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SLAVERY IN THE BRITISH COLONIES.

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returns, while his clerk or assistant read the said entries in this book respectively made therefrom; and that he is enabled thereby to depose, and does depose, that the preceding registry of the slaves of Honduras is in all other respects correctly and faithfully made."

Which affidavit, being subscribed by the said registrar, shall be sworn before the said superintendent, who shall subjoin thereto the following certificate, under his hand and the great seal of the said Island :

" I, *A. B.* [inserting his name and title of office], do hereby certify, that the above affidavit was duly sworn before me this day of one thousand eight hundred and

" *A. B.*" (L. s.)

And it is hereby further ordered, that as soon as may be after the said original registry shall be closed and authenticated as aforesaid, the said registrar shall prepare accurate and perfect duplicates of both the said books of original registry, by causing the same respectively to be carefully transcribed into other books, of like sizes and forms, to be provided for that purpose, and shall authenticate and certify each of the said duplicates in the same manner and form in all respects as is hereinbefore directed in regard to the said originals respectively, except that in the affidavits and certificates to be thereunto annexed, the same shall be described as duplicates of the original registries; and the said duplicate books, when so authenticated and certified, shall be delivered by the said registrar to the superintendent for the time being, who shall by the first safe conveyance transmit the same under his official seal to His Majesty's Principal Secretary of State for the Colonial Department in England.

And it is hereby further ordered, that if the said registrar shall, in the exercise of any of the duties hereby imposed upon him, or any of the functions of his said office or otherwise, wilfully make, or knowingly permit or suffer to be made, any false or fraudulent entry in the said books of registry, or either of them, or in the said accounts or abstracts, or shall fraudulently erase, obliterate or alter, or knowingly permit or suffer to be fraudulently erased, obliterated or altered, any entry which shall have been duly made in the said books of registry, or either of them, the said registrar shall, upon conviction of any such offence, not only be liable to all such pains and penalties as ought, by the laws in force within the said settlements at the time of such offence, to be inflicted upon persons convicted of forging or fraudulently altering public judicial records, but shall for ever forfeit his said office, and shall be incapable of ever after holding the same or any other public office within the said settlements, and shall moreover be liable to the civil suits or actions of all and every person or persons who shall sustain any damage or injury by any such offence, who, besides full reparation for such damage or injury, shall recover against such registrar double costs of suit; and if any deputy, assistant or clerk of the said registrar shall commit, or knowingly permit or suffer to be committed any such offence as aforesaid, he shall, upon conviction thereof, not only in like manner be liable to all such pains and penalties as ought by the said laws to be inflicted upon persons convicted of forging or fraudulently altering public judicial records, but shall forfeit such his office or employment, and be incapable of ever after holding the same or any other public office within the said settlements; and if any other person or persons shall wilfully make, or cause or procure to be made, any false or fraudulent entry in the said books of registry or either of them, or in the said accounts or abstracts, or shall fraudulently erase, obliterate or alter, or cause or procure to be erased, obliterated or altered, any entry which shall have been made in the said books of registry, accounts or abstracts, or either of them, every such person or persons so offending shall upon conviction not only be liable to all such pains and penalties aforesaid, but shall forfeit to His Majesty, His heirs or successors, all his and their estate, right, title, property and interest of, in and to any such slave or slaves that shall be the subject or subjects of any such false or fraudulent entry, erasure, obliteration or alteration.

And it is hereby further ordered, that if any person or persons making any such return of slaves as aforesaid, shall falsely and wilfully insert therein any name or names, description or descriptions of any slave or slaves, or pretended slave or slaves, belonging to any owner or owners, knowing that such slave or slaves, or pretended slave or slaves, as shall be so named or described, doth not or do not in fact belong, at the time of making such return to such owner or owners, any person or persons so offending shall forfeit for every slave or pretended slave so falsely returned, the sum of 100*l.* sterling money, to be recovered in such manner as any other penalty or forfeiture may be recovered in the said settlements by any law thereof, or any statute of this kingdom then in force therein, the one moiety thereof to the use of the superintendent for the time being, and the other moiety thereof to the use of such person as shall inform, sue and prosecute for the same: provided always, that no person shall be liable to any such penalty or forfeiture as last aforesaid, in respect of any slave or slaves which he shall prove to have been at the time of the return actually employed in the service of the asserted owner or owners to which the same were represented by such return to belong, although he shall not be able to prove that the property in such slave or slaves was such as was stated in the return, except when the prosecutor shall give evidence beyond the falsification of the return in the point of property, to show that the same was fraudulent or wilfully false.

And it is hereby further ordered, that from and after the said final closing and authentication of the said original registry of slaves in the said settlements, every slave within the said settlements not so registered as a slave, shall be deemed and taken to be the property of His Majesty.

And it is hereby further ordered, that the certificate of the said registrar, by him subscribed, certifying any extracts from the books in his office, shall be received in all courts and by all

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judges and others, as sufficient evidence of the authenticity of such extract, saving nevertheless to the party or parties against whom such evidence is adduced, the right of contradicting, impeaching or correcting the same by an inspection of and a comparison with the original book or books of registry in the said Island, or the duplicate thereof, to be transmitted to the said Secretary of State as aforesaid.

And it is hereby further ordered, that the said registrar shall be entitled to have and receive for every certificate by him given of any extract from or entry in the said registry, the sum of 10*s.* sterling, and for every 100 words therein contained beyond the first 100 words, the sum of 2*s.* like money, and no more, from the party requiring and obtaining the same; and for every search in the said registry, the sum of 5*s.* like money, and no more; which fees, and all other fees hereby appointed in sterling money, shall be calculated at the rate of exchange prevalent in the said settlements at the time of the service performed.

And the Right honourable Edward Geoffrey Smith Stanley, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) *Wm. L. Bathurst.*

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Honduras.

No. 65.

COPY of an ORDER in COUNCIL, dated 5th June 1834, for giving effect in the Island of *Honduras*, to the Statute 3 & 4 Will. IV. c. 73, for the Abolition of Slavery.

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

Present, The King's most Excellent Majesty in Council.

WHEREAS by an Act passed in the 3d & 4th year of His Majesty's reign, intitled, "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, amongst other things, "that in the settlements in the occupation of His Majesty and of His Majesty's subjects in Honduras, no law is in force for the registration of slaves, and doubts might be entertained respecting the authority of His Majesty, with the advice of his Privy Council, to make laws binding on His Majesty's subjects therein," it is declared and enacted, "that it is and shall be lawful for His Majesty by any order or orders to be by him for that purpose made, with the advice of his Privy Council, to establish a registry of slaves for the purposes of this Act within the said settlement; and all laws made by His Majesty for the government of his said subjects shall, for the purposes of this Act, be as valid and effectual as any laws made by His Majesty in Council for the government of any Colonies subject to the legislative authority of His Majesty in Council are or can be:" And whereas in pursuance of the said Act His Majesty hath this day, by the advice of his Privy Council, made a certain Order in Council for carrying the said Act into effect within the Island of Trinidad, of which order a copy is hereunto subjoined: And whereas it is expedient that the regulations for the government of apprenticed labourers should throughout His Majesty's possessions to which the said Act applies, as nearly as may be, and having regard to the variety of local circumstances in such several possessions, be of one uniform tenor: And whereas the state and circumstances of society in the said settlement of Honduras are in many respects peculiar, and differ essentially from the state and circumstances of society as existing in the said Island of Trinidad, and other His Majesty's Colonies in the West Indies: And whereas by reason of the variety and minuteness of such distinctions, it is necessary that provision should be made for the adaptation of the said Order in Council to the case of Honduras by some local authority: Now, therefore, in pursuance of the said recited Act of Parliament, and for carrying the same into effect within the said settlements of Honduras, it is hereby ordered by His Majesty, by and with the advice of his Privy Council, that the said Order in Council for the said Island of Trinidad shall, save as hereinafter mentioned, extend to and be in force within His Majesty's said settlements at Honduras, upon, from and after the 1st day of August in this present year 1834: Provided nevertheless, and it is further ordered, that it shall be lawful for the superintendent for the time being of the said settlements, by any proclamation or proclamations to be by him from time to time for that purpose issued, to suspend any part or parts of the said Order which he shall consider inapplicable to the state and circumstances of society in the said settlements, and by any such proclamation or proclamations to adapt the said Order in Council, or any part or parts thereof, to the state and circumstances of society in the said settlements: provided always, that no such proclamation shall in any respect be repugnant to or inconsistent with any thing in the said Act of Parliament contained: And it is further ordered, that the said superintendent shall transmit to His Majesty or to one of his Principal Secretaries of State, copies of any such proclamations for His Majesty's approbation or disallowance: provided also, that no such proclamation shall by the terms thereof be made to operate and take effect, or to be binding upon His Majesty's subjects within the said settlements, until the same shall first have been approved by His Majesty, save only in cases in which it shall appear to the said superintendent for the time being that the delay incident to obtaining His Majesty's approbation of any such proclamation would subject His Majesty's subjects in the said settlement to serious inconvenience, in which cases any such proclamation may by the terms thereof be made to operate and take effect, and to be binding upon

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His Majesty's subjects aforesaid, either from the day of the date thereof, or from any such other time as shall be therein for that purpose appointed, until His Majesty's pleasure shall be known.

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.

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DOCUMENT showing Alterations which His Majesty's Superintendent has deemed it necessary and expedient to make in the RULES and REGULATIONS under the Slave Abolition Act, which have been made by His Majesty in Council for the Island of *Trinidad*.

CAP. I.—*Of Judicial and Ministerial Agency to be employed.*

No. 1.—Settlement of Belize to be divided into two districts, to be called "North and South Districts." Northern district all north of River Belize, and Southern district all south of River Belize.

Nos. 2, 3, 4, 5; No alteration.

No. 6; Justices to make use of the gaol of Belize for confinement and punishment of offenders.

Nos. 7, 8, 9, 10, 11; No alteration.

No. 12; Special justices to have power and authority in gaol of Belize over all offenders placed therein under their authority.

Nos. 13, 14, 15, 16, 17, 18, 19; No alteration.

CAP. II.—*On Procedure to be observed by the Special Magistrates in the exercise of their Jurisdiction.*

Nos. 1, 2; No alteration.

No. 3; Special magistrates to be in readiness to proceed to any mahogany work or other place, when required so to do by owners, apprentices, or directions from His Majesty's superintendent, or when they (the magistrates) may see occasion so to do.

Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, } No alteration.
18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29; }

CAP. III.—*On the Division of Apprenticed Labourers into their respective Classes.*

Nos. 1, 2, 3, 4, 5, 6, 7; No alteration.

Nos. 8, 9, 10; For the purposes of this and the two preceding clauses, a chief judge to be represented in this settlement by a bench of magistrates.

Nos. 11, 12, 13; No alteration.

CAP. IV.—*On the Maintenance of the Apprenticed Labourers.*

No. 1; No alteration.

Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15; The operation of the clauses from 2 to 15 inclusive, suspended, with the clear understanding that the arrangements heretofore observed in this settlement with respect to food, clothing, lodging and labour, shall continue to be acted upon the same as heretofore, both on the part of the employers and apprentices.

No. 16; The part of this clause which refers to the visits of medical practitioners to the mahogany works being impracticable is suspended, but all employers are bound, on any occasion of sickness or accident, to obtain the advice and assistance of a medical practitioner with as little delay as possible.

No. 17; Employers of apprentices liable to the penalties of this clause, under the exceptions made in the preceding clause.

No. 18; No alteration.

CAP. V.—*On the Duties to be performed by the Apprenticed Labourers, and the Penalties for their non-performance.*

Nos. 1, 2; These clauses are governed by the alterations made in the clauses from 2 to 15 in the preceding chapter.

Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14; No alteration.

No. 15; In addition to the stocks, a particular dress to be worn as a part of the punishment.

No. 16; No alteration.

CAP. VI.—*On the Duties to be performed by the Employers towards their Apprenticed Labourers, and the Penalties for their non-performance.*

Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11.

No. 12; This and the preceding eleven clauses are suspended in reference to the exceptions made with respect to food, clothing and labour in the preceding chapter; it being, however, understood, that any complaints on the parts of employers or apprentices will still be open to the examination and decision of the special magistrates.

Nos. 13, 14; No alteration.

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No. 66.CAP. VII.—*On Offences which may be committed by the Apprenticed Labourers against the State, and the Punishment of such Offences.*

No. 1; Flag to be red and white.
 Nos. 2, 3, 4; Suspended, being inapplicable.
 Nos. 5, 6, 7, 8, 9, 10, 11; No alteration.
 Nos. 12, 13, 14, 15, 16; Suspended, being inapplicable.
 No. 17.

CAP. VIII.—*On the Dissolution of the Apprenticeship by Contract or Appraisement.*

Nos. 1, 2, 3; No alteration.
 Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12; With respect to the clauses from 4 to 12 inclusive of this chapter, it is to be understood, that the civil chief judge alluded to therein must be represented by a bench of magistrates, and that the grand court be considered the supreme civil court in this settlement.

CAP. IX.—*On the Removal of Prædial Apprenticed Labourers from one Plantation to another.*

Suspended, being inapplicable.

CAP. X.—*On the Apprenticeship of Children.*

No. 1; No alteration.

CAP. XI.—*On the Alienation by Sale, Inheritance or Will of the Services of Apprenticed Labourers.*

No. 1, 2; No alteration.

CAP. XII.—*On the Relation in which the Apprenticed Labourers will stand towards the State.*

Applicable.

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HONDURAS ORDER.

At the Court at St. James's, the 12th day of August 1835 :

Present, The King's most Excellent Majesty in Council.

WHEREAS by a certain Act of Parliament, passed in the 3d and 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 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 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 appraisement of the future value of such services shall be made; and how and to whom the amount of such appraisement 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 labourer 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 to 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,

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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 for 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 despatch, 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 in 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, Ordinance 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:

And whereas it is by the said Act further enacted, that all laws made by His Majesty for the government of His Majesty's subjects in Honduras shall, for the purposes of the said Act, be as valid and effectual as any laws made by His Majesty in Council for the government of any Colonies subject to the legislative authority of His Majesty in Council are or can be: And whereas, in pursuance of the said Act, His Majesty did, on the 5th day of June 1834, by the advice of his Privy Council, make a certain Order in Council for carrying the said Act into effect within the island of Trinidad: And whereas, by a certain other Order of

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His Majesty in Council, also dated on the 5th day of June 1834, after reciting that it was expedient that the regulations for the government of apprenticed labourers should, throughout His Majesty's possessions, to which the said Act applies, as nearly as might be, and having regard to the variety of local circumstances in such several possessions, be of one uniform tenor; and that the state and circumstances of society in the said settlement of Honduras were, in many respects peculiar, and differed essentially from the state and circumstances of society as existing in the said Island of Trinidad, and other His Majesty's Colonies in the West Indies; and that, by reason of the variety and minuteness of such distinctions, it was necessary that provision should be made for the adaptation of the said Order in Council to the case of Honduras by some local authority; It was, in pursuance of the said recited Act of Parliament, and for carrying the same into effect within the said settlements of Honduras, ordered by His Majesty, by and with the advice of His Privy Council, that the said Order in Council for the said Island of Trinidad should, save as thereafter mentioned, extend to and be in force within His Majesty's said settlement at Honduras, upon, from and after the 1st day of August 1834: Provided, nevertheless, and it was further ordered, that it should be lawful for the superintendent for the time being of the said settlements, by any proclamation or proclamations to be by him from time to time for that purpose issued, to suspend any part or parts of the said order which he should consider inapplicable to the state and circumstances of society in the said settlements, and by any such proclamation or proclamations, to adopt the said Order in Council, or any part or parts thereof, to the state and circumstances of society in the said settlements: And it was thereby provided, that no such proclamation should in any respect be repugnant to or inconsistent with any thing in the said Act of Parliament contained: And it was further ordered, that the said superintendent should transmit to His Majesty or to one of his Principal Secretaries of State, copies of any such proclamations for His Majesty's approbation or disallowance; and it was thereby also provided, that no such proclamation should, by the terms thereof, be made to operate and take effect, or to be binding upon His Majesty's subjects within the said settlements, until the same should first have been approved by His Majesty, save only in cases in which it should appear to the said superintendent for the time being, that the delay incident to obtaining His Majesty's approbation of any such proclamation, would subject His Majesty's subjects in the said settlements to serious inconvenience, in which cases any such proclamation might, by the terms thereof, be made to operate and take effect, and to be binding upon His Majesty's subjects aforesaid, either from the day of the date thereof, or from any such other time as should be therein for the purpose appointed, until His Majesty's pleasure should be known:

And whereas the said superintendent of the British settlements at Honduras, in pursuance of the powers in him in that behalf vested by the last recited Order in Council, hath made and established certain regulations for adapting to the state and circumstances of those settlements, the provisions of the Order made by His Majesty in Council for giving effect to the said Act for the Abolition of Slavery within the Colony of Trinidad:

And whereas His Majesty, having this day taken into consideration the regulations so made as aforesaid by the said superintendent, hath been pleased to approve thereof: Now it is hereby ordered by His Majesty, that the said regulations shall be, and the same are hereby confirmed and allowed:

And whereas it is, by the said Act of Parliament, amongst other things enacted, that no part of the sum of twenty millions sterling shall be applied, or be applicable to the purposes in the said Act mentioned, for the benefit of any person then entitled to the services of any slave in any of the Colonies in the said Act 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, by such further and supplementary enactments as aforesaid; 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: Now, therefore, in further pursuance and exercise of the powers in His Majesty in Council, by the said recited Act in that behalf vested, His Majesty, with the advice of his Privy Council, doth declare, and it is hereby declared, that adequate and satisfactory provision hath been made by law in the said settlements at Honduras, for giving effect to the said recited Act of Parliament, by such further and supplementary enactments as therein are mentioned:

And the Lord President of the Council, and the Right honourable the Lord Glenelg, one of His Majesty's Principal Secretaries of State, are to give the necessary directions herein as to them may respectively appertain.

C. C. Greville.

—No. 68.—

Anno Quarto GULIELMI IV. Regis.

Bahama Islands.

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."—(Passed February 15, 1834.)

WHEREAS in and by an Act of the Imperial Parliament of Great Britain and Ireland, of the third and fourth years of Your 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 among other things enacted, that all persons who, on the first day of August in the year of our Lord one thousand eight hundred and thirty-four, shall have been registered as slaves in the Colony, and shall appear by such registration, to be on that day of the full age of six years and upwards, shall, on the said first day of August in the year one thousand eight hundred and thirty-four, by force and virtue of the said Act, become apprenticed labourers to their last owners for two certain terms of years; that is to say, all prædial apprentices until the first day of August in the year one thousand eight hundred and forty; and non-prædial apprentices until the first day of August in the year one thousand eight hundred and thirty-eight; and that, subject only to such apprenticeship as aforesaid, all persons who on the said first day of August in the year one thousand eight hundred and thirty-four, shall have been lawfully registered as slaves as aforesaid, shall, on that day and thenceforth be, to all intents and purposes free and discharged of and from all manner of slavery, and absolutely and for ever manumitted: And whereas in and by the said Act of Parliament it is declared necessary that various rules and regulations should be framed and established, for ascertaining, with reference to each appointed labourer as aforesaid, whether he or she is to 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 for other purposes, in the said above-recited Act more particularly and at large set forth, to carry into more complete effect the intentions of the Imperial Legislature in this behalf, which rules and regulations could not without great inconvenience be made, except by the local Legislature of the Colony; and therefore it is, in and by the said Act of Parliament, further enacted and declared, that nothing in that Act contained should extend or be construed to extend to prevent the enactment by the Governor, Council and Assembly of any such Acts of the General Assembly as may be requisite for making and establishing of such several rules and regulations as aforesaid, or any of them, or for carrying the same or any of them into complete effect; May it please Your Majesty, that it may be enacted, and be it enacted, by his Excellency Blayney Townley Balfour, esquire, lieutenant-governor in and over the Bahama Islands, the Council and Assembly, and it is hereby enacted and declared by the authority of the same, That all colonial laws, usages, acts of Assembly, ordinances and rules, of whatsoever nature and however established, so far as the same in any manner establish, recognize, confirm, countenance or favour slavery, or are or were intended for the regulation of the same, or for the government, protection or punishment of slaves, as distinguished from the other inhabitants of these Islands, shall on the said first day of August in the said present year one thousand eight hundred and thirty-four, be and the same shall remain altogether repealed, and for ever after cease to be of any authority, force or effect whatsoever in this Colony: Provided however, that so far as any person or persons, by reason of having manumitted any slave or slaves, when incapable of labour by reason of old age, sickness or infirmity of body or mind, now is or are or at any time before the said first day of August in this said year as aforesaid, shall become liable for the maintenance of such manumitted slave or slaves, all such Acts of Assembly, or such parts of the same as provide for such maintenance and enforce the same, shall be and remain in full force for and during the natural life or lives of the person or persons manumitted or to be manumitted under such circumstances as aforesaid, any thing hereinbefore contained to the contrary notwithstanding: Provided also, that all persons having heretofore incurred or who shall hereafter, and before the said first day of August in this present year one thousand eight hundred and thirty-four, incur any pains, penalties, forfeitures or other liabilities under or in virtue of an Act of the General Assembly passed in the tenth year of the reign of his late Majesty King George the Fourth, intituled, "An Act to amend, consolidate and bring into one Act the several Laws relating to Slaves, and for giving them further protection and security, and for suspending several Acts and Clauses of Acts therein mentioned, and for other purposes;" or by reason of any neglect or contravention of the provisions, ordinances or regulations therein contained, relative to the food, clothing or other allowances or treatment of slaves, may and shall be prosecuted for the same, as well at any time after as before the said first day of August in the same year aforesaid, in the same manner and form and to the same effect as if this Act had not been passed, any thing hereinbefore contained to the contrary notwithstanding: Provided no such prosecution shall be commenced after the expiration of six months from and after the said first day of August next.

2. And be it further enacted, that all persons who on the said first day of August in the same year aforesaid shall become apprenticed labourers as aforesaid, and who on that day shall be and have been employed on lands belonging to the person or persons entitled to the services

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Appendix (B.)

Colonial Laws.
No. 68.

Preamble.

All Colonial Slave Laws,
&c. repealed after
1st August 1834.except as regards
liabilities to support
the aged and infirm.Penalties incurred under
Slave Laws, must be sued
for within six months
from 1st August 1834.Who shall be prædial's
attached to the soil.

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Appendix (B.)

Colonial Laws.
No. 68.

vices of the said apprentices respectively, in agriculture or in the manufacture of colonial produce or otherwise; that is to say, in or about the cultivation of the soil, or other labour necessary to the production of sugar, silk, cotton, salt, corn or other grain, grass, ground provisions, fruits or esculent vegetables, or in the felling of timber or other trees or brushwood, or in blasting or in breaking up of rocks or otherwise clearing of land for the purpose of cultivation or otherwise, or in the tending and raising for sale or otherwise, of horses, mules, asses, black cattle, sheep, hogs, or the like stock, or in the carrying or otherwise conveying such produce, manufactures or stock as aforesaid by land carriage to market, whether as actual labourers, cattle-drivers, or in the capacity of overseers, drivers, managers or the like, shall be and be held and considered as prædial apprenticed labourers attached to the soil, within the meaning of this Act, and of the statute of the Imperial Parliament to which this Act is auxiliary as aforesaid; and all plantations and other lands in which the person or persons entitled to the services of any such apprenticed labourer or labourers as aforesaid, shall for the time have an estate of inheritance, or which shall be by him, her or them held as tenants by courtesy or lease for one or more life or lives, or any certain term of years, and all salt ponds and pans for the raking or manufacturing of salt, in the occupation of him, her or them, entitled to the services of any such apprentice or apprentices as aforesaid, and all lots and parcels of land by him, her or them occupied, in virtue of any permission or other authority to that effect, directly or indirectly from the Crown, in the vicinage of such salt ponds or elsewhere, shall be held and considered as lands the property of all such occupants, within the meaning of this Act, and of the statute to which this Act is auxiliary as aforesaid.

Who prædials unattached

3. And be it further enacted, that all persons who on the said first day of August in this same year aforesaid, shall become apprenticed labourers as aforesaid, and who shall on that day be, and shall have been employed on lands not belonging to the person or persons entitled to the services of the said apprentices respectively, in agriculture or in the manufacture of colonial produce or otherwise; that is to say, in such work, labour or other employment as in the next preceding section of this Act is more particularly set forth and described, shall be held and considered as prædial apprenticed labourers not attached to the soil within the meaning of this Act, and of the statute to which this Act is auxiliary as aforesaid.

Persons described in the two preceding sections to be prædial attached or unattached to the soil, as the case may be.

4. And be it further enacted, that when any apprenticed labourers as aforesaid, whose ordinary, usual or habitual employment while slaves as aforesaid, within the time limited as aforesaid, may be and shall have been as in the two immediately preceding sections of this Act is set forth, all such apprenticed labourers shall be and be held and considered as prædial apprenticed labourers as aforesaid (attached or not attached to the soil, as the case may be) within the meaning of this Act, and of the statute to which this Act is auxiliary as aforesaid, notwithstanding that during certain intervals of time in which labourers, from the general or particular nature of the season, or weather, or other sufficient cause, are not usually so engaged, the said apprentices, while slaves as aforesaid, shall have been employed within the time aforesaid in hunting wild cattle, fishing or killing, or taking wild fowl or other game, or the like, for their own use or that of the plantations, settlements or establishments to which they may have belonged or been attached, or in wood-cutting, building of cabins, huts or sheds, setting up stone or wooden fences, cutting of drains, or the breaking up of hulks or other like work, shall be and be held and considered as prædial apprenticed labourers (attached or not attached to the soil, as the case may be), within the meaning of this Act, and of the statute to which this Act is auxiliary as aforesaid, any thing hereinbefore contained to the contrary notwithstanding: Provided, however, that when any apprenticed labourer as aforesaid shall be of the full age of twelve years or upwards on the said first day of August in this present year aforesaid, such apprentice shall not then be or afterwards become prædial, either attached or unattached to the soil, unless he or she shall then be and have habitually been employed as aforesaid in the cultivation of the soil or otherwise as aforesaid, from the twenty-eighth day of August in the year one thousand eight hundred and thirty-two, to the said first day of August in this present year one thousand eight hundred and thirty-four, but shall then be and thence remain non-prædial; any thing hereinbefore contained to the contrary notwithstanding.

Proviso.

Persons of the age of 12 years and upwards on 1st August 1834, shall be considered non-prædials, unless they have been habitually employed in agriculture, &c. &c. from 28th August 1832, to 1st August 1834.

Who are to be non-prædials.

5. And be it further enacted, that all apprenticed labourers as aforesaid, whose ordinary usual or habitual employment on the said 1st day of August in this same year aforesaid, shall not be or not have been, as hereinbefore set forth and described in and by the three immediately preceding sections of this Act, shall be and be held and considered as non-prædial apprenticed labourers within the meaning of this Act, and of the statute to which this Act is auxiliary as aforesaid, and as such shall be dealt with accordingly.

Apprentices may hold real and personal property.

6. And be it further enacted, that all apprenticed labourers as aforesaid, notwithstanding their obligation of servitude as aforesaid, by reason of their apprenticeship as aforesaid, shall be capable of acquiring by inheritance, or otherwise holding, enjoying and aliening all manner of property, real as well as personal, within these Islands, and competent to maintain and defend all manner of suits in relation to the same, as any other free persons within the same, and shall be duly amenable to all the laws of the Colony as others are or may be, and liable to be tried and punished for all contravention or violation of the same, or neglect of duties or the like, required by the same, in the same manner and form and to the same effect as other free persons, except only as is otherwise hereinafter provided in and by this Act, or has been provided by the statute to which this Act is auxiliary as aforesaid.

May owe and be sued, prosecuted, &c.

7. And

7. And be it further enacted, that when any person or persons entitled to the services of any apprenticed labourer as aforesaid, shall be desirous of discharging such apprentice from any unexpired part of the term of his or her apprenticeship, it shall be lawful so to do, by any instrument of writing to that effect under the hand or hands of the person or persons so entitled to his or her services as aforesaid, in the presence of, assented to and attested by some one or more justice or justices of the peace specially commissioned as such in virtue of and according to the provisions of the statute to which this Act is auxiliary as aforesaid; and it shall be lawful, and the duty of such justice or justices of the peace, to withhold his or their consent to such discharge, should the person about to be discharged be above the age of fifty years, or labour under any such disease or bodily infirmity as would render him or her incapable of earning his or her own subsistence: Provided nevertheless, that should any such apprenticed labourer as aforesaid be desirous of being discharged, notwithstanding his or her age or infirmities as aforesaid, and shall satisfy the said justice or justices of the peace as aforesaid that he or she hath the means of maintaining himself or herself, and that he or she is not likely to become burdensome to the country for subsistence, such apprentice may be lawfully discharged as aforesaid, any thing hereinbefore contained to the contrary notwithstanding; and any apprenticed labourer as aforesaid, though not discharged as aforesaid, may depart from the Colony for any limited or indefinite time, and in any capacity, with the permission of the person or persons entitled to his or her services, and a passport or license to such effect from the Governor; and any such apprentice leaving or attempting to leave the Colony without such permission and passport or license, and all those counselling or in any manner assisting such apprentice in his or her unlawful departure or intended departure, shall be held and taken as guilty of an offence against this Act, and be proceeded against and punished as is hereinafter provided; but all such apprenticed labourers who shall be habitually employed in navigation, as pilots, mariners, fishermen, or the like, and registered as such in the office of the special justice of the district to which such apprentices shall belong, shall not be precluded from exercising their usual vocations, among and beyond these Islands, on any voyage whatsoever, with the permission and by the authority alone of those entitled to their services, any thing hereinbefore contained to the contrary notwithstanding.

How apprentices may be discharged from any expired term of their apprenticeship.

8. And be it further enacted, that when any justice of the peace commissioned as aforesaid, shall from information to him given, have good reason to believe or suspect that any person held in servitude as an apprenticed labourer as aforesaid, who although registered as a slave before the first day of August in this present year one thousand eight hundred and thirty-four, was then entitled to his or her freedom, or that he or she since that time shall have, by any means become lawfully entitled to a release from involuntary servitude, as an apprenticed labourer, as aforesaid, such justice shall cause the person or persons employing such asserted apprentice to be summoned to appear before him, to defend his, her or their claim to the services of the said asserted apprentice; and in default of the appearance of the party so summoned, or some person or persons on his, her or their behalf at the time and place first appointed, the same party shall be again summoned, and if like default be again made, the said justice shall proceed in the matter *ex parte*; and if after a full hearing and investigation of the question in a summary way *ex parte*, or otherwise, and in which the contending parties or either of them may be heard by counsel, the said justice shall be of opinion that the apprentice is entitled to enfranchisement, as aforesaid, he shall give judgment accordingly, and cause a certificate of such judgment to be transmitted to the secretary of the Colony, to be recorded in a book to be by him kept for that purpose, but not until after the expiration of twenty-eight days next after such certificate shall have been lodged in his office; and if within the said twenty-eight days any party claiming the services of such asserted apprentice shall enter an appeal to His Majesty's General Court of these Islands against the judgment of the said justice, by lodging a document to that effect in the office of the prothonotary of the said court, and notice of such appeal be given to the said secretary, the said certificate shall not be recorded nor the judgment be of any effect until such proceedings shall be had thereupon, as is hereinafter directed; but if the said justice shall be of opinion that the asserted apprenticed labourer is not entitled to enfranchisement, the party claiming the services of such apprenticed labourer shall have judgment in the premises, with a right of appeal to the said general court by any party dissatisfied with such judgment.

How claims for the discharge from any involuntary servitude by any apprentice to be investigated and determined.

Appeal from the decision of a Special Justice to the General Court.

9. And be it further enacted, that upon any appeal being entered as aforesaid, it shall and may be lawful for the said general court, if in time, or if in vacation for any judge of the said court to direct the justice against whose decision such appeal shall have been entered, to certify and return his judgment with the minutes of evidence upon which such judgment was founded, to the said general court without delay; and such judgment and minutes being so certified and returned to the said court, an order shall be made upon the first court day afterwards, for the trial of such apprenticed labourer's claim to enfranchisement by such form of action as to the said court shall appear most fit and proper; and the verdict and judgment upon such trial given shall be binding and conclusive against all and every person and persons who shall be a party or parties to the same: provided always, that upon good and sufficient cause shown, the said court may in any case grant a new trial.

Mode of proceeding of General Court in the premises.

10. And be it further enacted, that in any such action as aforesaid, the apprenticed labourer's title to enfranchisement, shall be only insisted on, and nominal damages only shall be awarded: provided always, that it shall and may be lawful for any asserted apprenticed labourer, in whose favour judgment shall have been given in any such action, forthwith to

In actions for enfranchisement, nominal damages only to be insisted on. Proviso.

An asserted apprenticed labourer obtaining judgment in such suit in his favour, may maintain an action for wages from the time he made known his claim to enfranchisement.

The interest of one person to the service of an apprenticed labourer may be sold or otherwise transferred to any other person except at public auction.

Transfer to be in writing.

Such sale or transfer not to have the effect of separating man and wife, parent or child, under 14 years of age.

have and maintain another suit, and recover reasonable wages or damages upon a *quantum meruit* from the defendant or defendants, for such time only as it shall appear that such person had made known his or her claim or title to enfranchisement to such defendant or defendants.

11. And be it further enacted, that the right, title and interest of any person or persons in and to the services of any apprenticed labourer as aforesaid, shall and may pass and be transferable by bargain and sale, gift, contract, deed, conveyance, will or descent, in like manner and form as a like interest in any goods and chattels or personal property generally may pass or be transferable, according to the now existing laws of the Colony: provided however, that no such bargain and sale, gift, contract or other conveyance as aforesaid, shall be valid, unless reduced to writing, and such writing be signed by the proper party, attested by one or more competent and literate witness or witnesses, and duly, in the presence of such witness or witnesses delivered to the party in whose favour such conveyance shall be made, save and except in the case of written and nuncupative wills, respecting which the laws already in force shall continue so to be: provided however, that any such bargain and sale, gift, contract, deed, conveyance or will as aforesaid, which if valid, would have the effect of separating any such apprenticed labourer from his or her wife or husband, parent or child, (such child being under the age of fourteen years), or from any person or persons reputed to bear any such relation to him or her, shall not, so far as relates to the transfer of any such husband and wife, parent and child, be valid or effectual in law, for any purpose or purposes of transfer whatsoever; and any person or persons executing and delivering any such unlawful bargain and sale, gift, contract, deed or conveyance, shall be held and taken as having offended against this Act; and on conviction thereof, shall pay a fine of not less than 10*l.* nor more than 20*l.*, to be recovered with costs of the prosecution, as is hereinafter provided: and provided also, that the interest of any person or persons in the services of any apprentices as aforesaid, shall not be subject or liable to execution or sale, under judicial process or otherwise, on account of any debt or damages for which a judgment shall have been or may hereafter be obtained against such person or persons; nor shall the body of any such apprentice, at any time during the term of his or her apprenticeship, be subject or liable to arrest under mesne process in any civil suit, or any manner of imprisonment under judicial process, on account of any debt or damage for which judgment shall have been or may hereafter be obtained against any such apprentice as aforesaid, under any circumstances or pretext whatsoever: and provided, that no such transfer shall take place at public auction.

Manumission *in vivo* domino.

12. And be it further enacted, that should any such apprenticed labourer as aforesaid, or any other person or persons on behalf of such apprentice, be desirous of purchasing his or her release and discharge from such apprenticeship, or so much of the term of the same as shall be at any time unexpired, and the party entitled to the services of such apprentice as aforesaid, shall not assent to such purchase; or should any difference arise between the party entitled to the services of the apprentice and the party proposing to purchase as aforesaid, as to the value or price of the interest of the party entitled to the services of the apprentice, it shall be the duty of any one or more justice or justices of the peace, specially commissioned as aforesaid, to whom the matter in dispute may be referred by either party, to cause two appraisers to be named, one by each of the contending parties; and should the appraisers disagree, then an umpire also to be named and appointed by the said justice or justices of the peace, and to summon the said appraisers, and when necessary the said umpire also, to inquire into and determine the value and fix the price of such interest as aforesaid, of the party entitled to the services of the said apprentice, and the party so entitled shall be bound to receive the price so to be fixed by the said appraisers or either of them, with the umpire as aforesaid, in full satisfaction of his, her or their loss of the services of the said apprentice for and during the unexpired remainder of his or her term of apprenticeship: provided however, that each of the said appraisers and the umpire, (when an umpire is required), previous to entering on the business of such appraisal, shall be severally sworn, fairly, justly and equitably, to the best of their skill and judgment respectively, to estimate the interest of the party entitled to the unexpired part of the term of the apprenticeship of such apprentice, with due regard not only to the general value of such interest, but also to any peculiar circumstances attending the particular case submitted, taking into consideration any special damages, loss or inconvenience to which the party entitled as aforesaid may be exposed, by reason of his, her or their being deprived of the services of such apprentice as aforesaid, and a minute of the proceedings as much at length as shall be necessary to show that the several forms above prescribed had been duly observed therein, being attested by the said justice or justices of the peace as aforesaid, and by the appraisers, or either of them, with the umpire as aforesaid, and recorded in the office of the secretary of the Colony, and the price awarded being duly paid or tendered to the party so entitled to the services of the apprentice, the said apprentice shall thereupon become and be altogether free and released and for ever discharged from all obligation of servitude by reason of his or her apprenticeship as aforesaid; and if on application to any one or more justice or justices of the peace specially commissioned as aforesaid, by or on behalf of any apprenticed labourer as aforesaid, for an appraisal as aforesaid, with a view to the discharge of such apprentice as aforesaid, the party entitled to the services of the apprentice shall not within a reasonable time name and produce on his, her or their behalf, an appraiser duly competent and willing to act as such in the premises, it shall be lawful for the said justice or justices of the peace to name and appoint an appraiser on behalf of the party so entitled as aforesaid, and the appraisal and other proceedings thereupon,

Mode of valuing apprentices wishing to purchase their time.

thereupon, as aforesaid, shall be had, and be to all intents and purposes as good and effectual as if such last-mentioned appraiser had been named and appointed as is herein first above provided for.

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Appendix (B.)

13. And be it further enacted, that when two or more persons shall be jointly entitled to the services of any apprenticed labourer as aforesaid, whose release from service shall be about to be purchased as herein above provided for, any one of the persons so entitled, being of full lawful age, and not labouring under any disability to transact his or her own affairs, shall be competent to consent to and make a valid and complete release of the interest of all those so entitled as aforesaid; and to discharge the said apprentice from all obligation of servitude, by reason of his or her apprenticeship as aforesaid, as fully and effectually to all intents and purposes, as if the whole of those so entitled as aforesaid had joined in executing the said release and discharge as aforesaid; and when two or more persons shall be jointly entitled to the services of any apprenticed labourer as aforesaid, by or on whose behalf application shall be made to any one or more justice or justices of the peace specially commissioned as aforesaid, for an appraisalment and other proceedings thereupon, as is hereinbefore provided for, with a view to release and discharge as aforesaid without the consent of the party so entitled as aforesaid, notice of such intended proceedings on any one of those entitled as aforesaid, being of full lawful age and not labouring under any disability to transact his or her own affairs, shall be sufficient, and the person so notified shall be competent and bound to name and produce an appraiser, as is hereinbefore provided for, and for all and singular the purposes of this Act, in relation to such appraisalment and other proceedings thereupon as aforesaid, shall be held and considered as lawfully representing in that behalf all others so entitled as aforesaid, to the services of the apprentice; and all the proceedings as aforesaid, in, touching and concerning the premises, shall be as good and effectual to all intents and purposes as if the whole of those so entitled as aforesaid had personally appeared therein; and when any person or persons entitled to the services of any apprenticed labourer as aforesaid, shall be absent from this Colony, or a minor under the age of 21 years, or insane, lunatic, or from any other cause incapable of transacting his, her or their own affairs, then the person or persons employing or being in charge of the apprentice, shall be held and considered as lawfully representing the party so entitled as aforesaid, and all proceedings had against or with the said person or persons so employing or being in charge of the apprentice, with a view to the appraisalment and release from service of the said apprentice, as is hereinbefore provided for, shall be as good and effectual to all intents and purposes, as if the same were had against or with him, her or them, actually in the first instance so entitled to the services of such apprentice as aforesaid.

In case of joint proprietors, one of them to represent the interest of all, for the purposes of this section of this Act.

14. And be it further enacted, that when any single woman, while entitled to the services of any apprenticed labourer as aforesaid, shall marry, her husband shall thereby become and be for ever after entitled to his own sole use and that of his executors, administrators and assigns, to all the rights, title and interest in and to the services of such apprentice, that shall have been of his wife at the time of the marriage; provided, however, that nothing herein contained shall be construed or understood to invalidate any other dispositions of the said interests of the wife in the premises, by way of marriage settlement, or assignment or other conveyance to trustees, to the separate use of the wife or otherwise, executed at, before or after such marriage, by or with the consent of the husband.

The husband entitled to the services of the apprentice of the wife.

15. And be it further enacted, that in order to enable the employer or employers of any apprenticed labourer attached to the soil, to remove such apprentice from any one plantation, settlement or other establishment to another, with the consent of two justices of the peace specially commissioned as aforesaid, according to the provisions of the statute to which this Act is auxiliary as aforesaid, it shall be necessary that the said justices of the peace do certify their consent thereto, in writing, and deliver the said writing to the party desirous of making the proposed removal, to be by such party recorded in the office of the secretary of the Colony, in a book to be there kept for that purpose; and if any person shall remove any such apprentice without such consent, or on applying for such consent as aforesaid to any such removal, shall be guilty of any concealment or misrepresentation from or to the said justices of the peace, or either of them, whereby such apprentice shall be actually separated from his or her wife or husband, parent or child, (the child being under the age of 14 years), or any person or persons reputed to bear any such relation to him or her, the person so guilty, on being duly convicted of such concealment or misrepresentation, on a summary trial of the case before any one or more justice or justices of the peace, specially commissioned as aforesaid, shall pay a fine of not less than 10*l.* nor more than 20*l.*

Mode in which apprentices attached to the soil, may be removed with the consent of two Special Justices.

Such consent to be in writing and recorded in Secretary's office. Penalty on persons removing without such consent or for concealment or misrepresentation, whereby husband or wife, parent or child, (under 14 years of age) are separated.

16. And whereas it has been found generally beneficial to planters, salt-rakers and others, in lieu of employing their labourers for and during any certain number of hours in each day, to apportion to each labourer a certain task to be on every working day by him or her performed; Be it further enacted, that it shall and may be lawful for all those employing prædial apprenticed labourers as aforesaid, to propose to the whole or to a portion of those by him or her so employed at any one plantation, settlement or establishment, a plan or rule or rules of task-work, duly committed to writing, and setting forth the quantity and description of task-work to be performed by each labourer, on each and every working day, according to their respective ages, sexes, strength and skill; and if a majority of the said labourers of the age of 14 years and upwards, and capable of working, and actually so employed together at any plantation, settlement or establishment as aforesaid, or a majority of the same, shall signify their assent to such plan or rule or rules of task-work, so proposed

Task-work may, by agreement, be substituted in lieu of labour by the day.

Agreement to be in writing duly witnessed.

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Appendix (B.)

Agreement not to endure for a greater space than 12 months.

Breach of agreement punished.

When no agreement as to task-work is made, employers of apprentices not to work them more than nine hours every day, except Saturday and Sunday.

Holy days, on which no work is to be performed.

Exception.

Prædial apprentice exempt from working for his employer on every Saturday throughout the year.

Employers may hire their apprentices on Saturday, &c., by mutual consent.

Agreement not binding on either party, except in writing duly witnessed.

Allowances of food and clothing to apprenticed labourers, viz. on every Saturday to apprentices above the age of 10 years, one peck of unground Indian or Guinea corn, or 21 pints of wheat flour, or 7 quarts of rice, or 56lbs. of potatoes, coconos or yams per week.

One-half of the above to children under 10 years of age.

Domestics to be fed and clothed as prædials; or an equivalent substituted.

Employers of apprentices to provide them with wholesome lodging, and to allot to each above 14 years of age, one quarter of an acre of land conveniently situated,

as aforesaid, in the presence of one or more competent and literate witness or witnesses, who shall attest the same, the agreement so entered into, but not otherwise, shall be binding on all parties therein concerned, for such length of time as shall be agreed upon and inserted in the said agreement, not in any case to exceed 12 calendar months from the date thereof; and any employer of any such prædial apprentice as aforesaid, who shall exact in any one day, from any such apprentice, any more labour than shall be stipulated for as aforesaid, and any such apprentice not performing his or her task according to agreement as aforesaid, without a reasonable excuse for not so doing, shall be considered as offending against this Act, and liable to be tried and punished as is hereinafter provided.

17. And be it further enacted, that when any person or persons employing prædial apprenticed labourers as aforesaid, shall not propose any such plan, rule or rules of task-work as aforesaid, or should the said labourers, or a majority of them as aforesaid, refuse to accede to any such when proposed, it shall be lawful for such employer or employers to cause the said labourers to work at their lawful vocations for and during nine hours, and no more, in each and every working day, over and above and altogether exclusive of the usual intervals for meals and rest, which being different in the several different situations and services in which labourers are employed, cannot without great risk of inconvenience to those concerned, be here particularly limited or defined; and at all plantations, settlements and establishments, at which more than twelve apprenticed labourers shall be employed, the commencement of the hours of labour on each working day, shall be announced by the audible ringing of a bell, or the sounding of a horn or shell, but not more than 20 minutes before sunrise, and the close of such working hours shall be in like manner announced, but not later than at the time of sunseting.

18. And be it further enacted, that Good Friday and every Sunday throughout the year shall be kept holy, and no prædial apprenticed labourer shall be compelled or suffered to do any manner of work thereon, with the exception of those employed in the tending of cattle, or the conveyance of produce or stock to market by water carriage: Provided however, that no cattle requiring the constant attendance of persons shall be suffered to go at large in open pastures or elsewhere, upon any holy day as aforesaid, but shall be stabled, penned or kept in some enclosure, so that as little attendance on them as possible may be needful on such days.

19. And be it further enacted, that no prædial apprenticed labourer shall be compellable to work for or on account of his or her employer or employers, on any Saturday throughout the year, the remaining five days of each week, from Monday to Friday, both inclusive, being hereby declared to be the only working days in each and every week, within the meaning of this Act, either as relates to task-work or working by the hour as hereinbefore provided for: Provided however, that it shall be lawful for all persons employing prædial apprenticed labourers, to agree with any one or more of them, to hire them or any one or more of them, for pay at some stipulated sum or other remuneration for any quantity and description of work which such labourer or labourers shall consent to perform on Saturdays by the hour or by the job, or otherwise as shall be agreed upon; and when any prædial apprenticed labourer shall be employed in task-work as hereinbefore provided for, and there may be some spare portion of any working day in which he or she shall not be compellable to work for his or her employer or employers, it shall and may be lawful for such employer or employers to agree with such labourer for pay at some stipulated sum, or other remuneration, for any quantity and description of work that such labourer shall consent to perform, by the hour or by the job, or otherwise as shall be agreed on, within the spare time aforesaid of such apprentice after the performance of his or her task as aforesaid: Provided however, that no such agreement or agreements as last aforesaid, either as relates to voluntary work for hire, or Saturdays or during spare times after the performance of tasks in working days, shall be binding on the parties to the same or either of them, unless such agreement or agreements shall be reduced to writing, and attested by at least one competent and literate witness, in whose presence such agreement shall be entered into.

20. And be it further enacted, that all persons employing apprenticed labourers as aforesaid, shall provide and give to every such apprenticed labourer as aforesaid, not being a domestic servant habitually employed as such, in actual attendance on the person or family of his or her respective employers, weekly, that is to say, on each and every Saturday throughout the year, the same allowances of food as owners of slaves are required by the existing laws of the Colony to supply to their slaves; *videlicet*, to every apprenticed labourer as aforesaid above the age of ten years, at and after the rate of one peck of unground Indian or Guinea corn, or 21 pints of wheat flour, or seven quarts of rice, or 56 pounds of potatoes, coconos or yams per week, and one-half of the aforesaid allowance to every apprenticed labourer not being a domestic servant as aforesaid, below the aforesaid age of ten years; and all apprenticed labourers being domestic servants, shall be fed and clothed by their employers as prædial apprenticed labourers are required to be fed and clothed by this Act, or a proper equivalent shall be substituted to such domestics.

21. And be it further enacted, that all persons employing prædial apprenticed labourers as aforesaid, shall provide them with wholesome lodgings as has heretofore been usual, and allot to each of the age of 14 years and upwards, the entire use of some certain piece of good arable land not less than one quarter of an acre, conveniently situated on or near the plantation, settlement or establishment at which such apprentices shall be employed; and shall also furnish each

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each apprentice every six months; that is to say, immediately before Christmas and Midsummer in each and every year one suit of proper and sufficient clothing, or two suits at Christmas as aforesaid, and also one blanket or cotton rug once in three years.

and two suits of proper and sufficient clothing annually, or one suit half-yearly, and a blanket or rug once in three years.

22. And be it further enacted, that every plantation, settlement and other establishment at which any apprenticed labourers as aforesaid shall be employed, shall be at all times furnished with a sufficiency of all necessary medicines and extra nourishment fitting for the sick and convalescent, as has hitherto been usually kept, or ought so to have been, for the use of those employed at such like plantations, settlements and establishments as aforesaid; and all female apprentices bearing children, shall for four entire weeks after each childbirth be wholly exempt from labour of any kind, and on such childbirth shall receive from those employing them, for each newly born infant one pound of sugar or sirup weekly, for and during the term of six weeks after such births.

Medicine and extra nourishment for the sick to be kept on every plantation, &c.

The mother of every child born to be furnished with 1 lb. of sugar or sirup weekly, for each child, for six weeks after the birth.

23. And be it further enacted, that Christmas-day in every year, and the two working days (that is to say, not including Saturdays or Sundays), next after Christmas-day, shall be kept as holidays at every plantation, settlement and establishment where such apprentices are employed.

Christmas-day and the two following working days to be kept as holidays.

24. And be it further enacted, that it shall and may be lawful for persons employing apprenticed labourers as aforesaid, to allow the said apprentices, or any one or more of them, being above the age of ten years, any quantity of land, and time for the cultivation of the same, as shall be agreed on between the parties in lieu of the provisions and clothing, or either, as is allowed by this Act, or any other equivalent of a like or different nature; and also, that it shall and may be lawful for those employing apprenticed labourers as aforesaid, in lieu of the above-named allowances of provisions and clothing and the like, to pay the value of the same in money at the rate of ten per cent. above the market price of the articles respectively, to such of the said apprentices as shall agree to receive the same, in commutation as aforesaid; and any such agreement in order to be valid, shall be in writing and duly approved of and ratified by some justice of the peace specially commissioned as aforesaid.

In lieu of provisions and clothing, or either, employers may agree with their apprentices for an equivalent in land, time, money, &c.

Agreements to be in writing and approved of by some Special Justice.

25. And be it further enacted, that each and every offence not enumerated and set forth in and by this Act, as well as each and every offence in contravention of this Act, or any one or more of the provisions of the same, that shall be committed by the employer or employers or any apprenticed labourer as aforesaid, or any other person or persons whatsoever, against the person, property or just rights of any such apprenticed labourer, or by any such labourer against the person, property or just rights of his or her employer or employers, or any other person or persons whatsoever, shall and may be lawfully tried, in a summary way, by and before any one or more justice or justices of the peace specially commissioned as aforesaid, and the party tried shall, on conviction, suffer such punishment as is hereinafter provided; and the said justice or justices shall have full power and authority to issue all necessary process, in the nature of a warrant or the like, against the person and property, or either, in the alternative, or otherwise, of the party by him or them convicted, in order to carry into effect the judgments and sentences of such justice or justices in the premises, and compel the party convicted to pay the costs and charges of all such proceedings; and on the part of all apprenticed labourers as aforesaid, all breaches of the peace, all disturbance of order and good discipline among them, all indolence in or neglect or improper performance of work, all violation, evasion or disregard of contracts or agreements with their employers, all acts of insubordination, all insolence of language or manner to their employers or others, all disobedience of lawful orders, all injuries to the person, property, just rights or character of their employers or others, all attempts to injure the same, and all conspiracies or confederacies of two or more to commit any unlawful act whatsoever, shall be held and taken as offences against this Act, and the offender shall be punished accordingly; and in order to compel the attendance of all parties accused in the premises, as well as all necessary witnesses touching any offence as aforesaid, it shall be lawful for any such special justice as aforesaid to issue all necessary summonses in the nature of writs of subpoena or otherwise, or other process in lieu thereof as is hereinafter provided; and all disobedience to such process shall be held and taken as an offence against this Act, and punished accordingly: Provided however, that the judges of the General Court and the commissioners of the Court of Admiralty sessions shall retain as heretofore, exclusively, their proper jurisdiction in all cases of capital offences, and prosecutions for perjury and forgery, and such other high misdemeanors as any one or more justice or justices of the peace in and for these Islands, who shall in the first instance take cognizance of the same, shall deem proper subjects for investigation in the superior courts of criminal justice as aforesaid within the Colony.

Trial and summary punishment of offences under this Act.

Party convicted to pay the costs and charges of proceedings.

Judges of the General Court and Court of Admiralty Sessions to retain as heretofore their proper jurisdiction.

26. And be it further enacted, that any person or persons employing or having the charge or management of any apprenticed labourer as aforesaid, entitled to certain allowances of provisions, clothing and other necessaries, as in and by this Act is required, and in the same already particularly set forth, shall not provide and furnish such apprentice with good and wholesome provisions, clothing and other necessaries as aforesaid, in manner and form as in and by this Act is already provided, shall, on being convicted thereof by and before any one or more justice or justices of the peace specially commissioned as aforesaid, forfeit treble the value of the articles so unlawfully withheld, and also pay a fine to His Majesty of not less than 5*l.* nor more than 20*l.*, for the amount of which forfeiture and fine, with the costs of the prosecution, the said justice or justices of the peace shall cause to be levied, of the goods and chattels of the party convicted, by warrant under the hand or hands of such justice or justices of the

Persons employing or having the management or charge of apprentices, not furnishing them with proper provisions and clothing, to forfeit, on conviction before any one Special Justice, treble the value of the articles withheld, and also pay a fine to the King of not less than 5*l.* nor more than 20*l.*,

and in default of payment, imprisonment for 30 days, unless the fine and costs are sooner paid.

Punishment of employers for offences against the person, property or just rights of any apprenticed labourer, where not otherwise prescribed, viz. fine and imprisonment, or either; fine not to exceed 20 £. Imprisonment not to exceed 30 days.

Out of any forfeiture incurred for an offence against any party may be deducted a sum to compensate the party aggrieved for his privations, &c., at the discretion of the Special Justice.

Apprentices absenting themselves from their employers' service may be sentenced to work for their employers two hours for every one they may have so absented themselves,

Not however exceeding 15 hours in any one week.

Apprentices absenting themselves for any time exceeding seven and a half hours in any one week, adjudged a deserter and liable to one week's hard labour.

Apprentices absenting themselves without cause from the service of their employer for more than two days in one week, liable to be sentenced to two weeks' confinement and to 15 lashes.

peace, addressed to the provost marshal of these Islands, or to his lawful deputy, or to some lawful constable or other person or persons in the said warrant particularly named; and should not sufficient goods and chattels of the party convicted be found to satisfy the said warrant as aforesaid, the party convicted shall be imprisoned for the term of thirty days, unless such forfeiture, fine and costs as aforesaid shall be sooner fully paid, and the said warrant shall contain a clause to that effect accordingly.

27. And be it further enacted, that on the conviction of any employer or employers or other person or persons whatsoever, for any offence against the person, property or just rights of any apprenticed labourer as aforesaid, before any justice or justices of the peace specially commissioned as aforesaid, the punishment of which is not in and by this Act otherwise particularly provided for, the party so convicted shall suffer fine and imprisonment, or either, at the discretion of the said justice or justices of the peace; the fine for any one offence not to exceed 20 £. and the term of imprisonment not to be more than thirty days, and for such fine, together with the costs of the prosecution and imprisonment, the said justice or justices of the peace shall issue his or their warrant, in manner and form as nearly as may be, as is in the next preceding section of this Act particularly provided; and all such fines when received shall go to His Majesty, his heirs and successors, in aid of defraying the expenses of this government: Provided, however, that when any apprenticed labourer as aforesaid shall have good and sufficient cause of civil action against any person or persons whatsoever, or any person or persons shall have good and sufficient cause of civil action against any apprenticed labourer as aforesaid, nothing in this Act contained shall be construed or understood to preclude any parties so aggrieved from pursuing their remedy respectively in the ordinary course of law before any court of competent jurisdiction: Provided nevertheless, that the judgment or sentence of any justice or justices of the peace specially commissioned as aforesaid, lawfully given or pronounced in pursuance of this Act, or any one or more of the provisions of the same, shall be a bar to any such civil suit as aforesaid, touching the same matter of complaint, of which the said justice or justices of the peace shall have had cognizance, and in which he or they shall have given judgment, or pronounced sentence as aforesaid: And whereas it is expedient that all such actions as aforesaid of apprenticed labourers as aforesaid should be rendered as little necessary as possible; Be it further enacted, that when for any offence whatsoever against the person, property or just rights of any such apprenticed labourer, any justice or justices of the peace specially commissioned as aforesaid, shall sentence the party convicted to any pecuniary forfeiture, mulct or fine (all which pecuniary forfeitures, mulcts and fines where not by this Act directed to be otherwise disposed of, shall go to His Majesty, his heirs and successors, in aid of defraying the expenses of this government) it shall be lawful for such justice or justices on the recovery of any such pecuniary forfeiture, mulct or fine, and before the same shall be paid into the treasury, out of the same to deduct, and to the party or parties in any such cases aggrieved to award and pay, or cause to be paid, such portion of the same as the said justice or justices shall deem a just compensation or satisfaction for the privations, losses or other injuries which such aggrieved party or parties shall appear to have sustained by reason of the premises.

28. And whereas it is necessary that proper regulations should be made for the maintenance of order and good discipline among the said apprenticed labourers, and for ensuring the punctual and efficient discharge of the services due by them to their respective employers, and the prevention and punishment of indolence or the neglect or improper performance of work by any such apprenticed labourer or labourers, and for the prevention and punishment of vagrancy or of any conduct on the part of any such apprenticed labourer or labourers, injury, or tending to the injury of the property of any such employer or employers, and for the suppression and punishment of any riot or combined resistance to the laws on the part of any such apprenticed labourers as aforesaid; Be it therefore further enacted, that any apprenticed labourer convicted before any justice or justices of the peace specially commissioned as aforesaid, of absenting himself or herself from the service of his or her employer, without a reasonable cause to be shown to the satisfaction of such justice or justices as aforesaid, shall be sentenced to labour for his or her employer two extra hours for every hour in which such apprenticed labourer shall have been so absent; provided, that such extra hours shall not exceed fifteen in the whole, in any one week.

29. And be it further enacted, that any apprenticed labourer convicted as aforesaid of absenting himself or herself from the service of his or her employer or employers without reasonable cause to be shown as aforesaid, for any time exceeding seven hours and a half in any one week, shall be adjudged a deserter, and sentenced to hard labour for any time not exceeding one week, in any house of correction or other place which the justice or justices before whom such conviction shall take place shall direct and appoint.

30. And be it further enacted, that any apprenticed labourer convicted as aforesaid of absenting himself or herself from the service of his or her employer or employers without reasonable cause to be shown as aforesaid, for two entire days during any week, shall be adjudged a vagabond, and sentenced to hard labour for any time not exceeding two weeks, in any house of correction or other place as aforesaid; and in addition thereto, if the justice or justices as aforesaid shall deem it proper, to receive any number of stripes not exceeding fifteen.

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31. And be it further enacted, that any apprenticed labourer convicted as aforesaid of absenting himself or herself from the service of his or her employer or employers without reasonable cause to be shown as aforesaid, for one entire week, shall be adjudged a runaway, and sentenced to hard labour for any time not exceeding one month, in any house of correction or other place as aforesaid; and in addition thereto, if the justice or justices as aforesaid shall deem it proper, to receive any number of stripes not exceeding thirty.

Apprentices absent one entire week without cause, deemed a runaway and liable to be sentenced to one month's hard labour and 30 lashes.

32. And be it further enacted, that any apprenticed labourer convicted as aforesaid of neglecting or refusing to perform for his or her employer or employers any labour required by this Act, or of performing any such labour indolently, carelessly or negligently, or who shall be found fighting or in a state of drunkenness, shall for the first offence be sentenced to labour in his or her employer's service for any time not exceeding fifteen hours in the whole in any one week; for the second offence, to confinement with hard labour in any house of correction or other place as aforesaid, for any time not exceeding one week; and for the third or any subsequent offence, to confinement with hard labour as aforesaid, for any time not exceeding two weeks, and in addition thereto, at the discretion of the justice or justices as aforesaid, to receive any number of stripes not exceeding twenty.

Further punishments of apprentices.

33. 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 employers, or of any other person or persons, or who shall wantonly injure the property of such employer or employers entrusted to his or her care, or who shall ill use the cattle or other live stock of his or her employer or employers, or who shall by wilful negligence expose his or her employer or employers' property to any damage or injury, shall, upon conviction of any such offence before any justice or justices as aforesaid, be adjudged, in the discretion of such justice or justices, either to extra labour in the service of his or her employer or employers for any time not exceeding fifteen hours in the whole in any one week, or to confinement to hard labour in any house of correction or other place aforesaid, for any time not exceeding one calendar month, or to any number of stripes not exceeding thirty, or to any two or more of such punishments: provided always, that nothing in this enactment contained shall relieve or be construed to relieve 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 omitted to be done: provided however, that no apprenticed labourer as aforesaid shall be liable to be proceeded against by any civil action or prosecution for any of the offences aforesaid upon which any proceedings shall have been had against such apprenticed labourer under this Act, or the Act to which this is auxiliary.

Punishment of apprentices who, by the careless use of fire, &c., shall endanger his employer's property.

May, in addition, be prosecuted by civil action.

34. And be it further enacted, that any apprenticed labourer who shall contumaciously disobey the lawful commands of his or her employer, shall, upon conviction thereof as aforesaid, be sentenced to any one or more of the punishments in the last preceding clause detailed.

Punishment of apprentices for contumaciously disobeying the lawful commands of their employer.

35. And be it further enacted, that if any three or more apprenticed labourers shall be engaged in a combined and open resistance to the lawful commands of their employer or employers, or shall agree together to make any resistance to such lawful commands, such apprenticed labourers shall, upon conviction thereof before any justice or justices specially commissioned as aforesaid, be adjudged guilty of an unlawful conspiracy, and shall be sentenced to confinement to hard labour in any house of correction or other place as aforesaid, for any period not exceeding three calendar months, with or without whipping, at the discretion of the justice or justices as aforesaid, such whipping not to exceed thirty-nine stripes.

Punishment of a combined and open resistance to the lawful commands of their employer on the part of any three or more apprentices.

36. And be it further enacted, that on the conviction of any apprenticed labourer as aforesaid before any justice or justices of the peace specially commissioned as aforesaid, for any offence against the person, property, just rights or character of his or her employer or employers, or other person or persons whatsoever, the punishment of which is not in and by this Act otherwise particularly provided for, the party convicted shall be punished in the manner following; that is to say, by public or private whipping, imprisonment of offenders of either sex at hard labour or otherwise, solitary confinement, and placing the limbs of the delinquents in the stocks, publicly or privately, or any one or more of such modes of punishment, as aforesaid, so that the whole taken together shall not be excessive.

Punishment of offences not before provided for.

37. And be it further enacted, that to carry into effect the sentence of any justice or justices as aforesaid for any of the offences aforesaid, he or they shall issue his or their warrant in manner and form as nearly as may be as is hereinbefore particularly provided.

Mode of carrying sentences into effect.

38. Provided always, and be it further enacted, that no woman shall be subject to be punished by whipping for any offence by her committed; but that in all the offences hereinbefore enumerated for which corporal punishment is authorized, it shall be understood as applying only to the case of males, and that all such offences shall, when committed by females, be punished by solitary confinement, confinement in the stocks, or distinguishing marks or dresses: provided, however, that no female apprenticed labourer shall be confined in the stocks after sunset or before sunrise, or for more than eight hours in the whole in any one day, or for more than two days consecutively, or for more than six days in the whole for any one offence.

Females not to be punished by whipping.

Substitution of other punishments.

Substitution of other punishments for offences in lieu of those before enumerated.

39. And be it further enacted, that in lieu of or in addition to any of the punishments hereinbefore enumerated, it shall and may be lawful for the justice or justices before whom any apprenticed labourer shall be convicted of being a deserter, vagabond or runaway, or of neglecting or unfaithfully performing his or her proper work, or of any other offence against this Act (contracts for pecuniary payments excepted), to sentence the party convicted, to labour for his or her employer or employers for and during any number of extra hours, not exceeding three in any one working day, or 12 on any Saturday, or 15 altogether in any one week, for one or more weeks, at the discretion of such justice or justices of the peace, and on such particular day or days in each week, Sundays and holidays as aforesaid always excepted, as the said justice or justices shall consider an adequate compensation to the said employer or employers, for the loss by him, her or them sustained by reason of the desertion, absence, negligence or other offence of the apprentice convicted of the same as aforesaid, and a certificate to that effect, under the hand or hands of any such justice or justices as aforesaid, shall be a sufficient warrant and authority to the employer or employers of such apprentice to compel the performance of such extra labour as aforesaid.

Runaways to serve an additional time equal to the period of their having been runaways.

40. And be it further enacted, that when any apprentice or apprentices as aforesaid shall desert from the service of his or her employer or employers, and remain absent from the same without leave of such employer or employers for more than 28 days at one time without reasonable cause, and be convicted thereof by and before any justice or justices of the peace specially commissioned as aforesaid, a certificate or certificates for such conviction for any such desertion or desertions as aforesaid, under the hand or hands of the justice or justices of the peace before whom such conviction or convictions shall have taken place, shall entitle the employer or employers of such apprenticed labourer to the further services of such apprenticed labourer, as such, after the expiration of his or her first term of apprenticeship, equal to the length of the time or times taken together (not exceeding seven years) that the apprentice shall have been absent once or oftener from the service of his or her employer or employers, by reason of the desertion or desertions of the said apprentice as aforesaid.

The hire of apprentices engaged to bring their employers' wages regulated by agreement; the same to be in writing.

41. And whereas slaves have frequently been hired to themselves, under agreement with their owners, to maintain, clothe and in every respect support themselves, and also pay to their owners certain stipulated wages in money, weekly, monthly or otherwise, and it is expedient that the same practice may be continued, under suitable regulations, with respect to apprenticed labourers; Be it further enacted, that any such contract as aforesaid voluntarily entered into by the parties thereunto; that is to say, between an apprentice with or without the whole or part of his or her family, being infants under the age of 14 years, and him, her or them entitled to the services of such apprentice or apprentices, shall be lawful and binding on all therein concerned; provided that such contract shall be in writing, approved of and attested by some justice of the peace specially commissioned as aforesaid, and shall be limited to some term not exceeding one year at any one time, and not otherwise under any circumstances whatsoever; and it shall be the duty of such magistrate, before he approves of any such contract, to satisfy himself by due inquiry, that the party to be hired is or are capable of earning his, her or their own subsistence, and that the rate of wages stipulated for in the same is just and reasonable; and the said magistrate shall take and keep a minute of the substance and date of every such contract, to be at all convenient times open to the inspection of those therein concerned: provided, however, that any monies which may become due by any such apprentice under any such contract, shall be recoverable only in the same manner as if due by a free person not being an apprentice as aforesaid, and in no other manner whatsoever; any thing in this Act contained to the contrary notwithstanding.

and attested by a Special Justice.

Monies due under any such agreement recoverable only as if the party were a free person.

In case of tumult or riot, a flag may be hoisted by a Special Justice as a warning to the rioters to disperse, and if they do not disperse in 10 minutes after the above signal, liable to three months' hard labour in prison.

42. And be it further enacted, that if any three or more apprenticed labourers shall unite together in any riot or tumultuous assemblage, it shall be lawful for any justice of the peace specially or generally commissioned to cause a flag or some other conspicuous signal to be exhibited, as a warning to all persons then present to separate and quietly disperse, and all apprenticed labourers who, at the expiration of ten minutes from the exhibition of such flag or signal, shall continue present at any such riotous assemblage, shall, on conviction thereof before any justice or justices specially commissioned as aforesaid, be liable to imprisonment with hard labour in any house of correction, or other place named and appointed by the justice or justices before whom such conviction shall take place, for any time not exceeding three months.

Penalty on apprentices establishing themselves in any part of the Colony as a distinct community, neglecting the duties imposed on them by this Act.

43. And be it further enacted, that if it shall be made to appear to the satisfaction of any justice specially commissioned as aforesaid, 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 on them by this Act, it shall be lawful for such justice, and he is hereby required to cause any such community to be dislodged, and, if expedient, to cause any habitations there erected to be taken down and removed; and any apprenticed labourer convicted before any such justice of having been a member of any such community, shall be liable to imprisonment with hard labour in any house of correction, or other place named and appointed by such justice, for any term not exceeding three months, and if any male, to whipping by any number of stripes not exceeding thirty-nine.

Such unlawful community to be dislodged.

Penalty on apprentices unlawfully taking possession of any of His Majesty's land or that of individuals.

44. And be it further enacted, that if any apprenticed 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 justice specially commissioned as aforesaid, upon conviction before him

him of any such apprenticed labourer, 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 thirty days after such seizure appear and prefer his claim, then the justice as aforesaid shall order the crops, cattle and other goods seized thereupon to be sold and disposed of by public auction, and the proceeds thereof shall be paid over by such justice to His Majesty's receiver-general and treasurer in and for these Islands, and shall be applied towards defraying the expenses of this government; and it shall and may be lawful for such justice as aforesaid, upon proof adduced to his satisfaction that such possession as aforesaid was taken fraudulently and with the knowledge that the party taking the same had no lawful claim to such possession, to adjudge any apprenticed labourer so unlawfully taking possession of any land as aforesaid to imprisonment with hard labour in any house of correction, or other place to be named and appointed by such justice, for any time not exceeding three months: provided always, that no summary process as aforesaid shall be resorted to in any case when any apprenticed labourer may have been two years in the undisturbed possession of any such land.

BAHAMAS.

Appendix (B.)

Colonial Laws.
No. 68.

No summary process to be resorted to in ejecting apprenticed labourer from land in the undisturbed possession of which such apprentice may have been two years.

45. Provided always, and it is hereby further enacted, that nothing in this Act contained shall be construed or understood to preclude His Majesty, his heirs and successors, or the Governor of the Colony, in the name and on the behalf of His Majesty, his heirs and successors, from pardoning any offender, either freely and fully, partially or conditionally, who shall be convicted according to the provisions of this Act, or to remit wholly or in part any fine or forfeiture for which judgment shall be given in pursuance of the same; and when from any forfeiture or fine wholly or in part recovered or to be recovered, in pursuance of any sentence of any justice or justices of the peace as aforesaid, the said justice or justices shall award compensation to the party aggrieved, as in this Act is before provided for, such sentence as last aforesaid shall not be carried into complete effect, that is to say, as to the actual payment of such compensation as aforesaid, until the same shall be certified to the Governor, and be by him confirmed.

Not to prevent the Governor on behalf of His Majesty pardoning offenders.

46. And be it further enacted, that when any complaint made by any apprenticed labourer as aforesaid against his or her employer or employers, or any other person or persons whatsoever, to any justice or justices of the peace specially commissioned as aforesaid, shall after due examination appear to such justice or justices to be malicious, the party complaining shall be held guilty of an offence against this Act, and shall be punished for the same in manner and form as is in this Act before provided.

Apprentices making malicious complaints, to be punished.

47. And be it further enacted, that any apprenticed labourer as aforesaid, who shall in any manner counsel, assist, aid or abet any other such apprentice in deserting or unlawfully absenting himself or herself from the service of his or her employer or employers, or shall knowingly harbour, conceal or employ, or assist in the harbouring, concealing or employing of any such deserter, and be convicted thereof, shall suffer the like punishment as if he or she had been the deserter; and all others not being apprenticed labourers as aforesaid, in the like manner offending, shall be liable to a penalty of fifty pounds, to be recovered, with costs of suit, by action of debt or other fitting form of action, at the suit of His Majesty, *qui tam*, in any court of competent jurisdiction, by any person who shall sue for the same, one moiety to Your Majesty in aid of defraying the expenses of this government, and the remaining moiety to the person prosecuting for the same; and all persons so offending, whether apprentices as aforesaid or others, shall and may be punished as aforesaid, although the deserter shall not at the same time be or at any time before have been tried and convicted for his or desertion as aforesaid.

Penalty on apprentice unlawfully aiding, &c. other apprentices in deserting from the service of his employer, or in harbouring, concealing or employing any such apprentice.

48. And whereas by reason of the great distance of many of the numerous Islands composing this Colony from the seat of government and from one another, and the great distance also of many of the plantations, settlements and establishments in the same Islands respectively one from the other, and badness or total want of roads within the same, and the delay therefore that may frequently intervene between the perpetration of an offence by an apprenticed labourer as aforesaid, and the opportunity of taking the offender before any justice of the peace specially commissioned as aforesaid; Be it further 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 direction 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 twenty-four 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 twenty-four 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: provided always, that no person or persons entitled to the services of apprenticed labourers as aforesaid, or any

Apprenticed labourers may be appointed Constables.

Power of such Constables.

Apprentice boys under the age of 14 years, and girls under the age of 12 years, may be chastised by their employer as children and youths in England may be chastised by their parents or guardians for petty offences.

Apprentices may marry without any restriction from their employers.

Duty of person solemnizing any such marriage.

Mode of commanding the attendance of apprentices as witnesses before any Court or magistrate.

The testimony of apprentices not to have a retrospective effect from 1st August 1834.

Apprentices not to be Jurors, serve in the Militia, &c., or hold any office, except that of Constables.

Unlawful for an apprentice to leave the plantation, &c. to which he belongs without leave.

Certain articles apprentices may not cultivate without leave.

Exceptions.

other person or persons whatsoever, shall have authority to punish any such apprentice by whipping or otherwise, unless in pursuance of the sentence of some justice or justices specially commissioned as aforesaid, excepting only boys under the age of fourteen, and girls under the age of twelve years, who may be moderately chastised by their employers in the same manner as apprentices and other children and youths in England are, or may be there lawfully chastised by their parents or guardians, master or teachers, for idleness and other petty offences.

49. And be it further enacted, that all apprenticed labourers as aforesaid, being single and of lawful age to marry, and not within the prohibited degrees according to law, may intermarry among themselves or with others with whom marriages may be lawfully contracted, and the same be solemnized by a minister of the church of England or of Scotland, or of some known religious sect, connexion or persuasion, or by some justice of the peace; and every such minister and justice of the peace shall, within twelve months next after the solemnization of any such marriage, transmit a certificate of the same to the secretary of the Colony, or some one of his lawful deputies, to be recorded in a book, to be for that purpose kept in the office of the said secretary at Nassau; and any such minister or justice of the peace neglecting so to transmit such certificate as aforesaid, shall incur a penalty of twenty pounds for such neglect, to be recovered with costs of suit, by action of debt, or other fitting form of action at the suit of His Majesty, *qui tam*, in any court of competent jurisdiction, by any person who may sue for the same, one moiety of which penalty when recovered shall go to His Majesty, in aid of defraying the expenses of this government, and the remaining moiety to the person suing for the same: provided always, and be it further enacted, that no marriage contracted by any female apprenticed labourer, shall confer on the husband any right, power or authority whatsoever, over or with respect to the wife, incompatible with her duties as an apprenticed labourer to her employer or employers.

50. And whereas the said apprenticed labourers will be competent witnesses in all prosecutions, suits and legal proceedings, civil and criminal, in all courts of law and equity, in the same manner, and subject to the same laws and rules of evidence as other persons are or may be; and much confusion and inconvenience might arise were process directly addressed to such apprentices to command and compel their attendance as witnesses; Be it further enacted, that the process to procure the attendance of any apprenticed labourer as a witness, shall be in the nature of writ *habeas corpus ad testificandum*, addressed to the employer or employers of such apprentice, and commanding such employer or employers to produce such apprentice at the proper time and place for that purpose; and all courts civil and criminal, justice of the peace, coroners and others lawfully entitled to require the attendance of such witnesses, shall have full power and authority to issue such writs; and any disobedience to the same shall and may be inquired into in a summary way or otherwise, and punished as a contempt of the authority issuing the same, or as a misdemeanor; and any party aggrieved or injured by reason of such disobedience, shall besides have his, her or their remedy by action in the usual course of law, for all damage incurred by him, her or them in the premises: provided, however, that no such process in the nature of a *habeas corpus ad testificandum* shall issue, unless the party requiring the same shall by affidavit satisfy the court, judge, magistrate or other authority competent to grant the same as aforesaid, that the evidence verily expected from the intended witness, is material in the case to be tried or investigated, and that the presence of such witness is necessary to the purposes of justice: provided always, that no apprenticed labourer, as aforesaid, shall be competent to give evidence to any fact which may have been or may at any time previous to the said first August in the present year be committed, or alleged to be committed, and to which he or she while in a state of slavery would have been an incompetent witness.

51. And be it further enacted, that no apprenticed labourer as aforesaid shall, during the continuance of his apprenticeship, be qualified or liable to serve as a juror in any court of justice whatsoever, civil or criminal, or on any coroner's inquest, or on any arbitration, appraisal or the like, or in the militia of these Islands, or be capable of holding any elective or other office or situation in His Majesty's service or otherwise, in or under this government (the situation of constable as hereinbefore provided for excepted), or of voting at any election for members of Assembly, vestrymen or the like, the qualification of such apprenticed labourers in other respects, or any thing in this Act before contained to the contrary notwithstanding.

52. And be it further enacted, that it shall not be lawful for any apprenticed labourer as aforesaid, at any time by day or night, on working days or holidays, to depart from within the prescribed limits of any plantation, settlement or establishment at which he or she shall be employed, without the leave of his or her employer or employers, or after obtaining such leave, to remain absent therefrom longer than by the said leave shall be allowed; nor shall any such apprentice without like leave expressly given, presume to cultivate, raise or make for his or her own use any article of colonial produce whatsoever, Indian and Guinea corn or cattle or other live stock, hogs not exceeding two in number, and kept in a pen excepted, or salt or the like, that shall be cultivated raised or made at any plantation, settlement or establishment at which such apprentices shall be employed, for the use or benefit of those employing such apprentice; nor shall any such apprenticed labourer as aforesaid, without like leave as aforesaid, traffic or deal by way of purchase, sale, barter or the like, in wines, spirituous or malt liquors or the like, plain or mixed, or in any produce, goods or other articles in which the employer or employers of such apprentice shall deal or traffic at any plantation, settlement or establishment where such apprentice shall be employed: provided, however, that the prohibitions aforesaid shall

shall not extend to the raising for sale or consumption of poultry, sugar-canes, beans, pease, pumpkins, plaintains, fruit, (oranges and pine-apples excepted), potatoes, yams or other ground provisions or esculent vegetables of any kind, and all prohibited articles as aforesaid which shall be so cultivated, raised, made or trafficked in by any apprenticed labourer as aforesaid, without the necessary leave or permission as aforesaid, shall in and by virtue of this Act and the operation of the same alone, become forfeited to the employer or employers of the said apprentice, and be the sole property of such employer or employers, their executors, administrators and assigns for ever: provided always, that the restrictions aforesaid, as far as the same extend to prevent apprenticed labourers from raising Indian and Guinea corn, shall be of no effect in cases where any such apprenticed labourers may, by special agreement as aforesaid, engage to support themselves by the cultivation of land.

53. And be it further enacted, that within the meaning and for all and singular the purposes of this Act, every person who for the time being shall be in the lawful administration of the government of these Islands, shall be taken to be the Governor thereof.

54. And be it further enacted, that within the meaning and for all and singular the purposes of this Act, and of the statute to which this Act is auxiliary as aforesaid, the person or persons having the immediate management, care or charge of any apprenticed labourer as aforesaid, or employing such apprentice in any manner of labour, work or service whatsoever, whether for the use or profit of such manager or managers, employer or employers, or of any other person or persons whatsoever, shall be taken and considered as the person or persons liable to all the pains, penalties and forfeitures to be incurred by reason of any contravention of this Act in relation to the actual treatment of the said apprentices.

55. And be it further enacted, that every justice of the peace specially commissioned as aforesaid, not receiving a salary under the Act of Parliament to which this Act is auxiliary, shall be entitled to the following fees: on every examination in writing under oath, 2s.; on every warrant or summons in writing, 2s.; to each of the two justices on every permission to remove apprentices from one place to another, and making the necessary inquiries previous to granting the same, (payable by the party applying), 4s.; on each judgment (payable by the party against whom the same is given), 8s.; on the registry of each apprenticed mariner, 2s.; and all other magistrates and ministers of religion solemnizing marriages, shall for each, be entitled to 2s.; and when two or more justices are associated in the same duties, they shall divide the fees equally between or among them; and the provost marshal or his deputy, constable or other person specially appointed to serve or execute any process or perform any other like duty of him required by this Act, shall be entitled to the following fees: for every attendance on a magistrate at the investigation or trial of any matter or prosecution at which such attendance may be required, 2s.; for summoning any person verbally or in writing 2s.; for each arrest of the person otherwise than in the magistrate's presence, 4s.; for committing each prisoner, 2s.; for every mile that may be actually travelled on any duty, and for that purpose alone, 6d.; and the like, returning, when necessary; on all levies, settled without sale of the property levied on, two and a half per cent.; on all sales, two and a half per cent. on the gross proceeds.

56. And when any property shall be levied on in any district in which it cannot be sold to advantage, the officer levying shall, at the request and at the sole proper cost, charge and risk of the party on whose property the levy shall have been made, transmit the same for sale to the provost marshal in Nassau, or the marshal at Turks Islands; and when any party is sentenced to imprisonment, and there shall not be any good or sufficient prison or other proper place of confinement in the district in which such sentence shall have been pronounced, the officer charged with the commitment of such prisoner shall cause such prisoner to be taken in custody to Nassau, or other nearer settlement at which there may be a proper place of confinement, and committed there: Provided always, that the appointed term of any such prisoner's imprisonment shall be computed from the time of his actual arrest or detention preparatory to his being sent to another district.

nearer place where there

57. And be it further enacted, that the gaoler or supervisor, or keeper of any prison, workhouse, house of correction or other like place of confinement, shall be entitled to the following fees for services under this Act; on receiving each prisoner, 1s. 6d.; on the discharge of the same, 1s. 6d.; on each whipping, 3s.; on each confinement in the stocks, 1s.; on each solitary confinement, 2s.; and 6d. additional for every twenty-four hours beyond the first twenty-four; for the maintenance of each prisoner by the day, 6d.; but all apprenticed labourers as aforesaid, committed to prison whether for hard labour or otherwise, shall be compelled as far as may be conveniently practicable to perform so much work as may be sufficient to pay for their maintenance; and all such fees and charges, when incurred on account of any apprenticed labourer as aforesaid, shall be paid by the person or persons entitled to the services of every such apprentice respectively; and all those on account of any other prisoner under this Act by the said prisoners themselves; and no such prisoner as last aforesaid shall be discharged from prison until the payment of all such fees and charges, except by order of some magistrate specially commissioned as aforesaid, who shall be satisfied of the inability of the prisoner to pay the same.

Gaoler's and Supervisor's fees.

Fees, by whom paid.

BAHAMAS.

Appendix (B.)

Colonial Laws.
No. 68.

Person administering the government, to be deemed the Governor of the Colony,

Who liable for neglects, omissions or misdemeanors under this Act.

Fees of such Special Justices who may not receive salaries under the Act of Parliament to which this Act is auxiliary.

Provost Marshal and Constable's fees on serving or executing process under this Act.

When property is levied on and cannot be sold to advantage on the spot, the officer levying at the request and cost of the owner of the property to transmit the same either to the Provost Marshal at Nassau or Turks Islands for sale, and prisoners sentenced to confinement on an Island where there is no proper prison, to be sent to Nassau, or to such nearer place where there may be a fit prison.

Secretary's fees.

58. And be it further enacted, that for recording the several documents directed by this Act to be recorded in the office of the secretary of the Colony, and all other duties in connexion therewith, the secretary shall be entitled to the same or such like fees and allowances as are taken and held to be lawful, as to all other documents or instruments in like manner recorded in his said office; and all such fees, charges and allowances shall be payable by him, her or them for whose benefit the services shall be so rendered.

Fees not collected or received from the parties to be paid out of the public Treasury.

59. And be it further enacted, that in all cases in which no particular provision is made in or by this Act for the payment of any fees or charges as aforesaid, and also in all cases in which such provision is hereinbefore made, but from the inability of those appointed to make such payments, or other sufficient causes, the said fees or charges shall not be collected or received, all lawful fees and charges as aforesaid not actually so received, shall be paid quarterly to those entitled to the same out of any monies in the treasury of these Islands not otherwise specially appropriated by warrant of the Governor in the usual form.

No suit to be instituted against any Special Justice for anything done under this Act until 40 days' previous notice shall have been given and personally served on every person intended to be sued.

60. And be it further enacted, that no suit at law shall be instituted in any court in these Islands against any justice of the peace specially commissioned as aforesaid, or against any other person or persons whatsoever for any thing by them or any of them done, in pursuance or in virtue of this Act, or of the statute to which this Act is auxiliary as aforesaid, until forty days' previous notice of the same shall have been given and personally served on each and every person intended to be so sued, and such notice shall be in writing, signed by the party intending to sue, or by his, her or their attorney, and shall contain a full and particular statement of all and singular the facts, matters, causes and things for or by reason of which such suit is about to be instituted; and if after such suit shall be instituted, the party plaintiff shall introduce into his, her or their pleadings in the same any fact, matter, cause or thing not fully and particularly stated and contained in such notice as aforesaid, the said party plaintiff shall suffer a nonsuit at the trial of the cause; and at any time before the actual issuing of process in any such suit, the party defendant shall be entitled to tender amends to the party plaintiff, or to his, her or their attorney, for any cause or alleged cause of action in the premises; and the said party defendant shall also be entitled under a plea of the general issue, to give this Act and the said tender and all other special matter in evidence; and if the jury shall not by their verdict in the cause award to the party plaintiff a greater amount of damages than the sum so tendered as aforesaid, the defendant or defendants shall have judgment, and on judgment for the party defendant, whether on verdict or otherwise, judgment of *non pros.* or of nonsuit, or on discontinuance or abatement of suit the party defendant shall have treble costs.

Children under six years of age registered as slaves on the 1st August next, and children hereafter to be born of any apprentice, how bound out by indenture of apprenticeship until the 21st year of their age.

61. And whereas in pursuance of certain provisions of the statute to which this Act is auxiliary as aforesaid, all persons who on the 1st day of August in this present year 1834, shall have been registered as slaves in this Colony, and who on that day shall not have attained the sixth year of their age respectively; and also all those who after that day shall or may be born of any female apprenticed labourer or labourers as first aforesaid, during the term of the apprenticeship of such female apprenticed labourer or labourers, may be bound by indentures of apprenticeship until the said children shall attain the 21st year of their age respectively, as in and by the said statute is more fully and at large set forth; Be it further enacted, that all such indentures shall and may be executed in the same manner and form as has been hitherto used in such or the like cases in this Colony, and shall and may be transferable in the same manner as any interest of those entitled to the services of apprenticed labourers as first aforesaid may be transferred in pursuance of the provisions of this Act, and shall go to the executors of those to whom such children may have been bound as aforesaid, to such use or uses as may be designated by the last will of the persons respectively holding such indentures; or when there shall be no such will, then to the nearest of kin to the deceased, as any other chattel interest; and all apprentices so bound by indentures as aforesaid, shall, during their said apprenticeship, be entitled to the same treatment, and be dealt with in all respects from and by those to whom they may be so bound, and to the same allowances of provisions, clothing and other necessaries, and under the same penalties as is hereinbefore provided in relation to apprenticed labourers generally as first aforesaid: provided always, that no person entitled to the services of any such mother as an apprenticed labourer, shall be compellable to accept or take any such child or children as apprentices as aforesaid; and when any such child, being under the age of 12 years, shall not be bound by indenture as aforesaid, the father or reputed father of such child shall maintain the said child while under the age of 12 years, in the same manner as is hereinbefore provided with respect to the maintenance of apprenticed labourers; and the father or reputed father neglecting so to do when duly required by any special magistrate as aforesaid, if an apprenticed labourer, shall be punished for such neglect in the same manner and form (imprisonment excepted) as is hereinbefore provided with respect to any other neglect of duty; and if not an apprenticed labourer, then in such manner and form and to the same effect as is hereinbefore provided respecting those entitled to the services of apprenticed labourers neglecting to furnish them with good and sufficient maintenance; and should any such father or reputed father be unknown or dead, or not to be found, or from indigence and infirmity be unable to maintain the child as aforesaid, then the mother shall so maintain the child under the same penalties as aforesaid; and should any such mother refuse to declare under oath when so required by any special magistrate as aforesaid, who the father of the child is, or falsely represent any person as being the father of the same, she, on

Persons entitled to the services of the mother not compellable to accept the child as an apprentice.

Children of apprentices under the age of 12 years not apprenticed out to be supported by their father or reputed father.

Penalty on female apprentices not declaring when required by a Special Magistrate who the father of their child is.
Penalty on false representation.

on conviction thereof, shall be punished in the same manner and form as hereinbefore provided, besides incurring the pains and penalties of wilful and corrupt perjury when any such misrepresentation shall have been made under oath as aforesaid: provided, however, that it shall be lawful for any such special magistrate before whom any claim for maintenance of any such child shall be brought, to agree with the parent or reputed parent of the same for a pecuniary computation, or the value in money of the necessary allowances as aforesaid of such child, to be paid weekly, monthly or otherwise as the said magistrate shall approve, to such person or persons as may be designated in the agreement, for the use of the child; which agreement shall be in the form of a recognizance to be entered into before such magistrate by the parent and one or more sureties, at the discretion of the said magistrate, and the penalties of all such recognizances when forfeited shall and may be enforced for each and every separate default from time to time, and *toties quoties*, in a summary way before any special magistrate or magistrates as aforesaid, in manner and form hereinbefore provided.

62. And to secure uniformity in the performance of the several duties to be required of special magistrates and others in pursuance of this Act; Be it further enacted, that it shall be lawful for the Governor in Council, to establish forms for all such summonses, writs, warrants, minutes of proceeding, records, indentures, agreements, contracts, licenses, certificates, notices and other instruments of writing, or so many of the same as shall from time to time be found or deemed necessary in order to carry into effect the provisions and intentions of this Act; and it shall be the duty of all such magistrates and others to conform thereunto in all proceedings had under or in virtue of this Act.

63. And in order to fix and definitively establish to what particular class of apprenticed labourers each shall belong; Be it further enacted, that when the last registration of slaves shall have been completed, the Governor shall appoint two inhabitants as assessors, with the registrar of slaves, to inspect and examine the several returns the said registration contained, and in the margin of the record (for which purpose a margin shall be left in blank throughout the same) to mark opposite to the name of each and every such apprentices the letters P. A., P. U. or N. P., designating by the letters P. A. those who shall appear by such returns to be prædial apprenticed labourers attached to the soil; by the letters P. U. the prædial not attached to the soil; and by the letters N. P. the non-prædial; and the proceedings of the said registrar and assessors in the premises shall at all times, while they shall be so employed, be open to the search and perusal of all persons entitled to the services of any apprenticed labourer as aforesaid, and also of any such apprenticed labourer or other person on his or her behalf; and when any doubt or question shall arise as to which class as aforesaid any apprentice may belong, the matter shall be inquired into by the said registrar and assessors in a summary way, and the decision of the said registrar and assessors, or a majority of them in the premises, shall be conclusive; and when the class of each and every apprentice shall have been so determined and marked as aforesaid, the said registration shall be deposited in the office of the secretary of the Colony as a public record, and no alteration therein shall be thereafter made under any pretext whatsoever; and each of the said assessors shall for their said services, to be certified by the registrar, be entitled to 12s. by the day for each and every day they shall actually be so employed as aforesaid, not to exceed 50 days in the whole, to be paid out of any monies in the treasury not otherwise particularly appropriated, in pursuance of warrants from the Governor in usual form.

64. And be it further enacted, that it shall and may be lawful for the night guard to apprehend all apprentices that shall be found in the streets, lanes and other places of the town and suburbs of Nassau after the ringing of the gaol bell in the evening, incapable of giving any proper or satisfactory account of himself, herself or themselves, and without having any letter or letters, ticket or tickets from his, her or their employers; and to detain and secure such apprentice in the watch-house, guard-house, or other convenient and fit place, in order that he, she or they may be carried the next morning, or as soon as may be, before some magistrate specially commissioned as aforesaid, to be committed by him to the work-house of the said town as a vagrant or vagrants, a suspected person or persons, or released or otherwise dealt with according to law.

65. And be it further enacted, that every apprenticed mariner shall be entitled to have and receive from his employer, in addition to the clothing hereinbefore prescribed, for prædial apprentices, one woollen suit in every two years; to wit, one woollen jacket, one flannel shirt and one woollen trowsers.

66. And be it further enacted, that it shall not be lawful for any apprenticed labourer as aforesaid, 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, manager or overseer; and every apprenticed labourer so offending, shall, on conviction before any justice specially commissioned as aforesaid, be punished with whipping, solitary confinement, hard labour in any house of correction or other place as aforesaid, or any two of those punishments as may be awarded by such special justice; provided, that such whipping shall not exceed 39 lashes, and such solitary confinement shall not exceed ten days.

67. And be it further enacted, that it shall be lawful for any such master, manager or overseer, or other lawful employer, to seize and retain to his own use any gunpowder, guns, swords or fire-arms of any description whatsoever, or any other offensive weapon unlawfully in the possession of any apprenticed labourer.

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BAHAMAS.

Appendix (B.)

Colonial Laws.
No. 68.

Lawful for the Governor in Council to establish forms for summonses, writs, warrants, &c. &c. &c.

Mode of classing apprentices into prædials attached, prædials not attached, and non-prædials.

Apprentices out without leave in New Providence after nine o'clock at night liable to be arrested by the night guard.

Additional allowances to apprenticed mariners.

Unlawful for apprentice to have in their possession gunpowder, guns, swords, pistols or fire-arms, unless with the knowledge and consent of their master.

Masters may seize fire-arms, in the unlawful possession of any apprentice.

68. And

Act may be altered during this Session.

His Majesty may disallow any one or more entire Sections of this Act, leaving the remainder in full force.

68. And be it further enacted, that this Act may be altered, varied, amended or explained by any other Act or Acts to be hereafter passed in and during the same present session of the General Assembly, any law, rule, usage or practice of the General Assembly, or of either branch thereof, to the contrary notwithstanding: provided however, and be it further enacted, that it shall and may be lawful for His Majesty, his heirs and successors, to disallow any one or more entire section or sections of this Act, leaving all other sections and parts of the same in full force and virtue, any thing hereinbefore contained, or any rule or usage in such behalf hereto before used and observed to the contrary notwithstanding; and so soon as His Majesty's said disallowance shall be officially made known and public in this Colony, each and every such disallowed section or sections as aforesaid shall thereupon immediately cease to be of any effect, and for ever after remain of no force or virtue.

— No. 69. —

Bahama Islands.

No. 69.

AN ACT for dividing the Colony into Police Districts; for making provision for the Residence of Special Justices therein; for the erection of Gaols and Places of solitary confinement, the appointment of Gaolers and Constables, and for other purposes.— (Passed 20 March 1834.)

Preamble.

WHEREAS it is expedient for the better carrying into full operation an Act made and passed in the present session 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;'" that the Colony be divided into police districts; that provision be made for the residence and travelling expenses of the magistrates having jurisdiction under the said Act; for the erection of gaols, the appointment of constables and gaolers, and for other purposes in connexion with the said Act: May it therefore please Your Majesty, that it may be enacted, and be it enacted, by his Excellency Blayney Townley Balfour, esquire, Your Majesty's lieutenant-governor and commander-in-chief in and over the said Islands, the Council and Assembly thereof, and it is hereby enacted and ordained, by the authority of the same, That, for the purposes of the above-recited Act, the Colony shall be and is hereby divided into seven police districts, as are more particularly set forth and designated in the Schedule to this Act annexed, marked with the letter (A.)

One or more Justice or Justices of the Peace specially commissioned to reside in each District; not to exceed 20 in the whole.
Duty of Special Justices.

2. And be it further enacted, that in each of the said districts there shall reside one or more justice or justices of the peace, specially commissioned under the authority and by virtue of the Act of Parliament hereinbefore recited, so that the whole number of such special justices shall not exceed twenty; and it shall be the duty of every such special justice of the peace as aforesaid to make periodical visits to the several islands and places within their respective districts, in conformity with any instructions which shall be issued from time to time by the Governor; and in case at any time between the periods for visiting laid down in any such instructions, in consequence of any tumult, insubordination or other emergency, the presence of a special justice shall be requisite at any island or place in any of the aforesaid districts, it shall be also the duty of the justice of such district, without waiting for instructions, forthwith to repair to such island or place, and to exercise all such legal authority for the restoration of peace and good order as circumstances may require.

Special Justices to make monthly reports to the Governor of all complaints, &c.

3. And be it further enacted, by the authority aforesaid, that it shall be the duty of every justice specially commissioned as aforesaid to make monthly reports to the Governor of his proceedings as such, and with the same to forward an abstract of all complaints preferred before him, and his decision or other proceedings thereupon, together with a list of prisoners within the island or district under his charge confined by his authority, and an account of the removals of prædial apprentices attached to the soil consented to by him.

Governor in Council authorized to unite two or more Districts into one, and again separate the same.

4. And whereas, from the want of a sufficient number of special justices being provided for this Colony, or from other causes, it may become expedient to reduce the number of police districts enumerated in Schedule (A.), by uniting two or more such districts or parts thereof into one distinct district, either temporarily or permanently; Be it therefore enacted, that it shall and may be lawful for the Governor, by Order in Council, to be duly published, to unite two or more such districts, or parts of two or more districts, as aforesaid, into one distinct district, and from time to time to revoke any such Order, and other or others, if necessary or expedient, to issue in like manner and form; and the districts defined in any such Order, shall be deemed to be the police districts under this Act, so long as such order shall be and remain in force, any thing in this Act contained to the contrary notwithstanding.

Fifty pounds allowed for house-rent for each Justice and two Constables.

5. And be it further enacted, that for every justice of the peace specially commissioned as aforesaid, there shall be allowed, for house-rent, for himself and two constables, 50 *l.* per annum, payable quarterly, by warrant on the public treasury by the Governor in Council, in the usual manner and form.

Each Justice to provide himself with two Constables.
Constables' salary of 50 *l.* per annum to be paid quarterly by warrant on the Treasury.

6. And be it further enacted, that it shall be the duty of every justice of the peace specially commissioned as aforesaid, to hire and provide himself with two able-bodied men as constables, to be under his directions and subject to his lawful orders; and that each and every person so duly appointed and sworn as constable, shall be entitled to have and receive out

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out of the public treasury 50 *l.* per annum, payable quarterly, by warrant on the public treasury by the Governor and Council, in the usual manner and form, on such constable producing a certificate from the justice appointing him, that he has duly performed his duty within the period stated therein.

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7. And whereas it is necessary to provide for the hiring of vessels and boats, to convey special justices from one Island to another within their respective districts, or from one district to another, in cases of necessity, together with other incidental expenses of travelling by water of such justices, and the constables accompanying them in the execution of their duty; Be it further enacted, that it shall and may be lawful for the Governor to pay the reasonable charges incurred for hiring such vessels and boats and other incidental travelling expenses as aforesaid, that may have been sanctioned or may be approved of by him, by warrant from his Excellency in Council, from time to time, on the public treasury of the Colony; provided that the amount so drawn for in any one year shall not exceed 800 *l.*

Expenses for hiring vessels, and for travelling by water, to be paid out of the Public Treasury; not to exceed in any one year 800 *l.*

8. And whereas it may be necessary to erect gaols and places of solitary confinement on some one or more of the Islands within the respective districts aforesaid; Be it therefore further enacted, that whenever it shall appear to the Governor that any such necessity as aforesaid does exist on any Island, place or settlement within any of the districts aforesaid, it shall and may be lawful for him, with the advice and consent of the Council, to order and direct the special justice residing in such district to cause any such gaol and place of solitary confinement, or either of them, to be erected according to such plan and estimate as may be approved of by the said Governor, and upon receipt of such order, such justice shall associate himself with some other justice of the peace; and it shall thereupon be lawful for such justices to make, regulate and levy, by warrant under their hands and seals, after due notice given, a rate, assessment or tax on the inhabitants of such Island, place or settlement, equal to the amount of the estimate so made and approved of, to be applied to the making, raising or erecting such gaol and place of confinement, or either, as may have been deemed as aforesaid to be requisite or necessary: and provided further, that it shall also be lawful for the said two justices to compute the amount of labour and materials necessary to the building of such gaol or place of solitary confinement, or either, that shall be taken as an equivalent for any part, or the entire amount of the rate, assessment or tax which any one person may be rated at or become liable to pay under this Act as last aforesaid: provided, however, that when any person residing, or having apprentices within any one of the said districts, shall be possessed of, and shall offer in writing, previous to any such rate being fixed, an approved building for a gaol or place of solitary confinement, such person shall thereupon be exempt from liability to contribute to any such rate, assessment or tax: provided further, that from and after the acceptance by a special justice of any such offered building as a gaol or place of solitary confinement, the same shall thenceforth, to all intents and purposes, be deemed and taken to be a public gaol, and used and dealt with accordingly for and during the continuance of this Act.

Mode of providing for the erection of gaols, and places of solitary confinement.

9. And be it further enacted, that it shall and may be lawful for the Governor to appoint a gaoler for each public gaol, who shall receive a salary out of the public treasury of 30 *l.* per annum, payable quarterly, by warrant on the public treasury by the Governor in Council, in the usual manner and form, on such gaoler producing a certificate that he has duly performed his duty for the period stated therein.

Governor may appoint a gaoler for each public gaol, with a salary at and after the rate of 30 *l.* per annum.

10. And be it further enacted, that it shall be the duty of every special justice to make rules and regulations for the gaols, places of solitary confinement and stocks: provided that the above be not repugnant to the above-recited Act of Assembly and Act of Parliament, or either; and that the gaoler shall be furnished with a copy of such rules, and shall also placard a copy of the same on some fitting situation in or near the gaol under his charge.

Special Justices to make rules and regulations for gaols, places of solitary confinement, and the stocks.

11. And whereas, in and by the 62d section of the above-recited Act of Assembly, in order to secure uniformity in the performance of the several duties required of special magistrates, it is enacted, that it shall be lawful for the Governor in Council to establish forms for certain summonses and other instruments therein more particularly enumerated; Be it enacted, that all such forms when established, or so many of them as shall be required to be used by special justices, shall be printed from time to time at the public expense under the authority of the Governor, and lodged in the public secretary's office for distribution, and that payment for the same shall be made by warrant on the treasury in the usual manner and form.

Forms, when fixed on, to be printed for the use of the Special Justices, at the public expense.

12. And be it further enacted, that every person contravening any of the provisions of this Act, or neglecting to perform any of the duties hereby imposed on him, shall be guilty of a misdemeanor, and be liable to be tried in the general court therefor, and, on conviction, to be fined and imprisoned, or either, at the discretion of the court: provided that the fine in any one case shall not exceed 10 *l.*, nor the imprisonment thirty days.

Penalty on persons contravening or neglecting to perform the duties required of them by this Act.

13. And be it enacted, that this Act shall be deemed and taken to be a public Act, and shall be judicially taken notice of as such by all courts, judges, justices of the peace and others within this Colony, without being specially pleaded.

This Act a public Act.

14. And be it further enacted, that this Act may be repealed, suspended, explained, amended or altered at any time during the present session, any law, rule, usage of Parliament or the Assembly, or either branch thereof, to the contrary notwithstanding.

Act may be explained, &c. in present Session.

The word "Governor" defined.

15 And be it further enacted, that within the meaning, and for all and singular the purposes of this Act, every person who for the time being shall be in the lawful administration of the government of these Islands, shall be taken to be the Governor thereof.

Act in force until 1st August 1840, and from thence to the end of the then next Session of the General Assembly.

16. And be it further enacted, that this Act shall continue and be in force from and after the passing thereof until the 1st day of August 1840, and from thence to the end of the then next session of the General Assembly of these Islands, and no longer.

Schedule (A.)

1. Turk's Islands, Caicos, Heneagua and Mayagnana	- -	one district.
2. Crooked Island and Acklin's Island, and Keys	- - -	one district.
3. Rum-Key, Watling's Island, and St. Salvador	- - -	one district.
4. Eleuthera, and Harbour Island, and Keys	- - -	one district.
5. Exuma, and Keys, and Long Island, Ragged Island, and Keys	- - -	one district.
6. Abaco, and Grand Bahama, and Keys	- - -	one district.
7. New Providence, Andros Island, Berry Island, and Keys	- - -	one-district.
Total	- - - - -	Seven Districts.

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Bahama Islands.

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 to explain certain other Clauses of the said Act."—(Passed 23d August 1834.)

Preamble.

WHEREAS in and by an Act of the Imperial Parliament of Great Britain and Ireland, made and passed in the third and fourth years of Your 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 it shall and may be lawful for Your Majesty to issue, or to authorize the Governor of any Colony mentioned or referred to in the said Act, in the name and on the behalf of Your Majesty, to issue under the public seal of any 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 the said Act, and to any laws which may in any manner hereinafter mentioned be made, for giving more complete effect to the same; and by the said Act Your Majesty is authorized to grant to any person or persons not exceeding one hundred in the whole, holding any 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 three hundred pounds sterling per annum: And whereas, out of the one hundred persons so specially commissioned and entitled to salaries as aforesaid, three only have been assigned to act within this Colony, a number totally insufficient to carry into full effect and execution the said recited Act, and the Act of the General Assembly of these Islands auxiliary thereto; and it has therefore been necessary to issue to a further number of persons resident in the Colony, special commissions for the purpose aforesaid, to whom it is but reasonable and just that salaries commensurate to the means and resources of the Colony should be allowed; We Your Majesty's dutiful and loyal subjects, the House of Assembly of the Bahama Islands, do therefore beseech Your Majesty that it may be enacted, and be it enacted by his Excellency Blayney Townley Balfour, esquire, lieutenant-governor and commander-in-chief in and over these Islands, the Council and Assembly in and for the same, and it is hereby enacted, by the authority of the same, That it shall and may be lawful for the Governor, Lieutenant-Governor, or other officer administering the government for the time being, and he is hereby authorized to grant to any persons, not exceeding seventeen in the whole, holding any such special commission or commissions as aforesaid, (and not receiving a salary under the aforesaid Act of Parliament), and so from time to time as vacancies may occur, salaries according to the scale laid down in the Schedule to this Act annexed, which salaries shall be payable so long only as any such justice of the peace shall be actually resident in the Colony, and engaged in the discharge of the duties of such his office, and shall be paid out of the public treasury of these Islands, by warrant under the hand and seal of the Governor, Lieutenant-Governor or other officer administering the government as aforesaid for the time being: provided always, that there be annually laid before both Houses of Assembly a list of the names of all persons to whom any such salary shall be so granted, specifying the date of every such commission and the amount of the salary assigned to every such justice of the peace.

Governor authorized to grant salaries to certain Special Magistrates.

Lists of persons receiving salaries to be laid before both Houses of Assembly.

Reciting certain clauses of Act of 4 Will. IV. c. 21.

2. And whereas, in and by the 55th, 57th, 58th and 59th clauses or sections of an Act of the General Assembly of these Islands auxiliary to the before-mentioned Act of the Imperial Parliament, it is enacted, that certain fees and charges therein particularly detailed shall be paid to certain officers therein mentioned; and that in cases in which no particular provision is

is made in or by that Act for the payment of such fees or charges, or from the inability of those appointed to make such payments, or other sufficient cause, the said fees or charges shall not be collected or received, they shall be paid quarterly to those entitled to receive them out of any money in the treasury of these Islands, not otherwise specially appropriated: And whereas the said fees and charges bear too heavily upon the parties applying for redress to the person specially authorized to carry the said Act of the General Assembly into effect, and by preventing persons from making such application, will be the certain means of depriving the people of these Islands of the benefits which would otherwise be derived from its numerous wholesome provisions, or from the numerous cases of inability of such persons to pay the same which will occur, the payment of such fees and charges out of the public treasury will prove an annual charge which the colonial finances will not support; Be it enacted, by the authority aforesaid, that each and every of the aforesaid clauses or sections of the said Act of Assembly, and every matter and thing therein contained, shall be and is hereby for ever repealed and rendered of no effect for any purpose whatever; any thing in the said clauses or any other part or parts of the aforesaid Act of Assembly to the contrary notwithstanding.

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Certain clauses of said Act repealed.

3. And whereas in and by another section or clause of the aforesaid Act of Assembly, numbered in the printed copies, Six, it is enacted, that all apprenticed labourers in the said Act particularly described, shall be duly amenable to all the laws of the Colony as others are or may be, and liable to be tried and punished for all contravention or violation of the same, or neglect of duties, or the like, required by the same, in the same manner and form, and to the same effect as other free persons, except only as is in the said Act afterwards otherwise provided or has been provided by the statute to which that Act is auxiliary: And whereas it is also afterwards, in the 25th section of the said Act of Assembly enacted, that each and every offence not enumerated and set forth in and by that Act, as well as each and every offence in contravention of that Act, or any one or more of the provisions of the same, that shall be committed by the employer or employers or any apprenticed labourer as aforesaid, or any other person or persons whatsoever against the person, property or just rights of any such apprenticed labourer, or by any such labourer against the person, property or just rights of his or her employer or employers, or any other person or persons whatsoever, shall and may be lawfully tried in a summary way by or before any one or more justice or justices of the peace holding a special commission, and on the part of all apprenticed labourers as aforesaid, all breaches of the peace, all disturbance of order or good discipline among them, all indolence in or neglect or improper performance of work; all violation, invasion or disregard of contracts or agreements with their employers; all acts of insubordination, all insolence of language or manner to their employers or others, all disobedience of lawful orders, all injuries to the person, property, just rights, or character of their employers or others, all attempts to injure the same, and all conspiracies or confederacies of two or more to commit any unlawful act whatsoever, shall be held and taken as offences against this Act, and the offender shall be punished accordingly: And whereas the said last recited clause appears in a great measure to contradict and amend the provisions of that herein previously recited, and it is necessary that the said last recited clause or section should be explained, and the jurisdiction of the special magistrates aforesaid be more accurately defined; Be it enacted, by the authority aforesaid, that the powers and authority vested by the said last above recited, or any other clause or clauses of the Act of Assembly aforesaid, in the magistrates appointed for the special purpose of carrying into effect the said Act and the statute to which it is auxiliary, was only intended and shall be considered to extend only to offences committed or alleged to have been committed by any apprenticed labourer as aforesaid, 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, and no other, unless any such special magistrate shall have been or may at any time be also included in the general commission of the peace for these Islands; and every apprenticed labourer as aforesaid is hereby declared to be amenable to all the laws of the Colony as others now are or may hereafter be, and with the above exceptions alone liable to be tried and punished for all contravention or violation of the same in the same manner and form and to the same effect as other free persons, anything in the said 25th section or any other part of the said Act of Assembly to the contrary notwithstanding: Provided however, that the body of any such apprentice, at any time during his or her apprenticeship, shall not be subject or liable to arrest under mesne process in any civil suit or any manner of imprisonment under judicial process, on account of any debt or damages for which judgment shall have been or may hereafter be obtained against any such apprentice as aforesaid, under any circumstances or pretext whatsoever.

Reciting certain other clauses of said Act.

Powers of Special Magistrates only to extend to offences committed by master or apprentice in their relative situations.

Proviso.

SCHEDULE.

FIRST CLASS.—New Providence; at 200*l.* per annum each special justice.

SECOND CLASS.—Turk's Islands, Crooked Island, Eleuthera, Exuma, Long Island, St. Salvador; at 150*l.* per annum each special justice.

THIRD CLASS.—Rum Key, Whatling's Island, Harbour Island, Grand Bahama, Abaco, Ragged Island; at 100*l.* per annum each special justice.

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(5 WILL. IV. c. 8.)

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.'"—(Passed October 6, 1834.)

Preamble.

WHEREAS it is expedient that an Act of the General Assembly of these Islands, made and passed in the fourth year of Your 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,'" should be amended; that more adequate and satisfactory provision should be made by law for giving effect in this Colony to the Act of Parliament to which the said Act of Assembly is auxiliary: And whereas the 48th section or clause of the said Act authorizes the appointment by the special magistrate on every plantation, with the consent of the proprietor or manager thereof, of one or more of the apprenticed labourers thereon, to be constables for the maintenance of peace and order on such plantation; and it is necessary that the responsibility and authority of such constables should be more clearly defined; May it therefore please Your Majesty, that it may be enacted, and be it enacted by his Excellency Blayney Townley Balfour, esquire, lieutenant-governor in and over the said Islands, and the Council and Assembly of the same, That all constables appointed as aforesaid, shall be responsible for the due exercise of their authority as such, to the special justices of the district in which the plantation shall be situated, for which such constables shall be appointed, and to no other person or persons whatsoever; and that the power of any such constable or constables to confine apprentices for safe custody, shall, as far as regards the apprentices belonging to the plantation, be limited to cases in which others of His Majesty's subjects, not being apprentices, may lawfully be taken into custody by the ordinary constables; and to cases in which any apprenticed labourer having offended against this Act, or the Act to which it is an amendment, there should be reasonable cause to think that the offender will attempt to escape: provided always, and be it further enacted, that whatever complaint shall be made to the special justice aforesaid by any person, of the refusal of any such constable to perform his duty as such, or the wilful neglect of such duty, or of the improper exercise of his authority, such constable shall, upon conviction, after a summary hearing of the case, be liable to imprisonment with or without hard labour, for any term not exceeding 14 days, or to dismissal from such his office, or both, at the discretion of the justice aforesaid.

Reciting 48th section of Act 4 Will. IV., c. 21.

Constables responsible to Justices for the due exercise of their authority.

Power of Constables as far as regards confining apprentices.

Punishment of Constable refusing or neglecting to perform his duty.

All places of temporary confinement to be inspected and licensed by one or more Special Magistrates.

Stocks to be used in carrying into execution the punishment of apprentices, to be made according to a model sanctioned by the Governor for the time being.

Reciting 16th section of Act 4 Will. IV. c. 21.

Reciting 19th section of said Act.

2. And be it further enacted, that all buildings used as places of temporary confinement on any plantation as aforesaid, shall be inspected and licensed for that purpose, by one or more special justice or justices; and it shall not be lawful to confine an apprenticed labourer in any other than a licensed place.

3. And whereas by the Act of Assembly aforesaid, to which this Act is an amendment, it is enacted, that apprenticed labourers may be punished for offences by confinement in the stocks; Be it further enacted, that the stocks to be used in carrying into execution any punishment directed to be inflicted upon any apprenticed labourer by a special magistrate, or for purposes of temporary confinement on any plantation, shall be made according to one general model, to be sanctioned by the person administering the government for the time being; and it shall be the duty of the special magistrates to see that none of a different description are used in their respective districts.

4. And whereas in and by the 16th section of the Act of Assembly, to which this Act is an amendment, it is enacted, that it shall and may be lawful for all those employing prædial apprenticed labourers, to propose to the whole or to a portion of those by him or her so employed at any one plantation, settlement or establishment, a plan or rule or rules of task-work duly committed to writing, and setting forth the quantity and description of task-work to be performed by each labourer on each and every working day, according to their respective ages, sexes, strength and skill; and if the said labourers of the age of 14 years and upwards, and capable of working, and actually so employed together at any plantation, settlement or establishment as aforesaid, or a majority of them, shall signify their assent to such plan or rule or rules of task-work so proposed as aforesaid, in the presence of one or more competent and literate witness or witnesses, who shall attest the same, the agreement so entered into, but not otherwise, shall be binding on all parties therein concerned, for such length of time as shall be agreed upon and inserted in the said agreement, not in any case to exceed 12 calendar months from the date thereof: And whereas in and by the 19th section of the said Act, it is also enacted, that it shall and may be lawful for all persons employing prædial apprenticed labourers to agree with any one or more of them to hire them or any one or more of them for pay at some stipulated sum, or other remuneration, for any quantity and description of work which such labourer or labourers shall consent to perform on Saturdays by the hour, or by the job, or otherwise, as shall be agreed upon; and when any prædial apprenticed labourer shall be employed in task-work as therein provided for, and there may be some spare portion of any working day in which he or she shall not be compellable to work for his or her employer or employers, it shall and may be lawful for such employer

employer or employers to agree with such labourer for pay at some stipulated sum or other remuneration for any quantity and description of work that such labourer shall consent to perform by the hour, or by the job, or otherwise, as shall be agreed on within the spare time aforesaid of such apprentice, after the performance of his or her task as aforesaid: provided, however, that no such agreement or agreements as last aforesaid, either as relates to voluntary work for hire on Saturdays, or during spare time after the performance of tasks in working days, shall be binding on the parties to the same, or either of them, unless such agreement or agreements shall be reduced to writing, and be attested by at least one competent and literate witness, in whose presence such agreement shall be entered into: And whereas it is expedient that further provisions should be made by law for guarding against improper practices in relation to such agreements as aforesaid; Be it further enacted, that upon each plantation, settlement or establishment at which any prædial apprenticed labourers as aforesaid shall be employed, there shall be provided by the person or persons having charge of the same, a books or books to be there kept, in which the special justice of the district shall enter the originals, or true copies, of all such agreements as aforesaid, between the apprentices and their employer or employers, touching task-work, and voluntary work for hire as aforesaid; and upon complaint made by any apprenticed labourer, who may be a party to any such agreement, in relation to any thing connected with or arising out of such agreement, it shall and may be lawful for any special justice or justices to examine into and ascertain whether the terms of such agreement were distinctly understood by the apprenticed labourers, or (in cases of agreements for task-work) the majority of apprenticed labourers entering into the same, and whether such labourers, or majority of labourers, entered into such agreement freely and voluntarily, and whether the same is reasonable and just; and to make such adjudication in the matter as the justice of the case may require.

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Persons having charge of plantations to keep books and enter all agreements.

Duty of Magistrates, on complaint being made, touching any such agreement.

5. And be it further enacted, that neither under the provisions of this Act, the Act to which this is an amendment, or the Act of Parliament to which the said last-mentioned Act is auxiliary, shall any apprenticed labourer 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 be liable to be hindered 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 compellable to work on Sundays, except in certain cases herein mentioned.

6. And whereas in and by the 49th section or clause of the aforesaid Act of Assembly, it is enacted that the marriages of apprenticed labourers among themselves, or with others, may be solemnized by any minister of the church of England, or of Scotland, or of any known religious sect or persuasion, or by any justice of the peace: And whereas it is expedient that marriages of apprenticed labourers as aforesaid, should be celebrated by such persons only as are authorized to celebrate the marriage ceremony between other persons of free condition: Be it further enacted, that such persons only shall be competent to celebrate the marriage ceremony between apprentices, as are authorized to celebrate the ceremony of marriage between other free persons; any thing in the said section, or in any other part of the said Act of Assembly, to the contrary notwithstanding.

Reciting 49th section of Act 4 Will. IV. c. 21.

Who shall be competent to celebrate marriages between apprentices.

7. And whereas the said apprenticed labourers will be competent witnesses in all prosecutions, suits and legal proceedings, civil and criminal, in all courts of law and equity, in the same manner and subject to the same laws and rules of evidence as other persons are or may be; and much confusion and inconvenience might arise, were process directly addressed to such apprentices to command or compel their attendance as witnesses; Be it further enacted, that the process to procure the attendance of any apprenticed labourer as a witness, shall be in the nature of a writ of *habeas corpus ad testificandum*, addressed to the employer or employers of such apprenticed labourer, commanding such employer or employers to produce such apprentice at the proper time and place for that purpose; and all courts, civil and criminal, justices of the peace, coroners and others, lawfully entitled to require the attendance of such witnesses, shall have full power and authority to issue such writs, and any disobedience to the same shall and may be inquired into in a summary way or otherwise, and punished as a contempt of the authority issuing the same, or as a misdemeanor; and any party aggrieved or injured by such disobedience shall besides have his, her or their remedy by action, in the usual course of law, for all damages incurred by him, her or them in the premises; and the employer or employers of any apprenticed labourer attending under any such writ of *habeas corpus ad testificandum*, before any court, justice or coroner as aforesaid, shall be entitled to receive from the party at whose instance such writ shall have been issued, the sum of 3 s. per diem for each and every day which such apprenticed labourer shall be detained from the service of such employer or employers in going to, attending at, and returning from any trial, examination or other proceeding, had before any such court, justice or coroner as aforesaid, together with any expenses attending the transit of such apprenticed labourer from his or her place of residence to the place of trial or examination; the amount of which daily allowance and passage expenses shall, in the first instance, be payable by the party, at whose instance the apprenticed labourer shall have been summoned as a witness; but shall finally be charged and taxed as costs against the party against whom judgment shall ultimately be given; and when any apprenticed labourer shall be summoned as a witness on the part of the Crown, the said allowance and expenses shall be paid out of the public treasury, by warrant, in the usual manner.

Process to procure the attendance of apprentices as witnesses.

Allowance to employers for the time any apprentices may be detained.

Unlawful for apprentices to absent themselves from any plantation without leave of their employers.
Proviso.

8. And be it further enacted, that it shall not be lawful for any apprenticed labourer, at any time by day or night, to depart from within the prescribed limits of any plantation, settlement or establishment at which he or she shall be employed, without the leave of his or employer or employers, or, after obtaining such leave, to remain absent therefrom longer than by the said leave shall be allowed: provided, however, that such prohibition shall not extend to prevent any such labourer from hiring himself or herself to any person whatever on Saturdays, holidays, and during any other leisure time such apprentice may have, after performing his or her allotted task or labour for his or her employer, or from attending at any place of religious worship on Sundays; and any such apprenticed labourer so found without the limits of any such plantation, settlement or establishment aforesaid, except for the purposes herein specially provided for, shall be liable to be apprehended and detained, and shall on conviction be adjudged a vagabond, and punished accordingly.

Reciting 12th section of Act 4 Will. IV. c. 21.

9. And whereas in and by the 12th section or clause of the Act of Assembly aforesaid, it is enacted, that the appraisers and umpire to be appointed in manner therein directed, for the purpose of ascertaining the value or price of the interest of the party entitled to the services of any apprenticed labourer desirous of purchasing his or her apprenticeship, or any unexpired term thereof, should estimate such value with due regard not only to the general value of such interest, but also to any peculiar circumstances attending the particular case submitted to them, taking into consideration any special damages, loss or inconvenience to which the party entitled as aforesaid may be exposed, by reason of his, her or their being deprived of the services of such apprenticed labourer as aforesaid: And whereas the law in that respect should be amended; Be it further enacted, that the appraisers and umpire (where an umpire is required) appointed as aforesaid to estimate the value of the interest of any party entitled to the services of any apprenticed labourer desirous of purchasing his or her discharge from any unexpired part of his or her apprenticeship, shall estimate such value with regard only to the general value of such interest, and not with regard to any other circumstances attending the particular case submitted to them; any thing in the said hereinbefore mentioned section or clause, or in any other part of the said Act of Assembly, to the contrary notwithstanding.

Mode of proceeding by appraisers to estimate the value of apprentices.

Employers, how enabled to remove apprentices from one plantation to another.

10. And be it further enacted, that in order to enable the employer or employers of any apprenticed labourer attached to the soil to remove such apprentice from any one plantation, settlement or other establishment to another, with the consent of two special justices, according to the provisions of the statute to which the Act, to which this is an amendment, is auxiliary, it shall be necessary that the said justices of the peace do certify their consent thereto in writing, and deliver the said writing to the party desirous of making the proposed removal, and shall record the same in a book to be kept by them for that purpose; and if any person shall remove any such apprentice without such consent, or on applying for such consent as aforesaid to any such removal, shall be guilty of any concealment or misrepresentation from or to the said justices, or either of them, whereby such apprentice shall be actually separated from his or her wife or husband, parent or child, or any person or persons reputed to bear any such relation to him or her, the person so guilty, on being duly convicted, on a summary trial of the case before any one or more special justice or justices, shall pay a fine of not less than 10 *l.* nor more than 20 *l.*

Penalty on persons removing apprentices without consent.

Services of apprentices may be transferred.

Proviso.

11. And be it further enacted, that the right, title and interest of any person and persons in and to the services of any apprenticed labourer, shall and may pass and be transferable by bargain and sale, gift, contract, deed, conveyance, will or descent, in like manner and form as a like interest in any goods and chattels or personal property generally may pass or be transferable, according to the now existing laws of the Colony: provided, however, that no such bargain and sale, gift, contract or other conveyance as aforesaid, shall be valid unless reduced by writing, and such writing be signed by the proper party, attested by one or more competent and literate witness or witnesses, and duly, in the presence of such witness or witnesses, delivered to the party in whose favour such conveyance shall be made, save and excepting in the case of written and nuncupative wills, respecting which the laws already in force shall continue so to be: provided also, that any such bargain and sale, gift, contract, deed, conveyance or will, which if valid would have the effect of separating any such 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, shall not, as far as relates to the transfer of any such husband and wife, parent and child, be valid or effectual in law for any purpose or purposes of transfer whatsoever; and any person or persons executing and delivering any such unlawful bargain and sale, gift, contract, deed or conveyance, shall be held and taken as having offended against this Act, and, on conviction thereof, shall pay a fine of not less than 10 *l.* nor more than 20 *l.*: and provided also, that the interest of any person or persons to the services of any apprenticed labourer, shall not be subject or liable to be transferred at public auction, except under judicial process or otherwise, on account of any debt or damage for which a judgment shall have been or may hereafter be obtained against such person or persons; nor shall the body of any apprenticed labourer, at any time during the term of his or her apprenticeship, be subject or liable to arrest under mesne process in any civil suit, or any manner of imprisonment under judicial process, on account of any debt or damage for which judgment shall have been or may hereafter be obtained against any such apprentice, under any circumstances or pretext whatsoever.

SLAVERY IN THE BRITISH COLONIES.

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12. And be it further enacted, that nothing contained in the Act of Assembly to which this Act is an amendment, shall extend or be construed to extend to absolve apprenticed labourers from the duty of serving in any military or civil capacity to which they may be called by the Governor, or other person administering the government for the time being, in cases of invasion, rebellion, or any other great public exigency; nor to incapacitate any apprenticed labourer from holding any office in the service of any corporation or body politic, or in any church or ecclesiastical society, so that the duties of such office do not interfere with the proper performance of the service which such apprenticed labourer owes to his or her employer or employers.

Nothing to extend to absolve apprentices from serving in any military or civil capacity.

13. And whereas it is necessary that several sections and parts of sections of the aforesaid Act of Assembly, and every other part of the said Act hereby altered and amended, should be repealed: Be it further enacted, that from and after the passing hereof, all that part of the 48th section of the said Act which authorizes the chastisement of apprentice boys under the age of fourteen years, and apprentice girls under the age of twelve years, by their employer; also the whole of the 11th, 15th, 49th and 50th sections of the said Act, and also such portions of the 18th and 12th sections, and such other portions of the said Act, which are opposed to or contradictory to any matter or thing in this Act contained, shall be and are hereby declared to be repealed and of no virtue; any thing in the said sections, or any other part of the said Act of Assembly, to the contrary notwithstanding.

Certain parts of the Act of 4 Will. IV. c. 21. repealed.

—No. 72.—

Bahamas.

No. 72.

AN ACT to explain and amend certain parts of the 4 WILL. IV. c. 21, 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 for other purposes."—(Passed 11 May 1835.)

WHEREAS the 41st section of the Act, to which this Act is an amendment, recognizes agreements voluntarily entered into, in writing, between employers and apprentices, and attested by some justice of the peace specially commissioned, by which such apprentices are hired to themselves on certain terms: And whereas it is just and proper that such agreements should be duly performed, where practicable, by the parties thereto; May it please Your Majesty that it may be enacted, and be it enacted by his Excellency Lieutenant-Colonel William Macbean George Colebrooke, R. A., lieutenant-governor and commander-in-chief, the Council, and Assembly of the said Islands; and it is hereby enacted and ordained, by the authority of the same, That for the wilful and fraudulent evasion or non-performance of any such or the like contract already entered into by and between any such employer and apprenticed labourer, or hereafter to be entered into, the defaulter shall be liable, on complaint made before any justice specially commissioned as aforesaid, to be tried, and on conviction of such wilful fraud, punished by such justice in the same way and manner as is provided for the non-performance of any other contract or agreement duly made and entered into, under the said Act, except corporal punishment, by whipping; any thing in the said 41st section of the Act to which this Act is an amendment, or any other part of the said Act contained to the contrary notwithstanding.

Preamble.

Punishment for the fraudulent evasion of agreements.

2. And whereas in and by the 63d section of the aforesaid Act, provision is made for the appointment of assessors, to classify the apprentices therein mentioned into prædial and non-prædial: And whereas no provision is made for the hearing any objection that may be urged by and on the behalf of any apprentice, to the class to which he or she may have been assigned by the said assessors: And whereas, it is expedient to authorize the said assessors to hear, receive and determine in a summary way, upon any such objection that may be offered by or on behalf of any such apprentice, as well before as after such classification, and when necessary, to revise any classification that may have taken place *ex parte*: And whereas, for the purposes aforesaid, it may become expedient to extend the time limited by the said section of the above recited Act for making such assessment; Be it therefore enacted, that it shall and may be lawful for the Governor, Lieutenant-Governor, or officer administering the government for the time being, from time to time, as may appear to him necessary for the due completion of the said assessment and classification, to extend the time for the final completion of the same, and to make such rules and regulations for the government of the said assessors, in the due execution of the duty necessary to be done by the above recited Act, and for enabling such assessors to hear, receive and determine upon objections offered by the said apprentices, or any of them, to their classification as aforesaid, and for the production of such apprentices when necessary; provided that no such rules and regulations shall authorize or require the removal for such purpose of any such apprentice, out of the district to which such apprentice may belong.

Governor may extend the time for the classification of apprentices.

BAHAMAS.

Bahama Islands.

—No. 73.—

Appendix (B.)

Colonial Laws.
No. 73.

At the Court at St. James's, 31 July 1835 :

Present, The King's most Excellent Majesty in Council.

WHEREAS an Act hath been made and passed by the Lieutenant-Governor, Council and Assembly of the Bahama Islands, on the 15th day of February 1834, 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 whereas it is by the said Act of General Assembly (amongst other things) provided and enacted, that it shall and may be lawful for His Majesty, his heirs and successors, to disallow any one or more entire section or sections of the said Act, leaving all other sections or parts of the same in full force and virtue; any thing thereinbefore contained, or any rule or usage in such behalf heretofore used and observed, to the contrary notwithstanding: And that so soon as His Majesty's said disallowance shall be officially made known and public in the said Colony, each and every such disallowed section or sections as aforesaid shall thereupon immediately cease to be of any effect, and for ever after remain of no force or virtue:

And whereas the said Act of General Assembly has 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; and the said Lords of the Committee have reported as their opinion to His Majesty, that the said Act should be left to its operation, except as to the several sections of the said Act, which are enumerated and set forth in the Schedule hereunto annexed; which sections their Lordships are of opinion should be disallowed; His Majesty was thereupon this day pleased, by and with the advice of his Privy Council, to approve of the said Report; and His Majesty was further pleased, in pursuance of the above recited Act of General Assembly, and in exercise of the power thereby in His Majesty in that behalf vested, and by and with the advice aforesaid, to declare his disallowance of so much and such sections of the said Act of General Assembly, as are recited and set forth at length in the Schedule hereto annexed, and the same are hereby disallowed accordingly.

And the Right honourable the Lord Glenelg, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) *Wm. L. Bathurst.*

Note.—The sections referred to in the foregoing Order as disallowed, are the 11th, 15th, 36th, 48th, 49th, 50th, 51st, 52d, 55th, 57th, and 58th sections of the Act passed by the Legislature of the Bahama Islands, on the 15 February 1834, printed at page 493.

BERMUDA.

No. 74.

BERMUDA.

—No. 74.—

AN ACT for the Abolition of Slavery in these Islands, in consideration of Compensation.

Preamble.

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 by that Act the sum of twenty millions pounds sterling is appropriated for the persons entitled to the services of such Slaves: And whereas in consideration thereof, it is expedient that an Act should pass the Legislature of these Islands to effect the abolition of slavery: We, therefore, Your Majesty's most dutiful and loyal subjects, the General Assembly of these Your Majesty's Bermuda or Somers' Islands, do most humbly beseech Your Majesty that it may be enacted, and be it enacted by Your Majesty's Governor and Commander-in-Chief, Council and Assembly, and it is hereby enacted, by the authority of the same, That all and every the persons who, on the 1st day of August 1834, shall be holden in slavery within these Islands, 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 these His Majesty's Islands of Bermuda.

Slavery to cease on the
1st of August 1834.The apprenticeship
system to be dispensed
with.

And whereas it is considered that it will be for the benefit of all parties, that the apprenticeship system contemplated by the aforesaid statute of the Imperial Parliament should be dispensed with; Be it further enacted, that the said apprenticeship system be and the same is hereby altogether dispensed with as respects these Islands.

Unanimously passed the House of Assembly, this 6th day of February 1834.

By Order of the House,

John Noble Harvey, Speaker.

Concurred to by the Legislative Council, this 8th day of February 1834.

Robert Kennedy, President.

Assented to this 10th day of February 1834.

S. R. Chapman, Governor and Commander-in-Chief.

- No. 75. —

Bermuda.

AN ACT to repeal the Laws exclusively applicable to free Black and free Coloured Persons, and extend to them the Laws applicable to White Persons, and to fix the Qualification for Jurors, Voters, and the Electors and Candidates for certain Offices and places of Trust.

WHEREAS it is expedient to relieve free blacks and free persons of colour from certain disabilities, liabilities and restrictions to which they are now subject, and extend to them the laws now applicable to white persons, and to fix the qualification for jurors, voters, and the electors and candidates for certain offices and places of trust: We, therefore, Your Majesty's most dutiful and loyal subjects, the General Assembly of these Your Majesty's Bermuda or Somers' Islands, do most humbly beseech Your Majesty that it may be enacted, and be it enacted by Your Majesty's Governor, Council and Assembly, and it is hereby enacted by the authority of the same, That upon and from and after the 1st day of August, in the year of our Lord 1834, the Act passed in the year 1827, and since continued, intituled, "An Act to ameliorate the condition of Slaves and free Persons of colour;" and also the Act passed in the year 1764, intituled, "An Act for the better government of Negroes, Mulattoes and Indians, bond or free, and for the more effectual punishing Conspiracies and Insurrections of them," and every other enactment in any Act of the Legislature of these Islands, imposing upon black or coloured persons, either bond or free, any penalty, duty, disability or liability to which white persons are not subject by law, or taking away from black or coloured persons, either bond or free, any right, privilege or franchise, from which white persons are not excluded, be and the same are hereby repealed.

And be it further enacted, that all rights, privileges and franchises, which upon and from and after the said 1st day of August shall or may be enjoyed by white persons, shall upon, from and after the said 1st day of August, be equally enjoyed by free black and coloured persons; and that upon, from and after the said 1st day of August, all free black and coloured persons shall be subject and liable to all the pains, penalties, duties, conditions, restrictions, disabilities and liabilities to which white persons shall be subject and liable.

And whereas, by the enactments hereinbefore repealed, free black and coloured persons are altogether excluded from certain offices and places of trust, and from the exercise of certain franchises, which by the operation of this Act they may enjoy, upon, from and after the 1st day of August 1834; and it is expedient that the amount of property qualifying all persons, as well white as black and coloured, for the enjoyment of such offices, places and franchises, should be fixed by law; Therefore be it further enacted, that upon and from and after the said 1st day of August, no person shall be capable of voting in the election of a member to serve in the General Assembly, who shall not possess in his own right, within the parish to be represented, or receive the profits to his own use, of a freehold rated at the last parish assessment, at not less than 100*l.* of current money, instead of 40*l.*, as now required by the Act passed in the year 1789, for regulating the election of members to serve in the General Assembly, and who shall not in all other respects conform to the prescriptions of the said Act.

And be it further enacted, that upon, from and after the said 1st day of August, no person, not possessing in his own right within the parish to be represented, or receiving the profits to his own use, of a freehold rated at the last parish assessment, at not less than 400*l.* instead of 200*l.* as now required by the Act aforesaid, and not in all other respects conforming to the prescriptions of the said Act, shall be capable of being elected to serve as a member in the General Assembly.

And be it further enacted, that upon, from and after the said 1st day of August, no person shall be capable of voting in the election of a mayor, alderman or common councilman for the town of Hamilton or the town of St. George, who shall not possess in his own right, or receive to his own use, the profits of a freehold within the town to which such vote may refer, rated at the last parish assessment at not less than 100*l.*

And be it further enacted, that upon, from and after the said 1st day of August, no person not possessing in his own right, or receiving the profits to his own use, of a freehold within the town to which such election shall refer, rated at the last parish assessment at not less than 400*l.*, shall be capable of being elected as mayor, alderman or common councilman for either of the said towns of Hamilton or St. George.

And be it further enacted, that upon and from and after the said 1st day of August, no person shall be capable of voting in the election of any vestryman, churchwarden or constable, in any parish in these Islands, or at any parish meeting for the voting of money or bringing any charge or expense upon the parish, unless such person, at the time of such voting, shall be possessed in his own right, or receive to his own use, the profits of real estate within such parish rated at the last parish assessment at not less than 100*l.*, or if less than 100*l.*, then also possessed in his own right of personal estate within such parish rated as aforesaid, at such amount as, together with such real estate, shall not be less than 100*l.*, or if not possessed or receiving the profits to his own use of any such real estate as aforesaid, then possessed in his

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Appendix (B.)

Colonial Laws.
No. 75.

Preamble.

All enactments operating against black and coloured persons exclusively are repealed.

All rights, privileges and franchises enjoyed by white persons to be extended to black and coloured persons.

Qualification to vote for a Member of the General Assembly

Qualification for a Member of the General Assembly.

Qualification to vote for Mayor, Alderman or Common Councilman.

Qualification for Mayor, Alderman or Common Councilman.

Qualification to vote for Vestryman, Churchwarden or Constable.

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Qualification for Vestryman or Churchwarden.

own right, of personal estate assessed as aforesaid, at not less than 100*l.*: always provided, that nothing in this Act contained shall be construed to deprive the rector of any parish of any right which he may now lawfully exercise in right of his benefice.

And be it further enacted, that upon, from and after the said 1st day of August, no person shall be capable of being elected a vestryman or churchwarden in any parish in these Islands, unless such person at the time of such election shall be possessed in his own right, or receive the profits to his own use, of real estate within such parish, rated at the last parish assessment at not less than 200*l.*, or if less than 200*l.*, then also possessed in his own right, of personal estate within such parish rated as aforesaid, at such amount as, together with such real estate, may be not less than 200*l.*, or if not possessed or receiving the profits to his own use, of any such real estate as aforesaid, then possessed in his own right of personal estate assessed as aforesaid, at not less then 200*l.*

Qualification for Jurors.

And whereas by an Act passed by the Legislature of these Islands on the 7th day of March 1738-9, for regulating jurors to serve in the several courts for these Islands, a register is required to be kept in each parish, wherein shall be written the names of all the parishoners of each respective parish qualified to serve as jurors, who are thereby required to be men of reputed integrity and whose estates respectively are worth not less than 40*l.* sterling (or 60*l.* of current money,) from which register the jurors are to be returned to serve in the several courts of these Islands; and it is expedient that the qualification of jurors fixed by the said Act should be raised beyond the amount of property there required; Be it further enacted, that the register to be kept as aforesaid shall from and after the said 1st day of August comprehend the names of all literate persons, being good and lawful men, and being parishioners whose estates shall be worth not less than 100*l.* of current money (instead of 40*l.* sterling as aforesaid); and that no person shall be returnable for or deemed qualified to serve as a juror in any of the courts of judicature in these Islands, other than persons qualified as hereinbefore mentioned, and who shall be in all other respects qualified as required by law.

And be it further enacted, that from and after the said 1st day of August no jury *de meditate lingua*, shall be allowed by any court of judicature in these Islands, nor shall any challenge or exception be allowed for want of any jury *de meditate lingua*.

Unanimously passed the House of Assembly, this 6th day of February 1834.

By Order of the House,

John Noble Harvey, Speaker.

Concurred to by the Legislative Council, this 8th day of February 1834.

Robert Kennedy, President.

Assented to this 10th day of February 1834.

S. R. Chapman, Governor and Commander-in-Chief.

— No. 76. —

No. 76.

Bermuda.

At the Court at St. James's, 31st July 1835 :
Present, The King's most Excellent Majesty in Council.

WHEREAS by an Act 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," after reciting, amongst other things, that it would be desirable that such of the provisions of the said Act as related to the internal concerns of the said respective Colonies, should be enacted in such respective Colonies, as far as might be possible, by the authority of the several local legislatures of such Colonies respectively, it is enacted, that in case the Governor, Council and Assembly of any one or more of His Majesty's Colonies should, by any Act or Acts of General Assembly for that purpose made, substitute for the several enactments thereinbefore contained, or any of them, any enactments accomplishing the several objects in such thereinbefore contained enactments respectively contemplated, as fully and to the like effect, but in a manner and form better adapted to the local circumstances of any such Colonies or Colony; and in case His Majesty should by any Order or Orders to be by him made, by the advice of his Privy Council, confirm and allow any such Act or Acts of Assembly, and should in and by any such Order or Orders in Council, recite and set forth at length the several provisions and enactments of the said Act of Parliament for which such other enactments as aforesaid should have been substituted by any such Act or Acts of General Assembly, then and in such case so much and such parts of the said Act of Parliament as should be so recited and set forth at length in any such Order or Orders of His Majesty in Council, should be suspended and cease to be of any force or effect in any such Colony from and after the arrival and proclamation therein of any such Order or Orders of His Majesty in Council, and should continue to be so suspended so long as any such substituted enactment should continue in force and unrepealed, and no longer.

And whereas the Governor, Council and Assembly of the Colony of Bermuda have, by a certain Act of General Assembly for that purpose made, bearing date the 10th day of February 1834, substituted for such of the several enactments in the said Act of Parliament contained, so far as the same relate to the apprenticeship of the labourers therein mentioned, certain

certain other enactments accomplishing the several objects in the said last-mentioned enactments of the said Act of Parliament respectively contemplated, as fully and to the like effect as the same are accomplished by the said Act of Parliament, but in a manner and form better adapted to the local circumstances of the said Colony of Bermuda: Now, therefore, in pursuance of the said Act of Parliament, and in exercise of the powers thereby in His Majesty in that behalf vested, His Majesty, by the advice of his Privy Council, doth confirm and allow the said Act of General Assembly; and it is further declared by the authority aforesaid, that so much and such parts of the said Act of Parliament as are recited and set forth at length in the schedule hereto annexed, are the provisions and enactments of the said Act of Parliament for which such other enactments have been substituted by the said Act of Assembly; His Majesty doth, therefore, by the advice aforesaid declare, that so much and such parts of the said Act of Parliament as are so recited and set forth at length in the schedule hereto annexed, shall be suspended, and cease to be of any force and effect in the said Colony of Bermuda from and after the arrival and proclamation therein of this present order, and shall continue to be so suspended so long as such substituted enactments shall continue in force and unrepealed, and no longer.

And the Right honourable the Lord Glenelg, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) *Wm. L. Bathurst.*

Note.—The sections suspended by this order, are the first twenty-two of the Act of Parliament 3d & 4th Will. IV. cap. 73, for the Abolition of Slavery throughout the British Colonies, &c.

BERMUDA.
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Appendix (B.)
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Colonial Laws.
No. 76.
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CAPE OF GOOD HOPE.

—No. 77.—

CAPE OF
GOOD HOPE.

No. 77.

B. D'URBAN.

ORDINANCE enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council thereof, for giving due effect to the Provisions of an Act of Parliament passed in the third and fourth years 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 dated the 28th day of August 1833.

WHEREAS by a certain Act of Parliament 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," it is amongst other things recited, that it is necessary that various rules and regulations should be framed and established for the good order, management, maintenance and proper treatment of the apprenticed labourers within the said Colonies; for fixing the jurisdiction and procedure of special justices, and for defining the reciprocal duties and rights of employers and their labourers, and for the punishment of offences; and that such rules and regulations may be made and contained in any ordinance to be enacted by the Governor and local Legislatures of the respective Colonies: 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 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 Act of Parliament, and for carrying the same into effect within the Colony of the Cape of Good Hope; Be it enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council thereof, that the several rules and regulations hereinafter mentioned shall extend to and be in force within the Colony of the Cape of Good Hope and the dependencies thereof, upon, from and after the 1st day of December 1834.

CAP. I.—*On the Judicial and Ministerial Agency to be employed.*

1. The Colony of the Cape of Good Hope shall, for the purposes of this ordinance, be divided into not more than 22 special districts.
2. The Governor shall by proclamation define, and, as occasion may require, alter the limits of such districts.
3. One special justice shall be appointed to each of the districts.
4. In each district, and in the vicinity of as large a body as may be of the apprenticed labouring population thereof, there shall be one or more police settlements.
5. The Governor shall provide for the formation of such police settlements by the erection, hire or appropriating of such public buildings for that purpose as he shall from time to time see fit and necessary.

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6. At each police settlement there shall be a house of correction, and, if necessary, and when secure accommodation shall be provided, a penal gang, to be composed of such labourers as shall be condemned to imprisonment with hard labour.

7. Every such police settlement shall be under the charge of the justice of the district, and shall consist of so many police serjeants and police constables as the Governor shall from time to time see fit to authorize; all being able-bodied men between the ages of 20 and 50 years.

8. The police serjeants and police constables shall be appointed by the justice, and may be removed by him for misconduct or inefficiency.

9. In addition to the police force, and when the same shall be insufficient for maintaining peace and good order among the labourers, the justices shall appoint and swear in such persons or such labourers in their respective districts as they shall think fit, to act for the time being as special constables or officers of the peace.

10. It shall be the duty of the serjeant and constables to carry into execution such orders as they shall receive from the justices for the prevention or repressing of crimes, and for enforcing obedience to the law, and for inflicting such punishments as are hereby authorized.

11. The justices shall, within the last fortnight of each quarter, respectively make to the Governor a report of the effective strength and condition of the police force at each settlement, of the state of the buildings there, and of the number, state and conduct of the prisoners confined therein.

12. The Governor 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 said serjeants and constables, for securing the due performance of their respective duties; for the employment of the penal gang, and also of the serjeants and constables, 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.

CAP. II.—On the Procedure to be observed by the Special Magistrates in the Exercise of their Jurisdiction.

1. Every 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 justice shall, two days in each week, or oftener if need be, except when absent on visitations, hold at the place of his residence, or at some other convenient place, a session for the hearing and deciding upon such cases as may be brought before him.

3. Every justice shall, once in six months, or oftener if need be, repair to each farm within his district upon which twenty or any greater number of labourers shall be employed, there to take cognizance of such cases as may be brought before him.

4. Every 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, general remarks.

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 six months, the justice shall transmit to the Governor a duplicate of his journal for the preceding six months, 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 justice, during the six months to which it refers, for the purpose of being laid before the Legislative Council.

7. On receiving any complaint, it shall be the duty of the 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 then be subscribed.

8. If the complaint shall appear to the justice immaterial, and not to deserve further inquiry, he may at once dismiss it; 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, cognizance of which is given to the justice, under and by virtue of the said Act of Parliament, and to the truth of which such oath shall have been so made, the 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 where 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. 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 bail or commitment 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 name.

15. By 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, unless accused of a capital or transportable offence, in which case he shall take preparatory examination, and proceed according to law in his capacity as justice of the peace, 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 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 any number of stripes not exceeding fifteen; or if the complainant be the employer, the justice may adjudge such employer to the payment of a penalty for the use of the colonial treasury, or the labourer, at his discretion, of not less than 10 s. and not greater than 40 s.

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 a labourer, to imprisonment with hard labour, for any time not exceeding one month, or to any number of stripes not exceeding thirty; or, if the employer of any such labourer, to a fine not less than 20 s. and not greater than 5 l., to be applied in manner aforesaid; 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 drawn up according to the form annexed, marked (F.)

20. If the justice shall commit the party charged to take his trial for the imputed offence, such commitment shall be drawn up in the form annexed, marked (G.)

21. Upon any such conviction as aforesaid by the justice, he shall forthwith issue a warrant for the execution thereof, in the form annexed, marked (H.)

22. All summonses, warrants, commitments and other orders, so to be issued by the justice, shall be executed by the police officers of his district, the 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, and who shall consent to execute the same.

23. Any summons, warrant or order, issued by any 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 the 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 the justice in relation to the matters depending before him, it shall be lawful for the 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 forms annexed, marked (I.) and (K.)

25. If it shall be made to appear to the satisfaction of the Governor and the Legislative Council that the forms of proceeding hereinbefore prescribed are needlessly burdensome upon the justices, or that they impede or interfere with the prompt and effective execution of the law, the Governor, with the 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. If any suit or action shall be commenced against any justice, in respect of any act, matter or thing by him done by virtue and in pursuance of this ordinance, if the court shall give judgment for the defendant, the plaintiff shall, by such judgment, be condemned to pay treble costs of suit.

27. If in any such suit or action the 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

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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.

28. No suit or action shall be brought against any justice in respect of any matter or thing by him done under or in pursuance of this ordinance, unless the same shall be commenced within six months after the cause of action accrued.

CAP. III.—On the Classification of Apprenticed Labourers.

1. In the Colony of the Cape of Good Hope all apprenticed labourers shall be classed as non-prædial labourers.

CAP. IV.—On the Maintenance of the Apprenticed Labourers.

1. Every employer shall be and is hereby required to supply his labourers with such food, clothing, lodging, medicine, medical attendance, and such other maintenance and allowances as by the laws which were in force in this Colony on the 30th day of November last past, an owner was required to supply to, and for any slave, being of the same age and sex as such labourer shall be; and the justices are hereby authorized to substitute such articles of clothing for those by law prescribed as the late protectors of slaves were authorized to do.

CAP. V.—On the Duties to be performed by the Apprenticed Labourers, and the Penalties for their Non-performance.

1. Every labourer shall be obliged to work and labour in every day in the year, Sundays and holidays hitherto usually allowed to the labouring population excepted, in the service and for the benefit of his employer.

2. No labourer shall be compelled to work during any sickness rendering him unfit for the same, nor when employed in garden or field labour, shall be compelled to work more than nine hours in each twenty-four hours, in the months of May, June and July, with an interval or intervals for meals and rest not less than two hours; nor more than ten hours in the months of March, April, August and September, with two intervals, not less than three hours; nor more than eleven hours in the remaining five months of the year, with two intervals, not less than four hours: provided, that any labourer employed as a waggon-driver or leader, shall perform his duty as heretofore.

3. For every hour in which any labourer shall absent himself from his employer's service, without reasonable cause, he shall be adjudged to receive not exceeding ten stripes, and so in proportion for every portion of time greater or less than an hour, provided that such number of stripes shall not exceed thirty-nine in the whole.

4. Any 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 labourer residing in the family of his employer who shall absent himself from his residence during the night without leave obtained, shall, if found one mile distant from such residence, be arrested, and on conviction, be adjudged a deserter, and punished accordingly: provided always, that no employer shall withhold permission for such labourer to attend at any place of worship without reasonable cause to the satisfaction of the justice.

6. Any labourer absenting himself without reasonable cause for two days during one week shall be adjudged a vagabond.

7. Any labourer absenting himself without reasonable cause, for more than six days in any one week, shall be adjudged a runaway.

8. Any labourer who shall, during his apprenticeship, wilfully absent himself from the services of his employer, shall be adjudged and compelled to serve his employer after the expiration of his apprenticeship, for so long a time as he shall have so absented himself from such service, or to make satisfaction to his employer for the loss sustained by such absence: provided, however, that such extra service or compensation shall not be compellable after the expiration of five years next after the termination of the apprenticeship of such labourer.

9. The reasonableness of the cause of absence shall, in each case, be decided by the justice.

10. 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 fifteen; those adjudged runaways, to hard labour for any time not exceeding one month, and to any number of stripes not exceeding thirty, and to make such satisfaction to their employers, or to serve after the expiration of their apprenticeship with their employers, during such time as they shall be adjudged by the sentence of any justice.

11. Any labourer convicted of performing his work indolently, carelessly or negligently shall, for the first offence, be adjudged to whipping, not exceeding fifteen 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, to confinement with hard labour, for any time not exceeding one fortnight, with whipping, not exceeding twenty stripes.

12. Any

12. Any labourer, who, by the careless use of fire, shall endanger the property of his employer, or any other person, or who shall wantonly injure the property of his employer entrusted to his care, or who shall ill use the cattle or other live stock of his employer, or who shall by gross negligence expose his employer's property to any damage or injury, shall for such offence be adjudged to confinement to hard labour for any time not exceeding one month, or to any number of stripes not exceeding thirty lashes, or to both such punishments: provided that this enactment shall not exempt any such labourer from his 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 done or omitted, although no such labourer shall be liable to be so sued or prosecuted, both under this ordinance and under such general law as aforesaid.

13. Any labourer who shall contumaciously disobey the lawful commands of his employer, shall be liable to one or both of the punishments last aforesaid.

14. Any three or more 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, and to any number of stripes not exceeding thirty-nine.

15. Any three or more labourers who shall be engaged in a combined and open resistance to the lawful commands of their employers, shall, on conviction, be adjudged to suffer the punishments last aforesaid, or any one of them.

16. Any 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, on conviction, be adjudged to imprisonment with hard labour, for any time not exceeding one week, or to whipping not exceeding fifteen stripes.

17. Provided always, 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 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 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 in the whole for any one offence.

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 labourer shall, by force or fraud, protract the daily 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 one shilling in respect of every hour which such service shall be protracted.

2. It shall be the duty of every employer to intimate to the labourers in his employment the commencement and the close of the legal hours of labour.

3. No 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 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 farm; which book it shall be the duty of the justice to inspect as often as he shall in manner aforesaid repair to the several farms within his district.

5. No contract between the employer and the labourer for the performance of any such specific or task-work, or for the performance of any labour in extra hours, shall endure and continue in force, or be binding upon the parties entering into the same, or either of them, after the expiration of thirty 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 the justice, or unless, having been entered into in his absence, the same shall be confirmed and approved by him before the expiration of such thirty days. And every such approbation of any such contract shall by the justice be attested under his hand in the book so to be kept as aforesaid.

6. It shall be the duty of the justice, before approving any such contract, to ascertain that the terms thereof are distinctly understood by the 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. In every such contract for task-work, or for extra service extending beyond the period of thirty days, 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 the 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 the justice to award execution against such employer

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for the amount of such consideration, and if the same shall not be paid within thirty days next after such award, to issue an attachment against the produce, utensils and other chattels upon such farm; which execution and award shall be respectively in the forms annexed, marked (L.) and (M.)

10. Such execution and attachment as aforesaid shall be executed by the serjeant of the police of the district, who shall thereunder seize and sell, for which no auctioneer's license shall be necessary, so much of the produce, utensils, and other chattels as may be found upon such farm, as may be necessary for the payment of such debt, delivering over the surplus, if any, to such employer.

11. Any labourer violating the terms of such contract as aforesaid, 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 his employer, unless specific penalties are named in the contract.

12. Every married woman, notwithstanding her coverture, and every minor of the age of 12 years and upwards, notwithstanding his minority, shall be competent to enter into such contracts as aforesaid.

13. If any employer, or any person who, as manager or otherwise, exercises the authority of the employer over any labourer, shall whip, beat, imprison, confine in the stocks, or otherwise maltreat any such 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 the justice, 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 labourer, instead of preferring his complaint to the 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 the 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 such court of any cruelty towards his 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 Offence which may be committed by the Apprenticed Labourers against the State, and the Punishment of such Offences.

1. If any labourer shall be found at any place distant more than five miles from the place of residence, not having with him a written pass for that purpose from his employer, or from the justice of the district to which he belongs, such labourer shall be liable to be apprehended and taken before the justice, and upon proof before the justice made of the facts aforesaid, such labourer shall be adjudged a vagabond, and punished accordingly: provided nevertheless, that nothing herein contained shall subject to any such punishment any labourer absenting himself without such pass as aforesaid, at any distance within this Colony from his residence, except as is hereinbefore excepted, during any time in which he may not be bound to labour in the service of his employer, if such labourer shall be so absent in the prosecution of his 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 justice before whom he may be so brought, that his absence took place during such time only, and was occasioned only by any such cause as aforesaid.

2. Any person aiding or assisting in the unlawful removal from the Colony of any labourer, 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, the employer of any labourer may, by his last will or by deed under his hand, at his pleasure, discharge any such labourer, so far as relates to the interest of every such testator or grantor, 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 of such labourer: provided nevertheless, that no person having a partial or temporary interest in any labourer, may, to the extent of such interest, effect his discharge gratuitously, unless all other persons having a partial, future or reversionary interest in such labourer, shall consent or be parties to such discharge, or unless such interests shall be purchased in the manner hereinafter provided.

2. And in order to prevent the fraudulent discharge of labourers, incompetent from age or disease to earn their own living; Be it provided, 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 labourer so to be discharged shall, previously to the actual execution of any such deed, appear before the justice for the district in which the labourer is resident; and if it shall appear to the said justice that such 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 hand, execute and deliver to the said justice a bond to His Majesty in the penal sum of 50*l.*, with a condition thereunder written for the defeazance thereof, if such labourer shall be properly fed, clothed and maintained until he shall have attained the age of 14 years, or until the time when the term of apprenticeship would have expired, if such discharge had not been made,

made, whichever shall first happen; and no such gratuitous discharge shall be valid and effectual in the law until shall 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 labourer so discharged shall be under the age of 14 years, or 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 labourer, as fully as if the said testator had in his life time executed such bond as aforesaid.

4. And to prevent ignorant labourers effecting the purchase of their discharge from persons unable to make any valid title to the same, it is and shall be lawful for any person being the employer of any labourer in the said Colony, to contract with such labourer through the agency of any justice as aforesaid, acting for and on behalf of such labourer, but not otherwise, for the discharge of the said labourer, at a price to be agreed upon between the said employer and the said justice respectively; and in case of any such contract, it shall be the duty of the said justice, on behalf of the said 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 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 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 justice be enrolled in the supreme court of justice 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 justice within the said period of one calendar month, the said 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 labourers desiring to obtain the same by purchase, in cases where their employers may be unwilling or unable to contract for such discharge, the employer, or any person having any interest in any such labourer, shall be unwilling to effect his discharge, or shall by reason of any mortgage or settlement, or lease or charge upon, or interest in such labourer being vested in any other person, be unable to execute a valid and effectual discharge of such labourer; or if the employer, or any other person having a charge upon or interest in any such labourer shall be a minor, or a married woman, or idiot or lunatic, or if the real employer of any such labourer shall be absent from the Colony, or shall not be known; or if any suit or action shall be depending in any court of justice in the Colony, wherein the right to the service of such labourer shall or may be in controversy, or if the employer of any such labourer shall demand as the price of his discharge a greater sum of money than may appear to the said justice to be the fair and just value thereof, then and in each and every of the cases aforesaid any judge, on application to him for that purpose made by the said justice, shall issue a summons under his hand, requiring the employer of such 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 justice 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 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 any such meeting as aforesaid, any judge in the presence of the said justice, and also in the presence of the employer of the 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 justice, and by the employer or other persons claiming any interest in the services of the 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 justice, or in case it shall be made to appear to any judge, that a valid and effectual discharge of such labourer cannot legally be effected by private contract, or that the employer of such labourer, or any person having any charge upon or interest in the services of such labourer, is a minor, or a married woman, or idiot or lunatic; or that the employer of the labourer, or any person having any charge upon or interest in the services of such 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 the Colony wherein the right to the services of such labourer is in controversy; then, and in every such case, any judge shall require the justice and the employer of such labourer, if attending in pursuance of such notice, each to nominate an appraiser of the value of his 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 any judge, to make a fair and impartial appraisal of the value of the services of the labourer so proposed to be discharged; and within seven days next after such their appointment, such appraisers shall make a joint valuation of the said services, and shall certify such their valuation to any judge, under their hands; 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

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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 the Colony.

8. Provided, nevertheless, that if it shall be made to appear to any judge, within six weeks 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 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 of any such valuation as aforesaid, it shall be lawful for any justice, out of any monies to be supplied to him for that purpose by the labourer proposed to be discharged, to pay to the treasurer of the Colony the appraised value of the services of such labourer, taking a receipt in writing from such treasurer for every such payment; and any judge shall, upon application to him for that purpose made by the said justice, make an order for the enrolment of such receipt, and shall by such order further proceed to declare and adjudge that the labourer, by or on behalf of whom such money hath been paid, is discharged; and such labourer shall thereupon be and be deemed to be discharged from such apprenticeship.

11. The money to arise from the discharge of any labourer by virtue of the proceedings before mentioned shall remain in the hands of the treasurer of the Colony, and shall bear interest at and after the rate of four pounds 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 his name, in good and sufficient securities; and any judge 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, shall be the property of the person who was entitled to the services of such discharged labourer, 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 labourer. And the treasurer shall hold the said money and the interest accruing thereupon, subject to such order as any judge 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 the treasurer be paid and disposed of in pursuance of, and in obedience to, any such order.

12. It shall be lawful for the judges 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 them vested, and for regulating the proceedings of all persons who may be parties to or interested in any question so depending before them.

13. It shall be lawful for the judges respectively to appoint such and so many commissioners as they shall see fit, to do all such matters and things with respect to the valuation of apprenticeships, as the said judges are hereby authorized and required to do.

CAP. IX.—*On the Apprenticeship of Children.*

1. Every indenture of apprenticeship to be made and entered into by any such justice as aforesaid, in pursuance of the said Act of Parliament, on behalf of any children of any labourer shall be in the form annexed, marked with the letter (N.), and shall be kept and recorded in the office of the justice for the district to which such apprenticed child may belong.

2. No child born of any female labourer, which labourer was herself the child of an apprenticed labourer, shall be bound an apprentice under the provisions of this ordinance.

CAP. X.—*On the Alienation by Sale, or Will, of the Services of Apprenticed Labourers.*

1. The right or interest of any employer to and in the services of any labourers as aforesaid, shall, upon the death of any such employer, pass to and become vested in such person as, if the said Act had not been passed, would by will or descent, as the case may be, have been entitled to such labourer, as his 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 this Colony, 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.

2. Provided

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2. Provided always, that no 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 services.

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No. 77.CAP. XI.—*On the Relation in which the Apprenticed Labourers will stand towards the State.*

1. No labourer shall, during the continuance of his 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.

2. Provided always, that nothing herein contained shall exempt any such 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, or by any other lawful authority, be imposed upon him.

3. Provided also, that nothing herein contained shall extend to disqualify any labourer from undertaking and discharging any office or employment in the service of any corporate or ecclesiastical body, or of any person, in cases where such employments or offices may not be connected with the discharge of any military or political duties.

CAP. XII.—*Explanation of Terms used in this Ordinance.*

Wherever the words "judge," "justices," "employers," and "labourers," are used in this ordinance, they shall be construed to mean respectively, the chief justice, or any judge of the supreme court of this Colony, the special justices or magistrates; the persons entitled to the services of apprenticed labourers, and the apprenticed labourers, all as mentioned in the Act aforesaid; and the words "his" and "person" shall be construed to mean respectively "his," "her" or "their," and "person" or "persons," as the case may be.

FORMS referred to in the foregoing ORDINANCE.

(A.)—WARRANT.

Cape of Good Hope, } To _____ of _____ district, and all
To wit. } other officers of police in the Colony of the Cape of Good Hope.
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, the _____ day of _____ in the year of our
Lord _____

(B.)—SUMMONS.

To _____ of _____ in the Colony of the Cape of Good Hope.
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 said complaint.
Given under my hand, this _____ day of _____ in the year of our
Lord _____

(C.)—SUMMONS.

To _____ of _____ in the Colony of the Cape of Good Hope.
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, this _____ day of _____ in the year of our
Lord _____

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(D.)—RECOGNIZANCE.

Cape of Good Hope, } A. B. of in said Colony, acknowledges himself to To wit. } be indebted to 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 the Cape of Good Hope, 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 the Cape of Good Hope.

(E.)—COMMITMENT.

Cape of Good Hope, } To serjeant of police, and all other police officers To wit. } whom this may 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 the Cape of Good Hope, 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 hi 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 serjeant 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, this day of in the year of our Lord

(F.)—CONVICTION BY A SPECIAL JUSTICE OF THE PEACE.

Cape of Good Hope, } In the day of To wit. } Be it remembered, that on the of in the year of our Lord at in the Colony of the Cape of Good Hope, 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, adjudged the said for his said offence to Given under my hand the day and year first above mentioned.

(G.)—COMMITMENT.

Whereas was this day brought before me, the undersigned special justice of the peace in and for the Colony of the Cape of Good Hope, on a complaint that he the said did, &c. And I, the said justice of the peace, having inquired into the circumstances of this 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, this day of in the year

(H.)—WARRANT FOR EXECUTION OF SENTENCE UNDER CONVICTION.

Cape of Good Hope, } To serjeant of police, at To wit. } Whereas on the day of in the year of our Lord at in the Colony of the Cape of Good Hope, of was convicted before me, one of His Majesty's special justices of the peace for the said Colony, for

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for that he the said _____ did, &c. _____ and was for the
 said offence by me sentenced to pay a penalty of _____ pounds [or to receive a whipping
 of _____ lashes, as the case may be.] This is therefore to require you, that of the goods
 and chattels of the said _____ in this district, you cause to be levied and
 raised the amount of the said penalty, and pay to me the said sum so to be levied as aforesaid
 [or, this is therefore to require you, that you cause the said _____ to receive
 and undergo the punishment and sentence aforesaid.]
 Given under my hand, this _____ day of _____

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 —

(I.)—WARRANT.

Whereas on the _____ day of _____ I did issue to
 of _____ in the Colony of the Cape of Good Hope, 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 this _____ day of _____ in the year
 of our Lord _____
 To _____

(K.)—COMMITMENT.

To _____ constable.
 Whereas _____ having _____ before me as a witness
 upon certain complaint depending before me, on behalf of _____ against _____
 at _____ on this _____ day of _____ 183
 in the _____ of _____ in the Colony of
 the Cape of Good Hope, 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, at _____ this _____ day
 of _____ in the year of our Lord _____

(L.)—AWARD OR SENTENCE.

Cape of Good Hope, } Whereas proof having been made to the satisfaction of the special
 To wit. } justice, on the _____ day of _____
 at the farm _____ in the district _____
 in the Colony of the Cape of Good Hope, 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 _____ of _____
 in the Colony aforesaid, this _____ day of _____ 183

(M.)—WARRANT OF EXECUTION.

Cape of Good Hope, } Whereas at the Session held before me on the
 To wit. } day of _____ at _____ in district _____
 in the Colony of the Cape of Good Hope, 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 _____

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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, at the
day of in the year of our Lord

(N.)—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 Colony of the Cape
of Good Hope, for and on the behalf of C. D., an infant, aged years, of the district 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 apprenticed] 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 pro-
vided, 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 the said E. F. hath also set his hand in my pre-
sence at in the Colony aforesaid, the day and year first above written.

Given at the Cape of Good Hope, this 5th day of January 1835.

By command of his Excellency the Governor,

John Bell, Secy to Govr.

By order of the Council,

H. A. Hamilton, Clerk of the Legislative Council.