &c.

(signed) *Glenelg*.

P.S. The issue of the above allowances is to take date from the 1st April last.

J A M A I C A.

(continued.)

— No. 36. —

COPY of a DESPATCH from the Marquess of *Sligo* to the Earl of *Aberdeen*, dated The King's House, St. Jago de la Vega, 31 March 1835.

JAMAICA.

My Lord,

No. 36.

THE hurried manner in which a number of previously neglected bills are hurried forward on the last days of every session here, and the numerous erasures and interlineations which appear in the ingrossments, have prevented my remarking some enactments which I think objectionable, and which I have detected since they have been printed and delivered to me, about three weeks ago. This perhaps is hardly a sufficient excuse, but it is the fact; and having made those remarks since, I deem it my duty to submit them to you, in order that your attention may be drawn to them, and your decision, whatever it may be, made known to me.

The Act to which this despatch particularly alludes, and which being of the greatest consequence, I have taken up first, is "the Act in aid of the Abolition Act,"

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Act," passed during the last session. It repeals clauses 27, 39, 44 & 68 of the original Abolition Act. The first clause to which I shall call your Lordship's attention is the 7th, which replaces the 27th. The alteration I object to there, is that the jurisdiction is thereby taken out of the hands of the special justice, as I consider has been provided by the original 27th clause. I cannot but think that much oppression may result from this change. The introduction also of the word "Saturday" into the 7th clause, which does not appear in the former one, appears to me to prevent the apprentices from going to market on any other day but Saturday, which I do not think is a very advisable restriction. The advertisement of the magistrates of Trelawny, which I enclose, is, I think, rendered legal by the insertion of this word; and it was in consequence of the idea I had formed on seeing that advertisement, that I was induced to compare the old Act, and Act in aid, as closely as I have done.

In the 13th clause, which supersedes the 39th clause, they have inserted the words "legally married," in order to prevent the apprentices having the advantages given to them by the term "reputed connexions" in the original Act, which being almost the only tie in the Island, and having been acted on in cases where a separation of such a connexion by removal has been attempted, has caused much displeasure amongst the proprietors and managers. I fear that this also opens the door to oppression, in an improper use of the clause. In the provision of the same clause they have inserted the words "if he shall think proper," with a view, as I think, of leaving it to the choice of the master whether he shall release the confined apprentice or not, contrary to the original law, which requires that no apprentice shall be confined for more than 24 hours without being either released or his case submitted to a special magistrate. Now such frequent instances occur of owners placing their apprentices in confinement for 24 hours, or indeed in some cases for a longer period, without any charge being brought against them, and these instances are so often only discovered by accident, that I am anxious that no incautious expression should give them any authority for a greater abuse of that power. I also object to the "nearest justice of the peace" having jurisdiction in this case. It was originally confided to the special justices, and it escaped me that it was taken from them solely. There are now quite as many special justices as the exigencies of the country require; and therefore I see no sufficient reason for the introduction of this power to the local magistrates. In clause 14, which supersedes clause 44, the whole of the provision has been repealed, and none re-enacted. The limit placed on the additional labour per week, being confined to 15 hours per week, has been thereby done away with. I see much objection to this omission. At the time the Bill passed, I disliked the "bilboes" being made a place of legal confinement; such a power having been in all times much abused, and not likely now to be less taken advantage of. Such are the points to which I see objection; but I think it right notwithstanding to say that I have consulted the Chief Justice, in whose opinion I have much confidence, and he does not feel as much opposed to them as I do; therefore am I perhaps in error; but such a conviction having reached my mind, it is my duty to make known to you. Should you think my view correct, and that you should disallow it, perhaps you would at the same time authorize me to give my assent to a Bill on the same principle, but not containing these defects which I have pointed out. With regard to the penal gangs on estates, I have some doubts whether it is expedient or not to allow them. The abuse of this power is guarded against by a clause I got inserted, No. 8; but as it is a measure of much value, if not allowed, I would beg as yet to give no opinion respecting them. I have as yet seen no cause to doubt the policy of clause 4, and therefore do not make any remark upon it. As far as my judgment goes, all the other clauses are unobjectionable. It might therefore be worthy of consideration whether the best line for your Lordship to adopt would not be, not to allow or disallow the Bill, but to make such remarks on it as you may think expedient, in order that amendments may be made on those particular points where you see objections: this would also give more time to watch the working of the penal-gang clause. The stealing of produce has got to an alarming extent, and I have directed the attention of the police to the necessity of watching this. On one police station near here, in about a fortnight, the police captured nearly a hogshead of sugar, which was all condemned by the magistrates.

I have, &c.

(signed) *Sligo.*

JAMAICA.

— No. 37. —

No. 37.

EXTRACT of a DESPATCH from Lord *Glenelg* to the Marquess of *Sligo*, dated Downing-street, 13 June 1835.

I HAVE received your Lordship's Despatch, dated the 31st March, containing various observations on the Acts passed by the Legislature of Jamaica in their last Session, and promising additional remarks of the same nature. I had already resolved on the advice which it would be my duty to tender to His Majesty respecting this series of laws, before your communication of the 31st March reached me. It has contributed very strongly to confirm my original impressions.

The Act for the amendment of the law respecting apprenticed labourers, is of far more considerable importance than any of those which received your Lordship's assent at the close of the last year. I do not wish to disguise the more than usual care and even scrupulosity with which I have thought it right to examine the provisions of this statute. Between His Majesty, the British Parliament, and the people of Great Britain, on the one hand, and the persons entitled to the services of the manumitted slaves, on the other, there may with little impropriety of language be said to exist a solemn compact, to the faithful performance of which either party is bound by the most sacred obligations. If, on the one hand, the payment of the compensation money is the inevitable duty of this country, it is not less clearly due from the Colonial Legislatures that they should strictly adhere to every one essential or valuable provision of those laws which have been accepted by His Majesty as an "adequate and satisfactory" performance of the condition which Parliament imposed upon them at the time of making the grant. For the Council and Assembly to retract any part of the offer deliberately made by themselves, and on the footing of which their right to participate in the compensation fund was established, would be an infringement of the original compact to which His Majesty could never assent. I have therefore perused this Act with a very careful reference to those by which it is preceded, and I will now convey to your Lordship the result of that comparison. The absence of all distinction of clauses in the transcript renders it impossible for me to quote them with the precision which would be desirable.

1st. If the owner of a plantation shall be disposed to abandon it, and shall give six months' notice of that design to the labourers on the estate, and to the nearest magistrate, the proprietor is to be relieved after the expiration of that period from all further obligation to maintain the labourers: they however are not to be discharged from their apprenticeship, but are to be removed from the abandoned plantation to some other estate, having however the power to select their own future employers from amongst the various candidates for their services. Agricultural labourers, however, are not to remove into the towns or to abandon their work in the fields, unless they can satisfy the special justice that they shall be able to maintain themselves by other methods. Apprenticed labourers refusing to be removed from the abandoned estates are to be punished as vagabonds. If your Lordship will refer to the 9th sect. of the Act of Parliament for the Abolition of Slavery, you will perceive that the removal of prædial apprentices from the plantations to which they had been attached, or on which they had been usually employed, on or previously to the 1st of August 1834, is expressly forbidden, except in the case of transfers made with the consent of two or more special justices, to some other estate belonging to the same employer, in the same Colony. I have found it impossible to reconcile with this provision the enactment to which I have referred: and your Lordship is aware that in the event of any repugnancy between the two, not merely the general principle of law, but the express terms of the 16th section of the English statute, declares that the Act of Assembly shall be "null, void and of no effect."

2d. I perceive it is enacted, that the courts of quarter sessions may take cognizance of offences committed by apprenticed labourers, in the same manner as in cases of free persons. The general rule I apprehend to be, that every misdemeanor committed by free persons is cognizable at the quarter sessions. If the intention be to render the apprentices amenable to the same tribunals for every misdemeanor which they may commit, then, as every disobedience to the
statute

statute law under which they are placed is an offence of that character, the quarter sessions, or in other terms the local magistracy, will indirectly acquire that jurisdiction which has been studiously withholden from them by Parliament. If, on the other hand, the meaning be only that an apprenticed labourer shall be liable to be tried at the quarter sessions for any offence which could be committed by other free persons, and which, if so committed by them, would be cognizable by these courts, then the rule is unobjectionable, except in regard to the vagueness of the terms in which it is expressed.

3d. An apprenticed labourer found wandering as a vagabond, without a written permission from his employer, and unable to give a satisfactory account of himself, may by any justice of the peace be adjudged a vagabond and punished accordingly. The Act contains no words ascertaining the sense in which the expression "vagabond" is here employed. This omission ought to be supplied; for otherwise the simple fact of absence from the estate without the employer's consent, even during the leisure time of the apprentice, might subject him to these penalties. It is indeed declared that the rule is not to be "deemed or construed" to abridge or interfere with the free use by the apprentice of his leisure time; but whatever sense the interpreter of the law may assign to the rule, I perceive no construction of it which might not be attended with that injurious consequence which the Legislature themselves so plainly deprecate.

4th. The special magistrates are authorized to establish penal gangs on the plantations, which they may at pleasure break up, and transfer the offenders to the penal gang of the parish. The penal gang thus to be established on the estate must of course be subjected to a penal discipline, to be enforced by the employer or his subordinate agents; and while in that condition, the ordinary rules limiting the duration of the labour of the apprentices must of course be suspended. In other words, the employer will, as a minister of justice, assume over these persons the exercise of much of that invidious authority of which he was deprived by the Slavery Abolition Act. It appears to me that criminals of every class should undergo their sentences under the inspection and upon the responsibility of the proper officers of the law; and that there are strong objections to committing this charge, not merely to persons invested with no public office, but who have a strong immediate interest for enforcing the penalties of the law with undue severity, and for exacting immoderate labour. The moral effect of exhibiting bodies of apprentices working on the estates as penal gangs, under the immediate control of the planter or overseer, must be pernicious, and must tend to repress the growth of those feelings of mutual confidence between the employer and the employed which it is of the utmost consequence to cherish. It may further be remarked that the Act does not, in terms at least, provide in respect of time which the apprentice may pass in labouring for his employer's benefit in the penal gang on the estate; the apprentice is not also to be considered as a debtor to the employer; yet, adverting to the general terms of the former laws of the Island, this is a consequence which, in the absence of an express declaration to the contrary, would seem to follow.

5th. Any apprenticed labourer acting as a watchman and absenting his post, or being guilty of any neglect of duty by which the employer's property is damaged, is to make good the loss, or is to yield any amount of extra labour to his employer not exceeding 30 days, or is to undergo any number of stripes not exceeding 50. I cannot perceive the justice of this rule. A freeman who engages for his own profit to act as the guardian of the property of another may reasonably be called upon to indemnify the owner against such losses as his negligence may occasion. The contractor indemnifies himself against the risk, by the terms of the engagement. But a man who works by compulsion and for a bare subsistence, ought not to incur such damages. The punishment of the negligent watchman should be measured, not by the amount of the loss sustained by his employer, but by the amount of suffering presumably necessary to deter the offender himself and the witnesses of his punishment from the repetition of the offence.

6th. The plantation constable is authorized to secure and to place in confinement any apprenticed labourers not employed on the plantation, who may be found loitering there without the knowledge and permission of the employer. From the operation of this rule are excepted the wives of the apprentices "legally married." I presume that this apparently tautologous phrase is used

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in contradistinction to that of wives improperly so called, that is women living in a state of concubinage: therefore the rule would forbid an apprenticed labourer to admit his concubine into his hut, except with the assent of the proprietor. I fear that this rule has little or no tendency to promote the interests of morality. The long and lamentable disuse of marriage amongst the slave population of Jamaica has given birth to connexions between the sexes, which, however much to be lamented, must be borne with until they can be superseded by more legitimate unions formed under the influence of religious and moral culture. Such habits are certainly not to be eradicated by peremptory and unforeseen laws. Further, the apprentice has a strict legal right to receive into his hut such inmates or visitors as he may think proper, provided that nothing be done to endanger the public peace, or the good order of his own or any other plantation. He must be considered as a tenant paying rent for his occupation in the form of manual labour.

7th. The prohibition of apprenticed labourers attending or voting at any public meeting should have been confined to meetings of which the object or the proceedings were political. There is no good reason for excluding them from charitable and religious meetings, holden during their own leisure hours.

8th. The appeal from the special magistrates to the supreme or assize courts, would transfer to the local magistracy presiding in those tribunals a power which Parliament studiously reserved to the special justices. I should have thought the enactment unobjectionable had it merely ascertained the right of the supreme tribunals to set aside the decision of the special magistrates, for illegality or want of form: but the right of appeal goes far beyond this.

9th. After a preamble declaring that many plantations are destitute of sufficient strength for the confinement and safe keeping of violent persons who may commit offences; it is enacted that in every such case it shall be lawful to secure any such offender in the bilboes, "in the same manner as has heretofore been the custom." This indefinite language will afford shelter for the revival of many of those practices which prevailed under the old slave law of the Island. It is possible that the meaning of the Legislature may not be accurately represented by the words they have employed.

10th. Four sections of the Act of December 1833 are repealed; they are those designated in the printed copy of that Act by the numbers 27, 39, 44 & 60. In general it appears to me that the enactments thus to be revoked are properly selected for that purpose; but they contain some beneficial provisions which might have been conveniently left in force: at least I am unable to perceive what advantage is anticipated from rescinding them. I refer especially to the declaration respecting the right of the apprenticed labourers to resort to market and to places of public worship, and to enjoy the free use of their own time; to the declaration requiring the release of an apprentice after 24 hours' imprisonment, if a special justice cannot be procured in that time; to the rule that no employer must ever imprison an apprentice, without subsequently preferring a complaint against him for the offence which occasioned the imprisonment; to the clause respecting the flogging or beating of women; to the limitation of 15 hours in the whole in any one week, as the period of penal labour in the employer's service; and to the declaration that all penalties are to be recovered before a special justice by distress, and are to be applicable to the public service of the Island. The repeal of all these enactments will apparently deprive the law of some of its most important securities against abuse.

11th. This Act provides, that if, before any order shall be made for discharging a labourer from his apprenticeship on the payment of the appraised value of his service, it shall be proved that during the apprenticeship the labourer has been convicted of any robbery or theft, the justice must stay all proceedings until the expiration of three years from the time of the conviction. Without pausing to debate the justice of this regulation, it is enough for me to say that it is at variance with those provisions of the Act of Parliament which give to the labourers a positive right to purchase their discharge without any such qualification.

12th. The Act provides that if five or more labourers shall, without the written authority of their employer, proceed in a body or in a tumultuous or riotous manner from the estate to which they are attached, under the pretext of receiving redress of grievances, they are to be committed to the nearest gaol,

gaol, there to remain till the decision of the case; and if it shall be made to appear to the justices that such labourers had quitted their homes without justifiable cause, the males are to be whipped, and the females are to be placed in solitary confinement or worked in the penal gang. Now it is obvious that in general the smallest possible number of persons ought to quit the estate in a body, for the purpose of lodging complaints; but on the other hand, it is scarcely possible to draw so strict a line as is here proposed, without great occasional injustice. A complainant failing to prove the cause of his absence justifiable, is to undergo a severe punishment; yet that failure may be inevitable, if he is forbidden to take with him the witnesses, however numerous, who alone are qualified to prove the truth of his complaint.

13th. The discharge of an apprenticed labourer, after 24 hours' imprisonment by his employer's authority, is referred to the discretion of the employer, or to that of the nearest justice of the peace who is permitted to authorize the further detention of the labourer, until the attendance of a special magistrate can be obtained, or (according to the nature of the offence) to commit such labourer to gaol, to be dealt with according to law. The powers thus given to the ordinary magistracy are repugnant to the British statute, and invest them with an authority which Parliament has expressly forbidden them to assume.

14th. The special justices are authorized to direct "the reasonable and necessary corrections of juvenile delinquent apprentices," with a strap or switch; but no female of the age of 10 years or upwards is to be liable to any such correction. The word "juvenile" is so indefinite, as to leave the authority thus given to the magistrates destitute of any safe or certain limit. The judicial punishment of females by whipping, whatever may be their ages, is repugnant to the plain language of the Act of Parliament.

For these reasons, and adverting to the terms of your Lordship's Despatch No. 69, this Act will be disallowed by His Majesty in Council. Your Lordship will make generally known throughout the Island that the order of disallowance may be expected to arrive there by the next packet.

I cannot pass from the subject, without some further remarks suggested by the terms of the Despatch No. 69.

I infer that an opinion prevails in Jamaica, and is even entertained by your Lordship, that the Colonial Acts respecting apprenticed labourers have superseded the Act of Parliament in that Island. This, however, is a misapprehension which cannot be too soon or too distinctly removed. The 22d section of the British statute prescribes with minute care the method to be taken as often as any of the Parliamentary enactments are to lose their authority, and are to give place to others to be substituted for them by Acts of Assembly. But this course has not been pursued in reference to any of the Acts of the Jamaica Legislature. Every part of the Statute 3 & 4 Will. IV., c. 73, has the force of law in that Island. In the language of the 16th section, "any enactment, regulation, provision, rule or order in any Act of the Assembly [of Jamaica] contained, in anywise repugnant or contradictory to the Act of Parliament or any part thereof, is absolutely null and void, and of no effect."

Your Lordship will communicate to every special magistrate in Jamaica a copy of the preceding paragraph, for his guidance in the execution of his duty.

I regret that your Lordship was induced to assent to the Act on which I have commented, until you had carefully perused every part of it. The courteous feelings towards the House of Assembly which induced your Lordship to close the business of the Session, although some of the Bills were presented to you in an illegible form, might have deprived me of the benefit which I have derived from your Lordship's comments on this Act. In the ordinary course of business, it would, but for accidental circumstances, have been disposed of in the early part of last month. You will have the goodness to cause it to be made known to the proper persons, that in future it will not be in your Lordship's power to assent, on His Majesty's behalf, to any Act of which a clear manuscript has not been laid before you for such a period as may be requisite for a careful examination of its contents.

This correspondence suggests the indispensable necessity of insisting that no Act be passed in Jamaica affecting the condition of apprenticed labourers, unless

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unless it shall either contain a suspending clause, or unless the period at which it shall be made to take effect in the Island shall be so remote as shall afford His Majesty in Council ample time for exercising His Majesty's prerogative of disallowance, if that course should be thought necessary. Your Lordship will consider this as an inflexible rule for your future guidance.

— No. 38. —

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Earl of *Aberdeen*, dated The King's House, St. Jago de la Vega, 27 March 1835.

No. 38.

IT is with considerable satisfaction that I am enabled to repeat to your Lordship the same favourable assurances as to "the general state of the Island" that it has been hitherto in my power to transmit to you. The apprentices, generally speaking, are working very industriously: in many instances, where they are paid by the quantity of sugar made, they are in the habit of keeping up the boiling-house work for the whole first five days of the week uninterruptedly, though their bargain with their masters may have been to work only for 18 hours per day. On many estates they work by spells, not having been offered wages, as the proprietors say they cannot afford to pay any in some cases; and in others, because the whole crop will be easily taken off without taking more than the legal time: the last instances are, however, rare. There are some few estates where they have refused to work at all for wages, but where, they work very diligently during the legal hours. These refusals are here attributed to sectarian influence; but I have not as yet seen that satisfactorily proved. It is, however, a remarkable fact that plantation is precisely in the state I have above described, and that it is in that estate the Rev. Mr. _____ interfered with the head estate constable, to prevent his punishing any of the apprentices; and for which he is now under prosecution. Their misconduct, or more properly speaking, their passive resistance, keeping within the limits of the law but going no farther, does look like the result of more serious consideration than generally falls to the lot of the apprentices here. I am however bound to say, that this is the only instance which has fallen under my observation where there appears to be any ground for the opinion. I have the honour to enclose to you a Return of the quantity of sugar made this year up to the 28th February, and up to that day last year; also of the days on which respectively the crop commenced. I have added, in as many instances as I have been able to procure it, the hours of labour of each crop per day. By it your Lordship will perceive that, for the number of hours of actual labour, nearly double the quantity of sugar has been made per hour this year, more than what was made during slavery; which satisfactorily I think proves, that in the energy produced by labour for wages, they will in future find a sufficient counterpoise to the loss of the time which they enjoyed under slave labour. By the next packet I will send home to you any farther reports I shall have by that time received. I find much use in asking for these returns, as I am able to call the special magistrates to account for any particular deficiency I may observe.

I have the honour also to enclose to your Lordship copies of letters received from nearly all the special justices; which, though they vary in the terms of their report as the circumstances of their respective districts require, in the main will be found, I trust, to justify my report. It is to be remarked, that the two parishes going on now the worst, as your Lordship will see by these letters, are St. James's and St. George's. The former is the parish where notoriously the greatest severities prevailed in all the past times of Jamaica, where the last rebellion principally raged, and where at this moment more violent party spirit is kept up, and I grieve to say is promoted by the vast majority of the principal and most influential people of the parish. This has been the scene of Mr. _____ services; and although I must think that his system of entire abstinence from punishment of a corporal nature was peculiarly inapplicable in that district, (in consequence of the contrast being so very

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very great from the former severity as to lead the negroes into an idea that their state was different from what it really is), it is my duty to confess, that at the commencement, he and Mr. _____ deserved the greatest credit for their unceasing efforts to stem the extraordinary efforts that were made to keep up the old system.

With respect to the parish of St. George's, I have only to say that it has been the scene of Mr. _____ exertions; and as the result has not been as favourable as he thinks it, I have the more to lament that so much severity should have been so uselessly adopted. I deprecate in the most anxious manner that gentleman's restoration to the magistracy. That the crop of the next year will be somewhat deficient I have reason to fear. Such has been the dread of not getting off this crop, that all the exertion which was formerly applied to the double object of taking the year's crop and preparing for the next year's, has been devoted to this year's service. That there may have been sound and good reason for this course, I am not prepared to contest: I am rather induced to think it was expedient, if not necessary; but I think that the apprentice has in most places now acquired such an avidity for money, as to remove from my mind the apprehension that any falling off in the crop of the year after next will be experienced.

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Enclosure 1, in No. 38.

RETURN of the QUANTITY of SUGAR made up to the 28th February 1834 and 28th February 1835; distinguishing the Names of the Estates and Parishes, the Days on which the Crop commenced, the Increase and Decrease, and the Hours of Labour of each Crop per day.

ESTATES.	PARISHES.	Commenced for 1834.	Sugar made 1834.	Commenced for 1835.	Sugar made 1835.	Increase.	Decrease.	Hours Labour 1834.	Hours Labour 1835.	Quality.
			Hhds.		Hhds.	Hhds.	Hhds.			
Windsor Forest - -	St. David's	2 Dec. 1833	49 $\frac{1}{2}$	15 Dec. 1834	38	-	11 $\frac{1}{2}$	24	13	Superior.
Lloyd's - - - -	ditto	9 Dec. -	73	8 Dec. -	60	-	13	24	16	Equal.
Green Wall, 4 $\frac{1}{2}$ days -	ditto	26 Nov. -	68	8 Dec. -	52	-	16	24	24	Equal.
Albion - - - -	ditto	2 Nov. -	158	1 Dec. -	135	-	23	15	12	Worse.
Windsor Castle - -	ditto	9 Dec. -	47	2 Dec. -	30	-	17	24	14	
Norris's - - - -	ditto	10 Feb. 1834	30	9 Dec. -	49	19	-	24	13	Superior.
River Head - - -	ditto	14 Nov. 1833	18 $\frac{1}{2}$	1 Dec. -	25	6 $\frac{1}{2}$	-	24	14	Superior.
Eolus Valley - - -	ditto	20 Dec. -	75	1 Dec. -	68	-	10	24	24	Equal.
Airy Castle, 5 days -	St. Andrew's	8 Feb. 1834	30	15 Feb. 1835	16	-	14	20	9	
Constant Spring, 4 $\frac{1}{2}$ days -	ditto	18 Jan. -	58	11 Jan. -	42	-	16	18	8	
Cherry Garden - -	ditto	18 Jan. -	40	16 Jan. -	25	-	15	16	13	
Golden Spring, 4 $\frac{1}{2}$ days -	ditto	1 Feb. -	30	25 Jan. -	36 $\frac{1}{2}$	6 $\frac{1}{2}$	-	17	8 $\frac{1}{2}$	
Maresty - - - -	ditto	1 Feb. -	21	13 Jan. -	41	20	-	14	14	
Molynes - - - -	ditto	1 Feb. -	21	18 Jan. -	31	10	-	16 $\frac{1}{2}$	16	
Norbrook - - - -	ditto	25 Jan. -	21	8 Feb. -	14	-	7	16	13	
Shortwood, 5 days -	ditto	1 Feb. -	17	8 Feb. -	13	-	4	18	9	
Spring - - - -	ditto	22 Jan. -	18	6 Feb. -	10	-	8	16	13	
Penbroke Hall - -	ditto	1 Feb. -	18	1 Feb. -	20	2	-	14	14	
Temple Hall, 5 days -	ditto	15 Feb. -	28 $\frac{1}{2}$	1 Feb. -	30	4 $\frac{1}{2}$	-	18	9	
Waterhouse, 5 days -	ditto	1 Feb. -	25	1 Feb. -	24	-	1	18	9	
Petersfield, 5 days -	Westmorland	10 Dec. 1833	113	5 Jan. -	96	-	17	24	24	
Lincoln - - - -	ditto	10 Dec. -	48 $\frac{1}{2}$	14 Dec. 1834	49 $\frac{1}{2}$	1	-	24	24	
Shrewsbury, 5 days -	ditto	12 Dec. -	139 $\frac{1}{2}$	5 Dec. -	150	10 $\frac{1}{2}$	-	24	24	
Masemure - - - -	ditto	29 Dec. -	99	1 Jan. 1835	66	-	33	24		Irreg ^r .
Friendship & Greenwich	ditto	12 Dec. -	104	18 Dec. 1834	97	-	7	24	24	
Moreland - - - -	ditto	16 Dec. -	57	16 Dec. -	70	13	-	24	24	
Mint - - - -	ditto	16 Jan. 1834	104	2 Jan. 1835	106	2	-	24	24	
Retreat - - - -	ditto	8 Jan. -	112 $\frac{1}{2}$	5 Jan. -	102	-	10 $\frac{1}{2}$	24	24 *	* Irreg ^r .
Spring Garden - -	ditto	15 Jan. -	79	7 Jan. -	93	14	-	24	24	
Prospect - - - -	ditto	2 Dec. 1833	143	8 Dec. 1834	104	-	39	24		Irreg ^r .
Blue Castle - - -	ditto	13 Dec. -	55	7 Jan. 1835	51 $\frac{1}{2}$	-	4 $\frac{1}{2}$	24		Irreg ^r .
Medgeham - - - -	ditto	6 Jan. 1834	62	7 Jan. -	43	-	21	24	9	
Cocoa Walk - - -	St. David's	20 Jan. -	32	7 Jan. -	20	-	12	21	15	Equal.
Serge Island - - -	{ St. Thomas in } the East	1 Jan. -	70	1 Jan. -	42	-	28	24	16	
Georgia, 5 days - -	ditto	1 Jan. -	39	1 Jan. -	36	-	3	24	16	
Creighton Hall, 5 days -	ditto	1 Jan. -	80	1 Jan. -	76	-	4	24	24	
Coley, 5 days - -	ditto	1 Jan. -	53	1 Jan. -	45	-	8	24	16	
Garbrand Hall - -	ditto	18 Nov. 1833	123	18 Nov. 1834	122	-	1	24	16	

(continued)

PAPERS RELATIVE TO THE ABOLITION OF

ESTATES.	PARISHES.	Commenced for 1834.	Sugar made 1834.	Commenced for 1835.	Sugar made 1835.	Increase.	Decrease.	Hours Labour 1834.	Hours Labour 1835.	Quality.
			Hhds.		Hhds.	Hhds.	Hhds.			
Blue Mountain -	{ St. Thomas in the East -	1 Jan. 1834	60	1 Jan. 1835	49	-	11	18	16	
Hall Head, 5 days -	- ditto -	1 Jan. -	78	1 Jan. -	48	-	30	24	16*	- * Mill stopped a week.
Golden Valley -	- ditto -	10 Dec. 1833	41	3 Nov. 1834	50	9	-	24	16	
Whitehall -	- ditto -	1 Jan. 1834	16	15 Dec. -	25	9	-	24	18	
Buckingham, 5 and 6	- ditto -	14 Jan. -	56	1 Jan. 1835	16	10	-	24	18	
Latium -	St. James's -	7 Dec. 1833	160	6 Dec. 1834	109 $\frac{1}{2}$	-	50	23	20	
Orange -	- ditto -	6 Dec. -	28 $\frac{1}{2}$	6 Dec. -	11 $\frac{1}{2}$	-	17	23	20*	- * No works.
Belvidere -	- ditto -	1 Feb. 1834	38	10 Jan. 1835	31	-	7	23	20	
St. Jago -	Clarendon -	1 Jan. -	55	1 Jan. -	44	-	11			
St. Toolies -	- ditto -	1 Jan. -	32	1 Jan. -	14	-	18			
Clarendon Park -	- ditto -	1 Jan. -	48	1 Jan. -	36	-	12			
Whitney -	- ditto -	1 Jan. -	70	1 Jan. -	76	6				
Denbigh -	- ditto -	1 Jan. -	51	1 Jan. -	76	25				
Hulse Hall -	- ditto -	1 Jan. -	39	1 Jan. -	50	11				
Parnassus -	- ditto -	1 Jan. -	64	1 Jan. -	99	35		24	18	
Main Savanna -	- ditto -	1 Jan. -	19	1 Jan. -	18	-	1			
Rozelle -	{ St. Thomas in the East -	1 Jan. -	70	24 Jan. -	40	-	30	{ 520 hours 1835.		
Belvedere -	- ditto -	14 Jan. -	50	5 Jan. -	80	30	-	{ 1,296 hours 1834.		
Morant -	- ditto -	1 Jan. -	69	8 Dec. 1834	50	-	19	{ 588 hours 1835.		
Stanton -	- ditto -	2 Dec. 1833	65	1 Dec. -	63	-	2	{ 1,224 hours 1834.		
Pembroke Hall -	- ditto -	14 Nov. -	55	18 Nov. -	52	-	3	{ 600 hours 1835.		
Nutts River -	- ditto -	2 Dec. -	87	22 Sept. -	67	-	20	{ 1,100 hours 1834.		
Montpelier -	- ditto -	9 Dec. -	63	24 Nov. -	69	6	-	{ 1,200 hours 1835.		
Lyssons -	- ditto -	1 Jan. 1834	130	12 Jan. 1835	64	-	66	{ 1,677 hours 1834.		
Retreat -	- ditto -	1 Dec. 1833	70	20 Oct. 1834	60	-	10	{ 1,284 hours 1835.		
Oxford -	- ditto -	19 Nov. -	40	24 Nov. -	32	-	8	{ 2,832 hours 1834.		
East Prospect -	- ditto -	20 Dec. -	58	9 Dec. -	46	-	12	{ 960 hours 1835.		
Leith Hall -	- ditto -	13 Feb. 1834	19	12 Jan. 1835	18	-	1	{ 1,272 hours 1834.		
Cardiff -	- ditto -	8 Dec. 1833	59	10 Dec. 1834	46	-	13	{ 1,584 hours 1835.		
Clifton Hill -	- ditto -	9 Dec. -	54	26 Nov. -	36	-	18	{ 1,944 hours 1834.		
Harbour Head -	- ditto -	9 Dec. -	55	29 Dec. -	33	-	22			
Roehampton -	St. James's -	6 Jan. 1834	71	6 Jan. 1835	40	-	31			
Spring Garden -	- ditto -	16 Jan. -	43	13 Jan. -	27	-	16			
Welcome -	Hanover -	13 Jan. -	44	30 Dec. 1834	40	-	4			
Haddington -	- ditto -	13 Jan. -	37	5 Jan. 1835	32	-	5			
Adelphi -	St. James -	29 Jan. -	33	19 Jan. -	42	-	9			
Roaring River -	Westmorland -	1 Jan. -	96	29 Dec. 1834	65	-	31			
Fort William -	- ditto -	1 Jan. -	60	29 Dec. -	57	-	3			
Prospect -	- ditto -	1 Jan. -	55	7 Dec. -	45	-	10			
Fontabelle -	- ditto -	19 Jan. -	40	5 Jan. 1835	33	-	7			
Windsor Forest -	- ditto -	13 Jan. -	32	12 Jan. -	27	-	5			
Geneva -	- ditto -	1 Jan. -	40	29 Dec. 1834	22	-	18			
Camp Savanna -	- ditto -	12 Jan. -	35	19 Jan. 1835	30	-	5			
Caswell Hill -	Vere -	18 Nov. 1833	88	18 Nov. 1834	98	10	-			
Broeziletto -	- ditto -	3 Feb. 1834	38	7 Jan. 1835	68	30	-			
Hill-side -	- ditto -	3 Feb. -	39	7 Jan. -	73	-	34			
Harmony Hall -	- ditto -	1 Feb. -	28	9 Dec. 1834	48	20	-			
Pindar's Hall -	Clarendon -	20 Jan. -	26	7 Jan. 1835	22	-	4			
Mullet Hall -	- ditto -	16 Dec. 1833	43	16 Dec. 1834	32	-	11			
Longueville -	- ditto -	30 Dec. -	53	29 Dec. -	40	-	13			
Four Paths -	- ditto -	29 Jan. 1834	15	7 Jan. 1835	25	10				
Fountain -	- ditto -	10 Dec. 1833	18	27 Jan. -	10	-	8			
Spring Vale -	St. John's -	13 Jan. 1834	41	8 Jan. -	55	14				
Mountain River -	- ditto -	15 Jan. -	30	12 Jan. -	18	-	12			
Rose Hill -	Clarendon -	18 Dec. 1833	60	29 Dec. 1834	53	-	7			
Lodge -	St. Dorothy's -	10 Feb. 1834	36	5 Jan. 1835	99	63				
Fairfield -	St. James -	11 Jan. -	99	16 Jan. -	64	-	35	23	20*	* Much rain this year stopped the mill a fortnight.
Turin -	- ditto -	18 Jan. -	93	17 Jan. -	72	-	21	23	20	
Kirkpatrick Hall -	- ditto -	18 Jan. -	46	24 Jan. -	32 $\frac{1}{2}$	-	13 $\frac{1}{2}$	23	20	
Tryall -	- ditto -	1 Dec. 1833	4	19 Jan. -	18	14		23	20	
Elim -	Westmorland -	2 Jan. 1834	86	2 Jan. -	65	-	21	24*	16	- * No Saturdays 1834.
Bogue -	- ditto -	2 Jan. -	93	2 Jan. -	56	-	37	24	16	
Oxford -	- ditto -	2 Jan. -	63	2 Jan. -	67	4		18	16	
Island -	- ditto -	2 Jan. -	75	2 Jan. -	53	-	22	24	16	
Two Mile Wood -	- ditto -	2 Jan. -	64	2 Jan. -	39	-	5	24	16	ditto.
Vauxhall -	- ditto -	2 Jan. -	17	2 Jan. -	10	-	7	24	16	ditto.
Hopewell -	Trelawny -	9 Dec. 1833	64	1 Dec. 1834	58	-	6			

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ESTATES.	PARISHES.	Commenced for 1834.	Sugar made 1834.	Commenced for 1835.	Sugar made 1835.	In-crease.	De-crease.	Hours Labour 1834.	Hours Labour 1835.	Quality.
Houghton Grove	Hanover	23 Dec. 1833	Hhds. 72	8 Dec. 1834	Hhds. 81	-	11			
Unity Hall	ditto	13 Jan. 1834	40	5 Jan. 1835	38	-	2			
Seven Rivers	ditto	6 Jan. -	82	20 Jan. -	37	-	45			
Montpelier	St. James	7 Jan. -	148	14 Jan. -	54	-	94			
Rose Hall	ditto	1 Mar. -	-	17 Feb. -	10	10				
Crawle	ditto	24 Feb. -	5	26 Jan. -	13	8				
Bampton Bryan	Trelawny	17 Feb. -	20	23 Feb. -	7	-	13			
Bryan Castle	ditto	17 Feb. -	19	23 Feb. -	6	-	16			
Arcadia	ditto	17 Feb. -	19	23 Feb. -	8	-	11			
Filstone	ditto	8 Feb. -	31	26 Jan. -	35	4		15	16	
Stewart Castle	ditto	24 Feb. -	7	18 Feb. -	7	-				
Trinity	ditto	8 Feb. -	36	1 Feb. -	18	-	18			
Roslin	ditto	15 Mar. -	-	21 Feb. -	3	3				
Pemberton Valley	ditto	6 Jan. -	65	26 Jan. -	28	-	37			
Llanrumrns	ditto	8 Feb. -	43	16 Jan. -	33	-	10			
Kildare	ditto	8 Feb. -	29	2 Feb. -	24	-	5			
Tulloch	{ St. Thomas in } the Vale	13 Jan. -	90	19 Jan. -	42	-	48	24	16	
Seven Plantations	Clarendon	21 Jan. -	56	31 Dec. 1834	66	10	-	24	16	
Gibbons Estate	Vere	15 Dec. 1833	51	1 Dec. -	72	21	-	24	16	
Mount Olive	{ St. Thomas in } the Vale	11 Dec. -	61	8 Dec. -	40	-	21	24	16	
Trout Hall	Clarendon	6 Jan. 1834	80	5 Jan. 1835	55	-	25	24	16	
Mears	ditto	6 Jan. -	60	5 Jan. -	24	-	26	24	16	

Enclosure 2, in No. 38.

COPIES and EXTRACTS of LETTERS from Special Justices.

Sir,

Savanna-la-Mar, 17 March 1835.

AGREEABLE to your circular of the 14th instant, I beg leave to state, the properties which I visit, 22 in number, appear to be doing extremely well, and the managers seem generally satisfied; there is only one property which decline working for wages, arising more from an idea of getting the overseer discharged than from any other bad feeling, with whom I cannot say what cause they can have for being discontented; others work cheerfully, as Shrewsbury, Petersfield, Mesopotamia, Cornwall, Bath and George's Plain. On some estates they do not find it requisite to hire them in their own time, or I am of opinion that they would work as well as those now working. The disposition and conduct of the negro is, I think, regulated much by the head people on the estates; as in instances where it has been requisite to dismiss or punish those holding head situations, much alteration for the better has followed. The complaints are certainly less frequent, as I have visited 21 properties during the week, on 14 of which there has been no complaints whatever, either by master or apprentice.

I have, &c.
(signed) T. M. Oliver, Special Justice.

Enclosure 2,
in No. 38.

Sir,

Chapelton, 16 March 1835.

IN answer to your circular of the 14th instant, No. 1,634, I have the honour to state for the information of his Excellency the Governor, the perfect submission and good conduct of the apprentices in the Upper District of Clarendon, including more than 50 estates, and a negro population of at least 10,000. The apprentices are working willingly for wages on every property requiring their extra services, and I know them to be most anxious to hire themselves on the estates where they are well used and regularly paid. I can also state, that under the new system these people have a proud shame in regard to punishment that never before existed. To the formality of trial, the written evidence upon oath, and the serious, fair and patient manner with which such matters are conducted, may be attributed this favourable change. If complaints from managers have not been considerably diminished, it may be fairly traced to a season of required exertion, termed "crop-time;" but I can with confidence desire you to assure his Excellency that the hospitals are not so full as heretofore at the same season, and that the house of correction, though open to the whole parish of Clarendon and such adjoining parishes as have not yet tread-mills erected, has at present not more than 10 inmates, whereas the average number previously to the 1st of August was, at the lowest calculation, 50.

I have, &c.
(signed) R. Standish Haly, Special Justice.

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Sir,

Amity Hall, 18 March 1835.

I BEG leave to acknowledge yours of the 14th, relative to the state of my district. I feel much pleasure in being able to report, for his Lordship's information, that the feelings between master and apprentice in this parish are most satisfactory. I also beg leave to state that a great proportion of the apprentices are disposed to work for wages. Those that are not working for wages have their usual allowances which they were in the habit of receiving previous to the 1st of August, and appear quite content with, and in some instances have given up a proportion of their time to obtain the same. I have also to state for his Lordship's information, that complaints are becoming less frequent and a steadier rate of work established in this parish, and the greater part of the apprentices appear contented, and are working with more cheerfulness than they were some time back; which enables the managers to take off a greater proportion of sugar during the 18 hours than ever they had done before for some years past, and I am firmly of opinion that the crop will be taken off much sooner than could have been anticipated.

I have, &c.

(signed) *James Nolan*, Special Justice.

REPORT of the State of the Parish of Manchester.

CARPENTER'S MOUNTAIN DISTRICT.

THIS district is chiefly in coffee, comprising also some pasturage lands and considerable quantity of wood not hitherto brought into cultivation. There is on many of the properties a large proportion of invalids, who will never be fit for labour, and most of whom, at the expiration of the apprenticeship, will be only fit for inmates of a public hospital. The majority of the apprentices are labouring very fairly where the property is well managed; much indeed depends on this; where there are clever superintendents, there are no complaints. Where the master is of a peevish disposition and averse to the system, not to be satisfied by anything, the collision with the negroes is frequent. The former are always the most troublesome, and, as in all other communities, generally incite to mischief. I find that where the overseer is also the manager, there are fewer complaints; I might say hardly any. Where an attorney interferes, the people seem not so well off. A very clever overseer, who is also the manager, asserted "that his people did under the present system three weeks' work in a fortnight." The great improvement that has taken place in the moral character and habits of the negroes must be productive of much benefit. The clergyman in this part of the parish has done much to ameliorate their moral conduct, and good results must be anticipated where the ministers of religion are attentive to their parishioners. The negroes are very attentive and eager for religious instruction; they are generally harmless and inoffensive, and of that organization of temper which is not likely to lead to any great exertion, either mental or bodily.

Working in their own time, they expect 1 s. 6 d. sterling a day, a rate of wages much too high for a planter to afford. There seems no indisposition to labour for such remuneration, but a negro can make so much out of his own time by raising provisions, corn and small stock, that he has no inducement at present to devote it to the service of his master. Any negro will acknowledge that he can make 2 s. sterling a day by his negro grounds for the whole week, if allowed to take the time to himself. This gives the produce of his land and labour about 30 l. sterling per annum, a very handsome competency for a labouring man, besides requiring little exertion or labour; and this I consider the best commenting I can offer on the subject of free labour.

The complaints are chiefly frivolous ones, most of them as regards house servants, and such as occur daily in European society.

In field labour they are principally against the women, for insolence to the constables and setting their orders at defiance.

I see no inclination to passive resistance, nor any dissatisfaction on the part of the apprentices as to the new system of labour.

In fact, I have every reason to believe they are inclined to view the administration of justice under the Abolition Act very favourably. In so stating, I feel it my duty to offer my humble approbation of the straightforward disinterested manner in which Mr. Colebrooke has adjudicated all cases, and which seems to be equally appreciated both by the apprentices and the planter. There are, of course, some bad characters in so large a community, whose absence from the country would be highly beneficial to its interests.

I have, &c.

(signed) *Arthur Welch*, Special Magistrate.

My Lord,

Port Royal Mountains, 19 March 1835.

I HAVE the honour to acknowledge the receipt of Circular No. 1,634, and in reply have to report that my district is particularly orderly and quiet. The apprentices are working willingly and effectively for wages, wherever offered, and I have not heard of a single instance of a refusal to work for hire throughout the parish. A great many plantations are getting off their crops without any extra labour, notwithstanding the diminution of the hours of labour, as compared with the old system. I find the apprentices universally obedient, industrious and cheerful, wherever a proper system of discipline, combined with liberality

rality and kindness, is acted upon. On a few properties, where the managers continue to irritate and harass the apprentices, and infringe on their rights, they are, as might be expected, discontented and sullen. Complaints are much less frequent than before: those against apprentices are chiefly for loss of time in turning out to work in the morning; a few for deficiency of labour, and petty instances of impertinence, and trifling thefts. Complaints of apprentices against their managers, are chiefly for wanton imprisonment in the dungeon for trifling offences, and often no offence at all, sometimes without food; want of proper attention in sickness; confinement in hospitals; keeping the gangs at work beyond legal hours; and various matters arising out of the rearing of children. If the rights and privileges of each party were more distinctly specified, I am persuaded there would be very few complaints on either side.

I have, &c.
(signed) A. S. Palmer.

JAMAICA.

My Lord,

St. Elizabeth, 24 March 1835.

IN obedience to the circular of the 14th, which by mistake did not reach me till Saturday, I beg to report, that in the part of this extensive parish where my duties are performed, the behaviour of the negroes and the state of labour are most satisfactory. Your Excellency is aware that my residence here is but recent; I have however been on all the principal estates within my district, and on some more than once. From the greater number not a single complaint has been made. Of the few cases of delinquencies among negroes which have yet come before me, scarcely one has been of a serious nature. Their general disposition is admitted to be good. I am assured that they not only give the time the law requires, but give a fair portion of work, and do it with a good degree of cheerfulness. No instance has I believe occurred in this quarter of their refusing to work for wages: at any rate they are doing it now, whenever required; and it is within my knowledge that they are even soliciting to be so employed in their own time. Their free labour has more than once been pointed out to me with expressions of approbation at the manner in which it had been performed. It has happened to me several times to see them paid; and I observed with pleasure, that instead of any murmuring at the rate of wages, at first a rather common occurrence, they drew up for "the cash," as they emphatically term it, with their very best looks and best manners. They are capital reckoners of what they have to receive; I would almost defy any one to cheat the most stupid among them out of the smallest fraction that was their due. They are characteristically fond of money. Under a state of things so encouraging, it is not a matter of surprise to find one and another of those among the proprietors and managers who have candour enough, admitting that their apprehensions of the mischievous consequences of the great change have not been realised; that in fact they begin to have a good opinion of things after all, and believe it will be still possible to live at peace, and make capital productive, even in Jamaica. Such a strain of remark I have repeatedly had the pleasure to hear, in the course of my calls upon some of the most influential persons of this beautiful and extensive parish. I have some reason for believing that, as respects both the parish in which I spent the first months of my official labours, and that to which your Excellency, in compliance with my request, has done me the favour to remove me, the first year of the apprenticeship will afford more gratifying pecuniary results than some of its predecessors, instead of being, as many had predicted it would be, altogether ruinous. I am requested to furnish a brief report; but however concise, I feel it would be imperfect did I not express my persuasion, that to the instructions and influence of the rector of the parish, and one or two other exemplary clergymen, aided as they have been in their general purpose by the quiet, persevering, self-denying zeal of the Moravian brethren, must this most gratifying state of things among the negroes be in no small degree attributed.

I have, &c.
(signed) J. Daughtrey.

Sir,

Port Antonio, 16 March 1835.

I HAVE the honour of acknowledging the receipt of your (circular) letter, dated the 14th instant, requiring a concise report of the state of this district; in reply to which I beg leave most respectfully to state, for his Excellency the Governor's information, that I trust my weekly reports for the last four or five months will afford the very best evidence of the satisfactory operation of the new system in this district (and parish) of Portland, with only a very few exceptions of properties, which had long previous to the 1st of August been under very ill management. I have for several months had comparatively very little trouble.

I have also the satisfaction of being enabled to state that the apprentices on almost all the principal estates in this district are working (seeming) cheerfully for hire; and I have good cause to believe the whole would have done so, were it not for a suspicion inherent in the negro mind, that they would not be fairly dealt with by their masters. This suspicious feeling is now however fast dying away; and I do most sincerely and conscientiously believe that, with only a little management, the whole of the apprentices would work extra hours at what may be deemed reasonable wages, viz. 2d. currency per hour, or a spell say of six hours for 1s., and in that proportion for a longer time.

In conclusion I have only to state, as may be seen in my weekly reports, that (although

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I regularly visit them) on at least two-thirds of the properties in this district I find nothing to do in my judicial capacity, both masters and apprentices appearing satisfied with each other.

I have, &c.
(signed) *Donald MacGregor*, Special Justice.

EXTRACT of a LETTER from Mr. *Oliver*, Special Justice.

My Lord, Savanna-la-Mar, 17 March 1835.
I HAVE the honour to state, for your Lordship's information, that the district I visit appear to be going on very well, and, with one exception, working for hire where they have been required to do so.

EXTRACT of a LETTER from Mr. *Thomas*, Special Justice.

My Lord, Orange Hill, St. Mary's, 18 March 1835.
IN reply to your Lordship's circular (No. 1,634) of 14th instant, I beg leave most respectfully to state, that as far as my remarks and inquiries have been made in this district, I am enabled to report favourably of the orderly temper and disposition of the apprentices; but their unwillingness to work for wages is, I am constrained to say, very general.

Sir, Old Harbour Market, 18 March 1835.
IN reply to the Government circular of the 14th instant, I beg leave to say, that so far as respects the general behaviour of apprentices, and the reciprocal feelings between them and their masters, I consider the state of my district to be highly satisfactory. Unfortunately, however, the working for wages by no means proceeds to the extent that is called for the wants of the country. Of 14 estates only five are working for wages, and these for nothing beyond a short number of hours in the week. This unfortunate circumstance is caused by no disinclination on the part of the negroes to engage themselves for wages, but they ask more than the managers will give. The apprentices now engaged in extra labour receive no more than from 1 *d.* to 1½ *d.* an hour: would the managers offer from 2 *d.* to 3 *d.*, I have no doubt that almost every individual negro in the district, male and female, could be induced to work extra time.

On my expressing to several managers an earnest hope that they would find it right to give the wages required by the negroes, their answer invariably has been, that the non-payment of the compensation money renders it impossible, otherwise much advantage would accrue to estates in labour from 2 *d.* to 3 *d.* an hour. Here then is the embarrassing situation in which a great part of the Island is placed. The proprietors complain that they are threatened with a heavy misfortune, in consequence of their not having yet received any compensation for the part of their property that was taken from them on the 1st of August. It seems to be universally admitted that the great delay in the taking in of the crop of this year, which will be occasioned by the circumstance of so large a proportion of the negroes not working extra time, will keep cultivation so far back as to cause a calamitous falling off in next year's crop.

But with regard to the present state of this district, I beg to repeat that it is perfectly satisfactory. The inability to come to terms for extra labour produces no sort of ill feeling between the masters and apprentices; the latter are working the time required by law cheerfully and industriously, and the number of complaints now is decidedly less than towards the commencement of the apprenticeship, besides being upon the whole of a less serious character.

I have, &c.
(signed) *Alexander N. Maccloud*, Special Magistrate.

EXTRACT of a LETTER from Dr. *Palmer*, Special Justice.

My Lord, Port Royal Mountains, 17 March 1835.
THE district generally is remarkably quiet; the apprentices are working well. The crops are at least two-thirds over, and very little more difficulty has been experienced in getting them in than was formerly. At Lucky Valley the overseer tells me the gang, in cleaning a piece of coffee, took the other day 906 hands only, to do what 896 hands did prior to the 1st of August, making only the difference of 12 hands under the new system.

Sir, Saxham-hill, Hanover, 17 March 1835.
IT affords me much pleasure to be able to inform his Excellency the Governor, through you, that the general state of my district, containing 31 properties, with a population of about 8,000 apprentices, is very satisfactory.

The majority of the apprentices on my arrival in the district seemed very reluctant to work in their own time for wages, and the few who did work exacted a very high price for their

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their services. Affairs in this respect are now changed, for on some estates the apprentices are working for 1 *d.* and 1½ *d.* per hour; and it is my impression that before crop is over this scale of remuneration for labour will be pretty generally accepted by them. In respect to their conduct, I must say that as far as my observation goes there is a change for the better, and complaints against them by their employers are decidedly on the decrease.

JAMAICA.

I have, &c.
(signed) *J. Odell*, Special Justice.

My Lord,

Aylmer's, St. John's, 18 March 1835.

IN obedience to your Excellency's commands of the 14th instant, requiring a concise report of the present state of the parish of St. John's, I have the satisfaction to inform your Lordship, that the apprentices throughout the district are tranquil and orderly, affording their employers a fair proportion of labour. Complaints have latterly been fewer, and offences of a less glaring description. Thefts, at first so frequent, are now of rarer occurrence.

The habit of working for wages is on the increase. The Lloyd's negroes have come round, others still hold out; where they refuse to do so it seems to arise from some deliberate resolve which they will not avoid, perhaps ill-will to their master or manager. On the estates where hire is taken the paid labour is performed with alacrity, and volunteers often offer themselves, who are manifestly disappointed should the overseer have no occasion for their services.

I have, &c.
(signed) *E. D. Baynes*.

My Lord,

Eastern District, St. Andrew's, 19 March 1835.

IN reply to your Excellency's circular of the 14th instant, I beg to state, that on all the sugar estates in my district the people are working for wages for their extra time. The higher allowance I hear of is 2½ *d.* per hour. They are working cheerfully, and I understand quite as well, if not better, than they did before the 1st of August.

On the coffee mountains they are without exception working well, when the overseers are persons of good feelings and unaffected by prejudice against the new laws: the obstacles are of their own creating, and seem to me to be less and less every day. Generally, I must say, this population is as quiet, orderly and laborious, considering the climate, as any I know in England; or there is less of poverty and violation of labour on the part of the labouring population.

I must remark that very little trouble has been taken to give Christian instruction to the people. The constables are, as far as I know, without exception, unable to read in their bibles.

I have, &c.
(signed) *S. Bourne*, Special Justice.

My Lord,

Torrington Castle, 24 March 1835.

WITH reference to the circular, No. 1,634, which I received on the 19th instant, I have the honour to inform your Excellency, that I repaired to the different estates named in my report, which is forwarded this day to the King's-house; and I am glad to add that the negroes show every inclination to perform their labour with honest good will, and that they likewise appear very glad to work for wages when applied to.

I have further to state for your Excellency's information, that both planters and overseers, wherever I visited, reported the conduct of the negroes in a very favourable light; and upon some estates the negroes collectively told me that they had nothing to complain of, except that their provision grounds were not inclosed by fences, and therefore they were trespassed on.

I have, &c.
(signed) *J. Reynolds*, Special Magistrate, St. Elizabeth's.

Sir,

Kingston, 16 March 1835.

I HAVE the honour to acknowledge the receipt of your circular, No. 1,634, and beg leave to state, that in my county, which I inspect monthly, the apprentices in general work remarkably well, and are in most cases, where the special magistrate acts judicious, willing to sell their time, particularly when the overseer is on the spot and pays them in silver; but so little faith have they in all that is done by their former masters, that if once put off, it is with much difficulty they can be got to work again.

With respect to complaints becoming less frequent, this is remarkably so, particularly where the magistrates do their duty with strict impartiality, avoiding both extremes; nor do I ever think it necessary to give more than 25 stripes, provided those are given with a proper lecture; the women appear to give the most trouble.

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Respecting

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JAMAICA.

Respecting the whole working of the system, I am confident that it far exceeds the expectations of the most sanguine.

I have, &c.
(signed) *Gilmore D. Gregg*, C. Insp. and Special Justice.

REPORT by the Special Magistrate for the Parish of St. Thomas in the Vale,
16 March 1835.

IN this parish there are 25 sugar estates, four pens, 34 extensive coffee plantations, five estates where the apprentices are usually employed as jobbers, and a great number of small properties yielding coffee, pimento and provisions; the apprentices exceed 11,000.

It is upon the sugar estates alone that any proper attempt has been made to induce the apprentices to work for hire during their own hours. In the outset there was great delay in proposing terms upon the part of the proprietors, who were perhaps individually apprehensive of offering too high wages, as there seemed to be no generally concerted measure: on the other hand, the apprentices also were probably afraid of accepting too low wages. Another ground of difficulty may have arisen from a desire upon the part of the apprentices of several estates to reserve to themselves the half Fridays, or the alternate Fridays, as specified by the Abolition Act; although in other respects they were willing to work 16 hours each day during crop. But from whatever cause it may have originated, it is certain that the agreements to work for hire were not generally proposed until crop was just commencing, and in some instances even after crop had actually begun.

On many of the estates the apprentices have agreed to work extra hours, in consideration of receiving the old allowances of salt provisions, clothing and other indulgences, which materially exceed the allowances fixed by the last Slave Act. On other estates they have agreed to work for certain specified sums of money; and upon some estates they receive both money and allowances of salt provisions, &c.

It is generally understood that those estates which are giving allowances of provisions, instead of money, are paying higher prices for labour than those which are giving money. The average rate of payment may be estimated at 2s. 1d. for five days each week.

On the pens and coffee plantations no general effort has been made to induce one apprentice to work for hire during their own time. It is believed that upon some of the plantations occasional offers have been made to the apprentices to work for a few weeks; but these have not always been accepted, either on account of the smallness of the sums offered, or from the circumstance of its being proposed merely to repay the apprentices by an allowance of days out of crop time.

Upon the whole, it is thought that, when adequate wages are offered, the apprentices have no hesitation in agreeing to take them; and that next year, when an average rate of money wages will be better understood, there will be little difficulty in getting the apprentices to work freely for hire.

With regard to the disposition of the apprentices to perform their work, there appears to be an obvious and favourable improvement within the last two months. They are now aware that they will be punished if they neglect their work; and consequently the number of complaints are gradually decreasing. In January last there were 161 cases decided by the special magistrate; while in February the number amounted to 132; and on several estates no complaints whatever were brought forward. Of course there will always be offences committed by individuals; but it may be fairly stated that the apprentices in the parish are well disposed, and in general perform as much work during the time they are employed as they did formerly.

(signed) *Walter Finlayson*, Special Magistrate.

My Lord,

Stony Hill, 16 March 1835.

IN reply to your Excellency's circular, No. 1,634, I can safely say, the negroes in this district are performing more work in a given time, say 40½ hours weekly, than they ever did. I cannot, however, say they do so freely, being convinced from their natural idle disposition, were it not for a dread of collision half they do at present would not be performed; this I am convinced by observing how extremely cautious they are of the infringement of one minute of their own time; and although on a few properties they will work for wages, there is nevertheless a pretty general unwillingness to do so.

I have the satisfaction of informing your Lordship complaints are becoming less frequent.

I have, &c.
(signed) *Samuel Lloyd*, Special Magistrate.

REPORT by the undersigned Special Justice for the Moneague and Pedros Districts of the Parish of St. Ann's, as to the general State of these Districts.

Moneague, 17 March 1835.

THE Reporter has the satisfaction of stating that a gradual and decided improvement has taken place in the character and conduct of the apprentices in the above district, within these some months past. Their general behaviour is cheerful and contented, and they now appear to understand and to enter with some degree of spirit into the new system.

From

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JAMAICA.

From the nature of the work to be performed in this quarter of the parish, few are required to work for wages, but in cases when it may happen to be necessary, the undersigned is not aware that any indisposition to accept of them has been manifested. Complaints are becoming less frequent, and are of a much less serious character than those preferred in the earlier months of the apprenticeship. The same quantity of labour may not be performed in some cases, within equal periods, as previous to the 1st of August, but there can be no doubt that a considerable change for the better has recently taken place in this respect, and a progressive improvement may confidently be anticipated.

Henry Laidlaw, Special Magistrate.

My Lord,

Home Castle, 16 March 1835.

IN answer to the letter of Mr. Secretary Nunis, of 14th instant, requesting a concise report of the state of the district, I have the honour to report, that the apprentices have, on the four different properties where it has been offered to them, freely worked for wages, and seemed willing to accept them. The disposition of the apprentices is upon the whole good. Complaints are becoming less frequent, and I trust that this district will in a very short time be perfectly quiet and well disposed. I should add, the prevailing complaint on the part of overseers is an insufficiency of labour.

I have, &c.

Stanley Rawlinson, Special Justice.

A BRIEF REPORT of the State of Bluefields District, in the Parish of Westmorland.

17 March 1835.

IN most instances the negroes appear to work freely for wages, particularly when it is carefully and explicitly pointed out to them that the Government will not countenance idleness, and that their own future interests will be best promoted by their present industry. In general I find this sort of reasoning produces a good effect; I feel it, however, to be my duty to state here, that there are a few persons in authority over the negroes, who dislike and as much as possible oppose this mode of reasoning, and fancy that chastisement alone is the impetus by which a negro is to be made to work; and I do not hesitate to say that these persons obtain less work than any others, and that from the properties under the management of such persons are to be found the greatest number of complaints. In general the complaints on either side are rather diminishing. The disposition of negroes, when under proper management, appears to me in this part of the country improving much; the wild and extravagant notion of freedom which they at first entertained appears to be fast subsiding. The quantity of sugar now made in this district is generally admitted to be equal to that made at the same period in former years. There are but few crimes charged against negroes in this district, and those of trivial character.

R. Daly, Special Justice.

A REPORT of the present State of the District under the Charge of *R. Cocking*,
Special Justice.

THE apprentices on most estates are working for wages, but not so freely in point of labour as they ought. I have only heard of one refusing to work for wages, and that estate is making as much produce weekly without, as they expected to have done by paying wages.

The estates generally are slow in taking off their crops; in consequence the cultivation of the next year's crop will suffer materially if some alteration does not take place in the exertion of the apprentices to work better, which is evident on most estates; an improvement has taken place, and it is to be hoped will increase.

Two estates in this district are in a very backward state, and the apprentices thereon seem determined to have their own way.

(signed) *R. Cocking*, Special Justice.

Sir,

St. Ann's, 16 March 1835.

I HAVE the honour to acknowledge the receipt of your letter of the 14th instant, No. 1,634; and in reply thereto, I have to state the great satisfaction I feel at the present state of this district. The apprentices are now working better than they have done for a considerable time past, and in a few instances they do so for hire, which they willingly take when offered, but this is chiefly among the head people. On one estate, Blenheim, I heard the people, who were on spell the previous day, come in the morning to the overseer, and offered their services for hire. I have before given it as my opinion that it will take some time to get them all to work for wages; but the example once set, I have not a doubt it will be followed.

They appear to be attending to their respective duties willingly, and with more cheerfulness than when I first came here; of course I speak generally; and I have great pleasure in stating that complaints are not now so frequent, and very few of a serious nature.

I am, &c.

(signed) *W. H. Sowley*, Special Justice.

JAMAICA.

Sir,

Alexandria, 17 March 1835.

I N reply to your circular, No. 1,634, I have the honour to report that the district under my charge is in very good order, that the negroes work freely for wages, and are anxious to be employed to obtain such. Their dispositions appear to me to be very quiet and good, with a few individual exceptions. The complaints are become much less frequent.

I have, &c.
(signed) *A. Dillon*, Special Justice.

Your Excellency,

Alexandria, 17 March 1835.

I HAVE the honour to report, that with much difficulty I yesterday removed here, and that I shall use every exertion that the present improving state of my health will admit of, to meet your Excellency's orders and wishes, and the duties I have to perform.

I feel gratified in stating to your Excellency, that the sugar estates in my district are doing wonderfully well: Cave Valley estate is making 13½ hogsheads per week, and Bal-lentay estate 13. The largest quantity they ever made was 18 hogsheads in the week.

I had constant communication with the attornies and overseers during my illness, as I felt so much interest and anxiety to prevent any falling off in my district. I have to request your Excellency's indulgence in my not forwarding a report for the last week, as I am unable to-day to make one. I shall include all next week.

I have, &c.
(signed) *A. Dillon*, Special Justice.

Western District, St. Thomas in the Vale,

19 March 1835.

My Lord,

I HAVE the honour to inform your Lordship, in answer to the circular of the 14th instant, that from the very short period I have been doing the duty of special magistrate (6th March), I cannot give the full information your Lordship requires. The negroes on the different sugar estates have freely entered into agreements for taking off the crops. I am credibly informed that the negroes are gradually progressing towards working for wages; but it requires much encouragement.

I have, &c.
(signed) *Thomas Baynes*, Captain, Special Magistrate.

Derry Great House, Peartree Grove,

17 March 1835.

My Lord,

I HAVE the honour to inform your Excellency, in compliance with Mr. Secretary Nunis' letter of the 14th instant, that I conceive my district, Bagnell's Vale, to be in pretty good order, under the existing difficulty in the want of education.

The negroes seem to work freely when kindly treated by the employer, and they seem to wish to work in their own time for kind masters and proper wages.

I am strongly of opinion that those amongst them who are enlightened, are loyal and affectionate towards the British Crown.

I have, &c.
(signed) *Henry Walsh*, Special Justice, St. Mary's.

My Lord Marquess,

Falmouth, 16 March 1835.

I HAVE the honour to state, for your Excellency's information, and in compliance with your Lordship's instructions, that I do consider the negroes will eventually work freely for wages; and they are coming more habituated to receiving wages, consequently their demands for high wages are not so great as at the onset of crop. Their disposition is decidedly improved since the 1st of August; but I cannot take on myself to say what effect the conduct of the emigrants may have on them, should their acts not be in accordance with justice and sound morality. Complaints are infinitely less than formerly; and if all will assist, I have no doubt things will go well.

I have, &c.
(signed) *Thomas Davies*, Special Justice.

My Lord,

Bellmont Mocho, 18 March 1835.

I HAVE the honour to inform your Excellency, that the apprentices in my district are giving satisfaction to their managers, and working on many properties with cheerfulness.

The apprentices have not been asked to work generally in my district for wages, but where wages has been offered them they have accepted the offer; and I am informed by some of the managers, that they have no doubt but the apprentices would willingly work for wages, should they require their services. Complaints are decidedly less frequent, and of the few in my district, of less magnitude. The apprentices appear to understand the duty they have to perform under the Abolition Act better than they did; and I have every reason to believe that improvement will daily gain ground. I regret, my Lord, not being able

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able to forward your Excellency the return of sugar, in consequence of some of the overseers having been absent when I visited the estate: next week it shall be forwarded for your Excellency's information.

I have, &c.
(signed) *R. J. Langrishe.*

JAMAICA.

REPORT of Lieutenant *Thomas*, Special Justice for North East District, St. Mary's.

I BEG leave most respectfully to state to your Lordship, that having now visited every estate and pen in my district, I am enabled to report more confidently and distinctly upon the general temper and disposition of the apprentices throughout my beat, and which, I am happy in the opportunity of saying, are in general peaceable, quiet and cheerful. My purpose is, my Lord, to attend more particularly to those properties where a restless spirit causes disinclination to work on part of the apprentices discover themselves.

(Mr. White's late District.) Buff Bay, St. George's,
Jamaica, 24 March 1835.

My Lord,

A CIRCULAR which I had the honour of receiving from the King's-house requires information from me which I fear I shall be scarcely capable of giving. The short time that has elapsed since my appointment to this district has prevented my acquiring an accurate knowledge of those points to which the circular alludes; and I find that it is quite impossible to rely on the judgment of others.

I regret that I am not able to give a favourable account of the general conduct of the apprentices in my district. During the last week, your Lordship will observe by my report that there is an appearance of combination against those under whose management they are placed, which has required on my part an exercise of severity which, however painful to myself, I consider absolutely necessary. In giving this account of the present state of my district, I wish your Lordship to understand, that it is strictly its present state; that during the first 10 days of my residence here, the cases brought before me were of a trifling nature; and that it is my opinion that the apprentices are now taking the opportunity of my recent appointment to discover whether I do or do not strictly enforce the laws. I have acted on this opinion, and feel convinced that this point once decided, everything will go on as well as could be desired. The apprentices in some cases work willingly for a remuneration in money for extra labour; in other cases they prefer a payment in those allowances which they received before the 1st of August last, such as salt fish, cooks, &c. On other properties, again, they positively refuse, on any account whatever, to work for a longer period than that which the law requires.

I need not say that I have always endeavoured to point out to them the advantage of industry at the present time, and the benefits that will accrue to them hereafter by a ready acquiescence in the views of the proprietors of estates. In conclusion, I can only repeat to your Lordship my conviction, that though this district may have been less orderly during the last fortnight than it has previously been, I am quite satisfied that a very short time will suffice for allaying the excitement which at present exists.

I have, &c.
(signed) *W. Hewitt*, Special Justice.

My Lord,

Morant Bay, 18 March 1835.

IN obedience to your directions, I have the honour to acquaint you, that the apprentices in this district all appear to work freely for wages; and where proposed to them to work extra time, they are always most willing to accept the offer. During the short time I have been here, I have no hesitation in saying that complaints are becoming less frequent every week. I am fully confident, if there were proper persons over them that would conciliate with their different occupations, the work on all the estates would be carried on in the most tranquil manner.

I have, &c.
(signed) *John Eveleigh*, Special Justice.

St. David's Parish, 16 March 1835.

I CONSIDER my district, the parish of St. David, to be in a state of great tranquillity. The coffee crop here, which is of considerable extent, is nearly saved: it has been got in with much satisfaction; the quantity picked per day by each person employed, when the coffee was fully ripe, being equal to that ever required. The apprentices, when called on, have freely worked in their own time for the wages offered, 10*d.* per bushel. In the manufacture of sugar, nearly as much has been made in this year as in last, in the same number of weeks, there being only 8½ hogsheads deficient. The week this year comprise but five days; last year they contained six, of 24 hours. Only two estates here out of 10 work by night. The persons engaged by night receive 2*s.* 6*d.* currency per week, and the usual allowances. The apprentices, besides extra labour per day, give one day per month of their own time. On the other estates, with the exception of one, the apprentices work, say seven hours per day, beyond the legal time, and give up one day per month, for no other consideration than the usual allowances. On Windsor Forest they receive 2*d.* per hour

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for extra time, seven hours per day: the work on this estate is carried on with much more satisfaction than usual. The quality of sugar made this year is superior to that of last year's make; sugar made at night not being as well manufactured as that made by day. From what I have stated, I am of opinion that the negroes, when kindly treated, will freely work for wages in the time they can spare for the cultivation of their grounds. Now that the apprentices understand the extent of the freedom conceded to them, they are more contented and less disposed to complain than they were immediately after the 1st of August. The managers too, I consider, are adapting themselves to the change which has taken place, and are less inclined, in general, to prefer complaints than heretofore.

(signed) *Patrick Dunne.*

SPECIAL JUSTICE'S REPORT of the District of Manchioneal, St. Thomas in the East, Jamaica.

My Lord Marquess,

17 March 1835.

I HAVE the honour to lay before your Excellency the following, as the result of my short experience in this district as a special justice.

I have, in the first instance, to state that every assistance and facility has been afforded me, on all occasions, by both the local magistrates and the managers of properties. I am decidedly of opinion the apprentices do not appreciate the great boon that has been granted them, and that they are quite destitute of gratitude, coercive measures alone causing the system to work at all.

The conduct of the women retards greatly the well-doing of estates, being extremely turbulent, obstinate and insolent. The watchmen are another class in this district who behave bad, being extremely indolent, and frequently found guilty of breach of trust, as well as absence from their watch. There will require some imperative act of the Legislature to secure the bringing up of the children under six years to habits of industry, as well as morality of conduct, as the parents decidedly refuse all assistance from their masters, and will not listen to any terms of apprenticeship, but seem to wish to bring up their children as slaves to themselves. There is evinced in this district a great reluctance to work for wages, or to give up any of their own time; and where money has been paid, no commensurate profit has arisen to the proprietor. One principal cause for their not giving their time, is the vicinity to their houses and productiveness of their provision grounds. The estates, without exception, are very far back in their cultivation, both for this year's crop as well the next, owing to the apprentices doing less work, in any given number of hours, than prior to the 1st of August, particularly the women. Latterly there have been fewer complaints as to general work, but more of individual character, viz. stealing, watching, and wilful destruction of property. The apprentices in this district attend generally very regularly on Sundays to divine service, and their conduct is very decorous. The district is free from any unlawful turbulence or riot.

I have, &c.

(signed) *J. Kennet Dawson*, Special Justice.

My Lord,

Dover, St. George's, 17 March 1835.

IN compliance with the circular letter of 14th instant, No. 1,634, I beg leave to report that, as well as a residence of about two months will enable me to form an opinion, the state of the district under my charge is rather unsatisfactory, as regards the general conduct and dispositions of the apprentices.

They do not work freely for wages; those employed in the field, in almost every instance, refuse at all times. Whenever they do consent to work in their own time, they require such extravagant hire, and even when their demands are acceded to, perform so small a portion of work, that no estate could profitably employ them. A few of the most intelligent, such as porter-men and still-house-men, receive wages, and earn from one to two dollars weekly; but the great body of apprentices seem disposed to refuse all wages, and to waste in idleness the greater part of the time at their own disposal, instead of cultivating their provision grounds; the consequence of which is, that throughout the whole of my district, the negroes are in want of food, and many are living entirely on what they can steal from the more industrious. I do not perceive any sensible increase or diminution in the number of complaints; but I hope, as soon as the misunderstanding and excitement which at present exists has subsided, they will become less numerous.

I have, &c.

(signed) *E. E. Fishbourne*, Special Justice.

Sir,

Palmetto River, 18 March 1835.

THE apprentices in the district under my charge, I have much pleasure in being able confidently to assert, are at this moment in as contented a state and as industriously engaged as any peasantry in the most favoured portion of the globe. To this state they have been rapidly progressing since Christmas; and I have the satisfaction of knowing that on those properties that have above 200 apprentices they are not only manufacturing sugar with the same facility and in the same proportion as formerly, but they are also performing the same quantity of agricultural labour they had used to do when working so many more hours.

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This fact I have been particularly anxious to ascertain, and know from observation and inquiry that I am right in my assertion. A singular fact connected with the manufacture of sugar this year is, that on all the properties I have had an opportunity of visiting not a single bad hogshead has been made, and the general quality is much superior to that last year: that this improvement is not accounted for by the supposition that the bad was in former years the product of night labour, is shown by the circumstance that on many estates night labour is still continued, and there the sugar is good also. The habit of working for wages might be made general, were such a course the desire of attorneys and managers invariably, but such I am sorry to say is not the case.

I have always found the negroes readily agree to an equitable rate of wages, and after trial evince an earnest anxiety to do as much extra work as they might be allowed. In two or three properties where no money is paid because no extra hours are required, the apprentices have complained of it to me as a hardship, and referred to the superior situation of those on other estates where money has been paid. From the desire which the acquisition of money creates, and their general readiness to work on their own days when required, there appears to me no difficulty, if attempted, of at present doing the whole labour of an estate by task or at a money rate of hire, and consequently no cause of fear for the future. There is a great decrease of crime and petty offences on all properties in this district; the gaol of this large precinct contains but two apprentices, and the number in the house of correction is exceeding few, and of those not one committed by myself.

I have very few complaints from managers, and still fewer from apprentices. I have endeavoured to impress them with conviction of the necessity of obedience and industry, as a means of ensuring their own happiness and respectability; and from the present quietness and industry around me, I have reason to believe with some effect. The comparison of my diaries of the months of September and October, with those of the last two months, will show an improvement most rapid and astonishing. Would attorneys pay more attention to the capacity and conduct of those whom they select to superintend apprentices, all difficulty and doubt as to the ultimate success of this benevolent experiment would instantly vanish, and both proprietors and managers acknowledge that the change has been productive of as much mental ease to them as of bodily relaxation to the serf.

I have, &c.

(signed) *Edmund B. Lyon*, Special Justice.

My Lord,

Retreat, 17 March 1835.

I BEG to inform your Lordship, that since I came to this district, which is only three months, I see a great change for the better, and crimes of a serious nature hardly now take place; in fact the only complaints made to me by the overseers (now) is, that of the negroes turning out late in the morning, and after middle-shell blows; and to show how much they are beginning to value money, I sometimes (of a Saturday) have them with me from 10 to 12 miles off, to complain of their working for perhaps half an hour longer than usual, and not getting pay. As to their working freely (for pay), it would in my opinion be very odd if they did, when we consider that a negro of what is termed the great gang gets from his employer 1s. 8d. currency for his Saturday, which time had he here at his ground, and working as some of them do, he would plant as much provision as he could sell in the market (next year, or rather towards the end of this) for six times 1s. 8d., and this is what makes them not value money given by their employer. It is well known that a negro in 16 days will plant as much provisions as will do for himself and family for a year. As to the disposition of the people it is downright sulky, and perverse to a very great degree. I have invariably treated them kindly and spoken in the same manner, but most of them cannot appreciate kindness; and some estates that I have been most lenient to, are now the worst. Any wages they agree to work for they always take, which is in most places 10d. a night to those about the works, for six hours of extra labour. Some places which have three and four spells, generally cut as much canes on Friday as keeps the mill about on Saturday; as when there are four spells, each only comes on every fourth Saturday, and have three to attend their grounds.

I have, &c.

(signed) *Henry Blake*, Special Justice.

Sir,

Wear Mandeville, 17 March 1835.

In reply to your circular of the 14th instant, I beg to say that generally speaking the negroes are very peaceable in this district. Persons who have long had arbitrary power in their own hands are often more querulous than they need be, and thus keep the magistrate pretty constantly employed. This, however, will gradually subside; indeed it is wearing away. At the same time I do think, after a good deal of patient inquiry, that the negroes in general are doing as little work as they can, while they can evade the law. The coffee crop has been so short this year that little opportunity has offered for their being hired. My impression is, they do not seek employment for hire in their own time, and that when offered they seldom accept it.

I have, &c.

(signed) *Samuel H. Stewart*, Special Magistrate.

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REPORT of Hanover Middle District.

ON most of the estates in this district the apprentices are working for wages; but in some instances they are not working regularly, that is to say, they will refuse to work one week, and will work again the next. In most places they are working cheerfully, and complaints are becoming less numerous. On all estates their whole time hitherto has been occupied in taking off the present crops, in consequence of which the field work has been entirely neglected. Some few have commenced clearing their pastures and young canes, and putting in young plants; of these a few employ jobbers. Others are stopping the mill, and have all hands in the field. I have nevertheless heard several express a favourable opinion with regard to the next year's crops.

(signed) *John R. Hulme*, Special Justice.

Sir,

Houghton Grove, 24 March 1835.

AGREEABLY to Circular 1,634, March 14th, I have the honour to forward for his Excellency's information a comparative statement as to the crops of the sugar estates in this district, between the years 1834 and 1835, up to the 20th instant.

With reference to Circular 1,634, I am sorry to observe, that the apprentices are not working by any means well, neither do they when at work perform the labour which they ought to do. On some estates they are working for wages, and I have not heard of many complaints of their having refused the wages due to them, although a few cases of that nature have occurred. On other estates the apprentices are working by spells according to law, but they are not generally disposed to labour cheerfully and willingly. The complaints of managers against their apprentices are by no means on the decline.

To W. G. Nunis, esq.,
Secretary.

I have, &c.

(signed) *Simeon Farrar*, Special Magistrate.

My Lord,

Knock Patrick, Manchester, 25 March 1835.

I HAVE much satisfaction in reporting to your Excellency the state of my district; that the apprentices are considerably improved both in their moral conduct as well as in labour, and that complaints are few to what they have been. With regard to working for wages, they are generally disposed to do so, at the rate of 1s. 8d. per day when offered, but few properties can afford so high a rate of wages.

I have, &c.

(signed) *Thomas Colebrooke*, Special Magistrate.

Sir,

Spanish Town, St. Catherine, 25 March 1835.

IN reply to your letter of the 14th instant, No. 1,634, I have the satisfaction to acquaint you, for the information of his Excellency the Governor, that the greatest tranquillity prevails amongst the apprentices of this parish, and that no complaints were made to me by the overseers or apprentices on any of the sugar estates I lately visited.

The apprentices are working willingly for wages, considering a custom has long prevailed in this parish of permitting them during their own time to cut wood and grass for their own benefit, which meets with ready sale, and by which some of them are enabled to earn more than by disposing of their time to their masters.

I have also to report to his Lordship, that during my term of official duty through the Island, I had frequent opportunities of becoming acquainted with the disposition of the negro population under the new system, and can assure his Excellency that (with very few exceptions, certainly not more than would occur in any other community under circumstances of so great a change) the apprentices generally are tranquil, performing their work with cheerfulness, and are beginning in the interior to understand the advantages they derive from hiring themselves to their masters; and, as far as I am able to judge, I think a mutual feeling of good will is beginning to prevail between the parties in their relative situations.

I have, &c.

(signed) *William Ramsay*,

To W. G. Nunis, esq.

Special Justice and Inspector-General of Police.

My Lord,

Masemure, 17 March 1835.

I HAVE now the honour of reporting to your Excellency the state of my district. The negroes are conducting themselves in a very peaceable manner; the two spells of eight hours each, as recommended by your Excellency, has been generally adopted in this quarter; and although but few estates are working the 24 hours, I am of opinion the same proportion of work is now performed by the negroes as heretofore. On some properties they work freely for wages; others again do not seem disposed so to do, but I find the head people, such

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such as cartmen and those occupied in the immediate manufacture of the produce, are anxious to have the opportunity of working for money. I consider the negroes are daily becoming more satisfied and familiar with the law, which in my opinion is the principal cause of the diminution of complaint.

I have, &c.

(signed) *E. D. Philp*,
Special Justice, Leeward District, Westmorland.

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My Lord,

Bruemar, Pear-tree Grove, P. O.
I HAVE the honour to reply to your circular, No. 1,634, to acquaint your Excellency since the receipt of that circular I have made an entire tour of my district; and I find since my last tour, from the information received from the proprietors and respectable overseers, that the apprentices on most of the estates are conducting themselves much better; on several of the estates they are working for wages willingly, but I regret to say on many they will not at present. I attribute this in a great measure to the non-attendance of any special magistrate, as reported to me by the proprietors and overseers, since the 1st of August; therefore the apprentices were ignorant of the law, which I have endeavoured to explain to them assembled together, and I hope by my next report, by the example I have made, to acquaint your Excellency that everything is working well; and in justice to the proprietors and respectable overseers, I must say I have received the greatest assistance to enable me to perform the duties I have done. Although I was requested by two or three proprietors not to attempt visiting their estates without a body of the police, but I did so single-handed, and was surrounded in the middle of them and did my duty, which I hope will meet your Excellency's approbation.

I have, &c.

(signed) *James Jackson*, Special Magistrate.

My Lord,

New Ramble, St. Mary's, 17 March 1835.

I HAVE the honour to forward my report of the state of my district. I have 16 sugar estates to visit; the mills are kept about for different periods, 12, 16 and 18 hours, as it suits the convenience of the estate. I am not aware of any difficulty whatever in taking off the crops. Some managers pay wages for spell-work, some give time in return, and some give rum, sugar and salt provisions; some managers employ the apprentices 45 hours in crop time and out of crop time; the labourers giving up 4½ hours weekly for an allowance of salt fish.

There is the best disposition on the part of the apprentices to work for wages, throughout this district; they not only take them when offered, but prefer them to any other arrangement. There is an opposition in some cases to give wages; where they have been tendered, the apprentices readily sell their own time. I have the assurance of many managers for this good disposition in the apprentices. Where the new system is fairly tried, and faith kept with the apprentices, the manager has no trouble beyond those delinquencies which occur in all countries.

The apprentices appear to consider the new system as a great blessing, and are eager to have every advantage the law has given them. There is one great difficulty in carrying the new system into effect, as regards the hours of labour; there is no uniform hour of rest appointed for the field people. Many of them conceive they are cheated out of their time; the want of clocks and watches is much felt: in a few instances watches have been given to the constables attending in the field. I do not consider that the irritation against the "invasion of their rights," as the proprietors and managers term the new system, has yet subsided; they find great difficulty in looking upon their late slaves as their equals in the courts of law and justice. With respect to the frequency of complaints, I consider they will not be disposed to commit offences when they are more acquainted with the laws. Such has been my experience on those estates where I have taken the most trouble to explain to the apprentices the obligations of the law on both parties, master and servant. Complaints are no longer made from those properties. In conclusion, I do consider, as far as my district is concerned, that it is a fair example of the good working of the new system under the Abolition Law; and that it requires nothing more than fair play on the part of the managers to bring the apprentices to a state fitted for perfect and absolute freedom when the term of service expires. I am not aware that any steps have been taken by proprietors or managers in my district to establish schools or instruct in any way their apprentices, or to encourage marriage among their servants.

I have, &c.

(signed) *William Mariton*, Special Justice.

My Lord,

Trelawny Interior District, 17 March 1835.

IN conformity with your Excellency's instructions, I have great pleasure in reporting to your Lordship that the apprentices in this district are in a tranquil and orderly state; all the mills are about, and since the rains have ceased the weekly returns of produce, which are uniformly good, have considerably increased, and the crop is progressing rapidly, and in as satisfactory a manner generally as can be reasonably expected.

The apprentices are cheerfully working extra time (on the weak-handed estates) for money hire, even at night, and would gladly do so generally, if required; but on some properties they are wishful to appropriate the Saturday to their grounds and to go to market, as they now generally observe the Sabbath, and do not appropriate that day to the cultivation

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of their grounds as heretofore. It also affords me pleasure to report to your Excellency that the apprentices in this district are well clad, well fed and well housed; and that the complaints on the side of the apprentices, as also of the planters, have of late become less frequent and of less importance.

I have, &c.
(signed) *S. Pryce*, Special Justice.

REPORT of the District of *W. A. Bell*, Esq., Special Justice for the Parish of St. Elizabeth.

Elim Great House, St. Elizabeth's, 17 March 1835.

THE apprentices are generally working well, and are more good tempered than at the commencement of apprenticeship. There are few complaints for anything but thieving of one another and their masters. They will sometimes work cheerfully for wages, at other times they will say that the wages are not enough; in fact, they do what others in their situation would do. They are independent of their owners or employers, by not being circumscribed in their grounds, and not having a rent to pay for them; nothing but the same want that is felt in other countries will give constant labour. I believe that they are perfectly quiet, and will only act as circumstances oblige them, like other labouring classes. Education would improve them, but they do not value what they themselves do not pay for.

(signed) *W. A. Bell*, Special Justice.

My Lord,

Rio Bueno, 17 March 1835.

I BEG leave to acknowledge the receipt of your Excellency's circular of the 14th instant, No. 1,634. In reply to your Excellency's order for me to report the state of my district, I beg leave to inform your Excellency that this district is at present quiet, the apprentices are working for wages freely, and that they are willing to receive hire when offered, and from appearances I have every reason to think their dispositions are improving; they now appear more willing to work than at the commencement of crop, and that complaints of any serious nature are becoming less frequent. The greater part of the estates in this district are making a fair proportion of sugar, and of very superior quality.

I have, &c.
(signed) *C. Hawkins*, Special Justice.

My Lord,

Amity Hall, 18 March 1835.

I HAVE the honour to enclose my weekly report for your Lordship's inspection. I am most happy to state to your Lordship that the crops are progressing fast in this parish, and taking off more sugar in proportion to the hours they work than they have done for some time previous to this great change. I am unable, my Lord, to send by this post a return of the sugar made in this parish, in consequence of some of the managers being from home, and the book-keepers would not give a statement until their return; however I trust to have it complete by next post.

I have, &c.
(signed) *James Nolan*.

My Lord,

Spanish Town, 18 March 1835.

I HAVE the honour to state, for the information of your Excellency, that the district under my charge is perfectly peaceable, and the apprentices working much better than they did at the commencement of their apprenticeship; they work freely for wages, but in consequence of their having a regular sale for grass and wood in Kingston and Spanish Town, demand a higher rate of wages than the apprentices in the interior are working for. Complaints are diminishing daily, but regret to state that the house of correction has not a tread-mill or solitary cells, which I am convinced is the reason of so many complaints against the servants in this town.

I have, &c.
(signed) *James Clinch*, Special Justice.

My Lord,

Montego Bay, 17 March 1835.

I HAVE the honour to inform your Lordship that the apprentices in this district work cheerfully for wages; I am not aware that they ever refused fair and reasonable hire. On those estates in this district where the apprentices are fairly paid for extra labour, there is perfect harmony and content. I have also the satisfaction of acquainting your Lordship that on those estates where no wages are given, the apprentices work the time prescribed by law uncommonly well, and do as much in the given time as they did formerly. Complaints are now considerably diminished.

I have, &c.
(signed) *William Norcott*, Special Justice.

— No. 39. —

COPY of a DESPATCH from the Marquess of *Sligo* to the Earl of *Aberdeen*.

My Lord,

Highgate, Jamaica, 27 April 1835.

No. 39.

I HAVE the honour to announce to you the arrival here yesterday, per the *Flamer* steamer, of the two mails which were dispatched on the 3d and 17th March by the *Briseis* and *Swallow* packets, which arrived at Barbadoes on the 21st,

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21st, in 47 and 34 days respectively. I am happy in being enabled to state that the Island still continues in the best possible state, and that my magisterial and other reports announce a great diminution of offence of every kind, except theft; but I am sorry to say that this crime reaches to a great extent now. I have the honour to enclose you herewith a list of the numbers of properties, out of those visited last week by the special justices, where no complaints of any kind were tendered. I consider this a most favourable circumstance.

I have, &c.

(signed) *Sligo.*

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Enclosure in No. 39.

A LIST of PROPERTIES visited by the Special Justices of Jamaica on the Week ending the 21st April, where no Complaints whatever were brought against any Apprentice.

Enclosure in
No. 39.

5	Davies - -	Trelawny.	0	Ramsay, (absent on duty.)	St. Catherine's.
10	Hawkins - -	ditto.	11	Laidlaw - -	St. Anne's.
0	Pryce - -	ditto.	24	A. Dillon - -	ditto.
10	Cocking - -	St. James.	1	Sowley - -	ditto.
0	Farrer - -	ditto.	7	Rawlinson - -	ditto.
4	Cooper - -	ditto.	15	Marlton - -	St. Mary's.
0	Finlayson - (ill)	ditto.	26	H. Welsh - -	ditto.
21	Hulme - -	Hanover.	3	Jackson - -	ditto.
8	Odell - -	ditto.	12	Thomas - -	ditto.
16	Philps - -	Westmorland.	11	Lloyd - -	St. Andrew's.
3	Oliver - -	ditto.	5	Bourne - -	ditto.
14	Edwards - -	ditto.	8	Hewitt - -	St. George's.
0	Daughty - -	St. Elizabeth.	0	Gillam, (new beginner.)	-- ditto.
5	Bell - -	ditto.	7	Fishbourne - -	ditto.
8	Reynolds - -	ditto.	7	M'Gregor - -	Portland.
11	Gurley - -	ditto.	20	Dawson - -	Westmorland.
6	Colebrooke - -	Manchester.	7	Blake - -	ditto.
8	A. Walsh - -	ditto.	8	Baines - -	ditto.
3	Alley - -	ditto.	5	Eveleigh - -	ditto.
0	Haley, (absent on leave.)	-- Clarendon.	14	Lyons - -	ditto.
10	Langrishe - -	ditto.	11	Dunne - -	St. David's.
4	Theobald Dillon - -	ditto.	6	Palmer - -	Port Royal.
19	Nolan - -	Vere - -	8	Pennel, (omitted above.)	-- Trelawny.
14	Macleod - -	St. Dorothy's.	24	Kent - -	Port Royal.
11	E. D. Baynes - -	St. John's - -		Conner, } Kingston; do not Norcott, } visit properties.	
9	Thomas Baynes - -	-- St. Thomas in the Vale.			
3	Watkin Jones - -	ditto.			
10	Clinch - -	St. Catherine's.			

Total number of Properties visited where no complaints have been preferred, 452.

— No. 40. —

EXTRACT of a DESPATCH from Lord *Sligo* to the Earl of *Aberdeen*, dated Highgate, Jamaica, 27 April 1835.

EVERYTHING appears now to be going on perfectly well. The apprentices are also contented. The managers are relaxing down from their vexatious and teasing attacks upon the comforts of the negroes; finding from experience that they have not now the same sort of people to deal with that they had before.

No. 40.

— No. 41. —

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Earl of *Aberdeen*, dated Highgate, Jamaica, 28 April 1835.

SINCE my writing to you my letter yesterday on the state of the Island, I have selected some extracts from the last week's letters relative to this Island, which are very satisfactory for the little way they go. I also send two further sheets of Sugar Returns, which I have just had copied, and complete all I have been able to collect.

No. 41.

Enclosure 1, in No. 41.

CONTINUATION of RETURN of SUGAR, &c.; transmitted in the Marquess of Sligo's Despatch, dated King's House, St. Jago de la Vega, Jamaica, 27 March 1835.

ESTATES.	PARISHES.	Commenced for 1834.	Sugar made 1834.	Commenced for 1835.	Sugar made 1835.	Increase.	Decrease.	Hours Labour 1834.	Hours Labour 1835	Quality.
			Hhds.		Hhds.	Hhds.	Hhds.			
Bushy Park - -	St. Dorothy -	14 Dec. 1833	115	15 Dec. 1834	114	-	1	24	16	
Berwick - - -	{ St. Thomas in the Vale. }	8 Jan. 1834	62	8 Dec. -	64	2	-	24	16	
New Hall - - -	- ditto -	4 Dec. 1833	49	8 Dec. -	49	-	-	24	16	
Shinton - - -	- ditto -	13 Jan. 1834	33 $\frac{1}{2}$	1 Jan. 1835	40	6 $\frac{1}{2}$	-	24	16	
Ellis Caymanes -	St. Catherine -	15 Dec. 1833	25	18 Dec. 1834	18	-	7	24	16	
Albion - - -	St. Mary's -	3 Feb. 1834	46	9 Feb. 1835	12	-	34	24	16	
Fort Stewart - -	St. George's -	- 1834 -	12							
Lewisburgh - -	St. Mary's -	35 days 1834	47	now in 35 days	-	-	-	-	34	
Dorrington Castle -	- ditto -	63 days -	103	now in 73 days.						
White Hall - - -	- ditto -	28 days -	34	now in 11 days	-	-	-	-	13	
Fair Prospect - -	- ditto -	1 Jan. -	6	1 Jan. 1835	7	1	-			
Kellitt's - - -	Clarendon -	2 Dec. 1833	118	29 Dec. 1834	77	-	41			
Windsor Castle -	- ditto -	1 Jan. 1834	20	1 Jan. 1835	12	-	8	21 days.		
Woodhall - - -	St. Dorothy -	13 Jan. -	33	20 Jan. -	35	2	-	{ 26 days 1834. 27 days 1835.		
Hector's River - -	{ St. Thomas in the East. }	1 Jan. -	50	1 Jan. -	44	-	6			
Providence - - -	- ditto -	1 Jan. -	26	1 Jan. -	14	-	12	{ 23 days 1834. 17 days 1835.		
Friendship - - -	Trelawney -	27 Jan. -	35	26 Jan. -	18	-	17			
Chester - - -	- ditto -	24 Jan. -	26	2 Feb. -	14	-	12			
Reserve - - -	- ditto -	24 Feb. -	3	16 Feb. -	8	5	-			
Holland - - -	- ditto -	2 Jan. -	40	1 Jan. -	36	-	4			
Tilston - - -	- ditto -	10 Feb. -	26	23 Jan. -	16	-	10			
Petersfield - - -	{ St. Thomas in the East. }	1 Jan. -	40	1 Jan. -	41	1	-	24	16	
Spring - - -	- ditto -	1 Jan. -	33	1 Jan. -	21 $\frac{1}{2}$	-	12	24	16*	*5 days.
Spring Garden - -	- ditto -	1 Jan. -	59	1 Jan. -	36	-	23	24	16*	*5 days.
Grand Vale - - -	Westmorland -	13 Jan. -	45	13 Jan. -	30	-	15			
Springfield - - -	{ St. Thomas in the East. }	14 Dec. 1833	57	3 Jan. -	68	11	-	24	16	
Spring Garden - -	- ditto -	15 Jan. 1834	83	7 Jan. -	93	10	-	24	16	
George's Plain - -	Westmorland -	20 Jan. -	75	8 Jan. -	72	-	3	14	8	{ quality good.
Black Ness - - -	- ditto -	6 Jan. -	66	6 Jan. -	44	-	22	14	8	ditto.
Blackheath - - -	- ditto -	11 Dec. 1833	84	8 Dec. 1834	82	-	2	14	8	ditto.
Bath, 5 days - - -	- ditto -	5 Jan. 1834	109 $\frac{1}{2}$	16 Dec. -	70	-	39 $\frac{1}{2}$	24	18	superior
Dean's Valley Water -	- ditto -	11 Jan. -	38 $\frac{1}{2}$	15 Dec. -	51	13	-	24	8	good.
Carrowana - - -	- ditto -	6 Jan. -	82	2 Dec. -	88 $\frac{1}{2}$	6 $\frac{1}{2}$	-	24	16	good.
Mesopotamia, 5 days -	- ditto -	7 Dec. 1833	100	24 Nov. -	135	35	-	24	16	good.
Three Mile River - -	- ditto -	16 Dec. -	47	8 Dec. -	37	-	10	16	14	good.
Cornwall - - -	- ditto -	6 Jan. 1834	78	30 Dec. -	88 $\frac{1}{2}$	10 $\frac{1}{2}$	-	18	16	good.
Amity - - -	- ditto -	1 Jan. -	40	14 Jan. 1835	20	-	20	16	8	good.
Parnassus - - -	Clarendon -	13 Jan. -	67	19 Jan. -	99	32	-	24	18	
Sutton's Pastures - -	Westmorland -	5 Feb. -	32	12 Jan. -	48	16	-	24	18	
Old Plantation - -	- ditto -	16 Jan. -	71	8 Jan. -	75	4	-	24	18	
Sutton's - - -	- ditto -	20 Jan. -	43	19 Jan. -	40	-	3	24	18	
Treadway's - - -	{ St. Thomas in the Vale }	11 Jan. -	77	20 Dec. 1834	70	-	7	24	18	
Caymanas - - -	St. Catherine -	18 Jan. -	55	9 Jan. 1835	52	-	3	24	18	
Retirement, 5 days -	- ditto -	20 Jan. -	39 $\frac{1}{2}$	19 Jan. -	38 $\frac{1}{2}$	-	1	24		
Albany - - -	Westmorland -	17 Jan. -	78	15 Jan. -	44	-	34	24	16	
Canaan - - -	- ditto -	1 Dec. 1833	89	10 Dec. 1833	63	-	26	24	16	
Delue - - -	- ditto -	10 Nov. -	94	24 Nov. -	68	-	26	24	16	
Fontabelle - - -	- ditto -	10 Jan. 1834	40	12 Jan. 1835	42	2	-	24	16	
Geneva - - -	- ditto -	22 Dec. 1833	40	23 Dec. 1833	22	-	18	24	8	
Glasgow - - -	- ditto -	6 Dec. -	122	10 Dec. -	82	-	40	24	16	
Hope - - -	- ditto -	17 Jan. 1834	66	15 Jan. 1835	37	-	29	24	16	
King's Valley - - -	- ditto -	8 Jan. -	85	2 Dec. 1834	82 $\frac{1}{2}$	-	2 $\frac{1}{2}$	24	16	
Meylersfield - - -	- ditto -	2 Jan. -	125	1 Jan. 1835	120	-	5	24	16	
Mount Eagle - - -	- ditto -	10 Dec. 1833	85	11 Jan. -	61	-	24	24	8	
Negril Spot - - -	- ditto -	13 Jan. 1834	42	16 Dec. 1834	38	-	4	14	16*	*5 days.
Nonpareil - - -	- ditto -	10 Jan. -	32	10 Jan. 1835	32 $\frac{1}{2}$	- $\frac{1}{2}$	-	24	8	
Paul Island - - -	- ditto -	13 Jan. -	56	12 Jan. -	58	2	-	24	16	
Retrieve - - -	- ditto -	17 Jan. -	90	15 Jan. -	40	-	50	24	16	
Ridreland - - -	- ditto -	11 Feb. -	28	29 Dec. 1834	33 $\frac{1}{2}$	5 $\frac{1}{2}$	-	24	16	

SLAVERY IN THE BRITISH COLONIES.

ESTATES.	PARISHES.	Commenced for 1834.	Sugar made 1834.	Commenced for 1835.	Sugar made 1835.	Increase.	Decrease.	Hours Labour 1834.	Hours Labour 1835.	Quality.	
			Hhds.		Hhds.	Hhds.	Hhds.				
Belmont	Trelawney	10 Feb. 1834	21	2 Feb. 1835	12	-	9	24	16	} 1834 6 days a week.	
Linton Park	ditto	24 Feb. -	6	23 Feb. -	3	-	3	24	16		
Forrest	ditto	22 Jan. -	21	17 Feb. -	13	-	8	18	18		
Garradue	ditto	5 Feb. -	24	16 Jan. -	16	-	8	16	16		
Acton	ditto	24 Feb. -	3	23 Feb. -	4	1	-	18	16		
Paradise	Vere	13 Jan. 1834	21	1 Dec. 1834	26	5	-	24	16		
New Yarmouth	ditto	16 Dec. 1833	29	8 Dec. -	39	10	-	24	16		
Bowen Hall	ditto	9 Jan. 1834	18	15 Dec. -	35	17	-	24	18		
Dunkley's	ditto	15 Jan. -	20	15 Dec. -	41	21	-	24	16		
Dry River	ditto	1 Jan. -	37	5 Jan. 1835	28	-	9	24	16		
Springfield	ditto	6 Jan. -	11	2 Feb. -	12	1	-	24	16		
Knight's	ditto	9 Dec. 1833	42	9 Dec. 1834	41	-	1	24	16		
Greenwich	ditto	1 Jan. 1834	39	5 Jan. 1835	30	-	9	24	16		
Chesterfield	ditto	4 Jan. -	38	5 Jan. -	40	2	-	24	16		
Pusey Hall	ditto	14 Jan. -	15	14 Jan. -	41	26	-	24	16		
Shetton Hall	ditto	3 Feb. -	20	6 Jan. -	27	7	-	24	16		
Moreland	ditto	2 Dec. 1833	93	9 Dec. 1834	94	1	-	24	18		
Bog	ditto	18 Dec. -	78	14 Jan. 1835	70	-	8	24	18		
Pernin's	ditto	19 Dec. -	36	9 Dec. 1834	42	6	-	14	18		
Salt Savannah	ditto	4 Feb. 1834	26	4 Feb. 1835	21	-	5	18	16		
Amity Hall	ditto	16 Dec. 1833	44	22 Dec. 1834	54	10	-	28	18		
Carlisle	ditto	16 Dec. -	80	17 Dec. -	72	-	8	24	16		
Old Yarmouth	ditto	12 Dec. -	35	20 Jan. 1835	44	9	-	24	16		
Money Musk	ditto	16 Dec. -	95	15 Dec. 1834	80	-	15	24	16		
River Side	ditto	12 Dec. -	17	17 Dec. -	27	10	-	24	16		
Harmony Hall	ditto	1 Feb. 1834	28	9 Dec. -	48	20	-	24	16		
Belmont	St. James	5 Dec. 1833	26	5 Dec. -	25	-	1	24	16	} 1834 6 days.	
Palmyra	ditto	27 Jan. 1834	32	26 Jan. 1835	23	-	9	16	16		
Dumfries	ditto	26 Jan. -	24	12 Jan. -	43	19	-	18	16		
Millenium Hall	ditto	14 Feb. -	15	12 Jan. -	16	1	-	16	16		
Leogan	ditto	27 Feb. -	9 $\frac{1}{2}$	12 Jan. -	16	6 $\frac{1}{2}$	-	24	16		
Hampden	ditto	24 Feb. -	10	16 Feb. -	11 $\frac{1}{2}$	1 $\frac{1}{2}$	-	24	16		
Somerton	ditto	13 Jan. -	40	29 Dec. 1834	31	-	9	24	16		
Bellfield	ditto	1 Feb. -	20	6 Jan. 1835	35	15	-	24	16		
Success	ditto	25 Feb. -	4	6 Feb. -	4 $\frac{1}{2}$	- $\frac{1}{2}$	-	18	12		
Spot Valley	ditto	16 Feb. -	18	24 Feb. -	5	-	13	16	16		
Carlton	ditto	20 Feb. -	19	16 Feb. -	10 $\frac{1}{2}$	-	8 $\frac{1}{2}$	18	16		
Content	ditto	23 Feb. -	35	26 Feb. -	26	-	9	18	16		
Virgin Valley	ditto	15 Dec. 1833	40	19 Jan. -	14	-	26	24	16		
New Canaan	ditto	1 Jan. 1834	67	12 Jan. -	51	-	6	18	18		
Prosper, 5 days	Westmorland	11 Dec. 1833	68	2 Dec. 1834	58	-	10	20	16		} 5 days 1835. 6 days 1834.
Haughton Court	ditto	23 Nov. -	92	3 Dec. -	81	-	11	24	16		
Bachelor's Hall	ditto	11 Nov. -	65	11 Nov. -	54	-	11	24	16		
Orange Cove	ditto	12 Sept. -	138	25 Aug. -	98	-	40	24	16		
Esher	ditto	12 Nov. -	70	7 Oct. -	49	-	21	24	16		
Fat Hog Quarter	ditto	7 Nov. -	64	3 Dec. -	65	1	-	24	16		
Richmond	ditto	1 Dec. -	40	28 Nov. -	50	10	-	24	16		
Eaton	ditto	7 Dec. -	64	1 Dec. -	64	-	-	12	15		
Riley's	ditto	9 Dec. -	42	1 Dec. -	30	-	12	16	12		
Kew	ditto	21 Nov. -	70	15 Nov. -	67	-	3	24	12	} 6 & 5 days ditto.	
Georgia	ditto	7 Dec. -	153	15 Dec. -	117	-	36	24	16		
Beans	ditto	4 Nov. -	50	10 Nov. -	36	-	14	12	9		
Old Retrieve	ditto	1 Dec. -	107	1 Dec. -	82	-	25	24	16		
New Retrieve	ditto	4 Dec. -	96	1 Dec. -	110	14	-	24	16		
Point	ditto	15 Nov. -	133	3 Nov. -	142	9	-	24	12		
Lower Hopewell	ditto	3 Dec. -	64	3 Dec. -	58	-	6	24	16		
Musquito Cove	ditto	17 Dec. -	48	3 Dec. -	58	10	-	24	16		
Barbican	ditto	9 Dec. -	56	8 Dec. -	45	-	11	24	16		
Magotty	ditto	7 Dec. -	60	1 Dec. -	38	-	22	24	16		
Blue Hole	ditto	14 Jan. -	35	8 Dec. -	27	-	8	24	16		
Flint River	ditto	15 Jan. -	39	29 Dec. -	57	18	-	24	16		
Tryall	ditto	7 Jan. -	91	12 Jan. 1835	76	-	15	24	16		
Upper Hopewell	ditto	1 Jan. -	39	16 Dec. 1834	32	-	7	17	14		
Bamboo	ditto	1 Dec. -	40	17 Nov. -	39	-	1	24	16		
Round Hill	ditto	9 Dec. -	69 $\frac{1}{2}$	1 Dec. -	53	-	16 $\frac{1}{2}$	24	13		
Welcome	ditto	13 Jan. 1834	44	30 Dec. -	40	-	4	24	16		
Haddington	ditto	13 Jan. -	37	5 Jan. 1835	32	-	5	24	16		

PAPERS RELATIVE TO THE ABOLITION OF

ESTATES.	PARISHES.	Commenced for 1834.	Sugar made 1834.	Commenced for 1835.	Sugar made 1835.	Increase.	Decrease.	Hours Labour 1834.	Hours Labour 1835.	—
			Hhds.		Hhds.	Hhds.	Hhds.			1834-5.
Success - - -	Westmorland -	14 Jan. 1834	20	13 Jan. 1835	18	-	2	24	24	6 & 5 days
Great Valley - - -	ditto - - -	13 Jan. -	60	30 Dec. 1834	49	-	11	20	16	ditto.
Belmont - - -	ditto - - -	5 Dec. 1833	26	5 Dec. -	25	-	-	24	16	ditto.
Newfoundland River -	Hanover -	16 Dec. -	74	24 Nov. -	74	-	-	24	16	ditto.
Green River - - -	ditto - - -	1 Dec. -	114	24 Nov. -	77	-	51	24	15	ditto.
Salt Spring - - -	ditto - - -	17 Dec. -	59	4 Dec. -	60	1	-	24	15	ditto.
Phoenix - - -	ditto - - -	16 Dec. -	61	29 Dec. -	42	-	19	24	15	ditto.
Mount Pleasant -	ditto - - -	2 Dec. -	108	1 Dec. -	52	-	56	24	9	ditto.
Fish River - - -	ditto - - -	5 Dec. -	80	1 Dec. -	70	-	10	24	16	ditto.
Cambelton - - -	ditto - - -	16 Dec. -	68	16 Dec. -	45	-	3	24	16	ditto.
Orange Bay - - -	ditto - - -	28 Oct. -	125	10 Nov. -	118	-	7	24	16	ditto.
Rhodes Hall - - -	ditto - - -	1 Dec. -	61	1 Dec. -	59	-	2	24	16	ditto.
Abingdon - - -	ditto - - -	4 Dec. -	56	1 Dec. -	43	-	13	24	13	ditto.
Houghton Hall - - -	ditto - - -	31 Dec. -	72	1 Dec. -	67	-	5	24	16	ditto.
Harding Hall - - -	ditto - - -	1 Dec. -	51	1 Dec. -	54	3	-	24	12	ditto.
Industry - - -	ditto - - -	1 Dec. -	87	1 Dec. -	54	-	33	24	16	ditto.
Caldwell - - -	ditto - - -	2 Oct. -	67	5 Nov. -	60 $\frac{1}{2}$	-	6 $\frac{1}{2}$	24	16	ditto.
Spring - - -	ditto - - -	6 Nov. -	72	16 Oct. -	58	-	14	24	12	ditto.
Cousin's Grove - - -	ditto - - -	15 Nov. -	62	1 Dec. -	47	-	15	24	16	ditto.
Blenheim - - -	ditto - - -	4 Dec. -	115	3 Dec. -	146	31	-	24	18	ditto.
Houghton Tower - - -	ditto - - -	5 Dec. -	113	1 Dec. -	87	-	26	24	18	ditto.
Paradise - - -	ditto - - -	4 Dec. -	116 $\frac{1}{2}$	1 Dec. -	84 $\frac{1}{2}$	-	22	24	16	ditto.
Bell River - - -	ditto - - -	2 Dec. -	125 $\frac{1}{2}$	10 Dec. -	74	-	51 $\frac{1}{2}$	24	16	ditto.
Wood Church - - -	ditto - - -	18 Dec. -	54	11 Dec. -	44	-	10	24	16	ditto.
Prospect - - -	ditto - - -	1 Dec. -	143	1 Dec. -	104	-	39	24	16	ditto.
Eardley - - -	ditto - - -	1 Jan. 1834	40	1 Feb. 1835	21	-	19	24	16	ditto.
Good Hope - - -	Trelawney -	11 Feb. -	5	24 Jan. -	26	19	-	24	16	ditto.
Merry Wood - - -	ditto - - -	1 March -	-	1 Feb. -	28	28	-	24	16	ditto.
Pantrepant - - -	ditto - - -	4 Jan. -	45	13 Dec. 1834	60	15	-	24	16	ditto.
Wales - - -	ditto - - -	1 Mar. -	-	10 Jan. 1835	38	35	-	24	16	ditto.
Lansquenet - - -	ditto - - -	1 Mar. -	-	10 Jan. -	34	34	-	24	16	ditto.
Potosi - - -	ditto - - -	1 Mar. -	-	17 Jan. -	32	32	-	24	16	ditto.
Fontabelle - - -	ditto - - -	30 Jan. -	30	21 Jan. -	27	-	3	24	16	ditto.
Schawfield - - -	ditto - - -	5 Mar. -	-	14 Feb. -	10	10	-	18	16	ditto.
Cambridge - - -	ditto - - -	3 Feb. -	31	2 Feb. -	14	-	17	24	16	ditto.
Covey - - -	ditto - - -	1 Feb. -	7	3 Jan. -	49	42	-	24	16	ditto.
Jock's Lodge - - -	ditto - - -	11 Feb. -	12	2 Feb. -	6	-	6	12	9	ditto.
Reserve - - -	ditto - - -	24 Feb. -	5	17 Feb. -	8	3	-	24	16	ditto.
Retreat - - -	ditto - - -	17 Feb. -	10	26 Jan. -	28	18	-	24	16	ditto.
Hampstead - - -	ditto - - -	12 Feb. -	26	23 Feb. -	9	-	17	24	16	ditto.
Chester - - -	ditto - - -	24 Jan. -	28	3 Feb. -	14	-	14	24	16	ditto.
Gale's Valley - - -	ditto - - -	10 Feb. -	34	18 Jan. -	48	14	-	16	16	ditto.
York - - -	ditto - - -	27 Jan. -	50	19 Jan. -	33	-	17	16	16	ditto.
Western Favel - - -	ditto - - -	3 Feb. -	44	21 Jan. -	35	-	9	20	18	ditto.
Phoenix - - -	ditto - - -	10 Feb. -	20	26 Jan. -	18	-	2	24	18	ditto.
Bunkershill - - -	ditto - - -	30 Jan. -	30	18 Feb. -	10	-	20	24	24	ditto.
Unity - - -	ditto - - -	20 Jan. -	39	27 Jan. -	22	-	17	24	16	ditto.
Dromilly - - -	ditto - - -	17 Feb. -	15	23 Feb. -	4	-	11	16	16	ditto.
Providence - - -	ditto - - -	21 Jan. -	24	9 Feb. -	21	-	3	24	9	ditto.
Iron Shore - - -	ditto - - -	24 Feb. -	6	10 Feb. -	12	6	-	24	16	ditto.
Running Gut - - -	ditto - - -	19 Feb. -	17	1 Feb. -	15	-	2	18	16	ditto.
Cinnamon Hill - - -	ditto - - -	11 Dec. 1833	49	5 Jan. -	64	15	-	14	8	ditto.
Catherine Mount - - -	ditto - - -	6 Jan. 1834	38	28 Jan. -	8	-	30	24	16	ditto.
Fairfield - - -	ditto - - -	11 Jan. -	89	14 Jan. -	54	-	35	24	16	ditto.
Bellfield - - -	ditto - - -	27 Jan. -	36	21 Jan. -	25	-	11	24	16	ditto.
Kirkpatrick Hall - - -	ditto - - -	13 Dec. 1833	30	21 Jan. -	28	-	2	24	16	ditto.
Orange - - -	ditto - - -	18 Nov. -	13	26 Jan. -	38	25	-	24	16	ditto.
Leogan - - -	ditto - - -	27 Jan. 1834	9 $\frac{1}{2}$	12 Jan. -	16	6 $\frac{1}{2}$	-	24	16	ditto.
Irwin - - -	ditto - - -	18 Jan. -	8	17 Jan. -	61	53	-	24	16	ditto.
Hartfield - - -	ditto - - -	17 Feb. -	13	10 Feb. -	12	-	1	24	16	ditto.
Green Pond - - -	ditto - - -	3 Feb. -	25	15 Feb. -	20	-	5	12	12	ditto.
Retreat - - -	ditto - - -	17 Feb. -	6	12 Jan. -	11	5	-	24	12	ditto.
Unity Hall - - -	ditto - - -	15 Jan. -	60	5 Jan. -	64	4	-	10	8	ditto.
Spring Garden - - -	ditto - - -	16 Jan. -	41 $\frac{1}{2}$	13 Jan. -	28 $\frac{1}{2}$	-	13	24	8	ditto.
Salt Spring - - -	ditto - - -	21 Jan. -	25	28 Jan. -	11	-	14	16	8	ditto.
Portobello - - -	ditto - - -	27 Jan. -	18 $\frac{1}{2}$	27 Jan. -	18	-	- $\frac{1}{2}$	14	9	ditto.
Barrett Hall - - -	ditto - - -	17 Jan. -	55	9 Feb. -	13	-	42	12	8	ditto.
More Park - - -	St. James -	3 Feb. -	28	19 Jan. -	39	11	-	24	16	ditto.
Windsor Lodge - - -	ditto - - -	1 Jan. -	53 $\frac{1}{2}$	5 Jan. -	54 $\frac{1}{2}$	1	-	24	16	ditto.
Paisley - - -	ditto - - -	18 Feb. -	9	26 Jan. -	23 $\frac{1}{2}$	14	-	24	16	ditto.
Glasgow - - -	ditto - - -	15 Jan. -	43 $\frac{1}{2}$	14 Jan. -	42 $\frac{1}{2}$	-	1	24	16	ditto.
Industry - - -	ditto - - -	14 Jan. -	25	14 Jan. 1835	17	-	8	24	16	ditto.
Williamsfield - - -	ditto - - -	1 Jan. -	63	16 Dec. 1834	35	-	28	24	16	ditto.
Sunderland - - -	ditto - - -	6 Jan. -	42	6 Jan. 1835	24	-	18	24	16	ditto.
Guilbro' - - -	ditto - - -	1 Jan. -	58	4 Jan. -	46	-	12	24	16	ditto.

SLAVERY IN THE BRITISH COLONIES.

ESTATES.	PARISHES.	Commenced for 1834.	Sugar made 1834.	Commenced for 1835.	Sugar made 1835.	Increase.	Decrease.	Hours Labour 1834.	Hours Labour 1835.	—
			Hhds.		Hhds.	Hhds.	Hhds.			1834-5.
Flamstead - - -	St. James - - -	3 Dec. 1833	62	3 Jan. 1835	20	-	42	24	16	6 & 5 days.
Leyden - - - -	- ditto - - - -	18 Dec. -	103	6 Jan. -	49	-	54	24	16	ditto.
Catherine Hall - - -	- ditto - - - -	6 Jan. 1834	55	22 Jan. -	21	-	34	24	16	ditto.
Blue-hole and Moreland	- ditto - - - -	6 Jan. -	71	5 Jan. -	42	-	29	24	16	ditto.
Lima - - - - -	- ditto - - - -	22 Jan. -	41	14 Jan. -	52	11	-	24	16	ditto.
Eden - - - - -	- ditto - - - -	22 Jan. -	40	10 Jan. -	30	-	10	24	16	ditto.
Childermas - - - -	- ditto - - - -	18 Jan. -	40	12 Jan. -	21 ½	-	18 ½	24	16	ditto.
Kent - - - - -	Trelawney - - -	4 Jan. -	34	13 Jan. -	39	5	-	24	16	ditto.
Golden Grove - - -	- ditto - - - -	27 Jan. -	37	19 Jan. -	41	4	-	24	16	ditto.
Arguile - - - - -	Hanover - - - -	6 Jan. -	94	15 Jan. -	45 ½	-	49 ½	24	16	ditto.
Alexandria - - - -	- ditto - - - -	6 Jan. -	88	5 Jan. -	68	-	20	24	16	ditto.
Old Retrieve - - -	- ditto - - - -	4 Dec. 1833	96	1 Dec. 1834	108	12	-	24	16	ditto.
New Retrieve - - -	- ditto - - - -	5 Dec. -	107 ½	1 Dec. -	82 ½	-	25	24	16	ditto.
New Paradise - - -	- ditto - - - -	5 Dec. -	113 ½	3 Dec. -	84 ½	-	29	24	16	ditto.
Rest - - - - -	St. John's - - -	11 Jan. 1834	22	20 Jan. 1835	20	-	2	24	16	ditto.
Thetford - - - - -	- ditto - - - -	9 Jan. -	25	5 Jan. -	35	10	-	24	16	ditto.
Airy Castle - - - -	St. Andrew's - -	25 Nov. 1833	30	12 Jan. -	16	-	14	24	16	ditto.
Cardiff - - - - -	St. Mary's - - -	28 Jan. 1834	81	1 Feb. -	62	-	19	24	16	ditto.
Spring Valley - - -	- ditto - - - -	28 Oct. 1833	71	28 Oct. 1834	66	-	5	24	16	ditto.
Williamsfeld - - -	{ St. Thomas in } the East - }	10 Dec. -	20 ½	11 Dec. -	6	-	14 ½	24	16	ditto.
Hart Hill - - - - -	St. George - - -	9 Jan. 1834	12	19 Jan. 1835	17	5	-	24	16	ditto.
Edenton - - - - -	Trelawney - - -	26 Jan. -	57 ½	27 Jan. -	54	-	3	24	16 *	*Hogshead sugar much larger.

Enclosure 2, in No. 41.

EXTRACT of a LETTER from *Matthew Farquharson, Esq.*, dated Spring Mount, 14 April 1835.

I AM happy in adding that the estates under my charge are all doing well, seldom having occasion for the interference of the special magistrate. At Salt Savanna estate, Vere, we have averaged 10 hogsheads sugar weekly for six weeks, with a 10-horse power engine, one set of coppers, five in number; at Low Ground, Clarendon, nine hogsheads sugar weekly for three weeks, water-mill and five coppers, commencing early in the morning and stopping the mill before eight at night: both these estates belong to Mr. Wildman. We are in fact doing much better under the present than the old system, upon Mr. W.'s properties.

Enclosure 2, in No. 41.

My Lord,

Crawle River, Great House, 15 April 1835.

I HAVE the honour to forward the usual weekly reports, and I am sure it will prove satisfactory to your Lordship to observe, that on 18 important estates, the sheet does not exhibit a single complaint; and that the opinion I expressed to your Lordship last week of the apprentices, is borne out by the few punishments of this.

I have, &c.

(signed) *T. A. Dillon*,
Stipendiary Special Justice, Clarendon.

— No. 42. —

COPY of a DESPATCH from the Earl of *Aberdeen* to the Marquess of *Sligo*.

No. 42.

My Lord,

Downing-street, 10 March 1835.

I HAVE the honour to transmit to your Lordship extracts of an Order of The House of Commons, dated the 10th instant, calling for various Returns connected with the Island of Jamaica, which this Department has not the means of supplying without a previous reference to your Lordship; and I am to request that your Lordship will direct these Returns to be prepared and forwarded to me with as little delay as possible.

I have, &c.

(signed) *Aberdeen*.

JAMAICA.

Enclosure in
No. 42.

Enclosure in No. 42.

EXTRACTS from an ADDRESS of the Honourable The House of Commons,
dated 10 March 1835 ;—for

COPIES of all public letters, proclamations, issued by the Earl of Mulgrave and the Marquess of Sligo ;—and

An Account of tread-mills and houses of correction erected in each parish in Jamaica, since the Abolition Act ; and the dates of their erection respectively.

— No. 43. —

No. 43.

COPY of a DESPATCH from the Marquess of *Sligo* to the Earl of *Aberdeen*.

My Lord,

The King's House, Jamaica, 14 May 1835.

IN obedience to the instructions contained in your Lordship's Despatch of 10th March, I have now the honour to enclose a Return of the number of houses of correction and tread-mills in the several parishes of this Island ; also copies of the various Proclamations issued, a list of which I enclose.

I have, &c.

(signed) *Sligo*.

Enclosure 1, in No. 43.

Enclosure 1,
in No. 43.

LIST of HOUSES of CORRECTION and TREAD-MILLS in Jamaica.

The Tread-mills have been erected since the passing of the Abolition Act.

The Houses of Correction, with the exception of St. David's, were all built previously, but have in several instances been enlarged since, and solitary cells added to the establishment.

PARISHES.		Houses of Correction.	Tread-mills.	REMARKS.
Precinct.	St. Catherine - - - -	One	One	-- These parishes are a part of the precinct of St. Catherine.
	St. Dorothy - - - -	None	None	
	St. John - - - -	None	None	
	St. Thomas in the Vale	One	One	
	Clarendon - - - -	One	One	—
	Vere - - - -	One	One	—
	Manchester - - - -	One	- -	-- One contracted for.
	St. Ann - - - -	One	One	—
	St. Mary - - - -	One	- -	-- A tread-mill contracted for.
	Kingston - - - -	One	One	—
Port Royal - - - -	One	None	—	
St. Andrew - - - -	One	—	—	
Precinct.	St. Thomas in the East	One	- -	-- A tread-mill contracted for, but not finished.
	St. David - - - -	One	- -	-- House of correction built since the passing of the Abolition Act.
	St. George - - - -	One	None	-- A tread-mill has been sent for from England.
Portland - - - -	One	- -	—	
Trelawny - - - -	One	One	—	
St. James - - - -	One	One	—	
Hanover - - - -	One	One	—	
Westmorland - - - -	One	One	—	
St. Elizabeth - - - -	One	One	—	

Enclosure 2, in No. 43.

Enclosure 2,
in No. 43.A LIST of PROCLAMATIONS, &c. issued by the Earl of *Mulgrave* and the Marquess of *Sligo*, relative to the ABOLITION of SLAVERY.

* Printed with the
Abolition Papers,
Part 1, page 10.

* HIS MAJESTY'S Proclamation explanatory of the Measures enacted by the Imperial Parliament for the Abolition of Slavery, dated 4th September 1833.

The Earl of Mulgrave's Proclamation to the Slave Population, announcing to them the measures in progress for their benefit, and impressing upon them the necessity of orderly conduct and obedience to their masters, dated 29th June 1833.

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The Earl of Mulgrave's Farewell Address to the Negro Population, dated 22d February 1834.

* The Marquess of Sligo's Proclamation, declaring that adequate and satisfactory provision had been made by law in this Island for giving effect to the British Abolition Act, dated 10th April 1834.

*Printed with the Abolition Papers, Part 1, page 40.

† The Marquess of Sligo's Letter of Advice to the Negro Population; copy transmitted in Despatch 27th May 1834.

†Printed with the Abolition Papers, Part 1, page 41.

The Marquess of Sligo's Proclamation to all Runaway Slaves, granting them a general amnesty, if they surrendered themselves on the 1st August 1834; dated 14th July 1834.

The Marquess of Sligo's Letter of Advice to the Apprentices, issued August 1834.

Enclosure 3, in No. 43.

Jamaica, ss.

By His Excellency the Right Honourable *Constantine Henry Earl of Mulgrave*, &c. &c. &c.

Enclosure 3,
in No. 43.

WHEREAS His Majesty has been most graciously pleased to take into his consideration a plan for changing the system under which slavery at present exists in these his dominions: And whereas it is His Majesty's most anxious desire to improve and benefit the slave population of this Island, in such manner as may seem most compatible with the interest of their owners in their services: And whereas it may be necessary to guard against any erroneous impression in the minds of the slave population of this Island, and in order that they should be fully aware that His Majesty's gracious designs in their behalf are only regulated and restricted by the consideration of their own good, and that any misconduct or insubordination at the present moment must have the effect of retarding or possibly frustrating such His Majesty's intentions:—I do now therefore issue this my Proclamation, and do hereby call upon all His Majesty's subjects in this Island to render due obedience to the laws, and to the orders of all constituted authorities; and I do charge and recommend all His Majesty's slave population in this Island, that they do render all due obedience to their masters, and to the several and respective constituted authorities of this Island: And I do hereby declare, that when His Majesty's gracious intentions with regard to the slave population become law, it is to me, His Majesty's Representative, that they are to look for information on the subject: And I do further declare, that it will be my especial care, either by myself personally, or through those commissioned by me, that all the conditions of change in the situation of the slave population shall then be fully communicated and explained to them; and in the meantime I do hereby enjoin patience as to the result, and confidence in those the gracious intentions of the Sovereign on their behalf, with that unflinching respect to his authority, which requires implicit obedience to the lawful commands of their masters: And I do most solemnly warn and admonish them the said slave population, or any other person or persons within this Island, against engaging in any act or deed of violence or insubordination against the said constituted authorities, or against any of His Majesty's subjects whomsoever: And I do hereby declare and make known to all persons whomsoever within this Island, that by so doing they will expose themselves to the severest penalties of the laws: And I do hereby charge and command the several custodes and magistrates, and all others His Majesty's subjects in this Island, to give the fullest publicity to this my Proclamation.

Given under my hand and seal at arms, at St. Jago de la Vega, this 29th day of June, in the year of our Lord 1833, and in the fourth year of His Majesty's reign.

(signed) *Mulgrave*.

Enclosure 4, in No. 43.

Jamaica, ss.

A PROCLAMATION,

By His Excellency the Right Honourable *Constantine Henry Earl of Mulgrave*, &c., Captain-General and Governor-in-Chief of His Majesty's Islands of Jamaica and the Territories thereon depending in America, Chancellor and Vice-Admiral of the same.

Enclosure 4,
in No. 43.

WHEREAS His Majesty, in accepting my resignation, tendered by me in consequence of ill health, has been most graciously pleased to desire my presence in England forthwith, I therefore at once issue this my Proclamation, in order that there may not exist the slightest doubt or misunderstanding as to the future in the minds of the negro population, to whom I not long since explained the change that is about to take place in their condition; and to you, the negro population of this Island, I do now hereby especially address myself, lest any one of you who then heard me should imagine that my personal absence from the Island could prevent the fulfilment of the assurances I then gave you, at the very time and to the same extent I then mentioned. What I then stated to you I now repeat: the first great change in your condition, that of apprenticeship, commences on the 1st of August next. The Act has passed; your final emancipation at the subsequent period

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period fixed is secure, else could I not have left the Island with the satisfaction I now derive from that certainty, confirmed by the conviction that the noble person who will succeed me will have the same anxious solicitude for your welfare. Only recollect what I then endeavoured to impress upon your attention, that it would be by your own bad conduct that you could alone forfeit the benefit of the great boon which awaits you. The first advice I then gave to you, that of obedience to your masters and diligence in their service, I am happy to have this opportunity of declaring that you have universally followed in the most praiseworthy manner. This I shall not fail to report in the presence of that gracious Sovereign with whose Government the projected change in your behalf originated, and in the centre of that British people by whose active sympathies that boon was obtained. Let me continue to hear of the zealous perseverance in the same good conduct on your parts; and though absent in person, yet in mind and in heart I shall still be amongst you on the 1st of next August; and shall, through all the progressive changes which may attend your improved condition, humbly but fervently trust, that by the blessing of Divine Providence you may continue to merit his protection. And further, I do hereby charge and command the several custodes and magistrates, and all others His Majesty's subjects in this Island, to give the fullest publicity to this my Proclamation.

Given under my hand and seal at arms, at St. Jago de la Vega, this 22d day of February in the year of our Lord 1834, and in the fourth year of His Majesty's reign.

(signed) *Mulgrave.*

Enclosure 5, in No. 43.

Jamaica, ss.

A PROCLAMATION,

By His Excellency the Most Noble *Howe Peter* Marquess of *Sligo*, &c. &c. &c.

To all Runaway Slaves throughout the Island of Jamaica :

Enclosure 5,
in No. 43.

WHEREAS it has been represented to me, that several slaves having run away are now absent from their owners, and are secreted on different parts of this Island, to the great detriment of the community; and it appearing to me expedient to break up all such unlawful associations, I have therefore thought fit to issue this my proclamation, promising and assuring His Majesty's most gracious pardon to any runaway slave who shall have been guilty of no other offence against the laws, except leaving his or her master or mistress's service; provided nevertheless, that such slave shall surrender him or herself between the hours of sunrise and sunset, on the 1st day of August next, to any one of the special justices appointed by His Majesty for the settlement of disputes between masters and apprentices subsequent to the 31st day of July; and such special justice is hereby authorized and required to grant to each slave so surrendering, a certificate of His Majesty's most gracious pardon, according to this my proclamation, so far as his or her absconding from his or her owner is concerned: provided always, that such individual shall return, after having received such certificate, to his or her master or mistress, and quietly submit and obey all lawful commands, and pay due attention to his or her duties as apprentices, otherwise such certificate to be null and void.

All runaway slaves are hereby warned and informed, that this is the last opportunity which can be afforded them of coming in upon a general amnesty; and that all such as do not take advantage of the same, will hereafter be dealt with according to law.

I do, therefore, seriously call upon all such slaves, and admonish and advise them, to avail themselves of this opportunity of the extension of His Majesty's royal clemency towards them, and thereby to secure to themselves the advantages which the 1st of August will give to the remainder of the slave population of this Island.

I do hereby, moreover, recommend to all slave-owners, managers and others, not to punish or bring to trial any of their slaves who shall or may return to their service on any day previous to the said 1st day of August next; and that they make known their intention of so doing in the most public manner, to the slaves on their several estates and properties.

Given under my hand and seal at arms, at St. Jago de la Vega, the 14th day of July, A. D. 1834.

(signed) *Sligo.*

Enclosure 6, in No. 43.

To the newly made Apprentices of Jamaica :

Enclosure 6,
in No. 43.

THE 1st of August has passed over, and you are no longer slaves. You have been raised by the generosity and humanity of the British nation, and of those who had power over you, from a state of slavery to that of apprenticeship. On yourselves alone it now depends, under the blessing of Divine Providence, whether you pass a happy and short period of apprenticeship, and then become entire masters of your own time, or whether you are continued, in consequence of your own misconduct, some time longer without that great blessing. If you misbehave, you will see your friends who are around you, and who have conducted themselves

selves faithfully and well, their own masters, and working for the benefit of their own families; while you will still be apprentices, and forced by the law to work for your master's advantage. I am sure that you will not be so foolish as to postpone, by your own conduct, the enjoyment of perfect freedom.

You who are what is called non-predial apprentices, that is house servants, and such others as will be pointed out by the special magistrates, will cease to be apprentices in four years' time, that is on the 1st August 1838, unless by your own misconduct you delay it longer. You will be released from your apprenticeships two years sooner than the predial or plantation apprentices; but in return for this advantage, you must, while you are apprentices, give your master the whole of your time, just as any hired servant does. If you absent yourselves from his service, though your master cannot punish you now himself, as he was empowered to do when you were slaves, you will be liable to be punished by the order of a special magistrate. I advise you therefore to pay the most diligent attention to your duties; serve your masters with cheerfulness, and with the gratitude which they deserve. By doing so you will in a few short years enjoy every privilege which any other persons in this Island, being British subjects, possess. You who are predial apprentices, or those employed on the estates in the cultivation of the soil, or the manufacture of its produce, have six years to serve; but then you have the great advantage of having but a small portion of your time to give to your masters. Your master cannot claim more than $40\frac{1}{2}$ hours of your time in each week, except in two cases; but then he has a right to divide this $40\frac{1}{2}$ hours in such reasonable manner as he pleases, between the first five days of the week, beginning with Monday, so however that he does not compel you to work more than nine hours in each day, except in cases of hurricane, tempest, earthquake, flood, fire, or other misfortune the act of God.

The two occasions on which your master can require more than $40\frac{1}{2}$ hours in each week are, first, in cases of hurricane, tempest, earthquake, flood, fire, or other misfortune the act of God, when he may employ you during the emergency: second, at such period of the year as your master may deem it necessary for the cultivation of the estate or plantation. The gathering in of the crop, or its manufacture, he may call on you to work the $4\frac{1}{2}$ hours additional per week, but then he must repay you that time at a convenient period of the year, and not at the rate of more than three days together at one time.

I recommend to your masters to settle that you should work eight hours a day each Monday, Tuesday, Wednesday and Thursday, and $8\frac{1}{2}$ hours each Friday. The Saturday and Sunday in all cases you will have to yourselves, besides all the hours of rest which you get each day. There are 168 hours in each week, out of which you will have to give to your masters only $40\frac{1}{2}$ hours, and have $127\frac{1}{2}$ hours at your own disposal. Your master must give you clothes, provision grounds, and medical attendance if you are sick. I hope that you will give him cheerfully and willingly the very small portion of your time which he is entitled to.

It is provided by law, that you who are predial unattached, or jobbers, shall still continue to work in the same manner, namely, as jobbers; but you are entitled to the same privileges as those who are settled on an estate, in point of hours of labour, and to the same supplies of clothing and medicines, besides sufficient provision ground or provisions.

Neither your master, your overseer, your bookkeeper, your driver, nor any other person can strike you, or put you into the stocks, nor can you be punished at all except by the order of a special magistrate. If any person, without such authority, shall raise a hand to you, or put you into the stocks, he will be liable to be severely punished himself. If you behave badly, your master or any special constable may put you into a cell or place of confinement, but not for more than 24 hours; and if a special magistrate shall not have visited such estate before those 24 hours shall have expired, he must release you, but he must bring forward his complaint against you the first time that a magistrate does visit the property; thus, though you may be released, you will still be liable to be punished for any misconduct; and your master also will be liable to be punished if he shall have improperly confined you.

I am your sincere well wisher; I have been sent out by your King to see that justice is done to all parties. When you are in the right you will be protected; whoever is in the wrong will be punished. I advise you, as the best way to ensure your happiness, to make your masters your first friends. By following their advice, you will be most likely to act as you ought. Should you, however, be oppressed by any one, go at once to a special magistrate, and he will redress any wrong you may have sustained.

Before I conclude, I wish to say one word to such of you as have been selected by your masters to be plantation constables; to have been chosen by them on this occasion is strong proof of the good opinion they entertain of you; I hope that you will not betray their confidence, but will, by your zealous and honest conduct, show that you are worthy of the distinction which you have received. In after life the character you will then have acquired, will most probably be of the greatest benefit to you.

I am your sincere Friend,

(signed) *Sligo*, Governor of Jamaica.

JAMAICA.

— No. 44. —

No. 44.

COPY of a DESPATCH from the Marquess of *Sligo* to the Earl of *Aberdeen*.

My Lord,

The King's House, St. Jago de la Vega,
20 May 1835.

I HAVE the honour to enclose to you a memorial sent to me by the custos of Trelawney, with a request that it should be sent to you, and the object of it promoted. I have so often declared myself a friend to emigration, that it is unnecessary for me to repeat the same sentiment.

With regard to the correctness of the statements contained, I request not to be supposed to give my assent. As far as the sugar crop is concerned, in spite of the wettest season ever known early in the year, which prevented crop commencing, and very dry weather since, which has been much complained of, I have reason to think that the crop, even in that parish, will be an average one. With regard to the preparations for the next year I am not so confident, and have issued a circular to the special justices, to make to me particular reports upon the state of their respective districts. As soon as I shall receive them the result shall be communicated to you, but I do not expect to have them before a month; and I have heard that the overseers on properties have evinced a singular dislike to all these inquiries from the special magistrates, so that, even then, it may not be as perfect as I could wish.

Your Lordship will remember that all along I have expressed some doubts as to this point.

I have, &c.

(signed) *Sligo*.

Enclosure in No. 44.

To His Excellency the Most Noble *Howe Peter* Marquess of *Sligo*, Captain-General and Governor-in-Chief of this His Majesty's Island of Jamaica, &c. &c. &c.

THE Memorial of Proprietors, Planters, and others concerned in the management of Plantations in the Parish of Trelawney,

Humbly sheweth,

That the apprenticeship system in this Island, established under the Abolition Act, has, after nine months' trial, confirmed the anticipations of all practical men of its ruinous consequences; and your memorialists have now the miserable prospect before them that, in a short period, the cultivation of the staple productions of this Island must cease.

Notwithstanding that the seasons have been most propitious, and with the advantage of former years' labour, the present sugar crop does not promise to be even an average one; solely occasioned, as your memorialists are convinced, by the very small portion of labour that has been obtained from the negroes since the commencement of the apprenticeship system.

Your memorialists beg leave to state, that all the work which can now be got from apprentices, even with a liberal price paid to them for their own time, is confined exclusively to the manufacturing of sugar; and from the consequent neglect of the cane field, the usual plant canes have not been established, nor the ratoon canes or grass fields duly attended to. The falling off in the next year's crop must necessarily be serious; and the same evil will annually increase until it terminates by the gradual throwing up of sugar estates, notwithstanding the assertions to the contrary of inexperienced persons, who flatter themselves with false hopes.

Your memorialists therefore, after having given the subject their most earnest consideration, are of opinion, that the only chance now left of continuing this Island as a valuable colony to Great Britain, is by the settlement of white families in the interior, where the climate is so temperate that Europeans can perform all the labour required in the cultivation of coffee, ginger, provisions, and the minor products. In due time the males would form a valuable body of police, and might occasionally be employed on sugar estates and other plantations, where, by their industry, they would set a good example to the apprentices; and by having pre-occupied such lands, they would prevent the idle and dissolute negroes from making them places of resort when the period of absolute freedom arrives.

From the impoverished and limited means of the country, your memorialists are aware that it is in vain to hope that the expense of importing emigrants, and establishing them in the interior, can be defrayed by the Island revenue; they therefore most humbly implore
and

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and entreat your Excellency to solicit the aid of the mother country, in promoting an object of such vital importance as that of securing the peace and safety of all classes of His Majesty's subjects, and as being the most likely means of continuing, though on a smaller scale, the cultivation of the staple products which yield so large a revenue to Great Britain.

JAMAICA.

(Signed by 73 persons.)

— No. 45. —

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Secretary of State, dated King's House, St. Jago de la Vega, 23 May 1835.

SINCE communicating to you the memorial of the custos and gentry of Trelawney, I have received the enclosed letters from the special magistrates of that parish, altogether denying the assertion of the meeting and the words of the custos. I have thought it necessary to send you these, as Mr. Miller is about to return home to England in a few days, and will confirm the statements of the meeting, when he arrives there.

No. 45.

Enclosure 1, in No. 45.

EXTRACT of a LETTER from *R. C. Pennell, Esq.*, Special Justice, to His Excellency the Marquess of *Sligo*, dated Rio Bueno, 19 May 1835.

I HAVE the honour to acknowledge the receipt of a letter dated 15 inst., No. 2529, expressive of the pain with which your Excellency has received a report from the custos of Trelawney, that the preparations for the crop of next year have been entirely neglected; and requiring from me a weekly report thereon, which I shall not fail to attend to.

Enclosure 1,
in No. 45.

I would nevertheless take the liberty of calling your Excellency's attention to my report on this head of the 28th ultimo, which I believe to be substantially correct, in spite of what the custos or any other gentleman may say.

I find it necessary here to enter at some length on a subject for which I shall require your Excellency's indulgence, and without which your Lordship will not be able so fully to understand the information I may from time to time have to communicate.

Previous to my arrival in Jamaica, I do not believe there existed an individual, not even the honourable custos of Trelawney, so opposed to the measures adopted for the emancipation of the negroes throughout the West Indies as myself. These objections were founded on the experience I had obtained of slavery in the Brazil, from which I had drawn comparisons very erroneous, and I had come to conclusions which I now find to have been equally so. I had not considered, because I was not then aware, of the very great difference which exists between the negro just imported from Africa, and the one born and bred in the colony, and, in many instances, for several generations; but after a very short residence in my district I soon perceived my error, and am now fully convinced that, had not the British Government adopted the measures they did with regard to this Island, it would soon have been exacted from them. Two things must, however, inevitably result from this measure: first, the loss to a few individuals of immense incomes derived from their West India properties; secondly, a heavy loss henceforward to those gentlemen resident in the Islands who have hitherto realized considerable property by having charge of such estates.

The great evil, in my humble opinion, is, that the apprentices are allowed too much time to themselves, more than is necessary for the cultivation of their grounds; so that they may so far be said to be encouraged in habits of indolence. It is in vain to look for the same quantity of work being done in nine hours as was formerly done in 18; and yet I have seen estates' books, where the average of labour for 24 hours, during crop time, for the last four years, does not exceed what is now performed in the nine hours. There are the books, and in both instances the average has been ten syphons of liquor ground.

I may here observe, that insinuations have been thrown out that the special justices purposely make misrepresentations to your Excellency, and would be very unwilling that their reports should meet the eye of the public. As one of the body of the special justices, I have only to say, that I should not care if your Excellency ordered my reports to be printed. I can have no object in purposely making mis-statements to your Excellency; if they are erroneous, they are errors in judgment.

Industry.

If everything is going on so very bad as is represented by some in the parish of Trelawney, how is it the special justice has only one complaint during the last week (as will be seen by

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* It was at Mr. P.'s desire it was then brought.

his report), of an insufficient quantity of labour; and that at Manchester estate, where the overseer told the writer it was* because he had never brought a case before a justice but one, since the 1st August?

The overseers in many instances have been reprimanded for affording information to the special justices respecting their preparations for the next year's crop. Why this desire of preventing the magistrates from being *au fait* at what is going on and what is doing in the estates? The special justices are accused of giving false information to Government. Does not this lead me to believe the contrary?

(Remarks made by *R. C. Pennell*, Special Justice, 19 May 1835.)

Enclosure 2, in No. 45.

My Lord Marquess,

Falmouth, 18 May 1835.

Enclosure 2,
in No. 45.

I HAVE the honour to state to your Excellency, in allusion to the report made by the custos of Trelawney, that the preparations for the crop of next year in the parish have been entirely neglected; I beg to say that statement is not borne out by the fact, as your Excellency will observe by my former report made out to April 25th ult. That information was obtained by me on the respective properties, at which the attorneys feel rather indignant, supposing it should have come from themselves, and it is not for the good of the community that they and their overseer should come in collision. But the truth your Excellency may find will amount to this;—in those parts of the island where the people have not been paid for their additional time, cultivation cannot be in a forward state, and of course there will be many complaints; but where they have been paid it will be otherwise, and the intelligent on estates are perfectly aware how cultivation ought to be carried on. All is quiet in this part; but I beg your Excellency's attention to the very gross misconduct of the emigrants, and the bad effect it will have on the negro population.

I have, &c.

(signed) *Thos. Davis*, Special Justice.

Enclosure 3, in No. 45.

My Lord,

Rio Bueno, 18 May 1835.

Enclosure 3,
in No. 45.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 15th inst., No. 2531, wherein your Excellency expresses that it is with pain you have seen a report made by the custos of this parish, that the preparation for the crop of next year has been entirely neglected. On my visiting the different properties in this district, which I have done, nearly the whole, within the week, I must say that the charge is not true. The Hon. Mr. Miller has found fault with his overseers for giving the information, agreeable to your Excellency's circular of the 17th April; mentioning that they ought to have referred us to him.

I shall furnish your Excellency with a statement weekly of my inquiries on the properties in my district, until completed.

I have, &c.

(signed) *D. Hawkins*, Special Justice.

Enclosure 4, in No. 45.

EXTRACT of a LETTER from *S. Pryce*, Esq., Special Justice, to His Excellency the Marquess of *Sligo*, dated Top Hill Pen, Trelawney, 19 May 1835.

Enclosure 4,
in No. 45.

I HAVE had the honour to receive your Excellency's communications under date 11th, 13th, and 15th inst.; and your Lordship's instructions shall have my immediate and particular attention.

I shall have great pleasure in forwarding to your Excellency a more particular return of the preparations for the ensuing crop; and I beg to mention that I have the original returns on which my last report was founded, in the handwriting of the individual planters.

I have great confidence in humbly submitting to your Excellency, that in my district, on every estate under provident and discreet management, the prospects for next year's crops are very flattering. Several estates will exceed, and many equal, the present year's returns.

Doubtless, my Lord, several estates will fall off considerably, partly from the system, and partly from the supineness of the planters themselves, many of whom, on my arrival in Trelawney, had reconciled themselves to a "total failure."

On one estate they have finished crop, and made 80 hogsheads sugar: the estimate was 160 hogsheads. So that your Excellency will perceive the new system will be burthened with a great number of evils, and serve to cover many faults, over which it could have had no control.

In submitting my weekly return of duty, which I hope may prove satisfactory to your Excellency,

SLAVERY IN THE BRITISH COLONIES.

47

Excellency, I subjoin a memorandum of the particular preparations on four estates for the next year's crop, by which your Excellency will at once perceive they have not been "totally" neglected.

JAMAICA.

S. P.

Enclosure 5, in No. 45.

Merrywood Estate, Trelawney.—(One of Tharp's estates.) 19 May 1835.

Last year's crop, 106 hogsheads; present year's crop 100, 60 made; next year's crop, 100 expected from appearances.

None planted, being a ratooning estate.

Hoe-ploughed and dunged 30 acres.

450 cartload of dung carried out; quality of produce remarkably good.

Apprentices reconciled to the system, and of late doing their work steadily. No punishments except for neglect of watch.

They appear to attend their grounds much as usual.

(signed) *Charles Perry, Overseer.*

Enclosure 5,
in No. 45.

The Good Hope Estate, Trelawney.—(One of Tharp's properties.) 19 May 1835.

Last year's crop, 150 hogsheads sugar; present year's 140, 110 made; next year's, 150 confidently expected, from present appearances, which are very favourable.

Planted and established 23 acres, 16 acres being penned over, and 7 dunged;—penned over the stock 10 acres;—supplied and dunged, 24.—Total 57.

550 loads of dung carried out since 1 Aug. for fall plant.

250 cartloads dung carried out for ratoons.

Quality of produce very good, took only one hogshead to repack 60 at the wharf.

Two-thirds of the pastures have not yet been cleared.

No stock lost in taking off the crop, not a mule, nor a steer; excepting one heifer from cough, one steer from accident.

The apprentices have become much more reconciled to the new law of late, and are doing their work steadily and well; and there have only been two of the apprentices slightly punished on the property since your arrival; and I believe they are paying every attention to their grounds.

They give me no trouble, and their general conduct is very satisfactory.

(signed) *John Dexter, Overseer.*

The apprentices are doing as much work as they ever did in the same time.

J. D.

Schawfield Estate, Trelawney.—(The Hon. R. Barrett, Attorney.) 19 May 1835.

Last year's crop, 55 hhds.; present year's, 90 hhds., 60 made; next year's, 120 hhds. confidently expected, present appearances being good.

None planted, being a ratooning estate.

Dunged and supplied 28 acres.

Penned over on the stock, six acres.

1,670 cartloads of dung carried out since 1 August.

No stock lost.

Produce excellent.

Pastures cleaned, 50 acres.

The apprentices are behaving considerably better than at first, and perform their work cheerfully. No punishment since the Saturday, on your first arrival.

(signed) *John Pullen, Overseer.*

Wales Estate, Trelawney.—(One of Tharp's Properties.) 19 May 1835.

Present crop, 150 hhds., 73 made; next year's, 160 hhds. confidently expected, present appearances being good.

None planted, being a ratooning estate.

Penned over on the stock, 15 acres;—supplied and dunged, 60 acres.—Total 75.

600 cartloads of dung carried out.

Quality of produce good.

None of the pastures as yet cleaned.

No stock lost in taking off the crop.

Two mules died from accident.

The apprentices are orderly and behaving well, going through their work cheerfully, and are now reconciled to the new law, which they understand better. We have only had two apprentices punished since your arrival in Trelawney, and that was for neglecting their watch.

I think they are paying more attention to their home grounds and houses than formerly.

(signed) *Geo. Scott, Overseer.*

JAMAICA.

— No. 46. —

No. 46.

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Secretary of State for the Colonies, dated the King's House, St. Jago de la Vega, 24 May 1835.

AS the packet is to sail to-morrow, I have the honour of addressing you on the general state of the Island, which is, I am happy to say, as good as I could possibly wish it to be. I have lately reported the parish of St. James's to be in the worst state of any in the Island; it still remains under that stigma, but I am happy to say that it is improving every day; and in confirmation of that opinion, I have the honour to enclose you three letters I received last week from Messrs. Cocking, Finlayson and Farrar, three of the four stipendiary magistrates of that parish: from Mr. Cooper, the fourth, I did not hear nor receive any report, in consequence, I imagine, of indisposition. I also send you one from Mr. Lyon, of the parish of St. Thomas in the East, one from Mr. Theobald Dillon, of Clarendon, and one of Mr. Pennell, of Trelawney, which I have just laid my hands upon, as being satisfactory. The reports from all the other districts are similar, in point of the good conduct of the negroes; but I have selected these, because they cite positive facts and name places.

The planters complain very much of want of rain, the rains which usually arrive much earlier in the season not having yet fallen. There is therefore very little food for the cattle, which must to a certain degree retard the crop in some places. In others it has already been finished much sooner than in former years, and I still think that there will be an average one.

Enclosure in No. 46.

My Lord,

St. James's, 11 May 1835.

It affords me much pleasure in acquainting your Excellency of the pleasant feeling which continues to exist between master and apprentice, in my district. Some of the estates have nearly finished crop; it is supposed that most will, in about four weeks hence. This will enable the estates to have sufficient time to prepare for the plants, clean the ratoon and pastures in time for next year's crop.

I do not, my Lord, think that there will be much, if any, falling off in the ensuing crop if the apprentices continue to work as they are now doing, and I do not see the least apprehension to the contrary.

The apprentices on this estate turned out most willingly last Saturday to dig cane holes, and most of them earned 3s. 4d. each. I have, &c.

To the Marquess of Sligo, &c. &c.

(signed) *R. Cocking, S. M.*

My Lord,

Montego Bay, 12 May 1835.

IN forwarding my report for last week, it affords me much pleasure to state that the labour of the apprentices in the district to which I have been attached is in a state of progressive improvement. This favourable change had commenced previously to my arrival, and it still continues. At Kirkpatrick-hall they made six hogsheads last week, and only five the previous week. At Moorpark they made 10 hogsheads last week, being more than they have done this season; and upon other properties they have maintained their full allowance of labour.

But I may mention that, in general, the field labour is behind. This may perhaps be in some measure attributed to the dryness of the season, though the managers of the estates ascribe it to the indolence of the apprentices. Of course I shall direct my attention particularly to this point. Indeed I am humbly of opinion that the cause of complaint might be partially obviated, by paying the apprentices for working some extra hours in field labour; I do not understand, however, that this is done upon any estate.

I have, &c.

To the Marquess of Sligo, &c. &c.

(signed)

Walter Finlayson, Spec. Justice.

My Lord,

Houghton Grove, 11 May 1835.

I have the honour herewith to forward my diary of proceedings up to the 11th instant inclusive.

I have also the satisfaction of informing your Excellency that the apprentices in this district are conducting themselves much better than they have hitherto done, and I make no doubt they will now continue to evince a more cheerful disposition towards their employers, and I trust hereafter to have very few cases for adjudication.

I have, &c.

To the Marquess of Sligo, &c. &c.

(signed)

Simeon Farrar, Sp. Mag.

SLAVERY IN THE BRITISH COLONIES.

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My Lord,

Lloyd's Estate, St. David, 13 May 1835.

JAMAICA.

I HAVE the honour herewith to transmit my diary for the past week.

The sugar crop in this district is rapidly progressing to a successful termination, notwithstanding the difficulty and severe impediment opposed by the long continuance of extremely dry weather. Greenwall has finished, and Garbrand Hall will have done so this week.

As I conceive it my duty occasionally to corroborate my general statements of the cheerfulness and industry of the apprentices by reference to particular instances, I cannot omit to mention (which fact I am sure is calculated to prove highly satisfactory to your Lordship), that the apprentices of Garbrand Hall estate have been within the last two weeks digging cane holes on hard and stoney land at the rate of 110 holes per individual daily; an amount never equalled by the same people during the existence of slavery, and I believe rarely exceeded anywhere on the lightest soils. This is an instance of excess of labour; but I am happy to have it in my power to observe that all the sugar estates around me exhibit cheerful industry in a degree, I think I may venture to say, unexampled in Jamaica.

I have, &c.

To the Marquess of Sligo, &c. &c.

(signed)

Edm. B. Lyon, Special Justice.

My Lord,

Crawle River House, Clarendon, 11 May 1835.

I HAVE the honour to transmit the weekly report unstained by a single crime or complaint; and if I did not fear appearing too sanguine, it should be accompanied by a few remarks. As it is, I enclose it with sincere and respectful congratulations, it being a strong testimony of the success of your Excellency's administration.

The apprenticed in this district are working willing for money. The young canes are looking healthy, and the police appear effectual and well conducted.

I have, &c.

To the Marquess of Sligo, &c. &c.

(signed)

Theob. Aug. Dillon, S. J. P.

MEMORANDUM accompanying Special Justice *Pennell's* Weekly Report, dated Industry, Parish Trelawney, 12 May 1835.

THE special justice knows instances in his district where the apprentices are so anxious to work for money, that the overseer holds out an inducement to good behaviour, their being allowed to work for money, and as a punishment will not allow them to work in their own time.

— No. 47. —

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Right Honourable *Charles Grant*, dated the King's House, St. Jago de la Vega, 7 June 1835.

I HAVE the honour to inform you, that the general state of the Island has continued very satisfactory since my last letter. In only one instance has the emancipation of the Caymanas and Maroon apprentices caused any unpleasant feeling. I trust, however, that the explanations of the special justice at the scene of the discontent alluded to, will prevent their continuing under the misconception that they are to be all free in August. In all the other parts of the Island everything is going on admirably. This induces me rather to think that the late meeting at Falmouth has done some harm there. The rains have come down these last two weeks on the north side very abundantly, but here not sufficient for our purposes. The preparations for next year's crop are, as I have already foretold in many of my Despatches, much behindhand, but this proceeds from causes unconnected with any misconduct on the part of the negroes. I have called for particular reports on the subject, and as soon as I am able to procure them I will transmit to you the result. I beg to inform you that, owing to the exertions of the special justices, crime has much diminished. In order to present you with regular proof of the fact, I have commenced keeping an account, of which I send you now a copy for the last month. It includes the names of the parishes and magistrates in each, the number of miles the special justices have respectively travelled in each week of May, the number of estates they have visited, and the number where no complaints have been brought forward. This return will, I trust, prove satisfactory, and decide when contending representations are made to you. Though the number of complaints diminish, I beg to represent to you, that it by no means follows that the number of special justices can be comparatively diminished, of which I can

No. 47.

JAMAICA.

give abundant proof in the fact that, in this town, since Mr. Clench's illness, the estates have not been visited, though the town business has been carried on by Mr. Ramsay; and that in consequence the number of cases is now more than treble what they were before. Mr. Moresby has, however, been called in to replace him, and has commenced the usual estate visits, and I trust that they will diminish ere long.

Enclosure in No. 47.

NAMES of Special Magistrates.	PARISHES.	Week ending 7th May 1835.			Week ending 14th May.			Week ending 21st May.			Week ending 28th May.		
		Miles travelled.	Number of Estates visited.	Estates on which there were no Complaints.	Miles travelled.	Number of Estates visited.	Estates on which there were no Complaints.	Miles travelled.	Number of Estates visited.	Estates on which there were no Complaints.	Miles travelled.	Number of Estates visited.	Estates on which there were no Complaints.
Clinch, James	St. Catherine's	20	5	3	21	8	7	38	11	6	-	dead.	
Ramsay, William	ditto	Police Duty.			270	17	16	Police Duty.			10	2	
M'Leod, A. N.	St. Dorothy	55	18	11	42	13	9	48	17	11	43	12	7
Baynes, E. D.	Saint John's	41	13	9	58	14	10	71	22	12	70	17	10
Baynes, Thomas	St. Tho ^s in the Vale	73	20	8	92	21	17	80	17	9	70	19	14
Jones, S. W.	ditto	53	7	3	78	13	7	72	12	7	79	14	14
Dillon, Andrew	Saint Ann	179	42	37	120	30	28	161	34	33	107	27	24
Laidlaw, Henry	—	89	23	11	64	17	7	83	11	6	78	16	11
Rawlinson, S.	—	73	14	7	47	16	9	54	13	9	90	17	9
Sowley, W. H.	—	98	19	5	81	12	6	104	17	10	87	13	4
Marlton, W. F.	St. Mary	82	28	20	88	30	23	93	23	16	115	21	16
Jackson, James	—	159	20	2	74	14	7	35	5	2	65	12	9
Thomas, J. R.	—	68	30	16	68	16	9	59	19	10	37	7	3
Walsh, Henry	—	86	24	5	70	16	8	88	20	16	147	23	23
Alley, W. H.	Manchester	43	11	3	50	7	3	53	5	-	86	12	5
Colebrooke, Thomas	—	98	26	20	70	19	8	115	20	13	107	24	15
Welch, Arthur	—	110	28	24	102	29	27	62	15	14	111	20	19
Dillon, T. A.	Clarendon	64	14	8	65	13	13	86	13	10	68	9	6
Langrishe, R. J.	—	84	26	13	106	17	14	112	30	22	100	27	21
Haly, R. S.	—	76	11	4	45	12	9	-	17	10	69	7	4
Nolan, James	Vere	102	30	27	102	35	30	54	20	19	107	30	23
Connor, N. A.	Kingston	Has no Estates in Kingston.			Has no Estates in Kingston.								
Norcott, William		St. Andrew	Has no Estates in Kingston.			Has no Estates in Kingston.							
Bourne, Stephen	St. Andrew		97	11	5	73	13	6	101	11	3	44	8
Fitzgerald, Robert	—	-	-	-	-	-	-	88	13	9	18	4	1
Lloyd, Samuel	—	102	21	9	98	16	8	78	9	3	126	17	9
Kent, Henry	Port Royal	65	22	10	71	14	7	43	10	8	74	24	13
Palmer, A. L.	—	65	24	9	-	9	5	-	4	3	No Duty.		
Baines, T. J.	St. Tho ^s in the East	64	12	10	61	11	7	58	8	6	48	9	7
Blake, Henry	—	58	10	1	35	9	3	37	11	4	59	16	8
Dawson, J. K.	—	42	19	13	58	29	20	51	21	16	42	19	16
Eveleigh, John	—	51	11	8	-	ill.	-	65	13	5	56	11	6
Lyon, E. B.	—	75	17	10	104	24	15	128	27	14	90	23	18
Dunne, Patrick	St. David	72	21	15	49	16	10	68	13	6	58	11	3
M'Gregor, Donald	Portland	41	19	10	44	15	7	45	18	12	48	16	11
Gillam, William	St. George	-	6	-	47	14	8	41	8	3	21	9	1
Hewitt, William	—	73	12	2	88	19	4	40	13	6	161	18	12
Fishbourne, E. E.	—	83	21	9	30	8	1	50	15	3	69	24	15
Cocking, Ralph	St. James	59	15	14	39	17	13	55	15	13	76	18	14
Cooper, R. S.	—	56	13	8	36	5	-	38	7	4	48	15	5
Finlayson, Walter	—	70	27	15	88	24	10	103	27	15	60	21	9
Farrar, Simeon	—	55	18	11	67	24	17	90	19	14	84	3	-
Davies, Thomas	Trelawney	35	10	6	37	11	9	35	11	8	40	14	13
Pryce, Samuel	—	71	37	32	84	34	26	71	32	21	No Return.		
Pennell, R. C.	—	68	17	9	76	14	5	65	13	10	72	12	7
Hawkins, Charles	—	68	21	12	58	22	14	81	21	13	69	21	14
Edwards, Bryan	Westmorland	102	23	18	83	15	10	77	20	17	98	24	23
Oliver, T. M.	—	77	9	7	34	7	-	81	13	4	104	18	11
Philp, E. D.	—	59	21	17	97	29	19	101	28	22	101	31	22
Bell, W. A.	St. Elizabeth	92	8	4	-	-	-	80	10	4	105	12	6
Daughtrey, John	—	55	13	4	60	8	4	59	13	11	71	17	14
Gurley, John	—	71	12	6	45	13	9	72	16	11	82	16	12
Reynolds, John	—	48	12	2	55	11	5	66	13	1	48	11	3
Hulme, J. R.	Hanover	73	30	20	75	20	16	94	32	26	90	24	17
Odell, John	—	23	11	6	49	19	16	41	21	13	30	11	5
Thompson, Robert	Caymanas	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL		583	932	538	3,452	839	540	3,449	846	542	3,712	823	538

SLAVERY IN THE BRITISH COLONIES.

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RECAPITULATION :

JAMAICA.

	Miles travelled in the Month of May.	Number of Estates visited in May.	Number of Estates in the preceding Column on which there were no Complaints.
The Post to 7th May -	3,583	932	538
Ditto - 14th — -	3,452	839	540
Ditto - 21st — -	3,449	846	542
Ditto - 28th — -	3,712	823	538
TOTAL - - -	14,196	3,440	2,158

B A R B A D O E S.

— No. 48. —

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to the Right Hon. *E. G. Stanley*, dated Government House, Barbadoes, 1 June 1833.

BARBADOES.

No. 48.

I AM happy to report the Islands of the Windward Government continue tranquil.

I returned from visiting Grenada and St. Vincent late yesterday evening, and the packet sails early to-morrow.

Some restlessness lately discovered itself at St. Vincent, but was promptly yet temperately met by Captain Tyler, the Lieutenant-governor ; and though I have no immediate uneasiness about that Island, you will find by another Report (of this date, "St. Vincent"), I deemed it prudent to adopt precautionary military arrangements.

— No. 49. —

EXTRACTS of a DESPATCH from Governor Sir *Lionel Smith* to the Right Hon. *E. G. Stanley*, dated Government House, Barbadoes, 13 July 1833.

No. 49.

THE opportunity of a private ship to-morrow enables me to acknowledge the honour of your Circular Letter of the 13th ultimo, enclosing the Resolutions of The House of Commons on the Negroes' Freedom Bill.

I received it yesterday, and showed it to several Members of Council, to whom, as well as the House of Assembly, it will be formally communicated immediately.

Previous to this, both branches had met to remonstrate against your first proposition, a loan of 15 millions.

The compensation of 20 millions will, I hope and think, give a great deal more satisfaction ; my only fear is the first ebullition of joy destroying regularity and industry, and a general rush to the capital, Bridge Town.

There being no police, I have made a military disposition for the public tranquillity, by which the town will be completely commanded by regulars.

I am going round the Island immediately, to review the militia and to see the slaves at the principal estates, that I may personally explain to them the blessing that is coming to them, and caution them against abusing it ; and I trust you will give me full credit for the zeal and energy with which I will labour to give effect to this benevolent and noble cause.

BARBADOES.

— No. 50. —

No. 50.

EXTRACTS of a DESPATCH from Governor Sir *Lionel Smith* to the Right Hon. *E. G. Stanley*, dated Government House, Barbadoes, 29 July 1833.

KNOWING the anxiety prevailing at home as to the state of the West Indies generally, I lose no opportunity of reporting to you that of the Windward Government; and I am happy to say, we are perfectly quiet.

My last Despatches from you merely informed me that the heads of your Bill had passed the Lords.

The proprietors, by seeing compensation substituted for loan, have become more calm and reasonable, and I anticipate the greatest benefit from their preparing the slaves for the great expected change.

A committee of the House of Assembly and Legislative Council will meet on the 30th instant, to consider of the most desirable laws to be prepared or amended for the new state of things, arising from the liberating Act.

By my last Despatches from Sir Evan M'Gregor, an unruly spirit seems to exist at St. Christopher's. I am by no means satisfied that it has emanated from any disappointment about the slaves' expected liberty.

— No. 51. —

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

No. 51.

Sir,

Government House, Barbadoes, 1 August 1833.

(Q. 30 July 1833.)

REFERRING to my General Despatch of the 29th ult., I have now the honour to transmit a copy of a communication from the House of Assembly, containing their Resolutions upon the proposed measure for the Abolition of Slavery, agreed to on the 30th ult.

I have, &c.
(signed) *Lionel Smith*.

Enclosure in No. 51.

Enclosure in
No. 51.

THE House of Assembly has the honour to inform his Excellency the Governor, that his message of the 15th inst., with Mr. Secretary Stanley's Circular Despatch, and the Resolutions agreed to by the House of Commons for the abolition of colonial slavery, were, at the meeting of the House this day, taken into consideration, when certain Resolutions were unanimously entered into by the House, expressive of its readiness to co-operate in the proposed plan for the extinction of negro slavery; a copy of which Resolutions the House of Assembly respectfully take leave to enclose for the information of his Excellency.

30 July 1833.

RESOLUTIONS for the ABOLITION of SLAVERY, unanimously agreed to by the House of Assembly, 30 July 1833.

Resolved, 1st. That this House is ready and willing to co-operate in the Resolutions adopted by the House of Commons and House of Lords, for the extinction of negro slavery, provided justice be done to the proprietors of slaves in this Island, in the distribution of the 20,000,000 *l.* voted by Parliament.

Resolved, 2d. That this House is of opinion that the proposed distribution of the 20,000,000 *l.* on a ratio compounded of the amount of exports and number of slaves, will be unjust in principle, and ruinous to the proprietors of slaves in this Island.

Resolved, 3d. That this House, being convinced that the net profit of agricultural slave labour in Barbadoes, is inferior to none in any part of the West Indies, are of opinion that no distribution short of a *per capita* ratio, will meet the justice of their claims.

Resolved, 4th.

SLAVERY IN THE BRITISH COLONIES.

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Resolved, 4th. That the joint committee of the Council and Assembly be authorized to prepare a memorial, founded upon the foregoing Resolutions, and to transmit the same to the agent of the Island, to be laid before His Majesty's Government: That the agent be instructed to retain counsel to appear in behalf of the inhabitants of this Colony, before any tribunal which may be appointed for adjusting the claims of the different Colonies to a participation in the Parliamentary Grant.

BARBADOES.

— No. 52. —

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

Sir, Government House, Barbadoes, 30 August 1833.

No. 52.

I HAVE great pleasure in reporting the general tranquillity of the Windward Islands.

A few copies of your proposed Abolition Bill have been received by the principal proprietors, but neither the Assembly nor Legislative Council have as yet taken it into consideration.

I have reason to think its general provisions are acceptable, but there will be perhaps some expression of disappointment at the rate of compensation, the average value of slaves by public sale, for the 10 years preceding 1832, having been low, owing to a vast population of slaves in this Island, and their export having been long since prohibited; but the principle which, on this great change, gives proprietors the actual slave value, as if slavery continued untouched, is undeniably just, though to one Island it may prove unfortunate.

My last advices from the Governor of the Leeward Islands were dated the 16th inst.

— No. 53. —

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to the Right Hon. *E. G. Stanley*, dated Government House, Barbadoes, 28 Sept. 1833.

I AM happy to report the continuance of tranquillity in the government of the Windward Islands.

I have laid before His Majesty's Council of this Island the copy of the Slavery Abolition Bill, as amended in the Lords. The Legislature will now, I conclude, work upon the necessary modifications of the law.

No. 53.

Both the Council and Assembly meet on the 1st proximo, when I shall be able to judge better of their feelings and intentions.

There is evidently a disappointment in the operation of the principle of compensation; they can never, I fear, be reconciled to a scheme of distribution which will award them something under 20*l.* per head, while the new Colony of Demerara is said to share upwards of 50*l.* per head.

It unfortunately also happens, that the Legislature of this Island always gives a tone and feeling to her small neighbours, where however the distribution will not be so unfavourable, as they have never had any excess of slave labour.

It is said that a violent and very leading member of the House intends to propose that they should comply with the law only so far as may be necessary to secure the compensation money, and then that the proprietors should emancipate their slaves themselves, so as to avoid any further responsibility towards them.

BARBADOES.

— No. 54. —

No. 54.

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

Sir, Government House, Barbadoes, 11 October 1833.

I BEG to acknowledge the receipt of your letter of the 5th ult., enclosing His Majesty's Proclamation announcing the period and fact of the abolition of slavery.

As I have only the opportunity of a chance private ship, I am only enabled to report, that I have laid these documents before the Council; and that they will be sent down to the House of Assembly, at their next meeting on the 15th inst., by special message, the result of which I hope to communicate by the first packet.

I have, &c.

(signed) *Lionel Smith*.

— No. 55. —

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to the Right Hon. *E. G. Stanley*, dated Government House, Barbadoes, 29 Oct. 1833.

No. 55.

REFERRING to my last Despatches, I have now the honour to enclose copy of my Message, conveying to His Majesty's Council and the House of Assembly of this Island, the Act of Parliament for the abolition of slavery, together with the replies of those bodies.

It may be inferred from the answer of the Council, that the Legislature will not enter into any modification of the present slave laws until they are provided with copies of the Orders in Council, which it is proposed to issue for the guidance of the Crown Colonies.

— No. 56. —

EXTRACTS of a DESPATCH from Governor Sir *Lionel Smith* to the Right Hon. *E. G. Stanley*, dated Government House, Barbadoes, 25 Nov. 1833.

No. 56.

I do myself the honour to acknowledge the receipt of your Letter of the 19th ultimo, enclosing a paper containing a plan of laws and regulations on which the proposed Order in Council will be formed, for carrying into effect the Abolition Act, and by which it is desirable the representative Legislatures should be guided.

I beg to acquaint you, that I lost no time in making the necessary communication of these documents to His Majesty's Council and to the House of General Assembly here, and in transmitting them for the same purpose to the Lieutenant-governors of the other Islands.

A committee of both branches of the Legislature here had been some time since appointed to take into consideration the Abolition Act, but they suspended proceedings until they received the Orders in Council. They will now meet on the 27th instant, and I hope will commence in good earnest modifying existing laws, and adopting others necessary to meet the great change which the Abolition Act must produce, in a few months more, on the largest portion of our population.

A full consideration of the proposed plan of management for the apprentices, particularly in the powers of the penal enactments, has given me great confidence in their practical adoption.

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— No. 57. —

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No. 57.

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

Sir, Government House, Barbadoes, 21 November 1833.

REFERRING to my confidential letter dated the 30th October last, I expressed a wish, in the 7th paragraph, to be early furnished with authority from His Majesty for the appointment of special magistrates.

My construction under this Act was, that I could locally create any additional number of magistrates I found necessary, only that they could not be paid from home.

The Attorney-general here has corrected my construction, and leads me to believe, that the special magistrates may be generally commissioned, but that the general magistrates cannot be specially commissioned to have any duties between masters and slaves.

The law of course admits of no discretion, or I could have found humane and experienced gentlemen to have entered upon these duties with great benefit to the public.

I have, &c.
(signed) *Lionel Smith*.

— No. 58. —

COPY of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *Lionel Smith*.

Sir, Downing Street, 17 December 1833.

AS I find that some doubts have arisen whether it is the intention of His Majesty's Government that any gentlemen belonging to or being proprietors in the Colonies should be appointed as special magistrates under the 14th clause of the Slavery Abolition Act, I think it right to inform you, that although the stipends granted by Parliament to a limited number of these magistrates, were provided with a view of enabling His Majesty to send from this country individuals properly qualified for those offices, wholly unconnected with the Colonies, and who should devote themselves entirely to the discharge of their magisterial functions; yet it was not the intention of Parliament, or of His Majesty's Government, to confine the special commissions to persons thus selected. You will therefore be at liberty, as soon as the Legislature of Barbadoes shall have enacted the necessary laws relating to the proposed system of apprenticeship, to nominate as special magistrates for the Island of Barbadoes, without stipends, such and so many gentlemen belonging to, or proprietors in the Island, as you may think necessary or advisable, for the effective performance of the duties imposed on the special magistracy by the Slavery Abolition Act.

No. 58.

I am, &c.
(signed) *E. G. Stanley*.

— No. 59. —

COPY of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *Lionel Smith*.

Sir, Downing-street, 13 January 1834.

IN your Despatch of the 21st of November last, you inform me that you are led to believe that, under the Act for the Abolition of Slavery, although special magistrates may be generally commissioned, general magistrates cannot be specially commissioned.

No. 59.

Although I conceive it to be most probable that my Despatch of the 17th ult. will

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ult. will have removed from your mind all doubts upon this subject, yet to prevent the possibility of any misunderstanding, I take this opportunity of acquainting you, that you are at liberty to address a special commission to any magistrate, acting under a general commission, who may be willing to undertake the duties of a special magistrate, and whose services in that capacity you may consider as likely to be useful.

I have, &c.
(signed) *E. G. Stanley.*

— No. 60. —

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*, dated Government House, Barbadoes, 8 January 1834.

No. 60.

A PORTION of the negroes may be disappointed and discontented, but on the large estates and under humane masters they appear cheerful, contented and industrious; and I have no apprehension whatever of any combinations or violence.

I purpose preparing for circulation a little abstract of what the Act will do for them to improve their condition, and of the obligations it imposes on them as apprentices, towards their masters. But we have no posts or means of dispatching letters to the estates; and nothing can ever be read to the slaves but what their masters approve of.

The holidays have passed off without commotion, and the whole Island is perfectly tranquil.

— No. 61. —

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

No. 61.

Sir,

Government House, Barbadoes,
22 January 1834.

REFERRING to my despatch of the 8th instant, I have the honour to transmit copy of a Proclamation which I have this day issued, with the consent of Council, explaining to the slaves the benefits they will receive, and the obligations imposed upon them, by the Slavery Abolition Act.

I have, &c.
(signed) *Lionel Smith.*

Enclosure in No. 61.

Enclosure in
No. 61.

Barbadoes, ss.

A PROCLAMATION,

By His Excellency Major-general Sir *Lionel Smith*, K. C. B., Governor and Commander-in-Chief of this Island, Chancellor, Ordinary and Vice-Admiral of the same.

WHEREAS I have reason to believe that a considerable portion of the slave population of this Island have not been made fully acquainted with, or do not rightly understand, either the benefits which they will receive from the Abolition Act, or the obligations which they will owe to their masters when they become apprentices in August next; I have thought fit to address the following information to the slaves, with the view of removing present misapprehension or future disappointment.

On the 1st of August next you become free from absolute slavery, and at the same time you become apprentices, under regular laws, to your present owners. Any offences you may then commit against your masters will be punished by magistrates sent from England for the purpose of administering the law between you and them.

All slaves who have been regularly engaged in cultivation, or in the manufacture of sugar, including all tradesmen, remain apprentices to their masters for six years from the 1st August next, ending in 1840; and all domestic slaves remain apprentices for four years from the 1st August next, ending in 1838.

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The reason why labourers and tradesmen have a longer period of apprenticeship than domestic servants is, that the former class are not required by law to work more than 45 hours in the week; by which you gain extra time equal to one day in every week, except on emergencies, such as tending cattle and the preservation of your masters' properties.

The domestic class is not to enjoy this exemption from labour, and therefore their apprenticeship is shorter than that of labourers.

If you at any time absent yourselves from your work, or neglect it, you will have to make good the time lost, or neglect so occasioned, to your master.

After the 1st August next no female apprentice can be punished by the whip or cat, or be imprisoned by their employer's authority; but they will be liable to imprisonment or hard labour by the magistrates.

All slave children under six years of age on the 1st August next, or who may be born after that day, become free.

The law requires you to support your children so made free; for if you neglect to do so, they will have to go through a servitude to their mothers' owners until they attain 21 years of age.

By the Act of Parliament it will be rendered more easy for you to purchase your discharge from apprenticeship, than it was your freedom when slaves.

You cannot fail now to understand the advantages secured to you by the King and Parliament; but you must be orderly and industrious, and do your duty honestly and faithfully to your present owners.

The law is strong, and the law will punish you if you do not work.

In England, idle people and those who will not work, are taken up as vagabonds and vagrants; and the same laws will be in force here.

England is to pay twenty millions of pounds sterling for your gradual freedom. You can only deserve or understand this blessing by a course of good conduct, by obeying the laws, and being dutiful to all those entitled to your services, and to whom you will have to look for the rewards of your labour when you become perfectly free.

Given under my hand and seal at arms, at the Government House, this 22d day of January 1834, and in the fourth year of His Majesty's reign. God save the King.

By His Excellency's command.

(signed) *William Husbonds,*
Secretary.

— No. 62. —

COPY of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *Lionel Smith*.

Sir,

Downing-street, 2 April 1834.

No. 62.

I HAVE to acknowledge the receipt of your Despatch dated the 22d January, enclosing copy of a proclamation which you issued to the slaves in Barbadoes, explanatory of the Act for the Abolition of Slavery; and I have to convey to you my approval of the proclamation.

I have, &c.

(signed) *E. G. Stanley.*

— No. 63. —

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

Sir,

Government House, Barbadoes, 7 April 1834.

No. 63.

I HAVE at length the honour to transmit you a transcript of the Barbadoes Abolition Bill, which, as it has a suspending clause, I have assented to, after every endeavour on my part to induce the Legislature to pass a better Bill.

I could not easily express my extreme disappointment that the Legislature would not imitate the safe example of Jamaica, whose Bill they saw recognized in His Majesty's gracious Speech; and of two other Islands of this Government, that have closely followed it; and I express this regret not in anger, but in sorrow, as regards the interests of the great body of proprietors, and the poor slaves, among whom I apprehend the most serious consequences, if the retention of arbitrary power should defeat their just hopes of amelioration, or disappoint

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disappoint the promises held out to them by the British Act and several proclamations arising from that instrument.

Acknowledging myself warmly interested in the cause of this much-injured people, it is very probable I may have expected too much for them; I therefore respectfully beg leave to point your attention to my message and detailed remarks in objection, after I had been allowed a private perusal of the Bill; and you will, I hope, be satisfied with the temperate and conciliatory tone adopted by both parties.

In a final meeting of the Assembly, they struck out the power claimed by the Council, of flogging apprenticed children of both sexes, by employers, up to 12 years of age, seeing it would be fatal to the Bill; and the Council ultimately yielded to its erasure. This brought the transaction to a close.

I have, &c.

(signed) *Lionel Smith.*

Enclosure 1, in No. 63.

MESSAGE from the GOVERNOR.

Government House, 26 March 1834.

Enclosure 1,
in No. 63.

I HAVE availed myself of the opportunity I have had of privately perusing the proposed Bill for the Abolition of Slavery, to make some remarks upon the various clauses it contains; and as I propose forwarding them to the Secretary of State, with the Bill, if it remains in its present state, I have deemed it an act of justice to the Colonial Legislature to communicate the remarks to them, in the sincere and anxious hope, that having a present opportunity of amending many of the provisions of the Bill, the Legislature will avail themselves of it, and thus remove the difficulties which may otherwise impede the allowance of the Bill.

I need scarcely add, that in framing these remarks, I have made no attempt to point out mere clerical errors, or to assume the office of a critic. My sole object in addressing them to the Legislature, is to act in the spirit of my instructions from His Majesty, and to offer to them every assistance in my power, towards carrying into effect the intentions of the British Parliament; and I trust I may be allowed to take credit for the spirit of frankness and candour with which I make my present communication.

I have the honour, therefore, to hand you the remarks referred to, and to add, that although I cannot approve of the proposed Bill in its present form, I shall nevertheless deem it my duty, as there is a suspending clause in the Bill, to give my formal assent to it, in order that no delay may be interposed to its transmission to His Majesty's Government.

(signed) *Lionel Smith.*

Enclosure 2, in No. 63.

The GOVERNOR'S REMARKS on the Barbadoes Abolition Act.

Enclosure 2,
in No. 63.

Sect. 3. REPUGNANT to the British Act, inasmuch as slaves who have been in England are declared free from the passing of that Act, and the proposed Act only makes them free from the passing thereof. Thus all releases effected by virtue of the British law are nullified by the local law.

Sect. 4. This clause contains an addition to the British Act, "or otherwise engaged in labour or occupations not continuous," the application or purpose of which is not clearly defined. The latter part of this clause is repugnant to the British Act, in not giving, in point of time, the same retrospective effect, to determine the occupations of classes; and further objectionable, in leaving the power of change of classes entirely in the hands of employers, without the concurrence of the special magistrates.

Sect. 5. Has the same objection as the latter part of the 4th.

Sect. 6. Objectionable; as the registrar is made the only person to fix the apprentice classes when disputed, and no appeal is left to the slave, if dissatisfied with that officer's decision; a defect which requires remedy, by allowing an appeal to be made by an apprenticed labourer to the special magistrate, to show, if he be able, that the decision of the registrar is wrong, and the rules for regulating the proceedings on such appeals either left to be settled by the Governor in Council, or to be established by this Act.

Sect. 10. The amount of the fee to be paid may operate to prevent an apprenticed labourer obtaining a certificate, as it will be a tax of 1 s. 6 d. upon a single name.

Sect. 12. The words "or any injury" may be made to embrace many and various acts of slight aggression; and when the comprehensive sense of the word "injury" is considered, the Legislature may be inclined to revise this clause. Moreover, it is repugnant to the 4th sect. of the British Act, and is nullified by the concluding part of the 16th sect. of that Act.

Sect. 13. The latter part of the clause which applies to children under 12 years of age,

is inconsistent with sect. 5 of the British Act, which requires some uniform regulation for the period of labour, except in the cases mentioned in sect. 21.

Sect. 14. The words "any prædial apprenticed labourer who may be employed in the protection of any crops," appear to be too comprehensive, and render it necessary, if retained, that provision should be made for subjecting the contract to the approval of the special justice, in the first instance, instead of being referred to him only on disagreement; otherwise this clause will not correspond with sect. 21 of the British Act.

Sect. 15. The special magistrate should be a party to judge of the emergency and settle the terms of remuneration.

Sect. 21. A right to appeal to the King in Council should be preserved in this clause, and the Legislature will perceive that some alteration is necessary to secure the applicant a ready and cheap mode of procedure; otherwise the application may subject the party to very heavy expense, and in some cases the whole sum may be absorbed in law expenses.

Sect. 24. The words "provided the child be under the age of 12 years" confuse the meaning of the clause, and are not to be found in sect. 9 of the British Act, which it otherwise follows. The regulation also of particular labour in this clause is contrary to clause 9 of the British Act, and ought only to be enforced with the privity or sanction of the special magistrate.

Sect. 27. In the latter part, a question arises who is to maintain apprentices under confinement in places used as public prisons, as the prison or place of confinement mentioned in the subsequent clause 114 may be restricted to places answering that description on estates, and used as domestic prisons only.

Sect. 32. The allowances proposed to be substituted in lieu of fish and clothing should be fixed with the knowledge and consent of the special magistrate.

Sect. 34. In consequence of this clause, apprentices belonging to small proprietors in any number from one to 39, and who are generally the worst treated, have no provision whatever in case of sickness, though the British Act, sect. 11, requires all employers to furnish medicines and medical attendance as heretofore. This clause is therefore repugnant to the British Act.

Sect. 36. The provision of this clause is so liable to be eluded, that I earnestly recommend its reconsideration, and the insertion of the word "nightly" after "shall," in the third line of the clause, and the words "for each and every omission" after the word "penalty," in lieu of the words "in default thereof." And this clause is also repugnant to the 11th sect. of the British Act.

Sect. 42. It will be physically impossible for the special magistrate to attend every estate, as thus required. Delinquents should be sent to his office, as in the Order of Council, p. 4, art. 2 and 3; and as each estate may have one or more constables upon it, the proprietors may readily have the delinquents corrected. The proposed law in its present shape unavoidably retards justice to others, in the case of there being several complaints on the same day from different parts of the district.

Sect. 55. This provision may be an improvement on the present practice of courts of justice; but as it is new, and applies to cases of complaints between employers and apprenticed labourers, and places the latter in a worse position when seeking justice than free people similarly circumstanced are in, the Legislature will perceive that some alteration is necessary.

Sect. 56. An apprenticed labourer should be at liberty to save herself or himself from corporal punishment, by being allowed to pay the fine, as prescribed for free persons disobeying summonses.

Sect. 57. Such alterations should, I think, be subjected to His Majesty's approval, in the spirit of art. 26, p. 7, Order of Council.

Sect. 58. The penalties imposed by this clause appear to be repugnant to the British Act, in reserving the power of punishment to employers without the privity of the special magistrate; and the apprenticed labourer should have the opportunity of showing that his cause of absence might have been unavoidable and reasonable.

Sect. 59. It may be presumed that the use of the words "wounded or injured in committing or attempting to commit any assault, robbery or burglary, or any other injury," has reference to the powers heretofore exercised by watchmen under clause 41 of the Consolidated Slave Act, and may be construed to imply an authority to them to retain the same power: it may, therefore, be deemed necessary to revise this clause, and for the Legislature to declare that it has no such implied meaning, as the clauses 111 and 112 render such powers now unnecessary. Further, the penalties imposed by this clause are severe, when the comprehensive sense of the other words, "other unlawful acts," is considered.

Sect. 65. The proviso to this clause does not follow the 20th clause of the British Act, which extends the period of the apprenticeship only in certain cases, and in a modified manner.

Sect. 66. The offences here enumerated should be inquired into before a special magistrate, and a discretionary power given to him for mitigating the punishments.

Sect. 67. The word "wilfully" seems to be accidentally omitted in the first part, after the word "shall." See also observation to clause 66, which applies here with equal force. The conviction of the offences mentioned in the latter part of this clause ought to be before a special justice of the peace, and a discretion given him of mitigating the punishment.

Sect. 70. After the words "nor to authorize any justice of the peace," in the middle of the sentence, the words "nor any other person or persons" appear to be accidentally omitted, and the concluding proviso in this clause is opposed to the 17th clause of the British Act. It appears to be the intention of the Legislature, by this clause, to do away with the stocks,

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or the use of irons as instruments of punishment. But I venture to suggest the expediency of prohibiting the use of either, on any pretence whatever, on estates, in order to avoid all possible misconstruction of legislative intention.

Sect. 86. It has been found, in executing the present law, that where a fine has been carried as high as 100 *l.* currency, it is insufficient to control violent persons against extreme punishment of negroes. A discretion should, therefore, be left with the special magistrate to increase the fine.

Sect. 89. The proviso in this clause will have a direct tendency to prevent the apprenticed labourer seeking justice; and his liberty to do so ought not to be checked, by obliging him in the first instance to apply for a pass from his master; and the 52d clause makes ample provision for punishing frivolous complaints.

Sect. 90. Power should be given to the special justice to entertain the complaint beyond this period, if satisfactory reason can be shown for the delay.

Sect. 93. The law is intended to operate exclusively upon apprenticed labourers, and is so headed and denominated. The insertion of the words "and other persons" may lead to considerable difficulties, and include all denominations of persons.

Sect. 95. The Order in Council, p. 16, art. 4, allows the apprenticed labourer the privilege of resorting to some place of public worship, having with him a written pass for that purpose, from his employer or the special justice of the district; and a similar provision is wanting here.

Sect. 98. A complaint to any justice of the peace is contrary to the British Act, which provides that no other than special magistrates shall have jurisdiction between apprentices and employers.

Sect. 100. The same objection as in the 98th clause.

Sect. 101. This provision has been found so oppressive in many instances under the Consolidated Slave Act, that it seems absolutely necessary that a discretion should be given to the special justice to mitigate the penalty, where such concealment or employment of apprentices shall appear to the justice not to have been wilful.

Sect. 108. By the 18th section of the British Act exclusive jurisdiction is given to special magistrates in cases of breach of obligations between master and apprentice, or apprentice and master; and the appeal given to the Governor in Council subjects the special justices to a control not contemplated by the British Act. And further, this clause requires revision, to authorize the Governor to include justices holding special commissions of the peace.

Government House, 26 March 1834.

 Enclosure 3, in No. 63.

Enclosure 3,
in No. 63.

THE members of the Legislative Council beg leave respectfully to acknowledge his Excellency's obliging statement of the objections he entertains to several of the clauses and provisions of the Slavery Abolition Bill, now in committee at their board.

The Council feel extremely anxious to render this Bill in every respect acceptable to his Excellency and the British Government; and they have cheerfully adopted several important alterations suggested by his Excellency. They have, at the same time, taken the liberty of explaining that some of the objections made by his Excellency to particular clauses, are effectually obviated by special enactments already contained in the Bill.

It is a matter of unfeigned regret that any point, not perfectly according with his Excellency's views, should still remain. His Excellency cannot fail, however, to bear in mind the purport of certain Despatches received from the Secretary of State for the Colonies, exonerating the Legislature from a servile imitation of the Orders in Council framed for the regulation of the Crown Colonies; and thereby casting on the Colonial Authorities the heavy responsibility of framing Acts for the Abolition of Slavery, and for providing against the emergencies of the new state of society therefrom resulting, which Acts are required to be applicable to the peculiar circumstances of each Colony, and qualified to ward off the disorder and confusion to be dreaded from a change so sudden and extensive in the condition of the great mass of the population.

The Council beg to assure his Excellency, that in this labour they have cautiously abstained from any violation of the Act 3 & 4 Will. IV. c. 73; and that when they have not been able to employ the words of that Act, they have invariably endeavoured to preserve inviolate the principles developed therein, in the several communications on the subject from His Majesty's Government. They beg to add, that in a conference which has taken place between the deliberative branches of the Legislature, his Excellency's observations have been made known to the honourable House of Assembly; and the Council feel confident that the alterations they have made in the Bill, will be acceded to.

The Council cannot conclude without respectfully tendering to his Excellency their thanks for the explanation he has made in this stage of their proceedings, which has been greatly beneficial to the interests of the country, in so far as it has opened a favourable opportunity for several material alterations in the Bill; and they trust that in the form in which it will now be laid before his Excellency, it will be such as to merit his favourable consideration, should it fail to secure his unqualified approbation. The Council feel confident that his Excellency's candour will secure to them the transmission of their reply, together with the objections which his Excellency has signified his intention of sending forward

ward with the Bill, by which it may appear to His Majesty's Government, as they trust it does to his Excellency the Governor, that they have been actuated by an ardent and sincere desire of accomplishing the important measure of emancipation in a safe and effectual manner; and that in those points where they have not acceded to his Excellency's recommendation, they have not been influenced by partial considerations, but that they have endeavoured equally to promote the good and to protect the interests of all classes of the community.

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Council Chamber, Barbadoes, 1 April 1834.

Enclosure 4, in No. 63.

The REPLY of the COUNCIL to the Governor's Remarks upon the Abolition Act.

Sect. 3. THIS clause has been misunderstood. It does not limit the benefit thereby conferred to the period of the passing of the Act, but enacts "That all slaves who may at any time previous to the passing of the Act have been carried from this Island with the consent of their possessors, into any part of the United Kingdom of Great Britain and Ireland; and all slaves and apprenticed labourers who may hereafter, with the like consent, be carried from this Island into any part of the United Kingdom of Great Britain and Ireland, are hereby declared to be absolutely and entirely free and discharged from all slavery or apprenticeship;" thereby extending the boon to some individuals whose case was not embraced by the Act of Parliament, without any limitation as to the time at which they become free.

Enclosure 4,
in No. 63.

Sect. 4. The words "or otherwise engaged in occupations not continuous" were introduced in this clause, for the purpose of defining more clearly the principle upon which the distinction of classes appears to have been founded, namely, that those persons who from the nature of their occupations would be required to render continuous services to their employers, being thereby precluded from the enjoyment of one-fourth of their time for their own benefit during their apprenticeship, should be indemnified for this privation by having the term of their servitude abridged. The retrospective operation of the Act of Parliament, in determining the occupation of classes, was no doubt intended to defeat collusion. Twelve months before the passing of the Barbadoes Act fulfils this purpose; inasmuch as it reaches to a period when the proposed arrangement was not known in this country, and could not therefore be collusively evaded. The Jamaica Act, which has been approved of by the Government, has a clause of the same tenor.

The latter part of the clause has been so amended as to obviate his Excellency's objection.

Sect. 5. Answered above.

Sect. 6. A proviso has been added to the 10th section, giving an appeal from the decision of the registrar, if the apprentice be dissatisfied with his award.

Sect. 10. It appears to the Council that it would be unreasonable to require a public officer who pays his clerks and buys his stationery out of his own pocket, to do the business of private individuals without remuneration. The very trifling fee of one quarter dollar, could never, in point of fact, be an obstacle to the poorest apprentice obtaining a certificate.

Sect. 12. The Council have inserted the word "serious" before the word "injury," to guard against the abuse alluded to by the Governor, although the words "or other gross misdemeanor," which immediately follow, seem to mark sufficiently the character of the offences to which the clause relates. The Council regret extremely that the Governor should consider the power given by this clause to remove non-prædials into the class of prædials, upon conviction for certain crimes, repugnant to the Act of Parliament, since it appears to the Council that such a provision is indispensable to the peace and comfort, and even to the safety, of every family in the Island. Could it be the intention of the British Parliament, that an employer should be compelled to retain a butler who had been convicted of theft; a coachman who, having become an habitual drunkard, endangers his master's family; or even a cook who may have attempted to infuse poison into his food? If it be said that the Act of Parliament does not prohibit his employer from dismissing his domestics, let it be considered that the discharge of a domestic, without the power of employing him in prædial labour, would be in effect to reward his crimes by abrogating his servitude. This power is very strictly guarded; it is only upon conviction for crime that it can be exercised.

Sect. 13. The daily labour of apprentices under 12 years of age is limited to 7½ hours, in order to allow sufficient time in each day for their instruction. The weekly holiday which is secured to the older slaves, would be of very questionable advantage to children under 12.

Sect. 14. The power of referring the question of remuneration to the special justice, where the terms are not approved of by the apprentice, seems quite sufficient to protect him against any injustice or oppression. When there is no disagreement, and both parties are satisfied, why give this unnecessary trouble?

This clause is not repugnant to the 21st section of the Act of Parliament, which sanctions the continuous employment of persons engaged in the protection of property, even on Sunday, and makes no allusion to the interposition of the special justice.

Sect. 15. To render the sanction of the special justice necessary in this case would, in many

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many instances which admit of no delay, defeat the benefit of the provision. This clause differs from the 60th section of the Jamaica Act in nothing, except that the Barbadoes Act secures to the apprentice compensation for the extra hours he is compelled to labour, which the Jamaica Act does not.

Sect. 21. The Council have cancelled that part of this clause which makes the decision of the Governor and Council final; thereby leaving the right of appeal open: and the clause has been altered accordingly. Although in such cases as those alluded to by the Governor there could be no appeal; the sum in dispute would not reach the amount limited by the Royal instructions.

The Council can devise no form of procedure less expensive than the one here prescribed. They would cheerfully have availed themselves of any suggestion of his Excellency for the better accomplishment of this object. This, however, is a point in which the apprenticed labourer has no interest.

Sect. 24. The words "provided the child be under the age of 12 years" were meant to limit the restriction to that period of life when the care and protection of the parent were necessary to the child. It has been extended to 18.

To prohibit the hiring out of surplus labour would be a decree of ruin to many small proprietors, who do not possess as much land as would raise food sufficient for the maintenance of their people. Such proprietors can only be reimbursed for the expense of maintaining their slaves or apprentices, by hiring them out to cultivate neighbouring lands, in which labour they enjoy the same privileges and protection as if they were employed in cultivating their master's property. The Act of Parliament, by creating a class of unattached prædials, virtually sanctions this regulation.

Sect. 27. The Council have inserted a provision, in order to express more clearly what was the intention of the Legislature. This has been provided for in the Police Bill which is before the Legislature. The 114th section obliges the employer to provide food for any apprentice confined in a domestic prison.

Sect. 32. The Governor's recommendation is adopted.

Sect. 34. The objection to this clause unfounded, and could only have arisen from inadvertency in perusing the clause. After directing that all persons who have 40 apprenticed labourers and upwards shall employ a medical practitioner to attend not less than once in each week, it goes on to enact "that every other person entitled to the services of any apprenticed labourer, shall be and he is hereby required to provide medical assistance for every such apprenticed labourer, when necessary."

Sect. 36. The words recommended by the Governor have been adopted. The Council is at a loss to conceive in what respect this clause is repugnant to section 11 of the Act of Parliament.

Sect. 42. It is only when insubordination of a "serious nature" occurs, which must be sworn to, that the special magistrate is required to attend: and although this duty may appear arduous, it is a great mitigation of the duty imposed on those officers by the 3d section, cap. 2, of the Order in Council, which enjoins "that every magistrate shall once in each fortnight, or oftener if need be, repair to such plantation within his district, upon which ten or more apprenticed labourers shall be employed."

Sect. 55. This objection is unfounded, and must also be attributed to inadvertency. Far from "placing the apprenticed labourer in a worse position, when seeking justice, than free people similarly circumstanced," this clause makes a special exception in favour of this class, exempting them from the payment of the fee.

Sect. 56. This clause is so amended as to render the apprenticed labourer liable to corporal punishment, only in case he shall fail to pay the fine.

Sect. 57. This recommendation has been adopted.

Sect. 58. Sect. 70 and 86 repel this construction. The former limits the jurisdiction, in all matters between employers and apprentices, to the special justice exclusively; the latter prohibits the employer absolutely from inflicting any description of punishment, by whipping, imprisonment or otherwise, upon an apprenticed labourer, except in the case of infants under 12 years of age.

Sect. 59. This clause has been struck out.

Sect. 65. There was no intention to deviate from the Act of Parliament in this clause: accordingly the 20th section of the British Act has been literally copied.

Sect. 66. This objection arises from a misconception of the Barbadoes Act, as has been already explained by reference to clauses 70 and 86.

Sect. 67. Such a phrase as a "wilful act of carelessness" appears to the Council a palpable solecism in language. Carelessness in an act surely implies the absence of intention. The wilful injury of property by the use of fire is a felony, and not the offence contemplated by this clause. This clause does require that the apprentice "shall be adjudged in the discretion of the special justice" before whom he or she be convicted, &c.

Sect. 70. The first part of this clause prohibits generally all other persons, except special justices, from inflicting punishment by whipping, imprisonment, &c. upon apprentices. The very limited power of punishing children which is sanctioned by this clause, being no more than is necessary for their own good, as all experience proves from the days of Solomon to the present time, cannot be considered contrary to the spirit and design of the Act of Parliament. The Council feeling satisfied that the primary object of the British Government, in reference to the emancipation, has been to render that measure safe and beneficial to all parties, can entertain no doubt that they will sanction the exercise of an authority so indispensable to moral discipline, and which in this case can hardly ever be employed for any other purpose.

Sect. 86. The argument of this objection would go to show the inefficacy of all human punishment for the prevention of crime, since the infliction of death has not proved sufficient to abolish murder and other capital crimes. The Council are not disposed to trust much discretionary power to the summary decisions of a single magistrate, especially as the law having rendered the striking of an apprentice by his employer illegal, the party may have his remedy at common law for an assault. The Order in Council, p. 13, s. 13, limits the penalty in this case to 5 *l.*, leaving to the special justice no such discretionary power as here recommended.

Sect. 89. The proviso in this clause cannot have the tendency attributed to it; because an apprentice having applied for a pass, is at liberty to go without it if it be refused. The object of requiring him to make this application in the first instance, is simply that the employer may have notice of the complaint; while, at the same time, he has no power to prevent it.

Sect. 90. The period has been extended, in compliance with the Governor's suggestion.

Sect. 93. Amended, in compliance with the Governor's suggestion.

Sect. 95. Objection unfounded. This clause makes an express exception in favour of an apprentice going to and from a place of public worship, even without a pass.

Sect. 98. Objection unfounded. The complaint which is here directed to be heard by any justice of the peace, does not relate to a case between employer and apprentice, but between the employer and the Secretary of the Island. The offence of the apprentice referred to in the latter part of this clause, is made cognizable by a special justice only.

Sect. 100. Here again the offence referred to, is by any person not being an apprenticed labourer, and is of course within the jurisdiction of any justice of the peace for the body of the Island; and like the preceding, one in which the special justice has no jurisdiction.

Sect. 101. The word "clandestinely" was introduced into the clause to prevent the oppressive construction which the Council are aware has too often been put upon the Act for which this clause is substituted. The Council have added the words "or fraudulently" after the word "clandestinely," which they conceive will remove the evil pointed out by his Excellency.

Sect. 108. The constitutional privilege of appeal not being abrogated by any part of the Act of Parliament, it is to be presumed does, in fact, remain; and therefore the Barbadoes Act, although more explicit upon this point than the British Act, may be considered in strict accordance with it. There is nothing in this clause to prevent the Governor from including justices holding special commission, in the general commission.

Council Chamber, Barbadoes, 1 April 1834.

— No. 64. —

COPY of a DESPATCH from Mr. *Lefevre* to Governor Sir *Lionel Smith*.

Sir,

Downing-street, 7 June 1834.

IN the unavoidable absence of Mr. Secretary Spring Rice, I have received his directions to acknowledge the receipt of your Despatch of the 7th of April, enclosing an Act passed by the Legislature of Barbadoes, intituled "An Act for the Abolition of Slavery, for the government of Apprenticed Labourers, and for ascertaining and enforcing the reciprocal Duties between them and their Employers."

No. 64.

Although it appears to His Majesty's Government that there are several points in that Act which require modification and amendment, in order to carry into full effect the intentions of the Imperial Parliament; yet as the Act contains a suspending clause, and cannot therefore have the force of law until His Majesty's decision shall have been pronounced upon it, and as much inconvenience might accrue to the Colony of Barbadoes, in case there should be no law in operation for the government of apprenticed labourers in that colony on the 1st August next, His Majesty has been advised to confirm the Act, and I am accordingly directed to transmit to you an Order in Council to that effect.

I am further to acquaint you, that Mr. Spring Rice will take the earliest opportunity of communicating with you in detail respecting the modifications and amendments to which I adverted.

I have, &c.

(signed) *John Lefevre*.

64 PAPERS RELATIVE TO THE ABOLITION OF

BARBADOES.

Enclosure in No. 64.

At the Court at St. James's, the 5th of June 1834;

Present, The KING's most Excellent MAJESTY in Council.

Enclosure in
No. 64.

WHEREAS the Governor of His Majesty's Island of Barbadoes, with the Council and Assembly of the said Island, did pass an Act in the month of April last, which was reserved for the signification of His Majesty's pleasure, intituled as follows; viz. "An Act for the Abolition of Slavery, for the government of Apprenticed Labourers, and for ascertaining and enforcing the reciprocal Duties between them and their Employers;" which Act having been referred to the Committee of the Lords of His Majesty's most honourable Privy Council appointed for the consideration of all matters relating to Trade and Foreign Plantations, the said Lords of the Committee have reported as their opinion to His Majesty that the said Act should receive His Majesty's royal confirmation:—His Majesty was thereupon this day pleased, by and with the advice of his Privy Council, to declare His confirmation of the said Act, and the same is hereby confirmed, ratified and finally enacted accordingly: Whereof the Governor, Lieutenant-governor or Commander-in-Chief of His Majesty's Island of Barbadoes, for the time being, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(signed) C. C. Greville.

—No. 65.—

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor
Sir Lionel Smith.

No. 65.

Sir,

Downing-street, 12 August 1834.

IN my Despatch of the 7th June last I intimated to you, that although it appeared to His Majesty's Government that there were several points in the Barbadoes Act for the Abolition of Slavery which required modification and amendment, in order to carry into full effect the intentions of the Imperial Parliament; yet as the Act contained a suspending clause, and could not therefore have the force of law until His Majesty's decision should have been pronounced upon it, and as much inconvenience might accrue to the Colony of Barbadoes in case there should be no law in operation for the government of apprenticed labourers in that Colony on the 1st August, His Majesty had been advised to confirm the Act: and I at the same time informed you that it was my intention to take the earliest opportunity of communicating with you in detail respecting those modifications and amendments.

Believing as I do that the Legislature of Barbadoes have endeavoured to carry into effect the intentions of Parliament, not only as respects the main and important object of the Abolition of Slavery, but also as relates to the supplementary laws, which in the preamble of the 16th sec. of the Slavery Abolition Act, passed by the Imperial Parliament, were indicated as necessary to complete the system of apprenticeship; believing also, that as to those points in which the Legislature of Barbadoes has deviated from the provisions of the model draft sent out for their consideration in October last, such deviations have for the most part originated solely in considerations arising out of the local peculiarities of the Island, it would have afforded me very sincere gratification had I been enabled to convey to you that full and entire approbation of the Act by His Majesty in Council, which Parliament has declared to be necessary in order to entitle each Colony to its respective share of the compensation fund voted by Parliament.

Fortunately, however, the defects in the Act now before me, which have precluded His Majesty from adopting that course, are neither numerous nor difficult of removal; and I feel assured that upon their being pointed out to the Legislature of Barbadoes, the alterations which it is my duty to suggest will be most cheerfully adopted.

In proceeding to direct your attention to those parts of the Act which require amendment and modification, I shall divide the subject into two general heads, namely,

I. As to those portions of the Act which are inconsistent with the Act of Parliament for the Abolition of Slavery.

II. How

II. How far the supplementary enactments contemplated in the Act of Parliament, and indicated in the preamble of its 16th section, have been effectually provided for in the Barbadoes Act.

The 4th section of the Act of Parliament declares that the apprenticed labourers are to be divided into three classes. The definition therein given of prædial labourers is, that they are persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce, or otherwise upon lands belonging to their owners (in the case of those attached to the soil), or on lands not belonging to their owners (in the case of the unattached). To this definition the 4th section of the Barbadoes Act adds another in the following words, "or otherwise engaged in labour or occupations not continuous."

Although it is difficult to understand the exact force and meaning of the phrase, yet it is certain that if it has any effect at all, it must transfer to the prædial class individuals who, under the Act of Parliament, would be entitled to be placed in the non-prædial class.

I feel unable to consent to a clause having this objectionable result; for, independently of the just claim which the apprenticed labourer has to be placed precisely in that position which Parliament has destined for him, I foresee that much difficulty and litigation would arise from the confliction of the rights and obligations created by the Act of Parliament, with those which are laid down in the Barbadoes Act.

I am the less reluctant to urge upon the Legislature of Barbadoes the adoption of the Parliamentary definition, because I perceive that the Jamaica Legislature have followed that course, and I have received no intimation from that Colony of any resulting inconvenience. I am aware that it is not impossible that some of the negroes who, in consequence of the additional definition to which I have adverted, may have been placed in the prædial class, may desire to remain in it; and I should therefore be disposed to approve of a clause giving to such negroes the option of being counted as prædials, upon their notifying their wish to that effect in the presence of a magistrate.

By the 4th section of the Act of Parliament, it is provided that no person of the age of 12 years and upwards shall, by any Act of Assembly, be included in either of the two classes of prædial labourers, unless such persons shall, for 12 calendar months at the least next before the passing of the present Act, have been habitually employed in agriculture or in the manufacture of colonial produce.

In the 4th section of the Act of Assembly the same words are employed.

Upon this section you very properly pointed out as an objection, that a new date had in fact been assumed from which to calculate the period of prædial service which must have elapsed in order to constitute a man a prædial apprenticed labourer. To this the Council answered, that though the date is varied, the result will be the same; that Parliament carry back the prædial service to 12 months before the 28th of August 1833, merely to defeat collusive changes of occupation, introduced with the view of altering the future destination of a labourer; that by substituting the 8th of April 1833 as the period of commencement, that object will be as effectually secured, because at that time the project of converting slaves into apprenticed labourers being unknown in Barbadoes, no fraudulent evasion of it can have been effected or contemplated at so early a date.

They add, that the Jamaica Act, which has been approved of by His Majesty's Government, has a clause of the same tenor.

Although I am perfectly satisfied that the alteration of the date was made in perfect good faith, yet as it has in fact rendered the clause inconsistent with the Act of Parliament, the same reasons which made me object to the alteration introduced in the classification of apprentices by means of the additional definition contained in the Barbadoes Act, induce me to expect that the Legislature of Barbadoes will agree to adopt the original date contained in the Act of Parliament.

A similar observation is applicable to the 5th section of the Barbadoes Act.

As regards the reference made by the Council to the Jamaica Act for the Abolition of Slavery, I have only to observe that His Majesty's Government have drawn the attention of the Legislature of that Colony to the propriety of removing this discrepancy, by altering the date in that Act.

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A proviso is added to the 4th section of the Barbadoes Act, which, if I rightly understand it, is as follows:—There are certain offences mentioned in a subsequent part of the Act, which, according to its provisions, would render a non-prædial labourer liable to be adjudged by a special magistrate to become a prædial. Now, it is enacted, that if the employer shall dismiss from domestic service any non-prædial for any such offence, the person so dismissed shall therefore, and without any previous adjudication, enter the prædial class; a right being reserved to the labourer to appeal to the justice, who shall determine to what class he shall belong. This meaning is conveyed in obscure and circuitous language. When thus explained, it is I think decidedly objectionable. It is not only repugnant to the 4th section of the Act of Parliament, which obviously contemplated a fixed and permanent term of apprenticeship to each man, but it places in the hands of the employer that power of punishment, (namely the prolongation of the apprenticeship), which the 17th section of the Act of Parliament expressly denies to him.

Independently of this objection to the proviso, arising from its contravening the Act of Parliament, there is another ground which would make me hesitate to sanction it. It is impossible not to perceive that the conversion of a domestic into a field labourer may, in consequence of the totally different nature of the employment, inflict upon him a most severe and objectionable punishment.

The 33d section of the Barbadoes Act authorizes the attendance of apprentices at the celebration of divine worship in any church or chapel whatsoever. It is obviously necessary, in order that this clause should be in conformity with the 21st section of the Act of Parliament, that the right of attendance on public worship should not be restricted to churches and chapels only.

II. In considering how far the supplementary provisions contemplated in the Act of Parliament, and indicated in the preamble of its 16th section, have been effectually followed up by the Barbadoes Act, I shall, for the sake of perspicuity, discuss the subjects to which those provisions relate, in the order in which they are placed in the model draft to which I have already adverted.

1. The first chapter of the model draft relates to the judicial and ministerial agency to be employed. This chapter corresponds with the following clauses of the Act, viz. sections 39, 74, 75, 108, 109, 110, 111 and 112.

I perceive that although, in the Barbadoes Act, the Island is divided into districts, no provision is made for the establishment of a permanent stipendiary police. Having been informed, however, that this subject has been since under the consideration of the Barbadoes Legislature, I shall not at present make any observations on this point.

By the 108th clause, a right of appeal to the Governor and Council from the decision of any justice of the peace, is reserved to any person who may feel himself aggrieved by any such decision. It appears that you stated as an objection to this section, that this appeal would subject the special justices to a control not contemplated by the Act of Parliament. The Council urged, in answer to this objection, that the constitutional privilege of appeal not being abrogated by any part of the Act of Parliament, must be presumed to remain in existence, and that consequently the two Acts are in strict accordance. I do not think that your objection is removed by this answer; for although it may be true that Parliament has not taken away any precedent right of appeal, yet I am not prepared to admit that any such right existed as against the special magistrates.

I trust, therefore, that the Barbadoes Legislature will abandon this reservation, as being inconsistent with the intentions of Parliament. Should they deem it advisable, however, to constitute some controlling power over the special justice, by means of a board of special magistrates, to be convoked by the Governor, I should not be disposed to object to an enactment calculated to effect that object.

The 111th and 112th sections of the Barbadoes Act, which provide for the appointment of special constables on plantations, from the apprenticed labourers belonging to such plantations, require some modification.

The right to confine for safe custody should, as regards the apprenticed labourers attached to the plantation, be limited to cases in which any others of His Majesty's subjects might be taken into custody by the ordinary special constable, or to cases in which it is presumable that the apprenticed labourer, having offended against the law established by this Act, will attempt to escape.

Moreover,

Moreover, all buildings used as places of confinement, however temporary, should have been previously approved of for that purpose either by a special magistrate or by the Governor, and should be occasionally visited by one or more of the special magistrates.

2. The second chapter of the model draft, which treats of the procedure to be observed by the special magistrates in the exercise of their jurisdiction, has its counterpart in the 114th to the 116th and in the 119th sections of the Act under consideration. The correspondence is so far complete as to relieve me from the necessity of making any observations on this part of the subject.

3. Upon the third topic of the model draft, the division of the labourers into their respective classes, which is provided for by sections 5 to 12 of this Act, I have only to urge the repeal of the 12th section, which authorizes the transfer of the apprentice in certain cases from the non-prædial to the prædial class. I have in the early part of this Despatch pointed out to you the grounds of this suggestion.

4. The maintenance of the apprenticed labourers is the subject of the 4th chapter of the model draft, and of the 27th to the 36th, and the 71st to the 73d sections of the Act under consideration.

The Act of Parliament, by its 11th section, declared the apprenticed labourer entitled to the same maintenance which the law assigned to a slave of the same age and sex. The then existing law of Barbadoes appears not to have given the slave a right to any definite allowances, but imposed a penalty on the master, in case he (having the means of providing necessary food for his slaves) should withhold such food; and a small penalty is likewise imposed upon the master, in case he should not furnish his slaves annually with decent and sufficient clothing, suitable to their age, sex and condition.

The Act which is the subject of this present Despatch defines the specific quantities of food which are to be furnished to apprenticed labourers, and specifies the clothing which is to be provided for the prædial classes.

I have considered this scale of food and clothing with every disposition to give due weight to the local knowledge of the parties who have thus legislated, and with a sincere desire to do justice to the employer as well as to the apprenticed labourer; but I am unable to arrive at any other conclusion, than that the quantities which the Act defines are insufficient.

In support of this conclusion, I might bring forward the enactments which several of the other West India Legislatures have made upon this subject; but I think it the more satisfactory course to avoid instituting a comparison which might appear invidious, and to state frankly what modifications in the Act will be necessary upon this head, in order that it may be declared adequate and satisfactory. These modifications are as follows:

The weekly allowance of fish should not be less than 2lbs.

All apprenticed labourers above the age of 10 years should be entitled to the full allowances; and all under 10 years of age to half allowances.

To the list of clothing to be annually supplied to males, a shirt and a pair of trowsers should be added; and a corresponding increase should be made to the clothing of females.

A blanket should be provided for such apprenticed labourer once in two years.

To these enactments I feel it my duty to suggest, as an indispensable addition, a proviso so framed as to secure to the apprenticed labourer such food, clothing, lodging, medicine, medical attendance, and such other maintenance and allowances as, by the law in force in Barbadoes at the time of passing the British Act for the Abolition of Slavery, an owner was required to supply to and for any slave being of the same age and sex as such apprenticed labourer might be, except so far as the same are adequately supplied to such apprenticed labourer under or by virtue of the Act now under my consideration.

Whilst upon this subject I have further to remark, that this 27th section appears to me to impose inequitable restrictions upon the legal remedies given to the labourer for securing the regular delivery of his food. There is a limitation of 14 days, after which no penalty can be recovered against an employer for omitting to deliver the food of his apprentices. I cannot perceive the justice of fixing so short an interval, since it may often elapse without the possibility of access to the justice, except at a loss of time to the apprentice far more

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Moreover, if before the complaint be lodged, the employer shall tender the deficient supplies, he is to be discharged from all penalties. I need not point out to you that, under this regulation, the apprenticed labourers might be exposed to the liability of the most inconvenient irregularities in the delivery of their weekly sustenance.

5. The fifth chapter of the model draft relates to the duties to be performed by the apprenticed labourers, and the penalties for their non-performance. On the same subject, the Act under consideration treats in sections 13 and 15, in sections 58 to 70, and in the 104th section.

The 14th section of the Barbadoes Act provides that prædial apprenticed labourers, who may be employed in the protection of any crops, buildings or property of any kind, or in the care of cattle or any other stock, shall be compelled to perform their several services for the whole week, and shall be entitled to such wages or remuneration for such extra services as shall be agreed on between such prædial apprenticed labourer and his or her employer or employers; and in case of disagreement, then to such wages or remuneration as shall be sanctioned by the special justice of the peace of the district to which such apprenticed labourer shall belong.

Admitting that there is much that is fair and reasonable in this provision, I am nevertheless compelled to object to it, inasmuch as Parliament has expressly laid down that the compulsory service of prædial apprenticed labourers shall not exceed 45 hours per weeks, unless when they are sentenced to extra labour by the magistrate.

For the like reason, the 15th section of the Barbadoes Act is inadmissible as at present framed. This section enacts, that in all cases of urgent necessity, it shall be lawful for the employer to require and compel the immediate and continued service of all or any of the apprenticed labourers attached to such property, during such emergency. I think, however, that if the urgent necessity here spoken of had been limited to fire and tempest, and occurrences of a similar nature, I might venture to sanction this enactment without infringing the spirit of the British Act. The nature of these emergencies would of course preclude the possibility of obtaining the previous sanction of the special justice; but they should be reported to him as soon as possible, and he should have the power of ordering such remuneration to the apprenticed labourers employed, as he may think reasonable.

The 58th section of the Barbadoes Act enumerates the different reasons which may alone be admitted as a sufficient apology for the absence of a labourer from his employer's service. They are, first, sudden illness during extra hours, beyond the limits of the plantation, in which case the sick man is to convey the earliest notice to his employer; and secondly, legal process compelling the labourer to attend any court or justice of the peace. No other excuse can be admitted. In the model draft the general rule is laid down, that the absence must be occasioned by a cause which the justice shall declare reasonable. Many cases might be supposed in which the more precise enactment of this 58th clause would work great injustice. For example, a labourer may be detained from his own plantation by the sudden and extreme illness of some very near relative at a distance from it; or by weather too tempestuous to admit of his return home; or by the breaking down of a bridge to be crossed in his homeward path. To declare that none of these apologies shall avail, but that, be the hindrance what it may, the apprentice shall forfeit to his master twice the time lost, seems to me a severe and inequitable rule. I trust, therefore that the Legislature of Barbadoes will reconsider this clause, and will adopt the more just and liberal terms contained in the model draft, from whence they copied the clause, with this variation.

The 104th section enacts, that an apprenticed labourer committing any trespass, or guilty of uttering any slander, or of publishing any libel, shall, on conviction by the special justice, be subject to imprisonment for three months with hard labour, or for one month in solitude.

I perceive no ground for placing the apprenticed labourers as regards these offences, unless when they are committed against their employer or his property, upon a different footing from other free persons. I feel myself unable, therefore, to sanction this clause in its present shape; and even if it were modified

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fied so as to apply to all free persons, or so as to be made applicable only to the relation between employer and apprentice, I should still object to its severity, especially as regards libel and slander.

Upon the subjects which are respectively treated of in the 8th, 10th, 11th and 12th chapters of the model draft, and which are provided for by various sections of the Barbadoes Act, I find it unnecessary to make any further suggestions in addition to the observations I have made on the 104th section of the Act.

With regard, however, to the 24th section of the Barbadoes Act, which corresponds with the 9th chapter of the model draft, and relates to the removal of apprenticed labourers from one plantation to another, I must observe that it is inconsistent with the Act of Parliament, as sanctioning what that Act expressly forbids, not only in reference to the separation of children of 10 years old from their parents, but also (as you very justly remarked) in reference to the temporary employment of prædial attached apprenticed labourers, on plantations other than those to which he is attached. Upon this latter point the Act of Parliament, section 9, leaves no discretion to the local Legislatures,

I have, &c.
(signed) *T. Spring Rice.*

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— No. 66. —

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

Sir,

Government House, Barbadoes, 7 April 1834.

HAVING recently returned from a tour round the Islands of this Government, I have the greatest satisfaction in reporting the perfect tranquillity of the negro population.

I have, &c.
(signed) *Lionel Smith.*

No. 66.

— No. 67. —

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Spring Rice*, dated Government House, Barbadoes, 1 May 1834.

No. 67.

I HAVE the honour to transmit copy of a Message which I addressed to the House of Assembly of this Island, recommending them to abolish the power of flogging slaves by owners or other employers, in anticipation of the system which must commence on the 1st of August, by confining that power to magistrates only.

9 April 1834.

I enclose you the reply of the House to my recommendation, from which you will perceive there is little chance of their attending to it.

29 April 1834.

Enclosure in No. 67.

COPY of a MESSAGE from the Governor to the Honourable House of Assembly, dated 9 April 1834.

I BRG to recommend to the House to take into consideration that, as an Act for the Abolition of Slavery has been passed, to come into force on the 1st of August next, it would be extremely desirable if the Legislature would intermediately pass a short Bill, abrogating the power of inflicting punishment on slaves by owners, employers, or any other individual whatsoever, under necessary penalties; and transferring that power to the magistrates of towns and parishes.

Enclosure
in No. 67.

This practice has partially existed by arrangement of estates, with great advantage; and if generally adopted previously to the Abolition Act coming into a law, (say from 1st June next,)

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next,) it would give experience in its operation highly useful, and become a means of improving the Abolition Act itself, if found desirable.

If the Honourable House should be pleased to act on this suggestion, respectfully submitted as one of eventual importance to the tranquillity of the Island, by obviating the consequences of too sudden innovations on the condition of the bonded population, I shall be prepared with a new and extended commission of the peace, to give such a measure practical effect.

(signed) *Lionel Smith.*

COPY of REPLY of the House of Assembly.

THE House of Assembly respectfully beg leave to acknowledge the receipt of his Excellency's Message of the 9th instant, submitted to the House at its last meeting, suggesting that "as the Act for the Abolition of Slavery would come into force on the 1st August next, it would be extremely desirable if the Legislature would intermediately pass a short Bill, abrogating the power of inflicting punishment on Slaves by owners and others, and transferring that power to the magistrates of towns and parishes."

In reply to which the House beg to inform his Excellency, that as the Slave Act empowers owners to prefer complaints to magistrates against slaves for misconduct, instead of exercising their own authority, the House have reason to hope that recourse will be had to such authority in all flagrant cases; but as a general measure the House conceive that it would not be practicable, unless the magistrates of the Island were placed on a different footing, by being remunerated with salaries instead of fees; a change much to be desired, but which the advanced state of the session prevents their entering upon.

House of Assembly, 29 April 1834.

By order of the House,
(signed) *N. Forte, Speaker.*

— No. 68. —

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley.*

No. 68.

Sir, Government House, Barbadoes, 3 July 1834.

I HAVE the honour to transmit herewith copy of a Minute which I yesterday laid before His Majesty's Council, proposing to observe, as a day of solemnity and thanksgiving, the 1st of August next, in commemoration of the great event affecting so many millions of our fellow creatures, which will take place on that day.

The other reasons which influenced me in making the suggestion are stated in the Minute; but they were not considered sufficiently strong by the Council to induce them to acquiesce in the proposal; which I have, therefore, simply recorded in the proceedings of the Honourable Board.

I have, &c.
(signed) *Lionel Smith.*

Enclosure in No. 68.

MINUTE by the Governor.

Enclosure in
No. 68.

I BEG respectfully to propose to the Honourable Board, that Friday, the 1st day of August next, be observed throughout the Island, by proclamation, as a day of thanksgiving, to commemorate in due form and solemnity the great change which commences that day in the condition of a large proportion of the population.

Great advantages would, I consider, be derived from this solemn recognition of the Imperial Act for the Abolition of Slavery.

It would impart to all classes an earnest confidence in the great event which that day establishes, and it would impress upon the slaves themselves a conviction of the benefits intended to be bestowed; while the rendering it a day of thanksgiving would prevent their going into the extremes of idle or dissipated rejoicing, should any be so disposed.

I beg, therefore, to take the sense of the Council upon this proposition, and I shall be governed accordingly.

(signed) *Lionel Smith.*

The Honourable The President
and Members of His Majesty's Council.

SLAVERY IN THE BRITISH COLONIES.

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—No. 69.—

BARBADOES.

No. 69.

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to the Right Hon. *T. Spring Rice*, dated Government House, Barbadoes, 28 July 1834.

I do myself the honour to enclose herewith an application from the Council and Assembly of Grenada for more troops, together with my reply.

As the eventful 1st of August approaches, apprehensions and alarms seem to seize the planters and white inhabitants generally of these Islands; and they look with anxiety for increased means of protection from regular troops.

My letter of the 19th instant will have informed you of the state of St. Christopher's; and the fact of my inability to send further military assistance to that Island, will also answer the application from the Chief Justice of Tortola, transmitted to me in Mr. Lefevre's letter of the 6th ult.

I have had no further accounts from St. Christopher since the departure of His Majesty's ships *Belvidera* and *Wasp*, by which I sent a supply of arms and ammunition for the militia.

It would grieve me if you thought me capable of yielding to false alarms, and thereby disappointing the generous hopes of His Majesty's Government of carrying through a peaceful emancipation: but beset as I am on all sides for succour I cannot render, it is due to my character that I should fully expose to you the difficulties of my present position.

—No. 70.—

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *Lionel Smith*.

Sir,

Downing-street, 19 September 1834.

No. 70.

I HAVE duly received your Despatch-general of the 28th July, enclosing an application from the Council and Assembly of Grenada, together with your reply, and stating the general impressions which prevail in the Windward and Leeward Islands as to the want of military protection.

I fully appreciate the prudent and humane spirit in which you comment upon the views taken by the Colonists of the present state of affairs. I trust, however, that notwithstanding the unfavourable circumstances to which you advert, the reinforcement of troops which will reach you nearly at the same time with this Despatch, and the arrival of the *Dee* steam vessel to facilitate military communication, will diminish the anxiety which you must necessarily feel at this conjuncture.

I am, &c.
(signed) *T. S. Rice*.

—No. 71.—

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Spring Rice*.

Sir,

Government House, Barbadoes, 31 July 1834.

No. 71.

I HAVE the honour to transmit herewith for His Majesty's gracious consideration, transcript of an Act intituled, "An Act for the establishment of a Rural Police for this Island, and for the erection of Houses of Correction connected therewith;" accompanied by the report of His Majesty's Attorney-general, and a letter from that officer, to which reference is made in the report.

Concurring as I do in all the observations which Mr. Sharpe has submitted with

Act printed in Appendix (B.) No. 10.

14 July 1834.

BARBADOES.

with reference to this Act, I have only further to enclose copy of a Message to the Council, stating the only ground on which I was induced to assent to it, notwithstanding the objections with which it abounds, and the arbitrary and unnecessary powers it confers upon an armed police, over whom the Executive can exercise little or no control.

I have, &c.
(signed) *Lionel Smith.*

Enclosure in No. 71.

MESSAGE from the Governor.

Government House, 14 July 1834.

Mr. President and Gentlemen of the Legislative Council,

Enclosure in
No. 71.

THOUGH I have this day assented to the Rural Police Bill, I have done so purely in the spirit of Mr. Stanley's letter of the 19th October 1833; for I consider it highly objectionable, as founded in a spirit of distrust towards the Executive and the special magistrates, and giving most arbitrary and dangerous powers to an armed police, over whom there is little control.

(signed) *Lionel Smith.*

— No. 72. —

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Spring Rice*.

Government House, Barbadoes,
5 August 1834.

No. 72. Sir,

I HAVE great satisfaction in reporting, that the apprenticeship commenced in this Island on the 1st August, the labourers throughout the country going to their usual occupations with obedience and cheerfulness. I take the opportunity of reporting, that six special magistrates have arrived for this Island; that they have been sworn in and commissioned, and are in the execution of their duties in the several parishes they are appointed to.

I shall not fail to communicate the result of the new system of labour in the other Islands of the Windward Government, as soon as I hear from the Lieutenant-governors.

I have, &c.
(signed) *Lionel Smith.*

—No. 73.—

EXTRACT of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *Lionel Smith*, dated Downing-street, 18 September 1834.

No. 73.

I HAVE received and have laid before the King your Despatches of the 5th and 6th August, and His Majesty has received with the greatest satisfaction the favourable reports which they contain of the state of affairs in Barbadoes and Tobago, and entertains a sanguine hope that your anticipation of equally good accounts from Grenada and the other Islands will be realized.

The course taken by Lieutenant-governor Darling for obtaining the authority supposed to be wanting to appoint special magistrates, appears to have been the only one he could adopt, after the opinion expressed by his law adviser, and until he was relieved from his difficulties by the receipt of your instructions.

— No. 74. —

BARBADOES.

No. 74.

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary
Spring Rice.

Government House, Barbadoes,
26 August 1834.

Sir,

I HAVE the honour and satisfaction to state to you, that perfect tranquillity, by my latest accounts, exists in all the Islands of the Windward Government.

Grenada, on the commencement of the apprenticeship system, was partially disturbed by refractory negroes on two estates. The prompt action of the civil and military authorities immediately restored order.

In St. Vincent's one estate only struck work, and order was soon restored. I beg to transmit copies of two Despatches from the Lieutenant-governor on the subject.

In Tobago and this Island the negroes have been perfectly orderly and steady at their duties.

You will of course receive Despatches from the respective chief authorities of Demerara, Trinidad, St. Christopher's and Dominica, all of which have in the new state of things been considerably agitated.

In my capacity as Commander of the Troops, I received an application from the Lieutenant-governor of Trinidad for a reinforcement, which I saw strong objections to complying with; and the enclosed letter, subsequently received from Sir George Hill, will satisfy you it was unnecessary, and that the unfortunate feeling of the negroes there was fast subsiding.

In St. Christopher's, where martial law had been proclaimed and some severe examples made, you will be glad to find the military means, aided by the militia, were found ample; and by my last Despatches from Sir Evan M'Gregor, the disturbance in that Island was fast settling down.

The Windward squadron, under Captain Strong, of the *Belvidera*, afforded as usual the most cheerful and important services in aid of the troops; and Grenada and Trinidad will each receive a ship to aid in maintaining the public tranquillity.

I have, &c.
(signed) *Lionel Smith*.

Enclosure 1, in No. 74.

Sir,

Government House, Trinidad, 3 August 1834.

I HAVE the honour to state to your Excellency that an excitement amongst the apprenticed labourers of this colony is so general, attended with a determination declared not to remain on the estates to which they respectively belong, and proved by the entire gangs of 25 of the principal estates having struck work and prepared themselves to march into Port of Spain, an apprehension is entertained that there is not a sufficient force to repress them and prevent a junction with the negro apprentices in this town, which is in number many thousands.

I have therefore been urged by the unanimous vote of the Council, earnestly to call upon your Excellency to reinforce the troops in this Colony by the addition of 200 men.

The Council of Government have by a similar vote requested me to make application to the senior naval officer to send here a ship of war from Barbadoes.

I had taken great pains to visit most of the estates in this Island, and to explain in the minutest manner to the negroes what was to become their state after the 1st of August, as contrasted with their heretofore condition of slavery. I had expected that most of them would, after Sunday the 3d instant, return to their work; however, accounts from very many parts of Trinidad announce this day their determination not to work, but to force their entire freedom.

I have been powerfully solicited to declare martial law. This extreme measure I will abstain from adopting until I shall be conscientiously convinced that it is indispensable.

I have, &c.
(signed) *G. F. Hill*.

Enclosure 2, in No. 74.

Sir,

Government House, Barbadoes, 13 August 1834.

At the hour of nine o'clock this morning I had the honour to receive your Excellency's duplicate despatch, dated 3d August, in which you represent a considerable state of excitement

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2 August 1834.
9 August 1834.
Printed with the
St. Vincent Corres-
pondence.

No. 1.
3 August 1834.
No. 2.
13 August 1834.
No. 3.
15 August 1834.

Enclosure 1,
in No. 74.

Enclosure 2,
in No. 74.

BARBADOES.

ment to exist among the apprenticed labourers of Trinidad, gangs of 25 of the principal estates having struck work and prepared themselves to march into Port of Spain.

Under these circumstances, by and with the advice of your Council, you request the additional aid of 200 troops of the line.

It is painful to me to inform your Excellency, that having only 800 rank and file at head quarters, it is utterly out of my power to comply with your requisition; and even if I had the means, there being no ships in harbour at this hurricane season, they could not be sent.

The army in the West Indies is so reduced and dispersed, it has been evidently the expectation of His Majesty's Government that the different Islands and Colonies should maintain the means of preserving their own internal tranquillity; and in cases only where the civil power and militia had failed in putting down mobs and disturbances, should I feel perfectly justified in augmenting the established garrisons of the line, even if my means admitted of my doing so.

In the present case I anxiously promise myself your Excellency's judicious application of your own resources, having, I believe, a very efficient militia, and an available white population, will prove sufficient to overcome the ebullitions of disappointment among the sugar labourers; as a similar spirit which evinced itself in several other Islands has already subsided without extraordinary military aid.

We have no ship of war here, but I have sent a copy of your Excellency's letter express to the senior naval officer commanding off St. Christopher, and urged the advantage of his immediately providing a ship for Trinidad.

I have, &c.
(signed) *Lionel Smith.*

Enclosure 3, in No. 74.

Enclosure 3,
in No. 74.

Sir,

Government House, Trinidad, 15 August 1834.

I HAVE the honour to acknowledge the receipt of your Excellency's despatch of the 13th instant, and am happy to acquaint you, that tranquillity has been so generally restored upon the plantations, that the aid which was requested of your Excellency by my letter of the 3d instant, is no longer considered necessary.

A vessel of war would be most useful, in the event of any further ebullition in the districts remote from Port of Spain; and I therefore hope it may be in the power of the naval commander to afford one.

I beg to assure you of the great satisfaction I felt in the co-operation of Colonel Hardy and Colonel Doherty.

I request your Excellency to accept my best thanks for the promptitude with which you forwarded my despatch to the senior naval officer.

Major-general Sir Lionel Smith, K. C. B.
&c. &c. &c.

I have, &c.
(signed) *G. F. Hill.*

— No. 75. —

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor
Sir Lionel Smith.

No. 75.

Sir,

Downing-street, 15 October 1834.

I HAVE great pleasure in acknowledging the receipt of your Despatch (and its enclosures) of the 26th August last, communicating the continued tranquillity of all the Islands of the Windward Government.

I have laid this Despatch before the King, and have been honoured by His Majesty's commands to express to you, and through you to the several officers acting under your command, His gracious expressions of satisfaction at the result which has attended your respective exertions.

The zeal and discretion which has been generally evinced by His Majesty's servants throughout the Colonies, the co-operation which has in the great majority of cases been cordially given by those interested in West Indian property, and the good conduct, with but a few exceptions, of the labourers themselves, enable His Majesty to entertain the most earnest hopes that, by a steady perseverance in the same system, the improved condition of the apprentices and the progress of industry within the Colony may be promoted and secured.

It is gratifying to His Majesty to find that no serious inconvenience has resulted from the necessity in which you found yourself placed of refusing military aid to Trinidad. Although the satisfactory state of things which you describe relieve my mind of some anxiety on the subject of the military force

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at your disposal, I trust that before this Despatch shall reach you, an additional regiment will have been placed under your command, as well as the important addition to your means of government, of a steam-boat.

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I have not failed to lay before the King your testimony of the zeal and efficiency of the services rendered by Captain Strong, and the officers and men under his command; and His Majesty has been graciously pleased to authorize me to communicate his Royal approbation, through the Lord Commissioners of the Admiralty.

I have, &c.
(signed) T. S. Rice.

— No. 76. —

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Spring Rice*, dated Government House, Barbadoes, 26 August 1834.

No. 76.

I do myself the honour to enclose herewith for His Majesty's gracious approval, two Acts passed by the Legislature of this Island; one a Police Act for the town of Bridge Town, and the other an Act declaring what persons shall be liable to serve in the Militia. The Attorney-general's opinion accompanies the former Act.

Act printed in Appendix (B.) No. 11.

I was obliged to object to the Police Act twice, in an endeavour to support the King's prerogative, and to prevent two or three clauses, in themselves arbitrary and unusual, from taking effect.

One of my principal objections had been against the extraordinary powers given to the vestry. I had myself, in conversation with a member of the Assembly, approved of the vestry exercising the powers of commissioners over the police magistrates, but I could never approve of their making bye-laws; for though there is the pretence that these laws should be finally approved by the Governor, Council and Assembly, they knew perfectly well that I had no control over the other branches.

The Police Bill having been deferred till the eleventh hour, purposely, I believe, to force my assent, rather than leave the town without a police; and some favourable modifications having been adopted, I gave my consent accordingly. But the magistrates were selected by the Council.

— No. 77. —

EXTRACT of a DESPATCH from the Earl of *Aberdeen* to Governor Sir *Lionel Smith*, dated Colonial Office, 10 January 1835.

No. 77.

I TRUST it will be in my power to transmit to you by the packet which is appointed for the 15th instant, or at furthest by that which stands for the 1st of February, Orders of His Majesty in Council, disposing of various Acts of the Legislature of Barbadoes, passed in the months of July and September last. With reference to these Acts, it is necessary that you should be placed, with as little delay as possible, in possession of the views of His Majesty's Government.

The Police Acts for Bridge Town, Barbadoes, and for the country districts of that Island, are important, not only in reference to the subject of which they treat, but still more so in regard to the principles which they would establish or assume.

It has been objected to the Bridge Town Police Bill, that the effect of it would be to perpetuate, indirectly and in fact, one of those invidious distinctions referable to European and African origin, which by the mere text of the general law have been abolished. The ancient voters for vestrymen, all of whom were white, retain their ancient low qualification; but the new voters, the great mass of whom are of African descent, are required to possess a much more considerable amount of property. I am not insensible to the force of this objection; yet I cannot think that it ought to be conclusive against the Act itself, nor indeed that the arguments

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ments opposed to it are without weight. The inequality between the two classes, of which complaint is made, is not for the first time introduced by this statute; it subsisted to the same extent under that system of police which is now to be superseded. I observe also, that throughout the West Indies, the concession of equal privileges to the free people of colour, has been almost invariably accompanied by an increase of qualifications. The whites have taken back again to themselves, in respect of their superior wealth, many of the advantages which they surrendered as appurtenant to their European descent. I see no reason to conclude that this was an unsound, or even a narrow policy; or that the general welfare of society required that exact practical equality of the two classes should immediately follow upon the overthrow of those legal distinctions by which they had been separated from each other in theory. It was a change which unhinged many ancient habits of feeling, thought and action; it was fitting, therefore, if possible, that it should take place in a calm and measured rather than in an abrupt form. Wealth, I fully admit, ought not to carry with it any exclusive political rights, if wealth could be considered as an isolated advantage. But it would be idle to deny, that as the gifts of fortune enable men to command leisure, so in general they secure to their possessors, education and liberal knowledge; and property may therefore be taken as not an unfair test of the fitness of men for public trusts, as it certainly ascertains their probable disposition to support the political institutions under which they live. I advert to these general principles, chiefly because I am anxious to disavow the adoption of any rule of conduct respecting any class of His Majesty's colonial subjects, which is not equally applicable to civil society in every other part of the world. It has next been objected, that this Act renders the consent of the Council of Barbadoes necessary on the appointment of the magistrates for the city of Bridge Town. It might have been added, that although the concurrence of that Board be thus requisite on the appointment, yet the dismissal of a magistrate is to be the act of the Governor alone. The favour is to be conferred by others, and the odium to be sustained exclusively by him. I further remark, that this statute does not in terms, and probably does not in design, reserve to the special magistracy, appointed under the Abolition Act, their exclusive jurisdiction over all questions between apprenticed labourers and their employers. The effect of the interposition of the Council in the choice of the city magistrates, may therefore be to transfer from the Governor to them the selection of the persons who are to exercise the duties of the special magistrates in Bridge Town. Such a result would be in opposition to the designs and the language of the British statute, especially since, among the members of the Council, there are several gentlemen who have a direct personal interest in the administration of the law between employers and apprentices.

The weight which I attach to the preceding remarks is not such as would justify an immediate disallowance of the Act itself: because I trust, that when brought under the consideration of the Council and Assembly, those bodies will feel their justice, and will be prompt to make the necessary amendments in the law. But the decision of His Majesty in Council will be suspended until it shall appear whether the local Legislature will concur in the two amendments which are regarded as indispensable: the first, that the appointment of the city magistracy be vested in the Governor alone; the second, that an express reservation be made to the special magistrates of their exclusive cognizance of all questions arising between apprenticed labourers and their employers.

The Rural Police Act, I regret to observe, presents difficulties of a more insuperable character. Under the name of commissioners, it transfers to the members of the House of Assembly one of the most important functions of the executive government; thus, in opposition to the clearest principles of sound policy, combining in the same persons the legislative and administrative power. Such a scheme must be totally destructive of that responsibility which should accompany every public trust, and is unfavourable even to that quick and effective feeling of moral obligation of which the full force is scarcely ever felt by men when acting in large numbers and in concert. From such a project, waste of the public resources, and an habitual abuse of patronage, must be anticipated. Such a commission, invested with such an authority, is also at total variance with the monarchical principles of the British Government. If sanctioned, it would form the precedent for further encroachments of the same kind, as indeed it would create the necessity for them; and to the Assembly,

in their new character of commissioners, would thus gradually be transferred all the powers of the State.

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These considerations acquire peculiar weight from the circumstances of the present moment. The police, of which the Assembly claim the government to themselves, are to give effect to the Law for the Abolition of Slavery. It would be difficult, in the whole range of civil history, to point to any event so calculated to create or to stimulate those prejudices by which the different classes of society are separated from each other. On the one side, powers long exercised, of vast extent and highly valued, are surrendered; and on the other side, all the social rights so long withholden and so earnestly courted, are conferred on the great mass of the population. Hence the great difficulty of carrying the scheme of abolition into effect: because the natural leaders of society were, from the nature of the case, disqualified from acting as agents of the Legislature in the accomplishment of their designs. Parliament accordingly gave and received the most distinct pledges, that the execution of the new system should be confided to those who had no personal connection with slavery or apprenticeship. To enable His Majesty's Government to fulfil that pledge, the people of this kingdom, by their Representatives, cheerfully subjected themselves to a large annual expenditure. But this Act would entirely reverse that policy. Leaving the special magistrates to be named by the Crown, it places him and the police, through whose ministry he must act, under the immediate direction and control of a body of gentlemen, every one of whom, in his individual capacity, will probably, as an employer of apprentices, be amenable to those magistrates and to that police.

I further observe, that this is a permanent Act, and is not limited in duration to the continuance of the present exigency. His Majesty's Government must indeed hesitate in sanctioning, as an established system, a law which would thus place the whole rural police and magistracy of the Colony, and with them the whole labouring population, under an irresponsible power.

Passing from general to more particular objections, I perceive that the commissioners, though entrusted with a large expenditure of public money, are to give no security against an abuse of that trust; and are to purchase lands, not in the name of the King, but in the names of themselves and their successors. Thus, in addition to their other privileges, investing them with all the rights of a permanent municipal corporation.

To the same body, that is, virtually to the Assembly, is assigned the power of altering and removing all the officers of police throughout the Island, and even of regulating their dress and accoutrements.

All bye-laws and regulations for the government of the police are to be made by the commissioners, who are also to establish rules respecting the labour of persons condemned to the public works, and respecting prison discipline. Thus upon all these important heads of legislation, the Assembly, by virtue of their majority in the commission, acquire for themselves a legislative power, from all participation in which His Majesty is excluded, and over which no effective check can be exercised even by the Council.

The topics to which I have last adverted have no necessary or proper connection with the main object of this law. In the same manner is introduced a clause giving to the commissioners the power of appointing and of removing for misconduct the keepers of the houses of correction.

The jealousy manifested throughout this Act of His Majesty's authority as exercised by the Governor, is such as His Majesty cannot be advised to acknowledge as either constitutional in itself, or as merited by any act of His Government. Even the suspension of a police officer, though proceeding from the special justice, can neither be confirmed nor disallowed by the Governor alone, but must receive the sanction of the Council; that is, of one of those bodies from which the commissioners are to be drawn. Yet when hazardous measures are to be taken, and a fearful responsibility incurred, as on the proclamation of martial law, the Governor is to assume the entire management of the police. He is to be called to his appropriate duties, and to have a due confidence reposed in him, when it is attended with a great risk, and then only.

Even in the visitatorial power created by this law, the same indiscriminate and unmerited distrust is exhibited. The visitors are to be the Governor, the members of the Council, and the Speaker of the Assembly. Thus the body

BARBADOES. who are to act as a check upon the Commissioners are to be composed of five of their own number, and of the person by whom all the rest are selected from the Assembly, joining with themselves His Majesty's local Representative, to lend by his name a weight and countenance to this part of the general institution to which it has no just claim. He will have but one vote in seven. Yet even the faint semblance of control is so cautiously bestowed, that no one definite function is assigned to the visitors; I cannot perceive that they will have any authority at all.

Another proposal for keeping in check the extraordinary power assumed by the Assembly to themselves, consists in the making of periodical Reports of the state and proceedings of the police. But these Reports are to be made by the special justices, not to the Governor, nor even to the visitors, but to the commissioners, and by the commissioners they are to be laid, with their own remarks, before the Legislature. The House of Assembly will, therefore, receive and comment on these Reports in their character of commissioners, and adjudicate upon them in their character of legislators. It would be difficult to perceive what real security against abuse is afforded to society at large by such a process.

On referring to the clauses numbered 34 and 35, it will be seen that the effect of them is to give to the police officers a protection against suits and actions far exceeding that which is accorded to the magistracy, and that it would be almost impossible to dispute with success the lawfulness of any of their acts. But while thus studiously protected against the rest of society, any member of the police may be instantly dismissed and reduced to poverty by a vote of the commissioners, against which there is no appeal. The gentlemen constituting the commission, being all or nearly all employers of apprentices, and having in every part of the Island a body of police thus effective, responsible to themselves, and thus virtually irresponsible to every one else, have established over the labouring population an authority most repugnant to the general spirit of the Slavery Abolition Act.

I cannot close this series of remarks on this law without directing your attention to the fact that, in the sections numbered 13 to 18, are introduced a variety of enactments against the obstruction of highways by carts, the misconduct of waggons, and the concealment of stolen good; topics foreign to the scope of this Bill, and in no sense indicated in its title.

You will anticipate the conclusion which I have to announce to you, that this Act will be disallowed by His Majesty in Council. To accept it, would be to acquiesce in such an encroachment on the Royal prerogative, and on the relative authority of the three branches of the Legislature, as would, in principle at least, be subversive of the rights of the Crown and of the people at large. His Majesty will gladly acquiesce in the enactments of any law for regulating the police of Barbadoes, which shall place that force under the effective and constitutional control of the Governor; but to that principle you will steadily adhere, in giving or refusing your assent to any Police Bill which may be tendered for your acceptance.

— No. 78. —

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Spring Rice*.

No. 78.

Sir,

Government House, Barbadoes, 5 Nov. 1834.

I HAVE much pleasure in reporting the existence of perfect tranquillity in this and the other Islands of the Windward Government.

The *Dee* steamer arrived here about a fortnight ago, and has proceeded to Antigua, where it is intended to establish a depôt of coals; and on her return here, she will be immediately employed in the removal of troops. The 74th regiment has not yet arrived; but my military Despatches give me reason to expect it immediately. I have no doubt that, with the additional means which have been thus promptly afforded me, I shall find no difficulty in maintaining the present state of order and tranquillity throughout the command.

I have, &c.

(signed) *Lionel Smith*.

— No. 79. —

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Copy of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary
Spring Rice.

No. 79.

Sir,

Government House, Barbadoes,
5 November 1834.

I HAVE the honour to transmit herewith an Act of the Barbadoes Legislature, intituled, "An Act to alter an Act; intituled, An Act for the Abolition of Slavery, for the government of Apprenticed Labourers, and for ascertaining and enforcing the reciprocal duties between them and their Employers," together with the observations I have made thereon. I beg to inform you that I have allowed myself a very short time to complete the latter, in order that the present packet may convey the supplementary Act of the Legislature to England.

Act printed in Appendix (B.) No. 9.

The agent of the Island is, I am informed, entrusted with the Memorial from the Council and Assembly, to present to you a copy of which has been handed to me, with the Act now transmitted, having reference to the latter, the object of which is to induce His Majesty's Government to waive a part of the objections stated by you in the Despatch of the 12th August last, and to sanction a deviation from the Act of Parliament in some important particulars.

As you will be able to estimate the value of this document when it comes before you through the agent of the Island, by the statements it contains, I do not think it necessary to trouble you with any lengthened observations upon it. I have not been advised with on the subjects to which it refers, except in one particular, and that has reference to the scale of the allowances of provisions. On this subject I was interrogated by the Council one day last week, whether, amongst the complaints made to me during the existence of slavery, I had heard any dissatisfaction expressed at the allowance furnished to the slaves. I unhesitatingly replied I had not; but I beg to guard myself against an admission which may be implied, that I therefore think the present scale of allowance sufficient to maintain in honest habits either the adult apprenticed labourer, or the one under age.

It will, however, be extremely gratifying to me to learn that you are able to afford the Colony some relief in reference to the concluding paragraph of your Despatch of the 12th August, which applies to the 24th section of the Barbadoes Act. I am fully aware that no discretion is left to the Colonial Legislatures on this point; therefore I am not prepared to advocate the retention of the clause in the Barbadoes Act, against the authority of the Act of Parliament and your declared opinion. I venture merely to refer to the subject in the hope that His Majesty's Government may feel authorized to apply to Parliament for some modification of the law in this particular: and if an authority could be delegated to me, or to persons acting under me, to interfere in cases of this description within my Government, by granting a sort of licence for the permanent or temporary employment of apprenticed labourers being prædials, and either attached or not attached to lands of their owners, (but only, in the former cases, where owners possess two or more estates in one Island), under certain circumstances, and under such conditions as you may deem beneficial to both parties, with power to me to alter or annul the licence as I may think proper,—considerable relief may be afforded to a large class of proprietors, without, as I respectfully submit, interfering with the privileges conferred on apprenticed labourers, or diminishing their hours of relaxation; and the inhabitants within my Government generally will become better reconciled to the measure of emancipation.

I have, &c.

(signed) *Lionel Smith*.

P.S. Since closing my Despatch I have received from the Legislature the original of the Memorial alluded to, which they have requested may accompany the Bill; and though apprehensive I may be guilty of an irregularity in thus transmitting it, I am unwilling, by declining to do so at this moment, to occasion any embarrassment; and I have therefore the honour to enclose it herewith.

(signed) *Lionel Smith*.

Enclosure in No. 79.

Enclosure in
No. 79.

A MEMORIAL of the Council and Assembly of Barbadoes, in explanation of a Supplemental Bill to the Act for the Abolition of Slavery, "for the Government of Apprenticed Labourers, and for ascertaining and enforcing the reciprocal Duties between them and their Employers."

THE Council and Assembly of Barbadoes, finding that the emancipation of the slaves had become inevitable, entered upon the task of providing for the safe and successful accomplishment of this object with the most perfect good faith. They knew that the feelings of the nation upon this topic had been wrought up to that pitch of excitement, that nothing short of a full and complete measure could satisfy them. They therefore determined at once to bestow upon the emancipated slave the rights and privileges of freedom on as liberal a scale as was compatible with the situation in which he was to be placed, and with the duties incidental to it.

The Legislature admit that the Act of Parliament is framed in a spirit of fairness, (saving indeed the plan of distributing the compensation fund), and evinces in its general tenor a regard to the interests of the colonial proprietor. But surely it cannot lay claim to that degree of absolute perfection which precludes the possibility of improvement in any of its details. The distinguished statesman who introduced this Bill to Parliament did not regard it in that light: on the contrary, with a reasonable allowance for the advantages of practical experience and local knowledge, and under the conviction that those who are personally implicated in the consequences of a measure, are likely to be the most competent to devise fit means for its successful accomplishment, he invited the Colonial Legislatures to contribute the aid of these advantages to the perfecting of his great work.

Mr. Stanley, in one of his Despatches, says, "It is very far from my wish to seek, in any degree, to fetter the discretion which has been wisely vested by Parliament in the various Colonial Assemblies. Their local knowledge, their practical experience, their intimate acquaintance each with the peculiarities of their respective laws, and with their adaptation to the societies for which they are framed, give them advantages for the prosecution of such an undertaking which cannot be possessed by any Colonial Minister."

With what respectful deference to the wisdom and authority of Parliament this call was responded to by the Barbadoes Legislature, is sufficiently attested by the paucity of the alterations and additions which they ventured to make to the Act of Parliament. Some of the Colonial Legislatures have, it is true, implicitly followed the Imperial Act to the very letter; but in doing so, they have frankly avowed their motive to be, to throw the whole responsibility of this hazardous change upon the Imperial Parliament, from which it emanated.

The Council and Assembly of Barbadoes, on the other hand, conscious that they had no power to escape from the consequences of this measure, thought it their duty to endeavour to render it as innocuous as possible, by adapting some of its provisions more suitably to the circumstances of the Island. Their rule has been simply, to throw in safeguards where dangers not obvious to distant observers did nevertheless cross their path; to supply omissions which practical experience alone could detect, and to endeavour to reconcile conflicting claims, so as to impose upon each party no greater burthen than, from their local knowledge, they were satisfied it was able to bear; convinced that by this means alone could they succeed in making a law which should really and truly be the rule of every man's conduct. One of the most profound thinkers who ever conferred upon mankind the benefit of his wisdom, has taught us that "harsh or unsuitable laws are always impotent: they will be evaded." The Barbadoes Legislature have reason to believe that their provisions for carrying into effect the intention of the Imperial Parliament have been so well adapted to the circumstances of the country and the character of its inhabitants, that the law has been hitherto faithfully obeyed by all parties to whom it relates. It is therefore with feelings of deep disappointment they find that their honest endeavours to co-operate with the Parliament in bringing this mighty experiment to a happy issue, have not succeeded in giving satisfaction to the Colonial Minister. The Legislature nevertheless have entered upon the consideration of the Right honourable Secretary's Despatch of August 12th, conveying his objections to certain parts of the Barbadoes Bill, with the most sincere desire to conform to the opinions of that Minister, to the utmost extent that may appear to them safe or practicable; and they have pleasure in acknowledging that this desire to meet the wishes of the Government has been not a little strengthened by the courteous and conciliatory tone in which they have been expressed.

Taking up the objections in the order in which they are presented in the despatch under consideration, the Legislature have agreed to alter the date of the period from which the occupation of the apprentice is to determine his class, so as to make it coincide with the Act of Parliament.

The introduction of the words "or otherwise engaged in labour or occupation not continuous," in addition to the definition of the prædial class set forth in the Act of Parliament, was merely intended to illustrate more clearly what appeared to the Barbadoes Legislature to be the principle of the classification adopted in that Act, as has been already explained in the Council's answer to the Governor's objections. It was not intended to have the effect of transferring to the prædial class individuals who, under the Act of Parliament, would be entitled to be placed in the non-prædial class; nor can the Barbadoes Legislature

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see how such a consequence is deducible from the phrase in question: nevertheless, in compliance with the desire of the Colonial Secretary, the objectionable words have been struck out.

The Barbadoes Legislature have also expunged that part of the 4th section which sanctions and confirms any transfer that may have been made of a non-prædial to prædial service, for certain offences committed during the 12 months immediately preceding the passing of the bill. It may be proper, however, to remark, in vindication of the Legislature, that this proviso did not place in the hands of the master a power susceptible of the capacious exercise attributed to it by Mr. Secretary Spring Rice. The words of the Act are not "if the employer shall dismiss from domestic service," &c., but "unless such person shall have been dismissed," &c.; thereby merely fixing certain individuals in that situation in which the law found them, and to which they had previously been degraded by their own misconduct.

The Barbadoes Legislature find no difficulty in adopting Mr. Secretary Rice's suggestion in reference to the 33d section. They thought they had given as large a liberty in the choice of a place of worship as words could convey, by the phrase "any church or chapel whatsoever:" however, in deference to the wishes of Mr. Secretary Rice, they have copied the words of the Act of Parliament.

Mr. Secretary Rice thinks that the 108th section of the Barbadoes Act, which gives the right of appeal to the Governor and Council in cases of imputed error, subjects the special justice to a control not contemplated by Parliament. In defence of this enactment, the Legislature beg leave, in addition to the Council's answer to the Governor's objections, to call the attention of the Colonial Secretary to the proviso of the 19th section of the British Act, viz.: "Provided nevertheless, that nothing herein contained shall extend, or be construed to extend, to abrogate or take away the powers by law vested in the Supreme Courts of Record or the Superior Courts of Civil or Criminal Justice, in any of the said respective Colonies." The Governor and Council are, both by the King's commission and by a law of the Island, constituted the Supreme Court of Appeal, to which all His Majesty's subjects have a right to go for redress against error in any court of this Colony. However, the Barbadoes Legislature, anxious to evince their willingness to meet the views of the Government, have cancelled this clause; although they continue to think that it is in strict accordance with the Act of Parliament. The powers of the special constable have been limited agreeably to the suggestion of Mr. Secretary Rice; but the Legislature are at a loss to conceive what enactment could meet the views of the Colonial Minister, respecting the necessity of having the domestic prisons inspected and approved by the special magistrate, more completely than that object is effected by the 114th section. In pointing out the imperfection of the 111th and 112th sections, Mr. Secretary Rice says, "All buildings used as places of confinement, however temporary, should have been previously approved of for that purpose, either by the special magistrate or the governor." The 114th section enacts, "That in case such houses of correction shall not be completed and ready for the reception of prisoners on the 1st of August 1834, it shall and may be lawful for the several justices of the peace aforesaid, to inspect the domestic prisons on the respective plantations or estates within their respective districts; and if the same shall appear to be wholesome and proper places for the confinement of offenders against this Act, such special justices are hereby authorized and required, when it shall be necessary to adjudge any apprenticed labourer to confinement, to direct that he or she shall be confined in the prison or place of confinement belonging to the plantation or estate to which such apprenticed labourer shall be attached."

Having thus far adopted all the suggestions of the Minister, although some of them the Legislature must in candour say do not appear to them calculated to prove beneficial to any party, the Council and Assembly trust they have given satisfactory testimony of their anxious wish to satisfy the expectations of His Majesty's Government; and that, should they hesitate to conform to some of the opinions contained in the subsequent part of the Despatch under consideration, their opposition will not be considered contumacious, but attributed to a sincere conviction that the proposed alterations are either impracticable or of a very injurious tendency.

The Barbadoes Legislature have repealed that part of the 12th section which sanctions the conversion of a non-prædial into a prædial apprentice for certain crimes, since such a power, though placed under the control of the special justice, is deemed repugnant to the spirit of the Act of Parliament; but they cannot consent to withhold from the employer the power of removing, through the agency of the special justice, dangerous characters from his household, without at the same time rewarding their crimes with the boon of immediate absolute freedom. Mr. Secretary Spring Rice objects to the hardship of imposing field labour upon a domestic who may not have been accustomed to it. Such a power, to be exercised capriciously, may indeed be objectionable: it is, however, only upon conviction for certain serious offences, that the conversion of a domestic into a field labourer can take place. It is therefore to be regarded as a certain description of punishment; and punishments are in their very nature hardships, and by that means alone become instruments of correction. It happens, however, that most domestics upon plantations have, at some period of their lives, been engaged in prædial labour. The drunken coachman, the dishonest butler, or the more criminal cook, alluded to by the Council in reply to the Governor's objections, no prudent man would think of retaining in his service. How, then, are such offenders to be disposed of, upon being dismissed from domestic occupations? If the employer be not permitted to turn his labour to profitable account, he

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must free him, to be relieved from the burthen of maintaining him; to say nothing of the pernicious influence of such an example constantly before the eyes of the other servants. The Legislature are satisfied that it was not the intention of the British Parliament to make vice the passport to freedom: yet such would be the inevitable consequence of not allowing the employer to transfer a domestic to the field under any circumstances. It must be obvious too, that a few cases of this kind would be sufficient to corrupt almost every domestic servant in the Island. To insist upon the restriction on the master's authority proposed by the Colonial Secretary, would endanger the peace and comfort of every family in the Island.

In commenting upon that part of the Barbadoes law which relates to the regulation of food and clothing, Mr. Secretary Rice declares that he is unable to come to any other conclusion than that they are insufficient, and refers to the enactments of some of the other West India Legislatures in support of this conclusion. He requires particularly an augmentation of the weekly allowance of fish. The Barbadoes Legislature think they have an apology for the scanty allotment of this expensive article, in certain circumstances peculiar to the population of Barbadoes; which, until explained, could not be adequately appreciated by a stranger to the colony. There were in Barbadoes no less than 6,000 owners of slaves; the majority of this number are small proprietors in very indigent circumstances, having neither money nor credit. It is notorious to the members of the Legislature that not only this class of proprietors, but also the owners of the inferior description of plantations, were driven to the greatest straits to procure the customary allowance of fish, which, with very few exceptions, did not exceed 1 lb. weekly; and it was in consideration of the pecuniary embarrassment of such proprietors, and their absolute inability to purchase fish and clothes, that the clause, sanctioning a commutation of these articles for a certain allowance of time, was introduced. To increase this time in a ratio corresponding with the proposed increase of fish and clothes would be ruinous to such proprietors, not leaving them time sufficient for the profitable cultivation of their land. The planters of Barbadoes encouraged the belief that, however imperfect other parts of their system may have been deemed, they had the best evidence of the sufficiency of the food allowed to the labourers, in the rapid increase of that class of the population. Upon this point Barbadoes may not shrink from any comparison that may be instituted with the other West India Islands. To enact that every apprenticed labourer from the almost infant age of 10 years shall receive 2 lbs. of fish weekly, would in fact be a delusion. It would be to make a law with a certain knowledge that it could not be obeyed. An allowance of fish upon the scale proposed by Mr. Secretary Rice would impose an annual burthen of 91,728 *l.* currency for that single article upon that small island, containing 106,000 acres of land of all qualities, of which 76,000 only are under cultivation. The small quantity of salted fish which is given to the negroes is not to be regarded in the light of food necessary to their sustentation, but merely as a condiment to give a zest to their common diet. Besides, the negroes of Barbadoes, with much less time to attend to their own affairs than they now enjoy, have hitherto found means to assist themselves by raising large quantities of poultry, and some pigs and sheep. The market has been almost entirely supplied with these articles by the slaves. They still have the same facilities; the privilege of keeping stock, and gathering grass, &c. from the estate for their support, has not been withdrawn; and will no doubt be continued with the same liberal indulgence, unless such burthens are imposed upon the master for the maintenance of the labourer as will drive him to the necessity of making a bargain for every little indulgence of this kind, to assist in lightening his expenses.

The Barbadoes Legislature are now enabled to appeal to experience in defence of the wisdom and justice of their regulations for carrying into effect the intentions of the British Parliament. Their Act has now been in operation two months, and they have the satisfaction of knowing that those for whose government it was framed, have been more peaceable, more contented, and more constant and regular in the performance of their customary duties than the emancipated slaves in any other Colony in which the same experiment has been going on. In some parts of the Island the negroes have begun to take advantage of the extreme lenity of the law, and cannot be prevailed upon to do a sufficient quantity of work; but not a single case of insubordination, arising from disappointment to their hopes, has occurred in Barbadoes. This fact may, it is hoped, justify the Barbadoes Legislature in entertaining a confident hope that they will not be hastily driven into measures which, being felt to be oppressive, will be evaded, and thus become the source of mutual jealousies and distrusts between employer and labourer. No wise legislator underrates the warning of the sagacious Lord Bacon: "*Et magis valebunt in geniorum acumina quam legis auctoritas.*" Let us not task the cunning of man to defeat the law which he cannot obey.

There is one very important fact, which proves beyond controversy that the present allowances are adequate to the wants of the labourers. They cannot be induced to work on their holidays but for exorbitant wages; they began with demanding 1 *s.* 6 $\frac{1}{2}$ *d.*, and to this time they can hardly be induced to accept employment for 1 *s.* 3 *d.* per day, with a full daily ration of food, rum, &c.; the consequence has been that very few indeed are employed on Saturday. Is there any other country in the world (excepting the neighbouring Colonies) where the lowest order of peasants can afford to spend two entire days of every week in absolute idleness? And if the apprenticeship be meant as a preparatory stage for that state of absolute freedom in which these people will become dependent upon voluntary industry for their support, is a system which takes away from them altogether the excitement of want, and supersedes the necessity of industry, the one best calculated to train them to habits suited to their future condition?

The clothing has been increased agreeably to Mr. Secretary Rice's suggestions.

The legal remedies for securing the regular delivery of food to the apprenticed labourer have been made stricter, in conformity to the opinion of the Right hon. Secretary.

The amendments proposed to the 14th section by the Secretary, it is to be feared, are calculated to produce more mischief than that Minister is aware of: had he known that there are no fences round the fields in this country, and that the cattle, which are very numerous, are almost entirely supported by pasturing, he would scarcely propose to leave the indispensable daily duty of tending the flocks of cattle to the capricious will of persons having no interest in their preservation. It is a service the planters cannot forego even for a day, and they are willing to pay adequate wages for it, so that it be secured to them with certainty. The words of the Imperial Act, though not so explicit as those of the Barbadoes Act, do expressly sanction a violation of one of its great leading principles, in the particular instances there specified, from a consideration of the irresistible necessity of the case. The words are, "neither shall any apprenticed labourer be compellable or compelled to labour on Sundays, except in works of necessity, or in domestic service, or in the protection of property, or in tending of cattle." Seeing then that this Act sanctions compulsory service on Sunday, which is a holy day by higher authority than Parliament, *a fortiori*, a similar coercion on Saturday for similar purposes, cannot but be held consonant with the spirit of the Act. If, however, the Colonial Secretary continues to think this enactment is repugnant to the spirit of the Act of Parliament, the Barbadoes Legislature must be content to leave the cattle and crops in the fields at the mercy of the apprentices, rather than endanger the fate of the Bill.

The 14th, 15th, 58th and 104th sections, have been modified, so as to meet the views of the Colonial Secretary.

There yet remains to be discussed one condemned clause, which involves consequences of a more serious character than perhaps the Minister, for want of local knowledge, has any idea of. Had Mr. Secretary Rice been in a situation to appreciate the magnitude of the mischief which is inseparable from such an amendment as he proposes to the 24th section, he would have felt the necessity of going to Parliament to modify the 9th section of the Act of Parliament, if no other mode remained of averting such a scourge from this country.

The disastrous consequences of prohibiting absolutely the employment of the prædial labourer otherwise than upon the soil to which he is attached are so multifarious, that it will require much detail to explain them.

There are a great number of prædials attached to such a disproportionately small quantity of land, that their labour applied exclusively to the cultivation of that land, would not raise food sufficient for their own support. A case was brought under the consideration of the Legislature, of a widow with six children, who possessed before the 1st of August, 52 slaves attached to 10 acres of land: by hiring the adults to the neighbouring estates when she had no work for them at home, she had obtained the means of supporting and educating her children, and of providing the necessary supplies for her slaves, who had considerably increased under this system. Were this resource denied her, she would at once be thrust from a state of respectable competency into one of utter destitution, and would in fact be much worse off than if she possessed no property at all. She would be made liable to penalties for not furnishing her apprentices with food, fish, clothing and medical attendance, &c. by the same law which deprived her of the only means of procuring these articles. Such injustice as this the British Parliament never contemplated. This is one of a very numerous class.

There are 2,294 owners of land, and only 399 sugar works, in this Island; most of the owners of land who have no sugar works, nevertheless cultivate canes as the only crop that gives a profitable return. These canes are reaped and manufactured by the neighbouring plantations, for a certain share of the crop. It is obvious that this entire class of proprietors, would, by the restrictions insisted upon by the Colonial Secretary, be absolutely interdicted from cultivating the only crop which in this Island gives a profit.

By a very benevolent provision of our law, the owners of land are required to give an annual lease for two acres out of every 60 acres, to some poor man, as a reward for his service in the militia, unless he should prefer to hire and equip one man for the militia for every 30 acres. By this means, houses are provided for most of the poor families in the Island. A great many of these allotments of land have hitherto been cultivated by some neighbour (who owned slaves), for the joint benefit of the parties. Under the proposed regulation, this arrangement of mutual advantage must cease, and the poor tenant must submit to see his land abandoned to weeds and bushes. He has no means to hire labour. Injurious as the restriction here proposed would be to the community at large, it is evident from these cases, that it would press with unmitigated severity and accumulated force upon that class of society which it should be the peculiar care of the Legislature to foster and protect.

There is one point, however, in which it strikes at the general prosperity of the Colony. What is to become of the roads, if the entire class of labourers is absolutely prohibited from being employed upon them? In countries situated within the Tropics the roads are subject to be so frequently torn up by the heavy rains peculiar to these climates, that it requires the constant application of large quantities of labour to keep them even in a reasonable condition. The rejected clause in question made an express provision for the repair of roads by the work of attached prædials, as a matter of paramount importance. If such an appropriation of the labour of this class be interdicted, there being no other possible means of executing this most indispensable work, in a short time the roads would become impassable.

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This restriction upon the employment of prædial labour would throw almost insuperable difficulties in the way of building; a very large majority of the carpenters, and almost all the masons of the Island, are attached prædials. If this class of persons are not permitted to work, except upon the property to which they are attached, how are those persons to build houses who have no carpenters or masons in their service? Are they to build only on Saturdays? And why should not a person owning more than one estate be allowed to avail himself of that circumstance by occasionally combining the resources of the two, if such an arrangement be advantageous to the employer, and not at all injurious to the labourer? There are many proprietors here who have two estates adjoining, the negro villages of which, perhaps, are not a mile asunder: can there be any reasonable objection to working the people of such estates together occasionally, to forward an important job, or what is often the case, to diminish the time at which either gang shall be kept at a particular kind of work more laborious than ordinary?

The 15th section of the Act for altering certain clauses of the Abolition Act, is framed in conformity with the views of His Majesty's Government, as expressed in a Despatch of Lord Ripon, who says, "that the object of it (the enactment in question) was only to prevent anything like an arbitrary removal of the slaves from their domiciles; it was inserted to guard against an abuse which might exist, not which was of frequent occurrence."

And now the question naturally occurs, what are the vast advantages of the proposed regulation, which are to counterbalance the mass of evils inseparable from it?

The object, perhaps, was to provide a good market for that portion of labour which is secured to the prædial for his own benefit. This is not necessary. There will always be a sufficient demand for this labour, especially in the crop season, when the labourer is satisfied to work for such wages as the planters can afford to give; and no artificial contrivances will force them permanently above that standard. If the labourer does not find full employment for his Saturdays, it is not owing to a deficient demand for his labour, but to the absence of that stimulus which alone is found sufficient to overcome the natural indolence of man in a backward state of civilization, especially in hot climates, namely the pressure of want.

In conclusion, the Barbadoes Legislature are deeply sensible of the serious responsibility of their present situation. They know that, small as the share of the compensation fund to be allotted to Barbadoes is likely to be, it will nevertheless furnish the means of rescuing many a planter from impending ruin; and that it is very necessary, even to the more prosperous planter, to enable him to bear up against the augmented expenses and diminished incomes incidental to the new system. Nothing, therefore, but a firm conviction of the overpowering mischief of those regulations which they have hesitated to conform to, could have induced them to endanger the claims of the colony to a participation in this fund, by giving the smallest opposition to the wishes of His Majesty's Government. Looking, however, to the number of points which they have conceded in deference to that authority and against conviction, they feel satisfied that His Majesty will put a liberal construction on their motives, and generously ascribe their apparent pertinacity to the confidence of practical experience and more perfect local knowledge.

By order of the Council,
(signed) *J. Beckles*, President.

By order of the House of Assembly,
(signed) *N. Forte*, Speaker.

4 November 1834.

OBSERVATIONS by the Governor on an Act of the Legislature, supplemental to the Act for the Abolition of Slavery.

Clause 3. THIS clause professes to be remodelled upon the 9th paragraph in the Despatch of the Right hon. the Secretary of State, of the 12th August last, but applies it prospectively to apprenticed labourers, who, in conformity with the regulations of the new clauses, may be placed in the non-prædial class, and does not apply retrospectively to those who, in consequence of the additional definition adverted to in the Despatch, may have been placed in the prædial class, and may desire to remain in it.

Clause 4. The repeal of clause 5 in the original Abolition Act of the Barbadoes Legislature, and the substitution of this clause, have become necessary, in consequence of the books of registration not having been completed by the 1st May following the date of the Act; and the registrar was therefore unable to deliver to the slave proprietors lists or schedules for their slaves, as he was required to do by clause 5 in the original Act, within the period stated, by reason of which the subsequent clauses 6, 7, 8, 9 and 10 of the latter became imperative; and it was therefore difficult for the special justice to settle the question of class, when any dissatisfaction was expressed by the apprenticed labourer. By the introduction of this clause a part of the difficulty is removed, and a very useful section of the Bill will be brought into operation.

Clause 5. Is open to the objections stated in the Despatch of the 12th August, as applying to clauses 14 and 15 of the original Act. It omits to describe the cases of necessity, as required to be done by the King's Government, when a case for departure from the provisions of the Act of Parliament is to be made for their sanction. In a subsequent clause, 11, the cases of necessity are stated.

The objections already raised in the Despatch of the 12th August to the proviso to the 108th clause of the original Bill, do not appear to be obviated in the proviso here substituted.

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The courts referred to are the same as those mentioned in the proviso already objected to, though differently described; and the remarks I have heretofore made on clause 108 may be here renewed.

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Clause 8. Is open to a part of the objections already taken in the Despatch to clauses 4 and 12 in the original Act; and I see nothing in the clause, as at present framed, to prevent the conversion of a domestic in the cases stated, into a field labourer, though the term of apprenticeship cannot be prolonged; and the class of prædials must still remain a degraded class, if it is to be even temporarily reinforced by characters of the description stated in the clause.

Clause 9. The 27th clause of the original Act has undergone no very material alteration by this clause. A long preamble has been introduced, referring to the British Act and to the old law of the colony; and the period for making complaints has been extended to 28 days, and the 1st proviso omitted. The scale of allowances remains the same, and the grounds on which the Legislature resist the claim made by the Government in favour of the apprenticed labourers to an increased allowance, are set forth in a memorial from the Council and Assembly, which the agent of the Island is entrusted to deliver to the Right hon. Secretary of State for the Colonies.

Clauses 10 and 11. Appear to have obviated the objections raised to clauses 14, 15 and 31, of the original Act.

Clause 12. The objections raised to clause 58 of the original Act are by this clause proposed to be obviated, by giving a discretion to a special justice to admit any "other reasonable cause" for absence of apprenticed labourers, than that stated, if proved on oath.

Clause 13. Amends clause 103 original Act, in a few immaterial particulars.

Clause 14. This is clause 104 original Act, modified so as to be made applicable only to the relation between employer and apprentice; and the severity of the 1st clause is partially mitigated; but the punishment for a first and second offence is still very heavy.

Clause 15. By this clause the 24th section of the Barbadoes Act has undergone some modification, though the principle cause of the objection to it, as stated in the last paragraph of the Despatch, still exists. The objection is discussed in the memorial of the Council and Assembly, to which I have already made reference.

— No. 80. —

COPY of a DESPATCH from Lord *Glenelg* to Governor Sir *Lionel Smith*.

Sir,

Downing-street, 10 June 1835.

No. 80.

ON receiving from His Majesty the seals of this Department, I have found awaiting His Majesty's decision the Act passed by yourself, with the advice and consent of the Council and Assembly of Barbadoes, in the month of November last, for amending the Slavery Abolition Act of that Island. The importance of that decision to the proprietary body in the Colony is very considerable. If the provisions of this Act should be disapproved by His Majesty, the consequence will be that, until a still further amendment of the original law, it would be impossible to declare that the condition which Parliament has annexed to a participation in the compensation fund has been performed by the Legislature of Barbadoes.

It is almost superfluous to remark that His Majesty, acting with the advice of His Privy Council, cannot sanction any provision repugnant to any part of the Act of Parliament for the Abolition of Slavery. It is not merely the general principle of the law and the constitution of the British empire, but the express language of that particular statute, which declares any colonial enactment "null, void and of no effect," which is at variance with what the Imperial Legislature has prescribed. In the present case this difficulty is presented in the strongest possible form, since the Act is suspended for the signification of His Majesty's pleasure; and if any such repugnancy exists, His Majesty must either refuse His assent, or become directly and actively engaged in enacting, on the advice of His Privy Council, provisions at variance with those which His Majesty has already enacted, with the advice and consent of the Lords and Commons of the United Kingdom.

Having undertaken the review of this Act of Assembly, under the influence of the considerations to which I have thus adverted, I proceed to communicate to you, for the information of the Council and Assembly of Barbadoes, the conclusions which I have been led to adopt. The joint memorial from those bodies, referred to in your Despatch of the 5th November, has of course engaged my careful attention, as well as the remarks contained in that Despatch and in its enclosure.

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First : On the subject of the conversion of non-prædial into prædial apprentices, a considerable advance has been made to obviate the objections raised by Mr. Spring Rice to the original Act. The special justice may indeed still adjudge the non-prædial to that change of condition as a punishment, but may not order the prolongation of the original term of apprenticeship.

One serious objection to the existence of any such authority is therefore removed : I fear, however, that the insuperable difficulty yet remains, that any conversion of this nature from one class to another is inconsistent with the Act of Parliament. It is urged that the British statute, so understood, involves consequences which it would be impossible to ascribe to the Imperial Legislature without impeaching their justice. If a criminal domestic servant may not be banished from the house to the field, one of two results is said to be inevitable ; either the employer must retain in his domestic service persons unworthy of the trust which such an occupation supposes, or he must reward with an immediate discharge from apprenticeship the misconduct of his servants, to the utter ruin of all good discipline and virtuous character amongst that class of society. To this objection it may first be answered, that if well founded it must apply to every other Colony at least as forcibly as to Barbadoes, and yet that nowhere else has any such difficulty occurred or been suggested. Further, from the supposed dilemma there is an obvious, and as I should conceive, a complete escape. A domestic servant habitually misconducting himself may be subjected to many severe and effectual penalties, without any change of the class to which he belongs. He may be, for example, degraded to some other non-prædial occupation, either in the service of his original employer or of some other person, more irksome and onerous than that of which he has failed to perform the duties. Although not transferred into the field, he might be set to works of other descriptions, compared with which field labour would be a desirable occupation. Thus, by a simple exercise of domestic authority, ample resources for punishment might be found, without infringing the rule established by Parliament. That rule, however, is binding on His Majesty in Council, nor can His Majesty be advised to confirm the Act under consideration, departing as it does in this instance from the parliamentary rule.

Secondly : The Council and Assembly of Barbadoes adhere to the terms of their original law respecting the food to be allowed apprenticed labourers in that Island.

I am fully disposed to give due weight to the statements made respecting the sufficiency of the provisions allowed for the maintenance of prædial labourers in Barbadoes, and I am happy to believe that they are distinguished for their contentment and good conduct. When, however, I compare the rations allowed to them with those which are provided by the law of other Colonies, and remember that the 45 weekly hours are secured to the employer in Barbadoes as strictly as in any other Island, the inference is irresistible, that the Barbadian apprentice is compelled to encroach largely on his own leisure, in order to procure his daily food. It is impossible that his wants should be materially less than those of persons in the same condition of life with himself, in the adjacent British settlements. Unless the law of those Colonies has made an extravagant provision for the apprentices, the provision made by the law of Barbadoes must be deficient, and the leisure time of the apprentice there must be consumed in working for his own subsistence. Now the Act of Parliament plainly proceeds upon the principle that, in return for the 45 hours of weekly labour the labourer is to receive adequate maintenance, and that all the remaining hours of the week are to be at his own absolute disposal, for industrious exertion, or for repose, as his inclination may dictate.

It is not necessary for me on the present occasion to vindicate or to inquire into the propriety of the rule to which I have thus referred. It is enough that I find it plainly laid down in the British statute. It is not a matter of choice but of necessity to call upon the Legislature of Barbadoes to fulfil the condition upon which their participation in the compensation fund has been declared by Parliament to depend.

I am not disposed to controvert what is said respecting the inability of many of the poorer inhabitants of Barbadoes to afford those allowances for which Mr. Spring Rice called ; but the poorest can afford to their apprentices such a remission from the 45 hours of weekly labour as may enable them to earn their own food. The extreme case may indeed be supposed, in which the labours of the

the whole of that time would be necessary for the purpose. I do not believe the possibility of such an occurrence, except under some circumstances of great peculiarity. If however such a case should arise, the consequence must be frankly admitted, that the right reserved by Parliament to the employer would be without value; a consequence which, however distressing in some particular instances, would not prove that the general stipulation made by Parliament for the benefit of the apprenticed labourers could be properly or lawfully waived.

Thirdly: Mr. Spring Rice objected to compelling watchmen and persons employed in tending cattle to work more than 45 hours weekly. The Council and Assembly however adhere to that rule, declaring that such labour is necessary, and that Parliament have admitted the plea of necessity in another case, that of Sunday labour, as overruling the general prohibition. There can of course be no dispute that all necessary works must be done, whether on Sunday or on any other day of the week. The question only is, by what means must such exigencies be met? It is necessary that the cattle in the fields should be watched, perhaps for the whole 24 hours continuously; but it is not therefore necessary that any one man should perform 24 hours of continuous labour, or more than 45 hours of labour in the week. The watchman having served his time may be relieved by others taking his place and succeeding to his duty, or his extra services may be obtained by agreement between him and his employer, for adequate wages. The Sunday labour authorized by Parliament for the tending of cattle is an exception from the rule forbidding all work on that day, and not an exception from the rule prohibiting more than 45 hours compulsory labour in the week. Here again, therefore, I am compelled to renew Mr. Spring Rice's demand for a revision of the first Act of Assembly.

Fourthly: Great importance is attached by the Council and Assembly of Barbadoes to the rule laid down in their original law, and to which in opposition to Mr. Spring Rice's instructions to yourself they adhere, of admitting the prædial apprentices attached to particular estates to be hired out for temporary service on other properties. The conflict of their enactment with the British statute is scarcely denied. They impute, however, to that statute certain consequences which I apprehend cannot be legitimately ascribed to it. Thus it is said that the parliamentary rule would forbid the prædial apprentices to work on the public roads, or in cases where there was no mill on the estate, to manufacture the sugar grown there at the works of an adjacent plantation. Such, however, I apprehend, is not the effect of the Act of Parliament. The repair of the roads is a service due by the plantation to the public: the manufacturing of the crops is a part of the duties of the plantation itself. The precise localities in which that service and those duties are rendered, is not the subject of the parliamentary prohibition. Nothing more was or could be meant, than that the apprentices attached to an estate should be liable to no works but those incident to the plantation to which they belonged. The other illustrations which the Assembly have given of the inconvenience of the parliamentary rule, really illustrate only the mischiefs which must follow from registering prædial apprentices as attached, who ought to have been registered as unattached to the soil. For errors of that kind, the proprietors making the registries, and not the Legislature, are responsible. I am, therefore, under the necessity of repeating my predecessor's declaration, that this enactment, being repugnant to the Act of Parliament, cannot be sanctioned by His Majesty in Council, but must be repealed before it can be declared that the parliamentary conditions, on which depends the right to participate in the fund, have been fulfilled.

So far as the Legislature of Barbadoes professed to adopt and execute the views explained in Mr. Spring Rice's Despatch, they appear to have done so with sufficient accuracy, with one exception. The object of the 5th section is to relax, in cases of necessity, the rule which forbids the employment of the apprenticed labourers on a Sunday. The 11th section relaxes, on the same ground, the rule forbidding their employment for more than 45 hours weekly. In the first case, the word "necessity" is unaccompanied by any explanation; in the second, it is connected with the following explanatory terms, "such as fire, tempest, and occurrences of a similar nature." Now, this variety of style, by whatever cause it may really have been occasioned, will be understood by the interpreter of the law as indicating some corresponding variation of meaning. It will be assumed, and not without apparent cause, that the word "necessity"

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The demand made by Mr. Spring Rice for an explanation of the precise object of this ambiguous expression, has thus in effect led to the use of words of still greater ambiguity. It is necessary that in both cases the same words should be used to illustrate the general term "necessity." This remark, I need scarcely say, is not of itself of sufficient importance to raise any obstacle to issuing the necessary Order in Council in favour of the Colony; but the other objections to which I have called your attention, appear to me of too much weight to be waived, however much I may regret the necessity of insisting upon them. That regret, however, is diminished by the reflection that the period for the distribution of the fund cannot probably arrive until late in the ensuing autumn; before which it will be in the power of the Council and Assembly, by making the amendments to which I have called their attention, to relieve their constituents from any inconvenience which might be occasioned by a postponement of the distribution of that part of the fund to which they will be entitled.

I have, &c.
(signed) *Glenelg.*

— No. 81. —

COPY of a DESPATCH from Governor Sir *Lionel Smith* to the Secretary of State.

No. 81. Sir, Government House, Barbadoes, 3 January 1835.
I HAVE great pleasure in reporting general tranquillity and industry amongst the apprenticed population of the Windward Islands.

In this Island, I regret to say, we are suffering under severe drought, which has greatly injured the sugar crop, and destroyed a great quantity of provisions for the negroes; so that I apprehend great scarcity and distress in the current year.

I have, &c.
(signed) *Lionel Smith.*

— No. 82. —

COPY of a DESPATCH from Governor Sir *Lionel Smith* to the Secretary of State for the Colonies.

No. 82. Sir, Government House, Barbadoes, 30 January 1835.
I HAVE much satisfaction in reporting the continuance of tranquillity and industry throughout the Windward Government.

Some seasonable rains have lately fallen; but much more is still required to ensure the provision crops against the effects of the drought under which we have been suffering.

I have, &c.
(signed) *Lionel Smith.*

— No. 83. —

COPY of a DESPATCH from the Earl of *Aberdeen* to Governor Sir *Lionel Smith*.

No. 83. Sir, Colonial Office, 4 March 1835.
I HAVE received your Despatch of the 30th January, and it affords me much satisfaction to learn that tranquillity and industry continued to prevail at the date of your Despatch throughout the Windward Government.

I have, &c.
(signed) *Aberdeen.*

— No. 84. —

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EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to the Earl of *Aberdeen*, dated Government House, Barbadoes, 28 March 1835.

No. 84.

I TRUST I shall stand excused with your Lordship, that I have not been able to furnish your Lordship's office with any regular replies to your circular of the 30th September, respecting the productive industry of the negro population, which may apply to this Island, when they become free; and that of the 17th October, respecting emigration to the Colonies from European countries. Both subjects were laid before Council, with a request from me that a committee of both branches of the Legislature should report upon them, which they promised to do.

— No. 85. —

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to the Earl of *Aberdeen*, dated Government House, Barbadoes, 28 April 1835.

No. 85.

IN transmitting the enclosed letter from the House of Assembly of Barbadoes to your Lordship, agreeably to their request, I feel it necessary to state to you, previously to making any observations upon it, my reason for complying with the demand of the writers.

Enclosure, No. 1,
31 March 1835.

Constitutionally speaking, I believe this proceeding to be irregular; I therefore notified to them that I would on this occasion comply with their request, but that my doing so was not to furnish a precedent for such an irregular proceeding at any future time.

The subjects discussed in it are very numerous, and a proposition is advanced of a novel and striking character; namely, that the Houses of Assembly in the West Indies ought to be unlike the House of Commons in England, and the Assembly-men ought to have powers analogous to those exercised by the responsible Ministers of the Crown, that is, as I presume, to preside over every department of the executive Government; thus, as your Lordship has observed, transferring to themselves all the powers of the State. Upon this assumed difference, they claim to be allowed to administer not only their own laws, but to be entrusted with the charge of carrying out the Parliamentary measures of abolition, free from all responsibility to the executive Government.

The letter is to be viewed, firstly, as a defence of the legislative measures which your Lordship has condemned; and secondly, as containing an indirect attack upon my government; concluding with a sort of appeal to your Lordship against my disallowance of two Acts of the Legislature, intended to supply the place of the Rural Police Act, which your Lordship had advised His Majesty to disallow.

It is stated that the free black and coloured population are in general indifferent on the question of their right to be placed on an equal footing with the other class of their fellow-subjects in the enjoyment of the elective franchise; and that "the subject is made one of agitation, not so much by the parties themselves who are immediately interested, as by their most indiscreet and injudicious friends." Who these friends are, or are supposed to be, does not appear; and I venture to suggest to your Lordship that it is unbecoming a representative body to convey charges of this import in so ambiguous a shape, especially as they must know that no such agitation exists. The resolutions and petition to the King from that body, (drawn up immediately after the Legislature had published your Lordship's Despatch,) which I have the honour to forward by this opportunity, sufficiently negative a part of this charge. The petition has been in contemplation some time; but I do not think the resolutions would have been passed if the House of Assembly had not provoked the discussion by their allusion to this class, in their letter to your Lordship.

The answer contained in the sixth paragraph to the objection that the Town Police Act renders the consent of the Council necessary on the appointment of the

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the town magistrates, assumes that the members of Council have kept within their line of duty when the eligibility of persons for the situation of magistrates was the subject of discussion. Had these gentlemen been satisfied with advising me merely on this point, I should have had no objection to receive their co-operation; but on the appointment of the Bridge Town magistrates they assumed the right of nominating two magistrates in spite of me, by putting the appointment to the vote, and carrying them against me. It is remarkable that the House of Assembly should choose to make their stand against your Lordship upon this part of the Despatch. They admit that the Council derive their authority on the appointment of a magistrate from the Crown, and almost at the same instant deny, or at least attempt to controvert, the right of the Crown to take it away.

In the seventh paragraph your Lordship has some evidence of the struggle I had with the Legislature at a very critical period to maintain the just prerogative of the Crown, and you learn that the authority to dismiss a Bridge Town magistrate was all I could procure; an authority which your Lordship observes the House of Assembly are very ready to admit the Council to share with me, in order, I suppose, that the same form on a dismissal of a magistrate may be enacted as took place on the appointment of the Bridge Town magistrates.

The ninth and eight following paragraphs contain the opinion of the House of Assembly upon your Lordship's reasons for recommending to His Majesty the disallowance of the Rural Police Bill. It appears that your Lordship has been unsuccessful in the attempt to convince them of the erroneous principle on which they had proceeded in framing their Bill; and they contend that it was an extremely judicious measure, because, as they say, "it was found to be most salutary in its effects, and that any check to its operation, any change in its working, is at least of doubtful policy; but any modification which will render it less efficient cannot but be productive of the most disastrous results." Thus it is attempted to answer your Lordship's weighty objections to the principle of the Bill, by striving to create alarms which are absolutely groundless. I cannot believe this body serious when they resist your Lordship's suggestions, upon the feeble pretext that because the Assembly-men, by local laws passed for local purposes, are invested with authority to act as commissioners of public accounts and public buildings, they have a right to claim to participate in the authority to be created by the Island law for carrying into operation the laws consequent upon the abolition of slavery. Their supposed interest in the due administration of the Island finances, and in the other matters in respect of which they are constituted local commissioners, might well be assumed as the reason for their being selected as commissioners for the purposes stated in this part of the letter; but the application of the principle of interest cannot avail these gentlemen in the present instance.

Another ground on which they justify their measure of rural police, is its near affinity to the Bill recommended by Mr. (now Lord) Stanley, in the model draft sent out to the Colonies. It will be for your Lordship to say to what extent this affinity is preserved. If the first chapter of the model draft contains, as Lord Stanley states it does, the development of the Jamaica scheme of police, no two measures can be more dissimilar. One, the Rural Police Bill of Barbadoes, places all control over the police establishment in the Council and the House of Assembly; and the other vests all power in the executive Government. The first chapter of the model draft, as the later document, may be looked upon as marking out the particular parts in which it was expected that the Island measures of police should differ from the Jamaica Bill; a course which became necessary, in consequence of the alteration which had taken place in colonial society since the Jamaica Bill passed; but that in all other respects His Majesty's Government would be satisfied if the Jamaica Act was followed. The whole reference clearly regarded schemes and details, not principles; because it is evident a Slave Act passed in 1831 could not apply to apprenticeship in 1834.

Happily for the prosperity of the Island, we have enjoyed undisturbed peace since the great measure of emancipation came into operation; but I do not ascribe it to the operation of the rejected Bill; and the Enclosures, Nos. 2 & 3, will show to your Lordship that much of the mischief which you anticipated from the measure actually did occur. It would have been singular if, on entering into their state of modified freedom, the apprenticed labourers had in general displayed

Enclosure, No. 2.
Enclosure, No. 3.

displayed any insurrectionary movement. They had everything to hope from a passive obedience to the law. Their minds may reasonably be supposed to have predisposed them to accept the proffered boon thankfully and quietly; and their transition was most orderly accomplished: in the same quiet state they have remained. Your Lordship will learn with surprise, that although we have been for four weeks without any Rural Police Act, the business of the estates has progressed as usual, and the general peace has not been anywhere disturbed. But I beg to state to your Lordship, that if the commissioners of rural police had retained their authority, there would have been an end to the subordination of the labourers. They were beginning to find out that they had only exchanged one servile condition, for another equally oppressive; and the cat, either by the connivance or by the order of the commissioners, was in active use at the station houses, upon male and female offenders. Fettered as I was, I exercised some authority, and have done all I could to put it down; but its use would have been continued, if I had no authority over the police. I need, therefore, scarcely state to your Lordship, that I am at issue with the House of Assembly as to the effects produced by the Rural Police Bill being salutary.

I proceed now to notice the concluding part of the 17th paragraph, which contains the attack of the Assembly upon the measures of my administration in disallowing the two Acts of the Legislature to which they refer. As these Acts accompany the letter, your Lordship will readily discover that as a whole measure, their provisions were open to the objections made by your Lordship to the first Bill. I looked upon the Bill for placing the police force under the direction and at the disposal of the special Justices, as an attempt to place me in a situation of difficulty. I was either to admit, by assenting to the Bill, that the special Justices were better qualified than myself to direct and control the police; that the jealousy manifested to the measure, of His Majesty's authority as exercised by me, was well founded, and that all that your Lordship has said in vindication of the just rights of the executive Government was speculative: or I was, by dissenting to the Bill, to run the risk of putting the tranquillity of the Island in some jeopardy. I did not hesitate long as to the course I ought to follow. I had great confidence in my personal influence over the mass of the population, and the latter consequence I might be prepared for; but as, by assenting to the Bill, I should compromise the just and constitutional principle advocated by your Lordship, I at once dissented to it.

The other Bill which is forwarded to your Lordship, is in substance nearly the same as the one disallowed by your Lordship; and was open to nearly all the objections stated to the latter by you. I was required by it to appoint a person to fill an office, on whom larger powers were conferred than I enjoyed myself. I therefore disallowed this Bill also; and we remained without any Rural Police Bill to the 24th instant. The Legislature, however, finding that I was firm to my purpose of steadily adhering to your Lordship's instructions, after passing another Bill, which I rejected, at last abandoned the extraordinary position they had taken, and passed a temporary Act for six months, to keep the police force together, until your Lordship's answer is received to the letter addressed to you; but in this Act the control over the police force is expressly vested in me. To this Act I have assented, though for so short a period; and I am satisfied, that although I deviate on this occasion from my instructions by so doing, your Lordship will readily understand my reasons.

Enclosure, No. 4.

Enclosure, No. 5.

Printed with the
Colonial Laws in
Appendix (B.)
No. 12.

Enclosure 1, in No. 85.

THE Right Hon. The Earl of Aberdeen, &c. &c. &c.

The respectful Address of the House of Assembly of the Island of Barbadoes.

My Lord,

THE House of Assembly of Barbadoes having received from his Excellency the Governor a copy of your Lordship's Despatch dated 10th January 1835, deem it a duty they owe no less to your Lordship than to themselves, respectfully to solicit your attention to the following explanation of the several Acts which are the subjects of your Lordship's comments in the Despatch alluded to.

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They

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They are aware of the high responsibility and delicate nature of the duties which necessarily devolved on your Lordship on accepting the office of Colonial Secretary; and while they have the firmest reliance on your wish and determination to promote the interests of the West India Colonies, derived from their knowledge of your Lordship's public character, they trust you will give them credit for an anxious and sincere desire to act with perfect good faith, and on all occasions to adopt that line of conduct which will tend least to embarrass your Lordship's measures, and best secure the peace and prosperity of the community at this momentous crisis.

The Police Acts deservedly claim your Lordship's earliest notice. It appears that "it has been objected to the Bridge Town Police Bill, that the effect of it will be to perpetuate indirectly, and in fact, one of those invidious distinctions referable to European and African origin, which by the mere text of the general law are abolished." It is evident, and indeed is candidly stated, that this is not the objection of your Lordship; for not only is it quite impossible to discover any grounds for it in the enactments of the Bill, but it could not have been made by any one who had any knowledge of the real state of the law and the circumstances bearing on the point. It is also quite new to this House. The law by which the elective franchise was granted to persons of African descent does not increase the qualification for such voters only: it provides that all persons who shall hereafter become freeholders in towns must possess the increased qualifications, but it leaves the qualifications of the then existing freeholders untouched. Thus, while a right to vote cannot since the passing of that Act be acquired by any person of any class or colour, except by virtue of the higher qualification, the right to vote at the low qualification will cease either on the transfer of the property or with the death of its possessors at the period of the passing of the law, and these are but few in number. The operation therefore of that law is to equalize, at no distant day, the elective franchise; and as this can be in no way impeded by the Town Police Act, this result must be the gradual but certain effect of time.

See Appendix, A.
p. 97.

In the appointment of policemen under the Bill, the vestry appropriated one-third of the number exclusively to persons of African descent. The present number in office exceeds that proportion; and as all the men are on a footing of perfect equality, the mode of giving effect to the Act cannot be said to tend to "perpetuate those distinctions." The objection therefore does not arise from the provisions of the Bill; it is wholly foreign to its object and spirit; and could any ground for it have been inferred from the "text" of the law, the actual working of it would have satisfactorily contradicted such an inference.

But the House of Assembly cannot fail to rejoice that it has been made; not only because it has elicited from your Lordship such sound sentiments as must finally set at rest a question which has been mischievously made the subject of agitation in our little community, not so much by the parties themselves who are immediately interested, as by their most indiscreet and injudicious "friends;" but also because they have the satisfaction of finding that the views and opinions of this House on the subject are sanctioned by your Lordship's high authority.

It has next been objected that this "Act renders the consent of the Council of Barbadoes necessary on the appointment of the magistrates for the city of Bridge Town." The appointment of all magistrates has been uniformly and invariably made by Governors in Council; the concurrence of this body is not now for the first time made necessary to such appointments, nor is there any previous instance in which such a power has been claimed by a Governor alone. It is not in their legislative capacity that the members of Council are called on to concur in the selection of magistrates, but by virtue of their office, and under the sanction of their oaths as privy councillors. Nor can this be considered an extraordinary or unconstitutional privilege, or any encroachment on the just prerogatives of the Crown. This is proved by a reference to the English statute book. By the 2d Henry 5, it is enacted that justices of the peace shall from thenceforth be made of the most sufficient persons, "by the advice of the Chancellor and of the King's Council." It is therefore in effect on the responsibility of the King's Ministers that magistrates are appointed in the mother country. Again, the same authority shows that justices of the peace for particular places, with salaries, are sometimes appointed by the King in Council; for by the 53d Geo. 3, c. 72, His Majesty may, with the advice of his Chancellor and Council, appoint a barrister to execute the office of a justice of the peace in the county palatine of Lancaster, and he shall be entitled to a salary. The members of the Privy Council of Barbadoes, who are appointed on the sole recommendation of the Governor, have always been, and are, his constitutional advisers; they are bound to inform him of the fittest persons to be put into the commission of the peace, and are considered as responsible to the public for such appointments. Nay, so necessary and regular a part of their duty is this, that it forms one of the standing instructions of the King to his Governors, that they shall not appoint any one to the office of magistrate or judge, without the advice and consent of the Council. If, therefore, the Bill had vested the appointment of these magistrates in the Governor alone, his Excellency would have disobeyed his instructions in sanctioning it. The House of Assembly consider this to be the most important duty of the Privy Council; they have always looked to it as the best guarantee for the respectability and propriety of such appointments. Without such a body of gentlemen to make these recommendations, every Governor would be liable to be imposed on by designing or interested persons, since it is impossible that he could have of himself sufficient knowledge of the character and fitness of individuals for the magistracy. And as they never can consent to pass an Act which would not only be an infringement on this ancient and valuable privilege, and an innovation on the constitution of the country, but be also in direct opposition to the

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King's instructions, they feel confident that in the light in which the objection is now put, your Lordship will not consider it any longer of importance. BARBADOES.

Your Lordship considers the clause further objectionable, because, although the concurrence of the Board be required on the appointment, yet "the dismissal of a magistrate is to be the act of the Governor alone." The only remark to be made on this is, that the power to dismiss these magistrates by the Governor alone was not in the Bill as originally introduced; it was added because the House understood the Governor wished that it should be inserted. The House, however, should your Lordship desire it, will readily concur in putting the dismissal of magistrates on the same footing, with regard to the responsibility to be borne by the Council, as they have shown is proper and legal with respect to their appointment.

The last objection is, that "the effect of the interposition of the Council in the choice of the city magistrates, may be to transfer from the Governor to them the selection of the persons who are to exercise the duties of the special magistrates in Bridge Town." With great deference to your Lordship's opinion, the House of Assembly respectfully submit that such an effect cannot possibly arise. The Act for the Abolition of Slavery in Barbadoes not only defines the offences and obligations between apprenticed labourers and their employers, but by its 108th clause expressly declares that the special justices of the peace shall have sole and exclusive jurisdiction in all such cases. There is nothing in the Bridge Town Police Act which can alter or affect this clause, so as to take from the special justices of the peace the exclusive cognizance vested in them by the former Act; nor have the police magistrates ever supposed that they could entertain such cases. The House of Assembly beg to assure your Lordship, that they never intended or supposed the Act capable of such a construction; and they are most anxious to disavow all intention to interfere with the powers of the special justices under the Abolition Act, because such a design would be a breach of good faith on their part. But in order to obviate all doubts on the point, they will readily add a clause to prevent the construction of which it has been supposed capable, should your Lordship deem it necessary after this explanation.

Appendix, B.
p. 97.

With respect to the Rural Police Bill, the House deeply regret that your Lordship should have felt it your duty to recommend its disallowance to His Majesty. It is an Act of the most vital importance to the safety of the Island; to its operation we are mainly indebted for that state of peace and quietness, almost peculiar to this Colony, which accompanied the greatest change founded on the boldest experiment that was ever deliberately made in the relations of society; to it we may attribute that continuance of industry and steady work among our labouring population, which by the most experienced was deemed well nigh hopeless. Any check to its operation, any change in its working, is at the least, therefore, of doubtful policy; but any modification which will render it less efficient cannot but be productive of the most disastrous results. Having premised thus much, it will perhaps be found convenient to offer our chief explanations on this important Act under two distinct heads, as best corresponding with your Lordship's main objections to it. We will first consider such as apply to the powers vested in the commissioners merely as members of Assembly; and secondly, such as are vested in them as commissioners of police.

1st. With regard to the powers vested in the commissioners as members of Assembly, they are ready to admit the full force of your Lordship's "general" remarks, as applicable to the British constitution. They trust, however, your Lordship will pardon them when they express their conviction that they do not strictly apply to Barbadoes. It has never been the policy of Great Britain to demand from her Colonies that they should frame their constitutions exactly on the model of her own. This is sufficiently apparent with respect to some of the Crown Colonies. In fact, the British constitution, the wisest which has ever been formed for the government of a mighty and independent nation, is too comprehensive in its outline and too complicated in its details to be adapted in all its parts to a colony; and it will on examination be found that the constitutions of those Colonies which, like that of Barbadoes, are professedly framed after that of the mother country, are subject to material modifications; and that the trusts which have always been and must of necessity continue to be reposed in the Houses of Assembly, differ from those which are exercised by the House of Commons, as such duties are performed in the mother country by the responsible Ministers of the Crown. The House of Assembly are aware that they should apologize to your Lordship for making these remarks; but they are necessary to a right view of a most important subject, and they trust that your Lordship will not consider them as indicating any desire to innovate on the constitution of the Colony, or as evincing a want of respect and attachment for those sacred institutions of the mother country on the stability and maintenance of which they know their own happiness and prosperity depend.

The appointment of members of the Council and House of Assembly as commissioners for conducting the public business, does not originate with the present Bill, but is of very ancient date, almost coeval with the existence of those bodies; and the most important functions have been invariably performed by commissioners thus selected. In the year 1707, five members of Council and six of the Assembly were by name appointed by an Act of the Legislature a "Committee of Public Accounts," and invested with extensive powers, without being called on to give any security for their performance, save that which their station and character guaranteed. And although the objections to such a body made by your Lordship would appear at first sight and in theory entitled to great consideration, the experience of more than a century has proved that in practice the public resources under the care of such commissioners have not been "wasted." There are also various other Boards of Commissioners. The Commissioners of Fortifications, also appointed from the same bodies

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by an Act of the Legislature in 1715, were invested with large powers over the public purse, and entrusted with most important duties, which ceased only with the past year: the Commissioners for conducting the affairs of the Molehead, similarly chosen and appointed, and invested with even greater powers; the Town Hall Committee, and several others. In short, the whole public business of the Colony has been conducted by Boards of Commissioners so selected and constituted; and none but the best and most economical results have ensued to the public, nor has there ever been a single charge of that "abuse of patronage" which your Lordship anticipates as likely to be "habitual."

A comparison of the expenditure and population of Barbadoes with those of Trinidad and Demerara, will perhaps satisfactorily show which system offers the best security for economy in the public departments, and at the same time best promotes the prosperity of the inhabitants.

The House of Assembly, while they confidently rely on your Lordship's reconsideration of these objections, must most respectfully state that they never can consent to relinquish that check and control over the public purse, or to alter the old, constitutional and economical mode of transacting the public business, which the system objected to practically affords; for although the method so long in use may be open to objections in theory, they know of none other which in a colony gives so efficient a control over its resources, or so good a security against the abuses contemplated by your Lordship, as that under which they have so long lived and prospered.

2d. With respect to your Lordship's objections to the powers which are vested in certain of the members of the House of Assembly, as commissioners of rural police; although there is much in them to which this House cannot assent, they are free to admit that the Bill does give too exclusive a power to the commissioners. It is but justice to themselves to state, that it was not introduced into the House in the shape in which it finally passed. Their reasons for thus altering it in its progress, and the grounds on which those reasons could be defended, are to be found in some circumstances immediately preceding and attending its enactment. But as an inquiry into these might only revive angry feelings, and could not now lead to any good practical result, the House abstain from going into that vindication of their motives which they are confident would amply justify their conduct, in your Lordship's opinion. It is to them a pleasing duty, and much more congenial to their feelings, at once to declare their intention to remove these objections, by passing an Act for the government of the rural police which cannot fail to meet your Lordship's approbation, as it is in strict conformity in its principles, and as nearly so in its details, as local circumstances will permit, with the Jamaica Police Act, which was recommended to the Colonial Legislatures as a fit model, by Lord Goderich and Mr. Secretary Stanley: the former declaring, in "a compendium of the arguments" by which his measures for the Abolition of Slavery were explained and justified, "that it was recommended by the consideration that it was a plan, not of English but of Colonial origin, and is almost entirely borrowed from an Act passed by the Legislature of Jamaica in their session of 1831;" and the latter, after stating his conviction that "an efficient police establishment is of the very essence of the whole measure," added, "to devise a scheme of police for a remote country might seem a hopeless enterprize, but for the assistance to be derived from the Jamaica Police Act of 1831, which was a measure devised by the highest of all the local authorities. In favour of that scheme may, therefore, be repeated all those arguments which are verbally employed to establish the superiority of Colonial to English Legislation on Colonial affairs. Independently of that consideration, the scheme itself appears to offer every promise of efficiency and economy." The House has, therefore, lost no time in endeavouring to supply the place of their former Act by a Bill framed on the model so highly recommended; and as the police force is by it placed, in conformity with your Lordship's wishes, under "the effective and constitutional control of the Governor," they confidently anticipate your Lordship's early approval of it; and they trust the Colony will not again incur the dangers to which it is necessarily exposed, without a well-organized, effective and legally protected body of rural police.

The House of Assembly cannot close their observations on these important heads, without assuring your Lordship that the conduct of the commissioners, as it appears on the minutes of their proceedings, evinces a sincere desire faithfully to co-operate in carrying the new system into effect, and to assist the special justices in the execution of the arduous task assigned them. They seem to have considered them as in truth the persons to whom, in the language of Mr. Stanley, "the execution of the new law is expressly confided by Parliament." It appears that one of their first acts as a board was to invite these gentlemen to a conference, and to solicit their advice and assistance in framing the rules and regulations for the government and discipline of the rural police; and when some alterations in the working of the system were subsequently proposed, they were not decided on without again consulting with the special magistrates. Nor has the House any reason to regret the conduct of the Board towards these gentlemen, being satisfied that the confidence shown in them has been received as an honourable proof of good faith on their part; and that its moral effect on the minds of the apprenticed labourers has tended to promote among them as a body, the orderly and peaceable conduct which they have maintained while under the influence of most exciting changes.

Your Lordship has also made some "particular" objections to the details of the plan as laid down by this Bill. In the first place, your Lordship considers the provisions made respecting "the labour of persons condemned to the public works," and "prison discipline," the "appointment and removal for misconduct of the keepers of the houses of correction, have no necessary

necessary or proper connection with the main object of the law." In any other system than the one which it is the primary object of the Rural Police Bill to establish and maintain, such "Heads of Legislation" would certainly be foreign to the main enactments of the law in question; but when it is remembered that these subjects are introduced as forming an essential part of this particular system of police; that in the Orders in Council passed for the government of the Crown Colonies, and sent to those having Legislatures, as best showing the views of the then existing Government on the question, they are all included under the head of "police;" and that the object of so classing them is to place as much as possible the punishment of the apprenticed labourers under the immediate superintendence of the special justices; the House of Assembly are inclined to think that your Lordship will no longer deem them foreign to the enactments of a Rural Police Bill, but rather as a necessary part of that police system which, in your own language, is "to give effect to the law for the Abolition of Slavery." But as this cannot be said of the enactments contained in the clauses numbered from 13 to 18, they are, in deference to your Lordship's opinion, omitted in the new Bill, and will form the subject of a separate Act; because it is intended that this police shall not only secure the well working of the new system, but be also instrumental in promoting the legitimate objects of a police force, viz. the prevention of crime and suppression of vice. They cannot either admit that they are wholly "foreign to the scope of a police bill," and "in no way indicated by its title," because they are for the most part taken from the last Act for the regulation of the London Police, 3 & 4 Will. 4, c. 19.

2d. Your Lordship objects that the power to purchase land is given to the commissioners and their successors, and that they are not to be bought in the name of the King. In this respect the House of Assembly have only followed their own former precedents, and copied from Acts of the Imperial Parliament; but they apprehend that lands for such purposes are never purchased in the name of the King; and for this obvious reason, that the King cannot be seised to the use of another.

3d. The House of Assembly cannot omit to assure your Lordship that their reason for placing the police force under the immediate command of the Governor, in case of martial law, was not because they desired to repose in him due confidence "when it is attended with a great risk, and then only." They followed in this respect the Jamaica Police Act; and their sole reason for adopting it was, because it was absolutely necessary, in a case in which the operation of the Act in question would be suspended, and to prevent the police from being disbanded, to vest the absolute command of them somewhere; and as the Governor or person having military command appeared to them to be the fittest person to be invested with such an authority, the Act was framed so as to give it to such person. The House of Assembly are also at a loss to discover on whom else, during martial law, such an authority could devolve.

In conclusion, the House of Assembly deem it proper to inform your Lordship, that the Bill intended to supply the place of the Act for the establishment of a rural police, which was disallowed by His Majesty, was originally passed with a suspending clause, that it might have your Lordship's approval before it came into operation; and in order that the system might receive no check to its well working, a short Bill was passed, placing the police force for six months under the direction and at the disposal of the special justices of the peace appointed by His Majesty to carry into execution the Abolition Act. To this Act, a copy of which is forwarded for your Lordship's information, his Excellency has been pleased to withhold his assent, for the reasons stated in his communication to the President of the Council of the 27th March instant, copy of which is also annexed.

The course thus adopted by the Governor has compelled the Legislature to erase the suspending clause, and present the Bill which accompanies this, for his Excellency's disallowance or assent, as he shall deem expedient.

On the Militia Act your Lordship is pleased to remark, that it fixes the qualification of privates at too great an amount of property; and that the measure, not being limited to the duration of the apprenticeship, is apparently designed as a permanent system. Your Lordship adds, that "His Majesty's decision will be suspended until the Governor shall have reported what may be its probable effect on the military defence of the Island; and how far it may be expedient, for any such object, to sanction an Act, the tendency of which appears to be to maintain disabilities which have been professedly abolished, and to keep alive invidious distinctions in society."

The qualification required by this Act is a pecuniary one, and extends indiscriminately to all classes of persons, with the exception of clerks in offices or counting-houses. The principle of the Bill has, at least, your Lordship's sanction; for your Lordship very justly observed in the former part of your Despatch, in reference to these "distinctions," that "property may be taken as not an unfair test of the fitness of persons for public trusts, as it certainly ascertains their probable disposition to support the political institutions under which they live."

The exception in favour of clerks is made because persons of this description may be considered as affording sufficient security to the public for their good conduct, from their education and expectations; they also for the most part reside in Bridge Town and within a mile of their parade ground. The time occupied by them in performing militia duty is not their own loss but that of their employers. They perhaps form the best description of our militia force; and as they look forward to being advanced to respectable situations in society, this early training qualifies them for promotion in the militia. It is different with the "husbandman, artizan and mechanic:" they frequently have to travel a distance from their homes

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before they reach their parade ground; one day in every month of their time is therefore abstracted from the occupations by which they gain their livelihood; and they are saved the expense of equipment.

By the present Militia Act, every freeman in the Island able to bear arms, from the age of 16 to 60, with the exception of His Majesty's members of Council, is bound to serve in person in the militia. Such a law was not only applicable to the state of society which existed when it was passed, but was absolutely necessary to the security of the Island against internal commotion. But on the extinction of slavery it became equally necessary to guard against the consequences of an event which might have thrown the whole male population within those ages into the ranks of the militia. With that view an Act was passed in which the qualification was prospective, and which had reference only to those persons who might thereafter become free. This Act was disallowed by His Majesty. The House of Assembly so fully coincide in the sentiments expressed by Mr. Secretary Stanley in his Despatch announcing the disallowance of that Act, that they trust your Lordship will pardon the following long extract from it. Mr. Secretary Stanley was pleased to write as follows on the subject: "His Majesty has been advised to disallow this Act upon grounds which it is my duty to explain to you. I have no doubt that the object of the Legislature of Barbadoes in making this provision was to adapt the militia laws of this Island to the altered state of society which must ensue upon the approaching extinction of slavery, to which the present laws are clearly inapplicable. It is obvious that a law requiring every free man to be enrolled in the militia would, in the event of all becoming free, encumber the Colony with the maintenance of an unnecessarily large and expensive force; nor am I prepared to deny that, in the state of things which is about to commence, it may be expedient or even necessary to require some pecuniary qualification for the purpose of limiting the indiscriminate possession of fire-arms. So strongly do I feel the propriety of some legislative enactment upon this subject, that, had the exigency been urgent in point of time, I might have been induced to advise that the present Act should have been left to its operation, trusting that the Legislature would upon reconsideration have amended it in those points in which it appears objectionable in principle. But as no such exigency exists, and as it will be easy to secure all the real advantages of the measure by an Act entirely free from objection, His Majesty has been advised to take the course of at once disallowing the present Act. The Statute 3 & 4 Will. 4, c. 73, prescribes a period at the expiration of which slavery should altogether cease throughout His Majesty's dominions unless sooner terminated by Acts of the Colonial Legislatures; and the obvious intent and spirit of that statute is, that after that period civil distinctions arising out of the servile condition of a portion of the population should altogether cease, with respect to exclusion from serving in the militia. Indeed the Act of Parliament expressly reserves to the Colonial Legislatures the right of disqualifying those who now are slaves, during the continuance of an intermediate state, neither of absolute slavery nor of perfect freedom, termed in the Act 'apprenticeship,' the duties and restrictions of which appear incompatible with the performance of military duty. Had the prohibition therefore of the Barbadoes Act only applied to the period of this contemplated state, or, looking to the great increase of free men, had confined the duty or the privilege of military service and the possession of arms to those who should possess a certain amount of property, I should have considered the provisions not only unobjectionable but desirable. But as the Act is at present worded, it appears to be repugnant in its principle to the spirit of the British statute; it keeps up an invidious distinction beyond the period of the final change; it permanently deprives the man manumitted after a certain day of privileges which it confers upon another because he happened to be manumitted before that day, and it founds the perpetual exclusion upon the present servile state of the individual. It is to the principle then, rather than to the practical operation of the Act, that His Majesty's Government see cause to object; and giving full credit to the Legislature of Barbadoes for having no other object in view than the prevention of the inconvenience and danger which might arise from the indiscriminate admission of the whole population to the right of carrying arms, I shall be prepared to advise His Majesty to consider favourably any Act which may be presented for his sanction, limiting the privilege by a pecuniary qualification, provided such restrictions apply equally to all classes of His Majesty's free subjects within the Colony who may not, at the passing of the Act, have been enrolled in the militia under the existing laws."

It was in the spirit of Mr. Stanley's recommendation that the Legislature of Barbadoes passed the Act which has been submitted for your Lordship's consideration. They have reconsidered the question of qualification, with reference to its amount, and they do not fix the amount fixed by the Act higher than is necessary to secure the objects above contemplated, and to ensure the public confidence in so important an arm of colonial strength and security.

The House of Assembly deem it proper to add, that they consider the present militia system susceptible of much improvement, and they have appointed a committee for the purpose of considering and reporting to the House such alterations as the present state of the Colony render expedient.

The House of Assembly have passed an Act to repeal the 5th and 29th sections of the Act relating to offences against the person. The object of enacting them was not a design in the Legislature of Barbadoes to assume any power, nor did it proceed from "inattention. Instances of the escape of murderers, from a defect of the jurisdiction which these clauses gave, were in the recollection of the House, and caused their insertion; but the House full

coincide

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coincides in your Lordship's opinion, that it is wise to incur the inconveniences alluded to, rather than to hazard any infringement of great constitutional principles.

With respect to the Act appointing Francis Mayal Mallalieu, Inspector-general of Police, which your Lordship considers "an important and dangerous innovation," the House of Assembly assure your Lordship that this mode of appointment is not new. The agent for the Island is thus appointed. But the real object of the law was to invest Mr. Mallalieu, as Inspector-general, with the powers and protection necessary to the due and efficient performance of the duties of his office; and the reason why it was done by a separate Act is, because Mr. Mallalieu was not in the Island at the time of the passing of the Rural Police Bills, in which case his duties would have been specified in that Act, as they now are in the one with which its place has been supplied. They are, however, glad that your Lordship approves of the appointment of that officer, as they are convinced, from his uniform activity and good conduct since his arrival, and from the great experience which he brought with him to the performance of his duties, that the Island will benefit largely from the appointment, and in no respect more than by the savings arising from that rigid economy which his superintendence will enforce in every department of the system.

In offering the foregoing explanation, the House of Assembly most respectfully assure your Lordship, that they have been influenced solely by a desire to satisfy your Lordship's mind that the measures which they adopted were the result of their local knowledge and experience, and were founded on a sincere desire fairly to meet and provide for the great change in the condition of the labouring population of the Island. Deeply interested as they are in the event, well knowing that on the successful accomplishment of the great measure of emancipation depends the safety of their lives and the security of their properties, and seeing in the well-working of the scheme their prosperity, in its failure their ruin, they cannot be supposed capable of such folly as wilfully to oppose a measure which was inevitable, or guilty of such madness as wantonly to incur hazard where such vital interests were at stake; they desire that the fitness and efficacy of their measures should be judged of by no other test than the actual working of the new system under them. To this, as the best proof, and that which must be most satisfactory to your Lordship, they confidently appeal; and they assure your Lordship that they will at all times be ready to meet the strictest inquiry into their conduct, and to give to your Lordship the most full and candid explanation of the motives by which it is regulated.

House of Assembly, 31 March 1835.

They have, &c.
(signed) N. Forte, Speaker.

(APPENDIX A.)

RETURN of the respective Numbers of WHITE and COLOURED MEN, at present serving in the *Bridge Town* Police Establishment.

DISTRICT.	Number of White.	Number of Coloured.	TOTAL.	REMARKS.
Roebuck - - -	9	6	15	The number of coloured-men has never been less than one-third; it now exceeds that proportion.
Bay - - - -	9	6	15	
Tudors - - -	10	5	15	
	28	17	45	

(signed) F. M. Mallalieu, Inspector-general.

(APPENDIX B.)

Sir,

Police-office, Bridge Town, 2 March 1835.

We have the honour to acknowledge the receipt of your letter, containing the following Queries, to which we beg to annex the accompanying Answers:

Query 1. Whether you have either individually or jointly taken cognizance of any cases, as magistrates, between apprenticed labourers and their employers or owners?

Answer. Never, but in cases of felony, when it becomes necessary to send on the parties to the court of grand sessions.

Query 2. What course do you adopt when such question is incidentally brought before you?

Answer. We always refer the matter to the special justice, for trial under the Emancipation

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tion Act; but when the conduct of an apprentice is grossly offensive, and the public peace disturbed, the individual is taken into custody by the police, and passed on to the special justice for investigation.

We have, &c.

The Hon. John H. Nurse, }
&c. &c. &c. }

(signed) *Edward H. Moore, J. P.*
Robert Hendy, J. P.
Christopher Gill, J. P.

(APPENDIX C.)

Barbadoes.—AN ACT to authorize the Special Justices of the Peace to appoint a certain Number of Policemen for their respective Districts.

WHEREAS the Act for the establishment of a Rural Police has been disallowed by His Majesty in Council: And whereas an effective police is as essentially necessary to the well working of the Act for the Abolition of Slavery, as to the preservation of the public peace: Be it enacted, by his Excellency Sir Lionel Smith, knight, Commander of the Most Honourable Military Order of the Bath, His Majesty's Captain-general and Governor-in-Chief of this Island, Chancellor, Ordinary, and Vice-Admiral of the same; the Honourable the Members of His Majesty's Council; and the General Assembly of this Island; and by the authority of the same: That the several special justices of the peace appointed for this Island shall be authorized and required forthwith and immediately on the passing of this Act, to enlist and enrol a body of police in the manner hereinafter mentioned, that is to say; the special justice of the peace appointed for the parish of St. Michael shall forthwith and immediately on the passing of this Act enlist and enrol 12 men to serve on horseback and three on foot, and a sergeant and keeper of prison for the said district; that the special justice of the peace for the parishes of Christchurch and St. George shall in like manner enlist and enrol 16 men to serve on horseback and three to serve on foot, and a sergeant and keeper of the prison for the said district; and the special justice of the peace for the parishes of St. Philip and St. John shall forthwith and immediately on the passing of this Act enlist and enrol 16 men to serve on horseback and three to serve on foot, and a sergeant and keeper of the prison for the said district; and the special justice of the peace for the parishes of St. James and St. Thomas shall in like manner enlist and enrol 12 men to serve on horseback and three to serve on foot, and a sergeant and keeper of the prison for the said district; and the special justice of the peace for the parishes of St. Peter and St. Lucy shall in like manner enlist and enrol 12 men to serve on horseback, nine men to serve on foot, six of whom are to be kept on duty in Speight's Town under the command of a sergeant, and to appoint two sergeants and a keeper of the prison for the said district; and the special justice of the peace for the parishes of St. Andrew's and St. Joseph shall in like manner enlist and enrol 12 men to serve on horseback and three on foot, and a sergeant and keeper of the prison for the said district. And the several police officers thus appointed shall be indented for a term of not less than six months: and they shall, when thus enrolled, obey all the lawful commands of the said several special justices of the peace for their respective districts. And the said special justices shall be authorized to frame and establish the necessary and proper regulations for maintaining discipline and order amongst the said policemen: and they shall be authorized to dismiss the said policemen in their respective districts, on conviction of any great impropriety of conduct or wilful disobedience of the said rules and regulations.

Clause 2. And be it further enacted, by the authority aforesaid, that the several police officers appointed by virtue of this Act shall be always on duty at such place in the respective districts to which they respectively belong as they have heretofore resided at, or which may be for that purpose provided for them, and under such rules and regulations as are hereinbefore directed to be made; and the treasurer of the Island is hereby authorized to hire such places for the purposes aforesaid. And the said sergeants and policemen shall act as conservators of the peace for their respective districts; and they shall have, exercise and enjoy all the powers, authorities and immunities which are incident to the office of a constable or police officer under any Act of this Island, or any Act of the Imperial Parliament in force in this Island, which are by the general law vested in constables.

Clause 3. And be it further enacted, that each of the sergeants hereby appointed shall be required to keep a good horse, and shall receive a salary at the rate of 130*l.* current money of this Island per annum, except the serjeant for Speight's Town, who shall not be compelled to keep a horse, and shall only receive a salary of 75*l.* like current money per annum. And each of the said policemen serving on horseback shall receive a salary at the rate of 80*l.* like current money per annum; and each policeman serving on foot shall receive a salary at the rate of 50*l.* like current money per annum. And the keepers of the prisons hereby appointed shall receive a salary at the rate of 100*l.* like current money per annum. Which said several salaries shall be paid by the treasurer of the Island, in equal monthly payments, on the certificates of the several justices of the peace that the same are due.

Clause 4. And be it further enacted, that this Act shall continue in force for the period of six months from and after the passing thereof, and no longer.

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(APPENDIX D.)

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Sir,

Government House, 27 March 1835.

UPON deliberate consideration of my instructions from His Majesty's Secretary of State, I cannot assent to this or any other Bill which does not place the police force necessary to control the apprenticed labourers under the absolute and unfettered authority of the Executive; his Lordship declaring I must "steadily adhere to that principle," on giving or refusing assent to any Police Bill which may be tendered for my acceptance.

I have, therefore, dissented to the enclosed Bill, and beg you will inform the Council accordingly.

The Honourable Judge Beccles,
President.

I have, &c.
(signed) *Lionel Smith.*

Enclosure 2, in No. 85.

Sir

District F., 24 Feb. 1835.

Enclosure 2,
in No. 85.

I HAD the honour yesterday of receiving your letter of the 19th, and in reply beg to state for the information of his Excellency the Governor, that after a strict investigation as directed, I have not been able to ascertain that any driver has been sent to Bissex Hill, to superintend any extra labour. It appears from the examination of some of the police officers, that in the early part of November some labour was given to the Colony, to assist in preparing the foundation for the erection of the police station; this was not labour sentenced by the Court, but labour due to the employer for labour lost during the time those people were confined and put to hard labour by sentence of the Court. A woman was sent to work the same labour in the early part of December. The first were there two or three Saturdays, the latter two Saturdays; the whole remained nine hours each day at light work by themselves, without any one to superintend them; neither did the officers use any authority over them. I have had a number of applications to receive gratuitous labour, but have always refused them; and as I soon as I heard such had been given, I gave positive orders the officers should not receive any.

The cat I find has been carried by the officers attending to the penal gangs, subsequent to my giving orders to the contrary, as his Excellency will perceive by the enclosed documents. I have neither been able to ascertain that any labourers have been threatened in the manner stated; but if his Excellency will cause me to be furnished with the names of the complainants, I may be able more fully to come to the truth of the complaint.

I have, &c.
(signed) *Jos. Hamilton, S. J. P.*

DISTRICT F.

DEPOSITION of *Robert M'Alpin*, Sergeant of Police of the above District.

THIS Deponent saith, That Joseph Hamilton, esquire, special justice of the peace for the above district, has given orders to me several times that no apprenticed labourer should be received to be worked at Bissex Hill, unless legally convicted to hard labour; that if the police officers took charge of any, he would not be responsible for any such proceedings; and such orders I communicated to the whole of the police officers. And further orders were given me that a cat was not to be used at all at the Hill, by the officers when attending the convicted labourers, which orders I also communicated to the police officers; but Richard P. Pile, esquire, a resident commissioner, gave strict orders that each officer attending the labour of the prisoners were to carry a cat, as they would not do any work without it, and that was the only method of compelling them. And I can positively state that I am not aware that a driver was ever at Bissex Hill on Saturday.

(signed) *Robert M'Alpin,*
Sergeant of Police, District F.

Sworn before me at the Court of District F., this 23d day of Feb. 1835.
Jos. Hamilton, S. J. P.

DISTRICT F.

DEPOSITION of *Francis Barrow*, Keeper of the House of Correction for the above District.

THIS Deponent saith, That I have received orders from Capt. Joseph Hamilton, special justice of the peace for the District F., that no extra labour should be worked at Bissex Hill, and should any person send labourers to be worked, not to receive them. I have repeatedly sent back labourers sent to the gang to work extra labour. I also was directed

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by Sergeant M'Alpin not to send up a cat when the prisoners went to work ; it was Captain Hamilton's orders that it was not to be allowed. But Mr. Richard P. Pile, one of the commissioners for the district, gave directions that no police officer appointed to take charge of the penal gang, was to take them to work unless he carried a cat; and if it was necessary, the prisoners were to be whipped, but not severely; that if they were very unruly they were to be taken before the magistrate.

I am not aware that a driver was ever sent to Bissex to drive any labourers.

(signed) *Francis Barrow.*

Sworn before me this 24th day of Feb. 1835.

(signed) *Jos. Hamilton, S. J. P.*

Sir,

Barbadoes, 3 March 1835.

I HAVE the the honour to acknowledge the receipt of a communication from your Excellency, dated 28th Feb., enclosing a letter from Captain Hamilton, of District F., with the deposition of two police officers at his station, relative to the discipline observed at the station house at Bissex Hill, and requesting my report on this case.

It appears from these documents that the cat is used at Bissex Hill station as an emblem of authority, by the police officers superintending the labour of the convict apprenticed labourers; and one policeman, Barrow, states that it was ordered by Mr. Pile that the prisoners should be whipped if necessary. It therefore becomes a question of some importance whether or not the use of the cat in the manner stated is allowed by the existing law.

By the Abolition Act of Barbadoes, clause 70, "No person other than the justices of the peace holding special commissions has authority to punish an apprenticed labourer for any offence, by the whipping, beating or imprisonment of the person, or by any penal or other correction or imprisonment whatsoever, unless deriving the authority to do so from a law or police regulation in force for the prevention or punishment of any offence; such law or police regulation being in force against or applicable to other persons of free condition."

By clause 21 of the Act for establishing a rural police, persons condemned to imprisonment with hard labour at the houses of correction, are to be classed and formed into one or more penal gangs, and to be employed under the superintendence of one or more police officers, &c. "under such rules and regulations as the said commissioners shall deem fit."

It does not appear that the use of the cat at Bissex Hill has been otherwise sanctioned as a police regulation than by the orders of Mr. Pile, to which it does not appear that any other commissioner was a party; but whether Mr. Pile acted individually or conjointly with his co-commissioners on this occasion is immaterial, as I do not think that in either case such an order would be valid. The commissioners have no power to order punishment by corporal correction; and unless it can be shown that either by the general or local law the cat is allowed as an instrument for compelling all classes of convicts to labour during the period of undergoing their punishment, they cannot sanction its use, notwithstanding the power vested in them by clause 27 of the Rural Police Act; and I am not aware that overseers superintending the working of a convict gang are allowed to carry it; or to use it without the authority of a magistrate, which in this case seems to have been expressly withheld.

It is, therefore, quite clear to me that the cat has been used at the station-house at Bissex Hill without any sufficient authority; but it will no doubt be insisted upon that Mr. Pile, in ordering the use of it, exercised a legitimate authority as a commissioner of rural police; and it would be difficult to persuade a court or a jury in Barbadoes that I have taken an accurate view of the question. Fortunately, however, all doubt upon this point is now at an end. The disallowance of the Rural Police Bill sets this question at rest, and the proceedings at the Bissex's Hill station singularly illustrate the tortuous working of this legislative measure. They clearly show how successfully it defeats the intentions of Parliament, by conferring on the commissioners the power of setting at nought the authority of the stipendiary magistrates whensoever they pleased.

His Excellency Sir Lionel Smith, K.C.B.

&c. &c. &c.

I have, &c.

(signed) *H. C. Sharpe.*

Sir,

Springfield, 16 March 1835.

I HAVE the honour to acknowledge the receipt of your communication under date of the 4th inst., and must apologize for not having replied to it earlier.

It did not, however, reach me until on the evening of the 9th, and I have been several times since engaged on public business.

It becomes necessary for me to enter into some detail to reply fully to the inquiry of his Excellency. Between two and three months since I had been absent from home for a week, when on my return, the policemen who were in charge of the penal gang came to me and informed me that Captain Hamilton had some days before desired that the policemen whose duty it may be in turn to superintend the labour of the penal gang, should not carry a cat; and they informed me that he added that such was his order; but that if the commissioners thought that it was necessary, and gave the order for carrying a cat, they must obey it. Being the only resident commissioner in the district, I inquired of them the effect

effect of the order given by Captain Hamilton; they replied that they had taken the earliest opportunity after my return home to inform me that the convicts idled excessively, and that they were even heard to say that they would work as they pleased, as there was now no longer a power to compel them to labour hard. The subject of coercion had been recently discussed at the board of commissioners; and it there seemed to be the prevailing opinion, that where the convicts were idle or disobedient whilst at work, the cat should, as is the case with convicts elsewhere, be used moderately, as a stimulus to further exertion.

At this particular time doubts had been expressed by one or more of the special justices whether they had the power to compel hard labour, or to punish idleness not committed in the service of the employer. Under these circumstances, and in possession of the sentiments of the board, I gave orders to the policemen that a cat was to be carried by the men in charge of the convicts; and that should they be idle, and continue so after being spoken to, they may resort to the use of the cat in a very moderate degree, for the purpose of coercing them to increased exertion; and should such moderate means fail, they must then bring them to me, and I would pass them on to the special justice with a complaint. Having given this order, I thought it my duty to see, as far as I could, that it was not abused. I therefore frequently went to the place on which the convicts were at work, and am ready to declare that in no instance did I see or hear during that time of any complaint of undue severity. The system continued to work well; and there appeared on the part of the labourers a desire to avoid being sent to the station, because they could be compelled to hard labour, or an increase of exertion beyond that usually made by them at home.

Soon after the 25th February, Captain Hamilton again issued an order that the cat may be carried, but that it was on no account to be used, under pain of suspension of the officer using it. I have given no order since; the cat is carried, but not used. I have received constant complaints from the police officers that the prisoners, aware of the order, are excessively idle; that their conduct is riotous and disorderly; that they laugh, sing and talk aloud whilst idling; that they taunt them with carrying an instrument which is neither useful nor ornamental; and that in fact they do not perform "hard labour." It may perhaps be necessary to state the reason of the police officers having so often made their reports to me. There being no district prison, when the police was removed from Joe's river, as an accommodation to the inhabitants of the district, I lent two rooms in one of my buildings, which being approved of by the special justice, were used as prisons; and therefore the superintendents of the labour came to the estate twice each day. Instances have come under my own knowledge, and others have been reported to me, where labourers have been heard to say, on being threatened to be carried before the special justice, that they cared not, as he would only send them to the station, where they could now do as they pleased. I cannot omit to mention that this order, connected with the circumstance of there having been, since the 20th December, only one corporal punishment ordered by the special justice of the district, has given an impression to the labourers that such a mode of punishment and coercion must not be resorted to.

I regret exceedingly to state, for the information of his Excellency, that there exists throughout the district a general dissatisfaction amongst the employers of apprenticed labourers, occasioned by the order last issued by Captain Hamilton; and they hesitate not to declare their determination to submit to the annoyances of their apprenticed labourers, rather than to take them before the special justice, where they will be nominally ordered a punishment, which virtually they do not undergo, that of "hard labour." I would venture most humbly and respectfully to suggest to his Excellency, the possibility that from these circumstances may occur most unhappy results; as the employers, fearing that the working of convicts under the present system could only be the means of bringing not only the police force, but the Abolition Act itself into contempt, may feel themselves compelled to resort to a system of negative punishment, namely, that of withholding from their labourers the enjoyment of many comforts and privileges which they now possess, but which are not enjoined by law. This would lead to a disunion of feeling between the different classes, which it has always been declared, by the various Secretaries of State for the Colonial Department, to be the object and wish of the British Nation and the British Parliament carefully to avoid.

I beg to apologize to his Excellency for the length of this communication; and in reply to the inquiries of his Excellency, to state that I acted, not as a justice of the peace (not having been sworn in), but in the capacity of one of the commissioners appointed under the Rural Police Act, and under the authority of the 21st clause of that Act.

Lt. Darling, &c. &c. &c.

I have, &c.
(signed) *Richard P. Pile.*

DISTRICT F.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 23d ult., enclosing a letter from Mr. Pile, of Springfield, to which his Excellency directs my notice, and requires me to report as the "pencil remarks" in its margin point out.

I have to request his Excellency will excuse the liberty I have taken in numbering the remarks, as by that method they may be more readily referred to.

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I have

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I have made inquiries of the police officers, and have also examined them, relative to those parts of Mr. Pile's letter of the 16th March, which his Excellency requires me to report upon.

With respect to the first remark, the police officers deny having given such information to Mr. Pile at the time mentioned; neither did they hear the prisoners say "they would do as they pleased, as there was now no longer a power to compel them to labour hard."

2d. The police officers all state the cat was used moderately; namely, when any one of the prisoners idled, a light stripe was laid on their backs, it being covered at the time with their clothes.

3d. I believe that more than one special justice entertained the opinion, previous to his Excellency's circular of the 19th February, that after an apprenticed labourer was convicted he had nothing further to do with him, except as expressed in the 74th clause of the Island Abolition Act, which states, "the special justice is to appoint police officers to superintend the convicts' labour, and is directed to give those officers such orders as he may think proper to prevent their escape."

4th. I was not aware that this order was given by Mr. Pile.

5th. I know not what Act or clause authorizes Mr. Pile to order flogging.

6th. When the special justices met his Excellency at Government-house on the 25th February, on public business, his Excellency's opinion was asked as to the legality of the cat being carried by the officers superintending the penal gangs: the substance of his Excellency's answer was, "that he had ascertained that the cat was carried with penal gangs at home; therefore he did not see any material harm or objection to its being carried, provided it was not used." Upon the faith of this reply, I gave orders to the sergeant of police on the 27th February, "that the officers attending the penal gang might carry the cat, but on no account were they to use it;" and to ensure the latter part of the order being punctually obeyed, I added, "if any officer did so I would immediately suspend him; but if the prisoners misbehaved, the officers were to make their complaint to me, and I would order them a punishment."

7th. One day, when Mr. Pile was at the station where the prisoners work since the 27th February, police-officer William R. M'Lean told him the prisoners were very idle; that he threatened to use the cat, when they turned it into ridicule. Police-officer Timothy O'Shaughnessy told Mr. Pile, since the 27th February the prisoners were idle and very slow in their movements.

8th. Police-officer John R. Nicholls states the prisoners laugh and sing. The other officers state they are not riotous or disorderly, neither do they laugh or sing; they sometimes talk, but stop when spoken to; the officers have not been taunted by the prisoners for carrying the cat, &c., as stated in Mr. Pile's letter.

9th. I have no recollection of any instance where the apprentice labourers have said, "they did not care being sent to the special justice, as he would only send them to the station, where they could now do as they pleased." It has often been asserted from the commencement of the apprenticeship, by the complainant, that the prisoners on trial had said, "they might take them to the magistrate, or where they pleased;" but this I always considered was said when in a state of irritation, and not meant, neither intended to allude, to the severity of the punishment likely to be awarded.

10th. I am not aware of a "general dissatisfaction" through the district at the last order issued by me, namely, that given to the officers "to carry the cat with the penal gang, but not to use it."

11th. Neither do I know of any determination on the part of the employers to submit to the "annoyances" of their apprenticed labourers, rather than take them before the special justice.

12th. The 21st clause of Island Rural Police Act states, the prisoners are to be worked under such rules and regulations as the commissioners shall deem fit, and the special justice is to appoint officers to attend them.

I herewith beg to enclose a copy of the deposition of the sergeant of police, regularly attested, according to his Excellency's request, together with Mr. Pile's letter.

C. H. Darling, Esq., Private Secretary,
&c. &c. &c.

I have, &c.
(signed) J. Hamilton, S. J. P.

Enclosure 3, in No. 85.

Police Office, A. District, Barbadoes,
27 April 1835.

Enclosure 3,
in No. 85.

Sir,

I HAVE the honour to acknowledge your letter of the 25th inst., and to state in reply, for the information of his Excellency, that I have considered the commissioners generally in this Island in any other light than an assistance to the special magistrate, but rather as materially interfering with them.

In December last, two policemen of my station were disorderly, and by the law I was compelled to report them to the commissioners, being under their control.

One policeman, named Davison, had been drunk three times, and once on duty. I reported him on the 6th December last, when he was instantly struck off on that very day. This man was a discharged soldier of the 93d regiment.

The next policeman, named Agard, was also reported on the 6th December, for actual mutiny;

mutiny: he had absented himself one day without leave, and I directed the sergeant that Agard should make good his day when it came to his day for going on leave, when Agard positively refused to make it good, and swore before the sergeant that he (Agard) would go on leave his day in spite of the devil, and did go. I reported the circumstance to the commissioners, who ordered me to appear before Mr. Evelyn, a general magistrate, to prefer my charge and produce my evidences. I did so; Agard confessed his guilt, and was sentenced to pay 12 dollars. It was much wished to return him back to the police, which I firmly opposed, stating his unfitness for the situation; and after this affair was pending he was allowed to resign his situation, instead of being dismissed, for example sake to others. This man was a spy most decidedly, and continually talked of his friend the commissioner, Mr. Boucher Clarke, jun., whom he gave his vote to for the representation of St. Michael's, in the Assembly. Observe, the 12 dollars fine was easily paid, as he did no duty from the 6th December, but was not struck off from his pay until the 23d December, giving him 17 days' pay for doing nothing whatever.

Again, the special magistrate has to sign all indents and requisitions for the use of the police; but latterly the commissioners have given strict orders that all issues shall be withheld, unless such requisitions are countersigned by them; clearly putting the magistracy in their power.

Again, there is a station-house building in my district at which the prisoners work, the building being contracted for by Mr. M'Conney, a carpenter; the prisoners have my orders to work under the direction of the police officers, and in case they are idle or irregular, that the police officer is to send them to me. I gave this order, because Mr. M'Conney was frequently ordering the police officers to beat the prisoners, and always threatening to report us all (magistrate and police) to the commissioner, Mr. Boucher Clarke, jun. Indeed, I do consider and ever have considered that commissioners are an impediment to the carrying the Abolition Act into full force; and if they are to have the control and authority of the police establishment, as they have hitherto had, I must declare (from the experience of nine months) that the special magistrate will be anything but an independent magistrate, and all the prisoners will be removed from his power, and go through their punishments under the direction of those very men which the law seems to have least desired; namely, those who own apprentices themselves.

I could detail many other circumstances where the commissioner has interfered with the working of the prisoners; but the arduous duty of my situation, as the magistrate of A district, will not allow me to submit them in time to be forwarded.

To Lt. Darling, &c. &c. &c.

(signed) I have, &c.
Wm. Bush, Lt. Col. K. H.

Enclosure 4, in No. 85.

Barbadoes.—AN ACT for the Establishment of a Rural Police for this Island, and for the erection of Houses of Correction connected therewith.

WHEREAS, in consequence of the changes made in the relations of society in this Island by the provisions of an Act of the Imperial Parliament of the 3d & 4th year of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves;" it became necessary to establish and maintain an efficient body of police in the several parishes of this Island, to be continually in readiness for the preservation of the public peace, the prompt suppression of all disorders, and the prevention of crime: And whereas, for the accomplishment of those objects, the Legislature of this Island did on the 14th day of July 1834, pass an Act, intituled, "An Act for the establishment of a Rural Police for this Island, and for the erection of Houses of Correction connected therewith:" And whereas the said last-mentioned Act has been disallowed by His Majesty in Council, and it is absolutely necessary for the safety of the lives and properties of the inhabitants of this Island, that another Act should be immediately passed for keeping up and maintaining the rural police established by the said Act; Be it therefore enacted, by the Governor, Council and Assembly of this Island, and it is hereby enacted by the authority of the same, that this Island shall be, for the purposes of this Act, divided into six districts, and that the same shall be composed of the parish or parishes hereinafter mentioned, and shall be distinguished in the manner following; that is to say,

Enclosure 4,
in No. 85.

The parish of St. Michael and town of Bridge Town, to form district	-	-	A
The parishes of Christchurch and St. George, to form district	-	-	B
The parishes of St. Philip and St. John, to form district	-	-	C
The parishes of St. James and St. Thomas, to form district	-	-	D
The parishes of St. Peter and St. Lucy, to form district	-	-	E
The parishes of St. Andrew and St. Joseph, to form district	-	-	F

Clause 2. And be it further enacted, by the authority aforesaid, that five members of His Majesty's Council, to be appointed by the Governor or Commander-in-Chief of this Island for the time being, and 11 members of the General Assembly, one from each parish, to be

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also appointed by the Governor or Commander-in-Chief for the time being, and so from time to time as vacancies shall occur, shall be and are hereby constituted Commissioners for carrying this Act into execution; and they, or any five or more of them, one at least being of the Council, are hereby deemed and constituted a Board for carrying on the business of this Act; and in case any member or members of Council, or of the General Assembly, so appointed, shall leave the Island, become incapacitated, or cease to be a member or members of Council or of the General Assembly, his and their place and places as such Commissioner or Commissioners shall be considered and are hereby declared to be vacant, and such vacancy or vacancies shall be supplied in manner aforesaid.

Clause 3. And be it further enacted, that the said Commissioners or any Board of them shall be empowered, and they are hereby directed to purchase six spots or parcels of land, one in each of the said several districts, in such convenient situations as may be best adapted from their locality for the several police establishments, and the erection of houses of correction; provided that none of such spots or parcels of land shall exceed two acres; and that in case the owner or owners thereof cannot agree with the said Commissioners or a Board of them, for the price of the same, that a valuation shall be put on such land by a jury to be summoned and held in the manner prescribed on laying out new jury roads; and such spots or parcels of land shall be conveyed to and vested in the said Commissioners and their successors, to be appropriated for the establishment of police settlements thereat, and the erection of houses of correction, and other necessary buildings thereon proper for such establishment: Provided always, that if in the appropriation of any such parcels of land for the purposes of this Act, it shall so diminish the lands of any person as to deprive such person of the right and privileges of a freeholder, then and in such case the fee-simple of the land so purchased and appropriated as aforesaid shall be held and considered as still being in such person, so far as to preserve to such person the rights and privileges of a freeholder, but not further or otherwise, or for any other purpose whatsoever.

Clause 4. And be it further enacted, that the said Commissioners or any Board of them shall cause the buildings necessary for such police settlements and houses of correction, to be erected on such plan or plans as may appear to them best suited to each of the said several districts; and shall contract and agree with proper persons for the erection of such buildings on each of the several spots or parcels of land as may be necessary for such police settlements, such buildings to be built according to such plan or plans as aforesaid, and subject to such alterations as from time to time may seem to the said Commissioners or any Board of them to be necessary and expedient; and at each of the said several stations or settlements shall be erected a signal-post, so as to communicate by telegraph with each other, or with any one or more of the signal-posts already established; and the said Commissioners or any Board of them are hereby authorized to execute any agreement or agreements in writing, on behalf of the public, with any person or persons so to be employed in the erection of such buildings, and for completing the same in a proper and workmanlike manner: Provided always, that tenders for such contracts shall be advertised for in one or more of the newspapers of this Island, and that the lowest and most eligible tender, if approved, shall be accepted by the said Commissioners or any Board of them; and they are hereby required to take a bond from the said contractor or contractors, in such penalty or penalties as shall seem proper to them, and with two good and sufficient securities, to be approved of by them, for the due and prompt performance of his or their contract or contracts; and from time to time as any sum or sums of money shall become due to the person or persons from whom such spots or parcels of land as aforesaid shall have been purchased, or to such contractor or contractors under and by virtue of any such contract or contracts as aforesaid, the said Commissioners or a Board of them shall draw an order or orders on the treasurer of the Island for the payment of such sum or sums of money to such person or persons, or to such contractor or contractors respectively, which order or orders the treasurer is hereby directed to pay out of any monies that may be in the treasury: and the said Commissioners or any Board of them, if they shall think proper, are hereby also authorized to appoint some competent person or persons to inspect and survey the said buildings, and see that the same are finished in a faithful and workmanlike manner, and according to the contract or agreement for building the same; and such person or persons so to be appointed shall receive such remuneration for his or their trouble as shall be agreed upon by the said Commissioners or any Board of them, and such person or persons; and the said Commissioners or any Board of them are hereby authorized to draw an order on the treasurer of the Island for the payment of such remuneration to such person or persons, which order the treasurer is hereby authorized and required to pay.

Clause 5. And be it further enacted, by the authority aforesaid, that it shall and may be lawful for the Governor or Commander-in-chief of this Island for the time being to appoint, by a commission under the seal of this Island, a fit and competent person as an Inspector-general of Police, for the purpose of regulating the duties and superintending the conduct of the police officers hereinafter appointed, and for enforcing strict discipline and obedience among such men; and the said Inspector-general shall have, possess and exercise, for the whole body of this Island, all the powers and authorities whatsoever as are had, possessed and exercised by any police officer or constable, either by virtue of any Acts or Statutes of this Island, or of any Acts or Statutes of the United Kingdom of Great Britain and Ireland in force in this Island, or by the ancient law of the realm; and he shall have the same immunities and protection extended to him as are given to constables or police officers by any such Acts, statutes or laws.

Clause 6. And be it further enacted, by the authority aforesaid, that it shall and may be lawful

lawful for the Commissioners appointed by this Act, or a Board of them, and they are hereby empowered to appoint one sergeant at each police settlement, who is to be required to keep a good and efficient horse; and to appoint for district A, 12 privates mounted on horses, and three privates to serve on foot; for district B, 16 privates mounted on horses, and three to serve on foot; for district C, 16 privates mounted on horses, and three privates to serve on foot; for district D, 12 privates mounted on horses, and three privates to serve on foot; for district E, one additional sergeant to reside in Speight's Town, and 12 privates mounted on horses, and nine privates to serve on foot, six of whom are to be kept on duty in Speight's Town under the command of such additional sergeant; and for district F, 12 privates mounted on horses, and three privates to serve on foot; all able-bodied men between the ages of 20 and 55 years; and when any such situation shall become vacant by the death of any such sergeant or private or otherwise, it shall be the duty of the person in charge of such settlement immediately to report the same to the Inspector-general of Police, who shall thereupon give notice of such vacancy to the said Commissioners, or a Board of them; and they are required to fill up all such vacancies by appointments in manner aforesaid: and such sergeants and privates shall be styled police officers, and shall form the police force at such settlements, and they shall reside at their respective police settlements when not on actual duty; and such police officers shall be subject to such rules and regulations for their government as the said Commissioners, or any Board of them, with the consent and approbation of the Governor or Commander-in-chief of this Island for the time being, shall in that behalf appoint: Provided always, that no corporal punishment shall be inflicted, nor shall any sentence extend to death.

Clause 7. And be it further enacted, that the said Commissioners, or any Board of them, are hereby directed and empowered to indent all persons so appointed and engaged into the said police, for a term not less than one year, nor more than seven years; and during the term that they shall remain such police officers as aforesaid, they shall receive the following pay; that is to say, each sergeant shall receive the sum of 130*l.* current money of this Island per annum, to be paid him in equal monthly payments by the treasurer of this Island by certificate of the Inspector-general, except such additional sergeant for Speight's Town, who shall receive his pay at the rate of 75*l.* per annum; and each private serving on horseback the sum of 80*l.* like current money per annum, to be paid to him in equal monthly payments in manner as aforesaid; and each private serving on foot the sum of 50*l.* like current money per annum, to be paid him in equal monthly payments in manner as aforesaid: Provided always, that seven days' notice in writing at the least be given by the Inspector-general, to the treasurer, of the number of such certificates and the amount of money required to pay the same.

Clause 8. And be it further enacted, by the authority aforesaid, that it shall and may be lawful for the Commissioners hereby appointed to employ or enrol fit and proper persons, not being apprenticed labourers, to form such police as aforesaid, subject to the approval and confirmation of the Governor or Commander-in-chief; and no appointment shall be valid until it has been so approved and confirmed.

Clause 9. And be it further enacted, that as vacancies occur among the sergeants of such police settlements, privates may for good conduct be promoted to such vacancies from time to time by the said Commissioners, or any Board of them, subject to the approval of the Governor or Commander-in-chief.

Clause 10. And be it further enacted, that the several privates appointed to the different districts shall immediately on their enrolment be respectively numbered by the sergeant of such district, and shall be provided with the following dress: a blue cloth jacket, to be so made as to button close up to the chin, with a standing collar, on the right side of which shall be worked in white cloth the letter distinguishing the district to which such private belongs, and on the left the individual number of such private according to such enrolment as aforesaid; a pair of dark-blue cloth trowsers, a black hat, two pair of strong shoes, and a cloth cloak or great coat, such as is furnished to the soldiers in His Majesty's army: and that each of the said sergeants shall be provided with a blue cloth jacket with standing collar, on each side of which shall be worked in white cloth the letter distinguishing the district to which he belongs, and with three stripes in white cloth on the left arm, and that in all other respects they shall be dressed as the privates are hereby directed to be: which said uniforms are to be worn by the said police officers at all times when on duty, and to be annually furnished to them at the public expense under the direction of the said Commissioners, or any Board of them.

Clause 11. And be it further enacted, that the said Commissioners, or any Board of them, are hereby authorized and directed to arm and accoutre the said police officers in such manner as they shall deem expedient, by and with the consent and approbation of the Governor or Commander-in-chief of this Island for the time being, for the due performance of their duties and their proper protection as a police; which said arms and accoutrements shall be provided at the public expense, and shall be kept when not in use in complete order, and deposited in a room to be appropriated to that purpose at each police settlement.

Clause 12. And be it further enacted, that such number of the police officers hereby appointed shall be always on duty, in the police districts to which they respectively belong, as shall be directed in and by the rules and regulations to be made for the government of the said police as hereinbefore mentioned, and they shall strictly attend to and perform the regular routine of police duty in each district, and they shall carry into execution all such orders as they shall receive from the special justice of the district to which they belong, for the prevention and suppression of insubordination or crime.

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Clause 13. And be it further enacted, that in all cases of emergency it shall be lawful for any special justice to summon to his assistance any number of police officers from any other district; and the person having charge of such police settlement shall furnish the same or not, at his discretion.

Clause 14. And be it further enacted, that the sergeants and privates of police shall act as conservators of the peace for the respective districts to which they shall respectively belong, and they shall have, exercise and enjoy within their respective districts all the powers, authorities and immunities which are incident to the office of a constable or police officer under any Act of this Island, or under any Act of the Imperial Parliament in force in this Island, and which are by the general law of the land vested in or given to constables or police officers; and all such powers, authorities and immunities are hereby declared to be fully and absolutely vested in and given to such sergeants and privates of police: Provided always, that when any such police officer shall be suspended, dismissed, or cease to belong to such police settlement as aforesaid, all such powers, authorities and immunities shall immediately cease and determine.

Clause 15. And be it further enacted, that the said police officers may, upon reasonable cause, visit the several plantations, estates and places within their respective districts, and search for absentees or otherwise; and that every employer or person having the charge of any apprenticed labourer or labourers shall, within 24 hours after he or she shall know that any one or more of such apprenticed labourer or labourers has absented himself, herself or themselves from duty, without the permission of such employer or person having such charge as aforesaid, make a report thereof to the police settlement of the district; and the sergeant of such settlement is hereby required to communicate the same to the police officers of his district, in order that measures may be forthwith adopted for the apprehension of such absentee or absentees; and every person having such charge as aforesaid who shall omit to make such report, shall forfeit for each absentee the sum of 20s. current money, to be recovered as in the case of servants' wages, and paid into the public treasury.

Clause 16. And be it further enacted, that in case any police officer shall be guilty of any infringement of any of the bye-laws or regulations for the government of the police establishment, or any other impropriety of conduct or breach of duty as such police officer, it shall and may be lawful for the Inspector-general, on conviction of any such offence, to impose a penalty on him of not more than 5*l.*, subject to such rules and regulations as shall from time to time be made for the government of the police force as aforesaid; and in case the same shall not be duly paid, notice thereof shall be given by the Inspector-general to the treasurer of the Island, who is hereby directed to deduct the amount of such penalty from the pay of such police officer: Provided always, that if any police officer shall consider himself aggrieved under this clause, it shall be lawful for him, subject to any rules or regulations concerning the same, within five days after the imposition of such penalty, to appeal therefrom to the said Commissioners, who shall thereupon report the same to the Governor or Commander-in-chief of this Island for the time being, for his decision on such appeal.

Clause 17. And be it further enacted, that the said Commissioners, or any Board of them, shall be authorized to hire any place or places for the assembling and keeping together the different police officers until proper police settlements shall be built for their reception and accommodation.

Clause 18. And be it further enacted, that the sergeants and privates of police to be appointed by virtue of this Act, shall each of them, previously to his entering upon the execution of his office, take an oath before the special justice of the peace having the superintendence of the police settlement of which such sergeant or private shall be a member, which oath such special justices of the peace are hereby respectively authorized to administer, the tenor whereof shall be as follows: "I, A. B., do swear that I will well and truly serve our Sovereign Lord the King, as a police officer for the district of in this Island, according to the best of my skill and knowledge.—So help me God."

Clause 19. And be it further enacted, that all such persons as shall be condemned to imprisonment with hard labour at such houses of correction as aforesaid, shall be classed or formed into one or more penal gang or gangs, and shall be employed under the superintendence of one or more of such police officers, to be appointed for that particular duty, upon the repair of the highways of the district to which they belong, or such other public works in such district, under such rules and regulations as the said Commissioners, with the consent and approbation of the Governor or Commander-in-chief of this Island for the time being, shall deem fit; and that the persons so employed shall wear such dress or dresses, to be provided at the public expense, with such mark or marks upon them as the said Commissioners, or Board of them, with such consent and approbation as aforesaid, shall appoint. And any person, not duly authorized, taking off or assisting any member of such penal gang to take off or conceal his dress, shall for every such offence forfeit and pay, on conviction before any justice of the peace, a sum not exceeding 5*l.* currency, for the use of the public treasury, or to be imprisoned with or without hard labour, at the discretion of the said justice, for a term not exceeding one month, in the house of correction for the district in which the offence may be committed, or in the common gaol of the Island.

Clause 20. And be it further enacted, that all persons committed to the houses of correction shall be supplied with proper food at the public expense, the same to be furnished in such manner and of such quality as any Board of the said Commissioners shall direct and appoint: Provided always, that tenders for the said food and all other necessaries for the said establishments respectively shall be contracted for in the same manner as public contracts,

contracts, and the lowest and most eligible tender, if approved, shall be accepted by the said Commissioners, or any Board of them, and security given and approved of by them for the due performance of the said contracts; and the said Commissioners, or a Board of them, shall from time to time draw orders on the treasurer for the payment of the same.

Clause 21. And be it further enacted, that the said Commissioners or any Board of them shall be and they are hereby authorized and required to appoint (subject to the approval and confirmation of the Governor or Commander-in-chief for the time being), a keeper to each house of correction which shall be attached to the said police establishments; and all vacancies, subject to the approval or confirmation of the Governor or Commander-in-chief, shall from time to time be supplied by their appointment; and every such keeper may be removed by them for bad conduct or inefficiency; and every such keeper is hereby declared to be under the immediate superintendence of the special justice or justices of the district in which such house of correction is situate; and every such keeper shall and he is hereby directed to keep a book or books, in which he shall regularly enter the names of the persons committed to the said house of correction, the name or names of the justice or justices committing them, the offence for which committed, and the punishment to be undergone by them; which said book or books shall and may always be inspected by the Governor and Council and the said Commissioners, or any of them: and each keeper of every such houses of correction shall be paid at the rate of 100*l.* current money of this island per annum, and shall receive such pay monthly out of the public treasury, on certificate of the special justice for the district to which he shall belong.

Clause 22. And be it further enacted, that the said Commissioners or any Board of them shall frame and establish all proper and necessary rules and regulations for the management and internal discipline of the said police settlements; and shall from time to time, if expedient, alter and add to the same, regard being had to the due classification of the prisoners and separation of the different sexes, and to the maintenance of cleanliness, order and sobriety among them: Provided always, that all such rules and regulations so to be made by the said Commissioners as aforesaid, shall be of no force or validity until the same are approved of by the Governor or Commander-in-chief of this Island for the time being. And when so approved they shall be written or printed, and hung up in some conspicuous place in the several houses of correction; and the several special justices and police officers are to govern themselves accordingly.

Clause 23. And be it further enacted, that the said Commissioners shall once in every quarter, or oftener if they deem it necessary, meet for the purpose of arranging the affairs and auditing the accounts of the said several police establishments; which meetings are to take place on the second Wednesday in January, the second Wednesday in April, the second Wednesday in July, and the second Wednesday in October, in each and every year; and shall at every such quarterly meeting be attended by the Inspector-general, with his vouchers and documents relating to the expenses of the said police establishments.

Clause 24. And be it further enacted, that the said Inspector-general shall once in each quarter make to the said Commissioners a report of the state and effective strength and condition of the police force of each such settlement, and of the state and condition of the buildings occupied by such police force; and the said special justices shall also once in each quarter make to the said Commissioners a report of the state of the buildings, and conduct of the prisoners confined therein; which reports the said Commissioners are required to lay before the Governor or Commander-in-chief of the Island for the time being, as soon as practicable after they have been so received by them, with remarks thereon as to them shall seem expedient.

Clause 25. And be it further enacted, that in case of martial law being proclaimed, the said police force shall be under the immediate command of the Governor or person in military command for the time being, to be employed in such service as he shall direct, in the same manner as the militia of this Island, and subject to the same rules and regulations, pains and penalties, as by virtue of the several Acts which now are or at any time hereafter may be in force in regard to the said militia: Provided always, that all persons engaged in the said police shall be exempted from militia duty, serving on juries, and as freeholders on appraisements.

Clause 26. Provided always and be it further enacted, that the powers and authorities given to special justices and justices of the peace, or police officers and constables, under and by virtue of this Act, shall not interfere with the exclusive jurisdiction, authority, privileges and powers vested in the justices, superintendents of police, and police officers, by an Act of this Island, intituled, "An Act to establish a Police in Bridge Town, in the parish of St. Michael."

Clause 27. Provided always and be it further enacted, that it shall not be lawful to prosecute and punish any person or persons both under this Act and under the general law, for any offence or offences by him, her or them committed against the provisions of this Act.

Clause 28. And be it further enacted, that no action shall be brought against any such police officer, or other person acting by his order and in his aid, for anything done in obedience to the warrant of any special justice of the peace, until demand hath been made or left at the usual place of his abode by the party or by his attorney, in writing, signed by the party demanding the same, of the perusal and copy of such warrant, and the same hath been refused or neglected for six days after such demand; and if, after compliance therewith, any such action shall be brought without making the special justice who signed such warrant defendant, on producing and proving such warrant at the trial, the jury shall give their verdict for the defendant, notwithstanding any defect of jurisdiction in the justice; and if such action shall

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shall be brought jointly against such special justice and the police officer, on proof of such warrant, the jury shall find for such police officer, notwithstanding such defect of jurisdiction as aforesaid; and if the verdict be given against the special justice, the plaintiff shall recover his costs against him, to be taxed in such manner by the officer as to include such costs as the plaintiff is liable to pay to such defendant for whom such verdict shall be found as aforesaid.

Clause 29. And be it further enacted, that no action or suit shall be commenced against any such police officer, for anything by him done in the exercise of his office, until 14 days notice thereof in writing, shall have been given to such police officer, nor after a sufficient satisfaction or tender thereof hath been made to the party or parties aggrieved, nor after six calendar months next after the fact committed. And the defendant or defendants in such action or suit shall and may plead the general issue, and give this Act and the special matter in evidence, at any trial to be held thereon; and if it shall appear that the same was done in the lawful exercise of such office, or if such action or suit shall be brought after the time hereinbefore limited for bringing, or shall be brought without 14 days notice thereof, or shall be brought after a sufficient satisfaction made or tendered as aforesaid, that then the jury shall find for the defendant or defendants; and if the plaintiff or plaintiffs shall become nonsuited, or suffer a discontinuance of his, her or their action or suit, or if a verdict shall pass against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have such remedy for recovering the same as any other defendant or defendants have or hath by law for the recovery of the costs of suit in any other cases.

— No. 86. —

COPY of a DESPATCH from Lord *Glenelg* to Governor Sir *Lionel Smith*.

No. 86.

Sir,

Downing-street, 20 June 1835.

I HAVE received your Despatches dated the 27th of April, No. 15, and the 28th of April, No. 18, with the Act of the Legislature of Barbadoes, enclosed in the last of those Despatches, for the establishment of a Rural Police in the Island for six months.

I entirely approve your decision to transmit to this office the Address from the House of Assembly to my immediate predecessor, the Earl of Aberdeen, notwithstanding your doubts respecting the regularity of such a method of communication between one branch of the Legislature and the Executive Government. While concurring with you in opinion, that the House ought according to established forms to have addressed themselves either to the King or to His Majesty's Representative in the Colony, I should yet have deeply regretted the refusal to receive a communication from the Assembly, on a subject of so much importance to their constituents, in any form which the House had thought it most convenient to adopt. My regret would, in the present case, have been enhanced by observing the moderation and calmness with which the Assembly have on this occasion discussed several questions upon which some degree of excitement might not unreasonably have been apprehended. It is my desire to meet that body in the same amicable and respectful spirit, following the various topics to which they have adverted in the order pursued by themselves; although by this method, I may be led to blend together questions which might perhaps more conveniently be considered apart.

The address from His Majesty's coloured and black subjects in Barbadoes, enclosed in your Despatch of the 27th April, affords sufficient proof that the distinctions which the Bridge Town Police Bill established between votes upon the old and on the new qualification, is regarded by the King's subjects of African descent, as an injurious attempt to perpetuate indirectly one of those distinctions, referable to African and European descent, which by the language of the general law might seem to have been for ever abolished. The Assembly refer to Lord Aberdeen's Despatch of the 10th of January, as vindicating this enactment. I do not so understand my predecessor's language. He states himself "not to be insensible to the force of the objection, although not thinking that it ought to be conclusive against the Act itself;" and while acknowledging that the arguments in favour of the distinction are not without weight, Lord Aberdeen has not declared that weight sufficient to counterbalance the difficulties to which he adverted. The circumstance that the persons immediately affected by the distinction regard it with serious discontent, appears to

me to be well deserving of consideration, in a case where the arguments for and against the measure might otherwise seem to have been of nearly equal value. The impolicy of keeping alive jealousies, by which the whole proprietary body of the Island are distracted and enfeebled, is so obvious, that I trust the local Legislature will perceive the prudence of equalizing at once the qualification of all voters for parochial vestries, in favour of all persons to whom that franchise belongs. Not doubting the accuracy of the opinion maintained by the Assembly, that the distinction exists only in the text and theory of the law, and that practically the coloured inhabitants of Bridge Town are treated by the white vestrymen with a perfect equality in the distribution of the patronage at their disposal; it seems to me that this fact affords one of the strongest possible arguments for the proposed amendment. Whatever might be the injustice or impolicy of incurring the discontent of the majority of the whole population, with a view to some definite advantage accruing to the minority, that course of proceeding was at least intelligible; but to incur such an evil gratuitously, and without any compensation, except in the pleasure which may be drawn from the barren assertion of superior rank, is to depart from the first and clearest maxims of enlightened legislation.

To Lord Aberdeen's objection to fettering the authority of the Governor in the appointment of the town magistrates, by requiring on every such occasion the consent of the Council of the Island, the House of Assembly make several distinct answers. They observe, that the right of appointing magistrates has never hitherto been claimed for the Governor alone, but that the concurrence of the Council has always been required by the King's instructions; and that therefore an Act by which the Council should have been excluded from their share in this duty, would have been repugnant at once to the usages of the Colony and to the Royal instructions.

It is not, I apprehend, to be denied, that His Majesty and His Royal Predecessors were in former times accustomed to restrain the exercise by the Governor of this branch of the Royal prerogative, by requiring that he should always advise with the Council as to the persons to be included in the commission of the peace; but with the abolition of slavery arrived a new era, which demanded some corresponding changes in the delegation of His Majesty's prerogatives; and on the advice of the Earl of Aberdeen, the King was pleased to alter that part of His Majesty's instructions to which the House of Assembly have referred. If any argument were required to vindicate this change, it might be found in the fact reported by yourself, that the Council had not been content with exercising a veto upon your own proposals respecting the appointments to the magistracy, but had, in opposition to your declared will, appointed two gentlemen to that office by the majority of their votes.

The House next insist that the advice of the Council is necessary to enable the Governor to make a judicious selection of magistrates, he being generally a stranger to the country on his arrival, and remaining there but for a few years, and they belonging to the resident aristocracy of the Island, and intimately acquainted with the characters and qualifications of all the principal inhabitants. It must be acknowledged that the Governor of Barbadoes will generally be surpassed by the members of Council in the exactness of his knowledge of individual candidates for the magistracy: on the other hand, he will still more decidedly excel the members of that Board in freedom from all party bias and personal predilections or antipathies. In so small a society it is impossible but that there must always be great scope for the exercise of those feelings, and a powerful temptation to indulge in them. If the question respected merely the necessity of advising with the Council before any appointment were made, I should not hesitate to admit the expediency of adopting that course. But when, as on the present occasion, the proposal is to give to the Council, or a majority of them, an effective veto on the Governor's nominations, if not the right of appointing magistrates in opposition to his will, I cannot advise His Majesty to assent to a scheme of which the necessary effect would be to secure to the majority of the Council, and their friends, an uncontrolled influence over the administration of the law in the large civic population of Bridge Town.

The Assembly further maintain that the interposition of the Council in the choice of magistrates, is consonant with the usage and constitution of this kingdom; and they refer to two statutes of Henry 5, and Geo. 3; in the first

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of which it is enacted, that in England, justices of the peace shall be appointed by the advice of the Chancellor and the King's Council; and by the second of which the King is authorized to appoint a barrister to execute the office of justice of the peace in the county palatine of Lancaster, if the appointment shall be made with the advice of the Lord Chancellor and the Privy Council.

The inference to be drawn from these statutes is, that in common with every other exercise of the Royal authority, the appointment of justices of the peace must be made upon the advice of some responsible Minister of the Crown. Such commissions are accordingly always issued in England on the recommendation of the Chancellor or Keeper of the Great Seal. In pursuing this analogy in Barbadoes, we shall, I think, be led to the conclusion that justices should be appointed by the Governor, who has the custody of the public seal of the Island, and who acts under an effective responsibility for the use which he may make of his powers. To confide this trust to the councillors, who are virtually irresponsible, would be to depart from the principle which these English precedents establish or recognize.

For these reasons I adhere to the opinion of my predecessor; and you will acquaint the Assembly, that the confirmation of the Bridge Town Police Act by the King, will depend upon their making the amendments required by Lord Aberdeen.

Passing to the subject of the Rural Police Bill, I am happy to learn from your Despatch that the alarm entertained by the Assembly respecting the possible consequences of the disallowance of that law was so effectually quieted by the result; and that, although for four weeks together there was no Rural Police Act in force, the business of the estates had proceeded as usual, and that the general peace had not been anywhere disturbed. The illustrations which you have given of the mischiefs produced by the disallowed Act while it was in force, are a sufficient justification of the rejection of it on Lord Aberdeen's advice, and afford a sufficient warning against the acceptance by His Majesty of any other law substantially co-incident with the former. It is however my duty to advert to the arguments by which the House of Assembly would controvert Lord Aberdeen's conclusions on this subject.

It is observed that the Government of a small colony cannot be reduced into an exact epitome of that which exists in a great European kingdom; and that some duties which in England are performed by the responsible Ministers of the Crown, must in Barbadoes devolve on the representatives of the people. Thus for nearly 130 years past a joint committee of the Council and Assembly has managed the public accounts; and for nearly the same period the fortifications of the Island, the Molehead and the Town-hall, have been placed under a similar management. This system has, it is said, tended to promote good government, frugality and general content; and hence the inference is drawn, that the rural police of the Island may advantageously be governed by a similar commission.

I am quite prepared to accede to the general doctrine, that a perfect parallelism between the British and the Colonial constitution is impossible, and even absurd. Nothing further than as close an adherence to the same general principles, and the same forms of proceeding, as the different circumstances of the two cases may admit, could be reasonably required. Now, in the cases to which the Assembly refer, all or most of the British Colonies possessing Legislative Assemblies, in the West Indies, have deviated from the English model as widely as Barbadoes itself, and upon precisely the same grounds. The duties appropriate to the Lords of the Treasury, the Auditors of Public Accounts and some of the Revenue Boards, in this kingdom, could not be performed in those Islands if left in charge of the executive Government. The representatives of the people have judiciously qualified their grants of public money, by reserving to themselves and to the Council such a joint control over the collection and expenditure of it, as is necessary to prevent fraud, improvidence and other abuses. If, therefore, the Assembly had maintained, that whatever relates to the cost of the police settlements, the charge of purchasing arms, clothing and rations for the police, and the erection and repair of station-houses, goals and other buildings of the same kind, ought to be under the control of the committee of public accounts, I should have cheerfully assented to the propriety of that measure; nor do I believe that any objection would ever have been raised

to

to it by my predecessor in office. But precedents which show that the constitutional jealousy of the House over the revenue has led them to assert, and has induced His Majesty's Royal Predecessors to admit, the right of controlling the outlay of public money by a legislative commission, do not, I apprehend, tend to establish the propriety of transferring to such a commission a function so purely administrative as is that of appointing and removing all the officers of police, and of directing and receiving reports on their proceedings. It might be invidious, though certainly not difficult, to show the mischiefs which must result from such an encroachment; and the obligation incumbent on the King, for the benefit of His subjects of every class, and for the reasonable satisfaction of the people of this kingdom, to maintain His local Representative in the full and unimpaired exercise of that legitimate branch of the Royal authority which relates to the execution of the laws for the government and protection of apprenticed labourers. This is a trust which Parliament has devolved upon the King, and those to whom His Majesty's power is delegated in the Colonies; nor can it be properly surrendered into the hands of any other persons, however high their station in the colonial society.

The Assembly frankly admit that the Act which was disallowed by His Majesty in Council did reserve to themselves, in their quality of commissioners, too exclusive a power over the police; but they maintain that the Bill which they subsequently tendered for your acceptance was not obnoxious to this objection, but was framed upon the model of the Police Act of Jamaica, which they observe had been recommended by Lord Stanley to the Colonies for general adoption. On comparing with the Act of Jamaica, to which reference is thus made, the Bill tendered for your acceptance by the Council and Assembly of Barbadoes, the distinctions will appear neither few nor immaterial. But for other reasons, to which the Assembly do not advert, the value of the Jamaica precedent, and the application of Lord Stanley's opinion to the present case, may be denied. His Lordship referred to that statute not as being in itself either perfect or unobjectionable in its provisions; but as a proof that it was not a mere theory, but a practicable scheme, to establish in a West India Island internal settlements, which being themselves placed under military discipline, should support the authority of the civil Government. But when Lord Stanley expanded this plan, in the Order in Council passed for giving effect to the Slavery Abolition Act in the Crown Colonies, he proposed to place the police under the exclusive control of the Governor. The law of Jamaica, also, was never in point of fact carried into execution. On the abolition of slavery, the Legislature of that Island created a police force, of which they gave the entire command to the Governor for the time being. Barbadoes is the single Colony in which this trust has been withholden from His Majesty's Representative. I am aware of no reason why it should constitute an exception to the general rule: I therefore approve your refusal to assent to a Bill by which that exception would have been established.

It is my earnest hope that the Assembly will pass a Police Bill co-existent with the duration of the apprenticeship system, to which no fatal objection can be made; for until that part of the regulations for the government and protection of the apprenticed labourers has been completed, His Majesty in Council will not be able to declare that the Colonial Legislature have fulfilled the conditions upon which, by the 16th and 44th sections of the Slavery Abolition Act, the right of their constituents to participate in the compensation fund must depend.

The Act for the temporary establishment of a rural police does not appear open to any objection, nor do I perceive why it should not be taken as the basis of a permanent measure.

I have, &c.

(signed) *Glennelg.*

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— No. 87. —

COPY of a DESPATCH from Sir *J. Carmichael Smyth* to Mr. Secretary *Stanley*.

No. 87. Sir, George Town, Demerara, 29 June 1833.

THE mail boat arrived from Barbadoes yesterday, and by her I had the honour to receive your Circular Despatch of the 20th May last. When the signal for the mail was made, I was actually at the moment employed in correcting the proof sheet of an Address which I deemed it advisable to circulate amongst the slave population, with a view to calm and allay all excitement which the publication of the Resolutions, as proposed by you in the House of Commons on the 14th ultimo, without any explanation or comment, might be expected to produce. It afforded me very great satisfaction to find upon reading your Circular, as already quoted, that I had, to a certain degree, even anticipated your language and expressions upon the subject. I beg to enclose a copy of my Address to the Slaves, the publication of which will I trust be attended with the best effects.

I have, &c.
(signed) *J. Carmichael Smyth*.

Enclosure in No. 87.

Enclosure in
No 87.

PROCLAMATION and Address to the Slave Population of British Guiana.

(L.S.)—By His Excellency Major-general Sir *James Carmichael Smyth*, Bart., Lieutenant-Governor, &c. &c. &c.

I WAS only sworn yesterday into the high and important office which His Majesty has thought proper to entrust into my hands; and you may judge yourselves, by my losing so little time in addressing you after my arrival, of the value I attach to your welfare and happiness.

You are all of you aware that it is the intention of the King and of the people of England, that your situations shall be improved: what those improvements may be are as yet under consideration. You may rely upon my word that, whatever orders concerning you are received by me, they shall forthwith be made known to you; and it will be my duty to carry those orders punctually into execution. I wish to warn you, however, against all impatience, disobedience to your masters, absence from your duties, insubordination, rioting, or illegally assembling. The peace and tranquillity of the country must be maintained; and if you adopt any other conduct than that which becomes peaceable and obedient subjects, you will compel me, however unwillingly, to employ force to uphold the existing laws. Remain quietly and peaceably, therefore, at your several employments, and you may rely with confidence upon my communicating to you whatever changes may be ordered from England for your advantage.

I have been told that some foolish people amongst you imagine they are to be made free altogether; by which they understand that they are not to be required to perform any more work. Be assured, my friends, that this is a very great mistake, and which can only lead to discontent and disappointment. Every man in this world is required to work in some way or other; and by the command of the Almighty Father of us all, we must all and each of us acquire our bread with the sweat of our brow. In what manner it may be decided that your situations shall be improved, no person in this Colony can at present truly tell you. Be assured, however, that moderate labour will be expected and exacted from every one.

I trust that you will seriously consider and reflect on what I have said, and conduct yourselves accordingly. Your old people must see the great changes and improvements which have been effected within a few years in the state of the slaves. Do not you, by impatience and improper conduct, force His Majesty's Government to go backwards instead of forwards, in regulating the connexion and the nature of the duties to be severally performed by your masters and yourselves.

It is my intention, as soon as I can find sufficient leisure, to visit every part of this Colony; and it will afford me the greatest pleasure to find you all happily and busily employed at the different estates, and to hear from your own lips that, whatever improvements you in your several situations may be desirous to obtain, yet that you are convinced that it is only by your good conduct you can expect to induce the King and the people of England to take further interest in your welfare.

Given under my hand and seal, at the King's House, George Town, Demerara, this 27th day of June 1833, and in the fourth year of His Majesty's reign.—God save the King.

— No. 88. —

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No. 88.COPY of a DESPATCH from Sir *J. Carmichael Smyth* to Mr. Secretary *Stanley*.

Sir,

Demerara, 24 July 1833.

IN my despatch of the 29th ultimo, I did myself the honour of forwarding to you a copy of an Address which I deemed it my duty to cause to be circulated amongst the slave population of British Guiana. I am happy to say that I have received from the magistrates, the clergymen, and from many of the proprietors of the most valuable of the estates, the most satisfactory reports of the effect of that Address, and of the quiet, orderly and peaceable demeanour of the slaves throughout the whole of this extensive and truly magnificent Colony.

I beg now to report to you, that the packet conveying to me your Circular of the 13th June, together with the copy of the Resolutions of the House of Commons of the preceding day, having had most fortunately a remarkably quick passage, I was put in possession of the Resolutions in question, as also of your instructions, previously to the circulation of the Resolutions in the Colony. After having given the subject my best consideration, I determined to avail myself of this fortuitous circumstance, and to endeavour, by at once communicating to the inhabitants not only the Resolutions of the House of Commons (which they would have seen in the newspapers in a few days), but the ulterior views of His Majesty's Ministers, and the extent and variety of details which would be left to the local Legislatures, to acquire their confidence, and to show them, with as little delay as possible, that the great and important change about to be effected would not be attended with that loss and injury to their estates which they were apprehensive of. My great motive was to do away all excitement and irritation, or at any rate to subdue feelings of such a description as much as possible. Influenced by the reasons I have detailed, I caused your Circular of the 13th June, and the Resolutions of the House of Commons of the 12th June, to be printed and circulated in the Colony, accompanied by a few observations. This measure has, I am truly happy to say, had every effect I could have wished for. A deputation of four of the wealthiest and largest landholders in this Colony waited upon me, in their own names and in the names of all their friends, to say that, although it was impossible for them to approve of the change about to take place, yet that they could assure me that I should receive from them every assistance and co-operation in bringing about that change with tranquillity. One of the gentlemen I have alluded to has a plan for continuing to work his estate by paying the negroes with a proportion of the produce, and which proportion he proposes should be subdivided amongst the negroes according to their diligence and activity, the negroes themselves deciding upon the claims and merit of each other. It is evident that a plan of this description can only as yet be in its infancy; and I should not have alluded to it, but with a view of showing that, the minds of the principal landholders being seriously applied to the subject, and to the necessity of making such arrangements as will enable them to carry on the business of their estates, the minor details, it may fairly be expected, will not present any very serious difficulties, and we may ultimately look to a free and cheerful labouring population; and which change, as far as I can judge as yet, has every chance of being effected without any convulsion or commotion. On such a subject it is of course impossible to speak with certainty. As yet, however, I see no cause for apprehension; and if the masters continue to exhibit the same moderation, and the slaves place the same confidence in the Government which they have hitherto manifested, the arrangements will be completed with very little difficulty.

There is to be a public meeting in a few days of the inhabitants, with a view of passing resolutions expressive of their determination to afford every aid and assistance to His Majesty's Government in preserving the peace of the country, and in bringing about the change in the situation of the slaves without endangering the public tranquillity. It is also proposed to insert in the resolutions the greater comparative value of the slave to his master in this Colony than on the Islands, from the greater quantity of valuable produce he is capable of bringing to market, and to express a hope that, in apportioning the

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money to be given by the mother country to slaveholders, the greater value of a slave in British Guiana will not be lost sight of. As those resolutions are, I understand, to be forwarded to me with a view of their being transmitted to you, I will not trespass upon your time with any further remarks at the present moment: in transmitting the resolutions, I shall have an opportunity of drawing your attention to such particular points as may occur to me. Upon the whole, I may venture to congratulate you upon the way in which the Resolutions of the House of Commons of the 12th June have been received in this Colony.

I have, &c.
(signed) *J. Carmichael Smyth.*

Enclosure in No. 88.

GOVERNMENT NOTICE.

Enclosure in
in No. 88.

HIS Excellency the Lieutenant-governor has thought proper to direct that the following circular Despatch, dated the 13th ultimo, which he has had the honour to receive from the Right honourable Edward G. Stanley, His Majesty's Secretary of State for the Colonies, together with a copy of the Resolutions of the House of Commons of the preceding day, therein alluded to, should be published without delay in the Royal Gazette, for the general information of the inhabitants of British Guiana.

In thus frankly and openly communicating to the inhabitants without reserve, not only the whole of the details of the proposed changes respecting the slaves, which have been determined upon by His Majesty's Ministers, but also the arrangements contemplated for carrying those measures into execution, the Lieutenant-governor has been influenced by two motives. In the first place, his Excellency is anxious to prevent the circulation of all garbled extracts (which might be transmitted here from other Colonies), and which could only produce unnecessary excitement and alarm; and because, in the second place, he is confident that the liberal and prudent measures as advocated and proposed by His Majesty's Ministers will, when once distinctly understood, be duly appreciated by the generality of the inhabitants of British Guiana, and be met by a corresponding desire and anxiety on their part to do all in their power to preserve the public tranquillity; and to contribute their aid in effecting those changes, (which every one must be aware are so decidedly inevitable,) with the least possible inconvenience and loss to all individuals concerned.

The Lieutenant-governor has directed it should be stated, in conclusion, that he confidently relies not only upon the superior talent and information which he has witnessed with so much pleasure in this Colony, on the great wealth and immense interests at stake; but above all, upon that spirit of moderation and good sense which has so strongly characterized the proceedings of the inhabitants of British Guiana, with respect to this most momentous question, to enable him to carry all the details into execution with the concurrence, co-operation and assistance of all ranks

King's House, British Guiana, }
18 July 1833. }
By Order,
(signed) *T. C. Hammill,*
Assistant Government Secretary.

— No. 89. —

EXTRACT of a DESPATCH from Major-General Sir *J. Carmichael Smyth* to the Right Hon. *E. G. Stanley*, dated Camp House, Demerara, 6 Aug. 1833.

No. 89.

I HAVE great pleasure in being able to report to you that the most perfect tranquillity not only prevails throughout the whole of British Guiana, but that the minds of the great majority of the inhabitants seem to be completely made up as to the propriety, policy, and I may add, the necessity, of cordially co-operating with His Majesty's Government in bringing about the great change without endangering the peace of the country. I beg leave to lay before you a copy of an Address which I have received from the planters, merchants and inhabitants of Berbice, declaratory of the foregoing sentiments, together with my Reply; a copy of an Address and of certain Resolutions, adopted at the fullest meeting ever known in this town, of the landholders, planters and others, from all parts of British Guiana, assembled under the name of the Agricultural Society, as also of my Reply; and finally, I beg to draw your attention

(A.)

(B.)

(C.)

(D.)

attention to the enclosed copy of an Address which I delivered to the Court of Policy, and caused to be entered upon the record of their proceedings, together with the very able and full Minutes of the court upon the subject of my address. The perusal of these documents, but particularly of the two last, will not only place you in possession of the sentiments of the great majority of the inhabitants, but will also show you the steps I have adopted, and the measures I contemplate, as being in my opinion the best calculated for carrying with the least delay the orders of His Majesty's Government into effect. (E.) (F.)

Without the confidence and the cordial co-operation of the great and influential landholders, I conceive it to be morally impossible that in this extensive and populous Colony, the views of His Majesty's Government can be beneficially carried into effect. There is here fortunately so much more intelligence to be met with, the class of landholders is so superior in talent and in education to proprietors throughout the Islands generally, that I am induced to hope and to believe that my task will not be so very difficult. I have as yet experienced the most ready attention to every suggestion which I have felt it my duty to offer, from every proprietor.

The fifth Resolution of the House of Commons, as agreed to on the 12th June, authorizes His Majesty to establish an efficient stipendiary magistracy in the Colonies. To this Resolution I beg most respectfully and earnestly to draw your attention. In many of the Colonies, where obstinacy, ill-will and a dogged perseverance in ill treating their slaves to the last, have been but too plainly manifested, a rigid system of a stipendiary magistracy, to guard against a re-action on the part of the slave when liberated from the despotic power of his former master, as also to compel that master to treat his former slave according to the civil rights of his new situation, can hardly be dispensed with. But in this wealthy and intelligent community every aid is proffered and promised in giving effect to the wishes of Government. The proprietors of the great estates in this Colony have too much at stake not to be anxious for a speedy and permanent arrangement of the details of the measures in contemplation. Under these circumstances, and looking beyond the difficulties of the moment, it appears to me that a sound policy requires that everything should be done to encourage a kind feeling between the proprietor of the soil and the labourer; and that the future happiness of both, as well as the future cultivation of the estates, and the consequent prosperity of the Colony, depend principally upon the extent of that good feeling to which I have alluded. In this view of the subject, I am anxious to induce all the resident proprietors and gentlemen of influence and independent property to take an active share in the magistracy. Our present system of magistracy, or rather of police, is wretched, and only calculated for a state of slavery. My idea is that the districts of Demerara, Essequibo, and of Berbice, should be subdivided into counties, and that to each county a deputy lieutenant should be appointed, who would have to report to the lieutenant of the district. The counties being formed of so many parishes as local circumstances may require, would require one justice of the peace or magistrate for each parish. I should recommend that the present system of fiscals, deputy fiscals, and burgher officers, together with the arbitrary power they possess, should be entirely done away with. The justices of the peace ought not to have the power of inflicting corporal punishment, excepting under very aggravated circumstances; and then only after an open trial, and the sentence having been made known, and the minutes of the proceedings of the bench having been submitted to the deputy lieutenant in whose county the parish where the offence was committed may be situated. You will observe that in my address to the Court of Policy, I have proposed the appointment of a select committee, as the most convenient mode of bringing the various details connected with the measures I propose before the court, with a view of hereafter framing such a Bill as may meet with His Majesty's approbation.

I hope the line of conduct I have pursued, and the measures I have adopted, will meet with your approbation. When the present crisis has passed away, and the prosperity of these provinces no longer depends upon the adventitious aid of slavery, it is impossible to predict to what an unrivalled height of prosperity they may attain. At this moment British Guiana finds employment annually for 7,500 British seamen, and for 120,000 tons of British shipping.

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BRITISH
GUIANA.Enclosure (A.)
in No. 89.

Enclosure (A.) in No. 89.

TO His Excellency Major-General Sir *James Carmichael Smyth*, Bart., C.B., K.G.O.,
K.M.T., K.S.W., &c.

May it please Your Excellency,

WE, the undersigned planters, merchants and other inhabitants of the district of Berbice, beg to offer to your Excellency our sincere congratulations on your recent appointment to the government of this Colony, and to express the high sense we entertain of the frankness and candour with which your Excellency has been pleased to give publicity to the communications from His Majesty's Government. In particular, we have to thank your Excellency for the Government Notice of the 18th instant, communicating the circular Despatch from His Majesty's Secretary of State for the Colonies, of the 13th June, and the Resolutions of the House of Commons for the Abolition of Colonial Slavery. We will not conceal from your Excellency the deep anxiety and fearful doubts with which we contemplate the momentous changes about to take place in the Colonial system; but convinced that these changes are inevitable, and that our property and very existence as a civilized society depend upon their successful result, we beg to assure your Excellency that we will most cordially concur and co-operate by every means in our power, with your Excellency and His Majesty's Government, in giving effect to all such measures as may be deemed necessary in pursuance of the Resolutions of the House of Commons, for the preservation of the public tranquillity, the security of property, and the welfare of all classes of the community; confidently relying on the justice of His Majesty's Government, and our fellow subjects in the mother country, should all our efforts to meet their wishes fail of success, to award us full and just compensation for all the losses we shall in such event have sustained.

With assurances of the highest respect, we have the honour to subscribe ourselves,

Your Excellency's

most obedient humble servants,

Berbice, 27 July 1833.

(Here follows a long list of signatures of the principal Inhabitants.)

Enclosure (B.) in No. 89.

Enclosure (B.)
in No. 89.

Gentlemen,

Camp House, 5 August 1833.

I HAVE listened to your address with very great satisfaction. The assurance of so respectable a body of planters, merchants and inhabitants, that they will most cordially concur and co-operate by every means in their power in giving effect to all such measures as may be deemed necessary (in pursuance to the Resolutions of the House of Commons) for the preservation of the public tranquillity, the security of property, and the welfare of all classes of the community, could not be otherwise to me than extremely gratifying. The good sense and the moderation evinced by the inhabitants of the district of Berbice are in unison with the temper and spirit which, I have every reason to believe, prevail throughout the whole of British Guiana. Such conduct will doubtless be duly appreciated by His Majesty's Government; and the confidence with which you state you rely on the justice of His Majesty's Government and your fellow subjects in the mother country, will, I may venture to assure you, not be disappointed.

I beg to return you my thanks for the flattering expressions you have made use of with respect to myself individually.

To the Planters, Merchants and Inhabitants } (signed) *J. Carmichael Smyth.*
of the District of Berbice.

Enclosure (C.) in No. 89.

Enclosure (C.)
in No. 89.

Sir,

George Town, 7 August 1833.

WE have the honour to wait upon your Excellency with the resolutions entered into yesterday by the Agricultural Society of Demerara and Essequibo.

We beg leave to express, in behalf of this society, how deeply we are impressed with a sense of your Excellency's candour, in giving publicity to your Despatches in this important matter connected with the subject of these resolutions.

We have been gratified in learning the sentiments entertained by your Excellency towards the inhabitants of this Colony, who look to the future with a degree of confidence inspired by the deep interest which you have evinced for their welfare at the commencement of your administration.

On the present occasion we should be wanting in candour were we not to express to your Excellency that, although the resolutions are silent on the subject of the feeling which may pervade the community, if any other principle be adopted of dividing the compensation awarded by Parliament than that propounded by the Right honourable the Secretary for the Colonies, we cannot but dread the consequences of such a measure, and

we

we justly fear it may engender feelings at variance with the unanimity which it is so essential to secure, and which we are certain will prevail if the just principle of division already laid down be strictly adhered to.

To His Excellency
Major-General Sir James Carmichael Smyth,
Lieutenant-Governor, &c. &c. &c.

We have, &c.
(signed) N. M. Manget.
G. Warren.

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Enclosure (D.) in No. 89.

AT a General Meeting of the Agricultural Society of Demerara and Essequibo, called by public advertisement, for the purpose of taking into consideration the "Government Notice" of His Excellency the Lieutenant-Governor, published in the Royal Gazette of 18 July last, held at the Demerara Spa, Cumingsburg, 6 August 1833;

Enclosure (D.)
in No. 89.

Present,
N. M. Manget, Esq. Chairman.
George Warren, Esq., Deputy Chairman.
Alexander Macrae, Esq., Treasurer.
Andrew Gallaway, Esq., Acting Secretary.
The Honourable John Croal.
— George Rainy.
— J. G. Reid.

J. H. Albany,
Joseph Alleyne,
W. Arrindell,
U. J. F. Back,
Thomas Barry,
Charles Bean,
Joseph Beele, sen.
Charles Benjamin,
Edward Bishop,
Thomas Blake,
J. Bryden,
J. F. Boode,
L. Breàa,
Edw. Bunbury,
R. G. Butts,
Donald Campbell,
John Evans,
L. Fitzgerald,
Wm. Fraser,
A. Garnett,
J. J. Gilgeoris,

Esquires.

H. Halket,
Andrew Jackson,
J. Koert,
J. A. D. Koolhaas,
Jacobus Meerlens,
W. M. Keand,
John M'Lean,
Hugh M'Leod,
Henry Montameux,
J. V. Nedderman,
W. Rankin,
C. Revers,
Hugh Rogers,
Jos. Sievwright,
Alexander Simpson,
C. Spencer,
W. Urquhart,
A. N. Walstab,
R. Waterton,
A. Wishart,

Esquires.

It was Resolved,

1. That it is the opinion of the members of this society, that the "Government Notice" published by his Excellency the Lieutenant-governor, in the Royal Gazette of the 18th July last, accompanied by a circular Despatch from the Right honourable Secretary for the Colonies, together with the Resolutions for the Abolition of Colonial Slavery, agreed to by the House of Commons on the 12th June 1833, and subsequently by the House of Lords, appears to be intended to draw forth an expression of the sentiments entertained by the colonists on this momentous subject: This society, comprising the greatest portion of the resident proprietors and of the representatives of absent proprietors of estates in this Colony, deem it advisable to meet the wishes of His Majesty's Ministers by an expression of their sentiments accordingly.

2. That, however much our experience leads us to dread the peril incident to so sudden and premature a change in the existing relations of master and servant, and the fatal embarrassments consequent upon its failure, we nevertheless, placing implicit confidence in the declarations of the British Government, and relying on the wisdom of the local Legislature to organize the details applicable to this Colony, of this great national experiment, so as to render the chance of the future beneficial cultivation of the soil as little hazardous as possible to the planter, will cordially co-operate in the endeavour to bring the contemplated measures to a safe and happy result.

3. That thus co-operating to the utmost of our ability in the advancement of this great national experiment, we rely on the justice of Parliament, and on the national honour, for full and entire compensation for any ulterior loss or deterioration of property which may attend its failure.

4. That the extent, fertility and varied productions of this important Colony, encouraged as its agriculture has been, formerly by Dutch and latterly by British capital, advanced to an immense amount on national faith and on the authority of Parliament, call for the especial care and protection of His Majesty's Government; the value of its exports, and the

tonnage

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GUIANA.

tonnage and seamen employed in its trade, far exceeding, in proportion to its population, anything recorded in the history of ancient or modern colonies.

5. That the money voted by Parliament towards a compensation for the immediate loss of property, can only, in justice to such a colony, be distributed in the fair ratio propounded by Mr. Secretary Stanley in Parliament.

6. That it has become the more necessary to press without delay the justice of this claim, in consequence of intelligence lately received of the attempts of the proprietary bodies of Jamaica and Barbadoes, resident in England, to advocate a principle of division inconsistent with the ratio laid down; which principle, if carried into practice, would have the effect, in some Islands, of giving a premium on the total value of slaves and landed property; in others, of a compensation far exceeding the proportion of the value of property abstracted or infringed upon; but in this Colony would be totally subversive of the rights of property, as dealing out a modicum, under the name of compensation, for the abstraction of value invested in land, buildings, machinery and cultivation, exceeding, in proportion to population, the amount of invested capital in any other possession of the British Crown.

7. That the compensation awarded by Parliament for the loss of property which it is admitted the colonists must sustain, even at the commencement of the contemplated changes, should be paid to the proprietors without any delay, in order to enable them to give the plan a fair trial.

8. That his Excellency the Lieutenant-governor, and the honourable Court of Policy, be most respectfully requested to take into consideration the propriety of submitting to His Majesty's Government a proposal, that in addition to the compensation, there be granted to this Colony a loan of two millions and a half sterling, bearing four per cent. interest, with one per cent. additional as a sinking fund, to be secured upon the colonial revenue. Such loan would be highly beneficial to the colonial interests, and would tend to prevent an accumulation of distress, which the proposed partial compensation, in its most enlarged application, will be sufficient to arrest.

9. That the restraints upon labour, and the diminished production of the British West India Colonies, which must necessarily ensue, will enhance the profit upon the productions of foreign colonies still carrying on the slave trade. The British planter has therefore, under new disadvantages, to compete with foreign possessions; and unless afforded the salutary protection of Parliament in the home market, it is to be feared the total ruin of the British West Indies will eventually take place.

10. That a deputation, consisting of the chairman and deputy chairman of this society, do wait upon his Excellency the Lieutenant-governor, with a copy of these resolutions, and a request that he will forward the same to His Majesty's Government, with an assurance that the members of this society will cheerfully undertake such duties, connected with carrying into effect the new arrangements, as His Majesty may call upon them to fulfil.

11. That the chairman of this society do sign these resolutions, for and in behalf of the members of the Agricultural Society of Demerara and Essequibo.

(signed) *N. M. Manget*, Chairman.
And^o Galloway, Acting Sec.

Gentlemen,

Camp House, 7 August 1833.

I SHALL have great pleasure in transmitting to His Majesty's Government the Resolutions of the Agricultural Society of Demerara and Essequibo.

The moderation and temper with which the decision of the Imperial Parliament, with respect to the important change in the state of the labouring class, has been received in British Guiana by the great body of the landed proprietors, must for ever redound to their credit, and cannot fail to be highly acceptable to His Majesty, his Ministers, and to the mother country at large. The line of conduct thus judiciously adopted removes all ground of latent hostility, with feelings of asperity, from the minds of the working population. I trust and hope that when the master and the slave assume their new relative situations, when the moment does arrive that the landlord and the tenant, the owner of the soil and the labourer, have to enter upon their several duties, that on the one side as there will be no ill-will towards their late slaves, so on the other there will be no wilful negligence or insulting language or conduct towards their late masters. With your support and co-operation, my task, under any circumstances which may eventually arise, will however be comparatively easy.

Allow me to return you my best thanks for the very courteous and flattering manner in which you have been pleased to express yourselves with respect to my conduct. I can assure you with the most perfect sincerity that I have no object more at heart than to see this great change effected, not only without any immediate collision, but upon such sound principles as may prevent all future disputes, and afford to you every rational prospect of converting your present slaves into a contented, an attached and an industrious population.

(signed) *J. Carmichael Smyth*.

To *N. M. Manget* and *G. Warren*, Esquires.

Enclosure (E.) in No. 89.

BRITISH
GUIANA.Enclosure (E.)
in No. 89.

EXTRACT from the MINUTES of the PROCEEDINGS of the Honourable the Court of Policy of the Colony and dependent Districts of British Guiana, at its Ordinary Assembly, held at the Colony House, George Town, Demerara.

Present,

His Excellency Major-general Sir J. C. Smyth, Bart., Lieutenant-governor, &c. &c. &c.; His Honour Charles Herbert, 1st Fiscal; His Honour George Bagot, 2d Fiscal; the Honourable E. H. Gibbon, Acting Protector of Slaves; and the Honourable Members, John Croal, John G. Reid, George Rainy.—Dempto, his Honour Charles Wray, Chief Justice.

Saturday, 3 August 1833.

(After Prayers.)

His Excellency the Lieutenant-governor then, with reference to the conversation he had with the Members yesterday, read the following Address to the Court:—

(F. I.)

Gentlemen,

I wish to lay before you and to have entered upon the records of this Court, the Despatch of the Right honourable Edward G. Stanley, dated the 13th of June, giving cover to the Resolutions of the House of Commons of the 12th of the same month. I was induced, by the reasons as explained in the Government Notice of the 18th ultimo, to direct that these documents should be made public without delay.

I now propose that they should be entered upon the records of this Court, for the convenience of reference.

2. In the furtherance of the orders of Government, I have already called upon his honour the Chief Justice, assisted by the Puisne Judges, to lose no time in undertaking an investigation, and in making to me a report, as to what alterations will be requisite in our colonial code, and what particular laws or ordinances will have to be revised, in consequence of the expected immediate change in the state of society in this Colony. This report, when completed, I shall direct to be laid upon this table, and it will materially assist us in our future deliberations upon the subject.

3. With a view of collecting, with as little delay as possible, the detailed information which we will require to enable us to adopt a system of police in unison with what will shortly be the state of this community, I beg to suggest that a select committee of this Court be forthwith appointed, with power to send for and to examine all persons and documents they may require, for the purpose of making a careful report upon our present existing police system, upon the power and authority as severally exercised by the fiscals, the deputy fiscals, the burger officers and the civil magistrates; and of reporting whether in their opinion the present system may or may not, by a series of additional enactments, and by augmenting the number of deputy fiscals, be so improved and amended as to be made applicable to the present contingency; or whether it may not be more advisable to reconstruct the whole edifice, adopting a modified plan of that followed by the mother country. We have within ourselves, I am happy to be able to say without fear of contradiction, the materials to form as upright, independent and intelligent a magistracy as in any part of the King's dominions. If the great landed proprietors and gentlemen of the most considerable wealth and influence in the country will step forward and take an active share of the magisterial duties, as is done in England, they will render a most important and essential service to the community.

In the hope that this idea may be realized, I should be disposed to recommend a complete revision of our system, and the adoption of the English plan (modified of course according to local circumstances) of lieutenants and deputy lieutenants of counties or districts, of justices of the peace in the parishes.

A subordinate constabulary system might be formed by employing and paying the principal negroes. I merely suggest these measures as being matters for the committee to consider and report upon. A temperate discussion of the subject, after we are in possession of all the necessary information, will enable us to form a correct opinion.

4. If this Court agrees to my suggestion of appointing a committee, I beg also to recommend that it should be further enjoined to the committee to consider and report upon the number of parish schoolmasters which will be required, and of the probable expense of establishing a school in each parish. The educating the young people of both sexes is a very important feature in the new system about to be introduced, and on this head there appears to be no doubt but that we will be liberally assisted by the mother country.

Information as to the extent of the assistance we may require, it will of course be advisable to be in possession of, with as little delay as possible.

5. Until we hear farther from home I do not propose any additional measures, nor do I consider that any steps beyond those I have alluded to would be at present either prudent or advisable.

If any important orders should be received by me after the prorogation of this Court, I shall forthwith convene an extraordinary meeting.

3 August 1833.

(signed) J. Carmichael Smyth.

And at the same time laid over with the Address, the circular Despatch, dated the 13th June last, of the Right honourable the Secretary of State for the Colonies, together with

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the Resolutions of the House of Commons, dated 12th June, and referred to in his Excellency's Address.

(F. I.)

The Court, after returning its thanks to his Excellency the Lieutenant-governor, for the communication he had been pleased to honour it with, ordered that the Address and papers be entered on the Minutes of this day; and at the same time assuring his Excellency that, after the frank and candid avowal of his sentiments upon the matters contained in these very important papers, the members of this Court could not feel any hesitation about giving their instant attention thereto, and that on Monday they would be prepared to resume with his Excellency the subjects to which their attention was more immediately called.

Enclosure (F.) in No. 89.

Enclosure (F.)
in No. 89.

EXTRACT from the MINUTES of the PROCEEDINGS of the Honourable the Court of Policy of the Colony and dependent Districts of British Guiana, at its Ordinary Assembly, held at the Colony House, George Town, Demerara.

Present,

His Excellency Major-general Sir J. C. Smyth, Bart., c.B. Lieutenant-Governor, &c. &c. &c.; His Honour Charles Herbert, 1st Fiscal; His Honour George Bagot, 2d Fiscal; the Honourable E. H. Gibbon, Acting Protector of Slaves; and the Honourable Members, John Croal, John G. Reid, George Rainy.—Dempto, his Honour Charles Wray, Chief Justice.

Monday, 5 August 1833.

(After Prayers.)

The Court, with reference to the communication made to it by his Excellency on Saturday last, when his Excellency was pleased to lay over Mr. Secretary Stanley's circular Despatch of the 13th June, and the determination to fix on this day for the reconsideration of the subject thereof; after the most mature deliberation, agreed to the following reply to the communication of his Excellency the Lieutenant-governor, which was read and ordered to be entered on the Minutes:

His Excellency the Lieutenant-governor having laid before the Court a circular Despatch of the Right honourable the Secretary of State for the Colonies, dated 13th June last, communicating certain Resolutions adopted by the House of Commons relating to the abolition of slavery, the Court is desirous, on so momentous an occasion, to take the earliest opportunity of recording, for the information of His Majesty's Government, their sentiments on the general principles on this important subject, which alone are indicated in those Resolutions, and referred to in that Despatch.

That for this purpose, acknowledging and accepting with gratitude the grant of twenty millions sterling, announced to be made towards the compensation of the proprietors in the Slave Colonies, as an earnest of the deliberate and becoming determination of the Imperial Parliament to fulfil, to any further extent which the circumstances of the case may call for, the obligation which justice imposes of enforcing no invasion of the rights of private property without affording full indemnification, and relying on the firm adherence to the just principle of distribution of that grant among the several Colonies which has been already declared by His Majesty's Government; this Court requests that his Excellency the Lieutenant-governor will be pleased to convey to His Majesty the dutiful assurance of its cordial desire to contribute its best efforts to devise and give effect to all such measures for the abolition of slavery as shall appear best calculated for attaining that object, under such provisions for regulating the condition of the negroes as may combine their welfare with the interest of the proprietor and the general benefit of the State.

2. That in receiving with respectful deference, and engaging to aid zealously in procuring an efficient and salutary operation for the decree of His Majesty and the British Parliament on this subject, the Court cannot conceal its sense of the almost overwhelming difficulties with which the intended experiment is encompassed, nor can it look forward without a feeling of deep anxiety, not unmixed with misgivings, as to the result.

3. That while the Court is aware that the projected measures are intended to effect an entire change in the structure of our society and in the relation of its different classes, and are designed to abolish any domestic or arbitrary authority by which its labouring population has been hitherto partially governed; and while it will be ready to adopt and to aid in carrying into execution a more approved scheme of social relation, conducive eventually to elicit and establish to every practicable extent a system of voluntary industry for carrying on the work of agricultural production; it anxiously hopes that His Majesty and Parliament will be disposed to make considerable allowances, not only for the acknowledged difficulties common to all the Slave Colonies, which perplex the satisfactory adjustment of this question, but in an especial manner for the peculiar and aggravated disadvantages, with reference to the accomplishment of the desired object, which attach to this Colony in comparison with most others, arising from several obvious causes, but chiefly from the greater disparity which exists here between the supply of and the demand for labour, in consequence of the unbounded extent of the field for its employment, and
between

between its value and the cost of that scale of maintenance with which the habits and circumstances of the labourer dispose him to rest satisfied. The Court, therefore, earnestly trust that His Majesty's Government will be sensible that the maintenance of efficient industry in the cultivation of the staple of this Colony can only be secured by regulations of the most strict and powerful description, which, though exempt from the obnoxious features of slavery, and effectually guarded against the liability to abuse under the impulse of private interest or irresponsible authority, will nevertheless render the existing fund of labour, to any extent not incompatible with the entire well-being of the labourer, available for continuing the established system of production of the Colony; and that such regulations are alike essential to the preservation of the capital involved, to the rendering of this dependency of the empire subservient to its power, prosperity and resources, and are in an especial manner called for by a comprehensive regard to the future and permanent welfare, and the progressive social advancement of the great body of its labouring population, whose interests have engaged in so marked a manner the solicitude of the British nation.

4. That, as intimately connected with and subservient to the prospective elevation of that description of the labouring population whose privileges are about to be extended, and as essential to the well-being and salutary organization of our entire social state, the Court cannot on this occasion refrain from expressing its sense of the urgent necessity for constructing fundamentally, and making due provision for the efficient execution of an equally powerful and strict system of appropriate regulations for the government of its general society of all complexions and descriptions; an organization which is the more indispensable to the peace and safety of the community, from the recent rapid increase of a free population, comparatively exempt from salutary control, and too often revelling with impunity in licentious idleness and petty crime, in consequence of our existing institutions (chiefly framed with an exclusive regard to the regulations of a slave community) being utterly inadequate to afford sufficient means of preventing, repressing, and correcting the disorders and obviating the dangers thus incident to our social state.

5. That, looking to the unavoidably heavy expense which will attach to the establishment of a magistracy and of police establishments, on a scale of efficiency commensurate with the wants of the community, and adverting to the additional provision requisite for the religious and moral education of the negro population, the Court receives with thankfulness the pledge contained in the Resolutions, or the intention of Parliament to make provision for these important objects, to which the resources of this Colony are entirely inadequate.

6. That it is peculiarly satisfactory to the Court to have the assurance of the Secretary of State, that the measures proposed to Parliament for carrying into effect the Resolutions of the House of Commons, will be so framed as to leave the amplest opportunity for taking advantage of the local information of the legislative Councils, and showing respect to their judgments.

That the Court will devote itself to this important duty whenever his Excellency the Lieutenant-governor may propose that it shall enter on its details; and that in the mean time the Court, entirely concurring in opinion with his Excellency on the propriety of making such preliminary inquiries as may be conducive to the due elucidation of various matters connected with the projected changes, will engage assiduously in instituting such inquiries.

7. That with reference to the prevailing sentiments of the great body of the resident proprietary and representatives of property in this Colony, and of all other classes of the colonists, it is gratifying to the Court to testify its belief that, in reliance on the justice of Parliament, and the support of His Majesty's Government, a disposition pervades that important body to meet the approaching changes in a conciliatory and co-operative spirit; but the Court would be wanting in its duty at this crisis, if it did not beg permission earnestly to impress on His Majesty's Government, that this community so entirely confide in the observance of that equitable principle already propounded by His Majesty's Government, as to the distribution among the different Colonies of the intended compensation, that a deviation from that principle would engender feelings of intense disappointment and dependency, and would tend seriously to compromise the hope of embarking, in aid of the arduous experiment about to be entered on, the cheerful concurrence of that body on whose cordial co-operation its peaceful and beneficial progress avowedly depends.

That as the grant in question is obviously made towards affording compensation for a particular description of property about to be affected by the changes incident to the altered policy of the State, it is self-evident that no other rule than one which shall have strict regard to the relative values of that species of property, in the different situations in which it now exists, can with any semblance of justice be made applicable to its due apportionment.

If this were a question on the adjustment of which powerful private or political influences could be admitted to have a legitimate bearing, this Colony, unable to contend with its competitors in the exertion of such influences, could not but have serious apprehensions of an unfair result; but in a matter of pure equity, subjected to the solemn and judicial adjudication of the Imperial Legislature, the Court cannot entertain the indecorous supposition that any other principle will be sanctioned than that which will award the intended compensation in the degree in which that property which is intended to be interfered with, possesses value as property.

The confidence with which this Court is disposed, on behalf of this Colony, to rely exclusively on the abstract justice of its claim in this important matter, would not be weakened by the appeal which it might make to the repeated acknowledgments by successive Secretaries

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ries of State of His Majesty's gracious approval of its efforts to fulfil the intentions of Parliament in the amelioration of slavery, and which, so long as the legislation on that subject was left to its discretion, fell short of one solitary point only of carrying into effect the requisitions of His Majesty's Government.

And his Excellency the Lieutenant-governor is requested to take the earliest opportunity of forwarding copies of this Minute to the Right hon. the Secretary of State for the Colonies; and the secretary is directed to hand to his Excellency an extract hereof for that purpose.

— No. 90. —

COPY of a DESPATCH from Sir *J. Carmichael Smyth* to Mr. Secretary *Stanley*.

No. 90.

Sir,

Camp House, Demerara, 18 Aug. 1833.

I HAVE the honour to acknowledge the receipt of your secret Despatch of the 4th July, together with its enclosure. I avail myself of the present opportunity to report to you, that the most perfect tranquillity prevails throughout the whole of this Colony, and that I have no reason to anticipate or apprehend any insurrectionary movements. The negroes were never more willing or obedient; and I am sanguine in my hope that, with due vigilance and precaution, the important change will be carried into effect without any collision. The critical period will, however, be on the promulgation of the Act of Parliament. Some little excitement is naturally to be expected; which probably will be magnified by the enemies to the measure. The principal inhabitants have, however, so much at stake, and they have shown so much good sense and moderation upon the occasion, that I am convinced all the influence in their power will be exerted to maintain the peace of the country, and that no inflammatory or factious proceedings will receive the slightest countenance or protection. The great body of the slaves are aware of the benefits they are about to receive, and from every source of information within my reach, are disposed to check any violent or intemperate conduct on the part of any of their comrades. Upon the whole, it is my sincere belief that the state of the public feeling in this Colony, of both the white inhabitants and of the darker population, is as favourable as could be wished.

I have, &c.

(signed) *J. Carmichael Smyth*.

— No. 91. —

COPY of a DESPATCH from Sir *J. Carmichael Smyth* to Mr. Secretary *Stanley*.

No. 91.

Sir,

Camp House, Demerara, 7 September 1833.

I BEG to lay before you the enclosed Report, which I have received from the Crown-advocate in this Colony, relative to those alterations in the colonial laws which will be required in consequence of the changes in the relative situations of the different classes of society, upon the abolition of slavery. It has afforded me much pleasure to observe how very little will be required to be done. The regulations, and all matters connected with the new system of police, which will have to be adopted, the Crown-advocate has of course studiously avoided entering upon, the same not having been referred to him for his consideration and report. I think, however, I may venture to state to you that, whenever this most important Bill shall have passed the Imperial Legislature, all those matters of detail which are to be left to the discretion of the local authorities, will be discussed and carried into effect in these provinces with every wish and desire to promote the views of His Majesty's Government, and to preserve the public tranquillity. I have very great satisfaction in being able to add, that from every account I receive, not only from persons in possession of civil authority, but from the clergymen, the missionaries, and other sources

sources of information, the negroes were never known to be so subordinate, tranquil, or to do their work with such good humour and cheerfulness. I hope and trust that in British Guiana the crisis will pass over without any collision. I shall not however allow myself to be lulled into any false security, nor deem it prudent to relax in any and every precautionary measure.

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I have, &c.
(signed) *J. Carmichael Smyth.*

Enclosure in No. 91.

TO His Excellency Sir James Carmichael Smyth, Baronet, &c. &c. &c., Lieutenant-Governor, &c. &c. &c.

The REPORT of the Crown Advocate, on the Extract from a Despatch of the Right Honourable the Secretary of State for the Colonies, dated 13 June 1833 ;

Humbly sheweth,

Enclosure in
No. 91.

THAT in obedience to your Excellency's order of the 13th instant, your Reporter has considered the matters referred to him, and has also read the draft of the proposed Act of Parliament; and has the honour to state,

1st. With respect to the qualification for the enjoyment of the many civil franchises which presuppose the existence of property in slaves: That the law now in force which regulates this matter emanating from the sovereign authority, the attention of His Majesty's Government will be certainly required in order to a new arrangement of the franchise, inasmuch as the votes for the election of keizers and financial representatives now depends wholly on the possession of 25 slaves, which must cease with the alteration in their condition on the 1st August 1834.

2d. With respect to the laws of succession and inheritance, and whatever relates to intestates' estates: That there being no distinction in the nature of property here peculiarly applicable to property in slaves, which take it out of the general rule in cases of succession or distribution of intestates' estates, the abrogation of slavery will cause no difficulty that can require a new enactment.

3d. With respect to the execution of judgments of the courts of law: That your Reporter observes that this subject has in great measure been dealt with in the proposed Act of Parliament, and therefore that a slight alteration only in the manner of proceeding established for the supreme court of justice will be required, which is within the functions of the court itself.

And lastly. With respect to any enactment by which the existing law may be most conveniently adjusted to a state of society in which slavery will be unknown: That the abrogation of slavery by an Act of Parliament necessarily implying the abrogation of the laws and regulations now in force relating to that state of society, we shall revert wholly to the Dutch law, throughout which slavery is not contemplated; and such laws being already adjusted to the state of society alluded to, no new enactment seems to be called for in that respect.

Which is respectfully submitted.

Demerara, 3 September 1833.

(signed) *S. W. Gordon, C. Adv.*

— No. 92. —

COPY of a DESPATCH from Sir *J. Carmichael Smyth* to Mr. Secretary *Stanley.*

Sir,

Camp House, Demerara, 3 Oct. 1833.

No. 92.

I HAVE great pleasure in being able to report, that not only the most perfect tranquillity prevails throughout the whole of these provinces, but that the slave population was never more obedient or industrious. The negroes are however perfect children of nature, and act upon the impulse of the moment. In expectation of the great boon about to be conferred upon them, their gratitude to the King, the good King, as they emphatically call His present Majesty, from whom they are to receive their freedom, knows no bounds. I only returned the day before yesterday from a short tour on the other side of the Demerara river, and where there is a very dense population. Several of the most respectable of the planters and managers I found were looking forward with considerable apprehensions to the 1st of next month. In the first sketch of the Bill for abolishing slavery, it was stated that on the 1st November of the present year,

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the owner was to be divested of the power of inflicting punishment. This clause, so highly important to them, the negroes, it would appear, have not forgotten; and if not informed by authority on which they can depend, that the power of the master is to continue in full force until the 1st of August of next year, the greater their gratitude and the greater their happiness, in proportion as the day approaches which they have imagined is to release them from the odious control of the lash, so much more they will feel the disappointment and the further delay. Under these circumstances I have been induced to issue a Proclamation, which I trust you will approve of. Until the Bill had passed the House of Lords, and in the uncertainty of what alterations it might then undergo, I could not communicate anything to the negroes, to the correctness of which I could pledge myself. I have even now anticipated any official communication that the Bill has passed. The paramount consideration of the preservation of the peace of the country, and the being enabled to carry the great change into effect without any collision or bloodshed, have induced me to anticipate the receipt of your orders. The 1st of November is so near at hand, that if the ensuing mail is delayed by weather or any other accidental cause, the day would be upon us before I might be able to inform the negroes that the 1st of August, and not the 1st of November, is the day fixed for the cessation of slavery and the commencement of their apprenticeships. I trust my conduct will meet with your approbation.

I have, &c.
(signed) *J. Carmichael Smyth.*

Enclosure in No. 92.

TO the Slave Population of British Guiana.

By His Excellency Major-General Sir *James Carmichael Smyth*, Baronet, &c. &c. &c.
Lieutenant-Governor and Commander-in-Chief, &c. &c. &c.

Enclosure in
No. 92.

IN a proclamation which I addressed to you about three months ago, I told you that whatever orders I received from the King about you, I would immediately communicate them to you, and that you might depend upon my carrying them punctually into execution. I warned you of the necessity of your continuing to conduct yourselves quietly; of steadily performing your work, and of yielding to your masters a cheerful and ready obedience. I am happy to say that you have followed my advice; you have conducted yourselves as well as could have been wished. This country was never happier or quieter. You have shown to the world that you are worthy of the great sacrifice of money the people of England have agreed to give to your masters for your freedom. I thank you for your good conduct. Listen now to the orders which our great and good King has sent to me about you. You will find that everything that could be thought of to render you happy and industrious has been attended to.

1. You are to continue as you are until the 1st of August next. This delay is necessary to enable the justices of the peace (under whose care and superintendence you are to be more particularly placed) to be selected, and to be sent here from England. On the first of August next you are to be no longer slaves, but apprenticed labourers. The difference between a slave and an apprenticed labourer is very much in your favour. A master is by law entitled to require his slave to work nine hours per day, or 54 hours per week; an apprenticed labourer can only be called upon to work at the rate of 7½ hours per day, or 45 hours per week. You gain, consequently, as soon as you are apprenticed labourers, at once nine hours per week, in which you can work or do anything for yourselves. The master of a slave can order his slave to be punished: the master of an apprenticed labourer will have no such power over his apprentice; but if he has any fault to find, he will have to complain to a justice of the peace, whose duty it will be to listen patiently, to examine witnesses, and to write down carefully all the particulars of the story, as related both by the master and the apprenticed labourer, before he gives judgment. These judgments must, moreover, be laid from time to time before me; and if any justice of the peace abuses his authority, or acts with partiality, or under the influence of passion, or in any way shows himself unworthy of the high trust committed to his charge, you may depend upon his being immediately removed. You see, therefore, the great advantages you will derive from being apprenticed labourers instead of slaves.

2. However much your situations will be improved, and your happiness and comforts augmented, by being made apprenticed labourers instead of slaves, yet it is further intended that in a few years you shall be perfectly free, and at liberty to engage yourselves with any master, or gain your livelihood in any way you may think proper. The King has ordered that you are to be apprenticed labourers only from the 1st of next August until the 1st of August of the year 1840, which is but six years of apprenticeship. On the 1st of August 1840 you will be as free as any white man.

3. I have

3. I have said to you that the master is by law entitled to 54 hours per week of labour from his slave, and that from the apprenticed labourer he will only be entitled to 45 hours per week. There are, however, many domestic slaves employed about a house, and many mechanics and artificers who do not work in the field, but who are required to give up more of their time to their master. A list of these people will be carefully made; and it is the King's orders that, as they give up a greater proportion of their time for the use and advantage of their masters than the slave who merely works at his lawful hours in the field, so they should receive a recompence, by being entitled to their freedom at an earlier period. A list of all slaves employed as I have described will be made out, and on the 1st of August next they are to be called non-prædial apprenticed labourers; and they will receive their complete freedom on the 1st of August 1838, that is, two years before their comrades.

4. You are now fully acquainted with the King's orders, and with everything that is to be done with respect to you. I trust you will all return to your work quietly, happily and cheerfully; and that in your prayers you will not fail to return your humble and sincere thanks to the Almighty God, in whose hands are the hearts of Kings, for having thus opened the door and prepared to lead you from the house of bondage. The wisest and ablest of men never anticipated that such a great and a blessed change could have been effected in your favour but at a remote period, and even then accompanied with bloodshed. Let me urge you for your own sakes, now that you are aware of all the good that is intended for you, to prove yourselves worthy of the blessings of freedom; and in all matters, and upon all occasions, to show yourselves loyal and obedient subjects of that truly paternal Government to which you owe so much.

Given under my hand and seal, at the King's House, George Town, Demerara, this 2d day of October 1833, and in the fourth year of His Majesty's reign.

God save the King.

By His Excellency's command.

(signed) *T. C. Hammill*, Acting Gov. Sec.

— No. 93. —

COPY of a DESPATCH from Sir *J. Carmichael Smyth* to Mr. Secretary *Stanley*.

Sir,

Camp House, Demerara, 16 Oct. 1833.

No. 93.

I HAVE the honour to acknowledge the receipt of your Circular of the 5th September, together with a copy of His Majesty's Proclamation directed to be forthwith promulgated, and which orders were carried into execution within a few hours after the arrival of the packet. I am happy to be able to report that this Colony never was quieter; and I see no reason to apprehend any interruption to its tranquillity. I shall not, however, relax in my endeavours to maintain the public peace, nor suffer any of the measures of precaution I have adopted, to be discontinued. I have lately returned from another tour I made for the purpose of inspecting the militia, upon the eastern coast, and have everywhere met with the same disposition, on the part of the planters, to cultivate the good will of the negroes, (without whose cheerful aid they are well aware that they will not be able to carry on the cultivation of their estates), and the same obedience and orderly conduct on the part of the negroes themselves. The address to negroes, a copy of which I did myself the honour to forward to you in my Despatch of the 3d October, and in which I explained to them what had been done for them, has had every good effect I wished for. The delay from 1st November to the 1st August, I was apprehensive would have occasioned some disturbance. In one small district only, that of Western Essequibo, were any symptoms of disappointment manifested. The deputy fiscal of that district, Mr. Bean, is however a very well informed and sensible man; and by his prudence and firmness, the angry feelings, generated under the misconception of the day on which the power of punishment on the part of the master was to cease, evaporated without any explosion. This is a solitary instance of anything like a want of gratitude on the part of the slave population; and when it is remembered how easily the passions of the lower orders, in all ages, have been influenced, the only wonder is, that on a subject of such vital importance to their welfare, these uneducated children of nature should have shown a patience and a forbearance worthy of being imitated by many of their better instructed fellow subjects in the mother country.

I propose leaving this for Berbice on Monday, in order to inspect the Berbice militia and to make myself personally acquainted with the state of public feeling

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ing in that district. I am also anxious to look into the detail of the public offices at Berbice, with a view to carry into execution those measures of economical reform inculcated in my instructions. I shall be back here to open the Court of Policy on the 29th instant, about which time the second September mail may be expected.

I have, &c.
(signed) *J. Carmichael Smyth.*

— No. 94. —

EXTRACT of a DESPATCH from Mr. Secretary *Stanley* to Lieutenant-Governor Sir *J. Carmichael Smyth*, dated Downing-street, 16 January 1834.

No. 94. I HAVE the honour to acknowledge the receipt of your Despatch of the 3d October, enclosing your proclamation; and also of your Despatch of the 16th October last, announcing to me the promulgation of His Majesty's proclamation upon the subject of the Act for the Abolition of Slavery.

In expressing to you my satisfaction at the favourable report of the disposition and behaviour of the negro population, and at your unremitting exertions in the preservation of the public tranquillity in British Guiana, I regret that I am unable to convey to you my unqualified approbation of your own proclamation.

— No. 95. —

COPY of a DESPATCH from Lieutenant-Governor Sir *J. Carmichael Smyth* to Mr. Secretary *Stanley*.

No. 95. Sir, Camp House, Demerara, 26 January 1834.

(A.)
Printed in Appen-
dix (B.) No. 13.

IT is with infinite satisfaction that I have the honour to transmit to you, to be laid before His Majesty, the accompanying copy of an Ordinance which I authorized to be promulgated in this Colony a few days ago. This ordinance, which deprives the master of the power of inflicting corporal punishment upon the slave after the 1st March, and thus anticipates the enactments of the Act for the Abolition of Slavery by five months, and deprives slavery of its most disgusting and objectionable features, cannot but be favourably received by His Majesty.

(B.) 2. I take the liberty of also submitting for your perusal, and as I hope, for your approbation, a copy of a Minute I entered upon the journal of the proceedings of the Court of Policy, upon the passing of this ordinance. I also
(C.) add a copy of an Address I conceived it my duty to circulate amongst the slave population, acquainting them with the great change in their situation.

3. I am sanguine in my expectations that the ordinance in question will not only be approved of in its general principles, but in its details. I have endeavoured to have it so framed as that it may continue to be useful long after slavery shall have ceased. I have been anxious to lay the foundation of free and liberal institutions in unison with those of the mother country. In lieu of the arbitrary and undefined power of the fiscal, that magistrate becomes merely the chairman of a bench of magistrates, and which, in all cases in which he has cognizance, can never consist of less than four gentlemen.

4. I take the liberty respectfully to suggest, that if the rapid stride thus made by this Colony to meet the views and wishes of His Majesty's Government should appear to be deserving of His Majesty's approbation, an official expression of that approbation, to be communicated to the Honourable the Court of Policy, would be very gratifying to the members, and at the same time could not but have a good effect upon the community at large.

I have, &c.
(signed) *J. Carmichael Smyth.*

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Enclosure (B.) in No. 95.

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GUIANA.Enclosure (B.)
in No. 95.

Gentlemen,

I CANNOT allow the extraordinary session of the Court of Policy to close without entering upon the minutes of the Court the expression of the sincere gratification I have experienced in witnessing your indefatigable exertions in the discharge of your duty, and without offering to you my congratulations upon the proud and successful termination of the first part of your labours.

The ordinance establishing justices of the peace and courts of inferior criminal jurisdiction, in the place of the ill-defined and arbitrary power formerly exercised by the fiscals, I shall put my name to, and cause forthwith to have its operation, with very great satisfaction.

This ordinance, advancing as it does the great cause of rational liberty, and assimilating our proceedings in this distant province of the empire with the free institutions of the mother country, cannot but be graciously received by our most excellent Sovereign.

To myself individually it will ever be with a most satisfactory feeling that I shall refer to the Minute of the 3d August last, which I entered upon your journal, and in which I suggested and urged upon your consideration the measures which you have now adopted. If I, however, have the humble merit of having first brought to your notice the propriety of constituting courts of justices of the peace, to you exclusively belongs that far greater honour of having voluntarily deprived yourselves of the invidious power you formerly possessed over your slaves; a power which, you immediately saw, the establishing of courts of justices of the peace rendered no longer necessary. The task of maintaining order and enforcing the laws you have placed in the hands of competent legal authority, in the hands of justices of the peace to be appointed by His Majesty. You have set an honourable example to all your sister Colonies; and as you have been the first to deprive slavery of its most disgusting feature, so are you justly entitled to the unqualified approbation of His Majesty's Government, and to the cordial esteem of the British nation.

I have only to add, that I shall continue most cheerfully to co-operate with you in perfecting the great and important work entrusted to our charge, and that I have very little doubt, from the nature of the progress we have made, but that the result will be as satisfactory as the jarring and conflicting nature of the several interests of the parties concerned will admit of.

Court of Policy, 21 Jan. 1834.

(signed) *J. Carmichael Smyth.*

Enclosure (C.) in No. 95.

ADDRESS to the Slave Population,

By His Excellency Major-General Sir *James Carmichael Smyth*, Bart., &c. &c. &c.

A NEW law has this day been made by myself and the Court of Policy. By this law a number of the most respectable gentlemen are to be appointed justices of the peace; and from the 1st of March next, if you commit any fault which may appear to your master, or the person having authority over you in your master's name, deserving of being punished by the cat, you must be taken before these justices, who will hear and write down what you have to say in your defence, as well as what may be alleged against you, and, after due and careful deliberation, will either acquit you or sentence you to be punished according to the nature and degree of the offence. By this new law you will perceive that you cannot consequently be punished as aforesaid, without being tried and found guilty by gentlemen administering justice in the name of the King.

I assure you, my friends, that this day, as the day on which I have signed this law, I shall always consider as one of the happiest in my life. If you have grateful and affectionate hearts, if you wish to be thought worthy of the blessings of liberty, if you feel rejoiced at the progressive improvements which are almost daily made with a view to your happiness and comfort, let me earnestly entreat of you to manifest your gratitude by paying the utmost attention and respect to your masters or those in authority over you; and by performing your work with increased diligence and activity, show to the world that you are human beings, capable of being governed by reason, and ready and willing to labour without being compelled, like a horse or mule, by the constant fear of the whip. I wish you clearly to understand that this new law which I have signed this day is not in consequence of any order from the King, but it has been originated and passed in this Colony without any communication from England, and that most of the gentlemen of the Court of Policy who have advised and agreed to this law are masters of slaves.

It is, therefore, to your masters themselves that you are indebted for this immediate improvement in your situation; and as they have voluntarily consented, that from the 1st March next there shall be no punishment by whipping but by the authority of the justices, after a careful investigation, I hope that you on your parts will so behave yourselves as to give to them no cause to repent of the steps they have taken in your favour. Be sober, civil and diligent in your several employments. By such conduct you will afford real and heartfelt satisfaction to your friends and well-wishers, and at the same time best ensure your own happiness.

Camp House, 21 January 1834.

(signed) *J. Carmichael Smyth.*Enclosure (C.)
in No. 95.

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— No. 96. —

COPY of a DESPATCH from Lieutenant-Governor Sir *J. Carmichael Smyth* to
Mr. Secretary *Stanley*.

Sir,

Camp House, Demerara, 27 January 1834.

No. 96.

IN order that I may be enabled to judge correctly of the state of the country, I have required, ever since my arrival in this Colony, monthly reports from the fiscals of each district, with details of complaints, and a return of punishments. I have also required from the protectors of slaves similar monthly reports of their proceedings. I cannot show to you in a more gratifying manner the tranquil state of this Colony, than by submitting for your perusal the reports for the last month from the three fiscals and from the two protectors.

2. I beg also to lay before you, and to draw your attention to a Return, showing the quantity of colonial produce gathered and manufactured this year, as compared with the several preceding years. This official document clearly establishes that a considerable increased quantity has been made this last year, although the season has by no means been particularly favourable. This increased quantity is solely attributable to the increased goodwill and diligence of the slaves; and this goodwill and diligence of the slaves are the consequences of the milder treatment they now experience, and of the cheering prospect before them. The abolition of the horrid cart-whip, the suspension of the two fiscals for illegal and improper severity, the restraining of all punishments inflicted by order of single magistrates to the extent authorized by His Majesty in Council, and above all, the explaining to them fully and explicitly what will be their rights as apprenticed labourers, and clearly stating to them the period when they will be perfectly free, have fortunately acquired for my administration of this government the confidence and gratitude of the slave population. Ill-treatment, or even imaginary wrongs, may produce a riot or a temporary disturbance upon some particular plantation; anything however of the nature of a combined effort or preconcerted insurrection, with a view to hasten the period of the cessation of their state of slavery, on the part of the negroes, I have not the slightest apprehension of. Human nature is in fact the same all over the world; and no man who is confident that his wrongs will be redressed, if made known to the competent authority, will fly to arms and endanger his own life in order to avenge himself. Of the continuance of tranquillity in this colony I have very little doubt.

3. It also affords me great pleasure to be able to report that very considerable progress has been made in the formation of the ordinances for the government of the apprenticed labourers. It is proposed to embody the contents of the 12 chapters contained in the paper of the 10th October 1833, which I had the honour to receive from you, into two ordinances. The first ordinance will relate solely to the classification of the labourers, as explained in chapter 3. As the slaves are to have the right of appeal, if not satisfied that they are placed in the class to which they imagine they ought to belong, it is evident, that in order that there may be sufficient time to hear and dispose of these appeals, and still that the classification may be completed before the 1st August, there must be no delay in making all the preliminary arrangements. It is consequently my intention, with a view to do all in my power to expedite the carrying into effect these important measures, to sanction the promulgation of the ordinance respecting the classification of the slaves, as soon as it shall be completed. The second ordinance, containing the regulations for the government of the apprenticed labourers, and which I trust will be found in strict accordance with the Act of Parliament, will be forwarded in about ten days, for His Majesty's most gracious approbation.

4. I beg to add, that the commissioners of compensation having, with great diligence and activity, acquired all the necessary information to enable them satisfactorily to comply with the first part of their instructions, I am in hopes to be able, in a few days, to forward to the Commissioners in London, through the Colonial Office, the first part of their Report.

I have, &c.

(signed) *J. Carmichael Smyth*.

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Enclosure in No. 96.

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GUIANA.COMPARATIVE STATEMENT of the AMOUNT of CROPS in *Demerara* and in *Essequibo*, for the last Five Years.Enclosure in
No. 96.

	Number of Slaves.	Pounds Sugar.	GALLONS OF RUM, PROOF.						
			24	23	22	21	20	19	18
1828	58,324	84,996,251	1,978,626	2,468	74,389	49,622	378,034	186,066	38,050
1829	57,054	91,652,331	2,411,521	-	20,573	112,917	345,130	423,248	61,230
1830	56,096	89,611,777	2,878,205	2,160	15,518	23,948	284,195	606,284	148,218
1831	54,890	81,385,451	2,566,852	4,341	46,595	23,264	166,978	595,185	141,583
1832	53,768	80,209,226	1,498,330	2,443	8,670	12,951	112,980	436,039	165,251
1833	53,413	87,248,821	1,447,874	318	792	26,305	84,749	489,961	137,235

	Gallons Mcllasses.	Pounds Coffee.	Pounds Cotton.	Amount in Value of Plantains sold.	Amount in Value of Cattle sold.
1828	2,887,321	5,747,091	1,918,036	<i>Guilders.</i> 459,566 7 -	<i>Guilders.</i> 72,127 - -
1829	2,288,737	4,558,789	1,217,269	526,424 9 -	64,844 - -
1830	2,145,911	1,338,158	614,650	443,849 6 -	82,331 14 -
1831	2,896,546	1,176,484	420,338	593,243 16 -	75,564 17 -
1832	4,018,101	3,417,911	599,510	559,890 19 -	68,714 1 -
1833	4,636,294	2,587,744	538,126	467,261 11 -	92,118 17 4

25 February 1834.

(signed) *W. Viret*, Accountant Fin^l Dept.

— No. 97. —

COPY of a DESPATCH from Mr. Secretary *Stanley* to Lieut.-Governor
Sir J. Carmichael Smyth.

Sir,

Downing-street, 20 March 1834.

No. 97.

I HAVE the honour to acknowledge the receipt of your Despatches of the 26th and the 27th of January last; the former enclosing an ordinance intituled "An Ordinance to establish and constitute Inferior Courts of Criminal Justice in British Guiana," which has deprived the master of the power of inflicting corporal punishment upon the slave, since the 1st March last; the latter reporting most favourably on the tranquil state of the Colony and the industry of the slaves, and enclosing certain documents in proof these representations.

I have received His Majesty's commands to convey to you His confirmation of the above-mentioned ordinance, and at the same time to express to you His Majesty's satisfaction at the wise, just and liberal course which has been adopted by the Court of Policy and yourself on this occasion.

It has afforded His Majesty no small degree of gratification to observe that those for whose benefit this ameliorating law has been framed, have by their conduct merited the confidence and good-will which the Legislature of British Guiana has thus manifested towards them.

The increased industry of the negroes, to which you bear testimony, the absence of offences to a degree which would be creditable even to the most civilized community, are circumstances which would at all times be highly gratifying; but which at the present crisis justify the most favourable anticipations of the success of the great experiment which has thus auspiciously commenced.

The mild treatment of the negroes, indicated by the paucity of complaints before

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before the protector; the anticipation, by several months, of one of the most humane provisions of the British Act, by spontaneous relinquishment of the power of inflicting arbitrary corporal punishments; the cordial adoption of the spirit and views of the British Parliament with reference to the whole subject of emancipation, and the diligence which the Court of Policy have manifested in devising the necessary measures for carrying those views into effect, will most undoubtedly secure the proprietors and the Legislature of British Guiana the gratitude and confidence of the negro population.

The proclamation you have issued for the purpose of explaining the objects and the motives of the new ordinance, is eminently calculated to create and foster those salutary feelings; and His Majesty has authorized me to signify to you His most gracious approbation of that judicious document.

I have only further to add, that having felt it my duty to call the attention of Parliament to the satisfactory intelligence which I had received from you, I am enabled, from the gratifying manner in which my communication was received, to assure the Court of Policy and yourself, that the House of Commons participated in the sentiments which are expressed in this Despatch, and that they fully appreciated the humane and enlightened policy which has been adopted by the Legislature of British Guiana.

I have, &c.
(signed) *E. G. Stanley.*

— No. 98. —

EXTRACTS of a DESPATCH from Sir *J. C. Smyth* to the Right Honourable *E. G. Stanley*, dated Camp House, Demerara, 10 March 1834.

No. 98.

IN your Despatch of the 16th January, I have observed with regret that you do not approve of two paragraphs in my address to the slaves of British Guiana, forwarded to you by me on the 3d October. As you, however, state in your Despatch as aforesaid, that you are aware of the difficulty of framing documents to be addressed to the slaves, and as you are pleased to express your general approbation of the address in question, I trust that you will allow me to lay before you the few following explanatory remarks, which may perhaps induce you to think more favourably of those expressions which at present do not meet your approval.

As a preliminary observation, I presume I may be allowed to assume that as yet the slave has known little of the law but its terrors. Whatever respect he may hereafter feel for the law, and for those who may be employed to administer justice, the very name of fiscal and of deputy-fiscal are to him synonymous with the cart-whip and the tread-mill. He has never hitherto been taken before these magistrates by his master, but with a view of being more severely punished than he could otherwise be. Hereafter when, in the first instance as an apprentice, and subsequently as a freeman, he will feel and be made sensible of the protection afforded by the law, he will doubtless understand and value those institutions to which he will owe his comfort and his happiness. At present, dreading the name of a magistrate as that of a person possessing and exercising over him a more severe sway than his master, he looks to one man, and to one man only, (and whom he believes to have authority over the fiscals and his master), for protection and support. I need hardly point out that this man is the Governor; and I can assure you that every action, word and expression of the officer administering the government is watched and repeated by the negro population, and made known amongst themselves all over the Colony with a celerity that is hardly to be believed. The preservation of the peace of this important province at this momentous crisis depends more than you are perhaps immediately aware of, not so much upon the firmness and character of the Governor as upon the opinion the negroes may have formed with respect to him, and above all, as to their notions of his good faith and sincerity. These conclusions I have arrived at after most mature and serious reflections upon what I have observed passing around me, and with the deepest anxiety to discover the most direct path leading

leading to the accomplishment of the object in view, without endangering the public tranquillity. With a view to acquire the confidence of the negro, which I have stated to be in my opinion of such primary importance, I published, very shortly after I landed in this Colony, an address to the slave population, which had the happiest effects. In that address, I recommended to them to listen to no idle and foolish stories which were in circulation in the Colony as to the measures to be adopted with respect to them. I assured them that neither I nor any person in British Guiana could tell them what would be the orders which the King and the Parliament of Great Britain might send out upon the subject; but I added, that whatever those orders might be, they might depend upon my carrying them into complete execution, and that they might equally rest assured that I would communicate the same to them without delay. From the date of the publication of this address, all that feverish excitement caused by the circulation of all sorts of ridiculous reports ceased, and the negroes awaited with patience my promised announcement. In the meanwhile, upon looking around me, I found that the enactments of His Majesty's Order in Council of the 2d November 1831 had been by no means so carefully and pointedly carried into effect in this Colony as, in my opinion, they ought to have been. I forthwith abolished the cart-whip, as I was by that Order enabled to do. I restricted the extent of punishment (which the fiscals and deputy-fiscals were in the habits of awarding) within the limits fixed by the said Order in Council, not to be exceeded but by courts in possession of competent authority. These measures could not but acquire for me the goodwill of the slave population.

The removal of two fiscals showed both the whites and the blacks that the Orders of the King in Council were to be strictly complied with, and did more to suppress acts of tyranny and oppression than the prosecuting and fining of 50 overseers or managers. It was under these circumstances, and keeping in view the line of conduct I had after due reflection traced out for myself, that I had to explain to the negroes the enactments of the Act of Parliament abolishing slavery. I have already alluded to the dislike the negro had to magistrates. It was to soften this dislike, and to inspire him with confidence in those gentlemen whose arrival may be shortly expected, that I was induced to state, in my address to the slaves, that the judgments of the justices of the peace would have from time to time to be laid before me; and that if any of them abused their authority, or acted in any way unworthy of the high trust committed to their charge, they would be immediately removed. I wished to persuade the negro to look up to the expected justice of the peace as his friend; as one acting upon the same principles as myself; in constant communication with me, and liable to be removed if he swerved from the correct discharge of his duty. Such egregious and false misrepresentations are from time to time circulated in this Colony, with respect to the intended plans of His Majesty's Government, that it was with a view to guard against any erroneous ideas which the negroes might have been led to entertain as to the functions and the duties of the proposed justices, that, upon a due conviction of the propriety thereof, I felt it advisable to explain that they were coming here to aid and assist me, and that they would be subject to my authority. I think I may venture to appeal with confidence to the subsequent acts of my administration, to acquit me of any foolish vanity, or such a fond love of consequence, as to wish to keep these justices at a distance. My great object is to induce the slave population to place their confidence in the law and in the administration of justice. The colonial members of the Court of Policy are fortunately gentlemen of as liberal and as enlightened ideas as I ever wish to meet with; they have afforded me their cordial support, and slavery throughout this province has been stripped of its most revolting and disgusting feature. The slaves are daily acquiring a confidence in the government, in the law, and in its administration, which cannot but be attended with the happiest and most beneficial effects. If my expressions have been deemed too strong, I think they may very well be excused, when the class of people to whom they were addressed, the circumstances under which they were made use of, and the good they have done, are taken into consideration.

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GUIANA.

— No. 99. —

No. 99.

COPY of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Stanley*.

Sir,

Camp House, Demerara, 12 Feb. 1834.

(A.)
(B.)
(C.)

I TAKE the liberty of laying before you copies of three circulars, the first addressed to the three fiscals of British Guiana, the second to the several justices of the peace, and the third to each of the clergymen and licensed preachers within the Colony, calling for periodical answers to certain questions; and which, (if duly attended to on their parts,) will preclude almost the possibility of any serious misunderstanding or combination amongst the negro population, without the same being communicated to me in sufficient time to enable me to take such measures as may be necessary to obviate all evil consequences.

I am happy in being able to report that nothing can be more tranquil than this Colony is at present; and with a judicious mixture of firmness and moderation on the part of the magistracy, which I do all in my power to inculcate, I see no reason to doubt the continuance of the existing state of affairs.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure (A.) in No. 99.

Enclosure (A.)
in No. 99.

Sir,

Camp House, 6 Feb. 1834.

HEREWITH I enclose for your information a copy of a letter which I have addressed to each of His Majesty's justices of the peace within this province, calling for a monthly report of the state of the negro population in their several neighbourhoods. From you, as an officer of the Crown, more especially entrusted with the preservation of the tranquillity of a large and important district, and who must be *ex officio* in the habits of daily intercourse with inhabitants of every class of the community, I am anxious at the present moment to hear more frequently; and I have consequently to request that you will address a letter to me every Monday morning, containing whatever information you may be in possession of, with respect to the conduct and feelings of the white, free, coloured and black, and the slave population. Upon all occasions I have to beg of you to impress upon proprietors, managers, overseers, and all persons having authority, the necessity of great temper and moderation. It is in the inherent nature of slavery to generate servility on the one side, and haughtiness on the other. The slave approaching the term of his freedom, and valuing himself upon his new rights, will not always be so humble or so abject as formerly. Great allowances must be made both for the prejudices of the overseer, as also for the exultation of the negro. I feel particularly happy that a gentleman of your character and intimate acquaintance with the negro character, should at the present crisis be at the head of the magistracy of so important a district; and I rely with confidence upon your unceasing vigilance and attention.

His Honour _____,
Acting Fiscal of British Guiana.

(signed) *J. Carmichael Smyth*.

Enclosure (B.) in No. 99.

Enclosure (B.)
in No. 99.

Sir,

(Confidential.)—Camp House, Demerara, 1 Feb. 1834.

IT being of the utmost consequence that, during the progress of the important changes about to take place, I should not only be made acquainted from time to time with the conduct of the labouring population throughout this province, but receive periodically the fullest information as to their temper and feelings, I have deemed it my duty to apply to you, as one of His Majesty's justices of the peace residing amongst them, and having daily opportunities of forming a correct and unprejudiced opinion; and to request of you to address to me, on the first day of each month, a letter containing answers to the following queries:—

1. Are the negroes in your neighbourhood contented, cheerful and civil?
2. Have the negroes in your neighbourhood performed their work during the last month with alacrity and good-will?
3. Have there been any instances of insubordination, or any attempts to resist authority by force?
4. In the event of any disposition having been manifested to neglect their work, or to behave themselves rudely to those in authority over them, has such misconduct been so general as to induce you to attribute it to any combination or conspiracy; or is it only with respect to a few idle and disorderly negroes, that you have had any complaints made?

5. Has

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5. Has the attendance of the negroes at church and at school been as regular, during the preceding month, as usual, and to the full extent of the accommodation afforded them under the local circumstances of your neighbourhood?

6. Have you, as a magistrate, been under the necessity of ordering punishment by whipping? And if so, how many delinquents have you directed to be so punished during the preceding month?

To _____,
One of His Majesty's Justices of the Peace,
British Guiana.

I have, &c.
(signed) *J. Carmichael Smyth.*

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Enclosure (C.) in No. 99.

Reverend Sir,

Camp House, Demerara, 9 Feb. 1834.

At the present moment, when such a great and blessed change is about to take place with respect to the situation of the labouring class of this community, you will see the propriety of the person to whom His Majesty has thought proper to entrust the reins of the government of this province at so important a crisis, being made well acquainted from time to time with the temper, opinions and feelings of the negro population. The safety of all classes, and the preservation of the tranquillity of the Colony, depend upon the caution and circumspection to be observed in carrying the proposed measure into effect. A misconception on the part of the negro, or a jealousy, however unfounded, that the orders from home are more favourable to him than the local authorities are willing to allow, may (if not speedily explained and removed by those in whom he may have confidence) plunge the Colony into dreadful confusion. I am therefore induced, amongst other precautionary measures, to apply to you, as justly possessing considerable influence over your congregation, for your aid and assistance upon the present occasion; and I trust that you will not deem it unbecoming your sacred character, so far to interfere with the political events of the day, as to address to me, on the first day of each month, a letter containing such remarks and reflections on the conduct and feelings of that part of the negro population (spiritually under your charge) as you may deem it advisable that I should be made acquainted with.

Enclosure (C.)
in No. 99.

To the Reverend _____.

I have, &c.
(signed) *J. Carmichael Smyth.*

— No. 100. —

COPY of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Stanley*.

Sir,

Camp House, Demerara, 21 Feb. 1834.

WITH reference to my Despatch of the 27th of January, I have great pleasure in transmitting to you to be laid before His Majesty, and as I hope, for his Royal approbation, the first of the two Ordinances therein alluded to; being the one required for the classification of the apprenticed labourers. I do not think that the enactments of this ordinance require from me any particular comment or explanation, being strictly according to the spirit, and (as much as local circumstances would admit) agreeably to the very words of the 3d cap. of the proposed Order in Council, attached to the printed paper, dated Downing-street, 19 Oct. 1833.

No. 100.

Printed in Appen-
dix (B.) No. 14.

I have great pleasure in being able to add that the ordinance for the government of the apprenticed labourers has been read twice. It is ordered to be engrossed, and to be brought up for the third reading upon Friday next. In ten days, at the very farthest, I am in hopes, consequently, to be able to transmit this important document.

I have, &c.
(signed) *J. Carmichael Smyth.*

— No. 101. —

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Lieutenant-Governor Sir *J. Carmichael Smyth*.

Sir,

Downing-street, 6 June 1834.

I HAVE received and laid before the King your Despatch of the 21st Feb., transmitting an ordinance passed by yourself and the Court of Policy, for the classification

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classification and registration of slaves in British Guiana, hereafter to become and be apprenticed labourers; and I have the honour to signify to you His Majesty's approbation of this ordinance.

I have, &c.
(signed) *T. Spring Rice.*

— No. 102. —

COPY of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Stanley*.

No. 102.

Sir,

Camp House, Demerara, 25 Feb. 1834.

WITH a view to the removal of all daily causes of irritation between the employer and the labourer, and to encourage that kind feeling without which it will be impossible to carry on the cultivation of the estates in this Colony when labour becomes perfectly free and uncontrolled, I am extremely anxious to introduce a fair and equitable system of task-work, and which task-work may hereafter be paid for at a price to be agreed upon.

I take the liberty of laying before you a circular letter which I have addressed to the justices of the peace throughout the province of British Guiana, calling upon them to favour me with the details of the information I shall require to enable me to lay the foundation of a system, from which I am in hopes much future good may arise. It is my intention to appoint a committee, to be composed of seven or eight of the most respectable planters, and to submit to them the replies from the several justices, and to call upon them to form, from the mass of information they will have before them, a reasonable tariff of the amount of work each negro ought to perform. This tariff will be of course, before it is promulgated, subject to my examination and approbation. I do not propose that this proposed tariff should be issued by authority, or that there should be any compulsory enactments with respect to its being observed. These matters, I humbly conceive, had better be left to find their own level. I intend only to recommend their adoption, both to the employer and to the labourer, as calculated to promote the interests and happiness of both parties.

I have, &c.
(signed) *J. Carmichael Smyth.*

P. S. I have framed my questions for a day's work of ten hours. I have done this on purpose, as this is the time the negroes have hitherto been accustomed to work; and no planter, with the very best intentions, but who might over-estimate the quantum of work to be performed in the reduced time he now will have a right to. I have therefore thought it best to have the information given to me, as to the quantity of task-work equivalent to ten hours of work; and from which estimate one-fourth will, of course, be to be forthwith subtracted.

J. C. S.

Enclosure in No. 102.

Enclosure in
No. 102.

Sir,

Camp House, George Town, 23 Feb. 1834.

WITH a view to the system of task-work being more generally resorted to in this Colony (a system which, wherever it has been resorted to, whether in Europe or in the Colonies, has invariably been found to be equally advantageous to the employer and the labourer), I am desirous of obtaining from you information upon certain points connected with the subject. I will therefore be obliged to you, after conferring with the most intelligent gentlemen in your neighbourhood, accustomed to the management of negroes, and in the habit of superintending or directing their work, to favour me with replies to the following questions, as far as they may be applicable to the local situation and the usual cultivation of your district.

1. What are the operations, connected with the navigation, the canals, and the drainage of the estates, which are susceptible of being executed by task-work? And what extent of work of each different sort, as above described, has hitherto been considered as a fair proportion to be required from a labourer for his day's work, the day being reckoned at ten working hours?

2. What

2. What are the operations in the culture of the sugar cane, and in the manufacture of sugar, which are susceptible of being executed by task-work? And what are the different proportions of such work as have hitherto been considered fair tasks for a day of ten working hours, when allotted to one, or to several labourers conjointly; to one, or to several women conjointly; or to a gang of a certain number of either boys or girls? The number of the children, in proportion to the extent of the work required, to be specified.

3. What are the operations connected with the culture of the coffee tree, and the preparation of the fruit for exportation, which are susceptible of being executed by task-work? And what extent of labour, in each of these several operations, has hitherto been considered as a fair day's work, in a working day of ten hours each, for a male labourer, a female labourer, or for a boy or girl; or (when the work has been given out to a gang) to a gang composed of a certain number of persons of either of the above descriptions?

4. What are the operations connected with the culture of the cotton shrub, and the gathering, picking and packing the cotton wool, which are susceptible of being executed by task-work; and what extent of labour, of each of the foregoing different descriptions, has been considered as a fair day's labour, in a working day of ten hours, for a male labourer, a woman, a boy or a girl?

5. What operations in the culture of the plantain are susceptible of being performed by task-work; and what has been the extent of a fair day's work, in a working day of ten hours, hitherto expected from a male labourer, a woman, or a boy or girl, in work of such a description?

6. What are the operations in wood-cutting, squaring and sawing of timber, making shingles and staves, which are susceptible of task-work; and where task-work has been resorted to, what has hitherto been considered as a fair day's work, for a day consisting of ten hours, for a labourer employed upon a wood-cutting establishment.

To _____,
One of His Majesty's Justices of the Peace
in the Province of British Guiana.

I have, &c.
(signed) *J. Carmichael Smyth.*

— No. 103. —

COPY of a DESPATCH from Mr. Secretary *Stanley* to Lieut.-Governor
Sir J. Carmichael Smyth.

No. 103.

Sir,

Downing-street, 5 May 1834.

I HAVE received your Despatches as named in the margin; and I have the honour to convey to you my approval of the course which you have adopted, as detailed in the last-mentioned communication, for obtaining such information from certain local officers as will enable you to prevent any disturbance among the negro population, and also to assist you in establishing a fair and equitable system of task-work. Your regulations upon the latter subject I shall be happy to receive as soon as completed.

12 February.
25 February.

I have, &c.
(signed) *E. G. Stanley.*

No. 104. —

COPY of a DESPATCH from *Sir J. C. Smyth* to Mr. Secretary *Stanley.*

No. 104.

Sir,

Camp House, Demerara, 14 March 1834.

I HAVE very great satisfaction in laying before you an Ordinance for the government and regulation of apprenticed labourers in this Colony, framed, as I hope it will be deemed, in strict accordance with the principles established by the Act for the Abolition of Slavery; and in unison (as much as local circumstances would admit of) with those measures recommended to the consideration of the Legislature of British Guiana, in your paper of the 19th October 1833. I propose to do myself the honour of pointing out, in this Despatch, those enactments which are not strictly in accordance with your recommendation (or the contents of the paper of the 19th of October), and of respectfully explaining the reasons which have induced me to give my assent to those contained in the ordinance, in preference.

Ordinance
printed in Appen-
dix (B.) No. 15.

No. 1.

You have proposed to divide British Guiana into eight judicial districts. It is the unanimous opinion of the members of the Court of Policy (and in which I perfectly

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I perfectly concur) that, considering the localities of the Colony, 14 is the least number of districts in which it ought to be divided.

You have proposed that one special justice only should be appointed for each district. The maximum of punishment (Art. 7, page 16) left to the discretion of a single magistrate, you have proposed to fix at six months' hard labour, and 39 lashes. In the ordinance, a single magistrate is not entrusted with the power of awarding a more severe punishment than 14 days' hard labour, or 15 lashes. (*See p. 4, s. 3, c. 2.*) When cases occur which may require to be more severely dealt with, they must be taken before a bench of magistrates, and which bench of magistrates or district sessions can inflict punishment to the extent you have proposed to entrust to an individual magistrate. I humbly conceive the enactments of the ordinance are preferable to the plan of leaving so much power in the hands of any individual; insomuch as all arbitrary power is liable to be abused, and consequently the less of it is entrusted to single magistrates the better.

This change in the authority of the single magistrate, and the necessity of three being assembled to take cognizance of offences of a graver character, render a greater number of magistrates than you have contemplated absolutely and essentially necessary to carry the law into execution. The ordinance specifies three, as required for each judicial district; of which, it will be remembered, it is proposed there should be 14. Forty-two special magistrates will consequently be required for British Guiana. If 14 stipendiary magistrates are sent from England, these 14 gentlemen would be the chairmen of the district sessions of their respective districts, and the 28 remaining special justices, whose services will be required for the formation of the courts, can be selected from the justices of the peace of this Colony. I beg leave respectfully to refer you to my despatch of the 28th November (No. 65) upon the subject, and in which I have entered at full length into the policy and propriety of some such measure.

If the arrangement, as described in the foregoing paragraph, should not be approved, and that it should be determined to entrust to the gentlemen to be sent from England the sole and entire control and government of the apprenticed labourers, in that case it will be necessary to arm the individual magistrates with those powers which the enactments of the ordinance confide only to the court of district sessions.

In chapter 10, page 19, of the ordinance, you will observe that in all cases of sale of the services of an apprenticed labourer, the public exhibition of the person of the labourer, or even his compulsory attendance at the place of sale, is prohibited. This is a clause I introduced myself, and to which I beg your special attention. I beg respectfully to suggest that His Majesty's law officers may be consulted as to the legality or illegality of seizing the services of an apprenticed labourer under a writ of execution. If the services of an apprenticed labourer are liable to be taken in execution by a creditor, the labourer himself, being a freeman, can never be compelled to mount a table whilst his services are put up at auction; nor can he be locked up or imprisoned by the marshal. I introduced the clause with a view to prevent disturbance; as I am confident the apprenticed labourer would have resisted. If the Ordinance is approved of, such a proceeding will be illegal, and cannot be attempted. The opinion of His Majesty's legal advisers, relative to the legality of issuing writs of execution upon the services of an apprenticed labourer, is however highly necessary to be communicated in this Colony, in order that the question may not be agitated. It is one of vital importance, and which, if pushed to extremities, might endanger the peace of the Colony.

In forwarding to you the ordinance for the government of the apprenticed labourers, I beg at the same time to draw your attention to the accompanying
No. 2. Extracts of the Minutes of the Proceedings of the Court of Policy; and which,
No. 3. at the request of the court, I have the honour to lay before you. The extract of the 5th of March relates to the allowance of food and of clothing for the apprenticed labourers, and which, in the opinion of the court, is at present fixed at a higher rate for the slaves than necessary or proper. The court have caused a schedule upon a more moderate scale to be prepared. The existing schedule, and also the one proposed and recommended by the Court of Policy, will accompany the ordinance, in order that the subject may be fully before you, and that schedule inserted in the ordinance for the use of the apprenticed labourers,

labourers, which, after due consideration, may meet with the approbation of His Majesty's Government.

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The Extract from the Minutes of the Proceedings of the Court of Policy of the 8th of March, relates to the expense to be incurred in the construction of the buildings which will be required for the use of the special magistrates and of the police establishments. I have had plans, sections and estimates prepared: a house for a magistrate, a barrack for a serjeant and 10 or 12 men, a gaol with distinct wards and a tread-mill cannot be constructed in this Colony for less money than 6,000 *l.* If we are to have 14 of such establishments, we shall require 84,000 *l.* to defray the expense of the buildings alone. The salaries of the magistrates and annual expense of the police establishment must also not be forgotten. In the present state of this Colony, the raising of the requisite funds is quite out of the question. We must content ourselves with three or four police establishments, in addition to the two already existing gaols; and even for the construction of this reduced number there will be no funds, excepting His Majesty's Government shall think proper to advance a certain sum, say 50,000 *l.*, as a loan, to be repaid with interest by instalments.

I have now only to express my earnest hope that the ordinance herewith forwarded will meet with His Majesty's most gracious approbation. It has caused, both to myself and to the members of the Court of Policy, a very long and fatiguing session, and has been the almost undivided object of our most serious attention for a considerable length of time. If we have, however, succeeded in framing a code in unison with the free institutions of the mother country, but at the same time sufficiently efficient to meet the exigencies of the colony, to maintain the public peace, and to protect every man in the possession of his rights and of his property, we shall feel amply repaid in the gratifying reflection that we have done our duty.

I have, &c.
(signed) *J. Carmichael Smyth.*

Enclosure 1, in No. 104.

REMARKS explanatory of certain points in which the Court of Policy have thought it necessary to deviate from the Prospectus transmitted by the Secretary of State, of the Legislative measures required to be taken to carry into effect the Act for the Abolition of Slavery, &c.

CAP. I. Sect. 1. In the prospectus it is proposed to divide the Colony of British Guiana into not more than eight judicial districts.

Enclosure 1,
in No. 104.

The Court of Policy is of opinion, however, that British Guiana ought to be divided into at least 14 judicial districts, on account of the great extent of line over which the inhabited part of the Colony runs, being nearly 250 miles of sea-coast, and a nearly equal distance along the banks of the several rivers. The Court even contemplates the necessity of a division into a still greater number of districts, and has therefore introduced the words "not less than" 14 judicial districts.

Under the present judicial system, the Colony is actually divided into 14 districts, independently of the town of George Town, which, from its extent of population, affords ample scope for a district in itself.

Sect. 2. The prospectus proposes that one special justice shall be appointed to each of the districts.

The court is of opinion that at least three justices will be necessary for each district, as well because of the physical impossibility of one man performing the duties, from the great extent of the districts, as for the purpose of forming the district courts proposed to be established by the Ordinance.

CAP. III. (P and Q.) The schedules of food and clothing attached to this ordinance are adopted by the court in lieu of those established by the late Governor Sir B. D'Urban, in the formation of which the court has reason to suppose his Excellency was ill-informed or mis-advised, this court having never been consulted on the subject; and which schedules, if acted up to, would be found oppressively burthensome to the master and quite unnecessary for the maintenance and comfort of the labourer.

The present schedules, the court is of opinion, are on a scale of liberality fully adequate to, if not beyond the means of the planter, and not exceeded in any colony in the West Indies, and are well adapted to the necessities and comforts of the different classes of labourers to whom they apply.

CAP. VI. Sect. 2. The court has thought it necessary to restrict the residence of apprenticed labourers to the plantations or establishments on which they are employed, in place of, to the district, as in sect. 3, c. 7, of the prospectus.

This has been the practice of the Colony hitherto; every plantation having its village,
and

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and some of no mean compass; and on account of the extent of the plantations, as well as of the districts, any deviation from this salutary custom would open a door to irregularity of conduct and vagrancy, and perhaps to dangerous combinations.

Sect. 3. The distance of many of the districts from the towns renders it impossible for the labourers in most instances to attend the markets there; and it is only in the towns of George Town and New Amsterdam, and at the village of Mahaica, that markets are held.

The court has it in contemplation, however, to establish district markets wherever opportunity offers, or circumstances require them; but it would be imprudent to allow apprenticed labourers to quit their districts without passes, under the pretence of attending markets.

In this chapter, the exception contained in the 15th section of cap. 7 of the prospectus, has been omitted, the localities of this Colony allowing of the possibility, nay, even the probability, of a residence in the forest extending beyond two years' without discovery; and it is difficult to conceive any other instances of two years undisturbed possession of land by any apprenticed labourer without lawful authority.

In framing cap. 7, the court has not thought it necessary to provide for the payment of appraisers; the chief justice and the protector of slaves having stated that in no instance had any difficulty occurred in finding appraisers of the first respectability, who never expected or desired any remuneration.

19 March 1834.

(signed) *J. Carmichael Smyth.*

Enclosure 2, in No. 104.

EXTRACT from the Minutes of the Proceedings of the Honourable the Court of Policy of the Colony and dependent Districts of British Guiana, at its adjourned Assembly, held at the Colony House, George Town, Demerara.—Wednesday, 5 March 1834.

(After Prayers.)

Enclosure 2,
in No. 104.

THE court then, with reference to the schedule of allowances of food and clothing proposed to be appended to the Bill for the regulation of apprenticed labourers, and which upon further consideration, it was now resolved to send forward to His Majesty's Government, accompanied with that published by Sir B. D'Urban, in order that His Majesty's Government may compare the one with the other; and in the event of the adoption of the latter schedule, it is to be understood that the measure is forced upon the court, as it was never consulted by Sir B. D'Urban on the framing thereof, although his Excellency was directed by His Majesty's Secretary of State to take the court's advice on the subject; and the modifications were intended to obviate superfluity, whereas the scales prescribed by Sir B. D'Urban have overlooked that object, and the Proclamation is left to impose a heavy burthen upon the proprietors of slaves, and must necessarily and obviously be felt in a greater degree after the apprenticeship commences, when their resources will be so much diminished: the court therefore trusts that the schedules proposed to be substituted will be found amply sufficient; the court unanimously being of that opinion, and assuring His Majesty's Government that they are to the full extent which the Colonists could possibly bear, even in the most prosperous times, besides being fully adapted to the wants of the apprenticed labourers.

The court request that his Excellency the Lieut.-governor will be pleased to forward an extract containing the preceding minute, with the ordinance for the regulation of apprenticed labourers, to His Majesty's Government.

(A true extract.)

(signed) *Charles Wilday, Secretary.*

Enclosure 3, in No. 104.

EXTRACT from the Minutes of the Proceedings of the Honourable the Court of Policy of the Colony and dependent Districts of British Guiana, at its adjourned Assembly, held at the Colony House, George Town, Demerara.—Saturday, 8 March 1834.

(After Prayers.)

Enclosure 3,
in No. 104.

HIS Excellency the Lieutenant-governor, when forwarding a copy of the ordinance to the Right hon. the Secretary of State for the Colonies for His Majesty's approval, is requested to accompany it with the following resolution:

Resolved, That in passing the present ordinance, this court have been desirous to testify to His Majesty's Government, the anxiety to meet the views and suggestions of the Government on the deeply important matter which is the subject of it. But they feel it their duty earnestly to represent to His Majesty's Government the utter impossibility of providing, from the resources of the Colony, the large expenditure which will be required for the new police establishment intended by the enactment; and that unless this Colony is assisted by His Majesty's Government with the requisite funds, either by grant or loan, the Court of Policy are wholly unable to put in execution this important branch of the law.

Ordered, That an extract of this resolution be sent to his Excellency the Lieutenant-governor, for the purposes contained therein.

(A true extract.)

(signed) *Charles Wilday, Secretary.*

— No. 105. —

BRITISH
GUIANA.

No. 105.

COPY of a DESPATCH from Mr. Secretary *Stanley* to Lieutenant-Governor
Sir *J. Carmichael Smyth*.

Sir,

Downing-street, 24 May 1834.

I HAVE received your Despatch of the 14th March last, together with the ordinance passed by the Legislature of British Guiana, for the government and regulation of apprenticed labourers in that Colony.

I have examined the ordinance with the greatest attention, and I have much satisfaction in conveying to you my opinion that it has been framed with a sincere desire to meet the wishes of the British Parliament indicated in the Act for the Abolition of Slavery, and the views of His Majesty's Government contained in the model draft transmitted to you in my Despatch of the 19th October last.

For the most part, indeed, the Legislature of British Guiana have followed the model draft with the most scrupulous exactness, and where they have departed from it, the modifications which have been introduced into the ordinance are in many instances well adapted to the local circumstances of the Colony, and calculated to promote the successful working of the new system about to be introduced.

The establishment of temporary police settlements, the appointment of constables or headboroughs in addition to the police, the institution of sessions of special justices under the superintendence of the stipendiary magistrates sent out from this country, the gradations of the jurisdictions to be respectively exercised by the single justice and the board, the definite regulation regarding the daily time which the prædial apprenticed labourer is to give to his employer, the prevention of the exhibition of the labourer's person when his services may happen to be sold, appear to me to be extremely judicious additions, and to afford a gratifying proof not only of the prudence but of the good feeling of the Court of Policy and yourself, from whom these provisions have originally and spontaneously emanated.

Appreciating as I do the pains which the Legislature of British Guiana has bestowed upon the preparation of this important ordinance, I think it an ungrateful task to enter into the exposition of its defects. I feel it my duty, however, to bring under your notice the deviations from the model draft which are of a less satisfactory character than those to which I have already adverted, and some of which appear to His Majesty's Government to require amendment.

1. I do not perceive any grounds stated in your Despatch, or in the minute of the Court of Policy, for the omission of the following regulations which were proposed in the model draft, namely, the 7th sec. of cap. 21 of the draft, which prevented the Governor from paying to the special justice his quarter's salary until the duplicate of his journal should have been duly transmitted; and the 9th, 10th, 11th, 12th and 13th secs. of the 6th cap. of the draft, under which the apprenticed labourers are compelled to maintain their children. The latter of these points, however, I should be unwilling to press against the opinion of the Court of Policy, who have the means of judging whether it is unnecessary to take any other security for the public than that which is afforded by the parental feelings of the labourers. As respects the journals of the special justices, although I am fully convinced of the importance of ensuring the regularity of their completion and the punctuality of their transmission, and of the efficacy of the plan which I had proposed for securing those ends, yet as I can effect the same objects with the assistance of the Lords Commissioners of His Majesty's Treasury, if experience should prove it to be essential, I do not consider it necessary to propose the insertion in the ordinance of the omitted provision.

2. The provisions of the draft forbade the confinement of females in the stocks between sunset and sunrise, or for more than eight hours in the whole for any one day, or for more than two days consecutively, or for more than six days in the whole for any one offence. But by cap. 4, sec. 13, of the ordinance, this punishment may be inflicted for six consecutive days for 10 hours together, and during any part of the 24 hours, if between two successive confinements 14 hours shall elapse. In such intervals also the offender may be detained in custody, though

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not actually in the stocks. This last rule is probably necessary to prevent the escape of the female during the pauses of her punishment; but I am not disposed to admit the propriety of the greater latitude which the ordinance allows to the special justice, as respects the duration of the punishment and the time for its infliction. Presuming, however, that you will be able to furnish me with satisfactory grounds for this alteration, I shall not urge the restoration of the clauses originally proposed respecting this mode of punishment.

3. The doubts which you appear to have entertained as to the propriety of substituting for the food, maintenance and allowances authorized by Sir Benjamin D'Urban's proclamation of the 18th January 1833, the proposed schedules to the ordinance, marked P and Q, were founded on a perfectly correct view of the intent of the Slavery Abolition Bill.

Under that statute (sec. 11), the employer of every labourer is required to supply him "with such food and clothing and other allowances as by any law now in force in the Colony to which such labourer may belong, an owner is required to supply to and for any slave, being of the same age and sex as such apprenticed labourer shall be."

On the 28th August last, when the Act was passed, Sir B. D'Urban's proclamation of the 18th January 1833, issued under the authority of the order of the 6th November 1832, was in force in the Colony and had the authority of law there.

The schedule of food, &c. sanctioned by that proclamation must therefore continue in force in British Guiana during the apprenticeship, and must consequently be inserted in the place of schedules P and Q.

4. The 9th sec. of cap. 4 of the ordinance empowers the district sessions to adjudge the extra labour of the apprentices to be performed, "if necessary," after the expiration of the apprenticeship.

In order to render this provision consistent with the Slavery Abolition Act, it should be confined to those cases in which punishment may have been incurred by reason of such a wilful absence as is contemplated in the 20th clause of that Act.

5. The ordinance, cap. 4, sec. 14, enables the special justices to adjudge the hard labour to which the apprentice may have become liable, to be performed in the service or for the benefit of the employer.

I think that this clause is open to considerable objection; as it would necessarily withdraw the labourers undergoing this punishment, from the charge of the police and justices, under whose superintendence punishments are to be inflicted. And unless it were confined to the same maximum of time, viz. 15 hours per week, as the ordinary extra labour to which an apprentice may be subjected, it would contravene the Act for the Abolition of Slavery, and would moreover give to the employer a direct interest in the misconduct of the apprentice.

6. The model draft, cap. 7, sect. 4, authorized the resort of the apprenticed labourers to places of public worship, though beyond the district in which they might dwell; subject of course to the obligation of performing the prescribed amount of labour. The ordinance, cap. 6, sect. 3, authorizes the exercise of this right only on Sundays. It must, however, be remembered that in all societies of Christians dissenting from the Church of England, it is required by the established discipline or practice, that their members should meet together for devotional exercises on the week days. To interdict such observances to those who might wish to follow them, would, I think, be at variance with the policy and the principles by which Parliament was guided in passing the Slavery Abolition Act.

The same clause of the ordinance restricts within narrower limits than those which I had contemplated, the right of the labourer to attend markets, and confines him to one market only. So far from approving of this additional restriction, I have upon more mature consideration arrived at the conviction that the provision, even as originally framed, requires to be modified so as to afford the prædial apprenticed labourer a greater degree of liberty during those hours which are not to be devoted to his employer. I recommend therefore, that in the place of sect. 3, cap. 6, of the ordinance, the following clause should be substituted, viz.:

"Every labourer found in any place more than five miles distant from his residence, except in his way to or from some place of public worship, and not having with him a written pass for that purpose from his employer, or from the
special

special justice of the district, shall be liable to be apprehended and brought before a special justice; and unless such labourer shall make it appear to the satisfaction of such special justice that he or she, when so found, was employed upon his or her lawful occasions, such labourer shall be adjudged a vagabond, and punished accordingly."

Whilst upon this branch of the subject, I must observe that I feel justified in sanctioning the clause which compels the apprenticed labourers to reside upon the plantations or establishments on which they may be employed.

Having regard on the one hand to the importance of fixing the negro to a specified domicile during the apprenticeship, and on the other hand to the provisions in the Slavery Abolition Act requiring the employer to supply the apprenticed labourer with lodging, medical attendance, and with provision-grounds, within a limited distance from such lodging, I am satisfied that this restriction is expedient, and that it is not inconsistent with the intention of Parliament.

7. In my Despatch of the 13th inst., I have intimated to you that it would have been advisable to have laid down distinctly in cap. 10 of this ordinance, that the interest of the employer in the services of an apprenticed labourer should be liable to be sold under an execution, in satisfaction of the claims of a creditor. Although I have already expressed my decided opinion, that even as the ordinance is at present framed such an interest would be liable thus to be sold; yet, as this question has been agitated in the Colony, and as I think it of the highest importance that no check should be given to the credit of the proprietors in British Guiana, especially at the present moment, I have to desire that you will urge the Court of Policy to make such amendment in this chapter as may place this just right of the creditor beyond the possibility of litigation.

8. The last point to which I have to direct your attention, is the number of judicial districts into which you propose to divide the Colony. I regret that in distributing amongst the Colonies the number of special magistrates for whom the Imperial Parliament has provided stipends, I can only allot 12 to the Colony of British Guiana. It would be obviously advisable that each district and session should be under the superintendence of one of these stipendiary justices; and I think that if possible you should endeavour to reduce the number of districts to 12, and that at all events the ordinance should be framed so as to admit of such reduction, by fixing 12 instead of 14, as the maximum number of districts. If upon further consideration it should still appear to the Court of Policy and yourself desirable to adhere to the proposed number of 14 districts, it is expedient that some arrangement should be devised by which those districts which might happen not to be placed under the immediate superintendence of any of the stipendiary justices, should be regularly visited and inspected by one or more of these functionaries.

Having thus expressed my opinion upon the various points in which the Court of Policy and yourself have departed from the model draft, I have had to consider the course which it might be most expedient to adopt with respect to the confirmation of this ordinance by His Majesty in Council. I would gladly have confided to the Court of Policy, of whose just and proper views the ordinance exhibits so striking a proof, the exclusive task of remedying the defects which I have pointed out, or such of them as it might be indispensably necessary to remove, and I should have left this duty in their hands with the most entire reliance on their good will and discretion; but as this course would have led to considerable delay in issuing the certificate required by the British Act, from the date of which the claim to compensation accrues, with interest till payment, I have deemed it most for the advantage of the Colony to amend the ordinance by Order in Council, in such points as are indispensable for the purpose of enabling the necessary certificate to be issued, leaving objections of less importance to be dealt with as, on future consideration, yourself and the Court of Policy may deem expedient; and the ordinance so amended and approved by His Majesty, with the certificate entitling the Colony to its share of the fund from the 1st August, will be transmitted to you by the next opportunity.

I have, &c.

(signed) *E. G. Stanley.*

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— No. 106. —

COPY of a DESPATCH from Mr. Under-Secretary *Lefevre* to Lieut.-Governor
Sir *J. Carmichael Smyth*.

Sir,

Downing-street, 7 June 1834.

IN compliance with the promise of Mr. Stanley, expressed in his Despatch of the 24th ult., I have the honour, in the unavoidable absence of Mr. Secretary Spring Rice, to transmit to you an Order of the King in Council, dated 5th June 1834, declaring that an ordinance hath been passed by the Lieutenant-governor and Court of Policy of British Guiana, giving effect to an Act of Parliament for the Abolition of Slavery; and that, in consequence of having passed such ordinance, the said Colony is entitled to participate in the compensation awarded therein; and also confirming the ordinance, with certain exceptions and alterations.

I am, &c.
(signed) *John Lefevre*.

Enclosure in No. 106.

AT the Court at St. James's, the 5th day of June 1834;

Present,

The King's Most Excellent Majesty in Council.

Enclosure in
No. 106.

WHEREAS by an Act of Parliament, passed in the third and fourth year of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the industry of the manumitted Slaves, and for compensating the persons hitherto entitled to the services of such Slaves," it is amongst other things enacted, that no part of the sum of twenty millions of pounds sterling therein mentioned, shall be applied or shall be applicable to the purposes therein mentioned, for the benefit of any person now entitled to the services of any slave in any of the Colonies therein mentioned, unless an order shall have been first made by His Majesty, with the advice of His Privy Council, declaring that adequate and satisfactory provision hath been made by law in such Colony, for giving effect to the said Act of Parliament, by such further and supplementary enactments as therein mentioned: And whereas on the 8th day of March 1834, an ordinance was enacted by the Lieutenant-governor, by and with the advice and consent of the Court of Policy of the Colony of British Guiana, intituled, "An Ordinance for the government and regulation of Apprenticed Labourers;" and whereas the said Ordinance was so enacted with the design of giving effect to the said Act of Parliament, by such further and supplementary enactments as in the said Act are mentioned: His Majesty doth therefore, by and with the advice of His Privy Council, and in pursuance and exercise of the power and authority in and by the said Act of Parliament in His Majesty in Council in that behalf vested, by this present Order declare, and it is hereby declared, that except in so far as certain parts of the said ordinance are hereinafter disallowed, and except in so far as certain parts of the said ordinance are hereinafter amended by the substitution of other provisions in lieu thereof, the said ordinance is approved, confirmed and allowed, and finally enacted; and that by the said ordinance, so in part disallowed and so amended as aforesaid, adequate and satisfactory provision hath been made in British Guiana for giving effect to the said Act of Parliament, by such further and supplementary enactments as therein are mentioned and required.

And whereas it is by the said ordinance amongst other things enacted, that the Colony of British Guiana shall be divided into not less than 14 judicial districts; now it is hereby ordered, that for the word fourteen, as occurring in the said enactment, the word twelve shall be substituted; and that the said ordinance, and each and every part thereof, shall be construed and carried into execution in such and the same manner as if the word twelve had been, and the word fourteen had not been, employed in the said enactment.

And whereas certain schedules, marked respectively with the letters P. and Q., are subjoined to and referred to in the said ordinance; now it is hereby ordered, that for the said schedule marked with the letter P., shall be substituted the schedule hereunto annexed, marked with the letter X., and for the said schedule marked with the letter Q. shall be substituted the schedule hereunto annexed, marked with the letter Y.; and that the said ordinance, and each and every part thereof, shall be construed and carried into execution in such and the same manner as if the said schedules marked X. and Y. had been, and the said schedules marked P. and Q. had not been, subjoined to and referred to in the said ordinance.

And whereas it is by the said ordinance amongst other things enacted, that the privates in each settlement therein mentioned, shall receive pay at the rate of per diem, and the serjeant shall be paid at the rate of per diem; now therefore, the said last recited enactment

ment is hereby disallowed ; and it is hereby ordered, that the pay of the serjeants and privates of each police settlement within the said Colony shall from time to time be determined by and according to such ordinances as shall from time to time be for that purpose enacted by the officer administering the government of the said Colony, with the advice and consent of the Court of Policy thereof, such ordinances being so made subject to His Majesty's approbation or disallowance, as in other cases.

And whereas it is in and by the said ordinance amongst other things enacted, that every such employer or manager of slaves as therein mentioned, shall at the time and in the manner therein mentioned, deliver a certain schedule marked with the letter O. ; and whereas in the said enactment the word slaves hath by inadvertence been employed instead of the words apprenticed labourers ; it is therefore further ordered, that for the word slaves, as occurring in the said enactment, the words apprenticed labourers shall be substituted, and that the said ordinance, and each and every part thereof, shall be construed and carried into execution in such and the same manner as if the words apprenticed labourers had been, and as if the word slaves had not been, employed in the said enactment.

And whereas it is by the said ordinance amongst other things enacted, that every non-prædial apprenticed labourer shall be bound and obliged to work and labour 10 hours in each and every day in the year, with such exceptions as therein mentioned, in the service and for the benefit of his or her employer, and it is thereby declared that a day's labour of a non-prædial apprenticed labourer shall be such a portion of specified work as can be performed by each non-prædial apprenticed labourer, by assiduous and steady industry, during the space of 10 hours ; now it is further ordered, that for the word ten, as twice occurring in the said enactment, the word nine shall be substituted ; and that the said ordinance, and each and every part thereof, shall be construed and carried into execution in such and the same manner as if the word nine had been, and as if the word ten had not been, so twice employed in the said enactment.

And whereas it is by the said ordinance amongst other things enacted, that it shall and may be lawful for such district sessions as therein mentioned to adjudge such extra labour as therein mentioned, if necessary, to be performed after the expiration of such apprenticeship as therein mentioned, and that if such labour shall be adjudged to be performed after the expiration of the apprenticeship, then it shall be lawful to adjudge such 15 hours per week, as therein mentioned, to be performed in addition to the number of seven hours and a half per day, to be reckoned a part of the number of hours adjudged to be performed, until the whole shall in like manner have been completed ; now it is hereby ordered, that so much of the said ordinance as last aforesaid shall be and the same is hereby disallowed.

And whereas it is by the said ordinance enacted, that if any employer of any apprenticed labourer shall whip, beat, imprison, confine in the stocks, or otherwise maltreat any such apprenticed labourer, or shall by way of punishment commit any assault upon his person, such employer shall incur a penalty, to be imposed by the district session of special justices, not exceeding 20*l.*, with imprisonment for any time not exceeding one month in default of the payment of such fine ; and that in any case as last aforesaid, it shall be competent for such district sessions to award the whole or any part of such penalty to the apprenticed labourer injured, as and for damages for such assault ; and that it shall also be competent to such district sessions, if the case be of an aggravated nature, if it shall seem meet, to abstain from imposing such penalty, and commit the offender to take his trial for such offence before either of the supreme courts of the Colony having jurisdiction in the premises : And whereas doubts might arise whether, consistently with the provisions last aforesaid, it would be competent to any such apprenticed labourer as aforesaid to maintain any civil suit or action against such his or her employer for or in respect of any such injury as aforesaid ; and doubts might also arise whether, consistently with such provisions, any prosecution could be commenced in either of the supreme courts aforesaid against any such employer as aforesaid for any such offence as aforesaid, unless the offender were committed to take his trial for such offence by such district sessions ; now, for the removal of any such doubts, it is further ordered and declared, that it is and shall be competent for any such labourer as aforesaid to maintain any civil suit or action against his or her employer for any such whipping, beating, imprisonment, confinement in the stocks, maltreatment, or assault as aforesaid, and that any such employer shall for any such offence be subject and liable to be prosecuted, tried, convicted and punished before either of the supreme courts of the said Colony having jurisdiction in the premises, although he or she may not have been committed to take his or her trial for such offence by such district sessions, anything in the said ordinance to the contrary contained notwithstanding ; provided nevertheless, and it is further ordered, that when and so often as any such employer shall, upon the complaint of any such apprenticed labourer as aforesaid, have been sentenced by any such district sessions to any such penalty as aforesaid, or shall by such district sessions have been committed to take his or her trial for any such offence as aforesaid, it shall not be competent for any such labourer as aforesaid to maintain any such civil suit or action as aforesaid for and in respect of the same act, matter or thing.

And whereas it is by the said ordinance amongst other things enacted, that every apprenticed labourer found beyond the limits of the district to which he or she belongs, or in which he or she may be employed, except in his or her way to or from some place of public worship on Sundays, and not having with him or her a written pass for that purpose from his or her employer, or from a special justice of such district, shall be liable to be apprehended and detained, and shall on proof and conviction that he or she shall have left his or her district without a pass, be adjudged a vagabond, and punished accordingly ;

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provided however, that it shall be competent to every apprenticed labourer, of his or her own free will and without a pass, to attend, during his or her own time, any market of the district in which he or she may reside; be it therefore, and it is hereby ordered, that so much as last aforesaid of the said ordinance shall be and the same is hereby disallowed.

And it is further ordered, that if any apprenticed labourer shall be found at any place distant more than five miles from his place of residence, not having with him a written pass for that purpose from his or her employer or from some one or more of the special justices of the district to which he or she belongs, such apprenticed labourer shall be liable to be apprehended and taken before any special justice, and upon proof before such justice made of the facts aforesaid, such apprenticed labourer shall be adjudged a vagabond and punished accordingly; provided nevertheless, that nothing herein or in the said ordinance contained shall subject to any such punishment any apprenticed labourer absenting himself or herself without such pass as aforesaid, at any distance within the said Colony from his or her residence, during any time in which he or she may not be bound to labour in the service of his or her employer, if such apprenticed labourer shall be so absent in the prosecution of his or her lawful business, or in attendance upon, or in the way to or from, any place of public worship, and shall establish to the satisfaction of any special justice before whom he or she may be so brought, that his or her absence took place during such time only, and was occasioned only by any such cause only as aforesaid.

And whereas it is by the said ordinance amongst other things enacted, that the right or interest of any employer or employers to and in the services of any such apprenticed labourer aforesaid shall pass and be transferable by bargain and sale, contract, deed, conveyance, will or descent, according to the provisions of the said Act of Parliament: And whereas doubts might arise whether such right or interest would also be liable to be seized and taken in execution, and sold under process of law, in satisfaction of any sentence or judgment of any court of competent jurisdiction; now, for the removal of such doubts, be it further enacted and declared, that such right and interest as aforesaid is and shall be liable to be seized and taken in execution and sold under process of law, in satisfaction of any sentence or judgment of any court of competent jurisdiction: Provided always, that no such apprenticed labourer shall, under and by virtue of any such seizure or sale in execution, be liable to be dealt with in any manner prohibited by the said Act of Parliament or ordinance, or deprived or be debarred from the exercise of any right by the said Act of Parliament or ordinance, or by this present Order, in such apprenticed labourer vested.

And the Right honourable Thomas Spring Rice, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) C. C. Greville.

SCHEDULES of Allowances of Food, Clothing, and Household Furniture, to be given to Slaves in the Colony of British Guiana.

(X.)

Weekly Allowance of Food.

Description of Persons.	Salt Provisions.	Plantains,	Or other Farinaceous Food in lieu of Plantains.
Class 1 : Males or Females above the age of 12 years.	3 pounds of salt fish (cod), or 4 pounds of herrings, mackarel, or shads; or 2 pounds of salt beef or pork; or 4 pounds of fresh beef or pork, with half a pint of salt.	2 bunches of full-grown plantains, weighing at least 35 pounds each; if less, the deficiency to be made up, that is to say, the allowance not to be less than 70 pounds weight, without reference to bunches.	25 pounds of yams or potatoes, or 20 pounds of eddoes or tanyahs, or 10 pints of wheat flour, or 10 pints of Indian corn meal, or 10 pints of rice.
Class 2: Boys and Girls under the age of 12 years.	One half of the above.	One half of the above.	One half of the above.

(Y.)

Yearly Allowance of Clothing.

Males: 1 felt hat, 1 blue cloth jacket (lined), 1 pair of blue cloth trousers, 1 pair of duck trousers, 1 linen check shirt, 1 red woollen shirt, 1 woollen cap, 2 salem pores laps, 1 knife, 1 razor, 1 blanket.

Females:

Females: 1 felt hat, 2 handkerchiefs, 1 woollen wrapper, 1 pennystone petticoat, 1 check shift (5 yards), 1 salem pores petticoat (4 yards), 1 blanket, 1 pair of scissors.

Children, from one to five years old, to have each, 3 check shirts, 1 blanket, and 1 woollen cap.

Infants: 1 piece of calico and 5 yards of check each.

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(Z.)

Allowance of Household Furniture.

To each dwelling-house, 1 table for meals.

To each of the persons in Class 1 of Schedule X., a saucepan for cooking, yearly.

To each family an iron pot for cooking, yearly.

— No. 107. —

COPY of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Stanley*.

Sir,

Camp House, Demerara, 26 March 1834.

IN the 2d section of the 4th cap. of the ordinance for the government and regulation of apprenticed labourers, forwarded with my Despatch of the 14th instant, you will observe that ten hours had been printed as the portion of time due by the non-prædial apprenticed labourer to his employer, to be spent in steady and assiduous daily labour. In reading over the printed copy, I observed this (as I conceived) error of the press, and having pointed it out to the secretary of the Court of Policy, directed him to alter the word ten to the word nine; which last number is the greatest number of hours of labour to which, under the 90th and 91st sections of His Majesty's Order in Council of the 2d November 1831 (in force in this Colony) a master is entitled to the labour of his slave; and, of course, assuming that it never had been contemplated to insist upon any greater extent of work from an apprenticed labourer. At the meeting, however, of the Court of Policy this morning, two or three of the Colonial members stated to me, that the word ten had been intentionally introduced, and was not, as I imagined, an error of the press or of the copying clerk. I stated to them, that if the ordinance in question had been to have been forthwith promulgated and acted upon, I never could have agreed to any enactment so decidedly at variance with the existing law, and under which the non-prædial apprenticed labourer would be liable to be compelled to work one hour more per day, when in a state of apprenticeship, than he did when in that of slavery. I added, that however, as the ordinance in question had to be submitted for His Majesty's approbation, I did not think it worth while to renew the agitation and discussion of a subject which had already so completely occupied us for such a length of time; that in this view of the subject, it was to me a perfect matter of indifference whether the words nine or ten were in the enactment; but that I should feel it my duty to draw your attention to the subject, in order that previously to the ordinance being approved of, the number of hours which the non-prædial apprenticed labourer is to be called upon to devote to the service of his employer, might be strictly designated and explained. With this my determination, all the gentlemen present were satisfied; and the words nine or ten, in the 2d section of the 4th chapter of the ordinance in question, page 9, and in the very last line of that page, are to be the words of the ordinance, according as to you may seem fit.

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I have, &c.

(signed) *J. Carmichael Smyth.*

P.S.—Since writing the above, I have received the enclosed letter from Mr. Rainey, a member of the Court of Policy, and which I consider it my duty to submit to you, together with my own views of the matter alluded to.

J. C. S.

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Enclosure in No. 107.

Enclosure in
No. 107.

Sir,

George Town, 25 March 1834.

At the suggestion of the committee of the Court of Policy, which had been appointed to accompany the ordinance framed for the government of apprenticed labourers with some explanation, I beg respectfully to mention, that it was omitted to state that the definition contained in the 2d section of the 4th chapter, as declaratory of what should be deemed a day's labour of each class, was suggested by what is contained in the 22d section of the 6th head of the plan prepared by Lord Goderich for emancipation, and proposed by His Majesty's Government in February 1833; and which it was deemed the more necessary to adopt on this occasion, as the enforcement of any other than voluntary task-work appears to be objected to.

I have, therefore, respectfully to request that your Excellency may be pleased to notice this additional explanation, in any further Despatch which may be called for in relation to the details of the 1st and 2d sections of the 4th cap. of the ordinance; as well as to notice the fact, that as, in the chartered Colonies, the day's labour is understood to be ten hours' work, it is to be presumed that the non-prædial labourer will still have to perform ten hours daily work there, under the new system; and a restriction to nine hours here, would place us under a relative disadvantage in regard to a law which, it is presumed, is intended to be of equal and universal operation in all the Colonies.

To his Excellency Sir J. Carmichael Smyth,
&c. &c. &c.

I have, &c.
(signed) *George Rainey.*

— No. 108. —

COPY of a DESPATCH from Lieut.-Governor Sir *J. Carmichael Smyth* to
Mr. Secretary *Stanley.*

No. 108.

Sir,

Camp House, Demerara, 2 July 1834.

I BEG leave to lay before you a précis of the monthly reports for May and for April, as received from the three fiscals and the local magistracy; I also beg to submit to you a précis of the monthly reports from the clergy, for the same periods; I also beg to draw your attention to the monthly reports from the protectors, for the month of May. A perusal of these documents will, I beg respectfully to observe, not only put you in possession of the feelings of the negro population, but of the temper and disposition of each individual magistrate. As a whole, nothing can be more satisfactory than these documents, although to some of the gentlemen in the commission of the peace, things do not appear in so favourable a point of view as they do to others. At Berbice, you will observe with pleasure that there has not been a single complaint made to the slave protector for the last two months, and very few indeed to the protector in Demerara and Essequibo.

2 June 1834.

I beg leave to draw your attention particularly to a letter from John Ross, esq., one of the justices of the peace in the district of Berbice, and a very large proprietor. I am very sorry that private affairs require Mr. Ross's absence from this Colony for some time. A gentleman capable of acting at once in so manly and decided a manner, and ready to afford most willing aid in forwarding the views of His Majesty's Government, is at the present moment a serious loss. I am happy to say that several of the largest proprietors in the Berbice district have acted in the same manner as Mr. Ross has done, and have already given to their negroes the whole of Saturday to themselves; Mr. Simon Frazer, a member of the Court of Policy, is amongst the number.

Notwithstanding the general favourable appearance, great vigilance and great caution are however still indispensable. All attempts to impose upon the negro, or to exact from him more than a fair proportion of work, must be as sedulously guarded against on the one side, as any act of insubordination on the other; either would equally lead to the interruption of the peace of the province. Eight or ten days ago an ill-judging overseer or manager of an estate upon the East coast, added one fourth to the labour of the slaves employed in cutting canes. To every three cutters it had been the custom to allow one carrier, to carry the canes to the boat which conveys them to the mill. The manager most injudiciously took away the carrier, but required nevertheless that the canes from the same number of beds should be cut and conveyed

conveyed to the mill. This order created a good deal of excitement, and still more when the manager attempted to enforce it by ordering those slaves who had not completed this additional task to be confined. The manager was obliged at length to apply to the neighbouring magistrates for advice and assistance, and a considerable number of slaves were brought to trial without delay. As soon as I heard of these proceedings, I forthwith directed the fiscal of the district to proceed to the estate, and to investigate and report to me as to the cause and extent of these disturbances; I also sent the slave protector to the estate, with instructions to assemble the negroes and to inquire into their complaints or grievances. I further sent for the books containing the proceedings of the magistrates, that I might be enabled to judge of the degree of criminality which might attach to the slaves, and as to the nature of the misconduct of which they had been convicted. These prompt measures prevented any further tumultuous proceedings; and I have no reason to anticipate the occurrence of any similar transaction. I have only alluded to the circumstances, to show the necessity of an active and vigilant superintendence, as being indispensable for the maintenance of the public tranquillity. I beg to submit a copy of my Minute, as addressed to the slave protector upon his report, and which I trust will meet with your approbation.

I beg to add, that as the time of the slave protector is so very fully and completely occupied in preparing the details of those errors in the classification of the slaves, which are to be referred to the judges in a few days for their decision, so that every arrangement may be completed before the 1st August, I have felt it absolutely necessary to afford him the aid of an assistant for the remainder of the period of the duration of his office. I trust that you will approve of this measure.

I have, &c.

(signed) *J. Carmichael Smyth.*

Enclosure in No. 108.

Sir,

Rossfield, Berbice, 2d June 1834.

Enclosure in
No. 108.

I HAVE had the honour to receive your Excellency's communication of 10th May, calling on certain gentlemen, among whom your Excellency is pleased to deem me worthy of being named, to assemble and meet in George Town, and having duly read and reflected upon documents and information to be laid before them, to give expression to their sentiments regarding the extent of task-work which may be considered a fair and equitable arrangement between his employer and the future apprenticed labourer, whose labour, it is to be borne in mind, will be limited by law to seven and a half hours per day.

Whilst I pray for a favourable interpretation and acceptance of my apology for not attending that meeting (no day having been named for the meeting), and on the eve of quitting the Colony, I beg to assure your Excellency, that in no circumstances except of extreme necessity would I decline any duty to which I might be thought equal; and least of all would it be fitting that any member of the community, claiming to be a loyal subject, should shrink from his duty at a moment fraught with events that may, whether for good or for evil, stamp their character on, and influence the future destinies of this valuable province.

In obtruding individual opinions regarding the business of conducting estates during the apprenticeship, I feel that the amplest apology is called for; but it may not be uninteresting to your Excellency to know the result of my experience of a system (in strict harmony with the 5th section of the Abolition Act) I put in operation on two estates on the 1st March last, with a degree of success far surpassing my most sanguine hopes at the time. Having assembled the negroes and explained my desire to make them acquainted with the approaching apprenticeship system before leaving the Colony, I placed it in their option to choose between labouring as now, without any alteration of task or otherwise, for five legal days at nine hours, the sixth to be at their disposal, or working for 7 ½ hours daily for six days, with a corresponding reduction of task. The negroes did not hesitate to adopt the former, with every expression of gratitude for the boon; and their reasoning on the latter mode was to me conclusive.

"After working 7 ½ hours," said they, "we must rest a little; then the day is lost, we have no time to hire ourselves out or work much at our grounds; but if the extra time allowed by law be thrown together into a day, we shall know how to employ it." I am thoroughly convinced this would be the language of every prædial labourer in British Guiana, were he consulted. I stipulated with my people, that every day lost by skulking in the hospital must be made good by the party out of his own spare time. The consequence is a complete abandonment of skulking, and the average in hospital never exceeds 3 per cent. (it used to be 12): thus the field gang is so much stronger, I estimate I lose little

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or nothing by the change. A change too that created a considerable sensation and some alarm in the neighbourhood, but has since been adopted by two or three estates with the like happy result.

His Excellency Major-general Sir J. C. Smyth,
Lieut.-governor, &c. &c. &c.

(signed) *John Ross.*

—No. 109.—

COPY of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary
Spring Rice.

No. 109. Sir, Camp House, Demerara, 29 July 1834.

I HAVE the honour to lay before you a Proclamation, which I have felt it my duty to issue, directing the several churches and places in which divine worship is performed, to be opened on Friday the 1st August; I also beg to transmit an authenticated copy of an Ordinance passed by myself, with the advice and consent of the Court of Policy, enjoining a cessation from labour to be allowed to all apprenticed labourers for that day, in order that they may be at liberty to attend on that day to the worship of Almighty God; and to return thanks for the great and important change in their situation, and which commences on that day.

I hope that both the Proclamation and the Ordinance will meet with the most gracious approbation of His Majesty.

I have, &c.
(signed) *J. Carmichael Smyth.*

Enclosure 1, in No. 109.

BY His Excellency Major-general Sir *James Carmichael Smyth*, Baronet, K.C.B., &c. &c. Lieutenant-governor and Commander-in-chief in and over the Colony of British Guiana, Vice-Admiral and Ordinary of the same, &c. &c. &c.

Enclosure 1,
in No. 109.

WHEREAS slavery will cease on Friday the 1st of August throughout the British dominions; and whereas it is incumbent upon each and every inhabitant of British Guiana (to whatever church or form of the Christian religion he may be attached) to return his humble and grateful thanks to Almighty God, to whose watchful and unerring Providence alone it is to be attributed that this great change in the relations of society in this Colony has been so far conducted without the slightest disturbance or interruption of the public tranquillity: I do hereby, by virtue of the power and authority vested in me by His Majesty, command that all the churches, chapels and places dedicated to the worship of Almighty God, in the province of British Guiana, shall be open on Friday the 1st of August, and that divine service shall be therein severally performed twice (at the least) on that day; and I do further earnestly request of the several rectors, ministers and curates to prepare, and to deliver from the pulpit, appropriate and suitable religious exhortations and advice to their respective congregations.

Given under my hand and seal of office, at the King's House, in George Town, British Guiana, this 15th day of July 1834, and in the fifth year of His Majesty's Reign.—God save the King.

By his Excellency's command.

Enclosure 2, in No. 109.

AN ORDINANCE to declare the 1st day of August 1834 a day of Rest for the labouring Population of British Guiana.

Enclosure 2,
in No. 109.

WHEREAS his Excellency Major-general Sir *James Carmichael Smyth*, baronet, Lieutenant-governor of this Colony, having by his proclamation of the 15th July present, been pleased to declare that all the churches, chapels and places dedicated to the worship of Almighty God in the province of British Guiana shall be open on Friday the 1st of August next, and that divine service shall be therein severally performed twice at least on that day:

And whereas it is expedient that opportunity should be afforded to the labouring population of this Colony to resort to places of worship on the said 1st day of August next:

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Be it therefore enacted, by his Excellency the Lieutenant-governor of British Guiana, with the advice and consent of the Court of Policy thereof, that for the hereinbefore relected purposes, the 1st day of August next shall be a day of rest and cessation from labour to all the labouring population of this colony.

And that no ignorance shall be pretended for this our ordinance, these presents shall be printed and published in the customary manner.

Thus done and enacted at our Extraordinary Assembly, held at the Court House, in George Town, Demerara, this 19th day of July 1834, and published on the 22d following.

By command, (signed) *Charles Wilday*, Secretary. (signed) *J. Carmichael Smyth*.

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— No. 110. —

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Major-General Sir *J. Carmichael Smyth*.

Sir,

Downing-street, 2 October 1834.

No. 110.

I HAVE received and have laid before the King your Despatch of the 29th July last, enclosing a Proclamation for the celebration of divine worship on Friday the 1st August, throughout the Colony of British Guiana; and an Ordinance passed by yourself, with the advice and consent of the Court of Policy, enjoining a cessation of labour to all apprenticed labourers for that day. His Majesty is graciously pleased to confirm and allow the ordinance in question, and commands me to signify to you His approbation of the very great anxiety and good feeling which you have evinced in taking such measures as you felt to be requisite in order to give full effect to the change in the social system of Demerara, produced by the altered condition of the apprenticed labourers.

I have, &c.

(signed) *T. Spring Rice*.

— No. 111. —

EXTRACT of a DESPATCH from Major-General Sir *J. Carmichael Smyth* to the Right Hon. *Thomas Spring Rice*, dated Camp House, Demerara, 29 July 1834.

I HAVE the honour to acknowledge the receipt of His Majesty's Order in Council of the 5th June, forwarded to me by Mr. Lefevre, in his communication of the 7th of the same month.

No. 111.

Immediately upon the receipt of His Majesty's Order in Council, as above alluded to, I caused the same to be promulgated; and I forthwith nominated the special justices of the peace to the 12 judicial districts, into which number, instead of 14, the province has been divided. You are however, Sir, no doubt aware, that instead of 12 special stipendiary magistrates, I have only as yet four arrived from England.

I take the liberty of submitting to you a printed copy of the Instructions I have given to each special magistrate, whether stipendiary or otherwise. I hope that these Instructions, together with Tariff of Labour attached to them, as also the other enclosures, will be honoured with His Majesty's approbation.

Enclosure in No. 111.

INSTRUCTIONS for each Special Justice of the Peace in and for the Province of British Guiana.

Sir,

1. IN selecting you to fill the important office of a special justice of the peace in this province, and in calling upon you to contribute, by an exact and vigilant discharge of the duties attached to that appointment, to the maintenance of the public tranquillity and the welfare of this community, His Majesty's Government has manifested a confidence in your loyalty,

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loyalty, in your moderation, and in your good sense, which I feel convinced you will upon every occasion be anxious to show has not been misplaced. The nature of your duties and the extent of your authority are so clearly explained in the enactments of the ordinance for the government of the apprenticed labourers, that I might perhaps with perfect propriety have contented myself with merely forwarding to you a printed copy of the ordinance, and of His Majesty's Order in Council ratifying the same. My anxiety, however, not only for the continuance of the present tranquillity, but for the future prosperity of this magnificent province, has induced me to trouble you with the few following additional suggestions for your guidance. The public tranquillity may unquestionably be preserved, and the prescribed amount of labour, as allowed by law, be obtained from the apprenticed labourers, without any very great exertion on the part of the special justices. This, however, would be but a very confined view of the nature of your duties. I trust and hope, that by a strict and impartial administration of justice; by affording a ready access to, and being in constant communication with, the apprenticed labourers; by accustoming them to look to the justices as their protectors, and to the law as the safest and surest mode of obtaining redress; a kind and a friendly feeling will be generated between the landed proprietor and the labourer, from which the happiest effects may be hereafter expected. Force and coercion have had their day; gentler methods are now to be resorted to. The labourer will hereafter work, induced by a desire to obtain that food, those clothes, and those little luxuries and comforts, which otherwise he must go without. It will be your business, as far as your influence and your authority extend, to prepare him during his apprenticeship to appreciate the value of industry, and to show him practically the additional blessings it is in his power to obtain for himself and his family by industrious habits. When once the apprentice feels that he enjoys some benefits from his labour, there is every reasonable prospect of his continuing to labour when free from all restraint.

2. Taking the principles I have endeavoured to explain as your guide, you will see the policy as well as the justice of strictly enforcing the delivery to the apprenticed labourers of the clothes to which they are severally by law entitled. It would be a very short-sighted policy that would withhold a single article. The negroes are fond of dress; and this harmless feeling, advancing them in civilized life, and deterring them from retreating to the bush, (if not pushed to any blameable excess), is one that, in sound political discretion, ought to be encouraged.

3. There are two modes in this Colony of feeding the apprenticed labourers, and the choice of which plan he may prefer is by law left to the employer. The first plan is to allot a piece of ground (the extent and quality of which must be approved of by the special magistrates), and to allow 40 working days to each apprenticed labourer for the cultivation of the same. The second mode is to issue a certain quantity of plantains and salt fish, (according to a tariff), or certain substitutes. It is my earnest wish that you should exert all your influence in recommending the first. The labourer having his own piece of ground, from the produce of which he will have been in the habit of feeding himself and his family, will not feel that anxiety, when his apprenticeship is at an end, to remove to some other estate, where he might otherwise be disposed to go in search of employment and imaginary better treatment. The apprenticed labourer, who merely receives from his employer a ration of salt fish and of plantains, (and which allowance he can obtain upon any estate), will not be deterred by similar reasons from quitting his employer the moment he is free from restraint. It appears to me that all those planters who are interested in the future welfare of this province, and who look forward beyond the period of the six-year apprenticeship, ought not to hesitate in adopting the plan which I feel it my duty, for the reasons I have assigned, strongly to advocate.

4. The ration by law is, to each adult apprenticed labourer, 3 lbs. of salt fish and 70 lbs. of plantains per week, or 156 lbs. of salt fish and 3,640 lbs. of plantains per annum. The value of the salt fish may be stated at 23 guilders 8 stivers, and of the plantains at 62 guilders 10 stivers. The sum total required for feeding an adult apprenticed labourer per annum, is consequently 85 guilders 10 stivers, or 6*l.* 2*s.* 4½*d.* It may at first sight appear that the loss of the 40 days of labour from an adult apprenticed labourer, would be of more consequence than the 85 guilders 10 stivers required to feed him or her; but the number of children of both sexes who are to be fed at the cost of 42 guilders 19 stivers each, or 3*l.* 1*s.* 2½*d.* each, is also to be considered. The planters will, in all probability, in general adopt that plan calculated for their own more immediate convenience. The policy, however, of allotting land, and of granting the time required for its cultivation, cannot, in my opinion, be controverted. It would tend much towards the encouragement of the industry and the improvement of the morals of the apprenticed labourers, independent of the advantages of attaching them to the estates, with which they would thus, as it were, have their interests more immediately identified. I trust you will do all in your power to recommend the allotment of land to the attached prædial apprenticed labourers, and to procure, as much as possible, its adoption.

5. The weekly allowance of salt fish and plantains has been represented to me by several gentlemen, whose honour and veracity I can depend upon, as being more than is required by a labouring man; and it has been stated to me, that it is the general custom to issue not more than 2 lbs. of salt fish and 56 lbs. of plantains per week, and to make up to the labourer the value of the difference with sugar, rum, tobacco, and other extra articles not mentioned in the tariff. To any amicable arrangement of this sort I can have no objection, provided the labourer is satisfied. If on any estate there should be any complaints on the part of the apprenticed labourers as to an insufficiency of food, or in any way connected

connected with the subject of their provisions, it will be your duty to enforce the tariff with the utmost punctuality. On the other hand, it is a very material object, and one quite in unison with that good feeling between the landlord and the labourer which I feel it my duty by every means in my power to encourage, that the latter should feel that his comforts and his happiness will very much depend upon his own good conduct, and upon the approbation of his employer. I wish that the apprenticed labourer should always be instructed to complain to his employer in the first instance, and not be encouraged to apply to the special justice, excepting it is of his employer himself he has to complain, or that he cannot otherwise obtain redress.

6. The next point to which I wish to draw your attention, is the quantity of labour which ought to be performed by the prædial apprenticed labourer for his employer. The time the prædial apprenticed labourer is to dedicate to the service of his employer is, you are well aware, limited to 45 hours per week, or at the rate of $7\frac{1}{2}$ hours for each of the six working days of the week. In order to procure some data upon which a reasonable scale could be framed, I addressed circular letters, proposing certain queries, to His Majesty's justices of the peace generally throughout the province; and several gentlemen accustomed to the management of estates, were good enough, subsequently to the replies from the justices, to form themselves into a committee, (at my request), and from the reports of the justices, aided by my own experience, to prepare a scale of labour, accompanied by a report. The scale, as also the report, I shall cause to be attached to these instructions. The scale, after all the pains which have been taken about it, can be but of comparatively little use, as its application must depend so much upon the weather and other circumstances. In wet weather, the work of the labourer in this colony is heavy; in dry weather he can do more, and with less exertion. The scale, however, is a very desirable document, and, aided by your own experience and observation, will enable you to form some judgment as to the diligence or idleness of the labourers.

7. You are aware that the apprenticed labourer, when in a state of slavery, was obliged to work 54 hours per week, or at the rate of nine hours per day, for each of the six working days of the week; and that, as an apprenticed labourer, he will have nine hours per week additional time to himself. It will be of infinite advantage to the apprenticed labourer, that these nine hours of diminished labour should be given to him on one day, so that he may have that day completely to himself. It will also equally benefit the employer, by the increased good-will with which the labourer will exert himself on the five days he will have to work for his master, and by the confidence and gratitude he will feel for this indulgence. I shall add to these instructions a copy of a letter from a most respectable proprietor in the Berbice district, John Ross, esq., which is to me conclusive upon this matter. I earnestly request of you to draw the attention of the proprietors and managers of estates in your district to this subject. Saturday is the day which I am most anxious to obtain for the apprenticed prædial labourers. If they had Saturday to themselves, I should be enabled forthwith completely to abolish the Sunday markets, which, so long as the labourer has to work on Saturday the same as on any other day, I am necessarily compelled to connive at. I have to beg that you will use every endeavour and your best exertions in pointing out to the proprietors and managers the propriety of voluntarily allowing Saturday to the labourers; to whose labour, at the rate of nine hours per day for five days in the week, they will then be entitled.

8. The last, but certainly not the least, important matter on which I am anxious to explain to you my views, is the power vested in you by the 8th section of the 6th chap. of the ordinance for the government and regulation of apprenticed labourers, relative to the binding out as apprentices the children of apprenticed labourers who may not have attained the age of twelve years, provided it should be made to appear to your satisfaction that such children are not provided with an adequate maintenance. This is a power which you will see the propriety of exercising with the greatest moderation and circumspection. Excepting the parents are idle, dissipated and worthless, there can be no apprenticed labourers, who, from the different uses to which they will be able to apply their own time, will not be in a condition to maintain their children until they may become old enough either to assist their parents, or to gain their own livelihood by working on the estate. It was not my intention originally to have given my sanction to this enactment as it now stands. It was my idea, that the power of apprenticing out the children in question should have been given to the district sessions, and not to the individual magistrate. In agreeing to this enactment, I have given to the colonial special magistrates the strongest pledge of my conviction of the integrity, rectitude and impartiality with which they will discharge their duties.

(signed) *J. Carmichael Smyth.*

Governor's Apartments, Guiana Public Buildings,
1 August 1834.

(Appendix A.)

Sir,

George Town, Demerara, 31 May 1834.

I HAVE the honour to enclose to your Excellency, the report of the gentlemen whom you selected to sit as a committee, for the purpose of preparing a scale of task-work for the prædial apprentices of British Guiana, to commence after the 1st August next, as compared with that now performed by them in nine hours, to which the laws at present in force in the Colony restrict agricultural labour.

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All the gentlemen attended, with the exception of Messrs. Cameron and Ross, from Berbice; to whom, however, notices had been sent. But as the papers put into my hands by Lieutenant-colonel Hammell contained the reports of these gentlemen to your Excellency, their absence was not so material.

Your Excellency will observe, that the committee have judged that it would be more satisfactory to the apprenticed labourers, if the present work were continued by them to be performed for five days in the week, and to give them one clear day to themselves, exclusive of Sunday. But as the Act of Parliament and the Colonial enactments leave the selection of the extra time to be given the apprentices, at the option of the employers, either to be spread over the whole six working days in each week, or to be consolidated in one day, the committee consider that this mode of apportionment, if adopted, should be represented to the labourers as a boon conferred by their employers, and conditional on the good and orderly conduct of the former.

Although the committee have taken much pains to arrive at an equitable and fair scale of task-work, yet they are sensible that on every estate much must depend on the sound discretion and judgment of the party in charge, as to circumstances of weather, season, soil, &c.; but under an average of all these considerations, they consider it moderate and just to both parties.

To His Excellency
Sir James Carmichael Smyth, Bart.
Lieut.-Governor, &c. &c. &c.

I have, &c.
(signed) Charles Bean, Chairman.

(Appendix B.)

AT a Meeting held at the Colony House in George Town, Demerara Colony of British Guiana, on this 29th day of May 1834:

Present, Charles Bean, Esq. Chairman;

J. G. Reid, N. M. Magnet, George Warren, Andrew Jackson, Thomas Blake, William Fraser, Colen Simson, Walter Urquhart, Alex. Macrae, Esquires;

For the purpose of taking into consideration and of replying to a circular letter bearing date 10th May 1834, and addressed by his Excellency the Governor, Sir James Carmichael Smyth, to the members now present at this meeting, requesting them to favour him with their opinions as to the extent of task-work which may be considered as a fair and equitable arrangement between the employer and the future apprenticed prædial labourer, taking the labouring hours of each day to be limited to 7 $\frac{1}{2}$ hours.

The Meeting, after maturely considering the subject, and after having examined with care and attention the various documents laid over by his Excellency the Governor, and trying the different scales of task-work, as stated in those documents, by the test of their own experience, have come to the resolution of submitting to his Excellency the following scale of task-work for effective prædial labourers, in periods of nine (9) hours, and of seven and a half (7 $\frac{1}{2}$) hours, calculating the labour to be of an assiduous and steady character.

SCALES of TASK-WORK for effective prædial apprenticed Labourers, in the Colony of British Guiana, as laid down by the undersigned, appointed as a Committee for that purpose by his Excellency Sir James Carmichael Smyth, Governor and Commander-in-Chief, &c. &c. in and over the said Colony and its dependencies:—

DESCRIPTION OF WORK.	Work now performed in 9 Hours.	Work to be performed in 7 $\frac{1}{2}$ Hours.
CANE CULTIVATION:		
Digging new navigable canals, 12 feet wide and five feet deep, and throwing the ground on both sides - - - - -	600 cubic feet -	500 cubic feet.
Throwing back a six foot parapet from the above, and levelling the ground - - - - -	72 feet in length	60 feet in length.
Digging new punt trenches as above, where the ground is all thrown on one side - - - - -	480 cubic feet -	400 cubic feet.
Throwing back six feet parapets from above -	48 feet in length	40 feet in length.
Digging new small drains 2 x 2 land cleared -	18 roeds -	15 roeds.
Throwing out small drains one shovel deep -	50 roeds -	42 roeds.
Holing or banking land 2 $\frac{1}{2}$ x 2 $\frac{1}{2}$ - - - - -	36 roeds -	30 roeds.
Shovel ploughing new holed land a shovel deep, and rounding beds - - - - -	72 roeds -	60 roeds.

DESCRIPTION OF WORK.	Work now performed in 9 Hours.	Work to be performed in 7 ½ Hours.
CANE CULTIVATION—continued.		
Hoe ploughing and planting one row of the above with two rows of plants, the plants being on the parapets - - - - -	60 roeds - -	50 roeds.
Weeding, moulding and supplying plant canes, first time, in holed land - - - - -	90 roeds of 1 row	75 roeds.
Weeding and moulding plant canes, second time	100 roeds - -	86 roeds.
Weeding and moulding ratoons - - - - -	120 roeds - -	100 roeds.
Weeding and trashing canes - - - - -	120 roeds - -	100 roeds.
Cutting and carrying canes, where the carriage does not exceed 18 roeds - - - - -	{ 2 labourers to load a punt 28 × 7 ½, and 3 feet deep, 600 cubic feet - - }	500 cubic feet.
Ditto, ditto for one hoghead of sugar per diem	11 labourers - -	13 labourers.
Relieving and tying trash ratoons - - - - -	120 roeds - -	100 roeds.
Supplying only, first time - - - - -	120 roeds - -	100 roeds.
Relieving and supplying at same time - - - - -	60 roeds - -	50 roeds.
Shovel ploughing a space between (two feet wide) cane rows - - - - -	60 roeds - -	50 roeds.
Drilling two feet wide, one shovel deep - - - - -	36 roeds - -	30 roeds.
PLANTAIN CULTIVATION:		
Weeding and trimming plantain walks - - - - -	{ 5 labourers to 1 acre - - }	6 labourers to 1 acre.
Digging plantain suckers - - - - -	200 each labourer	160 each labourer.
Ditto holes for ditto, 15 inches square - - - - -	120 ditto - -	100 ditto.
Planting ditto, suckers at hand - - - - -	150 ditto - -	125 ditto.
Cutting firewood and cording ditto, carriage not over 20 roeds - - - - -	{ 128 cubic feet, or 8 feet × 4 - }	107 cubic feet or 6 feet 8 inches × 4.
COFFEE CULTIVATION:		
Digging holes 18 inches square, for coffee plants	120 each labourer	100 each labourer.
Planting coffee in the above, the plants being on the spot - - - - -	100 ditto - -	85 ditto.
Weeding coffee, and pulling off water sprouts and vines from the trees - - - - -	{ 5 labourers to 1 acre - - }	6 labourers to 1 acre.
It is impossible to fix any scale of task work for picking coffee, as the quantity to be picked by each individual must entirely depend upon the quantity of ripe fruit on the trees.		
Trimming coffee trees after crop, and cutlassing vines on the trees - - - - -	{ 4 labourers to 1 acre - - }	5 labourers to 1 acre.
Assorting first quality coffee, after being stamped, winnowed and sifted - - - - -	150 lbs. - -	120 lbs.
Inferior and drift coffee - - - - -	75 lbs. - -	60 lbs.
Cutting bunches of plantains and carrying them in punts to the buildings, provided the head-carriage does not exceed 100 roeds - - - - -	{ 80 bunches to each labourer - }	65 bunches to each labourer.
Trenching (the same as in sugar cultivation).		
COTTON CULTIVATION:		
Planting cotton, supposing the land to be prepared - - - - -	6 labourers 3 acres	7 labourers 3 acres.
Pruning cotton - - - - -	6 ditto 3 ditto -	7 ditto 3 ditto.
Weeding after pruning - - - - -	6 ditto to 1 acre	7 ditto to 1 acre.
Ditto after crop, or other weeding - - - - -	5 ditto to 1 ditto	6 ditto.
No general system of task-work can be applied to picking cotton, as it must depend on the character of the crop.		
Ginning by manual labour - - - - -	{ 50 lbs. each la- bourer - - }	40 lbs. each la- bourer.
Cleaning cotton after ginning - - - - -	60 lbs. ditto -	50 lbs. ditto.
Baling with machine - - - - -	{ 7 bales to four labourers - - }	6 bales to four la- bourers.
Trenching (same as on sugar estates).		

(continued.)

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DESCRIPTION OF WORK.	Work now performed in 9 Hours.	Work to be performed in 7 ½ Hours.
WOOD CUTTING—SQUARING TIMBER:		
Felling trees and squaring them for saw logs -	25 cubic feet -	21 cubic feet
Ditto, ditto for framing timber - - - -	18 ditto - -	15 ditto.
Making wallaba shingles and carrying them to a water carriage - - - - -	200 each labourer	175 each labourer.
Making staves, and heading and carrying them as above - - - - -	100 ditto - -	87 ditto.
Cutting and cording hardwood for fuel - -	{6 labourers to four cords - }	6 labourers to 3 cords.

N.B.—The roed mentioned in the foregoing tariff, and made use of in Guiana, is the Rhymland roed, equal to 12 feet and 4 inches nearly.

The committee are of opinion that it is most desirable that some general system should be adopted throughout the Colony, as to the manner of apportioning the time between the employer and the prædial apprenticed labourers.

The committee recommend that this apportionment shall be by giving five days' labour or 45 hours to the master, and one day, which they recommend to be Saturday, to the apprenticed labourer; provided that in all cases the consolidation of the daily time of one hour and a half of the labourer into the Saturday of each week shall only take place on the due and proper performance of the daily task, and be consequent upon the good, orderly and industrious conduct of the labourer, and not otherwise. In making these recommendations, the committee feel themselves imperatively called upon to urge, in the strongest possible terms, the necessity of enacting very rigid laws to enforce the strict observance of the Sabbath as a day of uninterrupted rest.

The committee are also of opinion, 1st, that in all cases of childbirth the mother shall be allowed one month, during which no labour can be exacted from her; but for any period beyond that (if the child be not apprenticed) during which the parent or parents may be absent from their employer's duty in attending upon their child or children, they shall be obliged to make up such loss of time to their employer by their labour in their own time; and if this loss of time be not made up to the employer during the apprenticeship, it must be made up after.

2d. That in all cases where any apprenticed labourer shall be in the hospital for one or more days of any one week, such apprenticed labourer shall not be considered as coming under the regulation which provides for the gang working five days during nine hours, and having the sixth day to themselves, but shall be bound to work for his or her employer during seven and a half hours every day of such week as such labourer shall not be in the hospital.

3d. That it shall be imperative on all effective male apprentices to take their regular spell as watchmen during the night, for the protection of their own as well as their master's property; upon condition, however, that they shall be remunerated for such duty, as shall be provided for by the Legislature of the Colony.

In conclusion, the committee consider it necessary to remark, that in laying down the scale of task-work herewith submitted, they have considered it as being applicable to effective labourers, and to average weather and soils, as much must be left to the discretion of managers of estates and gangs.

The minutes of this meeting having been read over to the members, it was resolved that Mr. Macrae should be requested to have a fair copy of them made, and that the chairman be now authorized to sign such fair copy in behalf of the committee, and to hand the same to his Excellency the Governor.

(In the name of the Committee),
(signed) *Charles Bean*, Chairman.

Appendix (C.)

Sir,

Rosfield, Berbice, 2 June 1834.

I HAVE had the honour to receive your Excellency's communication of 10th May, calling on certain gentlemen, among whom your Excellency is pleased to deem me worthy of being named, to assemble and meet in George Town, and having duly read and reflected upon documents and information to be laid before them, to give expression to their sentiments regarding the extent of task-work which may be considered a fair and equitable arrangement between his employer and the future apprenticed labourer, whose labour, it is to be borne in mind, will be limited by law to seven and a half hours per day.

Whilst I pray for a favourable interpretation and acceptance of my apology for not attending that meeting (no day having been named for the meeting), and on the eve of quitting the Colony, I beg to assure your Excellency that in no circumstances, except of extreme necessity, would I decline any duty to which I might be thought equal; and least
of

of all would it be fitting that any member of the community, claiming to be a loyal subject, should shrink from his duty at a moment fraught with events that may, whether for good or for evil, stamp their character on, and influence the future destinies of this valuable province.

In obtruding individual opinions regarding the business of conducting estates during the apprenticeship, I feel that the amplest apology is called for; but it may not be uninteresting to your Excellency to know the result of my experience of a system (in strict harmony with the 5th section of the Slavery Abolition Act) which I put in operation on two estates on the 1st March last, with a degree of success far surpassing my most sanguine hopes at the time.

Having assembled the negroes and explained my desire to make them acquainted with the approaching apprenticeship system before leaving the Colony, I placed it in their option to choose between labouring as now, without any alteration of task or otherwise, for five legal days of nine hours, the sixth to be at their disposal, or to working for seven and a half hours daily for six days, with a corresponding reduction of task. The negroes did not hesitate to adopt the former, with every expression of gratitude for the boon; and their reasoning on the latter mode was to me conclusive. "After working seven and a half hours," said they, "we must rest a little; then the day is lost, we have no time to hire ourselves out, or work much at our grounds; but if the extra time allowed by law be thrown together into a day, we shall know how to employ it."

I am thoroughly convinced this would be the language of every prædial labourer in British Guiana, were he consulted. I stipulated with my people, that any day lost by skulking in the hospital must be made good by the party out of his own spare time. The consequence is, a complete abandonment of skulking, and the average in hospital never exceeds three per cent.; it used to be 12. Thus the field gang is so much stronger, I estimate I lose little or nothing by the change; a change, too, that created a considerable sensation and some alarm in the neighbourhood, but has since been adopted by two or three estates with the like happy result.

(signed) *John Ross.*

— No. 112. —

EXTRACT of a DESPATCH from Mr. Secretary *Spring Rice* to Lieutenant-Governor Sir *J. Carmichael Smyth*, dated Downing-street, 4 November 1834.

I HAVE perused with great interest your circular instructions to the special justices of the peace. They are conceived in the true spirit of the law on which they are founded, and are characterized throughout by humanity and foresight. Perhaps, however, you will agree with me that the avowal in the 7th paragraph, that you were compelled to connive at the violation of the law respecting Sunday markets, would have found a fitter place in a document of a less public nature. That such a connivance is under all the circumstances of the case inevitable, I do not mean to deny; and until the negro population shall be secure in the possession of one entire day in each week for resorting to market, their exclusion from it on Sunday would of course be regarded by themselves as a grievance of the most serious nature.

The mention of this subject, however, suggests the importance, or rather the necessity, of adopting some decisive measure to arrest the continuance of a practice which, though it may be endured as the escape from a greater evil, can never be regarded but as a very serious mischief. You of course deprecate not less earnestly than myself a custom which must weaken in ignorant minds, and perhaps even among the more enlightened members of society, the sense of religious obligation, by inducing multitudes to engage on Sunday in a traffic which they are taught to regard as prohibited at that season. Every negro in British Guiana, who is under the instruction of any of the various denominations of Christian teachers there, is habitually tempted to resist the dictates of his own conscience, by the opportunity of gain which the Sunday market holds out to him. Although I might not be disposed rigidly to enforce the penal law against him under all the circumstances in which he is placed, yet I think we must acknowledge that the conduct we thus tolerate is rightly condemned by his instructors, when they refer to sanctions of a nature to which the civil Government, as such, may not with propriety appeal. Besides, the indisputable advantage of a day of unbroken weekly repose to those whose ordinary life is passed in severe toil, might readily be established, if the topic were not too familiar for proof or illustration, by arguments drawn from a much lower source than that to which I have last adverted.

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For all these reasons, I am desirous that you should take what may appear to you at once the most judicious and the most effectual mode of recommending to the Court of Policy the adoption of the rule, of which in the paragraph numbered 7 you have so clearly shown the advantage. If Saturday in each week were secured to the apprenticed labourers as their season of leisure, all parties would seem likely to benefit by the change, and you would be enabled to insist on the law for the due observance of Sunday, in the permitted violation of which you are at present reluctantly compelled to acquiesce. When it is considered with what ready generosity the British Legislature met the question of losses which the abolition of slavery might entail on individuals, and how largely the proprietors in British Guiana have shared in the funds appropriated as a compensation by Parliament, I feel confident that the Court of Policy will take the most effectual steps to extinguish an abuse which, as it originated in the injustice of the slave code, ought for ever to disappear with the repeal of that law, and with the universal establishment of personal freedom throughout the British dominions.

— No. 113. —

COPY of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Spring Rice*.

No. 113.

Sir,

Camp House, Demerara, 16 December 1834.

I AM to acknowledge the receipt of your Despatch of the 4th November, and am much gratified at the expressions you have been pleased to make use of, in respect to my circular instructions to the special justices of the peace in this Colony.

I shall pay every attention to your wishes with respect to the obtaining of Saturday for the labourers, and abolishing the Sunday markets. There would have been no difficulty about such an arrangement, had such a proposition been made previously to the publication in the London Gazette, stating that the inhabitants of this Colony had done all that was necessary to entitle them to their share of the compensation fund. I will, however, endeavour to do all in my power for the accomplishment of an object which I have repeatedly urged both in the Court of Policy and in various official documents, but hitherto unfortunately without success.

I have, &c.
(signed) *J. Carmichael Smyth*.

— No. 114. —

COPY of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Spring Rice*.

No. 114.

Sir,

Camp House, Demerara, 9 August 1834.

IN my Despatch of the 29th July, I had the honour to explain to you that I had appointed the 1st of this month as a day to be dedicated to the worship of Almighty God; and I forwarded to you a copy of my proclamation, as also of the ordinance upon the subject. The churches and chapels were crowded; and the discourses, in general, delivered by the respective ministers, were well calculated to impress upon the minds of the apprenticed labourers the necessity of performing their diminished labour with zeal and alacrity. I was much hurt and disappointed, consequently, upon receiving reports from several of the magistrates, on Monday the 4th instant, stating that on many estates in their respective districts, the labourers had expressed a determination to do no more work than one half of what they performed when slaves, asserting that they

(A.)

knew such to be the King's order. I caused forthwith the Proclamation, of which I have the honour to forward to you a copy, to be published; and I deemed it proper to direct the high sheriff to proceed without delay, by water, to the furthest estate on the Essequibo coast, instructing him to return
by

by land, by easy stages to George Town; visiting personally all the disturbed estates, and assembling courts for the trial of offenders, where such measure should appear indispensable. I beg to enclose a copy of the instructions which I gave to the high sheriff. The justices of the peace in the Essequibo district appear to have been much more alarmed than there was the least occasion to be, and applied to me to publish martial law in their district. The high sheriff also wrote to me for troops, in addition to the very respectable escort which I gave to him from hence. I refused both these applications; and I trust the reasons as given for my refusal in my letter to the sheriff, will appear to you satisfactory. I have visited myself the estates in this neighbourhood, and, as I hope, with the best effect. The labourers are working everywhere at the rate of 7 ½ hours per day, or at such a rate of task-work as they have agreed to undertake, with the advice and consent of a special magistrate. I proceed on Monday morning myself to the Essequibo district; and I trust that upon my return here, I shall be enabled to report to you that this ebullition has entirely subsided. When the absolute nullity of subordinate agents at my disposal, or under my command, in whom the labourers place confidence, is taken into consideration; the hitherto arbitrary power possessed by those in charge of slaves, and the consequent readiness on their part to misinterpret every act of the free labourer, and to call that insubordination, which by any person not formerly in the habit of commanding slaves would be unnoticed; the wonder is, not that some ebullition should have been manifested, and some misapprehensions have taken place, but that everything should have passed off so quietly.

As from various motives, erroneous statements have been inserted in the newspapers of the colony, or at least in one of them, which will probably cause some uneasiness in England, I hasten to write to you these few lines. Upon my return from Essequibo, I shall have the honour to report to you more in detail. In the meanwhile, I can only report that I see no reason to doubt but that before this day week, all this agitation will have quietly subsided.

I have, &c.

(signed) *J. Carmichael Smyth.*

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(B.)

(C.)

Enclosure (A.) in No. 114.

PROCLAMATION addressed to the Apprenticed Labourers of British Guiana.

British Guiana, }
(L. s.) } By His Excellency Major-General Sir *James Carmichael Smyth*, Bart.,
J. C. Smyth. } &c. &c.

I WAS in hopes that I should have been enabled to have congratulated you upon the great change in your situations having been effected without the manifestation on your parts of any acts of a riotous and insubordinate tendency. It would have afforded me the utmost pleasure to have been able to have reported to His Majesty (to whose kind and paternal feeling towards you, you owe so much) that you had commenced the performance of your diminished duties under the new law, with cheerfulness and content. I am sorry to say that many of you have much disappointed me. The conduct of such of you as I have to complain of, cannot proceed from ignorance. The new law has been explained to you by repeated proclamations; our respectable and reverend ministers of religion have, moreover, taken every pains to instruct you fully upon the subject. I can, therefore, only attribute the conduct of such of you as would oppose the law, to obstinacy, folly or wickedness.

Since my arrival amongst you, you cannot but be sensible how much your situations have been improved. The first thing I did was to abolish the use of the cart-whip. With the advice and consent of the Court of Policy, the members of which (highly to their credit) unanimously agreed to the measure, the power of ordering punishment was next taken from the master, and placed in the hands of justices of the peace. These measures were surely great benefits, and ought to convince you that I am your friend, and as such am entitled to your confidence. Listen then to what I tell you, with attention, and be assured that what I tell you is the truth.

You who are working on estates, must work for your employers 7 ½ hours per day, or 45 hours per week. If you prefer task-work, and the manager and you agree about the quantity of task-work, he and you are at liberty to make an agreement to that effect, which must be written in a book, and be seen and approved of by a special magistrate. You must labour the number of hours as settled by the law, or perform such a quantum of task-work as you agree to undertake. The law is clear and positive, and must be obeyed.

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in No. 114.

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I think it necessary further to state to you, that it is as much my duty, on the one side, to watch over the interests of your employers, as it is, on the other, to protect you in the full enjoyment of all those privileges the new law affords you. Be assured, that to the best of my ability, I shall do both. The special justices have been instructed by me to lose no time in assembling district courts, and in bringing to trial all apprenticed labourers accused of obstinately abstaining from performing their labour of 7 $\frac{1}{2}$ hours per day, as enjoined by law. You must labour well and steadily during 45 hours each week, or at the rate of 7 $\frac{1}{2}$ hours each working day; or you may make an agreement, as I have already explained, as to task-work. If you neglect this my advice and exhortation to you, and allow yourselves to be further misled by wicked and foolish men, you will be visited with very heavy penalties, and bring disgrace and misery upon yourselves and your families.

Given under my hand and seal of office, at the King's House in George Town, British Guiana, this 5th day of August 1834, and in the fifth year of His Majesty's reign.—God save the King.

By his Excellency's command.

(signed) *T. C. Hammill,*
Acting Government Secretary.

Enclosure (B.) in No. 114.

INSTRUCTIONS for his Honour the High Sheriff of British Guiana.

Sir,

Camp House, 6 August 1834.

Enclosure (B.)
in No. 114.

I WISH you to proceed with as little delay as possible to the Essequibo coast. The apprenticed labourers on several estates upon that coast have refused to work the 7 $\frac{1}{2}$ hours, as enjoined by law; and notwithstanding every assurance to the contrary that has been given to them by the special magistrates, they persist in asserting that the orders from England are that they are only to work half a day, and not 7 $\frac{1}{2}$ hours. They have committed no outrage, nor any overt act of rebellion or opposition to authority. Their conduct has been more of a negative obedience than of a positive disobedience to the enactments of the ordinance now in force for their government.

As, however, such a state of things cannot be allowed to continue, I have to request of you, in company with the special magistrates of that district, to visit those estates to which I have alluded. I wish my proclamation of yesterday's date to be read and explained to the whole of the apprenticed labourers upon each of the estates; and if, after it has been read to them, the labourers do not express sorrow for the conduct they have adopted, and promise forthwith to return to their work, and to execute in a steady and satisfactory manner the labour the law requires they should perform, the ringleaders must be selected and brought to trial without any delay, before a district sessions court, to be composed of special magistrates.

I would fain rather attribute the conduct of the labourers to ignorance and to bad advice, than to any hostile feeling, either towards their employers or to His Majesty's Government. In this view of the case, I hereby invest you with full authority to pardon and remit, in His Majesty's name, either partially or completely, the sentences of any of the courts, according as to you shall seem fit. Where no outrage has been committed, I should strongly recommend solitary confinement in the George Town gaol, as also the tread-mill, as much more efficacious punishments than the cat-o'-nine-tails. The use of the latter will only keep alive and exasperate feelings already angry and excited. Absence from the estate, and solitary confinement, will be found to abate the existing ferment much more effectively.

I have ordered the company of the 1st West India regiment to embark on board the vessel which will convey you to Capoey; and Captain Deckner has received instructions to consider his company as your escort, and to obey your commands in every particular.

When you have visited the disturbed estates in the neighbourhood of Capoey, and all things there are tranquillized, and the labourers have commenced their work to your satisfaction, I wish you to return to George Town by short journies, visiting the islands of Wakenhaam and Leguan, crossing the Essequibo somewhere about the Philadelphia, and the Demerara river at the ferry. Your escort will attend you whilst making this tour, during which you will cause my proclamation to be read on every estate you may have occasion to visit; and whenever you see sufficient reason, you will cause a court of special justices to assemble, and cause the sentences to be carried into effect, or to be remitted, as may appear to you to be most advisable for the good of His Majesty's service, and the peace and tranquillity of the country.

His Honour George Bagot,
High Sheriff of British Guiana.

(signed) *J. Carmichael Smyth.*

Enclosure (C.) in No. 114.

Sir,

8 August 1834.

Enclosure (C.)
in No. 114.

I AM to acknowledge the receipt of your letter of yesterday from Hampton Court, dated at one o'clock. Notwithstanding the misapprehension, which appears to prevail to a greater extent than I was at first led to believe, as to the quantum of time during which the ap-
prenticed

prenticed labourer is bound to work for his employer, yet I cannot perceive in the conduct of the apprenticed labourers, anything that would justify me in adopting harsher measures, or in altering the instructions which you have already received.

You will proceed steadily in the execution of the instructions with which you have been furnished, causing my proclamation to be read on the different estates, and only resorting to punishment when you find it is absolutely necessary and unavoidable. No system of labour can be permanently carried into effect (with advantage to the community), resting upon the dread of corporal punishment as its foundation. Some of the labourers seem to entertain the idea that they are not to work at all, without wages; others imagine that they are only to work half of each day. I was in hopes that they had all been sufficiently made acquainted with the new law. It would however appear (to whatever cause it is to be attributed) that either sufficient pains have not been taken to explain the duties which they would have to perform when apprenticed labourers, or that they have not confidence in the gentlemen who explained and read my proclamations to them. This want of confidence they cannot, however, entertain towards you: vested with a high official character, and escorted by a detachment of the King's troops, they must be convinced that what you tell them cannot but be the truth. I am therefore in hopes that your progress through the country will have the happiest effects, and that I shall shortly hear from you that the labourers are steadily performing their task, at the rate of 7 $\frac{1}{2}$ hours per day.

The Honourable Mr. Bean has written to me recommending the proclaiming of martial law within certain districts, and proposing further that these districts should be filled with an overwhelming military force. You also write to me proposing another company should be sent to Devonshire Castle. To all these and similar measures I object. The military force is to aid and support the civil authority, and is not to be scattered or let loose all over the province. You have a company with you to protect your own person and the courts which you may deem it necessary to assemble. This is the sole and only legitimate use which can be made of the military. They are to protect the civil authority, and to put down force by force, when required. No force, however, appears to have been resorted to by the labourers; and a display of military means, beyond what is required to prevent the possibility of the courts' being insulted or impeded in their operations, would, in my opinion, be not only highly impolitic but even dangerous to the future peace of the country; the government of which ought only to be carried on by the civil authorities administering the law with the strictest impartiality to all classes.

His Honour George Bagot, High Sheriff, (signed) *J. Carmichael Smyth*.
&c. &c. &c.

[*The sequel of the proceedings consequent upon the riots here adverted to, will be found in Appendix (A.), being the Return to a specific Address.]

— No. 115. —

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Lieut.-Governor Sir *J. C. Smyth*.

Sir,

Downing-street, 3 October 1834.

No. 115.

I HAVE to acknowledge the receipt of your Despatch of the 9th of August last, reporting on the state of the Colony.

I have laid that Despatch before the King, and am commanded to express His Majesty's regret that any circumstances should have occurred to interrupt the tranquil settlement of affairs in British Guiana, subsequent to the 1st of August. I am, however, confident that such steps have been and will continue to be taken, as may enforce on all parties the obligation arising out of the Abolition Act.

I have to convey to you my approval of the exertions you made to remove misapprehension existing in the minds of apprenticed labourers, and to provide for the due administration of the law; and I trust that your anticipation, that tranquillity may be restored, may be justified by the event.

I have, &c.

(signed) *T. Spring Rice*.

— No. 116. —

EXTRACT of a DESPATCH from Mr. Secretary *Spring Rice* to Lieut.-Governor Sir *J. C. Smyth*, dated Downing-street, 7 November 1834.

THOUGH it is gratifying to learn that everything continues tranquil in the very important Colony under your command, yet I cannot but feel the deepest concern

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concern on receiving information from you that the work legally exigible from the apprenticed labourer, is not given with as much alacrity as could be expected; and that some bad feeling prevails between the labourer and his employer.

It would perhaps have been too much to expect, that an experiment so vast as that which has been made in His Majesty's Colonial possessions in the West Indies, would in all cases have been attended with satisfactory results. But time and experience, and more particularly the example of those proprietors whose co-operation you so forcibly bring under my notice, may, it is my confident belief, introduce a better state of things, and may render the transition from slavery to qualified freedom more successful in its future progress than it may have been hitherto in British Guiana. It must be difficult either for the apprenticed labourers or their employers to free themselves wholly from the influence of the old system, or to acquiesce at once and cheerfully in the new system for the emancipation of the African race. But still I hope that frank and confidential communication between you and the owners, may give you a guarantee for the ultimate success of the measure. In the meanwhile, I earnestly recommend you to omit no opportunity of cultivating a feeling of goodwill with the members of Council, and of thus securing their cordial co-operation in a matter which so vitally involves their own interests. With this view, a free statement of your intentions, and cordial but guarded communications with the Court of Policy on every occasion in which their advice may with propriety be asked, is most essential to the success of your government. Much of the future advantages of emancipation must depend on the hearty and unreserved concurrence of the proprietors in carrying into effect the provisions of the British Statute and the Order in Council. You will, therefore, do well to adopt such a course as may secure for you the confidence and support of the white population of the Colony, when this can be done without a sacrifice of principle. When the magnitude of the change effected, and the difficulty which the best men feel in surrendering power, is taken into account, many allowances should be made for the proprietors of West India property. But by calmness, impartiality and a friendly demeanour, I feel every confidence that in British Guiana, as in other parts of His Majesty's Colonial possessions, the good sense and kindness of the Governor will overcome any existing irritability or reluctance in accommodating existing interests to the new order of things. Whilst care is therefore taken to ensure the apprenticed labourer the most efficient protection, care should also be taken to prevent any vexatious or frivolous complaints, or any illegal subtraction from those hours of labour which the apprentice is bound to give. This, I trust, will not be wanting on your part.

I regret that the objections which I have felt it my imperative duty to urge against certain parts of the ordinance of the 8th March, should have created any dissatisfaction. Those objections, you may assure the members of the Court of Policy, were not urged in any captious or disrespectful spirit; but my duty is precise. I am responsible to my Sovereign, to Parliament, and to the British public, to see that the intentions of the Legislature of the United Kingdom are carried into full effect; and that in the Crown Colonies more especially, an example is given of making an adequate provision for the rights of the apprenticed labourers, not more consonant with the just expectations of the mother country, than with the well understood and permanent interests of the Colony. But the more fixed is my resolution to abandon no one principle that I feel myself bound to enforce, the more do I feel it my duty to deal with the local authorities in a spirit of considerate conciliation. In order to enable the West India proprietors to meet the great change consequent on the abolition of slavery, the British Legislature has not been sparing of the resources at its disposal; and the generous course adopted, in the consequences of which the Colony of Demerara so largely participates, will, I trust, induce and encourage the Court of Policy, as well as all other classes of His Majesty's subjects, to co-operate in the satisfactory completion of this great measure.

— No. 117. —

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—
No. 117.Copy of a DESPATCH from Sir *J. C. Smith* to Mr. Secretary *Spring Rice*.

Sir,

Camp House, Demerara, Oct. 13, 1834.

I TAKE the liberty of submitting for your perusal, and, as I hope, for your approbation, the two accompanying documents; the first being a copy of an arrangement by which I have endeavoured to ensure a more certain and a more speedy attention being paid to the complaints of apprenticed labourers; and the second being a copy of a Circular which I have caused to be addressed to the stipendiary magistrates, respecting one or two points of considerable importance to the welfare of the labouring population.

(A.)

(B.)

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure (A.) in No. 117.

(A.)—MINUTE.

Camp House, Oct. 13, 1834.

Enclosure (A.)
in No. 117.

THERE seldom passes a day without apprenticed labourers coming to Camp House, or to the Public Buildings, to complain to me of some grievance or another. To drive these poor people away without even listening to their stories, would be both cruel and impolitic. If their complaints are not investigated; if their grievances are not carefully redressed; if the law is not patiently explained to them, when (under an erroneous impression of the enactments in their favour) they may prefer an inadmissible complaint, despair will either drive them to the bush, or there will be a very serious insurrection. Since the expiration of the office of slave protector, (which office I sincerely wish had been continued under the title of protector of apprenticed labourers), I have sent all complaints to the stipendiary magistrate of the Town district. As this officer has, however, a very extensive and populous district under his own immediate charge, and as he has no power or authority to interfere in the management of other judicial districts, each of which has its own stipendiary and other special justices of the peace, it is evident that I have imposed upon him additional duties, entailing considerable correspondence with his brother magistrates, and of course occupying his time, which is already fully required for the discharge of the duties of his own district. Under these circumstances, I have determined that all complaints shall in future be referred to the high sheriff, whose duty (as the officer to whom the preservation of the peace is more especially entrusted) it will be to receive the same. The high sheriff cannot interfere in any disputes between his employer and the apprenticed labourer, the government of the latter being by law vested in the special justices. The high sheriff will, however, be pleased to receive all complaints at his office which any apprenticed labourers may wish to prefer. He will cause every complaint to be entered into a book, and he will then forward an authenticated copy of the same to the stipendiary magistrate of the district to which the complainant belongs. The complainant will be sent back to his own district, the stipendiary magistrate of which will be pleased to acknowledge the receipt of the complaint as forwarded to him by the high sheriff, and will report to the high sheriff what steps he may have taken with respect to the complaint referred to him. The high sheriff will lay before me, upon the 1st of each month, a return showing,

- 1st. The names of all complainants during the preceding month.
- 2d. The estate and the district to which they are attached.
- 3d. The nature of the complaint.
- 4th. The name of the stipendiary magistrate to whom it has been referred; and,
- 5th. The steps adopted by the stipendiary magistrate.

The sheriffs of Essequibo and of Berbice will govern themselves, with respect to any complaints from apprenticed labourers which may come before them, according to this minute, reporting to and communicating with the high sheriff.

(signed) *J. Carmichael Smyth*.

(B.)

UPON the question which has arisen, as to whether a special magistrate or justice of the peace can act as such, either alone or in conjunction with others, in any case in which his own apprenticed labourer is complained against for offences against himself as an employer, I have respectfully to state,

That by the 12th section of the 3d & 4th William 4, cap. 73, it is enacted, "that subject

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to the obligations imposed by that Act, or to be imposed by any Act of General Assembly, Ordinance, or Order in Council as thereafter mentioned, upon apprenticed labourers as therein aforesaid, all and every the persons who on the 1st day of August 1834 should be holden in slavery within any British Colony as therein aforesaid, should upon and after the said 1st day of August 1834, become and be to all intents and purposes free and discharged from all manner of slavery, and should be absolutely and for ever manumitted."

In pursuance of this Act, the obligations upon apprenticed labourers, as such, were set forth and defined in the "Ordinance for the Government and Regulation of Apprenticed Labourers;" and in this ordinance no power or authority is given to an employer to decide upon any case of an apprenticed labourer, in which such employer is interested.

No such disability as that he shall be tried by an interested party being placed upon an apprenticed labourer by this ordinance, he is entitled to the advantages and privileges of the general law: "Generali lege decernimus neminem sibi esse judicem vel jus sibi dicere debere: In re enim propriâ iniquum admodum est alicui licentiam tribuere sententiæ." Cod. l. 3, tit. 5.

This general rule is copied in the *Barbosce Thesaurus*, and the above reason is amplified or enlarged: "Ratio quia iniquum est admodum in re propriâ alicui licentiam tribuere, sententiæ cum homines à natura omnes plus sibi quam aliis faveant et suæ potius utilitati quam aliæ consultum cupiant quæ affectio judi: candi sinceritatem plane corrumpit et impedit." Barb. Thes. adverbium "Index."

I am aware that this general rule is confined to civil cases, and that in criminal cases, in which the *res publica* or common weal is concerned, private interests are supposed to merge, and that a judge may sit in a criminal court upon the case of an offender against himself. See *Matthæus de Criminibus*, book 48, tit. 13.

This exception, however, must be taken with a limitation: *Voet ad Pandectas*, lib. 5, tit. 1, s. 2, says, "Ita quoque non iniquum est reum (*i. e.* judicem) multâ imposita coercere tales qui ei, quâ judici, et munus implenti aut ministris ejus injuriam dicto aut facto inferre, haud vetentur, si modo de vindictâ publicâ imponendâ, non pœna judici læso, applicanda quæstio sit:" That is to say, that wherever a penalty is to enure to the benefit of himself, it is questioned whether a judge can sit or decide upon a case wherein such penalty may be imposed.

Viewing the ordinance for the government and regulation of apprenticed labourers as embracing a code of laws both civil and criminal, I should say, that in no civil case affecting an apprenticed labourer, can an employer sit, if such employer be interested, and that in no criminal case ought an employer to sit; for by the 14th section of the 4th chapter of the ordinance, it is declared, "that when any apprenticed labourer shall be convicted of any offence punishable under that Act, for which confinement may be awarded, it shall be lawful to adjudge the offender to be confined, or to be confined and kept to hard labour, in the common gaol or house of correction, or other place of confinement previously approved by a district session of special justices; and also that the offender be adjudged to be kept in solitary confinement for the whole or any portion or portions of such confinements, or of such confinement with hard labour, as to the special justices or district sessions of special justices shall seem meet; and that in all cases in which it can or may be done, it shall be lawful to adjudge the labour to be in the service or for the benefit of the employer of the offending apprenticed labourer."

Looking through the whole of this ordinance, there is scarcely a case in which confinement with hard labour may not be awarded, and in which that hard labour may not be awarded to be in the service of the employer of the apprenticed labourer.

I am, therefore, of opinion that an employer cannot sit in judgment or decide upon any case or complaint against an apprentice for an offence against himself, the employer.

I think it right to add, that no inconvenience can accrue in consequence of this construction of the law, inasmuch as a justice of the peace from a neighbouring district may always be had to form a district court, in cases wherein an employer cannot sit.

Demerara, 15 Oct. 1834.

(signed) *William Arrindell*.

(C.)

By the 3d section of the 2d chapter of the ordinance for the government and regulation of apprenticed labourers, it is enacted, "that every special justice of the peace shall be, and he is thereby empowered and authorized, in respect of apprenticed labourers convicted of offences before him, to award any one of the following punishments:—1. Confinement with or without hard labour on the tread-mill, or otherwise, for a period not exceeding 14 successive days; 2. Extra labour at the rate of 15 hours per week, in the service of his or her employer, with or without confinement at night, for a period not exceeding 14 days; 3. Fifteen stripes for every male labourer."

By the 5th section of the 7th chapter of said ordinance, "if any special justice shall on investigating a case brought before him, be of opinion that it demands a punishment or penalty beyond that which he is thereby empowered or authorized to award, he shall refer such case to the district sessions of special justices, and shall, if he see fit, commit the accused, if an apprenticed labourer, for trial before such district sessions."

These two sections, in my opinion, clearly define the power of a single special justice of the peace, and distinctly limits that power, in awarding a punishment by whipping in the case of a male, to 15 stripes.

I am

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I am aware that the 8th section of chapter 4 enacted, "that every apprenticed labourer who by the careless use of fire shall endanger the property of his or her employer, or of any other person, or who shall wantonly injure the property of his or her employer entrusted to his or her care, or who shall ill-use the cattle or other live stock of his or her employer, or who shall by gross negligence expose his or her employer's property to any damage or injury, shall be adjudged for such offence, in the discretion of the special justice or district sessions of special justices, either to extra labour in his or her employer's service for any time not exceeding 15 hours in the whole in any one week, or to confinement to hard labour for any time not exceeding one month; or to any number of stripes not exceeding 30 lashes; or to any two or more of such punishments: provided that this enactment shall not exempt any such labourer from his or her liability to such actions or prosecutions as other persons of free condition may be subject and liable to in respect of any such acts by him or her done or committed, although no such labourer shall be liable to be so prosecuted, or sued both under this ordinance and under such general law as aforesaid." But although the words "in the discretion of the special justice or district sessions of special justices" are here used, yet their meaning must be limited by reference to sections 3 and 5 of chapter 2.

The whole are *in pari materiâ* and must be construed together; and so construed, the power of a single justice must be confined within the limits already stated. It is to be observed that one of the modes of punishment expressed in the 8th section of chapter 4, viz. "extra labour in his or her employer's service for any time not exceeding 15 hours in the whole in any one week," is within the authority of a single justice; and I should think that where there are two modes of punishment mentioned, one within and the other beyond the scope of his authority, no single justice would select the latter, especially as it is always open to him to refer the case to the district sessions, even in cases of doubt merely.

15 October 1834.

(signed) William Arrindell.

Enclosure (B.) in No. 117.

(CIRCULAR.)

Governor's Apartments, Guiana Public Buildings,
13 October 1834.

Sir,

HEREWITH, under letter A, I have the honour to enclose a copy of a minute of this day's date, which has been forwarded to the high sheriff for his information and guidance, in respect to all complaints which may be preferred by apprenticed labourers to his Honour. I have to request of you to comply with those points, as detailed in the said minute, which have reference to your duties.

2. In the ordinance establishing inferior courts of criminal jurisdiction in this Colony, published on the 12th January 1834, it is enacted in the 12th section of the said ordinance, "that no justice of the peace, who shall be the owner or manager of any slave, shall be authorized by himself, or in conjunction with any other justice or justices of the peace, to adjudge, by conviction or otherwise, any such slave to punishment under or by virtue of this Act." This enactment having been omitted in the ordinance (No. 43) for the government and regulation of apprenticed labourers, it has been represented to me that in several cases special justices (under the impression that their conduct was perfectly legal) have sat and voted as members of a court of special justices in cases in which the labourers were attached to estates of which they had the control. This is an irregularity which ought never to have taken place, and which it will be your duty not to allow to be again repeated. I enclose you a copy of the opinion of the attorney-general upon the subject, under letter B.

3. In the 3d section of the 2d chapter of the ordinance for the government of the apprenticed labourers, the powers of each special justice, when acting alone, are clearly defined, and the extent of the corporal punishment which he may order to be inflicted is limited to 15 lashes. In the 8th section of the 4th chapter, the nature and extent of the punishments which may be inflicted upon apprenticed labourers for endangering their employer's property by the careless use of fire, for wantonly ill-using cattle, and other offences, are detailed; which punishments are to be adjudged in the discretion of the special justice, or the district sessions of special justices. It having been represented to me that several special justices, under a mistaken view of this enactment, have caused severer punishments to be inflicted than under the 3d section of the 2d chapter of the said ordinance (which section expressly defines their power) they are entitled to adjudge and sentence, I have called for the opinion of the attorney-general upon the subject; and which, under letter C, I herewith enclose to you for your information and guidance, as well as that of all the special magistrates within your district.

4. I have further to draw your attention to the 2d section of the 2d chapter, whereby it is enacted that the district courts are to be convened and are to assemble at the place named by the chairman; and that at every session of each court the chairman named by the Governor is to preside, unless prevented by sickness or absence. I have had occasion to read the proceedings of several district courts, in which the presiding justice has not been the chairman of the district as named by me, nor has his absence been alluded to, or in any way accounted for on the face of the proceedings. I have to request that the esta-

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blished chairman will preside at each and every court, unless prevented by serious indisposition; and in which case the circumstance is to be reported to the Government secretary (in writing) for my information.

To each Chairman of the Twelve Judicial
Districts of British Guiana.

I have, &c.
(signed) *J. Carmichael Smyth.*

— No. 118. —

COPY of a DESPATCH from Secretary the Earl of *Aberdeen* to Lieut.-Governor Sir *J. C. Smyth.*

No. 118.

Sir,

Downing-street, 1 Jan. 1835.

I HAVE had the honour to receive your Despatch of the 13th Oct. last, enclosing the copy of a Minute drawn up by you for ensuring a more certain and more speedy attention being paid to the complaints of apprenticed labourers in British Guiana; and the copy of a Circular which you had caused to be addressed to the stipendiary magistrates, on the subject of the extent of the punishments which may be inflicted by the authority of any single magistrate, and respecting the practice of judicial punishments being inflicted by special magistrates upon apprenticed labourers in their own employment.

For the reasons assigned by Mr. Arrindell, the attorney-general of British Guiana, I concur with that officer and with yourself in thinking that the practices condemned by your circular are contrary to law; and I am therefore to signify to you my approbation of the measure you adopted to prevent the recurrence of them.

I also approve of your having established a regular method by which, through the intervention of the sheriffs, all complaints preferred to you by apprenticed labourers may be punctually brought under the consideration of the magistrates within whose jurisdiction they properly fall. It cannot, however, be too distinctly understood, that the sheriff is not entitled to act except as a channel of communication between the Governor and the justices of the peace, and that he is not invested with any authority over them. You will have the goodness to consider whether your minute of the 13th October may not give rise to some misapprehension on that subject; and if you should find reason to think that it is likely to be so misunderstood, you will take the necessary measures for correcting the mistake.

I have, &c.
(signed) *Aberdeen.*

— No. 119. —

No. 119. COPY of a DESPATCH from Lieut.-Governor Sir *J. Carmichael Smyth* to Mr. Secretary *Spring Rice.*

Sir,

Camp House, Demerara, 16 Dec. 1834.

(A.)

I BEG to lay before you copies of the reports for the month of November, from the twelve judicial districts into which this Colony is divided. I respectfully submit that nothing can be more satisfactory. I trust that you will approve of the remarks with which I have accompanied the publication of the reports.

(B.)

In proportion as the reports from the special justices are full and in detail, so must their inquiries be minute, and their attention the more unceasing to the discharge of their very important duties. I have therefore prepared a series of questions to be answered by them monthly, instead of those which they have hitherto been in the habit of replying to. I beg leave to lay before you a copy of the improved questions; and I hope early in January to be able to transmit to you satisfactory answers from the whole of the twelve districts.

I have, &c.
(signed) *J. Carmichael Smyth.*

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GOVERNMENT NOTICE.

1. His Excellency Major-general Sir James Carmichael Smyth, has thought proper to direct that the following reports for the month of November, from the twelve judicial districts into which this Colony is divided, should be published in the Royal Gazette, for general information.

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in No. 119.

2. His Excellency most sincerely congratulates every person interested in the prosperity of this magnificent province, upon the peace, contentment and industry, which so generally prevail throughout the whole of British Guiana.

3. The Lieut.-governor requests of the special magistrates to have the goodness to avail themselves of every opportunity of expressing to the prædial labourers his Excellency's approbation of their conduct, and of the confidence he entertains that, at the expiration of their apprenticeship, they will realize the most sanguine wishes of their friends, and prove themselves an industrious, as well as a loyal and grateful population.

Guiana Public Buildings, George Town, Demerara,
this 18th Dec. 1834.

By Command.
Henry Gloster, Gov. Sec.

DISTRICT A.

Sir,

Bee-Hive, District A, 1 Dec. 1834.

I HAVE the honour to state, for the information of the Lieut.-governor,

1st. That the labourers in this district appear more contented, cheerful and civil, than when I had last the honour to report upon the subject.

2d. They have performed their work during the last month with greater alacrity and good will.

3d. There have been few instances of insubordination amongst them, and no attempts to resist authority by force.

4th. In one or two cases, in the beginning of last month, I have attributed some neglect of work to combination. No rudeness has been evinced, except with respect to a few idle and disorderly apprentices.

5th. The attendance of the apprentices has been as regular as usual, at church and at school.

6th. I have individually been under the necessity of ordering corporal punishment in 24 instances; and the court over which I preside, in 11 instances.

With respect to the general peace and tranquillity of the district, there has been an evident improvement during the preceding month.

I have, &c.

K. Heyland, Chairman District A.

To H. Gloster, Esq.

DISTRICT B.

Sir,

Vryheid's Lust, 30 Nov. 1834.

I HAVE the honour to transmit a monthly report, agreeable to the request of his Excellency the Lieut.-governor.

1st. The apprenticed labourers in District B. are contented, cheerful and civil, with the exception of the following estates: plantations Paradise, and Bachelor's Adventure.

2d. They have not performed their work during the last month with alacrity and good will, on the above two estates. On the other plantations the work has been well done.

3d. There has been no instance of resisting authority by force. Insubordination has been general on the two above-mentioned plantations.

4th. Those that are disposed to neglect their work, are frequently rude and insolent to those in authority over them. Such misconduct has not been general, and I do not attribute it to any combination or conspiracy. It is only with respect to a few idle disorderly apprentices that any complaints are made.

5th. The attendance of the apprentices at church and at school has been regular during the preceding month, and to the full extent of the accommodation afforded. The attendance of the young at the Sunday school, the same as the preceding month.

6th. As an individual magistrate I have been under the necessity of punishing three with whipping. There have been four delinquents punished with whipping, by order of the court, during the preceding month.

I have, &c.

A. M. Lyons, S. J. P., Chairman District B.

Henry Gloster, Esq.
Gov. Secretary.

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DISTRICT C.

Office of Special Justices, George Town,
17 Dec. 1834.

Sir,

In obedience to his Excellency the Lieut.-governor's confidential order of the 23d of September last, I have the honour to state for his information, in answer to—

Query 1st. That the apprenticed labourers of this district, during this month (November), have certainly exhibited a better feeling than in the last, on very many properties. That within the Town district, incivility and rudeness towards their employers and those in authority under them, have not disappeared.

Query 2d. That during this month (November), the work on various estates has been performed in a manner leading me to suppose that the misunderstanding previously existing is wearing away. But it is not to be expected that, until they fully understand the benefits accruing to them, and something like a fixed rate of wages is fallen into for their extra hours, that alacrity and good will may be expected.

Query 3d. The instances of insubordination and unlawful combination have decreased considerably within this month; nor have there been any attempts to resist authority by force, except in one or two instances of persons in a state of intoxication.

Query 4th. The cases which have been manifested in this month (November), of combination to neglect their work, and to disobey lawful orders, have decreased more than one half.

Query 5th. The attendance of the apprenticed labourers at church and at school are proceeding in an increased ratio.

Query 6th. I have individually as a magistrate, and the district courts under my charge have, still found it necessary to punish by flogging; but the instances have decreased during this month (November), to 37 instead of 72, of which the greatest number was inflicted on persons who had run away since the months of August and September as follows:

Running away	-	-	-	-	-	-	-	-	-	-	15
Insubordination, and not doing a sufficient quantity of work, disobedience and insolence	-	-	-	-	-	-	-	-	-	-	3
Carelessly, indolently and negligently doing their work	-	-	-	-	-	-	-	-	-	-	3
Drunkenness, &c.	-	-	-	-	-	-	-	-	-	-	2
Absenting from duty	-	-	-	-	-	-	-	-	-	-	3
Unlawful combination not to do a sufficient quantity of work, and to resist lawful orders	-	-	-	-	-	-	-	-	-	-	11

I have, &c.

S. W. Gordon, Chairman District C.

DISTRICT D.

Plantation La Retraite, 1 Dec. 1834.

Sir,

In reply to your Excellency's queries, to be answered on the 1st of each month, I have the honour to report as follows, viz.

1st. I consider the apprenticed labourers in this district as generally cheerful and contented. No instance of incivility that I am aware of has occurred.

2d. One complaint only (against six individuals) has been brought before the district sessions, during the preceding month, for the non-performance of labour to the extent demanded, and this was not of an important character.

No complaint has been preferred to me of a similar kind, nor have I heard of any from the other special justices.

There are now few estates on which the labourers not only perform what is required, but where they are not doing more than the law would enforce for payment.

3d. Instances of insubordination are almost unknown, and attempts to resist authority by force wholly so.

A few persons have individually been guilty of drunkenness, and in that state been disorderly and resisted the constables who put them into temporary confinement; but there has been no premeditated violence, still less combined insubordination of any kind.

4th. In the complaint referred to, replying to the second query, there were one or two apprentices who appeared to lead the rest, and the punishment was regulated accordingly. The combination or conspiracy was inferred from all doing exactly the same quantum of work, though their powers of executing it were very different.

5th. The attendance of the apprentices at church has not increased last month. Few white persons attend at Meerzorg, and none at St. Mark.

The bad example thus afforded must have some effect. The attendance of the children and others at school is better: yet as Sunday is the sole day on which they have an opportunity of receiving instruction, it cannot be supposed their progress will be considerable.

6th. I have found it requisite to order punishment by whipping on one individual during October, and the court over which I presided has likewise ordered another to be so punished.

Your

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Your Excellency will observe a progressive improvement in the conduct of the labourers since last month.

A few cases of assaults committed on the persons of the apprentices by the employers, managers or overseers, have been punished by fines; and the former made sensible, in every instance that has come to my knowledge, that effectual justice will be rendered them on such occasions.

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His Excellency Major-Gen. Sir J. C. Smyth, Bart.,
&c. &c. &c.

I have, &c.
(signed) *J. A. Allen,*
Chairman District D.

DISTRICT E.

To His Excellency Major-General Sir *J. Carmichael Smyth*, Bart., C.B., K.C.H., &c.

Sir,

Plantation Hague, 30 November 1834.

AGREEABLY to your Excellency's instructions of the 23d September last, I have the honour to report the state of the District E. for the last month (November).

- 1st. The apprentices generally in this district are contented, cheerful and civil.
- 2d. During the last month, as will appear in my reply to Query 6, they have, almost without exception as to the male field labourers, done their work with alacrity and good will.
- 3d. No instance of insubordination of any consequence has occurred during the last month, or attempt to resist authority by force.
- 4th. No combination or conspiracy to neglect their work, or to behave rudely to those in authority over them, has been manifested by the apprenticed labourers in this district during the month of November.
- 5th. The attendance at Mr. Scott's church and school is very regular; also the school at the Rev. Mr. Ritchie's; and I trust your Excellency will be pleased to direct divine service to be performed by some minister during the absence of Mr. Ritchie.
- 6th. It affords me extreme satisfaction to say I have not had occasion, as an individual magistrate, to order the punishment of whipping in any one instance during the last month, and only five have been so punished by order of the district court. Three of those were runaways, one for 12 months and two for six weeks; leaving only two cases for neglect of work.

I have, &c.
(signed) *Spry Bartlet*, S. J. P., Chairman District E.

DISTRICT F.

Sir,

Wakenaam, 1 December 1834.

I have the honour to transmit to your Excellency the monthly report of the state of District F.

- 1st. The apprenticed labourers in this district are contented, cheerful and civil.
- 2d. They have performed their work with alacrity and good will.
- 3d. There have been no instances of insubordination, or any attempts to resist authority by force.
- 4th. There have been no symptoms of conspiracy, and it is only against the idle and disorderly that complaints have been made.
- 5th. The attendance of the apprenticed labourers has rather increased at church than otherwise; but both churches in this district are always filled.
- 6th. The district court has punished nine individuals by whipping, and in my individual capacity as a magistrate I have punished five.

N. B. I beg to observe, that almost the whole of the cases in this Island are brought before me. I do not believe that the other magistrates have half a dozen cases amongst them.

His Excellency Sir J. Carmichael Smyth,
&c. &c. &c.

I have, &c.
(signed) *Geo. Kellock,*
Chairman District F.

DISTRICT G.

Sir,

Essequibo, 1 December 1834.

I HAVE to state to your Excellency that the apprenticed labourers in this district are in general contented, cheerful and civil, and have performed their work during the last month with alacrity and good will.

There have been a few instances of insubordination among them, but no attempt to resist authority by force.

A disposition to neglect their work, or to behave rudely to those in authority over them, has not been so general as to induce me to attribute it to any combination or conspiracy, except in the single instance of plantation Batseda's Lust, where a spirit of this kind had shown itself in the early part of the month, but which appears to be entirely subdued, as well

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well as at the Perseverance and Vilvoorden, where, as I stated in my last monthly report, a similar disposition had appeared. With this exception, the complaints have had reference to a few idle and disorderly apprentices only. The attendance of the apprenticed labourers at church and at school has been as regular as usual, and to the full extent of the accommodation afforded them.

In my individual capacity as a magistrate, I have been under the necessity of ordering punishment by whipping in eight instances, and at the court at which I preside in nine. But I beg permission to add, that this mode of punishment has not been resorted to except in very aggravated cases, or when the culprit was deemed extremely hardened and incorrigible.

His Excellency Major-Gen. Sir J. C. Smyth,
&c. &c. &c.

I have, &c.
(signed) *George Ball*,
Chairman District G.

DISTRICT H.

Sir,

Judicial District H, 1 December 1834.

I do myself the honour to transmit the following answers to the queries contained in your Excellency's letter of the 23d of September last.

In answer to the 1st query, I beg leave to state that the apprenticed labourers in the judicial district under my charge are contented, cheerful and civil, except on two or three estates.

In answer to the 2d query, I beg leave to state that they have performed their work during the last month with alacrity and good will, except on two or three estates.

In answer to the 3d query, I beg leave to state that there have not been any instances of insubordination among them, except on two or three estates, nor any attempts to resist authority by force.

In answer to the 4th query, I beg leave to state, that the instances of neglecting their work and behaving themselves rudely to those in authority over them, which have been manifested within the last month, have been generally confined to two or three estates, where it could only be attributed to combination. But there have been few complaints from the other estates, and those only against idle and disorderly apprentices.

In answer to the 5th query, I beg leave to state, that the attendance of the apprenticed labourers at church has been as regular during the last month as usual, and to the full extent of the accommodation afforded them under the local circumstances of the district. But their attendance at the school kept by the rector has not been so regular as usual.

In answer to the 6th query, I beg leave to state, that I have individually as a magistrate, and the court over which I preside has, been under the necessity of ordering punishment by whipping; and I have directed two delinquents to be so punished during the last month.

To His Excellency the Lieutenant-Governor.

I have, &c.
(signed) *Thomas Coleman*,
Senior Special Justice.

DISTRICT I.

No report from the District I, for the month of November, has been received, owing to the death of the late chairman, and of his successor not having had, it is presumed, as yet sufficient time to inspect the district.

DISTRICT K.

Sir,

Office of Special Justices, Berbice, 1 Dec. 1834.

I HAVE the honour to inform your Excellency that the apprenticed labourers in the judicial district under my charge are contented, cheerful and civil. They have performed their work during the last month with alacrity and good will.

There have been no instances of insubordination amongst them, or any attempt to resist authority by force.

There have been some few complaints made against apprentices, of a trifling nature.

The attendance of apprentices at church and at school has been as regular during the preceding month as usual, and, I consider, to the full extent of the accommodation afforded them under the local circumstances of this district. I have not individually as a magistrate, but the court over which I preside has, been under the necessity of ordering punishment by whipping; and three delinquents have been directed to be so punished during the preceding month.

I have, &c.
(signed) *John Macleod*, Chairman K. District.

SLAVERY IN THE BRITISH COLONIES.

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GUIANA.

DISTRICT L.

Sir,

Berbice, 2 December 1834.

IN compliance with the request contained in your Excellency's letter of the 23d of September, I have the honour to make the following report for the preceding month, of the judicial district under my charge.

1st. The apprenticed labourers, with the exception of those on one estate, are more contented, cheerful and civil.

2d. They have performed their work, with the above exception, generally with more alacrity and good will.

3d. There have been no instances of insubordination amongst them, nor any attempts to resist authority by force, except on the estate alluded to above.

4th. In the few cases which have been brought before me during the preceding month, the misconduct has only been amongst a very few idle and disorderly apprentices, excepting the estate before alluded to, where such misconduct has been a general combination and conspiracy amongst the whole gangs.

5th. The attendances of the apprentices at chapel and schools has been much the same as during the former month, October.

6th. Individually as a magistrate, I am happy to say, I have not been under the necessity of punishing by whipping during the preceding month. The courts over which I presided have been under the necessity of punishing by whipping seven delinquents, every one of whom were attached to the before alluded to estate, and had been previously tried by a district session of special justices.

His Excellency Sir J. Carmichael Smyth.

I have, &c.
(signed) *M. A. Stewart,*
Chairman District L.

DISTRICT M.

Sir,

Alness, 1 December 1834.

THE report I have now to make, in answer to the queries contained in your Excellency's circular of the 23d September, I regret to say is less favourable than that I had the honour to address to your Excellency on the 1st of last month.

1. On some estates, but particularly on two considerable plantations in the judicial district under my charge, the apprenticed labourers have not been contented, cheerful and civil.

The two plantations more particularly alluded to, are Alness and Kilcoy; but I am happy to add, that on both estates, but more especially on the former, a marked improvement in the conduct of the labourers has taken place towards the latter part of the month.

2. On some estates the apprenticed labourers have performed their work during the last month with alacrity and good-will; but such good conduct has not been general.

3. There have been several instances of insubordination amongst them, and of attempts to resist authority, but not by open force.

4. In some instances, a disposition has been manifested not only to neglect work, but also to behave rudely to those in authority over them; and such misconduct has been so general on the estates where it has occurred, as to induce me to attribute it to combination, and not merely to a few idle and disorderly apprentices.

5. I am not aware of any change as to the attendance at schools. The proprietors of the district have evinced a laudable anxiety for the establishment of a church.

6. I am sorry to say, that I have individually as a magistrate, and that the court over which I preside has, been under the necessity of ordering punishment by whipping, and that 16 delinquents have been directed to be so punished during the preceding month.

I have, &c.

(signed) *J. S. Lockhart Mure,*
Chairman District M.

His Excellency Sir J. Carmichael Smyth,
&c. &c. &c.

Enclosure (B.) in No. 119.

QUESTIONS to be answered on the 1st of each Month, by the Chairman or Senior Special Magistrate of each of the Twelve Judicial Districts of British Guiana.

DISTRICT , 1st 183 .

1. Are the labourers in your district civil, contented and cheerful?
2. Have they performed their work during the last month with alacrity and good-will?
3. Has the work on any estate been unwillingly or not readily performed? If yes, have the goodness to name the estate, the proprietor or his attorney, and the manager; in order that an inquiry may be forthwith instituted into the causes which may have led to such conduct.

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Enclosure (B.)
in No. 119.

4. Is

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4. Is task-work generally resorted to within your district, or do the labourers prefer working the 7 $\frac{1}{4}$ hours per day, as fixed by law?

5. What are the working hours most generally in use in your district? Are there any estates in your district on which the labourers are compelled to lay-by for two or three hours in the middle of the day, and then to complete their 7 $\frac{1}{4}$ hours in the afternoon, (by which division of labour they have little or no time to themselves). If yes, have the goodness to name the estates, proprietors or attornies, and the managers?

6. Do the labourers on any estate in your district perform extra labour for hire? If yes, name the estates, the rate of wages for extra work, and state how and when the payments are made; and if extra work is not performed for wages, state if reasonable wages have been offered, with weekly payment. If reasonable wages and prompt payment have been offered and rejected, state to what cause you attribute the refusal on the part of the labourers.

7. Have there been any instances of insubordination, or any attempt to resist authority by force, in your district? If there have been any, name the estates on which such occurrences have taken place.

8. In the event of any disposition having been manifested by any of the labourers to neglect their work, or to behave rudely to those in authority over them, has such misconduct been so general as to induce you to attribute it to any combination or conspiracy; or is it only with respect to a few idle and disorderly apprentices that you have had complaints made?

9. Has the attendance of the prædial labourers at church, and of their children at school, been regular, and to the full accommodation afforded them under the local circumstances of your district?

10. Have you individually as a magistrate, and has the court over which you preside, been under the necessity of ordering punishment by whipping during the preceding month? and if answered in the affirmative, state the number of delinquents so punished, and the extent of punishment awarded in each case.

11. Has any manager, overseer, or other person in authority over the prædial labourers, been fined or otherwise punished by the court over which you preside, during the preceding month, for misconduct towards any labourer or labourers? Have there been any instances of the labourers having been detained at work beyond the legal hours; and in such case, has the 1s. sterling per hour for each individual labourer been levied?

12. Have any complaints been preferred to you during the last month, from any apprenticed labourers, respecting their clothing, food, treatment, or upon any subject? In the event of any complaints having been made to you, have you carefully investigated into the matters, and caused justice to be rendered to the parties, as far as it was in your power? State the number and the nature of the complaints which may have been preferred to you, in general terms.

13. Have any of the free children, upon any of the estates in your district, been bound apprentices during the last month? If yes, name the estates upon which such occurrences have taken place, and state if the transactions were with the free consent and approbation of the parents of the children.

14. How are the children fed and taken care of on the estates in your districts; are they fed from the stores of the estates gratuitously, and is an additional quantity of salt fish and of plantains issued for them; or are they fed out of the allowance due to their parents? When their mothers are at work in the field, is a woman specially appointed to take care of their young children, and exempted from all other duty? Are the children, when unwell, allowed the advantage of the medical assistance and hospital treatment of the estate, in the same manner as when they were in a state of slavery?

15. On how many estates in your district are schools established? Name the estates, proprietors and managers of estates, having schools.

16. Are there any remarks or observations which you may wish to convey to the Lieutenant-governor, connected with the peace, tranquillity and happiness of the district under your superintendance? If yes, state the same.

— No. 120. —

COPY of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Spring Rice*.

No. 120.

Sir,

Camp House, Demerara, 18 Dec. 1834.

I HAVE the honour to acknowledge the receipt of your Circular Letter of the 30th September. I have thought and reflected so much upon the matters to which your Circular alludes, that I have no hesitation in replying to your several queries without any delay.

You inquire if the great change effected in the condition of the negro population will lead to any alteration in the following particulars:—

1. If labour is likely to be applied profitably to the production of any new articles of agriculture or of manufacture?

2. Whether

2. Whether the production of the staple articles is likely to be affected?

3. Whether capital is likely to be directed into new channels, or to be applied to the more extended production of articles at present known in the markets?

4. Whether there exist any and what obstacles which impede this change or extension of industry; and how such obstacles, if existing, may be removed.

In reply to the first query, I beg leave to state, that I am not aware of any new article, whether of agriculture or of manufacture, which could profitably be introduced into this province.

In reply to the second query, I have the honour to state, that in my opinion the production of the staple articles will increase (and that considerably) during the ensuing six years.

I am not aware that capital is likely to be diverted into new channels. Capital may, in my opinion, be employed with perfect safety in this Colony, in the more extended production of sugar and of coffee.

There exist no obstacles towards the almost unlimited extension of industry in this Colony, save and except the want of a sufficient circulating medium to pay the labourers. I have had the honour of making repeated representations upon the subject, and have respectfully suggested the mode of removing this very great evil. As I have not received any replies to my several communications relative to the finance of this Colony, I am not aware of whether or not my plans have been approved of, or otherwise. If they have been approved of and acted upon, a supply of colonial silver to the amount of 15,000*l.* ought to be on its way to this Colony, and arrangements to have been made for furthering an additional sum of about 6,000*l.* per annum. The evil is very considerable, and clogs the industry of the labourer. The sooner the remedy is applied the better.

Having thus replied to your several queries in the best mode I am able, I take the liberty of respectfully offering the few following observations as connected with the subject.

There cannot now be a reasonable doubt in the minds of even the most determined opposers of the apprentice system, but that it does work and will work well to the end of the six years. Whether at the close of the apprenticeship the labourers will work on the several estates, depends entirely on the planters themselves, and on the mode in which they may conduct themselves to their apprentices during the six years of probation. The most intelligent of the planters are fully aware of the exact nature of their position. Anger and excitement have had their day: a feeling of self-interest cannot but introduce mild and conciliatory measures. The introduction of the plough into more general use, as enabling the planter to cultivate more ground with a smaller number of labourers, is much to be desired; as also generally of all those improved implements of agriculture now so common in Great Britain. These matters may however, in my humble opinion, be left with great propriety to the efforts of private individuals, whose exertions, prompted by their own interests, require no further stimulus. The great, I had almost said the sole, object of the Government ought, as it appears to me, to be most carefully to watch over the administration of the laws, and to take care that equal justice is not only dealt out to all, but that the labourers should feel assured that such is the case. Industry, cheerfulness and content will follow as matters of course. The soil is inexhaustible, both in quality and in quantity; and if the plan I have recommended in my circular instructions to the special justices of the peace is adopted; if the planters will but once consider their own interests and those of their labourers as identified, and by their conduct to the latter convince them practically that such is their opinion; I have no doubt but that this Colony will very shortly become one of the most valuable provinces, if not the most valuable, of the British empire.

I have, &c.

(signed) *J. Carmichael Smyth.*

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— No. 121. —

No. 121.

EXTRACT from a DESPATCH from Lieutenant-Governor Sir *J. C. Smyth*
to the Secretary of State for the Colonies.

Camp House, Demerara, 22 January 1835.

I BEG to submit to you a Government Notice, which I have deemed it advisable to cause to be published in this Colony, explanatory of the perfectly tranquil and general good conduct of the labouring population. It is absolutely impossible that in any part of the King's dominions any proportion of His Majesty's subjects, to the same extent of numbers, can conduct themselves better than the apprenticed labourers in this Colony. The ill-judged parsimony of withholding food and medicines from the children of the apprenticed labourers, who not having reached six years of age are perfectly free, is confined to only 13 estates. On one of these estates four children have been reported to me as having died for want of medical aid. As these cases are in the hands of the attorney-general, I shall offer no comment upon them until I receive that officer's report. With respect to the other point alluded to in my Government Notice, namely, the compelling the apprenticed labourers to perform their labour of seven and a half hours at two different spells, I am afraid there is at present no authority in existence in this Colony by which the planters can be restricted in this particular.

Enclosure in No. 121.

GOVERNMENT NOTICE.

HIS Excellency Major-general Sir James Carmichael Smyth, having received and carefully examined the reports from the 12 judicial districts for the month of December, has directed that the public should be informed, that their contents are highly gratifying and satisfactory, showing not only the prevalence of perfect tranquillity, but the cheerfulness, subordination, industry and general good conduct of the labouring population throughout the whole of this province. His Excellency, in desiring that his congratulations may be offered to all those interested in the welfare of this Colony, not only at the present state of their affairs but at their future prospects, has thought proper that their attention should be particularly requested to the fact of not one single police station having been established, nor one single police serjeant or policeman having as yet been engaged for the judicial districts. The ordinance for the government of the apprenticed labourers directed the formation of 12 police stations, at each of which one serjeant and 10 policemen were to be quartered. The place of the latter has been supplied by the apprenticed labourers themselves. Constables selected from amongst the labourers (armed with no other weapon than a short painted staff, and distinguished from their comrades merely by a red scarf worn over the shoulder,) afford their unpaid services in maintaining order, and in executing at all hours the directions of the special justices. Unassisted by policemen, and without the intervention of a single soldier, whether from the regulars or the militia, the laws have been upheld and maintained during the last four months (and are at this moment upheld and maintained) by the labourers themselves. It would be difficult, in the annals of the most civilized and best-informed countries of Europe, to select stronger proofs of the respect and obedience paid to the laws, than are here daily afforded by the untaught and uneducated labourers who have so lately been released from the bonds of slavery.

2. The Lieutenant-governor has learned with very considerable regret, that on three estates in district C, on five in district E, on four in district F, and on one in district B, the children under six years of age are allowed neither the food, the clothing, nor the medical assistance to which they were entitled by law previously to the 1st of August. The attorneys in charge of these estates have taken a most erroneous view of what they have doubtless conceived to be the interest of their employers. The miserable saving of the small quantity of plantains and of salt fish which can be consumed by children of such tender years, ought never to have been put in competition with the anger and discontent which cannot but be generated in the minds of the parents of the infants alluded to, should any of their children perish either for want of food properly prepared, or of a little medicine. It is a most mistaken idea to expect that the labourers will be induced by such measures to apprentice their children to the estates. The labourers would rather see their children perish than take any step which would throw them back again towards a state which (in their opinion) approximates to slavery. A great deal has been said, and a great deal has been written, relative to the propriety of importing free labourers. These young children on the estates are a race of free labourers, than whom no better can be procured. If treated with kindness and trained with care, they will grow up an attached and a useful body of free labourers, to the great benefit of the estate on which they may have been brought up, as well as to the Colony in general.

3. It

3. It has been reported to his Excellency the Lieutenant-governor, that on two estates in district G, on two estates in district D, and on the greatest number of the estates in district A, the prædial labourers perform their labour of seven and a half hours by working four hours in the morning; after which they are compelled to lay-by for two or for three hours, and then to work for three hours and a half. This mode of exacting the quantum of labour due to the employer is of all others the most annoying and irritating to the labourer, who is thus deprived of the afternoon, which on every estate, when he works with diligence, he can otherwise secure for himself. The Lieutenant-governor has desired that it should be expressed as his decided opinion, that this division of the time the labourer is to work on the plantation, should never be resorted to but under some very sufficient and cogent reasons, and then only for as short a time as possible. It vexes and provokes the labourer, without in the slightest degree benefiting the estate.

4. The Lieutenant-governor hopes and trusts that the proprietors and attorneys (as the case may be) of those 13 estates on which food and medicine are withheld from the children under six years of age, as also of those estates on which the labour is exacted from the prædial apprentices in a manner calculated to allow them so little time to themselves, will, upon due reflection, see the propriety of their adopting the same line of conduct as has been pursued by the great majority of their brother colonists.

The West India proprietary body (in England) have pledged themselves to afford every aid in carrying successfully into effect, a measure not only imperiously called for by the British Government and the British nation, but which is now the law of the land. The Lieutenant-governor will be sorry to have to forward to England the names of any estates in this Colony, whereon measures are adopted which, although perhaps strictly within the bounds of legality, are at variance with the principles of the Abolition Act, with a view to their being communicated to the West India proprietary body; but it is to the general good his Excellency must look, and not to the interests of individuals. The proprietors and mortgagees at home must be made acquainted with the names of all such as may obstinately persevere in a line of conduct so detrimental to the real interests of the parties more deeply concerned, as well as so hostile to the future prosperity and advancement of this splendid Colony.

By Command.

Guiana Public Buildings,
22 January 1835.

(signed) *Henry Gloster, Gov. Sec.*

— No. 122. —

EXTRACTS of a DESPATCH from Sir *J. C. Smyth* to the Earl of *Aberdeen*, dated Camp House, Demerara, 4 March 1835.

IT affords me great pleasure to be able to state to your Lordship that the most complete tranquillity continues to prevail throughout the whole of this province, and that the industry and good will with which the apprenticed labourers perform their work is now pretty generally acknowledged by even the mass of the planters themselves. Wherever complaints have been made against the labourer, it has appeared upon investigation that (in nine cases out of ten) it has been the quantum of work attempted to be exacted from them, and not to labour itself, that the labourers have objected. In very many cases the labourer was more sinned against than sinning. I do not believe that at this moment there is a single estate in British Guiana on which a reasonable proportion of work, commensurate to $7\frac{1}{2}$ hours labour, is not performed by the apprenticed labourers.

No. 122.

I deem it my duty further to remark to your Lordship, that since the 1st of August there has not been an instance of a white man upon an estate being struck or ill-treated by a negro; nor has a single building or cane-field been maliciously set fire to. These facts speak strongly in favour of the labourers. On one estate (La Hague) the sea-dam gave way early on a Sunday morning. The negroes, without waiting to be summoned, ran down in a body with their tools, and instantly repaired the dam; thus preventing the estate from being ruined for several years. The manager (who is a very intelligent and superior man, and has acquired completely both the confidence and respect of the people) assured me that the labourers neither asked or expected any remuneration for performing this service. On another estate, called La Bonne Intention,

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the buildings accidentally caught fire. The fire was extinguished by the exertions and good will of the negroes. The manager assured me that he was compelled to order the labourers to come down from the tops of the buildings, and not expose themselves to the very imminent danger they voluntarily encountered to preserve their master's property. With patience, firmness, and above all good temper, on the part of the justices and of the planters, there cannot be a reasonable doubt (in my opinion) but that the labourers of this Colony will continue to perform their duty, and that the produce to be raised by the industry of the apprenticed labourers will exceed the amount of that which was formerly obtained from the slaves.

— No. 123. —

EXTRACT of a DESPATCH from Sir *J. Carmichael Smyth* to the Earl of *Aberdeen*, dated Camp House, Demerara, 13 April 1835.

No. 123.

AWARE of the anxiety of your Lordship relative to the state of this Colony, I cannot allow the present opportunity of writing to England to pass by without respectfully laying before your Lordship the accompanying reflections (which I have put together under the head of Memoranda), relative to the quantity of sugar exported from this river during the last six months. The facts upon which I have reasoned have been carefully collected from the books of the custom-house, and justify (in my humble opinion) the most sanguine expectations as to the future industry of the apprenticed labourers.

Upon the estate close to this town, called the Penitence, and to which I had occasion to allude in my Despatch of the 4th March, I am happy to be able to say that every man and every woman are performing their full proportion of work, to the complete satisfaction of the manager, as also of the special justice in whose particular charge that subdivision of the district in which plantation La Penitence is situated has been placed. This triumph of mild but firm measures ought to have a corresponding good effect, and convince the most obstinate of the propriety of never resorting to extreme measures so long as any one method of persuasion has been left untried.

I cannot lay before your Lordship a stronger proof of the established tranquillity of this Colony, even in the opinions of the colonial members of the Court of Policy, than by informing your Lordship, that instead of a sergeant and 10 policemen for each of the 12 judicial districts of this province, we have not as yet one single policeman. In the estimate for our expenses for this year, one policeman for each district, at the pay of 300 guilders for the six months commencing on the 1st July next, has been inserted by the Court of Policy. These 12 persons (whose services are not to commence until 11 months after the expiration of slavery) will only cost to the Colony, for the six months of the present year, a total of 257 *l.*, or about 21 *l.* 10 *s.* each. The real truth is, that in no one part of His Majesty's dominions is the law more promptly obeyed or the public tranquillity more firmly established.

MEMORANDA.

SLAVERY ceased upon the 1st August 1834; whatever sugar was shipped from this river during the months of October, November and December 1834, was consequently produced by the labour of the apprenticed labourers. If we compare the quantity as alluded to, with that shipped during the same periods in former years, (and which was produced by the labour of slaves), the result will enable us to form some opinion as to the working of the apprenticed system:

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	Hogsheads.	BRITISH GUIANA
Upon an average of the three last quarters of the years 1831, 1832 and 1833, the quantity shipped from hence amounted, for each quarter, to - - - -	16,716	
As the apprenticed labourers work only 7 $\frac{1}{2}$ hours per day, or one-sixth less than the slaves were liable to be compelled to labour, one-sixth less produce, or 3,930 hogsheads of sugar less than the quantity formerly produced in the same period, ought to be deducted in estimating the produce to be fairly expected, and which would leave - - - -	13,823	
But the apprenticed labourers have produced during the last quarter of the year 1834 - - - -	16,587	
Being 2,764 hogsheads more than it would appear the planters had a right to calculate upon. This has been done notwithstanding the very unfavourable weather, and exceeds the quantity produced by slave labour in the same periods in 1831 and in 1832.—Again :		
The average of the number of hogsheads of sugar shipped during the first quarters of 1831, 1832, 1833 and 1834, amounts per quarter to - - - -	12,088	
To estimate what ought to be expected during the first quarter of 1835, deduct one-sixth of the above, or 2,014 hogsheads, and which leaves - - - -	10,074	
But the quantity shipped during the 1st quarter of 1835 is - - - -	11,986	
Being above the quantity the planter had a right to expect, of - - - -	1,912	

From the above statement it would appear, that from the river Demerara alone that 4,676 hogsheads of sugar have been shipped during the last six months, more than (with a diminution of one-sixth of his labour) the planter had a right to expect; and more than was produced by slave labour during the same periods in 1831 and 1832. If, in reply to this observation, it should be stated that the planter has paid for extra labour, it may be remarked, that it has been money well laid out: 4,676 extra hogsheads of sugar fetching each (in the sugar market) from 20*l.* to 25*l.*, afford a total (even at 20*l.* each) of 93,520*l.*; a profit which will surely induce the planter to lay out much larger sums than he has hitherto done, in the payment of extra and willing labour.

The foregoing remarks apply only to Demerara river. The returns from the Berbice custom-house have not as yet been received. It is, however, understood that the accounts from Berbice are still more favourable.

12 April 1835.

(signed) *J. Carmichael Smyth.*

— No. 124. —

COPY of a DESPATCH from Sir *J. C. Smyth* to the Earl of *Aberdeen*.

My Lord,

Camp House, Demerara, 14 April 1835.

No. 124.

I BEG leave respectfully to lay before your Lordship the accompanying Table or Return, showing the number of apprenticed labourers whose services have been transferred by sale since the 1st of August. Your Lordship will observe that the average price of the services of an unattached prædial labourer, including the claim to compensation, has been rather more than 100*l.* sterling; and the average price of the same services, the venter retaining the claim to compensation, has been more than 47*l.* sterling. Your Lordship will also remark, that the average price of the services of a non-prædial labourer, and which services will cease in three years and three months, have sold upon an average, where the claim to compensation was included, at about 39*l.* sterling each; and in those cases where the vendor has retained his claim to compensation, at about 29*l.* each. This state of things, I beg respectfully to observe to your Lordship, does not show any depreciation of property, or a want of confidence in the benefit to be derived from the labour of the apprentices, whether in the field or in the house.

I have, &c.

(signed) *J. Carmichael Smyth.*

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TABLE showing the Number of LABOURERS whose SERVICES have been sold since the 1st of August 1834, and the AVERAGE PRICE of such SERVICES, inclusive and exclusive of the COMPENSATION voted by the British Parliament.

	Number.	Amount in Guilders.	Average Price.
BY PUBLIC VENDUE.			
<i>Guilders.</i>			
Inclusive of Compensation :			
Prædial attached - - - - -	none	none	none.
Ditto unattached - - - - -	6	8,850	1,475 -
Non-prædial - - - - -	22	10,979	543 1
Exclusive of Compensation :			
Prædial attached - - - - -	none	none	none.
Ditto unattached - - - - -	54	36,715.	661 -
Non-prædial - - - - -	33	13,295	403 -
BY EXECUTION SALES.			
Inclusive of Compensation :			
Prædial attached - - - - -	none	none	none.
Ditto unattached - - - - -	none	none	none.
Non-prædial - - - - -	none	none	none.
Exclusive of Compensation :			
* Prædial attached - - - - -	656	493,000	751 -
Ditto unattached - - - - -	none	none	none.
Non-prædial - - - - -	3	860	287 -

* The plantations, lands, buildings, stock, machinery, &c. &c., are included in this amount of 493,000 guilders;—14 guilders to 1 l. sterling.

14 April 1835.

(signed) *Henry Gloster,*
Gov. Sec.

— No. 125. —

COPY of a DESPATCH from Sir *J. C. Smyth* to the Earl of *Aberdeen*.

My Lord,

Camp House, Demerara, 25 May 1835.

No. 125.

A FAST-SAILING vessel having been cleared out at the Custom-house to sail for England this day, I avail myself of the opportunity of addressing a few lines to your Lordship, to report the happy, tranquil and contented state of this Colony. Everything is going on as well as could be wished. All that foolish excitement which lately prevailed amongst the white population is at an end. The reaction has been almost as rapid as was the sudden burst of angry feeling. I trust, however, that those better sentiments which now prevail will be more permanent; and, founded as they are upon witnessing the result of my measures, and upon the conviction now entertained that I have been actuated by an anxious desire to promote the welfare of the Colony, I am in hopes that no future causes of hostility will arise.

Your Lordship will be glad to hear that about 50 labouring men have been imported into this Colony from Madeira. They are very industrious, and as yet have given great satisfaction to their employers. They work in the field, and stand the heat of the sun as well as the negro. The food which they receive (sweet potatoes, yams or plantains, mixed up with salt fish) is the same as what they have been accustomed to all their lives. They drink no spirits. It is understood that a considerable number of these valuable labourers can be procured at Madeira. Several proprietors have already agreed with masters
of

of merchant-vessels to stop at Madeira on their voyage out here, and to bring Madeira labourers to this Colony. I am in hopes that this measure will prove of the greatest advantage to British Guiana. The apprenticed labourer will witness a number of freemen working willingly and cheerfully on the same estate with himself, and contented with a very moderate hire. The character of the field-labourer cannot but be raised in his own estimation, and in that of the negroes generally, when they witness free white men willingly submit to the same employment.

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I have, &c.
(signed) *J. Carmichael Smyth.*

—No. 126.—

COPY of a DESPATCH from Sir *J. C. Smyth* to Lord *Glenelg*.

My Lord,

Camp House, Demerara, 6 July 1835.

No. 126.

I BEG leave respectfully to draw your Lordship's attention to the following facts, taken from a careful inspection of the custom-house returns of the quarter which ended on the 30th ult., and compared with the similar documents of the four preceding years for the same period.

The average quantity of sugar entered for exportation at the custom-house of Demerara and of Essequibo, during the June quarters of the four years preceding the present one, amounts to 10,723 hogsheads per each. As the planter is entitled to one-sixth less labour from the apprentice than from the slave, one-sixth less produce might reasonably under present circumstances have been expected. For the June quarter of the present year, consequently, if 8,926 hogsheads of sugar had been entered for exportation, there could have been no just ground of complaint against the apprenticed labourer. Your Lordship will, however, learn with pleasure, that 13,189 hogsheads have been entered; being 2,466 hogsheads more than was produced in the same time under the slave system, and 4,263 hogsheads above what the planter had a right to calculate upon with his diminished labour.

The next article to be considered is rum. The average quantity entered for exportation at the custom-house, for the June quarter of the four preceding years, is 3,935 puncheons. During the same period of the present year 5,820 puncheons have been entered; being 1,885 puncheons more than was produced by slave labour, and 2,540 puncheons more than the planter had a right to expect, keeping in mind that he has only five-sixths of the compulsory labour to which he was formerly entitled.

Molasses is the next article for exportation; the average quantity of which, during the June quarters of the four last years, amounted to 5,376 puncheons. In the June quarter of the present year 5,171 puncheons have been exported; being 205 puncheons less than the four preceding quarters, but still 687 puncheons more than, from a diminution of one-sixth of his labour, the planter had a right to expect.

The average number of bags of coffee exported during the same period of the four preceding years, appears to have been 2,341. In the present year, during the June quarter, 2,501 bags have been exported; being 160 bags more than during the same period of the four last years of slavery, and 550 bags more than, with a diminution of one-sixth of the labour upon the estate, the proprietor could have calculated upon.

The culture of cotton has of late years been very much neglected in this Colony. There are still, however, some cotton estates. During the June quarters of the four last years of slavery, 808 bales of cotton was the average exported. During the June quarter of the present year, 931 bales have been exported; being 123 bales beyond the former average, and 357 bales beyond what might reasonably have been expected from the apprenticed labourer, with reference to the reduction of one-sixth of his labour.

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I take the liberty of respectfully observing to your Lordship that nothing can be more satisfactory than the foregoing statements, affording as they do such irrefragable proofs of the industry and of the good will of the apprenticed labourer.

The protracted illness of the collector at Berbice has hitherto prevented my being furnished with similar returns from that district. I understand, however, that the documents from thence will be even still more gratifying.

(A.) Having in the foregoing paragraphs confined my observations to the quantum of produce obtained from the labour of the late slave in his present state of apprenticeship, I beg leave now to lay before your Lordship my last monthly reports from my 15 stipendiary magistrates (chairmen of the courts of district sessions), as to the behaviour and conduct of the apprenticed labourers throughout their several districts. I beg leave further to draw your Lordship's attention to the weekly police reports for the same period from the high sheriff, and which I take the liberty to forward. From an inspection of these reports your Lordship would hardly imagine that this is a great shipping port, in which seamen and negroes are constantly at work (and in very considerable numbers) in shipping produce and in unloading vessels. As on the one hand, I do not apprehend that there is any part of the King's dominions in which the population is more tranquil and industrious than they are in this Colony; so, on the other, I feel confident that there is no town of the same extent where there is less rioting, confusion or disorder than in George Town. In fact, the most perfect good order and regularity prevail. The police reports afford indisputable evidence of the truth of my assertions.

I have, &c.
(signed) *J. Carmichael Smyth.*

N.B.—I am sorry to find that the reports alluded to in this Despatch, marked (A.) and (B.), cannot be forwarded by the present opportunity. They shall, however, be forwarded by the next ship.

(signed) *J. Carmichael Smyth.*

Appendix (A.)

COPY of the TRIAL of *Damon and Others*, in *British Guiana*, with the PROTEST entered by one of the Court against the Sentence pronounced; and Despatches from the Secretary of State on that subject.

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—
Trial of Damon
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No. 1.

— No. 1. —

EXTRACTS of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Spring Rice*, dated Camp House, Demerara, 20th August 1834.

In my Despatch of the 9th* inst., I had the honour to report to you that I was about to proceed to the Essequibo district, in consequence of the labourers on several estates in that district having refused to work during the hours enjoined by the Ordinance upon that subject, and approved of by His Majesty in Council. I proceeded accordingly to that part of the Essequibo district, called the Arabian coast, upon the 11th inst. The panic was so generally prevalent, that all idea of enforcing obedience to the law seemed to have been abandoned, and the proclaiming of martial law and the presence of an efficient military force were, with very few exceptions, considered by the planters as their only remaining means of safety. I am, however, happy to be able to report, that as soon as I appeared, the constabulary force, supported by the appearance of a few soldiers, was perfectly able to the preservation of the peace and the restoration of order. I visited each estate, and having explained to the labourers the absolute necessity of paying due obedience to the law, I directed a few of the ringleaders who had committed themselves by acts of violence to be apprehended by the constables, and sent to George Town for trial before the Supreme Criminal Court. This measure had at once the desired effect, and the quantum of labour as enjoined by law is now regularly performed by the labourers all over the colony.

* Sir J. C. Smyth's Despatch of the 9th August 1834, (No. 114,) p. 156, of these Papers.

The ringleaders who are committed for trial are accused of ringing the church bell during the night with a view of alarming the inhabitants, of taking possession for three days of the church and churchyard, and of conspiring together to do no work. I have issued my Proclamation summoning a session of the Supreme Criminal Court for their trial. I have, however, directed the court not to assemble till the 15th September, in order that a full month may elapse between the commitment of the prisoners and their trial, during which time all alarm and excitement will have had sufficient time to abate, and the colonial assessors will be able to do their duty in a more cool and unprejudiced manner than if the trials had immediately taken place.

I beg leave to lay before you a copy of a Proclamation which I issued upon my return from Essequibo acquainting the inhabitants of this Colony with restoration of tranquillity by the employment of the civil force only, and pointing out such measures as I deemed it my duty to recommend to them to adopt to prevent the recurrence of any similar occurrences.

I hope my conduct in this unpleasant and unexpected conduct on the part of the apprenticed labourers will meet with His Majesty's most gracious approbation.

Enclosure in No. 1.

PROCLAMATION by His Excellency Sir *J. C. Smyth*, Bart. &c. &c. &c.

1. WHEREAS considerable discontent exists amongst the labouring population upon many estates in consequence of their not having derived so much immediate benefit from the late change in their situation as (notwithstanding the full explanations they have received) they still (it would appear) imagine they are entitled to: And whereas such misconception on the part of the labourers is in a great measure to be traced to their ignorance of numbers, and to their being unaccustomed to reckon by the fractional parts of a day: And whereas there is no other method of ascertaining when the $7\frac{1}{2}$ hours which the labourers ought to work per day have elapsed than by the watch of the manager, and in which method of computing time the labourers cannot be expected to place implicit confidence. Now, having taken those things into my most serious consideration, and being duly impressed with the necessity of making the labourer happy, contented, and grateful for the amount of time which the law leaves at his own disposal, I do hereby earnestly recommend to all landed proprietors and to the attornies of absent proprietors to direct the managers

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on their respective estates to take the 45 hours of labour which the law allows per week at the rate as formerly of nine hours per day of five days of the week, and to grant to the labourers the sixth day (Saturday) entirely to themselves. No other arrangement will so effectually promote that good feeling between the proprietor and the labourer, without which the cultivation of the soil cannot be permanently carried on with advantage.

2. And whereas on several estates the labourers, under the feelings of disappointment, and misled by a few obstinate, perverse and ill-disposed characters, were persuaded to abstain from the performance of any labour during two or three days; I do hereby make known that in all such cases the supremacy of the law has been upheld, and obedience to its enactments has been enforced.

3. And whereas during the alarm caused by the cessation of labour on some estates, as alluded to in the foregoing paragraph, several magistrates and other respectable inhabitants solicited me to take the necessary measures to cause martial law to be proclaimed in certain districts in order to put down what appeared to them the commencement of an insurrection: I do hereby make known and declare, that had I been so unguarded as to have listened to such advice and representations, I should have been the cause of much future mischief to the province. The remedy proposed, however violent in its nature, could only have had a temporary or ephemeral effect. The existing law arms the special justices with sufficient power to uphold its enactments. The real cure for the existing discontent is only to be found in granting to the labourer the weekly aggregate amount of the time which is now by law at his own disposal in such a way as that he may feel that a real benefit is conferred upon him.

4. And whereas by the 8th section of the 6th chapter of the Ordinance for the government and regulation of apprenticed labourers, power is vested in the special justice of the peace to bind as apprentices the free children of apprenticed labourers, provided it shall be made to appear that such children are not supplied with an adequate maintenance: And whereas it has been represented to me that several special justices have taken an erroneous view of this enactment, and conceive it will be their duty to cause all the free children of the apprenticed labourers to be bound apprentices; I do hereby declare and make known, that all and any such compulsory proceedings, were they even legal, would be highly irritating and impolitic. The truth is, that there can be but very few cases indeed in which the apprenticed labourers will not be in a situation to supply adequate maintenance to their infant children. The 14th enactment of the 1st section of the 3d chapter of the Ordinance for the government of the apprenticed labourers directs that 40 working days shall be allowed to each apprenticed labourer to work upon the land allotted for his support, in all cases where, in lieu of supplying them with provisions, the employer prefers that his labourers should provide for themselves. As in this case the law contemplates that an adult labourer can supply himself with food for 365 days by labouring only 40 days, it never can be affirmed that a labourer and his wife, out of the labour of 52 days which they will each have at their own disposal, will not be able to provide for one or two children under six years of age. These considerations induce me to press the more strongly upon the proprietors and their attorneys the policy, and almost the necessity, of granting the complete day to the apprenticed labourers; and which day such of the apprenticed labourers (as are parents) will be glad to employ in working for wages on the estates to enable them to provide for their young children.

5. And whereas with whatever comparative ease labour may be enforced during the six years of prædial apprenticeship, yet as it is evident that no cultivation can be permanently carried on by free people without the existence of a mutual good feeling between the employer and the labourer, I am the more anxious to impress upon the landed proprietors the necessity of laying the foundation of that reciprocal confidence with as little delay as possible. No legislative enactment can effect this most desirable object. It can only be attained by causing all those rights and privileges to which the apprenticed labourers are now entitled by law to be granted to them on the different estates with cheerfulness, and in the manner most gratifying to their feelings.

Given under my hand and seal of office, at the King's House in George Town, British Guiana, this 16th day of August 1834, and in the fifth year of His Majesty's reign.—
God save the King.

— No. 2. —

EXTRACT of a DESPATCH from Mr. Secretary *Spring Rice* to Lieutenant-Governor Sir *J. C. Smyth*, dated Downing-street, 1 November 1834.

No. 2.

I HAVE the honour to acknowledge the receipt of your Despatch of the 20th August last, reporting the result of your visit to the district of Essequibo, in consequence of a disturbance amongst the labourers.

I approve of your having proceeded in person to the disturbed districts, and as you were enabled to report that the constabulary force, assisted by a few soldiers, were sufficient to maintain order, it would appear that you acted with sound discretion in declining to proclaim martial law.

I feel sincere satisfaction at being informed by you that the quantum of labour required by law is now regularly performed by the labourers all over the Colony, though I think it
right,

right, however, to add that there is very great alarm felt by the proprietors resident in England and by persons otherwise interested in Demerara property.

The offence of taking possession of the church and churchyard for the purpose of resistance, and the mode adopted of making signals in order to bring the negro population into combined action, exhibit a very formidable state of concert, and should on conviction be followed by severe punishments. Whilst I am confident that the postponement of the trials of the offenders was directed with the best intentions, in order to await a time of calm, when justice might be administered free of all excitement, I much regret that such postponement should have taken place. In cases of danger and of insubordination, the promptness with which justice is administered is one of the most effectual means of deterring from crime.

You will not collect from the observations which I have thus felt it my duty to make, that I have any doubt of its being your bounden duty, as I know it will be your inclination, to enforce as strictly the rights of the labourers as those of the employer. But in both cases prudence and caution, as well as promptness and decision, are required, and it is of incalculable importance to the success of the great work of emancipation, that the feelings of all parties should be respected, and that the planters and proprietors should be prepared to lend not only a full but a willing obedience to the law. In the administration of the Act, the impartiality of its provisions, and of the rights and the obligations which it created, should never be forgotten; and you will not fail to assure the employers of all classes that it is no less the desire and intention of His Majesty's Government that the most efficient protection should be afforded to their persons and properties by all the means which are at your disposal, than it is the determination of the Government to secure for the labourer all the advantages conferred upon him by the Abolition Act.

Discretion and prudence on your part, and a conciliatory spirit manifested towards all classes, may, I trust, secure for British Guiana the same happy results which have been already obtained in many of the other Colonial possessions of His Majesty.

— No. 3. —

EXTRACTS of a DESPATCH from Lieutenant-Governor Sir *J. Carmichael Smyth* to the Right Hon. *Thomas Spring Rice*, dated Camp House, Demerara, 12 Oct. 1834.

WITH reference to my Despatch of the 20th August, I have to report to you, that the Supreme Court of Criminal Justice, specially convened by me for the purpose of trying the apprenticed labourers accused of assembling together in considerable numbers in the Essequibo district, and of conducting themselves in a riotous and seditious manner, have finished their labours. They have condemned one apprenticed labourer to suffer death, four to be transported, and 32 to suffer corporal punishment and an imprisonment more or less severe according to their degree of guilt. I have given the question of the propriety and of the policy of carrying their sentences into execution my most serious and my most attentive consideration. I have arrived at the conclusion that the most humane plan will be to allow the sentence of the Supreme Court to be carried into execution with respect to the unfortunate man condemned to death, as also with respect to those four sentenced to be transported, and to extend His Majesty's free pardon to all those condemned to corporal punishment. These severe public floggings only excite horror and disgust. The obedience and tranquillity they procure are of a very uncertain and temporary nature; a thirst for revenge and a desire to resist what they cannot but conceive a cruel oppression are more likely to be generated by severe public floggings (in the minds of the apprenticed labourers) than by any other mode of proceeding which could be adopted. Such illegal and such numerous meetings of apprenticed labourers as took place on the Essequibo district must nevertheless be put down. The preservation of the public tranquillity, the lives of the apprenticed labourers themselves, demand an example to uphold the supremacy of the law. I have therefore determined to allow the law to take its course with respect to the apprenticed labourer condemned to lose his life, as also with respect to those four sentenced to be transported to New South Wales.

I beg to lay before you a copy of a Proclamation which I have issued upon the subject, and which I hope will meet with His Majesty's approbation.

Enclosure in No. 3.

PROCLAMATION by His Excellency Major-general Sir *James Carmichael Smyth*, Bart., K.C.B., &c. &c.

WHEREAS the Supreme Court of Criminal Justice, assembled in obedience to my Proclamation of the 2d of September last, in a special session, at the Court House, in George Town, have concluded their labours; and whereas after a patient and impartial trial (in which they had the benefit of being assisted and defended by able counsel) the following prisoners have been found guilty of the crimes with which they were severally charged, and have been sentenced as follows; viz.

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Damon, of plantation Richmond, an apprenticed labourer, convicted of seditious riots and disturbances against the public peace, has been condemned to be taken to the place of execution and there to be hanged by the neck, on the 13th instant, until dead.

Frederick, of plantation Devonshire Castle, an apprenticed labourer, has been convicted of the same crimes, and has been condemned to be transported to His Majesty's colony of New South Wales, and to be kept there to hard labour for the term of his natural life.

Fothergill, of plantation La Belle Alliance, an apprenticed labourer, has been convicted of the same crimes, and has been condemned to be transported to His Majesty's colony of New South Wales, and to be there kept to hard labour for the term of 14 years.

Bob, of plantation Lima, an apprenticed labourer, has been convicted of the same crimes, (with the exception of the words sticks and staves, in the third count of the indictment,) and has been condemned to be transported to His Majesty's colony of New South Wales, and to be there kept to hard labour for the term of 14 years.

William, an apprenticed labourer, in the employ of Theobald Featherstone, esq., has been convicted of exciting others to sedition, and has been condemned to be transported to His Majesty's colony of New South Wales, there to be kept to hard labour for the term of 14 years.

Now, having taken the foregoing sentences into my most serious consideration, being duly impressed (on the one side) with the necessity of maintaining public tranquillity, and being anxious (on the other) to carry into effect His Most Gracious Majesty's benign orders to temper, upon all occasions, justice with mercy, I do hereby make known and declare, that the sentence awarded to the convict Damon will be carried into execution on the 13th instant; and that the convicts Frederick, Fothergill, Bob and William, sentenced to be transported, the first for life and the others for 14 years each, will be sent to their place of destination by the earliest opportunity. I trust that the examples afforded by the fate of these five rash and ill-judging men will be sufficient to uphold the supremacy of the law. Under this impression, and being desirous to save the remainder of the convict labourers from the disgrace, pain and infamy of the public floggings (more or less severe) to which they have been severally sentenced, and in the ardent hope that mild and conciliatory measures will prove much more lasting incentives towards good and industrious conduct in future than can be obtained by the terror of the lash, and by degrading exhibitions of corporal punishment and of bodily sufferings, I do hereby extend His Majesty's free pardon to the 32 apprenticed labourers sentenced by the Supreme Court of Criminal Justice to imprisonment and to be publicly flogged.

And whereas it not only appears upon the minutes of the trials of these apprenticed labourers, but also from special and detailed depositions upon oath, which have been forwarded to me, that upon several estates the pigs belonging to the apprenticed labourers of those estates have been slaughtered since the 1st of August (on one estate 65 were killed on the morning of Sunday, the 3d of August,) I do hereby make known that the documentary evidence relative to these transactions has been placed in the hands of His Majesty's attorney-general, with instructions to proceed with the utmost rigour of the law against all persons accused of having thus injured the property of their humble dependents. Being, however, anxious to encourage and to introduce a better feeling upon each and every estate (if possible) throughout the province, between the employer and the labourer, I am willing to draw a veil over these and such similar transactions as may have taken place under the state of excitement which has more or less prevailed since the 1st of August: provided, nevertheless, that the complete value of the pigs and poultry destroyed be, in all cases and without loss of time, made good to the labourers, to the entire satisfaction of the chairman or stipendiary justice of the district.

I wish, lastly, to avail myself of the present opportunity of again impressing upon the minds of the Colonists in general the absolute necessity of temper, conciliation, kindness and forbearance towards the labouring population. Such conduct on their part is fully as necessary for the prosperity of this magnificent province, as the subordination and obedience of the labourer. The latter, in fact, cannot be maintained without the former. There have been but too many references to district courts, and but too many trials which might have been avoided. As, however, the late excitement has now happily subsided, I trust that in future the obedience of the labourers will be cheerful, and the conduct of each and every employer kind and conciliatory.

Given under my hand and seal, at the Guiana Public Buildings, in George Town, British Guiana, this 11th day of October, in the year of our Lord 1834, and in the fifth year of His Majesty's reign.—God save the King.

By His Excellency's command,
(signed) *Henry Gloster*, Gov. Secretary.

— No. 4. —

EXTRACT of a DESPATCH from Lieutenant-Governor Sir *J. Carmichael Smyth* to the Right Hon. *Thomas Spring Rice*, dated Camp House, Demerara, 18 October 1834.

50.

I HEREWITH transmit copies of the notes of the Chief Justice and of his reports to me upon the cases of the apprenticed labourers, Damon, Frederick, Fothergill, Bob and William. I have to report that the sentence of death adjudged to Damon has been carried into effect. The four prisoners sentenced to be transported will be sent to London in the ship by which

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which this Despatch will be forwarded; the master of which has entered into an engagement to deliver them in London to the order of the Right Honourable the Secretary of State for the Home Department. In addition to the judges' notes and reports, I have added copies of the indictments and of the convictions in the case of the four men under sentence of transportation.

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Appendix (A.)

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No. 4.Enclosure 1,
in No. 4.

Enclosure 1, in No. 4.

Sir,

Presidency, George Town, 3 October 1834.

I HAVE had the honour to receive yesterday your Excellency's letter of the 1st instant, and, in reply, have to state, that Damon, Frederick and Fothergill were, in my opinion, legally convicted in due course of law.

I have since those trials thought much and anxiously on the subject, but regret to state that, in my opinion, no reasons exist for the total or partial remission or commutation of any of those sentences.

To His Excellency

Sir James Carmichael Smyth, Bart.,
Lieutenant-governor, &c. &c.I have, &c.
(signed) Charles Wray.A true copy, which I certify,
Henry Gloster, Government Secretary.

Enclosure 2, in No. 4.

Sir,

Presidency, George Town, 9 October 1834.

IN answer to your Excellency's letter of the 3d instant, I have the honour to forward my notes in the cases of Bob and William, together with copy of the indictments and sentences, and the remarks of Mr. Justice Willis on the sentence of William.

In my opinion their convictions were obtained in due course of law. I regret to add that, in my opinion, no reason exists for the total or partial remission or commutation of either of those sentences.

To His Excellency

Sir James Carmichael Smyth, Bart.,
Lieutenant-governor, &c. &c.I have, &c.
(signed) Charles Wray.A true copy, which I certify,
Henry Gloster, Government Secretary.Enclosure 2,
in No. 4.

Enclosure 3, in No. 4.

ELEVENTH CRIMINAL SESSION.

Demerara and } IN the Honourable the Supreme Court of Criminal Justice in and for
Essequibo, to wit. } the District of Demerara and Essequibo, in the Colony of British
Guiana. William Arrindell, His Majesty's Attorney-General in and for the Colony of
British Guiana, Ratione Officii, *versus* Damon, Adonis, otherwise Donis, and Chance,
apprenticed labourers, attached to Plantation Richmond; Fothergill, an apprenticed
labourer, attached to Plantation La Belle Alliance; Frederick, an apprenticed labourer,
attached to Plantation Devonshire Castle; Billy, an apprenticed labourer, attached to
Plantation Exmouth; and Peter, an apprenticed labourer, attached to Plantation Coffee
Grove.

Enclosure 3,
in No. 4.

His Majesty's attorney-general in and for the Colony of British Guiana, *ratione officii*, giveth the court here to understand and be informed, that Damon, Adonis, otherwise Donis, and Chance, apprenticed labourers, of plantation Richmond, in the parish of the Trinity, in the district of Demerara and Essequibo, in the Colony of British Guiana, and within the jurisdiction of the Honourable the Supreme Court of Criminal Justice of said district; Fothergill, an apprenticed labourer, of Plantation La Belle Alliance, in the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid; Frederick, an apprenticed labourer, of plantation Devonshire Castle, in the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid; Billy, an apprenticed labourer, of plantation Exmouth, in the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid; and Peter, of plantation Coffee Grove, in the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid; being persons of evil, seditious and turbulent dispositions, and maliciously intending and endeavouring to disturb the tranquillity, good order and government of this Colony, and to endanger the persons and property of a great number of His Majesty's quiet and peaceable subjects, did, on the first day of August, in the fifth year of the reign of our Sovereign Lord William the Fourth, and on divers other days and times between that day and the 12th day of the said month of August in that year, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, wickedly and maliciously intend, devise and endeavour, as much as in them lay, to raise and create insurrections, riots and tumults within this Colony, for the disturbance of His Majesty's peace, and to the great terror and annoyance of his liege and peaceable subjects;

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and that the said Damon, Chance, Adonis, otherwise Donis, Fothergill, Frederick, Billy and Peter, in prosecution of their said wicked intention and purpose, and for the effecting and accomplishing thereof, on the said first day of August, in the year aforesaid, and on the said other days and times, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, with force and arms, unlawfully, wickedly and maliciously incited, encouraged, and, as much as in them lay, endeavoured and laboured to persuade, instigate and prevail on divers liege subjects of our said Lord the King, whose names to the attorney-general aforesaid are as yet unknown, inhabiting in the said parish of the Trinity, and in the neighbourhood of the same, with force and arms unlawfully, riotously and tumultuously to assemble and gather together to disturb the peace of our said Lord the King, and to injure and annoy a great number of the peaceable subjects of our said Lord the King in their persons and properties, and that by means and in pursuance of the said wicked instigation and endeavouring of the said Damon, Adonis, otherwise Donis, Chance, Fothergill, Frederick, Billy and Peter, a great number of persons, to the number of 100 and more, to the attorney-general aforesaid as yet unknown, afterwards, to wit, on the ninth day of the said month of August, in the year aforesaid, with force and arms, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, riotously, routously and tumultuously assembled and gathered together to disturb the peace of our said Lord the King; and, being so assembled and gathered together, did then and there unlawfully, riotously, routously and tumultuously continue together in a riotous and tumultuous manner for a long time, that is to say, for the space of three days then next following, and during all that time committed many great, violent and enormous outrages, in breach of the peace of our said Lord the King, to the very great terror, disturbance and grievance, not only of many of His said Majesty's quiet and peaceable subjects then inhabiting and residing there, but also of all other of His said Majesty's quiet and peaceable subjects then and there passing and repassing in and about their lawful affairs and business, in contempt of our said Lord the King, in open violation of the laws, good order and government of this Colony, to the evil and pernicious example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity. And His Majesty's attorney-general in and for the Colony of British Guiana, *ratione officii*, giveth the court here further to understand and be informed, that the said Damon, Adonis, otherwise Donis, Chance, Fothergill, Frederick, Billy and Peter, being such persons as aforesaid, and unlawfully, maliciously and wickedly devising, intending and endeavouring to disturb the peace of our said Lord the King, and to cause other insurrections, riots and tumults within the Colony, to the great terror, annoyance and disturbance of His Majesty's liege and peaceable subjects, afterwards, to wit, on the first day of August in the year aforesaid, and on divers other days and times between that day and 12th day of the said month of August in that year, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, wickedly and maliciously incited, stirred up, and as much as in them lay endeavoured and laboured to persuade a great number of other liege subjects of our said Lord the King, whose names to the Attorney-general aforesaid are as yet unknown, with force and arms, unlawfully, riotously and tumultuously to assemble and gather together to disturb the peace of our Lord the King, and to terrify, annoy, disturb and injure many other of His said Majesty's liege, peaceable and quiet subjects, in contempt of our said Lord the King, in open violation of the law, good order and government of this Colony, to the evil and pernicious example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity. And His Majesty's attorney-general in and for the Colony aforesaid, giveth the court here further to understand and be informed, that the said Damon, Adonis, otherwise Donis, Chance, Fothergill, Frederick, Billy and Peter, together with divers other evil-disposed persons, to the number of 300 and more, to the attorney-general aforesaid unknown, on the ninth day of August in the year aforesaid, with force and arms, to wit, with sticks, staves, and other offensive weapons, and with flags and colours erected and flying, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, riotously and routously did assemble and gather together to disturb the peace of our said Lord the King, and being so assembled and gathered together, armed as last aforesaid, did then and there unlawfully, riotously and routously, make a great noise, riot and disturbance, and did then and there remain and continue armed as last aforesaid, making such noise, riot and disturbance for the space of two days and more then next following, to the great disturbance and terror not only of the liege subjects of our said Lord the King then being and residing, but of all other the liege subjects of our said Lord the King then passing and repassing in and along the King's common highway there, in contempt of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity. And His Majesty's attorney-general in and for the Colony aforesaid, giveth the court here further to understand and be informed, that the said Damon, Chance, Adonis, otherwise Donis, Fothergill, Frederick, Billy and Peter, together with divers other evil-disposed persons, to the number of 300 and more, to the attorney-general aforesaid unknown, on the ninth day of August in the year aforesaid, with force and arms, to wit, with flags and colours erected and flying, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, riotously and routously did assemble and gather together to disturb the peace of our said Lord the King; and, being so assembled and gathered together as last aforesaid, did there and then unlawfully, riotously and routously, make a great noise, riot and disturbance, and did then and there remain and continue, with the said flag and colours erected and flying, making such noise, riot and disturbance for the space of two days then next following, to the great disturbance

disturbance and terror not only of the liege subjects of our said Lord the King then being and residing, but of all others the liege subjects of our said Lord the King then passing and repassing in and along the King's common highway there, in contempt of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity.

(signed) *William Arrindell*, Attorney-general, R. O.

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The accused, Damon, pleaded not guilty.
The accused, Adonis, otherwise Donis, pleaded not guilty.
The accused, Chance, pleaded not guilty.
The accused, Fothergill, pleaded not guilty.
The accused, Frederick, pleaded not guilty.
The accused, Billy, pleaded not guilty.
The accused, Peter, pleaded not guilty.

The court unanimously find all the prisoners guilty on the first, second and fourth counts of this indictment, and on the third count with the exception of the words "sticks and staves."

His Honour Charles Wray, Chief Justice; His Honour J. Walpole Willis, First Puisne Judge; His Honour Samuel Firebrace, Second Puisne Judge; Mr. R. Buchan, Mr. N. M. Manget, Mr. George Booker, Assessors.

Damon	{	His Honour the Chief Justice - -	Death.
		His Honour the First Puisne Judge -	{ Nine months' imprisonment, and hard labour every alternate week on the tread-mill.
		His Honour the Second Puisne Judge	Death.
		Mr. R. Buchan - - - -	Death.
		Mr. N. M. Manget - - - -	Death.
Frederick	{	His Honour the Chief Justice - -	Transportation for life.
		His Honour the First Puisne Judge -	{ Nine months' imprisonment, and hard labour every alternate week on the tread-mill.
		His Honour the Second Puisne Judge	Transportation for life.
		Mr. R. Buchan - - - -	ditto.
		Mr. N. M. Manget - - - -	ditto.
Fothergill	{	His Honour the Chief Justice - -	Transportation for 14 years.
		His Honour the First Puisne Judge -	{ Nine months' imprisonment, and hard labour every alternate week on the tread-mill.
		His Honour the Second Puisne Judge	Transportation for 14 years.
		Mr. R. Buchan - - - -	ditto.
		Mr. N. M. Manget - - - -	ditto.
Adonis and Chance.	{	His Honour the Chief Justice - -	{ One month's imprisonment, and 200 lashes.
		His Honour the First Puisne Judge -	{ Six months' imprisonment, and hard labour on tread-mill.
		His Honour the Second Puisne Judge	{ One month's imprisonment, and 200 lashes.
		Mr. R. Buchan - - - -	ditto.
		Mr. N. M. Manget - - - -	ditto.
Peter and Billy.	{	His Honour the Chief Justice - -	{ One month's imprisonment, and 100 lashes.
		His Honour the First Puisne Judge -	{ Three months' imprisonment, and hard labour.
		His Honour the Second Puisne Judge	{ One month's imprisonment, and 100 lashes.
		Mr. R. Buchan - - - -	ditto.
		Mr. N. M. Manget - - - -	ditto.
Mr. George Booker - - - -	ditto.		

SENTENCE.

The court condemns the prisoner Damon to be taken hence to the place from whence he came, and on Monday the 13th day of October proximo, to be taken thence to the place of execution, and there to be hanged by the neck until dead.

The court condemns the prisoner Frederick to be transported beyond the seas to His Majesty's

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Majesty's Colony of New South Wales, and there to remain and kept to hard labour for the term of his natural life.

The court condemns the prisoner Fothergill to be transported beyond the seas to His Majesty's Colony of New South Wales, and there to remain and kept to hard labour for the term of 14 years.

The court condemns the prisoners Adonis and Chance to be imprisoned in His Majesty's gaol of this district for the space of one calendar month, and during the period of such imprisonment to be publicly flogged in the market-place of George Town, by receiving each 200 lashes with a cat-o'-nine-tails on their bare back.

The court condemns the prisoners Billy and Peter to be imprisoned in His Majesty's gaol of this district for the space of one calendar month, and during the period of such imprisonment to be publicly flogged in the market-place of George Town, by receiving each 100 lashes with a cat-o'-nine-tails on their bare back.

Thus done at the 11th Session of the Supreme Court of Criminal Justice, held at the Court House, Guiana Public Buildings, George Town, Demerara, this 26th day of September 1834.

(signed) *Charles Wray, C. J.*
John Walpole Willis, J.
Samuel Firebrace, J.
R. Buchan.
N. M. Manget.
George Booker.

By the Court,
(signed) *Charles Wilday, Registrar.*

I voted Guilty.—With regard to the punishment, I voted Damon, Frederick and Fothergill each nine months' imprisonment, with hard labour every alternate week on the tread-mill; Chance and Adonis six months, with hard labour on the tread-mill in the same manner; and Billy and Peter three months, with hard labour, and tread-mill in like manner also.

I gave my reasons for my vote with regard to the punishment of the prisoners in the following words:

"I think it right to state the reasons for the vote I have given respecting the sentence of these prisoners. That there was a tumultuous assembly, an unarmed mob, of which the prisoners at the bar formed a part, has, I think, been sufficiently proved. I say an unarmed mob as a matter of fact, not of legal inference, because it has been proved by the first witness that he never saw a weapon in any of their hands. The tumultuous meeting took place shortly after the advent of a much-written of period, whence a material change was to take place in the conditions of the labouring population; a change which does not appear to me to have been altogether distinctly comprehended, although frequently attempted to be explained; a change naturally productive of more than ordinary excitement. These negroes appear to me to have distrusted those vested with authority in their immediate neighbourhood, and to have relied upon the Governor or the King for that redress which they erroneously conceived they were entitled to. They seem indeed at once to have yielded that implicit obedience to his Excellency the Governor which they long and contumaciously refused to pay to the civil, and I may add also, to the display of the military power: at the command of his Excellency they at once dispersed. Many circumstances aggravating the crimes of the prisoners have been brought to the notice of the court by the evidence of negroes who were themselves concerned in this untoward business. Let me here say a few words as to negro evidence. The negroes at present are, I fear, in general but slightly impressed with the sacred obligation of an oath: of this in the present case the witness Natt is an instance. How then can truth be expected where there is no conscientious conviction of the sin and danger of perjury? The negroes are also destitute of education; so ignorant indeed that they can with difficulty discriminate between right and wrong, or detail an ordinary statement with reasonable accuracy. I think the testimony of the witness Jonathan, when he swears 'there was no shouting;' of Jackey, with respect to his sleeping and the ringing of the church bell; and of Natt, who says, 'they went to church on Friday, and staid there a whole week,' fully warrants these observations. But in this case the negro evidence is not in many instances what may be termed pure negro evidence: it is the evidence of negroes who, by their own statements, are accomplices and participants in the offence; not pardoned accomplices, but men swearing for their pardon, liable to be tried for the same offence, and convicted on their own admissions. I think their testimony therefore entitled to very little credence. I cannot help noticing, as an important feature in this case, the declaration of this deluded mob when they expected to be fired upon by the soldiers: they cried out, 'The soldiers might shoot them or kill them; they are unarmed, they could die but once.'" No active resistance to the military, notwithstanding the overpowering multitude of the mob, was even for a moment thought of or contemplated.

"It is, however, most true that all the prisoners are proved to have been present at this unlawful meeting, and that Frederick as spokesman, Damon as captain, together with Fothergill, and Adonis and Chance as subordinates to Damon, were prominent in this disgraceful mob. Billy and Peter were also parties. The offence is one of considerable magnitude,

magnitude, but in the measure of punishment the several circumstances must be well considered. Punishment, however, is indispensable. These deluded men must be convinced that it is not only their duty to obey the laws, but also to respect the authority of those under whose more immediate control the laws have placed them. On the present occasion, however, I am inclined to temper the sentence with a leniency that can never again be expected. I wish to try, to use the words of the late Secretary of State for the Colonies, 'the firm but gentle influence of legitimate authority.' Looking at the principle but not the law, for the law has been repudiated by the attorney-general, who has not thought fit to proceed under it; looking, I say, at the principle of the seventh chap. of the Model Draft, as carried into effect by the sixth chap. of the local Ordinance (confirmed by His Majesty in Council, in conformity with the Abolition Act), with regard to the punishments for a similar offence to the present; looking also, as I conceive I have every right to do, to the punishment elsewhere inflicted by courts acting on similar maxims of law under the like circumstances, I have been led to award the punishments to the prisoners declared by my vote. In the case of the Haddington rioters, 16 July 1831 (Alison, p. 315), it appeared that a mob surrounded the court-house at Haddington, where two prisoners, apprehended for an outrage at Greenlaw election, were under examination before the sheriff depute of the county, broke open the door of the court-house with a great beam used as a battering ram, and carried off the culprits in triumph. This offence was visited with 18 months' imprisonment; not imprisonment and hard labour, but simply imprisonment. On the 18th of July 1831, Ralph Forrester, one of the Reform rioters on the North Bridge of Edinburgh, where an attempt was made, though not by him, to throw the Lord Provost over the North Bridge, was sentenced to nine months' hard labour in Bridewell (Alison, 527). These, be it observed, were very active riots, the mob attempting, in the latter instance, the life of the chief magistrate of the northern metropolis of Britain; riots too by persons far more advanced in civilization than the wretched prisoners at the bar. In conclusion, I would observe, that, notwithstanding the earnest manner in which Mr. Arrindell deprecated the court, even looking at the principle with regard to the punishment of offences like the present, as contained in the local Ordinance, that I do not know of any case where a prosecutor might have proceeded either under a statute or at common law, and has, as in this case, elected to proceed according to the latter, that a larger degree of punishment than that prescribed by the statute, although the statute be not acted upon, has been awarded. If there be any such cases, I am not aware of them. I do not say that this may not be done; I only say that I do not remember that it ever has been done, and at present I should not like to do it.

"I have to request these observations may be placed on the Minutes, and an official copy transmitted to His Excellency the Governor."

The observations were placed on the Minutes without reading them publicly, on the suggestion of the Court that this course would be more expedient.

26 September 1834.

(signed) *John Walpole Willis, J.*

A true copy, quod attestor,
(signed) *Charles Wilday, Registrar.*

ELEVENTH CRIMINAL SESSION.

EXTRACT from the CRIMINAL NOTE BOOK of His Honour the Chief Justice of the Supreme Court of Demerara and Essequibo.

Tuesday, the 23d September 1834.

(After Prayers.)

William Arrindell, His Majesty's Attorney-general in and for the Colony of British Guiana, *ratione officii*, versus Damon, Adonis, Chance, Fothergill, Frederick, Billy and Peter.

Charles Bean.—I reside on plantation Richmond, Trinity parish, Essequibo. I know the prisoner Damon; he is since the 1st of August an apprenticed labourer, attached to plantation Richmond. I know Adonis; he is the same; and also Chance. On Saturday the 9th August the apprenticed labourers of Richmond all struck work, and towards the evening they began to congregate, combined with the gangs of several other estates. They assembled in large numbers in the churchyard, to the amount of several hundreds; also on the public road. Their number increased so fast that many of the managers and overseers of other estates came to Richmond to report the danger. At Richmond there were one or two special magistrates. On the report of the managers and overseers we thought it right to send to the post at Capoe to call in the aid of His Majesty's troops which are there stationed, and also to send another representation to his Excellency the Governor. Many of the gang had been four or five days previously to that in a state of insubordination, having struck work altogether. Captain Grove, of the 25th regiment, marched from Capoe to La Belle Alliance from 40 to 43 men. I saw them quartered at La Belle Alliance. The rioters continued in possession of the roads and churchyard between 12 and 1 o'clock, when the inhabitants were alarmed by a violent ringing of the church bell, and loud shouting, which lasted about a quarter of an hour. I went over there the next morning to the churchyard, where they were assembled in large numbers. I went among them into the churchyard. I was on horseback, and went close round the church steps; they mustered round me in large numbers, many hundreds. I endeavoured to persuade them to return to their plantations

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plantations and obey the law. The prisoner Frederick addressed me in the name of the people round me, so far that he appealed to the people round me, who approved of what he said. Frederick said it was not the true law; they were all freemen, and would not be bound. I did not notice at that time any of the other prisoners. I was with the people from about half-past seven to half-past eight. Frederick also said they wished to see the Governor. He spoke of his own condition, and of the people round him both. I asked him if they would obey the Governor if he did come down? The reply of Frederick, in the name of the rest was, "They must see him first." I then told him that when the Governor came he could not tell them anything different from what I had told them, anything different from the law, which had already been explained to them; that they were bound apprentices for six years, and must work seven and a half hours a day during that period. On that they set up a loud shout, and I left them, finding I could make no impression. Frederick was spokesman throughout; but I add that when many of the crowd appeared to be very rude and violent, he silenced them and kept them in order. I never saw a weapon in any one of their hands at that time. I saw two or three flags; one flag was hoisted, and the others on the ground in a shed. One large flag on the ground appeared to be perfectly new; it was a white flag, with a dark St. Andrew's cross on it. The hoisted flag was on a pole near the church door; the pole was about 20 feet long. The pole was fixed in the ground. When I first went into the churchyard there were from 200 to 300 there, afterwards they increased to about 600 to 700: this was on Sunday morning. They certainly did not assemble for the purpose of attending the church, because they had been there from the evening before. I saw crowds in the yard that evening and on the public road, and on the bridges leading to the church, to the amount of many hundreds. About six o'clock on the same Sunday I sent for the constables of Richmond, and went down attended by them to the churchyard, intending to clear it and take the flag. I am a justice of the peace, but not a special magistrate. On arriving at the churchyard I found comparatively few people there, whom I addressed. There were not more than 50 at the time I got there. I told them I had come there to clear the churchyard; that there must not be any more breaches of the peace like on the preceding evening. I warned them; I told them I came as a magistrate and in the King's name to preserve the peace and to clear the churchyard, that there might be no more hoisting of flags and ringing of bells. They refused to obey, and I ordered the constables to seize the flags and flag-staffs; there were two then, but not hoisted. Whilst I was doing this they congregated in very large numbers, and two of the prisoners, Chance and Damon, were conspicuous. There was a great scuffle in opposing the constables, and Chance and Damon were prominent in it, and some of the constables were beat. The constables got the flag-staffs, but they were broken in the scuffle, and two of the rioters whom the constables had seized were rescued from them. I believe they did not get the flags, as I saw one hoisted again; that was about an hour after. Finding I could make no impression against such numbers, I told them I should call in His Majesty's troops to clear the yard. Chance and Damon were there then. Captain Grove and myself, after consulting, marched the troops down to the churchyard. By this time the numbers were very great; I should think not less than 1,000. I again exhorted them in the King's name to clear the churchyard. Many voices cried out "that they might shoot them or kill them, that they were unarmed, and could die but once." It was then dark, and the number so great I could not discover any of the prisoners. I left Chance and Damon amongst them when I went up to Captain Grove, and was not away more than 20 minutes. Previous to drawing the troops out against them I tried to get hold of the flag-staff and flag, which they had hoisted in the mean time; but the constables could make no impression. After consulting with Captain Grove, we thought the responsibility too great to fire on an unarmed multitude of men, women and children, particularly as the Governor was expected there the next day; and I again addressed them, demanding they should pull down the flag, and promise they would not ring the bell, or make a shouting, and that I would in that case withdraw the troops until the Governor came. They promised to do this, and the troops went back to their quarters. I remained a few minutes, and they again hoisted a flag which they had previously taken down. At nine o'clock I went home. I saw the same crowd going backwards and forwards on Monday, and in the churchyard. The flag was hoisted all the day on a very large staff, and I saw sentries near the flag-staff. I rode by several times, but did not address them. I cannot say I saw any of the prisoners there on the Monday. On the Monday afternoon they saw the steam-boat coming, and a number went down to the stelling; I think Fothergill was marshalling them on the stelling, but I cannot swear that he was the man. They were put in regular rows like a guard on the stelling on each side; there were a great number of others, and when the King's troops marched down, a guard of honour, they would not give way, and were not obedient to the officer, who told them to make room, and the troops made way for themselves; but the people crowded round them still. The ground the troops would have taken up was crowded by these people, and the officer placed his men in a different position.

Cross-examined by Mr. *Canty*.]—It was past the working hour when they assembled together on the Saturday; but they had refused to do any work on that day, namely, Damon, Chance and Adonis. The other magistrates with me were Mr. Rose, and I think Mr. Gilgeons; but there were more magistrates in the course of the evening. I did not go to the churchyard that evening. The church is pretty well attended on Sunday by the apprenticed labourers and the whites. Also on the evening I collared one or two persons, and they were pulled away from me by force. I explained the new state of things to the people of Richmond on the 1st and on the 2d of August. Damon, Chance and Adonis I am

am certain were there on the 2d August, and the law was explained to them by the district session in my presence some time before, and they promised obedience. I offered them wages for extra hours on the Saturday, but they declined it, and said they would not work at all. No complaint was made of the allowance not being sufficient which I gave them. I went off to the steam-boat and landed with the Governor. On Monday evening, the 11th, when he got to the churchyard, I saw the flag-staff and sentries near it, but cannot swear the flag was flying; but I believe it was. The Governor said to them, "I cannot speak to you here; you must go to your respective estates, where I will see you." They were drawn up in two lines from the church door to the road, about 150 to 200 yards. They dispersed. A company of grenadiers had landed from the steam-boat, and marched up to the churchyard with the Governor. The grenadiers kept possession of the church, and slept there. It was then dark; I could not identify any one. The Governor came to Richmond; next day he addressed the Richmond people. I heard him read a paper to the people. I have since seen it both in print and manuscript. His Excellency caused six of my people to be made prisoners: Damon, Chance, Adonis, now at the bar, and Cæsar, Sam and Lawrence. I gave him those six names. The Governor put the prisoners under a guard until a boat should be got ready, and they were sent to town under a militia escort and a chenaar or two. No examination took place before the men were put on board.

Samuel Bean.—I know Damon, Adonis, Chance and Fothergill. I remember the tumultuous assemblage in August last. On Sunday evening, the 10th of August, I rode to the churchyard with my father after dinner, (the last witness,) after having collected a few constables. When we got to the churchyard we found there were still a great many persons assembled. When evening service was over they were still loitering in the churchyard. My father called upon them in the King's name to disperse, and go home; several shouted they would not; it was the King's land, and they had as much right as he or any one else. He again called on them to disperse, when several parties ran and planted two flag-staffs immediately. On one the flag was nailed, and the other was hoisted by a haul-yard. I immediately rode up to one of the staffs to observe who was the party, and I observed Damon and Chance supporting the flag-staff. I asked Chance if he was not ashamed of his conduct, and called on him to put down the flag-staff. He answered me, "Sir, sir," pretending not to hear me. I repeated the order, and received the same answer. I also addressed myself to Damon, and told him his conduct was bordering on insurrection. He said to the effect he was a freeman, and did not care; he would not work for my father, or any one; he would not be bound for any one. On Monday evening I observed the people drawn up in two lines from the church door, and two people sentries over the flag-staff; one had a white sash over his shoulder, across his chest; I do not know who it was.

Cross-examined.]—Damon, Chance and Adonis were in the churchyard on Sunday evening. On Monday evening I saw hammocks under the sheds in the churchyard.

Thomas Andrews.—I was a planter. I remember many hundred negroes being collected on the 11th day of August in the churchyard. I was passing through the churchyard to go to the parsonage. I found a great many negroes, men, women and children, of all descriptions. I also observed a flag-staff; there was a flag and haul-yard, the flag was not hoisted, but was ready for hoisting. As soon as I got opposite the flag, I looked up to see how it was erected; immediately I was surrounded with a great many negroes; what quantities I cannot say. They asked me what I wanted; I said nothing. They told me I had come there for that flag; I told them I had not. They said they knew I was a constable, and that I was sent for that flag. I told them I was not a constable, when immediately a strange negro told me I lied. I told them I did not come for the flag, neither did I want it. I asked what it was meant for; several said for our pleasure. I asked when they were going to hoist it; why not hoist it? Several said, when they saw the soldiers coming. I was making efforts to pass, but could not get through. After about quarter of an hour they said they knew I was constable. I said, you have a flag; you ought to have a captain. As I said that a man belonging to Mr. Bean, at Richmond, by name Damon, stepped forward; with a clap on his breast, I am captain, says he. I had known him many years. That is the man, Damon. Knowing me, I thought he might get me through, and I said to him, let me pass. Damon said he did not believe I was constable, for he had seen the constables the day they were sworn in, and he did not see me. As soon as he said that the people said, Oh, make way, as he is not a constable, and they let me pass. When I passed away about two roods I saw one of the church doors opened. I tried to go into the church, thinking to see Mr. Duke, who is the clergyman; but when I got to the step, the people said, no, not a man shall pass here. I asked why; they said not a man shall cross this door. I said, I belong to this church, and will go in; I attend service there very often, and am of the Church of England. I made three or four steps towards the door, when I received a shove in the breast, and was shoved down the steps, and had nearly lost my feet, but recovered myself. A boy named Will then fastened the door, and said, now let any one put a hand to this door. I can swear both Damon and Fothergill were there at this time. The door was then unfastened by the sexton, Harry, and I bolted into the church; after this I went to Mr. Duke's. I heard Damon say, I am captain; he had known me many years, and knew I was deaf; he was close to me, and has a strong voice, and he hallooed out. You might have heard him for a mile with good ears.

Cross-examined.]—I think the third man, Chance, assisted in preventing my getting into the church; I do not know the Richmond people so well as the Belle Alliance people, but cannot swear that Chance was one, but strongly believe it.

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Adam, (sworn).—I am apprenticed labourer, attached to Richmond, belonging to Mr. Bean. I remember the disturbances; I went to the churchyard on Sunday afternoon, with my master, Mr. Bean. He ordered the people to come out of the churchyard; they said they would not come out. I know the prisoner Chance, Adonis, Damon, Fothergill, and Billy; he is of Exmouth; they were all in the churchyard. Massa said they must come out or they would get themselves in trouble. They said they would not come out, they would like to see the trouble. He ordered me and two or three more to tell them to come out easy; they said they would not come out. I was a constable, I told them. The prisoners I have mentioned were there. Chance ran away; my master saw him doing so, and said, ay, Chance, I see you already. They had a flag in the churchyard; it was on the King's road; I saw it hoisted. My master ordered me to take it down; I tried to do so but could not; too many prevented me from taking it down. Damon and Adonis were there. I did not get the flag; too much of them prevented me.

Cross-examined.]—The prisoners were all about the flag-staff. None of the prisoners put their hands on me; some others did; every one of the prisoners I have mentioned were all round the place. I heard nothing of a complaint about killing pigs.

Re-examined.]—I did not hear them complain about anything. The prisoners I have named were all then round the flag-staff.

Jonathan.—I know the prisoners Damon, Adonis, Chance and Fothergill, and I know Peter; he belongs to Coffee Grove. I remember the people meeting in the churchyard, (warned he need not tell). I belong to Tarsis, which is part of La Belle Alliance. It was on a Saturday. We got a flag in the churchyard; Damon brought the flag ready; Damon hoisted the flag and took command at the church. Damon gave the command and every one was obliged to follow his way; he commanded some to stand to the flag and hold the pole. I saw a big stick planted close to the church, but did not know who put it. Saw Fothergill walking in the churchyard, backwards and forwards, but he did not give no orders. Damon told them they must not give over the flag to the constable people there, or to nobody. He said if the soldiers came, not to give over the flag. There were sentries set. There were watchmen set. Damon told them they must not let anybody come into the churchyard. Damon called me and set me as a watchman at the church, and told me I must not let anybody come in the church. Other people were watchmen, but I did not know them; there were five more put watchmen with me at the church door, I made six. This was about seven o'clock; I watched till nine, and the others with me. A fresh gang of watchmen then came to the church and I came out. We watched inside the church. Damon came round to see that the watchmen did not go to sleep. Damon was the captain. Adonis always walked with Damon. Fothergill sometimes walked with them. None of those three kept watch themselves. There was another flag there; do not know who brought it, but the Lima people had it. I only saw two flags. On Saturday night the bell was rung, but do not know who rung it or ordered it to be rung; there was no shouting. I was there when the Governor came down; he came in the steam-boat. Damon sent some people to the water side to stop there, and he went with them. Adonis was left in charge of the church. Plenty of people went to the water side; I did not reckon them; all wanted to go, but Damon told them not, only half to go. I know Mr. Duke; he came to the churchyard; he begged the people to take down the flags; they did not. A man spoke to Mr. Duke; Damon was there.

Cross-examined.]—I belong to Belle Alliance. Our people keep hogs on that estate, Fothergill had some. I do not know what has become of them. I had a hog; it was killed. I saw many hogs dead one morning; it was the Saturday, it was the 2d of August. Manager has five hogs; his were not killed.

Re-examined.]—Do not know why the hogs were killed. Mr. Bean is attorney of La Belle Alliance. I never knew hogs were not to be kept on the plantation. They had so many hogs I could not reckon them. Every one had his own hog, and I had one. Do not know it is contrary to the rule to keep hogs. We did not turn out because the hogs were killed. (At request of prisoner's Counsel). We kept hogs since Mr. Austin died, and before.

Wednesday, 24 Sept. 1834.

Jacky, (sworn).—I am apprenticed labourer, of Belle Alliance. I remember the time the people met at the churchyard; I was there (warned before) when I first went there. When I first went there I see Damon, and Damon give orders at the church. He put them people to guard, one named Adonis and one named Abraham, of Richmond. He put Adonis to walk round to see if all them guard right. That is the man. Abraham also had to look round to see if the guard right; and Chance also, to see if the guard right; not Chance the prisoner. When Damon fix all this right, when he saw the Governor coming he took some of them people and sent them to the water side. I was there Saturday; Damon put them Saturday night to guard. When I went there Damon asked me if I had come there to stop, to join; if not, I must go away. I did not give him any answer, no or yes. When Damon fix the guard, he told them if anybody come there they must ask them if they came to join, and if they were constables to start them right back. Fothergill the prisoner walked

walked about the churchyard, and Damon gave him orders. Frederick the prisoner was at the churchyard; he was there when the parson came and begged them to take down the flag, and Frederick make answer, "it was not to be taken down at all." Some of the young boys had been away too long, and Damon put Chance, the prisoner, to make them walk backwards and forwards; can't say how long, they marched a long time. I see Damon take some people and carry them to the water side, and cut a large flag-staff and came and planted it in the churchyard, Damon took the flag and took a hammer and nail and nail it on. Damon said, he nail it on and ram it down tight, so that no person can take it off; it was a blue flag. Frederick, of Devonshire Castle, told the people to keep the flag on; prisoner is the man. Damon say they must not let anybody take away the flag; if anybody come to take away the flag they would be bound to work as they had done before. If anybody come to take the flag away, Frederick said they must hold on the flag-staff and not let them take it away. That Saturday I was under the shed; the rain was falling. I was sleepy when I heard the bell strike, and when I heard the bell strike I got up, and then I heard all the people halloo, hurra, hurra, hurra! I heard Damon say, strike the bell there, but cannot say who rung it. I remember the Governor coming there; Damon went down with some of them people to guard the Governor, and he left Chance (not the prisoner) and Frederick, the prisoner, to make room and leave a path in the middle; they did so; they made some people stand on one side and some on the other, and clear a path. Damon went to water-side. Damon left Frederick, the prisoner, and Chance (not prisoner) head men at the church.

Cross-examined].—When Governor came he told us we were apprenticed labourers for six years to work off; everybody knew that before, and I knew it. I can't tell a lie, everybody do heeree that. I don't think my master will punish me for being there; so long as the oldest people go there, I be obliged go there too. I cannot help to go there so long as the oldest people go there. I knew I was to come here as a witness. I knew when I came to town. Damon gave orders to put up the flag; I heard him. I know Damon a long time, since he was a little boy; Damon stutter, he stutter bad. I heard Saturday the Governor was coming. There was a talk about the Governor coming; some say they expected Saturday, and some Sunday. I went to the churchyard on Saturday, not in the morning, about afternoon time. I heard talk of the Governor coming before I went to the churchyard; they wanted him to come to heeree what he would say, but I did not hear anybody say what that was. The Governor talk the same law I been hear before. I heard Mr. Bean and the Protector speak about the new law on the 1st of August; suppose me believe, and all the people no believe, what can I do? I did believe them. When Damon gave the orders, I was not so far from him, in the same churchyard. I saw Damon, because he was walking backwards and forwards and gave orders. Damon put them people to guard to walk round the church, and he said if anybody came the people that were put to guard must ask them if they come to join, and if constables they must turn them away. If they did not come to join they must turn them back; I did not see anybody turned back. Damon said they must fight for the flag; he said, fight hard; they must not take away the flag; he said they must hold on by the flag. I do not know what o'clock Damon gave orders to strike the bell; when I heard the bell I was sleeping, and when I woke it was striking; some of the people asked Damon what the bell rung for, and he say, yes, he gave orders to strike the bell. The shouting out awoke me; bell strike before the shouting out; I did not hear the bell strike, but heard Damon say he gave orders to ring it. I heard that from Damon's mouth; I heard it directly I got up. Damon was a little further off than the end of the room, more than two roods off; plenty of people there all round; Damon himself speak it; he say, I gave orders to ring the bell. I saw him at that time; it was dark, but not so quite dark but I could see; I swear it was Damon say so; Damon spoke straight. My pig is alive at La Belle Alliance; other people been have pig; my pig was with my brother, who is a constable, and it was not killed. I saw people cleaning pigs on Monday morning; I saw plenty dead; some people were locked up, and their pigs were killed; we were locked up because we did not go to work.

Jacobus.—I am an apprenticed labourer on Richmond; Mr. Bean is my master. I remember the crowd at the churchyard some time last month. I recollect the 1st of August; Mr. Bean ordered the driver to call up the people. Friday morning I went; he told the people they had to go to church that Friday, and he told them about the law, that we were apprenticed labourers, by order of the King; he said we were apprenticed labourers six years; he said we were to work 7 ½ hours a day; and he said we must come to an agreement what we would ask, if we worked more than the 7 ½ hours. Damon, Chance, and Adonis, the prisoner, were there when Mr. Bean explained the law. I saw them there. Saturday before the Governor came the people were at the churchyard; I know that because I was close by; I live there. I went there one Sunday evening, when my master went there with Mr. Sam Bean. I know Damon, Adonis, Chance, Fothergill and Peter, the prisoner. I saw them all at the churchyard. On Sunday evening Massa went there to take a flag from them. They were sitting there. His master carried a handkerchief flag on a small stick. The people then put up their flag before the church door. I did not hear what Massa said. Massa and Mr. Sam Bean went away. About seven o'clock some soldiers come down with Massa to the church; I heard the bell ring in the night. Peter, the prisoner, told me I must not go into the gate of the churchyard, only white people must go in, and he turned me away. I was at the churchyard on Sunday morning. I saw nothing there, but I saw Damon and a great many people.

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Cross-examined.]—No pigs are allowed on Richmond. Massa said he would give half bit an hour; that if they could not agree with him, we might go where we liked to hire ourselves.

Nat.]—I am an apprenticed labourer on Belle Alliance. I know Damon, Adonis and Chance and Fothergill (the prisoner.) I remember the people being at the churchyard; I went there myself. I saw Damon at our place, about eight o'clock on Saturday morning. He told us we must not stop in the plantation, we must go to the churchyard; he told we all so. I heard him myself say so. I went, and the whole we people went and the Richmond people. We went that same Saturday, about eight o'clock. Damon had gone before we went. When we got to the churchyard, I met Damon and Adonis. There were all Richmond people there. I saw Damon pick out people, and put them at the gate to guard. I did not see any one else pick out the people. Damon told them if they saw any constables come to the gate, they must turn them back. Damon changed the watch; they watched all the day till night. I saw no one helping Damon, but Damon and Adonis were the two head. I saw sentinels put at the church door; Damon put them there; also behind the church. There is a bell to the church. I heard the bell ring that night. Damon put Adonis, and a boy, Minas, of Belle Alliance, and John, of Richmond; he told them that when Barry, of Coffee Grove, came to the churchyard, they must toll the bell. Barry is a freeman of Coffee Grove. I saw Barry come there that night, about 10 o'clock. When Barry came in at the gate, Damon called out to Adonis to toll the bell; and John and Miuas tolled it. I saw two flags in the churchyard. Damon brought one from Richmond; I saw him; it was a blue flag. Do not know who brought the one from Lima. Damon hoisted the flag from Richmond, and also that from Lima. Fothergill fetched one flag-staff, and Damon brought one from Richmond. The one Fothergill brought was not raised at all. The other flag was white, with blue in the middle. Mr. Duke came there, and told Fothergill and Damon to take down the flag; they would not take it down at all. Joe told Mr. Duke they cannot take down the flag until they know what they were working for; whether to work for pay, or to work for nothing. Damon was close by and heard this. When Barry came the people hold him, and put him out on the road, and told him to go away. I saw them, but do not know who. The people that do not come soon, Damon took and gave to Chance, the prisoner, to walk round the church. Damon was head of all, and Adonis; no more. I saw them giving the orders in the yard to all the rest of the people. The Governor came down. They then rigged two little flags on two sticks, and gave them to Fothergill to take to the water-side to guard the Governor. Fothergill took 20 men to go, who were reckoned by Damon. Damon went with them. I did not see anybody command in the churchyard when Damon went away. There were two small flag-staffs, and they took them down, and Minas got a cutlass and axe and went to the water-side; Damon sent him to cut down a large tree at the water-side. Minas went with a man named George to cut it down, and Damon reckoned 20 men to fetch the tree, and went with them himself. They dug a hole at the churchyard for the flag-staff; a man named Adonis (not the prisoner) dug it. The 20 men who brought it put it up. They hoisted the flag just as a flag is hoisted to the mast of a schooner; it stopped there until the Governor came. I heard Damon tell the people they must guard the flag-staff, and if constables came, not to let them go close to the flag-staff; that we all must fight for the flag-staff. The two flags first raised were rigged like those of a boat, but the one fastened to the staff from the water-side was nailed. Damon and Adonis nailed it.

Cross-examined.]—One sentry at the gate was Fothergill, one Chance (not prisoner), one Frederick (not prisoner). I do not know who went on at night. Damon's self changed them; every two hours he changed the people at night. Nobody was sleeping. I was not at the gate every time they were changed. It rained, but not very heavy that night. I was under the shed. It was a moonshine night. The shed is not far from the gate. I saw Damon change them every two hours during the night. I do not know any of the men who went on that night. I belong to Belle Alliance. I saw some people locked up there on Saturday. Cannot say what hour; about four o'clock in the afternoon. Fothergill was not locked up. The people on Belle Alliance are in the habit of keeping pigs. I saw the manager kill them on a Sunday; he lanced them, and did not shoot them. I know Thomas Dodgson; he is a coppersmith. I did not see him at Belle Alliance the day the pigs were killed. It was the Sunday after the Friday that we all go to church. The men reckoned to go to meet the Governor, were not well dressed and clean. I keep no hogs on plantation Alliance. I was in the sick-house on the 1st of August; next day I was in the negro-yard. I told the manager what I have told to the court. (I cannot say if the people have leave to keep hogs on plantation Alliance.)—Question by an assessor.

Francis Greenwich Bailey.]—I am manager of Belle Alliance. I know prisoners, all of them, from seeing them at the churchyard. On Sunday morning, about seven o'clock, on the 10th August last, I identified them for the first time. I knew Damon, Adonis, Chance and Fothergill before that time; the names of the others I have ascertained since; Frederick (Devonshire Castle), Peter (Coffee Grove), Billy (Exmouth); I swear they were all there. I was there many times and saw them most prominent and forward in the matter. I saw the prisoner Frederick speaking for more than an hour to Mr. Bean, Captain Grove, myself and others. He seemed to have a thorough control over the conduct of the people, because they invariably acquiesced in his propositions; and although there were from 700 to 800 people at least, he would at a moment's warning command silence, that he could be distinctly

distinctly heard. I heard one particular remark of his was, "I cannot be bound as an apprenticed labourer, I will not be bound, I wish I may be damned, I won't be bound. Brothers, don't you join me in that?" and all gave a general assent by shouting out "O, yes; we will join you!" During the whole time, when we could obtain silence, which could only be done through him, Mr. Bean, Captain Grove and myself were endeavouring to persuade them to desist from their illegal acts, without effect. The other prisoners were round about Frederick and very near him; they were not making themselves excessively forward, but were in front of the others, and he seemed to me to address himself to them; at that moment he appeared to have a thorough control over the whole mass. The law was explained to every negro on La Belle Alliance on the 2d August. Fothergill was there that day; it had been explained before, on the 1st of August, and somewhere about the 29th July also. The people said it was all founded on a cheat, they would not obey it. Fothergill was there; they said they would see the Governor about it. I told them the Governor could tell them no more about it than I did. The reply was, if the Governor told them that, they would not believe it; they would only believe it from William IV. They did not go to work on the 2d August. I remember pigs being killed on La Belle Alliance. The gang, with the exception of the head people and the constables, had refused to go to work before the pigs were killed. Fothergill was one who refused. The pigs were killed on the 3d.

Cross-examined.]—I had the Act of Apprenticed Labourers, and read and explained it to them, so that they cannot but understand it. I certainly should have identified the three prisoners, if not told their names. I know the three again, because they were always the most prominent, and was always before me. Fothergill was not locked up on Sunday the 3d.

Re-examined.]—The people on La Belle Alliance had leave to keep pigs, on condition they conducted themselves to my satisfaction; it was contrary to the instruction I received from the attorney of the estate. If they misconducted themselves, I was to destroy them.

Thomas Dougan.]—I am sheriff of Essequibo. I remember the disturbances in August, and the Governor going down with troops. I was on the stelling of Richmond on the evening of Monday the 11th, when the Governor was about landing from the steamer; there was a number of negroes collected on the stelling, who occupied that part nearest the step on which he was to land. A detachment of the 25th came down on the stelling for the purpose of forming a guard of honour to receive his Excellency. The troops formed opposite these people, and the officer commanding wished them to move from his front; one minute after this I saw Fothergill there; the people peremptorily refused, saying there was room enough for the Governor to pass. They were very insolent to the officer. I remonstrated with the people, and at length induced them to move off to the flank of the guard. I then observed a man step in front of them, form them in line, dress the line, and give directions and orders; I went up to him and asked him his name; he hesitated for awhile, and then replied his name was Peter, of La Belle Alliance; this man was Fothergill, the prisoner. I pointed the man out the next morning at La Belle Alliance to the Governor, and then ascertained his name was Fothergill.

Cato.]—I am apprenticed labourer, servant to Parson Duke. I remember the disturbances in the churchyard. I know Damon, Adonis and Fothergill, the prisoners. I saw a flag flying in the churchyard on Sunday night, at six o'clock.

Parry.]—I am a freeman; I live at Coffee Grove. I remember the disturbances in August last. On Saturday night I went there. I went to the church with some other people. When I got to the gate, I heard the bell toll; and the people sung out "Hurra!" I ask "the church no commence yet?" nobody gave me no answer. A man came round and said, "what you speak to that fellow there, he is a freeman." I went into the churchyard, and the people got round me. Captain Tanner, of Richmond, a boat captain, asked me what I was doing; I said I came to the church. He said you have no business to come, because you are a freeman. Take yourself off. I went home immediately. It was dark; long time after sun-down. I was at Coffee Grove, when some people came to fetch me; sun down then; and I afterwards walked to the church.

Cross-examined.]—The men who came told me there was a great service that night, and I had a soul as well as they had, and I had better go, and I believed it and went. They never struck me; when I went out, I ran all the way home.

Thomas Dodgson.]—I am a coppersmith, and reside at Belle Alliance. I know Damon, Adonis, Chance, Fothergill and Billy (the prisoners). I remember the disturbances. On Monday, the 11th August, I was on the stelling when his Excellency arrived, and followed him to the churchyard. He desired the people to go home to their respective places, and he would see them the next day and explain the new law to them. I then walked towards the church, where there was a large flag-staff planted in the ground, with a rope and pulley attached; I saw Billy keeping sentry round the flag-staff with another man. The Governor desired him to go home, and then went into the church. Mr. Dougan was standing by, and seeing Billy still remain there, desired him to go home; but he would not move.—(Mr. Dougan, the sheriff.)—Mr. Dougan took him into custody; but the Governor coming out at the time from the church, desired he might be loosed, and he was and went away.

Cross-examined.]—I live at Belle Alliance. I know Fothergill the prisoner. I have
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seen a good many hogs on La Belle Alliance. I saw some dead in the yard. I did not see any one kill any hog or hogs on that estate on the 2d or 3d August. I have seen some slaughtered in the yard, and in the cane piece, running loose and damaging the canes; not in the negroes' yard, but in the mill yard. I know John Hart.

John Bell.]—I am senior overseer on Coffee Grove. I know the prisoner Peter; he belongs to Coffee Grove. I remember the disturbance. Before then I had heard the law explained to the negroes, by Mr. Coleman, the magistrate of the district. Peter was there; it was on Monday, the 4th August. The negroes dissented from that explanation; they went to work afterwards, but did not do half work. The law was explained by me and Mr. Gross the next day, and also on Saturday the 9th. They said they would not be bound by it; Peter was one of them. There were no pigs killed on my estate; some before the 1st August, but none since. They were killed about the buildings, and in the cane piece, destroying property. Pigs are very destructive, if loose about property. Pigs take the canes, and hash them down and dig them up; they eat them; they do not stop at one cane, but perhaps go over two acres; it would take a couple of pigs two days to damage two acres. They do not eat a whole cane up; the lower joints of a cane are considerably sweeter than the upper. Negroes on our estate are allowed to keep pigs, if they keep them in their houses; they know they are to be destroyed if let out. A good acre of canes will yield from one to two casks of sugar, of from 17 cwt. to 18 cwt. each.

Cross-examined.]—The negroes were dissatisfied with the law. They said they would not be bound; would not work the 7 ½ hours; if the estate found them salt-fish and plantains as before, they would do 10 single beds. I think they understood very well what was meant by binding them as apprenticed labourers. Peter said he would not be bound for six years, he had learned his trade already, and might die before that. I have been on Coffee Grove three years. Peter's character is not the very best. At other times pigs have been killed when found in the cane piece or about the buildings; they were always killed if so found; no more were killed about the 1st of August than at any previous period.

Re-examined.]—Mr. Bagot, the sheriff, explained the law to our people the third time on the 9th August. It is a general rule for all pigs to be killed, if loose; all our negroes know this.

George Bagot.]—I am high sheriff of British Guiana. I remember the disturbance in August last. I went down on the Sunday the 10th; I first saw large crowds collected in the churchyard. I remember the Governor going down. I was in official communication with his Excellency. On the night of the 9th I knew the Governor would come down; I was called up in the middle of the night. On the day of Saturday I had no idea of the Governor's being expected. I spoke to some of the people on Sunday, and asked them what they were doing there; they said they had come to church; I told them the church was over, and they had better disperse. I have been in this country 34 years. In general I think hogs are not allowed on sugar plantations, but where they are, they are certainly not allowed to be kept loose.

Mungo MacPherson.]—I am manager of Hampton Court. Have been a planter 22 years. Pigs are very rarely allowed to be kept on sugar estates, because they are very destructive to the cane cultivation. I have seen in a field of canes of six or eight months' old, canes bitten by pigs close to the root and completely destroyed, without any part being ate but four or five inches close to the root of the cane. I think two pigs in a week would destroy every cane in an acre fit for making sugar; it would be impossible to bring a field round; they must be cut down to recover such a damage; it would take in some parts 12 months, in some 15, in other 18 months, 12 months in the least. No pigs are allowed on Hampton Court, but they keep some clandestinely; and I have a man with orders to kill any he finds running about; upwards of 30 or 40 pigs have been so killed since the 1st of January, and the negroes have come to beg for the carcass often.

Thursday, 25th September 1834.

Harvey.]—16th clause of the Act of Parliament, "combined resistance," is all that has been proved.

I contend they are not legally in custody; the commitment of the chief justice is illegal; they should have been referred by a special justice to this court without going to the chief justice at all. I consider the old practice was repealed by this Act.

Mr. Justice Willis quoted sect. 17; I quoted sect. 19 of the Act.

I quoted page 319, Van de Luden.

[The judges were all of opinion the objection must be overruled.]

Cauty.]—I object to the style of the prosecutor as attorney-general.—[Judges overruled this objection.]

Proclamation of General D'Urban, 18 January 1833, referring to the Order in Council, dated 2 November 1831; and also to another dated 6 November 1832.—Proclamation, 27 June 1833; Address of Sir James Carmichael Smyth to the slave population.—2 October

ber 1833, another address to the slave population of British Guiana, "In a few years you will be perfectly free," &c. [part read by Mr. Cauty].—28 November 1833, another Proclamation relating to slaves been in Europe.—21 January 1834, Address to the slave population, by Sir J. C. Smyth, as to justices' power, &c.—Act of Court of Policy, 8 February 1834.—Act for classification of slaves to be apprenticed labourers.—2 May 1834; another Proclamation of Sir J. C. Smyth, about classification.—22 May 1834; publication by Commissioner of Compensation, headed General Rules, five classes.—3 June 1834; Judges notice of sitting for classification.—22 July 1834; Act for regulation of apprenticed labourers.—22 July 1834; Ordinance for a day of rest on 1st August. From these I show the people did not understand the apprenticeship.

2d. Offence proved does not amount to what is alleged in the indictment.

Charles Bean, recalled by the Court.]—When I went to the churchyard about six o'clock on Sunday evening, after warning them to disperse, and their refusal, I told them if I held up a signal or a flag, and they did not disperse in so many minutes afterwards, they would be liable to severe punishment. One flag of theirs was flying at that time.

John Halloway Duke, called by prisoners' counsel.]—I am rector of Trinity parish; I have been so 11 months as rector, and three months as curate. I consider I do know a good deal of the negro character; I read a proclamation of the Governor, dated the 2d October 1833, to my congregation the Sunday after. This is it. I explained to the people that in about 10 months from the date of that proclamation they would be no longer slaves, but apprenticed labourers, but that in the meanwhile they were to continue slaves and to perform their duties as heretofore. That there were to be two classes of apprenticed labourers; that non-prædial would be free in four years, two years earlier than prædial apprenticed labourers; and because I knew that in general they would not understand the meaning of the term prædial and non-prædial, I acquainted them that prædial labourers were field people, and such like, persons engaged about the cultivation of land, but that non-prædial labourers were, as I understood, carpenters, coopers, smiths, and such like. I told them if they would attend at plantation Richmond the next day, they would hear the thing more fully explained by gentlemen appointed by the Governor for that purpose. The next day I was at Richmond, at the request of Mr. Bean, and there the same information was confirmed by Mr. Bean, Mr. Croal, and I believe Mr. Beete. I remember Mr. Bean said he thought there was some mistake about people attached to estates being free in four years, he rather thought it applied to people in town. The negroes in general evidently were dissatisfied. I cannot say if I put boat-people amongst those to serve four years. 2 May 1834, another proclamation was dated, which I read. This proclamation differed from the view which I had taken of the law, and which I had explained to the negroes. I think Mr. Bean was the only person who spoke at the time I was with him, and Mr. Croal and Mr. Beete; I cannot say if the prisoners heard me explain, nor were before Mr. Bean. The second proclamation gave rise to a great murmuring in the church, so much so that I was quite agitated. I know Damon and Fothergill perfectly well; I also know Adonis and Chance; I know little of them, except as coming to church; they are all four pretty regular in that respect. I was aware of meetings at the church about the 9th August. On Saturday the 9th, about 11 o'clock, I saw about 30 negroes on the three bridges between Richmond and La Belle Alliance; in an hour more, the number increased to about 60 or 70. From another window of my house I saw about as many more on the bridge between La Belle Alliance and Lima; between one and two I saw those on the bridges leave in a body, and go into what is commonly called the churchyard; it is in Trinity parish. There are two large sheds in the churchyard; under these sheds they went. In the course of an hour or two, I suppose there were collected in that place between 200 and 300 persons; I went over to my church to see if any were in it. I saw one person lying down in the church; I ordered that person out, and he went out; I then went away. On Saturday evening my catechist and his wife came to my house, and from what I heard, I went with my catechist into the churchyard; there I saw a flag hoisted before the church door; I told the people to take down the flag, which they did instantly; I told them I have no right to turn you out of this yard, but had to tell them to take down the flag, and how improper it was to bring an emblem of war before the house of God. I saw Damon there and Fothergill at that time. I do not doubt they heard what I said. Fothergill said, we will take it down, Sir, we will take it down directly; and the whole multitude cried out that they meant no harm; they had just put it up. About eight or nine o'clock I went to the churchyard again, and I saw the same multitude, some lying on the ground. I said, my friends, what do you do here? they said they had no houses, nor would they have any until they shall get hire from the plantations; when they got houses of their own, they would go to them; meanwhile as that was the King's property, they thought it was no harm to come there. I told them they were mistaken; that they were still bound for six years to their several estates, and that they knew very well no one would trouble them if they were in their houses. They said they could not be bound; the King had freed them, and they could not be bound. I told them then that they seemed to disbelieve what I said to them in my sermon on the 1st of August, in which I had told them they were to be bound apprentice for six years, working 7½ hours a day in each day. Fothergill and Damon were there at this time. There was a spokesman speaking for the rest, but not Damon or Fothergill. He said, we do not disbelieve you; you will read the paper they give you, but they give you the wrong paper; Mr. Bean give you his own paper. I saw they

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were hard to be convinced, and I left them. The churchyard is not inclosed; it once was. There was some time a habit of burying there, but it has been discontinued. I went to church the next morning at 10 o'clock; there were then about 300 people in the churchyard and about 100 in the church. I caused the bell to be rung, and the whole in the churchyard, as far as I could see, came into church; I preached a plain sermon, for the express purpose of convincing them that their meeting there was wrong. About six or seven whites were there. I never saw their conduct so orderly and so attentive as they were that morning; they listened to me with a great deal of attention. I heard on Sunday morning before service that the Governor was coming; I had heard three or four days before that the Governor was sent for; I heard it from three or four persons; I heard it from the negroes on Sunday, I think not before, but cannot be certain. On Saturday, the 2d August, after hearing a great noise at La Belle Alliance for three hours, I went over about 11 o'clock, knowing I had influence with the people, and thinking it my duty to make peace if I could; I missed the proper side line, and saw some negroes scuffling under the sick-house; I saw a white man behind the sick-house, driving some people before him, and drove them into a trench, and strike one of them. The scuffle went on amongst the negroes. I then saw Mr. Bean coming from towards the manager's house towards the place where the scuffle was, and I went into the yard itself; a great mob of 60 or 70 people was before the sick-house door, and a great noise and hubbub. I said to Mr. Bean, and said, my dear Sir, I am very sorry to see this; he said he had done all he could to quiet them. At this moment I distinguished Fothergill in the crowd, and I took him by the arm and led him away from the crowd, and two other men, Joe and Will. I talked to them, and said, call your people together under the shed, and let me speak to them; about 30 or 40 or 50 came; I pointed out the impropriety of their conduct for about 10 minutes. Fothergill called silence, and obtained it several times: at the end he said, with many others, let us go to work to oblige the parson.

Cross-examined.]—I am near 30. I borrowed these papers from the Government Secretary's office for the purpose I have used them; I gave them to the prisoners' counsel; I gave him the names of persons who could give evidence in this case; also memorandum written of what evidence I could give in this case. I was very anxious indeed to be examined as a witness in this cause, because the prisoners are parishioners of mine, and the poor of my flock have a right to look up to me. I shall be 30 in a few months. Before going to Trinity parish I resided in Nevis nearly four years, as an officiating minister of the Church of England. When I explained about the cooper, &c. I had consulted and know that my view was the view of several other persons. I believe I consulted Mr. Bean. I do not consider negroes more apt than other persons to misapprehend; I mean persons who have the same quantity of information. I know that *prædium* does not literally mean a field. I explained *prædial* as meaning field people. The impression on my mind was that Mr. Croal agreed in my interpretation. Mr. Bean's doubt as to the meaning was addressed more towards myself than the people. Some might, but many I think would not have heard it. The multitude I should think were there all Saturday night, because I heard the bell ring on Saturday night. I saw on Sunday morning I should suppose 400 to 500, at one time near 1,000. After first service nearly all went away, probably leaving not 50 people. I had two services that day; after second service not more than 50 left; they increased that evening to 400 or 500 people. I do not know they dispersed until the evening of Monday, when the Governor arrived. I was at the church four or five or six times. One time on Monday there were six or seven people in the church eating; I ordered them out, and they went out, begging pardon, and saying they meant no harm. I ordered Fothergill and another not to let any one go into the church. I asked them to take down the flag on Saturday evening when Mr. Bean was there, and some constables and the military, and they said they were sorry they could not oblige me, for if they took down their flag, Mr. Bean would hoist his, and they would be bound. I consider no violence was used to my person; on the contrary, the greatest affection that could be manifested; several of them clasped me in their arms. I went down on my knees, and requested them to go away, as I felt assured the military would fire on them, and I believed it, as I had no idea a farce was got up for them. Many of them went on their knees, and one man said the parson is here to teach us about Jesus Christ, and not to talk about work; take him up in your arms, and take him away. They lifted me up and carried me about eight or ten yards, when I commanded them to put me down, and they did so. The word command may be too absolute, but I do not consider I entreated. I said put me down, and they did so; I do not think I gave them any reason for wishing it. I might have said that Mrs. Duke was ill and might be alarmed, but I do not remember it. I was quite the reverse of collected; I could not be so, when I heard my flock was going to be fired on. I consider their conduct to me proceeded from affection. At La Belle Alliance, after my conversation with the negroes, they moved off towards the field. Mr. Bean told me he had, with Captain Coleman, tried to quiet them; he had sent for the troops, and he ordered them to their work; they said, we will go to work to oblige the parson. Two men came to me and said, we were going to our work, but the manager has ordered us to be locked up. Mr. Bean called out for the manager. I said to the people, come, my friends, I will lead you to the field myself, and I marched forward. I suppose about 20 or 30 moved off towards the field. I saw the manager go to two negro people, and putting his face close to theirs, and said, I order you to your work, contrasting it with their words of going to work to oblige the parson. The two were among the Belle Alliance people. The manager's name is Bailey; he was ostensibly manager. This was in the middle of the day, nearly 12.

I do not know if they had worked that day; they did not say they had done their work; they gave me to understand they had come to learn from the manager what they were to have for their work, and that they thought the manager might well have spent that day in making arrangements with them. On the manager giving that order, there was a fresh excitement, and they said, "we won't be bound." I should say the man Fothergill, the prisoner, had great influence, and Joe, and Will and little Peter. It was before the peremptory order of the manager that Joe and Will told me that the manager had ordered them to be locked up. I could have led them to work, but how they would have worked I cannot say. I do not know how the scuffle arose which I saw on La Belle Alliance. I was alarmed at the time I went there, not much; I saw things growing up, and I did not see how it would end. I was not so agitated as not to have my cool and collected senses about me. I went to Hampton Court, at the request of the high sheriff, Thursday the 7th; it is in Trinity parish. I found the people there not at work, but in their houses. On Wednesday the 30th July, I told my congregation from the desk that I understood they meant to make a rout or noise on the 1st of August; that if they meant it, it was wicked, and if they put it into effect, they would have soldiers among them with bayonets and bullets. I related this to John Austin, a special magistrate, a few days before I said so; he considered it very advisable. I do not remember I ever used those words; but I said at Hampton Court to the high sheriff, "that nothing but the bullet and the bayonet would now do."

On the 1st August my text was 8th chapter of St. John, 86th verse: "If the Son, therefore, shall make you free, you shall be free indeed." On 3d August, 5th Matthew, 9th verse: "Blessed are the peace-makers," &c. I referred the employers and proprietors to the 12th chapter, 1st Kings. Some few of the apprenticed labourers can thumb out a chapter; it does not deserve the name of reading really.

John Hart.]—I am clerk and catechist in Trinity parish. I know Plantation Belle Alliance.

William Jones.]—I belong to Belle Alliance. The people on Belle Alliance had hogs on the 1st of August. After the people would not go to work on Saturday after six o'clock, the manager locked them up. Mr. Bean came over on Saturday at 12 o'clock, and brought constables from Regina. Mr. Bean spoke to the people. I saw some dead pigs on Sunday at the people's doors; saw the people cleaning them; saw none dead in the sty; cannot say how many; perhaps might see two or three dead. I did not see 20 dead pigs.

Cross-examined.]—The hogs always run about the whole building loose; they belong to all the negroes.

By the Court.]—The hogs always run about the cane pieces then, and the manager obliged to send to kill them.

Arrindell (in reply).—Nat proves incitement by Damon. I summed up at considerable length. I stated that in my opinion all the Dutch authorities on the Lex Julia de Vi Publica, and that law itself, left the punishment to the discretion of the court, if the parties should be found guilty of the crime alleged. Mr. Justice Firebrace concurred in this opinion. Mr. Justice Willis doubted, and should give no opinion on the law, but placed on the minutes some remarks as to the sentences he should recommend.

SENTENCES by the Court.—(Dissentient Mr. Justice Willis, in each.)

Damon, death.—Frederick, transportation for life.—Fothergill, transportation for 14 years.—Adonis and Chance, 200 lashes each, and one month's imprisonment.—Billy and Peter, 100 lashes each, and one month's imprisonment.

(A true extract.)

Charles Wilday, Registrar.

Enclosure 4, in No. 4.

ELEVENTH CRIMINAL SESSION.

Demerara and } IN the Honourable the Supreme Court of Criminal Justice in and for
Essequibo, to wit.} the District of Demerara and Essequibo, in the Colony of British
Guiana. William Arrindell, His Majesty's Attorney-general in and for the Colony of
British Guiana, Ratione Officii, versus William, an apprenticed labourer, in the employ of
Theobald Fetherston.

His Majesty's attorney-general in and for the Colony of British Guiana, ratione officii, giveth the court here to understand and be informed, that before and at the time of the committing of the offence and crimes hereinafter mentioned by William, an apprenticed labourer, in the employ of Theobald Fetherston, late of the parish of the Trinity, in the district of Demerara and Essequibo, in the Colony of British Guiana, and within the jurisdiction of the Honourable the Supreme Court of Criminal Justice of said district, divers

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apprenticed labourers, of and belonging and attached to plantations situate, lying and being in the parish aforesaid, but the names of which apprenticed labourers are to the attorney-general as yet unknown, had improperly and illegally refused to work for and in the service of their employers without being paid hire and wages for the work and labour to be by them done and performed, and had moreover illegally declared and asserted and insisted that they were free, thereby meaning that they were liberated and exempted from being restrained and compelled by law to the performance of the work and labour which by the law they, as such apprenticed labourers, were bound to do and perform. That the said William, well knowing the premises, but being a person of a depraved, impious and disquiet mind, and of a seditious disposition and contriving, and maliciously, turbulently and seditiously intending to disturb the peace and common tranquillity of our Lord the King and of this Colony, and to excite the aforesaid apprenticed labourers, subjects of our said Lord the King, to sedition against His Government in this Colony, did, on the 10th day of August, in the fifth year of the reign of our Sovereign Lord William the Fourth, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, in the presence and hearing of the said apprenticed labourers, liege subjects of our said Lord the King, unlawfully, wickedly, maliciously and seditiously speak, utter, and with a loud voice publish and declare, amongst other things, of and concerning the illegal refusal of the said apprenticed labourers to work and labour as aforesaid, and of and concerning the illegal declaration and assertion of the said apprenticed labourers that they were free, as in the introductory part of this indictment set forth, mentioned and explained, and of and concerning the laws of this Colony in such case made and provided, these false, scandalous and seditious words following; that is to say, What is your right, you have a right to take, (thereby meaning that the said apprenticed labourers had a right to refuse to work and labour for and in the service of their employers, and were authorized by law, and that it was lawful for them to persist in such refusal, and to support such refusal by force of arms). This book (meaning thereby the Holy Bible, upon which he the said William then and there placed his hand) tells you (meaning the said apprenticed labourers, subjects of our said Lord the King), and God tells you, that if anything belongs to you, and you do not get it by good words, you must take it by force (thereby meaning that the said apprenticed labourers were permitted and enjoined by the laws of God, and were bound to oppose the Government, and resist the laws of this Colony by force of arms), to the great scandal and contempt of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity. And the attorney-general aforesaid giveth the court here further to understand and be informed, that the said William, being such wicked and evil-disposed person as aforesaid, and further wickedly, maliciously and seditiously devising and intending as aforesaid, did afterwards, to wit, on the day and year aforesaid, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, in the presence and hearing of divers other liege and faithful subjects of our said Lord the King then and there present, maliciously, seditiously and wickedly utter, and with a loud voice pronounce, speak and publish, amongst other things, of and concerning the illegal refusal of the apprenticed labourers to work and labour for and in the service of their employers, as in the introductory part of the first count of this indictment is set forth and stated, and of and concerning the illegal declaration and assertion of the apprenticed labourers that they were free, as also set forth and explained in the introductory part of the first count of this indictment, these other false, scandalous, malicious and seditious words following; that is to say, What is your right, you have a right to take (thereby meaning that there was no necessity to have recourse to the law of the land to ascertain and support any rights, but that each and every individual was justified in the illegal use of brute force and violence to obtain and keep what might appear to him and them to be right). This book (thereby meaning the Holy Bible, on which he the said William then and there placed his hand) tells you (meaning the said last-mentioned liege subjects), and God tells you (meaning the said last-mentioned subjects), that if anything belongs to you, and you do not get it by good words, you must take it by force (thereby meaning that the said last-mentioned apprenticed labourers, liege subjects of our said Lord the King, were of right exempted from working and labouring for and in the service of their employers, could not be compelled by law so to work and labour, were right in their refusal so to work and labour, and were justified and acting legally, and in accordance with the laws of God, to support and insist upon such refusal by force of arms), to the great scandal of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity. And the attorney-general aforesaid giveth the court here further to understand and be informed, that the said William, being such wicked and evil-disposed person as aforesaid, and further wickedly, maliciously and seditiously devising and intending as aforesaid, did afterwards, to wit, on the day and year aforesaid, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, in the presence and hearing of divers other liege and faithful subjects of our said Lord the King then and there present, maliciously, seditiously and wickedly utter, and with a loud voice pronounce, speak and publish, amongst other things, these other false, scandalous, malicious and seditious words following; that is to say, What is your right, you have a right to take (thereby meaning that there was no necessity to have recourse to the law of the land to ascertain and support any right, but that each and every individual was justified in the illegal use of brute force and violence to obtain and keep what might appear to him and them to be right). This book (thereby meaning the Holy Bible, on which he the said William

William then and there placed his hand) tells you (meaning the said last-mentioned liege subjects of our said Lord the King), and God tells you (meaning the said last-mentioned subjects), that if any thing belongs to you, and you do not get it by good words, you must take it by force (thereby meaning that the said last-mentioned apprenticed labourers, liege subjects of our said Lord the King, would be justified, and acting legally and in accordance with the laws of God, to raise open war and rebellion in this Colony, and to oppose by force of arms the just and due administration of the laws of said Colony), to the great scandal of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity. And His Majesty's attorney-general aforesaid giveth the court here further to understand and be informed, that the said William, being a person of an evil, seditious and turbulent disposition, and maliciously intending and endeavouring to disturb the tranquillity, good order and government of this Colony, and to endanger the persons and property of a great number of His Majesty's quiet and peaceable subjects, did, on the first day of August, in the year aforesaid, and on divers other days and times between that day and the 12th day of the said month of August in that year, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, wickedly and maliciously intend, devise and endeavour, as much as in him lay, to raise and create insurrections, riots and tumults within this Colony, for the disturbance of His Majesty's peace, and to the great terror and annoyance of his liege and peaceable subjects. And that the said William, in prosecution of his said wicked intention and purpose, and for the effecting and accomplishing thereof, did on the said 1st day of August, in year aforesaid, and on the said other days and times, at the parish aforesaid, and in the district aforesaid, and within the jurisdiction aforesaid, with force and arms unlawfully, wickedly and maliciously incite, encourage, and as much as in him lay, endeavour and labour to persuade, instigate and prevail on William Jones and Benny, apprenticed labourers, attached to plantation La Belle Alliance, in the parish aforesaid, and John, Dicky, Leander, Sammy and Charles, apprenticed labourers, attached to plantation Land of Plenty, in the parish aforesaid, on July, an apprenticed labourer of Plantation Henrietta, in the parish aforesaid, and on divers other liege subjects of our said Lord the King, whose names to the attorney-general aforesaid are as yet unknown, inhabiting in the said parish of the Trinity, in the district aforesaid, and within the jurisdiction aforesaid, and in the neighbourhood of the same, with force and arms unlawfully, riotously and tumultuously to assemble and gather together to disturb the peace of our said Lord the King, and to injure and annoy a great number of the peaceable subjects of our said Lord the King in their persons and properties; and that by means and in pursuance of the said wicked instigations and endeavours of the said William, a great number of persons, to the number of 200 and more, to the attorney-general aforesaid as yet unknown, afterwards, to wit, on the 9th day of the said month of August, in the year aforesaid, with force and arms, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, riotously, routously and tumultuously assembled and gathered together to disturb the peace of our said Lord the King, and being so assembled and gathered together, did then and there unlawfully, riotously, routously and tumultuously continue together in a riotous and tumultuous manner for a long time, that is to say, for the space of three days the next following, and during all that time committed many great, violent and enormous outrages, in breach of the peace of our said Lord the King, to the very great terror, disturbance and grievance, not only of many of his said Majesty's quiet and peaceable subjects then inhabiting and residing there, but also of all other of his said Majesty's quiet and peaceable subjects then and there passing and repassing in and about their lawful affairs and business, in contempt of our said Lord the King, in open violation of the laws, good order and government of this Colony, to the evil and pernicious example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity. And His Majesty's attorney-general aforesaid giveth the court here further to understand and be informed, that the said William, being such person as aforesaid, and unlawfully, maliciously and wickedly devising, intending and endeavouring again to disturb the peace of our said Lord the King, and to cause other insurrections, riots, and tumults within this Colony, to the great terror, annoyance and disturbance of His Majesty's liege and peaceable subjects, did afterwards, to wit, on the 10th day of the said month of August, in the year aforesaid, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, wickedly and maliciously incite, stir up, and as much as in him lay, endeavour and labour to persuade a great number of other liege subjects of our said Lord the King, whose names to the attorney-general aforesaid are as yet unknown, with force and arms, unlawfully, riotously and tumultuously to assemble and gather together to disturb the peace of our said Lord the King, and to terrify, annoy, disturb and injure many other of His said Majesty's liege, peaceable and quiet subjects, in contempt of our said Lord the King, in open violation of the laws, good order and government of this Colony, to the evil and pernicious example of all others in the like case offending, and against the peace of our Lord the King, his crown and dignity.

(signed) *William Arrindell*, Attorney-general, R. O.

The prisoner William pleaded not guilty.

The Court unanimously finds the prisoner guilty on the two last counts of the indictment.

His Honour the Chief Justice; His Honour J. W. Willis, First Puisne Judge; His Honour S. Firebrace, Second Puisne Judge; Mr. J. E. Le Jolle, Assessor; Mr. W. L. Savory, ditto; Mr. R. Buchan, ditto.

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The court is unanimous on the sentence.

The court condemns the prisoner William to be transported beyond seas to His Majesty's Colony of New South Wales, there to remain and be kept to hard labour for a period of 14 years.

Thus done at the 11th session of the Honourable the Supreme Court of Criminal Justice, held at the Court House, Guiana Public Buildings, George Town, Demerara, this 30th day of September 1834.

(signed) Charles Wray, C. J.
John Walpole Willis, J.
Samuel Firebrace, J.
J. E. Le Jolle.
W. L. Savory.
R. Buchan.

By the Court,
(signed) Thomas C. Bagot, Secretary.

30 September 1834.

WILLIAM, 14 years' transportation. I cordially concur with the court in this sentence. I consider that the prisoner has in great measure been the cause of that misery which has been inflicted on the wretched people who have been before the court; it is just therefore that he should participate in the punishment. A crime of this nature was not contemplated by His Majesty's Government in the regulation for apprenticed labourers.

(signed) J. Walpole Willis,
First Puisne Judge of British Guiana.

A true copy, quod attestor,
Charles Wilday, Registrar.

ELEVENTH CRIMINAL SESSION.

EXTRACT from the CRIMINAL NOTE BOOK of his Honour the Chief Justice of the Supreme Court of Demerara and Essequibo.

Tuesday, the 30th September 1834.

(After Prayers.)

William Arrindell, His Majesty's Attorney-general in and for the Colony of British Guiana. Ratione Officii, versus William.

Attorney-general:—Sedition. 127. Art. of Emp. Cha. V, referred to in Van der Lind, page 319: punishment, either hanging or transportation, or flogging.

Matthæus de Criminibus Lex Majestate: the same.

Francis Greenwich Bailey.—I am manager of Belle Alliance, where I reside. I remember the Ordinance for the government of apprenticed labourers being published before the 1st of August, to take effect on that day. It was explained to the apprenticed labourers in the parish, Richmond, Belle Alliance and Henrietta, all in the Trinity and adjoining. I was present when it was explained, about the 28th or 29th July, for the first time, by Captain Coleman, Mr. Bean and myself. Mr. Bean is a magistrate; Captain Coleman a special and general magistrate, and senior justice of the peace. Were several hours in explaining to them. I understand the negro character well, and I am perfectly certain they understood me. They seemed to be very doubtful as to its being fact; and some of Mr. Bean's people frankly said they did not consider it fact or true; they said they did not consider that was law. It was explained again on Friday the 1st August. The same dissatisfaction and disbelief was then shown; they said they considered they were free; they said they did not believe that part about their apprenticeship. On the 2d I explained the law myself to our own people, and I am certain all were present. After this, on Friday the 8th, they refused to work, saying they were free; that the parson had told them in the church they were as free as the sun, and that the Governor's Proclamation had told them that they were as free as any white man after the 1st of August. The disturbance began on the 8th, and continued until the Monday following. On Saturday the 9th, Sunday the 10th, and Monday the 11th, I saw assemblage of people in the churchyard. I was amongst them three times, and passed by them repeatedly; they had flags and flag-staffs displayed. Mr. Bean, a magistrate, addressed them twice, and ordered them to disperse in the King's name; they said they were free, and would not work without hire. I know the prisoner; did not see him there.

Thomas Coleman.—I am senior special magistrate in Trinity parish, and a general magistrate and justice of the peace for this Colony. I, in my official capacity, explained to the apprenticed labourers in my district the Ordinance relating to apprenticed labourers for the first time on the 28th July last. I summoned apprenticed labourers at each of the estates to meet me at one estate, and I desired the managers to select the most intelligent man from each. I have reason to believe that such came in the proportion of about two per cent. of the population. I explained the Ordinance to them, and referred to the Act of Parliament to prove to them it was the King's law, which some of them seemed to doubt. I directed them to go to their several estates, and to promulgate those laws and those explanations

nations to all their fellow-labourers. I explained the law particularly to the people on Richmond on the 1st of August; again to Richmond and Belle Alliance on the 2d of August, and again on the 4th of August; also to the people at Lima on the 3d of August. I believe I was two hours in trying to convince them it was the law of the King, and not made here; because some had expressed to me they suspected it was made in this country, and not a law sent out from England. I explained it at Coffee Grove the 5th of August, on Hampton Court on the 5th or 6th. These estates are all within my district, and in the parish of Trinity. At first they only seemed to doubt the truth of what I said, but were very orderly for the first two or three days; but on my going to Lima they were very boisterous, (that was on the 3d), and would hardly listen to me; and on the 5th and 6th, at Coffee Grove and Hampton Court, they were exceedingly violent, and declared that it was not the law, and if it was the law they would not have it. At Coffee Grove, in particular, some of the most intelligent men came forward and declared they were free, and would not work unless they were paid; that the parson had told them they were free, and that the Governor told them long long ago (to use their expression,) that they would be free on the 1st of August as any white men. He could not go back from his word. The Coffee Grove people said at first they would not work at all but for wages; but on my explaining to them the liberal provision that had been made for them by the same law, they said they would work two hours in the day to pay their master for their houses and provisions; that they thought was ample. I was ill on the 9th, 10th and 11th of August.

John Halloway Duke.—I am rector of Trinity parish in this Colony. Part of the Ordinance was explained on the 2d of August by Mr. Austin, Thomas M'Coy, both special magistrates. I myself told them they were to be apprenticed labourers for six years, and to work for seven and a half hours a day for that time; but I did not read the law. I told various apprenticed labourers this at various times. I told them the same thing in church. I told some labourers from the Belle Alliance on the 7th August at my house. I think they then said it was Mr. Bean's law, and not the King's law; but won't be very positive. 1st of August 1834, I explained that law in my sermon. I explained to them at Hampton Court. There was a great deal said by the people, and the impression on my mind was they did not believe me. I told them I had heard they had said I had given a different version, and they denied it. They said the King had freed them. I have spoke only of apprenticed labourers of Trinity parish.

Cross-examined.]—I cannot say I remember making any remark to them touching a sum of money paid by the people of England for them. They pointed out no passage that made them free, that I can remember. I remember one man at Hampton Court saying that the first words he understood in my sermon was, that he was free—he was free indeed. I think that impression might have been made from some words I used from the pulpit; the words were in the text; but I believe I quoted the text in the sermon. The text was, "If the Son therefore make you free, you shall be free indeed." The sermon is published. I have it not about me.

July.—I am an apprenticed labourer of Henrietta, next to the Richmond. I am sick-nurse. I go to church. I know the prisoner. I was at the Trinity church on Sunday the 10th of August; I saw the prisoner there. I heard him say, (he was speaking a great deal, and had a book by him,) he said, "God say by what is in this book, if you don't get it by good means you must take it by force." I asked him if he was a freeman, he told me yes. I asked him who give him free; he told me his mother bought him and gave him free. I asked him where was his mother; he said his mother was in town, and got house and land; and he went away from me. He was a distance from me. It was a Bible he held in hand.

Cross-examined.]—I saw it was a Bible; prayer-books and psalm-books were there; they are smaller. I know the book itself.

Jubba.—I belong to Belle Alliance. I know the prisoners. I saw William the same Friday our people were setting down in the house. I laid down my work, and was on the dam. William came up, and I asked where he came from; he said from town. I asked him what he had, and he said soldiers were then at Hampton Court; they were coming along to every place, and as they got on each bridge they were to fire the gun and beat the drum, and cry out, "Hurrah! now you are bound." He was passing; he kept talk as he passed; he was on foot.

Charles.—I am an apprenticed labourer, plantation Land of Plenty. I know the prisoner; I saw him at a blacksmith's shop about a fortnight before he was taken up. He told me he was his own man now, and those who sought for it might get it—freedom.

William Jones.—I am apprenticed labourer of the Belle Alliance. I am a constable. I remember the 9th, 10th and 11th August. I know prisoner; his name William. I saw him on Friday before the 9th. I heard him say a man called Benny, was the prisoner said "what, Benny, people can't believe what Mr. Bean tell them; said it is not the law," (the negroes stopping at home on Friday). He said, "you say Mr. Bean people working to-day, and to-morrow not going to work, unless the people know what they are to work for; that people in town were as free as the sun." I said to Benny, what kind of man is this man? the prisoner heard me; the prisoner said this is not a place for a freeman to stop in. I say Mr. Bean and the parson had explained the law, and there could be no better person to do it than they. He was then going into the negro yard, and I did not wish him to go there

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there to tell the people anything. He said the people who worked were bloody fools, because the people in town were as free as the sun; he said the King had made them free. I heard this at the blacksmith's shop on plantation La Belle Alliance. He said to-morrow and Saturday Richmond people not going to work; Richmond people not work on Saturday. I met him again on the bridge in the middle of the people, the bridge between Richmond and La Belle Alliance; this was on Saturday the 9th. He was sitting on the bridge; plenty of people with him. He was speaking to the people, but I did not hear.

Cross-examined.]—I did not know William before this. I don't know where he came from. He told me on Friday the people would not work on Saturday.

Benney.—I am apprenticed labourer on Belle Alliance, and a constable. I know prisoner. I remember the disturbance on the 9th, 10th and 11th August. I saw William the Friday before the 9th at Belle Alliance blacksmith shop. William Jones was there when the prisoner said Mr. Bean people are working Friday; they would not work Saturday; they would not work for what their master was going to give them. William Jones tell him that was not a place for a freeman to stop. Prisoner was then going into the negro yard. William Jones told him he must watch him. Prisoner said all the people in town was as free as the sun; King give them free; said people was damned fool to work; all the people on the coast I understood. I was sent to arrest William; I found him at Richmond; I took hold of him. A man named Adam told me I must loose him. He said prisoner had been on that estate for a week. I told Adam I had orders to take him up. He would not hear what I say, and loosed the man; this was the same day he had been talking to me at the Belle Alliance.

Leander Austin.—I was at the churchyard on Sunday the 10th of August. I know the prisoner perfectly well, and had orders to take him up. I did, with Dicky, John and Sammy, apprenticed labourers attached to Land of Plenty. I can read and sign my name. After taking him up, we tried to carry him away; but after we got him out of the gate the people came and rescued him. After he got away, he said, you Land of Plenty negroes, you damned rascals, the Governor has made every person in town free, and white people here wish to cheat them out of their freedom, and you join them. At that time there was 800 or 900 people assembled, perhaps more.

Cross-examined.]—I saw July, of Henrietta, in church; I saw July there before service commenced. I left the church immediately after service. Prisoner was called out by a man with me, Dicky. I went out before the prisoner; he was called out directly after.

John.—I am apprenticed labourer of Land of Plenty, and am a constable. I remember the disturbances. I know prisoner; he has been employed by Mr. Goring and Mr. Fetherston. I saw him at church on the 10th of August. I had orders to take him up. I took him to the church gate. I heard a woman say, what, you all going to stand still and let them carry away that man, who has come here to tell us the truth. A great many people came and rescued him. After that he ran a few yards, and said, you Land of Plenty people, you are damned rascals; that the Governor had made all the people free, and you join the white people here to make them fools.

Cross-examined.]—I know July; cannot say I saw him that day. I saw him in church, and having my orders I took him after church in the churchyard, about five or six minutes after service. The three constables came out of the church before I did. The prisoner went out of the church before I did, and I followed. I did not hear the prisoner make use of particular language after service was over, nor do anything.

(I summed up.)

(A true extract.)
 Charles Wilday, Registrar.

Enclosure 5, in No. 4.

ELEVENTH CRIMINAL SESSION.

Demerara and } IN the Honourable the Supreme Court of Criminal Justice in and
 Essequibo, to wit. } for the District of Demerara and Essequibo, in the Colony of
 British Guiana. William Arrindell, His Majesty's Attorney-general, in and for the
 Colony of British Guiana, Ratione Officii, *versus* Bob, Sandy, Homer, Cæsar, Laurence,
 and Sam, Apprenticed Labourers.

William Arrindell, His Majesty's attorney-general in and for the Colony of British Guiana, racione officii, giveth the court here to understand and be informed, that Bob, an apprenticed labourer, of and attached to plantation Lima, in the parish of the Trinity, in the district of Demerara and Essequibo, in the Colony of British Guiana, and within the jurisdiction of the Honourable the Supreme Court of Criminal Justice of said district; Sandy and Homer, apprenticed labourers, of and attached to plantation Exmouth, in the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid; and Cæsar, Laurence and Sam, apprenticed labourers, of and attached to plantation Richmond, in the parish

parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid; together with divers other evil-disposed persons, to the number of 300 and more, to the attorney-general unknown, did on the ninth day of August in the year of our Lord 1834, and in the fifth year of the reign of our Sovereign Lord William the Fourth, with force and arms, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, riotously, and tumultuously assemble together, to the disturbance of the public peace. And the said Bob, Sandy, Homer, Cæsar, Laurence and Sam, and the said other persons to the attorney-general aforesaid unknown, being so unlawfully, riotously and tumultuously assembled together, to the disturbance of the public peace as aforesaid, afterwards and whilst they were so assembled as aforesaid, to wit, on the day and year aforesaid, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, one Charles Bean, esq. (then being one of the justices of our said Lord the King, assigned to keep the peace of our said Lord the King in and for the district aforesaid, in the Colony aforesaid), as near to them the said Bob, Sandy, Homer, Cæsar, Laurence, and Sam, and the said other persons to the attorney-general aforesaid unknown, so unlawfully, riotously and tumultuously assembled as aforesaid, as he the said Charles Bean could then and there safely come, did then and there command and cause to be commanded silence; and that the said Charles Bean after that did then and there, as near to them the said Bob, Sandy, Homer, Cæsar, Laurence and Sam, and the said other persons so assembled as aforesaid, as he the said Charles Bean could then and there safely come, with a loud voice, in the King's name, (thereby meaning in the name of our said sovereign Lord William the Fourth) require and command the said Bob, Sandy, Homer, Cæsar, Laurence and Sam, and the said other persons to the attorney-general aforesaid unknown, immediately to disperse themselves, and peaceably to depart to their respective estates, or to their lawful business, upon pain as the law directed. And the attorney-general aforesaid giveth the court here further to understand and be informed, that the said Bob, Sandy, Homer, Cæsar, Laurence and Sam, and the said other persons, to the number of 300 and more, to the Attorney-general aforesaid unknown, being so required and commanded by the said Charles Bean, the justice aforesaid, to disperse themselves and peaceably to depart to their respective estates, or to their lawful business, did then and there, to the number of 300 and more, with force and arms, notwithstanding the said requisition and command so made as aforesaid, feloniously, unlawfully, riotously and tumultuously remain and continue together by the space of three days after such requisition and command so made by the said Charles Bean, as and being such justice of the peace as aforesaid, in contempt of our said Lord the King and his laws, to the great disturbance and terror of the quiet and peaceable subjects of our said Lord the King, to the evil example of all others in the like case offending, and against the peace of our said sovereign Lord the King, his crown and dignity. And His Majesty's attorney-general in and for the Colony aforesaid, giveth the court here further to understand and be informed, that the said Bob, Sandy, Homer, Cæsar, Laurence and Sam, together with divers other evil-disposed persons, to the number of 300 and more, to the attorney-general aforesaid unknown, on the said ninth day of August, in the year aforesaid, with force and arms, to wit, with flags and colours erected, hoisted and flying, and with sticks, staves and other offensive weapons, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, riotously and routously, did assemble and gather together to disturb the peace of our said Lord the King; and being so assembled and gathered together armed, and with flags and colours erected, hoisted and flying, as last aforesaid, did then and there unlawfully, riotously and routously make a great noise, riot and disturbance, and did then and there remain and continue with flags and colours erected, hoisted and flying, and armed, as last aforesaid, making such noise, riot and disturbance for the space of two days and more then next following, to the great disturbance and terror, not only of the liege subjects of our said Lord the King there being and residing, but of all other the liege subjects of our said Lord the King then passing and repassing in and along the King's common highway there, in contempt of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity. And His Majesty's attorney-general in and for the Colony aforesaid giveth the Court here further to understand and be informed, that the said Bob, Sandy, Homer, Cæsar, Laurence and Sam, together with divers other evil-disposed persons, to the number of 300 and more, to the Attorney-general aforesaid unknown, did on the said 9th day of August, in the year aforesaid, with force and arms, to wit, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, riotously and routously assemble and gather together to disturb the peace of our said Lord the King, and being so assembled and gathered together, did then and there unlawfully, riotously and routously make a great noise and disturbance, and then and there remain and continue making such noise, riot and disturbance for the space of two days and more then next following, to the great disturbance and terror, not only of the liege subjects of our said Lord the King there being and residing, but of all other the liege subjects of our said Lord the King then passing and repassing in and along the King's common highway there, in contempt of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our Lord the King, his crown and dignity.

(signed) . *William Arrindell*, Attorney-general. R. O.

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Bob pleaded not guilty.
Sandy pleaded not guilty.
Homer pleaded not guilty.
Cæsar pleaded not guilty.
Laurence pleaded not guilty.
Sam pleaded not guilty.

The court unanimously finds all the prisoners guilty, with the exception of the words "sticks and staves" in the third count of the indictment.

His Honour Charles Wray, Chief Justice; His Honour John Walpole Willis, First Puisne Judge; His Honour Samuel Firebrace, Second Puisne Judge; Mr. George Booker, Assessor; Mr. Charles Grant, Assessor; Mr. W. L. Savory, Assessor.

Bob	-	-	His Honour the Chief Justice	-	-	Transportation for 14 years.
			His Honour the First Puisne Judge	-	{	Six months' imprisonment and hard labour.
			His Honour the Second Puisne Judge,			Transportation for 14 years.
			Mr. George Booker	-	-	ditto.
			Mr. Charles Grant	-	-	ditto.
			Mr. W. L. Savory	-	-	ditto.
Sandy, Homer, Cæsar, Laurence and Sam.	}		His Honour the Chief Justice	-	-	{50 lashes and one month imprisonment.
			His Honour the First Puisne Judge	-	{	Three months' imprisonment and hard labour.
			His Honour the Second Puisne Judge		{	50 lashes and one month imprisonment.
			Mr. George Booker	-	-	ditto.
			Mr. Charles Grant	-	-	ditto.
			Mr. W. L. Savory	-	-	ditto.

SENTENCE.

The court condemns the prisoner Bob to be transported beyond the seas, to His Majesty's Colony of New South Wales, there to remain and be kept to hard labour for the term of 14 years.

The court condemns the prisoners Sandy, Homer, Cæsar, Laurence and Sam, to be imprisoned in His Majesty's gaol of this district, for the space of one calendar month, and during the period of such imprisonment to be publicly flogged in the market-place of George Town, by receiving each 50 lashes with a cat-o'-nine-tails on his bare back.

Thus done at the 11th session of the Supreme Court of Criminal Justice, held at the Court House, Guiana Public Buildings, this 30th day of September 1834.

(signed) Charles Wray, C. J.
John Walpole Willis, J.
Samuel Firebrace, J.
George Booker.
C. Grant.
W. L. Savory.

By the Court,
(signed) Thomas C. Bagot, Secretary.
A true copy, quod attestor,
Charles Wilday, Registrar.

Enclosure 6, in No. 4.

ELEVENTH CRIMINAL SESSION.

EXTRACT from the CRIMINAL NOTE BOOK of his Honour the Chief Justice of the Supreme Court of Demerara and Essequibo.

Tuesday, 30 September 1834.

(After Prayers.)

William Arrindell, His Majesty's Attorney-general in and for the Colony of British Guiana, Ratione Officii, *versus* Bob, Sandy, Homer, Cæsar, Laurence and Sam, Apprenticed Labourers.

September 30th, 1834.—Bob, Sandy, Homer, Cæsar, Laurence and Sam, Apprenticed Labourers.

The prisoners severally pleaded not guilty.

Charles Bean, esq. (sworn.)—Is a planter, residing on plantation Richmond, Trinity parish, Essequibo. Is a magistrate or justice of the peace. Remembers the riot in August last of apprenticed labourers. Riots in the churchyard began on the 9th and ended on the 11th. Went to the churchyard where the rioters were assembled; ordered and required them to leave the churchyard on the morning, and again on the evening of the 10th of August; they had flags and a flag-staff; the flags were flying on Sunday evening, the whole

whole of Monday, and believes on Saturday night. Identifies three as belonging to Richmond; believes Bob also, as belonging to Lima; Cæsar, Sandy and Laurence, the three prisoners belong to Richmond. Bob of Lima was extremely violent both in language and gesture. When I went to the churchyard on the morning of Sunday to require the rioters to disperse, I particularly observed the man who I believe to be Bob of Lima, holding up his hand to me in a menacing manner, and threatening me, saying that I had made the law to injure them, "to cut them," I think the expression was, and he was with difficulty kept quiet by the man Frederick, of Devonshire Castle; he continued noisy the whole time that I remained there. I returned again in the evening, about six o'clock, when I observed the same man conducting himself in a similar manner, and I accordingly ordered two of my constables to apprehend him; they did so, but he was rescued from them by the other rioters in the churchyard. Believes the constables were Munro and Tanner. I am sure that the man I saw in the evening and ordered the constables to arrest was the same man I saw in the morning. When they told me who he (Bob) was, I applied to Mr. Rose, of plantation Lima, to have the man Bob apprehended; he ordered it accordingly to be done; the manager said there were three Bobs, but one of them was absent; the other two were sent for and produced to me, neither of whom proved to be the prisoner; two days after I saw the prisoner at the bar at plantation Coffee Grove; I had him apprehended in the presence of the Governor, who sent him on to town. I saw the other three prisoners who I have identified, among the mob, between the 9th and 11th of August, I merely saw them among the mob; I spoke to the man Cæsar; I do not recollect seeing them in the morning; I saw them on the evening of Sunday; I saw them when I first went into the churchyard; at the beginning of the scuffle I said to Cæsar, "that after what had passed, I was sorry to see him there." He did not leave when I spoke to him. In my capacity, and in the King's name, I ordered he assembled multitude to disperse on Sunday evening; I will not swear to the man Laurence at that time. I saw the other three I have named, that is, Bob, Cæsar and Sam, there; do not recollect seeing Laurence at all there. The whole of the people were very noisy and tumultuous; there were about 50 at first, they increased to about 1,000.

Tanner (sworn.)—Apprenticed labourer of Richmond. Mr. Bean is my master; remembers being at the church with him when the people were assembled at the church; know Cæsar, Sam and Lawrence, belonging to Richmond. I know that (Bob) was there, although I do not know his name; at first Sunday evening, between four and five, his master himself called him to go to church, to make the people go out of the churchyard. I am a constable; I went. I told them to go out of the churchyard, they said "No, they would not go;" and then my master called me and the other constables to see and take down the flag; they tried all they could do, and they could not get down the flag, there were so many hands prevented us; there were five of us only. I cannot tell the number of people against us, there was a number; we tried all we could do, and could not do better, and Mr. Bean, my master, told us to stop, and we waited till six o'clock. My master spoke to a boy, I do not know to what estate the boy belonged, I believe his name is Bob; and he called all the (five) constables to come and take Bob; we all five took hold of him, and then so much, so many people, upon them, that they took him away; he (the boy) did not go away after that, he stopped there.—(*Identifies the prisoner Bob as the person.*)

Cross-examined.]—Never saw Bob before that time; never seen him since.

Adam (sworn.)—Remembers being in the churchyard, in Trinity churchyard, when the flags were flying and there was a riot on Sunday evening, with his master, Mr. Bean. I am a constable; my master ordered me to tell the people to come out of the churchyard, I told them; my master told me to take down the flag; we tried to take it down and could not, so much of people there; I was opposed by all the people that were there. I saw Cæsar there; saw Laurence, he was outside the churchyard; saw Bob there, never saw before he was in the churchyard; he was impudent to my master when he told him to come out of the churchyard. He said "he shan't come out;" my master ordered the constables to take him up; we tried to do so, we laid hold of him, but there so much people we could not; the people got him away from us constables.

Cross-examined.]—Saw Cæsar helping the other people to prevent the constables getting away the flag; saw him standing there.

Hamlet (sworn.)—I am a constable; remembers the disturbances; went once to the churchyard at 10 o'clock in the morning. First guard allowed me to get in, and when I got in, some of the first guard come and take me up, and some come from the flag-staff, and then they hoist me up and bring me back again, and leave me on the King's road; hoisted me high; Bob was there, he was one who took me up; I am sure of it. I know all the prisoners but Sandy and Homer; all those I know were there, though only Bob assisted in carrying me out.

Wm. Hale (sworn.)—Manager of plantation Exmouth. Remembers the disturbances; knows the prisoners Homer and Sandy. On Monday the 11th, about two o'clock, I was passing by the churchyard, I saw a mob and Sandy amongst them; he had not been to work since the 2d of August; he had not leave from me to be absent. Saw the flag-staff erected; did not see any colours flying.

F. G. Baillie (sworn.)—Manager of La Belle Alliance. Remembers the disturbances; knows the whole of the prisoners by sight; saw every one of them in the churchyard; saw Bob, Laurence, Sam and Cæsar there a variety of times, the other two I do not recollect to

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have seen more than twice at the churchyard. I saw the four first I have mentioned on Sunday morning, several times on Sunday and Sunday evening, and also on Monday, Sunday the 10th and Monday the 11th of August; saw the other two there on Sunday evening and on Monday. The man Bob particularly drew my attention on Sunday morning; Bob was the foremost hooting and yelling when Mr. Bean could not succeed. When Mr. Bean turned his back the people ran after him, and I turned round conceiving Mr. Bean might be in danger, and then I saw Bob the most forward; I again saw Bob on Sunday evening, one of the most active among the rabble. I can merely swear that I saw the remainder there; Bob was one of the most violent that I saw in the whole multitude.

Cross-examined.]—Knows Sam quite well; has known him for the last six or seven years; at one time when I saw Sam there, about mid-day on Sunday, there were not more than 100 people; I also saw him in the afternoon. I cannot swear positively that Sam was at the place at the particular time; Bob was very prominent among the people; could not be mistaken as to Sam being there; recollects particularly seeing Sam and Laurence there together, rather before the church service. It is usual for the negroes to be there a short time before the service begins.

For the Defence—

Mr. *Harvey* urges the testimony of the last witness as being favourable to Sam.

I summed up.

In this and another case I read the following publicly:

The Judges are all of opinion that the magistrate could legally on this occasion have used the power of the troops to disperse the mob. He had given repeated orders to disperse, which were disobeyed and treated with insult and contempt; and he would have been justified in using the power of the troops, to such an extent as circumstances might ultimately render necessary, to compel obedience, and quell so numerous, violent and dangerous an assemblage.

A true extract.
(signed) *Charles Wilday*, Registrar.

— No. 5. —

EXTRACT of a DESPATCH from the Earl of *Aberdeen* to Lieut.-Governor
Sir J. C. Smyth, dated Downing-street, 1 Jan. 1835.

No. 5.

I HAVE received your Despatches of the 12th and 18th October, reporting the proceedings of the Supreme Court of Criminal Justice, specially convened by yourself for the purpose of trying the apprenticed labourers, accused of assembling together in considerable numbers, and of riotous and seditious conduct in the Essequibo district.

In consequence of the difference of opinion subsisting between the judges who presided at these trials, respecting the liability of the apprentices to punishment under the common law, or (as it might be more accurately expressed) the Roman Dutch Law, I have thought it my duty to refer the question to the law officers of the Crown. In the absence of the Solicitor-general, I have only been able to procure the report of the Attorney-general, and by him I am informed that the judgment of the majority of the court was accurate in point of law, and that the objection raised by Mr. Justice Willis cannot be sustained. The prisoners sentenced to transportation have reached England; and the sentence will be carried into effect as soon as an opportunity offers of removing them to New South Wales or Van Diemen's Land.

From your Despatch of the 12th October, I learn, that of the 32 persons condemned to corporal punishment and imprisonment, the whole number have received His Majesty's pardon. I presume that this pardon extends to both parts of the sentence, the confinement in gaol, as well as the floggings. The reason which you have assigned for this lenity, however just in itself, would scarcely seem to sustain the practical conclusion which you deduced from it. Entirely concurring with you in deprecating severe public floggings as a mode of punishment (associated as it must be in the minds of the sufferers themselves, and of the bystanders, with recollections which cannot be too soon effaced), I must yet hesitate in adopting the opinion that the general interest of society is better consulted by a total remission of punishment in such a case as that of the rioters at Essequibo, than by permitting some at least of their number to undergo the penalty of the law. The argument, however conclusive in favour of the substitution of some other sentence, can I think hardly establish the fitness of rendering it wholly inoperative.

There is indeed one ground on which the convicts might have urged, plausibly at least, if not with perfect justice, a claim to some mitigation of the punishments to which they had been adjudged. The law respecting the duties of apprenticed labourers had very recently been explained to them by persons acting under the immediate authority of the local Government. It is not unnatural that they should so far have misunderstood the lessons thus impressed on them, as to have inferred that they were safe from any penalty more severe than

than that which the recent enactment had denounced for a concerted and riotous opposition to the law. In the result this appeared to be a fatal error; yet it was such an error as might perhaps have justified a mitigation of the rigour of the law, if the enforcement of it had not been imperiously demanded for the preservation of society from disasters of the gravest character.

BRITISH
GUIANA.

Appendix (A.)

Trial of Damon
and Others.
No. 4.

— No. 6. —

COPY of a DESPATCH from Secretary Lord *Glenelg* to Lieut.-Governor Sir *James Carmichael Smyth*.

Sir,

Downing-street, 11 June 1835.

No. 6.

MY attention has lately been directed to the case of the convicts named Frederick, Fothergill, and William, mentioned in the Earl of Aberdeen's Despatch of the 1st January last. The fourth convict, named Bob, died in the month of March last, at the Hulks at Woolwich, where the survivors yet remain.

It is evident from Lord Aberdeen's Despatch, and other information assures me of the fact, that his Lordship acquiesced in enforcing the sentences against these convicts with great reluctance. His explanation of his own view of the subject will best be given by the following quotation from the Despatch of the 1st January :

"There is," observes Lord Aberdeen, "one ground on which the convicts might have urged plausibly at least, if not with perfect justice, the claim to some mitigation of the punishments to which they had been adjudged. The law respecting the duties of apprenticed labourers had very recently been explained to them, by persons acting under the immediate authority of the local Government. It is not unnatural that they should so far have misunderstood the lessons thus impressed on them, as to have inferred that they were safe from any penalty more severe than that which the recent enactment had denounced for a concerted and riotous opposition to the law. In the result this appeared to be a fatal error; yet it was such an error as might perhaps have justified a mitigation of the rigour of the law, if the enforcement of it had not been imperiously demanded for the preservation of society from disasters of the gravest character."

When I recollect that one of the judges of the Colony participated in the error into which Lord Aberdeen here supposes these illiterate and ignorant men to have fallen, I cannot but feel that the apology they derive from it is of peculiar force. If the maxim that ignorance of the law is no excuse for transgression, must be accepted in its utmost rigour as a rule of conduct, yet still an exception can hardly be refused in favour of those who, from the cause adverted to by Lord Aberdeen, are peculiarly liable to a misconception which, at the first moment of so great a change, might have befallen persons of far higher pretensions to moral and intellectual culture than themselves.

While thus the motives for lenity which pressed upon the mind of my predecessor remain in undiminished force, the inducements which he reluctantly admitted for adopting the more rigorous course have lost much of their original weight. Since the 1st January last, the peace of the Colony appears from your reports to have been entirely undisturbed, and there is reason to hope that any great severity is no longer requisite for the public safety. If the utmost extent of punishment sanctioned by the new ordinance had been inflicted, the imprisonment of the convicts would have terminated in the ensuing autumn. Under all the circumstances of the case, I think that what they have already undergone, approaching closely as it does to that penalty, will suffice for every salutary object which the punishment of these men could answer.

I am the more induced to adopt this view of the subject, from the consideration that their offences, formidable as they were at the moment to the peace of the Colony, were unattended with any injury to the person or property of any one, and from learning that the conduct of the convicts during their detention at the Hulks has been remarkably docile, industrious and decorous. They are reported to be expert and diligent mechanics, and quiet and inoffensive men. I have naturally felt much solicitude to avoid (if compatibly with justice to society at large it could be avoided) the pain of consigning such persons to a residence in a convict population.

For these reasons, His Majesty, on my humble advice, has been graciously pleased to grant His free pardon to those convicts. They will be sent by the first convenient opportunity to Demerara, there to resume their employment as apprenticed labourers for the remainder of the term of their original apprenticeship; such being the condition on which, as has been explained to them, their pardon is granted.

I have, &c.

(signed) *Glenelg*.

M A U R I T I U S.

MAURITIUS.

— No. 127. —

No. 127.

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Major-General *Sir William Nicolay*.

Sir,

Downing-street, 18 September 1834.

Order in Council
17 September 1834,
printed in Appen-
dix (B.) No. 15.

I HAVE the honour to transmit to you the enclosed Order of His Majesty in Council, “for giving effect, in the Colony of Mauritius, to the Statute 3d & 4th William IV. c. 73, for the Abolition of Slavery throughout the British Dominions.”

Although Parliament has in this Act, as regards those Colonies which are subject to the legislative authority of His Majesty in Council, referred to His Majesty in Council the duty of supplying by local enactments all subordinate details necessary for completing the important measure of negro emancipation; yet this course was not suggested from any distrust of the legislative bodies existing in those settlements, but for the purpose of showing that the problem proposed, of regulating the relations of the apprenticed labourers to their employers and the State, admitted of solution, and that the condition upon the performance of which the right to participate in the compensation fund granted by Parliament was made to depend, was not impossible.

In order that in framing the proposed regulations, His Majesty's Government might be assisted by the experience of persons intimately conversant with the local circumstances of the respective Colonies to which those regulations were to be applied, I apprised you in my Circular Despatch of the 5th September last, that in the interval which would elapse between that date and the introduction of the system of apprenticeship, the drafts of the proposed Orders would be generally made known throughout the Colonies; and that His Majesty's Government would not only admit, but invite and weigh with all care, such observations as they might call forth, and such suggestions as any persons might be disposed to make for the improvement of their projected regulations. This plan of proceeding has been carried into execution with reference to the British West India Colonies, and it was originally intended to pursue the same course with respect to Mauritius. The execution of this intention, however, was deferred in consequence of the dissensions which were known to exist in that Colony, and especially amongst the legal authorities. It was subsequently considered that, as the Act of Parliament was not to come into operation at Mauritius till six months after it would become law in the West India Colonies, and that as in the interval the views and opinions of the local authorities in those various Colonies, some of which are in many respects similarly circumstanced with Mauritius, would be fully known and discussed, the materials and suggestions which could reasonably be desired with a view to framing an enactment suited to Mauritius, would be amply supplied without the necessity of making a special reference to the authorities of that Island.

Accordingly, the Order in Council which I now enclose is, with the exception of a few modifications, precisely similar to that which has been enacted for the Island of Trinidad. The two principal alterations consist in the discretion which is allowed, on the subjects of food and clothing, to the local authorities, to substitute for the articles specified such other articles of food and clothing as they shall consider to be equivalent. This course has been deemed necessary, because the Order in Council of the 2d November 1831 never having been in actual force in Mauritius, it is doubtful what may be the exact state of the law there on those subjects, and even whether there exists any law sufficiently clearly defined to give practical effect to the intention of the Act of Parliament. The articles of food and clothing provisionally specified in the present

SLAVERY IN THE BRITISH COLONIES.

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present Order are those fixed by the Governor and Council of Trinidad, in conformity with the discretion allowed by the Order of the 2d November 1831.

MAURITIUS.

I have only to add, that many of the details of this important measure are left to the decision of the Council of Government and yourself. I feel justified in adopting this course, not only from the almost insuperable difficulty of definitely settling such details without being actually on the spot, but also because I am satisfied, from the very favourable accounts which I have received, both from yourself and from other quarters, of the disposition of the inhabitants of Mauritius generally with respect to the great measure of negro emancipation, that the Council of Government and its individual members are prepared to address themselves to the consideration of those subjects with a full sense of their importance, in a spirit of justice towards the apprenticed labourers, and with a sincere desire to carry into execution the measures incidental to the abolition of slavery, in the manner most likely to ensure the general prosperity of the community of Mauritius.

I have, &c.
(signed) *T. Spring Rice.*

— No. 128. —

EXTRACT of a DESPATCH from Major-General Sir *William Nicolay* to Mr. Secretary *Spring Rice*, dated Mauritius, 8 October 1834.

YOU may rely on my utmost exertions to do justice to the favourable opinion you are pleased to express with regard to the course I shall pursue on the important subject of slave emancipation. As the Abolition Act will come into operation in this Colony on the 1st of February next, and no instructions having yet arrived expressive of the desire of His Majesty's Government respecting the rules and regulations referred to in the 16th clause of that Act, I purpose, on Monday next, to bring the matter before the Council of Government, in order to establish by legislative enactment such regulations as are indispensable previously to the Act coming into effect. I shall have the honour to address you upon this subject at an early opportunity.

No. 128.

— No. 129. —

COPY of a DESPATCH from Major-General Sir *William Nicolay* to Mr. Secretary *Spring Rice*.

Sir,

Mauritius, 20 November 1834.

IN my Despatch of the 8th ult. I intimated that, as the time was fast approaching when the Abolition Act will come into operation in this Colony, and that no instructions whatever had been received with respect to various rules and regulations requisite to carry the provisions of that Act into full effect, it was my intention to bring this subject, in reference to the 4th and 16th clauses, before the Council of Government.

No. 129.

The only document that I have yet seen, expressive of the opinion of His Majesty's Government upon the points alluded to, is the project of an Order in Council (dated 19 October 1833) for "British Guiana," as published in the London newspapers; and I accordingly introduced that project as a basis for legislative enactment in this Colony, subject of course to such modifications as local circumstances might require.

I am aware that considerable inconvenience may arise from the disallowance of any material parts of such enactments, after they shall have been put in force; but this is a case where there is no alternative.

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It

Ordinance
No. 11 of 1834,
superseded by
Order in Council
17 September 1834;
vide Appendix (B.)
No. 16.

It appearing to the Council that the subjects handled in the first and third chapters of the Guiana project are most immediately urgent, an ordinance in reference thereto has been passed; and I have the honour herewith to transmit a transcript of it. The remaining chapters are now under discussion.

This Island is divided into eight districts, to each of which it is proposed to allot a special justice, a sergeant, and at least ten police guards. I doubt, however, whether in some of the districts this force will be sufficient, especially as there is no militia at Mauritius.

It will also be necessary that there be a special justice and a police establishment at Seychelles, there being at present upwards of 5,000 slaves on that Island; and all the rules and regulations prescribed for Mauritius will be equally in force there.

There will be some difficulty in providing for the future management and discipline of the apprentices in some of the lesser Islands dependent on this Colony, and where the number of slaves at present is small.

I am now looking out for proper persons to be appointed police-sergeants and guards; and if unhappily the gentlemen destined to be special justices for this Colony should not arrive here by the 1st February next, I must make the best temporary arrangement in my power; but I trust this will not occur. I am likewise still in hopes that before that period, I shall receive from you specific directions which will supersede the local ordinances that, in the absence of such directions, it has been absolutely requisite to pass.

I have, &c.
(signed) *William Nicolay.*

— No. 130. —

COPY of a DESPATCH from the Earl of *Aberdeen* to Major-General
Sir William Nicolay.

No. 130.

Sir,

Downing-street, 16 March 1835.

I HAVE received your Despatch, dated the 20th November last, transmitting a transcript of an ordinance which you had passed with the advice and consent of the Council of Government of Mauritius, intituled, "An Ordinance for the purpose of dividing the Colony into districts; for the formation of special establishments of Police, ordered by the 14th article of the Abolition Act of the 28th August 1833; and for determining the formalities necessary to carry into effect the division of the Apprenticed Labourers into their respective classes, conformably to the 4th and 16th articles of the said Act."

This ordinance having been passed under an inevitable ignorance of the fact, that in pursuance of the Act of Parliament, His Majesty had already made an Order in Council for the same purpose, and that Order having been transmitted to you by my predecessor on the 18th September last, I have considered it my duty to recommend His Majesty to disallow the ordinance, the utility of the enactments of which ordinance has been superseded.

I have received the King's commands to convey to you His Majesty's disallowance of the above-mentioned ordinance accordingly.

I have, &c.
(signed) *Aberdeen.*

— No. 131. —

COPY of a DESPATCH from Major-general *Sir William Nicolay* to Mr.
Secretary Spring Rice.

No. 131.

Sir,

Mauritius, 10 January 1835.

HIS Majesty's ship *Magicienne* has this moment arrived here, on her way from India to England, and will proceed thither immediately. I will, however,

ever, write a few hasty lines to acquaint you that no instructions have yet arrived here, conveying any details for my guidance with regard to the carrying into effect the provisions of the Abolition Act, which will come into operation three weeks hence.

Local ordinances for that purpose have been passed by the Council of Government; and I have taken such preparatory executive measures as I trust will attain the object in question, in a way to meet as nearly as possible the intentions of His Majesty's Government.

I entertain a sanguine expectation that this great change will be accomplished with but little difficulty.

I have, &c.
(signed) *William Nicolay.*

— No. 132. —

EXTRACT of a DESPATCH from Sir *William Nicolay* to the Right Honourable *T. Spring Rice*, dated Mauritius, 29 January 1835.

YOUR Despatch of the 18th September last, transmitting an Order of His Majesty in Council for giving effect, in the Colony of Mauritius, to the statute 3 & 4 Will. IV. c. 73, did not arrive here until the 17th instant. It is therefore impossible to put it in force by the 1st of next month: for the provisions of that Order require to be most maturely considered, especially with regard to the various and important details left to the decision of the Council of Government; and which, for the reasons I have given in a former Despatch, cannot be done until the whole of the Order in Council shall have been translated into good French, an undertaking of no small magnitude in this Colony, where the work of the most able translator that can be found always requires most careful examination and numerous corrections, before it can be fit for publication, particularly where the subject involves technical law terms.

No. 132.

To promulgate an Order of such extreme importance, without having taken all possible precaution to ensure its correctness, might evidently be productive of serious public evil.

In the concluding part of my Despatch of the 8th October last, I signified that, in the absence of all instructions from home for establishing certain rules and regulations for carrying into complete effect the Abolition Act, it was my intention to bring that subject before the Council of Government.

And on the 20th November last, I forwarded to you a transcript of an ordinance, (No. 11 of 1834,) passed by the Council; and which, under certain modifications, was framed upon the basis of the project of an ordinance for the Colony of British Guiana, as given in the public newspapers, and which was the only intimation I had received as to the intentions of His Majesty's Government upon the subject in question.

The same principle was afterwards pursued with respect to the remainder of the Guiana project; and on the 6th instant an ordinance, nearly similar in its provisions, was passed by the Council of Government of this Colony, and ordered to be immediately printed and published for general information.

This ordinance will therefore come into operation on the 1st of next month, and will remain in force until superseded by the Order of the King in Council, after that Order shall have been duly studied and correctly prepared for promulgation.

In the meantime it is very gratifying to perceive that the Order in Council and the local ordinance are in principle the same, and that the difference between them in matters of detail appears to be but small; the transition from the one to the other will therefore be easy.

The fair transcript of the local ordinance is not quite completed, but shall be transmitted to you by the next opportunity.

MAURITIUS.

— No. 133. —

No. 133.

COPY of a DESPATCH from Major-general Sir *William Nicolay* to Mr. Secretary *Spring Rice*.

Sir,

Mauritius, 31 January 1835.

Superseded by
Order in Council
17 September 1834;
vide Appendix (B.)
No. 16.

I HAVE now the honour to transmit an authenticated transcript of the ordinance, (No. 1 of 1835,) passed by the Council of Government of this Island, for carrying into effect the statute 3 & 4 Will. IV. c. 73; upon the subject of which ordinance I wrote at some length in my Despatch of the 29th inst.

I likewise transmit transcripts of the under-mentioned ordinances:

No. 2 of 1835; a mere temporary ordinance for extending the term before granted, for the delivery of lists of slaves.

No. 3 of 1835; for amending the laws relative to runaway slaves.

No. 4 of 1835; respecting the declaration of births, marriages and deaths among apprentices.

The last two ordinances became necessary, in consequence of the approaching change from a state of slavery to that of apprenticeship.

I have, &c.

(signed) *William Nicolay*.

— No. 134. —

COPY of a DESPATCH from Lord *Glenelg* to Major-general Sir *William Nicolay*.

No. 134.

Sir,

Downing-street, 31 May 1835.

I HAVE received your Despatch of the 31st January last, enclosing four ordinances passed by yourself, with the advice and consent of the Council of Government of that Island.

The ordinance, (No. 1,) for enforcing and regulating the execution of the Slavery Abolition Act, having been superseded by the arrival in the Island of the Order made by His Majesty in Council for the same purpose, His Majesty is pleased to disallow that ordinance.

The ordinance, (No. 3), for amending the laws relative to runaway slaves, is disallowed by His Majesty for the same reason. Independently of the motive which thus forbids the confirmation of this law, I would remark that it is objectionable because it enables the employer to confine the prædial apprenticed labourer to the plantation throughout the whole of every day; and would thus render it impossible for the apprentice to hire out his services during his own leisure, to any person who might be disposed to pay the highest wages for them. It is at variance with the spirit of the Slavery Abolition Act, and of the subsidiary Order in Council, thus to secure to the employer a monopoly of the extra services of his apprentice.

The ordinance, (No. 4), respecting the marriages of apprenticed labourers, contains an article, No. 4, of which the sense is equivocal. I understand it however to mean, that no apprentice may marry without the employer's consent, but that, should that consent be refused on grounds which the special justice shall consider inadequate, then the consent of the justice to the marriage shall supersede the difficulty, and the ceremony shall take place. All formalities required in the marriages of other persons are to be dispensed with.

The spirit of the law which has established the freedom of the apprenticed labourers, is opposed to all regulations of this nature. There is not sufficient reason why they should not live precisely under the same marriage law as the rest of the society. The distinctions to which it is proposed by this ordinance to subject them, even if not vexatious, are at least invidious. They tend to impair that great principle of legal equality between all classes of the King's subjects, whatever their origin or colour, which it is so evidently necessary to maintain. I must further remark that restraints on the freedom of marriage, such

such as this ordinance would create, can be attended with no salutary practical consequences. An illicit connexion will of course be substituted for the conjugal union which the law prohibits; and the loss incurred on the side of good morals, will be attended with no compensatory advantage in the promotion of order and public tranquillity. For these reasons His Majesty is pleased to disallow this ordinance.

His Majesty has been pleased to allow and confirm the ordinance prolonging the term for the delivery of the lists of slaves.

I have, &c.
(signed) *Glenelg.*

— No. 135. —

MAURITIUS.

COPY of a DESPATCH from Major-general Sir *William Nicolay* to the Right Honourable *T. Spring Rice*.

Sir,

Mauritius, 3 February 1835.

AS you will naturally feel very anxious to know the effect produced in this Colony, by the "Abolition Act" just come into operation, I will write a few lines by a vessel which will sail this day for England, to acquaint you that it has commenced well. At Port Louis everything is perfectly quiet; and I have received accounts to the same effect from several of the country districts. I shall report to you from time to time upon this momentous subject.

No. 135.

I have, &c.
(signed) *William Nicolay.*

— No. 136. —

EXTRACT of a DESPATCH from Major-general Sir *William Nicolay* to Mr. Secretary *Spring Rice*, dated Mauritius, 16 Feb. 1835.

A VESSEL being on the point of sailing for England, I have to report with much satisfaction, that the new system, occasioned by the "Act for the Abolition of Slavery," continues to work well; masters and apprentices appearing content.

No. 136.

— No. 137. —

COPY of a DESPATCH from Lord *Glenelg* to Major-general Sir *William Nicolay*.

Sir,

Downing-street, 25 May 1835.

I HAVE the honour to acknowledge the receipt of your Despatch of the 16th February last; and having laid the same before His Majesty, I am commanded to express to you the satisfaction which His Majesty has experienced at the favourable report you therein make of the state of the Colony, under the changes consequent upon the abolition of slavery.

No. 137.

I am, &c.
(signed) *Glenelg.*

— No. 138. —

COPY of a DESPATCH from Lord *Glenelg* to Major-general Sir *William Nicolay*.

No. 138.

Sir,

Downing-street, 3 August 1835.

I HAVE the honour to transmit to you herewith, an Order of His Majesty in Council, dated the 31st ultimo, declaring that adequate and satisfactory provision hath been made in the Colony of Mauritius, for giving effect to an Act of Parliament, made in the 3d & 4th year of His present Majesty, for the Abolition of Slavery.

Order in Council
31 July 1835;
printed in Appen-
dix (B.) No. 17.

I have, &c.
(signed) *Glenelg.*

MAURITIUS.

— No. 139. —

No. 139.

COPY of a DESPATCH from Lord *Glenelg* to Major-general Sir *William Nicolay*.

Sir,

Downing-street, 5 August 1835.

I HAVE found upon inquiry that no transcript of a registry of slaves for 1832, or any subsequent period, has been received in this country from the Mauritius. A mere summary of returns made to the registrar in Mauritius, in 1832, has been transmitted by him to the registrar of slaves here; and from some documents now in this office, I am led to infer that proper measures were taken for completing a due registry of the slaves in the Mauritius, in the course of last year. As however there is no conclusive evidence here that such was the case, I have to request that, as soon as possible after the receipt of this Despatch, you will report to me whether and when any registry for the year 1832, or for any subsequent period, has been completed, and what was the date of the last registry, including the slaves in the Seychelles. You will also transmit to me without delay a transcript of such registry.

I feel it my duty, with reference to this subject, to call your particular attention to the 1st and 12th clauses of the Act for the Abolition of Slavery, by which it is provided that the apprenticeship shall be imposed only on those slaves who on or before the time specified in the Act were duly registered as slaves, according to the laws then in force in Mauritius; and that all slaves not duly registered as before mentioned, shall be entitled to the unqualified enjoyment of their personal freedom on the 1st February 1835.

The returns to which I have adverted have been taken by the Commissioners of Compensation, under the 45th section of the Act, as the basis of the apportionment of a share of the compensation fund to the Mauritius; but these returns, in the absence of a due registry, would not affect the personal condition of the negro, who, if not duly registered, cannot be legally subject to the term of apprenticeship, although he may have been included in the number of those in respect of whom compensation has been awarded.

It appears, moreover, that a claim has been made from Mauritius, and has been rejected by the Commissioners of Compensation, for including in the return of slaves in respect of whom compensation was to be awarded, 2,000 or thereabout, admitted not to have been returned or registered. As these slaves come clearly within those clauses of the Act to which I have referred, and consequently could not be lawfully employed as apprenticed labourers from the 1st February 1835, the day on which the Act came into operation in Mauritius. I presume that you have already taken the necessary steps for declaring them absolutely free. You will, I trust, also have taken the same steps with reference to any others who may not have been duly registered as required by the Act. Should you have omitted to adopt this course, I have to convey to you the desire of His Majesty's Government that you take immediate measures for carrying the provisions of the Act of Parliament, in the cases I have mentioned, into full effect.

I have, &c.

(signed) *Glenelg*

J A M A I C A.

(IN CONTINUATION OF CORRESPONDENCE.)

— No. 140. —

JAMAICA.

No. 140.

EXTRACT of a DESPATCH from the Marquis of *Sligo* to Lord *Glenelg* ;
dated Highgate, Jamaica, 21st June 1835.

“ SOME time ago I had the honour to transmit to you a resolution entered into at Falmouth, at a meeting where Mr. Miller was chairman, and that the four special justices of that parish had at once, of their own accord, simultaneously written to me to assure me on their veracity that there was no foundation in their districts for the resolution. I wrote a circular, therefore, to all the specials, directing them to make minute inquiries on all the estates in their respective districts as to the state of cultivation for next year, and what might be their prospects of future crop ; also whether this year’s was over or not. The result of these inquiries I have the honour to send you, and when I do so I must intreat your forgiveness for the imperfect form in which they are sent to you ; but I have been compelled to extract them all from the reports sent to me, which have been made in such different manners, and some so diffuse, as to prevent their being sent in their original shape. I could not wait to have them copied, and can assure you that the report, imperfect as it is, has cost me many more days’ hard labour than, in justice to the rest of my duties here, I ought to have devoted to it. It is my intention to add to them every day, as I receive from the specials fresh reports of the state of the properties they may have visited. You will find in this report an account of 762 estates made by 39 special justices ; and I can assure you that they are exactly in the spirit, and whenever possible, in the precise words, of the original reports sent to me. I also send you copies of the letters of such special justices as have written to me on the subject. A reference to these returns will show you that a great deal depends on management. You will see that all the properties under the charge of some of the great attorneys are forward, and that those under the charge of others are backward. One of the complainants gone home, has taken off an enormous crop at his estate this year, as reported to me ; another of the complainants, who states that the properties in St. Elizabeth’s and Westmorland will not pay their contingencies this year, and whose estate is reported in Mr. Bell’s report to be so far behind this year, has taken a vast number of the German immigrants, and has had his whole gang building houses for them, instead of cultivating the land. This is a notoriously unhealthy estate ; and finding that he lost so many from want of proper shelter and food, he was compelled to put his gang to provide them with houses. Surely the falling off of that estate can be no proof of the failure of the system. Mr. Gurley, one of the specials for St. Elizabeth’s, has reported to me that he went to visit one of the estates of Mr. Wildman, managed by Mr. Farquharson, who reported to him that his cultivation for next year was quite as forward as usual ; when, however, he asked the same question of the overseer, his reply at once was, ‘ I know very well what you are about ; you are trying to get up facts for the Governor to send home to contradict the reports of the failure of the crops, but it won’t do, you can’t succeed.’ This will serve as a sample of the feelings of the overseers at the loss of their power. Mr. Rawlinson, special for the parish of St. Ann’s, says, in one of his letters to me, ‘ This is not a sugar district ; all that is produced is by hard labour and manure.’ This is the fact in many other parishes. Mr. Bell, another special for St. Elizabeth’s, also says that it is not a sugar parish, the soil being very bad ; that it has been hired by jobbing, and that the least charge on so artificial a property must produce a serious change ; but that in the end, if the proceeds are less, the outlay will be proportionably smaller. Mr. Walsh, one of the specials, reported to me that when he named to a relative of one of the principal resident proprietors,

(D.)

(B.)

(C.)

JAMAICA.

proprietors, who was complaining that the apprentices would not be able to get off his crops in time, that he was authorized by them to offer their labour in their own time at the usual rate of wages, 1s. 8d. currency, or 1s. sterling per nine hours, he was desired to hold his tongue, and not to speak to the old gentleman about it, as it would make him angry, he having firmly resolved never to pay any wages to any of his former slaves.

I enclose herewith some memoranda I have made of conclusions I have come to, as well as the returns and letters I have before named, and have to apologize for the prolixity of the communication; but when I see attacks made on me here every day, accusing me of gross and wilful misrepresentations, and when I know that they will all be eagerly conveyed to England, I am anxious to send home the antidote, if I am able to furnish one, so as to be in time to correct the effects of the poison, which I know to be in its passage home."

(A.)

Enclosure (A.)

Enclosure (A.)

A few *Memoranda* respecting *Jamaica*; the result of some Consideration and Observation, combined with the best Information that could be procured.

1. THE quality of the sugar made this year is *bonâ fide* far superior to what has been heretofore made by night work on the majority of estates in this Island.

2. There has been by far less stock lost in this year's crop than in that of preceding years, and in many places it has been taken off by a smaller number.

3. The stock are, generally speaking, in much better condition this year than they were at the close of any former year's crop, when they have been so weak that many of them have died in consequence.

4. That the apprentices generally are evidently becoming more reconciled to the system, and work cheerfully for money hire both night and day, and that they are becoming better behaved every day.

5. That they may be expected still further to improve as soon as they begin to feel the natural impetus of education and religion, and as they get rid of the system of deceit which slavery occasioned in order to save them from oppression.

6. That several estates will exceed the present crop in the next year, and the majority will equal it.

7. That when this is not the case, it can be traced to sufficient causes, independent of the loss of labour, which of course must have considerable effect, when it is recollected that on many estates the slaves were compelled not only to work day and night as long as nature would allow of it, and in such manner as their bodily endurance would permit, for the six week days, but were often compelled to pot sugar on the Sunday.

8. That a manifest supineness has been exhibited on several plantations, by the fact that next year's crops are often estimated at much more than the present. I know of several individual instances of persons declining to put in plant canes last year, in consequence of the certainty, by anticipation, which they felt that the crop would not be taken off at all.

9. The returns I send home herewith will show that the preparations for the next year's crop have not been so entirely neglected as has been asserted.

10. That "the new system" furnished a most admirable excuse for any failures and neglects which may have taken place, and which will not therefore be attributed to their real cause.

11. My conviction is, that in many instances the opinions of individuals are much more favourable as to future prospects than they choose to allow; and I offer, in proof of it, the reluctance which has been shown in but too many instances to my getting any information upon the subject.

12. That the overseers in many, I will fearlessly say very many instances, have not given hearty co-operation to the new law, feeling themselves shorn of all their beams by its operation.

13. That many of the attorneys and managers have been so very loud in their assertions of the failure of the system, that they are now unwilling to admit the errors of their opinions.

The first prophecy was blood and destruction on the 1st of August; in this they were wrong. The second, that this scene would take place at Christmas, as it had not taken place in August; in this they were wrong. The third, that the apprentices would not work for wages; in this they were wrong, as I know of no instance where the usual wages were offered and where they were refused. The fourth was, that this crop could not be taken off; in this they were wrong, as it has been taken off in many places much earlier than usual; and if protracted in others, it has been as much from the weather, and the refusal to give wages in many instances, as from any other cause affecting the success of the new system.

14. Having

14. Having been driven from all these points, they have now created for themselves a fresh object of terror, namely, the next year's crop. On this point I have had some doubts myself all along, and therefore send the information I have received, in order that judgment may be given by others. I freely confess that the report is, on the whole, much more favourable than I ever expected.

15. That the manufacture and cultivation of sugar has been conducted on the most antiquated systems possible, and has received the least possible assistance from the modern improvements in machinery. The plough is hardly ever used; where adopted this year from necessity, it has answered completely. The cattle mills, which are so general, must be abandoned, as they work so very slowly that they cannot meet the diminished hours of labour of the field gangs.

16. That the ginger, arrowroot and coffee plantations are as flourishing as ever they were known to be.

17. That the negroes will improve, because they have done so since the 1st of August, gradually but certainly, in all parts where severity has not been practised.

That they have had very little encouragement from many of the managers.

That in the whole of the early part the number of special magistrates was quite insufficient, and this affects them more than might be at first imagined, as they show unlimited confidence in those (the great majority, I am proud to say) who treat them with true kindness.

That they passed their holidays at Christmas in an unusually orderly manner, and that there was, literally speaking, I verily believe, not 20 absentees from their labour on the 29th December; and that they worked on New Year's-day without a murmur.

That there has been as yet no increase of religious instruction or education, and very little of good example.

That the crop this year has been taken off without a single instance of resistance, and of a superior quality to that heretofore made.

That there has been less stock lost this year than usual.

That they have in most instances worked cheerfully, day and night (when allowed to do so by night), for hire, on five days of the week.

That they now dig cane holes in many parts of the Island at one halfpenny per hill, earning a dollar a day, digging 160 often in a day, when 70 to 80 was their task during slavery.

That several planters reluctantly confess that more work has been done this year than the last, and that many objections have been made to my comparing this year's work to the last, because it was notorious they did not work at all the last year.

That the amount of this year's is not therefore to be attributed to the exertions of the last year of slavery, as has been asserted. That every one confesses that things are going on, though not at all well, much better than they expected.

That there has been a singular want of uniformity in the administration of the law, which was not and could not be got over till after some months' experience of it.

That there has been a great variance in their allowances, indulgences and rates of payment.

That many have not been paid at all, but have been persuaded by the managers to give additional labour for their old allowances.

That the planters looked upon the specials with great jealousy; and it was a struggle at first in many places to maintain as many of their old rights as possible.

That many planters have openly and loudly expressed their conviction that the plan must be a perfect failure.

That many of the managers, though, thank God, not all, still maintain their former habits towards them, as far as the law allows them.

That there has been little time for the apprentices to reconcile their feelings to their former oppressors.

When all these things are recollected, and it is seen that under all these disadvantages they have behaved so well, and shown such improvement, may it not naturally be inferred that they are in a state of progressive amendment?

Thus much of the conduct of the apprentices. What now has been that of the whites? Of some of the managers I cannot speak too highly; but then they have reaped the fruit of their wisdom in the remarkable success which has attended their efforts. A reference to the reports will show what success has attended the efforts of some, and how deplorable is the state of some of the properties under the management of others, though enjoying precisely similar advantages.

On the whole, I come to the conclusion, that the perfect success of the new system during the continuance of the apprenticeship depends entirely on the conduct of the white people, and that if it fails, on them will rest the entire blame.

(signed) *Sligo.*

Enclosure (B.)

STATEMENT of the Number of Miles travelled by the Special Stipendiary Magistrates, Estates visited, and the Number where there were no Complaints.—Jamaica, June 1835.

NAMES of SPECIAL MAGISTRATES.	Week ending 4 June.			Week ending 11 June.			Week ending 18 June.			Week ending 25 June.		
	Miles travelled, per Returns received.	Estates visited.	Estates on which there were no Complaints.	Miles tra- velled.	Estates visited.	Estates on which there were no Complaints.	Miles tra- velled.	Estates visited.	Estates on which there were no Complaints.	Miles tra- velled.	Estates visited.	Estates on which there were no Complaints.
Alley, W. H. -	98	8	2	60	6	3	137	9	5	97	10	3
Baynes, E. D. -	27 ½	9	5	65	15	9	78	15	12	53	22	9
Baynes, Thomas -	72	20	6	83	18	9	45	12	3	66	19	11
Baines, Thos. J. -	42	11	7	56	13	11	40	12	11	29	7	6
Blake, Henry -	40	11	8	62	17	12	67	11	6	29	11	8
Bell, W. A. -	75	16	11	120	14	8	53	15	9	-	ill.	-
Bourne, Stephen -	51	7	5	50	7	2	44	5	-	52	7	-
Colebrooke, Thos. -	81	24	20	102	25	16	66	12	2	-	sent to Bahamas.	-
Connor, N. A. -	-	Kingston	-	-	Kingston	-	-	Kingston	-	-	Kingston.	-
Cocking, Ralph -	51	14	13	91	21	16	73	11	10	70	16	3
Cooper, R. S. -	16	5	2	31	10	8	66	17	4	-	no return.	-
Dillon, Andrew -	-	-	-	-	-	Resigned his commission.	-	-	-	-	-	-
Dunne, Patrick -	88	18	9	75	19	14	94	16	9	52	17	9
Daughtrey, John -	42	10	5	63	12	10	66	13	7	69	13	8
Davies, Thomas -	34	8	3	47	16	11	35	8	5	35	10	7
Dawson, J. K. -	36	18	12	60	27	19	38	22	10	22	10	7
Dillon, T. A. -	46	8	6	78	13	10	143	22	18	60	9	6
Eveleigh, John -	57	12	5	37	10	6	43	7	4	-	ill.	-
Edwards, Bryan -	67	14	11	125	25	19	101	18	5	124	14	2
Fitzgerald, Robert -	54	7	1	32	7	2	52	9	4	23	3	1
Finlayson, Walter -	61	17	6	66	21	16	85	29	15	83	26	17
Favier, Simeon -	20	6	-	98	24	19	81	29	21	82	22	16
Fishbourne, E. E. -	48 ½	15	11	94	25	16	42	17	9	54	15	8
Gillam, William -	53	12	9	20	7	1	-	no duty	-	-	Spanish Town.	-
Gurley, John -	59	18	13	70	18	12	60	13	6	65	13	8
Haley, Richard S. -	50	11	10	104	16	5	116	14	8	66	10	8
Hulme, John R. -	68	25	18	93	21	9	79	31	22	61	15	9
Hawkins, Charles -	51	18	14	36	10	6	40	15	11	66	25	21
Hewitt, William -	60	11	8	94	21	11	58	12	3	89	23	11
Jackson, James -	50	10	10	-	dead	-	-	dead	-	-	dead.	-
Jones, Thomas W. -	52	7	6	97	17	10	84	13	8	82	14	9
Kent, Henry -	77	19	3	76	27	12	37	23	16	75	18	6
Langrishe, R. J. -	18	12	8	116	18	14	52	11	3	-	no return.	-
Laidlaw, Henry -	81	19	17	67	13	7	80	20	12	82	18	6
Lambert, R. S. -	-	no duty	-	-	no duty	-	13	6	6	51	21	14
Lyon, Edmund B. -	57	15	10	58	17	9	49	15	6	72	15	6
Lloyd, Samuel -	114	14	10	124	19	9	116	20	11	106	12	5
M'Gregor, Donald -	41	14	7	47	17	11	32	15	9	42	16	8
M'Leod, A. N. -	22	10	5	40	14	8	48	19	11	37	8	4
Moresby, Henry -	58	15	3	-	ill	-	-	ill	-	-	ill.	-
Marlton, W. F. -	47	6	5	63	22	14	-	no duty	-	71	17	9
Nolan, James -	76	27	25	70	19	16	107	24	20	67	19	6
Norcott, William -	-	no duty	-	-	no duty	-	-	no duty	-	-	no duty.	-
Odell, John -	34 ½	11	6	59	14	6	43	11	7	48	13	5
Oliver, Thomas M. -	13	3	-	39	12	4	86	14	9	132	16	11
Pryce, Samuel -	49	21	6	55	22	15	82	32	26	65	27	20
Palmer, Andrew L. -	-	no duty	-	-	no duty	-	-	-	suspended.	-	-	-
Philp, E. D. -	79 ½	23	19	104	32	25	101	30	19	88	24	17
Pennell, R. C. -	79	9	6	79	12	7	73	11	7	60	11	8
Ramsay, William -	-	police duty	-	-	police duty	-	16	4	1	43	17	13
Rawlinson, S. -	28	8	6	86	19	9	68	22	13	83	22	11
Reynolds, John -	24	11	7	64	9	2	88	10	6	51	6	4
Sowley, W. H. -	68	13	11	100	17	8	73	13	8	50	13	5
Thompson, Robert -	-	no duty	-	-	no duty	-	-	no duty	-	-	no duty.	-
Thomas, J. R. -	-	ill	-	29	22	8	83	23	8	82	24	15
Welch, A. -	85	20	18	126	23	17	130	32	31	88	18	15
Walsh, Henry -	42	4	2	73	9	-	60	21	17	69	17	14
TOTAL -	2,643	644	420	3,484	812	501	3,323	783	473	2,891	683	389

RECAPITULATION.

	Miles travelled.	Number of Estates visited.	Where no Complaints.
To 4 June - - -	2,643	644	420
To 11 June - - -	3,484	812	501
To 18 June - - -	3,323	783	473
To 25 June - - -	2,891	683	389
	12,341	2,922	1,783

Enclosure (C.)

(No. 1.)

Enclosure (C.)

DISTRICT REPORT of Special Justice *Cocking*, St. James's.

FROM information derived from the managers and attornies of estates, respecting last year's and the present state of cultivation in this district, their letters unanimously agree in the opinion that the crops are not generally so forward in the cultivation as they were at this period last year; and that the grass pieces are also very much neglected; but they are also of opinion that if the apprentices worked as well from the 1st of August to the time the mills were put about as they are now doing, the estates would be in a more forward state.

N. B. The letters are too voluminous, or they would have been sent.

(No. 2.)

My Lord,

Home Castle, 28 April 1835.

IN answer to the letter of Mr. W. G. Nunes, of the 17th inst. (Circular, No. 2,024), requesting to know if the preparations on all the estates in this district are as forward as usual at this period of the year for next year's crop, I have to state that on no one estate are they quite so forward as usual.

I have, &c.

(signed) *Stanley Rawlinson*, S. J.

(No. 3.)

My Lord,

Rio Buene, 28 April 1835.

I HAVE the honour to enclose my weekly report; and in reply to a circular from your Excellency of 17th April last, receipt of which I beg to acknowledge, as also of circular of 16th February with instructions and sundry forms, I have to state, that after a careful examination of the different reports I have received as regards the present advancement of the preparations for next year's crop, as compared with last year's at this time, I have come to the following conclusion; viz.—That nearly all the estates in my district are considerably behind hand; and that where such is not the case, it has been at the expense of present crop, or in other words, that the mill has been stopped to enable the apprentices to work the ground for next year; whereas last year, during the months of February, March and April, both were worked at the same time; but that, notwithstanding all this, they will by the 1st day of August next be as far advanced, or very nearly so, as they were on the 1st of August last; because the apprentices are now working better and better every day; whereas during the months of June and July last year they were in a state of general excitement from some ridiculous notions which they had got into their heads, and did little or no work.

I have, &c.

(signed) *R. C. Pennell*, S. J.

(No. 4.)

My Lord,

Lindores, 27 April 1835.

I HAVE to report to your Excellency this district to be perfectly tranquil, and that I find complaints are becoming less frequent, excepting one or two places. The properties are, on inquiry, about as forward this year as they were this time last year. Some have not as many canes planted, but that is owing to the severe drought.

I have, &c.

(signed) *B. Edward*, S. M.

JAMAICA.

(No. 5.)

Villa, 28 April 1835.

My Lord,
I HAVE the honour of enclosing my last week's diary for your Excellency's information. I beg leave to acquaint your Excellency the negroes generally in my district are conducting themselves and working in a satisfactory manner. I have also to inform your Excellency some of the estates are quite as forward with their preparations for next year's crop as is usual at this period of the year; others would have been so had not the continued dry weather prevented their planting; but have also to state there are some properties not near so forward as usual.

I have, &c.
(signed) *E. D. Philp*, S. M.
Leeward District, Westmorland.

(No. 6.)

Belmont, Mocho Mountains, 29 April 1835.

My Lord,
I HAVE the honour to inform your Excellency that I have made inquiry on the different estates in my district, and have been informed by the managers that all necessary preparations are making for the next year's crop; but they are not so forward as last year at this time, in consequence of the drought that has been so severely felt. In the low lands of my district, on one or two sugar estates (Parnassus), where partial rains have fallen, the plants are much finer than last year at this period. I have also the honour to inform your Excellency that the apprentices are giving their managers ample work; their general conduct is good, and they show a disposition of cheerfulness and good feeling towards their managers. In these mountains, on some of the coffee plantations, there is a little irregularity; but I have no doubt that a further explanation of the law, together, perhaps, with a little example where it may be necessary, in the way of punishment, will effectually restore good feeling and unanimity. I have to inform your Excellency that I have received your instructions dated 16th February, and shall not fail in fulfilling them to the utmost of my power.

I have, &c.
(signed) *R. J. Langrishe*, S. J.

(No. 7.)

Alexandree, 28 April 1835.

Your Excellency,
I HAVE the honour to report that my district continues, with some few exceptions, as regular and quiet as usual. My own opinion of the appearance of next year's crop is that they are as forward as usual; but some of the overseers appear not to think so. I shall, however, by next post, I trust, be able to forward to your Excellency the required information on this subject, as well as the quantity of sugar made in my district to this time, and to the same period last year, as directed by your Excellency's orders through Mr. Nunes.

I have, &c.
(signed) *A. Dillon*, S. M.

(No. 8.)

Falmouth, 20 April 1835.

My Lord,
I BEG leave to state to your Lordship that during the late rains all the estates in this district stopped their mills to supply the cane pieces with plants, in lieu of those worn out. I can say that some of the estates are as forward with their crops, and in as good a state of cultivation as at any former period; but it is not the case with all. But I will make the necessary inquiries. I have nothing of moment to report to your Excellency, but to say this district is going on favourably.

I have, &c.
(signed) *Thomas Davies*, S. M.

(No. 9.)

St. Ann's, 29 April 1835.

Sir,
IN answer to your letter of the 17th instant, where his Excellency the Governor requests to know from me if the different properties I visit are as forward in the next year's crop as at this period it is usual, I beg to state, for the information of his Excellency, that from all I can learn from the most respectable and experienced planters in this district, that the estates under their charge are at least two months backward what they were this time last year; and I am afraid, from what I can gather, that those where the apprentices in the first instance refused to keep spell according to law have suffered materially in their last year's crop.

I am, &c.
H. H. Sowley.

Sir,

(No. 10.)

Lloyd's, 29 April 1835.

IN reply to your letter of 17th ultimo, directing I would make inquiries on all estates within my district if the preparations for next year's crop are as forward as usual at this period of the year, I beg leave to state, as the result of my observation and inquiries, that the majority of estates in this district are as forward as usual in their field culture; but that the number of acres planted in canes have in general been diminished about one-half of what was formerly the custom of putting in at this period of the year. That some estates are backward in their field culture, is the natural operation of the new system, which has reduced the quantum of labour; and that all are not so, proves that the labour of the apprentices has been on those estates either more vigorous or more judiciously applied than formerly, as at present there remain the same number of acres in cultivation that last year occupied the coerced and unlimited application of the labourers.

The present crop is in a state of great forwardness, and the prospect for the future must be gratifying to every clear-sighted and experienced planter; for though the number of acres in canes must inevitably be reduced, the quantity of sugar made may be quite equal to that of the present year (if not exceeded), by the stimulus of an improved system of agriculture.

I have, &c.

(signed) *Edmund B. Lyon.*

W. G. Nunes, Esq. Secretary.

(No. 11.)

My Lord,

Stoney Hill, 29 April 1835.

I HAVE the honour herewith to transmit my report for the last week.

I beg leave to acquaint your Lordship, in obedience to your Excellency's commands, the coffee plantations throughout this district are in every respect in good order, some which I shall name were never in better; Salisbury Plain, Toppa, Mullett Hall, Fair Hill.

On all the sugar estates, the mills are and have been some time about; and from the hours, limited hours of labour, it must be expected on some properties that the cane pieces are a little backward; however, from the apprentices becoming more willing to work for hire in their own time, I have reason to suppose there will be no falling off in next year's crop (season proving favourably).

I have, &c.

(signed) *Samuel Lloyd, Special Magistrate.*

(No. 12.)

My Lord,

Elim, Great House, 28 April 1835.

IN answer to the request for a return of quantities of sugar made last year and this, in the same time, on well-conducted estates, 3-4ths is generally made in the same number of hours, where the whole was formerly made.

There are so many estates on which I could not get the information, the attornies and book-keepers being changed, that I am forced to give the information as I have it, and not an exact return. I give one case as a sample of all, Island estate, Nassau:

The mill this year in 50 days made 85 hogsheads.

— last year 63 days - 118 hogsheads.

But not a cane or grain of sugar has been lost, as the crops, from seasons, here are so short.

I have, &c.

(signed) *W. H. Bell, Special Magistrate.*

(No. 13.)

My Lord,

Chapleton, 22 April 1835.

ON my return I had the honour to receive the several letters addressed to me by your Lordship's desire, which shall be duly attended to. The vestry and quarter sessions' meeting have occupied all my time, and this week I have not any return to make, as Captain Dillon includes everything that has transpired. Before Mr. Nunes's letter, directing me to report, for your Excellency's information, "whether the preparations for the next year's crop in this parish are as forward as usual at this period of the year," I had directed my inquiries into the matter, as contrary reports were afloat, which, though I believe to be false, were nevertheless plausible. I shall renew my inquiries more particular. The result of those already made give me the right of asserting, where the people are hired during extra time the preparations for next year are as they have always been.

I have, &c.

(signed) *R. Standish Haly, Special Magistrate.*

(No. 14.)

My Lord,

Flankfield, Upper Clarendon, 29 April 1835.

I ENCLOSE the usual diary to your Excellency, a glance at which will show that the complaints in this district are trifling and few.

JAMAICA.

I have made particular inquiries upon every property enumerated in the report, and find their preparations for next year, in most instances, as usual; where they are not so forward it may be attributed to the fine season confining the labour to making sugar, which will, however, be finished, if the dry seasons continue, in time to retrieve any backwardness arising from this cause. Where the negroes work for hire (and that in Upper Clarendon is everywhere), if there is want of preparations that can affect next year's crop, the fault is in the management; the remedy, to discharge the manager.

I have, &c.

(signed) *R. Standish Haly*, Special Magistrate.

(No. 15.)

My Lord,

Rectory, 29 April 1835.

I HAVE made every inquiry of the managers of estates, as to their state of preparations for next year's crop; the general answer is, "that they are not so forward as they were at this period last year." Now I imagine this is, in a great measure, owing to their devoting the whole of the labour to the taking off the present crop, which will be over (with very few exceptions) in the course of a fortnight on all sugar estates in my district; and then, I have no doubt, the preparations for next year will be carried on with activity and satisfaction.

I have, &c.

(signed) *T. W. Jones*, Special Justice.

(No. 16.)

My Lord,

Top Hill Pen, Trelawney, 5 May 1835.

By the present post I have not been honoured by any communication from your Excellency. I have now the pleasure to submit to your Lordship my return of duty for the past week, accompanied by a monthly return of estates visited, both of which are made out in form agreeably to the directions received from your Excellency, and which I hope may be approved.

I also submit a sketch of the preparations for next year's crop, by which your Lordship will perceive that on some of the estates there must have been a manifest supineness; on others the planters have been more provident, and their expectations are equal, and on some properties better, for the ensuing than the present year. I humbly submit to your Excellency, that it appears to me the apprentices generally, and the planters also, are becoming more reconciled to the system, and show a more steady attentiveness to duty than they have done during the past six or eight months; but on the weakly-handed estates the crops must necessarily be reduced considerably.

I have, &c.

(signed) *S. Pryce*, S. M.

(No. 17.)

My Lord,

Morant Bay District, 6 May 1835.

IN compliance with your directions of the 17th April, to report if the preparations for next year's crop are as forward as usual at this period of the year, I beg to say, from the inquiries I have made on the estates in this district, I am informed the cultivation of the young canes, &c., are not so forward; it appears to me, that in consequence of the difference of hours for working this year, and that of last, is the only cause; their sole object has been in getting off the present crop.

I have, &c.

(signed) *John Eveleigh*, Special Justice.

(No. 18.)

Sir,

Warwick, 3 June 1835.

I BEG to acknowledge the receipt of your circular. In reply thereto, I can state that the coffee crop, on every property in this district, is finished, and the preparations for the next as far advanced as ever they were, with the prospect of a general good crop, which will commence about the latter end of July. As there are no sugar estates, to which I consider his Excellency's commands more particularly to apply, I shall beg of you to inform me whether I am further to comply with the instructions the same circular contains.

I have, &c.

(signed) *Arthur Walsh*, Special Magistrate.

(No. 19.)

My Lord,

Mile Gully Pen, 10 June 1835.

ALL the properties I have visited in this part of the parish of Manchester are either extensive pens or coffee plantations.

The answer I have received to the questions I have put, as to the last year's produce, have been uniformly the same, "that it was very unproductive." With regard to the prospect

SLAVERY IN THE BRITISH COLONIES.

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pect of this year, it is everywhere good. The plantations are in a state of bearing seldom equalled; and I am happy to add, that the general conduct of the apprentices is orderly and attentive to their work.

There have been, however, cases which I have found it necessary to visit with severe punishment. It has had the effect of diminishing crime on those properties.

I have, &c.
(signed) *William Henry Alley*, Special Magistrate.

JAMAICA.

(No. 20.)

My Lord,

Savanna La Mar, 2 June 1835.

In consequence of illness, I have not been able to travel so much this week as others; at the same time, have not been required by a purpose messenger to any one property; and some of the estates are making great strides towards a good plant for a crop next year, and of which I shall hope next report to give a more satisfactory account.

I have, &c.
(signed) *Thos. M. Oliver*, S. M.

(No. 21.)

My Lord,

Amity Hall, 10 June 1835.

I HAVE the honour of enclosing my weekly report; also a statement of the forwardness of the cultivation of the estates in this parish, which I trust your Lordship will be pleased with. The managers gave the necessary information without hesitation; and from my own observation, I have never, my Lord, seen any estate in better cultivation than they are at this present moment, now that they are getting the seasons. The different managers state to me that they fully expect a much larger crop next year, as all the estates are looking much better than at this period last year.

I have, &c.
(signed) *James Nolan*, S. M.

(No. 22.)

EXTRACT of a LETTER, dated Trelawney, 9 June 1835.

I FIND it difficult, my Lord, to obtain information from the planters; but one of the principal attorneys has admitted, that things were coming round well, and that there would be a great deal more work done this year than the last, which I beg to assure your Lordship is an absolute fact.

The late fine rains have put a new face on the country, and it is pleasant to observe the increased exertions of all parties concerned in the cultivation of the cane fields.

(No. 23.)

My Lord,

Stoney Hill, 14 June 1835.

I HAVE the honour herewith to transmit the state and condition of the properties in my district as compared with their state at this period the two preceding years. Although I am happy to assure your Excellency this district is in as good order as could be well expected from the diminished hours of labour, as compared with the old system, I am nevertheless sorry I cannot say the labour is freely done; on the contrary, I am convinced were it not for a dread of coercion the properties would soon become a useless burthen on the proprietors.

I have, &c.
(signed) *Samuel Lloyd*, Special Magistrate.

(No. 24.)

My Lord,

16 June 1835.

I HAVE the honour to enclose my weekly report, with one of the state of the crops on the properties within my district visited by me this week. I did not receive Mr. Nunes's letter, dated the 27th May, calling for this report, till the 8th of June, which prevented my commencing this inquiry sooner. It will appear, that in most cases the crop for next year is reasonably forward, and, except an unfavourable season ensues, no falling off in produce need be apprehended next year; on several estates a considerable increase may be expected. I consider that the apprenticed labourers on most estates in my district are improving considerably in the point of industry and in their general conduct. I did not visit Maddock's Mountain, one of the properties in my district, as I should otherwise have done, in consequence of the gang being at present jobbed at Papine. I received a favourable report of them from their overseer, who told me that they were regularly doing the quantity of work I ordered them some weeks back.

I have, &c.
(signed) *R. Fitzgerald*, Special Magistrate.

JAMAICA.

(No. 25.)

My Lord,

Montego Bay, 16 June 1835.

WITH reference to the circular, I have not been able to get such information as I should feel satisfied in transmitting your Excellency.

Under these circumstances, I must enter on another week to complete my return as required by circular. On this subject I would merely add, that no confidence whatever can be placed on the information procured from the head negroes, as they either do not understand the question put to them, or if they do, appear determined never to speak truth in answering them. This I state advisedly.

I have, &c.

R. S. Cooper, Special Magistrate.

(No. 26.)

My Lord,

Mile Gully, 17 June 1835.

WITH reference to your Excellency's orders, I have made the inquiries you desired, and have received from the proprietors, overseers and book-keepers of the different properties I have visited last week, and up to the date of my report, universally the same answers, "That the coffee crop of last year was a very unfavourable one." The promise of this year's produce is everywhere most abundant, but the preparations not so forward as last year at this period.

I have, &c.

(signed) W. H. Alley, Special Magistrate.

Enclosure (D.)

Enclosure (D.)

SUMMARY of the REPORTS on the State of CULTIVATION, CROPS, &c.; Jamaica, June 1835.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
ST. ANN'S:			
Llandovery - -	W. Mills - -	not finished - -	-- Preparations one-third behind hand.
Blenheim - -	Ch. Smith - -	- ditto - -	More forward than last year.
Richmond - -	- ditto - -	- ditto - -	Not so forward by one-fourth.
Cool Shade - -	Stephen Ross - -	- ditto - -	As forward.
Wakefield - -	A. R. Scott - -	- ditto - -	Very near as forward.
Windsor Castle - -	- - - -	- ditto - -	More forward.
New Ground - -	Dr. Anderson - -	- ditto - -	Not so forward by one-third.
Carlton - -	Hy. Cox, prop. - -	- ditto - -	Not near so forward; cattle mills.
Drax Hall - -	B. J. Williams - -	- ditto - -	-- Very near, if not quite as forward.
Bankes - -	Ch. Smith - -	not yet commenced	Quite as forward.
Seville - -	Ch. Anderson - -	begun in August - -	Some preparation for the next.
Mammee Bay - -	J. W. Davis, prop. - -	cropping - -	- - ditto.
White River - -	B. J. Moncrieffe, proprietor. - -	ditto - -	Very backward.
Hiattsfield - -	B. J. Williams - -	crop not finished - -	-- Great preparations made for next crop.
Shaw Park - -	J. Walker, prop. - -	- - - -	Very backward.
Southfield - -	Ch. Smith - -	not finished - -	Not quite so forward as usual.
Antrim - -	H. Browne, prop. - -	crop as usual - -	- - ditto.
Lawrence Park - -	ditto - attorney - -	- ditto - -	Not in arrear at all.
Home Castle - -	R. Janweak - -	- ditto - -	Much in arrear.
Queen Hithe - -	H. Brown, attorney - -	- ditto - -	Rather in arrear.
Dunbarton - -	- ditto - -	- ditto - -	- ditto.
Orange Valley - -	W. Miller - -	- ditto - -	Much in arrear.
Knapdale - -	A. Davis - -	- ditto - -	Quite as forward as usual.
<i>Sowley's Report.</i>			
PORTLAND:			
Williamsfield - -	— Williams, prop. - -	not finished - -	-- Well managed; much improved; great increase.
Prospect - -	J. Meen, attorney - -	- ditto - -	Very favourable prospects.
Anchovy Valley - -	Johnson, prop. - -	- ditto - -	Much in arrear.
Cold Harbour - -	Holmes, attorney - -	- ditto - -	-- Favourable; many new canes planted.
Sion Hill - -	Jones - -	- ditto - -	- - ditto.
Fairfield - -	Passley, prop. - -	no crop made - -	Estate abandoned.
Newport - -	Clarkson, prop. - -	pimento, ginger, and arrowroot. - -	Very favourable.
Retreat - -	Meen, proprietor - -	pimento; finished - -	Prospects favourable.
Providence - -	Hinchelwood, prop. - -	provision - -	Favourable.

SLAVERY IN THE BRITISH COLONIES.

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Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
Portland—continued.			
Mount Oakley	Meen, attorney	ginger	Same as last year's.
Bogg	Johnson, attorney	sugar; not finished	Prospects very favourable.
Norwich	Barr, overseer	not finished	Prospects as usual.
Whitehall	Appleby, overseer	ditto	Rather favourable on the whole.
Hope	Eatson, manager	ditto	Unfavourable.
Stanton Harcourt	Swire, attorney	ditto	-- Favourable; much new canes planted.
Seaman's Valley	Lingard	ditto	Prospects very favourable. <i>Macgregor's Report.</i>
<hr/>			
MANCHESTER:			
Marlbro'	H. J. Salmon	finished	-- Cultivation going on well; good prospects.
Old England	Rowe, proprietor	ditto	Backward, but going on well now.
Plenlimmon	J. Warren, prop.	ditto	Cultivation satisfactory.
Heathfield	N. Joseph	ditto	ditto - promises well.
Ryde	J. P. Windt	ditto	ditto - ditto.
Dalysgrove	P. P. Daly	ditto	ditto - ditto.
Waltham	J. Davy	ditto	ditto - ditto.
Cedar Grove	J. Salmon	ditto	ditto - ditto.
Caledonia	R. Crawford	ditto	ditto - ditto.
Fairfield	M. Powell	ditto	ditto - ditto.
Newark		ditto	ditto - ditto.
Swaby's Hope	R. Griffith	ditto	ditto - ditto.
Albion	R. Lewers	ditto	ditto - ditto.
Gee Valley	A. Napier, prop.	ditto	ditto - ditto.
New Hall	J. Brown, prop.	ditto	ditto - ditto.
Mount Nelson	ditto	ditto	ditto - ditto.
Barossa	J. Griffith	ditto	ditto - ditto. <i>Colebrook's Report.</i>
<hr/>			
ST. ELIZABETH:			
Elim	D. Robertson	ditto	{ No money paid to apprentices on these crops all fall; plants failed from drought, but expects a full average crop.
Bogue	ditto	ditto	
Two Mile Wood	W. Redgard	ditto	
Barton Estate	J. Salmon	almost finished	Average crop expected.
Union	ditto	ditto	-- Jobbing now discontinued; will make full average.
Mexico	ditto	over	Much more forward than usual.
Island	Robertson & Ridge	ditto	Quite as forward as usual.
Appleton	J. Salmon	not finished	-- Enormous crop this year, therefore backward.
Lacovia	Robt. Watt, prop.		-- Backward, from all gang being employed making houses.
Lancaster	A. Devis	in Chancery.	<i>Bell's Report.</i>
<hr/>			
TRELAWNY:			
Hyde Hall	B. Schardsmiddt		Same as before.
Kinloss	M. Scott, prop.	160 acres; very good	Mean to diminish one-third.
Gibraltar	M. Jackson		Almost the same.
Sportsman's Hall	Brown, proprietor	170 acres	Getting on well.
Manchester	Cunningham, prop.	160 acres	-- Mean to carry on same cultivation.
Biddeford	ditto	200 acres	Mean to throw up 40 this year.
Jock's Lodge	Richard Banett	90 acres	-- Throw up 30, and expect more sugar.
Ashley Hall	Walcot, proprietor		Just as well as ever.
Barnstaple	Walcot		-- Expects to make a great deal more.
Long Pond	Millner	260 acres	-- Doing very well; same cultivation.
Mahogany Hall	ditto	a little pen	Negroes work at Long Pond.
Stirling Castle	Kerr	coffee, ginger, pimento	Going on very well.
Ulster Spring	W. Frater, prop.		Appear to be rather forward.
Spring Garden	ditto		Doing very well in ginger.
Dover Castle	ditto		Pimento - ditto.
Hyde			
Stonehenge			
Swanswick			
Hampshire			
Will begin to proceed next week; all the mills have stopped to make preparations.			<i>Mr. Pennel's Report.</i>

JAMAICA.

JAMAICA.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
<i>Trelawny—continued.</i>			
Lancaster, Harmony Hall, Arcadia.	Miller - - -	- - -	Three months behind.
Brumpton, Bryan, Bryan Castle.	ditto - - -	- - -	One month behind.
Steelfield, Braco	- - -	- - -	Two months and a half behind.
Etingdon	W. Miller - - -	- - -	Much more forward.
Friendship Nightingale Grove, Hope-well.	- - -	- - -	Half a month behind.
Vale Royal, Colchis Stewart Castle	- - - W. Miller - - -	- - -	Two months behind. - - Rather behind, but expect a larger crop next year than this.
Hopewell	Cuningham - - -	going on well	- - ditto. <i>Mr. Hawkins's Report.</i>
Green Park	- - -	more forward	Not quite so forward.
Orange Valley	- - -	not so forward	Not so forward.
Kent	- - -	more forward	- ditto.
George's Valley	- - -	- - -	More forward than last year.
Carrickfoyle	- - -	- - -	Same as before.
Greenside	George Cuningham	not so forward	Not so forward.
Hampshire Pen	- - -	- - -	- - In a very good state of cultivation.
Southfield	- - -	- - -	No cultivation.
Florence Hall	James Geddos	not quite so forward	Not so forward.
Orange Grove	George Manett	- - -	- - Equal for the present and future to last year.
Roslin Castle	George Cuningham	not so forward	Future crop quite as forward.
Dry Valley	Richd. Barrett	quite as forward in every way.	- ditto - except pasturage.
Spring	W. Carey	- ditto	- ditto.
Grange	J. Murray	- ditto	- ditto.
Claremont	George Manett	- ditto	- ditto.
Water Valley	Richd. Barrett	- - -	- - In a better state of cultivation than last year.
Oxford	S. M. Barnett	not so forward	Preparations quite as forward.
Holland	W. Reeve	more forward	- - ditto.
Irving Tower	J. Heslop	- - -	Same in every way as last year.
Hague	George Manett	crop the same	Preparation not so forward.
Mayfield	George Cuningham	- - -	- - Not quite so forward, but getting on.
Lottery	James Murray	- - -	More forward in every way. <i>Mr. Davis's Report.</i>
Good Hope	- - -	rather less	Equal.
Merrywood	- - -	about equal	ditto.
Covey	- - -	more	ditto.
Pantrepant	- - -	less	Not so good
Wales	- - -	more	Better.
Lansquinet	- - -	ditto	Equal
Potosi	W. Thorpe	ditto	Not so good
Peru	- - -	same	Better
Flontateel	- - -	ditto	Equal
Schawfield	- - -	less	ditto.
Pembroke	W. Miller	ditto	Not so good
Cambridge	- - -	ditto	Equal.
Belmont	- - -	ditto	Not so good
Linton Park	Watt	ditto	Better
Forest	- - -	equal	Not so good
Gravesend	- - -	less	Not so good
Acton	- - -	more	ditto
Reserve	- - -	equal	ditto.
Retreat	W. Donkin	less	ditto -
Hampstead	- - -	ditto	Equal
Garrada	- - -	ditto	Not so good
Golden Grove	- - -	more	Equal
Tileston	W. Miller	equal	ditto
Bounty Hall	- - -	more	ditto

	1834.	1835.	1836.
Good Hope			
Merrywood			
Covey			
Pantrepant			
Wales			
Lansquinet			
Potosi	150	140	140
Peru	120	118	118
Flontateel	70	55	80
Schawfield			at least.
Pembroke	131	123	120
Cambridge			
Belmont			
Linton Park	170	182	170
Forest			confidently, if not more.
Gravesend	147	100	120
Acton	170	80	140
Reserve	188	130	120
Retreat			or 130.
Hampstead	48	40	40
Garrada	44	52	50
Golden Grove			
Tileston			
Bounty Hall			

SLAVERY IN THE BRITISH COLONIES.

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Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.		
			1834.	1835.	1836.
Trelawny—continued.					
Dundee	-	more	Better	77	90
Gales Valley	-	ditto	ditto	195	165
York	-	less	Not so good	187	155
Weston	-	ditto	Equal	173	137
Phoenix	-	ditto	Not so good	132	127
Friendship	-	ditto	ditto	130	100
Wakefield	-	more	ditto	59	52
Bunker's Hill	-	less	ditto	90	60
Unity	A. Browne	ditto	ditto.		80
Dromilly	-	ditto	Equal.		
			<i>Pryce's Report.</i>		
HANOVER :					
Chester	-	less	Equal.	132	110
Williamsfield	-	-			110 or 120
Prosper	-	-	On all these estates planting is finished, but the clearing is not so forward as usual.		
Batchelor Hall	W. A. Grant, late a special justice	-			
Richmond		-			
Great Valley		-			
Georgia		-			
Haughton Court		W. Miller	-	Backward.	
Orange Cove	W. Gindon	gone to England.			
Esher	Deans	-			
Fat Hog Quarter	F. H. James	-	- - Planting finished; clearing backward.		
New Retrieve	George Gordon	-	Crops forward as usual.		
Old Retrieve	ditto	-	ditto.		
Kew	M. Hutton	-	Plants all in, but not cleared.		
Beans	Jackson	-	Plants all in and cleared.		
Point	Hutton	-	- - Very forward indeed in all respects.		
Lower Hopwell	W. Miller	-	Backward; weak handed estate.		
			<i>Hulme's Report.</i>		
CLARENDON :					
Provos, Rock River	E. Thompson	less	- - As forward; present crop short for want of water for mill.		
Beckford's, Rock River	R. Jackson	more	In a state of great promise.		
Retreat	ditto	ditto	ditto.		
Hellit's	J. Macwilliam	much less	As forward as usual.		
Front Hall	W. Fearon	less	Very backward.		
Mears	ditto	ditto	ditto.		
Friendship	Bn. Bernard	rather less	- - In a state of great promise; 25 hhd. more exported this year.		
Bryan's Hill	M. Smith	-	Very good; new overseer just come.		
Crawle River	R. —	nearly done	Good.		
Pindare Valley	J. W. Jumer	ditto	Rather worse.		
Lucky Valley	Miller	finished	Very good.		
Pindar's River	M'Pherson	not finished	ditto.		
Ludlow	J. Poole	finished	Rather worse.		
Morgans	H. Oates	not finished	As usual.		
Orange River	W. Rose	ditto	Good.		
Ballard's River	M'Pherson	ditto	Fair state.		
Bryan's Hill	Smith	finished	Good.		
			<i>Thos. Dillon's Report.</i>		
Denbigh	H. Oates	almost finished; excellent crop.	Very good.		
Whitney	Cowen	long finished	Never in a more prosperous state.		
St. Fooliers	Dr. Spalding	not finished	Tolerable.		
Mair Savanna	Townshend, prop.	finished; an excellent crop.	Very good; never better.		
St. Jago	J. Gordon	excellent crop	Very good preparation.		
Hope Hall	H. Oates	nearly done; a fine crop	Very good indeed.		
Clarendon Park	J. Scott	finished; an excellent crop.	Very good.		
Parnassus	Bernard	just done	- - Very forward; cane field to be increased.		
			<i>Langrish's Report.</i>		

JAMAICA.

JAMAICA.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
<i>Clarendon—continued.</i>			
Oaks - - -	M'Leod - - -	not finished - -	Falling off.
Mullett Hall - - -	Th. Turner - - -	nearly done - -	Very good.
Danks - - -	W. Jackson - - -	- ditto - - -	Good.
Savoy - - -	W. Fearon - - -	- ditto - - -	- - Ground clean; prospects very good.
Fountain - - -	J. W. Turner - - -	- ditto - - -	Very good.
Kupuis - - -	Rose - - -	finished - - -	Excellent.
Pennant - - -	ditto - - -	- ditto - - -	- ditto.
Mount Hindmost - - -	M'Pherson - - -	nearly finished - -	In excellent progress.
Ashley's - - -	J. W. Turner - - -	nearly done - -	As forward as usual.
New Ground - - -	W. Fearon - - -	- ditto - - -	- - Twelve hogsheads less than this year, but 20 more this year than last.
Rose Hill - - -	J. W. Turner - - -	- ditto - - -	Falling off.
Sutton's - - -	Bernard - - -	finished - - -	- - Forty hogsheads addition expected next year.
Low Ground - - -	Farquharson - - -	ditto - - -	Quite as forward as usual.
<i>Haly's Report.</i>			
ST. GEORGE'S :			
Elysium - - -	Johnson - - -	not finished - -	One-third short.
Dover - - -	J. H. Spenton, prop.	fair crop - - -	Not so forward.
Buff Bay River - - -	W. Hosack, prop. - -	not finished - -	- ditto.
Craig Mill - - -	Dr. Robertson - - -	not near finished - -	- ditto.
Fort Stewart - - -	Joseph Gordon - - -	nearly done - -	- ditto.
Gibraltar - - -	A. Davis - - -	- ditto - - -	Not half so forward.
Golden Grove - - -	R. Fairweather - - -	not finished - -	Nearly as forward.
Gray's Inn - - -	- ditto - - -	- ditto - - -	Nothing near as forward.
Hart Hill - - -	J. Cockburn, prop. - -	going on - - -	Rather better,
Iter Boreale - - -	A. Gray - - -	going on well - -	Not as forward.
Osborne's - - -	J. Aughton - - -	- ditto - - -	Nearly as forward.
Windsor Castle - - -	J. Rohan - - -	going on - - -	Not as forward.
Woodstock - - -	J. Bell, proprietor - -	- ditto - - -	The same as usual.
<i>Fishbourn's Report.</i>			
<p>P. S.—This was Lieut. White's district, and appears the most backward in the Island; a proof of the incorrectness of their address to him, thanking him for the happy state of the parish.</p>			
ST. MARY'S :			
Kildare - - -	Ann Davis - - -	less this year - -	- - Very backward; Lt. White's late residence.
Shibo - - -	Cargill, proprietor - -	not finished - -	One-third less next year.
Paradise - - -	Oldham - - -	- ditto - - -	Next year's crop average.
Shrewsbury - - -	Cog - - -	- ditto - - -	No deficiency.
Mount Pleasant - - -	Oldham - - -	- ditto - - -	A very small deficiency.
Whydagh - - -	ditto - - -	- ditto - - -	One-third deficiency.
Spring Garden - - -	ditto - - -	- ditto - - -	- - Very good indeed; a great increase.
Hermitage - - -	ditto - - -	- ditto - - -	Small deficiency.
Hope - - -	Gibson, tenant - - -	- ditto. - - -	
Eden - - -	Hall, proprietor - - -	- ditto. - - -	
By Cross - - -	King, proprietor - - -	- ditto - - -	Will fall off one-third.
<i>Wm. Hewitt's Report.</i>			
<p>Captain <i>Gillum's</i> Report: All coffee; good prospects.</p>			
ST. GEORGE :			
Low Layton - - -	Mr. Sprawle - - -	- - - - -	- - Not so forward, as all hands and attention has been turned to the present crop.
Lemox - - -	- - - - -	- - - - -	Not so forward.
Caenwood - - -	- - - - -	- - - - -	- ditto.
<i>Hewitt's Report.</i>			

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Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
ST. DOROTHY'S :			
Kelly - - -	Mr. Willett - -	nearly done - -	- - Very backward, (my own estate; not true).
Whim - - -	Mr. Hamelford - -	- ditto - -	- ditto.
Lodge - - -	Mr. Turner - -	finished; immense crop.	- ditto - (Mr. Turner reports differently.)
Nightingale Grove -	Mr. Hamilton - -	not finished - -	- ditto.
Cherry Garden - -	M. M. Coap - -	- ditto - -	Extremely backward.
Amity Hall - -	Mr. Blair - -	- ditto - -	- ditto.
Bushy Park - -	M. J. Gordon - -	- ditto - -	Very backward.
Cocoa Walk - -	M. Willett - -	finished - -	- ditto - (my own; not true).
Marter's - -	M. Jackson - -	not finished - -	- ditto.
Woodhall - -	Mr. M'William - -	finished - -	- ditto.
Colbecks - -	Mr. Junis - -	not finished - -	- ditto.
Seven Plantations -	M. M'Kenzie - -	- ditto - -	- ditto.
Chateau - -	M'Pherson - -	- ditto - -	- ditto.
Longeville - -	Mr. Turner - -	finished - -	- ditto.
<i>Macleod's Report.</i>			
VERE :			
Ashley Hall - -	Mr. Devell - -	finished - -	- - More forward, and negroes doing very well.
Gibbon - -	M. M'Gurnet - -	large crop; almost finished.	More forward.
Raymond - -	Mr. Sconce - -	finished - -	- ditto.
Hill Side - -	J. Turner - -	- ditto; larger crop	Estate in better order.
Stratton Hall - -	A. Johnson - -	- ditto - -	Far better; expects 36 hds. extra.
Brazilletto - -	J. W. Turner - -	finished; large crop	Never more advanced.
Moreland - -	James Gordon - -	not finished - -	As far advanced as usual.
Bog - -	E. M'Pherson - -	large crop; not finished.	- - Backward on account of large present crop.
Perring's - -	Stirk - -	finished - -	As far advanced as possible.
Chesterfield - -	C. Sconie - -	not finished - -	Same as usual.
Sutton's Pastures -	H. Bernard - -	finished - -	More forward than last year.
Money Musk - -	W. M. Lewis - -	finished; large crop	Estate in best possible order.
Greenwich - -	Ch. Sconce - -	not finished - -	As forward as last year.
Carlisle - -	D. Callaghan - -	finished - -	As far advanced as possible.
Harmony Hall - -	L. M'Kennis - -	- ditto - -	- - One month more forward than last year.
Knight's - -	Murray - -	- ditto - -	Quite as forward as last year.
Paradise - -	C. Wilson - -	- ditto - greater crop than average.	- - Much more forward than last year.
Exeter - -	Mr. Sconce - -	finished - -	Far more advanced.
Old Yarmouth - -	G. P. Purnell - -	not finished - -	Backward, from want of seasons.
New Yarmouth - -	Thomas Ringer - -	- ditto - greater crop.	- ditto - but will equal this year's crop.
Dunkley's - -	H. Coates - -	not finished - -	As far advanced as last year's.
Bowen Hall - -	Ch. Sconce - -	finished - -	As far advanced as any year.
Amity Hall - -	E. M'Pherson - -	not finished - -	As forward as last year.
Salt Savanna - -	J. Jones - -	- ditto - -	- - ditto.
Pusey Hall - -	J. Melmoth - -	- ditto - -	- - ditto.
Springfield - -	Menchison - -	- ditto - -	- - ditto.
Caswell Hill - -	Mr. Devell - -	- ditto - -	- - Not so forward, from this year's large crop.
Dry River - -	J. Turner - -	finished - -	Quite as forward as last year.
River Side - -	M. Sparth - -	not finished - -	- - ditto.
<i>Nolan's Report.</i>			
ST. DAVID :			
Friendship Retreat -	Mr. Strong, proprietor.	- - - -	- - Better prospects of coffee crop than last year.
New Battle - -	M. Rehailes, overseer.	- - - -	- - Expects 10,000 lbs. more coffee next year.
Ayton - -	M. Kelly, overseer	- - - -	- - Expects better coffee crop next year.
Sheffield - -	Mr. Gully, overseer	- - - -	- - ditto.
Ultimatum - -	Mr. O'Reilly - -	- - - -	- - Expects considerable better coffee crop.
Friendship Hall - -	B. de Kyng, prop.	- - - -	- - ditto.
Carrick Hill - -	Gihos, proprietor	- - - -	- - Fields in as good order as last year.
Sherwood Forest - -	Murray - -	- - - -	- - ditto.
Minto - -	Mr. Law, overseer	- - - -	- - Rather backward, 10 hands having been taken away.

(continued)

JAMAICA.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
<i>St. David—continued.</i>			
The Grove -	M. Hall, overseer -	- - - -	Not so forward.
May Hall -	Henry, overseer -	- - - -	Hardly at all more backward.
Morha -	Swan -	- - - -	As forward, all but pruning.
Clifton -	Duncan -	- - - -	As forward as last year.
Mount Pleasant -	Chinington -	- - - -	-- Not so forward, this crop being so great.
Radnor -	Baugh -	- - - -	-- As forward for next year; this crop great.
Cocoa Walk -	Carmichael -	- - - -	-- Sugar canes as far forward as last year.
Mount Sinai -	Cosh -	- - - -	Not so forward.
Norris -	M. Martin -	- - - -	30 hds. more next year of sugar.
Æolus Valley -	M'Pherson -	- - - -	-- Quite as much sugar next year as this.
Lloyd's -	M'Ferron -	- - - -	-- Not so forward for next year as this.
Windsor Castle -	Robertson, overseer -	- - - -	-- Will make much larger crop coffee.
Albion -	M'Pherson -	- - - -	-- Will make 50 hds. more next year.
Richmond -	M. Lamie -	- - - -	-- As good as last year, quite; sugar.
Woburn Lawn -	Baily, proprietor -	- - - -	Much larger crop.
River Head -	Hughes -	- - - -	-- Made double this year; will increase more next.
Windsor Forest -	Turner -	- - - -	Excellent prospects.
Bell Clare -	M. Wright -	- - - -	More forward than last year's.
Fair Prospect -	Josephs -	- - - -	-- Fields just now backward, but expects to make up lost time.
Arntully -	Mr. Rae -	- - - -	-- Will make 7,000 lbs. more coffee next year.
Manheim -	Mr. Wiles -	- - - -	-- Expects much better crop next year.
Hermitage -	Morrisson -	- - - -	- - ditto.
<i>Dunne's Report.</i>			
<i>ST. JOHN'S :</i>			
Belmont -	M'William -	finished -	Backward.
Clifford's -	W. Coleman -	going on -	Very backward.
Fuller's Rest -	J. Cockburn -	finished -	As usual, the progress made.
Lloyd's -	J. Blair -	going on -	Progress as usual.
Mountain River -	J. W. Turner -	ditto -	Forward.
Retreat -	D. Hamilton -	ditto -	Rather forward.
Spring Vale -	J. W. Turner -	ditto -	Unusually forward.
Water Mount -	J. Blair -	ditto -	Rather forward.
<i>E. D. Bayne's Report.</i>			
<i>ST. THOMAS IN THE VALE :</i>			
Spring Farm -	Godfrey -	over -	-- Very nearly as forward as last year.
Spring Field -	Hugh M'Kay -	not finished -	Quite as forward as last year.
Golden Grove -	G. Marshall -	ditto -	Not half as forward.
Retirement -	Mr. Ano -	over -	Not so well prepared.
Retreat -	Rosseter -	not finished -	As forward as last year.
Louisiana -	Madden -	ditto -	- ditto.
Muse -	D. M'Intosh -	over -	Not so forward.
Rio Magno -	C. Gordon -	ditto -	- ditto.
Mount Pleasant -	W. Worge -	ditto -	- ditto.
Mount Olive -	A. Geddes -	not over -	- ditto.
Knollis -	Mr. Macleod -	ditto -	Nearly as forward.
Dove Hall -	Edwards -	ditto -	As forward as last year.
Harker's Hall -	H. Stephens -	over -	Not so forward.
Golden River -	J. Gordon -	ditto -	As forward as last year.
Springfield -	Mrs. Askew -	ditto -	- ditto.
Mount Mathews -	Mr. Bicknell -	ditto -	Better prepared than last year.
Mount Concord -	Mr. Mignett -	ditto -	As well prepared.
Glengoff -	Reynolds -	ditto -	- ditto.
Berwick -	Ch. Gordon -	not over -	Not so well prepared.
Mount Industry -	R. H. Shets -	over -	As forward.
Hopewell -	R. Page -	ditto -	Not so forward.
Cain Castle -	W. Palmer -	ditto -	As forward.
<i>Jones's Report.</i>			

SLAVERY IN THE BRITISH COLONIES.

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JAMAICA.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
ST. JAMES :			
Bellfield	John Glass	finished	Better crop expected.
Chatham	Robertson	not finished ; made more than last year.	No decrease expected.
Barrett Hall	R. Barrett	not finished	40 hds. less expected.
Carlton Estate	Robert Crew	not yet	No decrease expected.
Content	- ditto	nearly finished	Increase expected.
Lima	George Gordon	not finished	A little falling off expected.
Dumfries	James Dunstone	nearly finished	No decrease expected.
Adelphi	J. V. Purrier	finished.	
Virgin Valley	A. M'Kenzie	ditto	Large increase expected.
Canaan	W. Carey		No falling off expected.
Castle Wemys	W. Reeves	near finished	- ditto.
Hampden	L. Hislop	not finished	- ditto.
<i>Cocking's Report.</i>			
Belvidere	C. Hine		Nothing done towards next crop.
Hazelymyh	H. Groves		- ditto.
Wiltshire	James Fenton	greater crop than last year.	No report as to prospects.
Lethe	F. H. Gore, overs.		Future cultivation abandoned.
Lod Hall	Jas. Forrest, overs.		Very far behind.
Copre	J. Jackson, overs.		Much behindhand.
Eden	Mr. Philips, overs.		- - This gentleman has given me no remarks.
Childermas	Thos. Box, overs.		No report as to prospect.
Content	H. Morhetts, overs.	greater crop this year, in same time, than last.	
Alexandria	J. Fenton, overseer		One-third less planted and hoed.
Silver Grove	J. Penny, overseer		Preparation for next year.
Golden Grove	A. Gruder		No report of future prospects.
Chester Castle	C. H. Hopkins		No preparations for next year.
Montpelier	Hon. W. Miller		No report of future prospects.
Anchovy	Mr. Plummer		Far behindhand.
<i>Mr. Farra's Report.</i>			
Running Gut	Mr. Crow		Field labour just beginning.
Rosehall			- - Rather, but not materially behind.
Cinnamon Hill	M. S. M. Barrett		Not much behindhand.
Cornwall	S. M. Barrett		- - Never a better appearance, though a little behind.
Palmyra	Miller		- - Much behind; overseer refuses to give information.
Shot Valley	Grignon		- - Much behind; overseer refuses to give information.
Lilliput	Deen		- ditto - ditto - ditto - very weak handed.
Success	Cesar		- - Very much behind, and weak handed.
Easthams	Gray		- - ditto.
Tryall	O'Connor		Rather behind.
Spring	Mr. R. Barrett		Much behind, but now getting on.
Constance Islop	Hudd		- - Rather behind, but now getting on rapidly.
Moore Park	George Gordon		Not at all behindhand.
Windsor Lodge	- ditto	so more hds. made this year.	Work well advanced.
Glasgow	- ditto		More than last year.
Paisley	- ditto		Rather behindhand.
Millenium	Gibbes	over	- ditto.
Providence	E. Smith	large crop	Not behindhand.
Crawle	H. W. Miller	- ditto	- ditto.
Kirkpatric Hall	O'Connor	larger crop	Much behind.
Flower Hill	M. Coyn		- - Behind, certainly, but works well.
Bluehole	George Gordon		- ditto.
Leogan	Hislop		Behindhand, but working well.
Hartfield			No report as to prospects.
<i>Mr. Finlayson's Report.</i>			

(continued)

JAMAICA.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
WESTMORLAND :			
Albany - -	J. Tate - -	finished - -	Half as forward as last year.
Belleisle - -	H. Storer - -	ditto - -	Nearly as forward.
Canaan - -	Carey - -	ditto - -	One-third behindhand.
Delve - -	J. H. James - -	ditto - -	- - ditto.
Fontabelle - -	George Kirlew - -	ditto - -	Quite as forward as last year.
Froome - -	H. Storer - -	ditto - -	Nearly as forward.
Geneva - -	George Sherlew - -	ditto - -	Not so forward.
Glasgow - -	J. Macreath - -	ditto - -	Nearly as forward.
Hope - -	Thomas Tate - -	ditto - -	Half as forward.
King's Valley - -	J. H. James - -	not finished - -	Not so forward.
Lincoln - -	Thomas M'Neil - -	finished - -	Not half so forward.
Masemure - -	- ditto - -	ditto - -	Not so forward.
Mint - -	- ditto - -	ditto - -	- ditto.
Maylersfield - -	C. Smith - -	ditto - -	One-third as forward.
Mount Eagle - -	J. S. Williams - -	ditto - -	Not so forward.
Negril Spots - -	J. Samuel, prop. - -	ditto - -	- ditto.
Paul Island - -	George Gordon - -	ditto - -	Very nearly as forward.
Retreat - -	Thomas M'Neil - -	ditto - -	Not as forward.
Retrieve - -	Thomas Tate - -	ditto - -	Half as forward.
Ridgland - -	George Kerritt - -	ditto - -	Quite as forward.
Spring Garden - -	Thomas M'Neil - -	ditto - -	One-third behind.
<i>L. D. Philips's Report.</i>			
Windsor Forest - -	George Sherlew - -	finished - -	Quite as forward.
Lennox - -	H. Scott - -	ditto - -	- - Quite as forward; very promising.
Bog Estates - -	Mr. Tate - -	not finished.	
<i>Edwards's Report.</i>			
ST. THOMAS IN THE EAST :			
Coley Estate - -	Drew, overseer - -	- - - -	Quite as forward.
Serge Island - -	Elmslie, proprietor - -	- - - -	- - Not quite as forward; but last year jobbers; this year none.
Garbrand Hall - -	W. Nangle, overs. - -	- - - -	- - Influenza for a month; no jobbers now; as forward.
Buckingham - -	J. Palmer, overseer - -	- - - -	- - Rather backward, from dry weather; but will finish in time.
Blue Mountain - -	Sprowl, overseer - -	- - - -	- - Very forward, except with cane plants, from drought.
Mount Pleasant - -	Norhell, proprietor - -	- - - -	- - Much more forward. Mr. Norhell has been away for six weeks in the Windward Islands, leaving this estate in charge of the black driver.
Hall Head - -	- - - -	- - - -	More forward under black driver.
Petersfield - -	Mr. Grossett - -	- - - -	Very backward.
Middleland - -	J. Forsyth - -	finished - -	- - Forward; almost 40 acres canes planted.
Spring Garden - -	Ch. Scott - -	backward - -	- - Backward; all apprentices in hospital.
Golden Valley - -	A. Barclay - -	- - - -	- - Tolerably forward; would have been much more so but for the epidemic.
White Hall - -	C. O. Hodgson - -	finished - -	As forward, if not more so.
Spring - -	C. Anderson - -	ditto - -	Quite neglected; in Chancery.
Hughton Hall - -	Codington - -	nearly done - -	Quite as forward as ever.
Greensmith - -	George Wright - -	done - -	Canes quite as forward.
<i>Lyons's Report.</i>			
Stoakes' Hall - -	Sprowle - -	done - -	Quite as forward.
Pleasant Hill - -	Loaque - -	ditto - -	About 20 hhds. less next year.
Barking Lodge - -	Forsyth - -	nearly done - -	Nearly as forward.
Harbour Head - -	H. Mitchell - -	- ditto - -	Will make much more next year.
Chiswick - -	Forcythe - -	- ditto - -	Will fall short about 25 hhds.
Old and New Peru - -	Ch. Scott - -	- ditto - -	Nearly as forward.
Bowden - -	Forcythe - -	- ditto - -	- ditto.
<i>Major Baine's Report.</i>			

SLAVERY IN THE BRITISH COLONIES.

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JAMAICA.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
<i>St. Thomas in the East—continued.</i>			
Mulatto River	John Ross	not over	Two months behind.
Elmwood	-	ditto	-
Fair Prospect	J. Macwilliam	ditto	Just as forward as before.
Sion Hill	J. P. Jones	ditto	- ditto.
Fairy Hill	W. Wylie	ditto	- ditto.
Boston	George Jones	ditto	- ditto.
Castle Comfort	R. Hemmings	ditto	-- Four months behind; overseer just dismissed by Chancery order.
Hartford	W. J. Jones	ditto	Backward.
Reach	James Heeps	ditto	Quite as forward as last year.
Spring Valley	J. L. Gam	ditto	Three months behindhand.
Windsor Castle	J. M'William	ditto	- ditto.
Muirtown	J. Tolman	ditto	- ditto.
Haines	J. Cargell	ditto	More forward.
Hector's River	J. M'William	ditto	Quite as far advanced.
Orange Hill	A. M'Kowan	ditto	More forward.
Providence	J. M'William	ditto	Rather backward.
Nore Garden	J. Panton	ditto	Refused information.
Wey Bridge	C. Anderson	ditto	Three months behindhand.
Rural Vale	K. W. Speed, proprietor.	ditto	- - Refused information, but known to be doing well.
Williamsfield	J. Cockburn	ditto	Much the same.
Betty's Hope	-	ditto	Three months behind.
Ege Hill	W. B. Kery, prop.	ditto	To be altogether abandoned.
<i>Dawson's Report.</i>			
Whealersfield	Ch. Scott	not finished	Canes not so well cleaned.
Hardley	- ditto	- ditto	Canes not moulded.
Amity Hall	-	nearly over	Behind, but will make it up.
Holland	M. Cooper	not finished	- - Gang building houses for emigrants.
Duckenfield	Ch. Scott	- ditto	Canes behindhand in cleaning.
Golden Grove	A. Barclay	- ditto	Two mills going.
Winchester	-	- ditto	Young canes pretty forward.
Plantain Garden	A. Barclay	- ditto	Field labour backward.
Rhine	- ditto	- ditto	- - Rather backward, but looking very well.
<i>H. Blake's Report.</i>			
London Hill and St. George.	Mr. Brydon	-	- - Pens in as good a state as before.
Prospect Hill	-	-	More forward than usual.
Roselle	G. Rutherford	nearly finished	Rather behindhand.
Belvidere	-	- ditto	- ditto.
Morant	P. Brown	- ditto.	-
Stanton	J. Blakely	- ditto	A little behindhand.
Pembroke Hall	- ditto	- ditto	- ditto.
Nutt's River	J. M'William	- ditto	Quite as forward.
Montpelier	J. Blakely	- ditto	Not quite as forward.
Lypous	J. W. Cooper	- ditto	- ditto.
Retreat	C. Scott	- ditto	- ditto.
Oxford	- ditto	- ditto	Quite as forward.
East Prospect	J. Blakely	- ditto	Not quite as forward.
<i>Eveleigh's Report.</i>			
<i>ST. MARY'S:</i>			
Pemberton Valley	Hen. Miller	not finished	Not at all backward.
Union	Mr. Blair	- ditto	- ditto.
Greenwood	Mr. Mechanan	- ditto	- ditto.
Crescent	Mr. Gordon	- ditto	- ditto.
Roslin	Mr. Stewart	- ditto	- ditto.
Fontabelle	Mr. Mais	- ditto	- - Backward; manager just changed.
Fellowship Hall	Mr. Geddy	- ditto	Not at all backward.
Preston	Mr. Forsythe	- ditto	- ditto.
Oxford	- Macdonald	- ditto	- ditto.
Brimmer Hall	Mr. Stewart	- ditto	- ditto.
Tryall	Mr. Stewart	- ditto	- ditto.
<i>Marlton's Report.</i>			

JAMAICA.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
<i>St. Mary's—continued.</i>			
Derry - - -	Mr. Bowen - -	going on - -	Very well advanced.
Dorrington Castle -	Mr. Oldham - -	- ditto - -	Promises very well.
Decoy - - -	- ditto - -	- ditto - -	- ditto.
Pembroke Hall -	Mr. Blair - -	- ditto - -	- ditto.
Bagnall Spring -	J. Bagnall - -	- ditto - -	- ditto.
Lambskin Hill -	- ditto - -	- ditto - -	- ditto.
Rupel Hall - -	Mr. Bell - -	- ditto - -	No complaint.
Gall - - -	- - - -	- - - -	Refused any information.
Industry - - -	Hon. H. Cox - -	- ditto - -	Promises very well.
Cardiff - - -	J. Cockburn - -	- ditto - -	- ditto.
Warwick Castle -	J. H. Sames - -	- ditto - -	- - Not so well as the other estates.
Halifax - - -	Hon. A. Hodson -	- ditto - -	Promising tolerably well.
Spring Garden -	Hon. H. Cox - -	- ditto - -	- - A few complaints, but on the whole well.
Gordon Castle -	Mr. Geddes - -	- ditto - -	Well advanced.
Lucky Hill - -	- ditto - -	- ditto - -	No fear with seasons.
<i>H. Walch's Report.</i>			
ST. THOMAS IN VALE:			
Rose Hall - - -	Lowndes, attor. -	finished - -	Forward as to cultivation.
New Works - - -	- ditto - -	- ditto - -	In fair good order.
Wallens - - -	- ditto - -	- ditto - -	Very good state of forwardness.
Doyer Castle - -	Lendo, overseer. -	- ditto - -	Very forward as to cultivation.
Enfield - - -	Aris, proprietor -	- ditto - -	Very good order.
Berkshire Hall -	Gould, attorney -	- ditto - -	Tolerably forward.
By Crook - - -	Roach, overseer -	- ditto - -	Backward in cleaning canes.
Shenton - - -	Rice, overseer -	not finished -	Middling forward, not much.
Palm - - -	Anderson, overseer	finished - -	Backward.
Treadwarys - -	J. T. Bernard - -	- ditto. - -	
Byndloss - - -	Mr. Ross, prop. -	- - - -	Very good prospects.
Stirling Castle -	Mr. Kenneard - -	- - - -	Excellent state for next year.
Five other coffee plantations; all in excellent order.			
<i>Thomas Baynes's Report.</i>			
ST. ANDREW'S:			
Airy Castle, sugar -	R. Gregson, overseer.	not over - -	- - As forward as last year, or year before.
Belbair, coffee -	J. Mais, attorney -	- - - -	- - In better order than for some years.
Bardowich, coffee -	J. Landwish - -	- - - -	Behindhand.
Belview, coffee -	J. Cockburne, prop.	- - - -	No change.
Constant Spring, sug.	J. Cargill, proprietor.	not over - -	- - As forward as ever before at same time.
Campbell's Industry, coffee.	James Clarke, overseer.	- - - -	Got forward by jobbers.
Cedar Valley, pepper and coffee.	J. Cockburn, attorney.	- - - -	- - Better than ever; great increase expected.
Cooper Hill, coffee and pepper.	J. Forbes, overseer	- - - -	Pen property, but improving.
Fair Hill, coffee -	J. Mason - -	- - - -	- - Quite as forward, and in a good order.
Golden Spring, sug.	D. Sutherland, lessee	over - - -	Behindhand.
Hall Grove, coffee -	J. Mais, attorney -	- - - -	Behindhand.
Happy Grove, coffee	C. Brown, prop. -	- - - -	Same as all preceding years.
Healthy Valley, pepper and coffee.	J. Brian, proprietor	- - - -	In much better state.
Hermitage, coffee -	D. Fraser, overseer	- - - -	Behindhand.
Joppa and Keith Hall, coffee.	C. M. Jopp, proprietor	- - - -	- - Extensive properties, in good order.
Rowesly, coffee -	J. Gilbert, overseer	- - - -	Just the same as former years.
Mullett Hall, coffee	J. Shaw, overseer -	- - - -	- - Eight acres, new ground; a great increase.
Mountpelier, coffee	D. M. Neeledge -	- - - -	Great increase, in a better state.
Moresham, coffee -	J. Lundie, prop. -	- - - -	- - Just purchased; without any gang, but progressing.
Mount Prospect -	William Willing, overseer.	- - - -	- - As well as at same time in the last two years.
Mount Prospect, cof.	J. Shaw, overseer -	- - - -	Backward.
Prospect (Spalding), coffee.	D. R. Spalding, proprietor.	- - - -	- - Doing well; gang just brought from Platfield.
Prospect (Gates), cof.	S. Robertson, overs.	- - - -	Backward.

SLAVERY IN THE BRITISH COLONIES.

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Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.	JAMAICA.
<i>St. Andrew's—continued.</i>				
Mount Dahins, cof.	L. Desgets, lessee	- - - -	Improving since let.	
Mount James, coffee	W. Gregory, overseer.	- - - -	-- Backward; gang have too far to go to work.	
Mount Mores -	C. Marshall, prop.	- - - -	Backward; weak gang	
Mount Atlas, coffee	Mr. Rea, proprietor	- - - -	A new purchase; doing well.	
Mount Woolfing, do.	R. L. Woolfing, proprietor.	- - - -	A new purchase.	
Mount Belmore, do.	J. Negunct, overseer	- - - -	Ditto; likely to do well.	
Rosemount, coffee -	W. Hughes, prop.	- - - -	Cultivation of provisions chiefly.	
Swain Spring -	C. Satchell, prop. -	- - - -	Same as in all previous years.	
Salisbury Plain, cof.	J. Lyon, overseer -	- - - -	Better than two last years.	
Temple Hall, sugar	W. Chigslie, prop.	crop over -	-- Increase expected; excellent order.	
<i>Lloyd's Report.</i>				
ST. GEORGE:				
Low Layton -	M. Spooner -	not finished -	- - Excellent managed estate; fully equal.	
Rodney Hall -	Passley -	- ditto -	Backward.	
Spring Garden -	R. Swire, attorney	- ditto -	-- Cultivation forward, but shy of giving any information.	
Caen Wood -	— Oldham, prop. -	- ditto -	-- Much greater crop next year; all a garden.	
Lenox -	— Oldham -	- ditto -	-- Considerably greater than this year.	
<i>Hewitt's Report.</i>				
HANOVER:				
Musquito Cove -	C. O'Conner -	- - - -	Plantation now cleaning.	
Barbican -	W. Hutton -	- - - -	Plant not finished.	
Blue Hole -	W. Thorpe, prop.	- - - -	Plants on and cleaned.	
Tryall -	W. Gordon -	- - - -	Less plant in.	
Flint River -	J. Jackson -	- - - -	-- Crop forward, all cleaned and plant over.	
Orchard -	Mr. Power, prop. -	- - - -	-- Plants done, two acres short; now cleaning.	
Bamboo -	R. Chambers -	- - - -	-- Plants done, but small quantity; canes very foul; crop not yet over.	
Upper Hopewell -	W. Morshell -	- - - -	Less plant on, but nearly done.	
Round Hill -	A. Glen -	not over -	-- Cane pieces foul, but not very; plants put in.	
New Mill -	W. Gordon -	- - - -	-- Two acres less plant, but over; canes foul.	
Haddington -	H. W. Pumer, prop.	- - - -	Plant on, but less; canes foul.	
Welcome -	- ditto -	not over -	-- Plants done and cleaned twice; ratoons foul.	
Magotty -	Mr. Deans -	- - - -	-- Much less plant; canes foul; part cleaned.	
Releys -	W. Gordon -	- - - -	-- Less plant in; only half canes cleaned.	
Eaton -	Mr. Deans -	- - - -	- ditto ditto.	
<i>Hulme's Report.</i>				
ST. THOMAS, VALE:				
Tulloch -	G. W. Hamilton -	crop over -	-- Much better crop expected next year.	
West Prospect -	R. Hobles -	not over -	-- As well prepared as other years.	
Hyde -	G. W. Hamilton -	crop over -	- ditto ditto.	
Ginger Hall -	Col. Page -	- ditto -	- ditto ditto.	
Williamfield -	G. W. Hamilton -	- ditto -	- ditto ditto.	
New Port -	— Dunn, attorney	- ditto -	Expect better crop than usual.	
Top Hill -	— Elliott, proprietor	- ditto -	As well prepared.	
<i>Jones's Report.</i>				
Thelford -	J. Cockburn -	not over -	-- Cultivation for next year excellent.	
Swansea -	Mr. Grove, overseer	- ditto -	Not very forward.	

JAMAICA.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
St. Thomas, Vale— <i>continued.</i>			
Worthy Park	S. Blair	not over	-- Backward, from immense crop this year.
Swansea, coffee	Williams	over	Tolerably forward.
Blue Mountain, cof.	- ditto	ditto	Backward.
Lemon Bridge	Edbury	ditto	Very fair.
St. Clair	Tomlinson	ditto	In a good state.
River Head	Anderson	ditto	-- Backward; 20 acres more planted.
<i>T. Baynes's Report.</i>			
WESTMORLAND:			
Blue Castle	Thomas Macneel	ditto	-- Owing to drought plants backward.
Petersfield	- ditto	ditto	-- 10 acres more planted; appearances good.
Shrewsbury	- ditto	ditto	-- Appearances excellent; good management; made the largest crop in the parish.
Greenwich	- ditto	ditto	-- Owing to drought plants backward, but ratoons excellent.
Prospect	George Sherbra	ditto	In tolerable order.
Roaring River	- ditto	ditto	-- Less plant, but prospects favourable.
Fort William	- ditto	ditto	- ditto ditto.
Black Ness	Thomas Glen	over very early	Plant backward, from drought.
Three Mile River	- ditto	- ditto	-- Less plant and backward, owing to drought.
Cornwall	Robertson and Redgood.	not over	-- Plant backward, owing to drought, but has been three times ploughed.
Dean's Valley Dry Works.	- ditto	ditto	Backward.
Mesopotamia	- ditto	over	-- Rather less canes, but looking very well.
Cardwind	J. S. Williams	ditto	-- Lees plant and backward, owing to drought.
Bath	Robert Locke	ditto	Canes all cleaned.
Dean's Valley Water Works.	J. H. Samo, proprietor.	ditto	-- 12 acres more plant, but backward, from drought.
<i>Thomas Oliver's Report.</i>			
ST. ANDREW'S:			
Water House	R. Mein	over	Quite as forward as before.
Mauerty	M. Huges, overseer	ditto	- ditto.
Molynes	J. Dundas, overseer	not over	- ditto.
Pembroke Hall	J. Mauder	over	- ditto.
Barbican	J. Gordon	not over	-- Getting out of cane cultivation for some time.
Hope	Rich. Banett	ditto	-- More advanced these last years.
Papeiri	J. Layton, overseer	over	Very forward.
Mona	J. Copeland, overs.	ditto	Backward.
Hall's Delight	A. Dogherty	not over	-- More produce expected next year.
Cherry Garden	J. Gordon	over	-- Backward, as gang have been working elsewhere.
Narbrook	J. Williams	not over	Forward.
<i>Fitzgerald's Report.</i>			
WESTMORLAND:			
Camp Savanna	A. Fraser	over	Quite as forward as last year.
Midgham	Thomas M'Neel	ditto	Not quite so forward.
Moreland	- ditto	ditto	Quite as forward as usual.
Nonpareil	James Deanes	ditto	- ditto.
Springfield	J. Gordon	ditto	Nearly as forward.
<i>Philps's Report.</i>			

SLAVERY IN THE BRITISH COLONIES.

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JAMAICA.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
CLARENDON :			
Leicesterfield -	W. V. Fearon -	over - - -	- - Excellent prospects ; good management.
Retreat -	W. Jackson -	almost over -	Canes in perfect order.
Old Plantation -	J. S. Bunad -	just over ; immense	Prospects excellent.
<i>Haley's Report.</i>			
HANOVER :			
Orange Bay -	J. Deans -	over - - -	- - Rather backward, but excellent prospects.
Bell River -	G. Gordon -	ditto - - -	Backward ; overseer discharged.
New Paradise -	- ditto -	ditto - - -	Not as forward as usual.
Cambleton -	- ditto -	ditto - - -	As good as usual.
Green River -	J. L. Glen -	ditto - - -	Not as forward as usual.
New Found River -	- ditto -	ditto - - -	Usual prospects.
Mount Pleasant -	J. Deans -	ditto - - -	Well advanced.
Eardley -	A. Grant -	ditto - - -	Backward.
Harding Hall -	J. B. Attwood -	ditto - - -	Quite as forward as usual.
Industry -	J. Campbell -	ditto - - -	Backward.
Caldwal -	W. A. Dickson -	ditto - - -	- - Plants done, rattoons much better.
Cessnock -	J. M. Creath -	ditto - - -	Quite as usual.
<i>Odell's Report.</i>			
TRELAWNY :			
Windsor Castle -	- Townsend -	over - - -	- - Small property, but as good as usual.
Lysworney -	W. Fraser -	not over - -	As forward as usual.
Friendship -	- Fowler -	ditto - - -	Backward.
<i>Hawkins's Report.</i>			
ST. THOMAS IN THE EAST :			
Georgia -	C. Scott -	- - -	Backward.
Mount Libanus -	C. Crockett -	- - -	Rather backward.
Potosi -	M. J. Macqueen -	not over - -	- - Canes all moulded, and crop forward.
Friendship -	Ganivish Barkley -	ditto - - -	Quite as good as this year.
Sunning Hill -	W. Forsyth -	over - - -	- - In a forward state for next year.
Aumont -	A. Barclay -	not over - -	- - Canes backward, but equal crop expected.
Arcadia -	D. Loague -	ditto - - -	Backward.
Home Hall, coffee -	M. G. Hallyburton -	- - -	- - Making extensive preparations.
Roaring River, coffee	A. Dysdale -	- - -	- - 17 apprentices ill, and some been so for a month ; they are therefore backward.
<i>H. Blake's Report.</i>			
Phillipsfield -	M. J. Moule -	not over - -	Expect quite an equal crop.
Clifton Hill -	C. Scott -	ditto - - -	Backward for next year.
Leith Hall -	G. Taylor -	ditto - - -	- - Smaller crop expected next year.
Cardiff -	- ditto -	ditto - - -	- ditto ditto.
<i>Baines's Report.</i>			
PORT ROYAL :			
Chester Vale -	D. Spalding -	over - - -	Rather behind in pruning.
Clydesdale -	Dickens -	ditto - - -	- - ditto.
Industry -	- - -	ditto - - -	Pruning going on.
Resource -	- ditto -	nearly in -	Rather behind in pruning.
Pleasant Hill -	Christie and Taylor -	ditto - - -	- - ditto.
Mount Hybla -	Simpson -	ditto - - -	Pruning not commenced.
Hall's Delight -	- ditto -	ditto - - -	- - Rather behind in pruning and hoeing.
Mount Faraway -	Joseph Gordon -	ditto - - -	- - ditto.
Old England -	- ditto -	ditto - - -	- - ditto.

JAMAICA.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
Port Royal—continued.			
Robertsfeld - -	Christie & Taylor -	great crop; nearly done.	Rather behind in pruning.
Green Valley - -	- ditto - -	over - -	Pruning going on.
Strawberry Hill -	Cohen - -	just over; great crop	Rather behind.
Mount Jerriot - -	Wiles - -	nearly over - -	- ditto.
Bryant's Hill - -	Wales, lessee - -	- ditto - -	- ditto.
Sheldon - -	Christie & Taylor -	over - -	Pruning going on.
Pengin Castle - -	Mais - -	nearly over - -	- ditto.
Farm Hill - -	H. Mitchell - -	over - -	Pruning as usual.
Hibernia - -	J. Gordon - -	nearly over - -	Pruning going on.
Whitfield Hall - -	Holl & Stamp - -	- ditto - -	-- Made 15,000 lbs. more this year than last; backward.
Abbey Green - -	Thompson - -	not over - -	Behindhand.
Epping Farm - -	Ellen & Scott - -	ditto - -	Pruning going on well.
Windsor Lodge - -	Williamson - -	over - -	Forwarder than usual.
Mahogany Vale - -	C. Jackson - -	over; good crop	Going on busily.
Mount Charles - -	J. Wright - -	- ditto - -	- ditto.
Orchard - -	J. Gordon - -	over - -	-- 17,000 lbs. more than last year; all hands busy.
Penhill - -	- ditto - -	ditto - -	-- 10,000 lbs. more this year; all hands busy.
Westphalia - -	Mais - -	ditto - -	-- 10,000 lbs. more this year; all hands busy.
Bemah - -	Gilroy - -	ditto - -	-- Double crop this year; all hands busy.
<i>Captain Kent's Report.</i>			
ST. ELIZABETH:			
Oxford - -	D. Robertson - -	large crop - -	-- Rather behind as to ratoons; plants in.
Bagdale - -	- Smith, esq. - -	- - - -	-- Will make three times more sugar than this year; very forward indeed.
Vauxhall - -	D. Robertson - -	- - - -	-- Much more plant, and much better prospects than last year.
Breadnut Valley -	R. Knott - -	- - - -	Quite as forward as last year.
Biscany - -	H. R. Wallace - -	- - - -	-- Much larger crop put in, through plough.
<i>Bell's Report.</i>			
PORTLAND:			
Passsey Garden - -	Jones, lessee - -	not over - -	-- Very good appearances for next year.
Burlington - -	Gladwish - -	ditto - -	Greatly improving this year.
Unity Valley - -	Heming - -	ditto - -	Backward.
Snow Hill - -	Stewart - -	- - - -	Grazing farm; good order.
Park Mount - -	Steel, proprietor -	pimento; over	Very great prospects.
Cambridge - -	Thompson, overseer	not over - -	-- In Chancery; much neglected, and very backward.
<i>Macgregor's Report.</i>			
ST. MARY'S:			
Agualta - -	J. Oldham - -	- - - -	Rather backward.
Bellefield - -	A. Barclay - -	- - - -	Very backward.
Islington - -	J. Heseason - -	- - - -	Pretty forward.
Friendship - -	W. Herlot - -	- - - -	Backward.
White Hall - -	J. Gordon - -	- - - -	Very backward.
Heywood Hall - -	John Gray - -	- - - -	Pretty forward.
Llandromney - -	Thomas Capper - -	- - - -	Quite as forward as usual.
Quebec - -	John Wighton - -	- - - -	Very backward.
Frontier - -	A. Gauld - -	- - - -	Very fairly forward.
Green Castle - -	J. Blair - -	- - - -	Very backward.
Newry - -	ditto - -	- - - -	- ditto.
Ballard's Valley -	R. Fairweather - -	- - - -	Very nearly as forward as ever.
Nonsuch - -	- ditto - -	- - - -	Pretty forward.
Orange Hill - -	J. Oldham - -	- - - -	Very fairly forward.
Tremdesworth - -	J. Cockburn - -	- - - -	Backward.
<i>Thomas's Report.</i>			

SLAVERY IN THE BRITISH COLONIES.

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JAMAICA.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
WESTMORLAND :			
Saxham - -	A. Davis - -	over - -	Rather backward.
Blenheim - -	George Gordon - -	ditto - -	Preparations not a week behind.
Cousine Cove - -	R. Hughes, overseer	ditto - -	- - ditto, if so much.
Houghton Town - -	J. Chisholm - -	ditto - -	Behind.
Phoenix - -	W. Thorp - -	ditto - -	Rather behind.
Grange - -	J. Deans - -	ditto - -	- - Fully as forward as its neighbours, but rather backward.
Prospect - -	Thomas M'Neil, proprietor.	ditto - -	- - Backward, owing to bad overseer, who has been just discharged.
Salt Spring - -	P. A. Scarlett - -	ditto - -	- - Quite forward, but many canes destroyed by rats, which have been this year a perfect visitation in Hanover.
Spring - -	Hon. C. J. Jackson	ditto - -	As forward as usual.
Woodchurch - -	J. H. James - -	ditto - -	Backward.
<i>Odell's Report.</i>			
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ST. MARY'S :			
Carlton - -	R. Helworthy - -	not over - -	Very backward.
Water Valley - -	R. Hamilton - -	ditto - -	Rather backward.
Llongley - -	A. Davis - -	ditto - -	Very backward.
Ester - -	J. Oldham - -	ditto - -	- - Prospects good, though rather backward.
Cromwell - -	R. Fairweather - -	ditto - -	Pretty forward.
Aleppo - -	- ditto - -	ditto - -	- ditto.
Charlottenburg - -	E. Thomas - -	ditto - -	- ditto.
Koningsberg - -	A. Barclay - -	ditto - -	Very backward.
Nutfield - -	J. Blair - -	ditto - -	Rather backward.
Albany - -	R. Fyfe - -	ditto - -	Backward.
Marshall - -	J. Miller - -	ditto - -	Very backward.
<i>R. Thomas's Report.</i>			
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Hazzard - -	J. Oldham - -	not over - -	Promises very well.
Mango Valley - -	- ditto - -	ditto - -	As well as usual.
Huddersfield - -	- - - -	ditto - -	Excellent prospects.
Spring Valley - -	J. Cockburn - -	ditto - -	- ditto.
Tower Hill - -	Hon. A. Hodson - -	ditto - -	- ditto.
Epping - -	- - - -	ditto - -	- ditto.
<i>Walch's Report.</i>			
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Rose Hill, coffee - -	Graham, overseer - -	going on - -	Prospects of great abundance.
Snaiyard, ditto - -	Greenwood, ditto - -	ditto - -	- ditto.
Woodside, ditto - -	M. Nelson, prop. - -	ditto - -	- ditto.
Newport, ditto - -	Thompson, ditto - -	ditto - -	- ditto.
Platfield, ditto - -	A. Lacey, ditto - -	ditto - -	- ditto.
Mount Patience, ditto	- Rogers, ditto - -	ditto - -	- ditto.
Dee Side, ditto - -	- Wat, ditto - -	ditto - -	- ditto.
Sue Rive, ditto - -	- Crubie, ditto - -	ditto - -	- ditto.
Wye Hill, ditto - -	- Laden, ditto - -	ditto - -	- ditto.
Luna - -	P. Morris, ditto - -	ditto - -	- ditto.
Job's Hill - -	Kelly, overseer - -	ditto - -	- ditto.
New Ramble - -	Smith, ditto - -	ditto - -	- ditto.
Orange River, sugar	E. J. Tulloch - -	ditto - -	Backward.
Lewisburgh - -	W. Lendrop - -	ditto - -	- ditto.
Richmond - -	W. Tulloch - -	ditto - -	- ditto, from being weak handed.
<i>Lambert's Report.</i>			

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SUMMARY OF REPORTS.

Magistrates' Names.	Parish.	Estates reported on.	Magistrates' Names.	Parish.	Estates reported on.
Thomas Davies - -	Trelawny - -	22	W. Ramsay - - -	St. Catherine's - -	-
Samuel Pryce - -	ditto - - -	34	H. Moresby, vice Clench - -	ditto - - -	-
Ch. Hawkins - - -	ditto - - -	19	Thomas Baynes - -	St. Thos. Vale - -	25
R. C. Pennell - - -	ditto - - -	19	J. W. Jones - - -	ditto - - -	29
R. C. Cocking - -	St. James - -	12	Henry Laidlaw - - -	St. Anne's - - -	-
R. S. Cooper, sick - -	ditto - - -	-	W. H. Sowley - - -	ditto - - -	23
Walter Finlayson - -	ditto - - -	24	A. Dillon - - -	ditto - - -	-
Samuel Farrar - - -	ditto - - -	15	J. Rawlinson - - -	ditto - - -	-
Robert Thompson - -	just come from Cayman's.	-	W. Marlton (absent, leave).	St. Mary's - - -	11
J. R. Hulme - - -	Hanover - - -	31	H. Walch - - -	ditto - - -	28
J. Odell - - -	ditto - - -	22	R. Thomas - - -	ditto - - -	26
J. Oliver - - -	Westmorland - -	15	R. S. Lambert - - -	ditto - - -	15
E. D. Philips - - -	ditto - - -	26	James Lloyd - - -	St. Andrew's - -	33
B. Edwards (all pens but)	ditto - - -	3	H. Bourne - - -	ditto - - -	-
J. Daughtrey - - -	St. Elizabeth - -	-	Fitzgerald - - -	ditto - - -	11
W. A. Bell - - -	ditto - - -	15	W. Hewitt - - -	St. George - - -	20
J. Reynolds - - -	ditto - - -	-	E. G. Fishbourne - - -	ditto - - -	13
John Geirley - - -	ditto - - -	-	D. Macgregor - - -	Portland - - -	24
A. Welch - - -	Manchester - - -	-	E. B. Lyons - - -	St. Tho ^s , East - -	15
Th. Colbrooke - - -	ditto - - -	17	J. J. Baines - - -	ditto - - -	11
W. Alley - - -	ditto - - -	-	H. Blake - - -	ditto - - -	18
R. S. Haley - - -	Clarendon - - -	16	J. K. Dawson - - -	ditto - - -	22
Robert Langrish - -	ditto - - -	8	J. Eveleigh - - -	ditto - - -	13
Theo. A. Dillon - - -	ditto - - -	17	P. Dunne - - -	St. David - - -	31
James Nolan - - -	Vere - - -	29	Henry Kent - - -	Port Royal - - -	28
A. N. Macleod - - -	St. Dorothy's - -	14			
E. D. Baynes - - -	St. John's - - -	8			
		366			396

P. S.—Mr. Ramsay does town and police business. Mr. Clench having died, no return could be got. Mr. Moresby having been also at death's door for a fortnight, and unable to move about.

— No. 141. —

COPY of a DESPATCH from Lord *Glenelg* to the Marquis of *Sligo*.

No. 141.

My Lord,

Downing-street, 22 August 1835.

I HAVE received your Lordship's despatch of the 21st of June, containing reports from the special justices on the state of cultivation in Jamaica, with summaries drawn by your Lordship from the documents which had been furnished to you. The exposition which is thus given of the state and prospects of the plantations, and of the presumable causes of such partial defect of cultivation as has occurred, is upon the whole exceedingly gratifying.

I cannot omit this opportunity of thanking your Lordship for the great exertions which on this and on so many other occasions you have made to put His Majesty's Government in possession of the fullest and clearest information of the state of the colony committed to your care.

The Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *Glenelg*.

— No. 142. —

EXTRACT of a DESPATCH from the Marquis of *Sligo* to Lord *Glenelg*, dated Highgate, Jamaica, 7 July 1835.

No. 142.

"ALTHOUGH your Lordship's despatch of the 14th May authorizes me to send to you only abstracts of the accounts which I receive from the various special justices, and that I fully appreciate the kind motives you mention as having induced you to come to this determination, I purpose availing myself of it but occasionally, and intend, at intervals, to notify to these gentlemen my wish that their reports on a certain day are to contain no private business, which can be of no general interest, but merely confine themselves to a statement of their opinion on the manner in which the new system is working in this island.

"In pursuance of this plan, I caused a circular to be written to them on the 17th of June, desiring them to confine their reports of the 2d July. I have the honour herewith to enclose you the original letters of these gentlemen, giving me their opinion on the points to which I had directed their attention; some have not yet reached me, in consequence of the illness of certain of the special justices; the majority, however, I have the honour to enclose, and would

would call your particular attention to No. 1, Colonel Gregg, Compt. Police; No. 2, Mr. Lyons; No. 5, Mr. Haley; No. 11, Mr. Pryse; No. 12, Mr. Baynes; No. 17, Mr. Daly, Compt. Police; No. 25, Mr. H. Walsh; No. 30, Mr. Dunne; No. 45, Mr. Marlton, and No. 48, Mr. Macleod. I should hope that you would read all the rest. The only unfavourable report is that of Capt. Thomas Baynes, of St. Thomas in the Vale, whose letter is numbered 21. The rest are all so favourable, that I consider it unnecessary for me to give you again on this occasion my so often reiterated opinion. I have inclosed in the folds of some of these letters others from the same individuals."

(No. 1.)

Surrey County Inspector's Diary for the month of June 1835.

I HAVE visited every part of my county during this month, and have had but occasion to act as magistrate only once, on Albion estate, in St. David's, on the 3d inst.

In the parish of St. David's, the apprentices are working as well as ever they were, and, generally speaking, the same work is done as formerly, though the time is less; besides, on Albion estate, the apprentices have sold their time to their masters for 1*s.* 8*d.*, digging 100 cane-holes; true it is, the soil is soft, but it shows that the apprentices can be brought to work for hire, besides the very great saving to proprietors. I am informed that 7*l.* 10*s.* was generally paid for jobbers per acre, consisting of 2,700 cane-holes; that work is now done for 2*l.* 5*s.*, but even supposing that the apprentices only dig 75 cane-holes, it will only amount to 3*l.* per acre; nor do I think that where a proper care is taken to pay the apprentice the moment the work is performed, he would ever refuse to dig 50 cane-holes for the sum of 1*s.* 8*d.*, making the sum of 4*l.* 10*s.* per acre.

The apprentice makes this calculation: he goes to his own grounds, plants his ground provisions, for which he has to wait, watch and attend to, for at least three months; then he is obliged to carry them on his head to market a very long distance, part of which he can sell well, but as his hours are numbered, he is usually obliged to sacrifice the remainder to the "higgler," (as they are usually termed,) who, knowing that the apprentice has to return by a stated period, waits like a hungry shark for the moment to "oblige" the apprentice, (as I once heard one of those "higglers" say); so that in reality the "higglers" are the persons who make the most money; besides, an apprentice cannot carry more than from 3*s.* 4*d.* to 6*s.* worth upon his head; whereas he can sell his Friday for 3*s.* 4*d.*, or 100 cane-holes, go to his market or his own grounds on Saturday, and not lay himself open to the disappointment of not being able to sell his provisions; thus, in one week or two, he can obtain what formerly took him as many months.

In Blue Mountain Valley, in the parish of St. Thomas in the East, work is going on remarkably well; here the apprentice has sold his night as well as day.

Plantain Garden River, in the same parish, I do not think is doing so well, but still far beyond the expectation of the most sanguine, Amity Hall estate excepted; this I learn is in consequence of one of the proprietors having come from England.

Manchioneal district is not doing as well as might be expected; still the work that is done is cheerfully, which is saying much for that quarter, as the apprentices in that quarter have ever been a troublesome set.

Portland I really do believe is doing better than ever it has done before; but there is one circumstance come to my knowledge while there. I am informed that persons are making speculations thus: they go to the head cooper or carpenter, who are always steady good men; they advance him money to purchase his freedom, and deprive the estate of a most useful man, obliging the said estate, perhaps, to purchase the work from a person who has advanced the money to the apprentice.

St. George's is doing very well, as also Port Royal and St. Andrew's: such is the uniformity of doing well everywhere, that the apprenticeship system may be said not to have disappointed even the most sanguine. There is one thing greatly wanted, that is, national schools, where a spirit of loyalty, as well as religion, should be instilled into the mind of the rising generation.

I have in a former report stated that I was of opinion that a falling off of one-fifth would attend the new change, but I wished in that report, as also in this, to err on the lowest side; and though I trust the crops will again find their level, still, I say, if they formerly averaged 100,000 hogsheads, that now from 85,000 to 90,000 can be the nearest calculation; but this may be principally owing to the short-handed estates being obliged to be thrown up; for those estates only made sugar out of the very heart's gore of the former slave. But I should hope, that when apprentices find they cannot get employment on one estate, they will be willing to look for it on another.

Kingston, 30 June 1835.

(signed) *G. D. Grigg,*
Chief Inspec. of Police, and Special Justice.

(No. 2.)

My Lord,

Palmetto River, 1 July 1835.

THERE is no subject on which I can be engaged so agreeable to my feelings as a special justice than in reporting to your Excellency the general state of my district. Its condition,

JAMAICA.

as relates to the conduct of the apprentices, I have every reason to be proud of, if the contentment and industry around me is in the smallest degree to be attributed to any personal or mental exertion of my own. Eleven months of anxious and careful superintendence of a very extensive district will entitle me to speak with the confidence of experience, and I hesitate not to say that the quantity of labour performed on the sugar estates around me quite equals the average of slave-labour, and that the labour of the apprentices, on particular estates, is in all kind of work much greater than was ever performed or expected to be by them. As a proof of the correctness of my assertion, I have only to refer to the Blue Mountain apprentices, who, in the absence of the overseer from the property, turned trash and moulded canes at the rate of five people to the acre, where eight to nine would have been formerly considered good work, and on another piece, extremely foul, performed the same kind of work at six to the acre. In digging cane-holes, they completed a field at the rate of 25 to the acre, about 104 holes for each individual. While the work was in progress, the overseer assured me he would be satisfied if they dug it at the rate of 40 to an acre, the usual average. At Buckingham and Boston, an extremely laborious estate, they have been working in a similar manner for several months, working every Saturday in crop; and during the intervals of occupation at the works by the stoppage of the mill, they have been moulding canes and turning task by contract in their own time. At Hullhead the apprentices carried manure and planted canes at the rate of 26 to the acre: the overseer stated to me he would have been satisfied formerly, for the same kind of work, with 36 to the acre. At Garbrand Hall they have worked every Saturday during crop, and have dug cane-holes at the rate of 106 per individual a day, a degree of labour quite unprecedented on such land. At Coley they have worked on Saturday in crop and dug 86 cane-holes per diem. At Serge Island they have all through crop worked on Saturday. At Mount Pleasant the usual crop was made in less time than the previous year, and all the canes, but without the assistance of jobbers, whose aid was required last year. These instances of excess of labour I have selected as uncontradictory evidence of the correctness of assertions often made to your Lordship by me, that the apprentice does work, and in the majority of instances industriously. There are a few estates where complaints are occasionally made that the quantity of labour performed is less than it should be; but I have invariably found that there has been some irritating or exciting cause for such insufficiency of labour, and that it has rarely arisen from mere indolence.

That change of feeling, which is now matured into steady industry and general good conduct, manifested itself immediately after the Christmas holidays, and was, I doubt not, the result of the negro's observation, that though the new law is not what he anticipated and desired, it is at least a protective one to him, and that by good behaviour he has the power of securing himself from the aggression of the tyrannical or the persecution of the vindictive. There is in general a tolerable good understanding existing between both parties, master and labourers, which though it has not, and perhaps never will, ripen into that feeling of regard which is often found in Europe to unite master and servant in a bond of reciprocity, it is yet sufficient to destroy that acrimony of feeling which arose immediately after August, and to enable either party to perform their relative duties with good will during the term of the apprenticeship.

The offences that are brought under my notice are most frequently of a very trifling nature, and have, I conceive, increased since Christmas, though I do not think they are more numerous than formerly under slavery, but that absence of fear and the presence of perfect tranquillity induces strict and minute managers to take notice of every peccadillo and refer them to the special justice for his arbitration, when, without that medium, they would have been forgiven and forgotten as soon as begotten.

Crime there is very little of; nearly all offences committed by apprentices in this district are submitted to me, and out of a population of about 7,000 under my superintendence, I have only once since Christmas had an offence of so serious a nature as to justify the infliction of 50 lashes, and that was for killing a mule maliciously. I believe no community has so little of atrocious or flagrant villainy.

There is an evident and increasing desire for instruction among the negro population, and almost all under 25 eagerly seek the opportunity of being taught to read. This feeling, I conceive, judiciously guided and encouraged, might be made to fructuate to the advantage of the whole community; but, unfortunately, the means of education are exceedingly limited, the only establishment for the instruction of adults and infants in this district being a Sunday school at Colly estate, conducted by gratuitous teachers: it is situated from 12 to 14 miles from a large mountain population, and surrounded by extensive sugar estates.

I feel assured your Lordship will press upon the Home Government the necessity of immediate attention to this, as the most wholesome and best means to the attainment of permanent good feeling and good habits among the labouring population.

I am sure it will be gratifying to your Lordship to know that not only has this year's crop been got in on those estates that have finished without any diminution of their estimates, but that the prospect for the future is as favourable as possible; and I feel quite satisfied, from the preparations I observe, that when the autumnal planting is concluded, the confidence of the managers of this district in the productiveness of labour under the existing system will be proved by the fact of an increase of plants on some estates, and the smallness of the reduction of the fields on others.

His Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *Edmund B. Lyon,*
Special Justice.

No. 3.

My Lord,

Stony Hill, St. Andrews, 1 July 1835.

IN obedience to your Excellency's commands, transmitted in circular of the 17th ultimo, I herewith have the honour to forward a duplicate of my last report of the state and forwardness of my district.

It must be evident, from the planters keeping up the same extent of cultivation as formerly on a diminution of one-fourth of the hours of labour, that the negro population here are doing as much or more work than was ever before performed in the same given time; I must nevertheless say, I am sorry I cannot attribute such labour to a willing disposition towards industry on their part. I am aware, from 15 months' experience and a close observation, that a dread of coercion alone and the strong arm of the law, which I trust in God has been impartially administered, will induce them to continue an adequate portion of labour.

I further beg leave to state to your Excellency complaints are much decreasing, both as regards the masters and managers against the apprentices, as also of the latter against the masters and overseers; there is on both sides a decidedly better feeling. The multiplicity of frivolous complaints immediately after the 1st of August have dwindled to nothing. The punishable ones now preferred are chiefly for petty robbery of the negro grounds, and a neglect on the part of watchmen and cattle minders, very few for a want of sufficient labour. The petty plunder complaints are almost entirely against persons who have been long absent from the properties to which they belonged, and who came home under your Lordship's Royal Proclamation on the 1st of August, whose provision grounds must have naturally gone to ruin. While on the subject of the then absentees, I beg to assure your Excellency I attribute the comparative increase of labour to the apprentices generally confining themselves more to the properties, and not running off as heretofore, from a dread of coercion for every frivolous fault by them committed.

Your Excellency is aware how few of the proprietors, generally speaking, took any pains previous to the 1st of August to bring the management of their properties in conformity with the law about to take place. Your Lordship, I trust, will see some foundation for what I conceive ought to be by them done for weeks previous. There ought to have been a general change of overseers; the new ones should have been directed to conform immediately to the law connected with the abolition of slavery. Such a measure would have spared your Excellency and your then very few special magistrates the task of endeavouring to ameliorate and soften down existing animosities, whether merited or not, did exist, most persons will admit.

I have, &c.

His Excellency the Marquis of Sligo.

(signed) *Samuel Lloyd*, Special Magistrate.

(No. 4.)

Sir,

Camp, 2 July 1835.

IN answer to your circular, dated King's-house, 17th June, I have the honour to report that up to the period of my leave of absence, which commenced on the 27th May, that the disposition, industry and behaviour of the negro population in my district were daily improving, and that the treatment they received from the masters, managers and overseers were unexceptional; as a proof of which, all complaints have ceased, with the exception of some trivial things which must occur among so large a community.

I have, &c.

To W. G. Nunes, Esq., Secretary,
King's-house, &c. &c. &c.(signed) *A. Dillon*, Special Justice.

Sir,

Up Park Camp, 2 July.

IN reply to your circular, I beg to state, that in my district the apprentices were anxious and willing to work in their own time for wages. In the first instance on my arrival some few properties, namely, Ballentry and Orange Valley, refused to do so; but on my explaining the beneficial and good consequences of their doing so, they cheerfully complied.

I have, &c.

To W. G. Nunes, Esq., Secretary,
King's House.(signed) *A. Dillon*, Special Justice.

(No. 5.)

Sir,

The Chapelton District of Clarendon, 25 June 1835.

IN answer to your circular of the 17th instant, desiring, by command of his Excellency the Governor, a particular report of the state of the district in Clarendon assigned to my jurisdiction, as to the disposition, industry and behaviour of the negro population, the treatment they receive from their masters, and whether complaints have increased or decreased, on either side, since the commencement of my duties, I beg to state, for the information of his Excellency, that the disposition and conduct of the negroes are most promising, and will eventually prove, beyond doubt, to any who may still remain unconvinced, that the expense occasioned by the new system is more than covered by the unfrequency of desertion, and the improved

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improved state of health and strength enjoyed by the negroes. I never had the management (and I many years, as first lieutenant, directed the discipline of men of war) of a people so docile and ready to obey, more respectful to superiors, and submissive to their direction and advice. The predominant vices of idleness and petty thefts are clearly the offspring of a state from which they can only be said to be now emerging. In losing these vices, which are even now going into decay, I trust that they may not substitute European crimes of a deeper hue.

I cannot, in making a statement of this nature, refrain from taking the liberty of recalling to his Excellency's recollection an instance of industry and good conduct upon the part of the apprentices upon Leicesterfield's estate, and in doing so to assure his Lordship, that upon any estate in this district, where the manager's treatment is kind and considerate, I could not fear producing similar commendable dispositions, if extra labour were required.

The complaints against apprentices have diminished to almost one-half the amount; and I have few, indeed scarce any, against managers. The proprietors and attorneys have discountenanced harsh treatment, which, together with a few fines levied in earlier days upon some overseers, have produced, I hope, more correct feeling, as well as more correct conduct.

As my duties commenced in Clarendon without the assistance of any other magistrate, I may be allowed to express my satisfaction in the belief that from both the other districts his Excellency will receive favourable reports. To the hearty concurrence of Mr. Langrishe and Captain Dillon in all those regulations and measures which had proved beneficial, and to their ready and able advice and assistance, may be ascribed, in conjunction with the willing co-operation of all influential persons in the parish, its present state of subordination, and, I would fain believe, of prosperity.

W. G. Nunes, Esq., King's House.

I remain, &c.
(signed) R. Standish Italy,

(No. 6.)

My Lord,

Spanish Town, 2 July 1835.

IN reference to a circular, dated 17th June 1835, in which information on the general state of the district and parish of St. Catherine's is required, I have to state, that in consequence of a severe attack of yellow fever, I have, since the 8th of last month, been prevented visiting the different properties in the above district, and am therefore unable to lay before your Excellency the general statement which the above-mentioned circular requires.

To His Excellency the Marquis of Sligo,
&c. &c. &c.

I am, &c.
(signed) H. Moresby, Special Justice.

(No. 7.)

My Lord,

Special Magistrate's Residence, Mount Pleasant, near Annotto Bay,
North East District of St. Mary's, 30 June 1835.

I HAVE the honour to furnish your Lordship with my accustomed periodical report of the state of my district, in respect to the disposition, industry and behaviour of the apprentices herein delegated to my immediate charge, protection and regulation.

I have much satisfaction, my Lord, in renewing to your Lordship my report of the continued improvement in the disposition and conduct of the apprentices in this district of St. Mary, and that the complaints of masters *versus* the apprentices have gradually and considerably diminished since I assumed my duties here in February last. Your Lordship will, I hope, pardon me for offering my opinion when I say, that I consider continued and unflinching discipline as necessary to preserve the present order of things and regulation among the negro population, whose weak minds are prone to take advantage of the magistrate's relaxation and lenity.

In justice to the masters, managers and overseers in this district, I am bound to report to your Lordship, that the conduct and treatment observed by each and all these parties towards their apprentices is humane, kind and liberal; and it may not be amiss here to call to your mind, my Lord, (in confirmation of this part of my report,) that but one solitary instance has occurred of my being called upon to adjudicate the case of the apprentice *versus* the master since I took charge of this district in February. I trust my present statement will be satisfactory to you, my Lord; and I beg to subscribe myself,

To his Excellency
the Marquis of Sligo, &c. &c. &c.

Your, &c.
(signed) Joseph Rawlins Thomas, L. R. N.,
And Special Justice.

(No. 8.)

My Lord,

Mile Gully, 1 July 1835.

THIS district consists of very extensive pens for the breed of cattle, and coffee plantations. I have minutely inquired into the disposition, behaviour and industry of the negro population, and am happy to state that on all the large properties the apprentices are working cheerfully and well.

With the exception of a few cases, and those principally women, I have no complaints either

either from master or apprentice. I have made myself acquainted personally with the negroes in the absence of their employers, in order to ascertain their feelings towards their masters, and I have invariably found, where a kind and conciliatory mode of treatment has been pursued, that the apprentices are the more willing labourers.

I have the declaration of Mr. William Davey, of Bellefield, and Mr. Austin, of Christiana, that the apprentices work fully as well as before the 1st of August. Those are two considerable coffee plantations, and are managed by those two gentlemen as overseers.

It affords me great satisfaction to inform your Excellency that complaints on both sides have decreased since I have commenced my duties of special magistrate.

I have, &c.
(signed) *W. H. Alley*, Special Justice.

(No. 9.)

My Lord,

Black River, St. Elizabeth's, 1 June 1835.

IN compliance with your Lordship's circular, dated the 17th ult., respecting the state of the negro population of the district under my superintendence, I have the honour to state that, although my experience as a special magistrate is but limited, I have some knowledge of the negro character and disposition from having been five years in my professional capacity in the West Indies, during which I had an opportunity of visiting nearly the whole of the West India colonies, both Foreign and British.

I have no hesitation in stating, from former and my subsequent experience, that I have found the disposition and habits of the negroes depend greatly on the character of those who are placed over them; and to use an expression of their own, "good massa make good negro." I shall, however, confine myself more particularly to the observations I have been enabled to make lately, and draw a comparison between those properties conducted by men of respectability, and those that are in the hands of what are termed "old planters," many of whom cannot be divested of their old prejudices.

First, my Lord, I have to instance Salt Spring, Fullerswood, Success, Lower Works, Hodges Pen and the Rectory. These properties comprise one-third of the negro population of this district, and from these I have only three complaints during the last quarter, and two of the three are for petty thefts; while on the numerous small settlements, with a population each under 40, that are conducted by the proprietors, who in most instances are scarcely elevated above the negro in any respect, between these people and their apprentices there are constant contentions and incessant complaints, the one endeavouring to exact, the other to avoid, as much labour as possible. And I am positive the people would not work for them unless compelled, neither party having respect or feeling for the other.

The negroes are habitually indolent, but a good example (which they rarely have), a feeling that they are themselves to reap the fruits of their labour, instead of those to whom they consider they have no obligation, will hereafter work an extraordinary change in their character.

Your Lordship will perceive from what I have above stated, that there is a good understanding existing between the employers and apprentices on the larger properties, where they are generally well treated; but I have to observe that my district comprises pens and settlements on which I do not think the discipline is so rigid as on sugar plantations. Complaints are certainly decreased, but I attribute it to my being constantly amongst the apprentices. I have endeavoured to make them understand the mutual obligations they and their employers are under to each other, which I have always found them ready to listen to.

My weekly reports would have already informed your Lordship of the sad extent to which thieving is carried on, and I am fearful nothing will stop it until the people are more enlightened by education.

I have, &c.
(signed) *John Gurley*,
Special Magistrate.

His Excellency the Marquis of Sligo.

(No. 10.)

My Lord,

Brownstown, 30 June 1835.

IN answer to the circular of 17th June 1835, requesting to be supplied with an account of the particular state of this district in respect to the disposition, industry and behaviour of the negro population, the treatment they receive from their masters, managers and overseers, and whether complaints have increased or decreased on either side since I assumed my duties, I have the honour to state, since my arrival in February last, the disposition and behaviour of the negro population, generally speaking, has been good, and still continues so. There has been nothing like combined resistance for the last three months. With respect to their industry, the prevailing and general complaint of masters and overseers is an insufficiency of labour, that the apprentices do not do as much as they could in the limited time they are called upon to work. With respect to the treatment the negro population receive from their masters, managers and overseers, the best answer I can give is, that for the last six weeks I have not had a single complaint from any of them, and previous to that time very few. Looking back to the weekly reports I have sent, I can fairly state that complaints on the part of masters and overseers are on the decrease.

I have, &c.
(signed) *Stanley Rawlinson*,
Special Justice.

His Excellency the Marquis of Sligo.

My Lord,

Trelawny, 30 June 1835.

I HAVE much pleasure in reporting to your Excellency, that the whole of this populous and extensive district, assigned to my management by your Lordship, is perfectly tranquil and orderly.

The late fine seasons have put a new face on the country, and stimulated to increased exertion all parties interested in the cultivation of the cane fields.

The apprentices are becoming better behaved, and more reconciled to their managers under the new system than heretofore. They are gradually settling down to their duty and performing their work steadily and well.

As a proof of it, I humbly submit to your Excellency's consideration the following facts:

The apprentices generally appear to pay more attention to the religious observance of the Sabbath than formerly.

They appear desirous of having moral and religious instruction, and express a desire to have their children educated; none of whom have they in any instance apprenticed to their former masters.

They express an anxiety about their houses and grounds; and on one occasion I was asked by an apprentice if he could legally purchase and own land.

And I think the apprentices are becoming more and more sensible of the great boon that awaits them, as also of the necessity of the intermediate graduation of the term of apprenticeship, doubtless, my Lord, under the expectancy of education and increased religious instruction, and I regret to report to your Excellency the total absence of those valuable impulses throughout this extensive and important district.

Since crop, my Lord, I have had only one complaint from any manager in my beat (46 properties and about 9,000 apprentices) of the apprentices not working faithfully, and on investigation I am satisfied the overseer was himself to blame, having stopped their allowance of herrings, and worked the apprentices eight hours per day for five days in place of nine hours, and thereby depriving them of their half of Friday.

The apprentices work extra time cheerfully where required to do so for five days in the week, for monetary hire and at moderate rates.

I am not aware, my Lord, of any one estate in this district where they have refused to do so; and on some estates they work at night for moderate wages; at cane-hole digging, several of the apprentices have earned 6s. 8d. or a dollar per day, viz. by digging 160 holes at one halfpenny each.

The crops have been taken off and are closing very successfully.

The produce is of a superior quality to that made heretofore on every estate without exception.

There has been no stock lost as formerly, except on one property, where they had no supply as usual before the commencement of crop.

In this district, my Lord, there is only one resident proprietor, a very small estate; but the attorneys and managers generally are showing a more ready disposition to meet the new system in an equitable and honourable manner, by showing the apprentices a countenance, and granting them allowances of herrings as formerly, and other indulgences to them and the free children not directed by law.

I regret to state to your Excellency that several of the subordinate planters still cling to the old system, and cannot divest themselves of their old prejudices and arbitrary disposition towards the apprentices, who on their parts have not had sufficient time to reconcile themselves to their former oppressors.

Complaints are greatly diminished, my Lord, since the commencement of my duties, and they have become more of a casual than of an important nature, frequently between the apprentices themselves only.

In closing my report, I very humbly submit to your Excellency (from an experience of 34 years in the colony), that the prospects for the next year's returns are as flattering as can reasonably be expected, and are quite at variance with the newspaper reports.

The "Tharp's" estates will make equal crops the next year; they are going on well, and Mr. Tharp has assured me of his confident expectancy of increased returns the next season, and in which I submit to your Excellency he is borne out by the present healthy appearance of the cane cultivation.

Mr. Dexter, overseer and attorney (an old practical planter), at Hampstead and Retreat, confidently expects to increase the crops of those estates; and several other properties will make similar returns to the present years.

Mr. Bridge, overseer and attorney for York and Gales Valley estates, finished crop the 25th May, and has declared to me, "that he never had less trouble or more pleasure in taking off a crop in his life," and he is, my Lord, an old planter of acknowledged practical experience.

My Lord, the planters generally in my district acknowledge that the hours of the law are sufficient if faithfully performed, and that things are coming round well, and that the apprentices have done and are doing a great deal more work this year than the last, which I humbly submit to your Excellency to be an absolute fact.

I have great satisfaction in reporting to your Excellency, that the apprentices are apparently all happy and contented, and that they are well housed, well fed and well clad; and that

that the awful responsibility I felt on assuming my official duties has changed into a considerable degree of confidence, in the well-being of the apprentices and the well-working of the new system.

I beg to confirm my previous reports to your Lordship, and to assure your Excellency of my continued exertions in the faithful discharge of my official duties, in the hope of a successful termination, and of meriting the approval of your Excellency.

To his Excellency the Marquis of Sligo.

(signed)

I have, &c.

S. Pryce, Special Justice.

(No. 12.)

My Lord,

Aylmers, St. John's, 1 July 1835.

IN compliance with instructions received from Mr. Secretary Nunes, in a letter dated 17th ultimo, requiring, for the information of your Excellency, a report of the particular state of this district as regards the disposition, industry and behaviour of the negro population, the treatment they receive from their masters, managers and overseers, and whether complaints have increased or decreased since my entering on the duties of my office, I have the honour to state, that I perceive no material alteration in the disposition of the negro population; they are undoubtedly in this district generally peaceable and orderly, but I regret to say there is little reciprocal good-will subsisting between the apprentice and his manager; whilst the latter endeavours to procure as large a quantum of labour as possible in the hours allotted to him by law, the former seems determined to afford him as little as a frequent recurrence to the magistrate will permit; with this interference, however, the apprentices in this district continue to perform a fair proportion of work; indeed a total want of industry is not among their defects. With the exception of a few bad characters, they cultivate their provision grounds with assiduity, attention and profit; it is to their master only they begrudge their labour, and give it reluctantly.

On one estate only in this parish does that mutual good feeling exist between master and servant which would, were it general, ensure the successful operation of the new system, and answer the great end proposed in the enfranchisement of the negro, by gradually preparing him for the change that will take place in 1840, when he will be elevated to the condition and responsibility of a free agent and citizen. I allude to Spring Vale estate, from which I have never received a complaint from either manager or apprentice, yet the work done this year has vastly exceeded the average of many years back.

The negroes, perhaps from recollection of occurrences which may formerly have taken place, are extremely suspicious and distrustful of the good faith of those in authority over them; it is also a general complaint that they are growing from day to day more disrespectful and even insolent to their employers. On different properties different modes of arrangement have led to partially different results, but the prominent features of the negro character remain as yet unaffected. There are doubtlessly among them individuals not inferior in intelligence and acquirement to the European peasant, but the proportion is by no means large; and I cannot but state it as my opinion, that although a twelvemonth has now nearly elapsed since the commencement of the present system, the negro has not, as far as he has come under my observation, made a corresponding progress in his fitness for total emancipation, and the new state into which he will have to enter in five years from the present time, a period rather short for any extended development of moral principle or considerable amelioration of his former and present disposition. At home, in the negro villages, he is as licentious and unrestrained as ever; a Christian perhaps, at least baptized, it does not appear that the efforts of his religious instructors of any sect have succeeded in preventing his indulging in polygamy. The numerous cases in my diary show how general, notwithstanding frequent punishment, the crime of thieving still continues; the notion of the nature of an oath, as entertained by the negro, is rarely correct and adequate; it is a matter of every day occurrence for a prisoner convicted on clear and abundant testimony, to offer to kiss the book, as he calls it, to prove his innocence.

The want of a fitting system of education for the youth, as well as the children of both sexes, is frightfully manifest; those of the latter, free under the Abolition Act as less than six years of age on the 1st August 1834, are bred up in absolute idleness, untaught by their parents to perform the slightest service for them.

In reply to your Lordship's question respecting the treatment which the negroes receive from their masters, managers and overseers, I have to observe that few serious complaints have been brought before me; on some properties they are treated more indulgently than on others; to any infractions of the Abolition Act I at once afford the remedy provided by law, but I am happy to say they are of rare occurrence; although I regret to add that in some instances the indulgences heretofore given have been withheld since crop, on the negro refusing to give extra work to obtain them.

As regards the last point on which your Excellency calls for information, the increase or diminution of complaints, your Lordship will have collected from my hebdomadal reports that but little change has taken place. About two months since I certainly did indulge a hope that a considerable improvement was manifesting itself, but latterly complaints have again become numerous. Whilst the apprentices on some properties are for a time behaving better, those on others turn refractory and disobedient. At Clifford's, for instance, an estate belonging to Mr. Coleman, the member for Clarendon, I had not for the first six months or more of my service a single complaint, yet within the last month I have had great trouble there,

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there, and been obliged to punish with some severity, yet Mr. Coleman still complains that they will not afford him a fair proportion of work. I also remark that the charges now brought before me are often of a very serious nature, such as causing the death of animals by neglect or cruelty, and other offences betokening a bad feeling towards the master or manager.

His Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *Ed. Davis Baynes.*

No. 13.

My Lord,

St. Elizabeth's, 29 June 1835.

I HAVE the honour to inform you that my district is perfectly orderly; I have no complaints of the apprentices not doing their allotted duty; I have a few complaints of insolence, and I am sorry to say much of thieving one from another, so much so that some industrious apprentices will not make a ground for fear of the others; but between master or manager and apprentice things are going on well; no cruelty and much even temper on one side, and on the other side a satisfaction that they have justice. Complaints have much decreased in number since I commenced my duties here.

The negroes are rather whimsical about working in their own time for money, sometimes they will, at others they will not, but the thing is not much pressed on them.

His Excellency Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *W. A. Bell.*

No. 14.

My Lord,

Morant Bay District, 1 July 1835.

IN obedience to your directions, dated June 17th, I have the honour to inform your Lordship I cannot say at the present time that the apprentices in this district appear to work so freely for wages when proposed to them as they did a short time past. Lately, on a few estates, money has been offered to keep the spell at night, where they have refused to accept it. The dispositions and behaviour of the apprentices in this district I certainly must say is respectful and obedient; I have never heard to the contrary. Their treatment from their masters I have scarcely had above one or two most trifling complaints. I have much satisfaction of informing your Lordship that since I commenced duties in this district in February, that complaints have decreased more than half.

His Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *Jno. Eveleigh, Special Justice.*

No. 15.

My Lord,

Oliphant's Lime, Savanna, Lower Clarendon, 1 July 1835.

I HAVE the honour to acknowledge the receipt of a circular of the 17th June, directing me to furnish your Excellency with an account of the state of my district, the industry and behaviour of the negro population, the treatment they receive from their masters, and whether complaints have increased or decreased since I assumed my duties as special justice.

In reply, I beg to state to your Excellency that the new system is working as well in my district as its most ardent friends could desire, which assertion can be proved by some of the most respectable inhabitants of the parish.

The crops on almost every estate are finished, and, generally speaking, have exceeded that of last year both in quantity and quality. The state of preparation for next year's crop on all well-regulated estates is as forward as the diminished number of hours will allow. Complaints have decidedly diminished; but I regret to state I have been under the necessity of punishing some of the employers for cruel treatment to their apprentices.

I beg leave to assure your Excellency, that some very respectable managers, who at one time declared in my presence against the negroes working at all under the new system, will now come forward and declare they never saw the estate look more flourishing, and that they never knew their negroes work more laboriously, or with more cheerfulness or good feeling. I do not for a moment hesitate to declare to your Excellency, that both on the Sugar Estate and Coffee Mountain the apprentices in Lower Clarendon district are giving their managers more satisfaction than that they could possibly have anticipated.

His Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *R. J. Langrish, Lieut. R. N.,
Special Justice.*

(No. 16.)

My Lord,

Lower Lucky Valley, Jamaica, 30 June 1835.

CONFORMABLY with directions given through the letter of Mr. Nunes, under date of the 17th instant, I have now the honour to submit to your Excellency an account of the particular state of my district in respect to the disposition, industry and behaviour of the negro population;

population; the treatment they receive from their masters, managers and overseers; and whether complaints have increased or decreased on either side since the assumption of my duties.

As regards, firstly, the disposition of the negroes in my district (St. George's), it has exhibited itself in that medium form and degree as to have escaped cause for much reprehension, but not to have afforded cause for much praise. Towards the Government and public authorities of the Island there has been no instance of disaffected conduct or feeling, or other, indeed, than that of a willing obedience; but except amongst the better informed and better disposed class of negroes, those who are able to understand as well as to value the boon granted by the Abolition Law, there has been wanting that due feeling of gratitude which would most usefully have proved itself by stimulating the apprentice to an increased activity and energy in the performance of labour, where the law had generously decreed a reduction in the hours of labour.

Not only the disposition, but also the habits of industry and behaviour of the negroes are, I conceive, however, materially regulated by the treatment on the part of the managers and overseers. Some of the gentlemen acting in the latter character in the parish of St. George are men of experience, discretion, temper and feeling; there are others, on the contrary, who have these recommendations but imperfectly, or not at all. I should hope that the number of the first-described class prevails; and that I can conscientiously say that good treatment is more frequent than bad treatment on the part of the overseers of my district towards their apprentices.

Respecting the increase or decrease of complaints, it may perhaps be in the recollection of your Lordship that on my taking charge of the mountain district in St. George's in April last, the parish had been for some time without the presence of a magistrate, and that I had consequently to adjudicate upon a long arrear of cases, and to inflict unusually extensive punishments; subsequently, and having to the best of my judgment introduced a system of firm and equal justice, as respects both apprentice and overseer, the complaints on each side have since much diminished.

The staple produce in the mountain district of St. George is coffee. The crop of this article for the present year is finished, and the amount (owing to the bad state of the weather) being short, the labour (though reduced) of the apprentices has been sufficient (generally speaking) to secure the whole produce. The prospects for the next year's crop are so far favourable, that the coffee trees have recovered, and now, by their healthy and abundant blossom, give promise of an unusually large produce, but which abundance the overseers anticipate no benefit from, unless there is an extension of the hours of labour (or an increased activity during the present allotted hours) to gather it in: true that the law gives the overseer additional hours during crop time, but these he must afterwards repay, and he therefore declines availing himself of them. It would be very desirable could an arrangement be made, that a certain and fair quantity of work should be done in preference to the principle of regulating labour by a certain quantity of hours; all possible ground for complaint would thus be taken from the overseer, and the negro might be stimulated to do in six hours that work for which he now takes eight hours, since the overplus of time would be at his own disposal.

At present the apprentices, although civil in general demeanour, work lazily and reluctantly, and often necessitate an exercise of coercion where there is the disposition to prefer that of lenity.

Having thus, in obedience to your Lordship's directions, replied to the particular points stated in the letter of Mr. Nunes, I have to express my hope that your Excellency will not feel offended, or deem me to have taken a liberty in having, under the impulse of duty, superadded observations thereto.

I have, &c.
(signed) *William Gillam*, Special Magistrate.

(No. 17.)

My Lord,

Brechin, St. James, 29 June 1835.

AGREEABLY to the instructions received from Mr. Secretary Nunes, I continue to make reports of such parts of my county as I have been enabled to visit, and beg leave to state that during the last week my duties have confined me to the neighbourhood of the Brechin police station in St. James, where I am happy to observe matters, in my opinion, in a prosperous state. There are several estates in the immediate vicinity, and the manufacture of sugar being nearly completed, the labour is chiefly applied at present to the cultivation of canes, which appears to be most cheerfully performed by the apprentices, and as far as I can learn, on well-regulated properties, much to the satisfaction of the managers. I may safely say, that things, as far as I have observed, are coming into a very even state; and except the reiterated reports through some of the public prints, the accounts are generally very favourable. I had the pleasure of seeing a very respectable attendance of apprentices at the chapel near this on Sunday last; and I learn that the school there is well attended. Religious instruction appears to meet with considerable support in this district, of which I judge from having seen many of the proprietors and managers attending service.

I have, &c.

(signed) *R. Daly*, S. M., &c.

To his Excellency the Marquis of Sligo,
&c. &c. &c.

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(No. 18.)

My Lord,

Rio Bueno, 30 June 1835.

AGREEABLY to your Excellency's directions, I have now the honour to forward such observations on the dispositions, industry and the general behaviour of the negroes in this district, as my short residence here has enabled me to form; also a statement of the treatment they experience from their masters, managers and overseers, and the comparative increase or decrease of complaints since my first assumption of the duties of a special magistrate here.

The apprentices in this district I conceive to be generally well disposed, tractable and easily managed; where this is not the case, and the instances are very few, the fault may be traced to bad management, habitual drunkenness, or opposition on the part of those placed in immediate authority over them; they cannot, however, be said to be an industrious people, although the love of money, in which they fully participate with Europeans, would lead one to hope they will gradually become more so, seeing what high wages they are likely to obtain after their apprenticeship is out, 2s. 6d. each per day being even now obtainable for whole gangs by such as let out jobbers. Their behaviour is in general very peaceable and good, though much inclined, even now, to think themselves imposed upon, and as not obtaining equal justice with their masters, a natural consequence of the ignorance which still prevails. On the other hand, they are, with very few exceptions, well treated by their masters, managers and overseers, many of whom, I feel persuaded, would, if they durst, mitigate the sentences which I frequently have to pass upon them; the feeling on both sides may, therefore, be said to be an amicable one, as the only class who show them any unkindness are small settlers, having 8, 10, or 20 blacks, often men of bad character, drunkards, and low life individuals.

They appear in general to be happy, well clothed and well fed.

To His Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *R. C. Pennell*,
Special Justice.

P. S.—Complaints are so much diminished, and of so trifling a nature generally, that I expect shortly to be often a week without having any at all.—*R. C. P.*

(No. 19.)

My Lord,

St. Mary's, 30 June 1835.

I HAVE the honour, in obedience to your Excellency's instructions, to report on the state of the district I have the honour to have in charge in this parish.

Since my recent appointment to this district, I have observed the conduct of the parties referred to, and can confidently state that, with a few exceptions, the dispositions and behaviour of the negro population are such (as appears by the weekly returns I have had the honour to transmit to your Excellency, my periodical visits having been made in a great majority of instances without any complaint being preferred,) as to satisfy their masters and employers, whose treatment of their apprentices appears to be regulated in a great measure by the endeavours of the latter to exhibit an industrious line of conduct, which I have found met by a corresponding system of kindness and attention to their wishes and comforts.

To His Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *R. Sydney Lambert*,
Special Justice.

My Lord,

St. Mary's, S. E. District, 30 June 1835.

I HAVE the honour to enclose, for your Lordship's inspection, the diary of my last week's proceedings in this parish, as also the conclusion of the report on the state of the crops, together with the monthly return of properties visited and not visited, and the account of the state of the district, as ordered in your Excellency's circular of the 17th inst. I regret that the short period I have been in charge of this district prevents my including in this latter communication the information required as to the increase or decrease of complaints. The apprentices generally, where any misunderstanding does exist, seem on many points bearing on their supposed grievances to be in total ignorance of the law, which I devote myself to explain to them, and which I am happy to say they listen to in most cases with attention.

To His Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *R. Sydney Lambert*,
Special Justice.

(No. 20.)

My Lord,

Aberdeen, Rio Bueno, P. C., 30 June 1835.

I HAVE the honour to acknowledge the receipt of your Excellency's circular of the 17th inst.

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In compliance with your Lordship's directions as to the particular state of my district, with respect to the dispositions, industry and behaviour of the negro population in my district, the treatment they receive from their masters, managers and owners, and whether complaints have increased or decreased on either side since my assuming the duties of special magistrate, I beg leave to inform your Excellency, that the negro population of this district are behaving extremely well, and have nearly taken off the crop, without many complaints, and none of any very serious nature; that their dispositions have improved, and they have worked much better than at the commencement of crop, and apparently with much more satisfaction to themselves and their masters.

The character of the negro is not of an industrious habit, and there being but few examples of their working during the hours allowed them by law. I however look forward to the negro coming more into the way to work for hire than they have done, and making themselves a more industrious class of people. The treatment they receive from their masters, managers and owners, appears to me to be kind, and that both sides are coming into the manner of working with kinder feelings, and more agreeable to the Act for the abolition of slavery.

It is with feelings of extreme pleasure that I can inform your Excellency that in this district complaints on both sides have decreased very considerably since my assuming the duties of special magistrate; and I have no hesitation in saying that the prospect for the next year's crop is very good.

His Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *C. Hawkins*,
Special Magistrate.

(No. 21.)

My Lord,

Parish of St. Thomas in the Vale, 1 July 1835.

DURING the four months that I have been carrying into effect the arduous duties of the Abolition Act as a stipendiary magistrate, I regret to say that I have seen no disposition towards industry evinced on the part of the negro population generally; they require on all occasions to be coerced by the law to do their regular work, are extremely tenacious of a few minutes of their own time, if used by the managers, and on the contrary, are indolent, lazy, and generally late in turning out to work on the estate. I cannot offer a stronger proof how prone the race is to idleness than the manner they are now bringing up their children, in objecting generally to any mode that may be proposed to give them work or apprenticing them. As to the general disposition of the working classes, it is a compound of low cunning, deceit and lying. In my opinion, if they are aware, they care very little about the sacredness of an oath; and whenever profaning it can suit their own ends, it is a mere matter of form.

Complaints, I am sorry to say, are on the increase for some weeks past, and in many instances evinced a degree of sulkiness on the part of the negroes.

The negroes are well treated by the managers, and complaints are very rare against them; the law has completely tied up their hands from any acts of oppression. I regret my report is not more favourable.

Most Honourable Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *J. W. Baynes*,
Captain of S. S. P.

(No. 22.)

St. Ann's, 30 June 1835.

THE apprentices in this district continue to be working very well, and there is an appearance of cheerfulness and good feeling existing among them and their employers, who seem satisfied with their conduct; indeed, generally speaking, I think there is a mutual confidence on both sides. In a great many instances they have their herrings served them as formerly, owing to their general good conduct. There are scarcely any complaints now on either side, and those only of a minor nature, which shows, in a great measure, that the apprentices here have much improved; and they seem to be satisfied with the treatment of their masters and overseers.

W. H. Sowley, Special Justice.

(No. 23.)

My Lord,

Villa, 30 June 1835.

I BEG to report to your Excellency the state of my district, and it is with much satisfaction I can acquaint your Excellency the negro population continue to conduct themselves in a very peaceable manner, are more respectful in their demeanour, and evidently show a better disposition to work than when last I had the honour of making similar report to your Excellency. With respect to the treatment they receive from their masters, managers and overseers,

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overseers, I scarcely know of an instance where the apprentice has any just reason now to complain; and I also beg to inform your Excellency complaints on both sides have considerably decreased since I assumed the duties of a special magistrate.

I have, &c.

(signed)

E. D. Philp, Special Justice.
Leeward District, Westmorland.

To his Excellency the Marquis of Sligo,
&c. &c. &c.

(No. 24.)

My Lord,

Rodney Hall, St. Thomas in the Vale, 1 July 1835.

I AM happy to inform your Lordship that the apprentices in my district are generally well disposed and industrious; on some properties I have not had a complaint for the last two months, and those apprentices who have been complained against and punished are much improved in their conduct. The treatment of the overseers and managers is most kind and indulgent; for upon Hag Hole estate Mr. Fairweather, the attorney, not only gives the negroes all former allowances, but pays them liberally in money during crop, while working extra hours. Complaints have certainly decreased, and I have no hesitation in saying they will continue to do so. The canes for next year's crop look rich and luxuriant on most properties; so much so, that the overseer of Tulloch told me the other day that he was almost certain of making next year from 30 to 40 hogsheads of sugar more than he has done this.

I have, &c.

(signed)

T. Watkin Jones.

To his Excellency the Marquis of Sligo,
&c. &c. &c.

(No. 25.)

My Lord,

Derry Police Station, Pear-tree Grove, P. O., 30 June 1835.

I HAVE the honour to acknowledge the receipt of your Excellency's secretary's circular of the 17th instant, and I beg to state, for your Lordship's information, that the negroes in my district evince the greatest anxiety for industry and morality. I regret to say that, in my opinion, many of them are far more circumspect as to their conduct on the Sabbath-day than that of the higher class of gentry in this Island.

Crime amongst the negro population is daily decreasing, and they seem to be loyal and affectionate towards the British Government, and particularly towards the King.

The negroes on the sugar estates in my district will all work for wages, and some of them are now working for barter, salt and herrings, &c., for example, Goshen estate, attorney, Mr. Gueddis. From everything that I have both seen and learned, and considering the degraded state from which the negroes have been raised by the mother country, I must say that in my own district they have made a most rapid improvement, and I cannot report them in any other manner, taking the average from the 1st of August 1834, than that of well-disposed peasantry.

With reference to the proprietors, attornies, managers and overseers, I am sorry to remark that I have not met that friendly disposition to forget former power, and to look to the people with some little guardianship; this of course arises from this respect, that the real proprietor, who is, in the end, the principal, is not now in the Island to nourish his own interest, by taking care of his apprentices, and thereby making them attached both to the master and to the soil. By such a plan the apprentices would, at the end of the apprenticeship, look to the master with affection and respect; they would be certain also to stay at work on his estate, in preference to any other. I fear, in honesty, with the present prejudice towards England's emancipation, that nothing very favourable can be reported by me, as the masters and overseers have never, to my knowledge, evinced any symptom of kindness or attention towards the black population.

I have, &c.

(signed)

Henry Walsh,
Special Justice.

His Excellency the Marquis of Sligo, &c. &c. &c.

(No. 26.)

My Lord,

Crawle River, Great House, Clarendon, 1 July 1835.

I HAVE the honour to acknowledge the receipt of your Excellency's circular of the 17th June, requesting a particular account of the state of my district, describing the disposition, industry and behaviour of the negro population, the treatment they receive from masters, managers or book-keepers, and whether complaints have decreased on either side since my assumption of office.

In obedience to your Excellency's instructions, I beg to state, that my impression of the negro character would lead me to describe it as docile, uniting respect and confidence for the laws, and a feeling of kindness towards the authorities who administer them, with temper and integrity. As an evidence of their industry, I can adduce as a fact, that on every estate in this district they have freely and willingly worked for hire. And when your Excellency considers

considers that the hours they devote to extra labour are those generally given to sleep or recreation, it must remove the stigma of universal and overpowering indolence so often imputed to them.

The complaints usually preferred against the apprentices are neglect of duty, insolence, insubordination and petty thefts; these charges have decreased in my district more than one half; in fine, my Lord, the population in this part of Clarendon may be conscientiously described as peaceable, obedient, industrious and contented.

I have further the honour to state, that the conduct of all those in management, under the denomination of masters, overseers and book-keepers, with a solitary exception, may be described as humane. They rigidly exact labour, obedience and respect; in the latter they are over fastidious; but no one act of cruelty or oppression has come to my knowledge but in the previous exception, and that was of a modified character. In conclusion, my Lord, I am bound to state, that a reciprocal feeling of good-will and forbearance between the employers and the employed is gaining strength, and that the superintendence of the same benign and merciful providence, which urged and promoted the extraordinary and unprecedented measure of gradual emancipation, is still watching, promoting and guiding its final completion.

I have, &c.

To His Excellency the Marquis of Sligo, &c. &c. &c.

Thomas A. Dillon.

(No. 27.)

District of Manchiŕneal, St. Thomas in the East, 30 June 1835.

It affords me much pleasure to state, that this district is quiet, and the apprentices behaving themselves well. The apprenticeship system is evidently much better understood by all parties, and there is consequently less confusion, with a marked diminution of complaints.

I have on no occasion had reason to find fault with either proprietors, managers or overseers; all have obeyed the laws, and treated their apprentices with every consideration.

The estates are certainly back in their cultivation and crop to what they were last year, but I impute that chiefly to the loss sustained from the general misunderstanding that took place in this district as to the interpretation of the laws, from the 1st of August to the 1st of January.

The estates' constables are using their authority with discretion, and the people kept in check by them. I have not now to complain against watchmen, and stealing is less frequent. There is a general inclination to work for wages, and many estates have employed their apprentices during their own time to dig cane-holes, at the rate of 12 for 5 *d.*, at which they make excellent hire, and in many instances the people apply for such employment. I fear, however, they are hoarding up their money for the purpose of purchasing lands after the apprenticeship. The women are now obedient, but they do not work in their own time so generally as the men. The only exception to this favourable report, and I conceive it a very serious one, is, that the free children still continue to be brought up in idleness, and no consideration will induce the parents to place them under the care of their former owners. No measures have been adopted in this district for the education of children under six years of age.

(signed) *James Kennet Dawson,*
Special Justice.

(No. 28.)

Sir,

Hampten, St. James's, 29 June 1835.

For the information of his Excellency the Governor, I take leave to make the following statement as regards the working of the new system in my district:

The estates generally have nearly finished crop; with some few exceptions the estimates have been realized.

The cultivation of most estates is going on to the satisfaction of those concerned, and I have no doubt but it will continue with that success which is generally expected by every well-wisher of the country; and that next year's crop will equal, if not exceed, the present one. The quality of the produce made never was surpassed.

Crime has also diminished in a surprising degree. The master and apprentice seem to entertain a more reciprocal good feeling towards each other; in most instances the latter appear to appreciate any indulgences shown them, and, in my opinion, to a degree that their masters always feel pleased to observe.

The usual indulgences have not been withheld, such as clothing, hospital attendants, cooks, nurses, watchmen for their grounds, rum, sugar, herrings or salt-fish.

The managers of most estates are respectable and prudent persons, which circumstance will ensure from the apprentices a proper demeanour towards them. They are encouraged to attend any place of worship which they think proper; and a vast number of them have already been taught to read and write.

Whenever the apprentices are desirous of disposing of their own time to their masters for money, they have every facility and encouragement held out to them; but of course, in all

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societies there will be found some sulky and ill-disposed persons who will not work, or enter into any arrangement.

In cases where children under six years of age, or free persons, are brought to the hospital, they receive the same care and attention as when they were slaves, although the medical gentlemen have no remuneration for this act of humanity.

I have, &c.
(signed) *R. Cocking*, Special Justice.

W. G. Nunes, &c. Secretary,
&c. &c. &c.

(No. 29.)

Vere, 1 July 1835.

My Lord,
I BEG leave to have the honour to state, in reply to your Lordship's circular of the 17th ultimo, as to the state of my district, that I feel much pleasure in being able to report to your Excellency that the feeling between master and apprentice in this district is most satisfactory. The apprentices now all seem perfectly contented and happy; their behaviour, and the willingness they showed in most instances to give up a portion of their time to obtain both money and allowances, and the great anxiety they have shown to take off the present crop, was most exemplary, and a perfect good understanding now exists between all parties. I am also happy to state, for your Excellency's information, that in my opinion the attornies and managers have done all in their power towards the well-working of the new system; in many instances they have given the customary allowances to the free children as well as to the apprentices; they also allow cooks, nurses, and watchmen for their grounds; which, my Lord, by their so doing, I attribute in a great measure the present prosperous state of this parish, and the good behaviour of the apprentices. I beg leave also to state, for your Excellency's information, that complaints are becoming far less frequent, and of a more trivial nature in most instances, than when first I assumed my duties; I rarely now have any complaints from the apprentices against their masters or managers, except in some cases where they are ignorant of the law, which when explained to them makes them perfectly satisfied.

In conclusion, I beg to add, for your Lordship's information, that the shipping in the bays dependent for their loading in this district, have sailed with great regularity, and, in many instances, earlier than the preceding year, while it is consistent with my own knowledge that the quality of the produce made has been such as to procure the highest prices at market.

I have, &c.
(signed) *James Nolan*.

His Excellency the Marquis of Sligo,
&c. &c. &c.

(No. 30.)

St. David's, 30 June 1835.

My Lord,
I HAVE the honour to inform your Excellency, that I consider the negroes in my district as well disposed, from their having on every occasion of my applying to them entered into arrangements to work during crop seven hours per day beyond the time fixed by law, for no other remuneration than that of receiving the common allowances, which have always been given as matters of course. They have been industrious it is evident, for on coffee plantations they have picked three bushels per day, when it was fully ripe, being the greatest quantity expected, even in by-gone times; and when required they have worked in their own time, at the rate of 10 *d.* per bushel. In this district there are 10 sugar estates. I took an account, furnished by the overseers and proprietors, showing the average quantity of sugar made last year, and this year, per week; notwithstanding the diminution in the time of labour and the substitution of the constable's wand for the driver's whip, the deficiency per week amounted only to 9½ hogsheads.

I am led to believe, both from my own observation and the information which I have received on the different properties in my district, that the crop of next year will more than equal that of this. The behaviour of the apprentices is good and forbearing. Since they have become acquainted with the law, they are not disposed to prefer frivolous complaints. I wish I could state the same of the managers and overseers: the dissatisfaction of many of them with the new system is so great, that one would be led to think the non-working of it, however inexplicable it may appear, would give them delight. Their manner of speaking to and of the negroes is haughty, intemperate and disgusting in the extreme; their disposition to have corporal punishment inflicted is manifested on almost every occasion of preferring complaints; a bad way truly, to introduce those grateful and good feelings which should subsist between master and man, and of inducing the latter to look up to the former with respect and regard; and yet, strange to say, they are found in their intercourse with society in general to act with apparent kindness and good nature. That there are men amongst the planters possessing humane and generous feelings, I am happy to bear testimony.

I have, &c.
(signed) *Patrick Dunne*,
Special Justice.

His Excellency the Marquis of Sligo,
&c. &c. &c.

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(No. 31.)

Sir,

Saxham-hill, Green Island, Hanover, 30 June 1835.

IN compliance with the desire of his Excellency the Governor, as conveyed in your letter of the 17th inst., I have the honour to report that the present state of this extensive and populous district is, generally speaking, satisfactory. I might, perhaps, be justified in going still further, and saying that it is particularly so, if contrasted with the situation in which I found it on the assumption of my duties about six months back. At that period, and for very many weeks subsequent to it, complaints, which on investigation but too often proved well founded, were constantly being made by the managers of properties against the apprentices for idleness and insolence; and even charges of a more serious nature were not of unusual occurrence. I am now, however, happy in being able to state that a considerable change for the better has taken place in these respects; crime is certainly on the decrease, and more kindly feelings appear to be growing up between master and apprentice.

With reference to the mode of treatment which the apprentices receive from their employers, I cannot perhaps better illustrate it than by adducing the fact, that since I have had the honour of acting as a special magistrate in this district, not more than two cases of oppression or cruelty have come under my cognizance. In the first of them, although the allegations were made before me on oath, and the circumstances which occurred clearly detailed, the plaintiff, from what cause I have never been able to discover, did not appear when the case was called on at the subsequent session. In the latter instance I inflicted a fine on the offender.

Before I conclude, I have no hesitation in stating it to be my belief, that as the bad feeling which slavery naturally engendered in the minds of the negro population wears off, so in proportion are they becoming and will become obedient, industrious and in every relation useful members of society.

W. G. Nunes, Esq., Secretary.

I have, &c.
(signed) J. Odell, S. J.

(No. 32.)

Sir,

Maroon Town, 29 June 1835.

IN reply to your letter of the 17th inst., I have the honour to state, for the information of his Excellency the Governor, that since I entered upon my duties as a special magistrate, (which was in April last,) the conduct of the negro population has been, with scarcely an exception, orderly and respectful in my district.

The number of complaints has decreased, and the apprentices are doing much more work; but I am sorry to add, that I attribute this more to a fear of punishment than a good disposition towards their masters.

The treatment they receive from their masters and overseers is correct, as may be inferred from the very few complaints I have had made by apprentices against their masters, and those of a very frivolous nature. On one estate there has not been a single instance of complaint of any kind on either side since I have undertaken the duties of a special magistrate.

W. G. Nunes, Esq.,
Governor's Secretary's Office.I have, &c.
(signed) William Elliott,
Capt. 37th Regt., Special Justice.

(No. 33.)

My Lord,

Kingston, 1 July 1835.

IN reply to your letter, dated the 17th of June, calling on me for a report of the state of my district in respect to the dispositions, industry and behaviour of the negro population, the treatment they receive from their masters, managers and overseers, and whether complaints have increased or decreased since I assumed my duties, I beg to state, that the negroes are disposed to be very idle when not working for themselves, and are also considerably addicted to thieving, for which their vicinity to Kingston affords inducements and facilities. I consider that they have worked much better since I came to the district. I at that time received complaints from the overseers of several properties of the idleness of their gangs. In every instance where the charge was proved, I ordered the gang to compensate the estate by working in their own time till the loss by their idleness was made up for by their additional labour, having taken care to ascertain what might be considered a fair average of labour in the work on which they had been employed. In every instance, the quantity of labour which I required to have been performed or to be made good was perfectly satisfactory to the overseer; but to convince your Lordship it was nothing unreasonable to require from the apprentice, I have known, in several instances, the same work to have been finished before 11 o'clock in the day.

I have found that acting on this plan had a very good effect on the subsequent working of the gangs on such estates, as I have acted in the manner I have mentioned; and I have no doubt the example had a good effect on others, as I have received very few complaints against the masters or overseers of properties, and that I give the apprentices abundant opportunities

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opportunities of making them, by visiting the properties, even more frequent than I am obliged by law. I can safely make a favourable report as to the general conduct of the masters and overseers in my district towards their apprenticed labourers. As regards the increase or decrease of complaints since I commenced, I have hardly been acting a sufficient length of time to give a decisive opinion, but I think there is a strong tendency towards their diminishing, and I feel confident that in a short time I shall have as few complaints as can reasonably be expected to arise among so many persons requiring some coercion to make them mutually perform those duties which the law imposes.

His Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *R. Fitzgerald,*
Special Magistrate, St. Andrew's.

(No. 34.)

My Lord,

Annotto Bay, St. George, 30 June 1835.

SINCE the transmission of my report of 17th March last, I have observed a gradual amendment going forward amongst the apprentices in my district. In my former report I stated that the negroes, excepting the most intelligent, did not work freely for wages in their own time, but since that period, (while hire for field work is still refused,) agreements have been entered into on fair terms with the mill gangs upon every estate under my charge, with the single exception of Craig mills, where they have not been required to do so. This has tended very much to produce a feeling of satisfaction on both sides, which is evinced by the very few complaints brought forward either by manager or apprentice respecting the quantity of work done in the manufacturing of sugar. All through my district complaints have considerably decreased both in number and character, those now brought forward being most frequently for cases of individual violations of law, rather than, as before, for instances of insubordination or combined resistance. Habits of industry appear to become more general, but time alone can decide whether I am justified in believing them permanently established or not. So far as I can judge of their disposition, the negroes seem better inclined to work fairly than hitherto, whilst their conduct and behaviour, as a body, is as orderly, as docile and as respectful as could possibly be expected from a community so large and uninstructed, who have been so suddenly elevated from the restraints of slavery to freedom.

With regard to the treatment negroes receive from their masters, managers and overseers, I believe they are well treated, and that there are very few instances of oppression or cruelty is proved by there being but few complaints made by apprentices. Masters seem anxious to get a fair proportion of work done, but I am inclined to believe they do not attempt to impose upon the people, by exacting more than the law sanctions; and in most estates in my district the indulgences which the people were accustomed to are still allowed.

His Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *E. Fishbourne,*

(No. 35.)

My Lord,

Retreat, 30 June 1835.

I AM happy to be able to inform your Lordship of the quiet and peaceable state of this district; and to show there is no wish on the part of the apprentices to leave the crop on the ground uncut, I this moment received a letter from the overseer of the largest estate in the district, to say that the people on Golden Grove were getting on very well; that crop would be finished in a fortnight, and that at that time they would have made 550 hogsheads of sugar, as much, if not more, than they made last year, or in fact any other year. I have always found the disposition of the apprentices, generally speaking, very good. I never gave them an order to work in their own time, (for perhaps some neglect,) but they obeyed most strictly, and the overseer generally tells me that on those days I have ordered them to work, they have always worked best.

As to the treatment they receive on all the estates in this district, I think it is very good; they get for giving up their four hours and a half a week, and for keeping the mill about during shell-blow, all the usual allowances granted in the slave time, which far exceeds what the vestry orders annually to be given. I must say of the three characters, master, attorney and overseer, that from the two former the apprentices generally receive many kindnesses; but in most instances the overseers appear to wish to put them in the cells for perhaps the most trifling circumstance, and nothing they appreciate so much in a special magistrate as that of being fond of giving severe floggings. I have heard them talk a great deal about the loss the estate sustained by a man being a quarter of a day away from his work; but if they could put the same man in the cell for 24 hours, they would never make a complaint of the loss the estate sustained by his being there. I do not think I can give your Lordship a better proof that complaints on both the master and apprentice's side have decreased very considerably, than by referring you to my last three weeks' report, and also by stating, that when I took charge of this district the daily number of requisitions was from six to eight; now I do not get so many in a fortnight. The number of people who came here

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here on a Saturday was generally from 40 to 60, with complaints against their employers; now I seldom have more than four or five. I must say it gives me a great deal of pleasure to see how quiet and well everything is going on, and to hear persons own it to be so who are not at all inclined to allow that the new system could possibly succeed, or that the apprentices could ever be made to do anything but as they liked themselves.

I have, &c.
(signed) *Henry Blake*, Special Justice.

(No. 36.)

My Lord,

Unity, Rocky Point and Port Morant District, June 1835.

I HAVE the honour, in obedience to your Lordship's letter of the 17th instant, to make the accompanying report of the state of my district; should it not be so full as I could wish or your Excellency expect, I must beg that kind consideration that has ever been evinced to a person placed in my situation, having been little more than three months in charge of this district as special justice. I have endeavoured, from close observation, to come to a just conclusion as regards the relative situation of master and apprentice.

The apprentice is perfectly conversant and tenacious of his rights and privileges, which he will not allow in the slightest degree to be infringed, although he is not so mindful of his master's rights, having, from long habits, considered himself entitled to a share of his employer's property. Generally speaking, I regret to say I do not think the apprentices of either sex work cheerfully; what they do is done as a task, to avoid punishment, rather than as labour due to the master. If they turn out regularly at the stated hours, to make up for that act of obedience, they will not do more in the field than what will just answer their own purpose; yet, when task-work is given them, they generally finish so as to gain a couple of days in a week, in addition to those they are entitled to. Complaints are certainly less frequent than when I first entered upon my duties: the negro will try to the utmost a new magistrate or an inexperienced overseer, and when he finds his efforts fail, he becomes tractable and obedient. They are a peaceable quiet race; you seldom hear of a robbery that may be termed such. They are more attached to places than to persons, and I think this is the stronghold the planter will have at the expiration of the apprenticeship. The overseer's situation is an arduous and an anxious-one. Some, from the falling off of produce, are fearful that their employer should be dissatisfied; this, perhaps, makes them expect more from the labour of the apprentice than they ought in reason to do. The tie that should bind master and servant seems in a degree lost, and both look more to the special justice than to each other. I have invariably found the master or overseer kind to his dependants, giving them all the allowances that they formerly enjoyed; to the infant free children protection, medical attendance, and such comforts as their mothers might require. I do think, from the limited observation that I have been able to make, that the planters in this part of the country, so far from throwing any obstacle in the way of the Abolition Act, aid it in every way in their power. This part of the country is differently situated to most others: the negroes are rich, have large possessions in grounds, and the workpeople that I employ to put my house in order ride on their horses to do my work; consequently, extra labour is not such an object to them, their grounds being more valuable to them. I state this to your Lordship as a reason why some do not so readily work extra time for hire. I trust your Excellency will excuse any matter that I may have introduced into this report as not being exactly confined to the information required, but, not having been long enough on this station to give a report of this nature, and aware that your Lordship's aim has been to gain any and every information that may be of advantage to this Island, I have presumed to state all that I could acquire from observation or information.

To his Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *Thomas J. Baines*,
Special Justice.

(No. 37.)

My Lord,

Buff Bay, St. George's, Jamaica, 27 June 1835.

I HAVE much satisfaction in stating, in reply to your Lordship's circular of 17th instant, that the conduct of the apprentices in my district has continued to improve since I had the honour of sending a report to your Lordship on the 24th March last.

There has been only one case approaching to insubordination since that time; of course, out of so large a population, many persons are daily brought before me charged with neglect of duty, idleness, insolence, &c.; but the general conduct of the apprentices is decidedly good: they appear to be satisfied, and work cheerfully. On almost every estate in my district they work readily in their own time for a remuneration, and the managers in general seem to feel that conciliation is the best mode of getting them to work well.

I have always pointed out to the managers of properties the advantage of this course, and it is most pleasing to me to be able to state that complaints against them are extremely rare.

Complaints against apprentices have decreased to a certain point, below which it is not probable that they will fall, as every fault, of however trifling a nature, must be brought before the special justice, the law permitting no one but himself to punish an apprentice.

JAMAICA.

But your Lordship has no doubt observed, from my weekly reports, that the offences brought under my observation are of a trifling nature, and that the extent of punishment has very much decreased. Both apprentices and managers seem to be satisfied; and for my own part, I am convinced that the crop of next year will prove, in my district, the advantage of the present state of things. It is but a short time since two gentlemen managing large estates (Low Layton and Shrewsbury) said in my presence, in speaking of the good conduct of their apprentices, and the ease with which they were managed, "that they wished that the present system was to be a lasting one."

His Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *Wm. Hewitt*, Special Justice.

(No. 38.)

My Lord,

Chester Vale, Port Royal Mountain, 1 July 1835.

IN compliance with your Excellency's commands, conveyed in Mr. Secretary Nunes's letter of the 17th instant, to state the disposition, industry and behaviour of the negro population, and the treatment they receive from their masters and managers, and whether complaints have increased or decreased since I assumed my duties; I beg then most respectfully to inform your Excellency, that the negroes in general throughout this district seem well disposed, and I think perform their labour willingly; that, with some few exceptions, the masters or overseers appear to treat them with kindness; and the women give much more trouble than the male apprentices, from an unwillingness to go to the field at shell-blow; but that, on the whole, I do not think complaints have increased since I arrived in these mountains.

His Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *H. Kent*, Special Justice.

(No. 39.)

My Lord,

Torrington Castle, 30 June 1835.

I HAVE the honour to inclose herewith my weekly report; and in reply to your Excellency's letter of the 22d instant, I beg leave to state, that on every occasion that the apprentices of my district have been asked to labour in their own time, they came forward cheerfully; and at present many are employed in pruning trees upon the plantations of Kingston and Mount Olivit, and many are employed in their own time in building walls.

To his Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *J. Reynolds*, S. M.

My Lord,

Torrington Castle, 30 June 1835.

IN obedience to the instructions contained in a letter, dated King's House, 17th instant, I have the honour to acquaint your Excellency, that the apprentices upon the large plantations in my district are conducting themselves exceedingly well, but they are in many places unkindly treated by masters and overseers; and when I first took upon myself the duties of Santa Cruz these persons imagined that one word in the shape of complaint was sufficient to produce severe punishment, but now that these persons are acquainted with the views that I have taken in such cases, they have nearly laid aside idle and silly complaints.

It is also right for me to acquaint your Excellency, that in the Savanna there are many small settlers, people of colour, who treat their apprentices with severity; but I have no hesitation in stating to your Excellency, that the negroes of this district show every disposition to establish a character, becoming industrious and well-behaved people.

To his Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *J. Reynolds*, S. M.

(No. 40.)

My Lord,

Warwick, Carpenter's Mountain District,
Parish of Manchester, 1 July 1835.

IN obedience to the orders of your Excellency, I beg to subjoin the following report of this district:

The negro apprentices of this district are orderly and generally well disposed. Labour goes on regularly, with comparatively little necessity for coercion.

Crime is extremely limited, the worst feature thereof being the occasional plundering of provision grounds; this I am using the strongest measure the law affords to put a stop to.

The apprentices are everywhere humanely treated by their masters or managers. Ample land is given for the cultivation of provisions; they have their hogs and poultry, and many keep their horses. Their appearance on Sundays is superior to that of European peasantry in general.

general. Beggary or want are strangers to the land. Complaints of apprentices against their masters or employers are rare; where they do occur, it generally happens that the apprentice, on investigation, has been the aggressor.

I have every reason to think that the apprentices labour as well as when they were slaves. Some planters complain they cannot keep the same quantity of land under cultivation; but this must be understood with reference to the time formerly allotted to labour, compared with that now given.

Wherever the negroes work for hire they seem to work harder than at their ordinary labour; I see no disinclination to work for hire. Some planters complain latterly that the negroes neglect their own grounds in order to hire themselves out. As they have time enough for both purposes, I attribute such neglect, where it does occur, to idleness, and perhaps in some measure to the dry season.

The future must of course be problematical; but the present system, where the law is judiciously administered, I consider equally advantageous to both master and apprentice; nor do I see reasonable cause to anticipate a decrease of the staples of the Island.

In fine, I believe the peasantry of this Island to be better off, and more happy, than any other in the world, and am certain, on their transition to absolute freedom, they will encounter many difficulties they have hitherto never had an idea of.

I have, &c.

His Excellency the Marquis of Sligo, (signed) *Arthur Welch*, Special Magistrate.
&c. &c. &c.

(No. 41.)

My Lord,

Savanna-la-Mar, 29 June 1835.

I HAVE the honour to acquaint your Excellency with respect to the negro population in my district, and the treatment they receive from their masters, managers and overseers, as I hear no complaint to the contrary, I should certainly consider satisfactory, and complaints on both sides evidently decreased rather than increased.

The general demeanour of the apprentices is decidedly marked as being respectful, and with few exceptions doing as much work, and in some instances more by nearly one-fourth, than this time last year.

I have, &c.

His Excellency the Marquis of Sligo, (signed) *Thomas M. Oliver*,
&c. &c. &c. Special Justice.

(No. 42.)

My Lord,

Lyndons, Westmorland, 29 June 1835.

I HAVE the honour to acknowledge the receipt of your circular of the 17th instant, and in reply thereto beg leave to observe, the apprentices in this district appear generally satisfied; a good feeling appears to exist between the masters, managers and apprentices, who are, I am assured by many of the most respectable gentlemen, conducting themselves with propriety. The treatment I have observed the apprentice to receive from his master is generally humane and kind, and I attribute the good conduct of the apprentices to the management of those in authority over them.

Those properties on which the managers have assisted the working of the system are doing well, and promise fair crops the ensuing season; but on those estates on which a contrary feeling has existed have suffered in short crops this year, and will fall short next crop. I am glad to be able to observe there are but one or two estates in my district that are conducted in the last-mentioned way, and I flatter myself (with the assistance of one or two respectable gentlemen,) I have overcome the difficulty by making the managers sensible of their error, and thereby remedying the evil.

I have, &c.

To His Excellency the Marquis of Sligo, (signed) *B. Edwards*,
&c. &c. &c. Special Magistrate.

(No. 43.)

My Lord,

Houghton Grove, Hanover, 3 June 1835.

WITH reference to your Lordship's circular of the 17th inst., I have the honour to report to your Excellency that the apprentices in this district are now conducting themselves tolerably well, much better than they have hitherto done; and I have reason to hope that the field labour will be carried on satisfactorily since the taking off the crop has ceased.

Upon the whole, I have much pleasure in being enabled to state to your Excellency, that complaints of masters against their apprentices are evidently on the decline, and complaints of apprentices against their masters are very rarely preferred.

The attorneys and managers in this district are desirous of giving every facility towards cultivating a good and proper understanding with their apprentices, and have not generally withheld those allowances which, before the passing of the Abolition Law, were granted (to women with children more particularly) as a favour, not as a matter of right.

JAMAICA.

Whenever it has happened in individual cases that those indulgencies have been withheld for misconduct, I will do their masters the justice to say, that they have at all times paid attention to my suggestions.

In conclusion, I have reason to hope that the apprentices in this district are now becoming more industrious, as I can perceive a more cheerful disposition on their parts to obey the orders of their masters.

His Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *Simson Farrar*,
Special Magistrate.

(No. 44.)

My Lord,

Montego Bay, 30 June 1835.

I HAVE the honour of transmitting for your Excellency's consideration the following documents; viz., report for last week, the monthly report of estates visited, and the report required by the circular letter of the 17th instant.

In the course of last week other four estates within my district have finished crop. Paisley on the 24th, making 111 hogsheads, being five more than last year. Crawl finished on the 25th, making 84 hogsheads, being two less than last year. Hartfield finished on the same day, making 93 hogsheads, being 11 less than last year; and Glasgow finished on the 26th, making 168 hogsheads, being 28 hogsheads more than last year.

His Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *Walter Finlayson*,
Special Justice.

St. James's, 30 June 1835.

IN obedience to the circular letter of the 17th inst. the following report, applicable to the north eastern district of the parish of St. James, is humbly offered.

There are 24 sugar estates in the district allotted to the reporter, each of which he has visited at least eight times since he assumed his duties on the 30th of April last.

The parish of St. James has been always regarded as one of the most disturbed and discontented in the Island.

Immediately after the 1st of August, the apprentices upon many of the estates have been described as inattentive to their work, and disobedient to the orders given to them. But a very favourable change has since taken place, and upon the greater part of the estates the apprentices are now working to the satisfaction of their managers. Offences are no doubt committed by individuals, which must occur in all communities, though even these are becoming less frequent, in consequence of their being followed by immediate punishment; and the reporter has the satisfaction of stating that in the course of his weekly visits to the estates within his district, he now finds that upon nearly two-thirds of them no complaints whatever are brought forward. In order to show that complaints are decreasing, it is merely necessary to mention that in the month of May last there were 71 complaints, while in June there were only 58 complaints.

The reporter has no hesitation in stating that in general the apprentices in his district are industrious and well-behaved.

On the other hand, making allowances for differences of character and temper, he is of opinion that the apprentices are well treated by their masters and overseers. Complaints have sometimes been made (though this has happened very seldom) by the apprentices against their employers; but these have been generally of a trivial description, and were at once obviated upon explanation; and the reporter has not had occasion, since he came to the parish, to impose a single fine upon any overseer for injustice or improper treatment to those under his care.

As being somewhat connected with the industry and good behaviour of the apprentices within his district, the reporter begs leave to mention that seven estates have finished crop, and upon these there has been an increase of 49 hogsheads as compared with the return of last year.

(signed) *Walter Finlayson*, Special Justice.

(No. 45.)

My Lord,

New Ramble, St. Mary's, 30 June 1835.

I HAVE the honour to forward my report for the past week, and my monthly return of properties, and dates when visited. The weather is now very favourable, and the various sugar mills occupied in taking off the crops, hurrying to get as much produce as possible to load the ships before the 1st August. The apprentices conduct themselves in an orderly and industrious manner, and give satisfaction generally to their managers in this quarter. Your Lordship will observe in my report, that I visited on the 29th, five estates; not a complaint made by the managers. On Oxford, Brimmer Hall, Tryall and Trinity, the old allowances are given. The apprentices do not quarrel about an extra hour's labour; wages besides are given, and the managers have no occasion to trouble the magistrate. The four estates,

estates, called Bayley's, Tryall, Trinity, Brimmer Hall, Roslin, are in the best order, under the superintendence of Mr. Charles Stewart of Tryall; and I learn from him, that he expects the apprentices next year will do much better than they are doing this year. I have not had occasion to inflict corporeal punishment on one man on these estates. The apprentices have every other Friday, when the mill is not about, which they prefer to the eight hour system. I observe, that where the manager is disposed to meet the wishes of the apprentices in this manner, they in return do anything to please him. I am happy to say, the labourers in this quarter evince the best disposition to work for wages, where they can trust the manager. This does not rest on my assertion alone, but can be fully proved by the managers themselves.

I have the honour to acknowledge the receipt of circular, No. 3,523. I never send an apprentice from an estate to the penal gang, unless useless on the estate, but sentence them to hard labour on the property. My district is not so extensive as to prevent my knowing how such sentences are carried into effect. Visiting every property once in the week enables me to see that no cruelty takes place as regards confinement, or not feeding the apprentices, and that they are not kept so continuously at work as to prevent the cultivation of their grounds. The time lost from corporeal punishment has not been demanded from any one in this quarter, as far as I know; for I take care that the punishment shall not lay them up, as I am aware, that if an apprentice receives 39 lashes at Port Maria, his back is very much injured. I consider 20 or 25 stripes quite sufficient to induce future good conduct, unless in very gross cases.

I have the honour to acknowledge the receipt of circular, No. 3,449, and beg to state to your Lordship, that in case of sentence to corporeal punishment, and there is no instrument on the property, I send the delinquent to the superintendent of the house of correction at Port Maria, to receive the punishment. He has a man called a boatswain, following the penal gang, and a triangle is placed in the market-place, where the punishment is inflicted, and operates as an example, by the boatswain. If the sub-inspector of police can be had to attend these punishments, I will always do so, in obedience to your Lordship's orders. I gave orders to the superintendent not to inflict the sentence, if he had reason to believe the man was unable to bear it, or to receive all the stripes in the sentence.

Mr. Lambert attended at Port Maria, with Mr. Thomas, the Saturday I was absent from my district. I went to Montrose on Thursday last, to see Mr. Lambert, and give him every information in my power. I expect him over here to visit with me for a day; but from what I could observe, he has acquired a good knowledge of the law by attending at Kingston. He appears to be aware how different the practice in the country is, from that in the towns.

I have, &c.
(signed) *Wm. Marlton*, Special Justice.

My Lord,

New Ramble, St. Mary's, 30 June 1835.

I HAVE the honour to represent to your Lordship, that the district under my charge is in an orderly and quiet state. Having been here six months, I am enabled to state, that a decided improvement has taken place in the conduct of the apprentices, which I attribute solely to their better acquaintance with the Abolition Law; and I am fully satisfied, that a fair adherence to that law, on the part of the managers, is alone wanting to secure the success of the new system. Complaints have decidedly decreased on both sides, and there is the best disposition on the part of the labourers to dispose of their own time, so that the estates may not suffer from the diminished hours of labour. Managers are so tied down, that they have it not in their power generally to exert themselves to make free labourers of the negroes. An opinion generally prevails, that at the expiration of the apprenticeship the population will no longer labour at sugar making. On no one estate in my district is the Abolition Law strictly in force, but generally a medley of the old and new system. The only control in the hands of managers over the apprentices, is "salt," so termed; where it is given freely the negroes work freely, and are not particular about an hour. The want of uniformity in the regulation of the hours of labour is much felt; but there is now more confidence, on the part of the labourers, in their managers, than some months since. I have not had any difficulty during crop with the apprentices connected with keeping the mill about for 18 hours; no refusal to do anything in their power to take off the crop for a fair remuneration. I consider the disposition of the apprentices very good; for if they chose to abide by the law strictly, they would have it in their power to annoy the managers much, and spoil much sugar. There is, in my opinion, a much better feeling, on the part of the apprentices, than on that of very many managers. The dislike of the Abolition Law, on the part of the latter, has not yet subsided; and on any little misunderstanding, they talk of killing the negroes' hogs, and sending their horses to the pound, conceiving by such means to force the apprentices into their views, in place of reasoning and showing the advantage of labour for money. In conclusion, my Lord, it is my conviction, and is fully shown in my district, that prudence and good management alone are wanting to ensure the success of the Abolition Law.

To His Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *Wm. Marlton*,
Special Justice.

JAMAICA.

(No. 46.)

St. Andrew's, 30 June 1835.

My Lord,
 IN reply to Mr. Nune's circular, dated 17th June, I have to remark, that in my district, including 20 coffee plantations, and some small pens and other properties, tranquillity and, I think, prosperity, prevail. With few exceptions, the masters are attentive and humane persons, respectful to the magistrate, and obliging to the apprentices. The latter are civil, and considering their condition and the entire neglect of their education, intelligent and industrious; far more so, I think, than could have been expected.

There are three or four exceptions to this remark. In one case, the overseer has been ill for months past: the head driver is a spiteful person, bad character; and the bookkeeper a very rough, unruly and troublesome person. In another, there have been great complaints in consequence of the removal of the people from their provision grounds, the cause of which has now been removed; and in a third, the proprietor keeps neither overseer nor bookkeeper, and he, living at a great distance, is occupied too much with his business as vestry clerk to be able to attend to the people.

Where there are good overseers, respectable constables, and accurate, good-tempered bookkeepers, everything seems to me to be going on quietly and prosperously; and I think this will be increasingly the case.

Patience, good-temper and good example seem to me to be alone wanting to render the new system more profitable and more lastingly secure than the old one.

Schools for the free children, and indeed for all, are very much wanted.

I have, &c.
 (signed) *H. Bourne.*

P. S.—My report will show that complaints on both sides are very few, less, I should think, than amongst the same number of persons in the mother country.

(No. 47.)

St. Ann's, 30 June 1835.

My Lord,
 I HAVE the honour of reporting to your Excellency, that the most perfect order and tranquillity prevail in every part of this extensive district, and that a very marked improvement has been apparent for some time past in the quantity of labour performed by the apprentices. Several respectable proprietors and managers admit that, making allowance for the difference of time under the old and new systems, as much labour is now performed as formerly. The people are extremely civil in their deportment, and appear to labour with infinitely greater cheerfulness and satisfaction than they formerly did. They also appear sensible of the many advantages they now enjoy, and pay much more attention to the cultivation of their grounds than was the case at the commencement of the apprenticeship.

I have also the satisfaction of stating to your Excellency, that on several properties, where insubordination manifested itself during the month of August, and when I was under the disagreeable necessity of making some severe examples, the people are behaving with the greatest propriety, and in almost every case, to the entire satisfaction of the respective proprietors and managers. I may instance particularly Crescent Park and Belmont, where the managers are now perfectly satisfied with the conduct of the people and the amount of labour.

I had lately the gratification of admitting as a constable at Murphy Hill, the very first person I was under the necessity of punishing for insubordination and active resistance to the law. He was admitted at his own urgent request, and with the approbation of his master, who states, that he has shown the utmost contrition for his conduct, and that his behaviour in every respect now merits his entire approval.

It is extremely gratifying to have it in my power to assure your Excellency, that complaints are daily becoming less frequent, both on the part of the manager and the apprentice, and that both parties seem now disposed to yield a willing obedience to the law.

I have, &c.
 To His Excellency the Marquis of Sligo, (signed) *Henry Laidlaw.*
 &c. &c. &c.

(No. 48.)

Old Harbour Market, 1 July 1835.

My Lord,
 I HAVE nothing in particular to state relative to my district during the past week. The crop is fast drawing to a close, and will, I hope, present a gratifying return. The success of the Whim estate has been remarkable. This property made last year 140 hhds. and 60 puncheons, but has this year completed no less than 240 hhds. and 110 puncheons; and all this with a very trifling quantity of extra labour. Your Excellency's estate of Kelley's, regard being had to the comparative number of negroes, seems to have done still more than the Whim; and I am happy to add, that on neither property has there been a single corporal punishment since I have been a special magistrate in St. Dorothy.

I have the honour to transmit with this the report ordered by the circular of the 17th June, from the King's House; and I shall lose no time in making the inquiry your Excellency has directed respecting the properties where wages have been accepted or refused.

I have, &c.
Alex. N. Macleod, Special Magistrate.

St. Dorothy.

JAMAICA.

THE disposition, industry and behaviour of the negro apprentices at present, are clearly shown in two important facts.

The first is, that since the commencement of the apprenticeship, the negroes have invariably performed more work in a given time than they were in the habit of performing in the same space of time previously to the 1st of August. I have not met with a single individual in my district to contradict this asseveration; and in truth, all contradiction would be rendered ridiculous by a reference to the crops in the district for 1834 and 1835. The latter will be very nearly equal to the former, and will have been secured as early, although the length of time prescribed for labour in the apprenticeship, during the season of crop, is not equal to one-half the time that used to be employed in the crops during the period of slavery. In order to obviate all doubt, it may be right to mention, that the crop of 1834, although not very abundant, yielded a fair average quantity of sugar.

The second fact is, that the number of negroes, who since the 1st of August have been absent from their masters' properties as runaways, hardly exceeds one-sixth of the number that used to absent themselves in the time of slavery.

The treatment experienced by negro apprentices from their masters appears to be as good as it is reasonable to expect, and cannot be otherwise as long as the special magistrates do their duty. The present laws, if properly administered by these functionaries, are quite sufficient to render any continued course of oppression upon the negro absolutely impossible.

The complaints by negroes against their masters are far less frequent than they used to be at the commencement of the apprenticeship. I cannot say that the complaints of managers against apprentices show an equal diminution in the same period, but they are decidedly of a less serious character. A combined spirit of insubordination upon a property has now become a very rare occurrence.

Upon the whole, I believe the reciprocal feeling between master and apprentice to be as good as can reasonably have been expected, and infinitely better than was anticipated by the most sanguine a short time before the 1st of August. The general indisposition of the negroes to work extra time for wages proceeds from no sort of ill feeling towards their employers, but from an impression that they can make more by the cultivation of their grounds than the wages which have hitherto been offered. The information I have gathered persuades me, that as soon as the compensation money is paid, the masters will be able to offer such wages as will procure the employment of a very great quantity of extra labour. This has become essential to Jamaica proprietors; and it is my own humble opinion, that nothing is wanting to secure the prosperity of the Island, taking the whole of the period of the apprenticeship, except the speedy payment of the compensation.

I have, &c.

(signed) *Alex. N. Macleod*, Special Magistrate.

(No. 49.)

My Lord,

Whitehall, St. Elizabeth's, 30 June 1835.

IN supplying a brief report of the state of things in this district, I am enabled to assure your Excellency, that amidst some things to discourage there are many indications of real improvement. Complaints, though still sufficiently numerous, have decreased on both sides. For the sake of method, I will place the observations I may have occasion to make under a few separate heads: and first, of the apprentice—incivility and insolence to those in authority on the property were amongst the most frequent complaints against them at the commencement of the change; women and young people, being peculiarly the aggressors, loose themselves from some of their former restraints, they set their unruly tongues also at liberty. This, though naturally enough to be expected, was by no means to be allowed. By resisting the offence in every instance, after the proper means for this purpose were provided, with moderate but certain punishment, and causing my determination to do so to be generally known, the evil has in a great degree been overcome. The cases of this kind brought before me at present seldom exceed two or three in a month. This I consider to be a great point gained; for the violent jabber of one often excited the rest, and beginning in insolence, it always led to more or less of perverse and wayward indolence, and often ended in positive insubordination. The old system never witnessed anything like the orderly behaviour which prevails among the negroes in this first year of the apprenticeship; I speak confidently as to this district, and from the best information.

Next to the complaint of insolence, and to which, as I have hinted, it often led, was that of open and audacious disobedience. This crime, however, I have the satisfaction to state, is now as rare, either in individuals or gangs, as it was at one time unhappily common. Better advance and the steady application of the law have corrected it.

Under another very important head, loss of time by late turning out and other means, I am unable to report quite so favourably; but my diary will show that complaints of this description are gradually diminishing, under that salutary clause of the law which, for the wilful loss of estates' time, imposes the forfeiture of an extra portion of their own.

A few weeks ago charges for pilfering were so numerous, that I felt almost compelled to conclude that dishonesty had increased; but I am assured by very competent authority that it is otherwise, that it is the discovery of the crime that is now more common, and not its perpetration; the crime itself could not have increased, for under the old system it was universal, the quantity of it was in proportion to the opportunity, and had no other rule.

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To obtain the best evidence I could on so material a point, I have taken occasion to ask the senior constable of the parish, an active-minded observing man, whose duty leads him into every corner, and among every class of the population, whether, in his opinion, there was more or less produce stolen by the negroes than before the first of August? He replied, "Certainly much less, for that the free poor people were now generally complaining that they could not get sugar, coffee, &c., as heretofore, but were obliged to go to the stores for them, and that such he himself knew to be the fact." I have since assured myself by other inquiries that this contraband traffic is notoriously reduced. I by no means intend to assert that dishonesty does not still prevail to a lamentable extent, but that, so far from having increased, as some affirm, the change of system has placed a degree of restraint upon the conduct of the apprentice, even in this respect, which did not before exist.

No charge perhaps has been of late more frequently urged in a loose and general way against the apprentices than neglect of their provision grounds. It is one which, if true, must be so serious in its consequences, that whenever I hear such remarks made, I always say, "Bring a specific charge; I will if necessary go myself to the ground with practical and impartial persons; only satisfy me of the fact, and the law, which provides so clearly and sufficiently for the evil, shall take effect." No such specific charge has, however, yet been brought forward; the neglect, therefore, has evidently not been ascertained, but is only suspected. Some of the more worthless never worked grounds, and there are such still. That provisions have been unusually scarce is unquestionable; but the respectable head people, to whom I have made a particular appeal on the subject, assure me that it does occasionally occur at this time of the year, but will be very temporary, as there is an abundance coming forward; that it is the interval just between the exhaustion of the old and the ripening of the new provisions and of the corn, which are late this season on account of the long period of dry weather.

I believe this to be the whole truth of the case. It is a circumstance which can scarcely escape one's notice, that the scarcity has not been confined to the negro, but has been equally felt by all other classes, and from the same cause; to them, however, it is a misfortune for which the season may be fairly blamed, but not so to the negro to have nothing is misfortune, everything is his fault.

With regard to the great point of all, the proportion of labour performed during the legal hours, I am induced to speak with somewhat less confidence, because opinions here, assertions at least, are to the best degree conflicting. As regards some estates, I have from the managers themselves the most satisfactory assurances on the subject, whilst others constantly and loudly complain of insufficient work. Wherever a charge of this nature has been distinctly brought forward and the proof adduced, I have always awarded compensation out of the negro's own time; and where a body of people were delinquents, in order to secure its performance and for the greater effect, have directed that the penal labour should be performed under the awe of a small detachment of police.

The application of these means has generally prevented a second complaint, always, I think, a third.

That a diminution of labour does not universally exist, even in the proportion of the diminished time of labour, is proved by the fact, that where it is performed by the task, as in peeling ginger, for instance, such daily task is the same as under the old system, and is pretty generally accomplished. I trust that by degrees it will be found possible to apply the task system to nearly all other kinds of labour. It would effectually secure an increase in quantity, and, if the task were reasonable, a more contented and cheerful performance of the labour itself.

It is an interesting circumstance in the present condition of things, as applied to sugar estates, that in this neighbourhood the plough is now taking place of the barbarous, unsightly hoe-gang, and with complete success. It is found, too, that even negroes can guide and manage it, that they can see straight enough, which till of late seems to have been generally disbelieved.

The introduction of the plough will be an immense economy of labour, and it is doubtless but one of many of which the drudgery of the old system abundantly admits.

But I cannot conclude my remarks upon the negroes without noticing the effect which the apprentice system has already had on their civilization. Having now spent more than a year in daily intercourse with the class and in parts of the Island where they had previously been least neglected, it must be owing either to prejudice or dulness if I am an incompetent judge. In speaking of improvement of this nature, I must be understood to limit it to mere matters of civilization and discipline, as regards most of them. Here and there is to be discerned, I think, the obscure beginnings of a sense of moral obligation and of religion; but in general they are still without principle. It is, however, to the intercourse, the knowledge, and the restraints derived from public worship and the ministers of religion that their civilization must be chiefly traced. I seldom see an instance now of the wild and unreasonable behaviour so common about the time of the change. They always behave with comparative mildness and self-restraint in my presence; they listen calmly to anything addressed to them; and, as one of the more sensible overseers said to me the other day, "Sir, I declare they understand me better." To be sure they do; and it is equally clear that they can make themselves better understood. I have scarcely a doubt that they have learnt more English during the last year than in the 10 preceding. Multitudes are preparing to marry, and in by far the greater number of instances they unite themselves with the proper persons, the mothers of their children. The woman feels elevated when she is a wife, and the man has more respect for himself from having done what was right. It removes a bar to their
attendance

attendance on Divine worship, and it will tend to fix them on the property to which they are now attached when free.

These are a few of the good signs. Nothing can be more peaceable and free from turbulence; no community can be living in more perfect security than the white population of this part of the Island, an immense boon, I should think. Generally, I may add, the negroes are becoming to understand their exact position, and on the whole to be not dissatisfied with it. It was otherwise to some extent at first. The actual change did not by any means realize the expectations they had been led to form of it; they now, however, see that in their approach to freedom, if there is much to be gained, there is something likewise to be surrendered.

Too much must not be immediately expected from them as the consequence of the change, their radical improvement will be a work of slow degrees; it will require a generation or two, with all appliances and means to boot, to wear away the debasing effects of slavery from the negro mind: it was a deeply-demoralizing system. The Creole negro, it is very evident, made a much worse slave, and in some respects a worse man, than the native African; he is neither so industrious, so docile, nor so honest. Cunning and duplicity appear to be wrought into the very nature of those born and trained in slavery; they wear their defensive weapons against unjust power. Old Guinea negroes, on the other hand, have always been pointed out to me as among the most inoffensive and trustworthy. Slavery has, therefore, been capable of ingrafting vices upon barbarism itself.

How deeply is it to be regretted, that a valuable year of the apprenticeship period should have passed away without any attempt to improve the race by the long-talked of system of education.

With respect to masters and managers, I see little in their ostensible behaviour that can be objected to: I fear, however, their benevolent feelings towards the negro are not on the increase. Some of them indeed seem to dislike him the more, now he is escaping from their power; they reproach the apprentice for retaining many of the habits and principles of slavery, whilst they find it impossible to divest themselves of the feelings and prejudices which slavery has unfortunately fixed on their own minds. We must, however, give them time to change as well as the negro; meanwhile, it would be well if some of them were not negro managers; for the feeling of the old system unfits them, in a great degree, for administering the new.

There is nothing impracticable in the apprentice system of labour, would all parties bend their efforts to make the most and best of it; it would not only work, but work well. Where it is failing to do so, the fault generally is neither in the negro, the law, nor the magistrate, but in the manager. A bad overseer is now often allowed to plead the new system in exercise for his want of success; whereas want of success, it is well known, whatever were the cause, was before crime enough to procure his dismissal. Active, intelligent, persevering young men, unpractised in the bluster and growl of the old Busha system, who maintain a firm and uniform, but civil bearing towards the negroes; who treat them like fellow beings, and are quite aware that the most likely way to make a man a brute is to call him one and treat him like one; these are the kind of persons who will be found competent to grapple with the difficulties of the new system and overcoming them all, to work it successfully.

I have, &c.

(signed) *J. Daughtrey.*

(No. 50.)

My Lord,

St. Jago de la Vega, St. Catherine's, 2 July 1835.

I HAVE the honour to acknowledge the receipt of Mr. Secretary Nune's circular of the 17th June, and in obedience to the order therein contained, I beg to report, for your Excellency's information, that the apprentices in this parish, which is under my immediate charge, have conducted themselves satisfactorily, with very few exceptions, during the present crop.

There are five sugar estates in this parish, besides plantations, pens, and the town of St. Jago de la Vega, making, as far as I can ascertain, a population of 7,000 apprentices. I have regularly attended the properties and the peace office, according to law, during the last month, in consequence of the death of Mr. Special Justice Clench, my associate, and the alarming indisposition of Mr. Special Justice Moresby, who succeeded him; and from the 1st of June to this date, there have been but 31 complaints preferred before me.

These, for the most part, have consisted of complaints of masters against their apprentices, who they have permitted to hire themselves out, for the non-payment of wages.

Of the complaints preferred by proprietors and overseers, two only have been of so serious a nature as to warrant corporeal punishment, and one, three months in the house of correction. The others have been preferred for the purpose of having the apprentices reprimanded for neglect of duty, and ordered to repay lost time.

On some properties hardly any complaints have been made since the 1st of August. I am therefore decidedly of opinion, that complaints have decreased, that the apprentices are better treated, and more contented than they were; and I have seen no reason to change this opinion from the observations made during my late official tours through several of the districts,

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districts, and from the weekly reports sent me by the sub-inspectors of police throughout the Island.

To His Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *William Ramsay*,
Inspector-general and Special Justice.

(No. 51.)

My Lord,

Falmouth, 29 June 1835.

I HAVE the honour to state, in answer to your Excellency's circular of last post, relative to the particular state of this district, it is my opinion the negro population is gradually improving both in morals, and, I should say, in habits of industry; particularly if I am to draw the inference from the time now, and previous to the 1st of August, at the commencement of my duties; and that complaints are on the decrease, both on the part of the managers and the people, is obvious from my reports; and it appears to me, there is a better understanding between both parties. It cannot be expected that so much labour is performed during the time specified by law, as when that time was unlimited; but I am of opinion, taking the number of hours, it is quite in proportion. I am decidedly of opinion, and am borne out in the same by practical men, that the cultivation of the sugar-cane can never be carried on by white labourers; and if that staple commodity is to be continued, it must be done by the black population. White labourers may do on pens or coffee plantations; and not even there, if we are to get no better characters than such as have arrived, who turn out drunkards, and set the apprentices a very bad example.

I feel convinced your Excellency is anxious for the well-being of the children declared free by law. If there were schools in the interior, it would be much to their advantage in bringing them up to habits of industry. If something in that way is not done in time, they will become an indolent race; but there may be some difficulty in procuring land for so desirable a purpose. It has been suggested to me, that schools combining instruction with agricultural pursuits, would be preferable to schools for instruction only; half the day given to instruction and half to agricultural labour.

To His Excellency the Marquis of Sligo,
&c. &c. &c.

I have, &c.
(signed) *Thomas Davies*,
Special Justice.

(No. 52.)

Lucia, 30 June 1835.

IN this district there are 32 sugar estates, and 13 pens and small settlements, which I visit.

The apprentices on the different estates are working regular, but slow: they vary, however, in this respect, sometimes working cheerfully and well; at others, working slow, and doing little work; and although the field labour is, generally speaking, more backward than usual at this period, there is every prospect of an average crop next year; and on some estates the crops will exceed those of last year. In all cases where task-work is employed, they work cheerfully, and do a fair quantity of work. On all the estates in this district, the apprentices continue to receive the same indulgences as formerly, and are generally well treated by their overseers.

Since I assumed my duties in this district, complaints have greatly decreased, especially between overseer and apprentice. With respect to the jobbers and small settlers, they do not, generally speaking, allow their apprentices the same indulgences as the estates do; and in some cases, they are not well treated by their masters.

I have, &c.
(signed) *John R. Hulme*, Special Justice.

— No. 143. —

EXTRACT of a Despatch from the Marquis of *Sligo* to Lord *Glenelg*, dated Highgate, Jamaica, 18 July 1835.

No. 143.

I do not think that I can adopt a better plan, when making to you the general report on the state of the Island, which I send by every packet, than, when in my power, to present facts to your notice, for the proof of which I retain documents in my possession. On the present occasion I have the honour to send to your Lordship lists of the actual state of labour for hire in Jamaica. As I have often before explained, I have not been able to succeed in getting the special justices to send me in their returns as I have directed: some because they will not make themselves as acquainted with the affairs of each estate in their district as they ought and might do if they took the least trouble on that score, and some on account of the prevalent sickness, which has spread over the Island in a frightful manner.

The number of miles travelled during this month by the special magistrates will be much diminished, as very many are laid up; some I have been compelled to give leave to go into the mountains for change of air, and many are too weak in consequence of past illness to go through their business as usual.

Such

Such returns, however, as I have received, produce the following results: on 296 estates or properties, the apprentices have either at first or last worked for hire; some, nay many, refused at first, but all those in this return have at one period or the other worked for hire when it has been offered to them. None of those who have once worked for it have as yet retracted, if fairly dealt with and punctually paid, which has not been universally the practice. By the same returns it appears that on 98 estates no offer of wages for extra work has been made, and that only on 22 estates have wages been actually and pertinaciously refused. Many causes for the refusal may be adduced; want of confidence in their master, as a case is known to me, where the negroes on two adjoining estates have refused respectively to work extra time for their own masters, but have done so for the neighbouring property. An idea was at one time prevalent that by working for hire they were perpetuating their own slavery. This has been in a great measure got rid of, but not entirely; and it is my firm opinion that its prevalence still on those estates, where I think it still has that baleful effect, is owing solely to the ignorance in which the slaves have been left, and that those who so neglected that part of their duty are now reaping the fruits of their own misconduct. I think that this return, however, will at once dispose of the delusion which they do not, even at this eleventh hour, scruple with the utmost confidence to adopt at all their public meetings, that they will not work for hire. I am bound, however, to say, that the late system of working extra time for hire may be at once knocked on the head by the managers themselves; and that from what I have heard of the projected encroachments of these persons, there may be some hesitation about it on a future occasion. Most of the bargains for work have been made for this *croparty*, extra labour not being generally required out of crop time. It has reached my ears that many of the managers have, in consequence of the facility with which this crop has been got off, and the seeming satisfaction of the apprentices at the rates of wages hitherto paid to them, come to a resolution of refusing the terms they have this year given, in the hopes of getting them to accede to cheaper terms. They, moreover, have, as I understand, determined on attempting to procure, in consideration of the old allowances or by some other means, not contemplating any payment, the labour of the children who have attained the age of six years since the 1st of August. This is very inexpedient on two accounts; first, the same is valueless if obtained; and, secondly, the parents naturally, on account of the deceptions and oppressions which have in many instances been inflicted on them, will suspect that this offer is connected with some scheme of protracted apprenticeship, and the effect, I fear, may be injurious to the elder gang undertaking labour for hire. I have, however, great confidence in the increasing desire for luxuries, and think that they will not like to relinquish the pleasures of money payments, having once tasted their advantages.

Having heard some vague rumours of unusual appearances among the apprentices, accompanied by something of an idea that they were all to be liberated from the apprenticeship on the 1st of August, founded, as I imagine, on the liberation of those at the Caymanas and of the Maroons, I sent a circular to the special justices to make minute inquiries on the subject. Some have not as yet replied to that letter, but all who have, have assured me that there has not been the slightest foundation for any alarm in their respective districts. In St. David's, however, I considered from what I had heard that there were some grounds for thinking that the idea was prevalent among the apprentices. I therefore sent Inspector-general Ramsay there to make minute inquiries. His report inducing me to think that it did exist there, and that the police even were affected by it, inasmuch as a great number of them had demanded their discharges, I at once ordered every policeman in the parish to be removed and divided into other districts, and their places to be filled by steady men from other stations. I have also ordered 30 more policemen, if to be spared, which I trust they may, the prevalent sickness much reducing their effective strength, to be located in a district part of the parish: I have also directed a company of the line to be sent up there directly. St David's being a remarkably healthy, cool district. I think that the exhibition of so powerful a force, sent at once to the only district where any apprehension of this sort exists, will not only crush it there at once, but show such a state of preparation as will prevent its ripening in any other parish where it may now more silently exist. I trust that the adoption of these measures will meet with your approbation.

An instance of the effect of a good understanding between master and apprentices was reported to me last week by Mr. Marlton, special justice in St. Mary's, that at Oxford estate they dug, in stiff unploughed land, 113 holes per day, not for hire, but on the estate's day, when 70 had always been the allotted task for a day on the same soil during slavery. I enclose to your Lordship copies of two letters of a satisfactory nature from Mr. Walsh, another magistrate from St. Mary's, and from Mr. Macleod, special justice for St. Dorothy.

22 July 1835.

THE packet having arrived so much before her expected time, I have been unable to add, as I had expected, the next week's reports of estates where apprentices work for hire. Having prepared this despatch beforehand, I have determined on sending it off, and will complete the returns by the next packet. I add also a list of 98 properties where wages have never been either offered or refused. I also enclose a return of future prospects of 29 more properties received since my last despatch on the subject was sent off. I have heard some more rumours of discontents in St. John's parish, and have sent up there some extra policemen, which is all I can now afford there. I trust that there will not be any disturbance;

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turbance; but I do think that there is some expectation of freedom on the 1st of August among them; they certainly are much less contented in their minds than they have been, though no actual breach of the usual perfect tranquillity now exists. I have and will take measures to obviate it. I must say that I anticipated this result from the Caymanas' liberation, and so stated to your Lordship's predecessor.

My Lord,

Derry Police Station, Pear Tree Grove, 15 July 1835.

I FIND great pleasure in forwarding your Lordship a letter of Mr. Cockburn's addressed to me, and which letter will at once show your Excellency the state that I have got my district into; indeed I must not take too much credit to myself, but if every attorney in Jamaica acted as that gentleman, things would go on well.

Mr. Cockburn's apprentices are on the field of work every morning at three o'clock, and work off a task by 10 o'clock in the morning; they give up their Saturdays and work for money. Their enemies might deny this, but I send your Lordship the gentleman's letter of the 10th instant, and read what he says: "I have not yet found the negro to deceive me." These are his words; and if every attorney in Jamaica gave me such cordial support, I could put every negro in the Island in 12 months on the same footing. Until the attorneys, &c., leave off all prejudice to the known laws, and to use stripes, things will not work as well as Mr. Cockburn's estates. However, generally speaking, I am able to make a favourable report of my district. It is beyond the comprehension of man to think that the negroes will do as much work in the 40½ hours per week as they did when the master could cut and slash them, as he could do in old times, and get 16 hours' work a day out of each of them; but let the master pay them for their extra time, the same as Mr. Cockburn, and they will then be enabled to say, "I have not yet found the negro to deceive me."

I have, &c.

(signed) Henry Walsh.

My Lord,

Old Harbour Market, 14 July 1835.

I HAVE to report to your Excellency for this week that the state of my district continues favourable and satisfactory. Every estate, excepting Bushey Park, has finished crop, and the amount of produce furnishes, in my humble apprehension, sufficient proof to satisfy any candid man that the negroes here, since the commencement of the apprenticeship, have done more work than they were ever in the habit of accomplishing in the same given time before the 1st of August; I say this advisedly, and with a pretty full knowledge of the various points to be considered in the comparative estimate of slave and apprentice labour.

I have, &c.

(signed) Alex. N. Macleod,
Special Magistrate, St. Dorothy's.

ESTATES where Apprentices work for Hire.

Hyde Hall - - Trelawny.	Vale Royal - - Trelawny.	Boscobel Pen,	St. Mary's.
Manchester - - ditto.	Windsor Castle - ditto.	Bagnal Spring -	ditto.
Biddeford - - ditto.	Georgia - - ditto.	Cardiff ditto -	ditto.
Sportsman's Hall - ditto.	Llanrumney - St. Mary's.	Donnington Castle	ditto.
Jock's Lodge - - ditto.	Quebec - - ditto.	Hazzard - -	ditto.
Kinloss - - ditto.	Haywood Hall - ditto.	Lambhen Hall -	ditto.
Gibraltar - - ditto.	White Hall - - ditto.	Tucke's Hill -	ditto.
Long Pond - - ditto.	Nemoldswrith - ditto.	Warwick Castle -	ditto.
Hampshire - - ditto.	Nonsuch - - ditto.	Mango Valley -	ditto.
Hyde - - ditto.	Ballard's Valley - ditto.	Pinpert Pen -	ditto.
Stonehenge - - ditto.	Green Castle - ditto.	Richard's Pen -	ditto.
Swanswick - - ditto.	Newry - - ditto.	Kensanth -	Manchester.
Ulster Spring - ditto.	Orange Hill - ditto.	Java - -	ditto.
Spring Garden - ditto.	Agualta Estate - ditto.	Hemitage - -	ditto.
Arcadia - - ditto.	Agualta Pen - ditto.	Lancaster - -	ditto.
Bryan Castle - ditto.	Esher - - ditto.	Warwick - -	ditto.
Brampton Bryan - ditto.	Cromwell - - ditto.	Loco Walk - -	ditto.
Baron Hill - - ditto.	Union - - ditto.	Great Valley -	ditto.
Braco - - ditto.	Fellowship Hall - ditto.	Smithfield - -	ditto.
Colchis - - ditto.	Allison - - ditto.	Woodlands - -	ditto.
Etingdon - - ditto.	Wentworth - - ditto.	Stoneshope - -	ditto.
Friendship - - ditto.	Trinity - - ditto.	Farenaugh - -	ditto.
Glamorgan - - ditto.	Tryall - - ditto.	New Forest - -	ditto.
Hopewell - - ditto.	Brimmer Hall - ditto.	Buff Bay River,	St. George's.
Harmony Hall - ditto.	Oxford - - ditto.	Dover - -	ditto.
Lysworney - - ditto.	Preston - - ditto.	Fort Stewart -	ditto.
Lancaster - - ditto.	Crescent - - ditto.	Gibraltar - -	ditto.
Nightingale Grove ditto.	Fontabelle - - ditto.	Gray Inn - -	ditto.
Steelfield - - ditto.	Roslin - - ditto.	Hart Hill - -	ditto.
Stewart Castle - ditto.	Pemberton Valley ditto.	Iter Boreall - -	ditto.

SLAVERY IN THE BRITISH COLONIES.

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Osborne -	St. George's.	Dean's Valley	Waterworks,	Ashley's -	Clarendon.		
Windsor Castle -	ditto.		Westmorland.	Denhen -	- ditto.		
Woodstock -	ditto.	Dean's Valley	Dry Works,	Mullet Hall -	- ditto.		
Buckingham -	St. Tho ^s East.		ditto.	New Ground -	- ditto.		
Garbrand Hall -	ditto.	Carrawina -	- ditto.	Retreat -	- ditto.		
Suge Island -	ditto.	Content -	- St. James.	Low Ground -	- ditto.		
Coley -	ditto.	Chatham -	- ditto.	Old Plantation -	- ditto.		
White Hall -	ditto.	Barrett Hall -	- ditto.	Pindar's Rock River,	ditto.		
Greenwall -	ditto.	Carlton Hall -	- ditto.	Sutton's -	- ditto.		
Aughton Hall -	ditto.	Hampden -	- ditto.	Beckford Rock River,	ditto.		
Eolus Valley -	ditto.	Belle Isle -	Westmorland.	Rose Hill -	- ditto.		
Lloyd's -	ditto.	Camp Savanna -	- ditto.	Ashley Hall, D. & N., Vere.			
Belvidere -	ditto.	Frome -	- ditto.	Hillside, D. & N. -	ditto.		
Mount Pelier -	ditto.	King's Valley -	- ditto.	Brazilletto -	- ditto.		
Newfield -	ditto.	Lincoln -	- ditto.	Stratton Hall -	- ditto.		
Old Monkland -	ditto.	Mint -	- ditto.	Bowen Hall -	- ditto.		
New Monkland -	ditto.	Midgeham -	- ditto.	Moreland -	- ditto.		
Nutt's River -	ditto.	Meylersfield -	- ditto.	Bog -	- ditto.		
Whealersfield -	ditto.	Moreland -	- ditto.	Chesterfield (offered but			
Hordley (millmen only),	ditto.	Mount Eagle -	- ditto.	not accepted) -	ditto.		
Amity Hall (millmen),	ditto.	Negril Spots -	- ditto.	Barey Hall -	- ditto.		
Holland (millmen) -	ditto.	Nonpareil -	- ditto.	Salt Savanna -	- ditto.		
Ducherfield (millmen),	ditto.	Paul Island -	- ditto.	Harmony Hall, D. & N.,	ditto.		
Golden Grove -	ditto.	Retreat -	- ditto.	Greenwich -	- ditto.		
Winchester -	ditto.	Springfield -	- ditto.	Carlisle -	- ditto.		
Plaintain Grove River (mill-		Spring Garden -	- ditto.	Knight's -	- ditto.		
men -	ditto.	Caenwood -	St. George's.	Gibbon's -	- ditto.		
Rhone (millmen) -	ditto.	Eden -	- ditto.	Dunkley -	- ditto.		
Potosi (millmen) -	ditto.	Elysium -	- ditto.	Old Yarmouth -	- ditto.		
Pleasant Hill -	ditto.	Hermitage -	- ditto.	New Yarmouth -	- ditto.		
Stodher Hall -	ditto.	Hope -	- ditto.	Caswell Hill -	- ditto.		
Chiswick -	ditto.	Kildare -	- ditto.	Exeter -	- ditto.		
Harbour Head -	ditto.	Lenox -	- ditto.	Raymond's -	- ditto.		
Bowden -	ditto.	Law Layton -	- ditto.	Amity Hall -	- ditto.		
Seaman's Valley -	Portland.	Mount Pleasant -	- ditto.	Paradise -	- ditto.		
Golden Vale -	ditto.	Paradise -	- ditto.	Riverside -	- ditto.		
Williamsfield -	ditto.	Rodney Hall -	- ditto.	Hopewell -	St. Mary's.		
Bog -	ditto.	Shrewsbury -	- ditto.	Lewisberg -	- ditto.		
Shotover -	ditto.	Skibo -	- ditto.	Lund -	- ditto.		
Anchovy Valley -	ditto.	Whydash -	Portland.	New Ramble -	- ditto.		
Park Mount -	ditto.	Spring Garden,	St. George's.	Orange River -	- ditto.		
Queen Hythe -	St. Ann's.	Heining's -	St. Tho ^s East.	Belenfield -	- ditto.		
Laurence Park -	ditto.	Hector's River -	- ditto.	Richmond -	- ditto.		
Antrim -	ditto.	Muri Town -	- ditto.	Batchelor Hall -	Hanover.		
Southfield -	ditto.	Orange Hill -	- ditto.	Bamboo -	- ditto.		
Knapdale -	ditto.	Providence -	- ditto.	Barbican -	- ditto.		
The Lodge -	St. Dorothy's.	Reach -	- ditto.	Blue Hole -	- ditto.		
Longueville -	Clarendon.	Spring Valley -	- ditto.	Eaton -	- ditto.		
Colebeck's -	St. Dorothy's.	Windsor Castle -	- ditto.	Esher -	- ditto.		
Woodhall -	ditto.	Williamsfield -	- ditto.	Fat Hog Quarter -	- ditto.		
Kelly's -	ditto.	Claremont -	Trelawny.	Flint River -	- ditto.		
Cocoa Walk -	ditto.	Carrick Foyle -	- ditto.	Georgia -	- ditto.		
Marley -	ditto.	Dry Valley -	- ditto.	Great Valley -	- ditto.		
Bushy Park -	ditto.	Florence Hall -	- ditto.	Haddington -	- ditto.		
Cherry Garden -	ditto.	George's Valley -	- ditto.	Houghton Court -	- ditto.		
Amity Hall -	ditto.	Green Park -	- ditto.	Hopewell, Upper -	- ditto.		
Nightingale Grove -	ditto.	Greenside -	- ditto.	Hopewell, Lower -	- ditto.		
The Whim -	ditto.	Grange -	- ditto.	Kew -	- ditto.		
Seven Plantation,	Clarendon.	Holland -	- ditto.	Magotty -	- ditto.		
Chateau -	ditto.	Hague -	- ditto.	Mesquito Cove -	- ditto.		
Cornwall -	Westmorland.	Irving Tower -	- ditto.	Orange Cove -	- ditto.		
Petersfield -	ditto.	Kent -	- ditto.	Point -	- ditto.		
Shrewsbury -	ditto.	Lottery -	- ditto.	Prosper -	- ditto.		
Mesopatamia -	ditto.	Mayfield -	- ditto.	Retrieve, Old -	- ditto.		
Blue Castle -	ditto.	Orange Valley -	- ditto.	Retrieve, New -	- ditto.		
Blackheath -	ditto.	Oxford -	- ditto.	Richmond -	- ditto.		
Blackness -	ditto.	Orange Grove -	- ditto.	Riley's -	- ditto.		
George's Plain -	ditto.	Roslin Castle -	- ditto.	Success -	- ditto.		
Three Mill Plain -	ditto.	Spring -	- ditto.	Nyall -	- ditto.		
Friendship -	ditto.	Southfield -	- ditto.	Welcome -	- ditto.		
Bath -	ditto.	Water Valley -	- ditto.	Williamsfield -	- ditto.		

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ESTATES working extra for Old Allowances.

Charlottenburg	- St. Mary's.	Gosher Estate	- St. Mary's.	Russell Hall	- St. Mary's.
Greenwood	- ditto.	Gosher Pen	- ditto.	Money Musk	- Vere.

JOBBERs, &c.

Newport - - - - - Portland.

ESTATES where Wages have neither been offered nor refused.

Albany	- St. George s.	Phillipsfield	- St. Tho ^s East.	Elm Wood	- St. Tho ^s East.
Cottage	- ditto.	Aumount	- ditto.	Tarry Hill	- ditto.
Craig Mills	- ditto.	Leith Hall	- ditto.	Hartford	- ditto.
Devon Pen	- ditto.	Prospect	- Portland.	Nore Garden	- ditto.
Epsom	- ditto.	Cold Harbour	- ditto.	Rural Vale	- ditto.
Evandale	- ditto.	Sion Hill	- ditto.	Sion Hill	- ditto.
Fort George Pen	- ditto.	Kenmay	- ditto.	Weybridge	- ditto.
Good Hope	- ditto.	Unity Valley	- ditto.	Perrin's	- Vere.
Hermitage	- ditto.	Darley	- ditto.	Springfield	- ditto.
Mammee Hill	- ditto.	Cambridge	- ditto.	Deeside	- St. Mary's.
Pontefract	- ditto.	Mount Oakly	- ditto.	Essex.	
Prior Park	- ditto.	Retreat	- ditto.	Job's Hill.	
Richmond Castle	- ditto.	Hope	- ditto.	Kendall.	
Reddington	- ditto.	Stanton Harcourt	- ditto.	Leinster.	
Williamsfield	- ditto.	Providence	- ditto.	Mount Patience.	
White River	- ditto.	Norwich	- ditto.	Montrose.	
Decoy	- St. Mary's.	White Hall	- ditto.	Newport.	
Dering	- ditto.	Burlington	- ditto.	Pembroke.	
Epping	- ditto.	Orange Valley	- St. Ann's.	Platfield.	
Gale	- ditto.	Dumbarton	- ditto.	Rock River.	
Halifax	- ditto.	Amity	- Westmorland.	Rose Hill.	
Huddersfield	- ditto.	Roaring Ruen	- ditto.	Snailfield.	
Spring Garden	- ditto.	Fort William	- ditto.	Sue River.	
Industry	- ditto.	Prospect	- ditto.	Waterton.	
Pembroke Hall	- ditto.	Fontabelle	- ditto.	Woodside.	
Tower Hill	- ditto.	Geneva	- ditto.	Weyhill.	
Barnsteeple	- Trelawny.	Fonthill	- St. Elizabeth's.	Palmetto Grove.	
East Prospect,	St. Tho ^s East.	Spring Garden	- Portland.	Beans.	
Bachelors' Hall	- ditto.	Darley	- ditto.	New Mill.	
Peru	- ditto.	Castle Comfort,	St. Tho ^s East.	Orchard.	
Barking Lodge	- ditto.	Egg Hill	- ditto.	Round Hill.	

HEAD PEOPLE agreed to Work for Hire, and the rest not pressed at all to do so, marked thus. *

REFUSED HIRE.	Blaslaw Garden River (Field),	Delvey * -	Westmorland.
Langley - St. Mary's.	St. Thomas East.	Hope * -	ditto.
Ramble - ditto.	Rhine (Field) - ditto.	Masemure * -	ditto.
Frontier - ditto.	Cardiff - ditto.	Retrieve * -	ditto.
Belfield - ditto.	Arcadea - ditto.	Ridgeland * -	ditto.
Water Valley - ditto.	Home Castle - St. Ann's.	Belly's Hope,	St. Tho ^s East.
Albany - ditto.	Albany * - Westmorland.	Boston -	ditto.
Petersfield - St. Tho ^s East.	Canaan * - ditto.	Mulatto River	- ditto.

CONTINUATION of RETURNS transmitted in Despatch 21 June 1835.

Names of Estates.	Attorney or Overseer.	Present Crop.	Prospects of Future Crop.
HANOVER.			
Abindon - - -	Wm. Carey - -	Over -	Quite as advanced as last year.
Haughton Hall - - -	W. J. H. James - -	- ditto -	A fortnight later than usual.
Rhodes Hall - - -	W. Gordon - -	- ditto -	Backward, but will get up lost time.
Fish River - - -	- - -	- ditto -	As usual.
North Spring - - -	Campbell - -	- ditto -	Rather backward.
<i>Mr. Odill's Report.</i>			
ST. ANDREW'S.			
Constitution Hall - - -	T. Cherollam, prop.	Over -	Much improved latterly.
Marylands - - -	Capt. East - -	- ditto -	Improvement.
Monmouth Mount - - -	Mr. Wiles - -	- ditto -	Not backward, the diminution of late slight.

SLAVERY IN THE BRITISH COLONIES.

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Names of Estates.	Attorney or Overseer.	Present Crop.	Prospects of Future Crop.
ST. ANDREW'S—continued.			
Mount Industry	- - -	- - -	Much improvement.
Silver Hill	Mr. Dallas	- - -	Doing exceeding well.
Nore Hill	- - -	- - -	- - ditto.
Peter's Rock	- - -	- - -	- - ditto.
Newland	Mr. R. Chisholm	- - -	- - ditto.
Middleton	- - -	- - -	- - ditto.
<i>Mr. Bourne's Report.</i>			
ST. MARY'S.			
Palmetto Grove (Sugar)	R. Ailkin, overseer	Going on -	In a most satisfactory condition.
Essex (Coffee)	— Wade, proprietor	Over -	Great prospects of abundance.
Rock River	R. Thornhill	- ditto -	- - ditto.
<i>Mr. Lambert's Report.</i>			
PORT ROYAL.			
Blonburgh	J. Mais & Wilson	15,000 lbs. extra made this year.	- - In fair forwardness.
Halberstadt	Mr. J. Mais	All in -	Very little, if at all behind.
Lower Luckey Valley	Mr. Netherule	- ditto -	Canes and coffee hardly behind at all.
Upper Luckey Valley	Chrystie Tayler	Over -	Not much behind last year.
Good Hope	J. Willson	12,000 lbs. more this year.	- - Not at all behind hand.
Chatsworth	- - -	- - -	Do not begin crop till August.
Dallas Castle	Mr. Pierson	- - -	- - ditto ditto.
Drummond Castle	Mr. Jackson	- - -	Apprentices employed cutting wood for Kingston market.
Trafalgar	Mr. Levi, prop.	All in -	Not much behind.
Belleive	Mr. Jackson	- ditto -	Going on well.
<i>Capt. Kent's Report.</i>			
ST. THOMAS'S VALE.			
Belgan and Luckey Hill	Mr. Wright	Over -	Quite as forward as usual.
<i>Mr. Jones's Report.</i>			
ST. ELIZABETH'S.			
Holland	Mr. McDonald	Not over -	Usual crop expected; plough in- troduced for the first time, and much appoved.
Y. S.	Mr. Salmon	Over -	Property in better state than last year.
Ipswich	- ditto	- ditto -	Better than last year.
<i>Daughtrey's Report.</i>			
ST. JAMES.			
Lethe	Mr. Anderson	- - -	6 acres less planted.
Eden	Mr. Gordon	- - -	12 acres less.
Wiltshire	Mr. Fenton	- - -	Quite as forward, and as much done as last year; same plants.
Roehampton	Mr. Glen	- - -	26 acres short.
Content	Mr. Broshett	- - -	8 acres less; all the rest same as usual.
Lod Hall	Mr. Jackson	- - -	9 acres less - ditto.
Friendship	Mr. Deane	- - -	10 ditto - ditto.
Copres	Mr. Jackson	- - -	18 ditto.
Childermas	Mr. Gordon	- - -	12 ditto - ditto.
Anchovy	Mr. Plummer	- - -	11 ditto - ditto.
Golden Grove	Mr. Jackson	- - -	Same plant, the rest the same.
Silver Grove	- ditto	- - -	6 acres less, ditto.
Alexandria	Mr. Gordon	- - -	Same plant, ditto.
Hazle Lymph	Mr. Groves	- - -	17 acres short, backward.
Seven Rivers	Miller & Mariett	- - -	Same plant, all the same.
Belvidere	Mr. Hunter	- - -	22 acres less.
Mont Pelier	Miller & Mariett	- - -	10 acres more planted this year.

JAMAICA.

— No. 144. —

EXTRACT of a DESPATCH from Lord *Glenelg* to the Marquis of *Sligo*, dated Colonial-office, 1 September 1835.

No. 144.

I HAVE received your Lordship's Despatch, dated the 18th July, containing your monthly report on the general state of the Island of Jamaica. The most grateful acknowledgments of His Majesty's Government are due to your Lordship for the exertions which you habitually make under circumstances of no common difficulty, to supply them with exact and highly important information, respecting the progress of the great experiment which has been placed under your own immediate superintendence. Although I might have scrupled to impose on your Lordship a duty so laborious as is that of preparing these periodical reports, and of compiling the statistical details by which they are illustrated and confirmed, yet it will be in the highest degree satisfactory to receive authentic intelligence of this nature as often as your Lordship's health and avocations may allow.

The proofs contained in this Despatch of the readiness of the emancipated population to work for hire, justify a sanguine hope of the future prosperity of Jamaica, after the period of apprenticeship shall have expired, an object of the first importance on every account, and especially as it will vindicate to the world at large the wisdom of the decisive measure, and of the great pecuniary sacrifice which the Parliament and the people of this kingdom sanctioned for the abolition of negro slavery.

I have read with peculiar interest Mr. Marlton's report of the gratuitous exertions made by some apprenticed labourers in the parish of St. Mary for their employer's benefit. It is an occurrence to which too much publicity cannot be given, as illustrative of the grateful and docile character of these people, when placed under a kind and judicious management.

It is almost superfluous to affirm your Lordship's opinion of the inexpediency of any systematic attempt to engage little children of the age of six years in labour on the plantations, although perhaps even at that tender age there may be some trifling offices which they might occasionally perform with advantage to the estates on which they live, and without prejudice to their own health. I trust, however, that the efforts which are making in all directions for promoting the education of these young people, will supply them with a more appropriate and perhaps even a more attractive employment.

I fully approve the very decisive measures which your Lordship adopted to check the prevailing misapprehension that the apprenticeship would expire on the 1st of August 1835, and to repress any excesses which might arise from the disappointment of that hope.

The King has received with the deepest concern your Lordship's account of the sickness prevailing in Jamaica. It is needless to request from your Lordship further information respecting the progress of this calamitous epidemic.

Appendix (B.)

COLONIAL LAWS.

J A M A I C A.

— No. 1. —

JAMAICA.

Appendix (B.)

Colonial Laws.

No. 1.

Jamaica ss.

AN ACT for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves; and to declare the 52 Geo. 3, c. 155, in force in this Island:—Passed 12 December 1833.

WHEREAS an Act has recently passed the Imperial Parliament, intituled, “ An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves:” and whereas in consideration thereof, it is expedient that a Bill should pass the Legislature of this Island to effect the abolition of slavery; be it therefore enacted by the Governor, Council and Assembly of this Island, and it is hereby enacted by the authority of the same, that from and after the 1st day of August 1834, all persons who, in conformity with the laws now in force in this Island, shall on or before the 1st day of August 1834 have been duly registered as slaves in this Island, and who on the said 1st day of August 1834 shall be actually within this Island, and who shall by such registries appear to be on the said 1st day of August 1834 of the full age of six years or upwards, shall by force and virtue of this Act, and without the previous execution of any indenture of apprenticeship, or other deed or instrument for that purpose, become and be apprenticed labourers; provided that for the purposes aforesaid every slave belonging to this Island engaged in his ordinary occupation on the seas, shall be deemed and taken to be within this Island to all intents and purposes whatsoever.

Preamble.

After 1 August 1834, persons now registered as slaves to become apprenticed labourers.

Proviso as to slave mariners.

2. And be it further enacted, that during the continuance of the apprenticeship of any such apprenticed labourer, such person or persons shall be entitled to the services of such apprenticed labourer as would, for the time being, have been entitled to his or her services as a slave, if this Act had not been made.

Services of apprenticed labourers secured.

3. Provided also, and be it further enacted, that all slaves who may at any time previous to the passing of this Act have been taken with the consent of their possessors, and all apprenticed labourers who may hereafter with the like consent be taken into any part of the United Kingdom of Great Britain and Ireland, shall from and after the passing of this Act be absolutely and entirely free, to all intents and purposes whatsoever.

Slaves or apprenticed labourers taken to Great Britain and Ireland are to be free.

4. And be it enacted, that all such apprenticed labourers shall, for the purposes of this Act, be divided into three distinct classes; the first of such classes consisting of prædial apprenticed labourers attached to the soil, and comprising all persons who, in their state of slavery, were usually employed in agriculture, or in the manufacture of colonial produce or otherwise, upon lands belonging to their owners; the second of such classes consisting of prædial apprenticed labourers not attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce or otherwise, upon lands not belonging to their owners; and the third of such classes consisting of non-prædial apprenticed labourers, and comprising all apprenticed labourers not included within either of the two preceding classes: provided always, that no person of the age of 12 years and upwards shall be included in either of the said two classes of prædial apprenticed labourers, unless such person shall for 12 calendar months at the least next before the passing of this present Act have been habitually employed in agriculture, or in the manufacture of colonial produce.

Classification of apprenticed labourers.

Proviso as to age of prædial apprentices, &c.

5. And be it further enacted, that no person who by virtue of this Act shall become a prædial apprenticed labourer, whether attached or not attached to the soil, shall continue in such apprenticeship beyond the 1st day of August 1840; and that during such his or her apprenticeship, no such prædial apprenticed labourer, whether attached or not attached to the soil, shall be bound or liable by virtue of such apprenticeship to perform any labour in the service of his or her employer or employers for more than 45 hours in the whole in any one week.

Apprenticeship of prædial labourers to cease on 1 August 1840.

Hours of labour.

6. And be it further enacted, that no person who by virtue of this Act shall become a non-prædial apprenticed labourer, shall continue in such apprenticeship beyond the first day of August 1838.

Apprenticeship of non-prædial labourers to cease on 1 August 1838.

7. And be it further enacted, that if before any such apprenticeship shall have expired the person or persons entitled for and during the remainder of any such term to the services of any such apprenticed labourer shall be desirous to discharge him or her from such apprenticeship, it shall be lawful for such person or persons so to do, by deed-poll or instrument in writing, to be proved before a judge or justice of the peace, and recorded in the Secretary's office of this Island: provided nevertheless, that if any person so discharged from any such apprenticeship by any such voluntary act as aforesaid shall at that time be of the age of 50 years or upwards, or shall be then labouring under any such disease or mental or bodily infirmity as may render him or her incapable of earning his or her subsistence, then and in every

Apprentices may be discharged, if persons entitled to their services desire it.

Proviso as to support of aged or infirm labourers discharged.

JAMAICA.

Appendix (B.)

Colonial Laws.

Apprentices may purchase their discharge.

How such discharge may be obtained.

Proviso.

Three justices to award valuation, &c., and discharge apprentices.

Certificate of discharge.

Proviso as to notice of time and place of meeting to be given to employers; summoning witnesses, &c.

Right of persons in remainder, or having security on apprentices, protected.

How claimants are to proceed.

Provision against refusal to appoint a justice in case of apprentice applying to be discharged.

Apprentices not to be removed from the Island; and how prædial apprentices are to be employed.

every such case the person or persons so discharging any such apprenticed labourer as aforesaid, shall continue and be liable to provide for the support and maintenance of such apprenticed labourer during the remaining term of such original apprenticeship, as fully as if such apprenticed labourer had not been discharged therefrom.

8. And be it further enacted, that it shall be lawful for any such apprenticed labourer to purchase his or her discharge from such apprenticeship, even without the consent, or in opposition if necessary, to the will of the person or persons entitled to his or her services, upon payment to such person or persons of the appraised value of such services.

9. And be it enacted, that when any apprentice under this Act shall be able and willing to purchase his or her discharge, and the party entitled to the services of such apprentice shall refuse or be unwilling to sell such discharge, such apprentice shall be at liberty to apply to the nearest magistrate, to be appointed by special commission; who shall thereupon give notice to the person entitled to the services of such apprentice, or his or their representative or agent; and such last-mentioned person shall thereupon appoint a justice of the peace of the parish or precinct in which the apprentice shall reside, who shall and he is hereby required to associate himself with such special justice of the peace, and the said two justices shall also associate with them one or other justice of the peace, who is also hereby required to associate himself as aforesaid; and in case the said special justice and general justice of the peace cannot agree on the third justice so to be called in, then the custos or senior magistrate for the said parish shall name and appoint such third justice; provided that in case such custos or senior magistrate shall have any interest in the question, the next magistrate in seniority shall appoint such third justice.

10. And be it further enacted, that the said three justices shall meet at the usual place for public business for the parish or precinct, or at such other place as the justices themselves shall appoint, and shall proceed to fix a value upon such apprentice; which valuation shall be binding and conclusive on all parties; and upon the amount of such valuation being paid to the person entitled to receive the same, or to the receiver-general, as hereinafter mentioned, such apprentice shall be absolutely discharged from the remainder of his term of apprenticeship, and the three justices shall grant a certificate under their hands in the form following:

" We do hereby certify and declare that *A. B.*, the apprentice of *C. D.*, of the parish of _____ hath this day been discharged and released from the remainder of the term of his [or her] apprenticeship. Given under our hands, this _____ day of _____ "

Provided that notice of the time and place of meeting shall be given to the person entitled to the services of such apprentice, or left at his or her usual place of residence, at least 14 days before such meeting; and that the said justices shall and may issue their summons to any witness of whose materiality they shall be satisfied, either on the part of the apprentice or the person entitled to his or her services; and shall examine such witness on oath touching the value of the services of such apprentice; and in case any person so summoned to attend shall refuse or neglect to attend, the said three justices shall and they are hereby empowered and required to issue their warrant, authorizing any lawful constable to apprehend and bring such persons so summoned before them, in order that he or she may be examined in the premises.

11. And be it enacted, that in case any person shall, by virtue of any estate tail, or limitation, or remainder, or any security, claim any right to the services of the said apprentice for the remainder of the term of his apprenticeship, expectant upon the death of the person then entitled to his or her services, or by virtue of such security, and shall by reason thereof claim a right to participate in the amount paid for the discharge of such apprentice, the said three justices shall direct such amount to be paid to the receiver-general until the rights of the parties are ascertained and decided as hereinafter mentioned; and such sum shall bear interest at 6*l.* per centum until again paid out, and shall in the meantime be used as the public funds of the Island.

12. And be it enacted, that any party claiming to be entitled to the sum so paid to the receiver-general, shall be at liberty to apply by summary petition or special motion to the supreme court of judicature or either of the assize courts; who shall upon hearing the matter adjudge and determine how and to whom such sum of money shall be paid and applied; and such judgment shall be binding and conclusive on all parties; and the receiver-general shall thereupon pay such amount as the court shall by their order direct.

13. And be it enacted, that in case the person entitled to the services of any apprentice so applying to be discharged, shall refuse or neglect to appoint a justice, such special justice shall associate with him a general justice of the peace, and such two justices shall thereupon proceed in the manner hereinbefore directed, and with the same powers as hereinbefore enacted respecting the said three justices.

14. And be it further enacted, that no apprenticed labourer shall be subject or liable to be removed from this Island; and that no prædial apprenticed labourer who may in manner aforesaid become attached to the soil, shall be subject or liable to perform any labour in the service of his or her employer or employers, except upon or in or about the works and business of the plantations or estates to which such prædial apprenticed labourer shall have been attached, or on which he or she shall have been usually employed on or previously to the said 1st day of August 1834: provided nevertheless, that with the consent in writing of any

two or more justices of the peace holding special commission, it shall be lawful for the person or persons entitled to the services of any such attached prædial apprenticed labourer or labourers, to transfer his or their services to any other plantation or estate within this island to such person or persons belonging; which written consent shall in no case be given or be of any validity, unless any of such justices of the peace shall first have ascertained that such transfer would not have the effect of separating any such attached prædial apprenticed labourer from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him or her, and that such transfer would not probably be injurious to the health or welfare of such attached prædial apprenticed labourer, and that such consent shall be in the form following:

"These are to certify that, upon the application of *A. B.* for liberty to remove certain prædial attached labourers, according to the provisions of the 4 Will. 4, chapter , we have inquired into the circumstances of the case, and being satisfied that such removal may be made without infringing any of the regulations in the said Act in this respect contained, we do hereby permit the said *A. B.* to remove the several prædial apprentices named, [*here name them, setting them out in families where it can be done*], from plantation, in the parish of to plantation, in the parish of . Given under our hands, this day of 18 ."

Which said certificate shall be recorded in a book, to be kept by the clerk of the peace of the parish or precinct to which such labourers shall be removed, and for which service the said clerk of the peace shall receive the sum of 2s. 6d., and no more; and such record, or a copy thereof certified by such clerk of the peace, shall be received and taken as evidence in all courts.

15. And be it further enacted and declared, that the right or interest of any employer or employers to and in the services of any apprenticed labourers as aforesaid, shall pass and be transferrable by bargain and sale, contract, deed, conveyance, will or descent, in the same manner as real estate passes, or is transferred or descends according to the laws of this Island; provided that no such apprenticed labourer shall by virtue of any such bargain and sale, contract, deed, will or descent, be subject or liable to be separated from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him or her.

16. And be it further enacted, that during the continuance of any such apprenticeship as aforesaid, the person or persons for the time being entitled to the services of every such apprenticed labourer shall be and are and is hereby required to supply him or her with such food, clothing, lodging, medicine, medical attendance, and such other maintenance and allowances as by an Act, intituled, "An Act for the Government of Slaves," now in force in this Island, an owner is required to supply to and for any slave, being of the same age and sex as any such apprenticed labourer shall be.

17. And be it further enacted, that subject to the obligations imposed by this Act upon such apprenticed labourers as aforesaid, all and every the persons who on the said 1st day of August 1834 shall be holden in slavery within this Island, shall, upon and from and after the said 1st day of August 1834, become and be to all intents and purposes free and discharged of and from all manner of slavery, and shall be absolutely and for ever manumitted; and that the children thereafter to be born to any such persons, and the offspring of such children, shall in like manner be free from their birth; and that from and after the said 1st day of August 1834, slavery shall be and is hereby utterly and for ever abolished and declared unlawful in this His Majesty's Island of Jamaica.

18. And whereas it may happen that children who have not attained the age of six years on the said 1st day of August 1834, or that children who after that day may be born to any female apprenticed labourers, may not be properly supported by their parents, and that no other person may be disposed voluntarily to undertake the support of such children, and it is necessary that provision should be made for the maintenance of such children in any such contingency: Be it therefore enacted, that if any child who, on the said 1st day of August 1834, had not completed his or her sixth year, or if any child to which any apprenticed labourer may give birth on or after the said 1st day of August 1834, shall be brought before any justice of the peace holding special commission, and if it shall be made to appear to the satisfaction of such justice that any such child is unprovided with an adequate maintenance, and that such child hath not completed his or her age of 12 years, it shall be lawful for such justice, and he is hereby required on behalf of any such child, to execute an indenture of apprenticeship, thereby binding such child as an apprenticed labourer to the person or persons entitled to the services of the mother of such child, or who had been last entitled to the services of such mother; but in case it shall be made to appear to any such justice that such person or persons aforesaid is or are unable or unfit to enter into such indenture, and properly to perform the conditions thereof, then it shall be lawful for such justice, and he is hereby required, by such indenture to bind any such child to any other person or persons to be by him for that purpose approved, and who may be able and willing properly to perform such conditions; and it shall, by every such indenture of apprenticeship, be declared whether such child shall thenceforward belong to the class of attached prædial apprenticed labourers, or to the class of unattached prædial apprenticed labourers, or to the class of non-prædial apprenticed labourers; and the term of such apprenticeship of any such child shall by such indenture be limited and made to continue in force until such child shall have completed his or her 21st year, and no longer; and every child so apprenticed as aforesaid by the order of any such justice of the peace as aforesaid, shall, during his or her apprenticeship, be subject

Proviso as to removal of prædial apprentices from one estate to another, with restrictions.

Removal must be thus certified.

Certificate to be recorded in a parish book.

Right in service of apprentices transferrable by bargain and sale, &c.

Proviso: Families not to be separated.

Maintenance and allowances to be as provided in slave law.

After 1 August 1834, slavery to be abolished.

How children under six years of age, on 1 Aug. 1834, are to be provided for.

to all such and the same rules and regulations respecting the work or labour to be by them done or performed, and respecting the food and other supplies to be to him or her furnished, as any other apprenticed labourers as aforesaid: provided always, that the said indenture of apprenticeship shall contain sufficient words of obligation upon the employer to allow reasonable time and opportunity for the education and religious instruction of such child.

Proviso as to education and instruction of apprenticed children.

Special justices to be appointed for superintendence of apprentices and execution of this Act.

19. And for securing the effectual superintendence of the said apprenticed labourers and the execution of this Act, be it further enacted, that the Governor may and he is hereby empowered to issue, under the public seal of this Island, special commissions to one or more person or persons, constituting him or them a justice or justices of the peace for the whole of the Island, or for any parish, precinct, quarter or other district within the same, for the special purpose of giving effect to this present Act, and to any laws which may hereafter be made for giving more complete effect to the same; and every person to or in favour of whom any such commission may be issued shall by force and virtue thereof, and without any other qualification, be entitled and competent to act as a justice of the peace within the limits prescribed by such his commission for such special purposes as aforesaid, but for no other purposes; provided nevertheless, that nothing herein contained shall prevent or be construed to prevent any person commissioned as a justice of the peace for such special purpose as aforesaid from being included in the general commission of the peace for this Island, in case it shall seem fit to the Governor to address both such special commission and such general commission as aforesaid in any case to the same person or persons.

Proviso: Special justices not excluded from general commission of the peace.

Such special justices only to take cognizance of offences committed by apprentices or employers, &c.

20. And be it enacted, that the several justices of the peace having special commissions as aforesaid (and no other magistrate or justice of the peace in this Island) shall have, exercise and enjoy a sole and exclusive jurisdiction over, and shall solely and exclusively take cognizance of all offences committed or alleged to have been committed by any such apprenticed labourer or by his or her employer, in such their relation to each other, or of the breach, violation or neglect of any of the obligations owed by them to each other; or of any question, matter or thing incident to or arising out of the relations subsisting between such apprenticed labourers and the persons respectively entitled to their services; provided that nothing herein contained shall extend or be construed to extend to abrogate or take away the powers by law vested in the supreme courts of record, or to the superior courts of civil and criminal justice in this Island.

Proviso: Powers of supreme courts, or of civil or criminal justice, not abrogated.

Punishment to be inflicted by special justices only, &c.

21. And be it further enacted, that it shall not be lawful for any person or persons entitled to the services of any such apprenticed labourer, or any other person or persons other than such justices of the peace, holding such special commissions as aforesaid, to punish any apprenticed labourer for any offence by him or her committed or alleged to have been committed, by the whipping, beating or imprisonment of his or her person, or by any other personal or other correction or punishment whatsoever, or by any addition to the hours of labour hereinbefore limited; nor shall any court, judge or justice of the peace punish any such apprenticed labourer, being a female, for any offence by her committed, by whipping or beating her person: provided always, that nothing in this Act contained shall extend to exempt any apprenticed labourer from the operation of any law or police regulation for the prevention or punishment of any offence, which is or shall hereafter be in force in this island in respect to all other persons of free condition.

Female apprentices not to be whipped or beaten.

Proviso: Apprentices not exempted from police regulations.

22. And whereas it is necessary that proper regulations should be provided for the maintenance of order and good discipline among the said apprenticed labourers, and for ensuring the punctual discharge of the services due by them to their respective employers, and for the prevention and punishment of indolence, or the neglect or improper performance of work by any such apprenticed labourer, and for enforcing the due performance by any such apprenticed labourer of any contract into which he or she may voluntarily enter for any hired service during the time in which he or she may not be bound to labour for his or her employer, and for the prevention and punishment of insolence and insubordination on the part of any such apprenticed labourers towards their employers, and for the prevention and punishment of vagrancy, or of any conduct on the part of any such apprenticed labourers injuring or tending to the injury of the property of any such employer, and for the suppression and punishment of any riot or combined resistance to the laws on the part of any such apprenticed labourers, and for preventing the escape from this island of any such apprenticed labourers during their term of apprenticeship; be it therefore enacted, that all such offences shall be tried in a summary manner before any justice appointed by special commission, and that any apprenticed labourer convicted of absenting himself or herself from the service of his or her employer without reasonable cause, for half or any smaller portion of a day, shall forfeit to such employer not exceeding a whole day's labour of his or her own time.

Offences to be tried summarily, and forfeiture for half a day's absence.

Forfeiture for more than half a day's absence.

Proviso: Forfeiture of days to be divided.

23. And be it further enacted, that any apprenticed labourer convicted as aforesaid of being absent without reasonable cause for more than half a day, shall in like manner forfeit not exceeding three days' labour of his or her own time: provided always, that it shall be lawful for the special justice before whom such complaint shall have been heard on which he shall have adjudged that the said apprentice shall forfeit three days' labour of his or her own time, and he is hereby authorized and required so to divide the said three days' labour as shall not impose the obligation on such apprentice of working for more than 15 extra hours in any one week.

24. And be it further enacted, that any apprenticed labourer convicted as aforesaid of being absent without reasonable cause for two successive days, or on two distinct days within the same fortnight, shall be adjudged a deserter, and sentenced to hard labour for a period not exceeding one week, in the house of correction or the penal gang of the parish, or to receive a flogging not exceeding 20 stripes. Punishment for two successive days, &c.
25. And be it further enacted, that any apprenticed labourer convicted as aforesaid of being absent without reasonable cause for three or more successive days during any one fortnight shall be adjudged a vagabond, and sentenced to hard labour for a period not exceeding 14 days, in the house of correction or the penal gang of the parish, or to receive a flogging not exceeding 30 stripes. Punishment for three or more days, &c.
26. And be it further enacted, that any apprenticed labourer convicted as aforesaid of being absent without reasonable cause for one entire week, or any longer time, shall, in addition to such punishment by hard labour as aforesaid, be further sentenced to receive at the house of correction, in the presence of the superintendent thereof, any number of stripes not exceeding 39. Punishment for one week's absence, or longer.
27. And be it further enacted, that any apprenticed labourer who shall be found wandering as a vagrant beyond the limits of the plantation of his or her employer without a written permission from such employer, and who shall not be able to give a satisfactory account of himself or herself, shall be liable to be apprehended, and upon conviction before any special justice aforesaid, shall be adjudged a vagabond and sentenced accordingly: provided that nothing in this clause contained shall be applied to apprenticed labourers on their way to or from any place of Divine worship, or to or from market, or at such market or place: provided that nothing herein contained shall be deemed or construed to abridge, or in anywise interfere with, the full and free use and enjoyment by such apprentices of the time allotted to them as their own under and by virtue of the provisions of this Act. Wandering apprentices, without permission, declared vagabonds.

Proviso: Not to affect apprentices going to worship or market, or to interfere with their own time.
28. And be it further enacted, that any apprenticed labourer who shall refuse or neglect to perform any labour required under this Act, or who shall by wilful negligence damage the property of his or her employer, or who shall be guilty of drunkenness, shall, upon conviction thereof as aforesaid, forfeit to such employer any number of days' labour not exceeding four out of his or her own time, or to be sentenced to receive any number of stripes not exceeding 20; and for the second offence within one month shall be sentenced to double that amount of punishment: provided always, that it shall be lawful for the special justice before whom such complaint shall have been heard, on which he shall have adjudged that the said apprentice shall forfeit three days' labour of his or her own time, and he is hereby authorized and required so to divide the said three days' labour as shall not impose the obligation on such apprentice of working for more than 15 hours in any one week. Punishment on apprentices neglecting labour, damaging property, or guilty of drunkenness.

Proviso: Division of forfeited days' labour.
29. And be it further enacted, that any apprenticed labourer who shall be convicted as aforesaid of insolence or insubordination to his or her employer shall be sentenced to hard labour in the house of correction, or the penal gang of the parish, for any time not exceeding two weeks, or to receive any number of stripes not exceeding 39. Punishment for insolence or insubordination.
30. And be it further enacted, that any apprenticed labourer who shall by the careless use of fire endanger the property of his or her employer, or of any other person, or who shall ill-use any cattle or other stock, or who shall wantonly destroy or injure the property of his or her employer intrusted to his or her charge, shall, upon conviction thereof as aforesaid, be sentenced to hard labour in the house of correction or the penal gang of the parish for any time not exceeding three months, or to any number of stripes not exceeding 50. Punishment for injury by the careless use of fire, ill-using cattle or stock, or wantonly destroying property.
31. And be it further enacted, that in case of any riot or combined resistance to the laws on the part of any three or more apprenticed labourers, the police of the parish, or of any adjoining parish, shall, on receiving information thereof, immediately repair to the spot and act as they shall be directed by any special justice for the repression of any such riot or lawless proceedings; and all apprenticed labourers engaged in any such riot shall, on conviction thereof as aforesaid, be sentenced to hard labour as aforesaid, for any term not exceeding six months, or to receive any number of stripes not exceeding 50. Repression of riots or combinations, and punishment of apprentices engaged in any.
32. And be it further enacted, that any special justice resorting to or present at any such riotous assemblage, shall cause a flag, or some other appropriate signal, to be exhibited as a warning to all persons there present to separate and quietly disperse; and all apprenticed labourers who, after the exhibition of such flag or signal, shall not immediately disperse, shall, on conviction thereof before any two or more such special justices, be sentenced to hard labour as aforesaid, for any term not exceeding six months, and to receive any number of stripes not exceeding 50: provided that, in the event of the unavoidable absence of such special justice, nothing herein contained shall be taken to prevent any justice of the peace from quelling any riot or disturbance among such apprentices in the same way and by the same means as by law he is now authorized to use in quelling any riots, or preventing any breach of the peace, among or by any of His Majesty's free subjects of this island. Manner of dispersing riotous assemblages, and punishment for non-complying.

Proviso: In absence of special justice any justice of the peace may act.
33. And be it enacted, that it shall not be lawful for any apprenticed labourer to keep, use, or have in his or her possession any gunpowder, guns, swords, pistols, or fire-arms of any description whatsoever, or any other offensive weapon, unless with the knowledge and consent of his or her master or manager. The possession of gunpowder and fire-arms unlawful, &c.

And punishment in consequence.

34. And be it enacted, that every apprentice so offending shall, on conviction before any special justice, be punished with whipping, imprisonment, hard labour in the penal gang or house of correction of the parish, or any two or more of those punishments as may be awarded by such special justice; provided that such whipping shall not exceed 39 lashes, and such imprisonment shall not exceed one month.

Proviso: Limitation of whipping and imprisonment.

Gunpowder and fire-arms to be seized, &c.

35. And be it further enacted, that it shall be lawful for any such master, manager, or lawful employer, to seize and retain to his own use any gunpowder, guns, swords, pistols, or fire-arms of any description whatsoever, or any other offensive weapon unlawfully in the possession of any apprenticed labourer.

Apprentices quitting or attempting to quit the Island, how punishable.

36. And be it further enacted, that any apprenticed labourer quitting or attempting to quit this Island, without the permission in writing of his or her employer, shall, on conviction thereof before any special justice, be sentenced to hard labour in the house of correction or the penal gang of the parish for a term not exceeding six months, or to receive any number of stripes not exceeding 50.

Lost of time by absence for certain periods, on conviction, to be made good.

37. And be it further enacted, that in all cases wherein any apprenticed labourer shall have been convicted of having absented himself or herself from the service of his or her employer without reasonable cause for more than one day at a time, or during 14 days, such time so lost to such employer shall be made up to him or her by such apprenticed labourer out of his or her own time, not exceeding 15 hours in each week; provided that such extra service or compensation shall not be compellable after the expiration of seven years.

Proviso: But not after seven years.

How employers are to act, if apprentices allow their houses or grounds, by neglect or indolence, to fall into decay and bad order.

38. And be it further enacted, that if any apprenticed labourer shall, by wilful neglect or indolence during his or her own time, suffer his or her house or provision ground to fall into decay and bad order, it shall and may be lawful for the employer of such apprenticed labourer, with the sanction in writing of any special justice, to be obtained upon proof before him of such neglect or indolence, to put the house or provision ground of such apprenticed labourer into proper order for his or her comfort and support, and to deduct an equivalent quantity of labour from his or her own time, not exceeding 15 hours in any one week.

On plantations, one or more apprentices may be appointed constables, and their powers defined.

39. And be it enacted, that on every plantation the special justices shall appoint one or more of the apprenticed labourers thereon, with the consent of the master or manager, to be constables, who shall be empowered to maintain peace and order on such plantation, under the directions of the proprietor or manager thereof, and to secure and place in confinement any apprenticed labourer who shall commit any offence on such plantation, or any apprenticed labourer not employed on such plantation, who may be found loitering thereon without the knowledge or permission of the proprietor or manager thereof; such apprentice confined as aforesaid not to be kept in custody longer than shall be necessary to procure the attendance of the special justice: provided always, that if the attendance of a special justice cannot be procured within 24 hours, it shall and may be lawful for the proprietor or manager aforesaid to order the release of such apprentice so confined as aforesaid, after the expiration of 24 hours: provided nevertheless, that in the event of such apprentice being discharged as aforesaid, the proprietor or manager shall and he is hereby required to prefer the complaint on which such apprentice was confined, before the special justice, when he shall next come upon the estate; and provided that nothing shall be construed to give to any such constable any power or authority over any of His Majesty's subjects, except such apprenticed labourers.

Proviso: If special justice cannot attend within 24 hours, apprentice confined to be released, but complaint still to be preferred.

Limitation of plantation constable's powers.

Frivolous complaints, how punishable.

40. And be it further enacted, that if any apprenticed labourer or labourers shall resort to a special justice, to complain against his, her or their employer, and that such complaint shall be adjudged frivolous or groundless, it shall be lawful for such special justice to punish such complaining parties, by adjudging them to repay double the extent of time which may have been lost to his or her employer, not exceeding 15 hours in any one week, or such other punishment by stripes, not exceeding 20.

Females exempted from flogging as punishment, but to be solitary confined.

41. And be it enacted, that for all offences where punishment by flogging is authorized to be awarded by this Act, it shall be lawful for the special justices, in case such offences shall be committed by females, to sentence such females to solitary confinement for any period not exceeding 10 days.

Solitary confinement may be substituted for flogging or hard labour but a certain extent.

42. And be it further enacted, that it shall be lawful for any special justice to substitute solitary confinement in any case where punishment by flogging or hard labour is hereinbefore directed, provided such solitary confinement shall not exceed, for any offence and at one time, 10 days.

Special justices to direct diet for offenders in solitary confinement.

43. And be it further enacted, that in all cases of solitary confinement, the person so confined shall be fed on such diet as the special justice shall direct, and no other.

How inferior misdemeanors and other crimes, not particularly specified, are to be disposed of.

44. And be it further enacted, that all other inferior misdemeanors and other crimes committed by apprenticed labourers against each other, or against the person entitled to his or her services, or against any other person, and not hereinbefore specified, shall be heard and determined before any justice appointed by special commission, reasonable notice of the time and place of such trial being given to the person entitled to the services of the apprentice complained against, where such person so entitled to his or her services is not the complainant; and such justice shall, upon conviction of such apprentice, order and direct such punishment to be inflicted as he shall think proper, not exceeding 50 lashes, nor three months' imprisonment to hard labour, nor 20 days' solitary confinement: provided that nothing

nothing in this clause contained shall be taken to authorize such magistrate to sentence any female apprentice to be flogged or beaten: and provided also, that nothing herein contained shall be deemed or taken to deprive any of His Majesty's subjects of his or her right to proceed against any such apprentice in any of the superior courts of this Island, or any court of quarter session or common pleas, for remedy against any apprentice for any wrong or injury done or committed to or against the person or property of such subject: and provided also, that when any apprenticed labourer shall be convicted of indolence or neglect, or improper performance of work, the special justice before whom such conviction shall take place may, if he sees fit, sentence the offender, either alone or in addition to the punishment by flogging or hard labour hereinbefore directed, to labour for any such number of hours or days in his or her own time, for the benefit of the person entitled to his or her services, as the justice of the case may seem to require, not exceeding 15 hours in any one week.

Proviso: Females not to be flogged or beaten.

Proviso: Other persons may proceed against apprentices in courts of justice for wrongs or injuries.

For indolence or neglect, or improper performance of work, apprentices may be further compelled, on conviction, to labour for employers for a certain period of time.

45. And be it further enacted, that in cases in which the food of any such prædial apprenticed labourer is supplied, not by the delivery to him or her of provision, but by the cultivation, by such prædial apprenticed labourer, of grounds set apart for the growth of provisions, the person entitled to their services shall and are hereby required, during the term of such apprenticeship and no longer, to provide such prædial apprenticed labourer with ground adequate, both in quality and quantity, for his or her support, and within a reasonable distance from his or her usual place of abode, under a penalty not exceeding 5*l.* for each offence.

Prædial apprentices to be supplied with grounds adequate for support, under penalty, but during apprenticeship only.

46. And whereas it is necessary that proper regulations should be made and established, as to the extent of such provision grounds hereinbefore mentioned, and as to the distance at which such grounds may be so allotted from the ordinary place of abode of such prædial apprenticed labourer; be it enacted, that for the purposes of this Act, all grounds hitherto allotted to every slave during such his or her state of slavery, for his maintenance and support, shall, during the term of his or her apprenticeship, in quantity, quality and locality, be deemed adequate and proper for the maintenance and support of every prædial apprenticed labourer, unless good and sufficient cause be shown to the contrary: provided and be it enacted, that such prædial or non-prædial apprenticed labourer shall satisfy, in case of complaint, such special justice that he has kept his ground in a due and proper state of cultivation.

Regulations as to extent of such grounds for prædial apprentices.

Proviso: They must satisfy special justices, in case of complaint, that they have kept their grounds in cultivation.

47. And whereas one day in every fortnight has heretofore been allowed to the slaves for the cultivation of their provision grounds, so as to make the number of days 26 in the year, for the purpose aforesaid, exclusive of Sundays and holidays: and whereas a provision made in this Act confines the hours of labour, which the master is entitled to from such prædial apprenticed labourer, to 45 hours, or five days, of nine hours each in any one week: and whereas a further allowance for the cultivation of their grounds, and the raising and securing the crops grown thereon, is allotted to them by the Act of the Imperial Parliament hereinbefore recited; be it enacted, that from and after the 1st day of August next, every prædial apprenticed labourer shall be entitled to four hours and one half of an hour out of the 45 weekly working hours hereinbefore mentioned, for the cultivation of his or her grounds; and such portion of time shall be allowed to each apprentice, either on any day or days in any one week, or by any number of days consecutively, at such period of the year as may be deemed by the possessor or manager of such property least detrimental and injurious to the cultivation of the plantation on which he or she shall reside, and the gathering in of the crop, and the manufacture of the produce thereof; and any person entitled to the service of any such prædial apprenticed labourer, who shall refuse to allow such portion of time to any such labourer, shall be subject and liable to a penalty of 40*s.* for each offence, to be recovered as hereinafter provided: provided always, that such number of days so allowed to the apprenticed labourer shall not exceed three consecutive days at one time: provided and it shall and may be lawful for the employer and the apprentice to enter into an agreement in writing, of which a copy shall be given to the apprentice, to pay to the said apprentice such sum as may be agreed on between them in lieu of time: and provided also, that in the event of the non-payment of the sum agreed on, at such times as shall be stipulated in the said agreement, it shall and may be lawful for the special justice, on the application of the apprentice, of which the employer shall have due notice, to issue a warrant against the goods of such employer, for the amount of the money due at the time of such application, which warrant any constable within the parish or district may and he is hereby required to execute, and make sale of the goods so taken under the warrant, unless the amount for which the same is issued shall be paid within three days; and the money to be received or levied under such warrant shall, immediately after the receipt thereof by such constable, be paid over to the said apprentice.

Further allowance of time for the working prædial apprentices' grounds, but which must not be injurious to the cultivation, &c. of employer's plantation.

Provisoes: Three consecutive days only to be allowed.

Money may be paid in lieu of time, but under written agreement.

In event of non-payment, justice to proceed against employer; and manner of recovery, &c.

48. And whereas in certain parts of this Island there may not be lands proper for the cultivation of provisions, or by reason of long continuance of dry weather or other casualty the grounds hitherto appropriated for negro grounds may be rendered unproductive; be it enacted, that in such case the master, owner or other person entitled to the services of such apprenticed labourer, shall by some other ways and means make good and ample provision for all such apprenticed labourers to whose services they shall be entitled, in order that they may be properly supported and maintained, under a penalty not exceeding 40*s.* for each offence: provided always, that in such case no diminution of the 45 hours as hereinbefore mentioned shall take place.

Where grounds are unproductive, other means of support must be provided, but without any diminution of the time belonging to apprentices.

How complaints of apprentices are to be heard and decided.

49. And be it further enacted, that all complaints made by any apprenticed labourer against the person entitled to his or her services, touching any fraud practised, or refusal to furnish any such apprenticed labourer with sufficiency of provision ground, or of other means of maintenance and support in cases where such apprentice hath no provision ground, or of illegally and improperly withholding from such apprentice any portion of the time allowed him or her to cultivate such ground, or of imposing task-work on any apprentice labourer contrary to the provisions of this Act, or of breach of any contract on the part of any person engaging the voluntary services of any apprenticed labourer, or of any cruelty, injustice or other wrong or injury done to or inflicted upon any apprenticed labourer by the person entitled to his or her services, shall be heard, adjudged and determined before any one or more special justice or justices; and he or they is or are empowered to punish any offender in any of these respects last-mentioned with a fine not exceeding 5*l.*; and for default of goods and chattels whereon to levy such fine the offender shall be committed to gaol until he or she shall pay or satisfy the same, but such imprisonment shall not exceed five days: provided, that nothing herein contained shall be deemed or taken to bar or destroy the right of any apprenticed labourer to proceed in the supreme or assize courts, or the courts of quarter session or common pleas, for any wrong or injury done to or committed against his or her property or person by any person whomsoever.

Proviso: Apprentices may proceed in higher courts for wrongs or injuries done them or their property.

Task-work, in cases of necessity, may be imposed, with consent of special justices;

50. And be it further enacted, by the authority aforesaid, that in cases where it shall be necessary for the cultivation of any plantation, sugar-work, pen or other settlement, or for gathering in or manufacturing the crops and produce thereof, to impose task-work on the prædial apprenticed labourers thereof or working thereupon, it shall be lawful for any special justice to sanction such task-work, provided such apprenticed labourers, or a majority of the adults among them, shall be willing and desirous collectively to undertake the same.

and willingness of majority of adult apprentices.

Work may be done either by day or task, as employer and apprentice may contract for, but sanctioned by special justice, and for one year only, &c.

51. And be it further enacted, that it shall and may be lawful for any employer and apprenticed labourer mutually to contract together for work to be done either by the day or by the task for such wages or consideration as they may agree upon; provided always, that such contracts or engagements shall be sanctioned by a special justice, and that no such agreement shall be for a longer period than one year, and that no task-work shall be imposed upon any body of apprenticed labourers except by consent of a majority thereof.

Indentures to be as those used in England.

52. And be it further enacted, by the authority aforesaid, that all indentures of apprenticeship of children required by this Act shall be, as nearly as the nature of the case will admit, in conformity with and upon the same terms and conditions as indentures of apprenticeship of children made by the parochial or municipal authorities in any parish or town in England, and shall be recorded in the Secretary's Office of this Island.

Governor empowered to divide the Island into districts, for the purposes of this Act.

53. And whereas it is necessary that provision should be made for ensuring promptitude and dispatch, and for preventing all unnecessary expense in discharge by the justices holding special commissions of the jurisdiction and authorities by this Act committed to them, and for enabling such justices to decide in a summary way such questions as may be brought before them in that capacity, and for the division of this Island into districts for the purposes of such jurisdiction, and for the frequent and punctual visitation by such special justices of the apprenticed labourers within their districts; and it is also necessary that regulations should be made for indemnifying and protecting such special justices of the peace in the upright execution and discharge of their duties; be it therefore enacted by the authority aforesaid, that the Governor, or person exercising the functions of Governor of this Island, shall and he is hereby authorized, required and empowered to make division of the Island into districts for the purposes of this Act, which division shall be made and set out by metes and bounds to be laid down and expressed according and with reference to Robertson's maps recorded in the Secretary's Office of this Island, and any proclamation to be issued by the Governor, or person executing the functions of Governor, shall carry into effect such division of districts as aforesaid: provided always, that the city of Kingston shall not be taken to be included and comprised within any of such districts or divisions.

Proviso: Kingston excluded.

Visitation, and for what purposes, of special justices, to properties on which there are prædial apprentices, exceeding 40.

54. And be it further enacted, by the authority aforesaid, that the special justices to be appointed for each district, or some other special justice, shall visit each plantation, sugar-work, pen or settlement within such district upon or to which there shall be attached, or upon which there shall be working any number of prædial apprenticed labourers exceeding 40, one day at least in every 14 days, and oftener if required, for the purpose of hearing and determining the several matters and things by this Act declared to be within their authority and jurisdiction; and such special justices shall for that purpose have full and free ingress and egress into and out of all such plantations, sugar-works, pens or other settlements without hindrance or molestation at any time between sunrise and sunset; and shall also have power, for the purpose of investigating any complaint, to cause to be brought before him any of the apprenticed labourers belonging to or upon the said plantation, sugar-work, pen or other settlement; and shall have such powers to summon and enforce the attendance of witnesses as is hereinbefore given to justices of the peace to compel the attendance of witnesses in cases of compulsory discharge from apprenticeship; and such special justice may, if he pass sentence of confinement upon such apprentice, and if he shall see fit, to direct that confinement shall take place upon the plantation or settlement to which such apprentice shall belong, or be then working upon.

Offenders on properties on which there are less than 40, may be taken

And be it further enacted, by the authority aforesaid, that the person entitled to the services of any apprenticed labourer working upon or attached to or living at any plantation

or settlement upon which there shall be less than 40 apprentices, shall be at liberty to carry any offending apprentice before any special justice at the plantation or settlement at which such special justice shall sit by virtue of this Act, nearest to the place where such offences shall have been committed, or to any place within the district where such special justice shall sit, provided such place shall be nearer than any plantation or settlement at which such special justice shall so sit; and any apprenticed labourer attached to or working upon, or living upon any plantation or settlement upon which there are less than 40 apprentices, may in like manner prefer his or her complaint for any offences committed against him or her before the special justice at the plantation or settlement at which such special justice shall sit nearest to the place where such offence shall have been committed, or in any place within the district where such justice shall sit, provided as aforesaid, that such place shall be nearer than any plantation or settlement at which any special justice shall so sit; provided, that when and so soon as police stations shall be appointed under and by virtue of any Act of the Governor, Council and Assembly of this Island in any of such districts, all such offences as aforesaid committed by or against apprentices upon plantations or settlements having less than 40 apprentices may be heard and determined before such special justice at such station-house.

to the plantation where justices may be sitting.

Proviso as to locality of places where special justices are to sit.

Apprentices may prefer their complaints in like manner as above provided against them.

Proviso: After police stations are appointed, complaints to be heard at station-house.

56. And be it further enacted, by the authority aforesaid, that a special justice of the peace shall sit in the city of Kingston once every day, from the hours of ten to three, to hear and determine upon the several matters and things within their authority and jurisdiction as aforesaid; and all cases arising or offences committed within the jurisdiction of such special justice in all other towns and villages in this Island, shall be heard and determined by such special justice at any plantation, settlement or place at which he shall sit: provided always, that nothing herein contained shall extend, or be construed to extend, to abrogate or take away the powers by law vested in the supreme courts of record, or the superior courts of civil and criminal justice in this Island.

In Kingston, special justices to sit once every day, from 10 to 3.

Proviso: Powers of supreme courts, or of civil and criminal justice, not abrogated.

57. And be it further enacted, that any apprenticed labourer who shall, during his or her apprenticeship, wilfully absent himself or herself from the service of his or her employer for a period exceeding three months at any one time, may be sentenced by any special justice, either to serve his or her employer after the expiration of his or her apprenticeship for so long a time as he or she shall have absented himself or herself from such service, or to make satisfaction to his or her employer for the loss sustained by such absence (except so far as he or she shall have made satisfaction for such absence, either out of such extra hours as aforesaid or otherwise); provided that such extra service or compensation shall not be compellable after the expiration of seven years next after the termination of the apprenticeship of such apprentice.

Wilful absence of apprentices for three months, how redeemable.

But not after seven years.

58. And be it further enacted, that no apprenticed labourer shall be compelled or compellable to labour on Sundays, except in works of necessity or in domestic services, or in the protection of property, or in tending of cattle; nor shall any apprenticed labourer, except as aforesaid, be liable to be hindered or prevented from attending anywhere on Sundays for religious worship at his or her free will or pleasure, but shall be at full liberty so to do without any let, denial or interruption whatsoever.

Apprentices not to be compelled to labour on Sundays, except in works of necessity, &c., not to be hindered from attending anywhere for religious worship.

59. And be it further enacted, by the authority aforesaid, that from and after the 1st day of August 1834, no person whomsoever shall on Sunday expose for sale in any market, or in any shop or other place, any goods, wares or merchandize or provisions, under a penalty not exceeding 5*l.* for every offence; provided, that in case the goods or provisions so exposed for sale shall not exceed in value the sum of 5*l.*, the same may, in lieu of such penalty, be forfeited, by order of any justice of the peace, for the benefit of the poor of the parish in which such offence is committed; and provided also, that nothing herein shall extend to prevent the keeping open of any druggist's shop, tavern or lodging-house, or the sale of fresh meat, fresh fish or milk on Sunday, such sale, however, not to take place in any town or village during the celebration of divine service therein; and that from and after the 1st day of August 1834, Saturday in each week shall be the day given to every prædial labourer; provided, that prædial labourers employed in works of necessity, tending cattle, domestic services and in protecting property, shall have some other day in lieu of Saturday.

After 1 August 1834, Sunday markets to be abolished.

Goods exposed after sale, to be seized.

After 1 August, prædial labourers to have Saturday in each week, and exceptions as to certain employments of prædial labourers, who are to have another day in lieu of Saturday.

60. And be it enacted, that in all cases of urgent necessity it shall be lawful for the owner or other persons in management of such property, where such necessity shall occur, to require and compel the immediate and continued service of any or all of the apprenticed labourers during such emergency.

In cases of urgent necessity, the immediate and continued services of apprentices may be compelled.

61. And be it enacted, that no such apprenticed labourer shall, during the continuance of such their apprenticeship, be liable to be arrested or imprisoned for debt, or be liable to be called on, or be competent to serve in the militia of this Island, or to serve as a juror.

Apprentices cannot be arrested for debt, and are incompetent to serve in the militia or as jurors.

62. And be it enacted, that all such apprenticed labourers shall, during the term of such their apprenticeship, be and they are hereby disqualified from being elected members of Assembly, vestrymen, common councilmen, or aldermen, or churchwardens, or coroners, or of voting at any election for any of the offices aforesaid, or being appointed justices of the peace.

They are disqualified from holding certain offices.

63. And be it further enacted, that if any slave or slaves shall be guilty of any offence now triable under an Act, intituled, "An Act for the Government of Slaves," and not be

Slaves guilty of offences under slave law, not tried before 1 August

1834, to be then tried under this law.

brought to trial before the 1st day of August 1834, it shall and may be lawful to bring such slave or slaves to trial under and by virtue of the powers and provisions of this Act, and to award such punishment as the law provides.

Commissioners to be nominated by Governor for allotting compensation.

64. And whereas it may be necessary that, for the purpose of allotting a proportion of the compensation fund to such persons in this Island as are entitled thereto, and carrying the other provisions of this Act into effect, certain commissioners should be appointed; be it enacted, that the Governor or person exercising the functions of Governor is hereby empowered to appoint and nominate such number of commissioners for that purpose as he shall think fit.

No remuneration to commissioners who should be members of Assembly.

65. And be it further enacted, that no remuneration shall be given for and in respect of the execution of the said commission to such of the said commissioners as shall be members of the House of Assembly of this Island.

Powers of the commissioners.

66. And be it further enacted, that the said commissioners may examine upon oath, or affirmation if a Quaker (which oath or affirmation they, or any of them, are and is hereby authorized to administer), all persons who shall appear before them to be examined as witnesses touching any matters or things which may be depending, or touching any questions which may arise in the execution of the powers vested in the said commissioners by this Act; and may also receive any affidavits or depositions in writing, upon oath or affirmation, touching such matters or things as aforesaid, which shall be made before any justice of the peace of any county or shire, or any magistrate of any borough or town corporations in Great Britain or Ireland where or near which the person making such affidavit or deposition shall reside, or before the chief justice or any other judge of any of the courts of record, or the supreme court of judicature in this Island, and certified and transmitted to the said commissioners under the hand and seal of such justice or magistrate, chief justice or judge, (and which oath or affirmation every such justice or magistrate shall be and is hereby authorized and empowered to administer); provided, that in every such affidavit or deposition there shall be expressed the addition of the party making such affirmation or deposition, and the particular place of his or her abode.

Punishment for perjury.

67. And be it further enacted, that if any person or persons, upon examination on oath or affirmation before the said commissioners respectively, or if any person or persons making any such affirmation or deposition as before mentioned, shall wilfully and corruptly give false evidence, or shall in such affirmation, affidavit or deposition wilfully or corruptly swear, affirm or allege any matter or thing which shall be false or untrue, every such person or persons so offending, and being thereof duly convicted, shall be and is and are hereby declared to be subject and liable to the pains and penalties of persons convicted of wilful and corrupt perjury.

Application of penalties.

68. And be it further enacted, that all fines and penalties imposed by this Act shall be recovered before any special justice of the peace by warrant of distress and sale of the offender's goods and chattels, to be applied for the use of the public of this Island.

Documents exempted from stamp duty.

69. And be it further enacted, that no duty by stamps shall be imposed on any document or proceeding required by this Act.

British stat. 52 Geo. 3, c. 155, to be in force in this Island.

70. And be it enacted, that a certain statute, made in the 52d year of his late Majesty King George the Third, intituled, "An Act to repeal certain Acts, and amend other Acts relating to Religious Worship and Assemblies, and Persons teaching and preaching therein," shall be and is hereby declared to be in force in this Island: provided nevertheless, that any two or more justices of the peace holding special commission under the 3 & 4 Will. IV., c. 73, shall have, exercise and enjoy all and every the jurisdiction, powers and authorities whatsoever which by force and virtue of the said Act are within the realm of England had, exercised and enjoyed by the several justices of the peace, and by the general and quarter sessions therein mentioned.

Justices holding special commissions under 3 & 4 Will. 4, c. 73, have the same powers under the above Act as are exercised by justices in England.

This Act may be altered during the present session.

71. And be it enacted, that this Act may be altered, varied, amended or explained by any other Act or Acts to be passed this session.

— No. 2. —

No. 2.

Jamaica ss.

AN ACT to repeal part of an Act, 4 Will. IV. c. 41, intituled, "An Act for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves; and to declare the 52 Geo. 3, c. 155, in force in this Island;" and to explain and amend, and in aid of the said Act:—Passed 4th July 1834.

Preamble.

WHEREAS it is expedient and necessary to explain and amend certain parts of an Act of the 4 Will. IV. c. 41, intituled, "An Act for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves; and to declare the 52 Geo. 3, c. 155, in force in this Island;" be it therefore enacted by the Governor, Council and Assembly of this Island, and it is hereby enacted and ordained, by the authority of the same, that the proviso at the end of the fourth clause of the said Act shall be, and the same is hereby repealed.

Proviso at the end of the 4th clause repealed.

And

And it is hereby enacted, that no person of the age of 12 years and upwards shall be included in either of the two classes of prædial apprenticed labourers in the said Act mentioned, unless such person shall, for 12 calendar months at the least next before the 28th day of August 1833, have been habitually employed in agriculture, or in the manufacture of colonial produce.

No person of the age of 12 and upwards shall be included as apprenticed labourers, unless they were employed 12 months at the least in agriculture, &c.

And whereas doubts have arisen whether under the said Act persons having a limited right to the services of apprentices, or who hold apprentices which are subject to trusts, limitations and incumbrances, have power to discharge such apprentices from the term of their apprenticeship or any part thereof; be it therefore enacted, that any person entitled to the services of any apprenticed labourer, and which apprenticed labourer shall be subject to any trust or limitation, or any femme coverte, or guardian or guardians of a person of nonage, or committee of a lunatic or insane person, shall be entitled to the services of any apprenticed labourer, and shall be desirous to discharge such apprentice, such person is authorized and required to apply to the nearest special justice under the said Act, who shall thereupon give notice twice in the county newspapers of his intention to proceed to value the said apprenticed labourer; and such justice shall, at a time and place by him to be appointed, associate with him one other justice of the peace; and such two justices shall proceed to fix a value upon such apprenticed labourer, which valuation shall be binding and conclusive on all parties; and the amount of the value so fixed by such two magistrates shall be paid, applied or invested in such manner and way, and in such parts and proportions as the compensation money for such apprenticed labourer under an Act of the Imperial Parliament, 3 & 4 Will. IV. c. 73, shall have been awarded, paid and applied, or invested: provided always, that in case such compensation money shall not have been paid or awarded, then that the amount of the value so fixed by the said two justices shall be paid into the office of the receiver-general, there to remain until such compensation money shall be awarded, and then to be paid out or invested, in conformity with such award or compensation, under an order of any judge or justice of the grand or assize courts of this Island.

Person entitled to the services of apprenticed labourer, who is subject to any trust or limitation, or, &c. &c., and desirous to discharge such apprentice, may apply to the nearest justices under the Act, and after two weeks' notice, shall value apprenticed labourer. Valuation considered conclusive.

Proviso.

And be it further enacted, that upon the amount of such value being so paid into the receiver-general's chest, or paid to the person entitled to receive the same, or invested as aforesaid, the said two justices shall discharge such apprentice from the term of his apprenticeship, and shall grant a certificate of discharge in the form laid down in the 10th clause of the hereinbefore recited Act of the 4 Will. IV. c. 41.

When valuation is paid into the receiver-general's chest, or to the person entitled to receive it, justices shall discharge such apprenticeship.

And whereas it is necessary to regulate uniformity in the hours of labour, be it enacted, that on all sugar estates and other plantations, field labour shall commence with sunrise and terminate with sunset, giving such cessation in the middle of the day as, with the usual half hour allowed for breakfast, shall reduce the actual time of labour to nine hours in the day: provided always, that nothing herein contained shall prevent the employer and the labourers from making any other arrangements as to the hours of labour which they may mutually agree upon.

Hours of labour on estates and plantations.

Proviso.

And be it enacted, that it shall be the duty of every employer to intimate to the labourers in his or her employment the commencement and the close of the legal hours of labour, by the usual mode of ringing a bell or blowing a horn or shell, or any other signal, which shall be always of such a nature as to be distinctly visible or audible to the several prædial apprenticed labourers in the service of any such person.

Employer's duty to intimate to labourers the hours of labour, by some signal or sound, &c.

And whereas apprenticed labourers not being over 50 years of age, nor incapable from mental or bodily infirmity of earning a subsistence, may under the seventh clause of the Abolition Act be voluntarily discharged by their employers: And whereas such discharged labourers may afterwards become destitute, and give rise to doubts as to the condition in which they were discharged, and the consequent liability of the employer to provide for their support and maintenance; be it enacted, that every master or employer who shall voluntarily discharge any apprenticed labourer or labourers, such master or employer shall in every such case bring such labourer or labourers before the vestry of the parish in which he shall reside, to be approved and recorded according to the seventh clause of the Abolition Act; and in case any master or employer shall discharge any apprenticed labourer or labourers without having so produced them to the inspection of the vestry as aforesaid, then and in every such case such master or employer shall, in the event of such labourer or labourers being found in a state of destitution, be held liable for their support and maintenance for the remaining term of the apprenticeship.

Employers who shall discharge any apprenticed labourer shall bring such labourer before the vestry of his parish, and comply with the 7th clause of Abolition Act.

And be it further enacted, that any apprenticed labourer who shall be unable from sickness to attend to his or her usual labour, such labourer shall without delay repair to the plantation hospital, and there shall receive the same medical care and attention as has heretofore been customary, and shall in like manner be subject to all such necessary sanitary restraint and control as the medical attendant shall direct; and in case any apprenticed labourer shall absent himself or herself in the morning from his or her usual labour upon pretext of indisposition, such labourer so offending shall, upon conviction thereof before any special justice, be compelled to make up such loss of time to the employer, in the same manner as in the case of absence from the field.

Apprenticed labourers who shall be unable from sickness to attend usual labour, shall go to the hospital of the plantation, &c., and receive medical assistance.

In case labourer shall absent upon pretext of indisposition, such labourer shall make up loss of time.

bourer, upon conviction before justice,

Proviso.

Provided always, and be it further enacted, that where there shall be no hospital, the said apprenticed labourers shall receive such medical attendance and relief as is now customary in this Island.

Apprenticed labourer convicted before justice of damaging any fruit trees, &c., and of injuring property of employer, shall be sentenced to hard labour, &c. &c.

Explanation of the 60th clause of the Abolition Act. Considered an offence against this Act, when employer compels labourer to work beyond the number of hours, except in conformity with 42d, 50th and 51st clauses of said Act.

No action to be brought against any special justices, for acts done in such capacity, unless notice be given or service made on him, &c. at least one month before action is brought. If defendant should have a verdict, or nonsuit plaintiff, treble costs out of purse shall be paid to defendant.

If notice given to special justice, against whom an action will be brought, and he tenders to plaintiff amends, or consents to pay costs incurred to that time, and plaintiff refuses, Court directed how to act, when decided for the plaintiff.

No action can be brought against any justice under these Acts, unless it shall commence six months after action occurred.

Apprenticed labourer convicted of aiding another to quit the Island, without consent of employer, how punishable.

Persons not apprenticed labourers, who shall assist apprentices in removing or quitting the Island, shall forfeit 100*l.*, to be recovered by two magistrates, in the same manner as servants' wages are made recoverable.

Apprenticed labourers, whose occupation is on the sea as fishermen, &c., to be registered as such.

Apprenticed labourer neglecting to register, shall be corrected and punished.

Apprentice absenting for one week, employer to report the name of deserter to sub-inspector, that a record may be kept.

20*s.* reward for apprehension of deserter.

Apprentices establishing themselves as a distinct community, without lawful permis-

And be it further enacted, that any apprenticed labourer or labourers who shall be convicted before any special justice of having wantonly cut down or damaged any fruit or other trees, or of having wantonly pulled down or injured any house or outhouse upon the property of his, her or their employer, such apprenticed labourer or labourers so convicted, shall be sentenced to hard labour in the house of correction or penal gang of the parish for a term not exceeding three months, or to receive any number of stripes not exceeding 39, or if a female, to hard labour not exceeding 20 days.

And whereas doubts have arisen as to the meaning of the words, "urgent necessity," in the 60th clause of the said Act, for removal thereof, be it enacted, that such words shall be deemed and taken to mean cases of hurricane, tempest, earthquake, flood, fire or other misfortune, the act of God, and which could not have been prevented by previous due caution on the part of the employer; and that any person who shall otherwise compel any prædial apprenticed labourer to work beyond the legal number of hours, save and except in conformity with the 47th and 50th, and 51st clauses of the said last-mentioned Act, shall be deemed and taken to have committed an offence against the said Act.

And be it further enacted, that no action or suit shall be brought or commenced by any person against any special justice for any act, matter or thing done by him in the execution of the said Act of 4 Will. IV. c. 41, or of this Act, or of any Act passed in aid of or to explain and amend the said Act of the 4 Will. IV. c. 41, unless notice of bringing such action shall have been served on such special justice, or left at his usual or last place of abode, at least one month previous to such action being brought; and if a verdict shall be given for the defendant in any such action or suit, or the plaintiff therein shall be nonsuited, or such action shall be discontinued for want of going to trial, the plaintiff therein shall pay to the defendant treble the amount of his full cost out of purse expended by him in the defence of the said action or suit.

And be it further enacted, that if any such special justice against whom any action or suit shall be so brought, shall at any time after such notice given, before the trial of the said action, tender to the said plaintiff sufficient amends for such wrong or injury in respect of which such action has been so brought, and submit to pay the cost of suit up to that time incurred, and if the plaintiff shall refuse to accept such amends and costs, and the verdict shall be given for the plaintiff for the sum so tendered, or a lesser sum, then the court shall order and direct the plaintiff, out of such damages, to deduct the full costs of purse of the defendant, and an execution shall be lodged only for the amount of such damages after such deduction.

And be it further enacted, that no action or suit shall be brought against any special justice in respect of any act, matter or thing by him done in pursuance of the said Act of 4 Will. IV. c. 41, or of this Act, or of any Act to be passed in aid of or to explain and amend the said Act of 4 Will. IV. c. 41, unless the same shall be commenced within six months after such cause of action shall have accrued.

And be it further enacted, that any apprenticed labourer who shall be convicted before any special justice of aiding and abetting any other apprenticed labourer in quitting or attempting to quit the Island, without the written consent of his or her employer, such apprenticed labourer so convicted shall be liable to imprisonment with hard labour for any time not exceeding three months, and if a male, to whipping not exceeding 50 stripes, or to three months' imprisonment with hard labour.

And be it further enacted, that any person not being an apprenticed labourer, who shall remove or assist in removing any apprenticed labourer from this Island in any boat or vessel, without the written consent of his or her employer, such person shall for every apprenticed labourer he or she shall remove or assist in removing from this Island, forfeit the sum of 100*l.*, current money of Jamaica, to the use of the employer of such apprenticed labourer, to be recovered as servants' wages, before any two justices of the peace.

And be it further enacted, that all apprenticed labourers whose ordinary occupation is on the sea, as fishermen or mariners, shall be registered as such at the office of the special justice of the district; and any apprenticed labourer engaging in such occupation, without being first so registered, except with the consent of his employer, shall be liable on conviction thereof on the complaint of his employer, to imprisonment with hard labour for any time not less than six weeks nor exceeding three months, or to whipping not exceeding 39 stripes.

And be it enacted, that when any apprenticed labourer shall without leave have absented himself or herself for one entire week or upwards from the service of his or her employer, such employer shall report the name and description of such deserter to the sub-inspector of the district, that a record may be kept of all such deserters, and every means used for their apprehension, the more effectually to accomplish which, a reward of 20*s.* shall be paid to the person who shall apprehend and secure any such deserter, and which, in the first instance, shall be charged to and paid by the employer, but repaid to him or her out of such deserter's own time, in such manner as a special justice shall direct.

And be it further enacted, that if it shall be made appear to the satisfaction of any two special justices of the peace, that any apprenticed labourers have without lawful authority established themselves in any part of the Island as a distinct community, habitually abandon-

doing and neglecting to perform the duties imposed on them by law, such justice of the peace shall cause any such community to be dislodged by the police of the district, and if necessary shall also cause their settlements to be taken down and destroyed.

And be it further enacted, that any apprenticed labourer who shall be convicted before such special justice of the peace of having been a member of any such community as aforesaid, shall be adjudged to imprisonment with hard labour for any term not exceeding six months; and if a male, to whipping not exceeding 50 stripes, or imprisonment with hard labour for any term not exceeding six months.

And be it further enacted, that if any person shall harbour, conceal or clandestinely or fraudulently employ any apprenticed labourer who may be absent from the service of his or her employer without leave, every such person so offending shall for every such offence, upon conviction thereof before any two or more justices of the peace, in case the party complained against be not an apprenticed labourer, but if an apprenticed labourer, then before the special justice of the district, on the complaint of the employer or employers of such apprenticed labourers, be adjudged to pay and shall pay to the person or persons entitled to the services of such apprenticed labourer, the sum of 10*l.* current money of this Island, for each and every such apprenticed labourer so harboured, concealed or clandestinely or fraudulently employed, and the further sum of 10*s.* like current money, per day, for each and every such apprenticed labourer, for each and every day or part of a day such offender or offenders shall be proved to have so harboured, concealed or fraudulently or clandestinely employed any such apprenticed labourers; and upon the hearing of any such complaint, it shall and may be lawful for such justices of the peace, and they are hereby authorized and empowered, if they shall see just cause, to examine the party complained against upon his or her oath touching the matter of such complaint; and in case the party accused being legally summoned, the service of which summons shall be 10 days at least before the hearing of such complaint, and return thereof made on oath by the constable who shall have executed such summons, shall, without some reasonable cause to be allowed of by such justices, fail to attend the hearing of such complaint, the justices shall give judgment therein for the said sum of 10*l.* against such offender, and in failure of the payment of such fine or penalty, such person shall be and stand committed by warrant under the hands and seals of the said justices, to the common gaol, for a period not exceeding six months; and such justices are hereby required, if necessary, to issue either a search warrant for the apprehension of such apprenticed labourer, or a summons to the party accused, requiring him or her to produce such apprenticed labourer at the time of hearing such complaint, in order that he or she may be delivered over to his or her employer, and in failure, unless it shall appear on the oath of such party accused, that he or she cannot procure the attendance of such apprenticed labourer, such justices shall and they are hereby required to issue a warrant for the apprehension of every such apprenticed labourer, and for searching the premises of the person or persons convicted under this clause, or any other premises where there shall be reasonable ground to believe that such apprenticed labourer is harboured or secreted: provided always, that no such warrant shall issue for the apprehension of any apprenticed labourer, unless such warrant shall be signed by a special justice; and such justices are hereby fully authorized to examine such persons on oath, or any other person or persons who may be able to discover where such apprenticed labourer is to be found, and on the apprehension of any such apprenticed labourer, such constable is hereby required to deliver him or her over to a police officer of the district to which such apprenticed labourer belongs, to be dealt with according to law; and if the offender be an apprenticed labourer and unable to pay the penalties hereby imposed, such apprenticed labourer, if a male, to be liable to whipping not exceeding 39 stripes, and if a female, to solitary confinement for any time not exceeding 10 days, or to hard labour not exceeding three months, or if the offender be a non-prædial female apprenticed labourer, then and in such case she shall be permitted, if able to do so, to make any other satisfaction the injured party shall be willing to receive: provided always nevertheless, that nothing herein contained shall extend to the employing of any prædial apprenticed labourer on Saturday, or on any other day to which such prædial apprenticed labourer shall be entitled to his or her earnings, unless the party employing shall have express and actual notice from the employer of any apprenticed labourer, or his representative, that such prædial apprenticed labourer hath been adjudged to work on any such Saturday, or any other day as aforesaid, for the benefit of his or her employer or employers.

And be it further enacted, that if after the expiration or other determination of the term of apprenticeship of any apprenticed labourer, he or she shall having had three months' notice to quit previously to the determination of such apprenticeship, refuse to quit and deliver up possession of any land, dwelling or building which he or she shall have been permitted or suffered to occupy during his or her state of apprenticeship to his or her employer or employers, or to any person or persons acting on his, her or their behalf, every such person shall be deemed and considered a trespasser, and it shall and may be lawful in such case for any two justices of the peace associated together, upon a complaint made, and the conviction of the offender, to eject such offender from such land, dwelling or building, and inflict such punishment not exceeding 10*l.*, or imprisonment not exceeding 30 days, as to such justices shall seem proper.

And be it further enacted, that it shall and may be lawful for any special justice, and he is hereby authorized and empowered to substitute any given number of hours of work on

such special justice shall cause police to destroy settlements, if necessary.

Apprentices convicted of having been members as aforesaid, shall be imprisoned, &c.

Persons harbouring labourers from employer's service without leave, upon conviction, to pay a fine of 10*l.* for each, and a further sum of 10*s.* each per day.

Party accused to be summoned 10 days before complaint is heard, and in case of non-attendance, judgment to be given.

In failure of payment, to be committed to gaol for six months.

If necessary, justices may issue a search warrant for the apprehension of apprenticed labourer, on a summons to the party accused, requiring such apprenticed labourer to be delivered over to employer.

Proviso.

Justices authorized to examine persons on oath who may be able to discover where apprenticed labourer is harboured, and when apprehended, to be delivered to police officer of the district.

Offenders, how punishable.

Proviso.

After the expiration of the term of apprenticeship, if three months' previous notice be given to quit, and they refuse, to be considered as trespassers.

Justices, upon complaint being made, to fine or imprison offenders.

Special justice may substitute any given number of hours of work on

the tread-mill for any of the punishments imposed by this Act, &c.

the tread-mill in any house of correction or otherwise, for any of the punishments imposed by this or any other Act on apprenticed labourers, as he in his discretion shall consider necessary and proper.

Employers may, during apprenticeship, agree with labourers to pay a certain sum in the place and stead of clothing, &c., as are prescribed by the 16th clause of 4 Will. 4, c. 41.

And be it further enacted, that during the continuance of any such apprenticeship aforesaid, it shall and may be lawful for any employer and apprenticed labourer mutually to contract together for a certain sum or sums of money to be paid by such employer to such apprenticed labourer, either by the week or in such other manner as may be agreed upon, in the place and stead of such clothing and other maintenance and allowances as are provided by the 16th clause of the Act of this Island, 4 Will. IV. c. 41: provided always, that such contracts or engagements shall be sanctioned by a special justice.

Proviso.

This Act to be in operation during martial law.

And be it enacted, that the operation of this or any other law for the governance of the apprentices shall not be suspended by martial law, any law, usage or custom to the contrary thereof in anywise notwithstanding.

The 1st day of August declared a holiday.

And be it enacted, that the 1st day of August next ensuing shall be and is hereby declared a holiday throughout the Island.

By one justice of the peace, crimes and misdemeanors punishable, when committed by any subject of His Majesty, made punishable, when committed by an apprenticed labourer, by a special magistrate.

And whereas doubts have arisen as to the precise meaning of the words "crimes and misdemeanors," in the said Act, 4 Will. IV. c. 41; be it enacted, that such crimes and misdemeanors as are by law cognizable and punishable by one justice of the peace when committed by any subject of His Majesty, shall be cognizable and punishable when committed by an apprenticed labourer, by a special justice.

Nothing contained in proviso to the 49th clause of 4 Will. 4, c. 41, shall be taken to abridge the right of an apprenticed labourer to proceed in any of the courts of this Island for

And be it further enacted, that nothing contained in the proviso to the 49th clause of the said mentioned Act of 4 Will. IV. c. 41, shall be taken to abridge the right of any apprenticed labourer to proceed in any of the courts of this Island, by indictment or otherwise, for any wrong or injury done to or committed against his person or property by any person whatsoever.

Act to continue in force till 31 December 1835.

And be it enacted, this Act shall be in force from the 1st day of August next and until the 31st day of December 1835, and no longer.

— No. 3. —

Jamaica ss.

No. 3.

AN ACT to Amend and Explain and Repeal part of an Act passed in the Fourth Year of the Reign of His present Majesty, intituled, "An Act for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves; and to declare the 52 Geo. 3, c. 155, in force in this Island, and for other purposes."—(Passed 22 Dec. 1834.)

WHEREAS it is necessary that the Act of this Island made and passed on the 12th day of December 1833, intituled, "An Act for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves, and to declare the 52 Geo. 3, c. 155, in force in this Island," should be amended; be it enacted by the Governor, Council and Assembly of this Island, and it is hereby enacted by the authority of the same, that from and after the passing of this Act, the 27th, 39th, 44th and 68th clauses of the said Act shall be and are hereby repealed.

And whereas apprenticed labourers are entitled by the said recited Act to purchase their discharge from apprenticeship upon payment of the value at which their apprenticeship may be appraised; be it enacted, that before any order shall be made by the justices on any such appraisement so to be made as aforesaid, it shall be alleged before the said justices, that such apprenticed labourer purposed to be discharged hath at any time during his or her apprenticeship been convicted in a due course of law of any robbery or theft, and if it shall be made to appear to them by good and sufficient evidence on oath that such apprenticed labourer hath during his or her apprenticeship been so convicted of any robbery or theft, the said justices shall and they are hereby required not to make any order on such appraisement, and thereupon the same and all other proceedings for the discharge of any such apprenticed labourer shall be stayed until the expiration of three years of the term of his or her apprenticeship, from the time of the conviction of such apprenticed labourer of any such theft or robbery; and if such apprenticed labourer shall be under such charge before any justice or court, such justices shall suspend further proceedings on such appraisement until such apprenticed labourer shall be convicted or acquitted of any such charge, and if convicted the aforesaid proceedings shall be stayed for the period last aforesaid; and the said justices shall give a certificate under their hands and seals of such proceedings and adjudication to the party entitled to the services of the said apprentices, which shall at all times be taken and received as conclusive evidence.

And whereas it is desirable that one uniform mode of valuation should be in force in this Island, be it enacted, that the justices in fixing their valuation of any apprenticed labourer shall ascertain by the examination of witnesses or otherwise the amount in value of the services of such apprenticed labourer for one year, and after deducting one-third therefrom

to cover all casualties and contingencies, shall multiply the residue at the same ratio for the remainder of the term to come of his apprenticeship, and the aggregate shall be deemed the value of such apprenticed labourer; or if the apprenticeship shall be within one year of its expiration, the said justices shall proceed upon the same principle, and fix the value of such apprenticed labourer in proportion to the time his or her apprenticeship has to run.

And be it further enacted, that it shall be lawful for the owner, proprietor or manager of every sugar estate so to regulate the hours of labour as to enable him or her, if necessary, to carry on the manufacture of sugar, when the mill is about, for 18 hours out of the 24, provided that no apprenticed labourer, unless by his or her own consent, shall be required to labour for a longer time than nine hours out of the 24, as already provided by law, nor shall any apprenticed labourer, unless by his or her consent, be required to labour during his or her own time allotted by law.

And whereas under the provisions of the Abolition Act it may be found impossible to continue the cultivation of many of the plantations and other settlements in this Island, and it is expedient and necessary in all such cases that the proprietors should be released from the obligations imposed under the 7th clause of that Act, to provide legal maintenance for their apprenticed labourers; be it enacted, that every proprietor of such plantation as aforesaid who shall have given six months' notice to the labourers settled thereon and to the nearest special justice, of his intention to abandon the cultivation thereof, shall be after the expiration of that time relieved from the further maintenance of all such apprenticed labourers; and that in every such case it shall be the duty of the justice to whom such notice shall have been given, to have such labourers removed from such plantations or settlements, leaving to themselves the free choice of the master or masters into whose service they shall desire to enter, and who may be willing to employ them: provided always, that agricultural labourers shall not be permitted in such case to remove to the towns, or to relinquish agricultural labour, unless they can show to such special justice a satisfactory probability of being able there to maintain themselves and families; and if such labourers shall refuse to remove as aforesaid, they shall be deemed vagabonds, and dealt with accordingly.

And whereas doubts have been entertained whether under the said recited Act the courts of quarter sessions can take cognizance of offences committed by apprentices; be it enacted, that for or notwithstanding anything in the said Act contained, it shall be lawful for the several courts of quarter sessions in this Island to take cognizance of offences committed by apprentices in the same manner as in cases of free persons.

And be it further enacted, that any apprenticed labourer who shall be found wandering as a vagabond beyond the limits of the plantation of his or her employer, without a written permission from such employer, and who shall not be able to give a satisfactory account of himself or herself, may be apprehended by an estate or other constable and brought before the nearest justice of the peace, and upon conviction shall be adjudged a vagabond, and sentenced accordingly; provided that nothing in this clause contained shall be applied to apprenticed labourers on their way to or from any place of divine worship on the Sabbath-day, or to or from the Saturday market, or at such market or place, or in their way to or from their provision grounds during the time allotted to them as their own; and provided that nothing herein contained shall be deemed or construed to abridge or in anywise interfere with the full and free use and enjoyment by such apprentices of the time by law allotted to them as their own.

And be it enacted, that with the permission of the owner or manager of any plantation or settlement, and not otherwise, it shall and may be lawful for a special justice, and he is hereby required to establish a penal gang on any such plantation or settlement; and it shall and may be lawful for a special justice, where any apprenticed labourer has been sentenced to hard labour in the penal gang, to enrol such apprenticed labourer among the penal gang of the plantation or settlement to which such apprenticed labourer belongs, if with the permission of the owner or manager a penal gang has been established on such plantation or settlement.

And be it further enacted, that the special justice may be and he is hereby authorized to abolish any penal gang established on any plantation or settlement when to such special justice it may seem meet, and transfer the apprentices doing work in such penal gang to the penal gang of the parish in which such plantation or settlement is situate, there to work for such time as shall remain unexpired of his, her or their period of punishment.

And whereas serious injury has arisen in consequence of apprenticed labourers stationed as watchmen absenting themselves from their posts and otherwise neglecting their duty; be it enacted, that if any apprenticed labourer stationed as a watchman shall wilfully absent himself from his post, or shall be guilty of any neglect of duty, by which the property of his employer shall be damaged, such apprenticed labourer shall upon conviction thereof before any special justice be sentenced to make good to his employer any damage that may have been sustained through his neglect or default, by labour in his own time, or to receive any number of stripes not exceeding 50; provided always, that no watchman shall be mulct exceeding 30 days' labour for any neglect of duty.

And whereas the public peace has been endangered by apprenticed labourers, in large numbers, leaving their homes and travelling to a great distance therefrom under pretext of receiving redress of grievances; be it enacted, that if any five or more such apprenticed

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labourers shall, without the written authority of their masters or employers, proceed in a body or in a tumultuous or riotous manner from the estate or plantation to which they are attached, it shall and may be lawful for any justice of the peace, and he is hereby authorized and required, upon complaint made or knowledge of the fact, to issue a warrant under his hand and seal to any lawful constable or constables or policemen, to apprehend such apprenticed labourers and lodge them in the nearest gaol or house of correction, there to be kept in safe custody until the case shall have been heard and determined by due course of law before any special justice of the peace, who is hereby authorized and empowered to hear and determine on the same, and if it shall be made to appear to such justices that such apprenticed labourers have quitted their homes without justifiable cause, they shall, if males, be adjudged to a public whipping not exceeding 39 stripes; or if females, to solitary confinement not exceeding 10 days, or to work in the penal gang for a period not exceeding one month: provided always, that nothing herein contained shall be taken to prevent any apprenticed labourer from freely resorting to the nearest special justice, to procure his attendance on any plantation in case the apprenticed labourer shall have any grievance to complain of.

And whereas great damage arises to plantations in consequence of hogs and goats being suffered to roam at large; be it enacted, that if any hog or goat shall be found at large in any cane pieces, provision ground, coffee pieces, orchards, gardens or field under cultivation, without the consent of the owner or proprietor thereof, or of his or her manager, it shall be lawful for the owner, proprietor or manager of the property where such hog or goat shall be so found, to cause such hog or goat so trespassing as aforesaid to be destroyed.

And be it enacted, that on every plantation the special justices shall appoint one or more of the apprenticed labourers thereon, with the consent of the master or manager, to be constables, who shall be empowered to maintain peace and order on such plantation under the directions of the proprietor or manager thereof, and to secure and place in confinement any apprenticed labourer who shall commit any offence on such plantation, or any apprenticed labourer not employed on such plantation (except the wives of the apprentices legally married living on such plantation) who may be found loitering thereon without the knowledge or permission of the proprietor or manager thereof; provided that such apprenticed labourer so confined as aforesaid shall not be kept in custody longer than shall be necessary to procure the attendance of a special justice, to whom immediate notice shall be given: provided always, that if the attendance of a special justice cannot be procured within 24 hours, it shall and may be lawful for the proprietor or manager aforesaid, if he shall think proper, to order the release of such apprenticed labourer so confined as aforesaid, after the expiration of 24 hours, and if not discharged, such proprietor or manager shall and he is hereby required to take the said apprenticed labourer before the nearest justice of the peace, who shall thereupon, if he shall see cause, authorize the further detention of such apprenticed labourer until the attendance of a special magistrate can be obtained, or, according to the nature of the offence, commit such apprenticed labourer to the gaol or house of correction, to be dealt with according to law: provided nevertheless, that in the event of such apprenticed labourer being discharged as aforesaid, the proprietor or manager shall and he is hereby required to prefer the complaint on which such apprentice was confined before the special justice when he shall next come upon the estate.

And be it further enacted, that all inferior misdemeanors, petty thefts not exceeding in value 5*l.*, and trespass committed by apprenticed labourers against each other or against the person entitled to his, her or their services, or against any other person, and not hereinbefore specified, may be heard and determined before any justice appointed by special commission, reasonable notice of the time and place of such trial being given to the person entitled to the services of the apprenticed labourer complained against, where such person so entitled to his or her services is not the complainant; and such justice shall, upon conviction of such apprenticed labourer, order and direct such punishment to be inflicted as he shall think proper, not exceeding 50 lashes, nor three months' imprisonment to hard labour, nor 20 days solitary confinement; provided that nothing in this Act, or in the said recited Act for the Abolition of Slavery, or in any Act in aid thereof contained, shall be taken to authorize any justice of the peace to sentence any female apprentice to be flogged or beaten; and provided also, that nothing herein contained shall be deemed or taken to deprive any of His Majesty's subjects of his or her right to proceed against any such apprentice in any of the superior courts of this Island, or any court of quarter sessions or common pleas for remedy against any apprentice for any wrong or injury done or committed to or against the person or property of such subject.

And be it enacted, that for and notwithstanding anything in the said recited Act contained, it shall be lawful to sell bread and grass on Sunday, provided the same are not exposed to sale during divine service.

And whereas great inconvenience has arisen and may arise from large bodies of apprentices assembled at public meetings; be it therefore enacted, that from and after the passing of this Act, it shall not be lawful for any apprenticed labourer or labourers to attend or vote at any public meeting.

And be it enacted, that if any person or persons shall consider himself or themselves aggrieved by the proceedings and decisions of any special justice, such person or persons shall have the right of appeal against any such decision to the supreme or assize courts.

And.

And whereas doubts have arisen in many cases whether apprentices, who have been partly employed in agriculture or in the manufacture of colonial produce, and partly employed otherwise, shall be classed as prædial or as non-prædial labourers; be it therefore enacted, that in all such cases, if the apprentice and the person or agent of the person entitled to the services of such apprentice shall appear before any justice holding special commission, and declare they both agree in which of the said two classes such apprentice shall be placed, the said apprentice shall be so classed; and such justice shall give a certificate of the facts, and of which class such apprentice is placed in, and such apprentice shall thereafter be taken to belong to such class until the termination of the apprenticeship.

And be it enacted, that no apprentices nor other persons shall, between the hours of nine in the evening and four in the morning, hold meetings or revels, nor use any drums, gumbays or other noisy instrument on any plantation or estate without permission of the owner or manager thereof; and all apprentices or other persons so offending shall be deemed guilty of insubordination.

And whereas certain fines and penalties are imposed by the 20th section of an Act passed on the 4th of July last, intituled, "An Act to repeal part of an Act, 4 Will. IV. c. 41, intituled, 'An Act for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves,' and to declare the 52d Geo. 3, c. 155, in force in this Island, and to explain and amend and in aid of the said Act," upon any person who shall harbour, conceal or clandestinely or fraudulently employ any apprenticed labourer who may be absent from the service of his or her employer without leave, but no sufficient remedy has been pointed out by which such fines or penalties may be levied; be it enacted, that in default of payment of any fine or penalties which may be imposed under the said 20th section of the said recited Act, it shall be lawful for the justices awarding such fine or penalties to issue their warrant, directed to the provost-marshal general, or any of his deputies, or any lawful constable, to levy such fine or penalties upon the goods and chattels of any such offender, and the same to expose to sale for payment thereof; and if no such goods or chattels can be found, and the offender shall make default in payment, such person shall be and stand committed by warrant under the hand of the said justices to the common gaol for any period of time not exceeding six calendar months.

And be it further enacted, that for the punishment of minor offences of which apprenticed labourers may be convicted, it shall and may be lawful for any special justice, instead of commitment to the house of correction, to adjudge such offender or offenders to be kept at their regular labour upon the estate, and confined during shell-blow and night for such period as the nature of the offence shall to such justice seem to require.

And be it further enacted, that it may and shall be lawful for any special justice to authorize the reasonable and necessary correction of juvenile delinquent apprentices; provided always, that such correction shall be with a strap or switch only, and that no female of the age of 10 years or upwards shall be liable to such correction.

And whereas many plantations are destitute of buildings of sufficient strength for the confinement and safe keeping of violent persons who may commit offences; be it enacted, that in every such case it may and shall be lawful to secure any such offender in the bilboes, in the same manner as has heretofore been the custom.

And whereas doubts may arise as to the number of holidays to be given to the apprenticed labourers; be it enacted, that they shall have the 25th and 26th days of December and Good Friday.

And be it enacted, that in case the buildings or works upon any property in this Island shall be on fire, it shall be the duty of every person domiciled or employed thereon to do their utmost to extinguish the same; and every person who shall refuse to assist, or shall wilfully withhold his or her assistance, shall be deemed guilty of a misdemeanor, and upon conviction, if the offender shall be an apprenticed male labourer, shall suffer such punishment by stripes not exceeding 50, and confinement to hard labour in the penal gang for any period of time not exceeding three months; and if a female, such offender shall, in addition to hard labour in the penal gang as aforesaid, be sentenced to solitary confinement for any period not exceeding 14 days, as a special justice shall direct; or if such offender shall be a free person, then upon conviction before any two justices of the peace such person shall suffer punishment by fine not exceeding 50 *l.*, or imprisonment not exceeding six months.

And be it further enacted, that all fines and penalties imposed by the Acts for the abolition of slavery, or any Act passed in aid thereof, shall be recovered by warrant of distress and sale of the offender's goods and chattels, which sale the person executing the warrant shall make within five days after the levy made, and shall be paid over to the receiver-general, and be applied for the use of the public of this Island; and every special justice shall once in every quarter make a return to the justices and vestry of the parish where the offence may have been committed, or in the city of Kingston to the mayor and common council, of every fine imposed by him in such parish, which return the justices and vestry, and mayor and common council are hereby required to lay before the commissioners of public accounts at their next meeting, or as soon thereafter as may be.

— No. 4. —

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Appendix (B.)

Colonial Laws.

No. 4.

AN ACT to colonize the Interior Lands of this Island, and form a Permanent Police :—
(Passed 12 December 1833.)

WHEREAS an Act passed in the seventh year of the reign of his Majesty King George the Fourth to promote the habits of industry among the poor of this Island, intituled, "An Act to enable the Justices and Vestrymen of the several Parishes in this Island, by the acquisition and settlement of Lands, to furnish Relief to Paupers, and promote habits of Industry among them; to enable the Corporation of the City of Kingston, and the Justices and Vestrymen of the several Parishes of this Island, to bind out Apprentices, and for other purposes:" and whereas, in forming the towns, villages and farms thereby contemplated, it is necessary that a good example should be established, so as to inculcate into the minds of the uneducated principles of morality, and habits of industry and sobriety: and whereas, the late rebellion has evinced the absolute necessity of establishing a police, to be continually in readiness in case of any future insurrection, or danger of an insurrection in this Island: and whereas, for the better promoting the provisions of the above recited Act, it is expedient that districts should be formed; be it therefore enacted, by the Governor, Council and Assembly of this Island, and it is hereby enacted, by the authority of the same, that each county shall be divided into two or more police districts, the limits of which from time to time shall be declared by the Governor, or person exercising the functions of Governor, by proclamation, for the purposes of forming townships in the interior lands of the said districts as depôts for the said police.

Counties to be divided into districts, to be formed in townships.

A police to be established.

Commandant and other officers of townships to be appointed by Governor.

Police stations, composed of able-bodied males, to be formed in each township, and to be subject to rules and regulations.

Proviso.

Governor to accept contracts for, and cause to be erected, semaphores or telegraphs.

Governor to order out police when required.

Officers to preserve the peace in case of sudden alarm, and custodes or magistrates to call in their assistance.

Governor to arm, clothe &c. police.

And be it further enacted, that a police shall be established in this Island according to the provisions hereinafter declared.

And be it further enacted, that the Governor, or person exercising the functions of Governor for the time being, shall be and he is hereby empowered by commission to appoint one commandant in each township, who shall have full command of the said police in all police duty, also in all other departments, by the cultivation of the soil and manufactories of all kinds, and who shall keep books of accounts of all transactions, and make such returns under the direction of the Governor, or the person exercising the functions of Governor for the time being, as he may direct; and also that the Governor, or the person exercising the functions of Governor, be empowered to appoint such other officer or officers as may be deemed necessary for carrying into effect the purposes of this Act.

And whereas the security of this Island may be endangered by large numbers of vagrants, and other idle and disorderly persons assembling in the interior of this Island, and committing crimes and depredations on the properties situated therein, and by exciting insurrection; be it therefore enacted, that it shall be lawful for the Governor, or person for the time being exercising the functions of Governor, to form a station or stations in convenient situations in every district to be appointed under this Act; and he is hereby empowered to direct the commandant of each township to place such a number of persons belonging to each township as aforesaid to each station, and the said persons serving in each station to be changed alternately as he may deem expedient; and also to constitute all able males from the age of 16 to the age of 45 so placed in every township into a permanent police; and that such persons shall be subject to such rules and regulations for their government as the Governor, or person for the time being exercising the functions of Governor, shall or may hereafter appoint; provided always, that no corporal punishment shall be inflicted, nor shall any sentence extend to death by such rules and regulations as aforesaid.

Be it therefore enacted, that the Governor, or person exercising the functions of Governor for the time being, be and he is hereby authorized and empowered to accept contracts for and cause to be erected in such station or stations one or more semaphores or telegraphs at such distance or distances as may be proper and necessary to secure the most ready and efficient communication in cases of emergencies.

And be it further enacted, that whenever the services of the said police are required, it shall and may be lawful for the Governor, or person exercising the functions of Governor for the time being, to order out the whole or any part of the said police, to act as circumstances may require for apprehending vagrants, and other idle and disorderly persons, or quelling any riotous, unlawful or rebellious meetings, or on any other duty.

And be it enacted, that the officer in command for the time being of any part of the said permanent police shall and may, on all occasions of sudden alarm, take all such measures as are necessary to preserve the public peace; and the custos of each parish, or any magistrate thereof holding a general commission of the peace, is hereby authorized to make application for assistance whenever necessary, and the officer in command of the said police shall and he is hereby required to attend thereto and comply with such requisition.

And be it further enacted, by the authority aforesaid, that it shall be lawful for the Governor, or person exercising the functions of Governor for the time being, to arm, clothe and equi

equip in a uniform manner the men serving as such police, in such manner as he may deem expedient for the better defence of this Island: provided always, that the receiver-general for the time being shall and he is hereby directed to import or purchase from time to time such arms, accoutrements, clothing, ammunition and other necessaries as may be required of him by the Governor, or person exercising the functions of Governor for the time being, for the purposes of this Act: and provided also, that the said receiver-general do deliver the same to the order of the Governor, or person exercising the functions of Governor for the time being, for the use of the police, for which the same shall be required: provided always, that it shall be lawful for the Island storekeeper to issue, on the requisition being made by the Governor, or person exercising the functions of Governor for the time being, any arms, accoutrements, ammunition, tools or other articles, out of the Island stores.

Proviso.

Proviso.

And whereas it is necessary that proper authority should be established in the townships of the said police: and whereas it is also necessary that the persons forming the said police should be industriously employed; be it therefore enacted, that the Governor, or person exercising the functions of Governor, is hereby empowered to direct the commandant in each township to keep a part of the persons forming the said police as may be deemed necessary constantly on police duty in the said townships, and be alternately relieved from such duty agreeably to police regulations, and the other part of the said persons not on duty to be employed in the cultivation of the soil and manufactures for the use and benefit of the said townships, and also a proportion of their time to be engaged in the cultivation of the said land and manufactures for their own use and benefit as may be deemed expedient.

How persons forming the police are to be employed.

And be it further enacted, that the Governor, or the person exercising the functions of Governor for the time being, is hereby empowered to indent all persons so enlisting into the said police for a term not less than five years; during which period they are to be provided with land sufficient to cultivate provisions and other necessaries for their own use, and with such quantity of clothing as is allowed in His Majesty's army serving in this Island, and such rations as the Governor, or the person exercising the functions of Governor for the time being, shall deem necessary, the rations not to exceed the quantity issued for His Majesty's army; and to receive such pay as the Governor, or the person exercising the functions of Governor for the time being, shall deem necessary, not exceeding the pay and allowance of His Majesty's army serving in this Island: provided always, that when the persons serving in the said police shall not be employed in police-duty, or in any other duties for the advantage of the said police, the said person shall not be entitled to receive pay or rations after the first year's service: and provided always, that tenders for the rations and all other necessaries for the said establishments shall be contracted for in the same manner as public contracts, and the lowest and most eligible tender shall be accepted by the Governor, or person exercising the functions of Governor for the time being, and security be given and approved of by him for the due performance of the said contract.

Persons enlisting to be indented, and to be provided with land, clothing, rations, &c.

Proviso.

Proviso.

And be it further enacted, that it shall and may be lawful for the Governor, or the person exercising the functions of Governor for the time being, to solicit His Majesty's Government to import from His Majesty's German dominions or any other place, from time to time, as many persons in families as may appear expedient for the purposes of establishing the said police, and to locate such persons in some one or other of the townships in the several districts formed by this Act.

Governor to solicit His Majesty's Government to import families from Germany, &c. to form said police.

And it is hereby further enacted, that such persons so imported shall be entitled to all the advantages secured, and be liable to all the regulations imposed on the persons who are to form a permanent police under this Act.

They are to have the advantages, and subject to the regulations of this Act.

And be it further enacted, that the Governor, or person exercising the functions of Governor for the time being, is hereby empowered to allot to any officer, non-commissioned officer or any person serving in the said police, and who may have served in the said police to the satisfaction of the Governor, or the person exercising the functions of Governor for the time being, any quantity of land forming the said district or districts as to him shall seem expedient, and also a proportion of such land to a married woman and child or children, as to him shall seem necessary.

Allotment of lands.

And be it enacted, by the authority aforesaid, that the Governor, or the person exercising the functions of Governor for the time being, shall be empowered to employ or enrol free persons of every description, and Maroons as aforesaid, to form such police: and provided also, that the justices and vestry of the several parishes be empowered to send all such paupers as are able to perform work, and they shall be employed in some useful manner, in the cultivation of the soil or otherwise, for their own benefit, and be subject to the same discipline as other members of the establishment.

All free persons and Maroons may be employed or enrolled.

Proviso.

And be it further enacted, that the Governor, or the person exercising the functions of Governor for the time being, is hereby authorized and empowered to appoint a competent person to instruct the inhabitants of the said townships in religion and morality, and to perform such other religious duties as shall be deemed necessary; and that every exertion shall be used to promote marriage and morality in the said townships.

Religious instructors to be appointed by Governor.

And be it further enacted, that the Governor, or the person exercising the functions of Governor for the time being, is hereby empowered to form a penal gang in each township, to be comprised of all convicts or other persons condemned to hard labour; and the said persons shall be employed in all useful occupations, for the benefit and advantage of the said townships: provided also, that when sufficient employment is not found in the said townships,

Penal gang to be formed in townships &c.

Proviso.

- townships, the said penal gang shall be employed in repairing and making roads, or any other employment that may be necessary for the use and benefit of the said townships : and provided always, that the said penal gang shall be regulated by rules and regulations established for that purpose.
- Proviso.**
- Cultivation of land, &c. for reception of persons engaged in townships.** And be it further enacted, by the authority aforesaid, that the Governor, or the person exercising the functions of Governor for the time being, is hereby empowered to direct a certain quantity of land to be cultivated and planted in provisions, and to erect cheap and temporary buildings for the reception of persons engaged in the said townships : provided always, that the Governor, or the person exercising the functions of Governor for the time being, is hereby empowered to direct the said police to be employed in erecting all proper houses and other buildings requisite for the manufacture of all kinds of produce and other manufactures, and also such workhouses or houses of correction in the said townships, as he may deem necessary : provided always, that the Governor, or person exercising the functions of Governor, is hereby empowered to direct that all accounts of expenses properly certified by the commandant as being agreeably to contract, and the labour being duly performed, be submitted to the commissioners of public accounts, and be by them audited ; and they are empowered and directed to draw on the receiver-general for the same, not exceeding 5,000*l.* for each county.
- Proviso.**
- Proviso.**
- Wives and children of non-commissioned officers and privates and residents to be employed.** And be it further enacted, by the authority aforesaid, that the Governor, or the person exercising the functions of Governor for the time being, is hereby empowered to direct that the wives and children of the non-commissioned officers and privates, or any other person residing in the said townships, be employed in the cultivation of the soil or any other manufacturing duties, and be rewarded for such labour as shall seem expedient.
- Appointment of courts.** And be it further enacted, by the authority aforesaid, that for the better government of the district, it shall be lawful for the Governor, or person exercising the functions of Governor, to appoint courts for the trial and punishment of offences not amounting to felony, and to imprison for the same ; provided always, that all murders and other felonies be tried in the Supreme Court or courts of assize.
- Proviso.**
- Governor empowered to purchase lands.** And be it further enacted, by the authority aforesaid, that the Governor, or the person exercising the functions of Governor for the time being, is hereby empowered to purchase lands by and with the consent of the owner or owners thereof, at such a valuation as may be put on them by a jury, to be held in the manner practised on granting new jury roads : provided always, that all courts and officers are hereby empowered to aid and assist in fulfilling the intentions of such persons as are willing to give any lands for the object of this Act ; and the grants of such lands by such person or persons, signified by simple conveyance from such person or persons to the Governor, or person exercising the functions of Governor for the time being, under this Act shall be recorded and be valid.
- Proviso.**
- In case of martial law, police to be under command of the Governor, &c.** And be it further enacted, that in case of martial law being proclaimed, the said police and the several persons having command of the same, shall be under the immediate command of the Governor, or the person exercising the functions of Governor for the time being, to be employed on such service as he shall be pleased to direct, in the same manner as the militia of this Island, and shall also be subject to the same rules and articles of war, pains and penalties, as the officers, non-commissioned officers and privates of the several regiments of militia in this Island, under and by virtue of the said Acts, which now are, or at any time hereafter may in any manner relate to the militia, provided that no man engaged in the police shall be called upon to serve in the militia.
- Commissioners, &c. exempted from stamp.** And be it further enacted, by the authority aforesaid, that no commissions, appointments or other proceedings under this Act shall be liable to any stamp duty.
- C. 28 of 2 Will. 4 repealed.** And be it further enacted, by the authority aforesaid, that the Act of 2d Will. IV., c. 28, be repealed, and it is hereby repealed accordingly ; and that this Act shall be in full force from and immediately after the passing thereof.

— No. 5. —

Jamaica ss.

No. 5.

AN ACT in aid of the 4 Will. IV, c. 30, intituled, " An Act to colonize the Interior Lands of this Island, and form a permanent Police : "—Passed 27 June 1834.

Preamble.

WHEREAS the circumstances of the Island require that an efficient police be immediately organized :

Governor empowered to form police, with salaries, &c. to inspector.

And whereas " An Act to Colonize the Interior Parts of this Island, and form a permanent Police," has been found insufficient for the purposes intended ; be it therefore enacted by the Governor, Council and Assembly of this Island, and it is hereby enacted, by the authority of the same, that the Governor, or the person administering the government for the time being, be and he is hereby empowered to form a police, with an establishment as follows : an inspector-general, salary, house-rent and stationery inclusive, per annum, 1,200*l.* ; three county inspectors, at 500*l.* a year each, and forage for two horses to each, 70*l.* 0*s.* 10*d.* per

Salary of county inspectors.

per annum each horse; provided, that in the event of a stipendiary magistrate being appointed he shall only receive the sum of 250*l.* per annum, besides forage for two horses, at the rate of 76*l.* 0*s.* 10*d.* each horse; 21 sub-inspectors, at 250*l.* a year each; rations for ditto, at 8*s.* 1*d.* per week; 100 serjeants, at 2*s.* 6*d.* each per day, and 8*s.* 1*d.* per week for rations; clothing for ditto, at 70*s.* each; two Oznaburg jackets and two pairs of trousers for each, each year, at 33*s.* 4*d.* each; 1,000 infantry, at 1*s.* 8*d.* per day, and 8*s.* 1*d.* rations per week; clothing for ditto, at 60*s.*; two Oznaburg jackets and two pairs trousers to each per year, 33*s.* 4*d.* each; medical attendance, including medicines, not exceeding 20*s.* each per annum.

Proviso.

Salary of sub-inspectors.

And be it enacted, that the Governor, or person exercising the functions of Governor for the time being, be authorized to draw on the receiver-general for such sum or sums as may be necessary for procuring barracks, barrack furniture, wood and water for the use of the said police, not exceeding the sum of 3,500*l.*

Governor may draw on the receiver-general sums necessary for procuring barracks, &c.

And be it further enacted, that the Governor, or person exercising the functions of Governor, be authorized and empowered to frame and establish such rules and regulations as to him shall seem proper for giving effect to the purposes of this Act, and for securing the discipline of the police; provided, that under such rules and regulations no corporal punishment shall be inflicted, nor shall any sentence extend to death, transportation or imprisonment for any period exceeding one month.

Governor to frame rules and regulations for their discipline.

Proviso.

And be it further enacted, that every serjeant or private policeman who, in the execution of his duty, shall lose a limb or an eye, or be otherwise wounded, so as to be rendered incapable of serving as a serjeant or private of police, shall, upon producing a certificate from the inspector-general that he is rendered incapable to serve, be allowed an annuity of 50*l.* currency, to be paid by the receiver-general so long as such person shall continue to reside in this Island, and shall remain unable to do duty in the police; and if any serjeant or private shall be killed in the execution of his duty, and shall leave a widow, or child or children lawfully begotten, his widow shall be entitled to receive, during her widowhood, at the rate of 40*l.* per annum; and in case of her marriage or death, the said annuity shall go to such child or children until the youngest shall attain the age of 14 years, such sum or sums to be paid by the receiver-general into the hands of the custos or senior magistrate of the parish in which such widow or children may be resident, on the production of a like certificate from the said inspector-general, to be by him paid to the said widow; or in case of the marriage or death of the said widow, to be appropriated for the support and maintenance of the said child or children.

Provision for any policeman wounded, their widows and children.

And be it enacted, that the receiver-general do and he is hereby required, out of any monies in his hands belonging to the public, to pay to the order of his Excellency the Governor, or to the person exercising the functions of Governor for the time being, such sum and sums of money as may be necessary for the purposes of this Act; provided, that the receiver-general do render and give to the commissioners of public accounts quarterly an account or statement of the several sums of money paid by him under the order of the Governor, or person exercising the functions of Governor, drawn on him in pursuance of this Act.

Receiver-general directed to pay public monies for the purposes of this Act to the Governor.

Proviso.

And be it enacted, that the Governor, or person exercising the functions of Governor, shall be and he is hereby empowered to send expresses on any emergency or alarm, or other occasion, to any part of the Island, and to pay the persons employed in carrying such expresses at a rate not exceeding the rate of pay which is authorized by the 6 Geo. 4, c. 14, for non-commissioned officers and privates; and such sums shall be paid by the receiver-general to the order of the Governor, or person exercising the functions of Governor for the time being.

Governor may send expresses on emergency.

Pay secured to persons carrying such expresses, at the rate fixed by 6 Geo. 4, c. 14.

And be it enacted, that no appointment, commission or any other proceedings under this Act shall be subject to any stamp duty.

All proceedings exempt from stamp duty.

And whereas, under the 10th section of the 4 Will. IV. c. 30, intituled, "An Act to colonize the Interior Lands of this Island, and form a permanent Police," the Governor, or person exercising the functions of Governor, is empowered to indent all persons enlisting into the said police for a term not less than five years: and whereas doubts may arise as to the power of the Governor, or person exercising the functions of Governor, to enlist, under and by virtue of this Act, persons as policemen for a less term than five years; be it therefore enacted, by the authority aforesaid, that the Governor, or person exercising the functions of Governor, shall and he is hereby authorized and empowered to enlist or indent men for the said police for any period less than five years.

Discretionary power to Governor on enlisting men.

And be it enacted, that this Act shall be in force until the 31st day of December 1835, and no longer.

Duration of Act.

— No. 6. —

Jamaica ss.

No. 6.

AN ACT for making further Provision for the Building, Repairing, and Regulating of Gaols, Houses of Correction, Hospitals and Asylums:—Passed 4 July 1834.

Preamble.

WHEREAS the laws now existing relative to building, repairing and regulating of gaols and houses of correction, and hospitals and asylums are ineffective :

And whereas it is expedient that such measures should be adopted and such arrangements made in prisons and houses of correction, and hospitals and asylums, as shall not only provide for the safe custody, but shall also tend more effectually to preserve the health and to improve the morals of the prisoners confined, as well as inmates therein, and shall insure the proper measure of punishment to convicted offenders :

The three county gaols, after commencement of this Act, to be improved, &c., as shall be determined by three members of Assembly of each county.

And whereas due classification, separation, superintendence, regular labour and employment, and religious and moral instruction, are essential to the discipline of a prison, hospital or asylum, and to the reformation of offenders ; be it therefore enacted, by the Governor, Council, and Assembly, and it is hereby enacted by the authority of the same, that from and after the commencement of this Act, the gaol of the county of Middlesex, and the gaol of the county of Surrey, and the gaol of the county of Cornwall, shall without delay be repaired, enlarged and altered or improved for the purposes of this Act, in such manner as shall be determined upon by not less than three of the members of Assembly of each county respectively.

Gaol and house of correction required in every parish ; expense for building, &c. to be paid by a tax on each parish.

And be it further enacted, that there shall be one sufficient gaol in each of the several parishes in this Island, and one sufficient house of correction for the purposes of this Act, and which said gaol and house of correction may be built together or separately, and the expense of building and maintaining such gaol and house of correction shall be paid by the inhabitants of each parish respectively, and the mayor, aldermen, and common councilmen of the parish of Kingston, and the justices and vestries of the several other parishes, are hereby authorized and required to raise by a tax a sum of money sufficient for such purpose, and forthwith to carry the same into effect, having a due regard to the separate compartments necessary in the accommodation and classification of prisoners.

Rules to be observed when confined in such places.

And whereas it is fit and proper to secure an uniformity of practice in the management of the several prisons and houses of corrections, and hospitals and asylums throughout the Island ; be it therefore further enacted, that the following rules and regulations shall be observed and carried into effect in every gaol or house of correction, or hospital or asylum, so far as they can be applied to the particular discipline or class of persons confined in such places :

Rule 1.

1. The keeper of every such county gaol or house of correction, or hospital or asylum, shall reside therein, and shall occupy such rooms or apartments as the magistrates shall direct, and shall not be concerned, directly or indirectly, in any other occupation or trade ; no keeper or officer of a prison or house of correction, or hospital or asylum, or any person employed in any of the said places, shall sell, nor shall any person in trust for him, her or them, or employed by him, her or them, sell or have any benefit or advantage from the hiring of servants, or the sale of any article to any prisoner or inmate, nor shall he or she, directly or indirectly, have any interest in any contract or agreement for the supply of the prison or house of correction, or hospital or asylum, or in the hiring of servants for such institutions.

Rule 2.

2. A matron shall be appointed in every prison, or hospital or asylum, in which female prisoners or inmates shall be confined, who shall reside in the prison or house of correction, or hospital or asylum, and it shall be the duty of the matron constantly to superintend the female prisoners, and in hospitals and asylums all inmates therein.

Rule 3.

3. The keeper shall, as far as may be practicable, visit every ward, and see every prisoner, and inspect every cell once at least in every 24 hours ; and when the keeper or any other officer, being a man, shall visit the female prisoners, he shall be accompanied by the matron, or, in case of her unavoidable absence, by some female officer or other female person of the prison.

Rule 4.

4. The keeper of any of the aforesaid establishments shall keep a journal, in which he shall insert his name daily, and state the hours at which such keeper shall visit and inspect the cells of the gaols, and in which all other officers of the gaol or asylum shall daily insert their names, and record all punishments inflicted by his authority or by that of the visiting justices, and the day when such punishments shall have taken place, and all other occurrences of importance in the prison, in such manner as shall be directed by the regulations to be made under this Act, which journal shall be laid before the justices of every quarter or special sessions, and signed by the chairman in proof of the same having been there produced, except in the parish of Kingston, where the said journal shall be produced to the common council, to be signed by the mayor or alderman presiding for the same purpose, and at all times when the visiting justices shall visit any of the said institutions.

5. Due provision shall be made in every prison or house of correction for the enforcement of hard labour in the cases of such prisoners as may be sentenced thereto, and for the employment of other prisoners; the means of hard labour shall be provided, and the materials, tread-wheels, or instruments requisite for the employment of prisoners shall be erected or purchased under such regulations as may be made for that purpose by the common council of the parish of Kingston, and by the justices and vestries of the several other parishes in the Island. Rule 5.

6. The male and female prisoners, or inmates of hospitals or asylums, shall be confined in separate buildings or parts of the prison, house of correction, hospital or asylum, so as to prevent them from seeing, conversing or holding any intercourse with each other, and the prisoners or inmates of each sex shall be divided into distinct classes, care being taken that the prisoners or inmates of the following classes do not intermix with each other. In gaols, hospitals and asylums; first, debtors and persons confined for contempt of court on civil process; second, prisoners convicted of felony; third, prisoners convicted of misdemeanors; fourth, prisoners committed on charge or suspicion of felony; fifth, prisoners committed on charge or suspicion of misdemeanors or for want of sureties. In hospitals and asylums the males shall not mix with the females. In houses of correction; first, prisoners convicted of felony; second, prisoners convicted of misdemeanors; third, prisoners committed on charge or suspicion of felony; fourth, prisoners committed on charge or suspicion of misdemeanors; fifth, vagrants; such prisoners as are intended to be examined as witnesses in behalf of the Crown in any prosecution, shall also be kept separate in all gaols or houses of correction: provided always, that nothing herein contained shall be construed to extend to prevent the justices from authorizing, at their discretion, the employment of any prisoner in the performance of any menial office within the prison; and provided also, that if the keeper shall at any time deem it improper or inexpedient for a prisoner to associate with the other prisoners of the class to which he or she may belong, it shall be lawful for him to confine such prisoner with any other class or description of prisoners, or in any other part of the prison, until he can receive the directions of a visiting justice therein, to whom he shall apply with as little delay as possible, and who in every such instance shall ascertain whether the reasons assigned by the keeper warrant such deviation from the established rules, and shall give such orders in writing as he shall think fit under the circumstances of the particular case. Rule 6.

7. Female prisoners shall in all cases be attended by females. Proviso.

8. Every prisoner sentenced to hard labour shall, unless prevented by sickness, be employed so many hours in every day, not exceeding 10 hours, exclusive of the time allowed for meals, as shall be directed by the rules and regulations to be made under this Act (Sundays and holidays usually kept in this Island excepted). Proviso.

9. Prayers, to be selected from the Liturgy of the Church of England by the chaplain, shall be read every Sunday by the chaplain, the curate, or by some other person duly qualified, as by the rules and regulations shall be directed, and portions of the Scriptures shall be read to the prisoners or inmates when assembled for instruction by the chaplain or by such person as he may appoint or authorize, but that no prisoner shall be required or obliged to attend such prayers unless he or she be a member of the Church of England. Rule 7.

10. When the keeper of any prison, hospital or asylum, shall be under the necessity from misbehaviour of putting a prisoner or inmate in irons or solitary confinement, the particulars of the case shall be forthwith given to one of the visiting justices, who shall hear and determine upon it. Rule 8.

11. Every prisoner or inmate of any hospital or asylum maintained at the expense of the Island or any parish, shall be allowed a sufficient quantity of plain and wholesome food, to be regulated by the justices and vestries, except in Kingston, where the same shall be regulated by the common council, regard being had, so far as may relate to convicted prisoners, to the nature of the labour required from or performed by such prisoner, so that the allowance of food may be duly apportioned thereto. Prisoners or inmates under the care of the surgeon or physician shall be allowed such diet as he or they may direct in writing; care shall be taken that all provisions supplied to the prisoners or inmates shall be of proper quality and weight. Rule 9.

12. Prisoners who shall not receive any allowance from the Island, whether confined for debt, or before trial for any supposed crime or offence, shall be allowed to procure for themselves, and to receive at proper hours, any food, bedding, clothing or other necessaries, subject to a strict examination, and under such limitations and restrictions to be prescribed by the regulations to be made in manner directed by this Act, as may be reasonable and expedient to prevent extravagance and luxury within the walls of the prison; all articles of clothing and bedding shall be examined, in order that it may be ascertained that such articles are not likely to communicate filth or infection, or facilitate escape. Rule 10.

13. No person who is confined under the sentence of any court, nor any prisoners confined in pursuance of any conviction before a justice, shall receive any food, clothing or necessaries, other than the gaol allowance, except under such regulations and restrictions as to the justices in special sessions assembled, and to the common council of Kingston, may appear expedient, with reference to the several classes of prisoners, or under special circumstances, to be judged of by one or more of the visiting justices. Rule 11.

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- Rule 14.** 14. Due provision shall be made for the admission, at proper times and under proper restrictions, of persons with whom prisoners committed for trial may desire to communicate; and such rules and regulations shall be made by the justices in special sessions assembled, in every parish, (except Kingston, where the same shall be done by the common council,) for the admission of the friends of convicted prisoners or inmates of hospitals or asylums, as to such justices or common council may seem expedient; and the justices and common council shall also impose restrictions upon the communications and correspondence of all such prisoners or inmates with their friends, either within or without the walls of the prison or hospital or asylum, as they may judge necessary for the maintenance of good order in such prison or hospital or asylum: every prisoner or inmate shall be provided with bedding.
- Rule 15.** 15. The wards and ceilings of the wards, cells, rooms and passages used by the prisoners throughout every prison, house of correction, hospital or asylum, shall be cleaned or scraped and lime-washed, at least once every six months; the rooms, passages and sleeping-cells shall be washed or cleaned every day, or oftener when requisite; and convenient places for the prisoners or inmates to wash themselves shall be provided.
- Rule 16.** 16. All prisoners or inmates shall be allowed as much air and exercise as may be deemed proper for the preservation of their health.
- Rule 17.** 17. No spirituous liquors of any kind shall be sold in any prison or house of correction or hospital or asylum, or admitted for the use of any of the prisoners or inmates therein, unless by an order from the surgeons or physician, in writing, specifying the quantity, and for whose use. No wine, malt or other fermented liquor shall be admitted for the use of any prisoners, except in such quantities, in such manner, and at such times as shall be allowed by the rules hereafter to be made in pursuance of this Act; and any person who shall be guilty of contravening this rule shall be put in solitary confinement not exceeding one month, or sent to the house of correction for a period not exceeding three months.
- Rule 18.** 18. No gaming shall be permitted in any prison or house of correction or hospital or asylum; and the keeper shall seize and destroy all dice, cards or instruments of gaming.
- Rule 19.** 19. No money, under the name of garnish, or whatsoever other term, shall be taken from any prisoner or inmate, on his or her entrance into the prison or hospital or asylum, under any pretence whatsoever.
- Rule 20.** 20. Upon the death of a prisoner or inmate, notice thereof shall be given by the keeper forthwith to one of the visiting justices, as well as to the coroner of the parish.

Common council of Kingston, and justices of the peace in each parish, may make further rules, &c., as may be deemed expedient. Proviso.

Copies of rules to be printed, and fixed in conspicuous parts of houses of correction, &c., for prisoners', &c. perusal and access.

Gaolers, &c. to report, in writing, state and condition of every gaol, &c., and number of prisoners or inmates confined, to the different courts in this Island, while sitting, and to the justices in quarter or special sessions in other parishes, for the purpose of ascertaining improvement, &c. required by this Act.

Mayor of Kingston, and the custodes of parishes, to transmit Governor a copy of rules, &c. in force for the government of prisons.

And be it further enacted, that it shall be lawful for the common council of Kingston, and for five justices of the peace in quarter or special sessions assembled, in the several other parishes, to make such further and additional rules for the government of such prisons, houses of correction, hospitals and asylums respectively, and for the duties to be performed by the officers of the same, as to them may seem expedient: provided always, that all such rules and regulations shall be consistent with and conformable to the rules and regulations in this Act contained; and the common council of Kingston, and the justices in the several other parishes in quarter or special sessions assembled, shall and they are hereby required, from time to time, to cause copies of so much of the rules of each prison, house of correction, hospital or asylum, as relates to the treatment and conduct of prisoners or inmates confined therein, to be printed in legible characters, and to be fixed up in conspicuous parts of every prison, house of correction, hospital or asylum, so that every prisoner or inmate may be enabled to have access thereto; and all rules and regulations made and approved pursuant to the directions of this Act, shall be binding upon the keepers of prisons and houses of correction and hospitals and asylums, and all other persons.

And be it further enacted, that the gaoler and keeper of every gaol and house of correction, or hospital or asylum, shall make a report, in writing, of the actual state and condition of every such gaol and house of correction, hospital and asylum, and of the number and description of prisoners or inmates confined therein; to wit, in Spanish Town, to the grand court at every sitting thereof, and in Kingston and in Montego Bay, to the assize courts respectively, at every sitting thereof, and to the justices in quarter or special sessions assembled in the several other parishes, at each of their respective sittings, and shall, at every such grand or assize court or quarter or special sessions, attend and give answer, upon oath, to all such inquiries as shall be made by the judges and justices with respect to the state and condition of every such gaol and house of correction and hospital and asylum, and of the prisoners and inmates confined therein, and with respect to any other matters and things relating to the said gaol or house of correction or hospital or asylum respecting which such justices shall deem it necessary to make inquiry, for the purpose of proceeding and continuing to carry this Act into execution, and of ascertaining how far every such gaol and house of correction or hospital or asylum is capable of affording the means of the classification or improvement required by this Act.

And be it further enacted, that the mayor of the city of Kingston, and the custodes of the several other parishes of the Island, shall, as soon as may be convenient, transmit to the Governor a copy of all such rules and regulations as shall be in force for the government of every prison within their respective parishes.

And be it further enacted, that the mayor, aldermen and common councilmen of the city of Kingston, and the custodes and justices of the several other parishes in quarter or special sessions assembled, shall and they are hereby required to nominate two or more justices, who shall consent thereto, to be visitors of each gaol and house of correction, and hospital and asylum within their jurisdiction, or to arrange, if they shall see fit, among themselves to do such duties in turn, and one or more of the visiting justices so appointed, or having consented to do such duty, shall personally visit and inspect each prison and house of correction, or hospital or asylum, once every day, if it should be practicable and expedient, and shall examine into the state of the buildings, so as to form a judgment as to the repairs, additions or alterations which may appear necessary; strict regard being had to the classification, inspection, instruction, employment or hard labour required by this Act; and shall further examine into the behaviour and conduct of the respective officers, and the treatment, behaviour and condition of the prisoners and inmates, the means of setting them to work, and of all abuses within the prison and house of correction, or hospital and asylum; and in matters of pressing necessity, and within the powers of their commission, as justices, shall take cognizance thereof and proceed to regulate and redress the same.

Justices required to be nominated visitors of gaols, &c., for the examination of state of buildings, the conduct of prisoners, &c., and their treatment, &c. &c.

Provided always, and be it enacted, that it shall be lawful for any justice of the peace, of his own free will and pleasure, without being appointed a visitor, to enter into and examine every prison, house of correction, hospital or asylum of such parish for which he is a justice, at such time or times, or as often as he shall see fit; and if he shall discover any abuse or abuses therein, he is hereby required to report them in writing at the next meeting of the common council of Kingston, if he be a member thereof, or to the quarter or special sessions of the several other parishes respectively; and the common council of Kingston, or the justices and vestry of the several other parishes, are hereby required to adopt the most effectual measures for inquiring into and rectifying such abuse or abuses as soon as the nature of the circumstances will allow them.

Proviso: Justices of the peace may visit prison-house, &c., without being appointed, and report abuses, &c. as may be discovered.

And be it further enacted, that it shall and may be lawful for the mayor, or aldermen and common councilmen of the parish of Kingston, and the justices of the several other parishes, and they are hereby required and empowered to nominate such keepers, matrons, superintendents, task-masters and other officers as to them may seem expedient for every prison or house of correction, or hospital or asylum within their jurisdiction to which this Act shall extend, except the keepers and officers of the three county gaols, and to remove as occasion may require all officers so by them nominated and appointed, taking especial care that no inefficient officer or officers shall be continued in employment.

Mayor, &c. of Kingston, and the justices of other parishes, empowered to nominate competent persons to govern prisons, &c.

And be it further enacted, that the mayor, aldermen and common councilmen of the parish of Kingston, and the justices of several other parishes, shall and they are hereby empowered and required from time to time to appoint a surgeon to each of the prisons and houses of correction, and hospital and asylum within their jurisdiction, and which are maintained at the expense of the parishes respectively; and every physician or surgeon of a county gaol and public hospital shall and is hereby required to visit every prison or hospital to which he shall be appointed, once at least every morning, and oftener as may be necessary; and the surgeon of every prison, house of correction, hospital or asylum in every other parish, as often as the justices and vestries of the several parishes shall direct, and to see every prisoner confined therein, whether criminal, debtor or inmate, and to report to the mayor, aldermen and common councilmen of Kingston every three months, and to the quarter or special sessions in the several other parishes, the condition of the prison and house of correction, hospital and asylum, and the state of the health of the prisoners and inmates under his care; and he shall further keep a journal, in which he shall enter the date of every attendance in the performance of his duty, with any observations which may occur to him in the execution thereof, and such journal shall be kept in the prison, hospital or asylum, but shall regularly be laid before the justices for their inspection at the common council every three months, or at the regular quarter or special sessions of every other parish every three months, and shall be signed by the chairman of the common council or quarter or special sessions in proof of their having been there produced.

Mayor, &c. of Kingston, and justices of other parishes, empowered to appoint a surgeon to each prison, &c. &c., and he is required to visit once every morning, and oftener, if need, and to report every three months, state and health of prisoners, &c.

Journal to be kept by surgeon to be laid before justices, &c. for inspection.

And whereas persons convicted of offences are frequently sentenced to imprisonment without being sentenced to hard labour, be it therefore enacted, that it may be lawful for two or more visiting justices of any prison to order that all such persons confined in such prison in pursuance of any sentence or conviction, except such prisoners as shall maintain themselves, shall be set to some work or labour not severe, and where there shall be no work or labour to which to apply the said prisoners, they shall be made to walk during portions of the day, in manner the common council of Kingston, and the justices of the several other parishes in quarter or special sessions, shall determine.

Visiting justices to order prisoners (except such as maintain themselves) to do some work, &c. &c.

And be it further enacted, that if any person, in contravention of the existing rules, shall carry or bring, or attempt or endeavour to carry or to bring into any prison or house of correction, or hospital or asylum, public or parochial, any spirituous or fermented liquor, it shall be lawful for the gaoler, keeper or turnkey, or person in charge, or any other of the assistants to the said gaoler or keeper, turnkey or person in charge of the door, to apprehend or cause to be apprehended such offender, and to carry him or her before two justices of the peace, who are hereby empowered to hear and determine such offence in a summary way; and if they shall lawfully convict such person of such offence, they shall forthwith commit such offender to the common gaol or house of correction, there to be kept in custody for any time not exceeding three months, without bail or mainprize, unless such offender shall

Persons bringing into any prison-house &c. any spirited or fermented liquor, gaoler, &c. in charge to apprehend offender, and carried before two justices of the peace, determinable as under this Act required.

JAMAICA.

Appendix (B.)

Colonial Laws.

No. 6.

immediately pay down such sum of money, not exceeding 20*l.*, as the justices shall impose upon such offender, to be paid one moiety to the informer, and the other moiety in support of such prison or house of correction, or hospital or asylum; and if such justice shall receive information upon oath that any spirit or fermented liquor is unlawfully kept or disposed of in any prison, public hospital, or parochial asylum, he may enter and search, or issue his warrant to enter and search for such liquor, and in case it shall be found, it shall be lawful for the person so finding to seize the same, and dispose of it as the justices shall direct; and if any gaoler or keeper of any prison, house of correction, public hospital or parochial asylum, shall sell, use, lend or give away, or knowingly permit or suffer to be sold, used, lent or given away in such prison, house of correction, hospital or asylum, or brought into the same, any spirituous or fermented liquor in contravention of the existing rules of such prison, he shall for every such offence, over and above every other punishment by this Act enacted, forfeit and lose the sum of 20*l.*

Keeper of prison, &c. to hear all complaints contrary to the rules of prison, &c. &c. upon one prisoner upon another.

And be it further enacted, that the keeper of the prison, hospital or asylum shall have power to hear all complaints touching any of the following offences, that is to say, disobedience of any of the rules of the prison, hospital or asylum, assaults by one person confined in such prison, hospital or asylum upon another, when no dangerous wound or bruise is given, profane cursing and swearing, any indecent behaviour, and any irreverent behaviour at prayers, or when the minister is performing service, all of which are declared to be offences by this Act, if committed by any description of prisoners, absence from prayers, or when the minister is performing service, by members of the Church of England; idleness or negligence in work, or wilful mismanagement of it, which are also declared to be offences by this Act, if committed by any prisoner under charge or conviction of any crime, and the said keeper may examine any person touching such offence, and may determine thereupon, and may punish all such offences by ordering any offender to close confinement, in the refractory or solitary cells, and by keeping such offenders upon bread and water only, for any term not exceeding six days; provided the visiting justice shall confirm such decision, or for such time within the said six days as the said justice shall by a written order determine.

Prison-keeper may examine into complaint, and punish offenders by close confinement, &c. &c. for six days.

Proviso: Gaoler's decision to be confirmed by visiting justice.

And whereas the public hospital of Kingston was established with the humane intention of relieving and assisting transient poor persons, and the benefits of the said institution were afterwards extended to seamen in the merchant service: and whereas many persons of bad or doubtful character, as well as persons of idle and dissolute habits, and also other persons afflicted with diseases, and some of such diseases incurable, have been from time to time for many years past landed in this Island from foreign and British vessels, causing great inconvenience and expense to the public and parish institutions: and whereas many abuses exist in the said hospital and poorhouse, in consequence of improper persons being received into it, and many of the inmates who are of idle and drunken habits being allowed to remain there when they ought to be usefully employed elsewhere: and whereas there has been and is great irregularity in the general economy and management of the affairs of the said hospital and poorhouse, by which a great increase of public expenditure has been incurred: for the remedy whereof, be it enacted, that when any master of a vessel shall discharge or leave any seaman or other person in the Island who shall become an inmate in the public hospital, and a burthen on the public, the master or consignee of the vessel from which the seaman or other person shall have landed, shall pay to the treasurer of the public hospital 2*s.* 1*d.* for every day such seaman or other person shall be in the public hospital, and also all other expenses that may be incurred for obtaining a passage for such seaman or other person to some other island in the West Indies, or to Great Britain, or to the continent of America, as may be found most advisable, and with the consent of such seaman or other person, and such expense, charge or charges so incurred shall be recovered in a summary manner before any two justices of the peace: provided always, that this provision shall not affect the masters of British vessels whose voyage terminates in this Island, in so far as relates to seamen and other persons who have shipped in this Island with the intention of returning to it.

When any master of a vessel shall discharge or leave any seaman, &c. in the Island, who shall be a burthen on the public, master or consignee shall pay 2*s.* 6*d.* per day, and other expenses incurred.

How recoverable. Proviso.

Whereas formerly it was found necessary to establish a house of correction in the parish of Kingston, in consequence of many patients having been discharged from the public hospital, and such patients having contracted drunken and idle habits, and the number of persons of that description has increased to a great degree; for removing whereof, be it further enacted, that it shall be lawful to transfer all inmates from the public hospital to the house of correction in Kingston who are disorderly, or considered by the physician and surgeon as well and able to work, and there to be kept to such hard labour and for such time as any two of the sitting magistrates of Kingston may see fit and proper, not exceeding the punishment legally given to vagrants.

Considered lawful to transfer inmates from public hospital to house of correction, and there to be kept to hard labour, as directed by visiting justices, &c. Punishment not to exceed that of vagrants.

And whereas the expense of supporting the said hospital and poorhouse has been greatly increased by persons having been sent by magistrates of Kingston to receive from the said hospital medical treatment only in consequence of there being no dispensary in any of the parishes in the Island, with medicines and surgical aid, for the use of the parishioners: And whereas the number of poor persons who are unable to provide themselves with the necessaries of life and medical assistance is increasing throughout the Island, and unless some measures be taken to give them the earliest medical assistance, the evil must greatly increase; be it therefore enacted, that it shall be lawful for the mayor, aldermen, and common councilmen of the parish of Kingston, and the justices and vestries of the several other parishes, to establish, under proper rules and regulations, a dispensary in each parish respectively, with such

Mayor, &c. of Kingston, and justices, &c. of other parishes, to establish, under proper regulations, a dispensary, with all such medicines, &c. required for the poor of each parish.

such medicines and instruments, and such superintendence as will ensure a proper distribution of their medical and surgical assistance among the poor persons of the respective parishes, who shall receive a ticket for that purpose in the manner the mayor, aldermen and common councilmen of the parish of Kingston, and the justices and vestries of the several other parishes of the Island shall respectively direct, and the mayor, aldermen and common-councilmen of the parish of Kingston, and the justices and vestries of the several other parishes, are hereby authorized to raise by a tax a sum of money on the inhabitants of the respective parishes, sufficient to defray the expense which should be incurred by such establishment.

Mayor, &c. of Kingston, and justices of other parishes, authorized to raise a tax to defray expenses incurred by such establishment.

And whereas the justices and vestry of the several parishes throughout the Island have been hitherto required by law to provide for unhappy objects, disabled from labour by sickness, age or otherwise, and such persons becoming dangerous, burthensome, and a nuisance to the several towns and parishes by being at large, were usually sent to a compartment in the house of correction to be under the superintendence of the keeper of that institution, and it is expedient to continue the same accommodation; be it enacted, by the authority aforesaid, that the mayor, aldermen and common-councilmen of the parish of Kingston, and justices and vestrymen of the several other parishes in this Island, shall and they are hereby empowered to lay a tax upon the several parishes, in the same manner as the parochial taxes are usually laid, for the purpose of raising such a sum of money as shall be sufficient to provide accommodation, clothing, medical care and attendance in an asylum in some convenient place in each of the several parishes in this Island for such unhappy objects as aforesaid, and the mayor, aldermen and common-councilmen of the parish of Kingston, and the magistrates and vestrymen of the several other parishes in the Island are hereby empowered and required to make from time to time all such humane and statutory regulations for the purposes aforesaid as to them shall seem necessary and expedient; and they are further required and empowered, upon application being made to them or either of them, or upon view of the necessity of the case, to order all such objects as aforesaid to be removed and conveyed to the asylum of the parish respectively in which any of them was accustomed to live or was domiciled.

Mayor, &c. of Kingston, and justices of other parishes, empowered to lay a tax upon all the parishes in this Island, for the purpose of raising such a sum as shall be sufficient to carry into effect the objects of this Act.

And be it further enacted, that it shall be lawful for the mayor, aldermen and common councilmen of the parish of Kingston, and the magistrates and vestrymen of the several other parishes in the Island, and they are hereby required forthwith to erect one tread-wheel in the house of correction in their respective parishes, and to use and apply such tread-wheel in the purposes of hard labour.

Tread-wheel to be erected in house of correction in the respective parishes, to be used in the purpose of hard labour.

And be it further enacted, that any keeper or assistant, or person in the service of any of the county gaols who shall be convicted of any offence under this Act, shall be immediately discharged; and if the provost-marshal, on such conviction being made known to him, shall neglect to discharge the person so convicted, he shall be liable to pay a fine not exceeding 100 £, to be recovered in a summary manner before two justices of the peace.

Keeper of gaols convicted of any offence under this Act, to be discharged. Should provost-marshal neglect to discharge the keeper convicted, he shall pay a fine of 100 £.

And for the more easy and speedy conviction of offenders against this Act, be it further enacted that the justices before whom any person shall be convicted of any offence against this Act shall and may cause the conviction to be drawn up in the following form of words, or in any form of words to the same effect, as the case shall happen; *videlicet*,

Persons convicted of any offence under this Act, justices shall cause conviction to be drawn up in the following words.

“ Be it remembered that on the _____ in the year of our Lord _____ A. B. is convicted before us, C. D., two of His Majesty’s special justices of the peace for the parish of _____ for that the said A. B. (specifying the offence, and the time and place when and where the same was committed, as the case shall be), and the said A. B. is for this said offence adjudged by us the said justices to forfeit and pay the sum of _____ or to be imprisoned in _____ for the space of _____ (as the case shall be). Given under our hands and seals the day and year first above written.”

Form of conviction.

Provided always, and be it further enacted, that if any person shall think himself or herself aggrieved by any conviction of any justices in pursuance of this Act, such person may appeal to the justices of the peace at any quarter or special sessions of the parish, precinct or district wherein such conviction shall have taken place within four calendar months after the cause of such complaint shall have arisen, such appellant first giving or causing to be given 10 clear days’ notice at least in writing of his intention to bring such appeal, and of the matter thereof, to the justices before whom the conviction shall have been had, and to the clerk of the peace of the parish, precinct or district in which such conviction shall have been had, and within two days after such notice entering into recognizance before some justice for such parish, precinct or district with two sufficient sureties conditioned to try such appeal, and abide the order of and to pay such costs as shall be awarded by the justices at such sessions; and the justices at such sessions, upon due proof of such notice being given as aforesaid, and of the entering such recognizance, shall hear and determine the matter of such appeal in a summary way, and award such costs to the parties appealing or appealed against as they the said justices shall think proper, and the determination of such session shall be final, binding and conclusive to all intents and purposes.

Proviso: Persons who shall think themselves aggrieved by any conviction of justices, may, within four months after cause of complaint, appeal to the justices of the peace at any quarter sessions, &c.

Ten days’ notice to be given by appellant, and to enter into recognizance with sufficient sureties.

To abide order, and pay such costs as shall be awarded.

Determination of such session binding and conclusive.

And be it further enacted, that no order made touching any of the matters in this Act contained, nor any conviction of any offender against this Act, shall be quashed for want of form, or be removed or removeable by *certiorari*, or by any other writ or process whatsoever, in supreme court or either of the courts of assize; and that where any distress shall be made for any

No order made under this Act, nor persons convicted, shall be quashed for want of form, or removed into supreme or courts of assize.

When a distress shall be made for any fine or penalty under this Act, not to be considered unlawful, nor person executing the same a trespasser, on account of defect or want of form, &c.

Any suit or action brought against persons for anything under this Act, may plead the general issue.

Costs regulated when a verdict shall pass for the defendant, and when given for plaintiff.

When criminal prisoner or inmate shall be guilty of repeated offence against the rules of this Act, gaoler empowered to punish them, and report the same to the visiting justices, who shall determine the offence, and order such punishment as under this Act requires.

Persons carrying into any prison-house, &c. any mask, disguise, &c. &c., to facilitate the escape of prisoners, whether an escape be made or not, shall be guilty of felony; and being convicted, imprisoned for 12 months, or hard labour in house of correction for six months.

Breaking prison, escaping from house of correction, &c. &c., may be tried where the offence was committed or where apprehended.

A certificate given by the clerk of the assize, or other clerks of the court in which offender was convicted, with identification of person, shall be sufficient evidence to the court and jury of the fact of conviction before.

Act, or parts of other Acts, contradictory to this Act, repealed.

Duration.

any fine, penalty or sum of money to be levied by virtue of this Act, the distress itself shall not be deemed to be unlawful, nor the party making the same be deemed a trespasser on account of any defect or want of form in the summons, conviction, warrant of distress or other proceedings relating thereto, nor shall such party be deemed a trespasser on account of any irregularity which shall be afterwards done by the party distraining; the person aggrieved by such irregularity shall and may recover full satisfaction for the special damage (if any) in an action upon the case; but no plaintiff shall recover in any action for such irregularity as aforesaid if tender of sufficient amends shall have been made by or on behalf of the party distraining before such action brought.

And be it further enacted, that if any suit or action shall be prosecuted against any person for anything done in pursuance of this Act, such person may plead the general issue, and give this Act and the special matter in evidence at any trial to be had thereupon, and that the same was done by authority of this Act; and if a verdict shall pass for the defendant, or if the plaintiff shall become nonsuit, or discontinue his or her action after issue joined, or if upon demurrer or otherwise judgment shall be given against plaintiff, the defendant shall recover double costs, and have the like remedy for the same as any defendant hath by law in other cases; and though a verdict shall be given for the plaintiff in any such action, such plaintiff shall not have costs out of purse against the defendant unless the judge before whom the trial shall be shall certify his approbation of the action, and of the verdict obtained thereupon.

And be it further enacted, that in case any criminal prisoner or inmate shall be guilty of any repeated offence against the rules of the prison, house of correction, or hospital or asylum, or shall be guilty of any greater offence than the gaoler or keeper is by this Act empowered to punish, the said gaoler or keeper shall forthwith report the same to the visiting justices, or one of them for the time being, and any one such justice or any other justice of the parish to which such prison, house of correction, hospital or asylum belongs, shall have power to inquire upon oath, and to determine concerning any such matter so reported to him or them, and to order the offender to be punished by close confinement for any term not exceeding one month, or by personal correction, as the case of prisoners convicted of felony or sentenced to hard labour.

And be it further enacted, that if any person shall convey or cause to be conveyed into any prison, house of correction, hospital or asylum to which this Act shall extend any mask, vizer or other disguise, or any instrument or arms proper to facilitate the escape of any prisoners or inmates, and the same shall deliver or cause to be delivered to any prisoner or inmate in such prison, or to any other person there for the use of any such prisoner or inmate, without the consent or privity of the keeper of such prison, every such person shall be deemed to have delivered such vizer or disguise, instrument or arms with intent to aid and assist such prisoner to escape, or in attempting to escape from any prison, every person so offending, whether an escape be actually made or not, shall be guilty of felony, and being convicted thereof, shall be adjudged to imprisonment for any period not exceeding six months.

And, to the intent that prosecutions for escapes, breaches of prison and rescues may be carried on with as little trouble and expense as is possible, be it enacted, that any offender breaking prison, escaping from house of correction, hospital or asylum, or being rescued therefrom, may be tried either in the jurisdiction where the offence was committed, or in that where he or she shall be apprehended and retaken; and in case of any prosecution for any such escape, attempt to escape, breach of prison or rescue either against the offender escaping or attempting to escape, or having broken prison, or having been rescued, or against any other person or persons concerned therein, or aiding, abetting or assisting the same, a certificate given by the clerk of the assize, or other clerk of the court in which such offender shall have been convicted, shall, together with due proof of the identity of the person, be sufficient evidence to the court and jury of the nature and fact of the conviction, and of the species and period of confinement to which such person was sentenced.

And be it further enacted, that any other Act or Acts, or any part or parts of any other Acts which shall in any manner be repugnant to this Act, shall so far as they are repugnant to this Act stand and be repealed.

And be it enacted, that this Act shall continue in force until the 31st day of December 1840.

— No. 7. —

No. 7.

Jamaica ss.

AN ACT in aid of an Act, 5th Will. IV. intituled, "An Act for making further Provision for the building, repairing and regulating of Gaols, Houses of Correction, Hospitals and Asylums."—(Passed 20th December 1834.)

Preamble.

WHEREAS doubts have arisen whether the supervisors or superintendents of workhouses or houses of correction are entitled to demand remuneration from the masters, employers or managers of apprentices, for the maintenance, clothing and medical attendance of such apprentices, whilst confined in such workhouses or houses of correction, and it is desirable that such doubts should be removed; be it enacted, that from and after the passing of this Act

Act it shall be lawful for the supervisors or superintendents of the several workhouses or houses of correction in this Island to ask and demand from the masters, employers or managers of apprentices committed to such workhouses or houses of correction, either for safe custody as runaway apprentices, or to hard labour in the penal gang, or on the tread-mill, or to solitary confinement, or otherwise, the sum of 6*d.* each for maintenance and 2*d.* each for medical attendance, when necessary, for every 24 hours such apprentice or apprentices shall have been in custody; provided that in all cases in which such apprentice or apprentices is or are profitably employed, either in the repair of the streets, roads or highways, or otherwise, or for hire; or the offence for which the apprentice or apprentices was or were committed to the workhouse or house of correction was not one committed against his, her or their masters, employers or managers, or arising out of the connexion subsisting between them as masters and apprentices, no charge whatever shall be made for the maintenance of such apprentice or apprentices.

Superintendents of workhouses to charge 6*d.* for maintenance, and 2*d.* for medical attendance, when necessary, for each apprentice.

Proviso, that in certain cases the master is not to be charged with such maintenance.

And be it further enacted, that every constable or other person, the permanent police excepted, who shall apprehend a runaway apprentice, knowing him or her to be such, shall be entitled to receive from his or her master, employer or manager the sum of 10*s.*, besides mile money at the rate of 6*d.* per mile, and no more.

Persons apprehending runaways to receive 10*s.*, and mile money, at the rate of 6*d.* per mile.

Be it further enacted, that the person or persons so apprehending a runaway apprentice or apprentices, shall convey him or her or them to their respective masters, employers or managers, or to a justice of the peace holding a special commission, the latter of whom shall or may commit such apprentice or apprentices to the nearest workhouse or house of correction; and the supervisor or superintendent of any such workhouse or house of correction shall and he is hereby required to receive such apprentice or apprentices into custody, and pay to the party delivering such apprentice or apprentices the said sum of 10*s.* and mile money as aforesaid, and no more, for each apprentice so delivered, under a penalty of 5*l.*

Where runaway apprentices to be taken when apprehended.

And be it further enacted, that every supervisor or superintendent of a workhouse or house of correction in this Island shall, once in every week for four successive weeks, advertise in the Royal and St. Jago Gazettes and Cornwall Chronicle, the names and sex of each and every runaway apprentice in custody, and the names of the masters, employers or managers, if known, under a penalty of 5*l.* for each apprentice so neglected to be advertised; and for the expense of such advertisement the said supervisor or superintendent is hereby authorized to charge the said masters, employers or managers of such runaway apprentices so advertised 3*s.* 4*d.* for each of the above papers, and no more, which said sum of 3*s.* 4*d.* shall be paid to the printers of the above-named papers by the treasurers for the time being of the several workhouses or houses of correction in this Island.

Superintendents of workhouses to advertise runaway apprentices in their custody.

And be it further enacted, that the charge of 6*d.* per diem for maintenance, and 2*d.* per diem for medical attendance when necessary, as well as that for advertising, and the amount paid for apprehending runaway apprentices, and for mile money, and the cost of any clothing supplied to any apprentice or apprentices whilst confined in any workhouse or house of correction, and which shall not have been paid when such apprentice or apprentices was or were discharged, shall be recovered in a summary manner before any two or more justices of the peace for the parish or precinct in which the master, employer or manager of any such apprentice may reside, at the instance of any person whom the president of any workhouse or house of correction in which such apprentice or apprentices shall have been confined may by authority in writing for that purpose appoint.

Method of recovering the workhouse fees of runaway apprentices.

And be it further enacted, that all penalties imposed by this Act may be recovered in a summary manner before any two or more justices of the peace for the parish or precinct in which the offence was committed, and shall be paid into the hands of the churchwardens for the use of the same.

How penalties imposed by this Act to be recovered.

And be it further enacted, that this Act shall be in force until the 1st day of August 1840.

Act to be in force till 1 August 1840.

BARBADOES.

— No. 8. —

Barbadoes.

AN ACT for the Abolition of Slavery, for the Government of Apprenticed Labourers, and for ascertaining and enforcing the Reciprocal Duties between them and their Employers. —(Passed 5 April 1834).

WHEREAS the Parliament of the United Kingdom of Great Britain and Ireland have in the third and fourth years of His Majesty's reign passed an Act, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the persons hitherto entitled to the services of such Slaves:" And whereas the legislature of Barbadoes, relying on the justice of the British nation to afford a just compensation to the proprietors of slaves within this Island for the loss they will sustain by being deprived of their property, will co-operate with the Imperial Parliament in so desirable an object as the abolition of slavery: Be it therefore enacted, by his Excellency Sir Lionel Smith, Knight Commander of the most honourable Military Order of the

BARBADOES.

Appendix (B.)

Colonial Laws. No. 8.

Preamble.

Clause 1.
All persons who, on the 1st of August 1834,

shall have been registered as slaves, and shall appear on the registry to be six years old or upwards, shall from that day become apprenticed labourers.

the Bath, His Majesty's Captain-general and Governor-in-chief of this Island, Chancellor Ordinary and Vice-admiral of the same, the honourable the members of His Majesty's Council and General Assembly of this Island, and by the authority of the same, that from and after the 1st day of August 1834, all persons who in conformity with the laws now in force in this Island shall on or before the 1st day of August 1834 have been duly registered as slaves in this Island, and who on the said 1st day of August 1834 shall be actually within this Island, and who shall by such registry appear to be on the said 1st day of August 1834 of the full age of six years or upwards, shall by force and virtue of this Act, and without the previous execution of any indenture of apprenticeship, or other deed or instrument for that purpose, become and be apprenticed labourers; provided that for the purposes aforesaid any slave belonging to this Island, and engaged in his ordinary occupation on the seas, shall be deemed and taken to be within this Island.

Clause 2.
Persons entitled to the services of apprenticed labourers.

And be it further enacted, that during the continuance of the apprenticeship of any such apprenticed labourer, such person or persons shall be entitled to the services of such apprenticed labourer as would for the time being have been entitled to his or her services as a slave if this Act had not been made.

Clause 3.
Slaves and apprenticed labourers carried to the United Kingdom, declared free.

Provided also, and be it further enacted, that all slaves who may at any time previous to the passing of this Act have been carried with the consent of their possessors, and all slaves and apprenticed labourers who may hereafter with the like consent be carried from this Island into any part of the United Kingdom of Great Britain and Ireland, are hereby declared to be absolutely and entirely free and discharged from all slavery or apprenticeship, and to be entitled to their freedom and discharge accordingly, to all intents and purposes whatsoever: provided always, that nothing herein contained shall prevent or be construed to prevent the owners of such slaves thus manumitted and set free being entitled to receive compensation for the value of such slaves, in like manner as if such slaves had been made apprenticed labourers.

Proviso: Owners to be compensated.

Clause 4.
Apprenticed labourers divided into classes of prædial attached, prædial unattached, and non-prædial.

And be it further enacted, that all such apprenticed labourers shall for the purposes of this Act be divided into three distinct classes; the first of such classes consisting of prædial apprenticed labourers attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce or otherwise, upon lands belonging to their owners, or otherwise engaged in labour or occupations not continuous; the second of such classes consisting of prædial apprenticed labourers not attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce or otherwise, upon lands not belonging to their owners, or otherwise engaged in labour or occupations not continuous; and the third of such classes consisting of non-prædial apprenticed labourers, and comprising all apprenticed labourers not included within either of the preceding classes: provided always, that no person of the age of 12 years and upwards shall be included in either of the said two classes of prædial apprenticed labourers, unless such person shall for 12 calendar months, at the least, next before the passing of this Act, have been habitually employed in agriculture, or in the manufacture of colonial produce or otherwise as aforesaid; or unless such person shall have been subsequently to that period dismissed from domestic service for any of the offences hereinafter enumerated, for which a special justice of the peace may adjudge any non-prædial apprenticed labourer to be placed in the class of prædial apprenticed labourers: provided always nevertheless, and be it enacted, that it shall and may be lawful for any apprenticed labourer who may have been so dismissed to appeal to the special justice of the district, who shall inquire into the circumstances of the case, and shall determine to which class of apprenticed labourers such person shall belong.

Proviso.

Clause 5.
Registrar of slaves to deliver original returns to owners, who are to distinguish the classes.

And be it further enacted, that the registrar of slaves shall deliver to the owners of slaves applying for the same the latest lists or schedules of their slaves so soon as he shall have completed the present registration, and of which he shall give due notice in the public newspapers in this Island; and between the 1st day of May and the 1st day of August now next ensuing, every owner of slaves by himself or herself, or by his or her constituted attorney in this Island in case of absentees, or in case any such owner be an invalid or incompetent, then by some other person or persons, shall return back to the registrar such lists or schedules, distinguishing, in reference to each slave therein mentioned, to which of the said three classes such slave will belong; and every such return shall be made on oath before the registrar, who is hereby authorized and required to administer the same as follows: "I, A. B., do swear, that the distinctions made in the return now presented of the classes to which the respective slaves therein named will belong as apprenticed labourers correspond with the occupations usually pursued by such slaves for 12 months previous to the passing of an Act of this Island, intituled, 'An Act for the Abolition of Slavery, for the Government of Apprenticed Labourers, and for ascertaining and enforcing the Reciprocal Duties between them and their Employers,' according to the best of my knowledge, information and belief;" adding, if the fact be so, "except the slave or slaves named A. B. and C. D., who subsequently to that period hath or have been dismissed from domestic service for [stating the offence], and for no other cause whatsoever. So help me God."

Clause 6.
If the registrar shall doubt the accuracy of returns made, he is to institute an inquiry.

And be it further enacted, that if in any case the registrar shall see cause to doubt the accuracy of any such return, he shall retain the same, and shall appoint a time and place at which the person making the return shall attend him to substantiate the accuracy of such return; and at the time and place to be appointed, the person to whom the notice thereof shall be addressed shall attend the said registrar, and, if required, bring with him any slave, respecting

respecting whom such doubt may have arisen, and the registrar shall then proceed to examine such person making such return, and the slave respecting whom such doubt has arisen, and any witnesses who may be adduced respecting the truth of such return, and may if necessary adjourn such examination from time to time; and the registrar, after making due inquiry, shall either confirm or correct any such return as he may think fit, giving notice to the party making such return, and the slave respectively, of such his decision.

And be it further enacted, that after such proceedings shall have taken place, the registrar shall deliver back to the party making such return the original thereof corrected, if necessary, and certified by him as having been duly entered in the registry.

And be it further enacted, that when such proceedings as aforesaid shall have taken place, there shall be affixed to the entry of the name of each prædial attached slave in the registry the letters P. A.; of each prædial unattached, the letters P. U.; and of each non-prædial slave, the letters N. P.

And be it further enacted, that any person omitting to make the return on oath by this Act required, shall incur a penalty of not more than 10*l.*, nor less than 20*s.*; and in the event of the wilful absence of any person when summoned, it shall be lawful for the registrar to proceed to decide any such question, as though such party had attended.

And be it further enacted, that during the continuance of the aforesaid apprenticeship, such slave registry shall be deposited in the secretary's office of this Island; and when any question shall arise respecting the class to which any apprenticed labourer belongs, the original return, corrected and certified as above directed, or a certified copy or extract from such registry, shall be taken as conclusive evidence of the fact; and for every copy of, or extract from any such return, the secretary shall be paid a fee of 3*s.* 1½*d.*, if such copy or extract shall contain the names, ages and classes of 100 or more slaves or apprenticed labourers; and a fee of 1*s.* 6½*d.* for any number under 100: provided nevertheless, and be it also enacted, that it shall and may be lawful for any apprenticed labourer to appeal from any such decision of the registrar to the special justice of the peace of the district in which such apprenticed labourer shall reside, who is hereby authorized to hear and determine any such appeal, and to summon all necessary parties and witnesses before him for that purpose; and in case such special justice shall decide that such apprenticed labourers ought to belong to any other class than the one in which he or she shall have been registered, it shall be lawful for the secretary of the Island, and he is hereby required to make such alteration in the said registry as shall correspond with the decision of such special justice, anything hereinbefore contained to the contrary notwithstanding.

And be it further enacted, that the registrar of slaves shall be paid the sum of 200*l.*, current money of this Island, out of the public treasury, for the performance of the duties required of him by this Act.

Provided nevertheless, and be it further enacted, that in case any non-prædial apprenticed labourer shall be convicted before a special justice of the peace, on the complaint of his or her master, mistress or employer, of habitual drunkenness, stealing, committing or attempting to commit any serious injury to the person or property of his or her master or mistress, or other gross misdemeanor, such special justice, with the consent of such master or mistress, shall remove such non-prædial apprenticed labourer into the class of prædial apprenticed labourers, and such non-prædial apprenticed labourer shall upon such removal be subject and liable to all the rules and regulations to which a prædial apprenticed labourer is or shall be subject.

And be it further enacted, that no person who by virtue of this Act shall become a prædial apprenticed labourer, whether attached or not attached to the soil, shall continue in such apprenticeship beyond the 1st day of August 1840; and that during such his or her apprenticeship, no such prædial apprenticed labourer, whether attached or not attached to the soil, shall be bound or liable by virtue of such apprenticeship to perform any labour in the service or for the benefit of the person or persons entitled to his or her services, for more than 45 hours in the whole in any one week, unless he or she shall enter into some contract for that purpose, except as is hereinafter excepted; and that such 45 hours' labour shall be performed between the Monday morning and Friday evening of every week, leaving Saturday and Sunday at the disposal of such prædial labourer: provided always, and be it further enacted, that in all such cases where such prædial apprenticed labourers are under the age of 12 years, then and in such cases such prædial apprenticed labourers shall perform such their 45 hours' labour between the Monday morning and Saturday evening of each week.

And be it further enacted, that nothing herein contained shall extend, or be construed to extend to any prædial apprenticed labourer who may be employed in the protection of any crops, buildings, or property of any kind, or in care of cattle or any other stock, but that all such prædial apprenticed labourers during the time of such their employment shall be compelled to perform their several services for the whole week, and shall be entitled to such wages or remuneration for such extra services as shall be agreed on by and between any such prædial apprenticed labourer and his or her employer or employers; and in case of any disagreement, then to such wages or remuneration as shall be sanctioned by the special justice of the peace for the district to which such prædial apprenticed labourer shall belong.

BARBADOES.

Appendix (B.)

Colonial Laws.
No. 8.

Clause 7.
Registrar to deliver back the return to the party making it.

Clause 8.
Distinguishing letters to be affixed to the name of each apprenticed labourer.

Clause 9.
Penalty on persons omitting to make returns.

Clause 10.
Registry to be deposited in the secretary's office.

Appeal allowed an apprenticed labourer to a special justice, from the decision of the registrar.

Clause 11.
Remuneration of 200*l.* current money to be paid the registrar.

Clause 12.
Domestics, for certain offences, may be put to the work of prædial labourers, and dealt with as such.

Clause 13.
Apprenticeship of prædial labourers not to continue beyond the 1st August 1840.

And not to perform more than 45 hours' work per week, between Monday and Friday. But those under 12 years of age to perform the 45 hours between Monday and Saturday.

Clause 14.
Prædial labourers, whilst employed as watchmen or cattle-keepers, to receive wages for extra time.

Clause 15.
In cases of necessity, prædial labourers to be compelled to perform services during their own time, but to be remunerated for the same.

And be it further enacted, that in all cases of urgent necessity it shall be lawful for the owner, or other person in management of any property, where such necessity shall occur, to require and compel the immediate and continued service of all or any of the apprenticed labourers attached to such property during such emergency; and any apprenticed labourer who may refuse when called on to perform any such services, shall be liable to all such penalties as he would be liable to for the undue performance or neglect of work during any time his or her employer may be entitled to his or her services: provided nevertheless, that such apprenticed labourers be remunerated by a portion of time equivalent to the number of hours so employed, or by pecuniary payment according to the current price of labour.

Clause 16.
Apprenticeship of non-prædials not to continue beyond the 1st August 1838.

And be it further enacted, that no person who by virtue of this Act shall become a non-prædial apprenticed labourer, shall continue in such apprenticeship beyond the 1st day of August 1838.

Clause 17.
Apprentices may be discharged by voluntary act of employer.

And be it further enacted, that if before any such apprenticeship shall have expired, the person or persons entitled for and during the remainder of any such term to the services of such apprenticed labourer, shall be desirous to discharge him or her from such apprenticeship, it shall be lawful for such person or persons so to do by his or her last will and testament, to be executed in such manner as is required by the law of this Island to pass lands of inheritance, or by any deed to be made by him, her or them, in the manner and form following:

Form of the discharge.

“Barbadoes:—I (*A. B.*, of the parish of) do hereby discharge (*C. D.*, of the district of) my prædial apprenticed labourer, attached to the soil (*or*, as the case may be), from all further services to me and my heirs. Witness my hand and seal this 183 .”

If of the age of 50 years, or being infirm, employer liable for their support, unless discharged with consent of special justice.

Which deed shall be signed, sealed and delivered by the person or persons discharging such apprentice, in the presence of one or more credible witness or witnesses, in duplicate, one part whereof shall be filed in the office of the special justice of the district within one month from the execution thereof, and the other part delivered to the apprentice discharged: provided nevertheless, that if any person so discharged from any such apprenticeship by any such voluntary act as aforesaid shall at that time be of the age of 50 years or upwards, or shall then be labouring under any such disease, or mental or bodily infirmity as may render him or her incapable of earning his or her subsistence, then and in every such case the person or persons so discharging any such apprenticed labourer as aforesaid shall continue and be liable to provide for the support and maintenance of such apprenticed labourer during the remaining term of such original apprenticeship as fully as if such apprenticed labourer had not been discharged therefrom; unless such discharge in the case of an apprenticed labourer above the age of 50 years, and not labouring under any such disease, or mental or bodily infirmity, be with the voluntary consent of such apprenticed labourer, declared in the presence of the special justice of the district.

Clause 18.
Apprenticed labourers may purchase their discharge, and apply to justices to proceed thereon.

And be it further enacted, that when any apprentice under this Act shall be able and willing to purchase his or her discharge, and the person entitled to the services of such apprentice shall refuse or be unwilling to sell such discharge, such apprentice shall be at liberty to apply to the nearest magistrate, to be appointed by special commission, who shall thereupon give notice to the person entitled to the services of such apprentice, or his or their representative or agent, and such last-mentioned person shall thereupon appoint a justice of the peace of the precinct in which the apprentice shall reside, who shall and he is hereby required to associate himself with such special justice of the peace, and the said two justices shall also associate with them one other justice of the peace, who is also hereby required to associate himself as aforesaid; and in case the said special justice and general justice of the peace cannot agree on the third justice so to be called in, then the chief judge for the said precinct shall name and appoint such third justice; provided, that in case such chief judge shall have any interest in the question, the next assistant judge in seniority shall appoint such third justice.

Clause 19.
Manner of proceeding by justices in fixing the value of apprenticeship.

And be it further enacted, that the said three justices shall meet at such place as the justices themselves shall appoint, and shall proceed to fix a value upon such apprentice, which valuation shall be binding and conclusive on all parties, and upon the amount of such valuation being paid to the person entitled to receive the same, or to the treasurer as hereafter mentioned, such apprentice shall be absolutely discharged from the remainder of the term of apprenticeship, and the three justices shall grant a certificate under their hands in the form following:

Form of justices' discharge to an apprentice.

“We do certify and declare that *A. B.*, the apprentice of *C. D.*, of the parish of , hath this day been discharged and released from the remainder of the term of his [*or her*] apprenticeship. Given under our hands this day of .”

Provided that notice of the time and place of meeting shall be given to the person entitled to the services of such apprentice, or to his legal representative, or left at his or her usual place of residence, at least 14 days before such meeting; and that the said justices shall and may issue their summons to any witness of whose materiality they shall be satisfied either on the part of the apprentice or the person entitled to his or her services, and shall examine such witness on oath, touching the value of the services of such apprentice; and in case any person so summoned to attend shall refuse or neglect to attend, the said three justices shall and they are hereby empowered and required to issue their warrant, authorizing

ing any lawful constable to apprehend and bring any such person so summoned before them, in order that he or she may be examined in the premises.

And be it further enacted, that in case any person shall by virtue of any estate tail or limitation, or remainder, or any security, claim any right to the services of the said apprentice for the remainder of the term of his apprenticeship, expectant upon the death of the person then entitled to his or her services, or by virtue of such security, and shall by reason thereof claim a right to participate in the amount paid for the discharge of such apprentice, the said three justices shall direct such amount to be paid to the treasurer of this Island, until the rights of the parties are ascertained and decided as hereinafter mentioned, and such sum shall bear interest at 6%. per cent. until again paid out, and shall in the meantime be used as the public funds of the Island.

And be it further enacted, that any party claiming to be entitled to the sum so paid to the treasurer, shall be at liberty to apply, by summary petition or special motion, to the Governor and Council, who shall, upon hearing the matter, adjudge and determine how and to whom such sum of money shall be paid and applied, and the treasurer shall thereupon, unless such decision shall be appealed from, pay such amount as the Governor and Council shall by their order direct.

And be it further enacted, that in case the person entitled to the service of any apprentice so applying to be discharged, shall refuse or neglect to appoint a justice, such special justice shall associate with him a general justice of the peace, and such two justices shall thereupon proceed in manner hereinbefore directed, and with the same powers as hereinbefore enacted respecting the said three justices.

Provided also, and be it further enacted, that if before any order shall be made by the said justices, or any such appraisement so to be made as aforesaid, it shall be alleged before the said justices that such apprenticed labourer purposed to be discharged, hath at any time during his or her apprenticeship been convicted in a due course of law of any robbery or theft, or in case such apprenticed labourer shall be charged before any justice of the peace, or any criminal court, with having committed any theft or robbery, the said justices shall inquire into the truth of such allegation, and if it shall be made to appear to them by good and sufficient evidence upon oath, that such apprenticed labourer hath during such his or her apprenticeship been so convicted of any robbery or theft, the said justices shall and they are hereby required not to make any order on such appraisement, and thereupon the same and all other proceedings for the discharge of any such apprenticed labourer shall be stayed until the expiration of three years of the term of his or her apprenticeship from the time of the conviction of such apprenticed labourer of any such theft or robbery: and if such apprenticed labourer shall be under such charge before such justice or court, such justices shall suspend further proceeding on such appraisement, until such apprenticed labourer shall be convicted or acquitted of any such charge, and if convicted the aforesaid proceedings shall be stayed for the period last aforesaid.

And be it further enacted, that no apprenticed labourer shall be subject or liable to be removed from this Island, and that no prædial apprenticed labourer who may, in manner aforesaid, become attached to the soil, shall be subject or liable to perform labour in the service of his or her employer or employers, except upon or in or about the works and business of the plantations or estates to which such prædial apprenticed labourer shall have been attached, or on which he or she shall have been usually employed on or previously to the said 1st day of August 1834: provided nevertheless, that with the consent in writing of any two or more justices of the peace holding such special commission as hereinafter mentioned, it shall be lawful for the person or persons entitled to the services of any such attached prædial apprenticed labourer or labourers, to transfer his, her or their services to any other estate or plantation in this Island to such person or persons belonging, which written consent shall in no case be given, or be of any validity, unless such justices of the peace shall first have ascertained that such transfer would not have the effect of separating any such attached prædial apprenticed labourer from his or her wife or husband, parent or child, provided the child be under the age of 18 years, or from any person or persons reputed to bear any such relation to him or her, and that such transfer would not probably be injurious to the health or welfare of such attached prædial apprenticed labourer; and such consent shall be in the form annexed, marked (A.); and every such consent shall be recorded in a book by the special justice into whose district such prædial apprenticed labourer as aforesaid shall be removed, or should such removal be in the same district, then by the special justice of such district: provided nevertheless, that nothing herein contained shall hinder or prevent the temporary employment of any such prædial apprenticed labourer, attached to the soil on any other estate or plantation belonging to the person or persons entitled to the services of such prædial apprenticed labourer, nor the hiring out of any surplus labour, for the cultivation of any neighbouring lands or manufacture of any sugar or other produce thereon, provided that such prædial apprenticed labourer shall be allowed sufficient time for going to and returning from such other estate or plantation, or such neighbouring lands, to be deducted out of the portion of time during which such person or persons shall be entitled to the services of such prædial labourer; provided also, that nothing herein contained shall prevent or be construed to prevent the employment of any prædial apprenticed labourer in repairing any of the roads, highways or streets where any assessments of labour shall be made for that purpose, such labour to be deducted out of the 45 hours' labour to which their employers are entitled.

Clause 20.
Should claims be made on the appraised value, the money to be paid to the treasurer of the Island, until the rights of parties are settled.

Clause 21.
Governor and council to settle such rights.

Clause 22.
How to proceed, should employer refuse to name a justice to fix the value of the apprenticeship.

Clause 23.
Apprentices convicted of theft, to be stayed for a given time from purchasing their discharge.

Clause 24.
Apprentices not removable from the Island.

Prædials to be employed on the plantations to which they may be attached prior to 1 Aug. 1834.

May be removed from one plantation to another belonging to same proprietor, but so as not to separate families, or children of 18 years from their parents.

Proviso for temporary employment, or the hiring out of apprentices on other properties.

Prædials may be employed in repairing roads.

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Clause 25.
Services of apprentices may be transferred, but so as not to separate families.

And be it further enacted, that the right or interest of any person or persons to and in the service of any such apprenticed labourers as aforesaid, shall pass and be transferred by bargain and sale, contract, deed, conveyance, will or descent, in the same manner as lands of inheritance, and be subject to the same rules of law as are required to pass lands of inheritance, and by none other, notwithstanding the abridged duration of such property; provided that no such apprenticed labourer shall, by virtue of any such bargain and sale, contract, deed, conveyance, will or descent, be subject or liable to be separated from his or her wife or husband or parent or child, or from any person or persons reputed to bear any such relation to him or her.

Clause 26.
Prædials to pass along with plantations sold in Chancery.

And be it further enacted, that in all cases where any plantations or lands shall be sold under any decree of the Court of Chancery in this Island, the right and interest of the mortgagee, seller or debtor of, in or to the services of all prædial apprenticed labourers attached to the soil of such plantations or lands, shall be transferred and go along with such plantations and lands; and the purchasers of such plantations or lands shall be entitled to the services of such prædial apprenticed labourers so attached to the soil of such plantations or lands, and be liable to the duties hereinbefore required by this Act from persons entitled to such services.

Clause 27.
Clothing and food to be supplied to apprenticed labourers by their employers.

And be it further enacted, that during the continuance of any such apprenticeship as aforesaid, the person or persons for the time being entitled to the services of every such apprenticed labourer, shall be and is and are hereby required to supply or cause to be supplied to him or her, such food, clothing, lodging, medicine and medical attendance as hereinafter mentioned; that is to say, each and every such apprenticed labourer above the age of 16 years shall receive in each week not less than 30 pounds of plantains, potatoes, yams or eddoes, or 10 pints of Guinea or Indian corn, and a pound of cod fish or herrings, shads or other pickled fish, or other salted provisions equal thereto; and every such apprenticed labourer, from the age of 12 years to the age of 16 years, shall receive two-thirds of the above allowances of food; and every such apprenticed labourer, from the age of six to the age of 12, shall receive the one-half of the first-mentioned allowances of food; and children under six years of age, being apprenticed labourers, shall be provided with proper and sufficient food for their support: provided nevertheless, that the person or persons entitled to the services of any such apprenticed labourer, or any person or persons acting in his or her behalf, who may be unable or unwilling to procure such provisions as hereinbefore mentioned, may, with the authority in writing of the special justice of the peace of the district in which such apprenticed labourer or labourers is or are resident, substitute for the same, or any part or parts thereof, any other kind of provisions, or any money-payment or allowance of time for such apprenticed labourer or labourers, to work for his, her or their own benefit and advantage, as shall, in the judgment of such special justice, be equivalent to the allowances hereinbefore prescribed; and all provisions so to be delivered and supplied to the apprenticed labourers, shall be sound and fit for consumption, and of good average merchantable quality; and the same shall be delivered and supplied to such apprenticed labourer once or oftener in each week, on any other day than Saturday or Sunday; and if any such person or persons as aforesaid, subject and liable so to do, shall not deliver or supply to such apprenticed labourer provisions of such amount and quality, and at such times as he, she or they is or are hereinbefore required to deliver and supply the same, such person or persons shall incur and become liable to a penalty (provided complaint thereof be made within 14 days,) equal to twice the value of the provisions which ought so to have been supplied for the use and benefit of such apprenticed labourer injured by such omission or neglect, unless it can be proved that the same cannot be purchased in any of the towns or markets of this Island; provided that, if, before any complaint shall be lodged by any such apprenticed labourer, the person or persons so omitting or neglecting to deliver or supply such provisions, shall have actually delivered and supplied or tendered all arrears of provisions to such apprenticed labourer, then and in such case such person or persons shall be released and discharged from all such penalty or penalties: provided nevertheless, that in time of scarcity the Governor, by and with the advice of the Council, may from time to time by proclamation, to be by him for that purpose issued, authorize the substitution of any other provisions or allowances which can be procured in lieu of the aforesaid allowances: provided always nevertheless, that whilst apprenticed labourers shall be imprisoned in any house of correction or public prison of this Island, the employer or employers of such apprenticed labourers shall not be bound to provide them with any allowance of food, or money to purchase food, but that they shall be fed at the public expense; and in all such cases where a weekly payment shall be agreed on as aforesaid, then such weekly money-payment or wages shall be recovered before the special justice of the district where such apprenticed labourer shall reside.

Substitution of other food, or of money, or time, permitted.

Penalty on employers for any default.

In time of scarcity, the Governor may, by proclamation, substitute other provisions or rations.

Clause 28.
Employers may appropriate land for the maintenance of their prædials, under certain regulations.

Provided always, and be it further enacted, that if any person or persons subject and liable to supply and deliver such food as aforesaid be willing to maintain any prædial apprenticed labourer or labourers by the appropriation of land, to be by such apprenticed labourer or labourers cultivated for that purpose, such person or persons shall be at liberty to do so under the following conditions, that is to say, for every prædial apprenticed labourer so to be maintained, and being of the age of 16 years and upwards, such person or persons shall be bound to set apart half an acre of land properly adapted for the growth of ground provisions or corn, and not more than a mile distant from the place of residence of such prædial apprenticed labourer; and in respect of every apprenticed labourer so to be maintained and being under the age of 16 years, every such person or persons as aforesaid shall be bound to set apart for the father or reputed father or mother of every such infant apprentice half the quantity

quantity of like land; or if such infant shall have no parent to whose services such person or persons shall be entitled, then such land shall be set apart for any other prædial apprenticed labourer or other person who shall be willing to be charged with the cultivation thereof, for the benefit of such infant; and every such person or persons who shall be willing to maintain any prædial apprenticed labourer by the appropriation of land as aforesaid, shall within the first week of April in each and every year deliver, or cause to be delivered, to the special justice of the district in which such prædial apprenticed labourer shall reside, a written declaration in the form annexed, marked (B.), which written declaration shall be signed by the person or persons aforesaid, or in his, her or their name or names, by his, her or their constituted attorney or attorneys in this Island, and recorded at the office of the special justice of the district aforesaid; and every such person or persons aforesaid shall, during the period to which such declaration shall apply, be bound to maintain such prædial apprenticed labourer in the manner thereby proposed, unless such special justice as aforesaid shall, by a written licence under his hand, authorize such person or persons within that period to change the mode of maintaining such his prædial apprenticed labourers; and it shall not be lawful for any person or persons aforesaid, or his, her or their creditor or creditors, or other person or persons claiming under him, her or them, to dispossess any such apprenticed labourer of any land so cultivated by him, her or them, until he, she or they shall have had full time and opportunity for reaping and gathering in all crops by him or her planted and growing upon such ground; and if such prædial apprenticed labourer shall, by a due course of law, be dispossessed of such land on which any crops are growing, then and in such case it shall and may be lawful for the special justice of the district in which such land lies to summon any five freeholders of the vicinity of the same to appraise the value of such crops growing on such land, who, and the said special justice, shall repair to the place where such land lies, and such special justice is hereby authorized to administer to such freeholders, or any three or more of them who shall be present, the following oath:

“ You and each and every of you do swear, that, according to the best of your judgment, you will make a true, just and impartial appraisement of the value of the crop or crops of corn (or whatever other crop or crops shall be planted on such land,) growing on the land now shown to you. So help you, God.”

And the appraisement so to be made shall be reduced to writing, and signed by the freeholders who shall make such appraisement, and the amount of such appraisement shall be paid to the apprenticed labourer from whom such crops shall have been taken, within 14 days from the date of such appraisement, by the person or persons who or in whose behalf such written declaration as aforesaid for the appropriation of land shall have been made and signed; and in default thereof the same shall be recoverable as servants' wages, on complaint before such special justice by such apprenticed labourer or labourers as aforesaid; and every prædial apprenticed labourer for or in respect of whom any land shall be so appropriated and set apart, shall in each year be allowed 26 days, exclusive of Saturdays, for the cultivation thereof, between the 1st day of April and the 1st day of December, and each of such 26 days shall be understood to consist of 24 hours, commencing at the hour of six in the morning, and terminating at the hour of six the next succeeding morning; and if any person or persons as aforesaid who shall undertake to maintain such prædial apprenticed labourer by the appropriation of land, shall not set apart for every apprenticed labourer who is maintained by the cultivation of land, such land of such quality and quantity, and so situate as hereinbefore required, or shall dispossess any such apprenticed labourer of any land by him or her cultivated, until such apprenticed labourer shall have had full time and opportunity for reaping and gathering in all crops by him or her planted and growing upon such land, every person so offending shall incur and be liable to a penalty equal to twice the amount of loss sustained by such apprenticed labourer, by every such act, omission or neglect, which penalty shall be ascertained by appraisement of freeholders, in manner hereinbefore required in cases of dispossession by due course of law, and the same shall be recovered on complaint before such special justice as aforesaid, for the use and benefit of the apprenticed labourer so injured, and every such freeholder who shall have received five days' notice in writing for that purpose, shall omit, neglect or refuse, to attend at the time and place stated in such notice or summons, a copy of which shall be served on him, shall pay a fine of 25 s., unless such cause as would excuse or exempt such freeholder from attending as a juror in any of the courts of common pleas in this Island shall be shown by such absent freeholder within 14 days from the date of such non-attendance, or by some person on his behalf, to such special justice, and execution shall be signed at the expiration of 14 days by such special justice for the amount of such fine, and such execution shall be lodged with the provost-marshal of the Island, to be proceeded on by him as in cases of execution against jurors for not attending at any court of common pleas, and the amount thereof paid into the public treasury.

Provided always, and be it further enacted, that all persons who by the laws of this Island are exempted from serving as jurors in the respective courts of common pleas of this Island, shall also be, and they are hereby declared to be exempted from serving as freeholders for any of the purposes whatsoever in and by this Act prescribed with respect to freeholders.

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Twenty-six days to be allowed in each year for cultivating such land.

Clause 29.
Exemption of freeholders.

And whereas the slaves of this Island have been permitted by their owners to keep hogs, goats, sheep and feathered stock, and the markets of this Island are supplied to great extent with butchers' meat, and almost exclusively with poultry so raised: and whereas it frequently happens that such slaves suffer their stock to stray about the lands belonging to their owners,

Clause 30.
Stock belonging to apprenticed labourers found trespassing on their employers' lands; may be killed or impounded.

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and destroy or injure the crops growing thereon, and it has been thought necessary to make a law authorizing the destruction of the stock belonging to slaves so straying : and whereas it becomes necessary to provide against the damage which the owners of lands may be subject to from the stock of apprenticed labourers ; be it therefore enacted, that if the owners of any plantations or lands shall suffer their apprenticed labourers to keep any cattle, hogs, goats, sheep or feathered stock, and which shall be found trespassing on such plantations or lands, it shall and may be lawful for the owners of such plantations or lands, or their representatives, to cause every such hog, or such feathered stock, either to be killed or impounded on such plantations or lands, and to cause such cattle, goat or sheep, that shall be so found trespassing, to be impounded on such plantation or land ; and for every one of such cattle, hog, goat, or sheep so impounded, the owner of such plantation or land shall be entitled to a quarter dollar, and for every head of feathered stock, 5 *d.*, which, if not paid in seven days, the owner, or his manager or representative, may sell such cattle, hog, goat, sheep or feathered stock, and after deducting the sum or sums aforesaid, and the expense of feeding such cattle, hog, goat, sheep or feathered stock, such owner, or his manager or representative, shall pay the overplus to the apprenticed labourers to whom the cattle, hogs, goats, sheep or feathered stock, so impounded and sold, shall belong ; or the owners of such plantations or lands which shall be so trespassed upon, or his or her manager or representative, may lodge a complaint with the special justice of the district, who is hereby required to issue a summons to three of the neighbouring freeholders to the land trespassed on, directing them to appraise such damage done by any such cattle, hogs, goats, sheep or feathered stock, which freeholders are hereby required to attend and appraise such damage accordingly, and return such appraisal to the said special justice, under the penalty of 25 *s.* for every neglect by any such freeholder without reasonable cause, to be allowed by the said justice, to be recovered and paid into the public treasury, in the manner hereinbefore prescribed, in case of default made by freeholders ; and if the apprenticed labourer to whom any such cattle, hog, goat, sheep or feathered stock shall belong, shall not within seven days pay the amount of such damage, the special justice is hereby authorized to direct any police officer or constable to sell and dispose of the stock so impounded, and after payment of the amount of damage so appraised to pay the overplus to the apprenticed labourer, and if the damage shall exceed the value of the stock so impounded and sold, the special justice shall adjudge such apprenticed labourer to make good the difference out of his or her extra labour.

Or damage may be assessed and recovered.

Clause 31.
Clothing to prædials in each year.

Domestics to be furnished with such clothing as employers may think more suitable.

Other articles of clothing may be substituted.

Penalty of double the value of clothing not supplied.

Clause 32.
Employers may allow their prædial labourers a day in every fortnight, in lieu of fish and clothing.

And be it further enacted, that it shall be the duty of every person or persons entitled to the services of such apprenticed labourers, and they are hereby required to deliver to every apprenticed labourer, not being a domestic, for his or her use, between the 1st day of March and the 1st day of June in each and every year, the following articles ; that is to say, to every male apprenticed labourer one worsted or Kilmarnock cap, one woollen or Pennistone jacket, one Oznaburg shirt, and one pair of Oznaburg trousers ; to every female apprenticed labourer one worsted or Kilmarnock cap or one printed cotton handkerchief, one woollen or Pennistone jacket, and one Oznaburg petticoat, and one Oznaburg or check shift : provided nevertheless, that for all non-prædial apprenticed labourers who may be domestics, the person or persons entitled to his, her or their services shall be at full liberty to provide any other fit and sufficient clothing he, she or they shall think proper : provided always, that with the consent and authority in writing of the special justice of the district, in which any such prædial apprenticed labourers are resident, the person or persons entitled to their services, or any person acting in his or her behalf, may, and he, she and they are and is hereby authorized to substitute, for the articles hereinbefore enumerated, any other articles of clothing which shall in the judgment of such special justice be equivalent to the articles hereinbefore enumerated, directed and prescribed ; and all the articles hereinbefore enumerated, and so to be supplied to such apprenticed labourers as aforesaid, or substituted in manner aforesaid, shall be of good average merchantable quality ; and if any person or persons subject and liable to provide any such enumerated articles as aforesaid shall neglect or omit, within the time or times hereinbefore for that purpose limited, to supply and deliver to and for the use of any such apprenticed labourers aforesaid, such articles of clothing as are hereinbefore enumerated, the person or persons so offending shall incur and become liable to a fine equal to twice the value of the article or articles withheld, for the use and benefit of the apprenticed labourer injured by such neglect.

And whereas it may be mutually beneficial to employers and their apprenticed labourers, that a substitution of time shall be allowed to such apprenticed labourers in lieu of the fish and clothing to which they are hereinbefore entitled ; be it therefore enacted, that in every case where any master, mistress or employer shall prefer to give time in lieu of fish and clothing to any of his or her apprenticed labourers, being above the age of 12 years, he or she shall be at liberty so to do, by and with the consent of the special justice of the district, provided that such master, mistress or employer shall give and allow to such apprenticed labourer one day in every fortnight to enable such apprenticed labourers out of the earnings of his or her labour to supply himself or herself with fish and clothing ; and the master, mistress or employer, with such consent as aforesaid, shall within the first week in April in each and every year, deliver or cause to be delivered to the special justice of the district in which he or she may reside, a written declaration in the form annexed, marked (C.), which written declaration shall be signed by such master, mistress or employer, or in his or her name by his or her constituted attorney or attorneys in this Island, and recorded at the office of the special justice of the district last aforesaid ; and every such master, mistress or employer shall, during the period to which such declaration shall apply, be bound to allow such apprenticed

apprenticed labourer such day in every fortnight, exclusive of Saturday, Christmas-day and Good Friday, or forfeit and pay to such apprenticed labourer the sum of 2 s. 6 d. for each day withheld.

And be it further enacted by the authority aforesaid, that it shall and may be lawful for every apprenticed labourer, and every apprenticed labourer is hereby authorized, at his or her free will and pleasure, on each and every Sunday throughout the year, and on Good Friday and Christmas-day, to attend at the celebration of Divine worship in any church or chapel whatsoever; provided nevertheless, that every apprenticed labourer whose services for the protection of property, or tending of cattle, or for the performance of any domestic duties, shall be rendered necessary on Sunday, shall be subject to such regulations respecting the times which shall be allowed to such apprenticed labourer for the attendance on Divine worship as the employer of every such apprenticed labourer shall make for that purpose; provided nevertheless, that no apprenticed labourer shall be prevented by any such regulation from attending once at some place of worship on the Sabbath-day, and on Christmas-day and Good Friday.

Clause 33.
Apprentices to be allowed to attend Divine worship.

And be it further enacted, by the authority aforesaid, that the proprietor or proprietors of any estate in which there shall be 40 apprenticed labourers and upwards, shall, and he, she or they are and is hereby required to engage a medical practitioner to visit such apprenticed labourers in such his medical capacity, not less than once in every week; and during the illness or indisposition of such apprenticed labourer, his or her usual allowances, in a dressed state, or some other appropriate diet, shall be provided for him or her; and every other person entitled to the services of any apprenticed labourer shall be and is hereby required to provide medical assistance for every such apprenticed labourer when necessary; provided always nevertheless, that no apprenticed labourer shall be compelled or permitted to quit the hospital or sick-house without the permission of the medical practitioner of the plantation or estate to which he or she shall belong, and it shall and may be lawful to keep the doors of such hospital or sick-house locked, to prevent apprenticed labourers from disobeying the orders of such medical practitioner.

Clause 34.
Proprietors of 40 or more apprentices to engage a medical practitioner, to visit them at least once a week;

and in every other case when necessary.

And be it further enacted, that if any proprietor or proprietors as aforesaid, or any other person or persons entitled to the services of any apprenticed labourer or labourers, shall refuse or neglect or omit to provide such medical attendance as hereinbefore mentioned, and such medicines as shall be required, the person so offending shall for and in respect of every such offence incur and become liable to a fine of not less than 5*l.*, or more than 15*l.*, to be recovered before the special justice of the district in which such apprenticed labourer shall reside; one half of which fine shall go to the informer, and the other half shall be paid into the public treasury of the Island.

Clause 35.
Penalty for not providing medical attendance for apprentices.

And be it further enacted, by the authority aforesaid, that every person entitled to the services of any apprenticed labourer shall furnish such apprenticed labourer nightly with a wholesome place of lodging; and if such apprenticed labourer be a prædial apprenticed labourer, attached to the soil, such place of lodging shall be provided on the plantation or estate to which he or she shall be attached, under a penalty in default thereof for each and every omission of not less than 2 s. 6 d. or more than 5 s., for the use of such apprenticed labourer in respect of whom such default shall be made, to be recovered before the special justice of the district to which such apprenticed labourer shall belong; provided that complaint be made within seven days after the default.

Clause 36.
Place of nightly lodging to be provided for apprentices.

And be it further enacted, that, subject to the obligations imposed by this Act upon apprenticed labourers as aforesaid, all and every the persons who on the 1st day of August 1834 shall be holden in slavery within this Island, shall, upon and from and after the said 1st day of August 1834, become and be to all intents and purposes free and discharged of and from all manner of slavery, and shall be absolutely and for ever manumitted, and that the children thereafter to be born to any such persons, and the offspring of such children, shall in like manner be free from their birth; and that from and after the 1st day of August 1834, slavery shall be and is hereby utterly and for ever abolished and declared unlawful within this Island.

Clause 37.
Slavery to cease on the 1st August 1834.

And whereas it may happen that children who have not attained the age of six years on the said 1st day of August 1834, or that children who after that day may be born to any female apprenticed labourers, may not be properly supported by their parents, and that no other person may be disposed voluntarily to undertake the support of such children, and it is necessary that provision should be made for the maintenance of such children in such contingency; be it therefore enacted, that if any child who on the said 1st day of August 1834 had not completed his or her sixth year, or if any child to which any female apprenticed labourer might give birth on or after the said 1st day of August 1834, shall be brought before any justice of the peace holding any such special commission as hereinafter mentioned; and if it shall be made to appear to the satisfaction of such justice that any such child is unprovided with an adequate maintenance, and that such child hath not completed her or his age of 12 years, it shall be lawful for such justice, and he is hereby required on behalf of any such child, to execute an indenture of apprenticeship in the form annexed, marked (D.), thereby binding such child as an apprenticed labourer to the person or persons entitled to the services of the mother of such child, or who had been last entitled to the services of such mother; but in case it shall be made to appear to any such justice that any such person or persons

Clause 38.
Children under six years of age may be apprenticed, if their parents cannot support them.

Form of indenture of apprenticeship.

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Indenture to provide that time and opportunity be allowed for education and religious instruction.

Persons not possessing lands shall not be compelled to take an apprentice.

Persons only compelled to take prædial attached apprentices.

Clause 39. Regulations for the government of apprenticed labourers.

Island to be divided into districts.

Clause 40. One or more special justice to reside in each district.

Clause 41. Special justices to be accessible at all seasonable hours, and to keep an office.

Clause 42. Special justices to repair to plantations, when required.

Provided three or more apprenticed labourers be implicated in the charge.

Clause 43. Special justices to keep journals of their proceedings.

Clause 44. Duplicate of journals to be transmitted to the Governor and Council quarterly.

persons as aforesaid is or are unable or unfit to enter into such indenture, and properly to perform the conditions thereof, then it shall be lawful for such justice, and he is hereby required by such indenture to bind any such child to any other person or persons to be by him for that purpose approved, and who may be willing and able properly to perform such conditions; and it shall by every such indenture of apprenticeship be declared whether such child shall thenceforward belong to the class of attached prædial apprenticed labourers, or to the class of unattached prædial apprenticed labourers, or to the class of non-prædial apprenticed labourers; and the term of such apprenticeship of any such child shall by such indenture be limited and made to continue in force until such child shall have completed his or her 21st year and no longer; and every child so apprenticed as aforesaid, by the order of any such justice of the peace as aforesaid, shall during his or her apprenticeship be subject to all such and the same rules and regulations respecting the work or labour to be by them done or performed, and respecting the food and other supplies to be by him or her furnished, as any other such apprenticed labourer as aforesaid: provided always, that the said indenture of apprenticeship shall contain sufficient words of obligation upon the employer to allow reasonable time and opportunity for the education and religious instruction of such child; and every indenture of apprenticeship executed by virtue of this enactment shall be recorded in the office of the special justice of the district where such apprenticed labourer shall belong: provided also, and be it further enacted, that if any child or children under the age of 12 years, whose parent or parents, or other person or persons, have undertaken to maintain such child or children, and who may have been allowed by the employer of his or her parent or parents, or of such other person or persons as aforesaid, to reside on the plantation or lands of such employer, shall have been detected three times in plundering or stealing from the lands or buildings of such employer any of the growing or other crops, or any other articles whatsoever, the same shall be evidence that such child or children is or are not properly supported by his or her parent or parents, or such other person or persons as have undertaken the maintenance of such child or children: provided also, that if the person or persons entitled to the services of the mother of any such child as aforesaid, or who shall have been last entitled to the services of such mother, shall not be possessed of lands, such person or persons shall not be compelled to accept and receive any such child as an apprenticed labourer, nor shall any such person or persons, although possessing lands, be compelled to accept and receive any such child as an apprenticed labourer, except such child be bound to such person or persons as a prædial apprenticed labourer.

And whereas it is necessary that various rules and regulations shall be framed and established for the government and protection of such apprenticed labourers; be it therefore enacted, by the authority aforesaid, that for the purposes of this Act the Island of Barbadoes shall be and the same is hereby declared to be divided into judicial districts, in the manner that shall be hereafter determined by the Governor and Council, by an Order in Council, to be made and published for that purpose.

And be it further enacted, that one or more special justice of the peace, to be nominated as hereinafter mentioned, shall be appointed to each of the said districts, who shall reside within the district to which he or they shall be appointed, unless when prevented by sickness or other reasonable cause, to be allowed by the Governor.

And be it further enacted, that every such special justice of the peace shall be accessible at all seasonable hours to receive complaints; and every such special justice of the peace shall keep an office open for the receiving, hearing and determining all such complaints and cases as are cognizable by him from 10 o'clock in the morning until four o'clock in the afternoon in every day in the week (except Sunday) if necessary.

And be it further enacted, that every such special justice who shall be called on and applied to by the proprietor or manager of any plantation for that purpose, shall repair to such plantation, being within his district, there to take cognizance of such case or cases as shall be brought before him: provided nevertheless, that such special justice shall not be compelled to repair to any such plantation, or attend any such call or application, unless three or more apprenticed labourers shall be implicated in the charge or accusation preferred against them by the proprietor or manager of such plantation, and unless such charge shall be of a serious nature, and made or supported on oath before such special justice by any such proprietor or manager, or some credible witness or witnesses.

And be it further enacted, that every such special justice of the peace shall keep a journal of all the cases brought before him, in which he shall enter, 1stly, the date of the complaint; 2dly, the name of the complainant; 3dly, the substance of the complaint; 4thly, the names of the witnesses adduced on either side; 5thly, the substance of the evidence; 6thly, his decision on the case; 7thly, whether the decision has been carried into effect; 8thly, any general remarks which he may think desirable; and all such journals shall be kept in one uniform manner, to be prescribed for that purpose by the Governor and Council.

And be it further enacted, that at the end of each quarter every special justice of the peace shall transmit to the Governor and Council a duplicate of his journal for the preceding quarter, with an affidavit thereof annexed, to the effect that it has been faithfully kept, and that with the exception of unintentional errors it contains a true account of all the proceedings in which the deponent has been engaged as such special justice during the quarter to which it refers; and until the Governor and Council shall have actually received the duplicate

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cate journal so verified, such special justice shall not be entitled to receive his salary for that quarter.

And be it further enacted, that on receiving any complaint it shall be the duty of the special justice to reduce it to writing, and to cause it to be read by, or to read it over to the complainant, by whom it shall be then subscribed; and if the complaint shall appear to such justice immaterial, and not to deserve further inquiry, he may at once dismiss the complaint; but if he shall think inquiry necessary, he shall call upon the complainant to make oath that the complaint is true according to his information, if the person making the complaint be not a witness himself; after which the said special justice shall either issue his warrant for the arrest of the party charged, or shall issue a summons for his attendance, as the case may require, which warrant of arrest shall be in the form annexed, marked (E.), and which summons is in the form annexed, marked (F.)

Clause 45.
Complaints to be reduced to writing by the special justices.

And they are to issue warrants of arrest or summons.

And be it further enacted, that such warrant of arrest shall be issued in all cases in which the party is charged with a capital or transportable offence, in all cases where there is reason to apprehend that the party charged would endeavour to escape, and in all cases where there is reason to apprehend danger to the public peace from delay, and in all other cases such special justice shall proceed in the first instance by summons.

Clause 46.
Warrant of arrest to be issued in capital or transportable offences.

And be it further enacted, that in all cases in which it may be necessary to adduce witnesses in support of or in answer to any such complaint, the said special justices shall issue a summons for the attendance of witnesses in the annexed form, marked (G.)

Clause 47.
Summons of witnesses to be issued.

And be it further enacted, that at the time and place appointed by any such warrant or summons for proceeding upon any such complaint, such special justice shall in the presence of all parties first read over the written complaint, and then take down in writing the answer of the party charged, and then proceed to examine on oath the party complaining and the witnesses, taking down in writing the deposition of each witness, which shall be read over to and signed by such witness.

Clause 48.
Manner of proceeding on complaints.

And be it further enacted, that such special justice may from time to time adjourn any such proceedings for further inquiry, and if he has reason to apprehend that the party or parties charged will escape, may commit him, her or them to custody, pending such adjournment, or take bail for his, her or their appearance; and every such commitment or bail-bond shall be in the annexed forms marked (H.) and (I.)

Clause 49.
May adjourn and commit party charged; or take bail.

And be it further enacted, that at the close of such proceedings the said special justice shall pronounce his decision thereupon, which decision he shall reduce into writing, and subscribe with his hand, by which decision he shall, as law and reason may seem to him to require, either dismiss the complaint, or sanction any compromise between the parties he may think just, or convict the party or parties charged, or commit him, her or them to prison to take his, her or their trial for any felony or capital offence imputed to him, her or them.

Clause 50.
Judgment to be in writing.

And be it further enacted, that if such complaint shall be dismissed, the said special justice shall in such his written decision state whether it was dismissed as being unproved, or as being frivolous, or as being vexatious and malicious.

Clause 51.
When complaint be dismissed, the cause to be stated.

And be it further enacted, that if any complaint shall be dismissed as being vexatious and malicious, the said special justice may adjudge the complainant, if an apprenticed labourer, to work in the service of his or her employer or employers for any number of extra days; provided that the time of extra work in any one week shall not exceed nine hours, or to imprisonment with hard labour for any time not exceeding one month, or to solitary confinement not exceeding one week, or to whipping not exceeding 20 stripes if a male; and if the employer of any apprenticed labourer be the complainant, to a fine not exceeding 40s., for the benefit of the party charged; which judgment shall be a bar to any suit, action or prosecution against such complainant for calumny, defamation, malicious prosecution or otherwise, in respect of such his or her complaint.

Clause 52.
Liabilities of apprentices for preferring vexatious complaints;

and on employers for doing the like.

And be it further enacted, that if the special justice by such his decision convict the party charged, or convict the complainant of preferring a vexatious and malicious complaint, such conviction shall be severally drawn up according to the forms annexed, marked (K.) and (L.); and if such special justice shall commit the party charged to take his trial for any imputed felony or capital offence, such commitment shall be drawn up in the form annexed, marked (M.), and upon any such conviction as aforesaid of any apprenticed labourer, such special justice shall issue a warrant for the execution thereof, which warrant shall be in the form annexed, marked (N.)

Clause 53.
Form of conviction.

Of commitment.

Of execution.

And be it further enacted, that all summonses, warrants, commitments and other orders so to be issued by such special justice as aforesaid, shall be executed by the police officers of his district; provided nevertheless, that such special justice is hereby authorized, as occasion may require, to address the same to any other person or persons jointly with or instead of such officers of police as to him may seem requisite; and any summons, warrant, writ or order issued by any such special justice within his own district, may without any further authority be carried into execution in any part of this Island though beyond the limits of such district.

Clause 54.
Process to be executed by police officer of district or other person.

Clause 55.
Mode of compelling the
attendance of appren-
tices as witnesses.

And whereas, as well to discourage the bringing of frivolous, vexatious and malicious complaints, actions and prosecutions, as in some measure to indemnify the employers of apprenticed labourers for the loss of their services, and apprenticed labourers for the loss of their extra time where such apprenticed labourers shall be summoned as witnesses; be it enacted, that no summons for an apprenticed labourer shall be considered as duly executed, unless at the time of summoning such apprenticed labourer notice of summons be left with the proprietor of the plantation or estate to which such apprenticed labourer is attached, or on which he or she shall be employed, or with the person or persons entitled to the services of such apprenticed labourer, or with his or her manager or representative; and along with such notice, if the summons be at the suit, or on the prosecution or complaint of any other person than an apprenticed labourer, shall be left the sum of 1s. 6 $\frac{3}{4}$ d. in respect of every apprenticed labourer so summoned, for the use of the person or persons entitled to the services of the apprenticed labourer summoned; and in case such summons shall require the attendance of any such apprenticed labourer out of the district to which he or she belongs, then at the time of leaving such notice as aforesaid there shall be left the sum of 2s. 6d. for each and every such apprenticed labourer so summoned, for the use of the person or persons aforesaid; and in case such summons shall be for the attendance of any prædial apprenticed labourer as a witness on any day during which such apprenticed labourer shall be entitled to his or her own earnings, then such summons shall not be considered as duly executed, unless at the time of leaving such summons the person executing the same shall, if the attendance of such apprenticed labourer as a witness be required within the district to which he or she belongs, leave with or for the use of such apprenticed labourer the sum of 1s. 6 $\frac{3}{4}$ d.; and if the attendance of such apprenticed labourer be required by such summons out of such district, the sum of 2s. 6d. shall be left; and in case such summons shall require the attendance of such apprenticed labourer out of his or her district, at the suit or on the prosecution or complaint of any other apprenticed labourer, then there shall be left with such notice as aforesaid the sum of 1s. 6 $\frac{3}{4}$ d. for the use of the person or persons so entitled as aforesaid to the services of such summoned apprenticed labourer, or for the use of the apprenticed labourer summoned, in case he or she shall be summoned on any day to which he or she shall be entitled to the earnings of his or her labour, or otherwise such summons shall not be considered as duly executed: provided nevertheless, that nothing in this enactment contained shall extend or be construed to extend to any case where any person or persons whomsoever shall be summoned as a witness on the inquiry or trial of any felony or capital crime; and the officer who shall be entrusted with the execution of such summons shall make a return thereof, and the manner of executing the same, on oath before the special justice of the peace who shall have issued such summons, before any process shall issue against any person or persons for disobeying any such summons.

Clause 56.
Penalty on witnesses
for disobeying a sum-
mons;

And be it further enacted, that if any person shall be duly summoned by the authority of any such special justice of the peace, not being an apprenticed labourer, as a witness, and shall not appear in obedience to such summons, he or she shall incur a fine not exceeding the sum of 40s. current money of this Island, to be paid into the public treasury, to be adjudged by such special justice of the peace, unless it shall appear to such special justice at or within five days after the time specified in such summons for the appearance of such person as a witness, that the party summoned was prevented by illness or other reasonable cause, to be admitted by such special justice; and if such person be an apprenticed labourer, and unable to pay the fine, he or she shall be subject to confinement, with hard labour or solitary confinement for any time not exceeding a week, or to whipping, if a male, not exceeding 20 stripes; and if any person so summoned, and appearing in obedience to such summons, shall refuse to be sworn or examined, or to answer any question proposed to him or her by such special justice in relation to the matters pending before him, which question such person would be compelled to answer in any court of record, it shall be lawful for such special justice to commit such offender to prison in any place of confinement within the district of such special justice, or in the common gaol, there to remain in close custody until he or she shall submit to be sworn and examined, and to make such answer as aforesaid, and every such warrant of arrest or commitment shall be in the form annexed, marked (O.)

or refusing to answer
questions.

Clause 57.
Forms of proceedings
may be altered by the
Governor and Council.

And be it further enacted, that if it shall be made to appear to the satisfaction of the Governor and Council that the forms of proceeding hereinbefore prescribed are needlessly burdensome upon the justices of the said districts, or that they impede or interfere with the prompt and effective execution of the law, the Governor, with the advice of his Council, shall and he is hereby authorized to suspend any of the preceding rules, or to adapt the same to the circumstances of the case, so as more effectually to promote the punctual, orderly and effective execution of the law, and for that purpose to issue a proclamation, which shall be transmitted for His Majesty's confirmation, and which until disallowed shall be in full force.

Clause 58.
Penalty on apprenticed
labourers absenting
themselves.

And whereas it is necessary to provide penalties and punishments for the non-performance of their duties by apprenticed labourers towards their employers, be it therefore enacted, that every apprenticed labourer who shall absent himself or herself from his or her employer's service without the leave of his or her employer or employers, or of some other person acting in his, her or their behalf, unless taken suddenly ill during any extra time such apprenticed labourer may be entitled to and out of any plantation, estate or place to which he or she is attached, or on which he or she shall be employed, and of which illness the earliest notice shall be conveyed to his or her employer; or unless he or she shall report himself or herself sick or ill, and shall be actually in the hospital or sick-house on the plantation, estate

or place to which he or she is attached, or unless he or she shall be compelled by any legal process to attend before any court or justice of the peace, such apprenticed labourer shall be compelled to serve his or her employer two extra hours for every hour he or she shall be absent without such leave or cause, or he or she shall be punished by confinement with hard labour, or solitary confinement not exceeding three days for the first offence, and for the second or any subsequent offence by any increase of the aforesaid punishments not exceeding a month's confinement with hard labour, or solitary confinement not exceeding one week, or if a male, by whipping not exceeding 20 stripes.

And be it further enacted, that every apprenticed labourer shall make good out of his or her extra days to his or her employer the time that his or her employer shall have been deprived of his or her services by the sentence of any special justice of the peace or court.

And be it further enacted, that if any apprenticed labourer shall absent himself or herself without such leave or cause as aforesaid for more than nine hours in any one week, he or she, on conviction thereof before the special justice of the peace of the district to which he or she shall belong, shall be adjudged a deserter.

And be it further enacted, that if any apprenticed labourer shall absent himself or herself without such leave or cause as aforesaid for two days during one week, he or she, on conviction thereof before the special justice of the peace of the district to which he or she shall belong, shall be adjudged a vagabond.

And be it further enacted, that if any apprenticed labourer shall absent himself or herself without such leave or cause as aforesaid for five days in any one week, he or she, on conviction thereof before the special justice of the peace of the district to which he or she shall belong, shall be adjudged a runaway.

And be it further enacted, that every apprenticed labourer adjudged a deserter shall be sentenced by such special justice as aforesaid to confinement with hard labour, or solitary confinement for any time not exceeding one week; every apprenticed labourer adjudged a vagabond shall be sentenced by such special justice as aforesaid to confinement with hard labour for any time not exceeding two weeks, or solitary confinement not exceeding 10 days, and to any number of stripes not exceeding 15, if a male; and every apprenticed labourer adjudged a runaway shall be sentenced by such special justice as aforesaid, to confinement with hard labour for any time not exceeding one month, or solitary confinement not exceeding 14 days, and to any number of stripes not exceeding 30, if a male: and in all cases of wilful absence, apprenticed labourers shall not be entitled to their allowances of food for the time they shall be absent from their employer's service.

Provided nevertheless, and be it further enacted, that if any apprenticed labourer shall during his or her apprenticeship wilfully absent himself or herself from the service of his or her employer, it shall and may be lawful for the special justice of the peace of the district to which such apprenticed labourer shall or may belong, and such special justice is hereby required and directed, on conviction of such apprenticed labourer, to adjudge him or her either to serve his or her employer after the expiration of his or her apprenticeship for so long a time as he or she shall have absented himself or herself from such service, or to make satisfaction to his or her employer for the loss sustained by such absence (except so far as he or she shall have made satisfaction for such absence, either out of such extra hours as aforesaid or otherwise); but nevertheless, so that such extra services or compensation shall not be compellable after the expiration of seven years next after the termination of the apprenticeship of such apprentice.

And be it further enacted, that if any apprenticed labourer shall be convicted of performing his or her work indolently, carelessly or negligently, he or she shall for the first offence be adjudged to labour in his or her employer's service for any number of extra days, or to confinement with hard labour, or solitary confinement not exceeding three days; for the second offence, he or she shall be adjudged to labour in his or her employer's service as aforesaid, or to confinement with hard labour or solitary confinement for any time not exceeding one week, or to whipping, not exceeding 12 stripes, if a male; for the third or any subsequent offence he or she shall be adjudged to labour in his or her employer's service as aforesaid, or to confinement with hard labour for any time not exceeding one fortnight, or solitary confinement not exceeding 10 days, or with whipping, not exceeding 20 stripes, if a male: provided nevertheless, that if there shall have been an interval of one month between the commission of the said offences, the offender shall only be liable to be punished as for a first offence; and if such apprenticed labourer be a watchman or a cattle-keeper, he shall be adjudged to make good any damage that the crops or cattle or property under his charge shall have received by his negligence or misconduct, or he shall be punished for the first offence by whipping, not exceeding 30 stripes, and for the second and every subsequent offence by confinement with hard labour, or solitary confinement not exceeding one month.

And be it further enacted, that if any apprenticed labourer by the careless use of fire shall injure or endanger the property of his or her employer or employers, or of any other person or persons, or shall wilfully or wantonly injure any growing crop, tree or other property of his or her employer or employers, or shall ill-use or injure any horse, mule, ass, cattle or other live stock of his or her employer or employers, or shall negligently or wilfully expose the property of his or her employer or employers to any damage or injury, such apprenticed labourer

BARBADOES.

Appendix (B.)

Colonial Laws.

No. 8.

Clause 59.
Apprentices to make good the loss of time.

Clause 60.
Deserter.

Clause 61.
Vagabond.

Clause 62.
Runaway.

Clause 63.
Punishment of deserters, vagabonds or runaways.

Clause 64.
Prolongation of apprenticeship for absence from employer's service.

Not to exceed seven years.

Clause 65.
Punishment of apprentices for performing work indolently, carelessly or negligently.

Clause 66.
Punishment of apprentices for endangering or injuring property by the careless use of fire, or ill-using cattle, or exposing their employers' property to danger.

BARBADOES.

Appendix (B.)

Colonial Laws.

No. 8.

Not exempt from the general law.

Clause 67.

Punishment of apprentices for drunkenness, disobedience and other misconduct.

Not exempt from the general law.

Clause 68.

Punishment for three or more apprentices combining together to resist the employer's commands.

Clause 69.

Apprentices not to be adjudged to work more than nine extra hours in a week in employer's service as a punishment.

Clause 70.

Special justices only to have power to punish apprentices.

Females not to be punished by whipping. Subject to the operation of the general law.

Clause 71.

Apprentices not to acquire an interest in any lands or dwellings which they may occupy during their apprenticeship.

labourer shall for every such offence be adjudged, in the discretion of the special justice of the peace before whom he or she shall be convicted, either to extra labour in his or her employer's service for any number of extra days, or to confinement with hard labour for any time not exceeding one month, or solitary confinement not exceeding 10 days; and if a male to any number of stripes not exceeding 30, or to any two or more of such punishments: provided nevertheless, that this enactment shall not exempt any such apprenticed labourer from his or her liability to such actions or prosecutions as other persons of free condition may be subject and liable to, in respect of any such acts by him or her done or committed: provided nevertheless, that no such apprenticed labourer shall be liable to be sued or prosecuted both under this Act and under the general law.

And be it further enacted, that if any apprenticed labourer shall be in a state of drunkenness, or shall be found fighting, quarrelling, using obscene language, cockfighting or gaming, or shall conduct himself or herself in an insolent or insubordinate manner towards his or her employer, or towards any person in the superintendence of his or her labour, or shall contumaciously disobey the lawful commands of his or her employer, or any person in the superintendence of his or her labour, he or she shall for every such offence be liable on conviction to imprisonment with hard labour for any time not exceeding one month, or solitary confinement not exceeding 14 days, or to whipping, not exceeding 20 stripes, if a male, or to any two or more of such punishments; and if any apprenticed labourer shall assault or strike his or her master, mistress or employer, or any person in the immediate superintendence of his or her labour, he or she shall on conviction thereof be liable to imprisonment with hard labour for any time not exceeding 12 months, or solitary confinement not exceeding three months, or to whipping, if a male, not exceeding 39 stripes: provided nevertheless, that this enactment shall not exempt any such apprenticed labourer from his or her liability to such actions or prosecutions as other persons of free condition may be subject and liable to, in respect of any such acts by him or her done or committed: provided nevertheless, that no such apprenticed labourer shall be liable to be sued or prosecuted both under this Act and under the general law.

And be it further enacted, that if any three or more apprenticed labourers shall agree together to make any resistance to the lawful commands of their employer or employers, or of any other person or persons acting under the authority of such employer or employers, they shall be deemed guilty of an unlawful conspiracy, and on conviction shall be sentenced to confinement with hard labour for any period not exceeding six months, or solitary confinement not exceeding six weeks, with whipping, not exceeding 39 stripes, if males; and any three or more apprenticed labourers who shall be engaged in a combined and open resistance to the lawful commands of their employer or employers, or other person or persons acting under the authority of such employer or employers, shall on conviction be adjudged to the punishments last aforesaid, or to any one of them: provided nevertheless, that any or either of the aforesaid punishments may, at the discretion of the special justice of the peace before whom such conviction shall take place, be commuted for labour, to be performed in the service of his or her employer or employers by such apprenticed labourers, or any or either of them, out of his or her extra hours, in the manner hereinbefore by this Act provided with respect to extra hours.

And be it further enacted, that it shall not be lawful for any special justice of the peace to adjudge any apprenticed labourer to perform any extra work in his or her employer's service for more than nine hours in any one week; and that for every extra day that any apprenticed labourer shall be adjudged to labour for the benefit of his or her employer, such apprenticed labourer shall be bound to work nine hours in the service of his or her employer, and no longer.

And be it further enacted, that nothing in this Act contained shall authorize or be construed to authorize any person or persons other than the justices of the peace holding any such special commissions as hereinafter mentioned, to punish any apprenticed labourer for any offence by him or her committed or alleged to have been committed, by the whipping, beating or imprisonment of his or her person, or by any other personal or other correction or punishment whatsoever, or by any addition to the hours of labour hereinbefore limited, nor to authorize any justices of the peace holding such special commission as aforesaid to punish any apprenticed labourer, being a female, for any offence by her committed, by whipping or beating her person: provided always, that nothing in this Act contained doth or shall exempt any apprenticed labourer from the operation of any law or police regulation, which is or shall be in force for the prevention or punishment of any offence, such law or police regulation being in force against and applicable to other persons of free condition.

And whereas many persons during their state of slavery, by the permission and sufferance of the proprietors of plantations, lands or houses, have occupied or may occupy divers parcels of land, and divers dwellings or buildings belonging to such proprietors, which said parcels of land and which said dwellings and buildings are the property of such proprietors: and whereas it is expedient to make provision in respect of any such lands, dwellings and buildings as may continue to be occupied, or of any other lands, dwellings or buildings which may be occupied by any person or persons during their state of apprenticeship; be it therefore enacted, that no apprenticed labourer shall be entitled to have or claim any interest whatsoever in or to any such lands, dwellings or buildings which he or she shall continue to occupy or shall occupy during his or her state of apprenticeship, by the permission and sufferance

ance of his or her employer or employers; and all such lands, dwellings and buildings are hereby declared to belong to the owners or proprietors of the plantations or estates of which they form a part, or to the owners of the lands, dwellings or buildings by whose permission or sufferance any such lands, dwellings or buildings may have been occupied; and all and every such apprenticed labourer or labourers occupying such lands, dwellings or buildings, are hereby declared to be tenants at will, and removable at the pleasure of his, her or their landlord or landlords: provided nevertheless, and be it further enacted by the authority aforesaid, that where any apprenticed labourer shall by the permission or sufferance of such landlord or landlords have planted any crop or crops on such lands, he or she shall be allowed a reasonable time, not exceeding six months, to reap the same for his or her benefit.

To be considered as tenants at will.

But allowed to reap their crops.

And be it further enacted, that if any apprenticed labourer, being such tenant or occupant, shall refuse to quit and deliver up peaceable possession of any such lands, dwellings or buildings to his or her landlord or landlords, or to any person acting on his, her or their behalf, it shall be lawful for the special justice of the peace of the district where such lands, dwellings or buildings lie, and he is hereby required on the complaint of any landlord or landlords, or any person acting on his, her or their behalf, to dispossess such labourer from such land, dwellings or buildings, and to adjudge such apprenticed labourer to imprisonment with hard labour, or to solitary confinement, for any time not less than three days and not exceeding one week, or to labour in his, her or their employers' service for any number of extra days: provided nevertheless, that any employer requiring any such apprenticed labourer to quit any such dwelling or building shall at the same time provide some other place of lodging, as by this Act prescribed for such apprenticed labourer.

Clause 72.
Special justices to dispossess apprentices who refuse to deliver up lands or buildings to their employers.

Employers to furnish other places of lodging.

And be it further enacted, that if after the expiration or other determination of the term of apprenticeship of any apprenticed labourer, he or she shall refuse to quit and deliver up possession of any land, dwelling or building which he or she shall have been permitted or suffered to occupy during his or her state of apprenticeship, to his or her landlord or landlords, or to any person or persons acting on his, her or their behalf, every such person shall be deemed and considered a forcible detainer of such land, dwelling or building, and shall be subject and liable to the same penalties as any other person of free condition is liable by the laws of this Island, for making a forcible entry or detainer.

Clause 73.
Apprentices refusing, after expiration of apprenticeship, to quit and deliver up the lands and buildings occupied by them, to be considered forcible detainers.

And be it further enacted, that at any time there shall be five or more apprenticed labourers in any house of correction, who may have been sentenced to confinement with hard labour, it shall and may be lawful for the nearest special justice of the peace to such house of correction to cause such five or more apprenticed labourers to be employed in repairing the highways, or any other public works in their district, under the discretion of such police officer or officers as such justice shall think proper; and such justice shall be and he is hereby authorized to direct such means to be taken by such police officer or officers to prevent the escape of such apprenticed labourers as he shall think proper.

Clause 74.
When five or more apprentices are confined in a house of correction, they may be employed in repairing the public roads.

And be it further enacted, that it shall and may be lawful for any special justice, and he is hereby authorized and empowered to substitute any given number of hours of work on the tread-mill in the town-hall, or any other tread-mill that may hereafter be erected in any of the districts of this Island, for any of the punishments imposed by this Act on apprenticed labourers, as he in his discretion shall consider necessary and proper.

Clause 75.
Apprentices may be worked on the tread-mill.

And whereas it is necessary to provide penalties for the non-performance of their duties by employers towards their apprenticed labourers; be it therefore further enacted, that if any employer of any prædial apprenticed labourer shall, by force or fraud, protract the weekly services of such labourer beyond the period by this Act allowed for that purpose, he or she shall forfeit, for the benefit of such labourer, the sum of 1s., in respect of every hour which such service shall be so protracted.

Clause 76.
Penalties on employers for breach of duty to their apprentices.

And be it further enacted, that it shall be the duty of every such employer to intimate to the labourers in his employment the commencement and close of the legal hours of labour, by the usual mode of ringing a bell, or sounding a shell or horn, or any other signal, which signal shall be always of such a nature as to be distinctly visible or audible to the several prædial apprenticed labourers in the service of such person.

Clause 77.
Signals to be made for the commencement and close of labour by apprentices.

And be it further enacted, that no apprenticed labourer shall be bound to undertake any task-work, except with his own free assent to the same, save as is hereinafter excepted: provided always nevertheless, and be it enacted, that if the majority of any prædial apprenticed labourers attached to any plantation or estate shall be willing, in the distribution or apportionment amongst the whole body of such labourers on such plantation or estate, to undertake any task-work upon such plantation or estate, any contract made between the employer or employers of such labourers, or any person acting on his, her or their behalf, and the majority of such labourers as aforesaid, shall be binding on the minority, in the same manner as if the whole body had willingly entered into such contract.

Clause 78.
Apprentices not bound to undertake task-work, unless the majority of the gang consent.

And be it further enacted, that every contract entered into between any employer or employers and any prædial apprenticed labourer for the performance of any specific work, as a task, and in lieu of the prescribed weekly labour, or for the performance of any labour in extra hours, shall, by such employer, be reduced into writing, and entered in a book to be kept for that purpose on the plantation or place, which book the special justice of the district may inspect as often as he may think proper.

Clause 79.
Contract for task-work to be entered in a book, for the inspection of the special justice.

Clause 80.

Contract for services between employer and apprentices not binding beyond 14 days, unless approved by the special justice.

And be it further enacted, that no contract between any employer and any prædial apprenticed labourer for the performance of any such specific or task-work, or for the performance of any labour in extra hours, shall endure or continue in force, or be binding upon the parties entering into the same, or either of them, after the expiration of 14 days from the making thereof, unless the same shall have been made and entered into by such parties, in the presence or with the approbation of such special justice of the peace, or unless, having been entered into in his absence, the same shall be confirmed and approved by him before the expiration of such 14 days; and every such approbation of any such contract shall, by such special justice, be attested under his hand in the book so kept as aforesaid; and it is hereby declared, that it shall be the duty of the special justice, before approving any such contract, to ascertain that the terms thereof are distinctly understood by the apprenticed labourers entering into the same, and that such labourers have entered into such contract freely and voluntarily.

Clause 81.

Contract for services to be distinctly expressed, and not to be binding for more than one year.

And be it further enacted, that in every such contract for task-work, or for extra service extending beyond the period of one fortnight, the nature and amount of the extra labour to be performed, and the amount of the consideration to be given for the same, and the time and manner of paying such consideration, shall be distinctly expressed, and no such contract shall continue in force for more than one year from the day of the date thereof.

Clause 82.

Apprentices may receive wages for task-work or extra services before special justices.

And be it further enacted, that on proof being made, to the satisfaction of such special justice, of the performance of any such task-work or extra service, and the non-payment of the consideration stipulated for in any such contract as aforesaid, whether for task-work or for extra services, it shall be competent to such justice, and he is hereby authorized to give judgment against the employer or employers of such prædial apprenticed labourer, for the amount of such consideration, if a money consideration, or the value in money, if any other than a money consideration; and if the same shall not be paid within one week next after such judgment, to issue execution for the recovery of the same, as in the case of servants' wages in the form annexed, marked (P.), and which execution shall be executed by the serjeant of police of the district, or by a constable, by attaching the goods and chattels, or in default of those, the lands or houses of the defendant or defendants, and selling the same, and applying the proceeds thereof in the same manner as a constable, acting under the authority of a justice of the peace for the body of the Island, is authorized to sell and dispose of goods and chattels, or lands and houses, attached for servants' wages; and such serjeant shall be entitled to the same fees, to be paid out of the proceeds of the property attached, as such constable is entitled.

Clause 83.

Apprentices competent witnesses to recover their wages, in the absence of other proof, or refusal of defendant to be examined.

Provided always nevertheless, and be it further enacted, that for the want of sufficient other evidence on the part and behalf of any complainant or complainants, for the non-payment of any wages due for extra service or task-work, to substantiate his, her or their contract, or for the performance thereof, it shall and may be lawful for such special justice to examine the defendant or defendants on oath; and in case the defendant or defendants shall not attend the hearing of such complaint, after being duly summoned for such purpose, or in case he or she shall refuse to be examined, then such justice is hereby authorized to examine the complainant or complainants on oath, which shall be considered as good and legal evidence in support of any such complaint.

Clause 84.

Liabilities of apprentices for violating contracts entered into for performance of task-work or extra services.

And be it further enacted, that if any apprenticed labourer shall violate the terms of such contract as aforesaid for task-work, or for extra service, he or she shall be liable to the same pains and penalties as are before provided in respect of the violation by such labourer of the duties by him or her to be performed in the discharge of the services owing by him or her by law to his or her employer: provided nevertheless, that no apprenticed labourer shall be liable to such pains and penalties for the non-performance of any task-work or services performed during his or her extra hours in the service of any stranger or strangers, or person or persons not entitled by law to his or her services, which may prejudice the person or persons entitled by law to his or her services.

Clause 85.

Female married apprentices, and apprentices of 12 years and upwards, competent to contract for task-work, &c.

And be it further enacted, that every married female apprenticed labourer, notwithstanding her coverture, and every child of 12 years and upwards, notwithstanding his or her infancy, shall be competent to enter into such contracts as aforesaid, for task-work or for extra services.

Clause 86.

Penalties on employers for beating or punishing apprenticed labourers.

And be it further enacted, that if any employer of any apprenticed labourer shall whip, beat or imprison, or shall otherwise subject to any other bodily punishment any apprenticed labourer, such employer shall incur a penalty, to be imposed by such special justice as aforesaid, not exceeding 5*l.*; and in default of payment thereof, or sufficient effects to satisfy the same within 14 days, such justice may sentence such offender to imprisonment for any time not exceeding one month in the common gaol of this Island, unless the fine be sooner paid.

Clause 87.

Apprentices may appeal to special justices against their employers, or proceed against them under the general law.

Provided nevertheless, and be it further enacted, that in any such case as last aforesaid it shall be competent to any apprenticed labourer, instead of preferring his complaint to such special justice, to maintain any civil suit or action as in the case of any other free person for damages for any such battery, imprisonment or corporal punishment as aforesaid; and it shall also be competent to any such special justice, if he shall see occasion, to abstain from imposing such penalty as aforesaid, and to bind over, or to commit for the want of bail, the offender, to take his or her trial at the court of grand sessions, in such manner as any other justice of the peace is authorized in the case of any other free person.

And be it enacted, that if any person or persons, entitled under the second clause of this Act to the services of any apprenticed labourer, shall be convicted before any court of competent jurisdiction of any cruelty towards his or her apprenticed labourer, or if any such person shall be twice convicted of inflicting any corporal punishment upon the person of such labourer, then such labourer shall be discharged from his or her apprenticeship by order of the court before which such conviction shall be had.

Clause 88.
Apprentices to be discharged from apprenticeship, if improperly treated by their employers.

And be it further enacted, that every apprenticed labourer shall be allowed to resort to the special justice of the district to which he or she belongs, for the purpose of laying before him any complaint against his or her employer, or person having the superintendence of his or her labour: provided that no such apprenticed labourer shall be at liberty to resort to any special justice on any day to which his or her employer shall be entitled to his or her services, without a pass from his or her employer, or the person in the immediate superintendence of his or her labour, unless such apprenticed labourer shall first have applied for such pass, and been refused; and any such apprenticed labourer resorting to such special justice without a pass, unless the same hath been refused, shall be considered as absent from his or her employer's service without leave, and liable to be punished accordingly.

Clause 89.
Apprentices to be at liberty to resort to a special justice to complain; but not to go without a pass, unless it be refused.

And be it further enacted, that all complaints which shall be brought either by any employer or by any apprenticed labourer for the recovery of any fine or penalty, or in respect of any of the offences hereinbefore mentioned, shall be brought and made before the special justice of the peace having jurisdiction thereof, and entered in the book of such special justice within one month next after the cause of such complaint.

Clause 90.
Limitation for bringing complaints.

Provided also, that if any apprenticed labourer shall be hindered by any forcible means to be used by any such employer, or by his or her agency, from making any such complaint within the time aforesaid, that in every such case such complaint may be made within 14 days after the ceasing of such forcible means; and it shall not be competent for any such special justice of the peace to entertain any complaint as aforesaid which shall not be commenced and made within the time hereinbefore limited: provided nevertheless, that such limitation shall not extend to any case of felony.

Clause 91.
Provision for extending the time of bringing complaints.

And be it further enacted, that all complaints which shall be brought for the recovery of wages, or the recovery of money, or other consideration for the performance of any task-work or extra service, shall be commenced within 12 months next after the same shall become due: provided nevertheless, that nothing herein contained shall extend, or be construed to extend, to any promissory note or other acknowledgment in writing, whereby the amount due in respect of any such wages or contract shall be ascertained and expressed.

Clause 92.
Limitation for recovery of wages.

And whereas, it is expedient to make special provision for the punishment of certain offences which may be committed by apprenticed labourers against the state; be it therefore enacted, that if any three or more apprenticed labourers shall unite together in any riot or tumultuous assemblage, any justice of the peace, acting either under the general commission or by any special commission of the peace, who shall be present at the same, shall cause a flag or some other conspicuous signal to be exhibited, as a warning to all persons to separate and disperse quietly; and all apprenticed labourers who at the expiration of 10 minutes from the exhibition of such flag or signal shall continue present at any such riotous assemblage, shall be bound over to the court of grand sessions, and for want of bail committed to the common gaol to take his or her trial, and on conviction shall be liable to imprisonment, with hard labour, for any time not exceeding 12 months.

Clause 93.
Proceedings to be observed towards apprentices, and their responsibilities, in cases of riot.

And be it further enacted, that the police of the district, or of any adjoining district, shall, on requisition for that purpose, repair to the spot where such riotous or tumultuous assemblage shall take place, and (act) as they shall be directed by any justice of the peace as aforesaid.

Clause 94.
How to act in cases of riot.

And be it further enacted, that every apprenticed labourer found beyond the limits of his or her district, except on Saturday, or with a written pass from his or her employer, or on Sunday, Christmas-day or Good Friday, in his or her way to and from some place of public worship, shall be liable to be apprehended and detained, and shall on conviction be adjudged a vagabond, and punished accordingly: provided always, that nothing herein contained shall be construed to prevent the apprehension of any apprenticed labourer running away, or for any other offence (for) which he or she may be liable to be apprehended on either of the aforesaid excepted days.

Clause 95.
Apprentices found beyond the limits of their district, except in certain cases, to be adjudged vagabonds. Proviso.

And be it further enacted, that if it shall be made to appear to the satisfaction of any special justice of the peace that any apprenticed labourers have, without lawful authority, established themselves in any part of the Island as a distinct community, habitually abandoning and neglecting to perform the duties imposed on them by law, such justice of the peace shall cause any such community to be dislodged by the police of the district, and if necessary, shall also cause their habitations to be taken down and removed; and all officers and privates of the colonial militia, if required, shall be aiding in carrying into effect any directions of any such special justice of the peace for dislodging any such community as aforesaid.

Clause 96.
Apprentices establishing themselves in any part of the Island as a separate community, to be dislodged by the police of the district.

The militia to be aiding therein, if requisite.

And be it further enacted, that any apprenticed labourer who shall be convicted before such special justice of the peace of having been a member of any such community as aforesaid, shall be adjudged to imprisonment, with hard labour, for any term not exceeding 12 months; and if a male, to whipping, not exceeding 39 stripes.

Clause 97.
Punishment of apprentices members of any such community.

Clause 98.
Apprentices not to quit the Island without the Governor's passport and the employer's sanction.

Penalty on the secretary of the Island for issuing a passport without the employer's consent.

And be it further enacted, that no apprenticed labourer shall quit the Island without a ticket from the secretary's office of this Island, which ticket shall not be issued by the secretary, except with the written consent of the employer of such apprenticed labourer; and the secretary of the Island shall be liable to a penalty of 50*l.* for every ticket he shall issue to any apprenticed labourer without such consent, to be recovered as servants' wages, on complaint to any justice of the peace, to the use of the employer of such apprenticed labourer; and every apprenticed labourer quitting or attempting to quit the Island without such ticket, and his or her aiders and abettors, being apprenticed labourers, shall be liable, on conviction before the special justice of the district to which the apprenticed labourer who shall quit or attempt to quit the Island, shall belong, to imprisonment, with hard labour, for any term not exceeding six months; and if males, to whipping, not exceeding 39 stripes.

Clause 99.
Apprentices being fishermen or mariners, to be registered with the special justice.

And be it further enacted, that all persons whose ordinary occupation is on the sea, as fishermen or mariners, shall be registered as such at the office of the special justice of the district, and any apprenticed labourer engaging in such occupation without being first so registered, except with the consent of his employer, shall be liable to imprisonment, with hard labour, for any time not less than six weeks, and not exceeding three months.

Clause 100.
Penalty on persons removing apprentices without a passport.

And be it further enacted, that every person, not being an apprenticed labourer, who shall remove or assist in removing any apprenticed labourer from this Island in any boat or vessel without such ticket, shall, for every apprenticed labourer which such person shall remove or assist in removing, forfeit the sum of 50*l.* sterling money of Great Britain, to the use of the employer of such apprenticed labourer, to be recovered as servants' wages before any justice of the peace.

Clause 101.
Penalty on persons harbouring apprentices.

And be it further enacted, that if any person shall harbour, conceal or clandestinely or fraudulently employ any apprenticed labourer who may be absent from the service of his or her employer without leave, every such person so offending shall for every such offence, upon conviction thereof before any justice of the peace, in case the party complained against be not an apprenticed labourer, but if an apprenticed labourer, then before the special justice of the district, on the complaint of the employer or employers of such apprenticed labourers, be adjudged to pay, and shall pay to the person or persons entitled to the services of such apprenticed labourer, the sum of 10*l.* current money of this Island for each and every apprenticed labourer so harboured, concealed, or clandestinely or fraudulently employed; and the further sum of 10*s.* like current money per day for each and every such apprenticed labourer, for each and every day or part of a day such offender or offenders shall be proved to have so harboured, concealed, or clandestinely or fraudulently employed every such apprenticed labourer; and upon the hearing of any such complaint, it shall and may be lawful for such justice of the peace, and he is hereby authorized and empowered, if he shall see just cause, to examine the party complained against upon his or her oath touching the matter of such complaint; and in case the party accused, being legally summoned, and return thereof made on oath by the constable who shall have executed such summons, shall, without some reasonable cause, to be allowed of by such justice, fail to attend the hearing of such complaint, or attending shall refuse to be examined, the complaint shall be taken, *pro confesso*, if the complainant be not provided with other proof; and the justice shall give judgment thereon for the said sum of 10*l.* against such offender; provided nevertheless, that in any case where such complaint shall not be proved, except by evidence of the accused, such accused party shall only be liable to pay at the rate of 10*s.* per day as aforesaid for every day, or any part of a day, he or she shall have so harboured, concealed, clandestinely or fraudulently employed every such apprenticed labourer; and such justice is hereby required, if necessary, to issue either a search warrant for the apprehension of such apprenticed labourer, or a summons to the party accused requiring him or her to produce such apprenticed labourer at the time of hearing such complaint, in order that he or she may be delivered over to his or her employer; and on failure, unless it shall appear, on the oath of the party accused, that he or she cannot procure the attendance of such apprenticed labourer, such justice of the peace shall and he is hereby required to issue a warrant for the apprehension of every such apprenticed labourer, and for searching the premises of the person or persons convicted under this clause, or any other premises where there shall be reasonable grounds to believe that such apprenticed labourer is harboured or secreted; and such justice of the peace is hereby fully authorized to examine such persons on oath, or any other person or persons who may be able to discover where such apprenticed labourer is to be found; and on the apprehension of any such apprenticed labourer such constable is hereby required to deliver him or her over to a police officer of the district to which such apprenticed labourer belongs, to be dealt with according to law; and if the offender be an apprenticed labourer, and be unable to pay the penalties hereby imposed, such apprenticed labourer, if a male, to be liable to whipping, not exceeding 39 stripes, and if a female, to solitary confinement for any time not exceeding one month; and if the offender be a non-prædial female apprenticed labourer, to solitary confinement for so many days as she shall have been proved to have harboured, concealed, or clandestinely or fraudulently employed, every such apprenticed labourer, unless any such apprenticed labourer shall be able to make any other satisfaction to the injured party which such injured party shall be willing to receive: provided always, that nothing herein contained shall extend to the employing of any prædial apprenticed labourer on a Saturday, or on any other day to which such prædial apprenticed labourer shall be entitled to his or her earnings, unless the party employing shall have express and actual notice from the employer of any apprenticed labourer, or his representative, that such prædial apprenticed

Search warrant may be issued for the apprehension of absent apprentices.

apprenticed labourer hath been adjudged to work on any such Saturday, or any other day as aforesaid, for the benefit of his or her employer or employers.

And whereas the duties which apprenticed labourers owe to their employers render it necessary that they should be exempted from the performance of civil or military services, and be disqualified from holding civil or military offices, and from the enjoyment of political franchise, and that they should be exempted from being arrested or imprisoned for debt; be it therefore enacted, that no apprenticed labourer, during his apprenticeship, shall serve in the militia, or be compelled or competent to hold any office in His Majesty's service: provided nevertheless, that any apprenticed labourer may hold the office of beadle, parish clerk or the like within his district, or of petty constable on any plantation or place to which he is attached, so that the duties of such office do not interfere with those due to his employer: provided nevertheless, that nothing herein contained shall extend to absolve any apprenticed labourers from serving in any civil or military capacity to which they might be called by the Governor or Commander-in-chief of this Island, by and with the advice of his Council, in case of foreign invasion, rebellion or any other great public emergency.

Clause 102.
Apprentices not to serve in the militia or hold office under His Majesty, but eligible for certain minor situations.

And be it further enacted, that no apprenticed labourer during his or her apprenticeship shall be arrested or imprisoned in any action of debt, assumpsit, covenant, detinue, account, case, trover, trespass, ejection or other civil action whatsoever, nor shall any apprenticed labourer during his or her apprenticeship be liable to be arrested or taken in execution by virtue of any writ of execution obtained in any such action or actions, nor shall any apprenticed labourer be liable to be taken in execution for any debt or demands against his or her employer.

Clause 103.
Apprentices not to be arrested for debt, &c.

And whereas the exemption of such apprenticed labourers from arrest in such actions as aforesaid is for the benefit of their employers, but it is nevertheless expedient that in certain cases such apprenticed labourers should be subject to some summary punishment in lieu of such arrest; be it therefore enacted, that if any apprenticed labourer shall commit any trespass, or shall be guilty of uttering any slander, or of publishing any libel, he or she shall, on conviction thereof by the special justice of the district to which he or she shall belong, or by any competent court in this Island, be subject to imprisonment with hard labour for any time not exceeding three months, or solitary confinement not exceeding one month, and if the offender be a male, whipping, not exceeding 39 stripes, may, at the discretion of such justice, be substituted for imprisonment.

Clause 104.
Punishment of apprentices for trespass or slander.

And be it further enacted, that it shall not be lawful for any apprenticed labourer, without the consent of his or her employer, to have in his possession any fire-arms, ammunition or warlike weapons, and that it shall and may be lawful for any police officer or constable, at the request of any employer, to search the house or lodging of any apprenticed labourer within his district, for any fire-arms, ammunition, warlike weapons, stolen goods, deserters, vagabonds or runaways, which may be suspected to be concealed in such house or lodging; and it shall and may also be lawful for any special constable, to be appointed as herein-after mentioned for and in respect of any plantation, by the direction of the proprietor of such plantation, or any person acting in his or her behalf, to search any such house or lodging of any such labourer on such plantation in which there shall be reason to believe that any fire-arms, warlike weapons, ammunition, stolen goods, deserters, vagabonds or runaways, shall be concealed or harboured, and to take possession of all such fire-arms, ammunition, warlike weapons, stolen goods, deserters, vagabonds and runaways, as shall be found in such house or lodgings, and to carry the same before the special justice of the district, to be dealt with according to law.

Clause 105.
Apprentices not to keep fire-arms, ammunition or warlike instruments in their possessions.

And be it further enacted, that such special justice shall cause all such fire-arms, ammunition and warlike weapons, found in the possession of any apprenticed labourer, to be sold, unless the same shall be claimed by some person from whom the same shall have been stolen, and the proceeds thereof paid into the public treasury of the Island.

Clause 106.
Fire-arms, ammunition, &c. found in possession of apprentices, to be sold by order of the special justice.

And be it further enacted, that the Governor or Commander-in-chief of this Island for the time being shall and may, by and with the advice of his Council, whenever it shall seem necessary, issue his order to the commanding officer of any regiment, battalion or corps of militia of this Island, directing and requiring him, at the time to be mentioned in such order, to have the houses of all the apprenticed labourers within the parish of such regiment, battalion or corps of militia, or any of them, searched diligently and effectually by the men comprising such regiment, battalion or corps, or by a sufficient number thereof necessary for such service, in order to discover and ascertain whether any such deserters, vagabonds or runaways, as aforesaid, or any fire-arms, ammunition or warlike weapons or stolen articles, are concealed in such houses, and to seize all such deserters, vagabonds and runaways, and commit them to the custody of some police officer of the district to which they belong, to be dealt with according to law, and to deliver over all such fire-arms, ammunition or warlike weapons, to the treasurer of the Island, unless claimed by the owners thereof to be sold, and the money arising therefrom paid into the public treasury; and such commanding officer shall make his report forthwith to the Governor or Commander-in-chief of the Island for the time being, who is hereby authorized and empowered to act on such report, by and with the advice of his Council, as may seem best for the safety of the Island; and every commanding officer of any regiment, battalion or corps, refusing or neglecting to perform or discharge the duty so required of him by the Governor or Commander-in-chief, shall forfeit and pay the sum of

Clause 107.
The Governor may order the militia to search for deserters, warlike weapons or stolen goods.

50*l.* current money of this Island, to be recovered before any two justices of the peace, and levied and raised as in the case of servants' wages.

Clause 108.
Special justices to exercise exclusive jurisdiction in all matters arising out of the relationship between employers and apprentices.

And whereas by an Act or Statute of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the fourth year of the reign of His Majesty King William the Fourth, it is, amongst other things, enacted, that it shall and may be lawful for His Majesty to issue or to authorize the Governor of any colony, in the name and in the behalf of His Majesty, to issue, under the public seal of any such colony, one or more special commission or commissions, to any one or more persons, constituting him or them a justice or justices of the peace for the whole of any such colony, or for any parish, precinct, quarter or other district within the same, for the special purpose of giving effect to the said Act or Statute, and to any laws made for carrying the same into effect; and it is also enacted in and by the said Act or Statute, that His Majesty shall be authorized to grant to any person or persons, not exceeding 100 in the whole, holding such special commission or commissions as aforesaid, and so from time to time, as vacancies may occur, salaries at and after a rate not exceeding in any case the sum of 300*l.* sterling per annum; be it therefore enacted, that the several justices of the peace holding such special commissions who shall be appointed by His Majesty, or by the Governor or Commander-in-chief of this Island, by the authority of His Majesty, shall have exercise and enjoy a sole and exclusive jurisdiction, and shall solely and exclusively take cognizance of all offences committed, or alleged to have been committed, by any apprenticed labourer, or by his or her employer, in such their relation to each other, and of the breach, violation or neglect of any of the obligations owed by them to each other, or of any question, matter or thing incident to or arising out of the relations subsisting between such apprenticed labourers and the persons respectively entitled to their services within the district for which any such special justice of the peace shall be appointed: provided nevertheless, that in case it shall happen that by death, absence or other cause, that any such district within this Island shall be without a special justice of the peace, or that the justice of the peace for any such district shall be prevented by continued illness from attending to his duties, then each of the nearest special justices of the peace to such district shall, and he and they are required severally to take cognizance of all such complaints and offences as shall be committed in the district, without any such special justice of the peace, or where the special justice of the peace, from illness, shall be unable to perform his duties; and each of such special justices shall have, and he is hereby declared to have the same powers and authorities which belonged to the justice of the peace appointed for such district: provided nevertheless, that nothing herein contained shall extend or be construed to extend, to abrogate or take away the powers by law vested in the court of grand sessions, or in the several courts of common pleas in this Island, or the right of appeal to the Governor and Council from any decision of any special justice of the peace by any person or persons who may feel themselves aggrieved thereby.

Apprentices subject to the general law, with right of appeal.

Clause 109.
Special justices not to receive fees.

Provided nevertheless, and be it further enacted, that no special justice of the peace shall be entitled to have, receive or demand any fee or reward whatsoever for any act, matter or thing to be done by him touching or concerning the several matters aforesaid, other than except the salary granted by His Majesty.

Clause 110.
Limitation of acting against justices.

And be it further enacted, by the authority aforesaid, that no action or suit shall be commenced against any justice of the peace, or any other person, for anything by him done by virtue or in pursuance of this Act, until 14 days' notice thereof in writing shall have been given to such special justice or other person, nor after a sufficient satisfaction or tender thereof hath been made to the party or parties aggrieved; not after six calendar months next after the fact committed; and the defendant or defendants in such action or suit shall and may plead the general issue, and give this Act and the special matter in evidence at any trial to be held thereupon, and that the same was done in pursuance and by the authority of this Act, and if the same appear so to be done, or if such action or suit shall be brought after the time hereinbefore limited for bringing, or shall be brought without 14 days' notice thereof, or after a sufficient satisfaction made or tendered as aforesaid, then the jury shall find for the defendant or defendants; and if the plaintiff or plaintiffs shall become nonsuited, or suffer a discontinuance of his, her or their action or suit, or if a verdict pass against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have such remedy for recovering the same as any other defendant or defendants have or hath by law for the recovery of costs of suit in any other cases.

Clause 111.
Apprenticed labourers may be appointed constables for the plantations to which they are attached.

And whereas it is expedient to provide for the preservation of the peace and good order on the several plantations and estates in this Island, be it therefore enacted, that on every plantation, estate or place in this Island, the special justice of the district in which every plantation, estate or place shall be situate, shall, with the consent of the proprietor or manager, appoint one or more of the steadiest and most trustworthy of such apprenticed labourers to act as a special constable or constables for one year on such plantation, estate or place, and every such special constable after his appointment shall, before entering upon his office, appear before the special justice of the district in which the plantation, estate or place to which he shall be attached is situate, and take the following oath:

" You shall well and truly serve our Sovereign Lord the King in the office of constable for the plantation, estate or place of _____ for the year ensuing, to the best of your skill and knowledge. So help you God."

And be it further enacted, that every such special constable shall be and he is hereby authorized to exercise all such powers within the bounds or limits of such plantation, estate or place, and the highways adjoining to or passing through the same, over all persons except his employer, or his or her representative, or the person having the superintendance of his or her apprenticed labourers, in as full and ample a manner to all intents and purposes as any petty constable is by the general law of the land authorized to exercise; and in all cases where the proprietor or manager of any such plantation, estate or place shall have cause of complaint against any apprenticed labourer attached to or employed on such plantation, estate or place, it shall and may be lawful for any such constable, and he is hereby authorized and required, at the request or by the direction of any such proprietor or manager to take such apprenticed labourer before the special justice of the district in which such plantation, estate or place is situated, in order that such complaint may be inquired into, heard and determined, notwithstanding no warrant of arrest or summons may have been issued by such special justice of the peace for the apprehension or appearance of such apprenticed labourer; and in case any apprenticed labourer shall be apprehended for desertion or shall have committed any offence which would subject such apprenticed labourer to confinement with hard labour for any time not exceeding a week, and such apprehension or the commission of any such offence as last aforesaid shall be at an unseasonable hour, or in case there shall not be time on that day to bring such apprenticed labourer before the special justice of the district at a seasonable hour, it shall be lawful for every such constable, under the direction of such proprietor or manager, to commit such apprenticed labourer to safe custody for the present, and on the following day to carry such offender before the special justice of the district; and any such constable may apprehend any person or persons found loitering on any such plantation, estate or place without the licence or permission of the proprietor or manager of such plantation, estate or place, and by the direction of any such proprietor or manager may carry such person or persons before any justice of the peace within the district, to be dealt with according to law; and should such person or persons be apprehended at an unseasonable hour, may, under such direction as aforesaid, commit such person or persons to safe custody for the present until the following day, then to be taken before a justice of the peace as aforesaid; and if any person or persons shall be found trespassing on any plantation, estate or place, or the bye-roads passing through the same and belonging thereto, without the licence or permission of the proprietor or manager of such plantation, estate or place, after having been warned, or shall refuse to quit such plantation, estate or place when requested so to do by such proprietor or manager or by special constable, every such person shall incur a fine of not less than 5s. or more than 50s., to be recovered before any justice of the peace residing in the district where such plantation, estate or place is situate, and in default of payment thereof may be sentenced to imprisonment, with or without hard labour, for any time not less than one week nor more than four weeks; and to prevent all disputes as to what roads shall be considered bye-roads belonging to such plantations, estates or places, it is hereby declared that all roads passing through such plantations, estates and places, and not a jury road, or not repaired at the public charge, shall be deemed and considered as belonging to the plantations, estates or places through which they pass, and any such constable refusing or neglecting to obey the direction or order of such proprietor or manager, on conviction thereof before the said special justice, shall be liable to be punished as for contumacious disobedience of the lawful commands of his employer.

Clause 112.
Plantation constables to exercise the powers of petty constables within the limits of their plantations.

And be it further enacted, that a certain Act or Statute of the United Kingdom of Great Britain and Ireland, passed in the 52d year of the reign of His late Majesty King George the Third, intituled, "An Act to repeal certain Acts and amend other Acts relating to Religious Worship and Assemblies, and Persons Teaching and Preaching therein," shall and is hereby declared to be in full force and effect in this Island, to all intents and purposes whatsoever: provided nevertheless, and it is hereby also enacted and declared, that any two or more justices of the peace holding any such special commission as aforesaid, shall have, exercise and enjoy all and every the jurisdiction, powers and authorities in this Island, which by force and virtue of the said Act are within the realm of England had, exercised and enjoyed by the several justices of the peace, and by the general and quarter sessions therein mentioned.

Clause 113.
The 52 Geo. 3, to be in force in this Island.

And whereas, for the purpose of carrying the several enactments and provisions in this Act contained into complete force and effect, it will be necessary for the legislature of this Island to pass one or more Act or Acts for the erection of houses of correction in the aforesaid respective districts, and for the establishment of a police in each district: And whereas the difficulty of raising funds for the erection of such houses of correction may render it impossible to have them erected by the time this Act shall come into operation, and it is therefore necessary to make provision for the happening of such an event; be it therefore enacted, that in case such houses of correction shall not be completed and ready for the reception of prisoners on the 1st day of August 1834, it shall and may be lawful for the special justices of the peace aforesaid to inspect the domestic prisons on the respective plantations or estates within their respective districts, and if the same shall appear to be wholesome and proper places for the confinement of offenders against this Act, such special justices are hereby authorized and required, when it shall be necessary to adjudge any apprenticed labourer to confinement, to direct that he or she shall be confined in the prison or place of confinement belonging to the plantation or estate to which such apprenticed labourer shall be attached: provided always, that during the time any such apprenticed labourer

Clause 114.
Until houses of correction are established, apprentices, by the order of a special justice, may be confined in the domestic prisons on plantations.

labourer shall be confined in such prison or place of confinement, his or her employer shall provide proper and sufficient food for, and cause the same, in a dressed state, to be furnished to every such apprenticed labourer.

Clause 115.
Mode of raising penalties.

And be it further enacted, that all fines, forfeitures or penalties awarded by any such special justice of the peace, or by any other justice of the peace, under any of the enactments or provisions of this Act, shall be levied and raised as in the case of servants' wages; and every such justice of the peace shall issue an execution or executions, under his hand and seal, directed to any constable or police-officer, for levying or raising of any such fine or fines, forfeiture or forfeitures, or penalties accordingly; and the constable and police levying any execution or executions under the authority of this Act, shall be entitled to demand and receive the like fees as the provost-marshal of the courts of common pleas within this Island is entitled to demand and receive on levying executions to him directed from the said courts.

Clause 116.
Application of penalties.

And be it further enacted, that all fines, forfeitures and penalties which may be imposed on any offender or offenders by virtue of the several enactments and provisions of this Act, where the manner of applying the same is not otherwise particularly directed, shall, when levied and raised, be paid into the treasury of this Island, to and for the public use; and the treasurer of this island for the time being shall account with the committee of public accounts for all monies received by him by virtue of this Act in the same manner as he is required to do for any other of the public monies in his hands, and the said treasurer shall be allowed a commission of 10s. for every 100*l.* which he shall so receive.

Clause 117.
Term Employer.

And be it further enacted, that the term employer shall be taken to mean either the person in whose immediate service any apprenticed labourer is or shall be employed, or the person or persons entitled to the service or services of such apprenticed labourer, whether acting by attorney, agent or manager, as may best give effect to the several enactments in this Act contained.

Clause 118.
Who to be considered Governor.

And be it further enacted, that within the meaning and for the purposes of this Act, every person who for the time being shall be in the lawful administration of the government of this Island shall be taken to be the Governor thereof.

Clause 119.
Manner of trying offences committed by apprentices when slaves.

And be it further enacted, that all slaves who shall have committed any crimes, misdemeanors or offences, and shall not have been tried for the same previously to the 1st day of August 1834, shall be subject and liable to be tried for such crimes, misdemeanors or offences in the same manner, and be subject to the same pains and penalties as if they had been persons of free condition at the time such crimes, misdemeanors and offences were committed: provided nevertheless that in all cases where such offenders in their state of slavery would have been subject to have been tried and punished for the commission of such crimes, misdemeanors or offences, before one or more justice or justices of the peace, it shall and may be lawful to try such offenders, being apprenticed labourers, under this Act; and the special justice of the peace of the district may adjudge all such offenders, on conviction, to any of the punishments hereinbefore prescribed for the commission of any offence of the like nature, save and except that it shall not be lawful to sentence any such person to any prolongation of his or her apprenticeship for any offence by him or her committed previously to the 1st of August 1834.

Clause 120.
Act reserved for His Majesty's pleasure.

Provided always, and be it further enacted, that this Act, or anything herein contained, shall not be in force until His Majesty's pleasure on the same shall be known.

The SCHEDULE to which the foregoing ACT refers.

(A.)—FORM of Consent by two Special Justices to the removal of a Prædial Apprenticed Labourer attached.

“ BARBADOES.—Whereas application hath been made to us by *A. B.*, of the parish of _____, in the Island aforesaid, esquire, for our consent to the removal of *C. D.*, his prædial attached apprenticed labourer, from the estate of the said *A. B.*, called _____ and Island abovesaid, to his estate called _____ situated in the parish of _____ and Island abovesaid; and we, having taken the said application into our consideration, and inquired into all the necessary circumstances, do hereby consent to the removal of the said *C. D.* accordingly. Given under our hands and seals this _____ day of _____ in the year _____.

(L.S.) “ *E. F.*, S. J. P. for the district of _____
(L.S.) “ *G. H.*, S. J. P. for the district of _____.”

(B.)—FORM of a Declaration to be delivered by a Proprietor, or his Manager, intending to maintain Apprenticed Labourers by Appropriation of Land.

“ I, *A. B.*, of the parish of _____ in the Island of Barbadoes, planter, do hereby declare, that for the present year I intend to maintain my prædial apprenticed labourers, named *C. D.* and *E. F.*, each being upwards of 16 years of age, by the appropriation of ground to be cultivated by them for their support. Witness my hand this _____ day of _____ in the year _____

(signed) “ *A. B.*”

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(C.)—FORM of Declaration to be delivered by a Master, Mistress or Employer intending to give a Day in a Fortnight in lieu of Fish and Clothing.

"I, *A. B.*, of the parish of _____ in the Island of Barbadoes, do hereby declare that I intend to allow my apprenticed labourer named *C. D.*, of the age of 12 years and upwards, one day in every fortnight, exclusive of Saturday, during this present year, to provide himself with fish and clothing. Witness my hand this _____ day of _____ in the year _____"

(signed) "*A. B.*"

BARBADOES.

Appendix (B.)

Colonial Laws.

No. 8.

(D.)—FORM of Indenture of Apprenticeship.

"THIS indenture, made the _____ day of _____ in the year of our Lord _____ between *A. B.*, esq., special justice of the peace for the district of _____ in the Island of Barbadoes, of the one part, and *C. D.*, of the parish of _____ in the Island aforesaid, of the other part: Witnesseth that the said *A. B.*, as such special justice of the peace as aforesaid, hath put, placed and bound, and by these presents doth put, place and bind *E. F.*, of the age of _____ years, an infant unprovided with an adequate maintenance, to be a prædial apprenticed labourer (*or non-prædial, as may be*), to the said *C. D.* until the said *E. F.* shall come to the age of 21 years, according to the Act or Statute of the said Island of Barbadoes, in such case made and provided. And the said *C. D.* for himself, his heirs, executors and administrators, doth hereby covenant, promise and agree to and with the said *A. B.* and his successors in the office of special justices of the peace for the said district, that he, the said *C. D.*, his heirs, executors and administrators, shall and will allow reasonable time and opportunity to the said *E. F.* for his religious education and instruction. In witness whereof the parties hereto have hereunto set their hands and seals, the day and year first within written.

"Signed, sealed and delivered in the presence of _____"

(L.S.)

(L.S.)"

(E.)—WARRANT of Arrest.

"BARBADOES.—To *A. B.*, or any other police officer of the district of _____ Forasmuch as *C. D.*, of the parish of _____ in the Island abovesaid, planter, hath this day made information and complaint upon oath before me, *J. P.*, esquire, one of His Majesty's special justices assigned to keep the peace for the district of _____ in the Island aforesaid, that on the _____ day of _____ last past divers goods of him the said *C. D.*, to wit, [*specify them*], have feloniously been stolen, taken and carried away from the dwelling-house of him, the said *C. D.*, in the parish of _____ in the Island aforesaid, and that he hath just cause to suspect and doth suspect that *E. F.*, his apprenticed labourer, feloniously did steal, take and carry away the same; these are therefore to command you forthwith to apprehend him the said *E. F.*, and bring him before me to answer unto the said information and complaint, and to be further dealt with according to law. Herein fail you not. Given under my hand and seal this _____ day of _____ in the year _____"

(L.S.) (signed) "*J. P.*, S. J. P."

(F.)—SUMMONSES.

"BARBADOES.—To *A. B.*, police officer of the district of _____ Whereas information and complaint hath been made before me *J. P.*, esquire, one of His Majesty's special justices of the peace assigned to keep the peace for the district of _____ in the Island aforesaid, that *C. D.*, of _____ apprenticed labourer, on or about _____ day of _____ and from that time until the _____ day of _____ now last past did absent himself without lawful cause from the service of *E. F.*, his employer, (*or whatever the cause of complaint may be*). These are therefore to require you forthwith to summon the said *C. D.* to appear before me at _____ at the hour of _____ in the _____ of the same day, to answer to the said information and complaint, and to be further dealt with according to law; and be you then and there to certify what you shall have done in the premises. Hereof fail not. Given under my hand and seal the _____ day of _____ in the year _____"

(L.S.) "*J. P.*, S. J. P."

(G.)—SUMMONS to a Witness.

"BARBADOES.—To *A. B.*, the witness. These are to require you to give your personal attendance at the hour of _____ in the forenoon, or of _____ in the afternoon, of the _____ day of _____ 18 _____ at _____ in the parish of _____ then and there to be examined before me, as a witness touching a certain complaint depending before me on the behalf of *C. D.*, esquire, against *E. F.*, apprenticed labourer, on the part of the plaintiff. Hereof fail not. Given under my hand the _____ day of _____ 18 _____"

"*J. P.*, S. J. P. for the district of _____"

BARBADOES.

Appendix (B.)

Colonial Laws.

No. 8.

(H.)—FORM of Commitment to the House of Correction during or before Trial.

" BARBADOES.—*J. P.*, esquire, special justice of the peace for the district of To *A. B.*, police-officer of the said district, and to the keeper of the house of correction for the same. These are to command you, the said *A. B.*, in His Majesty's name forthwith to convey and deliver to the custody of the said keeper of the house of correction the body of *C. D.*, apprenticed labourer, being charged before me with [*here set forth the offence*], and there being reason to apprehend his escape. And you, the said keeper, are hereby required to receive the said *C. D.* into your custody, and him there safely to keep until he shall be demanded by a police-officer of the said district, to be brought before me to answer to the said charge. Hereof fail not. Given under my hand the day of 18

" *J. P.*, S. J. P."

(I.)—FORM of Bail.

" BARBADOES.—Be it remembered that on the day of in the year 18 *A. B.* of planter, *C. D.* of planter, and *E. F.*, a merchant, came before me, *J. P.*, esquire, His Majesty's special justice of the peace for the district of in the Island abovesaid, and acknowledged themselves to owe to our sovereign Lord the King, that is to say, the said *A. B.* 40*l.*, and the said *C. D.* and *E. F.* 20*l.* each, to be respectively levied on their lands and tenements, good and chattels, if the said *A. B.* shall make default in the performance of the condition indorsed.

" *J. P.*, S. J. P."

" The condition of this recognizance is such, that if the within-bound *A. B.* shall personally appear before me, the said *J. P.*, at on the day of then and there to answer concerning [*state the offence*] whereof the said *A. B.* stands charged before me, and do and receive what shall be then and there enjoined him, and shall not depart without licence, then the within written recognizance shall be void."

(K.)—FORM of Conviction of Apprenticed Labourer for performing work negligently.

" BARBADOES.—Be it remembered that on this day of in the year 18 *A. B.* of apprenticed labourer of *C. D.* is duly convicted before me, *J. P.*, esquire, special justice of the peace for the district of in the Island aforesaid, for performing his work indolently, this being the third offence; wherefore, I, the said *J. P.* the special justice as aforesaid, do adjudge the said *C. D.* to confinement in the house of correction for the said district with hard labour for the space of six days, and to receive 20 stripes on his bare back, pursuant to the Act or Statute in such case made and provided. In witness whereof I the said justice to this present record of conviction have set my hand and seal.

(L. s.) " *J. P.*, S. J. P."

(L.)—CONVICTION of Apprenticed Labourer for preferring a vexatious and malicious Complaint.

" BARBADOES.—Be it remembered that on this day of in the year *P. Q.*, prædial apprenticed labourer of *C. D.* of in the parish of is convicted before me, *J. P.*, esquire, special justice of the peace for the district of in the Island abovesaid, for preferring a vexatious and malicious complaint against the said *C. D.*, his employer; wherefore I the said *J. P.* do adjudge the said *P. Q.* to work in the service of the said *C. D.* for two extra days; that is to say, nine hours on Saturday the day of and nine hours on Saturday the day of now next ensuing. In witness whereof I the said justice to this present record of conviction have set my hand and seal.

" *J. P.*, S. J. P."

(M.)—COMMITMENT for Trial.

" BARBADOES.—*J. P.*, esquire, one of the special justices of our Lord the King assigned to keep the peace for the district of in the Island abovesaid, to the keeper of the common gaol at Bridge Town in the Island abovesaid, or to his deputy there. These are in His Majesty's name to charge and command you that you receive into your said gaol the body of *C. D.*, late of the district of prædial apprenticed labourer, brought before me for suspicion of felony, that is to say, for stealing of the goods and chattels

104th clauses of the said Act, intituled "An Act for the Abolition of Slavery, for the government of Apprenticed Labourers, and for ascertaining and enforcing the Reciprocal Duties between them and their employers," shall be and the same are hereby repealed: provided nevertheless, and be it also enacted, that the repeal of the said last-mentioned clauses shall not alter or in anywise affect the construction of any other clause or clauses in the said Act for the abolition of slavery which may refer to any of the clauses so repealed; but that such unrepealed clauses shall have and receive the same construction with reference to the clauses by this Act substituted for them, as if these substituted clauses had been originally enacted.

Proviso: The construction of any clauses in the Act having reference to the clauses so repealed, are not be affected thereby.

Clause 2.
Classification of apprenticed labourers.

And be it further enacted, that all apprenticed labourers shall be divided into three distinct classes, the first of such classes, consisting of prædial apprenticed labourers attached to the soil, and comprising all persons who, in their state of slavery, were usually employed in agriculture, or in the manufacture of colonial produce, or otherwise upon lands belonging to their owners; the second of such classes, consisting of prædial apprenticed labourers not attached to the soil, and comprising all persons who, in their state of slavery, were usually employed in agriculture, or in the manufacture of colonial produce or otherwise, upon lands not belonging to their owners; and the third of such classes, consisting of non-prædial apprenticed labourers, and comprising all apprenticed labourers, not included within either of the preceding clauses: provided always, that no person of the age of 12 years and upwards shall be included in either of the said two classes of prædial apprenticed labourers, unless such person shall for 12 calendar months at the least, next before the 28th day of August 1833, have been habitually employed in agriculture, or in the manufacture of colonial produce.

Proviso.

Clause 3.
Non-prædials may, with their own free will, in the presence of the special justice, be transferred to the prædial class.

And whereas it may happen that some persons who in conformity with the foregoing definitions, would be placed in the non-prædial class, might prefer to belong to the prædial class, be it therefore enacted, that it shall be at the option of any apprenticed labourer who shall be thus situated, to be considered as a prædial apprenticed labourer, provided he or she shall notify his or her wishes to that effect in the presence of the special justice of the district where such apprenticed labourer shall be domiciled, who shall make a record of such notification.

Clause 4.
The registrar, after confirmation of this Act, shall deliver to employers of apprenticed labourers their last schedules, and the same shall be returned to the registrar within two months afterwards, with the proper classes distinguished. Persons delivering their returns to take the oath here mentioned.
The oath.

And be it further enacted, that the registrar of slaves shall, immediately after His Majesty's confirmation of this Act shall be known in this Island, deliver to the employers of apprenticed labourers applying for the same, their last lists or schedules of slaves, and every employer of apprenticed labourers, by himself or herself, or by his or her constituted attorney in this Island, in the case of absentees, or in case any such employer be an invalid, or incompetent, then by some other person or persons, shall return back to the registrar such lists or schedules within two months from the same period, distinguishing, in reference to each apprenticed labourer therein mentioned, then being an apprenticed labourer, to which of the said three classes such apprenticed labourer belongs; and every such return shall be made on oath before the registrar, who is hereby authorized and required to administer the same as follows:

"I, A. B. do swear, that the distinctions made in the return now presented by me of the classes of apprenticed labourers to which such of the respective slaves therein named, who are now apprenticed labourers, belong, correspond with the occupations usually performed by such apprenticed labourers in their state of slavery for 12 months, previous to the 28th day of August [adding, if the fact be so], except the slave or slaves named A. B. and C. D., who prefer being placed in the prædial class. So help me God."

Clause 5.
No work to be performed on Saturdays or Sundays, nor any interruption from attending any place of worship.

And be it further enacted, that no prædial apprenticed labourer shall be compelled or compellable to labour on Saturdays or Sundays, except in the works of necessity, or in the protection of property, or in tending of cattle; nor shall any apprenticed labourer be liable to be hindered or prevented from attending anywhere on Sundays for religious worship at his or her free will or pleasure, but shall be at full liberty so to do without any let, denial or interruption whatsoever.

Clause 6.
Proviso here mentioned in clause 108, repealed.

And whereas the following proviso is inserted in the 108th clause of the said Act: "Provided nevertheless, that nothing herein contained shall extend to abrogate or take away the powers vested by law in the court of grand sessions, or in the several courts of common pleas in this Island, or the right of appeal to the Governor and Council from any decision of any special justice of the peace, by any person or persons who may feel themselves aggrieved thereby;" be it enacted, that the said proviso shall be and the same is hereby repealed: provided nevertheless, and be it further enacted, that nothing in the said 108th clause of the said Act contained, shall extend, or be construed to extend to abrogate or take away the powers by law vested in the supreme courts of record, or the superior courts of civil and criminal justice in this Island.

The powers vested in the several courts here mentioned not to be affected by such repeal.

Clause 7.
How apprenticed labourers shall be confined, and for what offence.

And be it further enacted, that no special constable appointed or to be appointed under the 111th clause of the said Act, shall be allowed to confine for safe custody any apprenticed labourer attached to any plantation or place, except in those cases in which other of His Majesty's subjects might be taken into custody by any ordinary constable, or to those cases in which it may be reasonably presumed that any apprenticed labourer having offended against the said Act, will attempt to escape, anything in the said Act to the contrary contained notwithstanding: provided always, nevertheless, that all buildings used as places of confinement, however temporary, shall be approved of for that purpose by the special

Places of confinement to be visited by the special justice of the district.

SLAVERY IN THE BRITISH COLONIES.

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special justice of the peace of the district, who is hereby required occasionally to visit the same.

And whereas it may happen that domestic servants, being apprenticed labourers, may be guilty of certain offences which would render them very unfit persons to be continued in domestic service; be it therefore enacted, that if any domestic servant, being an apprenticed labourer, shall be convicted before a special justice of the peace of habitual drunkenness, stealing, committing or attempting to commit any serious injury to the person or property of his or her master or mistress, or shall be convicted of any gross misdemeanor, it shall and may be lawful for such special justice, and he is hereby required, with the consent of such master or mistress, to order and adjudge every such domestic servant, being an apprenticed labourer, to be employed in such other occupation or labour as such justice shall in his discretion think proper: provided that nothing herein contained shall be construed to authorize any such special justice by any such order to prolong the apprenticeship of any such apprenticed labourer.

Clause 8.
Domestic servants may, for the offences here mentioned, with the consent of their employers, be adjudged by the special justice to other employment.

Proviso: Apprenticeship not to be prolonged thereby.

And whereas by the 11th section of the Act of the Imperial Parliament for the Abolition of Slavery, it is enacted, that during the continuance of any such apprenticeship as aforesaid, the person or persons for the time being entitled to the services of every such apprenticed labourer shall be and is and are thereby required to supply him or her with such food, clothing, lodging, medicine, medical attendance, and such other maintenance and allowances as by any law then in force in the colony to which such apprenticed labourer might belong, as an owner is required to supply to and for any slave being of the same age and sex as such apprenticed labourer shall be: and whereas it is, in and by the 16th clause of the said last-mentioned Act recited, that it would also be necessary, for the protection of such apprenticed labourers as aforesaid, that various regulations should be framed and established in the said respective colonies, for securing punctuality and method in the supply to them of such food, clothing, lodging, medicine, medical attendance, and such other maintenance and allowances as they were thereinbefore declared entitled to receive, and for regulating the amount and quality of all such articles in cases where the laws then existing in any such colony may not, in the case of slaves, have made any regulation, or any adequate regulation for that purpose; and it was also necessary that proper rules should be established for the prevention and punishment of any frauds which might be practised, or of any omission or neglects which might occur respecting the quantity or quality of the supplies so to be furnished, or respecting the periods for the delivery of the same: and whereas, by an Act of this Island, intituled, "An Act to repeal several Acts and Clauses of Acts respecting Slaves, and for consolidating and bringing into one Act the several Laws relating thereto, and for the better Order and Government of Slaves, and for giving them further Protection and Security, for altering the Mode of Trial of those charged with Capital and other Offences, and for other purposes;" being the only law in force respecting slaves at the time of the passing of the said Act of the Imperial Parliament; the amount and quality of the articles to be furnished slaves are not regulated: be it therefore enacted, that during the continuance of any such apprenticeship as aforesaid the person or persons for the time being entitled to the services of every such apprenticed labourer shall be and is and are hereby required to supply or cause to be supplied to him or her such food, clothing, lodging, medicine and medical attendance as hereinafter mentioned; that is to say, each and every such apprenticed labourer above the age of 16 years shall receive, in each week, not less than 30 pounds of plantains, potatoes, yams or eddoes, or 10 pounds of Guinea or Indian corn, and a pound of cod fish or herrings, shads or other pickled fish, or other salted provisions equal thereto; and every such apprenticed labourer, from the age of 12 to the age of 16 years, shall receive two thirds of the above allowances of food; and every such apprenticed labourer, from the age of six to the age of 12 years, shall receive one half of the first-mentioned allowances of food; and children under six years of age, being apprenticed labourers, shall be provided with proper and sufficient food for their support: provided nevertheless, that the person or persons entitled to the services of any such apprenticed labourer, or any person or persons acting in his or her behalf, who may be unable or unwilling to procure such provisions as are hereinbefore mentioned, may, with the authority in writing of the special justice of the peace of the district in which such apprenticed labourer or labourers is or are resident, substitute for the same, or any part or parts thereof, any other kind of provisions, or any money payment or allowance of time for such apprenticed labourer or labourers to work for his, her or their own benefit and advantage, as shall in the judgment of such special justice be equivalent to the allowances hereinbefore prescribed; and all provisions so to be delivered and supplied to the apprenticed labourers shall be sound and fit for consumption, and of good average merchantable quality; and the same shall be delivered and supplied to such apprenticed labourer once (or oftener) in each week, on any other day than Saturday or Sunday; and if any such person or persons as aforesaid, subject and liable so to do, shall not deliver or supply to such apprenticed labourer provisions of such amount and quality, and at such times as he, she or they is or are hereinbefore required to deliver and supply the same, such person or persons shall incur and become liable to a penalty (provided complaint thereof be made within 28 days) equal to twice the value of the provisions which ought so to have been supplied, for the benefit of the apprenticed labourer injured by such omission or neglect, unless it can be proved that the same cannot be purchased in any of the markets or towns of this Island: provided nevertheless, that in time of scarcity the Governor, by and with the advice of the Council, may from time to time, by proclamation to be by him for that purpose issued, authorize the substitution of any other provisions or allowances which can be purchased

Clause 9.
The 11th and 16th sects. of the Act of Parliament recited.

The quantity of food to be supplied to each apprenticed labourer, as a weekly allowance, from the age of 16 years and upwards.

From 12 to 16 years.

From 6 to 12 years.

Proviso: Other food, or money payment, may be substituted, with the consent of the special justice.

Penalty on employers for default.

Complaint to be made within 28 days.

Proviso: In time of scarcity, the Governor, by proclamation, may authorize other provisions to be substituted.

Apprenticed labourers imprisoned in any house of correction, to be fed at the public expense.

Clause 10.
Additional clothing to be supplied to apprenticed labourers.

Clause 11.
Causes for which apprenticed labourers shall be compelled to serve their employers, and how to be punished for disobedience or neglect.

Clause 12.
Reasonable causes, proved on oath, to be admitted by a justice for the absence of an apprenticed labourer from his employer's service.

Clause 13.
No apprenticed labourer to be arrested for debt, &c., nor taken in execution for any debt of his employer.

Clause 14.
Apprenticed labourer, for trespass, &c. against his employer, shall, by order of the special justice, on conviction, perform extra labour, not exceeding one month. For subsequent offence, to be imprisoned in a house of correction for three months, and worked on the tread-mill.

Clause 15.
Words in the 24th clause of the Abolition Act repealed. At the end of said clause, proviso added.

Clause 16.
Not to be in force until His Majesty's pleasure be known.

chased in lieu of the aforesaid allowances: provided always, nevertheless, that whilst apprenticed labourers are imprisoned in any house of correction, or public prison of this Island, the employer or employers of such apprenticed labourers shall not be bound to provide them with any allowance of food, or money to purchase food, but they shall be fed at the public expense; and in all such cases where a weekly payment shall be agreed on as aforesaid, then such weekly money payment or wages shall be recovered before the special justice of the district where such apprenticed labourer shall reside.

And be it further enacted, that in addition to the clothing directed by the aforesaid Act of this Island for the abolition of slavery to be furnished to apprenticed labourers, every person entitled to the services of apprenticed labourers shall be bound, under the penalty provided by the said Act, to furnish an additional shirt and pair of trousers to each male, and an additional shift and petticoat to each female.

And be it further enacted, that in all cases of urgent necessity, such as fire, tempest and occurrences of a similar nature, it shall be lawful for the owner, or other person in the management of any property where such necessity may occur, to require and compel immediate and continued service of all or any of the apprenticed labourers attached to such property during such emergency; and every apprenticed labourer who may refuse when called on to perform any such services shall be liable to all such penalties as he or she would be liable to for any undue performance or neglect of work during any time his or her employer may be entitled to his or her services.

And whereas, by the 58th clause of the said Act, certain causes are mentioned which alone exempt an apprenticed labourer from punishment in case of absence from his or her employer's service: and whereas, other causes may arise which ought to exempt an apprenticed labourer from punishment in case of absence: be it therefore enacted, that the several special justices of the district before whom any complaint may be exhibited against any apprenticed labourer for absence from his or her employer's service, may admit any other reasonable cause for such absence which shall be proved on oath to have existed at the time, and which shall appear just to such special justices.

And be it further enacted, that no apprenticed labourer during his or her apprenticeship shall be arrested or imprisoned in any action of debt, assumpsit, covenant or other action founded on contract; nor shall any apprenticed labourer be liable to be arrested or taken in execution by virtue of any writ of execution obtained in any such action or actions during his or her apprenticeship; nor shall any apprenticed labourer be liable to be taken in execution for any debt or demand against his or her employer.

And be it further enacted, that if any apprenticed labourer shall commit any trespass upon his or her employer's property, whether real or personal, or be guilty of uttering any slander, or of publishing any libel against his or her employer or employers, he or she shall, on conviction thereof before the special justice of the district to which he or she shall belong, be adjudged to perform any number of extra days' labour in the service of his or her employer or employers, or to imprisonment with hard labour for any time not exceeding one calendar month, or solitary confinement not exceeding one week, or if a male, to whipping not exceeding 20 stripes; and if any such apprenticed labourer so convicted shall afterwards be guilty of any of the said offences, and shall be convicted thereof before such special justice of the peace as aforesaid, every such offender shall be committed to the house of correction for such term not exceeding three months as the said justice before whom he or she shall be convicted shall think fit, and be worked on the tread-mill or public works, and if a male, to be whipped, not exceeding 39 stripes: provided always, nevertheless, that this enactment shall not exempt any apprenticed labourer from his or her liability to such actions or prosecutions as other persons of free condition may be subject and liable to in respect of any such offences by him or her done or committed; provided nevertheless, that no such apprenticed labourer shall be liable to be sued or prosecuted both under this Act and under the general law.

And be it further enacted, that the words, "if the child be under the age of 18 years," in the 24th clause of the said Act for the abolition of slavery, shall be and the same are hereby repealed; and at the end of the said 24th clause there shall be added the following proviso: "provided always, that such temporary employment shall only be at such distances from the domiciles of such apprenticed labourers as will enable them to return thither by half-past six o'clock in the evening."

Provided always, and be it further enacted, that this Act, or anything herein contained, shall not be in force until His Majesty's pleasure on the same shall be known.

— No. 10. —

Barbadoes.

No. 10.

AN ACT for the Establishment of a Rural Police for this Island, and for the Erection of Houses of Correction connected therewith:—(Passed 14 July 1834.)

Preamble.

WHEREAS, in consequence of the changes made in the relations of society in this Island by the provisions of an Act of the Imperial Parliament of the third and fourth year of His Majesty's

Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves," it has become necessary to establish and maintain an efficient body of police in the several parishes of this Island, to be continually in readiness for the preservation of the public peace, and the prompt suppression of all disorders, and also for the better promoting the objects of this Act, it is expedient that this Island should be divided into a certain number of districts; be it therefore enacted, by his Excellency Sir Lionel Smith, Knight Commander of the most honourable Military Order of the Bath, His Majesty's Captain General and Commander-in-Chief of this Island, Chancellor Ordinary and Vice-Admiral of the same, the honourable the Members of His Majesty's Council and the General Assembly of this Island, and it is hereby enacted by the authority of the same, that this Island shall be for the purposes of this Act divided into six districts, and that the same shall be composed of the parish or parishes hereinafter mentioned, and shall be distinguished in the manner following; that is to say,

The parishes of St. Michael and town of Bridgetown to form District (A.)					
— Christchurch and St. George	-	-	-	—	(B.)
— St. Philip and St. John	-	-	-	—	(C.)
— St. James and St. Thomas	-	-	-	—	(D.)
— St. Peter and St. Lucy	-	-	-	—	(E.)
— St. Andrew and St. Joseph	-	-	-	—	(F.)

And be it further enacted, by the authority aforesaid, that five members of His Majesty's Council, to be appointed by the Board of Council and 11 members of the General Assembly, one from each parish, to be appointed by the speaker for the time being, and so from time to time as vacancies occur, shall be and are hereby constituted commissioners for carrying this Act into execution; and they, or any five or more of them (one at least being of the Council), are hereby deemed and constituted a board for carrying on the business of this Act; and in case any member or members of Council or of the General Assembly so appointed shall leave the Island, become incapacitated, or cease to be a member or members of Council or of the General Assembly, his and their place and places as such commissioner or commissioners shall be considered and are hereby declared to be vacant, and such vacancy or vacancies shall be supplied in manner aforesaid.

And be it further enacted, that the said commissioners, or any board of them, shall be empowered and they are hereby directed to purchase six spots or parcels of land, one in each of the said several districts, in such convenient situations as may be best adapted from their locality for the several police establishments and the erection of houses of correction: provided that none of such spots or parcels of land shall exceed two acres, and that in case the owner or owners thereof cannot agree with the said commissioners, or a board of them, for the price of the same, that a valuation shall be put on such land by a jury, to be summoned by warrant under the hands and seals of the said commissioners, or any board of them, and held in the manner prescribed on laying out new jury roads; and such spots or parcels of land shall be conveyed to and vested in the said commissioners and their successors, to be appropriated for the establishment of police settlements thereat, and the erection of houses of correction and other necessary buildings thereon proper for such establishments: provided always, that if in the appropriation of any such spot or parcel of land for the purposes of this Act it shall so diminish the lands of any person as to deprive such person of the rights and privileges of a freeholder, then and in such case the fee simple of the land so purchased and appropriated as aforesaid shall be held, deemed, taken and considered as still being in such person, so far as to preserve to such person the rights and privileges of a freeholder, but no further or otherwise or for any other purpose whatsoever.

And be it further enacted, that immediately after the passing of this Act, and the appointment of the said commissioners, they, or any board of them, shall assemble together and agree on such plan or plans as may appear to them best adapted for erecting the buildings necessary for such police settlements and houses of correction in each of the said several districts respectively, and shall contract and agree with proper persons for the erection of such buildings on each of the several spots or parcels of land as may be necessary for such police settlements; such buildings to be built according to such plan or plans as aforesaid, and subject to such alterations as from time to time may seem to the said commissioners, or any board of them, to be necessary and expedient; and at each of the said several stations or settlements there shall be erected a signal post, so as to communicate by telegraph with any one or more of the signal posts already established: and the said commissioners, or any board of them, are hereby authorized to execute any agreement or agreements in writing on behalf of the public with any person or persons so to be employed in the erection of such buildings, and for completing the same in a proper and workmanlike manner: provided always, that tenders for such contracts shall be advertized for in one or more of the newspapers of this Island, and that the lowest and most eligible tender, if approved, shall be accepted by the said commissioners, or any board of them, and they are hereby required to take a bond or bonds from the said contractor or contractors in such penalty or penalties as shall seem proper to them, and with two good and sufficient securities to be approved of by them for the due and prompt performance of his or their contract or contracts, and from time to time as any sum or sums of money shall become due, to the person or persons from whom such spots or parcels of land as aforesaid shall have been purchased, or to such contractor or contractors under and by virtue of any such contract or contracts as aforesaid, the said commissioners

BARBADOES.

Appendix (B.)

Colonial Laws.

No. 10.

Clause 1.

The Island to be divided into six districts, distinguished as here mentioned.

Clause 2.

Five members of the Council, and 11 members of the General Assembly, one of each parish respectively, to be commissioners for executing this Act, and any five or more (one being a councillor) to be a board for transacting the business.

Vacancies, how to be supplied.

Clause 3.

The commissioners are authorized to purchase a spot of land in each of the districts, not exceeding two acres, for the establishment of police settlements.

And to take a conveyance for the same to them and their successors, for the purposes mentioned in this Act.

The rights of persons selling any spot of land to be preserved, so far as to render him an eligible freeholder.

Clause 4.

The commissioners are to agree with persons for erecting the necessary buildings, and a signal post at each police settlement.

The commissioners are to advertize for tenders, and to take a bond from the contractor or contractors; to draw orders on the treasurer for payment of all sums of money due, as well for the purchase of the land as for erecting the buildings.

The commissioners are to appoint a proper person to inspect the buildings, which are to be finished in a workmanlike manner, and to draw an order for the payment of such person, of such remuneration as they agree with him for.

Clause 5.

The commissioners are to appoint a sergeant and number of privates to serve at each district as follows:

For dist. (A.) 16 privates.
 — (B.) 24 —
 — (C.) 24 —
 — (D.) 16 —
 — (E.) 24 —
 — (F.) 24 —

Vacancies, how to be supplied.

Police officers to be appointed immediately after the passing of this

Clause 6.

Police officers to be indented for not less than one year nor more than six years, and to be paid as follows: each sergeant, 130*l.* per annum; each private serving on foot, 50 *l.*; and each private serving on horse, 80 *l.*, to be paid monthly out of the public treasury.

Special justices to notify to the treasurer seven days previous to issuing orders for payment, the number, names of persons, and amount of each.

Clause 7.

Vacancies of sergeants, how to be supplied.

Clause 8.

Privates to be numbered, and how to be dressed.

Sergeants, how to be dressed.

Uniforms to be provided at the public expense, and to be worn only when on duty.

Clause 9.

Police officers to be armed and accoutred at the public expense, and the arms are to be kept at each settlement.

missioners, or a board of them, shall draw an order or orders, to be signed by five at least of the said commissioners, on the treasurer of the Island, for the payment of such sum or sums of money to such person or persons, or to such contractor or contractors respectively, which order or orders the treasurer is hereby directed to pay out of any monies that may be in the treasury: and the said commissioners, or any board of them, if they shall think proper, are hereby also authorized to appoint some competent person or persons to survey and inspect the said buildings, and see that the same are finished in a faithful and workmanlike manner, and according to the contract or agreement for building the same; and such person or persons so to be appointed shall receive such remuneration for his or their trouble as shall be agreed upon by the said commissioners, or any board of them, and such person or persons, and the said commissioners, or any board of them, are hereby authorized to draw an order on the treasurer of the Island for the payment of such remuneration to such person or persons, which order the treasurer is hereby authorized and required to pay.

And be it further enacted, that it shall and may be lawful for the said commissioners, or a board of them, to appoint one sergeant at each police settlement, who is to be required to keep a good and efficient horse; and to appoint for district (A.) eight privates to serve on foot and eight privates mounted on horses; for district (B.) 12 privates to serve on foot and 12 privates mounted on horses; for district (C.) 12 privates to serve on foot and 12 privates mounted on horses; for district (D.) eight privates to serve on foot and eight privates mounted on horses; for district (E.) 12 privates to serve on foot and 12 privates mounted on horses; for district (F.) 12 privates to serve on foot and 12 privates mounted on horses; all able-bodied men between the ages of 20 and 55 years; and when any such situation shall become vacant by the death of any such sergeant or private, or otherwise, it shall be the duty of the person in charge of such settlement immediately to report the same to the said commissioners, who, or any board of them, shall forthwith fill up all such vacancies by appointments in manner aforesaid; and such sergeants and privates may be removed by the said commissioners, or any board of them, for bad conduct or inefficiency; and such sergeants and privates shall be styled police-officers, and shall form the police force at such settlements; and they shall reside at their respective police settlements when not on actual duty; and the said commissioners, or any board of them, are hereby authorized and required to appoint such police-officers immediately after the passing of this Act, and when not on duty, to reside at their respective settlements.

And be it further enacted, that the said commissioners, or any board of them, are hereby directed and empowered to indent all persons so appointed and engaged into the said police for a term of not less than one year nor more than six years; and during the time that they shall remain such police officers as aforesaid, they shall receive the following pay; that is to say, each sergeant shall receive the sum of 130 *l.*, current money of this Island, per annum, to be paid to him in equal monthly payments by the treasurer of this Island, on certificate of the special justice of the district to which such police officer shall be attached; and each private serving on foot the sum of 50 *l.* like current money per annum, to be paid to him in equal monthly payments in manner as aforesaid; and each private serving on horseback the sum of 80 *l.* like money per annum, to be paid to him in equal monthly payments in manner as aforesaid: provided always, that every such special justice shall, seven days at the least before he issues any such certificate or certificates, give notice in writing to the treasurer of the number of such certificates, the names of the persons to whom given, and the amount of each.

And be it further enacted, that as vacancies occur among the sergeants of such police settlements, privates may for good conduct be promoted to such vacancies from time to time by the said commissioners or a board of them.

And be it further enacted, that the several privates appointed to the different districts shall immediately on their enrolment be numbered by the sergeant of such district, and shall be provided with the following dress: a blue cloth jacket, to be so made as to button close up to the chin, with a standing collar; on the right side of which shall be worked in white cloth the letter distinguishing the district to which such private belongs, and on the left the individual number of such private according to such enrolment as aforesaid; a pair of dark grey cloth trousers, a black hat, two pairs of strong shoes, and a grey cloth cloak or great coat, such as is furnished to the soldiers in His Majesty's army; and that each of the said sergeants shall be provided with a blue cloth jacket, with standing collar, on each side of which shall be worked in white cloth, the letter distinguishing the district to which he belongs, and with three stripes of white cloth on the left arm, and that in all other respects they shall be dressed as the privates are hereby directed to be; which said uniforms are to be worn by the said police officers at all times when on duty, and to be annually furnished to them at the public expense, under the directions of the said commissioners or any board of them.

And be it further enacted, that the said commissioners, or any board of them, are hereby directed to arm and accoutre the said police officers in such manner as they shall deem expedient for the due performance of their duties, and their proper protection as a police; which said arms and accoutrements shall be provided at the public expense, and shall be kept, when not in use, in complete order, and deposited in a room to be appropriated to that purpose at each police settlement.

And be it further enacted, that it shall be the duty of the sergeants and privates of each police settlement to carry into execution all such orders as they shall receive from the special justice or special justices of the district of each such police settlement, for the prevention or repressing of crimes and enforcing obedience to the law.

Clause 10.
Duties of police officers prescribed.

And be it further enacted, that the sergeants and privates of police shall act as conservators of the peace for the respective districts to which they shall respectively belong; and they shall have, exercise and enjoy within their respective districts all the powers, authorities and immunities which are incident to the office of a constable, and which are by the general law of the land vested in or given to constables; and all such powers, authorities and immunities are hereby declared to be absolutely and fully vested in and given to such sergeants and privates of police: provided always, that when any such police officer shall be suspended, dismissed or cease to belong to such police settlement as aforesaid, all such powers, authorities and immunities shall immediately cease and determine.

Clause 11.
Police officers to act as peace officers, and to enjoy all immunities of a constable under the general law;

All which shall be no longer enjoyed than while he continues in such office.

And be it further enacted, that in all cases in which any police officer shall be guilty of any disobedience or infringement of any of the bye-laws or regulations for the government of the police establishment, or other impropriety of conduct or breach of duty as such police officer, it shall and may be lawful for any justice of the peace before whom such police officer shall be convicted of any such offence, to impose a penalty on him of not more than 5*l.*; and in case the same shall not be paid immediately, or within such time as the justice before whom the conviction shall take place shall direct, notice thereof shall be given by such justice to the treasurer of the Island, who is hereby directed to deduct the amount of such penalty from the salary due to such police officer.

Clause 12.
Any police officer convicted before a justice of the peace of disobedience or improper conduct, shall be fined 5*l.*, which, if not paid at the time here mentioned, the same shall be notified to the treasurer, who shall deduct such amount from his salary.

And whereas obstructions often happen and damage is frequently done on the several highways of this Island by the negligence or wilful misbehaviour of persons driving vehicles thereon; be it therefore further enacted, that if any driver of any carriage, cart or vehicle of any kind shall ride upon any such carriage, cart or vehicle (such carriages or vehicles as are commonly driven or conducted by some person holding the reins of the horses excepted); or if the driver of any carriage, cart or vehicle of any description whatsoever, or any person riding shall by negligence, wilful misbehaviour or other misconduct, cause any hurt or damage to any person or property being upon any highway; or if any driver of any carriage, cart or vehicle whatsoever shall wilfully be at such distance from such carriage, cart or vehicle, that he cannot have the direction or government of any horse or horses or cattle drawing the same (not having employed some proper person to take care of the same), or shall by negligence, wilful misbehaviour or other misconduct, interrupt the free passage of any other vehicle or of His Majesty's subjects, or shall obstruct any highway, and being required by any police officer or constable to pass on or move, shall continue to obstruct the same, every person so offending, and being convicted by any justice of the peace, either upon confession or the oath of a credible witness, shall for every such offence forfeit any sum not exceeding 40*s.* currency, to be paid into the public treasury; and in every case where any such hurt or damage shall have been caused as aforesaid, shall further pay such sum not exceeding 5*l.*, as shall appear to the said justice a reasonable compensation to the person so aggrieved or injured; and in default of payment thereof immediately or within such time as such justice shall appoint, such justice shall commit such offender to the common gaol or house of correction of the district in which such offence shall have been committed, to be there imprisoned for any term not exceeding two months, unless such penalty, together with the costs and compensation (if ordered) be sooner paid: provided always, that nothing herein contained shall deprive or debar any person or persons from any civil or other remedy which he or she may lawfully have on occasion of such damage or injury as aforesaid: provided always, that in all cases in which the offender shall be an apprenticed labourer, he or she shall be punished under the provisions of an Act of this Island, intituled, "An Act for the abolition of Slavery, for the Government of Apprenticed Labourers, and for ascertaining and enforcing the Reciprocal Duties between them and their employers."

Clause 13.
A driver of any carriage, cart, &c., who shall ride thereon (except as is here excepted), or misbehave himself, or cause hurt or damage to any person or property, or who shall be guilty of any other the offences herein set forth, on conviction thereof before a justice of the peace, shall forfeit a sum not exceeding 40*s.* currency, and where damage shall be sustained, the further sum of 5*l.* to the party injured, and in default of payment, to be committed to gaol or a house of correction for two months, unless the fines be sooner paid.

Parties to have the right of civil process for recovery of damages. Offenders being apprenticed labourers to be punished under the Act for the Abolition of Slavery.

And be it further enacted, that it shall be lawful for any police officer within the district to which he belongs to stop and search any cart, carriage or vehicle which there shall be reason to suspect of having or conveying any goods, matter or thing stolen or unlawfully obtained, and also to apprehend, search and detain any person who may be reasonably suspected of having or conveying in any manner any goods, matter or thing stolen or unlawfully obtained, and to convey every such person (except such person be in the immediate charge of any cart, carriage or vehicle), as soon as conveniently may be, together with such goods, matter or thing, before some justice of the peace; and if such person shall not give an account, to the satisfaction of such justice, how he or she came by the same, such person shall be deemed guilty of a misdemeanor, and shall suffer as hereinafter mentioned.

Clause 14.
A police officer may stop and search any cart &c. suspected of having stolen goods, &c., and carry the same, with the persons, before a justice of the peace, and if the goods shall not be satisfactorily accounted for, the possessor shall be adjudged guilty of a misdemeanor

And be it further enacted, that if it shall be made to appear to any justice of the peace, by the information on oath of one or more credible person or persons, that there is reasonable cause for believing that any goods, matter or thing, stolen or unlawfully obtained, are concealed or otherwise lodged in any house, warehouse, shop, yard, garden, lodging, or any other place, it shall be lawful for such justice, by special warrant under his hand and seal directed to any police officer within his district, or constable as aforesaid, to cause every such place to be entered and searched at any time of the day or by night (if a power for that purpose be expressly given in and by such warrant), and the said justice shall be, and he is hereby authorized, if it shall appear necessary, to empower, in and by his said warrant,

Clause 15.
Upon the information, on oath, of a credible person, a justice of the peace may issue his warrant to any police officer, to search the house, &c. of any suspected person, where stolen goods shall be suspected to be concealed, and to summon

assistance, and, if necessary, to use force for effecting an entry.

In case any goods, &c. shall be found, the police officer is to carry the same, with the person in whose premises they were found, and all others, persons privy to such concealment, before the justice, and if the goods, &c. shall not, within a reasonable time, be satisfactorily accounted for by the person in whose premises they were found, such persons shall be adjudged guilty of a misdemeanor.

Clause 16.

A person charged before a justice with having stolen goods, and declaring himself the agent of another person, by whom he was employed, the justice shall cite such person, and all others who may be interested, before him, and examine them and witnesses on oath; and upon hearing, the person in possession of such goods stolen or unlawfully obtained, to be adjudged guilty of a misdemeanor. The employer of a carrier or servant to be deemed the lawful owner of the goods.

Clause 17.

All offenders for misdemeanors shall, upon conviction, forfeit and pay a sum not exceeding 10*l.* into the public treasury, or be imprisoned, with or without hard labour, not exceeding two months, at the discretion of the justice.

Offenders may be bound to the grand sessions.

Clause 18.

Articles seized from persons convicted of a misdemeanor (doubtful as to the owner) shall be advertised in some newspaper;

And if not claimed in 30 days, they shall be sold, and the net proceeds, after deducting the expenses, paid into the public treasury. Perishable articles to be sold immediately.

any such police officer within his district, or constable, with such assistance as shall be found necessary (such police officer or constable having previously made known to the person or persons having charge in the said place such his authority) to use force for effecting such entry, whether by breaking open doors or otherwise, and if upon search being thereupon made any such goods, matter or things be found, the said police officer or constable is forthwith to convey the same to and before a justice of the peace, or otherwise place and dispose the same in some convenient place of safety, subject to the order and discretion of any such justice of the peace in manner above mentioned; and the said police officer or constable is to apprehend and convey before the said justice of the peace the person or persons in whose house, warehouse, shop, yard, garden, lodging or other place, such goods, matters or things, shall have been found, and all other person or persons found in such house, warehouse, shop, yard, garden, lodging or other place, who shall appear to have been privy to the depositing and concealing such goods, matters or things therein, knowing or having reasonable cause to suspect the same, to have been stolen or otherwise unlawfully obtained, and if such person or persons respectively shall not immediately or within a reasonable time, to be appointed by such justice of the peace for that purpose, make it appear to his satisfaction by what lawful means such goods, matters or things, came to be deposited or situated in such place or places as aforesaid, or that the same were deposited or situated in such place or places without any connivance, knowledge or default on the part of such person or persons respectively, then the person or persons in whose house, warehouse, shop, yard, garden, lodging or other place as aforesaid, any such suspected goods, matters or things, shall have been found, and also every other person or persons so appearing to have been privy to the depositing the same therein, knowing or having cause to suspect the same to have been stolen or otherwise unlawfully obtained, shall be deemed and adjudged guilty of a misdemeanor, and shall suffer as hereinafter mentioned.

And be it further enacted, that when any person or persons shall be brought before any justice of the peace charged with having or conveying any such goods, matters or things, stolen or unlawfully obtained, and shall declare himself or herself to have received the same from some other person or persons to have been employed as a carrier, agent or servant, to convey the same for some other person or persons; such justice of the peace is hereby authorized and required to cause every such person or persons, and also, if necessary, every prior or pretended purchaser, or other person through whose possession the same shall appear to such justice to have passed, to be brought before him and examined upon oath respecting such possession of such goods, matter or thing as aforesaid, and also to examine witnesses on oath touching the same, and if upon the whole evidence so to be adduced before such justice as aforesaid it shall appear that any person hath had possession of such goods, matter or thing, and knew or had reasonable cause to suspect and believe that the same or any part thereof had been stolen or unlawfully obtained, every such person shall be deemed guilty of a misdemeanor, and shall suffer as hereinafter mentioned; and the possession of any such goods, matter or thing, by any person who is *bonâ fide* employed as a carrier, agent or servant, shall be deemed to be the possession of the person or persons who shall have employed such other person as such carrier, agent or servant.

And be it further enacted, that for every offence hereinbefore declared to be a misdemeanor, or for which no special penalty or punishment is hereinbefore appointed, the offender or offenders shall, upon conviction thereof, and at the discretion of the justice or justices of the peace before whom such conviction or convictions shall take place, either forfeit and pay any sum not exceeding 10*l.* into the public treasury of this Island, or shall suffer imprisonment for any term not exceeding two months, with or without hard labour, in the common gaol of this Island, or in the house of correction for the district in which such offence has been committed; and in case any such offender or offenders who shall have been sentenced to pay any such fine or penalty as aforesaid shall not pay the same immediately, or within such time as the said justice or justices shall appoint, it shall be lawful for such justice or justices to commit the offender or offenders to such gaol or house of correction, and for the like term as aforesaid, unless the same be sooner paid: provided always, that nothing herein contained shall prevent any such justice or justices from sending any such offender or offenders to take their trial for such offence or offences at the court of grand sessions for this Island established.

And be it further enacted, that when any articles shall be seized by virtue of this Act, and the person or persons in whose possession the same shall have been found shall be convicted of a misdemeanor as aforesaid, and it shall be doubtful to whom the same really belong, it shall be lawful for such justice or justices to cause the same to be advertised in some public newspaper or newspapers, in order that persons having a right thereto may claim and receive the same within 30 days from the date of such advertisement or advertisements, on paying the expenses of advertising the same; and if no person shall prove his property and right to any such articles within the said 30 days, the same shall be sold for the best price that can reasonably be gotten for the same, and after deducting the expenses and charges of keeping and advertising the same, the residue shall be paid into the public treasury of this Island: provided always, that where any such articles are of a perishable nature, it shall be lawful for the justice before whom the same shall be brought to order the same to be forthwith sold or otherwise disposed of as to him shall seem fit.

And

And be it further enacted, that the sergeants and privates of police to be appointed by virtue of this Act, shall each of them, previously to his entering upon the execution of his office, take an oath before the special justice of the peace having the superintendence of the police settlement of which such sergeant or private shall be a member, which oath such special justices of the peace are hereby respectively authorized to administer. The tenor thereof shall be as follows :

" I, A. B. do swear, that I will well and truly serve our Sovereign Lord the King, as a police officer for the district of _____ in this Island, according to the best of my skill and knowledge. So help me God."

And be it further enacted, that each such police settlement shall be, and the same is hereby declared to be, under the immediate superintendence of a special justice or justices of the peace of the district in which such police settlement shall be established, and a special justice of the peace shall reside at such police settlement or in the immediate vicinity thereof; and such special justice shall have the power of suspending any police officer belonging to such police settlement, subject to the confirmation or disallowance of such suspension by the Governor or Commander-in-chief for the time being, and the Council : provided always, that the power of such special justice shall cease and determine upon the expiration of the said apprenticeship system.

And be it further enacted, that all such persons as shall be condemned to imprisonment with hard labour, at such houses of correction as aforesaid, shall be classed and formed into one or more penal gangs, and shall be employed, under the superintendence of one or more of such police officers to be appointed by the special justice, upon the repair of the highways of the district to which they belong, or such other public works in such district, under such rules and regulations as the said commissioners shall deem fit; and that the persons so employed shall wear such dress or dresses, to be provided at the public expense, with such mark or marks upon them as the said commissioners or a board of them shall appoint; and any person not duly authorized, taking off or assisting any member of such penal gang to take off or conceal his dress, shall for every such offence forfeit and pay, on conviction before any justice of the peace, a sum not exceeding 5*l.* currency, for the use of the public treasury, or be imprisoned, with or without hard labour, at the discretion of the said justice, for a term not exceeding one month in the house of correction for the district in which the offence may be committed, or in the common gaol of this Island.

conviction before a justice of the peace, forfeit 5 *l.*, or be imprisoned, with or without hard labour, for one month, at the discretion of the justice.

And be it further enacted, that all persons committed to the houses of correction shall be supplied with proper food at the public expense, the same to be furnished in such manner and of such quality as any board of the said commissioners shall direct and appoint: provided always, that tenders for the said food and all other necessaries for the said establishments respectively shall be contracted for in the same manner as public contracts, and the lowest and most eligible tender, if approved, shall be accepted by the said commissioners or any board of them, and security be given and approved of by them for the due performance of the said contracts; and the said commissioners, or a board of them, are from time to time to draw orders on the treasurer for the payment of the same.

And be it further enacted, that the said commissioners, or any board of them, shall be, and they are hereby authorized and required to appoint a keeper of each house of correction which shall be attached to the said police establishments, and all vacancies shall from time to time be supplied by their appointment, and any such keeper may be removed by the said commissioners, or any board of them, for bad conduct or inefficiency; and every such keeper is hereby declared to be under the immediate superintendence of the special justice or justices of the district in which such house of correction is situate; and every such keeper shall, and he is hereby directed to, keep a book or books, in which he shall regularly enter the names of all persons committed to the said house of correction, the name or names of the justice or justices committing them, the offence for which committed, and the punishment to be undergone by them; which said book or books shall and may always be inspected by the visitors hereinafter mentioned; and each keeper of every such house of correction shall be paid at the rate of 100*l.* current money of this island per annum, and shall receive such pay monthly out of the public treasury, on certificate of the special justice for the district to which he shall belong.

And be it further enacted, that the said commissioners, or any board of them, shall be authorized to hire any place or places for the assembling and keeping together the different police officers, until proper police settlements shall be built under the provisions of this Act.

And be it further enacted, that in all cases of emergency it shall be lawful for any special justice to summon, either by signal or otherwise, to his assistance any number of police officers from any other police settlement; and that the person having charge at such other police settlement shall furnish the same or not, at his discretion.

which the person in charge may furnish or not, at his discretion

And be it further enacted, that the said police officers may upon reasonable cause visit the several plantations, estates and places within their respective districts, and search for absentees or otherwise; and that every employer or person having the charge of any apprenticed

Clause 19.
Sergeants and privates of police appointed under this Act, shall, before they enter upon their duties, take the oath prescribed.

Clause 20.
Each police settlement to be under the superintendence of a special justice of the peace; and a special justice shall reside thereat, who shall suspend any police officer, subject to the confirmation of the Governor and Council, by whom he may be dismissed.

Clause 21.
Persons sentenced to hard labour to be classed and formed into penal gangs, and employed in repairing the highways and other public works in the district, who shall wear a dress with such marks as shall be appointed by the commissioners, to be provided at the public expense.

A person removing, or assisting any member of a gang to conceal, his dress, shall, upon discretion of the justice.

Clause 22.
Persons committed to the house of correction to be fed at the public expense.

Tenders for food and other necessaries for the establishments to be contracted for, security being given by the contractors, who are to be paid by orders on the public treasury.

Clause 23.
A keeper shall be appointed to each house of correction, who may be removed for bad conduct, &c. The keeper shall enter in a book the names of all persons committed, by whom, for what offence, and the punishment they are to receive; which books shall be inspected by the visitors of the house. The keeper to be paid a salary, at the rate of 100*l.* currency per annum, monthly, out of the public treasury.

Clause 24.
Placesto be hired until police settlements are built.

Clause 25.
In case of emergency, any special justice may summon assistance from another settlement, at his discretion

Clause 26.
Police officers may search estates and other places within their district for absentees;

and employers, within 24 hours after the absence of an apprentice, shall, under the penalty of 20 s. currency, report the same at the police settlement.

Clause 27.

The commissioners to establish rules and regulations for the internal discipline of the police settlements, observing a classification of prisoners and separation of sexes, and maintaining cleanliness and sobriety among them, which rules are to be hung up in each house of correction.

Clause 28.

The persons who are declared visitors and inspectors of the respective police settlements.

Clause 29.

The commissioners shall meet every three months, to settle and audit the accounts of the respective establishments. The days on which they are to meet.

Clause 30.

The special justices of the peace at each police settlement shall report to the commissioners, quarterly, the state and condition thereof, which report the commissioners are to submit to the legislature.

Clause 31.

In case of martial law, the police force to be under the command of the Governor, and to be subject to the rules, pains, penalties, &c. of the militia. Police officers to be exempted from militia duty, &c.

Clause 32.

The authorities granted under this Act to special justices shall not interfere with the powers vested in the police magistrates of Bridge Town.

Clause 33.

Offenders not to be punished under this Act, and under the general law.

Clause 34.

A police officer, for obeying the warrant of a special justice, shall not be prosecuted, unless the justice be made a party; and if an action be brought against such justice and police officer, the jury shall find for the police officer, although a verdict be given against the special justice.

Clause 35.

Actions against a police officer for anything done under this Act,

ticed labourers or labourer shall within 24 hours after he or she shall know that any one or more of such apprenticed labourers has absented himself, herself or themselves without the permission of such employer or person having such charge as aforesaid, make a report thereof to the police settlement of the district, and the sergeant of such settlement is hereby required to communicate the same to the police officer of his district, in order that measures may be forthwith adopted for the apprehension of such absentee or absentees; and every person having such charge as aforesaid who shall omit to make such report, shall forfeit for each absentee the sum of 20 s. current money, to be recovered as in the case of servants' wages, and paid into the public treasury.

And be it further enacted, that the said commissioners or a board of them shall frame and establish all proper and necessary rules and regulations for the management and internal discipline of the said police settlements, and shall from time to time, if expedient, alter and add to the same, regard being had to the due classification of the prisoners, and separation of the different sexes, and to the maintenance of cleanliness, order and sobriety among them; all which rules and regulations so to be made by the said commissioners as aforesaid shall be written or printed and hung up in some conspicuous place in the several houses of correction, and the several special justices and police officers are to govern themselves accordingly.

And be it further enacted, that the Governor or Commander-in-chief of this Island for the time being, the Members of His Majesty's Council, and the Speaker of the General Assembly, are hereby declared to be visitors and inspectors of the several police settlements and houses of correction in this Island.

And be it further enacted, that the said commissioners or a board of them shall once in every quarter, or oftener if they deem it necessary, meet for the purpose of arranging the affairs and auditing the accounts of the said several police establishments, which meetings are to take place on the second Wednesday in January, the second Wednesday in April, the second Wednesday in July, and the second Wednesday in October in each and every year.

And be it further enacted, that the special justices of the peace having the superintendence of the said police establishments, shall once in each quarter make to the said commissioners a report of the state and effective strength and condition of the police force at each such settlement, and of the state of the buildings, and the state and conduct of the prisoners confined therein, which report the said commissioners are required to lay before the legislature of this Island as soon as practicable after it has been so received by them, with remarks thereon, as to them shall seem expedient.

And be it further enacted, that in case of martial law being proclaimed, the said police force shall be under the immediate command of the Governor, or person in military command for the time being, to be employed in such service as he shall direct, in the same manner as the militia of this Island, and subject to the same rules and regulations, pains and penalties as by virtue of the several Acts which now are or at any time hereafter may be in force in regard to the said militia: provided always, that all persons engaged in the said police shall be exempted from militia duty, serving on juries, and as freeholders on appraisements.

Provided always, and be it further enacted, that the powers and authorities given to special justices and justices of the peace, or police officers and constables, under and by virtue of this Act, shall not interfere with the exclusive jurisdiction, authority, privileges and powers vested or to be vested in the police magistrates, superintendents of police and police officers by an Act of this Island, intituled, "An Act to establish a Police in Bridge Town, in the Parish of St. Michael."

Provided always, and be it further enacted, that it shall not be lawful to prosecute and punish any person or persons both under this Act and under the general law for any offence or offences by him, her or them committed against the provisions of this Act.

And be it further enacted, that no action shall be brought against any such police officer or other person acting by his order and in his aid, for anything done in obedience to the warrant of any special justice of the peace until demand hath been made or left at the usual place of his abode by the party or by his attorney in writing, signed by the party demanding the same, of the perusal and copy of such warrant, and the same hath been refused or neglected for six days after such demand; and if after compliance therewith any such action shall be brought without making the special justice who signed such warrant defendant, or producing and proving such warrant at the trial, the jury shall give their verdict for the defendant, notwithstanding any defect of jurisdiction in the justice; and if such action shall be brought jointly against such special justice and the police officer, on proof of such warrant the jury shall find for such police officer, notwithstanding such defect of jurisdiction as aforesaid; and if the verdict be given against the special justice, the plaintiff shall recover his costs against him, to be taxed in such manner by the proper officer as to include such costs as the plaintiff is liable to pay to such defendant for whom such verdict shall be found as aforesaid.

And be it further enacted, that no action or suit shall be commenced against any such police officer for anything by him done in the exercise of his office until 14 days' notice thereof in writing shall have been given to such police officer, nor after a sufficient satisfaction,

tion, or tender thereof, hath been made to the party or parties aggrieved, nor after six calendar months next after the fact committed; and the defendant or defendants in such action or suit shall and may plead the general issue, and give this Act and the special matter in evidence at any trial to be had therein; and if it shall appear that the same was done in the exercise of such office, or if such action or suit shall be brought after the time hereinbefore limited for bringing, or shall be brought without 14 days' notice thereof, or shall be brought after a sufficient satisfaction made or tendered as aforesaid, that then the jury shall find for the defendant or defendants; and if the plaintiff or plaintiffs shall become nonsuit, or suffer a discontinuance of his, her or their action or suit, or if a verdict shall pass against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have such remedy for recovering the same as any other defendant or defendants hath or have by law for the recovery of costs of suit in any other cases.

when and how to be brought, what may be pleaded, and what given in evidence.

If not supported, the defendant to have treble costs, with his remedy for recovering the same.

— No. 11. —

Barbadoes.

AN ACT to Establish a Police in Bridge Town, in the Parish of St. Michael.—
(Passed 29th July 1834.)

No. 11.

WHEREAS it is highly expedient that an effective police be immediately established in Bridge Town, in the Parish of St. Michael, be it therefore enacted by his Excellency Sir Lionel Smith, Knight Commander of the most honourable Military Order of the Bath, His Majesty's Captain-general and Governor-in-chief of this Island, Chancellor Ordinary and Vice-admiral of the same, the honourable the Members of His Majesty's Council, and the General Assembly of this Island, and by the authority of the same, that from and after the passing of this Act the vestry of the parish of St. Michael, or any 10 of them, shall have full power and authority from time to time to prepare bye-laws, ordinances and regulations relative to the several matters and things hereinafter mentioned; that is to say, touching and concerning all offences, evils and inconveniences whatsoever in the said town, or in the streets, squares or places therein, or within the carenage or Mole-head, relative to the exercising, using and carrying on dangerous, noisome or offensive trades of every kind in particular streets or places in the said town; relative to markets in the said town, (but not to extend to regulating or ascertaining the price of any commodity or article of provision which may be brought to sale within the said town); relative to the lighting of the said town in the night; for the better regulating seamen, soldiers and foreigners of every description in the said town, in respect of their being in the streets or elsewhere than in their respective ships, quarters, residences or lodgings in the night time and otherwise, as may appear expedient for preserving the peace of the said town; relative to all suspicious persons loitering about the town in the day or night time, and who can give no good account of themselves; relative to taverns, grogshops, punch or tipping houses, retailers of liquors of every description, hawkers, pedlars, hucksters, porters and boatmen, and to the fixing and regulating the rates at which licences may be granted to them respectively by the justices of the peace appointed to carry this Act into effect; relative to forestalling and regrating; relative to the assize of bread; relative to putrid, damaged or decayed provisions and commodities of every kind; relative to the building of houses within the limits of Bridge Town, or within 300 yards of such limits, and the materials of which such houses shall be constructed, so as to render the same less liable to take fire; relative to decayed buildings and vacant spots of land, and to all other nuisances of what kind soever in the said town, and the abatement of all such nuisances; relative to hogs, dogs and goats going at large or otherwise being in the said town; relative to the firing of squibs, rockets or other fireworks of every kind; relative to the firing of guns, pistols or other fire-arms of every kind; relative to the riding or driving of horses or other cattle of every kind and description whatsoever, furiously, carelessly or negligently in the said town, and to the breaking of horses in the said town; relative to the flying of kites in the said town; relative to the dispersing of all mobs, and for the punishment of all indecencies, swearing, quarrelling or improper behaviour in the streets of the said town; relative to the enforcing the due observance of the Sabbath; relative to trafficking in the streets; and relative to any matter or thing whatsoever which may concern the good government and police of the said town. And it shall be lawful for the said vestry, or any 10 of them, to fix and appoint in all such bye-laws, ordinances and regulations, such reasonable and adequate pains, punishments and penalties for the non-observance, non-performance or breach thereof, as shall seem requisite or expedient, so as such pains, punishments and penalties do not exceed the following limitations; that is to say, in case of a fine, the sum of 25*l.* current money of this Island; and in case of imprisonment the term of one calendar month, with or without being worked on the tread-mill, or on any public works: provided always, that such bye-laws, ordinances, and regulations shall be laid before the Governor, Council and General Assembly of this Island for their approval and confirmation, and the same shall be of no force or validity until they shall have been confirmed by the Governor, Council and General Assembly: provided always, that it shall not be lawful to proceed against or prosecute any person for breach of the said bye-laws, ordinances and regulations, unless complaint thereof be lodged against the offender within two months next after the offences shall be committed.

After the passing of this Act, the vestry of the parish of St. Michael, or any 10 of them, are to make bye-laws, &c. relative to the several matters and things after mentioned; viz.

All offences in the town; all dangerous trades, &c.

Markets.
Lighting the town at night; all suspicious persons loitering about the town.

Taverns, &c., and fixing the rates of licences to be granted them.

Forestalling, &c.
The assize of bread.
Damaged provisions.
Building of houses within the town.

Decayed buildings.
Hogs, dogs, &c.
The firing of squibs; firing of guns.
Riding or driving horses.

Flying of kites.
Dispersing of mobs.
Swearing, quarrelling, &c.

Enforcing the observance of the Sabbath; trafficking in the streets; and generally for the good government of the police of the town.

They are to impose pains and penalties for the non-observance of the said bye-laws. In case of fine, not to exceed 25*l.* currency, and imprisonment one month.

Proviso: Bye-laws not to be in force until confirmed by the Governor, Council and Assembly.
Proviso: No person to be prosecuted for any offence committed after the expiration of two months.

Clause 2.
Complaints against offenders under this Act to be tried in a summary manner before the justices of the peace, appointed for carrying it into execution, and on conviction.

The fines imposed shall be levied and raised as servants' wages to His Majesty, his heirs and successors, for the uses of this Act, and to be paid to the town clerk.

The execution to contain a clause to the effect herein mentioned.

And be it further enacted, that every offender against the bye-laws, ordinances and regulations to be made, ordained and established as aforesaid, shall be tried and adjudged in a summary manner by and before the justices of the peace to be appointed for the purpose of carrying this Act into effect, or any two of them; and such justices of the peace or any two of them are hereby authorized, and required, upon any information exhibited or complaint made before them, to summon the party or parties accused, and the witnesses on either side, and in case the party or parties accused shall not appear on such summons (and after oath made of the commission of the offence), to issue a warrant or warrants for apprehending the party or parties offending, in case he, she or they shall be liable to be imprisoned for the offence; and upon the appearance of the party or parties accused, or his or their contempt in not appearing upon proof of being summoned, to proceed to the examination of the witness or witnesses upon oath (which oath they are hereby authorized, empowered and required to administer), and to give such judgment, sentence and determination as shall be just and conformable to law; and in every case of conviction by confession, or upon the oath of one or more credible witness or witnesses, the adjudication shall be executed as follows; that is to say, in case of fine (if the same be not paid) the justices before whom such conviction shall take place, shall issue execution under their hands and seals, for levying and recovering the same, as in the case of servants' wages, and the same shall be executed by a constable; and all fines imposed by this Act, or by any of the bye-laws, rules and regulations to be made in pursuance of this Act, shall be to the King's Most Excellent Majesty, his heirs and successors, for the uses declared by this Act, and when levied such fines shall be paid into the hands of the town clerk of the said town, for the time being, to be appointed as hereinafter mentioned; and every such execution shall contain a clause, that in case there cannot be found sufficient estate or effects of the offender to satisfy the said execution and all charges, that such offender or offenders be and stand committed to the common gaol of this Island, for a certain space of time, to be mentioned in such execution, not exceeding the term of one calendar month, without bail or mainprize, unless the same and all charges shall be sooner paid and satisfied, and in case of adjudication of imprisonment, the offender or offenders shall be taken by the body, and stand committed to the common gaol of this Island, or to the house of correction appropriated for the use of the parish of St. Michael, by warrant under the hands and seals of the said justices for the space of time (not exceeding one calendar month), which shall be adjudged, without bail or mainprize, and be worked on the tread-mill, or on any public works, if so required by such warrant.

Clause 3.
The Governor in Council, by and with their advice, is to nominate three justices of the peace (not of the Council or Assembly) for carrying this Act into execution.

Proviso: What the justices are required to do, and what not.

Proviso: The Governor may suspend either of the justices for misconduct, &c., or in case of death, &c. of either of them, other or others shall be appointed, in manner aforesaid. The justices appointed shall take the oath here mentioned before the Governor.

And be it further enacted, that the Governor in Council is hereby authorized and required, immediately after the passing of this Act; by and with the concurrence of the Council, to nominate three justices of the peace (not being members of the Council, or of the General Assembly,) for the purpose of carrying this Act into effect; and such justices of the peace shall also inquire into, hear and determine all other matters cognizable by justices of the peace: provided always, that it shall not be lawful for the justices of the peace who shall be appointed for carrying this Act into effect to go out of the limits of the said parish of St. Michael to take cognizance of any offences, nor shall they hear and determine any complaints for offences committed without the limits of the said parish of St. Michael; but it shall, nevertheless, be lawful for them, or either of them, to commit any person brought before them on a charge of felony committed in any other parish, and to examine witnesses touching the same: provided always nevertheless, and it shall and may be lawful for the Governor to suspend or remove any such justices of the peace for misconduct or incapacity, and in case of the death, removal for misconduct, absence from the Island, or incapacity to act of any one or more of such justices who shall be so appointed, some other justice or justices of the peace (not being of the Council, or of the General Assembly,) shall from time to time, as occasion may require, be in like manner appointed in his or their place or stead by the Governor in Council; and before entering on his office, every justice of the peace to be appointed under and by virtue of this Act, shall take the following oath before the Governor of the Island for the time being:

"I, A. B., do solemnly and sincerely swear that I will, to the best of my ability, perform the several duties required of me under and by virtue of an Act of this Island, intituled, 'An Act to establish a Police in Bridge Town, in the Parish of St. Michael.' So help me God."

Clause 4.
The time that the justices are to sit for hearing complaints.

And be it further enacted, that it shall be the duty of two of the said justices of the peace so to be appointed as aforesaid, to sit daily at an office, to be provided by the said vestry at the expense of the inhabitants of the town, from 10 o'clock in the morning until four o'clock in the afternoon, except Sundays, Christmas-day and Good Friday (unless prevented by other duties authorized by this Act which they may be called on to perform), for the hearing and determining of all complaints and cases cognizable by them.

Clause 5.
Where the justices shall reside.

And be it further enacted, that the said justices of the peace shall reside within the limits of Bridge Town.

Clause 6.
The justices appointed under this Act shall, on all complaints, receive the fees established by law; and no other justice shall receive any fee on any complaint,

And be it further enacted, that the said justices of the peace, on hearing of all complaints and cases which may be brought before them and heard in a summary manner, shall be entitled to and shall demand the fees established by law to be taken by justices of the peace, and that no other justice of the peace shall demand or receive, or be entitled to demand or receive, any fee whatsoever on any complaint made before him in the limits of Bridge Town, or one mile thereof, anything in any Act or Statute of this Island to the contrary contained notwithstanding

withstanding, and that any justice of the peace who shall demand or receive any fee or gratuity whatsoever contrary to the true intent and meaning of this Act, shall forfeit the sum of 50*l.* for every such offence, to be recovered as in the case of servants' wages, and paid into the public treasury; and in all cases where any fine or fines shall be recovered before any of the justices of the peace appointed to carry this Act into effect, the party or parties who shall be adjudged to pay the fine or fines, shall also be adjudged to pay the fees which the said justices of the peace shall be entitled to demand, and all such fees shall be received by the town clerk appointed in pursuance of this Act; and when it shall be necessary to issue an execution for the recovery of any fine or fines, or sum or sums of money, the said justices of the peace issuing such execution shall insert the amount of all such fees as shall be payable by the party against whom such execution shall be issued, to the end that the same may be levied and raised at the time of levying and raising such fine or fines, or sum or sums of money mentioned in such execution; and in all other cases where fees shall become payable to the said justices of the peace, or to any police officers or constables, if the same be not forthwith paid by the person or persons liable to pay the same, it shall and may be lawful for the justices of the peace hearing and determining the complaint to issue an execution for the recovery of the same as in case of servants' wages; and in case, for the want of effects, the person of any offender shall be committed to prison for the nonpayment of fees, he or she shall be held in custody for the same for a time not exceeding one calendar month, unless the fees be paid within the said month.

And be it further enacted, that the vestry of the said parish, or the major part of them, shall be and they are hereby authorized and required to nominate and appoint to the office of town clerk some fit person, not being a member of the said vestry, whose duty it shall be to receive all fees payable to the justices of the peace and police officers to be appointed under this Act, and all fines imposed by the said justices of the peace for the breach of any by-laws, ordinances or regulations, to be and confirmed as aforesaid, and all other fines recovered before the said justices of the peace and payable for licences (and which licences the said justices of the peace, or any two of them, shall be and are hereby authorized and empowered to grant to such as they may think fit), which fines, fees and sums of money the said town clerk shall pay over to the treasurer of the Island, and take his receipt for the same; and the said town clerk shall once in every two months account to the said vestry for all sums received by him as aforesaid for fees, fines and licences; and such town clerk before entering upon his office shall himself, together with two sufficient sureties, to be approved of by the vestry, or the major part of them, give bond himself in the sum of 500*l.* current money of this Island, and his sureties in the sum of 250*l.*, like money, each, and such bond shall be taken in the name of the treasurer of the Island for the time being, and made payable to him and his successors in office, and the condition of the said bond shall be that the said town clerk shall pay into the treasury at the end of every month all sums of money that shall or may in any way come into his hands, or be received by him as town clerk, and that he shall also duly account with the said vestry for the same at the expiration of every two months; and it shall be the business of the said town clerk to attend the sittings of the said justices of the peace for the purpose of receiving the said fees, fines and sums of money due and payable for licences, and he shall use all due diligence in collecting the same; and such town clerk shall make an abstract from the records of the said justices of the peace in the form annexed, marked (A.), which abstract shall be made up monthly, and signed by two of the said justices of the peace to be appointed under this Act, who shall certify the correctness thereof under their hands, and the same shall be laid before the vestry of the said parish, and a copy thereof delivered by the said town clerk to the clerk of the House of Assembly; and the said town clerk shall be liable to be removed by the said vestry, or the major part of them, for breach of duty, or other misconduct, and any vacancy which may happen by his removal, death, absence from the Island, or incapacity, shall be supplied from time to time by the said vestry, or the major part of them, by some other person, not being a member of the said vestry.

And be it further enacted, that the said justices of the peace are hereby required to make a record of the amount of all fees due in each particular case, and also a record of the amount of all fines imposed by them, and of all sums of money paid or payable for licences, and to furnish a copy of the same monthly to the treasurer of the Island for the time being.

And be it further enacted, that the vestry of the said parish shall and they are hereby authorized and required to divide the said town into three separate districts, and to nominate and appoint one superintendent of police and 15 police officers, all able-bodied men, to each district; and such superintendents and police officers may be dismissed by the said justices of the peace so to be appointed as aforesaid, or any two of them, for misconduct or inefficiency, and all vacancies which shall happen by the death, dismissal, incapacity or otherwise, of the said superintendents, shall from time to time be filled up by some other persons, to be nominated and appointed by the Governor, by and with the consent of the Council; and all vacancies of the said police officers which shall happen in manner as aforesaid, shall from time to time be filled up by the justices of the peace to be appointed for carrying this Act into effect, or any two of such justices, by the appointment of some other fit persons; and the said vestry, or the major part of them, shall, at the expense of the inhabitants of Bridge Town, provide a station-house in each district for the accommodation of such police officers.

under the forfeiture of 50*l.* for each offence, recoverable as servants' wages, and paid into the treasury.

The party fined shall also pay all fees incurred thereby to the town clerk.

Clause 7.

The vestry, or the major part of them, are to appoint a town clerk, who is to receive all fees payable to the justices and police officers, as also all fines and all sums for licences, which sums he shall pay to the treasurer, and once in every two months account to the vestry for the same.

The person appointed town clerk shall give a bond to the treasurer, himself in 500*l.*, and two securities, 250*l.* each, for the faithful execution of his duties.

He is to attend the sittings of the justices, to receive all sums payable to them, and to make an abstract of the records monthly, which shall be certified by two of the justices, and laid before the vestry, and a copy thereof delivered to the clerk of the Assembly.

For what cause he may be removed, and how his vacancy shall be supplied.

Clause 8.

The justices are to furnish the treasurer, monthly, with a copy of all fees, fines and sums of money paid or payable for the licences, &c.

Clause 9.

The vestry are to divide the town into three districts, and to appoint to each one superintendent and 15 police officers, who may be dismissed by the justices.

Vacancies of superintendents and police officers, how to be supplied.

Clause 10.
Duties of superintendents of the police districts.

And be it further enacted, that it shall be the duty of the superintendents of police of districts to regulate the conduct of the police officers in their respective districts, who are hereby declared to be under their immediate command, and every superintendent of police shall daily make a report at the office of the said justices of the peace, of all occurrences within his district touching any breaches or intended breaches of the peace which may have come to his knowledge, or of which he may have been informed, and of other information which he may deem material, and of the absence of any police officer or officers of his district from duty or of any neglect or dereliction of duty by any of the police officers under his command; and such superintendents are hereby declared to be responsible for the peace of their respective districts, and they are required to be actively and diligently employed in maintaining the same.

Clause 11.
Duties of superintendents and police officers.

And be it further enacted, that the said superintendents and police officers shall by turns perform duty both day and night, so that a portion of them shall be constantly on duty, and shall patrol the streets and act as a town guard, both by day and night, for the protection of property and the preservation of peace and good order, and for enforcing the observance of the laws and bye-laws; and they are hereby authorized and required to apprehend all violators of the laws and bye-laws, and take them before the said justices of the peace, to be dealt with according to law, or to lodge complaint against such violators in cases where such offender shall not be liable to be apprehended in the first instance; and although the duties of the said superintendents and police officers will for the most part be performed within their respective districts, yet they are hereby declared to have full power to act as constables within the whole limits of Bridge Town, and within one mile of such limits.

Clause 12.
The vestry are to regulate the ordinary duties of the superintendents and police officers, which they shall communicate in writing to the justices.

Superintendents and police officers are to wear distinguishing dresses, which, with arms, &c., are to be supplied by the treasurer.

Police officers to be tried for the causes here mentioned.

And be it further enacted, that the said vestry, or the major part of them, are hereby authorized and required from time to time, as they shall see fit, to make all necessary rules and regulations touching the duties to be performed in ordinary by the said superintendents and police officers, that is to say, respecting what times and in what manner and numbers they shall be ordered out to patrol the streets, and in what manner they shall be armed, and how long they shall continue on duty, which rules and regulations shall be in writing, and shall be communicated by the said vestry to the said justices of the peace and superintendent; and such superintendents and policemen shall wear such distinguishing dresses and badges as the said vestry, or the major part of them, shall direct; and such dresses and arms shall, in the first instance, be supplied by the treasurer of the Island at the public expense; and the said vestry, or the major part of them, shall also establish fines to be paid by the said superintendents and police officers for absence without leave or reasonable cause, to be allowed of by the said justices of the peace, or any two of them, or for other dereliction of duty, which fines shall be recoverable before the said justices in the same manner as servants' wages, and paid into the treasury.

Clause 13.
The justices for the preservation of the peace may command the attendance of superintendents and police officers out of their districts.

At any large assemblage of the people, a police officer shall attend to keep peace.

The justices are to be responsible for the peace of the town, and whenever there shall be occasion, they shall swear in special constables.

And be it further enacted, that the said justices of the peace, or any two of them, shall on all extraordinary occasions, when it shall seem necessary for the preservation of the public peace, or to prevent the same from being broken, give such orders as they shall think proper for the attendance of the said superintendents and police officers, at such places and times as the said justices of the peace, or any two of them, shall think proper, which orders the said superintendents and police officers are hereby directed to obey, although such places may be out of their respective districts; and on all occasions where large bodies of the people shall be assembled together, the said justices of the peace, or any two of them, shall issue proper orders to the superintendents, or one or more of them, to attend with a sufficient number of police officers to preserve the peace at such meetings or collections of the people; and one or more of such justices of the peace shall also attend such meetings: And the said justices of the peace appointed for carrying this Act into effect are hereby declared to be especially responsible for the peace of the town, and they are hereby authorized and required to give such orders as they or any two of them shall think fit, to the superintendents and police officers for the due preservation thereof; and the said justices of the peace, or some or one of them, are hereby authorized and required, whenever they or he shall see proper occasion so to do, to appoint and swear in any number of the inhabitants of Bridge Town to act as special constables for the preservation of the peace: provided, nevertheless, that all persons who are exempt by law from serving the office of constable, shall not without their consent be compelled to act as special constables.

Clause 14.
In the cases here mentioned, the superintendents, with a portion of police officers, shall attend, and act under the direction of any justice of peace present; and if no justice be present, then he shall take all necessary measures to preserve peace.

Proviso: Police officers not to execute writs but by order of the justices, and the superintendents and police officers shall be sworn before they enter upon their duties,

And be it further enacted, that the superintendents of the respective districts, or any one or more of them, are and is hereby authorized and required, in all cases of emergency, such as the quelling of any riot or riots, assisting in putting out any fire or fires, or other like necessary and pressing occasions, to attend out of his or their district or districts in any part of the town, or within one mile of the limits thereof, with such a portion or number of the police officers under his or their command as he or they shall think fit, and there to act in such manner as he or they shall be directed by any such justices of the peace, or any other justice of the peace who may be present; or in case there shall be no justice of the peace present or known to such superintendents or police officers to be present, such superintendents or police officers shall take such measures as to him or them shall seem proper to preserve the peace: provided always, that such police officers shall not be taken out of their respective districts to execute writs or other process, nor shall any such police officer be permitted, under pain of dismissal, to execute any writ or process whatsoever, at the request of any person or persons whomsoever, other than the said justices of the peace appointed for carrying this Act into execution; and every person who shall be appointed to act as a superintendent

intendent or police officer shall, before he shall enter upon the duties of his office, be sworn by the said special justices of the peace, or some or one of them, that he will faithfully, diligently, impartially, and to the best of his ability and knowledge, perform the several duties required of him by law.

And be it further enacted, that the said justices of the peace, town clerk, superintendents and police officers so to be appointed by this Act, shall be paid salaries as follows, that is to say, each justice of the peace the sum of 300*l.* currency per annum, the town clerk the sum of 200*l.* currency per annum, each superintendent the sum of 200*l.* currency per annum, and each police officer the sum of 60*l.* currency per annum.

And be it further enacted, that every superintendent of police and every police officer is hereby empowered and required while on duty to apprehend all loose, idle or disorderly persons whom he shall find disturbing the public peace, or whom he shall see cause to suspect of any evil design, or shall find lying, between sunset and sunrise, in any street or other place, or loitering therein and not giving a satisfactory account of themselves, and bring or cause every such person to be brought before the said justices of the peace or any of them, at their said office, to be dealt with according to law; and in case the said office shall not be open, then to commit every such person or persons to safe custody for the present: provided always, nevertheless, that the superintendent of police of the district in which such person or persons shall be apprehended, if he deem it prudent, shall be and he is hereby authorized to take bail of such person or persons for his or their appearance.

And be it further enacted, that if any person or persons shall assault or resist, or shall aid or incite any other person or persons to assault or resist any superintendent of police or police officer in the execution of his duty, every such person or persons, on conviction thereof before the said justices of the peace, or any two of them, shall forfeit and pay a sum not exceeding 10*l.*, to be recovered as servants' wages, and applied for the uses of this Act, and for want of effects to pay the same, shall be adjudged to be imprisoned for any time not exceeding two months, unless the fine be sooner paid: provided nevertheless, that this enactment shall not exempt any such person or persons from his or her liability to be prosecuted or sued under the general law: provided also, that such person or persons shall not be liable to be punished both under this Act and under the general law.

Proviso: Such person not to be exempt from being prosecuted under the general law, but he shall not be punished under both.

And be it further enacted, that the superintendents and police officers to be appointed by virtue of this Act shall have, possess and exercise all the powers and authorities whatsoever as are had, possessed and exercised by constables, either by virtue of any Acts or Statutes of this Island, or of any Acts or Statutes of Great Britain and Ireland in force in this Island, or by the ancient law of the realm.

And be it further enacted, that no action or suit shall be commenced against any justice of the peace, superintendent, police officer, constable, or any other person, for anything by him done by virtue, or in pursuance of this Act, until 14 days' notice thereof in writing shall have been given to such justice of the peace, superintendent, police officer, or other person, nor after a sufficient satisfaction or tender thereof hath been made to the party or parties aggrieved, nor after six calendar months next after the fact committed; and the defendant or defendants in any such action or suit shall and may plead the general issue, and give this Act and the special matter in evidence at any trial to be held thereupon, and that the same was done in pursuance and by the authority of this Act, or in the exercise of any such office as aforesaid; and if the same shall appear so to be done, or if such action or suit shall be brought after the time hereinbefore limited for bringing the same, or shall be brought without 14 days' notice thereof, or after a sufficient satisfaction made or tendered as aforesaid, that then the jury shall find for the defendant or defendants; and if the plaintiff or plaintiffs shall become nonsuited or suffer a discontinuance of his, her or their action or suit, or if a verdict shall pass against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have such remedy for recovering the same as any other defendant or defendants hath or have by law for the recovery of costs of suit in any other cases.

And be it further enacted, that the treasurer of the Island shall pay, and he is hereby directed, without any further order for that purpose, to pay to the said justice of the peace and town clerk, by quarterly payments, such annual sums as aforesaid, and upon the order or certificate of the said justices of the peace, or any two of them, to pay by monthly payments as aforesaid the said annual sums hereinbefore granted to the said superintendents and police officers; and the said treasurer shall keep an account headed as follows; that is to say, "Dr.—Bridge Town Police with the Treasurer—Cr.;" and on the debit side of such account he shall charge all sums paid by him for salaries as directed by this Act; and on the credit side he shall place all sums received by him from the town clerk for fees, fines and licences, and the sum hereinafter required to be raised on the inhabitants of Bridge Town, towards the support of the said police establishment. And the said vestry of the said parish of St. Michael are hereby authorized and required, within 10 days after the passing of this Act, and also annually and every year on the same day or days wherein they affix or impose other parochial taxes, to lay an imposition or tax on all owners of houses and all traders and inhabitants of Bridge Town who shall by the said vestry be thought able to pay a tax, in such

Clause 15.
The salaries to be allowed the justices of the peace, superintendents and police officers.

Clause 16.
Disturbers of the peace to be taken before the justices, or either of them; and if the office shall not be open, the superintendent may commit the person, or take bail for his or her appearance.

Clause 17.
Any person resisting, or aiding or inciting any other person to resist a police officer in the execution of his duty, shall, on conviction, forfeit 10*l.*, recoverable as servants' wages, to the uses of this Act, or be imprisoned two months, unless the fine be sooner paid.

Proviso: Such person not to be exempt from being prosecuted under the general law, but he shall not be punished under both.

Clause 18.
Superintendents and police officers to be invested with all authorities exercised by constables under any law of Great Britain or this Island.

Clause 19.
Actions against any justice of the peace or police officers, when, how, and for what cause to be brought.

The person sued may plead the general issue, and give this Act in evidence.

If the plaintiff be nonsuited, or suffer a discontinuance, the defendant shall have treble costs.

Clause 20.
The treasurer is to pay the salaries of the justices of the peace and town clerk quarterly, and the salaries of the superintendents and police officers monthly. He is to keep an account of all sums paid by him, and the amount he shall receive from the town clerk.

The vestry, within 10 days after the passing of this Act, and annually after, on the day they impose other parochial taxes, are to impose a tax on all owners

— No. 12. —

Barbadoes.

AN ACT for the Temporary Establishment of a Rural Police for this Island :—
24 April 1835.

BARBADOES.

Appendix (B.)

Colonial Laws.

No. 12.

WHEREAS the Act for the Establishment of a Rural Police has been disallowed by His Majesty in Council : and whereas it is absolutely necessary, for the preservation of the public peace, that a rural police force shall be forthwith appointed ; be it therefore enacted, by his Excellency Sir Lionel Smith, Knight Commander of the most honourable Military Order of the Bath, His Majesty's Captain-general and Governor-in-chief of this Island, Chancellor Ordinary and Vice-admiral of the same ; the Honourable the Members of His Majesty's Council ; and the General Assembly of this Island ; and by the authority of the same ; that it shall be lawful for his Excellency the Governor to nominate and appoint, immediately after the passing of this Act, the several sergeants, keepers of houses of correction and police officers for the respective districts hereinafter mentioned ; that is to say, one sergeant and one keeper of the house of correction for each district, and that for the parish of St. Michael and town of Bridge Town, which shall form one of such districts (A), there shall be appointed eight privates to serve on horseback and eight privates to serve on foot ; for the parishes of Christ Church and St. George, which shall form district (B), 12 privates to serve on horseback and 12 privates to serve on foot ; for the parishes of St. Philip and St. John, which shall form district (C), 12 privates to serve on horseback and 12 privates to serve on foot ; for the parishes of St. James and St. Thomas, which shall form district (D), eight privates to serve on horseback and eight privates to serve on foot ; for the parishes of St. Peter and St. Lucy, which shall form district (E), 12 privates to serve on horseback and 12 privates to serve on foot ; and for the parishes of St. Joseph and St. Andrew, which shall form district (F), eight privates to serve on foot and eight privates to serve on horseback : and when and so soon as they are respectively appointed to such situations, they shall hold and exercise their respective offices under such rules and regulations as shall be settled by the Council and Assembly, and approved of by the Governor or Commander-in-chief for the time being.

2. And be it further enacted, that when any vacancies shall occur in any situation as aforesaid, it shall be lawful for the several special justices of the peace in their respective districts to appoint fit and competent persons to fill the same ; provided that no such appointment shall be valid until the same shall have been confirmed by the Governor or Commander-in-chief for the time being.

3. And be it further enacted, that it shall be lawful for the several special justices in their respective districts to suspend the said several sergeants, keepers of houses of correction and policemen for misconduct or inefficiency, or wilful disobedience of the said rules and regulations ; and that it shall be lawful for the Governor or Commander-in-chief for the time being to confirm or disallow such suspension, and, in case it shall seem fit, to dismiss the person so suspended by the special justice as aforesaid.

4. And be it further enacted, that the several sergeants, keepers of houses of correction and police officers, appointed by virtue of this Act, shall be always on duty in such place in the respective districts to which they belong, as they have heretofore resided at, or which may be for that purpose provided for them, subject to the lawful commands of the several special justices in their respective districts, and to such rules and regulations as are hereinbefore directed to be made concerning the same ; and the treasurer of the Island is hereby authorized to hire such places for the purposes aforesaid ; and the said sergeants and policemen shall act as conservators of the peace for their respective districts, and they shall have, exercise and enjoy all the powers, authorities and immunities which are incident to the office of a constable or police officer, under any Act of this Island or any Act of the Imperial Parliament in force in this Island, which are by the general law vested in constables.

5. And be it further enacted, that each of the sergeants hereby appointed shall be required to keep a good horse, and shall receive a salary at the rate of 130*l.* current money of this Island per annum, and each of the said policemen serving on horseback shall receive a salary at the rate of 80*l.* like current money per annum, and each policeman serving on foot shall receive a salary at the rate of 50*l.* like current money per annum ; and the keepers of the prisons hereby appointed shall receive a salary at the rate of 100*l.* like current money per annum, which said several salaries shall be paid by the treasurer of the Island, in equal monthly payments, on the certificates of the several special justices of the peace, that the same are due.

6. And be it further enacted, that all apprenticed labourers committed to the house of correction hereinbefore mentioned, shall be subject to such rules and regulations as shall be framed by the said several special justices respecting their classification, maintenance and discipline, and to such punishments for disobedience of the said rules and regulations as apprenticed labourers are subject to under the Act for the abolition of slavery in this island : provided that no such rules and regulations shall be valid until they have been approved of by the Governor and Commander-in-chief for the time being.

7. And be it further enacted, that this Act shall continue in force for the period of six months from and after the passing of the same, and no longer.

Preamble.

Clause 1.
After the passing of this Act, the Governor shall appoint sergeants, policemen and keepers of the houses of correction, as here mentioned, for the several districts of the Island.

Rules for the guidance of the police to be settled by the Council and Assembly, and approved by the Governor.

Vacancies, how to be supplied.

Suspension of police officers to be confirmed or disallowed by Governor.

Regulations to be observed by police officers.

And they are to exercise the authority of constables.

Salaries to be paid monthly to sergeants and policemen, &c. on certificates from the special justice of the district.

Special justices to frame rules, &c. for apprenticed labourers, subject for the approval of the Governor.

This Act to be in force for six months.

BRITISH GUIANA.

Appendix (B.)

Colonial Laws.

No. 13.

— No. 13. —

BRITISH GUIANA, 1834.

AN ORDINANCE to establish and constitute Inferior Courts of Criminal Justice in *British Guiana*.

Preamble.

Reference to order in Council of 20 June 1831, authorizing inferior courts of criminal justice to be instituted.

Expediency of instituting such inferior courts.

Justices of the peace in and for the colony of British Guiana to be appointed by the Governor.

Not less than three for each parish.

Berbice to be considered as four parishes.

Each justice of the peace, before he enter upon his office, shall take an oath.

Form of oath.

Every justice of the peace shall take cognizance of offences within the limits of his authority.

May refer complaint to the next sessions of an inferior court.

May commit accused party, unless bail be given for appearance before sessions.

Once in every month, or oftener, an inferior court of criminal justice to be convened in each parish.

To hear and determine all cases of breach of the peace.

Extent of punishments and fines limited.

Inferior court, before trial, may refer the case to the supreme court.

Chief justice, or one of puisne judges, may discharge from imprisonment or admit to bail.

Any fiscal, if present in parish at the time of sessions, may preside.

No person to be tried by inferior court, unless it be formed of one fiscal and four justices.

WHEREAS by an order of His Majesty in Council, bearing date the 20th June 1831, His Majesty has been graciously pleased to authorize the establishing of inferior courts of criminal justice within the colony of British Guiana, having jurisdiction to a certain extent as therein defined :

And whereas for the more ready correction and punishment of offenders, and for the due maintenance of the public peace and tranquillity, it is expedient to establish, constitute and erect within the said colony such inferior courts :

1. Be it therefore enacted, by his Excellency the Lieutenant-governor of the colony of British Guiana, with the advice and consent of the Court of Policy thereof, that in addition to the fiscals of this colony, there shall be appointed by his Excellency the Governor, acting in the name and on the behalf of His Majesty, such other number of justices of the peace within the said colony, as shall be requisite for upholding the laws, and for the prompt administration of justice ; provided however, that the said justices of the peace shall be appointed in the proportion of not less than three to each parish ; the district of Berbice being considered for the purposes of this Act, equal to four parishes.

2. And be it further enacted, that each of the said justices of the peace, before he shall enter upon the duties of his office, shall appear before the Governor of the colony, and take and subscribe an oath to be administered to him by the Governor in the following terms :

“ I, *A. B.* do swear that I will to the best of my knowledge and ability, faithfully execute and perform the duties of the office of a justice of the peace, in and for the colony of British Guiana, without fear, favour or partiality. So help me God.”

3. And be further enacted, that every such justice of the peace shall take cognizance of any complaint which may be submitted to him against any person for such breaches of the law as may now or hereafter be defined to come within the limits of the authority of any such justice of the peace ; every such justice of the peace being hereby empowered in every case where he considers it expedient to refer any such complaint to the next sessions of an inferior criminal court, and in the mean time to commit the accused party to prison, unless sufficient bail be given for the appearance of such accused party at the next session of such court.

4. And be it further enacted, that once in every month, or oftener if it shall be deemed necessary by any one of the fiscals, or by the senior justice of the peace of the parish, shall be convened a court of not less than three of such justices of the peace, which shall sit at any convenient place within the parish as shall be named by such fiscal or senior justice, and shall hear and determine all cases of breaches of the peace, petty thefts, and other offences committed within the respective jurisdiction of the supreme courts of criminal justice of the colony, and at every sessions of such inferior criminal court, the senior or any other justice of the peace as may be agreed among themselves shall preside, and such court shall have power to inflict a punishment not other than or exceeding imprisonment, with or without hard labour, for a term not exceeding three months, or fine not exceeding 20*l.*, or whipping not exceeding 39 stripes, this particular punishment being limited to males only ; or any two or more of such kinds of punishment together within the limits aforesaid : provided, however, that if at any time before trial it shall appear to said court that the case before it is of such a nature as ought to be tried before a supreme court of criminal justice, such inferior court is authorized to commit the accused party to safe custody, or to admit him to bail, and to report the case to the fiscal for prosecution before either of the supreme courts of criminal justice of the colony having jurisdiction in such case.

5. And be it further enacted, that it shall be lawful for the chief justice, or first or second puisne judge, but for no other judge or justice of this colony, to discharge any person in a summary way from imprisonment before trial, or to admit him to bail, on proof being made to the satisfaction of such chief justice or puisne judge that such person ought in due course of law to be discharged or admitted to bail.

6. And be it further enacted, that in the event of any one of the fiscals being in any country parish at the time of the sessions of the inferior court of criminal justice thereof being held, such fiscal shall, if he see fit, preside at such sessions, anything herein contained to the contrary hereof notwithstanding : provided, however, that no person of free condition shall be tried before any inferior court of criminal justice, unless one of the fiscals and four justices of the peace at least shall form such court, and at every sessions of an inferior court of criminal justice held in George Town or New Amsterdam, a fiscal shall preside, except prevented by illness or unavoidable absence, in either of which cases the senior or any other justice of the peace in each town shall take his place.

7. And

7. And be it further enacted, that every justice of the peace shall take down in writing notes of his examinations of all persons, a record of which, as well as of all other particulars of the cases which may be brought before him, he shall keep in the form hereunto annexed, which record shall be laid before the inferior court of criminal justice of the parish in which he may reside at each of its sessions, and a record book shall be kept in like manner by every inferior court of criminal justice of each parish in the colony, a copy of which record of such inferior court, together with copies of the records of the respective justices of the peace acting alone, shall quarterly be laid before the Governor and Court of Policy.

Every justice to take down, in writing, notes of examinations, and keep a record thereof, and of particulars of cases.

Every inferior court to keep a record of proceedings.

And be it further enacted, that whenever any slave shall commit any of the offences hereinafter pointed out and defined, it shall be lawful for the owner or person having charge or control of such slave, or for any other person having cause of complaint against any such slave, for or on account of any such offence, to apply to any one of the justices of the peace, setting forth in writing the nature of the offence, and when the same was committed or supposed to have been committed; and every such justice of the peace is hereby authorized and empowered to take cognizance of every such complaint; and in case the slave against whom such complaint is preferred shall, in the judgment of such justice of the peace, be deemed guilty of the offence wherewith he or she stands charged, and shall not be considered by such justice to merit or deserve any other greater or severer punishment than is hereby permitted and allowed to be adjudged by any single justice of the peace, the said justice of the peace shall be and he is hereby authorized to order and award such punishment to be inflicted upon such slave as may be commensurate with the offence, such punishment not to exceed 15 stripes with a cat-o'-nine-tails (this particular punishment being limited to males only), or imprisonment, solitary or otherwise, in the colonial gaol, house of correction, or other place of confinement previously approved by a duly licensed medical practitioner, with or without hard labour, on the tread-mill or otherwise, or hard labour or otherwise in or out of place of confinement during the day, as the case may require, for a period not exceeding 14 successive days, the offending slave in every case of confinement to be supplied with a sufficient quantity of farinaceous food once at least in every 12 hours, and with a proper allowance of water; and that no doubt may exist as to the nature of the offences of slaves punishable by this Act, be it, and it is hereby further declared, that the said last-mentioned offences are as follows: that is to say, neglect of work or duty, whether from obstinacy, determination on idleness, combination not to perform a reasonable portion of labour, and to yield obedience to proper orders at all times, or to comply with orders given in cases of emergency specified by law; creating a disturbance or riot; violence of language or gesture to those in authority over them; violence to any person by language, ill-usage or actual assault; indecency of conduct; insubordination; resistance to the infliction of any punishment awarded; aiding or assisting to prevent the same being carried into effect; refusing to obey an order to carry or aid in carrying the same into effect; inducing or persuading, or offering resistance to authority; refusal to obey orders; killing, cutting, chopping or ill-treating animals; neglect of person or depravity of habit; inflicting a wound or causing an artificial sore; wilful neglect of sores; practising or pretending to obeah; injury to property; wilfully injuring growing crops or produce, whether in process of manufacture or manufactured; wilful injury to machinery or property in or about the buildings; wilful injury to punts, boats or craft of other description; tradesmen, boilers, boatmen and others charged with particular trusts, wilfully neglecting and injuring their immediate charge; wilful injury to property generally, whether of sluices, dams, bridges, provisions, provision grounds and other matters, which can legally be considered property; or endangering property by fire; wantonly trespassing on premises; or entering upon lands or other buildings without permission from the owner or occupier thereof; selling or bartering their allowance of clothing and provisions without permission of owner or person in authority over them; ill usage and carelessness of their clothing, provisions and tools, or improperly making away with either; theft, whether accompanied by a fraction or otherwise, principals as well as accessories; running away, whether accompanied by any act of insubordination herein defined or theft; living by plunder or as bush negroes; or attempting to leave the colony, or enticing or persuading others to do so; absenting themselves from the estate or premises after eight o'clock at night without permission; harbouring runaways; intoxication, gambling in, or out of houses; holding meetings or dances without lawful permission, or being present thereat without permission; galloping of horses through the streets; riding or driving furiously; and for not keeping on the proper side of the road; crowding on public roads, streets, bridges or stellings, to the obstruction of passengers or the annoyance of the neighbours; committing nuisance; carrying fire-arms without a pass from the owner or person in authority over them, or being accompanied by such person carrying weapons or bludgeons on the roads, streets or elsewhere, cutlasses for agricultural purposes excepted during the day, and weapons for the use of watchmen by day and night; firing guns, crackers or squibs, or wantonly occasioning alarms; trafficking in sugar, rum, molasses, coffee, cocoa or plantains, without a pass from some person in authority over them; refusing to work for hire, according to the Act regulating the conduct of registered cart drivers and porters.

Every justice of the peace may take cognizance of offences committed by slaves.

Complaint to be in writing.

Power of single justice of the peace restricted to 15 stripes.

Confinement for 14 successive days.

9. And be it further enacted, that if any person shall compel, or shall by any means hire or induce any slave to perform or engage in any labour on any of the six working days of the week, without the sanction or authority of the owner, manager or other person having the care, charge or superintendence of such slave, such person so offending shall, on conviction thereof

No person to hire a slave on a week-day, without authority from owner, &c.

thereof before an inferior court in respect of every such slave, incur a fine of not less than 20*s.*, nor more than 10*l.*

Justices of the peace, and inferior courts of criminal justice, to administer oaths.

10. And be it further enacted, that in all cases of which any justice of the peace, or inferior court of criminal justice, is hereby, or shall hereafter be required or authorized to take cognizance, it shall and may be lawful for such justice or inferior court, and he or it is hereby authorized and empowered to administer an oath or oaths, affirmation or affirmations, to any person or persons to whom it shall and may be right and proper to administer such oath or oaths, affirmation .. affirmations.

Authority of every justice of the peace to extend over the whole colony.

11. And be it further enacted, that for the purposes of this Act it shall be lawful for any justice of the peace of this colony to take cognizance of any offence committed in any other parish than that in which he may reside, and to form one of any inferior court of criminal justice holding its sessions in any parish of the colony, and that to all and every warrant or summons issued by any justice of the peace due obedience throughout the colony shall be paid.

No justice of the peace, being the owner or manager of a slave, to convict, or assist in the conviction of, such slave.

12. And be it further enacted, that no justice of the peace who shall be the owner or manager of any slave shall be authorized by himself, or in conjunction with any other justice or justices of the peace, to adjudge, by conviction or otherwise, any such slave to punishment under or by virtue of this Act; and that every justice of the peace who shall be convicted of knowingly committing any such offence, shall be liable and subject to the like penalties and punishments hereinafter provided and declared against any person punishing a slave by whipping.

Persons convicted in fine and penalty, and not paying, to be committed to gaol.

13. And be it further enacted, that if any person who shall by any inferior court of criminal justice be adjudged under and by virtue of this Act to pay any fine, penalty or sum of money, such person shall, if the fine be not forthwith paid, be committed, if in Demerara or Essequibo, to the common gaol in George Town, or if in Berbice, to the common gaol in New Amsterdam, for any term not exceeding two calendar months, unless payment be sooner made.

Imprisonment may be solitary or otherwise, with or without hard labour, at discretion of inferior court.

14. And be it further enacted, that when any person shall be convicted by an inferior court of criminal justice of any offence punishable under this Act for which imprisonment may be awarded, it shall be lawful for such inferior court to adjudge the offender to be imprisoned, or to be imprisoned and kept to hard labour, in the common gaol or house of correction, or other place of confinement, previously approved by a duly licensed medical practitioner; and also to direct that the offender shall be kept in solitary confinement for the whole or any portion or portions of such imprisonment, or of such imprisonment with hard labour, as to the court shall seem meet.

Justices of the peace to appoint constables, and for what purposes.

15. And be it further enacted, that every justice of the peace shall appoint and swear in such persons in the parish in which he resides as he shall think fit to act as constables generally, or for any special purpose, which constables shall obey and execute all warrants and orders of the inferior courts of criminal justice, and of all and every the justices of the peace; and that to all such constables being so appointed due obedience shall be paid in the execution of their offices, and that every justice of the peace in either George Town or New Amsterdam to whom a complaint shall be made, shall, if he think fit, refer the same to the fiscal or other sitting magistrate.

Obedience to be paid to constables.

A person in the act of committing an offence, in this Act, may be arrested without warrant.

16. And for the more effectual apprehension and discovery of all offenders punishable under this Act, be it enacted, that any person found committing any offence punishable by virtue of this Act may be immediately apprehended, without a warrant, by any peace officer, or by the owner of the property on or with respect to which the offence shall be committed, or by his servant, or any person authorized by him, and forthwith taken before some neighbouring justice of the peace to be dealt with according to law; and if any credible witness shall prove upon oath before a justice of the peace a reasonable cause to suspect that any person has in his possession, or on his premises, any property whatsoever on or with respect to which any such offence shall have been committed, the justice may grant a warrant to search for such property; and any person to whom any property shall be offered to be sold, pawned or delivered, if he shall have reasonable cause to suspect that any such offence has been committed on or with respect to such property, is hereby authorized, and if in his power, is required to apprehend, and forthwith to carry before a justice of the peace, the party offering the same, together with such property, to be dealt with according to law.

A justice of the peace, on good grounds of suspicion, may grant a search warrant.

Any person to whom stolen property is offered, may seize party offering it.

Ordinance of 1 March 1832 repealed.

17. And be it further enacted, that from and after the publication of this ordinance, an ordinance entitled "An Ordinance to define Offences committed by Slaves, and to establish a summary Jurisdiction for the Punishment thereof," passed by this court on the 1st March 1832, shall be and the same is hereby repealed; the powers hitherto held by the deputy-fiscals in Demerara and Essequibo, and by the civil magistrates in Berbice, not particularly specified in this ordinance, and not being repugnant to the tenor hereof, being hereby transferred to the justices of the peace; and in all ordinances of this court, or Acts or ordinances, or resolutions of the former courts of policy, or civil government of the respective late colonies, now districts of Demerara and Essequibo, and of Berbice, wherein the deputy-fiscals or civil magistrates are mentioned, the same shall be hereafter taken and held to apply to the justices of the peace: provided, however, that all offences heretofore committed against the said last-mentioned ordinances, and not already punished, shall be punishable under and by virtue of this Act.

Powers of deputy fiscals transferred to justices of the peace.

Punishment of offences against ordinance of 1 March 1832, reserved.

18. And be it further enacted, that on and from the 1st day of March 1834 the punishment of slaves by whipping, except upon conviction before a justice of the peace, or an inferior court of criminal justice, or by sentence of either of the supreme courts of criminal justice of this colony, shall be, throughout the colony of British Guiana, unlawful and illegal; and every owner, manager, or other person, who, having the care and charge of any slave, shall inflict, or directly or indirectly cause to be inflicted, upon any slave a punishment by whipping, shall, upon conviction thereof before an inferior court, be liable to pay a fine not exceeding 20*l.*, with or without imprisonment, not exceeding three months: provided, however, that this shall not be construed to prevent the correction or punishment of children of both sexes under the age of 10 years, in the same manner and to the same extent as children at school.

19. And be it further enacted, that all fines and pecuniary penalties incurred and levied under this Act shall be paid into the colonial chest of the colony.

20. And be it further enacted, that the summonses, warrants, convictions, commitments, bail-bonds, recognizances of witnesses to be used and oaths to be administered by the said justices, when acting singly, shall be in the forms annexed.

And that no ignorance shall be pretended of this our ordinance, these presents shall be printed and published in the customary manner.

Thus done and enacted at our Extraordinary Assembly, held at the Court House, George Town, Demerara, this 22d day of January 1834, and published the 23d, following.

(signed) *J. Carmichael Smyth.*

On the 1st March 1834, punishment of slaves by whipping, except upon a conviction before a justice of the peace or inferior court, or in virtue of sentence of supreme court, illegal.

Except the correction of children under the age of 10 in the same manner, and to the same extent, as children at school.

Application of pecuniary fines and penalties.

Forms of summonses, &c. to be used by single justice.

— No. 14. —

British Guiana, 8 February 1834.

No. 14.

AN ORDINANCE for the Classification and Registration of Slaves hereafter to become and be Apprenticed Labourers.

ORDINANCE enacted by his Excellency Major-general Sir James Carmichael Smyth, Baronet, Companion of the most honourable the Military Order of the Bath, Knight Commander of the Royal Order of Hanover, Knight of the Austrian Imperial Order of Maria Theresa, Knight of the Russian Imperial Order of St. Waldimir, Lieutenant-governor and Commander-in-chief in and over the Colony of British Guiana, Vice-admiral and Ordinary of the same, &c. &c. &c., by and with the advice and consent of the Honourable Court of Policy of the said Colony.

Unto all to whom these presents shall or may come greeting, be it known :

WHEREAS, by the fourth section of an Act of the Imperial Parliament of Great Britain and Ireland, made and passed in the third and fourth years of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves," after reciting that whereas it was expedient that all such apprenticed labourers should, for the purposes thereinafter mentioned, be divided into three distinct classes, the first of such classes consisting of prædial apprenticed labourers attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce, or otherwise, upon lands belonging to their owners; the second of such classes, consisting of prædial apprenticed labourers not attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce, or otherwise, upon lands not belonging to their owners; and the third of such classes consisting of non-prædial apprenticed labourers, and comprising all apprenticed labourers not included within either of the two preceding classes; it was therefore enacted that such division as aforesaid of the apprenticed labourers into such classes as aforesaid, should be carried into effect in such manner and form, and subject to such rules and regulations as should for that purpose be established under such authority and in and by such Acts of Assembly, ordinances, or orders in Council as thereinafter mentioned: provided always, that no person of the age of twelve years and upwards should by or by virtue of any such Act of Assembly, ordinance, or order in Council, be included in either of the said two classes of prædial apprenticed labourers, unless such person should for twelve calendar months at the least next before the passing of that present Act have been habitually employed in agriculture or in the manufacture of colonial produce: and whereas, by the 16th section of the said Act of Parliament, after reciting that whereas it was necessary that various rules and regulations should be framed and established for ascertaining, with reference to each apprenticed labourer within the said colonies respectively, whether he or she belonged to the class of attached prædial apprenticed labourers, or to the class of unattached apprenticed labourers, or to the class of non-prædial apprenticed labourers, it was enacted and declared that nothing in that Act contained extended, or should be construed to extend, to prevent the enactment by the respective Governors, Councils and Assemblies, or by such other local legislatures as aforesaid, or by His Majesty, with the ad-

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vice of His Privy Council, of any such Acts of General Assembly, or ordinances, or orders in Council, as might be requisite for making and establishing such several rules and regulations as aforesaid, or any of them, or for carrying the same, or any of them, into full and complete effect: and whereas it is essential to the interests of all concerned in this colony, that the rules and regulations for the purposes hereinbefore recited should be framed and established with as little delay as possible:

Sect. 1. Be it therefore enacted, by his Excellency the Lieutenant-governor of the colony of British Guiana, with the advice and consent of the Court of Policy thereof, that, on or before the 1st day of May of this present year 1834, every person who shall be resident within this colony, and who, on the 20th day of March next, shall be in possession of any slave or slaves within the same, whether as proprietor, attorney or trustee, or in whatever other name or title he may hold the same, not herein described, shall respectively make and deliver into the office of the registrar of slaves of the respective districts of Demerara and Essequibo, and of Berbice, to which such slave or slaves may belong, such schedule or schedules, in writing, as are hereinafter mentioned; that is to say, every person in possession of any slave or slaves as aforesaid, shall so make and return a schedule in writing, in duplicate, of every slave in his or her possession on the said 20th day of March next, therein specifying, in the first place, his or her own name and description, and the name and description of such other person or persons, being the owner or owners of such slave or slaves, on whose behalf the schedule is made, together with the name of the plantation (if any) to which such slave or slaves is or are attached, and the right or character in which the party making such schedule holds possession of and claims title to such slave or slaves, namely, whether as proprietor, attorney or trustee, or otherwise; and after such descriptions as aforesaid, shall proceed to name, describe and enumerate distinctly the several Negro, Mulatto and other slaves belonging to the said owner or owners, in manner following; that is to say, the schedule shall be divided into nine columns, of convenient breadth, respectively entitled at the heads thereof, sex, name, colour, age, bodily marks, condition, country, employment and class; and in the first of the said columns shall be inserted the sex of each slave; in the second the name of each slave, by which he or she has been usually called or known; in the third column shall be inserted the colour of each slave, including, under the term coloured, all those who are not black; in the fourth column shall be inserted the age of each slave; in the fifth column shall be inserted a specification of all particularly conspicuous bodily marks, by which each slave may be known and identified; in the sixth column shall be inserted the condition of the slave, whether invalided, superannuated or able; in the seventh column shall be inserted whether the slave is an African or Creole; in the eighth column the habitual occupation or employment of each slave, for 12 calendar months at the least next before the 28th day of August 1833; and in the ninth column the class to which the person making the schedule conceives the slave, when in a state of apprenticeship, will belong; that is to say, whether to the first, second or third class, as above stated, using the letters P. A. for prædial attached apprenticed labourers, P. U. for prædial unattached apprenticed labourers, and N. P. for non-prædial apprenticed labourers.

2. And for the better ascertaining of the proper forms of such schedules of slaves as are hereby required to be made, and that every person may strictly adhere thereto, a form of such schedule is to this Act annexed, to which all persons are required to conform.

3. And be it further enacted, that for the purpose of making the schedules by this ordinance required, every person shall and may, during office hours, have free access to and examination of the records of the registration of slaves in the slave registrars' offices of this colony respectively, every person paying the sum of one guilder for such access and examination; and each of the said registrars of slaves in this colony is hereby further directed and required, upon application for the same, to give copies in writing, certified by himself, of every schedule that may be desired, the person desiring the same paying for each copy so required the sum of 10 stivers, if the number of slaves therein contained does not exceed five, and if exceeding five, the further sum of one guilder 10 stivers for any number from six to 20 inclusive; and for every slave exceeding 20, the sum of one stiver.

4. And be it further enacted, that every person making any and every such schedule shall, at the time of delivering the same to the registrar of slaves in the appropriate district, take the following oath, which the said registrar is hereby empowered and required to administer; that is to say,

“ You do swear that the schedule now by you given in contains a true and exact account, description and classification, according to the several particulars therein specified of all the slaves, on the 20th day of March 1834, attached or belonging to the plantation, called _____ in _____ or on that date, belonging to you, or in your possession [*if an owner*], or on that date belonging to, or in possession of [*name the owner or possessor*], within this district, according to the best of your judgment, knowledge, information and belief. So help you God.”

Provided nevertheless, that in case any owner or possessor of slaves resident in this colony shall, from sickness or any bodily infirmity, be prevented from attending the registrar of slaves in the appropriate district, to deliver such schedule of his or her slaves as hereinbefore is directed, it shall and may be lawful for any other person, in behalf of such owner or possessor, to give in such his or her schedule in the form hereinbefore prescribed, such person

person so giving in for another, at the time of delivering such schedule, taking the following oath before the said registrar of slaves in the appropriate district, who is hereby empowered and required to administer the same:

“ You do swear that the person for whom you are now about to give in a schedule of slaves is prevented doing so in his or her own proper person from illness or bodily infirmity, and that the schedule by you now given in was signed by such person in your presence, and that the same contains a true and exact number, description and classification of all the slaves within this district, belonging to, or in the possession of the said _____ on the 20th day of March 1834, according to the best of your judgment, knowledge, information and belief. So help you God.”

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5. And be it further enacted, that at the expiration of the period hereinbefore specified for giving in the schedules required by this ordinance, the utmost publicity of the nature, object and intention of the same shall be given to all and every slave throughout this colony, by the respective fiscals, protectors, assistant-protectors and justices of the peace in and for the same, in manner and form and agreeably with such instructions as shall be communicated or made known to them by his Excellency the Lieutenant-governor; and that it shall be the duty of each and every of the said fiscals, protectors, assistant-protectors and justices of the peace to take down in writing all and every objection which shall or may be made to him by any slave to his remaining in the class in which he or she shall be put or placed by his or her owner, or other person having charge of him or her; and on or before the 1st day of June 1834 to make a true and accurate return of all and every such objection or objections, and to deliver every such return into the registrar's office to which it may belong, on or before the day and year last aforesaid.

6. And be it further enacted, that as soon as the returns of objections by the fiscals, protectors, assistant-protectors and justices of the peace shall have been made and delivered in to the offices of the registrars of slaves in and for the respective districts aforesaid, it shall and may be lawful for the said respective registrars, in the presence of the respective protectors or assistant-protectors of slaves, to examine and investigate all such returns, and upon the evidence afforded by such returns, and by the records of his office, either to confirm or correct any such schedule as he may see fit, in a blank column to be added for that purpose, giving in all cases of correction to the parties making such schedule notice of every such correction; and if either the party making the schedule, or the protectors or assistant-protectors of slaves shall be dissatisfied with the correction of such registrars, such party may, on his or her own behalf, and the protector or assistant-protector may, on the behalf of such slave, bring the matter before the judges of the supreme courts of this colony, in manner and form hereinafter stated, for hearing and decision.

7. And be it further enacted, that the judges of the said supreme courts shall make all necessary rules for bringing before them for hearing and decision, in a summary way, all such matters, and for regulating the proceedings on the same in the manner which may be most conducive to method, punctuality and dispatch; and that every decision of such courts respectively shall be final and conclusive.

8. And be it further enacted, that when such proceedings as aforesaid shall have taken place, there shall be affixed in another column, to be added in each schedule for that purpose, the class to which the court in any disputed case shall decide the apprenticed labourer belongs, the said class being designated by the letters P. A. for each prædial attached apprenticed labourer, P. U. for each prædial unattached apprenticed labourer, and N. P. for each non-prædial apprenticed labourer, upon which all schedules, whether the same shall have been objected to or not, shall be bound up in as many volumes as shall be convenient, and shall form the registry of apprenticed labourers, in and for the respective districts of Demerara and Essequibo, and of Berbice, to which they belong; and during the continuance of the apprenticeship the registry so formed or corrected as aforesaid, shall be deposited amongst the records of the superior courts of this colony; and when any question shall arise respecting the class to which any apprenticed labourer belongs, such corrected registry, or a certified extract thereof, shall be taken as conclusive evidence of the fact.

9. And whereas by the said Act of Parliament no person will be entitled to the services of any apprenticed labourer unless the class to which such apprenticed labourer belongs shall be previously ascertained and registered; but such accidental omissions may occur; be it therefore further enacted, that it shall be lawful for any party who may have omitted to make and deliver in a schedule as aforesaid, on or before the 1st day of May 1834, in respect of one or more slaves whose services as an apprenticed labourer or labourers may be claimed by such party, to apply to the Governor by petition to make and deliver in a schedule of such omitted slave or slaves; and upon such application being granted before the 1st day of July 1834, the same rules and regulations applicable to the classification and registering of all other slaves as apprenticed labourers, shall be strictly observed; and if any such petition to the Governor shall be granted on or after the 1st day of July 1834, such last recorded petition and order thereon shall be brought before the chief justice for his decision in a summary way; and such decision shall be recorded in the registry of apprenticed labourers as aforesaid; upon which being done, the party claiming the services of any one or more apprenticed labourer or labourers who shall have been so omitted, shall be entitled thereto, anything herein contained to the contrary notwithstanding.

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10. And be it further enacted, that any person neglecting or omitting to make and deliver in the schedule or the affidavit before mentioned, or to attend when duly summoned, shall incur a penalty of not more than 10*l.*, nor less than 20*s.*

11. And be it further enacted, that all fines and pecuniary penalties incurred under this ordinance shall be recovered by parate execution, in the name or at the instance of the colonial receiver-general, or assistant colonial receiver-general, and be paid into the colonial chest of the colony.

And that no ignorance shall be pretended of this our Ordinance, these presents shall be printed and published in the customary manner.

Thus done and enacted at our Ordinary Assembly held at the Court-House, George Town, Demerara, this 8th day of February 1834, and published the 11th following.

(signed) *J. Carmichael Smyth.*

By command of the Court,

(signed) *Charles Wilday, Secretary.*

SCHEDULE.

DEMERARA and ESSEQUIBO (OR BERBICE) Registration of Apprenticed Labourers,
 Parish of

THE RETURNS of SLAVES belonging to _____ in the lawful possession
 of _____ on the 20th March 1834, having reference to Schedule, No. _____
 registered, folio _____ in the Register of Slaves for the 31st of May

Sex.	Name.	Colour.	Age.	Bodily Marks.	Condition.	Country.	Employment.	Class.	—

— No. 15. —

No. 15.

British Guiana.

AN ORDINANCE for the Government and Regulation of Apprenticed Labourers.
 8 March 1834.

CAP. I.

Preamble recites the
 16th sect. of 3 & 4
 Will. 4, c. 73.

WHEREAS by the 16th section of an Act of the Imperial Parliament of Great Britain and Ireland, made and passed in the 3d & 4th years of His Majesty's reign, intituled "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves;" after reciting, that "Whereas it was necessary that various rules and regulations should be framed and established for ascertaining, with reference to each apprenticed labourer within the said Colonies respectively, whether he or she belonged to the class of attached prædial apprenticed labourers, or to the class of unattached apprenticed labourers, or to the class of non-prædial apprenticed labourers, and for determining the manner and form in which, and the solemnities with which the voluntary discharge of any apprenticed labourer from such his or her apprenticeship might be effected, and for prescribing the form and manner in which, and the solemnities with which the purchase by any such apprenticed labourer of his or her discharge from such apprenticeship without or in opposition, if necessary, to the consent of the person or persons entitled to his or her services should be effected, and how the necessary appraisement of the future value of such services should be made, and how and to whom the amount of such appraisement should in each case be paid and applied, and in what manner, and from and by whom, the discharge from any such apprenticeship should thereupon be given, executed and recorded; and that it was also necessary for the preservation of peace throughout the said Colonies, that proper regulations should be framed and established for the maintenance of order and good discipline amongst the said apprenticed labourers, and for ensuring the punctual discharge of the services due by them to their respective employers, and for the prevention and punishment of indolence or the neglect or improper performance of work by any such apprenticed labourer, and for enforcing the due performance by any such apprenticed labourer of any contract into which he

he or she might voluntarily enter for any hired service during the time in which he or she might not be bound to labour for his or her employer, and for the prevention and punishment of insolence and insubordination on the part of any such apprenticed labourers towards their employers, and for the prevention or punishment of vagrancy, or of any conduct on the part of any such apprenticed labourers injuring or tending to the injury of the property of any such employer, and for the suppression and punishment of any riot or combined resistance of the laws on the part of any such apprenticed labourers, and for preventing the escape of any such apprenticed labourers during their term of apprenticeship from the Colonies to which they might respectively belong." And after further reciting, that "Whereas it would further be necessary, for the protection of such apprenticed labourers as aforesaid, that various regulations should be framed and established in the said respective Colonies for securing punctuality and method in the supply to them of such food, clothing, lodging, medicines, medical attendance, and such other maintenance and allowances as they were in the said Act before declared entitled to receive, and for regulating the amount and quality of all such articles in cases where the laws then existing in any such Colony might not, in the case of slaves, have made any regulation or any adequate regulation for that purpose; and that it was also necessary that proper rules should be established for the prevention and punishment of any frauds which might be practised, or of any omissions or neglects which might occur, respecting the quantity or the quality of the supplies so to be furnished, or respecting the periods for the delivery of the same:" And after further reciting, that "Whereas it was necessary, in those cases in which the food of any such prædial apprenticed labourers as therein aforesaid might either wholly or in part be raised by themselves by the cultivation of ground to be set apart and allotted for that purpose, that proper regulations should be made and established as to the extent of such grounds, and as to the distance at which such grounds might be so allotted from the ordinary place of abode of such prædial apprenticed labourers, and respecting the deductions to be made from the cultivation of such grounds from the annual time during which such prædial apprenticed labourers were thereinbefore declared liable to labour:" And after further reciting, that "Whereas it might also be necessary, by such regulations as aforesaid, to secure to the said prædial apprenticed labourers the enjoyment for their own benefit of that portion of their time during which they were not thereby required to labour in the service of their respective employers, and for securing exactness in the computation of the time during which such prædial apprenticed labourers were thereby required to labour in the service of such their respective employers; and that it was also necessary that provision should be made for preventing the imposition of task-work on any such apprenticed labourer without his or her free consent to undertake the same, but that it might be necessary by such regulations, in certain cases, to require and provide for the acquiescence of the minority of the prædial apprenticed labourers attached to any plantation or estate, in the distribution and appointment amongst the whole body of such labourers of any task-work which the majority of such body should be willing and desirous collectively to undertake; and that it was also necessary that regulations should be made respecting any voluntary contracts into which any apprenticed labourers might enter with their respective employers, or with any other person, for hired service for any future period, and for limiting the greatest period of time to which such voluntary contract might extend, and for enforcing the punctual and effectual performance of such voluntary contracts on the part both of such apprenticed labourers and of the person or persons engaging for their employment and hire; and that it was also necessary that regulations should be made for the prevention or punishment of any cruelty, injustice, or other wrong or injury which might be done to or inflicted upon any such apprenticed labourers by the persons entitled to their services; and that it was also necessary that proper regulations should be made respecting the manner and form in which such indentures of apprenticeship as therein aforesaid should be made on behalf of such children as therein aforesaid, and respecting the registering and preservation of all such indentures:" And after further reciting, that "Whereas it was also necessary that provision should be made for ensuring promptitude and dispatch, and for preventing all unnecessary expense in the discharge, by the justices of the peace holding special commissions as therein aforesaid, of the jurisdiction and authorities thereby committed to them, and for enabling such justices to decide in a summary way such questions as might be brought before them in that capacity, and for the division of the respective Colonies in said Act mentioned into districts for the purposes of such jurisdiction, and for the frequent and punctual visitation by such justices of the peace of the apprenticed labourers within such their respective districts; and that it was also necessary that regulations should be made for indemnifying and protecting such justices of the peace in the upright execution and discharge of their duties:" And after further reciting, that "Whereas such regulations as aforesaid could not without great inconvenience be made, except by the respective Governors, Councils and Assemblies, or other local Legislatures of the said respective Colonies, or by His Majesty with the advice of His Privy Council, in reference to those Colonies to which the legislative authority of His Majesty in Council extended;" it was therefore enacted and declared, that nothing in that Act contained extended, or should be construed to extend, to prevent the enactment by the respective Governors, Councils or Assemblies, or by such other local Legislatures as therein aforesaid, or by His Majesty with the advice of his Privy Council, of any such Acts of General Assembly, or Ordinances or Orders in Council, as might be requisite for making and establishing such several rules and regulations as therein aforesaid, or any of them, or for carrying the same or any of them into full and complete effect: provided nevertheless, that it should not be lawful for any such Governor,

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Appendix (B.)

Colonial Laws.
No. 15.

- BRITISH GUIANA.** Council and Assembly, or for any such local Legislature, or for His Majesty in Council, by any such Acts of Assembly, Ordinances or Orders in Council as therein aforesaid, to make or establish any enactment, regulation, provision, rule or order which should be in anywise repugnant or contradictory to that present Act or any part thereof, but that every such enactment, regulation, provision, rule or order should be and was thereby declared to be absolutely null and void and of no effect. And whereas it is necessary that provision should be made for establishing in the Colony of British Guiana the aforesaid rules and regulations, and for carrying the same into full and complete effect:—
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No. 15.
- British Guiana divided into 14 districts.**
1. Be it therefore enacted, by his Excellency the Lieutenant-governor of British Guiana, with the advice and consent of the Court of Policy thereof, that the Colony of British Guiana shall be divided into not less than 14 judicial districts; and that it shall be competent for the Governor, by and with the advice and consent of the Court of Policy, to define, and as occasion may require to alter, the limits of such districts.
- Special justices of the peace appointed.**
2. And whereas by the 14th sec. of the said Act of Parliament it was enacted, that it should and might be lawful for His Majesty to issue, or to authorize the Governor of any such Colony as therein aforesaid, in the name and on the behalf of His Majesty to issue, under the public seal of such Colony, one or more special commission or commissions to any one or more person or persons, constituting him or them a justice or justices of the peace for the whole of any such Colony, or for any parish, precinct, quarter or other district within the same, for the special purpose of giving effect to that present Act, and to any laws which might in manner thereafter mentioned be made for giving more complete effect to the same: Be it therefore further enacted, that such special justices shall be so appointed in the proportion of not less than three for each of the districts in this ordinance mentioned.
- Special justices of the peace to take oath of office.**
3. And be it further enacted, that before any special justice of the peace shall enter upon the duties of his office he shall appear before the Governor of this Colony, and in his presence take and subscribe an oath, which the said Governor shall administer in the following terms:
- “ I, *A. B.*, do swear that I will, to the best of my knowledge and ability, faithfully execute and perform the duties of the office of a special justice of the peace in and for the Colony of British Guiana, without fear, favour or partiality. So help me God.”
- Police settlements established.**
4. And be it further enacted, that in each district shall be set apart a sufficient extent of land, which, with the buildings to be erected thereon, shall be called the Police Settlement of the district, and that every such police settlement shall be established in the vicinity of as large a body as may be of the population of the district; and that, independently of the police settlement in each district, it shall be lawful for the chairman or sessions of each district to license in each district places of temporary safe custody, situated at convenient distances from one another.
- Land for the same how to be obtained.**
5. And be it further enacted, that for the formation of the police settlements the Governor shall appropriate any waste lands of the Crown which may be situated conveniently for that purpose; and in districts where such Crown lands cannot be found, shall by exchange, or if necessary by purchase, procure the lands wanting for the purpose.
- Temporary police settlements.**
6. And be it further enacted, that until permanent police settlements can be provided and proper buildings erected, suitable arrangements, by hire or otherwise, shall be made by the Governor, with the advice and consent of the Court of Policy, for providing buildings to be occupied temporarily as police settlements.
- Houses of correction and penal gang.**
7. And be it further enacted, that at each police settlement shall be erected a house of correction, and shall be established a penal gang, to be composed of such persons as shall be condemned to imprisonment with hard labour at such settlement.
- Employment of members of police settlement and of penal gang.**
8. And be it further enacted, that the members of the police settlement, when not engaged in actual service as policemen, shall be employed in the erecting or repairing of the buildings of the settlement to which they belong; and the penal gang of each police settlement shall assist in such labour, as well as perform such other work or labour connected with the maintenance of the settlement as may come under the designation of hard labour: and moreover, the penal gang, when not employed at police settlement, as often as the chairman of the district may direct, shall, under the superintendence of the sergeant of the police settlement, or in his absence of some other member of the police, be hired out to hard labour, on the public account, in the service of any person who may be willing to hire such labour.
- Superintendence of police settlement.**
9. And be it further enacted, that every police settlement shall be placed under the immediate superintendence of the chairman of the district sessions, who shall reside thereat or in the immediate vicinity thereof.
- One sergeant and ten privates at each police settlement.**
10. And be it further enacted, that each police settlement shall consist of one sergeant and not more than 10 privates, all being able-bodied men, between the ages of 20 and 50 years; and that such sergeant and privates of police shall be appointed by the Governor, and shall be liable to be removed by him for bad conduct or inefficiency; and that every sergeant and private shall be liable to be suspended from office by the chairman of the sessions of the district to which he belongs, subject to the Governor's confirmation or disallowance of such suspension.

11. And be it further enacted, that, in addition to the police forces stationed at each police settlement, the district sessions shall appoint and swear in such persons in the district as they shall think fit, to act as headboroughs or constables within the district. Headboroughs and constables.
12. And be it further enacted, that a report of the effective strength and condition of the police force at each settlement, and of the state of the buildings and provision grounds there, and of the state and conduct of the prisoners confined therein, shall once in every quarter be made to the Governor and Court of Policy, by the chairman of the district. Quarterly reports to Governor and Court of Policy.
13. And be it further enacted, that the Governor and Court of Policy shall from time to time establish rules necessary for the internal discipline of the said police settlements; for a due separation of prisoners of different sexes; for the classification of prisoners; for their religious instruction; for the maintenance of cleanliness, order and sobriety amongst them; and for the prevention and prompt punishment of any neglect or violation of such rules. Rules of discipline to be established.
14. And be it further enacted, that the sergeant and privates of each police settlement shall be provided with a uniform, and with such weapons and accoutrements as may be best adapted to the service in which they are engaged. Sergeant and privates to be provided with a uniform.
15. And be it further enacted, that the privates in each settlement shall receive pay at the rate of per diem, and the sergeant shall be paid at the rate of per diem; and that as vacancies occur, privates shall for good conduct be promoted to be sergeants. Pay of sergeants and privates.
16. And be it further enacted, that before any sergeant or private of any police settlement, or any headborough or constable of any district, shall enter upon the duties of his office, he shall appear before the chairman of the district sessions in and for which he may be so appointed, and in his presence shall take and subscribe an oath, which such chairman is hereby authorized and required to administer, in the following form: "I, A. B., do swear that I will, to the best of my knowledge and ability, faithfully execute and perform the duties of sergeant or private of police, or of headborough or constable, of the in the Colony of British Guiana, without fear, favour or partiality. So help me God." Police officers to take oath of office.
17. And be it further enacted, that it shall be the duty of the sergeant and the privates of each police settlement, and of the headboroughs or constables of each district, to carry into execution such orders as they shall receive from any one or more of the special justices for the prevention or repressing of crimes, and for enforcing obedience to the laws. Duties of police officer.

CAP. II.

1. AND with regard to the procedure to be observed by the special justices in the exercise of their jurisdiction, Be it further enacted, that every special justice of the peace shall reside within the district to which he is appointed, unless when prevented by sickness or other reasonable cause, to be allowed by the Governor. Special justice to reside within his district.
2. And be it further enacted, that every such special justice of the peace shall one day in each week, or oftener if need be, at the place of his residence, hold a session for the hearing and deciding such cases as may be brought before him, and recourse may be had to the nearest special justice at any time; and that once in every fortnight, or oftener where it shall be deemed necessary, shall be convened a court of not less than three of such special justices of the peace, which shall sit at any convenient place within the district, that shall be named by the chairman, and shall hear and determine all cases which shall be brought before it under or by virtue of this ordinance; and that at every session of such court of special justices, the chairman to be nominated and appointed by the Governor shall preside, unless prevented by sickness or absence, in either of which cases it shall and may be lawful for any other special justice of the peace, as may be agreed among themselves, to take the chair. Special justice to hold session once a week, or oftener.
District courts.
3. And be it further enacted, that every special justice shall be and he is hereby empowered and authorized, in respect of apprenticed labourers convicted of offences before him, to award any one of the following punishments: 1st, Confinement, with or without hard labour on the tread-mill or otherwise, for a period not exceeding 14 successive days; 2d, extra labour at the rate of 15 hours per week in the service of his or her employer, with or without confinement at night, for a period not exceeding 14 days; 3d, fifteen stripes for every male labourer. And in respect of any employer or person acting for him, when convicted of any violation of the present law, a penalty not exceeding 5*l.* sterling, or in case of protraction of labour of any apprenticed labourer by force or fraud, a fine of 1*s.* per hour. Powers of special justice defined.
4. And be it further enacted, that at such district sessions the special justices shall apportion the district into as many sections as may be convenient; and the plantations in each such section upon which 10 or any greater number of apprenticed labourers are employed, shall be visited at least once in each fortnight, or oftener if necessary, by one or more of the special justices of the district, who shall then and there take cognizance of such cases as may be brought before him or them. District to be divided into sections.

5. And be it further enacted, that if any special justice shall on investigating a case brought before him, be of opinion that it demands a punishment or penalty beyond that which he is hereby empowered or authorized to award, he shall refer such case to the district sessions.

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sessions of special justices, and shall if he see fit commit the accused, if an apprenticed labourer, for trial before such district sessions.

Journals to be kept by special justices and district sessions.

6. And be it further enacted, that every special justice and every district sessions of special justices shall keep a journal of all cases brought before him or them, in which shall be entered, 1st, the date of complaint; 2d, the name of the complainant; 3d, the name of the accused; 4th, the substance of the complaint; 5th, the names of the witnesses adduced on either side; 6th, the substance of the evidence; 7th, the decision on the case; 8th, whether the decision has been carried into effect; and to every case shall be added any general remarks which may be thought advisable; and all such journals shall be kept in one uniform manner to be prescribed for that purpose by the Governor and Court of Policy.

Quarterly reports by justices to district sessions, and by district sessions to Governor and Court of Policy.

7. And be it further enacted, that at the end of each quarter every special justice shall transmit to the district sessions of special justices a duplicate of his journal for the preceding quarter, containing a true account of all the proceedings in which such special justice has been engaged during the quarter to which it refers; and at the expiration of one week thereafter, the chairman of each of such district sessions shall transmit to the Governor and Court of Policy all such duplicate journals and affidavits of the special justices of his district, as well as a duplicate journal of the proceedings of such session courts for the same quarter, with an affidavit annexed to such last-mentioned journal, to the effect that such last-mentioned journal has been faithfully kept, and that, with the exception of unintentional errors, such last-mentioned journal contains a true account of all the proceedings of such district sessions of special justices during the quarter to which such last-mentioned journal refers.

Complaints to be reduced into writing.

8. And be it further enacted, that on receiving any complaint, it shall be the duty of each special justice to reduce it to writing and cause it to be read by or to read it over to the complainant, by whom it shall then be subscribed; and if the complaint shall appear to such justice immaterial and not to deserve further inquiry, he may at once dismiss the complaint; but if he shall think inquiry necessary, he shall call upon the complainant to make oath that the complaint is true.

Special justice may issue warrant of arrest or summons.

9. And be it further enacted, that upon taking any complaint to the truth of which such oath shall have been so made, the special justice shall either issue his warrant for the arrest of the party charged, or shall issue a summons for his attendance, as the case may require. The warrant of arrest shall be in the form annexed, marked (A), and the summons in the form annexed, marked (B): and the warrant of arrest shall be issued in all cases which impute to the party charged a capital or a transportable offence; in all cases where there is reason to apprehend that the party charged will endeavour to escape; and in all cases where there is reason to apprehend danger to the public peace from delay. In all other cases the special justice shall proceed in the first instance by summons.

Witnesses summoned.

10. And be it further enacted, that in cases in which it may be necessary to adduce witnesses in support of, or in answer to any such complaint, the special justice shall issue a summons or summonses in the annexed form marked (C.)

Hearing of complaint.

11. And be it further enacted, that at the time and place appointed by any such warrant or summons for proceeding upon any such complaint, the special justice shall in the presence of all parties first read over the written complaint, and then take down in writing the answer of the party charged, and then proceed to examine on oath the party complaining and the witnesses, taking down in writing the deposition of each witness, which shall be read over to and signed by him or her.

Adjournment of proceedings.

12. And be it further enacted, that the special justice may from time to time adjourn any such proceeding for further inquiry, and if necessary commit the party charged to custody pending such adjournment, or take bail for his appearance. Every warrant of such commitment or bail-bond shall be in the annexed forms marked (D.) and (E.)

Decision of special justice to be pronounced, reduced into writing, and subscribed.

13. And be it further enacted, that at the close of such proceedings the special justice shall pronounce his decision thereupon, which decision he shall reduce into writing, and subscribe with his hand; and by any such decision, such justice shall as law and reason may seem to him to require, either dismiss the complaint, or sanction any compromise between the parties which he may think just, or convict the party charged, or commit him to a duly authorized place of confinement, or admit him to bail to take his trial for the imputed offence.

Reasons of dismissal to be stated.

14. And be it further enacted, that if the complaint shall be dismissed, the special justice shall in such his written decision state whether it was so dismissed as being unproved, or as being frivolous and vexatious, or as being malicious.

Penalty for frivolous and vexatious complaints.

15. And be it further enacted, that if any such complaint shall be so dismissed as frivolous and vexatious, the special justice may adjudge the complainant, if a labourer, to work in the service of his employer for any time not exceeding in the whole 15 extra hours in any one week; or if the complainant be the employer, such justice may adjudge such employer to the payment of a penalty for the use of the labourer, not exceeding 30s.

Punishment of malicious complaints.

16. And be it further enacted, that if any such complaint shall be so dismissed as malicious, it shall be competent to the district sessions of special justices, at the instance of the party charged, to adjudge the complainant, if an apprenticed labourer, to imprisonment with

with hard labour for any time not exceeding one month; or if the employer of any such labourer, to a fine not exceeding 5*l.* for the benefit of the party charged; which judgment shall be a bar to any suit, action or prosecution against such complainant for calumny, defamation, or otherwise, in respect of such his complaint.

17. And be it further enacted, that the conviction of the party charged, or of the complainant for preferring a frivolous and vexatious or a malicious complaint, shall be severally drawn up according to the forms annexed, marked (F.) (G.) (H.); that the commitment of a party charged to take his trial for an imputed offence shall be drawn up in the form annexed, marked (I.); that the bail-bond or recognizances shall be in the form marked (K.); and that the warrant for the execution of a conviction shall be in the form annexed, marked (L.)

Forms of conviction.

18. And be it further enacted, that all summonses, warrants, commitments and other orders so to be issued by any such special justice as aforesaid, shall be executed by the police officers of the district, such justice being nevertheless authorized, as occasion may require, to address the same to any other person or persons jointly with or instead of such officers of police, as to him may seem requisite.

Police officers to serve process.

19. And be it further enacted, that any summonses, warrant or order issued by any such special justice within his own district, may without any further authority be carried into execution in any part of the Colony, though beyond such district.

Warrant to extend over the Colony.

20. And be it further enacted, that if any person summoned as a witness by any special justice or district sessions of special justices, shall not appear in obedience to such summons, or appearing, shall refuse to be sworn or examined, or to answer any question proposed to him by such justice or district sessions in relation to the matters depending before him or them, it shall be lawful for such justice or district sessions to issue a warrant for the arrest of any such defaulter, or to commit him or her to close custody, there to remain until he or she shall submit to be so sworn and examined, and to make such answers as aforesaid. And every such warrant of arrest or commitment shall be in the forms annexed, marked (M.) and (N.)

Witnesses refusing to attend may be arrested; or to answer, may be committed.

21. And be it further enacted, that it shall be lawful for the chief justice, or first or second puisne judge, but for no other judge or justice of this Colony, to discharge any person in a summary way from such imprisonment, on proof being made to the satisfaction of such chief justice or puisne judge, that such commitment was not duly authorized by and was not in conformity with the true intent and meaning of this Act, or that such person ought in due course of law to be discharged.

Prisoners may be discharged by chief justice or puisne judge.

22. And be it further enacted, that if it shall be made to appear to the satisfaction of the Governor and Court of Policy that the forms of proceeding hereinbefore prescribed are needlessly burdensome upon the special justices or district sessions of special justices within the Colony, or that they impede or interfere with the prompt and effective execution of the law; the Governor and Court of Policy shall be entitled to suspend any part of the preceding rules relating to such procedure, or to adapt the same to the circumstances of the case, so as more effectually to promote the punctual, orderly and effective execution of the law; and for that purpose to frame and publish rules and ordinances, which shall be transmitted for His Majesty's confirmation, and which, until disallowed, shall be in full force.

Governor and Court of Policy may suspend, and frame and publish rules of proceeding.

23. And for the protection of persons acting in the execution of this Act, Be it further enacted, that all actions to be commenced against any person for anything done in pursuance of this Act, shall be commenced within six calendar months after the fact committed, and not otherwise; and notice in writing of such action, and of the cause thereof, shall be given to the defendant one calendar month at least before the commencement of the action. And in any such action the defendant may plead the general issue, or as it is termed in Dutch law, a contrary conclusion, and give this Act and the special matter in evidence at any trial to be had thereupon. And no plaintiff shall recover in any such action if tender of sufficient amends shall have been made before such action brought, or if a sufficient sum of money shall have been paid into court after such action brought, by or on behalf of the defendant; and if a sentence shall pass for the defendant, or the plaintiff shall become nonsuit, or discontinue any such action after issue joined, the defendant shall recover treble costs, and have the like remedy for the same as any defendant hath by law in other cases; and though a sentence shall be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant, unless the court before which the trial shall be, shall certify its approbation of the action.

Limitation of actions against special justices of the peace and others.

CAP. III.

AND for securing protection to all apprenticed labourers in this Colony, and for securing punctuality and method in the supply to them of such food, clothing, lodging, medicines, medical attendance, and such other maintenance and allowances as they are by said Act of Parliament declared entitled to receive; and for regulating the amount and quality of all such articles:—

1. Be it further enacted, that every employer and manager of apprenticed labourers within this Colony shall and he is hereby required to provide for the food and maintenance of the

Rules to be followed respecting the food and maintenance of apprenticed labourers.

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1st. Every such employer or manager of slaves shall within the first week of January in each and every year, deliver, or cause to be delivered, to the district sessions of special justices, or to the chairman of such sessions of the district in which such apprenticed labourers are resident, a written declaration in the form prescribed in the Schedule annexed, marked (O.), specifying whether it is the intention of such employer or manager, during the year next ensuing, to maintain his apprenticed labourers by the cultivation of ground to be so them appropriated for that purpose, or by an allowance of provisions.

2d. The declaration so made shall be recorded at the police settlement of each district in the Colony respectively.

3d. Such declaration shall be revocable at the pleasure of the employer or manager for the time being of such apprenticed labourers, at the expiration of one calendar month next after the date of a written notice of such intention to such district sessions, or to the chairman thereof, delivered by such employer or manager.

4th. Every employer or manager of apprenticed labourers within this Colony shall during the period to which such declarations shall apply, be bound to maintain his apprenticed labourers in the manner thereby proposed, unless the district sessions of special justices of any such district in which the apprenticed labourers are resident shall by a written licence authorize such employer or manager within that period to change the mode of maintaining such his apprenticed labourers.

5th. Every employer or manager who shall by such declaration as aforesaid propose to maintain his apprenticed labourer by an allowance of provisions, shall be and is hereby bound and required to supply such provisions to the amount and of the kinds specified in Schedule hereunto annexed, marked (P.)

6th. The Governor may from time to time by proclamation, to be by him for that purpose issued, authorize the substitution for the provisions aforesaid, of any other provisions equivalent to and equally nutritious with the same.

7th. Such provisions as aforesaid shall in no case be delivered on Sunday, but shall always be delivered on the corresponding working day in each successive week, unless such delivery shall be delayed by accident or other unavoidable cause.

8th. Any employer or manager of apprenticed labourers who may be unable or unwilling to procure such provisions as are hereinbefore mentioned, may, with the authority in writing of the district sessions of special justices, or chairman of such sessions in and for the district in which such apprenticed labourers are resident, substitute for the same any other kind of provisions, provided that such substituted provisions shall in the judgment of such district sessions or chairman thereof be equivalent to and equally nutritious with those hereinbefore directed and prescribed.

9th. All provisions so to be supplied to the apprenticed labourers in this Colony shall be sound and fit for consumption, and of good average merchantable quality.

10th. Every employer or manager of apprenticed labourers who shall by such declaration as aforesaid propose to maintain the apprenticed labourers under his management by the appropriation of ground to be by them cultivated for that purpose, shall be and is hereby bound and required to set apart for every apprenticed labourer so to be maintained a sufficiency of land properly adapted for the growth of provisions, and not more than two miles distant from the place of residence of such apprenticed labourers; the land, both as to extent and quality, to be subject to the approbation of the district sessions of special justices.

11th. Every such employer or manager shall be and he is hereby bound and required to supply every apprenticed labourer for whom any such ground shall be so appropriated, with such seeds and with such implements of husbandry as may be necessary for the cultivation of such ground, on the first entering of such apprenticed labourer on the occupation thereof.

12th. It shall not be lawful for any person whomsoever to dispossess any apprenticed labourer of any land so assigned to and cultivated by him or her, until such apprenticed labourer shall have had full time and opportunity for reaping and gathering in all crops by him or her planted and growing upon such ground.

13th. The crops when growing upon any such ground, and when severed therefrom, shall and are hereby declared to be the sole and absolute property of the apprenticed labourer for and in respect of whom such ground shall have been appropriated and set apart.

14th. Every apprenticed labourer for or in respect of whom any ground shall be so appropriated and set apart, shall be allowed one working day in every week, for 40 successive weeks in each year, such weeks to commence from the first whole week inclusive in the month of January of each year, and each of such working days shall be understood to consist of 24 hours, commencing at the hour of six in the morning and terminating at the hour of six of the next morning: provided nevertheless, that nothing herein contained shall prevent any apprenticed labourer from contracting, under the approbation of a special justice of the peace, with his or her employer to have such days at such other times as may be agreed on by the parties.

2. And be it further enacted, that if any employer or manager of apprenticed labourers within this Colony shall neglect or omit, within the time hereby for that purpose limited, to sign and deliver in manner hereinbefore mentioned such written declaration as aforesaid, he or she shall incur a penalty of 2*l.* for such omission or neglect, in respect of the first week in which the same shall occur, with additional penalties of 4*l.* in the second week, 6*l.* in the

the third week, and so on in arithmetical progression, in respect of each additional week during which such neglect shall be continued. And if any employer or manager of apprenticed labourers within the said Colony shall not supply to such apprenticed labourers provisions of such amount and quality, and at such times, as he is hereinbefore required to supply the same, every such employer or manager shall incur and become liable to a penalty equal to twice the value of the provisions which ought so to have been supplied; which last mentioned penalties shall accrue to and be for the benefit of the apprenticed labourers injured by any such omission or neglect. And if any such employer or manager of apprenticed labourers shall not set apart for every apprenticed labourer who is maintained by the cultivation of ground, such land, of such quality and quantity, and so situate, as hereinbefore is required, or shall neglect or omit to supply any such apprenticed labourer with such seeds and implements of husbandry as aforesaid, or shall dispossess any such apprenticed labourer of any land so assigned and cultivated until such apprenticed labourer shall have had full time and opportunity for reaping and gathering in all crops by him or her planted and growing upon such ground, every person so offending shall incur and become liable to a penalty equal to twice the amount of the loss sustained by every such apprenticed labourer by every such act, omission or neglect; which penalty shall go and be applied to and for the use and benefit of the apprenticed labourer so injured. And if any such employer or manager of apprenticed labourers shall withhold or refuse to allow to any apprenticed labourer for or in respect of whom any ground shall be so appropriated, such days as aforesaid in each year for the cultivation thereof, or shall on any such day compel or require any such apprenticed labourer to perform any work or labour, except in the cultivation of such provision grounds, every person so offending shall for each and every such offence incur a distinct and separate penalty of 10 s., which shall go and be applied to and for the benefit of the apprenticed labourer injured thereby; the number of such penalties being equal to the number of apprenticed labourers affected by such offence, multiplied by the number of days on which such offences may have been repeated.

3. And be it further enacted and declared, that it is and shall be the duty of every employer or manager of apprenticed labourers within this Colony, once, that is to say, either in the month of January or in the month of June in each year, and he or she is hereby required, to deliver to every such apprenticed labourer for his or her use, either in the month of January or in the month of June in each and every year, the articles of clothing enumerated and specified in the Schedule, marked (Q.), hereunto annexed.

Provided always, that with the authority in writing of the district sessions of special justices, or chairman of such sessions, of the district in which any apprenticed labourers are resident, the employer or manager of any such apprenticed labourers may and he is hereby authorized to substitute for the articles enumerated and specified in last mentioned Schedule, any other articles of clothing or household furniture which shall in the judgment of such district sessions, or of the chairman thereof, be equivalent to the articles so enumerated and specified; and all the articles so to be supplied as last aforesaid shall be of good average merchantable quality.

4. And be it further enacted, that if any employer or manager of apprenticed labourers in this Colony shall wilfully neglect or omit, within the time or times hereinbefore for that purpose limited, to supply and deliver to and for the use of apprenticed labourers under his or her management such articles of clothing and household furniture as are hereinbefore mentioned, the person so offending shall incur and become liable to a fine equal to twice the value of the article or articles so withholden, which penalty shall go and be applied to and for the use and benefit of the apprenticed labourer injured by such neglect.

5. And be it further enacted, that every employer or manager of apprenticed labourers in this Colony shall be and is hereby required to supply each and every apprenticed labourer under his or her management with a wooden or iron bedstead, or with boards so arranged as to enable every such apprenticed labourer to sleep during the night at an elevation of one foot at the least above the ground; and every employer or manager who shall neglect or omit so to supply any such apprenticed labourer with such bedstead or such means of sleeping above the ground as aforesaid, shall for every such neglect or omission incur and become liable to a fine of 5 s. in respect of each and every apprenticed labourer; which fine shall be again incurred from week to week as long as such neglect or omission shall continue.

6. And be it further enacted, that every person in this Colony having under his or her management 40 apprenticed labourers or upwards, shall and is hereby required to engage a medical practitioner to visit such apprenticed labourers once at least in every week; and it shall be the duty of such medical practitioner, and he is hereby authorized and required to keep a journal, and to enter the name of each apprenticed labourer then labouring under sickness or disease, distinguishing such apprenticed labourers as are thereby disqualified for labour and such as are disqualified for the ordinary amount of labour, and prescribing such medicines or articles of diet as may in his judgment be necessary for the restoration of the patient; and such journal shall be placed under the care of the employer or manager of such apprenticed labourers, which employer or manager shall be and he is hereby required to supply such apprenticed labourers with such medicines or nourishment, and to allow such apprenticed labourers such relaxations of labour, as may by such medical practitioner be so recommended and prescribed; and in reference to every apprenticed labourer for whom any such nourishment may be provided, the rules hereinbefore contained respecting the food of

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Rules respecting the clothing of apprenticed labourers.

District sessions of special justices may authorize commutation of the prescribed article.

Penalties on the neglect of the law respecting clothing.

Bedding to be provided for apprenticed labourers.

Medical attendant to be provided for apprenticed labourers, and to keep a journal, to be produced to special justice or to district sessions.

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apprenticed labourers shall be and is hereby suspended during the period they shall receive such nourishment; and every such employer or manager shall be and is hereby required to exhibit the journal so kept to any special justice of peace, whenever such justice shall visit the estate or settlement and shall require such journal to be so exhibited; and shall and is hereby required, in obedience to any requisition to him for that purpose made in writing by any district sessions, or by the chairman of any district sessions, to produce at such district sessions such journal; and in all cases where any apprenticed labourer shall be attacked by any acute or dangerous disease, the employer or manager of such apprenticed labourer shall and he is hereby required to employ at his own costs and charges a medical practitioner for the medical treatment and care of such apprenticed labourer, and shall supply such medicines and nourishment, and allow such relaxations of labour to such apprenticed labourer, as may by such medical practitioner be recommended and prescribed.

Apprenticed labourers,
 when ill, may be re-
 stricted to hospital.

7. And be it further enacted, that every apprenticed labourer who, on account of illness, sores or any other disease, the medical practitioner shall deem it necessary to restrict to the hospital or any apartment thereof, for the purpose of cure, shall be bound, and if necessary may be compelled, to submit to such restriction and subject to such hospital arrangements or regulations as may be sanctioned by the district sessions of special justices of the district in which every such apprenticed labourer shall be resident.

Penalties for infringe-
 ment of rules respect-
 ing medical treatment.

8. And be it further enacted, that if any such employer or manager of apprenticed labourers as aforesaid in this Colony, or if any such medical practitioner as aforesaid, shall refuse, neglect or omit to do or perform any matter or thing which such employer, manager or medical practitioner is hereby required to do and perform in and about the engagement of such practitioner, or in or about the keeping such journal as aforesaid, or in or about the medical treatment or temporary relaxation of labour of any apprenticed labourer, or in or about the production, when thereunto required, of any such journal as aforesaid, the person so offending shall for and in respect of every such offence incur and become liable to a fine of not less than 2*l.* or more than 20*l.*

CAP. IV.

AND for ensuring the punctual discharge of the services due by apprenticed labourers to their respective employers; and for the prevention and punishment of indolence, or the neglect or improper performance of work by any such apprenticed labourer; and for enforcing the due performance by any such apprenticed labourer of any contract into which he or she may voluntarily enter, for any hired service during the time in which he or she may not be bound to labour for his or her employer; and for the prevention and punishment of insolence and insubordination on the part of any of such apprenticed labourers towards their employers; and for the prevention and punishment of vagrancy, or of any conduct on the part of any such apprenticed labourers injuring or tending to the injury of the property of any such employer; and for the suppression and punishment of any riot or combined resistance of the laws, on the part of any such apprenticed labourers:—

Prædial apprenticed
 labourers to work 7 ½
 hours per day.
 Exception as to do-
 mestic and others.

1. Be it further enacted, by the authority aforesaid, that every prædial apprenticed labourer, whether attached or unattached, shall be bound and obliged to work and labour for 7 ½ hours in each and every day of the year (Sundays and holidays hitherto allowed to the labouring population excepted), in the service or for the benefit of his or her employer; and that every non-prædial apprenticed labourer shall be bound and obliged to work and labour 10 hours in each and every day of the year (Sundays and holidays hitherto allowed to the labouring population excepted), in the service and for the benefit of his or her employer: provided nevertheless, that nothing herein contained shall extend or be construed to extend to apprenticed labourers employed in domestic services, or as boatmen or navigators of any sloop, schooner or other vessel; in the protection of property; or in tending of cattle.

A day's labour defined.

2. And be it further enacted, that a day's labour of a prædial apprenticed labourer, whether attached or unattached, shall be and is hereby declared to be such a portion of specified work as can be performed by each prædial apprenticed labourer, by assiduous and steady industry, during the space of seven hours and a half; and that a day's labour of a non-prædial apprenticed labourer shall be and the same is hereby declared to be such a portion of specified work as can be performed by each non-prædial apprenticed labourer, by assiduous and steady industry, during the space of nine hours.

Penalty for an hour's
 absence from employ-
 er's service.

3. And be it further enacted, that for every hour in which any apprenticed labourer shall absent himself or herself from his or her employer's service without reasonable cause, he or she shall be compelled to serve two other hours, provided that such extra hours shall not exceed 15 in the whole in any one week.

Deserter, vagabond and
 runaway defined.

4. And be it further enacted, that any apprenticed labourer absenting himself or herself without reasonable cause, for more than seven and a half hours in any one week, shall be adjudged a deserter; that any apprenticed labourer absenting himself or herself without reasonable cause for two days during one week, shall be adjudged a vagabond; and that any apprenticed labourer absenting himself or herself without reasonable cause for six successive days, shall be adjudged a runaway.

Reasonableness of

5. And be it further enacted, that the reasonableness of the cause of absence of an apprenticed

- apprenticed labourer shall in each and every case be determined by one or more of the special justices of the peace, or the district sessions of special justices, according to the jurisdiction possessed by one or more of said justices or said district sessions.
6. And be it further enacted, that every apprenticed labourer adjudged a deserter shall be confined to hard labour for any time not exceeding one week; that every apprenticed labourer adjudged a vagabond shall be confined to hard labour for any time not exceeding two weeks, and to any number of stripes not exceeding 15; and that every apprenticed labourer adjudged a runaway, shall be confined to hard labour for any time not exceeding one month, and to any number of stripes not exceeding 30.
7. And be it further enacted, that every apprenticed labourer convicted of performing his or her work indolently, carelessly or negligently, shall for the first offence be adjudged to labour in his or her employer's service for any time not exceeding 15 hours in the whole in any one week; for the second offence, to confinement with hard labour for any time not exceeding one week; and for the third or any subsequent offence, to confinement with hard labour for any time not exceeding one fortnight, with whipping not exceeding 20 stripes.
8. And be it further enacted, that every apprenticed labourer who, by the careless use of fire, shall endanger the property of his or her employer or of any other person, or who shall wantonly injure the property of his or her employer entrusted to his or her care, or who shall ill use the cattle or other live stock of his or her employer, or who shall by gross negligence expose his or her employer's property to any damage or injury, shall for such offence be adjudged, in the discretion of the special justice or district sessions of special justices, either to extra labour in his or her employer's service for any time not exceeding 15 hours in the whole in any one week, or to confinement with hard labour for any time not exceeding one month, or to any number of stripes not exceeding 30 lashes, or to any two or more of such punishments: provided, that this enactment shall not exempt any such labourer from his or her liability to such actions or prosecutions as other persons of free condition may be subject and liable to in respect of any such acts by him or her done or committed, although no such labourer shall be liable to be so sued or prosecuted both under this ordinance and under such general law as aforesaid.
9. And be it further enacted, that whenever any apprenticed labourer shall by any district sessions of special justices be adjudged to perform extra labour in his or her employer's service for any time exceeding 15 hours, then it shall and may be lawful for such district sessions to adjudge that such extra labour shall be performed in successive weeks not exceeding 15 hours in any one week, until the number of hours of extra labour which such apprenticed labourer may have been adjudged to perform shall have been completed, and also to adjudge such extra labour, if necessary, to be performed after the expiration of his or her apprenticeship; and if such labour shall be adjudged to be performed after the expiration of the apprenticeship, then it shall be lawful to adjudge such 15 hours per week to be performed in addition to the number of seven and a half hours per day, to be reckoned a part of the number of hours adjudged to be performed, until the whole shall in like manner have been completed.
10. And be it further enacted, that every apprenticed labourer who shall contumaciously disobey the lawful commands of his or her employer shall be liable to any one or more of the punishments last aforesaid.
11. And be it further enacted, that any three or more apprenticed labourers who shall agree together to make any resistance to the lawful commands of their employer, shall be deemed guilty of an unlawful conspiracy, and shall be adjudged to confinement with hard labour for any period not exceeding six months, with whipping not exceeding 39 stripes; and that any three or more labourers who shall be engaged in a combined and open resistance to the lawful commands of their employer, shall on conviction be adjudged to the punishments last aforesaid, or any one of them.
12. And be it further enacted, that any apprenticed labourer who shall be in a state of drunkenness, or who shall be found fighting, or who shall conduct himself or herself in an insolent and insubordinate manner towards his or her employer or any person in the immediate superintendence of his or her labour, shall for every such offence be liable on conviction to imprisonment with hard labour, for any time not exceeding one week, or to whipping not exceeding 15 stripes.
13. And be it further enacted, that no female shall be subject to be punished by whipping for any offence by her committed, but that in all cases aforesaid in which that punishment is authorized it shall be understood as applying to the case of males only; and that all the offences in respect of which such punishment by whipping may be inflicted on any such male offender, shall, when committed by females, be punished by confinement in the stocks; and that the stocks to be employed for punishment of females shall all be according to one general model, to be sanctioned by the Governor; and that no female for any offence by her committed shall be so confined in the stocks for more than ten hours in the whole for any one day of 24 hours: provided nevertheless, that it shall and may be lawful to repeat such confinement each and every day for six days consecutively and no more, care being taken that 14 clear hours at the least shall expire between the periods of such distinct confinements in the stocks; and that moreover it shall and may be lawful to detain in custody every female during the intervals of her punishment in the stocks as aforesaid.
14. And

cause of absence, how determined.

Punishment of a deserter, vagabond and runaway.

Punishment for indolence, carelessness or negligence.

Penalty for endangering or injuring property.

Extra labour, how and when to be performed.

Punishment for contumacious disobedience.

Unlawful conspiracy, and punishment thereof.

Drunkenness, fighting, &c., how punished.

Females exempted from punishment by whipping.

Mode and place of
confinement.

14. And be it further enacted, that when any apprenticed labourer shall be convicted of any offence punishable under this Act, for which confinement may be awarded, it shall be lawful to adjudge the offender to be confined, or to be confined and kept to hard labour, in the common gaol or house of correction, or other place of confinement previously approved by a district sessions of special justices; and also that the offender be adjudged to be kept in solitary confinement for the whole or any portion or portions of such confinement, or of such confinement with hard labour, as to the special justice or district sessions of special justices shall seem meet; and that in all cases in which it can or may be done, it shall be lawful to adjudge the labour to be in the service or for the benefit of the employer of the offending apprenticed labourer.

All offences under this
Act to be inquired of
by special justices only.

15. And be it further enacted, that all the offences aforesaid shall be inquired of by the justices of the peace having special commissions, and not by any other justices of the peace; and that every such special justice of the peace, or district sessions composed of such special justices of the peace, may, if it shall seem meet, refer any case for trial to either of the supreme courts of criminal justice of the Colony, before which such case may or can be legally referred.

CAP. V.

AND to secure to the said prædial apprenticed labourers the enjoyment for their own benefit of that portion of their time during which they are not required by the said Act of Parliament to labour in the service of their respective employers; and for securing exactness in the computation of the time during which the said prædial apprenticed labourers are thereby required to labour in the service of such their respective employers; and for preventing the imposition of task-work on any such apprenticed labourer, without his or her free consent to undertake the same; and for requiring and providing for the acquiescence, in certain cases, of the minority of the prædial apprenticed labourers attached to any plantation or estate, in the distribution and apportionment amongst the whole body of such labourers of any task-work which the majority of such body shall be willing and desirous collectively to undertake; and for regulating any voluntary contracts into which any apprenticed labourers may enter with their respective employers or with any other person for hired service for any future period, and for limiting the greatest period of time to which such voluntary contract may extend, and for enforcing the punctual and effectual performance of such voluntary contracts on the part both of such apprenticed labourers and of the person or persons engaging for their employment and hire; and for the prevention and punishment of any cruelty, injustice, or other wrong or injury which may be done to or inflicted upon any such apprenticed labourers by the persons entitled to their services:—

Penalty for protracting
weekly services.

1. Be it further enacted by the authority aforesaid, that if the employer of any prædial apprenticed labourer shall by force or fraud protract the weekly services of such labourer beyond the period allowed by law for that purpose, he shall forfeit for the benefit of such labourer the sum of 1 s., in respect of every hour which such service shall by such means be protracted.

Commencement and
close of each day's
labour to be intimated
to labourers.

2. And be it further enacted, that it shall be the duty of every such employer to intimate to the labourers in his employment the commencement and close of the legal hours of labour, for which purpose a signal shall be given in such manner as shall, in reference to each plantation, have been previously approved by a special justice of the district; which signal shall always be of such a nature as to be distinctly visible or audible to the several prædial apprenticed labourers in the service of any such person.

Task-work prohibited,
except with consent of
apprenticed labourers
or acquiescence of ma-
jority.

3. And be it further enacted, that no apprenticed labourer shall be bound to undertake any task-work, except with his own free assent to the same, save in such cases in which the majority of any body of prædial apprenticed labourers attached to any plantation or estate shall be willing and desirous collectively to undertake any task-work; then and in every such case the minority of such body of apprenticed labourers so attached, shall be bound and obliged by the acquiescence of such majority. And in all cases where the employer and such majority of the body of apprenticed labourers cannot agree between themselves respecting the quantity of specified work which the whole body or any part thereof shall perform, it shall be lawful to either party to appeal to the district sessions of special justices to determine what shall be a fair portion of specified work, with reference to a day's work of 7 ½ hours; and the decision of such district sessions being registered, shall be binding for the period of six months on both parties.

Contract for specific
work to be in writing,
and entered in a book.

4. And be it further enacted, that every contract between the employer and the prædial apprenticed labourer, for the performance of any specific work as a task and in lieu of the prescribed daily labour, or for the performance of any labour in extra hours, shall by such employer be reduced into writing, and entered into a book to be kept for that purpose on the plantation; which book it shall be the duty of the chairman or senior special justice of the district to inspect, as often as he shall in manner aforesaid repair to the several plantations within his district.

Such contract not to
continue in force longer
than 14 days, unless
sanctioned by special
justice.

5. And be it further enacted, that no contract between the employer and the prædial apprenticed labourer for the performance of any such specific or task-work, or for the performance of any labour in extra hours, shall endure or continue in force, or be binding upon the

the parties entering into the same, or either of them, after the expiration of 14 days from the making thereof, unless the same shall have been made and entered into by such parties in the presence and with the approbation of a special justice of the peace, or unless, having been entered into in his absence, the same shall be confirmed and approved by him before the expiration of such 14 days; and every such approbation of any such contract shall, by such special justice be attested under his hand in the book so to be kept as aforesaid.

6. And be it further enacted, that it shall be the duty of the special justice of the peace, before approving any such contract, to ascertain that the terms thereof are distinctly understood by the apprenticed labourers entering into the same; and that such labourers have entered into such contract freely and voluntarily, and that the same is not unreasonable or unjust.

7. And be it further enacted, that in every such contract for task-work or for extra service, extending beyond the period of one fortnight, the nature and amount of the extra labour to be performed, and the amount of the consideration to be given for the same, and the time and manner of paying such consideration, shall be distinctly expressed.

8. And be it further enacted, that no contract for such extra service as aforesaid shall continue in force for more than one year from the day of the date thereof.

9. And be it further enacted, that upon proof being made to the satisfaction of the district sessions of special justices of the non-payment of the consideration stipulated for in any such contract as aforesaid, whether for task-work or for extra service, it shall be competent to such district sessions to award execution against such employer for the amount of such consideration, and if the same shall not be paid within one week next after such award, to levy on the property of the employer; which award and levy shall be respectively in the forms annexed, marked (R.) and (S.); and in default of sufficient property being found, then it shall and may be lawful for such district sessions to issue a warrant of apprehension and commitment as in other cases of debt; and such warrant of apprehension and commitment shall be in the form marked (T.)

10. And be it further enacted, that such execution and levy as aforesaid shall be executed by the sergeant of the police of the district, who shall thereunder seize and sell so much of the property of the employer as may be necessary for the payment of such debt, delivering over the surplus, if any, to such employer; and every apprehension, when necessary as aforesaid, shall be carried into effect by such sergeant of police.

11. And be it further enacted, that any apprenticed labourer violating the terms of such contract as aforesaid, for task-work or for extra services, shall be liable to the same pains and penalties as are before provided in respect of the violation by any such labourer of the duties to be by him performed in the discharge of the services owing by him by law to such his employer.

12. And be it further enacted, that every married woman, notwithstanding her coverture, and every child of the age of 12 years and upwards, notwithstanding infancy, shall be competent to enter into such contracts as aforesaid for task-work or for extra services.

13. And be it further enacted, that if any employer of any apprenticed labourer shall whip, beat, imprison, confine in the stocks, or otherwise maltreat any such apprenticed labourer, or shall by way of punishment commit any assault upon his person, such employer shall incur a penalty, to be imposed by the district sessions of special justices, not exceeding 20 *l.*, with imprisonment for any time not exceeding one month, in default of the payment of such fine.

14. And be it further enacted, that in any such case as last aforesaid, it shall be competent to such district sessions to award the whole or any part of such penalty to the apprenticed labourer injured, as and for damages for such assault; and it shall also be competent to such district sessions, if it shall seem meet, to abstain from imposing such penalty, and to commit the offender to take his trial for such offence before either of the supreme courts of the Colony having jurisdiction in the premises. If any such employer shall be convicted before any such supreme court of any cruelty towards his apprenticed labourer, or if any such employer shall be twice convicted, if the case be of an aggravated nature, of inflicting any corporal punishment, or of making any assault upon the person of any such labourer, then the labourer may be discharged from his apprenticeship by sentence of such supreme court, in addition to any other punishment awarded against such employer.

CAP. VI.

AND for the preservation of peace throughout the Colony, and the maintenance of order and good discipline amongst the said apprenticed labourers, and for preventing the escape of any such apprenticed labourers during their term of apprenticeship, from the Colony:—

1. Be it further enacted by the authority aforesaid, that if any three or more apprenticed labourers shall unite together in any riotous assemblage, any special justice of the peace, or officer of police, headborough or constable, who shall be present at the same, shall cause a flag or some other conspicuous signal to be exhibited as a warning to all persons there present to separate and disperse quietly; and that all and every such apprenticed labourers, who at the expiration of 10 minutes from the exhibition or signal shall continue present at any

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Special justice to ascertain that contract is understood by apprenticed labourer.

Terms of contract defined.

Contract not to be for more than a year.

Execution may be awarded against employer for non-payment of consideration.

Execution and levy, how to be executed.

Penalties upon apprenticed labourers for breach of contract.

Married women and children may enter into such contracts.

Penalty for beating or ill treating apprenticed labourer.

Penalty, whole or part, may be awarded to apprenticed labourers.

Employer twice convicted of cruelty, apprenticed labourer to be discharged.

Riotous assemblage of apprenticed labourers to be dispersed.

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any such riotous assemblage, shall be taken into custody, and shall on conviction be liable to imprisonment for six weeks, with or without hard labour, and whipping not exceeding 39 stripes, or to imprisonment with hard labour for any time not exceeding 12 months.

No apprenticed labourer to reside beyond his plantation without authority.

2. And be it further enacted, that no apprenticed labourer shall reside beyond the boundary of the plantation or establishment in which he or she is or may be employed, unless either with the consent of his or her employer, or by the authority in writing of a special justice of the district in which such plantation or establishment shall be situated; and any apprenticed labourer residing off the plantation or establishment without such consent or authority as aforesaid, shall for the first offence be adjudged to one night's solitary confinement; and for a repetition of the offence shall be adjudged a deserter, and punished accordingly.

Apprenticed labourer found beyond district may be arrested.]

3. And be it further enacted, that every apprenticed labourer found beyond the limits of the district to which he or she belongs, or in which he or she may be employed, except in his or her way to or from some place of public worship on Sundays, and not having with him or her a written pass for that purpose from his or her employer, or from a special justice of such district, shall be liable to be apprehended and detained; and shall, on proof and conviction that he or she shall have left his or her district without a pass, be adjudged a vagabond, and punished accordingly: provided, however, that it shall be competent to every apprenticed labourer, of his or her own free will, and without a pass, to attend during his or own time any market of the district in which he or she may reside.

Exceptions, and punishment.

Absence of seven days without reasonable cause.

4. And be it further enacted, that any apprenticed labourer who shall for seven days or upwards absent himself or herself from his or her employer's service without reasonable cause, to be determined by the district sessions of special justices of the district to which he or she may belong, shall be adjudged a runaway, and shall be sentenced to imprisonment with or without hard labour not exceeding three months, or if a male, to whipping not exceeding 39 stripes.

Apprenticed labourers establishing themselves as a distinct community, to be dislodged.

5. And be it further enacted, that if it shall be made to appear to the satisfaction of any special justice that any apprenticed labourers have without lawful authority established themselves in any part of the Colony as a distinct community, habitually abandoning and neglecting to perform the duties imposed upon them by law, such justice of the peace shall report the same to the district sessions of special justices; and such district sessions, upon sufficient proof being adduced, shall cause any such community to be dislodged, and if necessary shall also cause their habitations to be taken down and destroyed.

Punishment for being a member of an illegal community.

6. And be it further enacted, that if any labourer shall be convicted of having been a member of any such community, he or she shall be liable to imprisonment with hard labour for any term not exceeding six months; and if a male, to whipping by any number of stripes not exceeding 39.

Assistance of the militia may be called in.

7. And be it further enacted, that all officers and privates of the colonial militia, when called upon, shall be aiding and carrying into effect any directions which may be issued by any district sessions of special justices as aforesaid, for dislodging any such community as aforesaid.

Thirteenth section of Act of Parliament adopted.

8. And whereas, by the 13th section of the said Act of Parliament, it was enacted, that if any child who on the 1st day of August 1834 had not completed his or her sixth year, or if any child to which any female apprenticed labourer might give birth on or after the 1st day of August 1834, should be brought before any justice of the peace holding any such special commission as thereafter mentioned; and if it should be made to appear to the satisfaction of such justice that any such child was unprovided with an adequate maintenance, and that such child had not completed his or her age of 12 years, it should be lawful for such justice, and he was thereby required, on behalf of any such child, to execute an indenture of apprenticeship, thereby binding such child as an apprenticed labourer to the person or persons entitled to the services of the mother of such child, or who had been last entitled to the services of such mother; but in case it should be made to appear to any such justice that such person or persons aforesaid was or were unable or unfit to enter into any such indenture, and properly to perform the conditions thereof, then it should be lawful for such justice, and he was thereby required, by such indenture, to bind any such child to any other person or persons to be by him for that purpose approved, and who might be willing and able properly to perform such conditions; and it should by every such indenture of apprenticeship be declared whether such child should thenceforward belong to the class of attached prædial apprenticed labourers, or to the class of unattached prædial apprenticed labourers, or to the class of non-prædial apprenticed labourers; and the term of such apprenticeship of any such child should by such indenture be limited and made to continue in force until such child should have completed his or her 21st year, and no longer; and every child so apprenticed as aforesaid, by the order of any such justice of the peace as aforesaid, should during his or her apprenticeship be subject to all such and the same rules and regulations respecting the work or labour to be by them done or performed, and respecting the food and other supplies to be to him or her furnished, as any other such apprenticed labourers as aforesaid: provided always, that the said indenture of apprenticeship should contain sufficient words of obligation upon the employer to allow reasonable time and opportunity for the education and religious instruction of such child: Be it therefore enacted and declared by this ordinance, that it is unnecessary to make further or other provisions,

rules

rules or regulations touching or concerning the matters and things set forth and contained in the said 13th section of the said Act of Parliament herein recited.

9. And be it further enacted, that if any labourer shall without lawful authority enter into possession of any land belonging to His Majesty, or to any other person, it shall be lawful for any district sessions of special justices to dispossess such labourer of such land, and from any buildings thereon erected, and to cause the same with all crops growing thereupon to be delivered up to the owner of such land; or in case such owner shall not, within one month after such seizure, appear and prefer his claim to such land, then such crops, cattle and other goods seized shall be sold by order of such district sessions, and the proceeds of such sales shall be paid over to the colonial receiver-general or assistant colonial receiver-general of this Colony.

Apprenticed labourers unlawfully taking possession of land, to be dislodged.

10. And be it further enacted, that any district sessions of special justices may further adjudge any apprenticed labourer unlawfully taking possession of such land to imprisonment with hard labour for any time not exceeding three months, if it shall be made to appear by sufficient proof that such possession was taken fraudulently and without knowledge that the party had no lawful claim to such possession.

Punishment for unlawfully taking possession of land.

11. And be it further enacted, that no apprenticed labourer shall quit the Colony without a passport from the Governor, which passport shall not be granted except with the written consent of the employer.

Apprenticed labourer not to quit Colony without passport.

12. And be it further enacted, that any labourer quitting the Colony without such passport shall be liable to imprisonment with hard labour for any term not exceeding six months.

Penalty for attempting to quit Colony.

13. And be it further enacted, that all vessels, boats and craft not required to be registered under the Navigation Act, owned at, or employed in intercourse with, either of the ports of entry and clearance in this Colony, shall be registered at the offices of the respective fiscals in George Town or New Amsterdam, according to the district of the Colony to which any such vessel, boat or craft respectively belongs; and every such registration shall contain the description of the vessel, boat or craft, the name of the owner, the person in command thereof, and the place at which the same is usually moored or fastened: a copy of which registration shall be furnished gratis to the owner at the time of registry, and must accompany the vessel, boat or craft, and always be produced by the person in charge of such vessel, boat or craft, whenever he should be required to exhibit the same by any justice of the peace or constable. And all vessels, boats and craft required to be registered by this ordinance, and not so registered and accompanied by a certificate of registration, shall be liable to seizure and confiscation, together with all and every article on board of any such vessel, boat and craft: and further, every vessel, boat or craft which shall be registered in conformity with this ordinance, shall have the number of the registry painted on the bow, stern, or some other conspicuous place, otherwise such vessel, boat or craft shall be liable to seizure and confiscation.

Colony vessels, boats and crafts to be registered.

14. And be it further enacted, that any apprenticed labourer engaging in any occupation on the sea or on any navigable stream, as a fisherman or mariner, without the consent of his employer, shall in every such case be liable to imprisonment with hard labour not exceeding three months, or to such minor punishment as may be commensurate with the offence; and that the person in charge of any vessel, boat or craft where any such fisherman or mariner is employed, without such consent as aforesaid, shall, if an apprenticed labourer, be liable to imprisonment with hard labour, not exceeding three months, nor less than one month: Provided, however, that if it shall appear on investigation that the owner or agent of such vessel, boat or craft, is the offending party, such person in charge of any such vessel, boat or craft, shall not be liable to such punishment, unless he be the owner or agent himself; but such owner or agent shall incur a fine of not less than 10*l.* nor more than 20*l.* sterling, and shall be subject to imprisonment not exceeding three months, unless such fine be paid. And further, any person in charge of any vessel, boat or craft, who shall receive on board of any such vessel, boat or craft any apprenticed labourer, for the purpose of removing such apprenticed labourer from his district or from his employer's service, without the consent of such employer, or written permission from some person in authority over such apprenticed labourer, shall be subject to imprisonment with hard labour; or if such person in charge of such vessel, boat or craft be not an apprenticed labourer, he shall incur a penalty of not less than 10*l.* nor more than 20*l.*, and shall moreover be subject to imprisonment not exceeding three months, unless such fine be paid: Provided however, that if it shall appear upon investigation that the owner or agent of such vessel, boat or craft, is the offending party, such person in charge of such vessel, boat or craft, shall not be liable to such punishment or fine as aforesaid, unless such person be the owner or agent himself; but such owner or agent shall incur a penalty of not less than 10*l.* nor more than 20*l.* sterling, and shall be liable to imprisonment not exceeding three months, unless such fine be paid: provided also, that it shall be lawful for the person in charge of any registered vessel, boat or craft to receive on board any apprenticed labourer, for the purpose of conveying such apprenticed labourer from one side of either of the rivers of Demerara or Berbice to the other side of such rivers respectively, on any Sunday of the year.

Apprenticed labourer engaging in any occupation on sea without consent of owner, to be punished.

15. And be it further enacted, that every person removing, assisting or attempting to remove, any apprenticed labourer from the Colony in any boat or vessel, without a passport

Penalty for removing or assisting to remove apprenticed labourer from the Colony.

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from the Governor, shall be liable to a penalty of 100 l. or to imprisonment for any time not exceeding one month; and that if such apprenticed labourer shall be actually removed from the Colony by any such assistance, every person convicted thereof shall forfeit and pay to the employer the full value of the services of such apprenticed labourer, over and above the penalty of 100 l., or imprisonment for any time not exceeding one month as aforesaid.

CAP. VII.

AND with respect to the determining the manner and form in which, and the solemnities with which, the voluntary discharge of any apprenticed labourer from such his or her apprenticeship may be effected; and for prescribing the form and manner in which, and the solemnities with which, the purchase by any such apprenticed labourer of his or her discharge from such apprenticeship without, or in opposition, if necessary, to the consent of the person or persons entitled to his or her services, shall be effected; and how the necessary appraisalment of the future value of such services shall be made, and how and to whom the amount of such appraisalment shall in each case be paid and applied; and in what manner and form, and by whom, the discharge from any such apprenticeship shall thereupon be given, executed and recorded:—

All persons may discharge apprenticed labourers from service, with the concurrence of all interested therein.

1. Be it further enacted by the authority aforesaid, that subject to the regulations herein-after made, any person being the employer of any apprenticed labourer in this Colony may, by his or her last will, or by deed under his or her hand and seal, at his or her pleasure, discharge and set free any such apprenticed labourer, so far as relates to the interest of every such testator or grantor in and to the services of such apprenticed labourer; and that every such discharge shall, as far as relates to the interest of the testator or grantor, as the case may be, but no further or otherwise, be valid and effectual in the law for the perpetual discharge and enfranchisement of any such apprenticed labourer: provided nevertheless, that no person having a partial or temporary interest in the services of any apprenticed labourer may, to the extent of such interest, effect his or her discharge gratuitously, unless all other persons having a partial, future or reversionary interest in such services shall consent or be parties to such discharge, or unless such partial, future or reversionary interests shall be purchased in the manner hereinafter provided.

If apprenticed labourer is discharged gratuitously, bond must be given for his maintenance, if he be above the age of 50 years.

2. And in order to prevent the fraudulent discharge from apprenticeship of apprenticed labourers incompetent from age or disease to earn their own living, it is further ordered, that in case any deed or instrument of such discharge shall be executed gratuitously, and without any valuable consideration passing to the employer or other person effecting the same, the apprenticed labourer so to be discharged shall, previously to the execution of any such deed or instrument, appear before a special justice of the peace for the district in which the apprenticed labourer is resident; and if it shall appear to the said special justice of the peace that such apprenticed labourer is above the age of 50 years, or is labouring under any habitual disease or infirmity of mind or body, the employer or person effecting such discharge shall, under his or her hand and seal, execute and deliver to the said special justice a bond to His Majesty in the penal sum of 100 l., with a condition thereunder written for the defeasance thereof, if such apprenticed labourer shall be properly fed, clothed and maintained, until the expiration of the period of his or her original apprenticeship; and no such gratuitous discharge shall be valid and effectual in the law until such bond as aforesaid shall be duly executed, registered and deposited, to the satisfaction of the aforesaid justice of the peace: provided nevertheless, that the chief justice or either of the puisne judges of this Colony shall be and he is hereby authorized, by an order under his hand, to dispense with such bond as aforesaid, in any case in which it shall be made to appear to him that neither the welfare of the apprenticed labourer so to be discharged from apprenticeship, nor the interest of the Colony at large, requires that such bond should be so entered into.

Bond not necessary in case of discharge by will. Testator's estate liable.

3. Provided nevertheless, and be it further enacted, that no such bond as aforesaid shall be required in the case of any discharge from apprenticeship by will; but if at the time of the death of the testator the apprenticed labourer so discharged shall be above the age of 50 years, or labouring under any such disease or infirmity as aforesaid, the estate of every such testator shall be liable to and chargeable with the maintenance of such apprenticed labourer until the expiration of the period of his or her apprenticeship, as fully as if the said testator had in his or her lifetime executed such bond as aforesaid.

With the concurrence of a special justice, apprenticed labourers may contract with their employers for the purchase of their discharge.

4. And to prevent ignorant apprenticed labourers effecting the purchase of their discharge from apprenticeship from persons unable to make any valid title to the same, Be it further enacted, that it is and shall be lawful for any person, being the employer of any apprenticed labourer in this Colony, to contract with such apprenticed labourer through the agency of any special justice of the peace of this Colony, acting for and on behalf of such apprenticed labourer, but not otherwise, for the discharge from apprenticeship of the said apprenticed labourer, at a price to be agreed upon between the said employer and special justice of the peace respectively; and in case of any such contract, it shall be the duty of the said special justice of the peace to obtain from the registry of apprenticed labourers a certificate of the name or names of the person or persons by whom such apprenticed labourer was last registered, as entitled to his, her or their services; and it shall also be the duty of the said special justice of the peace to give notice by advertisement in the public Gazette of this Colony, of such intended discharge from apprenticeship, 14 days at the least before

before the same is effected; and if, from such certificate as aforesaid, it shall appear that the person or persons proposing to contract for the discharge from apprenticeship of any such apprenticed labourer is or are not the registered employer or employers of such apprenticed labourer, or that any future or reversionary interest in the services of any such apprenticed labourer is vested in any person or persons who is or are not a party or parties to or consenting to such proposed discharge from apprenticeship, the said special justice of the peace shall, on behalf of such apprenticed labourer, refuse to proceed with such contract. And it shall also be the duty of the said special justice of the peace, on behalf of the said apprenticed labourer, to satisfy himself that the person proposing to effect the said discharge from apprenticeship has good right and title; and it shall also be the duty of the said special justice of the peace, without fee or reward, to prepare in every such case the proper deed or instrument of discharge from apprenticeship, which shall in all cases be executed in the presence of and attested by the said special justice of the peace, or some proper person to be especially appointed by him to be such witness thereto; and every such deed or instrument being so executed, shall by such special justice of the peace be enrolled in the supreme court of civil justice in and for the district of this Colony to which he or she belongs, within one calendar month next after the date and execution thereof; and in case any such deed or instrument shall not be so enrolled by the said special justice of the peace within the said period of one calendar month, the said special justice of the peace shall incur and be liable to the payment of a fine not less than 2*l.* nor more than 20*l.*

5. And to provide for the discharge from apprenticeship of apprenticed labourers desiring to obtain the same by purchase, in cases where the employer of such apprenticed labourers may be unable or unwilling to contract for such discharge from apprenticeship; Be it further enacted, that if the employer of any apprenticed labourer in this Colony, or any person having any interest in the services of any such apprenticed labourer, shall be unwilling to effect his or her discharge from apprenticeship, or shall be unable to execute a valid and effectual discharge from apprenticeship of such apprenticed labourer; or if the employer or any other person having a charge upon or interest in the services of any such apprenticed labourer shall be a minor, or a married woman, or idiot, or lunatic; or if the employer of any such apprenticed labourer shall be absent from the district of this Colony to which the apprenticed labourer belongs, or shall not be known; or if the employer of any such apprenticed labourer shall demand, as the price of his or her discharge from apprenticeship, a greater sum of money than may appear to the said special justice of the peace to be the fair and just value thereof; then, and in each and every case aforesaid, the chief justice, or either of the two puisne judges of this Colony, on application to one or either of them for that purpose, made by a special justice of the peace, shall issue a summons under his hand and seal, requiring the employer or the manager of such apprenticed labourer to appear before him by themselves or their agents, at some convenient time and place to be in such summons for that purpose appointed, and notice shall be published by the said special justice of the peace in the public Gazette of the Colony of the time and place appointed for the purpose aforesaid; and in such notice all persons having or claiming to have any title or interest to or in the services of the apprenticed labourers proposed to be discharged from apprenticeship, either in their own right, or as the agents, guardians, attorneys, trustees or representatives of any other person, shall be required to attend and prefer such claims.

6. And be it further enacted, that at the time appointed for any such meeting as aforesaid, the chief justice, or either of the two puisne judges of the Colony, in the presence of the special justice of the peace acting for and on the behalf of the apprenticed labourer, and also in the presence of the employer or manager of the apprenticed labourer proposed to be discharged from apprenticeship, or upon proof being made to him upon oath of the due service and publication of such notice as aforesaid, then, if necessary, in the absence of such employer or manager, shall proceed to hear in a summary way what may be alleged by the said special justice of the peace, and by the employer or manager, or other persons claiming any interest in the services of the said apprenticed labourer proposed to be discharged from apprenticeship, and attending in pursuance of any such notice: and in case the said parties, or any of them, shall refuse to effect such discharge from apprenticeship at a price approved by the said special justice of the peace; or in case it shall be made to appear to the said chief justice or puisne judge that a valid and effectual discharge from apprenticeship of such apprenticed labourer cannot legally be effected by private contract; or that the employer of such apprenticed labourer, or any person having a charge upon or interest in the services of such apprenticed labourer, is a minor or a married woman, or idiot, or lunatic; or that the real employer of such apprenticed labourer is absent from the Colony, or is unknown, or cannot be found; or that any action is depending in any court of justice in the Colony, wherein the right or title to his or her services is in controversy, then and in every such case the said chief justice or puisne judge shall require the special justice of the peace, and the employer or manager of such apprenticed labourer, if attending in pursuance of such notice, each to nominate an appraiser of the value of his or her services, and the said chief judge or puisne judge shall himself nominate an umpire between such appraisers: but if such employer or manager, being duly summoned as aforesaid, shall fail to attend or attending, shall refuse or omit to nominate an appraiser, then the said chief justice or puisne judge shall not only nominate such umpire as aforesaid, but shall also nominate an appraiser on behalf of such employer or manager.

7. And be it further ordered, that the appraisers so to be nominated as aforesaid shall be duly sworn, by and before the said chief justice or puisne judge, to make a fair and impartial

BRITISH GUIANA.

Appendix (B.)

Colonial Laws.
No. 15.

Apprenticed labourers may effect the purchase of their discharge by a compulsory process. If the employer be unwilling or unable to effect the discharge, or labour under any incapacity, or if any excessive sum be demanded, the chief justice or puisne judge is to cite all persons having an interest in the services of the apprenticed labourer, to attend.

On proof made to the judge of due service and publication of service, he is to require special justice and owner each to name an appraiser, and is himself to name an umpire. The judge, when necessary, is to nominate the appraiser also.

The appraisers to make a valuation in seven

days; failing which, the umpire is to make the valuation.

tial appraisement of the value of the services of the apprenticed labourer so proposed to be discharged from apprenticeship; and within seven days next after such appointment, such appraisers shall make a joint valuation of the services of the said apprenticed labourer for the unexpired period of his or her apprenticeship, and shall certify such their valuation to the said chief justice or puisne judge under their hands and seals; and in case such joint certificate shall not be so made and delivered to the said chief justice or puisne judge within the said term of seven days, then the said umpire, being duly sworn in manner aforesaid, shall within the next succeeding seven days certify his valuation to the said chief justice or puisne judge; and the valuation to be made in manner aforesaid, either by the said joint appraisers, or in their default, by the said umpire, shall be binding and conclusive, and shall be entered and enrolled among the records of the supreme court of civil justice in and for the Colony.

On proof to the judge of fraud or injustice in making the valuation, he may set it aside; and so on, until an unobjectionable valuation is made.

8. Provided nevertheless, that if it shall be made to appear to the said chief justice or puisne judge, within one calendar month next after such valuation shall have been made, that in the making thereof the said appraisers or umpire, or any of them, acted fraudulently or unjustly, or under the influence of any improper motive, or under any mistake as to the nature of their or his duty, or under any misapprehension of any material matter of fact; then, but not otherwise, it shall be lawful for the said chief justice or puisne judge to set aside the said valuation and enrolments, and to declare the same to be void, and to direct another valuation to be made in manner aforesaid; for which purpose new appraisers and a new umpire shall in manner aforesaid be appointed and sworn, and shall proceed to make a second valuation, which being certified to the said chief justice or puisne judge in manner aforesaid, shall be to all intents and purposes binding and conclusive: provided, that such second, or any subsequent valuation, may in like manner be set aside by any such judge, on the grounds aforesaid, until a valuation is made not open to any such objection.

If the amount is not paid in three months, the proceedings cancelled.

9. Provided also, that if the amount of any such valuation shall not be paid in manner hereinafter mentioned within three calendar months next after the enrolment thereof, such enrolment shall be cancelled; and it shall not be lawful for any such apprenticed labourer, or for the special justice of the peace on his or her behalf, again to institute such proceedings as before mentioned for his or her discharge from apprenticeship, until the expiration of 12 calendar months, to be computed from the date of such former valuation.

If it be proved, that within five years the slave has been convicted of any robbery, the proceedings are to be stayed till the end of that term.

10. Provided also, that if at any time before the enrolment of any such valuation, it shall be alleged before the said judge by the employer or manager of the apprenticed labourer proposed to be discharged from apprenticeship, that such apprenticed labourer hath within five years next preceding the date of the application made to such chief justice or puisne judge, on his or her behalf, for such discharge from apprenticeship as aforesaid, been convicted in due course of law of any robbery or theft, the said judge shall inquire into the truth of such allegation; and if it shall be made to appear to him by good and sufficient evidence, that such apprenticed labourer hath within the said term of five years been so convicted of any robbery or theft, the said judge shall and he is hereby required to make an order for staying such enrolment as aforesaid; and thereupon the same and all other proceedings for the discharge from apprenticeship of any such apprenticed labourer shall be stayed until the expiration of the full term of five years from the time of conviction of any such apprenticed labourer for any such theft or robbery.

The special justice may pay to the colonial-receiver the price of the services of the apprenticed labourer in three months from the valuation, and enrol the receipt in the supreme court; after which the apprenticed labourer to be discharged.

11. And be it further enacted, that upon or within three calendar months next after the enrolment in the supreme court of justice of the Colony of any such valuation as aforesaid, it shall be lawful for the special justice of the peace, out of any monies to be supplied to him for that purpose by the apprenticed labourer proposed to be discharged from apprenticeship, to pay to the colonial-receiver or assistant colonial-receiver of the respective districts of this Colony, the appraised value of such apprenticed labourer, taking a receipt in writing from such colonial-receiver or assistant colonial-receiver for every such payment; and the chief justice or puisne judge of such Colony shall, upon application to him for that purpose made by the said special justice of the peace, make an order for the enrolment in either of the said supreme courts of civil justice, of such receipt; and the said chief justice or puisne judge shall by such order further proceed to declare and adjudge that the apprenticed labourer by or on behalf of whom such money hath been paid, is discharged from apprenticeship; and such apprenticed labourer shall thereupon be, and be deemed, taken and reputed to be *sui juris* to all intents and purposes.

How the purchase-money is to be invested, when necessary.

12. And be it further enacted, that the money to arise from the discharge from apprenticeship of any apprenticed labourer, by virtue of the proceedings before mentioned, shall remain in the hands of the colonial-receiver or the assistant colonial-receiver of the respective districts of this Colony, and shall bear interest at the rate of five pounds per cent. per annum, and the colonial revenue shall and is hereby declared to be pledged and responsible for the due payment of such principal money and interest; or shall, in the discretion of the Governor and the Court of Policy, be invested in the purchase, in the names of trustees to be appointed for that purpose, of any public funds or securities of Great Britain and Ireland; and the money in the hands of the said colonial-receiver or assistant colonial-receiver, and the interest accruing on such money, or the public funds of Great Britain and Ireland so to be purchased as aforesaid, and the dividends payable thereupon, shall be the property of the person or persons who was or were the master or masters of such apprenticed labourer so discharged from apprenticeship; and the said colonial-receiver or assistant colonial-receiver

colonial-receiver shall hold the said money and interest accruing thereupon on the said public funds and dividends, at the disposal of the party or parties thereto entitled by the provisions of the hereinbefore mentioned Act of Parliament.

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Colonial Laws.
No. 15.

CAP. VIII.

AND whereas it is necessary to determine the terms and the manner in which the consent of any special justice of the peace to every transfer of labourers from one plantation to another, according to the 9th section of the said Act of Parliament, shall be given, attested and recorded :—

Be it therefore enacted by the authority aforesaid, that in every case in which the consent of a justice of the peace shall be necessary for the transfer of any labourer or labourers from one plantation to another, every such transfer shall be given and attested in the form annexed; and shall, one month after the date thereof, be recorded in a book to be kept for that purpose in each of the respective registrars' offices of Demerara and Essequibo and Berbice, to which such labourer or labourers may belong.

Form of transfer of apprenticed labourers from one plantation to another.

CAP. IX.

AND in respect to the manner and form in which the indentures of apprenticeship set forth and mentioned in the 13th section of the said Act of Parliament, shall be made on the behalf of such children as are in the said 13th section mentioned; and in respect to the registering and preservation of all such indentures :—

Be it further enacted by the authority aforesaid, that all and every indenture of apprenticeship, made and entered into in pursuance of the 13th section of the said Act of Parliament, shall be in the form annexed; and shall be kept and recorded in either of the registrars' offices of Demerara and Essequibo, or of Berbice, to which any such apprenticed child may belong.

Form of indentures of apprenticeship.

CAP. X.

AND whereas, by the 10th section of the said Act of Parliament, it was further enacted and declared, that the right or interest of any employer or employers, to and in the service of any such apprenticed labourers as aforesaid, should pass and be transferable by bargain and sale, contract, deed, conveyance, will or descent, according to such rules and in such manner as shall for that purpose be provided by any such Acts of Assembly, Ordinances or Orders in Council as thereafter mentioned; provided, that no such apprenticed labourer should by virtue of any such bargain and sale, contract, deed, conveyance, will or descent, be subject or liable to be separated from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him or her :—

Be it therefore enacted by the authority aforesaid, that the right or interest of any employer or employers, to and in the services of any such apprenticed labourers aforesaid, shall pass and be transferable by bargain and sale, contract, deed, conveyance, will or descent, according to the provisions of the said Act of Parliament: provided nevertheless, that in every case in which the services of an apprenticed labourer shall or may be transferred by sale, no such apprenticed labourer shall be publicly exhibited or compelled to attend at the place of sale, as was the custom with respect to slaves.

Right to the services of apprenticed labourers to be transferable property.

CAP. XI.

AND whereas, by the 22d section of the said Act of Parliament, after reciting, that whereas it might be expedient that persons in the condition of apprenticed labourers should, during the continuance of such their apprenticeship, be exempted from the performance of any civil or military service, and be disqualified from holding any civil or military office, and from the enjoyment of any political franchise within this Colony, and should be exempted from being arrested or imprisoned for debt; it was therefore enacted, that nothing in that Act contained, extended, or should be construed to extend, to interfere with or prevent the enactment by the respective Governors, Councils and Assemblies, or by such other local Legislature as aforesaid, of any such Colonies, or by His Majesty in Council, in reference to such of the said Colonies as were subject to the legislative authority of His Majesty in Council, of any Acts, Ordinances or Orders in Council, for exempting any such apprenticed labourers aforesaid, during the continuance of such their apprenticeship, from any such civil or military service as aforesaid; or for disqualifying them or any of them, during the continuance of any such apprenticeships, from the enjoyment or discharge of any such political franchise as aforesaid; or for exempting them, during the continuance of such apprenticeships, from being arrested or imprisoned for debt: And whereas it is expedient to exercise the powers and authority by the said 22d section granted and permitted :—

Be it therefore enacted, by the authority aforesaid, that persons in the condition of apprenticed labourers shall, during the continuance of such their apprenticeship, be exempted from the performance of any civil or military service, and be disqualified from holding any civil or military office, and from the enjoyment of any political franchise within this Colony, and shall be exempted from being arrested or imprisoned for debt: provided nevertheless, that nothing herein contained shall absolve any apprenticed labourer from the duty of serving in any civil or military capacity to which he may be called by the Governor, in case

Apprenticed labourers exempted from certain duties, civil or military.

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 No. 15.

of invasion, rebellion, or any other great public exigency; or to any apprenticed labourer holding the office of constable, or any office in the service of any corporation or body politic, or in any church or ecclesiastical society, such as the situation of beadles, parish clerks, and any other employment, sometimes called offices, and which carry with them no political character or franchise.

CAP. XII.

1. AND be it further enacted, that every special justice of the peace shall be competent, and he is hereby authorized to administer oaths to all persons touching or concerning any matters or things belonging to or coming under his cognizance by virtue of this ordinance.

Definition of the word
 "employer."

2. And be it further enacted, that whenever the word "employer" shall have been made use of, or shall be found in this ordinance, the same shall mean the person who would be entitled to the possession of any apprenticed labourer still in a state of slavery.

Definition of "a day's
 hard labour."

3. And be it further enacted, that a day's hard labour shall be a period of time not exceeding 12 hours of actual labour within the 24 hours.

Memorandum of transfer of services of apprenticed labourers to be recorded.

4. And be it further enacted, that from and after the 1st day of August 1834, no deed or instrument whereby the services of any apprenticed labourer or labourers in this Colony shall be transferred or affected, or intended to be transferred or affected, shall be good or valid in law, to pass or convey, or affect the services of any such apprenticed labourer or labourers, unless an annotation or memorandum of such deed or instrument shall be made or recorded in a book to be kept for that purpose in the colonial registrar's office of each of the respective districts in this Colony, within one month after the making or executing such deed or instrument, if made or executed in this Colony; or within one month after the arrival in this Colony of any such deed or instrument, if made or executed out of the Colony.

Application of fines.

5. And be it further enacted, that all fines incurred and imposed under and by virtue of this Act, shall be paid into the colonial chest of the Colony.

And that no ignorance shall be pretended of this our Ordinance, these presents shall be printed and published in the customary manner.

Thus done and enacted at our adjourned Assembly, held at the Colony House, George Town, Demerara, this 8th day of March 1834, and published the following.

(signed) J. Carmichael Smyth.

FORMS referred to in the foregoing ORDINANCE.

(A.)—WARRANT.

Demerara and Esse- } To _____ of _____ District, and all other Officers of Police
 quibo (or Berbice), } in the Colony of British Guiana.
 to wit.

Forasmuch as _____ of _____, in the district aforesaid, apprenticed labourer, bath this day been charged before me _____, one of His Majesty's special justices of the peace for the Colony aforesaid, on the oath of a credible witness, for that he the said _____, on, &c. _____ at, &c. _____ did, &c. These are therefore to command you, in His Majesty's name, forthwith to apprehend and bring before me, or some other of His Majesty's special justices of the peace in and for the said district, the body of the said _____ to answer unto the said charge, and to be further dealt with according to law. Herein fail you not.

Given under my hand and seal, the _____ day of _____, in the year of our Lord _____.

(B.)—SUMMONS.

To _____ of _____, in the Colony of British Guiana.

Whereas a complaint on oath hath been preferred to me by _____ of _____, that you the said _____ did, on the _____ day of _____, in the year of our Lord _____, [here state the complaint in general terms]. Now I _____, one of His Majesty's special justices of the peace in and for the said Colony, do hereby summon and require you the said _____ to attend before me at _____, in the _____ of _____ in the said Colony, at the hour of _____ in the _____ of the _____ day of _____ in this present year 18 _____, then and there to answer the matters of the said complaint.

Given under my hand and seal, this _____ day of _____, in the year of our Lord _____.

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(C.)—SUMMONS.

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No. 15.

To _____ of _____, in the Colony of British Guiana.

These are to require you to attend and be personally present at the hour of _____ in
the _____ of the _____ day of _____ 18 _____, at _____ in the _____ of
_____, then and there to be examined before me as a witness touching and con-
cerning the matters of a certain complaint depending before me on the behalf of
against _____

Given under my hand and seal, this _____ day of _____, in the year of our
Lord _____

(D.)—RECOGNIZANCE.

Demerara and Esse- } *A. B.* of _____ in said Colony, acknowledges himself to
quibo (or Berbice), } be indebted to our Sovereign Lord the King, his heirs and successors,
to wit. } in the sum of £. _____; *C. D.* of _____ in said Colony,
acknowledges himself to be indebted to our Sovereign Lord the King, his heirs and suc-
cessors, in the sum of £. _____; *E. F.* of _____ in said Colony, acknowledges
himself to be indebted to our Sovereign Lord the King, his heirs and successors, in the
sum of £. _____; upon condition that the said *A. B.* do personally appear before me,
or any one of His Majesty's special justices of the peace in and for the Colony of British
Guiana, on the _____ day of _____, at _____ in the _____ aforesaid, there
to answer the complaint of _____, and do not depart without leave; then this recog-
nizance to be void, or else to remain in full force.

Taken and acknowledged, the _____ day of _____ 18 _____, before me,
{ One of His Majesty's Special Justices of the Peace
for the Colony of British Guiana.

(E.)—CCMMITMENT.

Demerara and Esse- } To _____, Sergeant of Police, and all other Police Officers whom
quibo (or Berbice), } this may concern.
to wit.

Whereas _____ was this day brought and charged before me, one of His Majesty's
special justices of the peace in and for the Colony of British Guiana, on the complaint of
_____, with, &c _____; and whereas, having thought proper to adjourn the
hearing of such complaint for further inquiry, the said _____ hath _____, although
by me required, and does _____ to find sureties for his personal appearance before me or
some other special justice of the peace, on the _____ day of _____, at _____, to
answer the premises. These are therefore, in His Majesty's name, to command you the
said sergeant of police, and all other officers of police, safely to convey the said _____,
and to deliver him to the keeper of _____; requiring you the said keeper to receive and
safely to keep the said _____ until he shall find sureties, or otherwise be discharged by
due course of law.

Given under my hand and seal, this _____ day of _____, in the year of our
Lord _____

(F.)—CONVICTION by one Special Justice of the Peace.

British Guiana, }
to wit. } In the _____ of _____

Be it remembered, that on the _____ of _____ in the year of our Lord _____,
at _____ in the Colony of British Guiana, _____ is convicted before me _____,
one of His Majesty's special justices of the peace for said Colony, for that he the said
_____ did, &c. _____ And I the said special justice adjudge the said _____,
for his said offence, to _____

Given under my hand and seal, the day and year first above mentioned.

(G.)—CONVICTION.

British Guiana, }
to wit. } In the _____ of _____

Be it remembered, that on the _____ day of _____ in the year of our Lord _____,
at _____ in the Colony of British Guiana, _____ is convicted before us _____,
of His Majesty's special justices of the peace in and for the Colony of British Guiana in
sessions assembled, for that he the said _____ did _____ . And we the said
special justices adjudge the said _____, for his said offence, to _____

Given under our respective hands and seals, the day and year first above mentioned.

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(H.)

The Forms (F.) and (G.) will be found applicable to all other Convictions.

(I.)—COMMITMENT.

Whereas _____ was this day brought before me, the undersigned special justice of the peace in and for the Colony of British Guiana, on a complaint that he the said _____ did, &c. And I, the said justice of the peace, having inquired into the circumstances of the case, and having deemed it to be of such a nature as ought to be tried before a supreme court of criminal justice, do hereby commit the said _____ to there to be detained until discharged by due course of law. These are therefore, in His Majesty's name, to command you, _____, constable, and all other officers of police, safely to convey the said _____ to the keeper of _____; requiring you the said keeper to receive and safely to keep the said _____ until he be discharged by due course of law.

Given under my hand and seal, this _____ day of _____, in the year of our Lord _____.

(K.)—RECOGNIZANCE.

British Guiana, } _____, of _____, in the said Colony, acknowledges himself to be to wit. } indebted to our Sovereign Lord the King in the sum of £. _____; _____, of _____, in the said Colony, acknowledges himself to be indebted to our Sovereign Lord the King in the sum of £. _____; _____ of _____, in the said Colony, acknowledges himself to be indebted to our Sovereign Lord the King in the sum of _____; upon condition that the said _____ do personally appear at the next district sessions of special justices, to be held at _____ in the Colony aforesaid, there to answer a complaint of _____, that he the said _____, on, &c. _____ at, &c. did, &c. _____; and do not depart the court without leave; then this recognizance to be void, or else to remain in full force.

Taken and acknowledged, the _____ day of _____, before me, { One of His Majesty's Special Justices of the Peace for the _____

(L.)—WARRANT.

British Guiana, } To _____, Sergeant of Police in and for the District of to wit. }

Whereas _____ of His Majesty's special justices of the peace in and for the Colony aforesaid, in pursuance of an ordinance made in the 4th year of the reign of His Majesty William the Fourth, intituled "An Ordinance for the Government and Regulation of Apprenticed Labourers," have awarded, on the day of _____, on the complaint of _____ against _____, for, &c. _____ a fine or penalty of _____, to be paid by the said _____; and whereas the said _____, being ordered by _____ the said justice to pay the said sum as aforesaid, hath not paid down or given security for the same to the satisfaction of _____ the said justice. These are therefore to command you to levy the said sum of _____ by distress and sale of the goods and chattels of the said _____. And _____ do hereby order and direct the goods and chattels so to be distrained to be sold and disposed of within _____ days, unless the said sum of _____, for which such distress shall be made, together with the reasonable charges of taking and keeping such distress, shall be sooner paid. And you are hereby also commanded to certify unto _____ what you shall have done by virtue of this warrant.

Given under _____ hand and seal, at _____, the _____ day of _____, in the year of our Lord 18 _____.

(M.)—WARRANT.

To

Whereas on the _____ day of _____ I did issue to _____, of _____, in the Colony of British Guiana, my summons requiring _____ to attend before me at _____, in the _____ of _____, in the said Colony, at the hour of _____ in the _____ of the _____ day of _____, in this present year of _____, then and there to give evidence touching and concerning the matters of a certain complaint preferred to me by _____ against _____; and whereas the service of the summons on the said _____ hath been made to appear to me on the oath of one credible witness, and yet the said _____ hath refused or neglected to appear at the time and place so appointed. Now, you are hereby authorized and required to arrest the person of the said _____, and to bring _____ before me, at the hour of _____ in the _____ of the _____ day of _____, at _____

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at _____ in the _____ of _____ in the said Colony; and for so doing this shall be your **BRITISH GUIANA.**
warrant.

Given under my hand and seal, this _____ day of _____, in the year of our
Lord _____

Appendix (B.)

Colonial Laws.
No. 15.**(N.)—COMMITMENT.**

To _____, Constable.

Whereas _____ having _____ before me as a witness upon a certain complaint depending before me on behalf of _____ against _____, on this _____ day of _____ 183, at _____, in the _____ of _____, in the Colony of British Guiana, without lawful cause hath refused to answer the questions (copy of which questions is hereunder written) then and there proposed to _____, touching the subject of such hearing and inquiry. Now, I do hereby authorize and require you to detain the said _____ in _____, in the _____ of _____, there to remain until _____ shall submit to _____ touching the subject of such hearing and inquiry; and for so doing this shall be your warrant.

Given under my hand and seal, at _____, this _____ day of _____, in the
year of our Lord _____.

(O.)—DECLARATION.

I _____, of _____, in the parish of _____, in the district of _____, in the Colony of British Guiana, do hereby declare my intention to be to maintain the apprenticed labourers in the employ of _____, whose names are hereinafter enumerated, in the manner stated, with reference to each of such apprenticed labourers, in the note or memorandum set opposite to the name of each in such memorandum.

L.	} By the cultivation of ground to be to them apportioned for that purpose.
M.	
N.	
O.	
P.	
Q.	} By an allowance of provisions.
R.	
S.	
T.	

(P.)—SCALE of Food.

Both sexes of 12 years and upwards, at the rate of, weekly :

2 lbs. dried fish, or 3 lbs. herrings, mackerel or shad, or 2 lbs. salt beef or pork, or 3 lbs. fresh beef or pork, with half pint of salt.

One or more bunches of plaintains, weighing not less than 56 lbs. gross, or 25 lbs. yams or potatoes, or 20 lbs. eddoes or tanyahs, or 10 pints wheat flour or Indian corn, or other meal or rice.

Both sexes, six to 11 years :

One half of the above.

Both sexes under five years :

A sufficient quantity of farinaceous food, to be cooked for them under the superintendence of their nurses; it being impossible to regulate the quantity in any fixed manner.

(Q.)—SCALE of Clothing, Bedding, Household Furniture, &c. for Males.

Of 15 years and upwards :

Yearly,—one blue or grey cloth jacket, one felt hat, one pair Oznaburg and one pair blue cloth trousers, one check shirt, one woollen shirt, two salempores or blue cotton laps or waistcloths.

Every two years,—one blanket, one knife, one razor (if requisite.)

10 to 14 years, inclusive :

Yearly,—one blue or grey cloth jacket, one felt hat, cap or Scotch bonnet, one pair Oznaburg or blue trousers, one check shirt, one red or woollen shirt, two salempores or blue cotton laps or waistcloths.

Every two years,—one blanket.

Six to nine years, inclusive :

Yearly,—one blue or grey cloth or linen jacket, one hat, bonnet or cap, two salempores or blue cotton laps or waistcloths, three yards Oznaburgs, three yards check, to be made into small trousers or frocks, according to size.

Every two years,—one blanket.

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BRITISH GUIANA.

Appendix (B.)

Colonial Laws.
No. 15.

SCALE of Clothing, &c. for Females.

Of 15 years and upwards :

Yearly,—one felt hat or bonnet, one blue or grey cloth wrapper, two shifts of check, two Oznaburg or one blue cloth petticoat, two handkerchiefs.
Every two years,—one blanket, one pair scissors.

Six to 14 years, inclusive :

Yearly,—one felt hat or bonnet, one cloth wrapper as above, one check or Oznaburg shift, two Oznaburg or one cloth petticoat, two handkerchiefs.
Every two years,—one blanket.

Children under five years of age, both sexes :

A sufficient quantity of linen checks or calicoes as will make for each three suits annually. A suitable sized blanket to be given to the mother or nurse of each child, and continued every second year.

Lepers, Invalids, and People incapable of labouring or undergoing exposure, of both sexes :

Yearly,—one Oznaburg frock, one blue or red woollen shirt, one felt hat, cap or bonnet.
Every two years,—one blanket.

Allowance of Household Furniture :

To each dwelling-house, one table.

To each family (when required), an iron pot and a saucepan.

(R.)—AWARD or Sentence.

British Guiana, } Whereas proof having been made to the satisfaction of the district ses-
to wit. } sions of special justices, held on the day of , at plantation
, in district No. , in the Colony of British Guiana, that hath not
paid to the sum of , being the amount stipulated to be paid by
to , for work and labour done and performed according to a contract, bearing date
the day of ; it is hereby awarded that the said do pay to the
said the said sum of , free of all deductions whatsoever, within days
after the date of this award, on pain, in default thereof, of a levy being made upon the prop-
erty of the said .

Thus done and awarded, at , in the parish of , in the Colony afore-
said, this day of 183 .

(S.)—WARRANT of Execution.

British Guiana, } Whereas at the district sessions of special justices, held on the
to wit. } day of , at , in district No. , in the Colony of
British Guiana, it was awarded that of should pay to
the sum of , free of all deductions whatsoever, within days after the date of
that award, on pain, in default thereof, of a levy being made upon the property of the said
; and whereas the said hath not paid the said sum of to the said
, although the time allowed for the payment thereof hath expired. These are
therefore to command you to levy the said sum of by distress and sale of the goods
and chattels or other property of the said . And it is hereby ordered and directed
the goods and chattels so to be distrained to be sold and disposed of within days
after such levy, unless the said sum of for which such distress shall be made, together
with the reasonable charges of taking and keeping such distress, shall be sooner paid.
And you are hereby also commanded to certify unto what you shall have done
by virtue of this warrant.

Given under hand and seal, at , the day of , in the
year of our Lord .

(T.)—WARRANT of Apprehension and Commitment.

To the Sergeant of Police Settlement No. , in the Colony of British Guiana; and also
the Keeper of , in the said Colony.

Demerara and Esse- } Whereas in pursuance of an ordinance, intituled "An Ordinance for
quibo (or Berbice), } the Government and Regulation of Apprenticed Labourers," the dis-
to wit. } trict sessions of special justices, held on the day of , at
, in district No. , in the Colony of British Guiana, did issue a warrant of dis-
tress and sale, directed to , of the said parish of , ordering the said
to levy the sum of by distress and sale of the goods and chattels or other
property of the said in manner and form as therein mentioned; and whereas it
appears

appears to by the return of the said , that he hath made diligent search, but doth not know of, nor can find any goods, chattels or other property of the said , BRITISH GUIANA.
by distress and sale whereof the sum of may be levied pursuant to the Appendix (B.)
said warrant. These are therefore to command you the said to apprehend the Colonial Laws.
said , and convey him to the said , and to deliver him to the said keeper of No. 15.
the said ; and these are also to command you the said keeper of the said to receive the said , and there to keep him to hard labour for the space of from
the date thereof, or until such sum, together with the expenses attending the proceedings against the said , and this commitment to the said , be first paid, or until
he be discharged by due course of law.
Given under hand and seal, at the day of , in the year of
our Lord 183 .

(U.)—ACT of Transfer.

British Guiana, } Be it known that we, of His Majesty's special justices of the
to wit. } peace in and for the Colony of British Guiana, having ascertained that the
transfer of the hereinafter mentioned prædial apprenticed labourers at present attached to plan-
tation in the parish of in the Colony aforesaid, belonging to
from said plantation to plantation , in the parish of in the said
Colony, also belonging to , will not have the effect of separating any of the said
attached prædial apprenticed labourers from his or her wife or husband, parent or children,
or from any person or persons reputed to bear any such relation to him or her, and that
such transfer will not probably be injurious to the health or welfare of such attached prædial
apprenticed labourers; do hereby consent that the said , who is entitled to
the services of said prædial apprenticed labourers, do transfer to said plantation
the services of , attached prædial apprenticed labourers. This act of transfer
to be recorded in the colonial registrar's office within one month from the date hereof.

Given under our respective hands and seals, at in the parish of
in the Colony aforesaid, this day of 183 .

(W.)—INDENTURE of Apprenticeship.

This indenture, made the day of in the year of our Lord 183
between A. B., one of His Majesty's special justices of the peace in and for the said Colony,
for and on behalf of C. D., an infant, aged years, of the parish of in the said
Colony, of the one part, and E. F. of in the said Colony, of the other part.
Whereas E. F. (the employer) hath agreed with the said A. B. (the special justice) to take
the said C. D. (the apprentice) as his apprentice for the term of years, to be taught
and instructed in the trade or business of , in consideration and subject to the
terms and conditions hereinafter contained: Now this indenture witnesseth, that in pur-
suance of the said agreement and in virtue of the ordinance in this case made and provided,
he the said E. F. (the employer) doth hereby, for himself, his heirs, executors and admin-
istrators, covenant, promise and agree with and to the said A. B. (the special justice) in
the manner following, that is to say: That he the said E. F. (the employer) shall and will
during the term of years, according to the best of his skill and knowledge, teach and
instruct, or cause to be taught and instructed, the said C. D. (the apprentice) in the trade
or business of , and all and every the matters and things whatsoever incident
or relating thereto; and also shall and will during the said term find and provide the said
C. D. (the apprentice) with suitable and sufficient diet, clothing, lodging and medical
attendance, in a like and equal manner with the rest of apprenticed labourers in this Colony,
and according to the said ordinance in such case made and provided, and to all other ordi-
nances or laws which may hereafter be made touching or concerning the clothing, feeding,
lodging and medical attendance of apprenticed labourers in this Colony; and shall also
allow to the said C. D. such reasonable time and opportunity for education and religious
instruction as shall be appointed or assigned by a special justice of the peace of the district
in which the said C. D. shall reside. And in consideration of the covenants and agree-
ments hereinbefore contained on the part of the said E. F. (the employer), he the said
A. B. (the special justice) hath placed and bounden, and by these presents doth place and
bind, the said C. D. (the apprentice) as a apprenticed labourer unto and with the said
E. F. (the employer) for the said term or period of years, to be computed from the date
of these presents; and doth hereby, for and on the behalf of the said C. D. (the apprentice),
to and with the said E. F. (the employer), covenant, promise and declare, that he the said
C. D. (the apprentice) shall and will, during all and every part of the said term of
years, truly and faithfully serve the said E. F. (the employer) as a apprenticed
labourer in the said trade and business of , and diligently attend to the business
and concerns thereof, according to the rules, regulations and laws now or hereafter to be in
force of and concerning apprenticed labourers in this Colony.

In witness whereof, I the said , special justice as aforesaid, for and on behalf
of the said C. D., have hereunto set my hand and seal; and the said E. F. hath also set
his hand and seal in my presence, at in the Colony aforesaid, the day and year
first above written.

MAURITIUS.

Appendix (B.)

Order in Council.
No. 16.

— No. 16. —

MAURITIUS.

AN ORDER of the KING in COUNCIL, “for giving effect in the Colony of the *Mauritius* to the Statute 3 & 4 Will. IV, c. 73, for the Abolition of Slavery throughout the British Dominions.”

At the Court at St. James’s, the 17th day of September 1834 ;

Present,

The King’s Most Excellent Majesty in Council.

WHEREAS, by a certain Act of Parliament passed in the 3d and 4th years of His Majesty’s reign, intituled, “An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves,” it is, amongst other things, recited, that it is necessary that various rules and regulations should be framed and established for ascertaining with reference to each apprenticed labourer within the said Colonies respectively, whether he or she belongs to the class of attached prædial apprenticed labourers, or to the class of unattached apprenticed labourers, or to the class of non-prædial apprenticed labourers, and for determining the manner and form in which and the solemnities with which the voluntary discharge of any apprenticed labourer from such his or apprenticeship may be effected, and for prescribing the form and manner in which and the solemnities with which the purchase by any such apprenticed labourer, or his or her discharge from such apprenticeship without, or in opposition, if necessary, to the consent of the person or persons entitled to his or her services shall be effected, and how the necessary appraisalment of the future value of such services shall be made, and how and to whom the amount of such appraisalment shall in each case be paid and applied, and in what manner and form and by whom the discharge from any such apprenticeship shall thereupon be given, executed and recorded; and that it is also necessary for the preservation of peace throughout the said Colonies, that proper regulations should be framed and established for the maintenance of order and good discipline amongst the said apprenticed labourers, and for ensuring the punctual discharge of the services due by them to their respective employers, and for the prevention and punishment of indolence, or the neglect or improper performance of work by any such apprenticed labourer, and for enforcing the due performance by any such apprenticed labourer of any contract into which he or she may voluntarily enter for any hired service during the time in which he or she may not be bound to labour for his or her employer, and for the prevention and punishment of insolence and insubordination on the part of any such apprenticed labourers towards their employers, and for the prevention or punishment of vagrancy, or of any conduct on the part of any such apprenticed labourers injuring or tending to the injury of the property of any such employer, and for the suppression and punishment of any riot or combined resistance of the laws on the part of any such apprenticed labourers, and for preventing the escape of any such apprenticed labourers during their term of apprenticeship from the Colonies to which they may respectively belong; and that it will also be necessary for the protection of such apprenticed labourers as aforesaid that various regulations should be framed and established in the said respective Colonies for securing punctuality and method in the supply to them of such food, clothing, lodging, medicines, medical attendance, and such other maintenance and allowances as they are by the said Act declared entitled to receive, and for regulating the amount and quality of all such articles, in cases where the laws at present existing in any such Colony may not in the case of slaves have made any regulation or any adequate regulation for that purpose; and that it is also necessary that proper rules should be established for the prevention and punishment of any frauds which might be practised, or of any omissions or neglects which might occur respecting the quantity or the quality of the supplies so to be furnished, or respecting the periods for the delivery of the same; and that it is necessary in those cases in which the food of any such prædial apprenticed labourers as aforesaid may either wholly or in part be raised by themselves by the cultivation of ground to be set apart and allotted for that purpose, that proper regulations should be made and established as to the extent of such grounds, and as to the distance at which such grounds may be so allotted from the ordinary place of abode of such prædial apprenticed labourers, and respecting the deductions to be made from the cultivation of such grounds from the annual time during which such prædial apprenticed labourers are hereinbefore declared liable to labour; and that it may also be necessary by such regulations as aforesaid to secure to the said prædial apprenticed labourers the enjoyment for their own benefit of that portion of their time during which they are not hereby required to labour in the service of their respective employers, and for securing exactness in the computation of the time during which such prædial apprenticed labourers are hereby required to labour in the service of such their respective employers; and that it is also necessary that provision should be made for preventing the imposition of task-work on any such apprenticed labourer without his or her free consent to undertake the same; but that it may be necessary by such regulations in certain cases to require and provide for the acquiescence of the minority of the prædial apprenticed labourers attached

to any plantation or estate, in the distribution and apportionment amongst the whole body of such labourers of any task-work which the majority of such body shall be willing and desirous collectively to undertake; and that it is also necessary that regulations should be made respecting any voluntary contracts into which any apprenticed labourers may enter with their respective employers, or with any other person for hired service for any future period, and for limiting the greatest period of time to which such voluntary contract may extend, and for enforcing the punctual and effectual performance of such voluntary contracts on the part both of such apprenticed labourers, and of the person or persons engaging for their employment and hire; and that it is also necessary that regulations should be made for the prevention or punishment of any cruelty, injustice, or other wrong or injury which may be done to or inflicted upon any such apprenticed labourers by the persons entitled to their services; and that it is also necessary that proper regulations should be made respecting the manner and form in which such indentures of apprenticeship as aforesaid shall be made on behalf of such children as aforesaid, and respecting the registering and preservation of all such indentures; and that it is also necessary that provision should be made for ensuring promptitude and dispatch, and for preventing all unnecessary expense in the discharge by the justices of the peace holding such special commissions as in the said Act mentioned of the jurisdiction and authorities thereby committed to them, and for enabling such justices to decide in a summary way such questions as may be brought before them in that capacity, and for the division of the said respective Colonies into districts for the purposes of such jurisdiction, and for the frequent and punctual visitation by such justices of the peace of the apprenticed labourers within such their respective districts; and that it is also necessary that regulations should be made for indemnifying and protecting such justices of the peace in the upright execution and discharge of their duties; and that such regulations as aforesaid could not without great inconvenience be made except by the respective Governors, Councils and Assemblies, or other local Legislatures of the said respective Colonies, or by His Majesty, with the advice of His Privy Council, in reference to those Colonies to which the legislative authority of His Majesty in Council extends; it is therefore enacted and declared in and by the said Act, that nothing therein contained extends or shall be construed to extend to prevent the enactment by the respective Governors, Councils and Assemblies, or by such other local Legislatures as aforesaid, or by His Majesty, with the advice of His Privy Council, of any such Acts of General Assembly, or Ordinances or Orders in Council, as may be requisite, for making and establishing such several rules and regulations as aforesaid, or any of them, or for carrying the same or any of them into full and complete effect: provided nevertheless, and it is thereby enacted, that it shall not be lawful for any such Governor, Council and Assembly, or for any such local Legislature, or for His Majesty in Council, by any such Acts of Assembly, Ordinances, or Orders in Council as aforesaid, to make or establish any enactment, regulation, provision, rule or order, which shall be in anywise repugnant or contradictory to the said recited Act, or any part thereof, but that every such enactment, regulation, provision, rule or order shall be and is thereby declared to be absolutely null and void, and of no effect.

Now, therefore, in pursuance of the said recited Act of Parliament, and for carrying the same into effect within the Island of Mauritius, it is hereby ordered by His Majesty, by and with the advice of His Privy Council, that the several rules and regulations contained in the 12 chapters hereunto subjoined and annexed, and which 12 chapters are and shall be taken to be part of this present Order, shall extend to and be in force within the Island of Mauritius, and the dependencies thereof, upon, from and after the 1st day of February 1835.

And the Right Honourable Thomas Spring Rice, one of His Majesty's principal Secretaries of State, is to give the necessary directions accordingly.

(signed) *C. C. Greville.*

CAP. I.

On the Judicial and Ministerial Agency to be employed.

1. The Colony of Mauritius shall be divided into not less than seven judicial districts.
2. The Governor shall by proclamation define, and, as occasion may require, shall alter the limits of such districts.
3. One special justice, at least, shall be appointed to each of the before-mentioned districts.
4. In each district shall be set apart one or more tract or tracts of land, which, with the building to be erected thereon, shall be called the police settlement or police settlements of the district.
5. Every such police settlement shall be established in the vicinity of as large a body as may be of the population of the district.
6. It shall be lawful for the special justice or special justices of each district to license in such district places of safe custody and correction, situate at convenient distances from each other.
7. The Governor shall appropriate for the formation of the police settlements any waste lands of the Crown which may be situate conveniently for that purpose; and in districts where such Crown lands cannot be found, shall, by exchange or purchase, procure the lands wanting for the purpose.
8. At the first formation of any such police settlement, the members thereof, assisted by such hired labourers as may be indispensable, shall be employed in the erection of temporary

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rary buildings for their own occupation, such buildings to be hereafter superseded by more permanent buildings, to be erected by the means subsequently mentioned.

9. At each police settlement shall be erected a house of correction.

10. Until permanent police settlements shall be formed, and the buildings requisite for that purpose erected, it shall be lawful for the Governor, with the advice and consent of the Legislative Council to procure and provide, by hire or otherwise, suitable buildings, to be occupied temporarily as police settlements.

11. At each police settlement shall also be established a penal gang, to be composed of such persons as shall be condemned to imprisonment with hard labour.

12. Every such police settlement, place of safe custody and correction, shall be placed under the general charge of the special justices of the district, and under the immediate superintendence of a special justice of the district, to be selected by the Governor for that purpose, and who shall be called a superintending special justice, and shall reside thereat, or in the immediate vicinity thereof.

13. Each police settlement shall consist of no less than one sergeant and five privates, all being able-bodied men, between the ages of 20 and 50 years.

14. The sergeant and privates of each police settlement shall be appointed by the Governor, and shall be liable to be removed by him for bad conduct or inefficiency.

15. The sergeants and privates shall be liable to be suspended from office by the superintending special justice or justices of the district, subject to the Governor's confirmation or disallowance of such suspension.

16. In addition to the police force stationed at each police settlement, the superintending special justice shall appoint and swear in such persons in their respective districts as they shall think fit to act as constables. Nothing herein contained shall prevent an apprenticed labourer from being appointed, sworn in and acting as a constable.

17. The superintending special justices shall, once in each quarter, respectively make to the Governor a report of the effective strength and condition of the police force at each settlement, and of the state of the buildings and provision grounds there, and of the state and conduct of the prisoners confined therein.

18. The Governors shall from time to time, by and with the advice of the legislative Council, frame and publish all necessary rules for the internal discipline of the said police settlements, and of the said places of safe custody and correction; for the clothing, arming, supporting and remunerating the sergeant and privates of the said police; for remunerating the said constables; for securing the due performance, by the said police and constables, of their respective duties; for the employment of the penal gang, and also of the sergeants and privates of the said police when not engaged in police duties; for the support of the prisoners in the said houses of correction and places of safe custody; for a due separation of prisoners of different sexes; for the classification of prisoners; for their religious instruction; for the maintenance of cleanliness, order and sobriety amongst them; and for the prevention and prompt punishment of any neglect or violation of such rules. And all rules so framed and published shall be transmitted for His Majesty's approbation, and shall, until disallowed or altered, remain in full force.

19. It shall be the duty of the sergeant and the privates to carry into execution such orders as they shall receive from the special justice for the prevention or repressing of crimes, and for enforcing obedience to the law, and for inflicting such punishments as are hereby authorized.

CAP. II.

On the Procedure to be observed by the Special Magistrates in the Exercise of their Jurisdiction.

1. Every superintending special justice shall reside within the district to which he is appointed, unless when prevented by sickness or other reasonable cause, to be allowed by the Governor.

2. Every such superintending special justice shall, one day in each week, or oftener if need be, at the place of his residence, hold a session for the hearing and deciding upon such cases as may be brought before him.

3. Every plantation in each district, upon which 10 or more apprenticed labourers shall be employed, shall be visited by a superintending or other special justice once in each fortnight, or oftener if need be, who shall there take cognizance of such cases as may be brought before him, whether such cases shall relate to apprenticed labourers employed on that plantation or to any other apprenticed labourers.

4. Every such special justice shall keep a journal of all the cases brought before him, in which he shall enter, 1st, the date of the complaint; 2d, the name of the complainant; 3d, the substance of the complaint; 4th, the names of the witnesses adduced on either side; 5th, the substance of the evidence; 6th, his decision on the case; 7th, whether the decision has been carried into effect; 8th, any general remarks which he may think desirable.

5. All such journals shall be kept in one uniform manner, to be prescribed for that purpose by the Governor.

6. At the end of each quarter the special justice shall transmit to the Governor a duplicate of his journal for the preceding quarter; with an affidavit thereto annexed, to the effect that it has been faithfully kept, and that, with the exception of unintentional errors, it contains a true account of all the proceedings in which the deponent has been engaged, as such special justice, during the quarter to which it refers.

7. On receiving any complaint, it shall be the duty of the special justice to reduce it to writing, and to cause it to be read by, or to read it over, to the complainant, by whom it shall be subscribed.

8. If the complaint shall appear to the justice immaterial, and not to deserve further inquiry, he may at once dismiss the complaint; but if he shall think inquiry necessary, he shall call upon the complainant to make oath that the complaint is true.

9. Upon taking any complaint, to the truth of which such oath shall have been so made, the special justice shall either issue his warrant for the arrest of the party charged, or shall issue, if necessary, a summons for his attendance, as the case may require. The warrant of arrest shall be in the form annexed, marked (A.), and the summons in the form annexed, marked (B.)

10. The warrant of arrest shall be issued in all cases which impute to the party charged a capital or a transportable offence; in all cases where there is reason to apprehend that the party charged would endeavour to escape; and in all cases where there is reason to apprehend danger to the public peace from delay. In all other cases the justice is to proceed in the first instance by summons, if necessary.

11. In cases in which it may be necessary to adduce witnesses in support of or in answer to any such complaint, the justice shall issue a summons, if necessary, to every such witness, in the annexed form, marked (C.)

12. At the time and place appointed by any such warrant or summons for proceeding upon any such complaint, the justice shall, in the presence of all parties, or of such of them as being summoned shall attend in pursuance of such summons, first read over the written complaint, and then take down in writing the answer of the party charged, and then proceed to examine on oath the party complaining, and the witnesses, taking down in writing the deposition of each witness, which shall be read over to and signed by him.

13. The justice may from time to time adjourn any such proceeding for further inquiry, and, if necessary, commit the party charged to custody pending such adjournment, or take bail for his appearance. Every such commitment or bail shall be in the annexed forms, marked (D.) and (E.)

14. At the close of such proceedings the justice shall pronounce his decision thereupon, which decision he shall reduce into writing, and subscribe with his hand.

15. By any such decision the justice shall, as law and reason may seem to him to require, either dismiss the complaint, or sanction any lawful compromise between the parties which he may think just, or convict the party charged, or commit him to prison to take his trial for the imputed offence.

16. If the complaint shall be dismissed, the justice shall, in such his written decision, state whether it was so dismissed as being unproved, or as being frivolous and vexatious, or as being malicious.

17. If any such complaint shall be so dismissed as frivolous and vexatious, the justice may adjudge the complainant, if a labourer, to work in the service of his employer for any time not exceeding in the whole 15 extra hours in any one week, or to any number of stripes not exceeding 15; or if the complainant be the employer, the justice may adjudge such employer to the payment of a penalty, for the use of the labourer, of not less than 10s. sterling, and not greater than 5*l.* sterling.

18. If any such complaint shall be so dismissed as malicious, it shall be competent to the justice, at the instance of the party charged, to adjudge the complainant, if an apprenticed labourer, to imprisonment with hard labour for any time not exceeding one month, or to any number of stripes not exceeding 30; or, if the employer of any such labourer, to a fine not less than 40s. sterling, and not greater than 10*l.* sterling, for the benefit of the party charged; which judgment shall be a bar to any suit, action or prosecution against such complainant for calumny, defamation, or otherwise, in respect of such his complaint.

19. If the justice shall, by such his decision, convict the party charged, or shall convict the complainant of preferring a frivolous and vexatious or a malicious complaint, such conviction shall be severally drawn up according to the forms annexed, marked (F.) and (G.)

20. If such magistrates shall commit the party charged to take his trial for the imputed offence, such commitment shall be drawn up in the form annexed, marked (H.)

21. Upon any such conviction as aforesaid by such special justice, he shall forthwith issue a warrant for the execution thereof.

22. All summonses, warrants, commitments and other orders, so to be issued by any such justice as aforesaid, shall be executed by the police officers of his district; such justice being nevertheless authorized, as occasion may require, to address the same to any other person or persons jointly with, or instead of, such officers of police as to him may seem requisite.

23. Any summons, warrant or order issued by any such special justice within his own district may, without any further authority, be carried into execution in any part of the Colony, though beyond such district.

24. If any person summoned by such justice as a witness shall not appear in obedience to such summons, or, appearing, shall refuse to be sworn or examined, or to answer any question proposed to him by such justice in relation to the matters depending before him, it shall be lawful for such justice to issue his warrant for the arrest of any such defaulter, or to commit him to close custody, there to remain until he shall submit to be so sworn and examined, and to make such answers as aforesaid. Every such warrant of arrest or commitment shall be in the form annexed, marked (I.) and (K.)

25. If it shall be made to appear to the satisfaction of the Governor and Legislative Council

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Council that the forms of proceeding hereinbefore prescribed are needlessly burdensome upon the justices of the several districts within the Colony, or of any one or more of such districts, or that they impede or interfere with the prompt and effective execution of the law, the Governor, with advice and consent of the Legislative Council, shall be entitled to suspend any part of the preceding rules relating to such procedure, or to adapt the same to the circumstances of the case, so as more effectually to promote the punctual, orderly and effective execution of the law; and for that purpose to frame and publish rules and ordinances, which shall be transmitted for His Majesty's confirmation, and which, until disallowed, shall be in full force.

26. It shall be lawful for the Governor to assign to such one or more of the special justices as he shall select for that purpose the following duties; namely, to examine into the quarterly journals hereby directed to be transmitted by the special justices to the Governor; to visit the judicial districts throughout the whole or any part of the Colony, and to inspect the police settlements and places of safe custody and correction belonging to such district; and to examine into the state of the police force, and of the prisoners in the houses of correction and places of safe custody, and of the penal gangs in such districts, and generally to ascertain how far the rules hereby established, or to be established, under the provisions herein contained are duly observed, and to report to the Governor, at such times and in such manner as the Governor shall direct, upon the several matters aforesaid.

27. If any suit or action shall be commenced against any special justice in respect of any act, matter or thing by him done by virtue and in pursuance thereof, and if the Court shall give judgment for the defendant, the plaintiff shall, by such judgment, be condemned to pay treble costs of suit.

28. If in any such suit or action such justice shall, at any time before final judgment, tender to the plaintiff sufficient amends for the wrong or injury in respect of which the same may be brought, and submit to pay the costs of suit up to that time incurred, and if the plaintiff shall refuse to accept such amends and costs of suit, then upon proof made to the court at the trial of such suit that such amends have been so tendered and were sufficient, judgment shall be given for the plaintiff in the amount of the sum so tendered, subject nevertheless to the reduction therefrom of the costs of suit of the defendant.

29. No suit or action shall be brought against any such justice in respect of any matter or thing by him done under or in pursuance hereof, unless the same shall be commenced within six months after the cause of action occurred.

CAP. III.

On the Division of Apprenticed Labourers into their respective Classes.

1. By a day to be appointed for that purpose, the registrar of slaves shall deliver to every owner of slaves a list of the slaves appearing in the registry to belong to him; for which a fee of 2s. only shall be charged.

2. By a time to be fixed for the purpose, every such owner of slaves shall return such list to the registrar, distinguishing in reference to each slave therein mentioned, to which of the three classes he belongs.

3. To every such return shall be annexed an affidavit, to the effect that the distinctions therein made correspond with the occupations usually pursued for 12 months next preceding the date of the Act by each of the slaves to whom such returns may refer.

4. If in any case the registrar shall see cause to doubt the accuracy of the return, he shall appoint a time and place, at which the owner shall attend him, to substantiate the accuracy of such return.

5. At the time and place so to be appointed, the person to whom such notice shall be addressed shall attend such registrar, and if required, shall bring with him any slave respecting whom any such doubt may have arisen.

6. The registrar shall then proceed to examine the person making such return, and the slave respecting whom such doubt has arisen, and any witnesses who may be adduced respecting the truth of such return, and may, if necessary, adjourn such examination from time to time.

7. The registrar shall then either confirm or correct any such return as he may see fit, giving notice to the party making such return, and to the slaves respectively, of such his decision.

8. If either of the party making such return, or the slave to whom it may refer, shall be dissatisfied with the decision of the registrar, such party may, on his own behalf, and the registrar may, on the behalf of such slave, apply to the chief or to any other judge of the superior court in such Colony, by petition, setting forth the nature of such decision and the objections thereto.

9. The judge to whom any such petition may be preferred shall proceed in a summary way to hear and decide the same, and his decision shall be final and conclusive.

10. The judges of the said court shall make all necessary rules for regulating the proceedings upon every such petition in the manner which may be most conducive to method, punctuality and dispatch.

11. When such proceedings as aforesaid shall have taken place, there shall be affixed to the entry of the name of each prædial attached slave in the registry, the letters P. A.; of each prædial unattached slave, the letters P. U.; and of each non-prædial slave, the letters N. P.

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12. During the continuance of the apprenticeship, the slave registry, so corrected as aforesaid, shall be deposited amongst the records of the superior courts of the Colony; and when any question shall arise respecting the class to which any apprenticed labourer belongs, such corrected registry, or a certified extract thereof, shall be taken as conclusive evidence of the fact.

13. Any person neglecting or omitting to make the return, or the affidavit before-mentioned, or to attend the registrar when summoned by him for that purpose, shall incur a penalty of not more than 10*l.*, nor less than 20*s.*; and in the event of the wilful absence of any such person, it shall be lawful for the registrar to proceed and to decide any such question as though such party had attended.

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CAP. IV.

On the Maintenance of the Apprenticed Labourers.

1. It shall be the duty of every employer of prædial apprenticed labourers, within the third week of the month of September of each year, to deliver, or cause to be delivered to the special justice of the district in which such prædial apprenticed labourers are resident, a written declaration in the form annexed, marked (L.), specifying whether it is the intention of such employer, during the current year, to maintain his prædial apprenticed labourers by the cultivation of ground, to be to them appropriated for that purpose, or by an allowance of provisions.

2. That every employer who shall, by such declaration as aforesaid, propose to maintain his prædial apprenticed labourers by an allowance of provisions, shall be and is hereby bound and required to supply to such prædial apprenticed labourers such amount of provisions, and of such kind, as by the clause next hereinafter contained are directed to be supplied to non-prædial apprenticed labourers above the age of 10 years.

3. Every employer shall be and is hereby bound and required to maintain his non-prædial apprenticed labourers, and also his prædial apprenticed labourers, until such written declaration shall have been so made and delivered by him as aforesaid, by an allowance of provisions, and to supply such provisions to the amount and of the kinds following; that is to say, each and every apprenticed labourer, above the age of 10 years, shall receive in each week not less than six pints of wheaten or rye flour, or rice, or nine pints of corn-meal or farine of manioc, or 7 lbs. of biscuit, or 50 full-grown plantains, or 21 lbs. of yams or sweet cassada, or sweet potatoes, or eddoes, or tanners, and 3 $\frac{1}{2}$ lbs. of good salted cod fish, commonly called salt fish; and to all apprenticed labourers under the age of 10 years, one-half of the above allowance.

4. All provisions so to be supplied to the apprenticed labourers in the Colony of Mauritius shall be sound and fit for consumption, and of good average merchantable quality.

5. The Governor of the said Colony may from time to time by proclamations, to be by him for that purpose issued, authorize the substitution for the provisions aforesaid of any other provisions equivalent to and equally nutritious with the same.

6. The apprenticed labourers to whom such provisions shall be supplied shall also be provided by, and at the expense of their employers, with the means of preserving the same from week to week, and of properly preparing the same for human food.

7. Every employer of prædial apprenticed labourers who shall by such declaration as aforesaid propose to maintain such prædial apprenticed labourers by the appropriation of ground, to be by them cultivated for that purpose, shall be and is hereby bound and required to set apart for every prædial apprenticed labourer so to be maintained half an acre of land, properly adapted for the growth of provisions, and not more than two miles distant from the place of residence of such prædial apprenticed labourer.

8. Every such employer shall be and is hereby bound and required to supply every prædial apprenticed labourer for whom any such ground shall be so appropriated with such seeds and with such implements of husbandry as may be necessary for the cultivation of such ground, on the first entering of such prædial apprenticed labourer in the occupation thereof.

9. It shall not be lawful for any person whomsoever to dispossess any prædial apprenticed labourer of any land so cultivated by him or her, until such labourer shall have had full time and opportunity for reaping and gathering in all crops by him or her planted and growing upon such ground.

10. The crops, when growing upon any such ground, and when severed therefrom, shall and are hereby declared to be the sole and absolute property of the prædial apprenticed labourer for and in respect of whom such ground shall have been appropriated and set apart.

11. Every prædial apprenticed labourer for or in respect of whom any ground shall be so appropriated and set apart for his support shall, out of the annual time during which such prædial apprenticed labourer is by the said recited Act required to labour, after the rate of 45 hours per week as aforesaid, be allowed such number of hours, not being fewer than 4 $\frac{1}{2}$ hours per week, and not being more than 7 $\frac{1}{2}$ hours per week, as the Governor, with the advice and consent of the Legislative Council, shall, by rules to be framed for that purpose, determine; which rules shall be duly transmitted for His Majesty's approbation, and until disallowed or altered, shall remain in full force.

12. If any employer of prædial apprenticed labourers within the said Colony of Mauritius shall neglect or omit to sign and deliver, in manner and within the time hereinbefore mentioned,

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tioned, such written declaration as aforesaid, he or she shall incur a penalty of 2*l.* for such omission or neglect in respect of the first week in which the same shall occur, with additional penalties of 4*l.* in the second week, 6*l.* in the third week, and so on in arithmetical progression in respect of each additional week during which such neglect shall be continued; and if any employer or manager of apprenticed labourers shall not supply to such apprenticed labourers provisions of such amount and quality, and at such times as he is hereinbefore required to supply the same, or shall not provide such apprenticed labourers with the means of preserving such provisions from week to week, or with the means of properly preparing the same for human food, every employer shall incur and become liable to a penalty equal to twice the value of the provisions which ought so to have been supplied, or for the preservation and preparation of which such means as aforesaid ought to have been provided, which last-mentioned penalties shall accrue to and be for the benefit of the apprenticed labourers injured by any such omission or neglect; and if any such employer of prædial labourers shall not set apart for every prædial apprenticed labourer who is maintained by the cultivation of ground such land, of such quality and quantity, and so situate as hereinbefore is required, or shall neglect or omit to supply any such prædial apprenticed labourer with such seeds and implements of husbandry as aforesaid, or shall dispossess any such prædial apprenticed labourer of any land by him or her cultivated, until such prædial apprenticed labourer shall have had full time and opportunity for reaping and gathering in all crops by him or her planted, and growing upon such ground, every person so offending shall incur and become liable to a penalty equal to twice the amount of the loss sustained by every such prædial apprenticed labourer by every such act, omission or neglect, which penalty shall go and be applied to and for the use and benefit of the prædial apprenticed labourer so injured; and if any such employer of prædial apprenticed labourers shall neglect or omit to allow to any prædial apprenticed labourer for or in respect of whom any ground shall be so appropriated such number of hours as aforesaid in each week for the cultivation thereof, every person so offending shall for each and every such offence incur a distinct and separate penalty of 10*s.*, which shall go and be applied to and for the benefit of the prædial apprenticed labourers injured thereby, the number of such penalties being equal to the number of prædial apprenticed labourers affected by such offence multiplied by the number of the days on which such offences may have been repeated.

13. It is and shall be the duty of every employer of apprenticed labourers within the said Colony once, that is to say, either in the month of January or in the month of June in each year, and he or she is hereby required to deliver to every such apprenticed labourer for his or her use, either in the month of January or in the month of June in each and every year, the following articles; that is to say,

To every male apprenticed labourer above the age of five years, one felt hat, one Scotch bonnet, one cloth wrapper or jacket, two red flannel or Oznaburg or check shirts, two pairs of cloth, Oznaburg, or duck or sheeting trousers, and one knife.

To each and every female apprenticed labourer above the age of five years, one felt hat, one cloth wrapper, two neckerchiefs, two linen or cotton shifts, two dowlas or Oznaburg petticoats, and one pair of scissors. Also, to every apprenticed labourer one tin pan or pannikin annually, one blanket every two years, and one iron pot every three years, or oftener, if necessary.

14. Provided always, and it is further ordered, that with the authority in writing of any special justice of the district in which any such apprenticed labourers are resident, the employer of any such apprenticed labourers may, and is hereby authorized to substitute for the articles hereinbefore enumerated any other articles of clothing or household furniture which shall, in the judgment of such special justice, be equivalent to the articles hereinbefore directed and prescribed; and all the articles so to be supplied to such apprenticed labourers as aforesaid, which shall be conformable to the before-mentioned directions, or substituted in manner aforesaid, shall be of good average merchantable quality.

15. If any employer of apprenticed labourers in the said Colony shall neglect or omit, within the time or times hereinbefore for that purpose limited, to supply and deliver to and for the use of any apprenticed labourer under his or her management such articles of clothing and household furniture as are hereinbefore referred to, the person so offending shall incur and become liable to a fine equal to twice the value of the article or articles so withholden, which penalty shall go and be applied to and for the use and benefit of the apprenticed labourer injured by such neglect.

16. Every employer of apprenticed labourers within the said Colony shall be and is hereby required to supply each and every apprenticed labourer under his or her management with a wooden or iron bedstead, or with boards so arranged as to enable every such apprenticed labourer to sleep during the night at an elevation of one foot, at the least, above the ground; and every employer who shall neglect or omit so to supply any such apprenticed labourer with such bedstead, or such means of sleeping above the ground as aforesaid, shall for every such neglect or omission incur and become liable to a fine of 5*s.* in respect of each and every apprenticed labourer, which fine shall be again incurred from week to week as long as such neglect or omission shall continue.

17. Every person in the said Colony being the employer of 40 apprenticed labourers or upwards, shall and is hereby required to engage a medical practitioner to visit such apprenticed labourers in such his medical capacity once at the least in each 14 days; and it shall be the duty of such medical practitioner, and he is hereby authorized and required to keep a journal of the health of such body of apprenticed labourers so placed under his medical superintendence, in which journal he shall, once in each 14 days, record what is the general

ral state of health of such body of apprenticed labourers, and shall also enter the name of each apprenticed labourer then labouring under sickness, distinguishing such apprenticed labourers as are thereby disqualified for the ordinary amount of labour, and prescribing such medicines or articles of diet as may in his judgment be necessary for the restoration of the sick; and it shall be the duty of every such medical practitioner once in each fortnight to deliver a copy of the entries so made by him in his journal to the employer of such apprenticed labourers, which employer shall be and is hereby required to supply such apprenticed labourers with such medicines or nourishments, and to allow to such apprenticed labourers such relaxations of labour as may by such medical practitioner be so recommended and prescribed; and in reference to every apprenticed labourer for whom any such nourishment may be provided, the rules hereinbefore contained respecting the food of apprenticed labourers shall be and are hereby suspended; and every such medical practitioner shall and is hereby required, in obedience to any requisition to him for that purpose made in writing by any such superintending special justice, to produce to such justice his journal; and in case of any acute or dangerous disease of any apprenticed labourer, the employer of such apprenticed labourer shall and is hereby required to employ, at his own costs and charges, a medical practitioner for the care and medical treatment of such apprenticed labourer.

18. If any such employer of apprenticed labourers as aforesaid in the said Colony, or if any such medical practitioner as aforesaid shall refuse, neglect or omit to do or perform any matter or thing which such employer or medical practitioner is hereby required to do and perform in and about the engagement of such practitioner, or in or about the keeping such journal as aforesaid, or in or about the medical treatment, nourishment, or temporary relaxation of labour of any apprenticed labourer, or in or about the production, when thereunto required, of any such journal as aforesaid, the person so offending shall for and in respect of every such offence incur and become liable to a fine of not less than 2*l.* or more than 20*l.*

19. Every apprenticed labourer who, on account of any disease, the medical practitioner shall deem it necessary to confine to the hospital, or to any apartment thereof, for the purpose of cure, shall be bound, and if necessary may be compelled, to submit to such hospital regulations as shall be sanctioned by a superintending special justice of the district in which such apprenticed labourer shall be resident.

CAP. V.

On the Duties to be performed by the Apprenticed Labourers, and the Penalties for their Non-performance.

1. As regards the apportionment of the 45 hours per week, during which prædial apprenticed labourers are required by law to work for their employers, it shall be lawful for the Governor, with the advice and consent of the Legislative Council, to make such regulations in respect thereof as may appear to them best adapted to promote the interests both of the apprenticed labourers and their employers, and to frame and publish rules and ordinances for that purpose, which shall be duly transmitted for His Majesty's approbation, and which, until disallowed or altered, shall remain in full force.

2. Subject to the provision lastly hereinbefore contained, and subject also to the deduction of the time hereinbefore directed to be allowed to prædial apprenticed labourers for the cultivation of their provision-grounds, every prædial apprenticed labourer shall be bound and obliged to work and labour for seven hours and a half in each and every day in the year (Sundays and holidays hitherto allowed by law to the labouring population excepted) in the service and for the benefit of his employer.

3. For every hour in which any labourer shall absent himself from his employer's service without reasonable cause he shall be compelled to serve two extra hours, and so in proportion for every portion of time greater or less than an hour, provided that such extra hours shall not exceed 15 in the whole in any one week.

4. Any apprenticed labourer absenting himself without reasonable cause for more than seven and a half hours in any one week shall be adjudged a deserter.

5. Any apprenticed labourer absenting himself without reasonable cause for two days during one week shall be adjudged a vagabond.

6. Any apprenticed labourer absenting himself without reasonable cause for more than six days in any one week shall be adjudged a runaway.

7. The reasonableness of the cause of absence shall in each case be decided by the special justice.

8. Apprenticed labourers adjudged deserters shall be confined to hard labour for any time not exceeding one week; those adjudged vagabonds, to hard labour for any time not exceeding two weeks, and to any number of stripes not exceeding 15; those adjudged runaways, to hard labour for any time not exceeding one month, and to any number of stripes not exceeding 30.

9. Any apprenticed labourer convicted of performing his work indolently, carelessly or negligently, shall for the first offence be adjudged to labour in his employer's service for any time not exceeding 15 hours in the whole (in any one week); or in case such labourer be a non-prædial labourer, to whipping not exceeding 15 stripes; for the second offence, if within two calendar months, to confinement with hard labour for any time not exceeding one week; for the third or any subsequent offence, if within two calendar months of the first offence, to confinement with hard labour for any time not exceeding one fortnight, with whipping not exceeding 20 stripes.

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10. Any labourer who by the careless use of fire shall wilfully endanger the property of his employer or any other person, or who shall wantonly injure the property of his employer intrusted to his care, or who shall ill-use the cattle or other live stock of his employer, or who shall by wilful negligence expose his employer's property to any damage or injury, shall for such offence be adjudged, in the discretion of the justice, either to extra labour in his employer's service for any time not exceeding 15 hours in the whole in any one week, or to confinement to hard labour for any time not exceeding one month, or to any number of stripes not exceeding 30 lashes, or to any two of such punishments: provided that this enactment shall not exempt any such labourer from his or her liability to such actions or prosecutions as other persons of free condition may be subject and liable to in respect of any such acts by him or her done or omitted, although no such labourer shall be liable to be so sued or prosecuted both under this order and under such general law as aforesaid.

11. Any apprenticed labourer who shall contumaciously disobey the lawful commands of his employer shall be liable to any one or any two of the punishments last aforesaid.

12. Any three or more apprenticed labourers who shall agree together to make any resistance to the lawful commands of their employers shall be deemed guilty of an unlawful conspiracy, and shall be adjudged to confinement to hard labour for any period not exceeding six months, with whipping not exceeding 39 stripes.

13. Any three or more labourers who shall be engaged in a combined and open resistance to the lawful commands of their employer shall, on conviction, be adjudged to the punishments last aforesaid, or any one of them.

14. Any apprenticed labourer who shall be in a state of drunkenness, or who shall be found fighting, or who shall conduct himself in an insolent and insubordinate manner towards his employer, or any person in the immediate superintendence of his labour, shall for every such offence be liable, on conviction, to imprisonment with hard labour for any time not exceeding one week, or to whipping not exceeding 15 stripes.

15. Provided always, that no woman shall be subject to be punished by whipping for any offence by her committed, but that in all cases aforesaid in which that punishment is authorized, it shall be understood as applying to the case of males only, and that all the offences in respect of which such punishment may be inflicted on any such male offender, shall, when committed by females, be punished by confinement in the stocks. The stocks to be employed for that purpose shall all be according to one general model, to be sanctioned by the Governor, and no female shall for any offence by her committed be confined in the stocks after sunset or before sunrise, or for more than eight hours in the whole for any one day, or for more than two days consecutively, or for more than six days on the whole for any one offence.

16. All the offences aforesaid shall be inquired of by the magistrates having special commissions, and not by any other justice of the peace; but any such special magistrate may, if he shall see occasion, refer any such case for trial to the superior court of the colony.

CAP. VI.

On the Duties to be performed by the Employers towards their Apprenticed Labourers, and the Penalties for their Non-performance.

1. If the employer of any prædial apprenticed labourer shall, by force or fraud, protract the weekly services of such labourer beyond the period by law allowed for that purpose, he shall forfeit, for the benefit of such labourer, the sum of 1s. in respect of every hour which such service shall be protracted.

2. It shall be the duty of every such employer to intimate to the labourers in his employment the commencement and the close of the legal hours of labour, for which purpose a signal shall be given, in such manner as shall in reference to each plantation have been previously approved by the special justice of the district.

3. No apprenticed labourer shall be bound to undertake any task-work, except with his own free assent to the same, save as hereinafter is excepted.

4. Every contract between the employer and the prædial apprenticed labourer, for the performance of any specific work as a task, and in lieu of the prescribed daily labour, or for the performance of any labour in extra hours, shall by such employer be reduced into writing and entered in a book to be kept for that purpose on the plantation, which book it shall be the duty of the special justice to inspect, as often as he shall in manner aforesaid repair to the several plantations within his district.

5. No contract between the employer and the prædial apprenticed labourer for the performance of any such specific or task-work, or for the performance of any labour in extra hours, shall endure or continue in force, or be binding upon the parties entering into the same, or either of them, after the expiration of 14 days from the making thereof, unless the same shall have been made and entered into by such parties in the presence and with the approbation of such special justice of the peace, or unless, having been entered into in his absence, the same shall be confirmed and approved by him before the expiration of such 14 days; and every such approbation of any such contract shall by such special justice be attested under his hand in the book so to be kept as aforesaid.

6. It shall be the duty of the special justice before approving any such contract to ascertain that the terms thereof are distinctly understood by the apprenticed labourers entering into the same, and that such labourers have entered into such contract freely and voluntarily, and that the same is not unreasonable or unjust.

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7. In every such contract for task-work, or for extra service extending beyond the period of one fortnight, the nature and amount of the extra labour to be performed, and the amount of the consideration to be given for the same, and the time and manner of paying such consideration, shall be distinctly expressed.

8. No contract for such extra service as aforesaid shall continue in force for more than one year from the day of the date thereof.

9. Upon proof being made, to the satisfaction of such special justice, of the non-payment of the consideration stipulated for in any such contract as aforesaid, whether for task-work or for extra services, it shall be competent to such justice, and he is hereby authorized to award execution against such employer for the amount of such consideration, and if the same shall not be paid within one week next [after such award, to issue an attachment against the produce, utensils and other chattels upon such plantation, which execution and award shall be respectively in the forms annexed, marked (M.) and (N.)

10. Such execution and attachment as aforesaid shall be executed by the sergeant of the police of the district, who shall thereunder seize and sell so much of the produce, utensils and other chattels as may be found upon such plantation, as may be necessary for the payment of such debt, delivering over the surplus, if any, to such employer.

11. Any apprenticed labourer violating the terms of such contract as aforesaid for task-work or for extra services shall be liable to the same pains and penalties as are before provided in respect of the violation by any such labourer of the duties to be by him performed in the discharge of the services owing by him by law to such his employer, unless specific penalties are named in the contract.

12. Every married woman, notwithstanding her coverture, and every child of the age of 12 years and upwards, notwithstanding his infancy, shall be competent to enter into such contracts as aforesaid for task-work or for extra service.

13. If any employer of any apprenticed labourer, or any person who as manager or otherwise exercises the authority of the employer over any apprenticed labourer, shall whip, beat, imprison, confine in the stocks, or otherwise maltreat any such apprenticed labourer, or shall by way of punishment commit any assault upon his person, such employer or other person shall incur a penalty, to be imposed by such special justice as aforesaid, not exceeding 5*l.*, with imprisonment for any time not exceeding one month in default of the payment of such fine.

14. In any such case as last aforesaid it shall be competent to any such apprenticed labourer, instead of preferring his complaint to such special justice, to maintain any civil suit or action, as in the case of any other free person, for damages for such assault; and it shall also be competent to such special justice, if he shall see occasion, to abstain from imposing such penalty, and to commit the offender to take his trial for such offence before any court having jurisdiction in the premises. If any such employer or other person shall be convicted before any court of competent jurisdiction of any cruelty towards his apprenticed labourer, or if any such employer or other person shall be twice convicted of inflicting any corporal punishment, or of making any assault upon the person of any such labourer, then the labourer may be discharged from his apprenticeship by order of the court before which such conviction shall be had.

CAP. VII.

On Offences which may be committed by the Apprenticed Labourers against the State, and the Punishment of such Offences.

1. If any three or more apprenticed labourers shall unite together in any riot or tumultuous assemblage, any justice of the peace who shall be present at the same shall cause a flag or some other conspicuous signal to be exhibited as a warning to all persons there present to separate and disperse quietly.

2. All persons who at the expiration of 10 minutes from the exhibition of such flag or signal shall continue present at any such riotous assemblage, shall, on conviction, be liable to imprisonment with hard labour for any time not exceeding 12 months.

3. No prædial attached apprenticed labourer shall reside beyond the limits of the plantation on which he may be resident on the 1st of February next, unless either by the authority of his employer or with the consent in writing of the special justice of such district.

4. Every labourer found in any place more than five miles distant from his residence, except in his way to or from some place of public worship, and not having with him a written pass for that purpose from his employer, or from the special justice of the district, shall be liable to be apprehended and detained, and brought before a special justice; and unless such labourer shall make it appear to the satisfaction of such special justice that he or she when so found was employed upon his or her lawful occasions, such labourer shall on conviction be adjudged a vagabond and punished accordingly.

5. If it shall be made to appear to the satisfaction of any special justice that any apprenticed labourers have without lawful authority established themselves in any part of the Colony as a distinct community, habitually abandoning and neglecting to perform the duties imposed upon them by law, such justice of the peace shall cause any such community to be dislodged, and, if necessary, shall also cause their habitations to be taken down and removed.

6. Any labourer convicted of having been a member of any such community shall be liable to imprisonment with hard labour for any term not exceeding six months, and if a male, to whipping by any number of stripes not exceeding 39.

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7. If any labourer shall without lawful authority enter into possession of any land belonging to His Majesty or any other person, it shall be lawful for any special justice to dispossess such labourer from such land, and from any buildings thereon erected, and to cause the same, with all crops growing thereupon, to be delivered up to the owner of such land; or in case such owner shall not, within one month after such seizure, appear and prefer his claim to such land, then the special justice shall order the crops, cattle and other goods seized thereupon to be sold, and the proceeds of such sales to be paid over to the public treasurer of the Colony.

8. The summary process aforesaid shall not be taken in any case where any such apprenticed labourer may have been for two years in the undisturbed possession of any such land.

9. The special justice may further adjudge any apprenticed labourer unlawfully taking possession of such land to imprisonment with hard labour for any time not exceeding three months, if it should be made to appear to his satisfaction that such possession was taken fraudulently and with knowledge that the party had no lawful claim to such possession.

10. No apprenticed labourer shall quit the Colony except with a passport from the Governor, which passport shall not be granted except with the written consent of the employer.

11. Any labourer quitting or attempting to quit the Colony without such passport shall be liable to imprisonment with hard labour for any term not exceeding six months.

12. All persons whose ordinary occupation is on the sea or on any navigable stream, as fishermen or mariners, shall be registered as such at the office of the special justice of the district; and any apprenticed labourer engaging in such occupation without being first so registered shall be liable to imprisonment with hard labour for any time not exceeding three months.

13. All vessels and boats not registered under the Navigation Acts shall be registered at the office of the special justice of the district, with whom shall be entered the description of the vessel or boat, the name of the owner, and the place at which the same is usually moored.

14. No person shall keep a vessel or boat so registered except by a licence from the Governor.

15. All licensed owners of such boats or vessels shall be bound to moor them when not actually afloat at the place or places mentioned in such licence.

16. All unlicensed vessels and boats shall be liable to seizure and confiscation; and all other vessels and boats moored at any place not mentioned in the licence shall be liable to detention until the owner thereof shall have paid a fine of not less than 20s., nor more than 5*l.*

17. All persons removing or assisting to remove any apprenticed labourer from the Colony in any boat or vessel, without a passport from the Governor, shall be liable to a penalty of 50*l.*, or to imprisonment for any time not exceeding one month.

CAP. VIII.

On the Dissolution of the Apprenticeship by Contract or Appraisement.

1. Subject to the regulations hereinafter made, any person being the employer of any apprenticed labourer in the said Island of Mauritius may by his or her last will, or by deed under his or her hand or seal, at his or her pleasure, discharge any such apprenticed labourer, so far as relates to the interest of every such testator or grantor; and every such discharge shall, as far as relates to the interest of the testator or grantor, as the case may be, but no further or otherwise, be valid and effectual in the law for the perpetual discharge of any such apprenticed labourer: provided nevertheless, that no person having a partial or temporary interest in any apprenticed labourer may to the extent of such interest effect his or her discharge gratuitously, unless all other persons having a partial, future or reversionary interest in such apprenticed labourer shall consent, or be parties to such discharge, or unless such partial, future or reversionary interests shall be purchased in the manner hereinafter provided.

2. And in order to prevent the fraudulent discharge of apprenticed labourers, incompetent from age or disease to earn their own living, it is further ordered, that in case any such deed of discharge shall be executed gratuitously and without any valuable consideration passing to the employer or other person effecting the same, the apprenticed labourer so to be discharged shall, previously to the actual execution of any such deed, appear before the special justice for the district in which the apprenticed labourer is resident; and if it shall appear to the said special justice that such apprenticed labourer is under the age of 14 years or above the age of 50 years, or is labouring under any habitual disease or infirmity of mind or body, the employer or person effecting such discharge shall, under his or her hand and seal, execute and deliver to the said special justice a bond to His Majesty in the penal sum of 50*l.*, with a condition thereunder written for the defeasance thereof if such apprenticed labourer shall be properly fed, clothed and maintained until the time when the term of apprenticeship would have expired if such discharge had not been made; and no such gratuitous discharge shall be valid and effectual in the law until such bond as aforesaid shall be duly executed.

3. Provided nevertheless, that no such bond as aforesaid shall be required in the case of any discharge by will; but if at the time of the death of the testator the apprenticed labourer so discharged shall be under the age of 14 years or above the age of 50 years, or labouring

labouring under any such disease or infirmity as aforesaid, the estate of every such testator shall be liable to, and chargeable with, the maintenance of such apprenticed labourer, as fully as if the said testator had, in his or her lifetime, executed such bond as aforesaid.

4. And to prevent ignorant apprenticed labourers effecting the purchase of their discharge from persons unable to make any valid title to the same, it is further ordered and declared, that it is and shall be lawful for any person, being the employer of any apprenticed labourer in the said Colony, to contract with such apprenticed labourer, through the agency of any such special justice as aforesaid, acting for and on behalf of such apprenticed labourer, but not otherwise, for the discharge of the said apprenticed labourer, at a price to be agreed upon between the said employer and the said special justice respectively; and in case of any such contract, it shall be the duty of the said special justice, on behalf of the said apprenticed labourer, to satisfy himself that the person proposing to effect the said discharge has good right and title in the law, and is competent to effect the same; and it shall also be the duty of the said special justice, without fee or reward, to prepare, in every such case, the proper deed of discharge, which shall in all cases be executed in the presence of and attested by the said special justice, or some proper person to be especially appointed by him to be such witness thereto; and every such deed being so executed, shall by such special justice be enrolled in the Supreme Court of Civil Justice in and for the said Colony of Mauritius within one calendar month next after the date and execution thereof; and in case any such deed shall not be so enrolled by the said special justice within the said period of one calendar month, the said special justice shall incur and be liable to the payment of a fine of not less than 10*l.* nor more than 50*l.*

5. And to provide for the discharge of apprenticed labourers desiring to obtain the same by purchase, in cases where the employers of such apprenticed labourers may be unwilling or unable to contract for such discharge, it is hereby further ordered, that if the employer of any apprenticed labourer in the said Colony of Mauritius, or any person having any interest in any such apprenticed labourer, shall be unwilling to effect his or her discharge, or shall, by reason of any mortgage or settlement, or lease or charge upon, or interest in such apprenticed labourer being vested in any other person or persons, be unable to execute a valid and effectual discharge of such apprenticed labourer; or if the employer, or any other person having a charge upon or interest in any such apprenticed labourer shall be a minor, or a married woman, or idiot, or lunatic; or if the real employer of any such apprenticed labourer shall be absent from the said Colony, or shall not be known; or if any suit or action shall be depending in any court of justice in the said Colony, wherein the right to the service of such apprenticed labourer shall or may be in controversy; or if the employer of any such apprenticed labourer shall demand, as the price of his or her discharge, a greater sum of money than may appear to the said special justice to be the fair and just value thereof; then and in each and every of the cases aforesaid, the chief civil judge of the said Colony, on application to him for that purpose made by the said special justice, shall issue a summons under his hand and seal, requiring the employer of such apprenticed labourer to appear before him at some convenient time and place to be in such summons for that purpose appointed, and notice shall be published by the said special justice in the public gazette of the said Colony of the time and place appointed for the purpose aforesaid, and in such notice all persons having or claiming to have any title or interest to or in the services of the apprenticed labourer proposed to be discharged, either in their own right or as the agents, guardians, attornies, trustees or representatives of any other person, shall be required to attend and prefer such claims.

6. At the time appointed for such meeting as aforesaid, the chief civil judge of the said Colony, in the presence of the said special justice, and also in the presence of the employer of the apprenticed labourer proposed to be discharged, or upon proof being made to him upon oath of the due service and publication of such notice as aforesaid, then, if necessary, in the absence of such employer, shall proceed to hear in a summary way what may be alleged by the said special justice, and by the employer, or other persons claiming any interest in the services of the apprenticed labourer proposed to be discharged, and attending in pursuance of any such notice; and in case the said parties, or any of them, shall refuse to effect such discharge at a price approved by the said special justice, or in case it shall be made to appear to the said chief civil judge that a valid and effectual discharge of such apprenticed labourer cannot legally be effected by private contract, or that the employer of such apprenticed labourer, or any person having any charge upon or interest in the services of such apprenticed labourer, is a minor, or a married woman, or idiot or lunatic, or that the employer of such apprenticed labourer, or any person having any charge upon or interest in the services of such apprenticed labourer, is absent from the said Colony, or is unknown, or cannot be found, or that any action is depending in any court of justice in such Colony wherein the right to the services of such apprenticed labourer is in controversy, then and in every such case the said chief civil judge shall require the special justice and the employer of such apprenticed labourer, if attending in pursuance of such notice, each to nominate an appraiser of the value of his or her services for the remainder of such apprenticeship, and the said judge shall himself nominate an umpire between such appraisers; but if such employer, being duly summoned as aforesaid, shall fail to attend, or, attending, shall refuse or omit to nominate an appraiser, then the said judge shall not only nominate such umpire as aforesaid, but shall also nominate an appraiser on behalf of such employer.

7. The appraisers so to be nominated as aforesaid shall be duly sworn by and before the said chief civil judge, to make a fair and impartial appraisal of the value of the services of the apprenticed labourer so proposed to be discharged, and within seven days next after

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such their appointment such appraisers shall make a joint valuation of the said services, and shall certify such their valuation to the said chief civil judge under their hands and seals; and in case such joint certificate shall not be so made and delivered to the said judge within the said term of seven days, then the said umpire, being duly sworn in manner aforesaid, shall within the next succeeding seven days certify his valuation to the said judge; and the valuation to be made in manner aforesaid, either by the said joint appraisers, or in their default by the said umpire, shall be binding and conclusive, and shall be entered and enrolled among the records of the Supreme Court of Civil Justice in and for the said Colony.

8. Provided nevertheless, that if it shall be made to appear to the said judge, within one calendar month next after such valuation shall have been made, that in the making thereof the said appraisers or umpire, or any of them, acted fraudulently or unjustly, or under the influence of any improper motive, or under any mistake as to the nature of their or his duty, or under any misapprehension of any material matter of fact, then, but not otherwise, it shall be lawful for the said judge to set aside the said valuation, and to declare the same to be void, and to direct another valuation to be made in manner aforesaid, for which purpose new appraisers and a new umpire shall, in manner aforesaid, be appointed and sworn, and shall proceed to make a second valuation, which being certified to the said judge in manner aforesaid, shall be to all intents and purposes binding and conclusive; provided that such second or any subsequent valuation may in like manner be set aside by any such judge on the grounds aforesaid, until a valuation is made not open to any such objection.

9. Provided also, that if the amount of any such valuation shall not be paid in manner hereinafter mentioned, within three calendar months next after the enrolment thereof, such enrolment shall be cancelled.

10. Upon or within three calendar months next after the enrolment in the Supreme Court of Justice of the said Colony of any such valuation as aforesaid, it shall be lawful for any special justice as aforesaid of such Colony, out of any monies to be supplied to him for that purpose by the apprenticed labourer proposed to be discharged, to pay to the treasurer of the said Colony the appraised value of the services of such apprenticed labourer, taking a receipt in writing from such treasurer for every such payment; and the chief civil judge of the said Colony shall, upon application to him for that purpose made by the said special justice, make an order for the enrolment in the said Supreme Court of Justice of such receipt; and the said chief judge shall by such order further proceed to declare and adjudge, that the apprenticed labourer, by and on behalf of whom such money hath been paid, is discharged; and such apprenticed labourer shall thereupon be and be deemed, taken and reputed to be discharged, to all intents and purposes, from such apprenticeship.

11. The money to arise from the discharge of any apprenticed labourer by virtue of the proceedings before mentioned shall remain in the hands of the public treasurer of the said Colony, and shall bear interest at and after the rate of 5*l.* per cent. per annum; and His Majesty's revenue in the said Colony shall and is hereby declared to be pledged and responsible for the due payment of such principal money and interest, or shall, in the discretion of such treasurer, be invested in the purchase, in his name, of any public funds or securities of Great Britain and Ireland; and the chief civil judge of the said Colony shall, and he is hereby authorized, upon application to him for that purpose made, to direct that the money in the hands of the said treasurer, and the interest accruing on such money, or the public funds of Great Britain and Ireland so to be purchased as aforesaid, and the dividends payable thereupon, shall be the property of the person or persons who was or were entitled to the services of such discharged apprenticed labourers, and shall be subject and liable to all such and the same uses, trusts, limitations, conditions, mortgages, claims and demands, of what nature or kind soever, as such services were subject unto at such time of the discharge of such apprenticed labourer; and the said treasurer shall hold the said money, and the interest accruing thereupon, or the said public funds and dividends, subject to such order as such chief judge of the said Colony may, upon a summary application of any person interested therein, and upon notice to all other persons interested therein, or their agents, see fit to make; and such principal money and interest shall by such treasurer be paid and disposed of in pursuance of and in obedience to any such order.

12. It shall and may be lawful for the chief civil judge of the said Colony to make and prescribe, and from time to time to revoke and alter, as occasion may require, all such rules and orders as may be necessary for the regular and proper exercise of the jurisdiction hereby in him vested, and for regulating the proceedings of all persons who may be parties to or interested in any question so depending before him.

CAP. IX.

On the Removal of Prædial Apprenticed Labourers from one Plantation to another.

In every case in which, according to the provisions of the said Act of Parliament, the consent of the justice of the peace shall be necessary for the transfer of any apprenticed labourer from one plantation to another, every such transfer shall be given and attested in the Form annexed, marked with the letter (O.), and shall, within one month after the date thereof, be recorded in a book to be kept for that purpose by the special justice of the district to which such apprenticed labourer shall belong.

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On the Apprenticeship of Children.

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Every indenture of apprenticeship to be made and entered into by any such special justice as aforesaid, in pursuance of the said Act of Parliament, on behalf of any children of any apprenticed labourers shall be in the form annexed, marked with the letter (P.), and shall be kept and recorded in the office of the special justice for the district to which such apprenticed child may belong.

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CAP. XI.

On the Alienation by Sale, Inheritance or Will, of the Services of Apprenticed Labourers.

The right or interest of any employer or employers to and in the services of any such apprenticed labourers as aforesaid, shall, upon the death of any such employer, pass to and become vested in such and the same person or persons as, if the said Act had not been passed, would, by will or descent, as the case may be, have been entitled to such apprenticed labourer as his, her or their slave; and such right or interest shall pass and be transferable, *inter vivos*, in such manner and form, and under and by virtue of such deeds, instruments and conveyances, as slaves have hitherto been transferable and have passed in the said Colony.

Provided always, that no such apprenticed labourer shall be publicly or privately exhibited, or be liable or compelled to attend in person at the time or place of any sale or transfer of his or her services.

CAP. XII.

On the Relation in which the Apprenticed Labourers will stand towards the State.

No apprenticed labourer shall, during the continuance of his or her apprenticeship, be liable or competent to serve His Majesty in any civil office or in any military capacity within the said Colony, or to enjoy or exercise any political franchise therein.

Provided always, that nothing herein contained shall exempt any such apprenticed labourer from the obligation of rendering to His Majesty any service, civil or military, which, in case or in the prospect of any invasion, rebellion or any great public exigency, may by His Majesty, or by the Governor for the time being of the said Colony, or by any other lawful authority, be imposed upon him.

Provided also, that nothing herein contained extends or shall be construed to disqualify any such apprenticed labourer from undertaking and discharging any office or employment in the service of any corporate or ecclesiastical body, or of any person or persons, in cases where such employments or offices may not be connected with the discharge of any military or political duties.

FORMS referred to in the foregoing ORDER in COUNCIL.

(A.)—WARRANT.

Mauritius, } To of District, and all other Officers of Police in the
to wit. } Colony of Mauritius.

Forasmuch as of , in the district aforesaid, apprenticed labourer, hath this day been charged before me, , one of His Majesty's special justices of the peace for the Colony aforesaid, on the oath of a credible witness, for that he the said on, &c. at, &c. did, &c. These are therefore to command you, in His Majesty's name, forthwith to apprehend and bring before me, or some other of His Majesty's special justices of the peace in and for the said district, the body of the said to answer unto the said charge, and to be further dealt with according to law. Herein fail you not.

Given under my hand and seal the day of , in the year of our Lord

(B.)—SUMMONS.

To of in the Colony of Mauritius.

Whereas a complaint on oath hath been preferred to me by of that you the said did, on the day of in the year of our Lord [here state the complaint in general terms]. Now, I, , one of His Majesty's special justices of the peace in and for the said Colony, do hereby summon and require you the said to attend before me at in the of in the said Colony, at the hour of in the of the day

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Appendix (B.) Given under my hand and seal this _____ day of _____ in the year of our Lord _____

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(C.)—SUMMONS.

To _____ of _____ in the Colony of Mauritius.

These are to require you to attend and be personally present at the hour of _____ in the _____ of the _____ day of _____ 18 _____, at _____ in the _____ of _____, then and there to be examined before me as a witness, touching and concerning the matters of a certain complaint depending before me on the behalf of _____ against _____

Given under my hand and seal this _____ day of _____, in the year of our Lord _____

(D.)—RECOGNIZANCE.

Mauritius, } A. B., of _____ in said Colony, acknowledges himself to be indebted to
to wit. } our Sovereign Lord the King, his heirs and successors, in the sum of _____
pounds; C. D., of _____ in said Colony, acknowledges himself to be indebted to
our Sovereign Lord the King, his heirs and successors, in the sum of _____ pounds;
E. F., of _____ in said Colony, acknowledges himself to be indebted to our
Sovereign Lord the King, his heirs and successors, in the sum of _____ pounds. Upon
condition that the said A. B. do personally appear before me, or any one of His Majesty's
special justices of the peace in and for the Colony of Mauritius, on the _____ day of
at _____ in the _____ aforesaid, there to answer the complaint of
, and do not depart without leave, then this recognizance to be void, or else to
remain in full force.

Taken and acknowledged the _____ day of _____ 183____, before me,
one of His Majesty's special justices of the peace for the Colony of Mauritius.

(E.)—COMMITMENT.

Mauritius, } To _____ Sergeant of Police, and all other Police Officers whom this may
to wit. } concern.

Whereas _____ was this day brought and charged before me, one of His Majesty's special justices of the peace in and for the Colony of Mauritius, on the complaint of _____, with, &c. And whereas, having thought proper to adjourn the hearing of such complaint for further inquiry, the said _____ hath _____, although by me required, and does _____ to find sureties for his personal appearance before me, or some other special justice of the peace, on the _____ day of _____ at _____ to answer the premises. These are therefore, in His Majesty's name, to command you the said sergeant of police, and all other officers of police, safely to convey the said _____ and to deliver him to the keeper of _____, requiring you the said keeper to receive and safely to keep the said _____, until he shall find sureties or otherwise be discharged by due course of law.

Given under my hand and seal this _____ day of _____, in the year of our Lord _____

(F.)—CONVICTION by one Special Justice of the Peace.

Mauritius, } In the _____ day of _____
to wit. }
Be it remembered, that on the _____ of _____, in the year of our Lord _____, at _____ in the Colony of Mauritius, _____ is convicted before me, _____, one of His Majesty's special justices of the peace for said Colony, for that he the said _____ did, &c. And I, the said special justice, adjudge the said _____, for his said _____ offence, to _____

Given under my hand and seal the day and year first above mentioned.

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(G.)—CONVICTION.

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to wit. }

Be it remembered, that on the _____ of _____, in the year of our Lord _____, at _____ in the Colony of Mauritius, _____ is convicted before us, of His Majesty's special justices of the peace in and for the Colony of Mauritius, in sessions assembled, for that he the said _____ did _____; and we the said special justices adjudge the said _____, for his said offence, to

Given under our respective hands and seals, the day and year first above mentioned.

(H.)—COMMITMENT.

Whereas _____ was this day brought before me the undersigned special justice of the peace in and for the Colony of Mauritius, on a complaint that he the said _____ did, &c. _____; and I the said justice of the peace, having inquired into the circumstances of the case, and having deemed it to be of such a nature as ought to be tried before a supreme court of criminal justice, do hereby commit the said _____ to there to be detained until discharged by due course of law. These are therefore, in His Majesty's name, to command you, _____, constable, and all other officers of police, safely to convey the said _____ to the keeper of _____, requiring you the said keeper to receive and safely to keep the said _____ until he be discharged by due course of law.

Given under my hand and seal, this _____ day of _____, in the year of our Lord _____.

(I.)—WARRANT.

To _____

Whereas on the _____ day of _____, I did issue to _____ of _____ in the Colony of Mauritius, my summons, requiring _____ to attend before me at _____ in the _____ of _____ in the said Colony, at the hour of _____ in the _____ of the _____ day of _____ in this present year of _____, then and there to give evidence touching and concerning the matters of a certain complaint preferred to me by _____ against _____; and whereas the service of the summons on the said _____ hath been made to appear to me on the oath of one credible witness, and yet the said _____ hath refused or neglected to appear at the time and place so appointed. Now you are hereby authorized and required to arrest the person of the said _____ and _____ to bring before me at the hour of _____ in the _____ of the _____ day of _____, at _____ in the _____ of _____ in the said Colony; and for so doing this shall be your warrant.

Given under my hand and seal, this _____ day of _____, in the year of our Lord _____.

(K.)—COMMITMENT.

To _____, Constable.

Whereas _____ having _____ before me, as a witness upon a certain complaint depending before me on behalf of _____ against _____, on this _____ day of _____ 183____, at _____ in the _____ of _____ in the Colony of Mauritius, without lawful cause hath refused to answer the questions (copy of which questions is hereunder written) then and there proposed to _____, touching the subject of such hearing and inquiry. Now I do hereby authorize and require you to detain the said _____ in _____ in the _____ of _____, there to remain until _____ shall submit to _____ touching the subject of such hearing and inquiry; and for so doing this shall be your warrant.

Given under my hand and seal, at _____ this _____ day of _____, in the year of our Lord _____.

(L.)—FORM of Declaration.

Form of the Declaration to be delivered by every Employer, specifying his intentions respecting the mode of maintaining his Apprenticed Labourers.

I, A. B., _____, in the town [parish or district] of _____, in the Colony of Mauritius, do hereby declare my intention to be to maintain the apprenticed labourers employed

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mployed by me, whose names are hereinafter enumerated, in the manner stated, with reference to each of such apprenticed labourers, in the note or memorandum set opposite to the name of each in such memorandum.

L.	}	By the cultivation of the ground to be by them appropriated for that purpose.
M.		
N.		
O.		
P.		
Q.	}	By an allowance of provisions.
R.		
S.		
T.		
U.		
V.	}	Partly by an allowance of provisions, and partly by the cultivation of ground to be to them appropriated for that purpose.
W.		
X.		
Y.		
Z.		

(M.)—AWARD or Sentence.

Mauritius, } Whereas proof having been made to the satisfaction of the district sessions of
to wit. } special justices, held on the day of , at plantation
 , in district No. , in the Colony of Mauritius, that hath not paid
to the sum of , being the amount stipulated to be paid by
to , for work and labour done and performed, according to a contract
bearing date the day of ; it is hereby awarded that the said
do pay to the said the said sum of , free of all deductions whatsoever,
within days after the date of this award, on pain, in default thereof, of a levy
being made upon the property of the said .

Thus done and awarded, at , in the parish of , in the Colony afore-
said, this day of 183 .

(N.)—WARRANT of Execution.

Mauritius, } Whereas at the district sessions of special justices, held on the day of
to wit. } , at , in district No. , in the Colony of Mauritius, it
was awarded that of should pay to the sum of
free of all deductions whatsoever, within days after the date of that award, on pain, in
default thereof, of a levy being made upon the property of the said ; and whereas
the said hath not paid the said sum of to the said , although
the time allowed for the payment thereof hath expired. These are, therefore, to command
you to levy the said sum of by distress, and sale of the goods and chattels or
other property of the said ; and it is hereby ordered and directed, the goods and
chattels so to be distrained to be sold and disposed of within days after such levy,
unless the said sum of , for which such distress shall be made, together with the
reasonable charges of taking and keeping such distress, shall be sooner paid. And you are
hereby also commanded to certify unto what you shall have done by virtue of
this warrant.

Given under hand and seal, this day of , in the year of our
Lord .

(O.)—ACT of Transfer.

Mauritius, } Be it known that we of His Majesty's special justices of the peace
to wit. } in and for the Colony of Mauritius, having ascertained that the transfer of the
hereinafter mentioned prædial apprenticed labourers, at present attached to plantation
in the parish of , in the Colony aforesaid, belonging to , from said planta-
tion to plantation , in the parish of in the said Colony, also belonging to
 , will not have the effect of separating any of the said attached prædial appren-
ticed labourers from his or her wife or husband, parent or children, or from any person or
persons reputed to bear any such relation to him or her, and that such transfer will not
probably be injurious to the health or welfare of said attached prædial apprenticed labourers;
do hereby consent that the said , who is entitled to the services of said prædial
apprenticed labourers, do transfer to said plantation the services of
attached prædial apprenticed labourers. This act of transfer to be recorded in the colo-
nial registrar's office within one month from the date hereof.

Given under our respective hands and seals, at , in the parish of ,
in the Colony aforesaid, this day of 183 .

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(P.)—INDENTURE of Apprenticeship.

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This indenture, made the _____ day of _____ in the year of our Lord 183____, between *A. B.*, one of His Majesty's special justices of the peace in and for said Colony, for and on the behalf of *C. D.*, an infant aged _____ years, of the quarter of _____ in the said Colony, of the one part; and *E. F.* of _____ in said Colony, of the other part. Whereas *E. F.* (the employer) hath agreed with the said *A. B.* (the special justice) to take the said *C. D.* (the apprentice) as his apprentice for the term of _____ years, to be taught and instructed in the trade or business of _____, in consideration and subject to the terms and conditions hereinafter contained. Now this indenture witnesseth, that in pursuance of the said agreement and in virtue of the ordinance in this case made and provided, he the said *E. F.* (the employer), doth hereby for himself, his heirs, executors and administrators, covenant, promise and agree with and to the said *A. B.* (the special justice), in the manner following, that is to say: That he the said *E. F.* (the employer), shall and will during the term of _____ years, according to the best of his skill and knowledge, teach and instruct, or cause to be taught and instructed the said *C. D.* (the apprentice), in the trade or business of _____, and all and every the matters and things whatsoever incident or relating thereto; and also shall and will, during the said term, find and provide the said *C. D.* (the apprentice), with suitable and sufficient diet, clothing, lodging and medical attendance, in a like and equal manner with the rest of apprenticed labourers in this Colony, and according to the said ordinance in such case made and provided, and to all other ordinances or laws which may hereafter be made touching or concerning the clothing, feeding, lodging and medical attendance of apprenticed labourers in this Colony; and shall also allow to the said *C. D.* such reasonable time and opportunity for education and religious instruction, as shall be appointed or assigned by a special justice of the peace of the district in which the said *C. D.* shall reside. And in consideration of the covenants and agreements hereinbefore contained on the part of the said *E. F.* (the employer), he the said *A. B.* (the special justice), hath placed and bounden, and by these presents doth place and bind the said *C. D.* (the apprentice), as a _____ apprenticed labourer, unto and with the said *E. F.* (the employer), for the said term or period of _____ years, to be computed from the date of these presents; and doth hereby, for and on the behalf of the said *C. D.* (the apprentice), to and with the said *E. F.* (the employer), covenant, promise and declare that he the said *C. D.* (the apprentice) shall and will, during all and every part of the said term of _____ years, truly and faithfully serve the said *E. F.* (the employer), as a _____ apprenticed labourer in the said trade and business of _____, and diligently attend to the business and concerns thereof, according to the rules, regulations and laws now or hereafter to be in force of and concerning apprenticed labourers in this Colony.

In witness whereof, I the said _____, special justice as aforesaid, for and on behalf of the said *C. D.*, have hereunto set my hand and seal, and the said *E. F.* hath also set his hand and seal in my presence, at _____ in the Colony aforesaid, the day and year first above written.

(signed) C. C. G.

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ANTIGUA, &c.

ORDER in COUNCIL, 31 July 1835, declaring that adequate and satisfactory Provision hath been made in the Colonies of *Antigua, Bermuda, Bahamas, St. Christopher's, Dominica, Grenada, St. Lucia, Trinidad, Mauritius* and the *Cape of Good Hope*, for giving effect to an Act of Parliament, made in the 3d & 4th year of His present Majesty, for the Abolition of Slavery.

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No. 17.

AT the Court at St. James's, the 31st of July 1835.

Present,

The KING's Most Excellent Majesty.

Lord President.	Viscount Howick.
Lord Chamberlain.	Lord Auckland.
Earl of Albemarle.	Lord Glenelg.
Lord John Russell.	Sir John Hobhouse, Bart.
Viscount Palmerston.	The Chancellor of the Exchequer.
Viscount Melbourne.	

WHEREAS by an Act of Parliament, made and passed in the 3d & 4th year of the reign of His present Majesty, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves," it is enacted, that from and after

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the 1st day of August 1834, all persons who, in conformity with the laws now in force in the said Colonies respectively, shall on or before the 1st day of August 1834 have been duly registered as slaves in any such Colony, and who on the said 1st day of August 1834 shall be actually within any such Colony, and who shall by such registries appear to be on the said 1st day of August 1834 of the full age of six years or upwards, shall by force and virtue of the said Act, and without the previous execution of any indenture of apprenticeship, or any other deed or instrument for that purpose, become and be apprenticed labourers: And whereas by the said Act it is further enacted, that subject to the obligations imposed by the said Act, or to be imposed as therein mentioned, upon such apprenticed labourers as aforesaid, all and every the persons who on the said 1st day of August 1834 shall be holden in slavery within any such British Colony as aforesaid, shall upon and from and after the said 1st day of August 1834 become and be, to all intents and purposes, freed and discharged of and from all manner of slavery, and shall be absolutely and for ever manumitted; and that the children thereafter to be born to any such persons, and the offspring of such children, shall in like manner be free from their birth; and that from and after the said 1st day of August 1834 slavery shall be and is thereby utterly and for ever abolished and declared unlawful throughout the British Colonies, plantations and possessions abroad: And whereas by the said Act it is provided that the Lords Commissioners of His Majesty's Treasury may raise the sum of 20,000,000*l.* sterling towards compensating the persons entitled to the services of the slaves to be manumitted and set free by virtue of the said Act, for the loss of such services.

And whereas in the said Act it is recited that various rules and regulations are or may be necessary for the purposes therein specified, and that such regulations could not without great inconvenience be made, except by the respective Governors, Councils and Assemblies, or other local Legislatures of the said respective Colonies, or by His Majesty with the advice of his Privy Council, in reference to those Colonies to which the legislative authority of His Majesty in Council extends; and it is therefore by the said Act enacted and declared that nothing in the said Act contained shall extend, or be construed to extend, to prevent the enactment, by the respective Governors, Councils and Assemblies, or by such other local Legislatures as aforesaid, or by His Majesty with the advice of His Privy Council, of any such Acts of General Assembly, or Ordinances or Orders in Council, as might be requisite for making and establishing such several rules and regulations as aforesaid, or any of them, or for carrying the same or any of them into full and complete effect.

And whereas it is by the said Act further enacted, that no part of the said sum of 20,000,000*l.* sterling shall be applied or shall be applicable to the purposes therein aforesaid, for the benefit of any person entitled to the services of any slave in any of the Colonies therein aforesaid, unless an Order shall have been first made by His Majesty, with the advice of His Privy Council, declaring that adequate and satisfactory provision hath been made by law in such Colony for giving effect to the said Act, by such further and supplementary enactments as therein mentioned; nor unless a copy of such Order in Council, duly certified by one of the Clerks in ordinary of His Majesty's Privy Council, shall by the Lord President of the Council have been transmitted to the Lords Commissioners of His Majesty's Treasury, or to the Lord High Treasurer for the time being, for their or his guidance or information; and every such Order shall be published three several times in the London Gazette, and shall be laid before both Houses of Parliament within six weeks next after the date thereof, if Parliament shall be then in session, and if not, within six weeks from the then next ensuing session of Parliament.

And whereas, in order to carry into effect the objects of the said recited Act, an Act hath been passed by the Governor, Council and Assembly of the Island of Antigua, intituled, "An Act for relieving the Slave Population from the obligations imposed upon them by the recent Act of the Parliament of the United Kingdom of Great Britain and Ireland, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves.'" And an Act hath also been passed by the Governor, Council and Assembly of the Island of Bermuda, intituled, "An Act for the Abolition of Slavery in these Islands, in consideration of Compensation." And an Act hath also been passed by the Lieutenant-governor, Council and Assembly of the Bahama Islands, intituled, "An Act auxiliary to an Act of the Imperial Parliament, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves;'" and also an Act, intituled, "An Act to provide for the payment of Salaries to certain Special Magistrates therein designated, and to repeal certain clauses or sections of an Act of the General Assembly, made and passed in the fourth year of His Majesty's reign, intituled, 'An Act auxiliary to an Act of the Imperial Parliament, intituled, An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves;'" and also an Act, intituled, "An Act to amend an Act of the General Assembly of these Islands, intituled, 'An Act auxiliary to an Act of the Imperial Parliament, intituled, An Act for the Abolition of Slavery throughout the British Colonies, for promoting the industry of the manumitted Slaves, and for compensating the persons hitherto entitled to the services of such Slaves.'" And certain Acts have also been passed by the Lieutenant-governor, Council and Assembly of the Island of St. Christopher, respectively intituled, "An Act for the Abolition of Slavery in this Island, and for the establishment of a system of Apprenticeship for a limited time, in lieu thereof;" "An Act for prescribing the Powers and Duties

Duties of Special Magistrates;" "An Act to divide Apprenticed Labourers into several Classes;" "An Act to provide for Apprenticed Labourers during the Term of their Apprenticeship;" "An Act for prescribing the Duties and regulating the Conduct of Apprenticed Labourers within this Island;" "An Act for prescribing the Duties to be performed by Employers towards their Apprenticed Labourers, and to enforce the Performance of the same;" "An Act to regulate the removal of Prædial Apprenticed Labourers from one Plantation to another, to establish certain Rules to govern the Sale of the Services of all classes of Apprenticed Labourers, and the disposition thereof by Will, as well as to regulate the descent of the same in cases of Intestacy;" "An Act for dividing this Island into Districts, and for establishing a sufficient Police within the same;" "An Act to punish Apprenticed Labourers for Offences against the public welfare;" and "An Act to regulate the dissolution of Apprenticeship by the voluntary act of the Employer, and to compel such dissolution in cases where the Labourer is able and willing to purchase his or her discharge from Apprenticeship;" and also an Act intituled "An Act to extend to the Island of Anguilla the several Acts passed by the Island of St. Christopher pursuant to an Act of Parliament made in the 3d & 4th of William 4th, intituled 'An Act for the Abolition of Slavery throughout the British Colonies, for promoting the industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves,' except as hereinafter provided." And an Act hath also been passed by the Lieutenant-governor, Council and Assembly of the Island of Dominica, intituled "An Act for the Abolition of Slavery in this Island in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves." And an Act hath also been passed by the Lieutenant-governor, Council and Assembly of the Island of Grenada, intituled "An Act for carrying into effect the provisions of an Act of the Imperial Parliament of Great Britain and Ireland, passed in the 3d & 4th years of the reign of His present Majesty King William the Fourth, for the Abolition of Slavery throughout the British Colonies;" and also an Act intituled "An Act to amend an Act intituled 'An Act for carrying into effect the provisions of an Act of the Imperial Parliament of Great Britain and Ireland, passed in the 3d & 4th years of the reign of His present Majesty King William the Fourth, for the Abolition of Slavery throughout the British Colonies, and to make further provision for the purposes in the said Act mentioned.'" And three several Orders have also been made by His Majesty in Council for carrying into effect, in the respective Colonies of St. Lucia, Trinidad and Mauritius, the provisions of the said recited Act of Parliament. And an Ordinance hath also been made and passed by the Governor and Legislative Council of the Cape of Good Hope, intituled "An Ordinance for giving due effect to the provisions of an Act of Parliament passed in the 3d & 4th year of the reign of His Majesty King William the Fourth, intituled 'An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves.'"

And whereas it is considered by His Majesty in Council, that adequate and satisfactory provision hath been made by law, in the respective Islands and Colonies of Antigua, Bermuda, Bahamas, St. Christopher, Dominica, Grenada, St. Lucia, Trinidad, Mauritius and the Cape of Good Hope, for giving effect to the said recited Act of Parliament, by such further and supplementary enactments as therein mentioned, according to the true intent and meaning of the said Act.

His Majesty is therefore pleased, by and with the advice of His Privy Council, to declare, and it is hereby declared, that adequate and satisfactory provision hath been made by law in the several and respective Islands and Colonies of Antigua, Bermuda, Bahamas, St. Christopher, Dominica, Grenada, St. Lucia, Trinidad, Mauritius and the Cape of Good Hope, for giving effect to the said recited Act of Parliament, by such further and supplementary enactments as therein are mentioned. And the Right honourable the Marquis of Lansdowne, the President of His Majesty's Privy Council, and the Right honourable Lord Glenelg, one of His Majesty's principal Secretaries of State, are to give the necessary directions herein, as to them may respectively appertain.

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