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DISTRICT (I.) <i>George Rose, Esq.</i>	DISTRICT (K.) <i>John M'Leod, Esq.</i>	DISTRICT (L.) <i>J. Van Rijk de Groot, Esq.</i>	DISTRICT (M.) <i>J. J. Candlin, Esq.</i>
No.	No.	No return from this district, in consequence of the magistrate being ill, and the duties performed by the magistrate of District (N.)	None.
No.	No.	- - - - -	None.
The same as when in a state of slavery.	Children are treated in same manner as when in a state of slavery.	- - - - -	On most of the estates the children are fed; on all they receive medical attendance.
There are schools on most of the estates among the apprenticed labourers themselves, and upon several there are teachers engaged, and those at the different places of worship.	On plantation 'Goldstone Hall' there is a school, supported by the gentlemen resident in Canje, and schools at the missionary places of worship.	- - - - -	On plantation 'Skeldon' a clergyman is resident, and paid by the proprietor, and a school kept for the children.
- - - - - (signed) <i>George Rose,</i> S. J. P.	- - - - - (signed) <i>John M'Leod,</i> S. J. P.	- - - - -	The same remark as last month. (signed) <i>J. J. Candlin,</i> S. J. P.

(True extract.)

Henry Jno. Baird, Private Secretary.

BRITISH
GUIANA.

— No. 658. —

(No. 246.)

COPY of a DESPATCH from Sir *J. C. Smyth* to Lord *Glenelg*.

No. 658.

My Lord,

Camp House, Demerara, 6 Nov. 1836.

I HAVE much pleasure in laying before your Lordship returns for the quarter ending on the 30th September, of a similar nature to those I have of late had the honour from time to time of submitting to your Lordship. These documents show, in the most satisfactory manner, the rapid advances which this colony continues to make, under every head, and in every particular that could be wished or desired. My thoughts are now (in the anxious discharge of my duty) consequently directed more towards the future state of this magnificent province, and employed more in the consideration of what measures it may be advisable to adopt with a view to the ensuring the continuance of our prosperity after the 1st of August 1840, than in devising the means of maintaining the public tranquillity, which, based (as I firmly believe it to be) upon the confidence entertained by the labouring population in His Majesty's Government, will, I have very little doubt, remain undisturbed.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure in No. 658.

Enclosure
in No. 658.

ABSTRACT of the RETURNS for the September Quarter of the Year 1836.

(A.)

RETURN of MARRIAGES in *British Guiana*, during the September Quarter.

1. Marriages by special License	-	-	-	19
2. Ditto - by publication of Banns	-	-	-	372
TOTAL	-	-	-	<u>391</u>

(B.)

RETURN of COMMUNICANTS at the Holy Sacrament in *British Guiana*, during the September Quarter.

1. Church of England	-	-	-	1,885
2. Church of Scotland	-	-	-	391
3. Reformed Church of Holland	-	-	-	-
4. Lutheran Church	-	-	-	-
5. Roman Catholic Church	-	-	-	203
6. Wesleyan Missionaries	-	-	-	1,384
7. London Missionary Society	-	-	-	1,144
8. Moravian Missionaries	-	-	-	-
TOTAL	-	-	-	<u>5,007</u>

(C.)

RETURN of YOUNG PEOPLE who have attended Schools in *British Guiana*, during the September Quarter.

1. Daily Schools	-	-	-	1,943
2. Afternoon ditto	-	-	-	2,560
3. Sunday ditto	-	-	-	5,967
4. Infant ditto	-	-	-	734
TOTAL	-	-	-	<u>11,204</u>

(D.)

(D.)

RETURN of CONVICTIONS before the Supreme Court of Criminal Justice in *British Guiana*, during the September Quarter.

	Males.	Females.
1. In the District of Demerara and Essequibo -	12	
2. Berbice, no Court held - - - - -	-	-
TOTAL - - -	12	

(E.)

RETURN of CONVICTIONS before the Inferior Courts of Criminal Justice in *British Guiana*, during the September Quarter.

	Males.	Females.
1. Demerara - - - - -	135	16
2. Essequibo - - - - -	32	3
3. Berbice - - - - -	12	2
TOTAL - - -	179	21

(F.)

RETURN of SHIPPING, TONNAGE and SEAMEN entered the Ports of *British Guiana*, during the September Quarter.

	Vesels.	Seamen.	Tons.
1. Demerara and Essequibo -	123	1,094	22,405
2. Berbice - - - - -	23	220	3,771
TOTAL - - -	146	1,314	26,176

(G.)

RETURN of LABOURERS and ARTIFICERS imported into *British Guiana*, during the September Quarter.

1. Males - - - - -	483
2. Females - - - - -	190
TOTAL - - -	673

(H.)

RETURN of COLONIAL PRODUCE shipped from the Ports of *British Guiana*, during the September Quarter.

	Sugar.			Rum.			Molasses.			Coffee.	Cotton.
	Hhds.	Trs.	Brls.	Puns.	Hhds.	Brls.	Hhds.	Trs.	Brls.	Pounds.	Balcs.
1. Demerara	11,754	887	454	3,266	1,135	348	5,616	-	-	272,250	322
2. Berbice -	2,680	377	64	1,142	148	-	1,157	52	-	121,650	30
	14,434	1,264	518	4,408	1,283	348	6,773	52	-	393,900	352

BRITISH
GUIANA.

(I.)

RETURN of the VALUE of GOODS imported into *British Guiana*, during the September Quarter.

	£.	s.	d.
1. Into the port of Demerara - - - - -	225,690	-	4
2. „ Berbice - - - - -	35,288	-	-
TOTAL - - - - -	£. 260,978	-	4

(K.)

RETURN of BALANCE in the COLONIAL CHESTS, on the 30th September 1836.

	£.	s.	d.
1. In the Chest at Georgetown - - - - -	21,879	14	-
2. „ New Amsterdam - - - - -	11,401	12	10
TOTAL Sterling - - - - -	£. 33,281	6	10

Compiled from the official Returns.

(signed)

H. E. F. Young,
Government Secretary.

N. B.—The Returns (B.) and (C.) are not so complete as it is expected they will be in future. The Return (B.), in particular, gives but an imperfect view of the progress of religion, owing to its being unusual, in some churches, to administer the sacrament so frequently as in others.

— No. 659. —

(No. 181.)

COPY of a DESPATCH from Lord *Glenelg* to Sir *J. C. Smyth*.

No. 659.

Sir,

Downing-street, 31 Jan. 1837.

I HAVE the honour to acknowledge the receipt of your Despatch (No. 246) of the 6th November last, enclosing certain returns showing the state of British Guiana for the quarter ending 30th of September.

I have perused these documents with much interest, and I beg to express to you my participation in the satisfaction with which you view the rapid advances made by the colony, and the successful results of your endeavours to promote its prosperity.

I have, &c.

(signed) *Glenelg*.

— No. 660. —

(No. 248.)

COPY of a DESPATCH from Sir *J. C. Smyth* to Lord *Glenelg*.

No. 660.

My Lord,

Camp House, Demerara, 9 Nov. 1836.

I HAVE the honour herewith to lay before your Lordship the epitome of the monthly reports of the stipendiary special justices in British Guiana for the month of October.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure

Enclosure in No. 660.

EPITOME of the MONTHLY REPORTS from the FIFTEEN STIPENDIARY SPECIAL JUSTICES in *British Guiana*, for the Month of October 1836.

QUESTIONS.	DISTRICT (A.)		DISTRICT (B.)
	EASTERN DIVISION. Captain Coleman.	WESTERN DIVISION. Charles Henry Strutt, Esq.	<i>A. M. Lyons, Esq.</i>
1. ARE the labourers in your district civil, contented and cheerful?	Yes, generally.	They are.	Yes.
2. Have they performed their work during the last month with alacrity and good will?	Yes, generally.	They have.	Yes.
3. Has the work on any estate been unwillingly or not readily performed? If yes, have the goodness to name the estate, the proprietor or his attorney, and the manager, in order that an inquiry may be forthwith instituted into the causes which may have led to such conduct.	Yes, on plantation 'La Bonne Mere;' Messrs. Bell and Jackson, attornies, Mr. George Bell, manager.	It has been performed willingly and readily.	On plantation 'Mon Repos,' at the beginning of the month, the work was not willingly or readily performed; M. M'Turk, Esq. attorney, H. P. Hamer, manager; at present every thing is going on well.
4. Is task-work generally resorted to within your district? or do the labourers prefer working the seven hours and a half per day, as fixed by law?	It is generally resorted to in this district.	Voluntary task-work has been in use, taking the tariff as the guide.	Task-work is generally resorted to in this district.
5. What are the working hours most generally in use in your district? Are there any estates in your district on which the labourers are compelled to lay by for two or three hours in the middle of the day, and then to complete their seven hours and a half in the afternoon (by which division of their labour they have little or no time to themselves)? If yes, have the goodness to name the estates, proprietors or attornies, and the managers.	From seven A. M. till the task is finished.	The nominal hours are from seven A. M. till the work is finished.	The labourers commence work at seven A. M., and continue working until they finish their task.

(continued on page 506.)

October 1836.]	DISTRICT (C.)		DISTRICT (N.)	DISTRICT (D.)
TOWN. <i>George Ross, Esq.</i>	RIVER. <i>Captain Delafons, R. N.</i>	UPPER RIVER. <i>K. Heyland, Esq.</i>	Captain <i>Allen.</i>	
Answers to Question 1. They are.	Yes, generally.	Yes.	Yes.	
Answers to Question 2. As much as can be expected.	Yes, generally; 'Peter's Hall' excepted.	Yes.	Yes.	
Answers to Question 3. It has been performed willingly.	'Peter's Hall' only excepted.	It has in general been willingly done.	It has been willingly performed.	
Answers to Question 4. On the estates, task-work is resorted to. The town mechanics work the legal time.	They work their seven and a half hours as fixed by law.	Task-work is resorted to, but it is optional with the labourers.	Task-work is generally resorted to.	
Answers to Question 5. Usually about seven o'clock A. M. they begin work, and continue till the task is finished.	From seven A. M. till half-past two P. M.; or from eight A. M. until half-past three P. M.	From seven o'clock A. M. till eleven, and from twelve P. M. to half-past three o'clock, when task-work is performed.	From seven to eleven A. M., and from twelve to half-past three o'clock P. M., when task-work is not resorted to.	

DISTRICT (E.) <i>Spry Bartlett, Esq.</i>	DISTRICT (F.) <i>George Kellock, Esq.</i>	DISTRICT (G.) <i>George Ball, Esq.</i>	DISTRICT (H.) <i>W. J. Brittain, Esq.</i>
They are contented and civil.	Yes.	They are.	They are.
Generally speaking they are.	Yes.	It has.	They have.
It has been generally performed willingly.	No.	The work has not been unwillingly performed on any estate.	In none has it been unwillingly performed.
Generally task-work.	Task-work is universal, and preferred by the labourers.	Task-work is generally resorted to in preference, by the labourers.	Task-work is general.
The bell rings at seven o'clock A. M. to commence work, and the apprenticed labourers return home when the task is finished.	The labourers work as they choose, generally commencing from six o'clock in the morning till six in the evening, according to circumstances.	The labourers begin work at half past six or seven A. M., and leave off when their task is done.	Hours of work are very little attended to.

(continued on page 568.)

October 1836.] DISTRICT (I.) <i>George Rose, Esq.</i>	DISTRICT (K.) <i>John M'Leod, Esq.</i>	DISTRICT (L.) <i>K. Hcyland, Esq.</i> in the absence of <i>J. Van Rijk de Groot, Esq.</i>	DISTRICT (M.) <i>J. J. Candlin, Esq.</i>
Answers to Question 1.	Yes, generally.	Yes.	Yes.
	Yes, generally.	Yes.	They are.
Answers to Question 2.	Yes, generally.	In most instances.	Yes.
	No, except by a few idle persons.	No.	Yes.
Answers to Question 3.	No, except by a few idle persons.	No.	It has in general been willingly performed.
	No, except by a few idle persons.	No.	It has in general been willingly performed.
Answers to Question 4.	Yes, it is preferred by the labourers.	The labourers prefer working by the task.	Task-work is generally resorted to in this district.
	Yes, it is preferred by the labourers.	The labourers prefer working by the task.	Task-work is generally resorted to in this district.
Answers to Question 5.	From seven A. M. to half-past two P. M., or until their tasks are finished.	From seven A. M. until half-past three P. M., or the ordinary day's work is performed.	From seven A. M. till the task is finished.
	From seven A. M. to half-past two P. M., or until their tasks are finished.	From seven A. M. until half-past three P. M., or the ordinary day's work is performed.	From seven A. M. till the task is finished.

QUESTIONS.	DISTRICT (A.)		DISTRICT (B.) <i>A. M. Lyons, Esq.</i>
	EASTERN DIVISION. <i>Captain Coleman.</i>	WESTERN DIVISION. <i>Charles Henry Strutt, Esq.</i>	
6. Do the labourers on any estate in your district perform extra labour for hire? If yes, name the estates, the rate of wages for extra work, and state how and when the payments are made; and if extra work is not performed for wages, state if reasonable wages have been offered, with weekly payment. If reasonable wages and prompt payment have been offered and rejected, state to what cause you attribute the refusal on the part of the labourers.	They perform extra labour for hire about the buildings and some estates in the field, at the rate of from one to three bits per day.	Upon all the estates the people employed at the buildings are paid wages for extra labour. On some estates they occasionally are employed in the field, earning from one to two guilders per day each.	In the manufacture of sugar, and taking in coffee and cotton, the working of schooners and punts, the labourers perform extra work for hire at two stivers per hour.
7. Have there been any instances of insubordination, or any attempt to resist authority by force, in your district? If there have been any, name the estates on which such occurrences have taken place.	None.	None.	None.
8. In the event of any disposition having been manifested by any of the labourers to neglect their work, or to behave rudely to those in authority over them, has such misconduct been so general as to induce you to attribute it to any combination or conspiracy? or is it only with respect to a few idle and disorderly apprentices that you have had complaints made?	On 'La Bonne Mere' a disposition towards combination manifested itself, but was soon checked.	- - - - -	When the labourers neglect their work they too often behave rudely to those in authority over them. On 'Mon Repos' there was a combination not to perform a reasonable portion of work.
9. Has the attendance of the prædial labourers at church, and of their children at school, been regular and to the full accommodation afforded them under the local circumstances of your district?	Yes.	It has.	It has.
10. Have you, individually as a magistrate, and has the court over which you preside, been under the necessity of ordering punishment by whipping during the preceding month? and, if answered in the affirmative, state the number of delinquents so punished, and the extent of punishment awarded in each case.	Three - - 25 stripes each.	None.	None.
11. Has any manager, overseer or other person in authority over the prædial labourers, been fined or otherwise punished, by the court over which you preside, during the preceding month, for misconduct towards any labourer or labourers? Have there been any instances of the labourers having been detained at work beyond the legal hours? and, in such case, has the shilling sterling per hour for each individual labourer been levied?	No.	No.	A manager fined two pounds sterling, to be paid into the colonial chest, for an assault.

(continued on page 510.)

October 1836.]	DISTRICT (C.)		DISTRICT (N.)	DISTRICT (D.)
TOWN. <i>George Ross, Esq.</i>	RIVER. <i>Captain Delafons, R. N.</i>		UPPER RIVER. <i>K. Heyland, Esq.</i>	Captain <i>Allen.</i>
Answers to Question 6.	None.		They invariably perform extra work for hire in the manufacture of sugar. The labourers receive from 3 f. to 3 f. 10. per week.	No variation has taken place since last report.
	None.		Two instances on 'Balthyock,' when the parties (both prisoners) resisted the authority of the constables by force.	Two or three, but not deserving of particular notice.
Answers to Question 8.	The idle and disorderly apprentices.		The refusal of the apprenticed labourers, formerly of 'Veyburgh,' to remove to 'Overwinning,' and of those of 'Waak-zumheid,' to remove to 'Mara,' was caused by the combination of a few people; the others, at one period, expressed their willingness to go. <i>N. B.</i> This properly belongs to District (L.) report. <i>H. J. B.</i> P. S.	It was only with respect to a few idle persons that complaints were made.
	Yes.		It has been good.	It has not varied since last report.
Answers to Question 10.	One - - 15 stripes.		None.	None.
	No.		No.	No.
Answers to Question 11.	No.		No.	No.
	No.		No.	No.

DISTRICT (E.) <i>Spry Bartlett, Esq.</i>	DISTRICT (F.) <i>George Kellock, Esq.</i>	DISTRICT (G.) <i>George Ball, Esq.</i>	DISTRICT (H.) <i>W. J. Brittain, Esq.</i>
Those employed about the buildings receive two stivers per hour; on 'The Hague' they do extra labour in the field in cutting canes.	On all the estates the labourers do extra work at the buildings, and on most they are employed in the field in extra labour for hire, and receive about two guilders per week.	The labourers on all the estates perform extra labour for hire in the boiling-house, and on the greater number in the field also.	Extra labour is performed for hire, wherever it is required.
None.	No.	No.	None.
It is mostly the same idle and disorderly apprentices against whom complaints are made.	It is only against a few idle apprentices that complaints are made.	Solely with respect to the latter.	None.
Yes.	The churches and schools are always well attended.	It has, in general, been regular, and to the full extent.	The accommodation of the parish church is inadequate to the number of apprenticed labourers.
Two { One - 15 stripes. One - 20 "	Five { Four - 39 stripes each. One - 25 "	Seven { One 39 stripes. Four 20 " each. Two 15 " "	Three - 10 stripes each.
None.	No.	Nothing of the nature has taken place.	None.

(continued on page 512.)

<p>October 1836.] DISTRICT (I.) <i>George Rose, Esq.</i></p>	<p>DISTRICT (K.) <i>John M^rLeod, Esq.</i></p>	<p>DISTRICT (L.) <i>K. Heyland, Esq.,</i> in the absence of <i>J. Van Rijk de Groot, Esq.</i></p>	<p>DISTRICT (M.) <i>J. J. Candlin, Esq.</i></p>
<p><i>Answers to Question 6.</i> On several estates extra labour is performed; wages vary.</p>	<p>On all the estates the persons employed about the buildings.</p>	<p>They invariably perform extra work for hire in the manufacture of sugar. The labourers receive from 3 f. to 3 f. 10 per week.</p>	<p>Extra labour is general; wages differ.</p>
<p><i>Answers to Ques. 7.</i> No.</p>	<p>No.</p>	<p>No.</p>	<p>None.</p>
<p><i>Answers to Question 8.</i> Only with respect to a few idle and disorderly.</p>	<p>No.</p>	<p>Answered in District (N.) report.</p>	<p>Only against one runaway.</p>
<p><i>Answers to Ques. 9.</i> Yes.</p>	<p>It has.</p>	<p>It has been good.</p>	<p>Yes; as far as the opportunities afforded will allow.</p>
<p><i>Answers to Question 10.</i> None.</p>	<p>Three { One 30 stripes. { One 25 " { One 15 "</p>	<p>Six { One 39 stripes. { Four 35 stripes each. { One 25 "</p>	<p>Two { One - 30 stripes. { One - 15 "</p>
<p><i>Answers to Question 11.</i> No.</p>	<p>A mason on 'Goldston Hall' fined twenty-eight guilders for striking an apprentice.</p>	<p>One manager fined 5 l. for not entering into a book the contract made with the labourers, and ordered to pay the complainants one dollar each, being the amount still due them.</p>	<p>One for a slight assault, A. Fotheringham, overseer on 'Eliza and Mary,' fined 11 f.; to be paid to the Colonial chest.</p>

QUESTIONS.	DISTRICT (A.)		DISTRICT (B.) <i>A. M. Lyons, Esq.</i>
	EASTERN DIVISION. <i>Captain Coleman.</i>	WESTERN DIVISION. <i>Charles Henry Strutt, Esq.</i>	
12. Have any complaints been preferred to you during the last month, from any apprenticed labourers, respecting their clothing, food, treatment, or upon any subject? In the event of any complaints having been made to you, have you carefully investigated into the matters and caused justice to be rendered to the parties as far as it was in your power? State the number and the nature of the complaints which may have been preferred to you in general terms.	Two, which were investigated and arranged to the satisfaction of the parties.	None to require particular mention.	Those that were made I found to be frivolous and vexatious.
13. Have any of the free children upon any of the estates in your district been bound apprentices during the last month? If yes, name the estates upon which such occurrences have taken place, and state if the transactions were with the free consent and approbation of the parents of the children.	None.	None.	None.
14. How are the children fed and taken care of on the estates in your district? Are they fed from the stores of the estates gratuitously, and is an additional quantity of salt fish and plantains issued for them? or are they fed out of the allowance due to their parents? When their mothers are at work in the field, is a woman specially appointed to take care of their young children, and exempted from all other duty? Are the children when unwell allowed the advantage of the medical assistance and hospital treatment of the estate in the same manner as when they were in a state of slavery?	The children are allowed provision, nurses and medical attendance.	The young children are fed and attended to the same as before the 1st August 1834.	The children are fed and taken care of, and when their mothers are in the field, persons are specially appointed to take charge of them.
15. On how many estates in your district are schools established? Name the estates, proprietors, and managers of estates having schools.	There are none but Sunday schools at the chapels and different meeting-houses.	Two day schools; plantation 'Enmore,' Mr. Porter, proprietor; plantation 'Greenfield,' Mr. Glen, proprietor.	There has been no increase or decrease of schools since last report.
16. Are there any remarks or observations which you may wish to convey to the Lieutenant-governor, connected with the peace, tranquillity and happiness of the district under your superintendance? If yes, state the same.	No. (signed) <i>Tho. Coleman,</i> S. J. P.	None. (signed) <i>C. H. Strutt,</i> S. J. P.	The district is quiet, and every thing going on well. (signed) <i>A. M. Lyons,</i> S. J. P.

(continued on page 514.)

October 1836.]	DISTRICT (C.)		DISTRICT (N.)	DISTRICT (D.)
TOWN. George Ross, Esq.	RIVER. Captain Delafons, R. N.		UPPER RIVER. K. Heyland, Esq.	Captain Allen.
Answers to Question 12.	None.		None.	All the complaints brought before me have been inquired into and redressed.
	None.		None.	None.
Answers to Question 14.	On all the estates the children are allowed food, nurses and medical attendance.		On all the estates the children receive the same treatment as when in a state of slavery.	The report on this subject is the same in every respect as the last.
	They are gratuitously fed; have medical attendance, and women specially allotted to take care of the young children when the mothers are at work.		On 'Augsburg,' the property of the Dutch Lutheran church.	Thirteen estates, which were named in last report.
Answers to Question 15.	Three; viz. plantations 'Kitty,' Mr. Manget; 'Thomas,' Mr. Butts; and 'Bellair,' Messrs. Shands.		Five; viz. plantations 'Craig,' 'Peter's Hall,' 'Perseverance,' 'Rome,' and 'Ruimveldt.'	None.
	On the estates, the labourers have a disposition to finish their weekly task on Friday, so as to have Saturday to themselves.		-	-
(signed) George Ross, S. J. P.	(signed) Thomas Delafons, S. J. P.		(signed) K. Heyland, S. J. P.	(signed) J. A. Allen, S. J. P.

DISTRICT (E.) <i>Spry Bartlett, Esq.</i>	DISTRICT (F.) <i>George Kellock, Esq.</i>	DISTRICT (G.) <i>George Ball, Esq.</i>	DISTRICT (H.) <i>J. W. Brittain, Esq.</i>
Six made a complaint of not being paid, which has been redressed.	No.	No.	One complaint against the proprietor of 'Dumbar-ton Castle,' not yet investi-gated, in consequence of the absence of defendant.
None.	No.	None.	None.
On plantations 'Best,' 'Vrees-en-hoop,' and 'Tuchen de Vrienden,' no food is al-lowed to the un-apprenticed children, but medical atten-dance when sick, and nurses while the mothers are in the field are allowed.	The children are treated as formerly.	The children, except in a few instances (where the parents object to it), are fed and taken care of in the same manner as when in a state of slavery.	Most estates treat the free children the same as the apprentices.
On six estates; viz. 'Vreed-enhoop,' 'Windsor Forest,' 'Haarlem,' 'Jalousie,' 'Best,' and 'Greenwich Park.'	On five estates; viz. plan-tations, 'Meerzorg,' 'Sans Souci,' 'Blenheim,' 'Mary's Ville,' and 'Endeavour.'	On eight estates; viz. plantations 'Spring Gar-den,' 'Huis te derien,' 'Bal-sabas Lust,' 'Zorg,' 'Golden Fleece,' 'Union,' 'Perse-verance,' 'Cullen,' and a teacher, occasionally, at plantations 'Velvoorden,' 'Adventure,' 'Annandale,' and plantation 'Under-neimuy.'	There are schools on six estates, besides the parish church, and one in 'Pome-roon.'
-	-	Nothing, but the con-tinued good conduct and industry of the appren-ticed labourers.	-
(signed) <i>Spry Bartlett,</i> S. J. P.	(signed) <i>Geo. Kellock,</i> S. J. P.	(signed) <i>Geo. Ball,</i> S. J. P.	(signed) <i>J. W. Brittain,</i> S. J. P.

(continued on page 516.)

October 1836.] DISTRICT (I.) <i>George Rose, Esq.</i>	DISTRICT (K.) <i>John M'Leod, Esq.</i>	DISTRICT (L.) <i>K. Heyland, Esq.</i> in the absence of <i>J. Van Rijk de Groot, Esq.</i>	DISTRICT (M.) <i>J. J. Candlin, Esq.</i>
Answers to Question 12. No.	One from 'Lochabaf,' which was disproved.	The complaint referred to in the last query.	None.
Answers to Question 13. No.	No.	None.	None.
Answers to Question 14. The same as before the 1st of August 1834.	Children are treated the same as when in a state of slavery.	The same treatment is given as when in a state of slavery, except 'Gelderland,' where no fish is given to the children.	On most of the estates the children are fed; on all they receive medical attendance
Answers to Question 15. There are schools on most of the estates, and at the different places of worship.	Three; on plantation 'Lonsdale,' plantation 'Bleyendaal,' one in 'Cangie' for the children in the district.	On 'Augsburg,' the property of the Dutch Lutheran church.	On plantation 'Skeldon,' the property of Wm. Ross, Esq., a clergyman is resident, and a day school kept for the children.
Answers to Question 16. (signed) <i>George Rose,</i> S. J. P.	 (signed) <i>J. M'Leod,</i> S. J. P.	 (signed) <i>K. Heyland,</i> S. J. P. in the absence of <i>J. Van Rijk de Groot,</i> S. J. P.	The want of a church and resident clergyman is seriously felt in this district by the labourers, who are all anxious to attend a place of worship. (signed) <i>J. J. Candlin,</i> S. J. P.

(True extracts.)

H. J. Baird, Private Secretary.

— No. 661. —

(No. 259.)

COPY of a DESPATCH from Sir *J. C. Smyth* to Lord *Glenelg*.

My Lord,

Camp House, Demerara, 14 Dec. 1836.

No. 661.

I HAVE the honour herewith to lay before your Lordship the Epitome of the Monthly Reports of the stipendiary special justices in British Guiana for the month of November.

I have, &c.

(signed) *J. Carmichael Smyth.*

Enclosure in No. 661.

EPITOME of the MONTHLY REPORTS from the FIFTEEN STIPENDIARY

QUESTIONS.	DISTRICT (A.)		DISTRICT (B.) <i>A. M. Lyons, Esq.</i>
	EASTERN DIVISION. <i>Captain Coleman.</i>	WESTERN DIVISION. <i>Charles Henry Strutt, Esq.</i>	
1. ARE the labourers in your district civil, contented and cheerful?	Yes.	They are.	Yes.
2. Have they performed their work during the last month with alacrity and good will?	Yes.	They have.	Yes.
3. Has the work on any estate been unwillingly or not readily performed? If yes, have the goodness to name the estate, the proprietor or his attorney, and the manager, in order that an inquiry may be forthwith instituted into the causes which may have led to such conduct.	No.	It has not been unwillingly performed.	On all the estates it has been willingly performed.
4. Is task-work generally resorted to within your district? or do the labourers prefer working the seven hours and a half per day, as fixed by law?	Task-work is generally resorted to.	Voluntary task-work is most generally resorted to.	Task-work is generally preferred in this district.
5. What are the working hours most generally in use in your district? Are there any estates in your district on which the labourers are compelled to lay by for two or three hours in the middle of the day, and then to complete their seven hours and a half in the afternoon (by which division of their labour they have little or no time to themselves)? If yes, have the goodness to name the estates, proprietors or attorneys, and the managers.	From seven o'clock A. M. till two o'clock P. M.	The nominal hours are from seven to eleven, and from one to half-past four P. M.	The labourers commence work at seven A. M., and continue till their task is finished.

Enclosure in No. 661.

SPECIAL JUSTICES in *British Guiana*, for the Month of November 1836.

DISTRICT (C.)		DISTRICT (N.)	DISTRICT (D.)
TOWN. <i>George Ross, Esq.</i>	RIVER. <i>Captain Delafons, R. N.</i>	UPPER RIVER. <i>K. Heyland, Esq.</i>	Captain <i>Allen.</i>
They are.	Yes.	Yes.	Yes.
With as much good will as can be expected.	Yes.	It has, with the exception of a few individuals on 'Balthyock.'	Yes, with a few exceptions.
It has been readily performed.	No.	On 'Balthyock;' C. Falloon, attorney, G. Houston, manager.	'La Grange,' 'Malgretout,' and 'Postosi' estates the work has not been readily performed by a few individuals.
Task-work is resorted to on the estates; the mechanics, with some exceptions, work the legal time.	They work the seven hours and a half as fixed by law.	Task-work is generally resorted to.	Task-work is generally resorted to.
The prædial labourers begin at seven o'clock A. M., and continue till their task is finished.	From seven A. M. until half-past two P. M.	Where task-work is not resorted to, the hours are from seven to eleven A. M. and from twelve to half-past three P. M.	From seven A. M. until the task is completed.

(continued on page 520.)

November 1836.] DISTRICT (E.) <i>Spry Bartlett, Esq.</i>	DISTRICT (F.) <i>George Kellock, Esq.</i>	DISTRICT (G.) <i>George Ball, Esq.</i>	DISTRICT (H.) <i>W. J. Brittain, Esq.</i>
Answers to Question 1.	Yes.	Yes.	They are.
	Yes.	Yes.	They have.
Answers to Question 2.	Yes.	Yes.	They have.
	No.	No.	No.
Answers to Question 3.	No.	No.	No; with the exception of one day on 'Sparta' estate.
	Generally task-work.	Task-work is universal.	Task-work is preferred, and resorted to generally.
Answers to Question 4.	Task-work is generally adopted.	Task-work is preferred, and resorted to generally.	Task-work is generally adopted.
	From seven A.M. till task is finished.	From six to seven o'clock A.M. till the task is done.	From half-past six to seven A.M. and finish at the option of the labourers.
Answers to Question 5.	From six to seven o'clock A.M. till the task is done.	From half-past six to seven A.M. and finish at the option of the labourers.	No fixed hours are attended to; the labourers perform their task agreeably with the tariff.
	From seven A.M. till task is finished.	From six to seven o'clock A.M. till the task is done.	From half-past six to seven A.M. and finish at the option of the labourers.

DISTRICT (I.) <i>George Rose, Esq.</i>	DISTRICT (K.) <i>John M'Leod, Esq.</i>	DISTRICT (L.) <i>J. Van Rijk de Groot, Esq.</i>	DISTRICT (M.) <i>J. J. Candlin, Esq.</i>
They are.	Yes.	Answered by the magis- trate of District (N.)	They are.
Yes.	In most instances.	- - - - -	Yes.
No; with the exception of a few idle persons.	Decidedly not.	- - - - -	No.
Yes; it is preferred by the labourers.	Task-work is preferred.	- - - - -	Task-work is general in this district.
From seven A.M. till their tasks are finished.	From seven in the morn- ing till the day's work is finished.	- - - - -	From seven A. M. till about one o'clock P. M., when the day's work is finished.

(continued on page 522.)

November 1836.] QUESTIONS.	DISTRICT (A.)		DISTRICT (B.) <i>A. M. Lyons, Esq.</i>
	EASTERN DIVISION. <i>Captain Coleman.</i>	WESTERN DIVISION. <i>Charles Henry Strutt, Esq.</i>	
6. Do the labourers on any estate in your district perform extra labour for hire? If yes, name the estates, the rate of wages for extra work, and state how and when the payments are made; and if extra work is not performed for wages, state if reasonable wages have been offered, with weekly payment. If reasonable wages and prompt payment have been offered and rejected, state to what cause you attribute the refusal on the part of the labourers.	They generally perform extra labour for hire about the buildings, and sometimes in the field.	On all the estates extra labour is performed for hire at the works, and on some estates in the field.	They perform extra labour for hire on all the estates in this district.
7. Have there been any instances of insubordination, or any attempt to resist authority by force, in your district? If there have been any, name the estates on which such occurrences have taken place.	None to resist authority.	None.	None.
8. In the event of any disposition having been manifested by any of the labourers to neglect their work, or to behave rudely to those in authority over them, has such misconduct been so general as to induce you to attribute it to any combination or conspiracy, or is it only with respect to a few idle and disorderly apprentices that you have had complaints made?	Only a few idle persons.	No.	Only a few idle persons that complaints are made against, and generally the same individuals over and over again.
9. Has the attendance of the prædial labourers at church, and of their children at school, been regular, and to the full accommodation afforded them under the local circumstances of your district?	Yes.	It has.	It has been very good.
10. Have you, individually, as a magistrate, and has the court over which you preside, been under the necessity of ordering punishment by whipping during the preceding month? and, if answered in the affirmative, state the number of delinquents so punished, and the extent of punishment awarded in each case.	None.	None.	None.
11. Has any manager, overseer or other person in authority over the prædial labourers, been fined or otherwise punished, by the court over which you preside, during the preceding month, for misconduct towards any labourer or labourers? Have there been any instances of the labourers having been detained at work beyond the legal hours; and, in such case, has the shilling sterling per hour for each individual labourer been levied?	No.	None.	None.

DISTRICT (C.)		DISTRICT (N.)	DISTRICT (D.)
TOWN. <i>George Ross, Esq.</i>	RIVER. <i>Captain Delafons, R. N.</i>	UPPER RIVER. <i>K. Heyland, Esq.</i>	Captain <i>Allen.</i>
Extra work is performed about the buildings on the estates for hire, and many of the journeymen tradesmen earn a dollar per week for extra hire.	Only in the manufacture of produce.	Those employed in the manufacture of produce, and tradesmen.	No variation has taken place since last report.
None.	None.	None.	None deserving of notice.
None.	None.	On 'Balthyock;' I attributed it to conspiracy.	The disposition to evade labour on the estates, mentioned in No. 3, was only evinced by a few idle persons.
They have.	Yes.	Yes.	Divine Service was only performed once, owing to the indisposition of the clergyman. The attendance was not equal to the accommodation.
None.	Two - - 20 stripes each.	None.	One - - 39 stripes.
None.	None.	None.	None.

(continued on page 524.)

November 1836.] DISTRICT (E.) <i>Spry Bartlett, Esq.</i>	DISTRICT (F.) <i>George Kellock, Esq.</i>	DISTRICT (G.) <i>George Ball, Esq.</i>	DISTRICT (H.) <i>W. J. Brittain, Esq.</i>
Answers to Question 6. Those employed in the manufacture of sugar, and, on some estates, in cutting canes, extra labour is done for hire.	Upon every estate extra labour is done for hire.	Extra labour for hire is universal, and has recently become more general in the field than heretofore.	Extra labour is performed for hire on almost all the estates in the district.
Answers to Ques. 7. None.	None.	None.	None, except as regards the answer in No. 3.
Answers to Question 8. It is mostly the same idle people, and runaways, that complaints are made against.	It is only with respect to a few idle persons that complaints are made.	Solely with respect to the idle.	Only in the case which occurred at plantation 'Sparta.'
Answers to Ques. 9. Yes.	They were well attended.	It has.	The attendance at church is to the full extent of the accommodation.
Answers to Question 10. Two { One - - 30 stripes. One - - 15 "	Two - - 39 stripes each.	Seven { Two - 25 stripes ea. Four - 20 " One - 15 "	None.
Answers to Question 11. On plantation 'Vreedenhooop Estate,' two foremen were fined two dollars each for maltreating two apprenticed labourers; fines paid to the Receiver-general.	One manager has been fined sixty guilders for striking two of the gang.	None.	None.

DISTRICT (I.) <i>George Rose, Esq.</i>	DISTRICT (K.) <i>John M'Leod, Esq.</i>	DISTRICT (L.) <i>J. Van Rijk de Groot, Esq.</i>	DISTRICT (M.) <i>J. J. Canalin, Esq.</i>
On several estates extra labour is performed, and generally resorted to with eagerness.	On all the sugar estates the persons employed about the buildings.	Answered by the magistrate of District (N.)	Extra labour is general on the sugar estates.
No.	No.	- - - - -	None.
Only with respect to a few idle persons.	No.	- - - - -	Only against a few idle characters.
Yes.	Yes.	- - - - -	As far as the opportunities afforded will allow.
None.	Four { One - 30 stripes. One - 25 " each. Two - 15 " each.	- - - - -	One - - 15 stripes.
No.	No.	- - - - -	No.

(continued on page 526.)

November 1836.] QUESTIONS.	DISTRICT (A.)		DISTRICT (B.) <i>A. M. Lyons, Esq.</i>
	EASTERN DIVISION. <i>Captain Coleman.</i>	WESTERN DIVISION. <i>Charles Henry Strutt, Esq.</i>	
12. Have any complaints been preferred to you during the last month, from any apprenticed labourers, respecting their clothing, food, treatment, or upon any subject? In the event of any complaints having been made to you, have you carefully investigated into the matters, and caused justice to be rendered to the parties as far as it was in your power? State the number and the nature of the complaints which may have been preferred to you in general terms.	Two; both of which have been remanded for further inquiry.	None of sufficient importance to require notice.	Those made were, upon investigation, found to be unfounded.
13. Have any of the free children upon any of the estates in your district been bound apprentices during the last month? If yes, name the estates upon which such occurrences have taken place, and state if the transactions were with the free consent and approbation of the parents of the children.	No.	None.	None.
14. How are the children fed and taken care of on the estates in your district? Are they fed from the stores of the estates gratuitously, and is an additional quantity of salt fish and plantains issued for them? or are they fed out of the allowance due to their parents? When their mothers are at work in the field, is a woman specially appointed to take care of their young children, and exempted from all other duty? Are the children when unwell allowed the advantage of the medical assistance and hospital treatment of the estate in the same manner as when they were in a state of slavery?	The children are allowed provisions, nurses and medical attendance.	The children are allowed the same food, &c. as when in a state of slavery.	The children are fed, and allowed the same advantages as when in a state of slavery.
15. On how many estates in your district are schools established? Name the estates, proprietors and managers of estates having schools.	There are none but Sunday schools.	There are two schools; plantation 'Enmore,' Mr. Porter; plantation 'Greenfield,' Mr. Glen.	There has been no increase or decrease of schools since last report.
16. Are there any remarks or observations which you may wish to convey to the Lieutenant-governor, connected with the peace, tranquillity and happiness of the district under your superintendance? If yes, state the same.	The hospitals in this district are sufficiently capacious, and are generally provided with privies; the different sexes are kept separate; the medical journal kept regular, and no restraint has been imposed upon any of the patients. (signed) <i>Thomas Coleman,</i> S. J. P.	None. (signed) <i>Chas Henry Strutt,</i> S. J. P.	The district is quiet, and every thing going on well. (signed) <i>A. M. Lyons,</i> S. J. P.

DISTRICT (C.)		DISTRICT (N.)	DISTRICT (D.)
TOWN. <i>George Ross, Esq.</i>	RIVER. <i>Captain Delafons, R. N.</i>	UPPER RIVER. <i>K. Heyland, Esq.</i>	Captain <i>Allen.</i>
Five complaints were made; four were dismissed, and one, for not supplying the proper quantity of food, was fined.	None.	One against an overseer on 'Blairmont,' which, upon investigation, was dismissed.	Several complaints were made, all of which were inquired into, and redressed when well founded.
None.	None.	None.	None.
On all the estates the children are allowed food, nurses and medical attendance.	The children are fed gratuitously on all the estates, have nurses and medical attendance.	The children receive the same treatment as when in a state of slavery.	No variation has taken place since last report.
There are schools on plantation 'Thomas,' Mr. Butts; 'Kitty,' Mr. Manget, and 'Bellair.'	There are schools on plantation 'Houston,' 'Rumveldt,' 'Perseverance,' 'Craig,' 'Little Diamond,' 'Friendship,' and 'Hustelling.'	One school upon 'Augsburg,' the property of the Dutch Lutheran Church.	The report on this subject has not varied since October.
The cultivation of provisions by the prædial labourers is very much on the increase. (signed) <i>Geo. Ross,</i> S. J. P.	None. (signed) <i>Tho. Delafons,</i> S. J. P.	None. (signed) <i>K. Heyland,</i> S. J. P.	— (signed) <i>J. A. Allen,</i> S. J. P.

(continued on page 528.)

November 1836.] DISTRICT (E.) <i>Spry Bartlett, Esq.</i>	DISTRICT (F.) <i>George Kellock, Esq.</i>	DISTRICT (G.) <i>George Ball, Esq.</i>	DISTRICT (H.) <i>W. J. Brittain, Esq.</i>
Answers to Question 12.	None.	No.	None.
	None.	No.	None.
Answers to Question 13.	None.	None.	None.
	On plantations 'Best,' 'Vrees-en-hoop,' and 'Tuchen de Vrienden,' no food is allowed; but on all the other estates they receive the same allowance as before 1st Aug. 1834.	The children are treated as formerly.	The children are fed and treated in the same manner as when they were in a state of slavery.
Answers to Question 14.	There are schools on plantations 'Vreedenhoop,' 'Haarlem,' 'Windsor Forest,' 'Jalousie,' 'Best,' and 'Greenwich Park.'	There are schools upon twelve estates in this district.	There are schools upon seven estates in this district, besides the one at the parish church.
	—	—	—
Answers to Question 15.	(signed) <i>Spry Bartlett,</i> S. J. P.	(signed) <i>Geo. Kellock,</i> S. J. P.	(signed) <i>George Ball,</i> S. J. P.
Answers to Question 16.	(signed) <i>W. J. Brittain,</i> S. J. P.		

DISTRICT (I.) <i>George Rose, Esq.</i>	DISTRICT (K.) <i>John M'Leod, Esq.</i>	DISTRICT (L.) <i>J. Van Rijk de Groot, Esq.</i>	DISTRICT (M.) <i>J. J. Candlin, Esq.</i>
No.	None.	Answered by the magistrate of District (N.)	None.
No.	No.	- - - - -	None.
Generally the same as before the 1st August 1834.	The children are treated in the same manner as when in a state of slavery.	- - - - -	On most of the estates, the children are fed as before the apprenticeship; on all they receive medical attendance.
On most of the estates there are schools, besides those at the places of public worship.	At the different missionary stations, and on 'Goldstone Hall,' there are schools.	- - - - -	On 'Skeldon,' and 'Eliza and Mary,' there was a school; they are deprived for a time of the attention of the master, he having left the district.
— (signed) <i>George Rose,</i> S. J. P.	— (signed) <i>John M'Leod,</i> S. J. P.	— (signed) <i>K. Heyland,</i> S. J. P. in the absence of <i>J. Van Rijk de Groot.</i>	— (signed) <i>J. J. Candlin,</i> S. J. P.

(True extracts.)

Henry John Baird, Private Secretary.

— No. 662. —

[o. 272.)

COPY of a DESPATCH from Sir *J. C. Smyth* to Lord *Glenelg*.

No. 662.

My Lord,

Camp House, Demerara, 11 Jan. 1837.

I HAVE the honour to lay before your Lordship the Epitome of the Reports from the special justices of this colony for the month of December ; and I have most respectfully to congratulate your Lordship on the number of corporal punishments amounting to no more than eighteen. I hope the day is not far distant, when the use of the lash, as far as regards all matters between the employer and the apprenticed labourer, will, in British Guiana, be entirely done away with.

I have, &c.

(signed) *J. Carmichael Smyth.*

Enclosure

Enclosure in No. 662.

EPITOME of the MONTHLY REPORTS from the FIFTEEN STIPENDIARY SPECIAL JUSTICES in *British Guiana*, for the Month of December 1836.

QUESTIONS.	DISTRICT (A.)		DISTRICT (B.) <i>A. M. Lyons, Esq.</i>
	EASTERN DIVISION. <i>Captain Coleman.</i>	WESTERN DIVISION. <i>Charles Henry Strutt, Esq.</i>	
1. Are the labourers in your district civil, contented and cheerful?	Yes.	They are.	Yes.
2. Have they performed their work during the last month with alacrity and good will?	Yes.	They have.	Yes.
3. Has the work on any estate been unwillingly or not readily performed? If yes, have the goodness to name the estate, the proprietor or his attorney, and the manager, in order that an inquiry may be forthwith instituted into the causes which may have led to such conduct.	No.	No.	The work has been readily performed on all the estates.
4. Is task-work generally resorted to within your district? or do the labourers prefer working the seven hours and a half per day, as fixed by law?	Task-work is generally resorted to in this district.	Voluntary task-work is most general.	Task-work is generally resorted to.
5. What are the working hours most generally in use in your district? Are there any estates in your district on which the labourers are compelled to lay by for two or three hours in the middle of the day, and then to complete their seven hours and a half in the afternoon (by which division of their labour they have little or no time to themselves)? If yes, have the goodness to name the estates, proprietors or attornies, and the managers.	From seven A.M. to half-past two P.M.	The nominal hours are from seven o'clock to eleven A.M., and one to half-past four P.M.	The labourers commence work at seven o'clock A.M. and finish at twelve, one and two o'clock, according to circumstances.

(continued on page 532.)

December 1836.]		DISTRICT (C.)		DISTRICT (N.)	DISTRICT (D.)
TOWN. <i>George Ross, Esq.</i>		RIVER. <i>Captain Delafons, R. N.</i>		UPPER RIVER. <i>K. Heyland, Esq.</i>	Captain <i>Allen.</i>
Answers to Question 1.	They are.	Yes.	Yes.	Yes.	Yes.
	Yes.	Very generally.	Yes.	Yes.	Yes.
	The work has been readily performed.	No	During the early part of the month, the work was not readily performed on plantation 'Balthyock;' C. Faloon, attorney, G. Houston, manager.	The work did not appear to be readily performed on one wood-cutting establishment of J. D. Patterson, proprietor, J. Hubbard, manager.	
	Task-work is generally resorted to.	They prefer working seven hours and a half, as fixed by law.	Task-work is generally resorted to.	Yes.	
	From seven o'clock, A.M. until the task is finished.	From seven A.M. to half-past two P.M.	The hours of labour, with those who prefer working seven hours and a half, are from seven to eleven A.M., and from twelve to half-past three P.M.	From seven A.M., till task is completed.	
Answers to Question 2.					
Answers to Question 3.					
Answers to Question 4.					
Answers to Question 5.					

<p>DISTRICT (E.) <i>Spry Bartlett, Esq.</i></p>	<p>DISTRICT (F.) <i>George Kellock, Esq.</i></p>	<p>DISTRICT (G.) <i>George Ball, Esq.</i></p>	<p>DISTRICT (H.) <i>W. J. Brittain, Esq.</i></p>
<p>Yes.</p>	<p>They are.</p>	<p>They are.</p>	<p>They are.</p>
<p>The conduct of the labourers has been very satisfactory.</p>	<p>They have.</p>	<p>They have.</p>	<p>They have.</p>
<p>No.</p>	<p>No.</p>	<p>The work has not been unwillingly performed.</p>	<p>No.</p>
<p>Generally task-work.</p>	<p>Task-work is generally resorted to.</p>	<p>Task-work is generally resorted to.</p>	<p>Task-work is general.</p>
<p>From seven A. M. until the task is finished.</p>	<p>From half-past six A. M., and finish at their option.</p>	<p>The labourers usually go to work at half-past six in the morning, and finish at their option.</p>	<p>Hours are scarcely attended to.</p>

(continued on page 534.)

December 1836.] DISTRICT (I.) <i>George Rose, Esq.</i>	DISTRICT (K.) <i>John M'Leod, Esq.</i>	DISTRICT (L.) <i>J. Van Rijk de Groot, Esq.</i>	DISTRICT (M.) <i>J. J. Candlin, Esq.</i>
Answers to Question 1. They are.	Generally.	They are.	They are.
Answers to Question 3.	The early part of the month, at 'Everton,' they were not working cheerfully.	In general they have.	No.
	Answers to Question 4. Yes.	It is referred.	Yes, it is preferred.
Answers to Question 5. From seven A. M. till work is completed.	From seven in the morning till the day's task is performed.	It is left at the option of the labourer.	From seven A. M. until the task is done.

QUESTIONS.	DISTRICT (A.)		DISTRICT (B.) <i>A. M. Lyons, Esq.</i>
	EASTERN DIVISION. <i>Captain Coleman.</i>	WESTERN DIVISION. <i>Charles Henry Strutt, Esq.</i>	
6. Do the labourers on any estate in your district perform extra labour for hire? If yes, name the estates, the rate of wages for extra work, and state how and when the payments are made; and if extra work is not performed for wages, state if reasonable wages have been offered, with weekly payment. If reasonable wages and prompt payment have been offered and rejected, state to what cause you attribute the refusal on the part of the labourers.	They generally perform extra work at the building, and sometimes in the field. Wages from one to three bits per day.	Upon all the estates the apprentices perform extra labour for hire at the works, and, upon six estates, occasionally in the field.	Upon all the estates extra labour is performed for hire, in the manufacture of produce, and in the punts and boats.
7. Have there been any instances of insubordination, or any attempt to resist authority by force, in your district? If there have been any, name the estates on which such occurrences have taken place.	None to resist authority.	None.	None.
8. In the event of any disposition having been manifested by any of the labourers to neglect their work, or to behave rudely to those in authority over them, has such misconduct been so general as to induce you to attribute it to any combination or conspiracy? or is it only with respect to a few idle and disorderly apprentices that you have had complaints made?	Only against a few idle persons.	No.	No.
9. Has the attendance of the prædial labourers at church, and of their children at school, been regular and to the full accommodation afforded them under the local circumstances of your district?	Yes.	It has.	It has.
10. Have you, individually, as a magistrate, and has the court over which you preside, been under the necessity of ordering punishment by whipping during the preceding month? and, if answered in the affirmative, state the number of delinquents so punished, and the extent of punishment awarded in each case.	No.	One - - 15 stripes.	None.
11. Has any manager, overseer or other person in authority over the prædial labourers, been fined or otherwise punished, by the court over which you preside, during the preceding month, for misconduct towards any labourer or labourers? Have there been any instances of the labourers having been detained at work beyond the legal hours? and, in such case, has the shilling sterling per hour for each individual labourer been levied?	No.	No.	None.

(continued on page 536.)

December 1836.] DISTRICT (C.)		DISTRICT (N.)	DISTRICT (D.)
TOWN. <i>George Ross, Esq.</i>	RIVER. <i>Captain Delafons, R. N.</i>	UPPER RIVER. <i>K. Heyland, Esq.</i>	<i>Captain Allen.</i>
<i>Answers to Question 6.</i> It is performed on all the estates in the manufacture of produce. Coopers in town earn a dollar per week for extra wages.	Only in the manufacture of sugar.	Those employed in the manufacture of sugar, and the tradesmen. They earn from 3 f. to 3 f. 10. per week.	The labourers perform extra labour for hire on almost every estate and wood-cutting establishment in the district.
<i>Answers to Question 7.</i> None.	None.	None.	None to resist authority.
<i>Answers to Question 8.</i> No.	No.	The neglect of work on 'Balthyock,' was conspiracy of 14 labourers, who were under sentence to perform extra labour.	None deserving notice.
<i>Answers to Ques. 9.</i> It has.	Yes.	It has.	It has.
<i>Answers to Question 10.</i> None.	No.	Two - - 25 stripes each.	One - - 25 stripes.
<i>Answers to Question 11.</i> None.	A mason working on <i>Herstelling</i> has been fined 28 guilders; one half paid to the treasury, the rest to two boys whom he had beaten and ill used.	None.	None.

DISTRICT (E.) <i>Spry Bartlett, Esq.</i>	DISTRICT (F.) <i>George Kellock, Esq.</i>	DISTRICT (G.) <i>George Ball, Esq.</i>	DISTRICT (H.) <i>W. J. Brittain, Esq.</i>
All those employed at the works, and on a few estates they do extra work for hire in the field.	Upon every estate.	Extra labour for hire is universal at the works, and has recently become more general in the field.	Extra labour is very generally performed.
None.	None.	None.	None.
It is only a few idle persons that complaints are made against.	Only a few idle persons.	None, except the idle.	No.
Yes.	It has.	It has.	It has.
One - - 30 stripes.	One - - 39 stripes.	Four { One - 39 stripes. One - 30 " One - 25 " One - 20 "	Two { One - 10 stripes. One - 8 "
One overseer was fined 10s. for striking a labourer; fine paid to Colonial Receiver-general.	One overseer fined for striking a labourer.	One manager was fined for striking an apprenticed labourer; but the case was of a trifling nature.	None.

(continued on page 538.)

December 1836.] DISTRICT (I.) <i>George Rose, Esq.</i>	DISTRICT (K.) <i>John M'Leod, Esq.</i>	DISTRICT (L.) <i>J. Van Rijk de Groot, Esq.</i>	DISTRICT (M.) <i>J. J. Cendlin, Esq.</i>
Answers to Question 6. On several estates extra labour in the field is performed.	On all sugar estates those employed at the works.	Extra labour is performed in the manufacture of produce.	Extra labour is performed on all the sugar estates.
	No.	No.	None.
Answers to Question 8. Only a few idle persons.	No.	None of any consequence.	Only against a few idle persons.
	Yes.	It has.	It has.
Answers to Question 10. None.	Five { Three - 20 stripes ea. Two - 15 " "	None.	One - - 15 stripes.
	Answers to Question 11. No.	No.	No.

QUESTIONS.	DISTRICT (A.)		DISTRICT (B.)
	EASTERN DIVISION. Captain Coleman.	WESTERN DIVISION. Charles Henry Strutt, Esq.	A. M. Lyons, Esq.
12. Have any complaints been preferred to you during the last month, from any apprenticed labourers, respecting their clothing, food, treatment, or upon any subject? In the event of any complaints having been made to you, have you carefully investigated into the matters, and caused justice to be rendered to the parties, as far as it was in your power? State the number and the nature of the complaints which may have been preferred to you in general terms.	One which could not be proved.	None deserving of mention.	None but what were unfounded.
13. Have any of the free children, upon any of the estates in your district, been bound apprentices during the last month? If yes, name the estates upon which such occurrences have taken place and state if the transactions were with the free consent and approbation of the parents of the children.	No.	None.	None.
14. How are the children fed and taken care of on the estates in your district? Are they fed from the stores of the estates gratuitously, and is an additional quantity of salt fish and plantains issued for them, or are they fed out of the allowance due to their parents? When their mothers are at work in the field, is a woman specially appointed to take care of their young children, and exempted from all other duty? Are the children, when unwell, allowed the advantage of the medical assistance and hospital treatment of the estate, in the same manner as when they were in a state of slavery?	The children have all an allowance of provisions, nurses and medical attendance.	The children on all the estates (with the exception of 'The Cove' and 'John,' where no plantains are given), are fed, clothed and have nurses and medical attendance.	The children are taken the same care of as when in a state of slavery.
15. On how many estates in your district are schools established? Name the estates, proprietors and managers of estates having schools.	There are none but Sunday schools.	Two; 'Enmore,' Mr. Porter; 'Greenfield,' Mr. Glen.	There has been no increase or decrease in schools since last report.
16. Are there any remarks or observations which you may wish to convey to the Lieutenant-governor, connected with the peace, tranquillity and happiness of the district under your superintendance? If yes, state the same.	- - - - - (signed) Thos. Coleman, S. J. P.	No. (signed) C. H. Strutt, S. J. P.	- - - - - (signed) Lyons, A. M. S. J. P.

(continued on page 540)

December 1836.] DISTRICT (C.)		DISTRICT (N.)		DISTRICT (D.)					
TOWN. <i>George Ross, Esq.</i>		RIVER. <i>Captain Delafons, R. N.</i>		UPPER RIVER. <i>K. Heyland, Esq.</i>		Captain <i>Allen.</i>			
Answers to Question 12.		Two, which were found to be unreasonable.		None.		None.		None deserving notice.	
		None.		None.		None.		None.	
Answers to Question 13.		They are supplied with food, nurses and medical attendance.		They are gratuitously fed, nursed, and have medical attendance.		The children receive the same treatment as formerly.		They have the same care as when in a state of slavery.	
		The same as last report.		Seven; 'Ruimveldt,' 'Houston,' 'Perseverance,' 'Peter's Hall,' 'Craig,' 'Little Diamond,' and 'Friendship.'		One, on plantation, 'Augsburg.'		There are schools on sixteen estates.	
Answers to Question 15.		—		—		—		—	
		(signed) <i>Geo. Ross,</i> S. J. P.		(signed) <i>Thos. Delafons,</i> S. J. P.		(signed) <i>K. Heyland,</i> S. J. P.		(signed) <i>J. A. Allen,</i> S. J. P.	

DISTRICT (E.) <i>Spry Bartlett, Esq.</i>	DISTRICT (F.) <i>George Kellock, Esq.</i>	DISTRICT (G.) <i>George Ball, Esq.</i>	DISTRICT (H.) <i>W. J. Brittain, Esq.</i>
None.	None.	None, except the one already stated.	From one estate, 'Durbarton Castle,' a complaint of the clothing not being served in proper time.
None.	No.	None.	None.
With the exception of four estates (where no food is allowed) they have the same care as when in a state of slavery.	The children are treated as formerly.	They are treated the same as when in a state of slavery.	They are treated nearly the same as when in a state of slavery.
There are schools on seven estates.	There are two parish schools which are well attended.	There are twelve estates that have schools.	There are schools on eight estates, besides the parish school.
— (signed) <i>Spry Bartlett,</i> S. J. P.	— (signed) <i>Geo. Kellock,</i> S. J. P.	— (signed) <i>Geo. Ball,</i> S. J. P.	— (signed) <i>W. J. Brittain,</i> S. J. P.

(continued on page 542.)

December 1836.] DISTRICT (I.) <i>George Rose, Esq.</i>	DISTRICT (K.) <i>John M'Leod, Esq.</i>	DISTRICT (L.) <i>J. Van Rijk de Groot, Esq.</i>	DISTRICT (M.) <i>J. J. Candlin, Esq.</i>
Answers to Question 12. No.	No.	No.	No.
Answers to Question 13. No.	No.	No.	No.
Answers to Question 14. Generally the same as before the 1st August 1834.	Treated in the same manner as when in a state of slavery.	The same as when in a state of slavery.	On most of the estates the children treated the same as before the 1st August 1834.
Answers to Question 15. On most of the estates there are schools among the labourers themselves.	There are schools on three estates besides the chapels.	There are schools at two chapels.	None of the estates have schools at present
Answers to Question 16. (signed) <i>George Rose,</i> S. J. P.	 (signed) <i>J. M'Leod,</i> S. J. P.	 (signed) <i>J. Van Rijk de Groot,</i> S. J. P.	 (signed) <i>J. J. Candlin,</i> S. J. P.

(True extracts.)

Henry John Baird, Private Secretary

—No. 663.—

(No. 271.)

COPY of a DESPATCH from Sir *J. C. Smyth* to Lord *Glenelg*.

My Lord,

Camp House, Demerara, 11 Jan. 1837.

No. 663.

THE proceedings of the supreme criminal court, previously to the sentences being carried into effect, are, at the close of each session, forwarded to me, together with his note-book, by his honour the chief justice, in order that, if, after due consideration, I should see reason for so doing, or may have an opportunity of extending the King's mercy towards any individual convicted and sentenced, and either respite, commute or remit the sentence, according to the circumstances of the case. Hitherto the sentences of the inferior criminal courts (composed of a sheriff and four justices of the peace, and held monthly in each district) have been carried into execution immediately after the sentence has been pronounced, by which arrangement the prisoners have been debarred from an opportunity of invoking the clemency of the Crown. As, in the present happy and industrious state of our population, there cannot exist the slightest reasons for the promptitude with which the sentences I have alluded to are carried into execution, I have directed the sheriffs, at the close of the sessions in their respective districts, and previously to the sentences being enforced, to make to me a similar report to that which I receive from the chief justice, in order that I may be enabled (whenever I think it ought to be done) to extend mercy in His Majesty's name.

I have no doubt but that this arrangement will be attended with very beneficial effects. Every measure which is calculated to raise the labourer in his own estimation and in the estimation of those by whom he is surrounded, to convince him that his welfare is invariably kept in view by His Majesty's Government, and to assure him that when punishment is had recourse to, it will always be tempered with mercy, and be administered without feelings of anger, must be advisable. I feel convinced, consequently, that your Lordship will approve of the orders I have issued to the sheriffs, and of the steps I have adopted as connected with this subject.

I have, &c.
(signed) *J. Carmichael Smyth*.

—No. 664.—

(No. 192.)

COPY of a DESPATCH from Lord *Glenelg* to Sir *J. C. Smyth*.

Sir,

Downing-street, 27 Feb. 1837.

No. 664.

I HAVE the honour to acknowledge the receipt of your Despatch of the 11th January last (No. 271), informing me that you had directed the judges of the inferior courts, in all cases in which it may be their duty to sentence an apprenticed labourer to the punishment of the lash, previously to the enforcement of such sentence, to make a similar report to you to that which you receive from the chief justice, in order that you should be enabled, should you think fit to do so, to extend mercy in His Majesty's name.

I have to convey to you my approval of these instructions.

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

—No. 665.—

(No. 274.)

COPY of a DESPATCH from Sir *J. C. Smyth* to Lord *Glenelg*.

My Lord,

Camp House, Demerara, 18 Jan. 1837.

No. 665.

I HAD the honour, in the Despatch of the 11th instant (No. 271), to communicate the instructions I had given to the sheriffs of this province, relative to the reports of the proceedings of their respective courts of inferior criminal jurisdiction, which they will hereafter have to lay before me at the close of each session, previously to the sentences being carried into effect; I feel confident that this arrangement will meet with your Lordship's approbation.

The reasons which influenced my conduct with respect to the sheriffs' courts apply as well to offenders sentenced by individual special justices to the

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lash. I therefore equally anticipate the approbation of your Lordship to the enclosed circular, which I have felt it my duty to address to the special justices upon the subject of corporal punishment. The measures I have explained will cause more business and occasion more additional trouble to the Governor. The good, however, that may be expected to ensue from their adoption, will amply compensate for the extra demand upon the time of the Governor required to give them the desired effect.

I have, &c.
(signed) *J. Carmichael Smyth.*

Enclosure in No. 665.

Enclosure in
No. 665.(Confidential.)
Sir,Camp House, British Guiana,
14 Jan. 1837.

THE day is very fast approaching (if it may not be said to have already arrived) when all complaints against apprenticed labourers, having reference to the discharge of their duties as such, and all disputes between them and their employers, may be adjudicated, without having recourse to punishment by the lash. This vile and degrading remnant of slavery can seldom be required as the means of enforcing the performance of the duties betwixt man and man, in the present improved state of our society, but ought only to be had recourse to for the repression of crimes which affect the well-being of the community at large.

Keeping in view the principles as above explained, you will very rarely be under the necessity of directing corporal punishment to be inflicted upon any apprenticed labourer in your district. I have indeed, generally speaking, had every reason to be satisfied with the zealous exertions of the special magistracy, and with the support I have received from them in causing the necessary labour to be performed, without employing stronger measures of coercion than circumstances imperiously required. The present happy, quiet, contented and industrious state of the labouring population affords, in my opinion, a most eligible opportunity for still further abandoning a mode of punishment, which (as far as all transactions between the labourer and his employer are concerned) will, in a very short time be illegal, and must cease altogether. I have consequently to desire that, in every case in which you may from henceforth conceive it your duty to sentence an apprenticed labourer to punishment by the lash, you will transmit to me (as is done by the chief justice at the close of each criminal session, and by the several sheriffs at the close of each inferior criminal court) the particulars of the offence, together with a copy of the evidence, and that you will not permit the sentence to be carried into execution until you shall have heard from me that I see no reason for extending the mercy of the Crown.

To Special Justice
(signed) I am, &c.
J. Carmichael Smyth.

(No. 197.)

— No. 666. —

COPY of a DESPATCH from Lord *Glenelg* to Sir *J. C. Smyth.*

No. 666.

Sir,

Downing-street, 30 March 1837.

I HAVE received your Despatch (No. 274) of the 18th January, enclosing the copy of a circular letter addressed to the special justices on the subject of corporal punishment.

To the principle in furtherance of which this circular was promulgated, I fully subscribe, but I doubt the policy of a regulation which will render it impossible to unite promptitude with severity of punishment, even in an extreme case requiring a sudden example, and which, by leaving so little to the discretion of the magistrate, will remove so much of his responsibility.

Under this regulation it will be his duty to refer to the Governor, for revision, every case without exception, in which he may have judged it necessary to sentence an apprenticed labourer to receive corporal punishment. Thus, while the one is answerable for awarding the sentence, the other has to answer for not overruling it if unjust or unnecessary. The magistrate, trusting to the superior judgment of the Governor, may be induced to pass a sentence which he feels to be questionable; the Governor, respecting the superior knowledge of the case and of the parties which the magistrate possesses, may be unwilling to overrule his decision, unless he see positive grounds of objection. Thus the responsibility attaching to a severe sentence will be so divided between both, that it will not be adequately felt by either.

If, however, it were distinctly understood that the magistrate is never to pronounce a sentence of corporal punishment, unless he be perfectly satisfied of the absolute necessity for its infliction, and if the use of some discretion were allowed him

him in dispensing with the previous reference to the Governor in cases where delay would be dangerous, the above-mentioned objections would disappear. I would therefore suggest to you that the general rule should be, that the special magistrate is, in ordinary cases, to refer each sentence of corporal punishment to the Governor previous to its execution, it being understood that in pronouncing the sentence he makes himself as distinctly responsible for the execution of it as if it were inflicted at once by his orders, without the intervention of any other authority. If, however, he should be of opinion that promptitude of execution is absolutely necessary, he may then assume the further responsibility of dispensing with the delay incident to an intermediate reference to the Governor, and order the punishment to be inflicted at once. In all such cases, however, he will immediately send in his report of the trial, with copies of the evidence and a full statement of his reasons for departing from the regular course, for the Governor's approval.

Owing to the different nature of the offences tried by the courts of inferior criminal jurisdiction, the foregoing objections will not apply to your instructions on this subject to the sheriffs of the Province, as communicated in your Despatch (No. 271) of the 11th instant.

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

— No. 667. —

(No. 335.)

COPY of a DESPATCH from Sir *J. C. Smith* to Lord *Glenelg.*

My Lord,

Camp House, Demerara, 5 June 1837.

No. 667.

WITH reference to your Lordship's Despatch of the 30th March (No. 197), I shall cause it to be intimated to the special justices that whenever promptitude of execution is absolutely necessary, they may dispense with the delay incident to an intermediate reference to the Governor, and order punishment to be inflicted at once. I am, however, happy to be able to say that I do not anticipate any such necessity; and, in fact, as whenever corporal punishment is sentenced, imprisonment for a month is usually superadded, the culprit has sufficient time to cause whatever extenuating circumstances he may be desirous of being made known to be communicated to me previously to the infliction of his punishment. Your Lordship would observe, in the last returns, that punishment by flogging is all but done away with; and I am happy to be able to add that, as the lash is only resorted to for the repression of theft, a flogging is now looked upon by the lower orders in this colony as not only a painful, but as a disgraceful punishment. In an Ordinance now before the court of policy, establishing a mayor's court for the better government of Georgetown, and which I hope shortly to be able to transmit to your Lordship for His Majesty's approbation, I have expressly withheld the power of sentencing punishment by flogging from the mayor's court.

I have, &c.
(signed) *J. Carmichael Smyth.*

— No. 668. —

(No. 279.)

COPY of a DESPATCH from Sir *J. C. Smyth* to Lord *Glenelg.*

My Lord,

Camp House, Demerara, 8 Feb. 1837.

No. 668.

I HAVE the honour herewith to lay before your Lordship a printed copy of a speech which I addressed to the court of policy upon the opening of the first session for the present year, upon the 6th instant, and which has been published, at the request of the court, for the general information of the inhabitants of this province.

The state of this colony is most gratifying, and its future prospects are of the most flattering description. In the same paper which contains my speech the returns for the last quarter of last year are also published, and to those returns I beg to refer your Lordship for the details of that prosperity with which it has pleased the Almighty Disposer of events to bless our humble endeavours.

I have, &c.
(signed) *J. Carmichael Smyth.*

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No. 668.

Enclosure in No. 668.

Gentlemen,

I HAVE much pleasure in meeting you upon the present occasion, and being able to congratulate you upon the continued and increasing prosperity of this important and valuable province.

II.—The commencement of a new year appears to me to offer an eligible opportunity to recapitulate those legislative enactments which have been adopted during that which has elapsed. I shall also avail myself of the same occasion to state to you, in general terms, those measures which I have it in contemplation to bring forward for the consideration of the legislature in the course of the present. Periodical reviews of the progress we have made, accompanied by statements of what additional steps it is proposed to recommend, will tend to diffuse amongst all classes of this community a more correct knowledge of the political state of the colony, and will enable individuals to judge of the general bearing of various measures which otherwise might not be so readily understood. A free, candid and liberal discussion of all public measures can only be productive of general good.

III.—The first Ordinance passed by myself and your honourable court, in the year 1836, was that relating to the civil list; I put my name to this Ordinance with the greatest satisfaction. The existence of a king's chest and of a colonial chest always appeared to me an anomaly; it implied a contrariety of feeling between the King's Government and the inhabitants of this colony; it tended to separate and disjoin interests which ought, and ever (in sound policy) must be connected.

I am happy to be able to say that the fees collected at the different public offices during the year 1836, and paid into the public chest in aid of the ways and means of the year 1836, have amounted to 5,921*l.* 15*s.* 4*d.* There will also be received from the King's custom-house, in obedience to the orders of the Lords of the Treasury, the overplus of the receipts of the duties levied under Acts of the Imperial Parliament, after deducting the expense of the establishment, and which overplus for the year 1836 has amounted to 6,044*l.* 2*s.* 9*d.*

The expenditure upon the judicial establishment, upon the retired allowances, and upon the amount which the combined court allotted to me for contingencies, has been less on each item than that specified in the civil list; and the total saving amounts to 1,681*l.* 7*s.* Instead of 2,400*l.*, as allowed by the Civil List Ordinance, less than 1,900*l.* have covered all my contingent expenses. The capitation tax, moreover, having ceased, the amount of the civil list (under the circumstances I have mentioned) will fall but lightly on the colony.

IV.—With reference to the foregoing subject, I wish to draw your attention to a new source of growing revenue to the colony, as well as profit to individuals; I allude to the wood-cutting licenses which, under my regulations of 21st November 1835, have been issued. The regulations in question have, I am happy to have it in my power to announce, been approved of by His Majesty's Government. Fourteen thousand two hundred and forty-three acres have been let, since their publication, to 30 wood-cutters, at an annual rent of 1,424 guilders, and which sum, for the year 1836, has been received and credited to the public account by the assistant colonial treasurer at Berbice. There are also 16 additional wood-cutting licenses in progress.

This source of industry is almost inexhaustible, and, requiring but little capital, will afford employment, as I hope, for many years to an active and an enterprising part of our population.

V.—The next subject to which I directed my attention during the last year was the introduction of liberated Africans from the island of Cuba to this colony. An Ordinance providing for their subsistence, location and settlement, and for promoting their industry and good conduct, was passed on the 8th March; this Ordinance has been approved of by His Majesty, and the superintendent of liberated Africans, resident at the Havanah, has been directed to carry into effect the arrangements as agreed to between Messrs. Young & Schenley. By a late mail I was informed from the Colonial Office that my last communication to Dr. Madden, the resident superintendent (a copy of which I have ordered to be laid before the court), had been duly received and forwarded. The purport of that communication was to inform that gentleman that, in addition to the enactments contained in the Ordinance in question, I felt confident that this colony would willingly pay for the freight of such vessels as might be employed in the transport of liberated Africans from the Havanah to this port. This pledge I trust you will, by an official document, confirm.

Slavers continue to be captured by our cruisers, and the expense of conveying the Africans (when liberated by the mixed court at the Havanah) from thence to this colony ought not, in my opinion, to be deemed worthy of a moment's consideration compared with the immense advantages this colony would acquire from the influx of additional labourers. Of the 1,000*l.* placed by the combined court at my disposal, for the purpose of defraying the expense of Mr. Young's mission, 481*l.* 16*s.* 1*d.* have been expended; the balance (518*l.* 3*s.* 11*d.*) is in the hands of the receiver-general.

VI.—During the last year the district of Berbice has been divided into parishes, and vestries have been established. The inhabitants of Berbice have also been relieved from the payment of all stamp duties, a tax unknown in Demerara and Essequibo. The tonnage duty for vessels entering the Berbice river has been diminished one-half, and assimilated in amount

amount to the same duty as levied upon vessels entering the Demerara river. The inhabitants of Berbice will, I trust, consequently feel convinced that their interests have not been overlooked.

VII.—A river police has been established both on the Demerara and Berbice rivers, and an Ordinance regulating the details of the measure has been passed; I understand that this arrangement has been attended, on both rivers, with very good effects.

VIII.—An Ordinance for the better regulating of the roads and bridges throughout the colony has been enacted; the principles upon which the regulations are founded are excellent, and have given general satisfaction. Some local amendments have been suggested and will probably be embodied in a supplementary Act during the present session.

IX.—The laws relating to the sale of spirituous liquors have been revised, amended and consolidated. A new principle has been introduced into an Ordinance which has been enacted for licensing liquor stores, namely, a prohibition (which affects the planters equally with others) to dispose of rum in less quantity than 100 gallons, excepting in the way of barter to wood-cutters and others for supplies; I am sanguine in my expectation that the consequent difficulty of procuring rum in smaller supplies than 100 gallons will diminish the vice of intemperance.

An Ordinance for the better regulation of the respective duties of masters and articulated servants has been prepared and passed. Considerable apprehension appears to be entertained by persons interested in the prosperity of the West India Islands, that they will be deserted by their labourers, who appear, generally, to be desirous of removing to British Guiana, where they expect to receive a higher rate of wages.

The Right honourable the Lord Glenelg has observed in one of his late Despatches, that —“No person imported as an apprentice from any other British colony should be liable to serve in Guiana for any longer period than that in which the value of his service should repay the cost of the advances made for his voyage, and, upon the repayment of that cost, by that or any other means, such a person should always be at perfect liberty to quit the colony. In the absence of such regulations the older colonies may (adds his Lordship) be deprived of their adult but most valuable male population, by exaggerated or false accounts of the prospects awaiting them in Guiana. Hence, as I have ample cause to know (says his Lordship), will arise extreme discontents amongst the proprietors in those colonies, and hence also will follow restrictive and vexatious laws, designed to prevent such emigration. The principle must be that of a perfect freedom in the choice of a place in which the emancipated slave may think proper to settle himself and earn his living. We have no right to confine him to a single colony, if his interests or inclinations are opposed to that confinement. But, on the other hand, it would be unjust to permit a negro, in the Bahamas or Antigua, to whom Guiana is a remote, an unknown, and almost a foreign country, to fetter himself by an indissoluble contract for service there, for a long series of years. He has nothing to learn as an apprentice, and can acquire, by moving to Guiana, no profitable art or knowledge. The single advantage must be that of earning better wages; and if experience should teach him that even this advantage is unattainable, it would be unjust to hold him to a contract entered into, on his part, in inevitable ignorance. The contract of apprenticeship is to continue as long as seven years. This, in the case of adults, seems (says his Lordship) a very protracted period in a case where a labourer is to acquire no knowledge or skill which he may not be completely taught in a very few months, or even weeks.”

His Lordship has added (in the same Despatch) that, “under the circumstances to which he has alluded, he cannot announce to me, at present, the confirmation of this Ordinance.”

His Lordship thinks it probable that the Ordinance will be confirmed with such amendments as His Majesty's Privy Council may, after due consideration, propose for His Majesty's approbation. In the meantime, however, the Ordinance is to have the effect of law in the colony; “but it cannot (his Lordship further states) be too generally known that amendments, such as have been noticed, are not unlikely to be made.”

It is impossible not to feel the justice of Lord Glenelg's remarks, and not to coincide with his Lordship as to the propriety of reducing the limits of the period of servitude for which articulated servants may be indentured in this colony. Practically, the amendments suggested by his Lordship will not affect the importation of labourers into Guiana; for, although the period of seven years has been named in the Ordinance as the maximum of the time for which a servant may be indentured, very few servants indeed (only 15) have been imported subject to such a length of service. The periods of two, three and four years are those which have been generally agreed to by the parties, and named in the indentures.

XI.—The next measure which came under the consideration of the legislature, during the year 1836, was the establishment of the British Guiana bank. I shall always reflect upon the part which I felt it my duty to take in the promotion of this truly colonial object with satisfaction. I feel very little doubt but that the Ordinance, No. 82, will be confirmed and sanctioned by His Majesty. In some of the details there may be differences of opinions. The leading principles of the Act are, however, so identified with the constitutional doctrine of allowing every man to do what he likes with his own, provided he does not injure his neighbour, that I freely confess I entertain no apprehension of the rejection of the Ordinance. The establishment of the British Guiana bank will, in my opinion, do more towards the permanent prosperity of this province than any other measure which could be adopted.

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XII.—Having thus briefly adverted to the principal legislative enactments which were passed during the year 1836, I propose to say a few words relative to those Bills which (in the course of the present session) will be submitted to your consideration.

1. A new Ordinance will be proposed to you instead of Ordinance 79, two enactments in which have been disapproved of by His Majesty.

2. The Bill for the amendment of the board of police of Georgetown will be proceeded with. Should this Bill pass, and it be enacted that the care and superintendence of Georgetown shall be entrusted to a mayor and a town council, I propose to follow up the measure by establishing a mayor's court for the investigation and adjudication of all petty offences which may be committed within the precincts of the town, and which may be punishable by imprisonment with labour for a short and limited period.

A mayor's court, sitting twice a week, would prevent the necessity of sending so many trifling cases to the monthly inferior criminal courts, and do away with the imprisonments, more or less lengthened, which individuals are now frequently obliged to undergo previously to trial.

3. The Ordinance 41, establishing and constituting courts of inferior criminal justice, was passed in January 1834, previously to the abolition of slavery; it contains many enactments which have reference to a state of society now happily no longer in existence. A new Act instead of Ordinance 41 has been prepared, and will be submitted by the Attorney-general (by my desire) for your consideration.

4. The Attorney-general has also prepared, and will submit to this court, a Bill for carrying into effect so much of the prayer of the agent of the colonial bank as has not been objected to by the mercantile class of this community.

5. It has always been considered in this colony an object of sound policy to cultivate the good will of the several tribes of Indians by whom we are surrounded. In our present political state, we are more than ever imperiously called upon to pursue the same line of conduct. A Bill will be laid before you for regulating the duties of the postholders, and for making their services more efficient and more available for the public welfare. Connected with the same subject, a short Bill will also be submitted for your consideration, to enable the Governor to organize the militia companies as from time to time may to him appear to be expedient.

The men, at present, of the several river companies are so scattered, and live at such remote distances from their several alarm posts, that it would be difficult, at some of those posts, to assemble 20 men, if suddenly required. A better organization would tend much to correct this inconvenience.

6. The Vendue Office in Georgetown and that in New Amsterdam are under different regulations. I see no reason why, in the same colony, such differences should exist. It appears to me, on the contrary, to be advisable, that as far as may be, the duties of all public offices of the same nature should be assimilated. A Bill, consequently, will be laid before you to that effect. Whenever these offices may become vacant, I shall, moreover, be prepared, in obedience to my instructions to co-operate with you in doing away the monopoly, and in throwing open to all individuals the liberty of engaging in the vendue business, subject only to the provisos of finding sufficient security, and of paying a certain per centage upon their sales into the public treasury.

XIII.—The seven Bills I have alluded to are the only ones to which I propose at present to draw your attention. The great change in the constitution of our society has necessitated so many most important alterations in our laws, that I am now more anxious to pause; to allow the community to become well acquainted with the working of the present system; to feel our way, if I may so express myself, gradually and by degrees, rather than to precipitate any further amendments. We are going on equal to the wishes of the most sanguine, and beyond the expectation of the many. May the Almighty Disposer of events so guide our councils as to enable you to be permanently surrounded with cheerful and happy labourers, and to continue to cultivate the prolific soil of this splendid province to the advancement of your own individual interests, as well as to the advantage and benefit of the British Empire.

Court of Policy, }
6 February 1837. }

J. Carmichael Smyth.

ABSTRACT of RETURNS for Quarter ending 31st December 1836.

(A.)

RETURN of Marriages in *British Guiana* during the December Quarter.

1. Marriages by Special License	-	-	-	-	-	-	-	12
2. Ditto by Publication of Banns	-	-	-	-	-	-	-	407
								419
TOTAL	-	-	-	-	-	-	-	419

(B.)—RETURN

(B.)

RETURN of Communicants at the Holy Sacrament in *British Guiana* during the December Quarter.

1. Church of England	-	-	-	-	-	-	-	2,155	
2. Church of Scotland	-	-	-	-	-	-	-	839	
3. Reformed Church of Holland	-	-	-	-	-	-	-	-	
4. Lutheran Church	-	-	-	-	-	-	-	-	
5. Roman Catholic Church	-	-	-	-	-	-	-	195	
6. Wesleyan Missionaries	-	-	-	-	-	-	-	1,337	
7. London Missionary Society	-	-	-	-	-	-	-	1,110	
8. Moravian Missionaries	-	-	-	-	-	-	-	-	
TOTAL								-	5,636

(C.)

RETURN of Persons receiving Instruction in Schools in *British Guiana* during the December Quarter.

	Average Number of Adults.	Average Number of Children.	TOTAL.
Sunday Schools	1,299	4,587	5,886
Day Schools	150	2,739	2,889
Evening Schools	1,247	690	1,937
TOTAL	2,696	8,016	10,712

(D.)

RETURN of Convictions before the Supreme Criminal Courts in *British Guiana* during the December Quarter.

	Males.	Females.
1. In the District of Demerara and Essequibo	5	-
2. In the District of Berbice	No case.	-
TOTAL	5	-

(E.)

RETURN of Convictions before the Inferior Criminal Courts in *British Guiana* during the December Quarter.

	Males.	Females.
1. Demerara	71	11
2. Essequibo	34	2
3. Berbice	9	1
TOTAL	114	14

(F.)

RETURN of Shipping, Tonnage and Seamen, entered the Ports of *British Guiana*, during the December Quarter.

	No. of Vessels.	Tons.	Seamen.
1. Demerara and Essequibo	112	21,982	1,267
2. Berbice	32	5,477	306
TOTAL	144	27,459	1,573

(G.)

RETURN of Labourers and Artificers imported into *British Guiana* during the December Quarter.

	Demerara.	Berbice.
1. Males	350	-
2. Females	190	-
TOTAL	540	-

(H.)—RETURN

(H.)

RETURN of Colonial Produce shipped from the Ports of *British Guiana* during the
December Quarter.

	SUGAR.			RUM.		MOLASSES.			COFFEE.	Cotton.	
	<i>Hhds.</i>	<i>Tres.</i>	<i>Brls.</i>	<i>Puns.</i>	<i>Hhds.</i>	<i>Brls.</i>	<i>Hhds.</i>	<i>Tres.</i>	<i>Brls.</i>	<i>Pounds.</i>	<i>Bales.</i>
1. Demerara	16,129	816	864	3,587	1,661	522	13,330	-	-	615,150	324
2. Berbice -	4,479	412	140	788	141	1	1,739	-	15	2,010,600	436
TOTAL -	20,608	1,228	1,004	4,375	1,802	523	15,069	-	15	2,625,750	760

(I.)

RETURN of the Value of Goods imported into *British Guiana* during the December
Quarter.

	<i>£.</i>	<i>s.</i>	<i>d.</i>
1. Into the Port of Demerara - - - - -	210,662	8	6
2. Into the Port of Berbice - - - - -	38,816	15	-
TOTAL Sterling - - - - -	£. 249,479	3	6

(K.)

RETURN of Balance in the Colonial Chests, on the 31st December 1836.

	<i>£.</i>	<i>s.</i>	<i>d.</i>
1. In the Chest at Georgetown - - - - -	34,883	-	-
2. „ „ New Amsterdam - - - - -	9,996	6	8 ½
TOTAL Sterling - - - - -	£. 44,879	6	8 ½

Compiled from the Official Returns.

H. E. F. Young, Government Secretary.

— No. 669. —

(No. 200.)

COPY of a DESPATCH from Lord *Glenelg* to Sir *J. C. Smyth*.

No. 669.

Sir,

Downing-street, 12 April 1837.

I HAVE received and laid before the King your Despatch of the 8th February (No. 279), with its enclosure, and I have received His Majesty's commands to express to you the gratification which he has experienced in finding from these documents that the colony under your government is not only enjoying a continued state of commercial prosperity, but is also making progress in the extension of the means of religious instruction, and in the use of religious ordinances. From these circumstances the most important results may be anticipated to the character and interest of its inhabitants. I am further to express to you His Majesty's approbation of the practice which you have adopted of addressing to the court of policy, at the opening of their first session of the year, a summary review of the political events and circumstances of the past twelve months, a recapitulation of the legislative proceedings of the same period, and an intimation of the nature and purpose of the projects of laws which it is your intention to bring forward.

I have, &c.

(signed) *Glenelg*.

— No. 670. —

(No. 281.)

COPY of a DESPATCH from Sir *J. C. Smyth* to Lord *Glenelg*.

No. 670.

My Lord,

Camp House, Demerara, 17 Feb. 1837.

I HAVE the honour to lay before your Lordship the epitome of the monthly reports of the stipendiary special justices in British Guiana for the month of January.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure

Enclosure in No. 670.

EPITOME of the MONTHLY REPORTS from the FIFTEEN STIPENDIARY SPECIAL JUSTICES in *British Guiana*, for the Month of January 1837.

QUESTIONS.	DISTRICT (A).		DISTRICT (B.)
	EASTERN DIVISION. Captain Coleman.	WESTERN DIVISION. Charles Henry Strutt, Esq.	<i>A. M. Lyons, Esq.</i>
1. ARE the labourers in your district civil, contented and cheerful?	Yes.	They are.	Yes.
2. Have they performed their work during the last month with alacrity and good will?	Yes.	They have.	Yes.
3. Has the work on any estate been unwillingly or not readily performed? If yes, have the goodness to name the estate, the proprietor or his attorney, and the manager, in order that an inquiry may be forthwith instituted into the causes which may have led to such conduct.	No, except 'La Bonne Mere,' George C. Bell, attorney and manager.	With the exception of 'Baillie's Hope,' for a short period.	The women on plantation 'La Bonne Intention' have not readily performed their work, G. Danckett, attorney and manager.
4. Is task-work generally resorted to within your district? or do the labourers prefer working the seven hours and a half per day, as fixed by law?	Task-work is generally resorted to.	Voluntary task work is most generally in use.	Task work is generally resorted to.
5. What are the working hours most generally in use in your district? Are there any estates in your district on which the labourers are compelled to lay by for two or three hours in the middle of the day, and then to complete their seven hours and a half in the afternoon (by which division of their labour they have little or no time to themselves)? If yes, have the goodness to name the estates, proprietors or attorneys, and the managers.	The working hours most generally in use are from seven A. M. till half-past two P. M.	The nominal hours are from seven to eleven A. M., and from one to half-past four P. M.	The labourers generally commence work at seven A. M., and finish according to circumstances.

(continued on page 552.)

January 1837.]		DISTRICT (C.)		DISTRICT (N.)	DISTRICT (D.)	
TOWN. <i>George Ross, Esq.</i>		RIVER. <i>Captain Delafons, R.N.</i>		UPPER RIVER. <i>K. Heyland, Esq.</i>	Captain <i>Allen.</i>	
Answers to Question 1.	They are.	Yes.	Yes.	Yes.	Yes.	
	Answers to Question 2.	As much as might be expected.	Yes.	Yes, with the exception of 'Balthyock.'	Yes.	
		Answers to Question 3.	It has been readily performed.	No.	The work was not readily performed by many of the female apprentice labourers of plantation 'Balthyock,' C. Faloon, <i>qq.</i> , G. Houston, manager.	No complaint has been made on this subject.
	Answers to Question 4.		Task-work is generally resorted to.	They work seven and a half hours, as fixed by law.	Task-work is generally resorted to.	Task-work without any contract is mostly resorted to.
			Answers to Question 5.	Usually from seven A. M. till their work is finished.	From seven or eight A. M. until half-past two or half-past three P. M.	Where task-work is not resorted to, the hours are from seven to eleven, and twelve to half-past three P. M.

DISTRICT (E.) <i>Spry Bartlett, Esq.</i>	DISTRICT (F.) <i>George Kellock, Esq.</i>	DISTRICT (G.) <i>George Ball, Esq.</i>	DISTRICT (H.) <i>J. O. L. Mure and W. J. Brittain, Esquires.</i>
With the exception of a few apprentices on plantation 'Vrees-en-hoop.'	Yes.	They are.	They are.
Some of the apprentice labourers on 'Vrees-en-hoop' complained the task was too much.	Yes.	They have.	Yes.
'Vrees-en-hoop;' James Stewart, attorney, Mr. Ogle, manager. On visiting the estate the apprentice labourers expressed their willingness to perform the task required.	No.	The work has not been unwillingly performed on any estate.	No.
Generally.	Task-work is generally performed.	Task-work is general.	Task-work is generally performed.
From seven A. M. until the task is finished.	The labourers work as they choose, from about six in the morning, and lay by according to circumstances.	From half-past six and seven A. M., and finish at their option.	There is no limitation as to hours, task-work being generally performed.

(continued on page 554.)

January 1837.] DISTRICT (I.) <i>George Rose, Esq.</i>	DISTRICT (K.) <i>John M'Leod, Esq.</i>	DISTRICT (L.) <i>J. Van Rijk de Groot, Esq.</i>	DISTRICT (M.) <i>J. J. Candlin, Esq.</i>
Answers to Question 1. Yes.	Yes.	Yes.	Yes.
Answers to Question 2. They have.	They have.	They have.	Yes.
Answers to Question 3. No.	It has been readily performed, except on plantation 'Overwinning,' the property of Mr. Henery.	No.	No.
Answers to Question 4. Task-work is generally performed.	The labourers prefer task-work.	Task-work is resorted to in this district.	Task-work is general in this district.
Answers to Question 5. From seven in the morning till their tasks are finished.	It is left to the labourers themselves when to begin work.	Task-work being resorted to, it is left to the labourers themselves when to begin and finish work.	They commence work about seven o'clock A. M., and finish their task about two P. M.

QUESTIONS.	DISTRICT (A.)		DISTRICT (B.)
	EASTERN DIVISION. Captain Coleman.	WESTERN DIVISION. Charles Henry Strutt, Esq.	A. M. Lyons, Esq.
6. Do the labourers on any estate in your district perform extra labour for hire? If yes, name the estate, the rate of wages for extra work, and state how and when the payments are made; and if extra work is not performed for wages, state if reasonable wages have been offered, with weekly payment. If reasonable wages and prompt payment have been offered and rejected, state to what cause you attribute the refusal on the part of the labourers.	They generally perform extra labour for hire at the building, and sometimes in the field.	On all the estates in the district the apprenticed labourers perform extra work at the building for hire, and, on many estates, in the field also.	In the manufacture of sugar, picking cotton and coffee, and those employed in conveying produce to town, perform extra labour for hire; wages vary.
7. Have there been any instances of insubordination, or any attempt to resist authority by force, in your district? If there have been any, name the estates on which such occurrences have taken place.	None deserving of notice.	None.	None.
8. In the event of any disposition having been manifested by any of the labourers to neglect their work, or to behave rudely to those in authority over them, has such misconduct been so general as to induce you to attribute it to any combination or conspiracy? or is it only with respect to a few idle and disorderly apprentices that you have had complaints made?	One case at 'La Bonne Mere.'	No.	The women, when they neglect their work, behave very rudely; not so the men.
9. Has the attendance of the prædial labourers at church, and of their children at school, been regular and to the full accommodation afforded them under the local circumstances of your district?	Yes.	It has.	It has.
10. Have you, individually, as a magistrate, and has the court over which you preside, been under the necessity of ordering punishment by whipping during the preceding month? and, if answered in the affirmative, state the number of delinquents so punished, and the extent of punishment awarded in each case.	No.	No.	No.
11. Has any manager, overseer or other person in authority over the prædial labourers, been fined, or otherwise punished, by the court over which you preside, during the preceding month, for misconduct towards any labourer or labourers? Have there been any instances of the labourers having been detained at work beyond the legal hours? and, in such case, has the shilling sterling per hour for each individual labourer been levied?	No.	No.	No.

(continued on page 556.)

January 1837.]		DISTRICT (C.)		DISTRICT (N.)		DISTRICT (D.)					
TOWN. <i>George Ross, Esq.</i>		RIVER. <i>Captain Delafons, R. N.</i>		UPPER RIVER. <i>K. Heyland, Esq.</i>		Captain <i>Allen.</i>					
Answers to Question 6.		Extra work is performed about the buildings for hire; wages about three bits per day.		In the manufacture of sugar, and at 'Rome' and 'Houston,' in digging punt trenches, one dollar per rood is paid.		Extra labour is performed for hire in the manufacture of produce, and on two estates they work in the field and receive 2f. for seven hours and a half.		The labourers perform extra labour for hire on all the estates in the manufacture of sugar.			
		Answers to Question 7.		No.		No.		None.		None.	
				Answers to Question 8.		No.		None.		None.	
		Answers to Ques. 9.				It has.		Yes.		Good.	
				Answers to Question 10.		No.		No.		No.	
		Answers to Question 11.				No.		No.		The manager of 'Blairmont' was fined 5 s. for the benefit of an apprentice against whom he preferred a frivolous complaint.	

DISTRICT (E.) <i>Spry Bartlett, Esq.</i>	DISTRICT (F.) <i>George Kellock, Esq.</i>	DISTRICT (G.) <i>George Ball, Esq.</i>	DISTRICT (H.) <i>J. O. L. Mure and W. J. Brittain, Esquires.</i>
Those employed at the buildings perform extra labour for hire.	On all the estates extra labour is performed at the works; and, on some estates, in the field.	Extra labour is performed for hire; wages six bits per day (7½ hours), paid monthly.	Extra work is done on most of the estates.
With the exception of a few of those employed at Vrees-en-hoop.	None.	None.	None.
Those punished are generally the same idle persons.	No.	No.	None.
Yes.	They are.	Yes.	It has.
Three { One - 25 stripes. One - 20 " One - 9 "	Two - 39 stripes each.	Nine { One - 39 stripes. Two - 30 " each. One - 25 " Three - 20 " each. Two - 15 " "	One.
One overseer on 'Die Kinderen' was fined 18 f. for ill-treating a female; fine paid to the complainant; he was also fined six guilders for ill-treating a male apprentice labourer; fine paid to Colonial Receiver-general.	No.	No.	No.

(continued on page 558.)

January 1837.] DISTRICT (I.) <i>George Rose, Esq.</i>	DISTRICT (K.) <i>John M'Leod, Esq.</i>	DISTRICT (L.) <i>J. Van Rijk de Groot, Esq.</i>	DISTRICT (M.) <i>J. J. Candlin, Esq.</i>
Answers to Question 6. Extra labour is done; wages vary.	On all sugar estates those employed about the building perform extra labour for hire.	On all the estates they perform extra labour for hire.	Extra labour is general in this district.
	No.	No.	None.
Answers to Question 8. Only a few idle persons.	On 'Overwinning' the dissatisfaction has been general, supposed to be consequent upon a change of management.	Only against the idle complaints have been made.	Only against a few idle apprentices complaints are made.
	Yes.	It has.	It has.
Answers to Question 10. No.	One - 15 stripes.	One - 20 stripes.	None.
	Answers to Question 11. No.	No.	No.

QUESTIONS.	DISTRICT (A.)		DISTRICT (B.) <i>A. M. Lyons, Esq.</i>
	EASTERN DIVISION. <i>Captain Coleman.</i>	WESTERN DIVISION. <i>Charles Henry Strutt, Esq.</i>	
12. Have any complaints been preferred to you during the last month, from any apprenticed labourers, respecting their clothing, food, treatment, or upon any subject? In the event of any complaints having been made to you, have you carefully investigated into the matters and caused justice to be rendered to the parties as far as it was in your power? State the number and the nature of the complaints which may have been preferred to you in general terms.	One against an overseer, which was compromised.	None deserving of notice.	None.
13. Have any of the free children upon any of the estates in your district been bound apprentices during the last month? If yes, name the estates upon which such occurrences have taken place, and state if the transactions were with the free consent and approbation of the parents of the children.	No.	None.	None.
14. How are the children fed and taken care of on the estates in your district? Are they fed from the stores of the estates gratuitously, and is an additional quantity of salt fish and plantains issued for them? or are they fed out of the allowance due to their parents? When their mothers are at work in the field, is a woman specially appointed to take care of their young children, and exempted from all other duty? Are the children when unwell allowed the advantage of the medical assistance and hospital treatment of the estate in the same manner as when they were in a state of slavery?	The children are all clothed and nursed, and have medical attendance.	They are fed, clothed, nurses and medical attendance allowed gratuitously from the estates.	The same as last month.
15. On how many estates in your district are schools established? Name the estates, proprietors and managers of estates having schools.	There are Sunday schools at the church and chapels, and a day school has recently been established.	There are two schools, on 'Enmore' and 'Greenfield.'	There has been no increase or decrease in the number of schools.
16. Are there any remarks or observations which you may wish to convey to the Lieutenant-governor, connected with the peace, tranquillity, and happiness of the district under your superintendance? If yes, state the same.	No.	None.	All going on well.
	(signed) <i>Tho. Coleman.</i> S. J. P.	(signed) <i>Charles Henry Strutt,</i> S. J. P.	(signed) <i>A. M. Lyons,</i> S. J. P.

(continued on page 560.)

January 1837.]		DISTRICT (C.)		DISTRICT (N.)	DISTRICT (D.)
TOWN. <i>George Ross, Esq.</i>		RIVER. <i>Captain Delafons, R. N.</i>		UPPER RIVER. <i>K. Heyland, Esq.</i>	Captain <i>Allen.</i>
Answers to Question 12.	None deserving of notice.	None.	None.	None.	None deserving of notice.
	No.	None.	None.	None.	None.
Answers to Question 14.	The children on the estates are all provided with food, nurses and medical attendance.	They are fed gratuitously, have nurses while the mothers are at work, and freely admitted to the hospitals.	With the exception of one estate, they are fed, have nurses and medical attendance gratuitously from all the estates.	The same as formerly reported.	
	On plantations 'Thomas,' 'Kitty,' and 'Beleair,' there are schools.	There are schools on six estates.	There is one school on plantation 'Augsburg.'	The same as reported last month.	
Answers to Question 16.	—	None.	None.	—	
	(signed) <i>George Ross,</i> S. J. P.	(signed) <i>Thomas Delafons,</i> S. J. P.	(signed) <i>K. Heyland,</i> S. J. P.	(signed) <i>J. A. Allen,</i> S. J. P.	

DISTRICT (E.) <i>Spry Bartlett, Esq.</i>	DISTRICT (F.) <i>George Kellock, Esq.</i>	DISTRICT (G.) <i>George Ball, Esq.</i>	DISTRICT (H.) <i>J. O. L. Mure and W. J. Brittain, Esquires.</i>
None deserving of remark.	No.	No.	No.
None.	No.	None.	No.
On 'Vrees-en-hoop' and 'Tuchen de Vrienden' no food is allowed, but medical attendance, and nurses while the mothers are at work. The other estates they are treated as when in a state of slavery.	The children are treated as formerly.	The children are fed and taken care of the same as when in a state of slavery.	With the exception of 'Hampton Court' estate, they receive the same care as when in a state of slavery.
There are schools upon five estates; 'Vreedenhoop,' 'Windsor Forest,' 'Blankenburg,' 'Best,' and 'Jalousie.'	There are only two public schools, one upon Wakenaam and one on Leguan.	On thirteen, as detailed in former reports.	There are schools upon eight estates besides the parish church Sunday school.
— (signed) <i>Spry Bartlett,</i> S. J. P.	— (signed) <i>George Kellock,</i> S. J. P.	— (signed) <i>George Ball,</i> S. J. P.	— (signed) <i>J. O. L. Mure, W. J. Brittain,</i> S. J. P.

(continued on page 562.)

January 1837.] DISTRICT (I.) <i>George Rose, Esq.</i>	DISTRICT (K.) <i>John M'Leod, Esq.</i>	DISTRICT (L.) <i>J. Van Rijk de Groot, Esq.</i>	DISTRICT (M.) <i>J. J. Candlin, Esq.</i>
Answers to Question 12. No.	A complaint was preferred on the 31st by Louisa A., plantation 'Sandfort,' against James Scott, the manager of said estate, which is not yet investigated.	No.	None.
Answers to Question 13. No.	No.	No.	None.
Answers to Question 14. Generally the same as before the 1st August 1834.	'The children are treated generally in the same way as when in a state of slavery.	The free children receive gratuitous allowance, and medical attendance.	On most of the estates the children are fed; on all they receive medical attendance gratis.
Answers to Question 15. On most of the estates there are schools among the labourers themselves; on several there are teachers engaged, besides the Sunday schools at the places of public worship.	On two estates there are schools; viz. 'Everton' and 'Blegendall,' and at the chapels in 'New Amsterdam' and plantation 'Providence.'	There are two schools, at 'Fearn' chapel and 'Bruswick' chapel.	On 'Skeldon' Mrs. Ross instructs a few children, and there is a Sunday school at 'Abion' chapel. The want of more places of worship is greatly felt in this district by the apprenticed labourers.
Answers to Question 16. No. (signed) <i>George Rose,</i> S. J. P.	Nothing requiring remark. (signed) <i>J. M'Leod,</i> S. J. P.	— (signed) <i>J. Van Rijk de Groot,</i> S. J. P.	— (signed) <i>J. J. Candlin,</i> S. J. P.

(True extract.) *Henry John Barrett, Private Secretary.*

— No. 671. —

(No. 283.)

COPY of a DESPATCH from Sir *J. C. Smyth* to Lord *Glenclogh*.

My Lord,

Camp House, Demerara, 18 Feb. 1837.

No. 671.

I BEG to lay before your Lordship a printed copy of a circular addressed, a few days ago by my orders, to the special justices of this colony, as also a copy of my minute of the 15th May 1835, alluded to in the circular. Your Lordship will, I feel confident, approve of the caution which I have directed to be observed in the use of handcuffs; I am desirous not only that the apprenticed labourer may have, in every particular, the full benefit of the great change effected in his situation, but that his feelings should never be unnecessarily wounded; that he should be taught to respect himself; and, above all, that he should be brought to obey the enactments of the law, and to perform those duties required of him, from a conviction of the protection such conduct will ensure to him from all wanton and unnecessary restraint or ill usage. The lash, the handcuffs, and the stocks (excepting in the event of the commission of such crimes affecting the general welfare of the community as would subject their perpetrators, to whatever class of society they might belong, to similar treatment) will, I hope, shortly be as unknown to the apprenticed labourer of this colony as to the peasantry of any part of the world.

I avail myself of the present opportunity to report to your Lordship that, in every particular, the state of this colony continues to be most gratifying; every thing is going on as well as I could wish.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure in No. 671.

(Circular.)

Sir,

Public Buildings, Demerara, 8 Feb. 1837.

Enclosure in
No. 671.

HEREWITH I forward to you, by the command of the Governor, copy of a minute, dated so far back as the 15th of May 1835, addressed by his orders to the several sheriffs of this colony, respecting the improper use of handcuffs; and I am instructed by his Excellency, to desire that you will consider the injunctions therein prescribed for the conduct of the sheriffs, and the police officers of the several districts, as being equally addressed to yourself and the constables acting under your authority. You will consequently, not only yourself, never direct the employment of handcuffs upon apprenticed labourers (excepting in such cases as are pointed out in the minute in question), but you will exert yourself and use due vigilance to prevent all improper use of handcuffs, whether by the estates' constables or by any other persons whosoever.

The Governor further directs your attention to the stocks which still exist on most of the estates, and are generally to be met with in the building made use of as the estate hospital. His Excellency considers the special justice responsible that no apprenticed labourer is confined in the stocks without his (the special justice's) approbation and warrant. Any manager, overseer or constable placing, by his own authority, an apprenticed labourer in confinement, whether in the stocks or otherwise, incurs a very serious responsibility, and is liable to be punished by the special justice for an assault upon such apprenticed labourer, provided he cannot adduce very full and satisfactory proof that the conduct of the apprenticed labourer was such as to render his immediate confinement indispensable, with a view to the preservation of the peace of the country; and that he subsequently lost no time in reporting the circumstance to the nearest special justice.

I have, &c.

(signed) *H. E. F. Young*,
Secretary.To Special Justice _____, in the Province of
British Guiana.

Minute, 15th May 1835.

WHETHER the female apprenticed labourer was, or was not, treated with kindness by her former mistress, has nothing to do with the illegal and disgusting exhibition of a female being marched through the town (from the gaol to the stelling), with her hands fastened together by iron handcuffs; the gaoler can have no authority to sanction such a proceeding on his part. If the woman in question refused to accompany the person sent from the estate (to which the remainder of her services have been sold), to fetch her to the estate, application to the chairman of the district should have been made, who would have taken the necessary legal measures to enforce obedience to the law. The high sheriff is requested to warn the gaoler of the irregularity of his conduct.

I avail myself of the present opportunity of observing that I have more than once met apprenticed labourers proceeding for trial to the house where the district magistrates assemble, sometimes handcuffed, and sometimes tied together. All this is improper and irregular; no restraint ought to be imposed upon a prisoner's person, previously to his trial and condemnation, that can be avoided. It is only in cases of resistance, or of a reasonable expectation of resistance, that handcuffs or ropes ought to be resorted to.

(signed) *J. Carmichael Smyth.*

—No. 672.—

(No. 203.)

COPY of a DESPATCH from Lord *Glenelg* to Sir *J. C. Smyth*.

No. 672.

Sir,

Downing-street, 13 April 1837.

I HAVE to acknowledge the receipt of your Despatch (No. 283) of the 18th February last, and I have the satisfaction to convey to you my approval of the circular letter (a copy of which is therein enclosed) which you have addressed to the special magistrates, with a view to control the use of handcuffs and the stocks, as a means of punishment among the apprenticed labourers in British Guiana.

I have, &c.

(signed) *Glenelg.*

—No. 673.—

(No. 290.)

COPY of a DESPATCH from Sir *J. C. Smyth* to Lord *Glenelg*.

No. 673.

My Lord,

Camp House, Demerara, 26 March 1837.

In the speech which I addressed to the court of policy at the opening of the present session (a copy of which I submitted in the Despatch of the 8th February, (No. 279) which I had the honour to address to your Lordship), I stated in the 12th paragraph that the Ordinance, No. 41, establishing courts of inferior criminal jurisdiction having been passed in January 1834, previously to the abolition of slavery, contained many enactments having reference to a state of things now no longer in existence, and that consequently a new Ordinance had become necessary.

I have now the honour to lay before your Lordship a printed copy of Ordinance No. 4, of the present year, and which I trust will be deemed worthy of His Majesty's gracious approbation. It has been drawn up with every anxiety to guard against all unnecessary coercion or restraint; to prevent the possibility of oppression without speedy detection; whilst, at the same time, it affords the means to repress crimes and disorders with the least possible delay, consistent with that calm and impartial investigation which every accused person has a right to expect he will experience from the laws of his country.

I have, &c.

(signed) *J. Carmichael Smyth.*

No. 674.

—No. 674.—

(No. 210.)

COPY of a DESPATCH from Lord *Glenelg* to Sir *J. C. Smyth*.

Sir,

Downing-street, 25 May 1837.

No. 674.

I HAVE the honour to acknowledge the receipt of your Despatch (No. 290) of the 26th March, enclosing the following Ordinance passed by yourself and the court of policy of British Guiana, which I have submitted to the King, and which His Majesty has been graciously pleased to confirm and allow:—

No. 4., intituled, “ An Ordinance to repeal an Ordinance, intituled ‘ an Ordinance to establish and constitute inferior courts of criminal justice in British Guiana,’ and to make regulation and provision instead thereof.”

I have, &c.

(signed) *Glenelg*.

—No. 675.—

(No. 295.)

COPY of a DESPATCH from Sir *J. C. Smyth* to Lord *Glenelg*.

My Lord,

Camp House, Demerara, 1 April 1837.

No. 675.

I HAVE the honour herewith to submit to your Lordship the usual monthly epitome of the monthly reports from the special justices of this colony for the month of February. This epitome has never been called for by your Lordship, but has been prepared and submitted by me, from an anxiety to place your Lordship in possession of the fullest details relative to the state of this colony during the progress of the transition of the labouring class from a state of slavery to that of apprenticeship. It is my intention to continue to require the special justices to furnish me, monthly, with these reports; we are, however, now doing so well, and the reports are, from every district, so completely satisfactory, that I do not propose, excepting otherwise instructed by your Lordship, causing in future an epitome of these reports to be made out and forwarded to your Lordship. The monthly reports under A. and B., showing the number and extent and nature of punishments as awarded by the special justices, will, however, of course, continue to be called for, and be regularly transmitted to your Lordship, in compliance with the circular of the 12th July 1835.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure in No. 675.

EPITOME of the MONTHLY REPORTS from the FIFTEEN STIPENDIARY

QUESTIONS.	DISTRICT (A.)		DISTRICT (B.) <i>A. M. Lyons, Esq.</i>
	EASTERN DIVISION. <i>Captain Coleman.</i>	WESTERN DIVISION. <i>Charles Henry Strutt, Esq.</i>	
1. ARE the labourers in your district civil, contented and cheerful?	Yes.	They are.	Yes.
2. Have they performed their work during the last month with alacrity and good will?	Yes.	They have.	The labourers have performed their work well.
3. Has the work on any estate been unwillingly or not readily performed? If yes, have the goodness to name the estate, the proprietor or his attorney, and the manager, in order that an inquiry may be forthwith instituted into the causes which may have led to such conduct.	No.	It has been performed with good will.	On 'La Bonne Intention' the work has not been readily performed; attorney and manager, George Danckett, Esq.
4. Is task-work generally resorted to within your district? or do the labourers prefer working the seven hours and a half per day, as fixed by law?	Task-work is general.	Voluntary task-work is general; the apprentices taking the tariff as their guide.	Task-work is general.
5. What are the working hours most generally in use in your district? Are there any estates in your district on which the labourers are compelled to lay by for two or three hours in the middle of the day, and then to complete their seven hours and a half in the afternoon (by which division of their labour they have little or no time to themselves)? If yes, have the goodness to name the estates, proprietors or attorneys, and the managers.	From seven A. M. to about half-past two P. M.	The nominal hours are from seven to eleven A. M. and one to half past four P. M.	From seven A. M. until the task is finished.

- - - - - Enclosure in No. 675.

- - - - - SPECIAL JUSTICES in *British Guiana*, for the Month of February 1837.

DISTRICT (C.)		DISTRICT (N.)	DISTRICT (D.)
TOWN. <i>George Ross, Esq.</i>	RIVER. <i>Captain Delafons, R. N.</i>	UPPER RIVER. <i>K. Heyland, Esq.</i>	<i>Captain Allen.</i>
Yes.	Yes.	Yes.	They are.
They have.	Yes.	Yes.	Yes.
It has been readily performed.	No.	The strong female labourers of plantation 'Balthyock,' at one period, did not readily perform their work.	It has (with the exception of one estate not yet investigated) been readily performed.
Task-work is generally resorted to.	They work the prescribed time of seven hours and a half per day.	'Task-work is in general resorted to.	Task-work is in most instances resorted to.
From seven o'clock A. M. till one or two P. M.	From seven A. M. until half-past two P. M.	From seven to eleven A. M., and twelve to half-past three P. M.	From seven to eleven A. M., and twelve to half-past three P. M.

(continued on page 568.)

February 1837.] DISTRICT (E.) <i>Spry Bartlett, Esq.</i>	DISTRICT (F.) <i>George Kellock, Esq.</i>	DISTRICT (G.) <i>George Ball, Esq.</i>	DISTRICT (H.) <i>J. O. L. Mure and W. J. Brittain, Esquires.</i>
<p><i>Answers to Question 1.</i></p> <p>With the exception of some of the labourers on 'Vrees-en-hoop.'</p>	Yes.	They are.	They are.
<p><i>Answers to Question 2.</i></p> <p>With the above exception alone.</p>	Yes	They have.	They have.
<p><i>Answers to Question 3.</i></p> <p>Plantation 'Vrees-en-hoop'; Mr. James Stuart and Mr. Spencer, attornies. They have conducted themselves for the last fortnight to the satisfaction of the manager.</p>	No.	It has not.	No.
<p><i>Answers to Question 4.</i></p> <p>Generally.</p>	Task-work is universal.	Task-work is generally preferred.	Task-work is generally preferred.
<p><i>Answers to Question 5.</i></p> <p>From seven a. m. till the work is finished.</p>	From about six a. m. till the work is finished.	From about half-past six or seven o'clock in the morning, until the task is finished.	Task-work being performed, there is no limitation as to hours.

<p>DISTRICT (I.) <i>George Rose, Esq.</i></p>	<p>DISTRICT (K.) <i>John M'Leod, Esq.</i></p>	<p>DISTRICT (L.) <i>J. Van Rijk de Groot, Esq.</i></p>	<p>DISTRICT (M.) <i>J. J. Candlin, Esq.</i></p>
<p>Yes.</p>	<p>They are.</p>	<p>They are.</p>	<p>They are.</p>
<p>Yes.</p>	<p>They have.</p>	<p>Yes.</p>	<p>Yes.</p>
<p>No.</p>	<p>No.</p>	<p>No.</p>	<p>No.</p>
<p>Task-work is generally preferred by the labourers.</p>	<p>The labourers prefer task-work.</p>	<p>Task-work is preferred.</p>	<p>Task-work is general.</p>
<p>From seven A. M. till their tasks are finished about one or two o'clock P. M.</p>	<p>It is left to the labourers themselves, so that they finish their task.</p>	<p>From about eight o'clock in the morning until the task is finished.</p>	<p>From about seven o'clock A. M., and finish their task about two o'clock P. M.</p>

(continued on page 570.)

February 1837.] QUESTIONS.	DISTRICT (A.)		DISTRICT (B.) <i>A. M. Lyons, Esq.</i>
	EASTERN DIVISION. <i>Captain Coleman.</i>	WESTERN DIVISION. <i>Charles Henry Strutt, Esq.</i>	
6. Do the labourers on any estate in your district perform extra labour for hire? If yes, name the estates, the rate of wages for extra work, and state how and when the payments are made; and if extra work is not performed for wages, state if reasonable wages have been offered, with weekly payment. If reasonable wages and prompt payment have been offered and rejected, state to what cause you attribute the refusal on the part of the labourers?	They perform extra labour for hire at the sugar-works, and sometimes in the field.	Upon all the estates in this district they perform extra labour at the sugar-works, and sometimes in the field.	The labourers perform extra labour for hire.
7. Have there been any instances of insubordination, or any attempt to resist authority by force, in your district? If there have been any, name the estates on which such occurrences have taken place.	No.	No.	None.
8. In the event of any disposition having been manifested by any of the labourers to neglect their work, or to behave rudely to those in authority over them, has such misconduct been so general as to induce you to attribute it to any combination or conspiracy? or is it only with respect to a few idle and disorderly apprentices that you have had complaints made?	Only with respect to a few idle apprentices.	No.	No.
9. Has the attendance of the prædial labourers at church, and of their children at school, been regular and to the full accommodation afforded them under the local circumstances of your district?	Yes.	It has.	It has.
10. Have you, individually as a magistrate, and has the court over which you preside, been under the necessity of ordering punishment by whipping during the preceding month? and, if answered in the affirmative, state the number of delinquents so punished, and the extent of punishment awarded in each case.	No.	One - - 25 stripes.	None.
11. Has any manager, overseer or other person in authority over the prædial labourers, been fined or otherwise punished, by the court over which you preside, during the preceding month, for misconduct towards any labourer or labourers? Have there been any instances of the labourers having been detained at work beyond the legal hours? and, in such case, has the shilling sterling per hour for each individual labourer been levied?	No.	No.	None deserving of notice.

DISTRICT (C.)		DISTRICT (N.)	DISTRICT (D.)
TOWN. <i>George Ross, Esq.</i>	RIVER. <i>Captain Delafons, R. N.</i>	UPPER RIVER. <i>K. Heyland, Esq.</i>	Captain <i>Allen.</i>
Extra labour for hire is performed about the sugar-works.	It is, about the sugar-works and four estates in the field.	Those employed about the buildings, and the tradesmen perform extra labour for hire.	This report the same as formerly.
None.	None	None.	None.
No.	No.	The female gang of 'Balthyock,' was such as to induce me to attribute it to conspiracy.	No.
It has.	It has.	It has.	It has.
No.	No.	None.	None.
One case, where the party was fined.	Three cases of assault, Dr. Bruce fined 12 f., Mr. Gibson fined 9 f., Mr. M'Kinnon fined 12 f.	None.	Two managers were fined for misconduct.

(continued on page 572.)

February 1837.] DISTRICT (E.) <i>Spry Bartlett, Esq.</i>	DISTRICT (F.) <i>George Kellock, Esq.</i>	DISTRICT (G.) <i>George Ball, Esq.</i>	DISTRICT (H.) <i>J. O. L. Mure and W. J. Britain, Esquires.</i>
<i>Answers to Question 6.</i> On all the estates extra labour for hire is performed at the sugar works.	Upon every estate extra labour is performed for hire.	Extra labour for hire is performed in a greater or less degree on every estate.	On all the estates the labourers occasionally perform extra labour for hire.
<i>Answers to Ques. 7.</i> None deserving of notice	None.	No.	No.
<i>Answers to Question 8.</i> No.	No.	No.	No.
<i>Answers to Ques. 9.</i> It has.	It has.	It has.	Yes.
<i>Answers to Question 10.</i> None.	No.	Three { One - - 30 stripes. Two - - 25 ,, each.	None.
<i>Answers to Question 11.</i> Two cases of assault, which were compromised by the parties.	No.	No.	No.

DISTRICT (I.) <i>George Rose, Esq.</i>	DISTRICT (K.) <i>John M'Leod, Esq.</i>	DISTRICT (L.) <i>J. Van Rijk de Groot, Esq.</i>	DISTRICT (M.) <i>J. J. Candlin, Esq.</i>
Extra labour is frequently performed on the sugar estates; wages vary; payment when asked.	On all the sugar estates the persons employed about the buildings.	On all the estates the labourers perform extra work for hire.	Extra labour for hire is general in this district.
No.	No.	None.	None.
No.	No, with the exception of 'Overweening.'	No.	No.
Yes.	It has.	It has.	The want of a church in this district is seriously felt.
No conviction whatever.	None.	None.	None.
No.	One manager fined 10s. for keeping a man in confinement five hours longer than his sentence.	No.	No.

(continued on page 574.)

February 1837.] QUESTIONS.	DISTRICT (A.)		DISTRICT (B.) <i>A. M. Lyons, Esq.</i>
	EASTERN DIVISION. <i>Captain Coleman.</i>	WESTERN DIVISION. <i>Charles Henry Strutt, Esq.</i>	
12. Have any complaints been preferred to you during the last month, from any apprenticed labourers, respecting their clothing, food, treatment, or upon any subject? In the event of any complaints having been made to you, have you carefully investigated into the matters, and caused justice to be rendered to the parties as far as it was in your power? State the number and the nature of the complaints which may have been preferred to you in general terms.	None.	None deserving of notice.	None.
13. Have any of the free children upon any of the estates in your district been bound apprentices during the last month? If yes, name the estates upon which such occurrences have taken place, and state if the transactions were with the free consent and approbation of the parents of the children.	No.	No.	None.
14. How are the children fed and taken care of on the estates in your district? Are they fed from the stores of the estates gratuitously, and is an additional quantity of salt fish and plantains issued for them? or are they fed out of the allowance due to their parents? When their mothers are at work in the field, is a woman specially appointed to take care of their young children, and exempted from all other duty? Are the children when unwell allowed the advantage of the medical assistance and hospital treatment of the estate in the same manner as when they were in a state of slavery?	The children have all an allowance of provisions; nurses and medical attendance when sick.	The free children are taken the same care of as when slavery existed.	The children are taken care of the same as when in a state of slavery.
15. On how many estates in your district are schools established? Name the estates, proprietors and managers of estates having schools.	There are Sunday schools at the chapels and meeting-houses, and one at Inaharca village.	There are two day schools; one on 'Greenfield,' and one on 'Enmore.'	There has been no increase or decrease of schools since last report.
16. Are there any remarks or observations which you may wish to convey to the Lieutenant-governor connected with the peace, tranquillity and happiness of the district under your superintendance? If yes, state the same.	No. (signed) <i>Thomas Coleman,</i> S. J. P.	None. (signed) <i>Charles Henry Strutt,</i> S. J. P.	No. (signed) <i>A. M. Lyons,</i> S. J. P.

DISTRICT (C.)		DISTRICT (N.)	DISTRICT (D.)
TOWN. <i>George Ross, Esq.</i>	RIVER. <i>Captain Delafons, R. N.</i>	UPPER RIVER. <i>K. Heyland, Esq.</i>	Captain <i>Allen.</i>
Two, one for an assault, and one for not supplying a sufficient quantity of fish. The parties were fined.	No.	None.	None deserving of notice.
No.	None.	None.	None.
The children are found the same as when in a state of slavery.	The same as former reports.	The children have the same care as previous to the 1st August 1834.	The report on this head does not vary from any former month.
There are schools on three estates.	There are schools on five estates.	There is a school on plantation 'Augsburg.'	There has been no increase or decrease in the number of schools.
No.	None.	No.	No.
(signed) <i>George Ross,</i> S. J. P.	(signed) <i>Thomas Delafons,</i> S. J. P.	(signed) <i>K. Heyland.</i> S. J. P.	(signed) <i>J. A. Allen,</i> S. J. P.

(continued on page 576.)

February 1837.] DISTRICT (E.) <i>Spry Bartlett, Esq.</i>	DISTRICT (F.) <i>George Kellock, Esq.</i>	DISTRICT (G.) <i>George Ball, Esq.</i>	DISTRICT (H.) <i>J. O. I. Mure and W. J. Brittain, Esquires.</i>	
Answers to Question 12.	None.	No.	No.	
	None.	None.	None.	No.
Answers to Question 14.	The same as former reports.	The children are fed and taken care of the same as when in a state of slavery.	The children have the same advantages gratuitously given as they enjoyed in a state of slavery.	
Answers to Question 15.	There has been no increase or decrease in the number of schools.	There are two parish schools; one on 'Leguan, and one on 'Waakenaam.'	On twelve estates, as specified in former reports.	There are schools on eight estates.
Answers to Question 16.	(signed) <i>Spry Bartlett,</i> S. J. P.	(signed) <i>Geo. Kellock,</i> S. J. P.	(signed) <i>George Ball,</i> S. J. P.	(signed) <i>J. O. I. Mure, W. J. Brittain,</i> S. J. P.

DISTRICT (I.) <i>George Rose, Esq.</i>	DISTRICT (K.) <i>John M'Leod, Esq.</i>	DISTRICT (L.) <i>J. Van Rijk De Groot, Esq.</i>	DISTRICT (M.) <i>J. J. Candlin, Esq.</i>
The only complaint made referred to the sheriff.	None.	None.	None.
No.	No.	No.	No.
Generally the same as before the 1st August 1834.	Children receive the same attention as when in a state of slavery.	The free children receive gratuitous allowance, nurses and medical attendance.	On most of the estates the children are fed, on all they have nurses and medical attendance.
On most of the estates there are schools, besides those at the different places of worship.	There are schools on five estates besides those in town.	There are no schools except at the chapels.	There are no schools at present.
— (signed) <i>George Rose,</i> S. J. P.	— (signed) <i>John M'Leod,</i> S. J. P.	— (signed) <i>J. Van Rijk de Groot,</i> S. J. P.	— (signed) <i>J. J. Candlin,</i> S. J. P.

(True extracts.) *Henry John Baird, Private Secretary.*

BRITISH
GUIANA.

— No. 676. —

(No. 302.)

Copy of a DESPATCH from Sir J. C. Smyth to Lord Glenelg.

No. 676.

My Lord,

Camp House, Demerara, 19 April 1837.

Vide Papers relative to the Abolition of Slavery, 1836, Part III.—(2.) p. 196.

WITH reference to the Despatch (No. 169) of the 1st June 1836, which I had the honour to address to your Lordship upon the subject of gold medals being presented, in His Majesty's name, annually, to the most meritorious of the managers of the estates in this province, I have now to lay before your Lordship a copy of a Government Notice, detailing the particulars of the ceremony which took place yesterday at the presentation of the medals for the present year. I am in hopes that these medals will be attended with a very good effect; and, by showing to the managers that the paternal government of His Majesty is as anxious to honour and distinguish those whose conduct merits approbation, as it is able and willing to check all arbitrary measures, and to put down the remnants of slavery, will promote the happiness of all classes.

I have, &c.

(signed) J. Carmichael Smyth.

Enclosure in No. 676.

GOVERNMENT NOTICE.

Enclosure in
No. 676.

MAJOR-GENERAL SIR JAMES CARMICHAEL SMYTH was pleased this day, in the hall of the court of policy, in the presence of their honours the high sheriff, and sheriff of Essequibo, the special magistracy and a large concourse of the inhabitants, to present, in the name of His Majesty, a gold medal to each of the under-mentioned gentlemen, managers of estates in British Guiana, in testimony of the King's gracious approbation of their conduct towards the apprenticed labourers attached to the estates of which they respectively have charge:—

DISTRICT OF DEMERARA.

- 1st. Archibald M'Lennan, manager of plantation Vriesland, the property of Thomas Barry, Esq.
- 2d. John Hunter, manager of plantation Haagsbosche, the property of Robert Neilson, Esq.; James Glen, Esq. the attorney.

DISTRICT OF ESSEQUIBO.

- 3d. A. G. Fowler, manager of plantation Union and Alliance, the property of Mrs. Maria Hawes Ware; Colin Simson, Esq. the attorney.
- 4th. Alexander Smith, manager of plantation Endeavour, the property of Alexander Macrae, Esq.

DISTRICT OF BERBICE.

- 5th. M. M'Kenzie, manager of plantation Golden Fleece, the property of the heirs of James Fraser, Esq. deceased; William Ross, Esq. the attorney.
- 6th. John M'Dougal, manager of plantation Cotton Tree, the property of the heirs of W. Katz, deceased.

At the conclusion of the ceremony, his Excellency addressed the gentlemen who had received the medals as follows:—

"Gentlemen,—Their honours the sheriffs of the respective districts to which you severally belong, assisted by the opinions of the special justices, having selected you as being entitled, under the regulations contained in the Government Notice of the 26th of May 1836, to the gold medals of the present year, I have great pleasure in being able personally to offer you my congratulations at so honourable and flattering a preference.

"To you, Gentlemen, and to such as think and act as you do, this province owes her present prosperity, and will be indebted for her future greatness. You have shown what can be done by mildness, by kindness, and by liberal treatment; you have practically demonstrated to the proprietors and to the labourers that their interests are not only not incompatible with each other, but that they are one and inseparable. In the grateful smiles of the peasantry, in the esteem of the community, and, above all, in the approbation of your own consciences, you will meet your best earthly rewards. Accept, however, Gentlemen, from me these medals, which I have the honour to present to you in the King's name, and which you will hereafter wear, and, I hope, carefully transmit to your children, in testimony of the approbation with which your conduct is viewed by the paternal government of His Majesty."

The Governor has directed that it may be made known that his Excellency proposes to double the number of medals upon all future occasions, and that twelve gold medals will be presented in January 1838, and henceforth, in the month of January of each succeeding year, to such gentlemen, managers of estates, as may appear to be best entitled to receive

and

Vide Papers relative to the Abolition of Slavery, 1836, Part III.—(2.) p. 196.

and to wear such honourable distinctions. The Governor will also hereafter present annually three similar gold medals (one for each district) to those medical gentlemen, having charge of hospitals upon estates, who may be reported to his Excellency by the special justice as the most deserving of being so distinguished.

By order of his Excellency the Governor,
Office of Government Secretary, (signed) *H. E. F. Young,*
18 April 1837. Govt Secy.

—No. 677.—

(No. 303.)

COPY of a DESPATCH from Sir *J. C. Smyth* to Lord *Glenelg*.

My Lord,

Camp House, Demerara, 23 April 1837.

No. 677.

I HAVE great pleasure in laying before your Lordship the enclosed quarterly statement of the number of marriages which have taken place in British Guiana; of the number of communicants at the Holy Sacrament; of the number of persons receiving instruction at schools; of the number of convictions before the superior and inferior criminal courts; of the quantity of shipping and the number of British seamen employed; of the number of artificers and labourers who have been imported into this colony; of the quantity of colonial produce which has been exported; of the value of British goods which have been imported; and of the amount of the balance in the colonial chests.

The foregoing documents so completely establish the prosperous state of British Guiana, that I have only to offer to your Lordship my respectful congratulations.

I have, &c.
(signed) *J. Carmichael Smyth.*

Enclosure in No. 677.

ABSTRACT of RETURNS for the Quarter ending 31 March 1837.

Enclosure in
No. 677.

(A.)

RETURN of Marriages in *British Guiana*, during the March Quarter.

Marriages by Special License	-	-	-	-	-	-	19
Ditto by Publication of Banns	-	-	-	-	-	-	370
TOTAL	-	-	-	-	-	-	<u>389</u>

(B.)

RETURN of Communicants at the Holy Sacrament in *British Guiana* during the March Quarter.

Church of England	-	-	-	-	-	-	2,794
Church of Scotland	-	-	-	-	-	-	411
Reformed Church of Holland	-	-	-	-	-	-	38
Lutheran Church	-	-	-	-	-	-	-
Roman Catholic Church	-	-	-	-	-	-	258
Church Missionary Society	-	-	-	-	-	-	18
Wesleyan Missionary Society	-	-	-	-	-	-	885
London Missionary Society	-	-	-	-	-	-	1,608
Moravian Missionary Society	-	-	-	-	-	-	-
TOTAL	-	-	-	-	-	-	<u>6,012</u>

(C.)

RETURN of Persons receiving Instruction in Schools in *British Guiana* during the March Quarter.

	Adults.	Children.	TOTAL.
Sunday Schools	3,562	4,922	8,484
Day Schools	238	3,293	3,531
Evening Schools	1,963	941	2,924
TOTAL	5,783	9,156	14,939

(D.)—RETURN

BRITISH
GUIANA.

(D.)

RETURN of Convictions before the Supreme Criminal Courts in *British Guiana* during the March Quarter.

	Males.	Females.
In the District of Demerara and Essequibo -	-	-
In the District of Berbice - - - -	2	-
TOTAL - - - -	2	-

(E.)

RETURN of Convictions before the Inferior Criminal Courts in *British Guiana* during the March Quarter.

	Males.	Females.
Demerara - - - - -	61	8
Essequibo - - - - -	5	1
Berbice - - - - -	10	2
TOTAL - - - - -	76	11

(F.)

RETURN of Shipping, Tonnage and Seamen entered the Ports of *British Guiana* during the March Quarter.

	Vessels.	Tons.	Seamen.
Demerara and Essequibo -	140	24,318	1,375
Berbice - - - - -	31	5,317	303
TOTAL - - - - -	171	29,635	1,678

(G.)

RETURN of Labourers and Artificers imported into *British Guiana* during the March Quarter.

	Males.	Females.
Demerara and Essequibo - - - - -	255	90
Berbice - - - - -	87	24
TOTAL - - - - -	342	114

(H.)

RETURN of Colonial Produce shipped from the Ports of *British Guiana* during the March Quarter.

	SUGAR.			RUM.			MOLASSES.			COFFEE.	COTTON.
	Hds.	Tres.	Brls.	Puns.	Hds.	Brls.	Hds.	Tres.	Brls.	Pounds.	Bales.
Demerara -	11,410	733	713	3,036	1,558	491	5,966	-	-	813,600	755
Berbice -	1,977	69	92	872	88	2	674	-	-	1,072,050	181
TOTAL -	13,387	802	805	3,908	1,646	493	6,640	-	-	1,885,650	936

(I.)

RETURN of the Value of Goods imported into *British Guiana* during the March Quarter.

	£.	s.	d.
Into the Port of Demerara - - - - -	202,614	11	10
Into the Port of Berbice - - - - -	39,116	18	4
TOTAL Sterling - - - - -	£.241,731	10	2

(K.)—RETURN

(K.)

RETURN of Balance in the Colonial Chests on the 31st March 1837.

	£.	s.	d.
In the Chest at Georgetown - - - - -	34,932	7	8
In the Chest at New Amsterdam - - - - -	8,502	13	6
TOTAL Sterling - - - - -	£.43,435	1	2

Compiled from the Official Returns.

(signed *H. E. F. Young*, Secretary.)

— No. 678.—

(No. 223.)

COPY of a DESPATCH from Lord *Glenelg* to Sir *J. C. Smyth*.

Sir,

Downing-street, 30 June 1837.

No. 678.

I HAVE the honour to acknowledge the receipt of your Despatch of the 23d of April (No. 303), forwarding to me various returns connected with the colony under your government.

I have to express to you my gratification at the prosperous and satisfactory state of the colony which these documents so clearly establish.

I have, &c.

(signed) *Glenelg*.

— No. 679.—

(No. 195.)

COPY of a DESPATCH from Lord *Glenelg* to Sir *J. C. Smyth*.

Sir,

Downing-street, 10 March 1837.

No. 679.

I HAVE the honour to transmit to you herewith copy of a Despatch and enclosures from Lieutenant-governor *Light*, relating to the emigration of labourers from Antigua and Montserrat, and supplying the particulars of the removal of upwards of 70 apprentices from this latter island to the colony under your government. I have to desire that you will ascertain whether it be true that the frauds mentioned by the President of Montserrat have really been practised on the negroes withdrawn from Antigua, and whether their services have been the subject of transfer and sale, and especially whether the sale has ever realized the sum of 80*l.* for the services of a single apprentice, or any similar sum. If such be the fact, as it would be a case of the most grievous injustice towards the persons that have been thus dealt with, it will be necessary that you should use the powers given by the late Order of the King in Council for effecting their enfranchisement, and enabling them, if they shall be so disposed, to return to their native country. I have further to instruct you to communicate to the Governors of the British possessions in the West Indies the arrival from thence of emigrants in Demerara, as often as it shall occur, in order that you may receive from them any information which may enable you to detect and remedy frauds of the nature reported by Lieutenant-governor *Light*.

I have, &c.

(signed) *Glenelg*.

28 Jan., No. 92.
Vide Antigua Correspondence.

— No. 680. —

(No. 196.)

COPY of a DESPATCH from Lord *Glenelg* to Sir *J. C. Smyth*.

Sir,

Downing-street, 17 March 1837.

No. 680.

WITH reference to my Despatch dated the 10th instant (No. 195), I have the honour to transmit to you the copy of a Despatch and enclosures from Lieutenant-governor *Light*, communicating an additional proof of the extent to which the

521.

system

25 Jan. 1837,
No. 87.
Vide Antigua Correspondence.

BRITISH
GUIANA.

system of removing the negroes from Antigua to the colony under your government has been carried, and of the danger to which the continuance of it would have subjected both the proprietary and the labouring classes of the old West Indian Islands.

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

— No. 681. —

(No. 316.)

COPY of a DESPATCH from Sir *J. C. Smyth* to Lord *Glenelg.*

No. 681.

My Lord,

Camp House, Demerara, 12 May 1837.

WITH reference to your Lordship's Despatch of the 10th March (No. 195), relative to the emigration of labourers from Antigua and Montserrat to this province, I beg to lay before your Lordship a copy of a letter I caused to be addressed to the high sheriff, calling for certain detailed statements and returns required for the purpose of ascertaining the real nature of the transactions complained of both by the Lieutenant-governor of Antigua and the President of Montserrat. I beg to submit to your Lordship two reports received from the high sheriff, as also the several documents connected with these reports. I respectfully submit to your Lordship that not only no case has been made out against any inhabitants of Guiana of any unfair or irregular proceeding in seducing labourers or others to emigrate to this province, but that upon one occasion (*vide* the receipt No. 6, in enclosure C.) Mr. Hamilton, the President of Montserrat, appears to have received 280 dollars from Mr. Watson for the service of three of his apprenticed labourers, who voluntarily quitted his service, and are now articed servants working in this colony for wages. In fact, I felt confident that, from the regulations I had adopted in this province with respect to emigrants, (and which necessitated their personal appearance before the sheriff, the registration of their indentures and other precautionary measures) irregularities of a very serious nature, or to any considerable extent, could not take place without being immediately known and exposed. The proprietors of estates both at Antigua and at Montserrat, unquestionably, cannot witness with satisfaction the emigration of their labourers; labour, however, when free, must like every thing else find its level; and I respectfully submit to your Lordship that, with the exception of one vessel which has brought a party of French creoles from Martinique, I am not in possession of any circumstances tending to prove that there has been any unfair or improper proceeding in encouraging the emigration of apprenticed labourers or others to British Guiana. With reference to the vessel from Martinique, I beg to report that, as the statement of the master, of the passengers, and the clearance from Port Royal, are very contradictory, I have felt it my duty to write to the Governor of Martinique upon the subject, and in the meanwhile, until I hear from his Excellency, I have placed the emigrants under the surveillance of the police.

I have thought it right to add to the documents which will accompany this Despatch, an extract of a letter from the sheriff of Berbice, by which your Lordship will perceive that the same vigilance is exerted, and the same precautionary measures are adopted, at that port, to prevent any unfair or irregular proceedings with respect to emigrants arriving from the islands.

I have, &c.
(signed) *J. Carmichael Smyth.*

— No. 682. —

(No. 340.)

COPY of a DESPATCH from Sir *J. C. Smyth* to Lord *Glenelg.*

No. 682.

My Lord,

Camp House, Demerara, 17 June 1837.

I HAVE already had the honour to reply to your Lordship's Despatch of the 10th March (No. 195). I have now to acknowledge the receipt of the Despatch of the 17th March (No. 196), forwarding to me certain additional documents relative to the removal of negroes from Antigua to this colony.

I beg

Enclosures sent to
the Governor of
Antigua.—(See
original.)

I beg respectfully to lay before your Lordship a report addressed to me by the high sheriff, by which your Lordship will perceive that the schooner *Anne*, alluded to in the documents from Antigua, is the same vessel on which I have already had the honour of addressing your Lordship. The complaints consequently from the authorities at Antigua, as forwarded in your Lordship's Despatch (No. 196), relate to emigrants respecting whom I have, in a former communication, afforded every information.

I have, &c.
(signed) *J. Carmichael Smyth.*

Enclosure in No. 682.

Sir,

High Sheriff's Office, 14 June 1837.

Enclosure in
No. 682.

IN reply to your letter of the 13th instant, transmitting a copy of a Despatch (No. 196), dated 17th March 1837, from Lord Glenelg, with accompanying documents, I have the honour to report, for the information of his Excellency the Governor, that the schooner *Anne* is the same vessel respecting which I had the honour to report in my letter of 9th May 1837.

That the vessel belongs to Messrs. Watson and Davidson, and has made but one voyage from the Leeward Islands during the present year, with emigrants, a return of whom, setting forth the names of the emigrants, where employed, the rate of wages, length of time for which they were individually engaged, &c. &c., was forwarded with that letter, and a copy of which may be had, if required, by his Excellency. The Despatch, with the enclosures, are herewith returned.

(signed) *George Bagot*, High Sheriff.

The Honourable H. E. F. Young,
Government Secretary.

— No. 683. —

(No. 226.)

COPY of a DESPATCH from Lord *Glenelg* to Sir *J. C. Smyth*.

Sir,

Downing-street, 20 July 1837.

No. 683.

I HAVE the honour to acknowledge the receipt of your Despatch (No. 316) of the 12th May, reporting the result of the investigation which I had instructed you to institute into cases of fraud which were alleged to have been practised on the labourers whose services had been transferred to British Guiana from Antigua and Montserrat.

I have now to acquaint you, that the explanations which you have furnished in regard to these transactions are satisfactory, and I have made a notification to that effect to the Governor of Antigua and the President of Montserrat accordingly.

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

— No. 684. —

(No. 322.)

COPY of a DESPATCH from Sir *J. C. Smyth* to Lord *Glenelg*.

My Lord,

Camp House, Demerara, 13 May 1837.

No. 684.

SEVERAL doubts having arisen, and applications having been made to me, with respect to the intention and legal construction of some of the enactments of His Majesty's late Order in Council of the 1st March 1837, I caused the same to be laid before His Majesty's Attorney-general in this colony for his opinion and report. I now beg to submit to your Lordship a copy of the letter from one of the special justices of this province, requesting information, as also a copy of the opinion of the Attorney-general upon the points referred to him. I hope that the construction put by that officer upon the enactments in question will meet with your Lordship's approbation.

I have, &c.
(signed) *J. Carmichael Smyth.*

BRITISH
GUIANA.

Enclosure in
No. 684.

Enclosure in No. 684.

Sir,

Georgetown, 20 April 1837.

THERE are some difficult points in the recently amended law respecting articted servants and labourers, on which I am at a loss how to proceed until I receive further instructions from his Excellency the Governor; I have put them into the form of questions, in order that they may be more easily answered and cleared up.

1. Are indentures and other similar instruments entered into, beyond the limits of British Guiana, before the passing of His Majesty's Order in Council of the 1st March 1837, to be considered null and void in all those cases where they have not been executed in the presence of two magistrates?

2. Indentures entered into, beyond the limits of this colony, with persons who are or have been apprenticed labourers, are limited in their duration to one year; are similar indentures entered into with persons of free condition, such as the natives of Antigua, Madeira and the Azores, to be nevertheless regarded as valid beyond that period?

3. Such indentures become liable to be set aside on payment, or tender, by any articted servant of the charges attendant upon his voyage hither. The charges attendant upon the voyage of the majority of the immigrants, who have recently come to British Guiana, vary from 30 to 60 guilders; but pecuniary advances have in some cases been made by their employers to the extent of from 400 to 500 guilders, on the security of the pledged labour of the immigrants, their only tangible property. Now, is the special justice called upon to cancel all such obligations as soon as the parties benefited tender simply the payment of their passage-money to the persons who engaged them?

I have, &c.

H. E. F. Young, Esq., Government Secretary.

(signed) *George Ross, s. j. p.*

Refer to the Attorney-general for his opinion and report.

(signed) *J. Carmichael Smyth.*

OPINION.

ON the first question.—I entertain some doubt on this point, but I feel inclined to think that the indentures alluded to in this first question are not null and void on the ground that they have not been executed in the presence of two magistrates.

It appears to me that this part of the Order in Council of the 1st March 1837 was not intended to have a retrospective operation; in all those cases in which the Order in Council is to have a retrospective effect, the words "hath been or shall be" appear to be very carefully introduced. These expressions are to be found in those parts of the Order in Council which precede, and in those which are subsequent to, that part which is applicable to the question now under consideration. The omission of these words "hath been," which seem to be in this part of the Order in Council as cautiously excluded as they are guardedly introduced in its other provisions, leads me to the conclusion that this part of the enactment was not intended to have a retrospective effect.

Second question.—Indentures entered into with any persons, except those who are apprenticed labourers, under the 3d & 4th Will. IV. c. 73, may last for the period of three years.

Third question.—The indentures alluded to in this question are liable to defeasance and to be set aside on payment or tender, by the articted servant to the employer, of the costs and charges attendant upon the voyage hither, defrayed by the employer. Further advances, to the extent of "400 or 500 guilders," made by the employer to the articted servant imported (if advanced at his request or for his benefit), constitute a debt against the articted servant, to be recovered by the ordinary course of law.

I think the special justice may cancel the indentures on payment, or tender of payment, by the articted servant to the employer, of the expenses attendant on the voyage hither of the articted servant, defrayed by the employer.

April 28, 1837.

(signed) *William Furlong, Attorney-general.*

Gentlemen,

Government Secretary's Office, Demerara, 1 May 1837.

WITH reference to the subject upon which you waited upon the Governor upon the 20th ultimo, I have it in command by his Excellency to forward to you a copy of several questions relative to the enactments contained in the Order of the King's most Excellent Majesty in Council of the 1st March 1837, as proposed by Special Justice Ross, together with a copy of the Attorney-general's opinion upon the several points with respect to which the special justice requested information. The opinion of the Attorney-general perfectly coincides with the view which his Excellency (from the tenor of the Despatches from the Right honourable the Secretary of State for the Colonies) already felt disposed to take of the subject.

The Governor loses no time in directing these papers to be communicated to you; and, as the subject is one in which so many of the proprietary body are deeply interested, his Excellency will give instructions for the publication in the Royal Gazette of the whole of the documents referred to.

I have, &c.

(signed) *H. E. F. Young,*
Government Secretary.

To the Honourable George Rainy, Major James Glen,
and A. Davidson, Esq.

(No. 219.)

COPY of a DESPATCH from Lord *Glenelg* to Sir *J. C. Smyth*.

Sir,

Downing-street, 28 June 1837.

No. 685.

I HAVE to acknowledge the receipt of your Despatch and enclosures (No. 322) of the 13th of May, relating to a question which had been raised by one of the special justices, as to the legal construction of his late Majesty's Order in Council of the 1st of March last.

I approve of the course which you adopted for removing any doubts which might have existed on the three points referred to in the enclosures; and I see no reason to dissent from the construction which the Attorney-general has given to the Order in Council.

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

T A B L E (B.)

RETURN of the Number and Effect of the RETURNS of PUNISHMENTS received by the Governor of *British Guiana*, from the SPECIAL MAGISTRATES, from the 1st June 1836 to 31st May 1837.

Colony.	Date.	Total Number of Apprentices throughout the Government.	Total Number of Punishments inflicted under the authority of Special Magistrates throughout the same.	Proportion per cent. of Punishments to Apprentices.	Total Number of Males Punished.		Total Number of Females Punished.	The Average Number of Stripes inflicted in cases of Punishment by Whipping.	The Maximum Number of Stripes inflicted in any one case of Punishment by Whipping.	The Maximum of Severity in any one case of Punishment by Confinement.	The Maximum of Severity in any other mode of Punishment.	
					By Whipping.	Other-wise than by Whipping.						
BRITISH GUIANA:	1836:											
	June -	71,842	805	1 $\frac{1}{2}$	40	351	414	23	39	3 months	-- 6 weeks' hard labour.	
	July -	72,501	879	1 $\frac{1}{2}$	46	386	447	24	39	3 months	-- 3 months' hard labour.	
	August -	* 69,620	895	1 $\frac{1}{2}$	44	367	484	23	39	2 months	-- 3 months' hard labour.	
	September -	* 68,609	818	1 $\frac{1}{2}$	50	368	400	23	39	3 months	-- 3 months' hard labour.	
	October -	* 68,536	539	$\frac{1}{2}$	31	260	248	22	39	3 months	-- 2 months' hard labour.	
	November -	72,197	590	$\frac{2}{3}$	19	272	299	25	39	3 months	-- 3 months' hard labour on treadmill.	
	December -	71,209	478	$\frac{1}{2}$	21	233	224	27	39	4 months	-- 2 months' hard labour on treadmill.	
	1837:											
	January -	68,456	487	$\frac{1}{2}$	15	239	233	23	39	2 months	-- 3 months' hard labour on treadmill.	
	February -	71,076	543	$\frac{1}{2}$	4	247	292	26	30	2 months	-- 1 month's hard labour on treadmill.	
	March -	71,425	555	$\frac{1}{2}$	2	266	287	20	20	3 months	-- 1 month's hard labour on treadmill.	
April -	71,151	489	$\frac{1}{2}$	3	206	280	21	30	1 month	-- 1 month's hard labour on treadmill.		
May -	† 56,984	315	$\frac{1}{2}$	2	155	158	27	30	2 months	-- 6 weeks' hard labour on treadmill.		

* The Return of one Special Magistrate wanting in consequence of his illness.

† The Returns of three Special Magistrates wanting.

APPENDIX.

JAMAICA.

COLONIAL LAWS.

- No. 180.—JAMAICA.—An Act to revive and continue in force an Act passed on the 4th day of July 1834, intituled, “ An Act to repeal part of an Act 4 Will. 4, c. 41, intituled, ‘ An Act for the Abolition of Slavery in this Island in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves,’ and to declare the 52d of Geo. 3, c. 155, in force in this Island, and to explain and amend, and in aid of the said Act.”—Passed 30 May 1836 - - - - - p. 1
- No. 181.—JAMAICA.—An Act for the more effectual Protection of Persons and Property, and to appoint Constables, and for other purposes.—Passed 15 June 1836 - - - p. 1
- No. 182.—JAMAICA.—An Act to establish Savings Banks in this Island.—Passed 17 December 1836 - - - - - p. 5
- No. 183.—JAMAICA.—An Act to repeal the Second and Third Clauses of the 5 Will. 4, c. 21, and for other Purposes.—Passed 17 December 1836 - - - - - p. 10
- No. 185.—JAMAICA.—An Act to re-enact and continue the several Clauses relative to Seditious Meetings contained in an Act, intituled “ An Act for the more effectual Punishment of Treason, Treasonable Conspiracies, and Seditious Meetings, for preventing the administering or taking of unlawful Oaths, and for other Purposes.”—Passed 17 December 1836 - - - - - p. 10
- No. 186.—JAMAICA.—An Act for preventing Tumults and Riotous Assemblies, and for the more speedily and effectually punishing the Rioters.—Passed 4 March 1837 - - p. 19

BARBADOS.

ORDERS IN COUNCIL AND COLONIAL LAWS.

- No. 187.—BARBADOS.—An Act to provide a Medical Practitioner and Matron for the Benefit of the Prisoners at each of the Police Stations in this Island.—Passed 16 March 1836, p. 21
- No. 188.—BARBADOS.—An Act supplemental to an Act, intituled “ An Act for the better regulating the Common Goal of this Island.”—Passed 16 March 1836 - - - p. 22
- No. 189.—BARBADOS.—An Act to provide an Office, in Bridgetown, for the Special Justice of the Peace appointed to hear Complaints between Employers and Apprenticed Labourers, and also to provide other necessary things for the Police Establishments, and to authorize the Board of Commissioners for the Building of Houses of Correction and Police Establishments, to contract for the Feeding of all Prisoners directed to be fed at the Public expense.—Passed 16 March 1836 - - - - - p. 22
- No. 190.—BARBADOS.—An Act to fix and confer Settlement or Right of Paupers to dwell immovably in some one particular Parish of this Island, and to prevent their being Burthensome to Parishes they do not belong to, and to place them more effectually under the Control and Government of the Vestry, Churchwarden and Justices of some particular Parish, and to repeal an Act of this Island, being No. 21, Moore’s Laws, intituled “ An Act to prevent Bastard Children from becoming Burthensome to Parishes, and to substitute other Provisions in lieu thereof.”—Passed 11 April 1836 - - p. 23
- No. 191.—BARBADOS.—An Act to authorize the Employment of Prisoners on Public Works.—Passed 20 December 1836 - - - - - p. 28
- No. 192.—BARBADOS.—An Act to authorize the Killing or Impounding of Sheep, Goats, Hogs and feathered Stock, when found Trespassing on the Lands of any Plantation or Place.—Passed 19 March 1836 - - - - - p. 28

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- No. 193.—BARBADOS.—An Act to regulate the Emigration of Labourers from this Island.—Passed 20 July 1836 - - - - - p. 29
- No. 194.—BARBADOS.—An Act to make certain Alterations in the Police Force of this Island.—Passed 5 August 1836 - - - - - p. 30
- No. 195.—BARBADOS.—An Act to amend an Act, intituled “ An Act for the Abolition of Slavery; for the Government of Apprenticed Labourers, and for ascertaining and enforcing the reciprocal Duties between them and their Employers.”—Passed 5 August 1836, p. 32
- No. 196.—BARBADOS.—An Act the better to regulate the Sale of Goods, Wares and Merchandize by Itinerant Vendors in and about the Roads and Streets of this Island.—Passed 17 August 1836 - - - - - p. 33
- No. 197.—BARBADOS.—An Act to consolidate and amend the several Acts relating to the Rural Police of this Island.—Passed 23 November 1836 - - - - - p. 34
- No. 198.—BARBADOS.—An Act to Assess the Proprietors of Apprenticed Labourers towards the Repair of the Public Roads.—Passed 25 January 1837 - - - - - p. 41
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BRITISH GUIANA.

ORDERS IN COUNCIL AND COLONIAL LAWS.

- No. 199.—BRITISH GUIANA.—An Ordinance for the better Regulation and Enforcement of the relative Duties of Masters and Employers, and Articled Servants, Tradesmen and Labourers, in British Guiana.—Passed 22 June 1836 - - - - - p. 41
- No. 200.—BRITISH GUIANA.—Order in Council, 1st March 1837, amending Ordinance No. 199, of 22d June 1836, relative to Duties of Masters and Employers - - - - - p. 47
- No. 201.—BRITISH GUIANA.—An Ordinance to suppress the practice of carrying away, harbouring or concealing Apprenticed Labourers.—Passed 2 August 1836 - - - - - p. 53
- No. 202.—BRITISH GUIANA.—An Ordinance for the more effectual Prevention and Detection of Thefts, and other Offences, committed upon the Rivers and Creeks of British Guiana.—Passed 4 August 1836 - - - - - p. 54
- No. 203.—BRITISH GUIANA.—An Ordinance to ensure a better Observance of the Sabbath-day, and otherwise to promote Habits of Morality and Decency.—Passed 4 August 1836 - - - - - p. 55
- No. 204.—BRITISH GUIANA.—An Ordinance to ensure a better Observance of the Sabbath-day, and otherwise to promote Habits of Morality and Decency.—Passed 10 February 1837 - - - - - p. 57
- No. 205.—BRITISH GUIANA.—An Ordinance to repeal an Ordinance, intituled “ An Ordinance to establish and constitute Inferior Courts of Criminal Justice in British Guiana,” and to make Regulation and Provision instead thereof.—Passed 3 March 1837 - - - - - p. 59
-

APPENDIX.

COLONIAL LAWS.

JAMAICA.

JAMAICA.

Colonial Laws.

Appendix, No. 180.

Appendix, No. 180.

Enclosure in the Marquis of *Sligo's* Despatch, 15 June 1836. No. 520.

6 Will. IV. c. 24.—AN ACT to revive and continue in force an Act passed on the 4th day of July 1834, intituled "An Act to repeal part of an Act, 4 William 4, cap. 41, intituled 'An Act for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves, and to declare the 52d of George the 3d, chapter 155, in force in this Island, and to explain and amend, and in aid of the said Act.'"—Passed 30 May 1836.

No. 3,204.

WHEREAS an Act passed by the Governor, Council and Assembly of this island, on the 4th day of July, 1834, intituled "An Act to repeal part of an Act, 4 Will. 4, c. 41, intituled 'An Act for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves, and to declare the 52 Geo. 3, c. 155, in force in this Island, and to explain and amend, and in aid of the said Act,'" expired on the 31st day of December last, and it is expedient that the same should be revived and made co-existent with the said recited Act for the Abolition of Slavery: Be it enacted, by the Governor, Council and Assembly of this island, and it is hereby enacted and ordained by the authority of the same, that the said expired Act, intituled "An Act to repeal part of an Act, 4 Will. 4, c. 41, intituled 'An Act for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves, and to declare the 52 Geo. 3, c. 155, in force in this Island, and to explain and amend, and in aid of the said Act,'" shall, from and after the passing of this Act, stand and be revived, and that every matter, clause and thing therein shall continue and remain in force until the 1st day of August 1840, and no longer.

Preamble.

4 Will. 4, c. 41, and 52 Geo. 3, c. 155, revived.

Duration.

Passed the Assembly this 27th day of May, 1836.

(signed) *Richard Barrett*, Speaker.

Passed the Council this 30th day of May 1836.

(signed) *W. G. Stewart*, Clerk to the Council.

I consent, this 30th day of May, 1836.

(signed) *Sligo*.

Appendix, No. 181.

No. 3,211.

6 Will. IV. c. 32.—AN ACT for the more effectual Protection of Persons and Property, and to appoint Constables, and for other Purposes.—Passed 15 June 1836.

Appendix, No. 181.

WHEREAS it is necessary to make more effectual provision for the protection of persons and property, and the preservation of public roads, and to give more facility in travelling thereon, as well as better security in inns, taverns, lodging-houses and private dwellings, and other places; and to prevent accidents, mischiefs, disturbances, and breaches of the peace on public roads, streets, lanes, harbours, and other places: Be it therefore enacted, by the Governor, Council and Assembly of this island, and it is hereby enacted by the authority of the same, that where any person shall unlawfully use violence to cause a breach of the peace, or put in bodily fear; or shall kick, beat, bruise or assault any other person in this island, or in any of its harbours, or in any vessel, boat or canoe coasting from place to place within the said island; or if any seaman or person articulated to any ship or vessel, or any person hired to work on board of any ship or vessel in any harbour in this island, shall desert or absent himself without leave, or shall behave disorderly, or shall refuse to work in compliance with any written or verbal agreement; it shall be lawful for two justices of the

Preamble.

Persons committing breaches of the peace, &c., to be tried in a summary manner by two justices, and upon conviction fined or imprisoned.

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Wains, carts, &c., boats, canoes, &c., to be registered, and to have the owner's name painted thereon.

Persons who may unlawfully receive, or have in their possession fire-arms, gunpowder, naval stores, sugar, rum, &c., and cannot give a satisfactory account of the same, or offer to dispose of, or use false marks on packages, or fraudulently or maliciously destroy the same, upon conviction to be fined 5*l.* or 30 days' imprisonment.

Upon information given and reasonable cause of suspicion found, justices of the peace empowered to grant special warrant to search any dwelling-place, vessel, &c. for concealed goods, and if found, to be taken before nearest justice, with the person in whose possession it may be found, to be dealt with accordingly.

Offenders to be fined 5*l.*, or 30 days' imprisonment in house of correction.

Justices shall cause such goods, &c. to be stored not exceeding 30 days, and advertised.

the peace, upon complaint being made to them, to hear and determine any such offence in a summary manner; and the offenders, upon conviction thereof, shall forfeit and pay a fine not exceeding 5*l.* to the use of the parish in which the offence shall have been heard or determined, or be committed to the nearest gaol or house of correction for a space of time not exceeding 30 days, as to the justices shall seem proper.

2. And be it enacted, that if any person or persons shall hire, use or let any cart, wain, working carriage or waggon, vessel, boat or canoe, without being registered according to law, or in the office of the clerk of the vestry of the parish where the owner of any such cart, wain, working carriage, waggon, vessel, boat or canoe resides, or without the name of the estate, plantation, pen or place to which any such carriage, vessel, boat or canoe belongs, being painted thereon in letters of three inches in length, or if any person or persons shall unlawfully take in exchange by way of barter, or shall unlawfully receive any fire-arms, or arms of any kind, or gunpowder, or goods of any kind, or any ropes, cordage, tackle, apparel of any kind, copper, brass or iron work, or naval stores, furniture of any kind, or any kind of stores, or any part of any cargo of any vessel, in any harbour of this island, or any part of any wreck, or shall unlawfully receive, carry or convey any sugar, coffee, rum, pimento or ginger from any estate, store, wharf or other place; or if any person or persons in whose charge or custody any of the aforesaid arms, gunpowder, stores, furniture, articles, materials, cargo, goods, sugar, rum, coffee, pimento or ginger shall be found, cannot give a satisfactory account of the same, or if any person or persons shall offer to pawn, or unlawfully use any of the aforesaid arms, powder, stores, furniture, materials, articles, cargo, goods, sugar, rum, coffee, pimento or ginger, or shall use any false mark, number or name, on any vessel, boat, canoe, or any kind of carriage, or shall use a false mark on any package, or use a false written paper, or false bill of parcels, or shall wilfully and maliciously let fall into the water or other place any of the aforesaid merchandize, goods, things or packages, or breaking any package of any kind whatsoever, to facilitate depredation, or conceal fraud, or shall wilfully and maliciously spill the contents thereof, the person so offending shall, on conviction of any such offence in a summary manner before two justices of the peace, pay a fine not exceeding 5*l.* to the use of the parish in which the offence shall have been heard and determined, or be committed to the house of correction not exceeding 30 days, as the said justices shall determine.

3. And be it enacted, that if, on information given on oath, it shall appear to any justice of the peace that there is reasonable cause for suspecting that any such articles as aforesaid, after having been missed by the owner, agent or possessor, or stolen, or unlawfully obtained, are concealed, or otherwise lodged in any kind of vessel or carriage of any kind, or in any dwelling-house, warehouse, yard, garden or any other place, it shall be lawful for such justice, by special warrant under his hand and seal, to cause every such place to be searched at any time of the day, or by night (if power for that purpose be specially given in and by such warrant), and the said justice, if it shall appear to him necessary, may moreover empower any constable (such constable having previously made known his authority) to use force for the effecting of such entry, whether by breaking open doors or otherwise; and if upon search thereupon made any such suspected article shall be found, then to convey the same forthwith to and before the nearest justice of the peace, or otherwise dispose thereof in some place of safety, subject to the orders of a justice, and moreover to apprehend and convey before the said justice the person or persons in whose vessel, boat, canoe, carriage of any kind, or on any beast, or in any house, lodging, or other place the same shall so have been found, as also every other person found in such vessel, boat, canoe, carriage of any kind, or on or in charge of any beast, or in any house, lodging, or place, who shall appear to have been privy to the depositing of such article or thing in such place, knowing or having reasonable cause to suspect the same to have been stolen or otherwise unlawfully obtained; and if such persons respectively shall not immediately, or within some reasonable time to be assigned by the justice, make it appear to the satisfaction of the said justice by what means such article or articles came to be deposited or situated in any such place as aforesaid, without any default on the part of such persons respectively, then and in such case the person or persons in whose house, lodging or other place any such suspected article was found, and also every other person so appearing to have been privy to the conveying or depositing thereof, knowing or having cause to suspect the same to have been stolen or otherwise unlawfully obtained, shall forfeit and pay a sum not exceeding 5*l.* to the use of the parish where the offence shall have been heard and determined, or be committed to the house of correction for a space of time not exceeding 30 days, as to two justices of the peace shall seem proper.

4. And be it enacted, that upon any person or persons being convicted of either of the aforesaid offences, the said justices shall cause any such merchandize, goods, stores, produce or things found in their possession, to be safely stored in a convenient place for a space of time not exceeding 30 days, and to give public notice thereof by advertisement containing the particulars of such merchandize, goods, stores, produce or things, as the said justices shall see fit, if the value shall exceed 5*l.*; and if any person or persons shall within that time or the time fixed by the justices identify and satisfactorily prove any of such goods, stores or things to be his, her or their property, then the said justices shall order restitution of the whole or of such part thereof as shall be so proved and identified, after payment shall have been received of all reasonable charges, as the said justices shall determine; but if at the end of the time limited by the justices, not exceeding 30 days after such notice having been given, no such proof shall be made as aforesaid, or if any person claiming any part of the articles or things aforesaid shall relinquish his or her claim, the said merchandize, goods, stores

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If not identified or relinquished, to be sold for benefit of parish.

Justices and vestry to require inhabitants of decayed houses to remove or repair them under penalty not exceeding 50*l.*

Persons wilfully injuring any dwelling-house, cultivated fields, &c. &c., upon conviction to be fined or imprisoned.

Persons obstructing or otherwise impeding the free passage of highways, streets, lanes, &c., to be punished by fine or imprisonment.

Sic.

stores or things, or any portion of them remaining unclaimed or relinquished, shall be sold to the best advantage, and the proceeds thereof applied to the parish in which the said merchandize, goods, storc., produce or things shall have been deposited.

5. And be it enacted, that the justices and vestry of the several parishes of this island and the common council of Kingston shall respectively, when it shall seem to them fit and proper, direct and require the owners and occupiers of any house, building or premises on any public road, street, lane, market or square within their respective districts, so often and at such times as to the said justices and vestry or common council respectively shall seem meet, and at and under any penalty to the use of the parish not exceeding 50*l.*, to be recovered in a summary manner before any two justices of the peace for each default, to cause all dangerous decayed buildings or brick kilns, being a nuisance and in improper places, or dangerous or improper fire-places to steam-engines, chimneys and all nuisances, on, near or about the public roads, streets and lanes, to be removed or repaired and altered in such manner as to do away with any danger or nuisance, public or private; and to cause the footways or foot pavements to be repaired and well and sufficiently swept and cleansed before, behind and on the sides of the same, as the situation thereof shall require; and the dirt and soil arising from such repairing, sweeping and cleaning to be collected and put together in such place and manner, and afterwards to be removed, as to the said several justices and vestry and common council respectively shall seem meet.

6. And be it further enacted, that if any person or persons shall wilfully and maliciously injure any dwelling-house, store, workshop, or premises thereunto belonging, or any fence, garden or field in cultivation or otherwise, or cane or coffee piece, provison ground or wharf, or shall make improperly or wantonly any fire on or near any such places, or damage or destroy any watchhouse or watchbox, or any lamp, lamp iron or lamp post, or any well, pipe, spring, pump, watercourse, sewer, drain or fire-engine, or shall wantonly extinguish any lamp or lamps, or shall tear up the pavement or flagway in any road, street, square, lane or passage, or break or injure the frame or buildings of any wharf, or any vessel, or boat, or canoe, or any fish pot or fishing materials on the coast, or in any harbour within any of the parishes of this island, or shall in any other manner unlawfully or wantonly use or damage, injure or destroy any animal in any pasture or other field in cultivation or otherwise, every person so offending, being convicted of any such offences before two justices of the peace in a summary manner, shall forfeit and pay a sum not exceeding 5*l.* for the use of the parish, or be committed to the common gaol or house of correction for a space of time not exceeding 30 days, as the justices shall see fit.

7. And be it enacted, that any person who shall in or upon any way used or appointed to be used as a footway or pavement only, in any public road, or in any street, lane or passage, draw, drive or carry any waggon, wain, cart, truck, sledge, wheelbarrow or other carriage, except directly across such footway on necessary occasions, or shall lead, ride or drive on any such footway any horse or other beast, except directly across the same aforesaid, or shall suffer to stand, or shall tie or fasten any carriage or horse, or other beast, on or across the same, or carelessly impede the passage on any public road, street or lane in this island, or shall in or on any public race-course, market, road, street, square, lane or passage within any of the parishes of this island, set up without permission from the several justices, and vestries, and common council respectively, any booth, tent, stool, stall or table or other thing, or erect any shade or awning, or expose any goods or wares for sale, or place or leave therein or thereon anything whatsoever, so as to create any impediment or annoyance to the free passage thereof, or in any manner to disturb the public peace and convenience, or shall in or on any of such public race-courses, roads, streets, squares, lanes or passages, drive any carriage, or ride or drive any horse or other animal in a furious and improper manner, or shall therein drive or suffer to proceed, any cart, wain, waggon or other carriage, without some person leading or guiding with reins the horse or horses, or other beasts yoked thereunto in a proper manner, or shall leave or suffer to remain in any of the public race-courses, roads, streets, squares, lanes or passages, any cart, wain, waggon or other carriage, with any horse or horses, or other cattle or animal, being yoked thereunto, without a proper person to take charge of the same, or shall place or leave in or on any of such public race-courses, roads, streets, squares, lanes or passages, in such manner as to obstruct or endanger the passages thereof, any cart, wain, waggon or other carriage, or any trees, penguins, brushwood, or other thing, or any animal or merchandize, or any timber, or lumber, or furniture, or thing of any kind, or break horses, or expose any horse or horses for sale, upon or within such places as aforesaid, or shall in any cart, wain, waggon or other carriage, carry or convey any timber, lumber or staves, iron or other things in such a manner as to protrude two feet beyond the wheel of such cart, wain, waggon or other carriage, or shall in or on any of such public race-courses, roads, streets, squares, lanes or passages, or in any ditch, place or leave any mortar, lime, sand, bricks, stones, timber, trees or other materials, whether refuse, useless, or for building, making roads, or for temporary fences, or for any other purposes, or shall sift or screen any stones, bricks, lime, sand, rubbish, dirt or other thing, such mortar or other thing being so placed or left, or such temporary fence being put up on or within the places aforesaid, such materials being left, or such sifting or screening or fencing, being without the permission of the several justices, and vestries, and common council respectively, or shall cast or leave any dung, dirt, rubbish or other thing, or suffer to flow or fall, from any slaughter-house, sugar-house, tan-yard, wash-house, or other place or places, obnoxious water or putrid matter, or any muck, mire, blood or other noisome matter, in or upon such public roads, markets, streets, squares, lanes and passages, except only in such manner and in such place or places as the several justices and vestries and

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common council respectively shall direct and appoint or allow, or shall in any of such race-courses, markets, public roads, streets, lanes or passages, drive neglectfully or improperly any stock or beasts of any kind, or shall pelt with stones or other missiles, or hurt or set on any dog or dogs on any horse, mare, ox, heifer, cow, steer, mule or ass, or shall blow any horn, shell or other noisy instrument, or shall beat a drum or other thing to cause danger, annoyance or disturbance, or shall kill or slaughter, or scald and dress any animal for meat in such places, or shall in any public race-course, market, road, street, lane or passages, fly kites, play at ballets or quoits, or other dangerous or annoying games, or shall roll casks or other things to the annoyance or obstruction of passengers, or shall make any bonfire, or let off any fireworks or squibs, or unnecessarily and wantonly discharge any fire-arms or cannon, or throw stones or other missiles upon, into or from any such places, or into or from any house or premises into any other house or yard, or street, lane, or square, or if any person shall do or commit any act, or shall break up or break down, or make any pit or hole, or leave or place, or set up, any material or thing whatsoever, which shall cause or create any impediment, obstruction, nuisance or danger in any of the places aforesaid, or shall cause any breach of the peace, by entering or trespassing in any manner on any premises, or by causing any annoyance or disturbance to any person or persons in any church, chapel or place of religious worship, or in any private dwellings or public places of amusement; or shall be or cause any impediment to the free passage of such public race-courses, markets, roads, streets, squares, lanes, passages or public places of amusement, or places of worship, or to, in, or from any boat or vessel, or to any house, store or wharf, or shall exact illegal fares, or shall disturb the peace of any person in any of such places by disorderly or fraudulent conduct, or by gambling, or keeping or frequenting crimp-houses, or disorderly houses, or indecent places, or by keeping or letting loose noisy or dangerous dogs, or shall harbour or encourage seamen to desert their vessels, or servants to leave their masters or mistresses, or shall in any other manner whatsoever annoy or disturb the public peace or peace of individual persons, or shall by lighting fire on any eminence, or on or near any fence, road, premises, or on any improper place, endanger property of any kind, or cause any alarm, or shall indecently expose his or her person, or shall utter oaths or obscene language, disgusting to morality and good order in society; every such person who shall be convicted of any of such offences before two justices of the peace, shall forfeit and pay to the use of the parish respectively a sum not exceeding 5 *l.*, or be committed to the nearest gaol or house of correction for a space of time not exceeding 30 days, as to the justices shall seem fit and proper: Provided always, and be it enacted, that nothing herein contained shall extend, or be construed to extend to prevent or hinder any person or persons from selling or exposing to sale any horse, beast or other cattle, or from placing any stool, bench, stall, tent or booth for the sale of goods and wares, or from exposing to sale any meat, fish, poultry, vegetables, fruit or other goods, wares and merchandize whatsoever, not being in a putrid or offensive condition, in such places as shall be appointed by the several vestries and common council respectively for such purpose.

Proviso.

Dead carcass to be removed or buried by persons residing nearest to it, under penalty of 5 *l.*

and to receive compensation for such service.

Strayed stock to be impounded.

Justices and vestry to appoint constables.

Inhabitants to assist constables or regular police to apprehend idle and disorderly persons,

Sic.

8. And be it enacted, that the person or persons who may or shall reside in or occupy the nearest house to the place where any dead horse, mare, bull, ox, cow, heifer, mule or ass shall be lying on any public road, is and are required to cause such dead carcass to be removed without delay to the distance of at least 20 yards from the road, or to bury the said carcass at any distance from the road, and sufficiently under ground, or shall be liable to a penalty not exceeding 5 *l.* for each neglect, and which penalty shall be recovered in a summary manner before two justices of the peace, for the use of the parish in which such carcass shall be found lying; and the person or persons who shall remove or bury such carcass as herein directed, shall be entitled to receive, for so doing, a reasonable compensation; and the justices and vestry, or common council respectively, are required forthwith to pay every such compensation to the person or persons hereby entitled to receive the same, on reasonable evidence being produced of such service having been performed.

9. And be it enacted, that if any horse, mare, bull, ox, cow, heifer, ass or other beast, shall be found trespassing on any grounds or private premises, or wandering or straying in or about any of the public roads or streets, squares, lanes and passages in any of the parishes of this island, it shall and may be lawful for any person whatsoever to impound such horse, mare, bull, ox, cow, heifer, ass or other beast in the nearest pound, and the owner thereof shall, for every such beast so found trespassing, wandering or straying as aforesaid, pay for the same, agreeably to the 9 Geo. 4, c. 15, intituled "An Act to consolidate and amend the Pound Laws of this Island."

10. And be it enacted, that the justices and vestry of the several parishes in this island shall, before the 1st day of February in every year, hire and appoint sufficient men (subject to dismissal for inability or improper conduct) to serve as petty constables, and fix their salaries and make provision for the same; and it shall be lawful for any other person or persons appointed by the several justices and vestries and common council respectively, to be sworn to do the duty of constables, and to superintend or watch wards or divisions of the several parishes respectively, for such time as may seem to them fit, and for which a reasonable compensation shall be provided; as also for the regular policemen of this island to apprehend the persons hereinafter immediately mentioned; and it shall likewise be lawful for the inhabitants of the said wards or divisions to aid and assist the said persons so appointed as constables or watchmen in the several parishes, and to aid and assist the said regular policemen to apprehend all loose, idle, quarrelsome and disorderly persons, whom the said constables, watchmen, police or inhabitants shall call to their assistance, shall find disturbing the public peace, or whom the said constables, watchmen, police or inhabitants,

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and to take them before a justice to be dealt with according to law.

Persons assaulting or resisting peace-officers in execution of their duty, upon conviction to be fined or imprisoned.

Persons to be summoned to appear and answer complaint, and not complying, justices to hear and determine the case *ex parte*, or issue his warrant for their apprehension, and upon conviction to pay costs.

Proviso.

Justices shall abstain from adjudication if they consider complaint a fit subject for prosecution.

Houses of correction to be prisons for hard labour only.

Wholesome food to be given to prisoners able to work: in case of sickness, prisoners to be put in parish asylum, by order of doctor.

5 Will. 4, c. 3,

5 Will. 4, c. 5,

and 35 Geo. 3, c. 25, repealed.

aiding or assisting such constables or watchmen, shall have just cause to suspect of any gambling, disorderly or evil designs; and all persons whom any of the said constables, watchmen, policemen, or inhabitants assisting any such constables or watchmen, shall find concealed in any boat or canoe, or concealed in private premises, or idly assembling or impeding the passage of any public road, street or lane, or skulking or lying in any public place, road, street, lane, square or private premises, or in or about any other place, and not giving a satisfactory account of themselves, and to take or carry any person or persons so apprehended before a justice of the peace, to be dealt with according to law.

11. And be it enacted, that if any person shall assault or resist any peace officer or person appointed to watch any part of the several parishes of this island, or any person assisting such peace officers in their lawful duty, or any person employed in complying with the provisions of this Act, or shall aid or incite any person so to assault or resist, or if any constable or watchman or other person assisting such peace officers shall commit any offence not exceeding a misdemeanor by this Act, whilst in the fulfilment of any duty enjoined or required by this Act, every such offender being convicted of any of such offences before two justices of the peace, shall for every such offence forfeit and pay a sum not exceeding 5 *l.* for the use of the parish in which the complaint shall be heard and determined, or be committed to the nearest gaol or house of correction for a space of time not exceeding 30 days, as to the justices shall seem fit and proper.

12. And for the more effectual preservation of the peace and speedy prosecution of offences punishable upon summary conviction by virtue of this Act, and that there may be no denial of justice to any person on any pretext whatsoever; Be it enacted, that where any person shall be charged on the oath of a credible witness, whether it be verbal or written, before any justice of the peace with any offence, such justice may summon the person charged to appear before any two justices of the peace, at a reasonable time and place to be named in the summons, or by a peace officer under his direction, who shall give verbal notice of the same to such person; and if the person so summoned or notified shall not appear accordingly, then (upon proof of the due service of the summons upon such person, or verbal notice to the same effect given to him to attend,) the justices may either proceed to hear and determine the case *ex parte*, or may issue their warrant for apprehending such person and bringing him or her before them, or the justice before whom the charge shall be made may (if he shall so think fit) issue such warrant in the first instance without any previous summons, and the person convicted of any offence by virtue of this Act shall pay the legal costs of summons and warrant which shall have been issued for his or her appearance: Provided always, and be it enacted, that the prosecution for every offence punishable on summary conviction by virtue of this Act shall be commenced within three calendar months after the commission of the offence, and not otherwise.

13. And be it enacted, that in case the justices shall find any misdemeanor complained of under this Act to have been accompanied by any attempt to commit felony, or shall be of opinion that the complaint is from any other circumstance a fit subject for prosecution by indictment, they shall abstain from any adjudication thereupon, and shall deal with the case in all respects in the same manner as they would have done before the passing of this Act.

14. And be it enacted, that the houses of correction in the several parishes of this island, or the portion of the parish prisons appointed for such purposes, are and shall be prisons for hard labour only, and no person shall be otherwise received therein except for the punishment of solitary confinement; and in such prisons there shall be no distinction in the good and wholesome food or diet given to prisoners able to work, but in cases of debility or sickness the attending surgeon or physician of any such institution shall order all prisoners who may be in a weak or sick or debilitated state, to be put into the parish asylum, which usually is and ought to be attached or near to the house of correction, and there such weak, sick or debilitated prisoners shall be supplied, whilst they continue in such weak or sick state, with such medicine, nursing and food as their condition may require.

15. And be it enacted, that an Act passed in the fifth of William the Fourth, intituled "An Act to empower magistrates to hire or appoint good and sufficient men to serve as constables, and also to enable magistrates to take cognizance of petty assaults and misdemeanors, and to hold petty sessions of the peace, and for other purposes," and another Act passed in the same year of his present Majesty, intituled "An Act in aid of the second clause of the thirty-fifth of George the Third, cap. 25, relating to seamen," and another Act passed in the thirty-fifth year of his Majesty King George the Third, intituled "An Act for the better regulation and government of seamen in the merchants' service in this island, and to prevent their deserting from the ships or vessels to which they belong, and also to prevent their being harboured or concealed by persons keeping tippling and punch houses, and retailing rum and other spirituous liquors," shall be and they are hereby repealed.

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No. 3,222.

AN ACT to establish Savings Banks in this Island.—Passed the 17th December 1836.

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WHEREAS it is expedient that certain regulations should be made for the establishment and management of banks for savings in this island, for the safe custody and increase of small savings belonging to the industrious classes of his Majesty's subjects: We your

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Rules and regulations to be made and filed.

Trustees empowered to receive deposits and grant receipts.

Proviso.

Sanction of the justices of the parish or precinct required.

Books to be kept and to be open to depositors.

Transcript of rules and regulations to be deposited with the clerk of the peace for the precinct or parish.

Proviso.

No rule or regulation valid until entered in the books, and transcripts delivered to the clerk of the peace or precinct.

Opinion of counsel to be taken to ascertain that the rules and regulations are conformable to the law, such counsel to give a certificate to that effect.

Fee limited to 2 l. 13 s. 4 d.

The justices empowered to reject or confirm rules and regulations.

Proviso.

Proviso.

Proviso.

Majesty's most dutiful and loyal subjects, the Assembly of this your Majesty's island of Jamaica, do most humbly beseech your Majesty, that it may be enacted: Be it therefore enacted by the Governor, Council and Assembly of this your Majesty's said island, and it is hereby enacted and ordained by the authority of the same, that if any number of persons have formed or shall form any society in any part of this island, for the purpose of establishing and maintaining any institution in the nature of a bank to receive deposits of money for the benefit of the persons depositing the same, to accumulate the produce of so much thereof as shall not be required by the depositors, their executors or administrators at compound interest, and to return the whole or any part of such deposit, and the produce thereof to the depositors, their executors or administrators, deducting out of such produce so much as shall be required for the necessary expenses attending the management of such institution, but deriving no benefit whatever from such deposit or the produce thereof, and shall be desirous of having the benefit of this Act, such persons shall cause the rules and regulations established or to be established for the management of such institution to be entered, deposited and filed in manner hereinafter directed, and thereupon shall be entitled to and shall have the benefit of the provisions contained in this Act: Provided always, that the privilege of paying or receiving money according to the provisions of this Act is hereby declared to be extended to such institutions as may form their rules and regulations according to the provisions of this Act, and it shall and may be lawful for the trustees of such institutions respectively to receive any funds, and grant receipts for the same in manner authorized by this Act; provided, nevertheless, that no such institution shall have or be entitled to the benefits of the provisions of this Act, unless the same shall have been sanctioned and approved of by the justices of the parish or precinct where such institution is intended to be held, at the general quarter sessions, or some one duly authorized and appointed by them.

And be it further enacted by the authority aforesaid, that no such institution shall have the benefit of this Act, unless the rules and regulations for the management thereof shall be entered in a book or books to be kept by an officer of such institution to be appointed for that purpose, and which book or books shall be open at all reasonable times for the inspection of the persons making deposits in the funds of such institution, and unless such rules and regulations shall be fairly transcribed, and such transcript deposited with the clerk of the peace for the parish or precinct wherein such institution is established, which transcript shall be filed by the said clerk of the peace, and a certificate of such filing shall be signed by such clerk of the peace on a duplicate copy, to be provided by and returned to such institution on payment of a fee of 10 s. in respect thereof, provided the same be returned to such institution, as aforesaid, within the space of 10 days then next following, and not otherwise; but nevertheless, nothing herein contained shall extend to prevent any alteration or amendment of any such rules or regulations so entered and deposited and filed as aforesaid, or repealing or annulling the same or any of them, in whole or in part, or making any new rules or regulations for the management of such institutions in such manner as by the rules of such institution may be provided; but such new rules and regulations, or such alterations or amendments, or order annulling or repealing, shall not be in force until the same shall respectively be entered in such book or books as aforesaid, and a transcript or transcripts thereof deposited with such clerk of the peace as aforesaid, who shall file and certify the same as aforesaid on payment of a fee of 5 s.

And be it further enacted by the authority aforesaid, that before a transcript of the rules or regulations, or alterations in or amendments of former rules or regulations, for the management of any institution requiring the benefit of this Act, shall be deposited with the clerk of the peace of the parish or precinct wherein any such institution is established pursuant to the directions of this Act, such transcript shall be submitted by the trustees or managers for the time being of such institution, and at the expense of such institution, to a barrister-at-law, to be appointed by the person holding the government of this island for the time being, for the purpose of ascertaining whether the same are in conformity to law and to the provisions of this Act, and the said barrister shall give a certificate thereof, or point out in what part or parts they are repugnant thereto, and the fee to be paid to such barrister for perusing the rules, regulations, alterations or amendments of each respective institution, and giving such certificate as aforesaid, shall not at any one time exceed 2 l. 13 s. 4 d., and such transcript shall be signed by two trustees, and together with the certificate of such barrister, shall be laid before the justices of such parish or precinct at the general quarter sessions next after the time when such transcript shall have been deposited; and it shall be lawful for the justices then and there present, after due examination thereof, to reject and disapprove of any part thereof, or to allow and confirm the said transcript or such part or parts thereof, as shall be conformable to the true intent and meaning of this Act, without requiring the certificate or approval of any other barrister: Provided always, that the said justices shall signify such rejection or disapproval of any one or more of the rules and regulations contained in such transcript, by the word "rejected" or "disapproved," written opposite to such rule or regulation or order, signed by the chairman of such sessions, and such rule or rules, order or orders, regulation or regulations, which shall be so rejected or disapproved, shall not be in force from the time of such rejection or disapproval, anything in this Act or in any such rules, orders or regulations contained to the contrary notwithstanding: Provided always, that the said clerk of the peace do within 10 days next after such rejection or disapproval give notice thereof in writing to the two justices of such institution, by whom the transcript of such rules, orders and regulations shall be signed as aforesaid; and provided always, that nothing herein contained shall be construed to require any rule making any alteration in the

hours

hours of attendance, at any such institution as aforesaid, to be laid before such barrister previous to the enrolment thereof.

And be it further enacted by the authority aforesaid, that all rules and regulations from time to time made and in force for the management of any such institution as aforesaid, and duly entered in such book or books as aforesaid, shall be binding on the several members and officers of such institution, and the several depositors therein and their representatives, all of whom shall be deemed and taken to have full notice of such entry and deposit as aforesaid, and the entry of such rules and regulations in such book or books as aforesaid, or the transcript thereof, deposited with the clerk of the peace as aforesaid, or a true copy of such transcript, examined with the original and proved to be a true copy, shall be received as evidence of such rules and regulations respectively in all cases; and no certiorari shall be brought or allowed to remove any such rules or regulations into any of the courts of this island, and every such copy of any such transcript shall be made without fee or reward, except the actual expense of making such copy, at and after the rate of 2 s. 6 d. for each legal sheet, and such copy shall not be subject to any stamp duty.

And be it further enacted by the authority aforesaid, that no such institution as aforesaid shall have the benefit of this Act, unless it shall be expressly provided by the rules and regulations for the management thereof, that no person or persons, being treasurer, trustee or manager of any such institution, or having any control in the management thereof, shall derive any benefit from any deposit made in such institution, save only such salaries, allowances or other necessary expenses as shall, according to such rules and regulations, be provided for the charges of managing such institution and for remuneration to officers employed in the management thereof, exclusive of the treasurer or treasurers, trustee or trustees, manager or managers, or other persons having direction in the management of such institution, who shall not directly or indirectly have any salary or allowance, profit or benefit whatsoever therefrom, beyond their actual expenses for the purposes of such institution.

And be it further enacted by the authority aforesaid, that any treasurer, actuary or cashier, who shall be entrusted with the receipt or custody of any sum of money subscribed or deposited for the purpose of such institution, or any interest or dividend at any time accruing therefrom, and every officer or other person receiving any salary or allowance for his services from the funds of any such institution, shall give good and sufficient security (to be approved of by not less than two trustees and two managers of such savings banks) for the due and faithful execution of such office or trust, and such security shall be given by bond or bonds to the clerk of the peace for the parish or precinct where such institution shall be established for the time being; for preparing which the clerk of the peace shall be entitled to receive the sum of 1 l. 6 s. 8 d.; and in case of forfeiture it shall be lawful for the trustees or managers for the time being to sue upon such bond or bonds in the name of the clerk of the peace for the time being, and to carry on such suit or suits at the costs and charges and for the use of such institution, fully indemnifying and saving harmless such clerk of the peace from all costs and charges in respect of such suit or suits, and no bond to be so given shall be subject to or charged or chargeable with any stamp duty whatsoever.

And be it further enacted by the authority aforesaid, that all monies, goods, chattles and effects whatsoever, and all securities for money or other obligations, instruments, and evidences and muniments, and all other effects whatsoever, all rights and claims belonging to or had of such institution, shall be vested in the trustee or trustees of such institution for the time being, for the use and benefit of such institution and the respective depositors therein, and their respective executors and administrators, according to their respective claims and interests; and after the death or removal of any trustee or trustees shall vest in the succeeding trustee or trustees for the same estate and interest as the former trustee or trustees had therein, and subject to the same trusts, without any assignment or conveyance whatever; and also shall for all purposes of action or suit, as well criminal or civil, in law or in equity, in anywise touching or concerning the same, be deemed and taken to be, and shall in every such proceeding (where necessary) be stated to be the property of the person or persons appointed to the office of trustee or trustees of such institution for the time being, in his or their proper name or names, without further description; and such person or persons shall, and they are hereby respectively authorized so to do, bring or defend or cause to be brought or defended, any action, suit, or prosecution, criminal or civil, in law or equity, touching or concerning the property, right or claim aforesaid of or belonging to or had by any such institution; and such person or persons so appointed shall and may in all cases concerning the property, right or claim aforesaid of such institution sue and be sued, plead and be impleaded, in his or their proper name or names as trustee or trustees of such institution without other description, and no such suit, action or prosecution shall be discontinued or abate by the death of such person or persons, or his or their removal from the office of trustee or trustees as aforesaid, but the same shall and may be proceeded in by the succeeding trustee or trustees in the proper name or names of the person or persons commencing the same, any law, usage or custom to the contrary in anywise notwithstanding; and such succeeding trustee or trustees shall pay or receive like costs as if the action or suit had been commenced in his, her or their name or names for the benefit of or to be reimbursed by the funds of such institution.

And be it further enacted, that no trustee or manager shall be personally liable except for his own acts and deeds, nor for anything done by him in virtue of his office in the execution of this Act, except in cases where he shall be guilty of wilful neglect or default.

of his duty, unless in cases of neglect wilfully committed.
And

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Rules made and entered in the book to be valid and binding.

Certified copies of rules and regulations to be taken in evidence.

No institution to be considered entitled to any benefit from this Act, unless this rule and regulation is entered according to the provisions of the law, that no person holding any situation as manager or treasurer be entitled to receive any benefit from deposits.

Security to be given for the treasurer or cashier.

Treasurer or cashier's bonds to be sued in the name of the clerk of the peace.

Actions at law to be conducted in the name of the trustee or trustees.

Trustees empowered to plead and defend actions.

Trustee or manager not liable for actions committed in the execution

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Trustees empowered to call any person to account for the monies of the institution.

In case of their refusal to account, justices of the peace empowered to give a summary decision, such decision to be final.

A quorum of seven empowered to make arrangements with commissioners of public accounts.

Trustees empowered to make such arrangements as may seem proper to them.

Commissioners of public accounts empowered to receive and pay deposits from banks.

Rate of interest to depositors limited to four and-a-half per cent. per annum.

Minors and infants entitled to receive the interest of deposits in their name, and their receipts considered to be valid.

Deposits payable to married women in default of notice to the contrary from

Trustees of charitable bequests empowered to vest monies to the amount of 500 l. per annum.

Amount not to exceed 2,000 l.

No money to be vested by number without the name, residence, &c. to be attached to it and entered in the books of the institution. Trustees empowered to receive money within the limited amount, their receipts to be valid discharges for the same.

And be it further enacted, that all and every person or persons who shall have or receive any part of the monies, effects or funds belonging to such institution, or shall in any manner be entrusted with the disposition, management or custody thereof, or of any securities, books or papers, or property relating thereto, his, her or their executors or administrators, shall upon demand made by any two of the trustees and two managers of the said institution, or by their order and authority, or at any general meeting of the trustees or managers of the said institution, give in his, her or their account or accounts to such trustees or managers, or to such general meeting, or such institution, or to such person or persons who may be nominated to receive the same, to be examined and allowed or disallowed by the said trustees or managers respectively, and shall on the like demand pay over all the monies remaining in his, her or their hands, and assign and transfer or deliver all securities and effects, books, papers and property in his or their hands or custody to such person or persons as the said trustees and managers shall appoint; and in case of any neglect or refusal to deliver such account, or to pay over such monies, or to assign, transfer or deliver such securities, effects, funds, books, papers or property in manner aforesaid, it shall be lawful to and for the trustee or trustees of such institution for the time being to exhibit a petition to the justices of the peace at their general or quarter session of the peace for the parish or precinct, or where such institution is held, who shall and may proceed thereupon in a summary way, and make such order thereon upon hearing all parties concerned as to such court in their discretion shall seem just, which order shall be final and conclusive, and all assignments, sales and transfers made in pursuance of such order or orders shall be good and effectual in law to all intents and purposes.

And be it further enacted, that it shall and may be lawful for the trustees and managers of every savings bank established under and by virtue of this Act, or a majority of them at a meeting publicly convened, and amounting to no less than seven, to make such arrangements as they may see proper with the commissioners of the public accounts of this island for the time being, for the investing of the monies deposited in the said savings banks, or any part thereof, in the public chest of this island, or with the directors or managers of any public bank established in this island, under and by virtue of any Act of the legislature of this island or of Great Britain for the investments of any deposits in any such banks, upon such rate of interest, terms and conditions in every respect as to the said trustees and managers may seem eligible, and that no monies belonging to any savings banks established under and by virtue of this Act, shall be invested in any other manner or security than hereinbefore mentioned, save and except such sum and sums of money as may necessarily remain from time to time in the hands of any treasurer of the said savings banks for the purposes of the bank.

And be it further enacted, that it shall and may be lawful for the commissioners of the public accounts of this island for the time being to receive for the use and to the credit of the public of this island, the deposits of the said savings banks, and to repay the same from time to time when called for, upon such terms, conditions, to such amount and at such rate of interest, and under such regulations as may appear proper to the said commissioners of the public accounts for the time being.

And be it further enacted, that the interest payable to depositors by the trustees or managers of any savings banks, shall not exceed the rate of four-and-a-half per centum per annum.

And be it further enacted, that in case the trustees or managers of any such institution shall receive any deposit from or for the benefit of any person under the age of 21 years, it shall be lawful for the trustees or managers of such institution to pay such person his or her share and interest in the funds of such institution, and the receipt of such person shall be a sufficient discharge, notwithstanding his or her incapacity or disability in law to act.

And whereas deposits may be made by married women or by women who may have afterwards married; Be it enacted, that it shall be lawful for the trustees or managers of any savings bank to pay the amount or any part of such deposit to any such woman unless the husband of such woman or his representatives shall give to such trustees notice of such marriage, and shall require payment to be made to him or them.

And be it further enacted, that it shall and may be lawful for the trustees or treasurers of any charitable institution or charitable donation or bequest for the maintenance, education or benefit of the poor, from time to time to subscribe the whole or any part of their funds in such savings bank, if the trustees or managers shall be willing to receive the same, to the amount of 500 l. per annum, and so that the whole sum subscribed by such institution or charitable fund shall not in the whole exceed the sum of 2,000 l., and the receipt of the person or persons in whose name the said monies shall be deposited shall be deemed a sufficient discharge to the trustees of the said savings bank.

And be it further enacted, that no sum shall be paid or subscribed into any savings bank by any person or persons, by ticket or number, or otherwise, without disclosing his or her name, together with his or her profession, business, occupation, and calling and residence, to the trustees of such savings bank; and the trustees or managers of every such savings bank are hereby required to cause the name of such depositor, together with his or her profession, business, occupation, calling and residence, to be entered in the books of the institution.

And be it further enacted, that it shall and may be lawful for the trustees or managers to receive from any person or persons acting as trustee or trustees on behalf of any other person or persons, any sum or sums of money not exceeding the sums herein mentioned and limited, and the receipt or receipts of such trustee or trustees so depositing, his or her executors or administrators, shall be a good and valid discharge to the said savings bank for the same.

And

And be it further enacted, that it shall not be lawful for the trustees of any savings bank to receive from any one depositor any sum or sums exceeding 200*l.* in the whole in any one year, ending on the first day of May, nor to receive or hold from any one depositor any sum or sums of money which may with principal and interest in the whole exceed the sum of 400*l.*; provided also, that whenever the sum or sums standing in the name of any one depositor shall exceed the sum of 400*l.*, all interest thereon shall cease.

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Amounts to be limited to the sum of 200*l.* in one year, and whole amount of deposit not to exceed 400*l.* Proviso.

And be it further enacted, that in case any depositor in the funds of any institution taking the benefit of this Act shall die, having any sum or sums of money, or the said funds belonging to him or her, at the time of death exceeding the sum of 40*l.*, the same shall not be paid to any person or persons as representative or representatives of such depositor but upon probate of the will, or letters of administration of the estate and effects of the depositor: Provided always, that when the whole amount of the principal and interest of any depositor who shall die having monies in the said savings bank shall not amount to the sum of 40*l.*, or in case the trustees and managers of the said bank shall be satisfied that no will was made and left by such deceased depositor, and that no letters of administration are likely to be taken out of the goods and chattels of such depositor, it shall and may be lawful for the trustees and managers of any savings bank, and they are hereby permitted and authorized to pay the same at any time after the death of the depositor, according to the rules and regulations of the institution, or to pay and divide the same to and amongst the person or persons appearing to them to be entitled to the effects of the deceased, according to the Statute of Distributions; and in case of the depositor being an apprentice under the Emancipation Act, it shall and may be lawful to and for the said trustees to pay the monies standing in his or her name in such manner or way as to them shall seem reasonable and just, which payments, as well as any payments made by the said institution to him as appears entitled to the same under probate of wills or letters of administration, shall to all intents and purposes be a full and valid discharge to the said institution: Provided always, that any person or persons claiming a superior right to such monies shall have full legal remedy against the person or persons who shall have received the said monies from such savings bank.

In estates of persons depositing, letters of probate or administration to receive the preference. Proviso.

In case of apprentices depositing, trustees empowered to pay the amount to such as they deem entitled. Proviso.

And be it further enacted, that no power of attorney, warrant, order, receipt or instrument of any kind required by this Act, or executed in pursuance and under the provisions thereof, and no administration, bond or letters testamentary of any depositor, where the whole of the estate and effects of the depositor shall not exceed 50*l.*, shall be subject or liable to any stamp duty whatever.

No stamp duty required where the effects of the depositor do not exceed 50*l.*

And be it further enacted, that if any dispute or difference shall arise touching any matter or thing, payment or receipt, done or made or required to be done or made touching or concerning any deposit made in any savings bank, either between any such institution or any person or persons acting under them, or any depositor therein, or his or her representatives, then and in every such case the matter so in dispute shall be referred to the arbitration of two indifferent persons, one to be chosen by the trustees or manager of the institution, and the other by the party with whom the dispute or difference may be, and in case the arbitrators so appointed shall not agree, then such matter in difference or dispute shall be referred in writing to the barrister-at-law so to be appointed as hereinbefore mentioned, and whatever award, order or determination shall be made by the said arbitrators or the said barrister shall be binding and conclusive upon all parties, and shall be final to all intents and purposes without any appeal; and the said award, order or determination shall declare by whom the fee payable to the barrister shall be paid, and no submission, order or award, or other proceeding before the said arbitrators or barrister, or in relation to the said matter, shall be subject to any stamp duty whatsoever.

Matters in dispute to be referred to arbitration of two indifferent persons; in case of their not coming to a satisfactory decision, to be submitted in writing to counsel; his award to be final.

And be it further enacted, that the trustees and managers of every savings bank, formed under the provisions of this Act, and claiming the benefit thereof, shall yearly and every year, within one month from the annual statement and settlement of the accounts, cause a clear, full and ample general statement of the transactions, accounts and situation of the affairs of the said institution, to be signed by two of the said trustees, and two of the said managers, and countersigned by the actuary, secretary or treasurer of the said institution, to be hung up in some conspicuous part of the place in which the business of the said institution is usually transacted, particularly specifying the balance due from the said institution to the depositors for principal and interest, setting out each of the depositors by name, and the balance claimed by the said institution from the public treasury, and cause a copy of such statement to be published in one of the weekly papers of the county in which such institution is held.

Annual statement to be made out and published in one of the county weekly papers and hung up in a public part of the institution.

And for the purpose of rendering the accounts of the several savings banks in this island uniform and correspondent; Be it enacted, that the interest or dividends due to each depositor shall be computed half yearly to the 1st day of May, and the 1st day of November, in each year, and at no other periods.

And be it enacted, that it shall and may be lawful for the trustees and managers of any such savings bank to accept or reject at their discretion any monies which may be offered for investment, or to return any monies invested to any depositor or depositors, as they may see fit.

Trustees empowered to receive or reject any monies offered for investment.

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And be it further enacted, that it shall and may be lawful for any savings bank to be formed under and by virtue of this Act, to establish a branch bank or banks, to be connected therewith and to facilitate the business thereof: Provided always, that nothing in the formation or rules of any such branch bank shall in any degree infringe or be inconsistent with the true spirit, intent and meaning, and the several clauses and regulations contained in this Act.

Passed the Assembly this 29th day of November 1836.

(signed) *Richard Barrett*, Speaker.

Passed the Council this 7th day of December 1836.

(signed) *W. G. Stewart*, Clerk to the Council.

I consent, this 17th day of December 1836.

(signed) *Lionel Smith*.

No. 3,226.**Appendix, No. 183.****Appendix, No. 183.**

AN ACT to repeal the Second and Third Clauses of the 5 Will. 4, c. 21, and for other purposes.—Passed the 17th December 1836.

Preamble.

2d & 3d clauses of 5 Will. 4, c. 21, hereby repealed.

WHEREAS it is expedient to repeal the second and third clauses of the 5th Will. 4, c. 21, intituled "An Act for granting aid from the public funds, in erecting, enlarging and repairing Houses of Correction and Tread Mills:" Be it enacted by the Governor, Council and Assembly of this island, and it is hereby enacted and ordained by the authority of the same, that the said two clauses be and stand repealed.

Receiver-general to repay all sums of money which may have been paid to him by any parish under the provisions of the said Act.

And be it further enacted, by the authority aforesaid, that the receiver-general do, and he is hereby required to repay to the common council of Kingston, and the justices and vestry of the respective parishes, any sum or sums of money which they may have paid to him under the provisions of the before recited Act.

Passed the Assembly this 9th day of December 1836.

(signed) *Richard Barrett*, Speaker.

Passed the Council this 15th day of December 1836.

(signed) *W. G. Stewart*, Clerk to the Council.

I consent, this 17th day of December 1836.

(signed) *Lionel Smith*.

No. 3,232.**Appendix, No. 185.****Appendix, No. 185.**

AN ACT to re-enact and continue the several Clauses relative to Seditious Meetings contained in an Act intituled "An Act for the more effectual Punishment of Treason, Treasonable Conspiracies and Seditious Meetings, for preventing the administering or taking of unlawful Oaths, and for other Purposes."—Passed the 17th December 1836.

Preamble.

Justice of the peace or police officer empowered to disperse seditious meetings.

WHEREAS by the 13th clause of an Act, intituled "An Act for the more effectual punishment of treason, treasonable conspiracies and seditious meetings, for preventing the administering or taking of unlawful oaths, and for other purposes," passed the 11th day of December 1823, it is declared that so much of the said Act only as relates to seditious meetings should be in force for one year and no longer: and whereas by several subsequent Acts so much of the said Act as related to seditious meetings was from time to time continued in force, but the same has now expired: and whereas it is expedient that all such parts of the said recited Act should be re-enacted and continued in force: Be it therefore enacted, by the Governor, Council and Assembly of this island, and it is hereby enacted by the authority of the same, that when any justice of the peace or police officer or officers shall receive information on oath, or have reasonable cause to suspect that any meeting or assembly is held for the purpose of stirring up or exciting any person or persons to commit any act of insurrection or insubordination, or to obtain otherwise than by lawful means any alteration or change in the constitution or government of this island as by law established, or to commit any or either of the crimes or offences in the hereinbefore recited Act mentioned, or for any seditious

sedition purpose whatsoever, every such justice or police officer shall forthwith proceed to such meeting or assembly, and it shall and may be lawful for such justice of the peace or police officer or officers to require and take the assistance of any number of constables or other officers of the peace within the place wherein such meeting or assembly as hereinbefore mentioned shall be holden, or any other person or persons in their aid or assistance when they shall deem such aid or assistance to be necessary and requisite; and such justice of the peace or police officer or officers shall then and there order and direct, in His Majesty's name, all and every the persons whom he shall find there assembled peaceably to disperse; and if any person or persons, notwithstanding they have been so ordered and directed to disperse, shall continue together for the space of half-an-hour after they shall have been so ordered and directed to disperse, that then and in every such case the person or persons so continuing, on due proof that such meeting was of a seditious or treasonable nature, being thereof legally convicted, shall be adjudged guilty of felony, and be liable to be transported for any term not exceeding seven years.

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And be it enacted by the authority aforesaid, that if any person or persons do or shall with force and arms wilfully and knowingly oppose, obstruct or in any manner wilfully let, hinder or hurt any such justice of the peace or police officer or officers, or any person acting in aid or assistance of any justice of the peace or police officer who shall attend to disperse any such meeting or assembly as aforesaid, or shall be going to attend to disperse any such meeting or assembly; and also if any person so being at any such meeting or assembly as aforesaid, shall with force and arms wilfully and knowingly oppose, obstruct, or in any manner wilfully and knowingly let, hinder or hurt any justice of the peace or police officer, or other person acting in their aid or assistance in the arresting, apprehending or taking into custody, or detaining in execution of any person or persons offending against the provisions of this act, or any person or persons endeavouring so to do, that then and in every such case, every person so offending being thereof legally convicted shall be adjudged guilty of felony, and be liable to be transported for any term not exceeding seven years.

Punishment of persons obstructing them.

And be it further enacted by the authority aforesaid, that if any offender or offenders who shall be sentenced to be transported from this island in manner aforesaid, shall be afterwards at large within any part of this island without some lawful cause, before the expiration of the term for which such offender or offenders shall have been sentenced to be transported as aforesaid, every such offender being so at large as aforesaid, being thereof lawfully convicted, shall suffer death as in cases of felony, without benefit of clergy, and such offender or offenders may be tried either in the county where such offender or offenders shall be apprehended or taken, or from whence he or they was or were sentenced to be transported, and the clerk of the crown shall make out and give a certificate in writing signed by him, containing the effect and substance only (omitting the formal part) of every indictment and conviction of such offender or offenders, and of the order for his or their transportation, which certificate shall be sufficient proof of the conviction and order for transportation of such offender or offenders.

Persons returning from transportation punishable with death.

Passed the Assembly this 15th day of December 1836.

(signed) *Richard Barrett*, Speaker.

Passed the Council this 16th day of December 1836.

(signed) *W. G. Stewart*, Clerk to the Council.

I consent, this 17th day of December 1836.

(signed) *Lionel Smith*.

Appendix, No. 186.

No. 3,249.

AN ACT for preventing Tumults and Riotous Assemblies, and for the more speedily and effectually punishing the Rioters.—Passed 4th March 1837.

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WHEREAS it is necessary that for the preservation of the peace of this island further provision should be made for the preventing tumults, and effectually punishing disaffected persons and rioters: Be it enacted by the Governor, Council and Assembly of this island, and it is hereby enacted, that if any persons to the number of 12 or more, being unlawfully, riotously and tumultuously assembled together, to the disturbance of the public peace, at any time after the passing of this Act, and being required or commanded by any one or more justice or justices of the peace, or if in Kingston, by the mayor or senior alderman, or other head officer or justice of the peace of the parish, precinct or place where such assembly shall be by proclamation to be made in the King's name in the form hereinafter directed, to disperse themselves and peaceably to depart to their habitations, or to their lawful business, shall to the number of 12 or more, notwithstanding such proclamation

Preamble.
Further provisions made for the preservation of the peace, preventing tumults, and punishing rioters, which is to be done by proclamation when occasion demands it, and punishment of offenders made.

JAMAICA.**Colonial Laws.****Appendix, No. 186.****Description of order, and form of proclamation.**

made, unlawfully, riotously and tumultuously remain or continue together, for the space of one hour after such command or request made by proclamation, that then such continuing together, to the number of 12 or more, after such command or request made by proclamation, shall be adjudged felony without benefit of clergy, and the offenders therein shall be adjudged felons, and shall suffer death as in case of felony, without benefit of clergy.

And be it further enacted by the authority aforesaid, that the order and form of the proclamation that shall be made by the authority of this Act shall be as hereafter follows, that is to say, the justice of the peace, or other person authorized by this Act, to make the said proclamation, shall among the said rioters, or as near to them as he can safely come, with a loud voice command or cause to be commanded silence to be whilst proclamation is making, and after that shall openly and with loud voice make or cause to be made proclamation in these words, or like effect: "Our Sovereign Lord the King chargeth and commandeth all persons being assembled to disperse themselves, and peaceably to depart to their habitations or to their lawful business, upon the pains contained in an Act made in the seventh year of King William the Fourth for preventing tumults and riotous assemblies. God save the King:" and every such justice, mayor, alderman and other head officer aforesaid, within the limits of their respective jurisdictions are hereby authorized, empowered and required, on notice or knowledge of any such unlawful, riotous and tumultuous assembly, to resort to the place where such unlawful, riotous, and tumultuous assembly shall be, of persons to the number of 12 or more, and there to make, or cause to be made, proclamation in manner aforesaid.

Powers of the magistracy in case of contemptuous conduct.

And be it enacted by the authority aforesaid, that if such persons so unlawfully, riotously and tumultuously assembled, or 12 or more of them, after proclamation made in manner aforesaid, shall continue together and not disperse themselves within one hour, that then it shall and may be lawful to and for every justice of the peace of the parish or precinct where such assembly shall be, and also to and for every high and petty constable, and other peace-officer within such parish or precinct, and also if in Kingston, to and for the mayor or any alderman or constable or other peace-officer, and to and for such other person or persons as shall be commanded to be assisting unto such justice of the peace, mayor or other head officer aforesaid, who are hereby authorized and empowered to command all His Majesty's subjects of age and ability to be assisting to them therein, to seize and apprehend, and they are hereby required to seize and apprehend such persons so unlawfully, riotously and tumultuously continuing together after proclamation made as aforesaid, and forthwith to carry the persons so apprehended before one or more of His Majesty's justices of the peace of the parish, precinct or city where such persons shall be so apprehended, in order to their being proceeded against for such offences according to law; and that if the persons so unlawfully, riotously and tumultuously assembled, or any of them, shall happen to be killed, maimed or hurt in the dispersing, seizing or apprehending, or endeavouring to disperse, seize or apprehend them, by reason of their resisting the persons so dispersing, seizing or apprehending, or endeavouring to disperse, seize or apprehend them, that then every such justice of the peace, mayor, alderman, head officer, high or petty constable, or other peace-officer, and all and singular persons being aiding and assisting to them or any of them, shall be free, indemnified and discharged as well against the King's Majesty, his heirs and successors, as against all and every other person and persons of, for or concerning the killing, maiming or hurting of any such person or persons so riotously, unlawfully and tumultuously assembled, that shall happen to be so killed, maimed or hurt as aforesaid.

Persons unlawfully pulling down public or private buildings, or beginning to do so, declared felons.

And be it further enacted by the authority aforesaid, that if any persons unlawfully, riotously and tumultuously assembled together to the disturbance of the public peace, shall unlawfully and with force demolish or pull down, or begin to demolish or pull down any church or chapel, or any building for religious worship, certified and registered according to the English statute made in the first year of the reign of the late King William and Queen Mary, intituled "An Act for exempting His Majesty's Protestant subjects dissenting from the Church of England from the penalties of certain laws," or any dwelling-house, mills, mill, mill-houses, boiling-houses, curing-houses, still-houses, trash-houses, warehouses, coffee-mills, stores and other buildings, that then every such demolishing or pulling down, or beginning to demolish or pull down, shall be adjudged felony without benefit of clergy, and the offenders therein shall be adjudged felons, and shall suffer death as in case of felony without benefit of clergy: Provided always, and be it further enacted by the authority aforesaid, that if any person or persons do or shall with force and arms wilfully or knowingly oppose, obstruct, or in any manner wilfully or knowingly let, hinder or hurt any person or persons that shall begin to proclaim or go to proclaim, according to the proclamation hereby directed to be made, whereby such proclamation shall not be made, that then every such opposing, obstructing, letting, hindering or hurting such person or persons so beginning or going to make such proclamation aforesaid, shall be adjudged felony without benefit of clergy, and the offenders therein shall be adjudged felons, and shall suffer death, as in case of felony, without benefit of clergy; and that also every such person or persons so being unlawfully, riotously and tumultuously assembled, to the number of 12 as aforesaid, or more, to whom proclamation should or ought to have been made, if the same had not been hindered as aforesaid, shall likewise, in case they or any of them, to the number of 12 or more, shall continue together and not disperse themselves within one hour after such let or hindrance so made, having knowledge of such let or hindrance so made, shall be adjudged felons, and shall suffer death as in case of felony, without benefit of clergy.

As also for opposing, hindering or obstructing, &c. persons making the foregoing proclamation.

And

And be it further enacted, by the authority aforesaid, that if after the passing of this Act any such church or chapel, or any such building for religious worship, or any such dwelling-house, mill, mill-house, curing-house, still-house, trash-house, warehouse, coffee-mill, store or other building shall be demolished or pulled down wholly or in part by any persons so unlawfully, riotously or tumultuously assembled, that then the inhabitants of the parish, or if in the city of Kingston the inhabitants thereof, in which such damage shall be liable to yield damages to the person or persons injured and damnified by such demolishing or pulling down wholly or in part, and such damages shall and may be recovered by action to be commenced in His Majesty's supreme court of judicature holden at St. Jago de la Vega by the person or persons damnified thereby against any two or more of the inhabitants of such parish, or if in Kingston, of the city of Kingston, such action for damages to any church or chapel to be brought in the name of the rector, minister, curate, or trustee of such church or chapel that shall be so damnified, in trust for applying the damages to be recovered in rebuilding or repairing such church or chapel, and that judgment being given for the plaintiff or plaintiffs in such actions, the damages so to be recovered shall at the request of such plaintiff or plaintiffs, his or their executor or administrator, be raised and levied on the inhabitants of such parish, or if in Kingston on the inhabitants of the city of Kingston, and paid to such plaintiff or plaintiffs in such manner, and from and by such ways and means as are provided for by the fourth, fifth, and sixth sections of an English statute made in the 27th year of the reign of Queen Elizabeth, for reimbursing the person or persons to whom any money recovered against any parish by any party robbed shall be levied, and which said fourth, fifth, and sixth sections, so far as such reimbursement is directed, are hereby declared to be in full force, operation and effect in this island: Provided always, that where such riot amounts to rebellion, or such combined resistance against the law exceeds the authority of the magistracy, and the power they can bring into action to suppress, then the provisions contained in this clause to be null and void.

And be it further enacted, that this Act shall be openly read at every quarter sessions, assize court and supreme court throughout the year: Provided always, that no person or persons shall be prosecuted by virtue of this Act for any offence or offences committed contrary to the same, unless such prosecution be commenced within six months after the offence committed.

And be it further enacted, by the authority aforesaid, that this Act shall continue and be in force from the passing thereof until the 31st day of December 1842.

Passed the Assembly this 28th day of February 1837.

(signed) *Richard Barrett*, Speaker.

Passed the Council this 1st day of March 1837.

(signed) *W. G. Stewart*, Clerk to the Council.

I consent, this 4th day of March 1837.

(signed) *Lionel Smith*.

JAMAICA.

Colonial Laws.

Appendix, No. 186. Inhabitants of the place where any buildings should be tumultuously and unlawfully demolished to be prosecuted for damages, and manner of proceeding.

Proviso.

Act to be read at every court.

Proviso.

Duration of this Act.

BARBADOS.

ORDERS IN COUNCIL AND COLONIAL LAWS.

Appendix, No. 187.

Enclosure in Sir *Lionel Smith's* Despatch, 17 March 1837.—No. 577.

AN ACT to provide a Medical Practitioner and Matron for the Benefit of the Prisoners at each of the Police Stations in this Island.—Passed 16 March 1836.

WHEREAS it is expedient that a medical practitioner and matron should be forthwith appointed for the benefit of the prisoners at each of the police stations in this island: Be it therefore enacted, by the Governor, Council and Assembly of this island, and by the authority of the same, that it shall be lawful for his Excellency the Governor to nominate and appoint, immediately after the passing of this Act, a medical practitioner and matron to each of the rural police stations in this island for the benefit of the prisoners.

2. And be it further enacted, that when any vacancy shall occur in the said situations of medical practitioner or matron, it shall be lawful for the Governor or Commander-in-Chief for the time being to appoint a fit and competent person to fill the same.

3. And be it further enacted, that it shall be lawful for the several special justices in their respective districts to suspend the said medical practitioner or matron for misconduct or inefficiency, or wilful neglect of his or her duty, and it shall be lawful for the Governor or Commander-in-Chief for the time being to confirm or disallow such suspension, and in case it shall seem fit, to dismiss the person so suspended by the special justice as aforesaid.

4. And be it enacted, that each of the aforesaid medical practitioners shall, for his attendance on the prisoners and furnishing them with such medicines as they may require, receive

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Orders in Council and Colonial Laws.

No. 590.

Appendix, No. 187.

Preamble.

Clause 1. Medical practitioner and matron to be appointed by the Governor.

Vacancies, how to be filled.

Suspension of officers to be confirmed or disallowed by the Governor.

Practitioners' salary and for furnishing medicines.

BARBADOS.

Times of attendance.

Matron's salary, and how to be paid.

To continue in force until 1st August 1840.

a salary of 30 *l.* current money of this island per annum, which said salary shall be paid by the treasurer of the island half yearly, on the certificates of the several special justices of the peace that the same are due; and such medical practitioner shall visit the prisoners at the district station for which he shall be appointed at least three times in each week, and oftener if required; and the said matron shall reside at the district station to which she shall be appointed, and shall receive a salary of 20 *l.* currency per annum, by monthly payments out of the public treasury, upon the certificate of the said special justice of the district.

5. Provided always, and be it further enacted, that this Act shall continue in force until the 1st day of August 1840, and no longer.

Read three times, and passed the General Assembly this 26th day of January 1836.
(signed) *John Mayers*, Clerk of the General Assembly.

Read three times, and passed the Council unanimously the 8th day of March 1836.
(signed) *William Husbands*, Clerk of the Council.

I assent, 16 March 1836. (signed) *Lionel Smith*.

Appendix, No. 188.

No. 591.

Enclosure in Sir *Lionel Smith's* Despatch, 17 August 1836.—No. 577.

Appendix, No. 188: A SUPPLEMENTAL ACT to an Act intituled "An Act for the Better Regulating the Common Gaol of this Island."—Passed 16 March 1836.

Preamble.

WHEREAS it is necessary that an additional officer should be appointed to act as turnkey and to perform such other duties as shall be required of him by the board of superintendence of the common gaol, and it is also necessary that the salary of the superintendent of the treadmill be increased: Be it therefore enacted, by the Governor-general, Council and Assembly of this island, and by the authority of the same, that the provost-marshal of the island for the time being shall appoint an additional officer, the better to carry into effect the rules and regulations made or to be made by the said board of superintendence, which officer, as well as the turnkey at present appointed by the said provost-marshal, shall perform the duties of a turnkey, and shall also superintend the labour of the prisoners and perform such other duties as shall be required of them by the said board of superintendence, and such additional officer shall receive a salary of 50 *l.* current money per annum, to be paid quarterly by the treasurer of the island, which salary, as well as the salaries allowed by the said Act for the better regulating the gaol, shall be paid by the said treasurer on the certificate of the said board of superintendence.

Clause 1.
Provost-marshal to appoint an additional officer to the gaol; the duties of the officer;

his salary, and how to be paid.

Salary of the superintendent of the treadmill increased to 75 *l.* per annum, payable quarterly.
Duties of the officer.

2. And be it further enacted, that the superintendent of the treadmill shall receive a salary of 75 *l.* per annum current money of this island, instead of 50 *l.*, to be paid quarterly in like manner by the treasurer of the island; and the said superintendent of the treadmill, when not employed in attending to the working of the treadmill, shall superintend the labour of the prisoners or perform such other duties as may be required of him by the said board of superintendence; and the said board of superintendence is hereby authorized, when any prisoners shall be sentenced to the treadmill, and the same shall not be in order, or there shall be any other cause which shall prevent the employing of such prisoners on the treadmill, to direct such prisoners to be employed in such labour as they shall think proper, or to be placed in solitary confinement.

Read three times, and passed the General Assembly, *nemine contradicente*, this 9th day of February 1836.

(signed) *John Mayers*, Clerk of the General Assembly.

Read three times, and passed the Council unanimously the 8th day of March 1836.
(signed) *William Husbands*, Clerk of the Council.

I assent, 16 March 1836. (signed) *Lionel Smith*.

Appendix, No. 189.

No. 592.

Enclosure in Sir *Lionel Smith's* Despatch, 17 March 1836.—No. 577.

Appendix, No. 189. AN ACT to provide an Office in Bridgetown for the Special Justice of the Peace appointed to hear Complaints between Employers and Apprenticed Labourers, and also to provide other necessary things for the Police Establishments, and to authorize the Board of Commissioners for the building of Houses of Correction and Police Establishments to contract for the feeding of all Prisoners directed to be fed at the Public Expense.—Passed 16 March 1836.

Preamble.

WHEREAS in consequence of the appointment of a special justice of the peace for the city of Bridgetown, under the Slavery Abolition Act, it becomes necessary to provide an office for his accommodation: Be it therefore enacted by his Excellency the Governor-general,

Clause 1.

general, Council and Assembly of this island, that the commissioners appointed in and by An Act of this island, intituled "An Act to provide for the building of houses of correction and police establishments," or any board of them, are hereby authorized and required to provide, rent and fit up an office in Bridgetown, for the special justice of the peace appointed for the city of Bridgetown under the Act of Parliament for the abolition of slavery, provided that such rent does not exceed the sum of 50 l. per annum; and the said commissioners or any board of them are hereby also authorized and required to provide, at the public expense, all such necessary conveniences and things as shall be required for and connected with the police establishments of the island, and for the better carrying into effect the rules and regulations relating to the police and to the prisoners confined in the houses of correction, or in the common goal of this island, and the said commissioners, or any board of them, are hereby authorized to draw on the treasurer of the island for payment of the said office rent, and of all other articles and things which they are hereby required to provide for the said police establishments.

BARBADOS.

Orders in Council and Colonial Laws.

Appendix, No. 189.

Office for the special justice in Bridgetown, how to be provided.

2. And be it further enacted, that the said commissioners, or any board of them, are hereby authorized and required to enter into such contracts as they may deem most advantageous for the public interest for the feeding of all prisoners confined either in the common gaol or houses of correction in this island, and who are required to be fed at the public expense, and to examine all accounts connected with such contracts, and on finding the same to be correct to pass the same, and to draw orders on the treasurer of the island for the payment thereof, who is hereby required to pay the same out of any of the public monies he may have in his hands.

Commissioners to contract for feeding the prisoners here mentioned.

Read three times, and passed the General Assembly, *nemine contradicente*, this 26th day of January 1836.

(signed) *John Mayer*, Clerk of the General Assembly.

Read three times, and passed the Council unanimously the 8th day of March 1836.

(signed) *Wm. Husbands*, Clerk of the Council.

I assent, 16 March 1836. (signed) *Lionel Smith*.

Appendix, No. 190.

Enclosure in Sir *Lionel Smith's* Despatch, 15 April 1836.—No. 581.

No. 603.

AN ACT to fix and confer Settlement or Right of Paupers to dwell immoveably in some one particular Parish of this Island, and to prevent their being burthensome to Parishes they do not belong to, and to place them more effectually under the Control and Government of the Vestry, Churchwarden and Justices of some particular Parish, and to repeal an Act of this Island, being No. 21, Moore's Laws, intituled "An Act to prevent Bastard Children from becoming burthensome to Parishes, and to substitute other Provisions in lieu thereof.—Passed 11th April 1836.

Appendix, No. 190.

WHEREAS doubts and difficulties frequently occur to the vestry, churchwarden, overseers of poor, and justices in and out of sessions, respecting the proper home, settlement and parish of the paupers of this island, which is a great hindrance to the good government and regulation of the said poor.

Preamble.

1. Be it therefore enacted by his Excellency, Sir Lionel Smith, Governor, &c. &c. &c., of this island, the Council and General Assembly of this island, and by the authority of the same, that from and after the passing of this Act, no poor person or pauper shall be granted by any vestry any relief, schooling or medical aid in any parish to which he or she shall not appertain and belong, and have a settlement in, according to the rules of settlement herein laid down; but it shall be lawful, and the bounden duty of every churchwarden, overseer of poor, constable, police-officer and justice of any parish, to apprehend all roving and suspicious persons having no ostensible mode of livelihood, pauper women great with child, vagrants, rogues and vagabonds, incorrigible rogues and vagabonds, and to take them to any justice of the parish in which they are found, and the said justice shall proceed to ascertain and fix the settlement of the said person, if he or she shall have no certificate of settlement, as hereafter laid down, and when ascertained shall dispose of the said pauper in his parish, or shall remove the said pauper by warrant directed to some sworn constable, who shall deliver him or her to the churchwarden of the parish to which the said pauper shall be adjudged to belong, to be by him lodged in the house of correction of the district to which the said parish shall belong.

Paupers not to be granted relief, &c. except by the parish where they have settlements.

Roving and suspicious persons having no ostensible mode of livelihood, pauper women great with child, vagrants, rogues and vagabonds, incorrigible rogues and vagabonds, to be apprehended. By whom and how to be dealt with.

2. And be it enacted, that when any persons shall be brought before any justice at any quarter sessions or grand sessions of this island, and shall be required to find surety for good behaviour or to keep the peace, and shall not be able to find such surety, the justice or justices shall not discharge him or her even at a gaol delivery, but shall proceed to investigate and hear evidence respecting the parish to which such persons shall belong, and shall, by their warrant directed to some constable, remove such person to the churchwarden of his or her proper parish, to be by him committed to the house of correction till such surety is found.

Persons committed for want of security for good behaviour or to keep the peace, and unable to find same, how to be dealt with at a gaol delivery.

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Orders in Council
and Colonial Laws.

Appendix, No. 190.
Court for deciding
the settlement of
paupers, how con-
stituted.

What confers a set-
tlement.

Constables, how to
be paid for duties
performed under
this Act.

Idle and disorderly,
who are to be
deemed such.

How to be dealt
with.

Rogues and vaga-
bonds, who shall be
deemed such, and
how to be dealt with.

3. And it is hereby enacted, that to confer a settlement on any pauper of this island, the justice of any parish before whom such pauper shall be brought shall take to himself the churchwarden and one of the vestry of the said parish, who shall form a court for the decision of the same; and such justice shall administer the following oath to the churchwarden and vestryman: "You shall well and truly inquire in what parish A. B. (the name of the pauper) is entitled to a settlement according to an Act or Statute of this island fixing and conferring settlements, and a true verdict give according to the evidence, so help you God;" after which the churchwarden or vestryman shall administer the like oath to such justice: Provided, that if the justice before whom any such pauper shall be brought shall himself be the churchwarden, then he shall take to himself some other justice of the parish, if there be any such, and if not, then a justice of some neighbouring parish, who shall in like manner proceed to be sworn to try the question, and the decision of such court shall be final; and the said court shall then give a certificate of settlement to the said pauper, and shall remove him or her to their proper parish, by warrant under the hand of the justice directed to any constable, who shall deliver such pauper to the churchwarden of his proper parish, and the said churchwarden shall countersign the said certificate, and dispose of the said pauper by providing employment for him in or out of the house of correction for the district in which such parish shall be situate, to which such pauper shall belong: Provided always, that the said court shall be guided in their decision by the following rule of settlement; viz. first, the place of birth, provided that in case a woman having a settlement in one parish shall be brought to bed in another, then the child so born shall be entitled to a settlement in the parish where the mother had a settlement; second, the place where such pauper shall have lived as an apprentice at least one year; third, the parish in which he or she shall have been hired in any service at least one year; fourth, the parish in which he or she shall have been a householder in fee, or tenant on lease, or for military service at least one year; and in all cases before quarter-sessions or grand sessions the said court shall be competent to determine the settlement, and the said decision shall be final.

4. And be it further enacted, that all constables for removal or other duties under this Act shall be entitled from the churchwarden of the parish complaining, to the same fees as for executing warrants for the like distance, and the churchwarden shall be allowed the same on the settlement of his accounts with the vestry.

5. And whereas for the more effectua understanding who is a vagrant, an idle and disorderly person, rogue and vagabond, an incorrigible rogue and vagabond, and for the prevention of such offences, and for the punishment of the offenders, Be it further enacted, that every person being able wholly or in part to maintain himself or herself, or his or her family, by work or by other means, and wilfully refusing or neglecting so to do; every petty chapman or pedlar wandering abroad and trading without being duly licensed or otherwise by law; every common prostitute wandering in the public streets or public highways, or in any place of public resort, and behaving in a riotous and indecent manner; and every person wandering abroad or placing himself or herself in any public place, street, highway, court or passage, to beg or gather alms, or causing, or procuring, or encouraging any child or children so to do, shall be deemed an idle and disorderly person within the true intent and meaning of this Act; and it shall be lawful for any justice of the peace to commit such offender (being thereof convicted before him by his own view, or by the confession of such offender, or by the evidence on oath of one credible witness) to the house of correction for the district in which the parish to which such offender belongs shall be situate, or to the common gaol of this island, there to be kept to hard labour for any time not exceeding one calendar month.

6. And be it further enacted, that every person committing any of the offences hereinbefore last mentioned, after having been convicted as an idle and disorderly person; every person pretending or professing to tell fortunes, or using any subtle craft, means or device, by palmistry or otherwise, to deceive and impose on any of His Majesty's subjects; every person wandering abroad and lodging in any barn or otherwise, or in any deserted or unoccupied building, or in the open air, or under a tent, or in a cart or waggon, not having any visible means of subsistence, and not giving a good account of himself or herself; every person wilfully exposing to view in any street, road, highway or public place any obscene print, picture or other indecent exhibition; every person wilfully, openly, lewdly and obscenely exposing his person in any street, road or public highway, or in the view thereof, or in any place of public resort, with intent to insult any female; every person wandering abroad and endeavouring by exposure of wounds or deformities to obtain or gather alms; every person going about as a gatherer or collector of alms, or endeavouring to procure charitable contributions of any nature or kind under any false or fraudulent pretence; every person running away and leaving his wife, or his or her child or children in want and unprovided for; every person playing or betting in any street, road, highway or other open and public place, at or with any table or instrument of gaming, at any game or pretended game of chance; every person having in his or her possession any picklock, key, crow, jackbit or other implement, with intent feloniously to break into any dwelling-house, warehouse, boiling-house, distilling-house, corn-house, coach-house, stable or out-building, or being armed with any gun, pistol, hanger, cutlass, bludgeon or other offensive weapon, or having upon him or her any instrument with intent to commit any felonious act; every person being found in or upon any dwelling-house, boiling-house, distilling-house, corn-house, coach-house, stable or outhouse, or in any enclosed yard, garden or area for any unlawful purpose; every suspected person or reputed thief frequenting any quay, wharf, warehouse or store near

near or adjoining thereto, or any place of public resort, or any avenue leading thereto, with intent to commit felony; and every person apprehended as an idle and disorderly person, and violently resisting any constable or other peace officer so apprehending him or her, and being subsequently convicted of the offence for which he or she shall have been so apprehended, shall be deemed a rogue and vagabond within the true intent and meaning of this Act, and it shall be lawful for any justice of the peace of the parish in which any such offence shall have been committed, to commit such offender (being thereof convicted before him by the confession of such offender, or by the evidence on oath of one credible witness) to the house of correction for the district in which the parish to which such offender belongs shall be situate, or to the common gaol of this island, there to be kept to hard labour for any time not exceeding three calendar months; and every such picklock, key, crow, jackbit and other implement, and every such gun, pistol, hanger, cutlass, bludgeon or other offensive weapon, and every such instrument as aforesaid, shall by the conviction of the offender become forfeited to the King.

7. And be it further enacted, that every person breaking or escaping out of any place of legal confinement before the expiration of the term for which he or she shall have been committed or ordered to be confined by virtue of this Act, every person committing any offence against this Act which shall subject him or her to be dealt with as a rogue or vagabond, such person having been at some former time adjudged so to be and duly convicted thereof, and every person apprehended as a rogue and vagabond, and violently resisting any constable or other peace officer so apprehending him or her, and being subsequently convicted of the offence for which he or she shall have been so apprehended, shall be deemed an incorrigible rogue within the true intent and meaning of this Act; and it shall be lawful for any justice of the peace to commit such offender (being thereof convicted before him by confession of such offender, or by the evidence on oath of one credible witness,) to the common gaol of this island, there to remain until the next general sessions of the peace.

8. And be it enacted, that it shall be lawful for any person whatsoever to apprehend any person who shall be found offending against this Act, and forthwith to take and convey him or her before some justice of the peace, to be dealt with in such manner as is hereinbefore directed, or to deliver him or her to any constable or other peace officer of the place where he or she shall have been apprehended to be so taken and conveyed; and in case any constable or other peace officer shall refuse or wilfully neglect to take such offender into his custody, and to take and convey him or her before some justice of the peace, or shall not use his best endeavours to apprehend and convey before some justice of the peace any person that he shall find offending against this Act, it shall be deemed a neglect of duty in such constable or other peace officer, for which he shall be subject to be indicted at the Court of Grand Sessions as for a misdemeanor.

9. And be it further enacted, that it shall be lawful for any justice of the peace, upon any information on oath before him made, that any person hereinbefore described to be an idle and disorderly person, or a rogue and vagabond, or an incorrigible rogue, is or are reasonably suspected to be harboured or concealed in any house or other place, by warrant under his hand and seal to authorize any constable or other person to enter at any time into such house, and to apprehend and bring before him, or any other justice of the peace, every such idle and disorderly person, rogue and vagabond, or incorrigible rogue as shall be found therein, to be dealt with in the manner hereinbefore directed.

10. And be it also enacted, that it shall be lawful for any justice of the peace, upon oath being made before him that any person hath committed or is suspected to have committed any offence against this Act, to issue his warrant to apprehend and bring before him, or some other justice of the peace, the person so charged, to be dealt with as is directed by this Act.

11. And be it further enacted, that when any incorrigible rogue shall have been committed to prison, there to remain until the next general or quarter sessions, it shall be lawful for the justices of the peace then assembled to examine into the circumstances of the case, and to order, if they think fit, that such offender be further imprisoned, either in the said common gaol or in the house of correction for the district in which the parish to which such offender belongs shall be situate, and be kept to hard labour for any time not exceeding one year from the making of such order, and further to order, if they think fit, that such offender (not being a female) be punished by whipping, at such time during his imprisonment, and at such place as, according to the nature of the offence, they in their discretion shall deem to be expedient.

12. And be it further enacted, that any person who shall be convicted under this Act as an idle and disorderly person, rogue or vagabond, or incorrigible rogue, and shall feel himself or herself aggrieved by such conviction, he or she may appeal to the next quarter sessions to be held for the parish in which the justice or justices before whom such conviction shall have been had, or to the general sessions of the peace to be held for the body of the island, giving to the justice or justices of the peace whose decision shall be appealed against notice in writing of such appeal, and of the ground thereof, within seven days after such decision or determination, and entering within such seven days into a recognizance, with sufficient surety, before a justice of the peace of the parish in which such person shall have been convicted, personally to appear and prosecute such appeal; and upon such notice being given and such recognizance being entered into, such justice is hereby empowered to discharge such person out of custody; and the court, at such general sessions of the peace for the body of this island,

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Incorrigible rogues, who are to be deemed such, and how to be dealt with.

Offenders against this Act may be apprehended by any person, and taken before a justice of peace or delivered to a constable, &c. Constable neglecting his duty herein may be indicted for a misdemeanor.

Search warrants may be granted by a justice of the peace for apprehending any idle and disorderly person, &c.

Justice of peace may grant a warrant for apprehending any person offending against this Act.

Incorrigible rogues committed until the general or quarter sessions. How to be punished there.

Appeal lies to general or quarter sessions.

Notice thereof, and recognizance to be given in seven days.

If dismissed, Court of Appeal to issue process for carrying conviction into effect.

Proceedings before a justice of peace not to be quashed for want of form.

Form of conviction of an idle and disorderly person, rogue or vagabond, or incorrigible rogue.

Convictions to be transmitted by justices of peace to the Clerk of the Crown to be filed. Copy of conviction so filed admitted as evidence.

Double costs to be awarded to justices, constables, &c. against whom actions may be brought and judgment given in favour.

Limitation of actions against justices, &c. General issue to be pleaded.

Bastards, if their mother be unable to maintain them, to have a settlement where she has. Duty of churchwarden in whose parish such bastards are found. Churchwarden in whose parish bastards are entitled to a settlement to proceed against the putative father.

Proviso.

Proviso.

Father, grandfather, mother, grandmother, children and grandchildren of every poor person unable to work, are bound to maintain them, if of sufficient ability, and a man marrying a widow with children to maintain them until they are 14 years old, if they are in want.

or of such quarter sessions for the parish aforesaid, shall hear and determine the matter of such appeal, and shall make such order therein as shall to the said court seem meet; and in case of the dismissal of the appeal, or the affirmance of the conviction, shall issue the necessary process for the apprehension and punishment of the offender according to the conviction.

13. And be it further enacted, that no proceeding to be had before any justice of the peace under this Act shall be quashed for want of form, and every conviction of any offender as an idle and disorderly person, or as a rogue and vagabond, or as an incorrigible rogue under this Act, shall be in the form or to the effect following, or as near thereto as circumstances will permit, that is to say :

“ Be it remembered, that on the _____ day of _____ at the parish of _____ A. B. is convicted before me, C. D., one of His Majesty’s justices of the peace in and for the parish of _____ in the island of Barbados, of being an idle and disorderly person [or a rogue and vagabond, or an incorrigible rogue,] within the intent and meaning of the Act or Statute of this island, made in the sixth year of the reign of His Majesty King William the Fourth, that is to say; For that the said A. B., on the _____ day of _____ at the parish of _____ in the said island, [here state the offence proved before the magistrate]; and for which said offence the said A. B. is ordered to be committed to the house of correction for District A. [or as may be], or to the common gaol of this island [as the case may be], to be kept at hard labour for the space of _____ or until the next general sessions of the peace for the body of this island, or the next quarter sessions of the peace for the parish of _____ Given under my hand and seal the day, year, and at the parish first above written.”

And the justice or justices of the peace before whom any such conviction shall take place shall, and he and they is and are hereby required to transmit the said conviction to the Clerk of the Crown and Peace, to be filed in his office and kept on record, and a copy of the conviction so filed shall and may be read as evidence in any court of record, or before any justice or justices of the peace acting under the powers and provisions of this Act.

14. And be it further enacted, that in all cases where an action shall be brought against any justice of the peace, constable or other person for or on account of any matter or thing whatsoever done or committed by him in the execution of his duty under this Act, such justice, constable or other person, if he shall have judgment in his favour, shall have double costs awarded to him by the court, unless the judge shall certify that there was a reasonable cause for such action.

15. And be it further enacted, that every such action shall be commenced within three calendar months next after the cause of action or complaint shall have arisen, and not afterwards; and if any person or persons shall be sued for any matter or thing which he, she or they shall have done in the execution of this Act, he, she or they may plead the general issue, and give the special matter in evidence.

16. And whereas many illegitimate children are deserted by their parents and brought to great distress : Be it further enacted, that when any child shall hereafter be born a bastard, and the mother of such child shall be unable to provide for its maintenance, such child shall have a settlement in the parish where the mother may have or would be entitled to have a settlement, and the churchwarden or overseer of the poor of the parish shall give notice to the churchwarden of the parish where the mother of such child has or may be entitled to a settlement, who shall make diligent inquiry for the father of such child, and shall apply to any justice of the peace residing in such parish to issue his warrant for the immediate appearance of the said father or putative father, and for bringing him before such justice or before any other of His Majesty’s justices residing in the said parish; and the said justice shall proceed to hear evidence on such complaint, and if he shall be satisfied, after hearing both parties, and examining into all the facts that bear on the case, and in particular, the fact of the parties having notoriously lived or associated together, that the person so charged is really the father of such child, he shall make such order upon such person in that respect as to such justice shall appear to be just and reasonable under the circumstances of the case : Provided always, that such order shall not exceed the actual expense incurred for the lying-in and maintenance of such child until the same shall attain the age of seven years, if he or she shall so long live; provided that the churchwarden of the parish where such mother shall be brought to bed shall pay the necessary expenses of her lying-in, and be refunded by the churchwarden of the parish where the mother has a settlement.

17. And be it further enacted, that the father and grandfather, mother and grandmother, and the children and grandchildren of every poor old, blind, lame, impotent person not able to work, being of a sufficient ability, shall relieve and maintain at their own charges such poor person in such manner as shall be ordered by any two justices of the peace of the parish where such poor person shall dwell; and every man marrying a widow with children shall, in the event of their coming to want before the years of 14, maintain them as his own.

And every man marrying a widow with children to maintain them until they are 14 years old, if they are in want.

18. And be it further enacted, that the sworn magistrates resident in each parish, or not less than two of them, together with the churchwarden for the time being, shall, in the second week in the month of February, May, August and November in every year, meet in the vestry room of the said parish, or in some convenient place, of which due notice shall be given, for the hearing of appeals under this Act.

The justices and churchwarden to meet at the time here mentioned, to hear appeals.

19. And be it further enacted, that if the person upon whom such order shall be made by the justice aforesaid shall be dissatisfied with the same, it shall be lawful for him to apply to the court of appeal appointed by this Act for a revision of such order, giving seven days' notice of such intended application to the churchwarden of the parish to which the mother of such bastard child shall belong; and in case there shall not previously to such sitting have been sufficient time to give such notice, the hearing of such application shall be deferred to the next sitting of the said court: Provided always, that whenever such application shall be heard, and the order of the justice confirmed in whole or part, the said costs and charges for maintenance of the said child shall be calculated from the birth of the child, and be paid to the churchwarden of the parish to which the mother of the said child shall belong, and pending such application such churchwarden shall advance weekly an allowance for the support and maintenance of such bastard child at the rate fixed by the justice aforesaid, in the order aforesaid, to be paid by the putative father of such bastard child: Provided also, that the said court shall have full power, if they find on hearing the said application that it is untenable and frivolous, to order full costs and law charges to be paid to the churchwarden by the person making such application.

Persons on whom orders have been made in respect of bastards may apply to the court of appeal by this Act appointed for revising the same, giving seven days' notice to the churchwarden.

20. And be it further enacted, that it shall and may be lawful for any churchwarden, overseer or guardian of the poor, with the assent of any justice residing in the parish where any such bastard child shall be born and brought up, to bind out at his discretion any such bastard child an apprentice or servant to some master or mistress for the term of seven years, or until he or she shall arrive at the years of 21, and to execute to the master or mistress of such child an indenture of apprenticeship; and such master or mistress and such apprentice shall be subject and liable to all the laws and statutes of this island relating to and concerning indenture of apprenticeship now in force or hereafter enacted in this island.

Churchwarden, &c. with the assent of a justice of the peace, may bind bastard for seven years, or until he or she arrives to 21.

21. And be it further enacted, that whenever any putative father or mother of a bastard child shall leave his or her bastard child or children, or run away out of the parish, abscond or quit the island without providing for the maintenance of such child or children, it shall be lawful for the churchwardens, overseers or guardians of the poor of any parish where such child shall be born and deserted, with warrant from any justice of the parish, to take so much of the goods and chattels and effects of such putative father or mother as shall be sufficient for bringing up and providing for such bastard child or children, and to order sale to be made of such goods and effects, and so much to be retained as will be sufficient for the purpose aforesaid; and in case the churchwarden can find no such goods, chattels or effects belonging to the putative father or mother of such child, it shall be lawful for any justice of the peace of the parish, at the complaint of such churchwarden or overseer of the poor, to issue his warrant for the apprehension of such putative father or mother of such child, and him or her commit to the house of correction within the district to which such aggrieved person shall belong, there to remain, without bail or mainprize, and be subject to labour until he or she shall put in full and sufficient security for the maintenance of such bastard child, with payment of costs and charges incurred on the complaint.

If the putative father or mother of a bastard abscond without providing for its maintenance, his or her effects may be sold for that purpose, and if insufficient, he or she to be apprehended and committed to the house of correction until security be given for its maintenance, with costs and charges of the complaint.

22. And be it further enacted, that if the mother of any deserted or unprovided bastard child shall be an apprenticed labourer, it shall be lawful for any justice of the peace in the parish in which such child shall be born, to seek for and summon before him the mother and the person charged with being the putative father of such child, and to hear and determine the said charge in the manner prescribed, and by the rules laid down in this Act; and if the said father shall be an apprenticed labourer, and shall not furnish the means or give surety for the maintenance of the said child until it be seven years old, together with payment of charges, the said justice shall order him to be confined in the penitentiary of the district to which the said child shall belong, there to be subject to hard labour for any term not exceeding one month, and at the expiration of that time to work for his master or mistress as many Saturdays, if he is a prædial, as they may have lost days of labour by his confinement; and if the father of the said bastard child born of the said female apprenticed labourer shall prove to be a freeman, in addition to his being liable to the expenses incurred for the lying-in and maintenance of the said child until it shall arrive at the age of seven years, he shall be bound to pay to the master or employer of the said female apprenticed labourer, whether the child be deserted or unprovided or not, a reimbursement for the loss of her labour during her pregnancy, lying-in, and the term of her inability to return to labour; and in default of payment, or giving full security for the same, he shall be committed by the said justice to the penitentiary of the district to which the said female apprenticed labourer shall belong, and be subject to hard labour until the same shall be paid and satisfied.

If the mother of a bastard child unprovided for be an apprenticed labourer, and the putative father be also an apprenticed labourer; if he do not find means or give security for its maintenance, how he shall be punished. If such putative father be a freeman, how he shall be punished.

23. And be it further enacted, that from and after the passing of this Act, a certain Act of this island, being No. 21, Moore's laws, intituled, "An Act to prevent bastard children from

Repeals, No. 21, Moore's Laws.

from

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from becoming burthensome to parishes," shall be and the same is hereby repealed, and to all intents and purposes null and void.

Read three times, and passed the General Assembly, *nemine contradicente*, this 8th day of March 1836.

(signed) *John Mayers*, Clerk of the General Assembly.

Read three times, and passed the Council unanimously the 21st day of March 1836.

(signed) *Wm. Husbands*, Clerk of the Council.

I assent, 11 April 1836.

(signed) *Lionel Smith*.

Appendix, No. 191.

No. 610.

Enclosure in Sir *E. J. M. MacGregor's* Despatch of the 30 December 1836.—No. 586.

Appendix, No. 191.

AN ACT to authorize the Employment of Prisoners on Public Works.—
Passed 20 December 1836.

Prisoners confined in gaol under sentence of hard labour may be employed on the public works in Bridgetown or within one mile of its limits, or in cleaning and repairing the streets and roads within those bounds under the order and direction of the commissioners appointed under an Act for better regulating the said gaol.

WHEREAS it is deemed expedient to authorize the employment of the prisoners confined in the common gaol of this island, under sentence of hard labour, on any public work: Be it therefore enacted by the Governor, Council and General Assembly of this island, and by the authority of the same, that it shall and may be lawful for the commissioners appointed and to be appointed in and by the Act of this island, intituled, "An Act for the better regulating the common gaol of this island," bearing date the 9th day of December 1835, or any board of them, to make such orders and give such directions as to them may seem fit, for employing the prisoners in confinement in the said common gaol under sentence of hard labour, in cleaning and repairing the streets of Bridgetown and the public roads within one mile of the said town, and on public works within the said town, or within the distance of a mile from it, and the said commissioners or any board of them are hereby authorized to hire one or more competent person or persons to take charge of and superintend the said prisoners when employed in manner aforesaid, and to draw on the treasurer of the island for payment of the same.

Rules and regulations to be prepared by the commissioners and submitted to the Commander-in-Chief for approval.

2. And whereas it is expedient that the said prisoners when so employed out of the gaol as aforesaid, shall be worked and employed under certain known rules and regulations: Be it enacted, that the said commissioners or any board of them shall, immediately after the passing of this Act, frame and draw up such rules and regulations as shall be necessary for the employment and safe custody of such prisoners as shall be employed in manner aforesaid, and that such rules and regulations shall be submitted to the Governor or Commander-in-Chief, and when approved by him the same shall be in full force and effect, and not before.

Read three times and passed the General Assembly, *nemine contradicente*, this 25th day of October 1836.

(signed) *John Mayers*, Clerk of the General Assembly.

Read three times and passed the Council unanimously this 22d day of Nov. 1836.

(signed) *Samuel Husbands*, Acting Clerk of the Council.

I assent, 20 December 1836.

(signed) *E. J. Murray MacGregor*, Governor.

Appendix, No. 192.

No. 595.

Enclosure in Sir *L. Smith's* Despatch of the 20 May 1836.—No. 590.

Appendix, No. 192.

AN ACT to authorize the Killing or Impounding of Sheep, Goats, Hogs and Feathered Stock, when found Trespassing on the Lands of any Plantation or Place. — Passed 19 March 1836.

Preamble.

WHEREAS it is deemed expedient to authorize the killing or impounding of sheep, goats, hogs and feathered stock when found trespassing on the lands of any plantation or place: Be it therefore enacted by his Excellency Sir Lionel Smith, K. C. B., &c., Governor-general of this island, Chancellor Ordinary and Vice-Admiral of the same, the honourable the Members of His Majesty's Council and the General Assembly of this island, and by the authority of the same, that it shall and may be lawful for the owner, proprietor, attorney or other person in charge of any plantation or place, to cause any sheep, goat, hog or feathered stock, when found trespassing on the lands of such plantation or place, either to be killed or impounded on such plantation or place, and for every sheep, goat or hog impounded, the owner or proprietor of any such plantation or place shall be entitled to a quarter dollar, and for every head of feathered stock, 5 d., which if not paid in seven days by the owner of such sheep,

The owner, proprietor or person in charge of any plantation or place may kill or impound any sheep, goat, hog, or fea-

sheep, goat, hog or feathered stock, it shall and may be lawful for the owner, proprietor, attorney, overseer or other person in charge of such plantation or place, to sell such sheep, goat, hog or feathered stock, and after deducting the sum or sums aforesaid, and the expense of feeding such sheep, goat, hog or feathered stock, the overplus arising by such sale shall be paid over by the party impounding and selling such sheep, goat, hog or feathered stock, to the rightful owner thereof; or the owner, proprietor, attorney, overseer or other person in charge of any plantation or place so trespassed on may lodge a complaint to a justice of the peace, who is hereby required to issue a summons to any three neighbouring freeholders to attend and appraise such damage; and the said justice of the peace shall issue his warrant for levying and raising the amount of such damage, as in the case of servants' wages, to and for the use of the party aggrieved; and if any freeholder summoned for the purposes aforesaid shall neglect or refuse to attend and appraise such damage, without reasonable cause to be approved by the said justice, he shall incur a fine of 25 s., to be recovered as in the case of servants' wages, and paid into the public treasury.

Read three times, and passed the General Assembly the 13th day of October 1835.
(signed) *John Mayers*, Clerk of the General Assembly.

Read three times, and passed the Council this 26th day of January 1836.
(signed) *William Husbands*, Clerk of the Council.

I assent, 19 March 1836. (signed) *Lionel Smith*.

thered stock found trespassing on the lands of such plantation, &c. The sum to be paid for redemption of any stock impounded.

Appendix, No. 193.

Enclosure in Sir *Lionel Smith's* Despatch, 26 July 1836.—No. 601.

No. 597.

AN ACT to Regulate the Emigration of Labourers from this Island.—
Passed 20 July 1836.

Appendix, No. 193.

WHEREAS divers persons are at present actively employed in this island in tempting able-bodied labourers and skilful artificers of all descriptions to desert their homes and families and go to settle in other countries, by holding out to them promises of great gains and high wages, whereby the parishes of this island are likely to be overwhelmed with the impotent families and helpless infants left behind by such able-bodied labourers: And whereas such labourers being from their ignorance unable to secure to themselves by contract the performance of the promises made to them, are liable to be deceived and defrauded of their wages :

Preamble.

1. Be it enacted, by his Excellency Sir Lionel Smith, Governor-general and Commander-in-Chief of this island, the Council and Assembly of this island, and by the authority of the same, that from and after the passing of this Act every labourer, artificer or pauper who intends to depart from this colony shall, previous to his or her leaving the parish to which he or she doth belong, go to the churchwarden of such parish and make the following oath before such churchwarden, who is hereby authorized and directed to administer such oath :

"I, A. B., of _____ parish, do make oath that it is my desire and intention to depart from this colony to the [colony or country] at my own sole and entire cost and risk, or on the inducement and at the cost [either wholly or in part, as the case may be] of C. D., acting for himself, or as agent for obtaining labourers for other countries of C. D., of [as the case may be.] So help me God."

And the said churchwarden shall thereupon, or within three days after such application, join to himself a justice of the peace resident in such parish, and if there shall happen to be no justice resident in the parish, then the churchwarden shall join to himself a justice from some neighbouring parish, and these two shall jointly proceed to inquire whether such labourer, artificer or pauper hath any aged or impotent grandfather, grandmother, father, mother, or wife, or infant, legitimate or illegitimate, under the years of 14, which may be dependent on him or her for support, and who on the emigration of the said able-bodied labourer, artificer or pauper will become destitute of support; and if it shall be satisfactorily proved to such churchwarden and justice as aforesaid that the said person so about to depart from this island hath no such kindred or claims upon him or her, they shall thereupon give to the said labourer, artificer or pauper a certificate under their respective hands and seals directed to the secretary of the island, authorizing him to set up the name of such person in the secretary's office as a person about to depart from this island according to the laws in such case made and provided; but if it shall appear to the said justice and churchwarden that the said labourer, artificer or pauper hath any such kindred dependent on him or her for support as aforesaid, and shall not make satisfactory provision for the support of such person or persons during his or her absence, they shall refuse to grant to the said labourer, artificer or pauper any such certificate for emigration, and shall forthwith transmit a certificate to the secretary of this island, stating the name of such person or persons, and that such person or persons named therein is or are not entitled, for the reasons aforesaid, to depart from this island; and in case the said churchwarden and justice of the peace shall omit to send such certificate to the secretary within two days after such inquiry, they shall incur a penalty of 5 l. each, for every such omission, to be recovered as in the case of servants' wages, one half to be paid into the public treasury, and the other half to the informer.

After the passing of this Act, every labourer, artificer or pauper, desirous of leaving the island, shall report his intention on oath to the churchwarden of the parish to which he belongs, who shall within three days join with him a justice of the peace, and inquire whether any such labourer, &c., hath any aged or impotent person as here mentioned, or child under the age of 14 years, dependent on him or them for support.

Churchwarden, according to the circumstances of the case after inquiry to grant a certificate directed to the secretary of the island to put up the name of such person according to law, or not to grant a ticket to the person mentioned in such certificate.

Penalty on churchwarden for omitting to send certificate to

2. And the secretary.

Penalty on secretary for granting a ticket without a certificate, &c.
Penalty on churchwarden for intentionally obstructing an emigrant.

2. And be it further enacted, that in case the secretary of this island shall grant a ticket to any labourer, artificer or pauper as aforesaid, without such certificate as aforesaid, or shall grant any ticket after the churchwarden shall have certified that such artificer, labourer or pauper hath not made satisfactory provision for his kindred as aforesaid, such secretary shall be liable, on complaint before any two justices of the peace, to be fined the sum of 15 l. current money of this island for every ticket so granted, to be recovered as in the case of servants' wages, one-half to be paid into the public treasury, and the other half to the informer; and in case any labourer, artificer or pauper shall receive any intentional obstruction or opposition to his emigration from any churchwarden or justice of the peace, such churchwarden or justice of the peace shall, on complaint made to the Governor or Commander-in-Chief of this island for the time being, and Council, be adjudged for every such offence to pay a fine of 10 l. current money of this island, one half of which fine shall be paid into the public treasury for the uses of the island, and the other half to the person so obstructed as aforesaid.

Penalty on persons for endeavouring to seduce labourers, &c., to quit the island without a ticket.

3. And be it further enacted, that if any person acting either as prizer or agent shall attempt to seduce any labourer, artificer or pauper from this island, and endeavour to induce him, her or them to depart from this island, without previously obtaining such certificate as aforesaid, or without such ticket from the secretary's office as is by law required, every such person, on conviction thereof before any two justices of the peace, shall forfeit and pay for each offence the sum of 100 l. current money, one half to be paid into the treasury of this island, and the other half to the informer.

Read three times, and passed the General Assembly this 19th day of June 1836.
(signed) *John Mayers*, Clerk of the General Assembly.

Read three times, and passed the Council unanimously the 19th day of July 1836.
(signed) *Samuel Husbands*, Acting Clerk of the Council.

I assent, 20 July 1836. (signed) *Lionel Smith*.

Appendix, No. 194.

No. 599.

Enclosure in Sir *Lionel Smith's* Despatch, 6 August 1836.—No. 604.

Appendix, No. 194.

AN ACT to make certain Alterations in the Police Force of this Island.—Passed 5 August 1836.

Preamble.

WHEREAS the number of police officers at present appointed for Bridgetown is wholly insufficient for the proper performance of the duties required of them, and it is therefore necessary to increase their number :

Fifteen additional police officers to be appointed for Bridgetown.

1. Be it therefore enacted by the Governor, Council and Assembly of this island, and by the authority of the same, that immediately on the passing of this Act 15 additional police officers shall be appointed for the town of Bridgetown, in the manner directed for filling up vacancies in the said police force, in and by the ninth clause of a certain Act, intituled, "An Act to establish a police in Bridgetown, in the parish of Saint Michael;" and such additional police officers, when thus appointed, shall be required to perform all the duties, be subject to all the rules and regulations, be invested with the powers and authority, and be entitled to the same protection as police officers, as if they had originally been appointed under the authority of the said Act.

Dress of police officers.

2. And be it further enacted, that such police officer shall be provided at the public expense with the following dress : a blue cloth jacket, to be so made as to button close up to the chin, with a standing collar of red cloth, on the right side of which shall be worked (in white cloth) the letters distinguishing the district to which each police officer belongs, and on the left the individual number of such police officer according to his enrolment; a pair of dark blue cloth trousers; a blue cap, with red cloth band and leather top; two pair of strong shoes, and a cloth cloak, or great coat, such as is worn by the soldiers in His Majesty's army; and each superintendent shall be in like manner furnished with a blue cloth frock with red collar, a pair of blue cloth trousers, and two pair of shoes and a black hat, which said uniforms are to be worn by the said superintendents and police officers at all times when on duty, and shall be annually furnished them at the public expense, on the requisition of the three police magistrates for Bridgetown to the treasurer of the island; and every police officer dismissed from the police, or who shall resign or quit the same, shall deliver up every article of dress and appointments which shall have been supplied to him, on forfeiture of double the value thereof, to be recovered as servants' wages on complaint made by the superintendent to a justice of the peace; and if any such articles have been in the opinion of the police magistrates improperly used or damaged, he shall forfeit a sum sufficient to make good the damage, to be recovered and applied in like manner, or supply a new article; and should he be entitled to any pay on quitting the service, any such forfeiture may be stopped out of his pay; the foregoing forfeitures to be to His Majesty, for the use of the island, and paid to the treasurer.

To be furnished annually at the public expense, and to be delivered up upon dismissal or resignation.
Penalty.

3. And

3. And whereas, in order to lessen the great expense of providing this additional force, it is expedient to transfer one mounted police officer and one foot from each of the several districts of rural police; Be it therefore enacted, that it shall be lawful for his Excellency the Governor-general to direct the transfer of any one mounted police officer and any one foot police officer from each of the several districts of rural police, who shall consent to such transfer, to be enrolled in the town police; and in case of any vacancies happening in the police force at any of the districts from which such transfers shall not have been made as aforesaid, the same shall not be filled up, but the number of men in each district shall from henceforth be diminished by one horseman and one footman.

Rural police force to be reduced and dismissed. Police officers to be transferred with their consent and by the direction of the Governor to the town police.

4. And whereas experience has pointed out the advantages which would be derived from certain alterations in the organization and management of the town police; Be it enacted, that it shall be lawful for the vestry of the parish of St. Michael, or the major part of them, at the expense of the inhabitants of Bridgetown, and they are hereby directed as soon after the passing of this Act as possible, to provide a station-house in a central situation in the town sufficient for the comfortable accommodation of the whole body of police, and having a convenient office for the inspector of town police hereinafter appointed; and every police officer, except when on duty or leave, shall constantly reside at such station-house, and one or more convenient room or rooms shall be fitted up at such station-house for safe and convenient custody of prisoners and persons in charge of the said police officers; and all police officers are hereby required to bring as speedily as possible all persons in their charge and custody to such station-house; and the said vestry is in like manner required to provide a convenient house or guard-room in some central situation in the Bay District and in Tudor-street District sufficient for the comfortable accommodation of the police officers who shall be on duty in those districts from time to time; and the said vestry is in like manner required to provide a convenient office for the police magistrates separate and apart from any of the police stations.

Vestry of St. Michael to provide a station-house in a central part of Bridgetown. Inspector of town police to have an office therein, and whole police force to reside there. Police officers to take persons under their charge to station-house. Vestry to provide guard-rooms in central situation of Bay and Tudor-

street districts for police officers, and an office for the police magistrates apart from the police stations.

5. And whereas, in order to ensure the more efficient discharge of their duties by the superintendents and police officers, it is expedient to appoint an inspector of police for Bridgetown; Be it enacted, that it shall be lawful for the Governor to appoint from time to time a fit and proper person to the office of inspector of town police, and to dismiss such inspector for insufficiency or misconduct; and such inspector shall have the command of the whole police force, and it shall be his duty to regulate the conduct of the superintendents of police and the police officers, who are hereby required to pay due obedience to his orders; and the said superintendents are hereby directed to make their daily reports, as directed by law, to the said inspector, and he is to make his daily report thereof to the said police magistrates at their office; and the said inspector shall be under the direction of the police magistrates for Bridgetown, and shall receive an annual salary of 300*l.* current money of this island; and such inspector shall be entitled to all the privileges, powers and protection given by law to constables and police officers.

Governor to appoint inspector of town police, who is to regulate the conduct of superintendents and police officers. Superintendents to make daily reports to inspector, who is to make his report to police magistrates. Inspector to be under the direction of police magistrates. Inspector's salary and privileges.

6. And whereas it is expedient to lessen the salaries of the superintendents of police; Be it enacted, that all superintendents who shall be hereafter appointed shall be entitled to a salary of 100 *l.* current money of this island per annum, instead of the sum of 200 *l.*; but this diminution shall not extend to or affect the present superintendents of the town police.

Salary of superintendents hereafter to be appointed to be reduced to 100*l.* currency per annum.

Diminution not to extend to present superintendents.

7. And whereas it is also expedient to appoint an inspector of rural police; Be it enacted, that it shall be lawful for the Governor-general to appoint from time to time a fit and proper person to the office of inspector of rural police, and to dismiss such inspector for inefficiency or misconduct; and such inspector shall take care that the duties required of the serjeants and police officers of the rural police in and by an Act of this island, intituled; "An Act for the establishment of rules and regulations for the government and discipline of the rural police of this island," are duly and punctually performed by them; and he shall report all derelictions from duty to the special justice of the peace of the district; and the serjeants are to make all the reports required of them by the said Act in duplicate, one to the special justice of the peace of the district, and the other to the said inspector, who is to lay the report so made to him monthly before the Governor-general, with his remarks thereupon; and all indents for articles required for the use of the police force are to be made first to the inspector, who is to satisfy himself that they are wanted before he reports them to the special justice of peace, and he is also to take care that they are not wastefully expended by the men; and the serjeants and police officers shall pay due obedience to the lawful commands of the said inspector, who shall possess and exercise for the whole body of this island all the privileges, powers and protection given by law to constables and police officers; and the said inspector shall receive a salary of 400 *l.* current money of this island per annum.

Governor to appoint inspectors of rural police. Inspector to require serjeants and police officers to perform their duties as here mentioned. Serjeants to make reports in duplicate, one to special justice and the other to inspector, who is to make his report to Governor-general, with remarks thereon. Articles for use of police to be reported by inspector to the special justice. Salary of inspector.

Inspector to exercise no authority over prisoners confined in district prisons. His authority not to interfere with the powers of the special magistrates.

8. Provided always and be it further enacted, that nothing herein contained shall confer any power or authority on the said inspector of rural police over the prisoners confined at the district prisons, who shall be and remain under the sole control of the said special justices of the peace, or which shall interfere with the powers and authority vested in the several special justices of peace by the several Acts of this island for the abolition of slavery, and for the establishment and government of the rural police.

Read three times, and passed the General Assembly, *nemine contradicente*, this 4th day of August 1836.

(signed) *John Mayers*, Clerk of the General Assembly.

Read three times, and passed the Council this 4th day of August 1836.

(signed) *Samuel Husbands*, Acting Clerk of the Council.

I assent, 5 August 1836.

(signed) *Lionel Smith*.

Appendix, No. 195.

No. 604.

Enclosure in Sir *Lionel Smith's* Despatch of the 6 August 1836.—No. 604.

Appendix, No. 195.

AN ACT to amend an Act, intituled, "An Act for the Abolition of Slavery; for the Government of Apprenticed Labourers, and for ascertaining and enforcing the Reciprocal Duties between them and their Employers."—Passed 5 August 1836.

Preamble. Thirty-fifth clause of an Act for the abolition of slavery, &c., recited.

WHEREAS it is provided by the 35th clause of the said Act, "that if any proprietor or proprietors as aforesaid, or any other person or persons entitled to the services of any apprenticed labourer or labourers, shall refuse or neglect or omit to provide such medical attendance as thereinbefore mentioned, and such medicine as shall be required, the person so offending shall, for and in respect of every such offence, incur and become liable to a fine of not less than 5 *l.* or more than 15 *l.*, to be recovered before the special justice of the district in which such apprenticed labourer shall reside, one-half of which fine shall go to the informer, and the other half shall be paid into the public treasury of the island;" and it is expedient to amend the same:

Clause 1.

So much of such clause as gives half the penalty to the informer repealed, and the whole to be paid into the treasury.

Be it therefore enacted by his Excellency Sir *Lionel Smith*, knight, Commander of the most honourable Military Order of the Bath, his Majesty's Governor-general and Commander-in-Chief of this island, Chancellor Ordinary and Vice-Admiral of the same, the honourable the Members of his Majesty's Council and General Assembly of this island, and by the authority of the same, that so much of such clause as gives half the penalty to the informer shall be and the same is hereby repealed, and the whole of such fine shall in all cases in which it is paid go into the public treasury.

Clause 2.

Under what circumstances penalty to be remitted or mitigated.

And be it further enacted, that it shall be lawful for the Governor-general and Commander-in-Chief of this island for the time being, either on the recommendation of the special justice of the peace inflicting the same, or on inquiry made by himself into the circumstances under which any penalty shall have been inflicted under the above-mentioned clause, either to remit such penalty altogether, or to mitigate the same in such manner and on such conditions as to him shall seem meet and proper.

Sixty-fifth clause of the said Act recited.

And whereas it is also enacted by the 65th clause of the said Act, "that if any apprenticed labourer, being a watchman or cattle-keeper, shall perform his work indolently, carelessly or negligently, he shall be adjudged to make good the damage that the crops or cattle or property under his charge shall have received by his negligence or misconduct, or he shall be punished for his first offence by whipping, not exceeding 30 stripes:" And whereas it is expedient to give a discretion to the several special justices of the peace to substitute confinement with hard labour or solitary confinement in lieu of whipping for every such first offence: Be it enacted, that whenever any apprenticed labourer, being a watchman or cattle-keeper, shall be convicted before any special justice of the peace for the first time, of performing his or her work indolently, carelessly or negligently, it shall be lawful for such special justice of the peace, at his discretion, to substitute as a punishment in lieu of whipping for every such first offence as in the said clause is provided, confinement with hard labour, or solitary confinement not exceeding 14 days.

Discretionary with special justices for first offence to substitute confinement with hard labour, or solitary confinement not exceeding 14 days, in lieu of flogging.

Read three times, and passed the General Assembly, *nemine contradicente*, this 4th day of August 1836.

(signed) *John Mayers*, Clerk of the General Assembly.

Read three times, and passed the Council unanimously this 4th day of August 1836.

(signed) *Samuel Husbands*, Acting Clerk of the Council.

I assent, 5 August 1836.

(signed) *Lionel Smith*.

Appendix, No. 196.

Enclosure in Sir *Lionel Smith's* Despatch, 18 August 1836.—No. 609.

Orders in Council
and Colonial Laws.

No. 601.

Appendix, No. 196.

AN ACT the better to regulate the Sale of Goods, Wares and Merchandize by Itinerant Vendors, in and about the Roads and Streets of this Island.—Passed 17 August 1836.

WHEREAS it has been found that the sale of goods and small wares through the roads and streets of this island, by itinerant vendors, is a great injury to established shopkeepers, and furnishes a great facility and temptation to dealers in stolen and smuggled goods; for remedy whereof, and the better to regulate the sale of such goods and small wares, Be it enacted by the Governor-general, Council, and the General Assembly of this island, and by the authority of the same, that from and after the passing of this Act, any person who shall be desirous of exercising the calling or trade of hawker or pedlar shall produce to the treasurer of this island, for the time being, a character or recommendation in writing, signed either by some clergyman or justice of the peace, or the churchwarden of the parish to which he or she belongs, declaring that he hath had knowledge of such person for at least twelve months then last past, and that such person is of fair character and reputation, and a fit person to exercise the trade and occupation of a hawker or pedlar; and if the said treasurer shall be satisfied that such written statement or declaration bears the proper signature of such clergyman, justice of the peace or churchwarden, by whom the same purports to have been signed, he shall give to the person in whose favour the same may have been made a printed licence, signed and subscribed by himself as treasurer, authorizing such person to carry on and exercise the calling or trade of hawker or pedlar through all the roads, streets or lanes of this island, for one whole year from the date thereof, upon his or her paying for such licence the sum of 50s. current money of this island, which sum the said treasurer, after deducting the sum of 5s. for his trouble therein, shall pay into the public treasury of this island.

Hawker or pedlar to produce to the treasurer of the island a certificate signed by a clergyman, justice of the peace, or churchwarden of the parish to which he belongs, as here mentioned, before he grants a licence as here directed.

2l. 10s. to be paid for each licence.

2. And be it further enacted, that if any such person as aforesaid shall be desirous of exercising such calling or trade, by making use of any apprenticed labourer as a carrier, such person shall, on application for his or her licence, name the apprenticed labourer intended to be employed as carrier, and shall make oath that to the best of his or her belief such apprenticed labourer announced and intended to be employed has never been convicted of any felony, larceny or misdemeanor, and is of fair character, and such person shall pay for every such apprenticed labourer intended and announced to be employed as carrier (in addition to the 50s. for his own licence), the sum of 25s.; and if such person is desirous of using in his or her trade of hawker or pedlar any cart or other vehicle, or any horse, mule, ass or other beast of burthen, in carrying about any goods, small wares or other articles, or things for sale, he or she shall be entitled to a licence for such purpose, and for such period of time as aforesaid, from the said treasurer, upon payment of the sum of 5l. current money aforesaid, to be paid into the public treasury, after deducting thereout the sum of 5s. by the said treasurer, as a remuneration for his trouble therein.

Hawker or pedlar, desirous of employing an apprenticed labourer as a carrier, to make oath as herein directed, and to pay 25s. for each licence so required, in addition to the 50s. for his own; and for every cart, vehicle, horse, mule, ass, or other beast of burthen used in carrying about goods, &c., to pay 5l.

3. And be it further enacted, that every person so exercising the calling or trade aforesaid shall at all times, when thereto required by a police officer, constable, justice or parish officer, or the master or mistress of any house he or she shall call at, produce and exhibit his or her licence for hawking, pedling and vending articles as aforesaid, and in default thereof he or she shall, on conviction before a justice of the peace, forfeit the sum of 25s. current money of this island, to be levied and raised in a summary manner, as in the case of servants' wages, one moiety thereof to be to the use of the informer, and the other moiety to be paid into the public treasury.

Hawker or pedlar, under the penalty of 25s., to produce licence when required.

4. And be it further enacted, that if any person shall presume from and after the passing of this Act to exercise the calling or trade of hawker or pedlar without having first obtained a licence for that purpose in manner as aforesaid, he or she shall forfeit the sum of 10l. current money of this island, to be recovered and applied as aforesaid.

Penalty for hawking without licence.

5. And be it further enacted, that every person who, under the authority of this Act, shall carry about any goods, small wares or other articles for sale, shall have his or her name or names, and the names of his or her carriers, and the numbers of his or her licence, and also the words "licensed hawker and pedlar," painted in legible characters on the outside of the box, tray, package, cart or other vehicle made use of in the carrying of such goods, small wares or things; and in default thereof he or she shall forfeit the sum of 5l. current money aforesaid, to be recovered and applied in manner as aforesaid, and he or she shall also forfeit and be deprived of the further use of his or her licence, and shall be incapacitated from exercising the calling or trade of hawker or pedlar for the remainder of the then unexpired term of such licence.

How the box, tray, &c. in which goods, &c. are carried, shall be marked.

Forfeiture for not marking same.

6. And be it further enacted, that if any person so licensed to carry on the calling and trade of hawker or pedlar shall be convicted of dealing in stolen goods, or holding any illicit traffic, or of vending spirits or wine or malt liquors, or strong liquors of any kind for drink, he or she shall, in addition to any punishment imposed by law for such offence, be forthwith deprived of his or her licence, and for ever after be incapacitated from exercising the calling or trade of hawker or pedlar.

Penalty on hawkers or pedlars dealing in stolen goods or vending liquors.

Penalty on hawkers or pedlars sitting in the streets selling goods, &c.

7. And be it further enacted, that if any hawker or pedlar shall sit in any road, street, square, lane or alley for the purpose of selling or disposing of any goods, small wares or other articles or things, such person so offending shall for every such offence forfeit the sum of 2*l.* 10*s.* current money of this island, to be recovered and applied in manner aforesaid.

Penalty for disposing of goods &c. by auction.

8. And be it further enacted, that it shall not be lawful for any licensed hawker or pedlar to sell or dispose of any article or thing by auction to the highest bidder, under pain of forfeiting the sum of 5*l.* current money, to be recovered and applied in manner aforesaid.

This Act not to extend to the selling things by wholesale &c. in the market-place, and to bread.

9. And be it further enacted, that nothing in this Act contained shall extend or be construed to extend to the selling or disposing of any articles or things by wholesale or retail in the public or general market of this island, or to the selling or disposing of any bread, agreeably to the Acts of this island in such case made and provided.

All Acts relating to hawking and peddling repealed.

10. And be it further enacted, that all Acts and clauses of Acts now in force relating to hawking and peddling, and all Acts and clauses of Acts thereby repealed, shall be and the same are hereby repealed and declared to be null and void, and shall from henceforth stand and remain repealed.

Act of 9 December 1835, repealed.

11. And be it further enacted, that a certain Act of this island, bearing date the 9th day of December 1835, intituled "An Act the better to regulate the sale of goods, wares and merchandize by itinerant vendors in about the roads and streets of this island," shall be and the same is hereby repealed and made void.

Read three times, and passed the General Assembly this 9th day of August 1836.
(signed) *John Mayers*, Clerk of the General Assembly.

Read three times, and passed the Council unanimously this 16th day of August 1836.
(signed) *Samuel Husbands*, Acting Clerk of the Council.

I assent, 17 August 1836. (signed) *Lionel Smith*.

Appendix, No. 197.

No. 606.

Enclosure in Sir *E. J. M. MacGregor's* Despatch, 26 November 1836.—No. 622.

Appendix, No. 197.

AN ACT to consolidate and amend the several Acts relating to the Rural Police of this Island.—Passed 23 November 1836.

Preamble.
Clause 1st.
Acts and clauses of Acts repealed.

WHEREAS it is expedient to reduce into one Act the several laws now in force for the establishment and discipline of the rural police: Be it therefore enacted by his Excellency the Governor, the honourable the Members of His Majesty's Council, and the General Assembly of this island, and by the authority of the same, that from and after the passing of this Act, the several Acts and clauses of Acts, intituled as follows, shall be and the same are hereby repealed; that is to say, "An Act for the temporary establishment of a rural police for this island, passed on the 24th day of April 1835;" "An Act for continuing in force and amending an Act intituled 'An Act for the temporary establishment of a rural police for this island, passed on the 19th day of August 1835;'" "An Act for the establishment of rules and regulations for the government and discipline of the rural police of this island;" and also the 7th and 8th clauses of another Act, intituled, "An Act to make certain alterations in the police force of this island, passed on the 5th day of August 1836," provided that such repeal shall not alter or affect the appointment and constitution of the body of rural police as now by law established, except in so far as the same may be altered or affected by the provisions and enactments of this Act.

Proviso.

Police force to consist of six serjeants and 102 privates, 78 of which to be horsemen, and 24 foot.

District A. 11 mounted and four foot. District B. 15 mounted and four foot. District C. 15 mounted and four foot. District D. 11 mounted and four foot. District E. 15 mounted and four foot. District F. 11 mounted and four foot.

One serjeant to each district.

II. And be it enacted, that the rural police force of this island shall continue to consist of and be composed as follows; that is to say, six serjeants and 102 privates, 78 of whom shall serve on horseback, and 24 on foot, and they shall be distributed in the manner and in the several districts hereinafter mentioned; that is to say, in the district composed of the parish of St. Michael and town of Bridgetown, denoted by the letter (A.), there shall be 11 mounted privates and four foot; in the district composed of the parishes of Christchurch and St. George, and denoted by the letter (B.), there shall be 15 mounted privates and four foot; in the district composed of the parishes of St. Philip and St. John, and denoted by the letter (C.), there shall be 15 mounted privates and four foot; in the district composed of the parishes of St. James and St. Thomas, and denoted by the letter (D.), there shall be 11 mounted privates and four foot; in the district composed of the parishes of St. Peter and St. Lucy, and denoted by the letter (E.), there shall be 15 mounted privates and four foot; and in the district composed of the parishes of St. Joseph and St. Andrew, and denoted by the letter (F.), there shall be 11 mounted privates and four foot; and there shall be one serjeant for each of the above-named districts, and the appointment, removal and dismissal of the said several serjeants and privates shall remain and be vested

vested in the Governor or Commander-in-Chief of this island for the time being; and the said serjeants and police officers shall act as conservators of the peace for the respective districts to which they shall be appointed, and they shall have, exercise and enjoy for the body of this island all the powers, authorities, immunities and privileges which are by law incident to the office of constable, or which are vested in any police officer or constable under any Act of this island, or of the Imperial Parliament in force in this island.

Appointment and dismissal to be vested in Commander-in-Chief. Powers and offices of policemen.

III. And be it enacted, that each serjeant of police and each mounted private shall be required to keep a good horse, and each serjeant shall receive a salary at the rate of 130 *l.* current money of this island per annum, and each of the said mounted police officers shall receive a salary at the rate of 80 *l.* like current money per annum, and each of the said police officers serving on foot shall receive a salary at the rate of 50 *l.* like current money per annum, which salaries shall be paid by the treasurer of this island in the manner hereinafter mentioned.

Salary of serjeants and police officers fixed, and by whom to be paid.

IV. And whereas it has been found expedient to appoint an inspector of rural police; Be it enacted, that the appointment of the inspector of rural police shall be and remain in the Governor or Commander-in-Chief of this island for the time being, and such inspector shall be under the immediate orders of the Governor or Commander-in-Chief, who is hereby authorized to suspend or dismiss such inspector for inefficiency or misconduct, and to appoint another in his place; and such inspector shall take care that the duties required by the serjeants and police officers are duly and punctually performed by them; all indents for articles and supplies required for the service of the police force are to be made through him, and he is to satisfy himself, by personal inspection, that they are wanted, and take care that they are not wastefully expended; he is to draw on the treasurer monthly for the payments due to the serjeants, keepers and privates of the rural police, and the treasurer is hereby authorized to pay to the said inspector the amount required for their pay; and the said inspector shall receive a salary at the rate of 400 *l.* current money per annum, to be paid him monthly by the treasurer: Provided always, and be it further enacted, that the said inspector shall not in any way interfere with or have any authority or control over the prisoners at the several district prisons, but they shall be wholly under the jurisdiction and direction of the several special justices of the peace of the said districts.

Appointment of inspector to remain in the Commander-in-Chief, and he is to be under his immediate order. Duties of inspector defined.

Salary of inspector. Proviso.

V. And be it enacted, that there shall be a keeper of the house of correction at each district, and he shall receive a salary at the rate of 100 *l.* current money per annum, to be paid him in the manner hereinafter mentioned; and all apprenticed labourers committed to the house of correction at the said several districts shall be subject to such rules and regulations, as shall be from time to time framed by the several special justices of the peace, respecting their classification and discipline and the work and labour to be performed by them, and to such punishments for disobedience of the said rules and regulations as apprenticed labourers are subject to under the Act for the abolition of slavery in this island, and the said keepers are in all respects to govern themselves according to such rules and regulations: Provided that no such rules or regulations shall be valid which have not been approved of and confirmed by the Governor or Commander-in-Chief for the time being, and the appointment, removal and dismissal of the said keepers shall be in the Governor or Commander-in-Chief for the time being, and it shall be lawful for the several special justices of the peace to grant occasional leave of absence to the said keepers in their respective districts, and to suspend them for misconduct or inefficiency, or wilful disobedience of the said rules and regulations, and upon every such suspension as aforesaid the special justice of the peace is forthwith to report the same, with the cause thereof, to the Governor or Commander-in-Chief for the time being, who shall disallow or confirm such suspension and dismiss the said keeper, as to him shall seem fit.

Keeper of district prison to be appointed, and his salary. Rules and regulations for prisoners in district prisons to be framed by special justices and keepers of prisons, who are to govern themselves accordingly. Proviso. Appointment and dismissal of keepers vested in Commander-in-Chief. Power of special justices over keepers.

VI. And be it enacted, that the keepers of the houses of correction shall constantly reside at their respective stations, except when on leave of absence as aforesaid, and shall have in charge and keep the keys of the cells and other places of confinement, and be responsible for the safe custody of the prisoners; they shall each regularly enter in a book to be provided for that purpose, the names of all the prisoners committed to the houses of correction of their respective stations, with the date of their commitment, and the name or names of the committing justice or justices, and the punishment to be undergone by them; they are to reckon those employed in penal gangs, on their going to and returning from work; they shall keep an accurate account of the quantity of work actually performed by every prisoner, noting all deficiencies and the cause thereof, and make a weekly report of the same to the Governor or Commander-in-Chief for the time being, and the special justice of the peace of the district; they shall daily inspect the food of every prisoner, and see that it is of the quality and in the quantity directed to be given to each of the prisoners according to their different classes; they shall see that it is properly cooked and served in a clean and wholesome state; they shall have under their charge, and be responsible for all provisions and other stores which may from time to time be provided for feeding the prisoners, and they shall keep a regular and accurate account of their issue and expenditure; they shall not sell, nor shall any person for them or employed by them sell or barter for them, nor shall they have any benefit or advantage from the sale of any article to any prisoner, nor shall they directly or indirectly have any interest in any contract or agreement for the supply of the prison, nor shall they be concerned in any other occupation or trade whatsoever.

Duties of keepers of prisons.

Rules and regulations to be observed after the passing of this Act.

AND whereas the rules and regulations for the government and discipline of the rural police having been framed when there was no inspector of such police, it is necessary to amend the same, in order that the duties required by law of such inspector may be defined: Be it therefore enacted, that from and after the passing of this Act, the following rules and regulations shall be observed and carried into effect within the several districts of this island:

Inspector to be under the direction of the Commander-in-Chief, and the whole police to be directed by the inspector.

1. The inspector of rural police shall be under the immediate direction and command of the Governor and Commander-in-Chief for the time being; he shall have the superintendence of the several police settlements, and the whole rural police force of this island shall be under his immediate orders.

How to be formed.

2. The police force of each district shall form a company, and be commanded by the serjeant of the district.

Obedience to the inspector enjoined.

3. The serjeants and police officers shall yield prompt obedience to the inspector of rural police, and all other officers who are placed in authority over them, keeping in mind that the principal object of every police establishment is to check crime, if possible, by preventing its commission, but where committed to bring the offenders to justice as promptly as possible, for the sake of example and punishment.

Privates upon being enrolled to be numbered, and how to be dressed.

4. The several privates shall immediately on their enrolment be respectively numbered by the serjeant of the district to which they are appointed, and shall be provided with the following dress: a blue jacket, to be so made as to button close up to the chin, with a standing collar, on the right side of which shall be worked in white cloth the letter distinguishing the district to which such private belongs, and on the left, the individual number of such private, according to such enrolment, a pair of dark blue cloth trowsers, a blue cloth cap with leather top, a black leather stock, two pair of strong ankle boots, and a cloth cloak or great coat, such as is furnished to the soldiers in His Majesty's army; each serjeant shall be provided with a blue cloth jacket, with standing collar, on each side of which shall be worked in white cloth the letter distinguishing the district to which he belongs, and with three stripes on the left sleeve; in other respects the serjeant shall be dressed as the privates are hereby directed to be, which said uniforms are to be worn by the said police officers at all times when on duty, and to be annually furnished to them at the public expense, in the manner hereinafter mentioned; each police officer shall in like manner be provided at the public expense with a staff, a sword, a cutlass, a pair of pistols, a musket, bayonet and cartridge box, with a proper portion of ammunition, to be kept in the guard-room at the station when not in use; each sword, pistol, musket and cartridge-box shall be numbered, and be considered as belonging to, and be always used by the police officer having the same number, who is to keep them in proper order.

Serjeants' dress.

Police how to be armed.

5. The serjeants and privates shall conform to all regulations which may be made from time to time for the good of the service.

Against reward taken without permission.

6. They shall not upon any occasion, or under any pretence whatsoever, take from any person any fee or reward, without having first the permission of the inspector of rural police.

Notice previous to quitting. Penalty, and how to be recovered.

7. They shall not quit the police force without giving a month's previous notice, under a penalty, in case of serjeants of 10 l., and privates of 5 l. current money, to be recovered as servants' wages, on complaint to a justice of the peace by the inspector, and paid into the public treasury, or such sum may be stopped out of his pay.

Penalty on dismissal.

8. Every individual belonging to the said force, on being dismissed from it, shall forfeit the whole of his pay then due.

Dress, &c. to be delivered up on resignation or dismissal. Forfeiture.

9. Every serjeant and private dismissed from the police, or who shall resign or quit the same, shall deliver up every article of dress and appointments which shall have been supplied him, on forfeiture of double the value thereof, to be recovered as servants' wages, on complaint made by the inspector to a justice of the peace; and if any such articles have been in the opinion of the said inspector improperly used or damaged, he shall forfeit a sum sufficient to make good the damage, to be recovered and applied in like manner, or supply a new article; and should he be entitled to any pay on quitting the service, any such forfeiture may be stopped out of his pay; the foregoing forfeitures to be to His Majesty, for the use of this island, and paid to the treasurer.

Duties of mounted police.

10. Every mounted police officer shall patrol the roads of his district four hours in each 24, unless otherwise specially employed; he shall take such part of the district as his serjeant or other superior officer shall direct, and he will report to the serjeant, on his return, any occurrences that may have taken place during his patrol; each day will be divided into six patrols of four hours each, beginning at six o'clock in the morning and ending at six the following morning, and every police-officer, whilst on patrol or on the performance of other duty, or even when off duty, shall apprehend all persons committing any felony, or about to commit any felony, or whom he may have good grounds to suspect have committed, or are about to commit any felony; and he is also required to apprehend all persons whom he may find plundering any fields of canes, yams or other produce or provisions, and all persons having in their possession any stolen goods, knowing the same to have been stolen, and to apprehend

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apprehend all other persons whom, by virtue of the powers of a constable vested in him, it shall be his duty so to do, and bring the persons so apprehended to the station-house of his district and deliver them into the custody of the serjeant, or in his absence into the custody of the keeper of the house of correction, and to make the earliest report thereof to the serjeant, who is hereby required to make immediate report of the same to the special justice; and in the event of the case not being cognizable before the special justice, the serjeant is to report the same to some general justice of the peace, and to take the proper steps for bringing such persons to justice; provided, however, that the special justice, or inspector, if present, or if not, the serjeant, if he deem it prudent, shall be and he is hereby authorized to take bail of such person or persons, for his, her or their appearance; and every police-officer, whilst on duty, is required and strictly enjoined to prevent, if possible, any misconduct on the part of drivers of waggons, carts or cranks which he may see committed on any of the roads of this island, such as improperly driving, beating or ill-using cattle, horses, or other animals drawing such waggons, carts or cranks, or suffering persons to ride on any part of such vehicles, or improperly obstructing the roads, and note the names of the proprietors and estates marked on such vehicles and the time and place when and where any such occurrence shall take place, and to report the same to the serjeant of his district on his return, who is hereby required to give necessary information to the parties aggrieved through the police force of this island, so that such parties may be enabled to bring the offenders to justice.

11. The serjeant must strictly adhere to the rules laid down for him, and he is not to give any leave of absence, except with the permission of the inspector. Serjeants not to grant leave of absence without inspector's permission.

12. The men, when going on patrolling or any other duty, will be paraded by the serjeant, who will minutely inspect them, to see that they are perfectly sober and correctly dressed and appointed, and anything to the contrary will be reported to the inspector; the men coming off patrolling duty are to consider themselves liable to be called on at all times, and will prepare themselves, when required, at the shortest notice. Duties to be performed by serjeants when men are to be sent on patrolling duty.

13. At the hour of relieving the men, those who have just come in from patrolling are not to enter the station-house until actually relieved; they will then come in and report themselves to the serjeant, who will examine them to see that they are sober and correctly dressed, and that the arms and accoutrements taken out with them are brought in. How the men are to conduct themselves when relieved.

14. In all cases of riots, combined insubordination, or other dangers to the public peace, the special justices of the districts are hereby authorized to apply to the inspector, if present, and in his absence to direct the serjeant of the district, to order on duty such a number of the police force as shall be sufficient to restore order and decorum; and if the force of the district shall not be sufficient, then the said special justice of the peace is to call on the serjeant of any of the neighbouring districts for such additional force as shall be necessary, and such force shall act under the immediate orders of the special justice of the peace in quelling such riot or other disturbance of the public peace. Authority of special justices in cases of riots, &c.

15. And the Governor or Commander-in-Chief for the time being is hereby authorized, in all emergencies and dangers to the public peace, to issue such orders as he shall think proper to the special justices of the districts, for the employment of the police force of their respective districts in such manner as he shall think proper for preserving the peace of the island. Commander-in-Chief, in cases of emergency, to order special justices how to employ police force.

16. The foregoing are to be considered general rules applicable to the ordinary routine of duties; it is, however, intended that these rules and regulations shall not interfere with the duties required of special justices of the peace, but that the whole police force shall be at all times ready to aid and assist them in carrying the Slavery Abolition Act into effect, and no part of the duties required of the police will be more rigidly enforced than those prescribed for carrying that Act into complete and efficient operation; but it being impossible to define the extent to which it may occasionally be requisite, for the good of the public service, that the rules and regulations should be dispensed with, the Governor and Commander-in-Chief of this island for the time being is therefore authorized in his discretion to sanction a deviation from these rules and regulations occasionally, either when they interfere with the duties required of the special justices of the peace under the Abolition Act, or in all cases of emergency or otherwise, when indispensably requisite for the good of the service. Foregoing rules how to be considered.

Instructions for the Inspector of Police.

1. The inspector of rural police will be under the immediate command of the Governor or Commander-in-Chief for the time being; he will have the general care and superintendence of the discipline and efficiency of the whole corps, for which he will be answerable to the Governor or Commander-in-Chief for the time being. Inspectors of police, instructions for.

2. He is to take his directions for the general routine of duty from the Governor or Commander-in-Chief, and as he will be held generally responsible for the performance of the duties of the police, he must give clear and precise orders and instructions to the serjeants and officers under his command, and report instances of neglect or disobedience, when necessary, to the Governor or Commander-in-Chief for the time being.

3. He will visit the police stations in each district at least once in every fortnight, to hear complaints, inspect the establishment, and look over the journals and reports; he will also

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also make uncertain visits to each station, to see how the duty and discipline of the police are carried on.

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4. He will carefully inspect all charges and expenditure of the police, with a view to their reduction.

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5. He will hear and decide on all complaints against police officers for neglect or insufficiency of any sort; he shall have power to inflict small penalties on the police officers, not exceeding two dollars, and, if not paid, to stop the same out of pay due to them, or to restrict them from leave of absence, or order additional duty or drill, as to him shall seem best, his decision being, in all cases in which punishment is imposed, subject to the approval or disallowance by the Governor or Commander-in-Chief for the time being, where the officer wishes to obtain such opinion of the executive. He alone shall grant leave of absence to the serjeants and privates in all cases.

6. He shall recommend police officers for appointment to the Governor or Commander-in-Chief for the time being, having previously inquired into their characters.

7. They shall have power to suspend all serjeants and police officers from duty, and to place them in arrest, and shall forthwith report such suspension or arrest to the Governor or Commander-in-Chief for the time being, with the cause thereof, for his decision of the case.

8. He shall make a weekly report to the Governor or Commander-in-Chief for the time being of the condition and efficiency of the whole police force, accompanying it with such remarks as he may deem of importance for promoting the good of the service.

*Instructions for the Serjeants.***Serjeants of police,
instructions for.**

The serjeants of rural police being placed in respectable situations, and accountable to the inspector of rural police for the proper performance of the duties of their districts, will set proper examples to their men of sobriety, activity, and diligence; they will enforce compliance with the standing rules and regulations of the service, and with any orders which may in future be issued, with firmness and temper, and without favour or partiality. On the proper and consistent performance of their duties, in fact, the whole discipline, usefulness, and complete efficiency of the police depends, and it is therefore hoped that no cause of complaint may arise on their parts; they will be required to pay strict attention to the following rules:

1. They will constantly reside at the district station, except when they are permitted by the inspector to be on leave of absence.

2. They will receive their orders from, and make their reports to, the inspector on all points connected with the duties of their districts.

3. They will strictly obey all lawful orders received from the inspector for the proper performance of their duties, as they will expect the same submission from the men placed under their command.

4. They will be answerable for the good order and regularity of the men at their respective stations, and for the cleanliness of their persons, arms, and appointments, and for this purpose they will have a minute weekly inspection of clothing, arms, and accoutrements, and report the result to the inspector, according to the form which will be supplied by him.

5. They will drill (as opportunity offers) the men of their respective districts, so that they may be acquainted with their facings and marchings, and with the manual, platoon, and sword exercises, conforming themselves to such directions as shall be given them for this purpose by the inspector.

6. They will make themselves acquainted, by personal intercourse, with the general character and habits of each police officer in their respective districts, and report to the inspector whatever they observe requiring notice.

7. If upon complaint made against a police officer, the serjeant should have reason to think his conduct blameable or deserving of punishment, he will so express himself in the report he makes of the circumstance to the inspector.

8. It is expected that the serjeants shall be able and ready to give instructions to their men in all points relating to duty.

9. They will keep a journal of duties, and enter each man's name against the patrol on which he is ordered, and they will deliver weekly to the inspector a written report, filled up in a form to be furnished them, which will contain all the occurrences of the week. They will strictly adhere to all such forms as the inspector shall from time to time furnish for his information and guidance.

10. In the event of any riot or disturbance taking place, they will, if possible, send information to the special justice, so that he may repair to the spot; and they will also report the circumstance as early as possible afterwards to the inspector, and note the same in the journal.

11. They

11. They will take charge of any property taken from any prisoners until the decision of the magistrate is known, disposing of it in conformity with the decision of the magistrate.

12. They will on no account allow drinking in the station-house beyond what is absolutely necessary for the refreshment of the men; and in case of intoxication or insubordination on the part of any police officer, they are authorized to put him under arrest until the circumstances can be reported by the inspector.

13. They will occasionally patrol the roads of their respective districts during the day and night, to see that their patrols are alert on duty; and during such necessary absence they will appoint some officer, in whom they can place confidence, to take charge of and command the station and force.

14. In case any police officer is suspended, the serjeant will take from him all clothing and appointments he may have received, and see they are in good repair, deducting any deficiency from the amount of pay due to such person.

15. They shall, when called upon by the special justices to assist in quelling any riot, or in the performance of any duty pointed out by the Abolition Act, mention its precise nature in their journal, stating the number of men employed, and how long it interfered with the regular routine of duties.

16. They will co-operate with the keepers of the houses of correction, at their respective stations, for the safe custody of the prisoners confined therein, and for the preservation of good order and regularity amongst them.

17. They will on all occasions, when specially required, be ready to aid and assist in carrying the Abolition Act into effect, and shall note in their journals and weekly reports such special call for the above purpose.

Instructions to the Privates.

Every police officer in the force may hope to rise by activity, intelligence, and good conduct, to the superior station; he must recommend himself to notice by a diligent and faithful discharge of his duties, and strict obedience to the commands of his superiors, recollecting that he who has been accustomed to submit to discipline will be considered best qualified to command.

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Privates, instructions for.

1. He will reside at the station-house of his district, and devote his whole time to the police service, except on those days on which he has leisure from duty, employing himself diligently in the duties of his office.

2. He will appear neat and clean in his person, and correctly dressed in the established uniform; his demeanour must be respectful to his serjeant, and all those placed in authority over him.

3. He must be prepared at all times for any duty which may be required of him, and readily and punctually obey the orders and instructions of the serjeant of his district; if they appear to him unlawful or improper, he may complain to the inspector, who will pay due attention to him; and if dissatisfied with his decision, he may complain, through the inspector, to the Governor or Commander-in-Chief for the time being, but any refusal to perform the commands of his serjeant will not be suffered.

4. He will be furnished with a staff, a sword or cutlass, a pair of pistols, a musket, bayonet, and cartridge-box, with a proper portion of ammunition; these will be numbered to correspond with the number of his uniform jacket, and he will be required to keep them clean and in good order; they will be lodged in the station, and the inspector will direct what portion of such arms and accoutrements shall be used on regular duty, as well as on all extraordinary occasions.

5. He shall not be allowed to take his arms or appointments, or any of them, from the station without orders, nor to cut, mark, or alter any of them, nor to lend them to any other police officer without the permission of the inspector.

6. He shall keep his horse at the station to which he belongs, and he shall not be allowed, without leave of the inspector, to use it for any other than police purposes.

7. He is not, on any account whatever, to enter any house when on patrolling, or on any other duty not requiring such entry.

8. If during his patrol he observes anything likely to endanger the peace of the district, or cause any public inconvenience, he must instantly report the circumstance to his serjeant.

9. He will be civil and attentive to all persons; firm, yet temperate, in the discharge of his duty on all occasions; and when called into active service, he will be bold and decisive.

10. Every police officer, having by law conferred on him all the powers and protection of a constable, ought therefore to make himself acquainted with the duties and powers of a constable; thus, while it will enable him to act with greater safety to himself, it will at the same time inspire him with greater confidence and firmness in the discharge of his duties.

11. In taking persons into custody, he will bear in mind that the laws will not sanction him in doing more than is necessary for the safe custody of his prisoner; any instance of unnecessary

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Copy of rules and
instructions to be
kept at every sta-
tion.

Courts martial, ser-
jeants and privates
of police may be
tried by, for
offences herein
mentioned.

Inspector, police-
officers, and keepers
of houses of cor-
rection, exempt from militia duty, &c.

How long to be in
force.

unnecessary violence or abuse of the powers or weapons placed in his hands will be severely punished.

12. He will continually bear in mind that there is no qualification so necessary for a peace officer as perfect command of temper; he must therefore never suffer himself to be ruffled in the slightest degree by any language or threats used towards him, but perform his duties in a quiet determined manner; by this means he will gain for the police universal respect, and he may be assured of the fullest support and protection on all occasions.

13. For extraordinary exertions in the performance of his duties, the police officer may rest assured that the inspector will recommend him to the Governor, and that his conduct will not be overlooked when opportunities offer to reward him.

14. He will be particularly careful to abstain from the use of intoxicating liquors, as they will completely incapacitate him for the proper discharge of his duties; and any instance of drunkenness on duty will be severely punished, if not visited by his immediate dismissal.

VII. And be it further enacted, that a copy of the foregoing rules and instructions shall be kept constantly placed in some conspicuous part of every police-station, for the guidance of the police officers, by the respective serjeants of the districts.

VIII. And be it further enacted, that every serjeant and private of police who shall begin, raise, abet, countenance, or excite mutiny, or cause or join in any sedition or disturbance in the company to which he belongs, or in any party, post, detachment or guard, on any pretence whatever, or who, being present at any mutiny or sedition, shall not use his utmost endeavours to suppress the same, or who, on coming to the knowledge of any mutiny, rebellion, or insurrection, shall not without delay give information thereof to the special justice of the peace of his district, or who shall strike the special justice of the peace of his district, the inspector of rural police, or other superior officer under whom he may be placed, or offer to draw or lift up any weapon, or offer any violence against him, or shall challenge or send, or cause to be sent, or shall carry a challenge to, or insult, abuse, or affront him, or shall disobey any lawful command of his superior officer, or shall refuse or neglect to perform such duty as shall be legally required of him, or who shall, without leave of his commanding officer, leave or quit his company, or any party, detachment, or guard thereof, or shall advise or persuade any other serjeant thereof, or private of police, to quit his company, or any party, detachment, or guard thereof, without leave of his commanding officer, or whatsoever serjeant or private of police who shall be acting as a sentinel shall be found asleep on his post, or shall leave it before he shall be legally relieved, or whatsoever serjeant or private of police shall make known the watchword to any person who is not entitled to receive it, or who shall give a parole or watchword different from what he received, or shall otherwise misbehave himself, every such serjeant or private of police so offending shall be liable to be tried by a court-martial, and may be placed under arrest by the special justice of the district, the inspector, or other superior officer under whose order or command he may then be, until he shall have been tried by such court-martial; and being convicted of any or either of the said offences by such court-martial, shall suffer such fine and imprisonment, or either, as such court-martial shall inflict or award, such fine not to exceed 100 *l.* current money of this island, and such imprisonment not to exceed 12 months, such fine to be levied and raised, as in the case of servants' wages, by execution to be issued under the hand and seal of the Governor or Commander-in-Chief of this island for the time being, and paid into the public treasury of this island; and if such punishment shall be imprisonment by warrant under the hand and seal of the Governor or Commander-in-Chief of this island for the time being, directed to the keeper of the common gaol of this island, and which keeper is hereby authorized, required, and empowered to detain and keep in prison the person so convicted for the time for which he shall be by such court-martial ordered to be imprisoned; and the Governor or Commander-in-Chief of this island for the time being may from time to time grant a commission under his hand and seal for holding a court-martial in this island to any colonel or other field officer of the militia of the district to which the offender belongs, authorizing and empowering him to convene a court-martial for the trial of any of the aforesaid offences, to meet at any time not less than seven days after notice thereof, which court-martial shall be composed of any number not less than five of the commissioned officers of the militia of the said district, and shall regulate its proceedings according to the several provisions specified in an Act of this island, intituled, "An Act for the better ordering of the Militia of this Island."

IX. And be it further enacted, that the inspector, serjeants of police, police officers, and keepers of the houses of correction, shall be and they are hereby declared to be exempt from the performance of militia duty, serving on juries, and as freeholders on appraisements.

X. And be it further enacted, that this Act shall continue in force until the 1st day of August 1840.

Read three times, and passed the General Assembly, *nemine contradicente*, the 15th day of November 1836.

(signed) *John Mayers*, Clerk of the General Assembly.

Read three times, and passed the Council unanimously this 22d day of November 1836.

(signed) *Sam. Husbands*, Acting Clerk of the Council.

I assent, 23d November 1836.

(signed) *E. J. Murray MacGregor*, Governor.

Appendix, No. 198.

Enclosure in Sir *E. J. MacGregor's* Despatch, 8th February 1837.—No. 627.

AN ACT to Assess the Proprietors of Apprenticed Labourers towards the Repair of the Public Roads.—Passed 25 January 1837.

WHEREAS during the existence of slavery the owners of slaves were assessed towards the repair of the public roads in the proportion of two labourers for every five slaves, and as it is deemed expedient that the proprietors of apprenticed labourers should contribute in the like proportion; Be it enacted, by his Excellency Sir Evan John Murray MacGregor, baronet, K. C. B., &c. &c. Governor-general and Commander-in-Chief of this island, Chancellor, Ordinary, and Vice-Admiral of the same, the Honourable the Members of his Majesty's Council, and the General Assembly of this island, and by the authority of the same, that from and after the passing of this Act, all and every the proprietors of apprenticed labourers within this island shall be, and they are hereby charged and assessed for the repair of the public roads in the proportion of two labourers for every five apprenticed labourers which they may possess, such labourers to be sent to work on the public roads at such days and times, and in the like manner as labourers are according to law furnished by the owners of land; and if any proprietor of apprenticed labourers shall make default in sending such labourers as he may be chargeable with under this Act, he or she shall for each and every such labourer which he or she may make default in sending, forfeit and pay the like sum as is made payable for labourers assessed on the owners of land, the same to be recovered, levied, and raised in the like manner as in the case of owners of land: provided always, that if any proprietor of apprenticed labourers chargeable under this Act towards the repair of the public roads shall also be chargeable as the owner of land, he or she shall not be liable to furnish and send labourers both for land and apprenticed labourers, but he or she shall send labourers for that which will give the greatest return of labour, whether of land or apprenticed labourers; provided also, that the proprietors of apprenticed labourers may make satisfaction for the number of days' labour which he, she or they shall be required to furnish by a money payment, at and after the rate of 2s. 6d. per day for each and every day for which he, she or they shall be so assessed, to be paid at the time of his or her being summoned, or to one or other of the Commissioners some day previous to the day fixed for the working of such labour.

the greatest return. Proviso, proprietors may in lieu of labour pay 2s. 6d. per day to one of the commissioners, either at the time of being summoned, or any day previous to the day fixed for working the labourer.

2. And to the intent that the Commissioners may the better know how to assess the proprietors of apprenticed labourers; Be it further enacted, that every proprietor of apprenticed labourers of the number of five or more shall give in annually, in the month of May in each year, to the churchwarden of the parish in which the apprenticed labourers are domiciled, the number of his or her apprenticed labourers on oath, such oath to be administered by the said churchwarden, and every person making default herein shall forfeit the sum of 5s. currency for each apprenticed labourer so neglected to be given in, to be recovered in a summary manner before a justice of the peace, as in the case of servants' wages, and paid over to the said Commissioners, to be applied to the repair of the roads of the said parish.

default, to forfeit 5s. for each apprenticed labourer neglected to be given in, recoverable as servants' wages, and paid to the commissioners for the repair of the roads.

Read three times, and passed the General Assembly, *nemine contradicente*, this 29th day of November 1836.

(signed) *John Mayers*, Clerk of the General Assembly.

Read three times, and passed the Council unanimously, this 24th day of January 1837.

(signed) *Samuel Husbands*, Acting Clerk of the Council.

I assent, 25th January 1837.

(signed) *E. J. Murray MacGregor*, Governor.

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Enclosure in Sir *J. C. Smyth's* Despatch, 27th June 1836.—No. 634.

AN ORDINANCE for the better Regulation and Enforcement of the Relative Duties of Masters and Employers, and Articled Servants, Tradesmen, and Labourers, in British Guiana.—Passed 22d June 1836.

By his Excellency Major-general Sir *James Carmichael Smyth*, Bart, &c. &c. &c. by and with the advice and consent of the Honourable Court of Policy of British Guiana.

To all to whom these presents do, may, or shall come, greeting, be it known:

WHEREAS it is expedient that provision should be made for the more speedy and effectual administration of justice in all cases of contracts made for the performance of agricultural, manufacturing,

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Preamble.

Clause 1. Proprietors of apprenticed labourers assessed for the repairs of the public roads in the proportion of two for every five to be worked thereon. Proprietors making default, to forfeit for each labourer assessed the like sum as is made payable for labourers assessed on the owners of land. Proviso, the proprietors of apprenticed labourers and land to send for that which will give

All proprietors, having five or more apprenticed labourers, to make an annual return thereof, on oath, to the churchwarden of the parish in the month of May in every year; and in

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All persons bound to others, for performance of agriculture or other labour, by indenture or other written instrument, considered articed servants; persons to whom such servants bound considered masters or employers.

Any sheriff or justice of the peace to take cognizance of any complaint of articed servant against master or employer, or against his agent, manager, or overseer.

Any sheriff or justice of the peace to take cognizance of any complaint of master or employer, his agent, manager, or overseer, against articed servants.

manufacturing, or any other description of labour or service, handicraft or otherwise, and for enforcing the performance of the respective duties of persons standing to each other in the relation of masters or employers, and articed servants, tradesmen, or labourers, when such relation has been created by the voluntary act of such parties, or by the act of the parents or legal guardians, or other competent authority, in respect of infants under the age of 15 years.

1. Be it therefore, and it is hereby enacted, by his Excellency the Lieutenant-governor, by and with the advice of the Honourable the Court of Policy, that all persons who have been or shall be bound to other persons, for the performance in this colony, of any agricultural, manufacturing, handicraft, or other description of labour or service whatsoever, by any indenture of apprenticeship, bond of service, agreement, or other instrument, of any kind in writing, whether the same be made or entered into in this colony or elsewhere, whether in or out of his Majesty's dominions, with or without stamp, shall be, and be considered as articed servants, tradesmen, or labourers, within the meaning and for the purposes of this Ordinance; and the person or persons to whom such articed servants, tradesmen, or labourers, shall be so bound, shall be, and be considered as, the masters or employers of such articed servants, tradesmen, or labourers, for all the purposes of this Ordinance.

2. Be it further enacted, that it shall and may be lawful for any sheriff or justice of the peace within this colony, and they are hereby required to take cognizance of any complaint of any articed servant, tradesman, or labourer, against his or her master or employer, or the agent, manager, or overseer of such master or employer, for ill-usage or ill-treatment of any such complainant by such master or employer, agent, manager, or overseer, or for the non-performance by such master or employer, agent, manager, or overseer, of any stipulation or covenant, for the benefit of such complainant, contained in any articles of agreement, indenture, bond of service, or other written instrument, entered into by or on behalf of such master or employer; and if it shall be made to appear to such sheriff or justice, on his own view, or on confession of the party accused, or by satisfactory evidence on oath, that any such master or employer, agent, manager, overseer, or any person, by the authority of any of them, has ill-used or maltreated such complainant, or that such complainant has been unlawfully deprived, by any such master or employer, or his or her agent, manager, or overseer, of any benefit, privilege, or advantage, to which such complainant is or may be entitled, or that such master or employer, or his or her agent, has unlawfully withheld any wages due to such complainant, or has failed to perform or fulfil any covenant, matter or thing whatsoever, for the benefit or advantage of such articed servant, tradesman, or labourer, contained in any agreement, indenture, or bond of service, or other written instrument, entered into by or on behalf of such master or employer, it shall and may be lawful for such sheriff or justice of the peace to hear and determine such complaint in a summary manner, and to adjudge such master or employer, agent, manager, or overseer, to pay to such complainant the wages that may appear to be due, or to adjudge such master or employer, agent, manager, or overseer, to pay a fine of such sum, and in case of non-payment, to imprisonment, solitary or otherwise, with or without hard labour, for such period as may appear to such court, sheriff, or justice, to meet the justice of the case; such award of wages, fine, and imprisonment, not to exceed the amount and extent of the several jurisdictions hereinafter granted to such sheriff or justice respectively for the purposes of this Ordinance.

3. Be it further enacted, and it shall and may be lawful for any sheriff or justice of the peace in this colony, and they are hereby required to take cognizance of any complaint of a master or employer, or the agent, manager, or overseer of such master or employer, against any articed servant, tradesman, or labourer, for unlawful absence from the service of such master or employer, or for the neglect, non-performance, or improper or insufficient performance of the duties or services which such articed servant, tradesman, or labourer is or may be bound to perform and fulfil to such master or employer; and if it shall be made to appear, to the satisfaction of such sheriff or justice, on his own view, or on confession of the party accused, or by satisfactory evidence on oath, that any such articed servant, tradesman, or labourer, has wilfully neglected, or has improperly or insufficiently performed any such duty or service as aforesaid, or that he or she has unlawfully absented himself or herself from the duty or service of such master or employer, or that he or she has contumaciously disobeyed any lawful command of such master or employer, agent, manager, or overseer, or that he or she has made use of any insulting or threatening language to such master or employer, or the agent or manager of such master or employer, or that he or she has entered into any combination with any other person or persons whomsoever, or instigated or induced any other articed servant, tradesman, or labourer, or other persons, to disobey any lawful commands of any such master, employer, agent, manager, or overseer, or that he or she hath wilfully spoiled or destroyed any property, tools, or other articles entrusted to his or her care, or has by wilful neglect or carelessness caused the loss or injury of any property entrusted to his or her charge, or has endangered any property by the careless use of fire, or has rendered himself or herself incapable by intoxication, or other improper means, of performing his or her work or duty, to his or her master or employer, or has in any other respect been guilty of any breach of the duty which he or she owes to such master or employer, then and in every such case it shall and may be lawful for such sheriff or justice to hear and determine such complaint in a summary manner, and to adjudge such articed servant, tradesman, or labourer, for every day that he or she shall have been unlawfully absent from, or neglected to perform, the work or service due to his or her master or employer, to forfeit
and

and pay for the use and benefit of such master or employer two days' wages; and for any other offence hereinbefore enumerated, to adjudge such articted servant, tradesman, or labourer to pay such fine, and in case of non-payment to suffer such imprisonment, solitary or otherwise, with or without hard labour, for such period as such justice or sheriff are hereinafter declared to have power respectively to award or adjudge.

4. Be it further enacted, that if any such justice shall find the demand of wages, or forfeiture of wages, or damages, claimed by any party complaining as aforesaid, to exceed the sum which such justice is by this Ordinance authorized to award, or shall deem the party accused to be deserving of a more severe or heavier penalty than he is by this Ordinance authorized to adjudge, such justice shall, instead of determining the case, refer the same to the sheriff of his district, and shall cause the complainant and defendant to appear before such sheriff; and it shall be lawful for any such sheriff, if he see fit, to hear and determine the case in a summary manner, or if he deems such complaint, or any other such complaint that may have originated before him, to call for the award of a larger sum of money, or the infliction of a heavier penalty than he is under this Ordinance authorized to adjudge, he shall in every such case refer such complaint to any inferior court of criminal justice of the district or to the supreme court of criminal justice, as the case may require, and may commit the accused for trial before such court, or take bail for his or her appearance thereat to answer the complaint; and it shall be lawful for any inferior court to hear and adjudge all such cases as shall be brought before it, whether for the payment or forfeiture of wages, recovery of damages, or other penalty, to the extent of the jurisdiction hereinafter assigned to such court for the purposes of this Ordinance, and otherwise to proceed, according to the Ordinance (No. 41) for the establishment of and manner of proceeding to be observed by inferior courts of criminal justice within this colony.

5. Be it further enacted, that, for the purposes of this Ordinance, the jurisdiction and authority of a justice of the peace shall extend and be confined and limited to awarding the payment or forfeiture of a sum not exceeding 2 *l.* sterling or 28 guilders, or to imprisonment, with or without hard labour or solitary confinement, for a period not exceeding three days; and that the jurisdiction and authority of a sheriff shall extend and be confined and limited to awarding the payment or forfeiture of 4 *l.* sterling or 56 guilders, or to imprisonment as aforesaid for a period not exceeding six days; and that the jurisdiction and authority of an inferior court of criminal justice shall extend and be confined and limited to the sum of 20 *l.* sterling or 280 guilders, and to imprisonment as aforesaid for any period not exceeding one calendar month: provided always, that if it shall be made to appear to the satisfaction of any such inferior court of criminal justice that any master or employer, or other person, with the authority, knowledge, or connivance of such master or employer, has been guilty of any gross ill-usage of any articted servant, tradesman, or labourer, bound to such master or employer, or of continued and wilful neglect of the terms of the indenture or agreement entered into between any such master or employer and his or her articted servant, labourer, or tradesman, it shall and may be lawful for such inferior court of criminal justice to cancel the indenture of apprenticeship, bond of service, or other written agreement entered into between any such articted servant, tradesman, or labourer, and his or her master or employer; and thereupon such indenture, bond of service, or other written agreement, shall be, and the same is hereby declared to be, cancelled and made void to all intents and purposes.

6. Be it further enacted, that whenever any such articted servant, tradesman, or labourer shall, by sentence of any court of justice of this colony, be adjudged to imprisonment for any offence by him or her committed, by means whereof the master or employer of such articted servant, tradesman, or labourer may have been deprived of his or her services during the term of such imprisonment, and in all cases where any such articted servant, tradesman, or labourer shall have been convicted before any such court of unlawfully absenting himself or herself from the services of such master or employer, such articted servant, tradesman, or labourer shall be bound to serve his master or employer for as long a time after the period when the term of service would have been otherwise determined as such master or employer has been deprived of, by reason of such imprisonment or such unlawful absence from his or her master's service; and in all such cases the indenture of apprenticeship, bond of service, or other written instrument of such articted servant, tradesman, or labourer to his or her master or employer, shall be continued, and shall be taken to be, and be continued in full force, until the expiration of the further period for which such articted servant, tradesman, or labourer is bound to serve as aforesaid.

7. Be it further enacted, that it shall and may be lawful to and for any minor above the age of 15 years, notwithstanding his or her minority, to enter into, and make and execute any indenture of apprenticeship, bond of service, or other instrument in writing, for the performance of any agricultural, manufacturing, or other labour or service of whatsoever description, whether handicraft or otherwise; and such indenture, bond, or written instrument, or other contract, whether stamped or not, shall be, and be taken to be as good, valid, and effectual to all intents and purposes, as if the party so making the same were of the full age of majority.

8. Be it further enacted, that it shall and may be lawful to and for the parent, or in default of any such parent, for the guardian or next of kin of any person under the age of 15 years, and of the full age of nine years, or for the boards of church and poor's fund of the district of Demerary and Essequebo, and of the district of Berbice respectively, in all cases in which

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Justice, con Jering
the demand or forfei-
ture of wages, or
damages claimed
to exceed the sum
he is authorized to
award, to refer the
case to sheriff of his
district.
Sheriff to hear and
determine case in a
summary manner,
or to refer the same
to inferior or Su-
preme Court of Cri-
minal Justice.

Jurisdiction of jus-
tice of the peace,
sheriff, and inferior
court of criminal
justice defined.

On proof of gross
ill-usage of any
articted servant, or
wilful and conti-
nued neglect of
terms of agreement,
inferior court may
cancel indentures.

Articted servant
adjudged to impri-
sonment for any
offence, bound to
make good to em-
ployer any time
lost to employer by
such imprisonment.

Indentures conti-
nued in force till
expiration of the
farther period for
which articted scr-
vants may be so bound to serve.

Any minor above
the age of 15, may,
notwithstanding
minority, execute
indentures of ap-
prenticeship.

Parents and guar-
dians, and the board
of church and
poors' fund, may

execute indentures for any person under 15 years of age, and of the full age of 9.

Presence, consent, and approbation of a justice of the peace required to the agreement, except in the case of father or surviving parent.

Indentures may be assigned, with permission and approbation of any sheriff of the colony, and not otherwise.

Indentures, or written agreement for service, not to continue in force beyond 7 years.

Persons enticing or harbouring apprentices, liable to penalty.

No articulated servant to quit the colony without passport from Lieutenant-governor.

Persons removing, or assisting to remove, articulated servants from colony, liable to penalty.

such minor has become chargeable on the funds of such board, to enter into, make, and execute, for or on behalf, and in the name of such minor, any such indenture of apprenticeship, bond of service, or other written instrument of agreement, for the performance of any agricultural, manufacturing, or other labour or service, whether handicraft or otherwise, which shall be binding on the minor, for and on behalf of whom the same is so made and executed, notwithstanding his or her minority, and be as good, valid, and effectual, to all intents and purposes, as if such minor had made or executed the same, being of the full age of majority: provided always, that in case any indenture, bond, or other written instrument of agreement or contract, shall be so made and entered into in this colony, for and in respect of any such person under the age of 15 years as aforesaid, by any other person than the father or surviving parent of such minor, the same shall be made and entered into and executed with the consent, approbation, and in the presence of a justice of the peace of this colony, whose duty it shall be to examine the parties, and ascertain, as far as he is able, that it will be advantageous to the party in whose name such indenture of apprenticeship, bond of service, or other written instrument of agreement or contract is to be made, that the same should be entered into and executed in his or her behalf, and such justice shall affix his signature thereto, in token of his consent and approbation thereof; and also provided always, that no such indenture, bond, or other written instrument as aforesaid, so to be made and entered into on behalf of any person under the age of 15 years, shall be valid and effectual, unless the same contains such covenants, stipulations, and agreements, on the part and behalf of the party to whom such minor is so engaged or bound, as are contained in the form of indenture of apprenticeship set forth in the Schedule hereunto annexed, marked A.

9. Be it further enacted, that it shall and may be lawful for any person, to whom any other person shall be bound or engaged by any such indenture of apprenticeship, bond of service, or other written instrument, for the purpose of any agricultural, manufacturing, or other labour or service of any description, with the consent of such articulated servant, tradesman, or labourer, and the permission and approbation of any sheriff of the colony, and not otherwise, to assign or make over to any other person or persons whomsoever, such indenture of apprenticeship, bond of service, or other written instrument as aforesaid; and the consent of such articulated servant, and the approbation of such sheriff, shall be recorded thereon in presence of such sheriff, and his signature attached thereto; and thereupon the articulated servant, tradesman, or labourer, or person so bound and engaged, shall become and be considered to be the articulated servant, tradesman, or labourer of the person to whom or in whose favour such assignment is made, in the same manner as if he or she had been originally bound or engaged to such person: provided always, that in case the articulated servant, tradesman, or labourer shall have been bound for the purpose of learning any trade or business, he or she shall be assigned over to some other master or employer of the same trade, or capable of instructing him or her in the same business.

10. Be it enacted, that no indenture of apprenticeship, bond of service, or other written instrument, by which any person shall be bound for the performance of any agricultural, manufacturing, or other labour or service in the said colony, shall be and continue in force for any period of time exceeding seven years from the commencement thereof: provided always, that the term of any such indenture of apprenticeship, bond of service, or other written instrument, may be continued beyond the said term of seven years from the commencement thereof, for the causes and in the manner provided in the sixth clause of this Ordinance, and not otherwise.

11. Be it further enacted, that any person who shall harbour, conceal, or employ, or who shall knowingly and wilfully entice away, or solicit, or endeavour to persuade any articulated servant, tradesman, or labourer, or other person bound to any other persons by any indenture of apprenticeship, bond of service, or other instrument in writing, for the performance of any work or service whatsoever, to quit or remain absent from the employment or service of the person or persons to whom he or she may be so bound or engaged, shall for every such offence forfeit and pay a fine not exceeding 20 *l.* sterling or 280 guilders, and shall, over and above such penalty, be bound to pay to the master or employer, or other person or persons to whom such articulated servant, tradesman, or labourer, or other person, is bound or engaged, damages at the rate of 10 *s.* sterling, or 7 guilders, for every day that such articulated servant, tradesman, or labourer shall have been so harboured, concealed, or employed; or in default of payment of such penalty and damages, and of such costs as may have been incurred in consequence thereof, shall be imprisoned for any time not exceeding the limitation of the jurisdiction of the court before which the case has been tried and adjudged.

12. Be it further enacted, that no such articulated servant, tradesman, labourer, or other person as hereinbefore mentioned, shall quit the colony, except he shall be furnished with a passport from the Lieutenant-governor, obtained in the usual manner; and that every such articulated servant, tradesman, or labourer, quitting or attempting to quit the colony without such passport, shall, on conviction before any competent court as aforesaid, be liable to imprisonment, with or without hard labour or solitary confinement, for any time not exceeding three calendar months.

13. Be it further enacted, that all persons knowingly removing or assisting to remove any such articulated servant, tradesman, or labourer, from the colony, without a passport from the Lieutenant-governor, shall, upon summary conviction before any such competent court as aforesaid, be liable to and adjudged to pay a penalty not exceeding 20 *l.* sterling, or 280 guilders; and it shall be lawful for such court to adjudge such person to be imprisoned until such

such penalty is paid, such imprisonment not to exceed three calendar months: provided nevertheless, that nothing herein contained shall be held or construed to deprive the party or parties, or employer or employers, of any remedy he, she, or they may have, by action or suit at law, for the loss he, she, or they may have sustained, against the person removing or assisting in the removal of any articed servant, tradesman, or labourer as aforesaid.

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14. Be it further enacted, that any person knowingly removing or assisting to remove any such articed servant, tradesman, or labourer as aforesaid, from the district in which he or she is under engagement to render his or her services to any other part of the colony, without the permission, in writing, of the master or employer of such articed servants, tradesmen, or labourers, or the manager or overseer of the estate or plantation on which such articed servant, tradesman, or labourer is employed, or of some justice of the peace in the district from which such articed servant, tradesman, or labourer is removed, shall, upon conviction before any such competent court as aforesaid, be liable to and incur a penalty not exceeding 5*l.* sterling, or 70 guilders; or, in default of payment thereof, such offenders shall be liable to imprisonment, with or without hard labour, for any period not exceeding one calendar month.

Any person removing, or assisting to remove, articed servants from the district where employed to any other part of colony, without consent of employer, liable to penalty.

15. Be it further enacted, that every importer of articed servants, tradesmen, or labourers, at the time of such importation, and before such articed servant, tradesman, or labourer shall be permitted to land, shall be bound, under a penalty of 5*l.* sterling, or 70 guilders, for every person so imported, in respect of whom the regulations herein contained shall not be observed, to lodge with the high sheriff in Demerara, or with the sheriff in Berbice, as the case may be, the indenture of apprenticeship, bond of service, or other written instrument, under which such articed servant, tradesman, or labourer, have engaged themselves to serve; and the sheriff shall thereupon grant a permission, in writing, for the landing of such articed servants, tradesmen, or labourers, and shall, if he shall see fit, require such importer to produce such articed servants, tradesmen, or labourers at his office, immediately on their being landed; and such indenture, bond of service, or written instrument as aforesaid, shall, moreover, be exhibited by such importer to the registrar of the district in which such importer or employer shall reside, together with a copy thereof, which copy shall, by the said registrar or sworn clerk, be certified to be a true copy of the original indenture, bond of service, or other written instrument, to be exhibited as aforesaid; and such copy, duly authenticated by the said registrar or sworn clerk, shall remain deposited in the office of the said registrar, and shall, for the purposes of this Act, be equally admissible in evidence, in any court in this colony, as the original instrument; and for the performance of such duty the registrars of the respective districts shall be entitled to charge, for each such articed servant, tradesman, or labourer, one guilder and no more.

Importer of articed servants, before landing articed servants, bound to lodge with sheriff in Demerara or Berbice indenture of apprenticeship under which articed servants are engaged; penalty 5*l.* for omission for every person imported.

Importer to exhibit indenture, or other written agreement, to registrar of district in which importer may reside, and deposit copy.

16. Be it further enacted, that whenever any articed servant shall be desirous of quitting the colony, and shall be able to adduce sufficient reasons to satisfy the sheriff of the district in which such articed servant may reside, that it is reasonable that liberty should be given to such articed servant to quit the colony, it shall be lawful for the sheriff, after hearing the parties, to cancel the indentures or other written agreement existing between such articed servant and his or her master or employer, on payment, by such articed servant, to the master or employer, of such sum of money as such sheriff of the district may deem just and reasonable; and it shall not be lawful for the master or employer of any articed servant, labourer, or tradesman, who may have been brought or imported into this colony under articles of agreement, to cancel the indenture, bond of service, or other written instrument of agreement existing between any such master or employer and such articed servant, labourer or tradesman, until such master or employer has executed, in favour of the Board of Poor's Fund of the district in which such master or employer may reside, a good and sufficient bond, under a penalty of 20*l.* sterling, or 280 guilders, that such articed servant, tradesman, or labourer shall not become chargeable for his or her maintenance on the Poor's Fund.

Articed servant, wishing to quit the colony previously to expiration of time for which he is bound to serve, at liberty to do so, on payment to employer of such sum as sheriff of district may deem just.

Master or employer of articed servant not at liberty to cancel indenture without security to board of poor's

fund of his district that articed servant shall not become chargeable on funds of board.

17. Be it further enacted, that during the period such articed servants, tradesmen, or labourers continue under the control of the person or persons who, by virtue of their agreement, may be entitled to their services, they shall not be required to take out any ticket of residence, nor to serve in the militia: provided nevertheless, that at the expiration of the term of service for which they may have been respectively bound, they shall, on a certificate of the sheriff of the district in which they respectively reside, that they have faithfully fulfilled their term of service, be entitled to receive tickets of residence gratis, by the possession of which they are placed on a footing with all other inhabitants of the colony.

Articed servants, while under control of persons entitled to services, not required to take out ticket of residence, nor to serve in militia.

To have tickets of good conduct.

18. Be it further enacted, that in taking cognizance of and for the hearing and determining any complaints or cases, under the provisions of this Ordinance, all courts, sheriffs, and justices of the peace as aforesaid, shall have authority to make and issue all such summonses, warrants, arrests, commitments of parties and witnesses, and to take all such bails, bonds, and recognizances, and, as nearly as may be, in the same manner and form as in cases wherein any such court, sheriff, or justice might take cognizance or have jurisdiction by the laws in force in this colony.

Sheriffs and justices of peace authorized to make and issue summonses, warrants, arrests, and commitments of parties and witnesses.

19. Be it further enacted, that no summons, warrant, order, conviction, execution, or other proceedings under this Ordinance, shall be set aside or annulled for want of form, and that

No summons, warrant, order, conviction, execution,

or other proceeding annulled for want of form.

No person deemed a trespasser by reason of any irregularity in carrying into execution any sentence, conviction, or other proceeding.

Party aggrieved by irregularity may bring action for special damage. No plaintiff to recover in such action, if tender of sufficient amends made before action brought.

Magistrate, justice of the peace, constable, or police-officer, sued for anything done under this Ordinance, may plead general issue, and give special matter in evidence.

If judgment given against plaintiff, defendant shall recover double costs.

Action to be brought within six calendar months after cause of action accrued.

no person acting under the authority of any such warrant, order, conviction, or other proceeding, shall be deemed a wrong-doer or trespasser, by reason of any defect of form therein; nor shall any such person be deemed a trespasser or wrong-doer, by reason of any irregularity in the carrying into execution any sentence, conviction, levy, order for sale, or other proceedings under the authority of this Ordinance; but the person aggrieved by any such irregularity shall and may recover full satisfaction for any special damages, if any, which he or she may have thereby sustained by an action before any court of competent jurisdiction; but no plaintiff shall recover in any action for such irregularity, if tender of sufficient amends shall or may have been made by or on behalf of the defendant before such action brought.

20. Be it further enacted, that if any suit or action shall be prosecuted against any magistrate, justice of the peace, constable, or police officer, for anything done in pursuance of this Ordinance, such defendant may plead the general issue, and, under such plea, may give this Ordinance and the special matter in evidence at the hearing or trial thereof, and that the same was done by the authority of this Ordinance; and if a judgment should pass for the defendant, or plaintiff shall withdraw or otherwise discontinue such suit or action, or that the same be dismissed, or judgment shall be otherwise given against the plaintiff therein, the defendant shall recover double costs, and have the like remedy for the same that any defendant hath by law in other cases, unless the court should certify it necessary for the purposes of justice that such costs should not be allowed: provided nevertheless, that no action shall be brought or sustained against any magistrate, constable, or police officer, or other person or persons, for anything done in pursuance of this Act, unless such action be commenced within six calendar months next after the cause of action shall have accrued.

Informer deemed a competent witness, although entitled to proportion of penalties under this Ordinance.

21. Be it further enacted, that the informer, in any of the cases aforesaid, shall be, and shall be deemed and taken to be, a good and competent witness in law, notwithstanding he shall be entitled to a part of any of the penalties mentioned in this Ordinance.

All fines incurred and received under this Ordinance to be paid jointly to persons prosecuting for the same and board of church and poor's fund, in such proportions as court may award.

22. Be it further enacted, that all fines incurred and received under this Ordinance shall be awarded and paid to the joint use and benefit of the persons informing and prosecuting for the same, and of the respective Boards of Church and Poor's Fund of the district, as the case may be, in such proportions as the court of justice, before which the case has been tried, shall award and determine.

Nothing in this Ordinance contained to preclude any person from his remedy by civil action in any court of civil justice.

Ordinance not to

extend to persons described and classed as apprenticed labourers under 3 & 4 Will. 4, c. 73, nor to persons designated as liberated and indented Africans, under Ordinance No. 68, of this colony.

23. Be it further enacted, that nothing in this Ordinance contained shall be taken or construed to hinder or preclude any person from his or her remedy by civil action, before any court of civil justice of competent jurisdiction; provided also, that nothing in this Ordinance contained shall extend, or be construed to extend, to persons described and classed as apprenticed labourers, under the Act of the 3rd and 4th of William the Fourth, c. 73, or to the persons designated as liberated and indented Africans, under the Ordinance No. 68, for this colony.

And that no ignorance shall be pretended of this our Ordinance, these presents shall be printed and published in the customary manner.

Thus done and enacted at our Ordinary Adjourned Assembly, held at the Guiana Public Buildings, Georgetown, Demerara, this 22d day of June 1836, and published on the 25th following.

(signed) *J. Carmichael Smyth.*

By command of the Court,
(signed) *Charles Wilday, Acting Secretary.*

Schedule (A.)

British Guiana.

District

This Indenture, made the _____ day of _____ in the year of our Lord _____, between A. B., in the said district (the parent, guardian, or next of kin C. D., or between the president and members of the Board of Church and Poor's Fund of the district of Demerara and Essequibo, or of Berbice, as the case may be), for and on behalf of C. D., an infant, aged _____; the said A. B., acting herein with the authority, approbation, and consent of E. F., one of His Majesty's justices of the peace for the said district, of the one part, and G. H., the master or employer of the said C. D., of the other part. Whereas the said

G.H.

G. H. has, in the presence and with the authority, approbation, and consent of the said E. F., testified by his signature, hereto agreed with the said A. B. (the father, guardian, or next of kin C. D., or with the president or members of the Board of Church and Poor's Fund of the district of Demerara and Essequibo, or of Berbice, as the case may be), to take the said C. D. (the infant) as his apprentice, for the term of _____ years, to be taught or instructed, or employed, in the trade or business of _____, in consideration and subject to the terms and conditions hereinafter contained.

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Now, this Indenture witnesseth that, in pursuance of the said agreement, and in virtue of the Ordinance in this case made and provided, he, the said G. H. (the master or employer,) doth hereby, for himself, his heirs, executors, and administrators, covenant, promise, and agree to and with the said A. B. (the father, &c., as the case may be), in the manner following; that is to say, that he, the said G. H. (the master or 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 infant) 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 infant) with suitable and sufficient diet, clothing, lodging, and medical attendance; and shall and will also allow to the said C. D. (the infant) such reasonable time and opportunity for education and religious instruction as shall be appointed or assigned by a 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 G. H., the master or employer, he, the said A. B. (the father, &c.), with the authority, approbation, and consent of the said E. F. (the justice), hath placed and bound, and by these presents doth place and bind, the said C. D. (the infant) unto and with the said G. H., for the said term of _____ years, to be computed from the date of these presents, and doth hereby covenant, promise, and agree, that he, the said C. D., shall and will, during all and every part of the said term of _____ years, truly and faithfully serve the said G. H. in the said business or employment of _____, and diligently attend to and employ himself in the business and concerns thereof, according to the rules, regulations, or laws, now or hereafter to be in force in the colony, of and concerning apprentices.

In witness whereof, they, the said A. B. (the father, &c.), for and on behalf of the said C. D. (the infant), and the said G. H. (the master and employer), have hereunto set their hands and seals, the day and year first above written, before and in the presence of the said E. F. (the justice), and the said E. F., in testimony that the same has been made and entered into in his presence, and by and with his authority and approbation, hath also hereto set his hand and seal, the day and year first above written.

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Enclosure in Lord *Glenelg's* Despatch, 1 March 1837.—No. 637.

At the Court of St. James's, 1 March 1837. Present, the King's Most Excellent Majesty, in Council. Appendix, No. 200.

WHEREAS, on the 22d day of June 1836, a certain Ordinance was enacted by the Lieutenant-governor of British Guiana, by and with the advice of the Court of Policy of British Guiana, intituled "An Ordinance for the better regulation and enforcement of the relative duties of Masters and Employers, and Articled Servants, Tradesmen, and Labourers, in British Guiana," which Ordinance was in the following words, that is to say:

Whereas it is expedient that provision should be made for the more speedy and effectual administration of justice, in all cases of contracts made for the performance of agricultural, manufacturing, or any other description of labour or service, handicraft or otherwise, and for enforcing the performance of the respective duties of persons standing to each other in the relation of masters or employers, and articled servants, tradesmen, or labourers, when such relation has been created by the voluntary act of such parties, or by the act of the parents, or legal guardians, or other competent authority, in respect of infants under the age of 15 years:

1. Be it therefore, and it is hereby enacted, by his Excellency the Lieutenant-governor, by and with the advice of the Honourable the Court of Policy, that all persons who have been or shall be bound to other persons, for the performance in this colony of any agricultural, manufacturing, handicraft, or other description of labour or service whatsoever, by any indenture of apprenticeship, bond of service, agreement, or other instrument of any kind in writing, whether the same be made or entered into in this colony or elsewhere, whether in or out of His Majesty's dominions, with or without stamp, shall be and be considered as articled servants, tradesmen, or labourers, within the meaning and for the purposes of this Ordinance; and the person or persons to whom such articled servants, tradesmen, or labourers, shall be so bound, shall be and be considered as the masters or employers of such articled servants, tradesmen, or labourers, for all the purposes of this Ordinance.

2. Be it further enacted, that it shall and may be lawful for any sheriff or justice of the peace within this colony, and they are hereby required to take cognizance of any complaint of any articled servant, tradesman, or labourer, against his or her master or employer, or the

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agent, manager, or overseer of such master or employer, for ill-usage or ill-treatment of any such complainant by such master or employer, agent, manager, or overseer, or for the non-performance by such master or employer, agent, manager, or overseer, of any stipulation or covenant, for the benefit of such complainant, contained in any articles of agreement, indenture, bond of service, or other written instrument, entered into by or on behalf of such master or employer; and if it shall be made to appear to such sheriff or justice, on his own view, or on confession of the party accused, or by satisfactory evidence on oath, that any such master or employer, agent, manager, overseer, or any person, by the authority of any of them, has ill-used or maltreated such complainant, or that such complainant has been unlawfully deprived, by any such master or employer, or his or her agent, manager, or overseer, of any benefit, privilege or advantage, to which such complainant is or may be entitled, or that such master or employer, or his or her agent, has unlawfully withheld any wages due to such complainant, or has failed to perform or fulfil any covenant, matter, or thing whatsoever, for the benefit or advantage of such article servant, tradesman, or labourer, contained in any agreement, indenture, or bond of service, or other written instrument, entered into by or on behalf of such master or employer, it shall and may be lawful for such sheriff or justice of the peace to hear and determine such complaint in a summary manner, and to adjudge such master or employer, agent, manager, or overseer, to pay to such complainant the wages that may appear to be due, or to adjudge such master or employer, agent, manager, or overseer, to pay a fine of such sum, and in case of non-payment, to imprisonment, solitary or otherwise, with or without hard labour, for such period as may appear to such court, sheriff, or justice, to meet the justice of the case; such award of wages, fine, and imprisonment, not to exceed the amount and extent of the several jurisdictions hereinafter granted to such sheriff or justice respectively for the purposes of this Ordinance.

3. Be it further enacted, and it shall and may be lawful for any sheriff or justice of the peace in this colony, and they are hereby required to take cognizance of any complaint of a master or employer, or the agent, manager, or overseer of such master or employer, against any article servant, tradesman, or labourer, for unlawful absence from the service of such master or employer, or for the neglect, non-performance, or improper or insufficient performance of the duties or services which such article servant, tradesman, or labourer is or may be bound to perform and fulfil to such master or employer; and if it shall be made to appear to the satisfaction of such sheriff or justice, on his own view, or on confession of the party accused, or by satisfactory evidence on oath, that any such article servant, tradesman, or labourer, has wilfully neglected, or has improperly or insufficiently performed any such duty or service as aforesaid, or that he or she has unlawfully absented himself or herself from the duty or service of such master or employer, or that he or she has contumaciously disobeyed any lawful command of such master or employer, agent, manager, or overseer, or that he or she has made use of any insulting or threatening language to such master or employer, or the agent or manager of such master or employer, or that he or she has entered into any combination with any other person or persons whomsoever, or instigated or induced any other article servant, tradesman, or labourer, or other persons, to disobey any lawful commands of any such master, employer, agent, manager, or overseer, or that he or she hath wilfully spoiled or destroyed any property, tools, or other articles entrusted to his or her care, or has by wilful neglect or carelessness caused the loss or injury of any property entrusted to his or her charge, or has endangered any property by the careless use of fire, or has rendered himself or herself incapable by intoxication, or other improper means, of performing his or her work or duty to his or her master or employer, or has in any other respect been guilty of any breach of the duty which he or she owes to such master or employer, then and in every such case it shall and may be lawful for such sheriff or justice to hear and determine such complaint in a summary manner, and to adjudge such article servant, tradesman, or labourer, for every day that he or she shall have been unlawfully absent from, or neglected to perform the work or service due to his or her master or employer, to forfeit and pay for the use and benefit of such master or employer, two days' wages; and for any other offence hereinbefore enumerated, to adjudge such article servant, tradesman, or labourer, to pay such fine, and in case of non-payment to suffer such imprisonment, solitary or otherwise, with or without hard labour, for such period as such justice or sheriff is hereinafter declared to have power respectively to award or adjudge.

4. Be it further enacted, that if any such justice shall find the demand of wages, or forfeiture of wages, or damages, claimed by any party complaining as aforesaid, to exceed the sum which such justice is by this Ordinance authorized to award, or shall deem the party accused to be deserving of a more severe or heavier penalty than he is by this Ordinance authorized to adjudge, such justice shall, instead of determining the case, refer the same to sheriff of his district, and shall cause the complainant and defendant to appear before such sheriff; and it shall be lawful for any such sheriff, if he see fit, to hear and determine the case in a summary manner, or if he deems such complaint, or any other such complaint that may have originated before him, to call for the award of a larger sum of money, or the infliction of a heavier penalty than he is, under this Ordinance, authorized to adjudge, he shall, in every such case, refer such complaint to any inferior court of criminal justice of the district, or to the supreme court of criminal justice, as the case may require, and may commit the accused for trial before such court, or take bail for his or her appearance thereat to answer the complaint; and it shall be lawful for any inferior court to hear and adjudge all such cases as shall be brought before it, whether for the payment or forfeiture of wages, recovery of damages, or other penalty, to the extent of the jurisdiction hereinafter assigned to such court for the purposes of this Ordinance, and otherwise to proceed, according to the Ordinance

Ordinance (No. 41) for the establishment of and manner of proceeding to be observed by inferior courts of criminal justice within this colony.

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5. Be it further enacted, that, for the purposes of this Ordinance, the jurisdiction and authority of a justice of the peace shall extend and be confined and limited to awarding the payment or forfeiture of a sum not exceeding 2*l.* sterling, or 28 guilders, or to imprisonment, with or without hard labour or solitary confinement, for a period not exceeding three days; and that the jurisdiction and authority of a sheriff shall extend and be confined and limited to awarding the payment or forfeiture of 4*l.* sterling, or 56 guilders, or to imprisonment as aforesaid for a period not exceeding six days; and that the jurisdiction and authority of an inferior court of criminal justice shall extend and be confined and limited to the sum of 20 *l.* sterling, or 280 guilders, and to imprisonment as aforesaid for any period not exceeding one calendar month: provided always, that if it shall be made to appear to the satisfaction of any such inferior court of criminal justice that any master or employer, or other person, with the authority, knowledge, or connivance of such master or employer, has been guilty of any gross ill-usage of any articted servant, tradesman, or labourer, bound to such master or employer, or of continued and wilful neglect of the terms of the indenture or agreement entered into between any such master or employer and his or her articted servant, labourer, or tradesman, it shall and may be lawful for such inferior court of criminal justice to cancel the indenture of apprenticeship, bond of service, or other written agreement entered into between any such articted servant, tradesman, or labourer, and his or her master or employer; and thereupon such indenture, bond of service, or other written agreement shall be, and the same is hereby declared to be, cancelled and made void to all intents and purposes.

6. Be it further enacted, that whenever any such articted servant, tradesman, or labourer shall, by sentence of any court of justice of this colony, be adjudged to imprisonment for any offence by him or her committed, by means whereof the master or employer of such articted servant, tradesman, or labourer, may have been deprived of his or her services during the term of such imprisonment, and in all cases where any such articted servant, tradesman, or labourer, shall have been convicted before any such court of unlawfully absenting himself or herself from the services of such master or employer, such articted servant, tradesman, or labourer, shall be bound to serve his master or employer for as long a time after the period when the term of service would have been otherwise determined as such master or employer has been deprived of, by reason of such imprisonment or such unlawful absence from his or her master's service; and in all such cases the indenture of apprenticeship, bond of service, or other written instrument of such articted servant, tradesman, or labourer, to his or her master or employer, shall be continued, and shall be taken to be, and be continued in full force, until the expiration of the further period for which such articted servant, tradesman, or labourer is bound to serve as aforesaid.

7. Be it further enacted, that it shall and may be lawful to and for any minor above the age of 15 years, notwithstanding his or her minority, to enter into, and make and execute any indenture of apprenticeship, bond of service, or other instrument in writing, for the performance of any agricultural, manufacturing, or other labour or service, of whatsoever description, whether handicraft or otherwise; and such indenture, bond, or written instrument, or other contract, whether stamped or not, shall be, and be taken to be as good, valid, and effectual to all intents and purposes, as if the party so making the same were of the full age of majority.

8. Be it further enacted, that it shall and may be lawful, to and for the parent, or in default of any such parent, for the guardian, or next of kin, of any person under the age of 15 years, and of the full age of nine years, or for the Boards of Church and Poor's Fund of the district of Demerara and Essequibo, and of the district of Berbice, respectively, in all cases in which such minor has become chargeable on the funds of such Board, to enter into, make, and execute, for or on behalf, and in the name of such minor, any such indenture of apprenticeship, bond of service, or other written instrument of agreement, for the performance of any agricultural, manufacturing, or other labour or service, whether handicraft or otherwise, which shall be binding on the minor for and on behalf of whom the same is so made and executed, notwithstanding his or her minority, and be as good, valid, and effectual, to all intents and purposes, as if such minor had made or executed the same, being of the full age of majority: provided always, that in case any indenture, bond, or other written instrument of agreement or contract, shall be so made and entered into in this colony, for and in respect of any such person under the age of 15 years as aforesaid, by any other person than the father or surviving parent of such minor, the same shall be made and entered into and executed with the consent, approbation, and in the presence of a justice of the peace of this colony, whose duty it shall be to examine the parties, and ascertain, as far as he is able, that it will be advantageous to the party in whose name such indenture of apprenticeship, bond of service, or other written instrument of agreement or contract, is to be made, that the same should be entered into and executed in his or her behalf, and such justice shall affix his signature thereto, in token of his consent and approbation thereof; and also provided always, that no such indenture, bond, or other written instrument as aforesaid, so to be made and entered into on behalf of any person under the age of 15 years, shall be valid and effectual, unless the same contains such covenants, stipulations, and agreements, on the part and behalf of the party to whom such minor is so engaged or bound, as are contained in the form of indenture of apprenticeship set forth in the Schedule hereunto annexed, marked (A).

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9. Be it further enacted, that it shall and may be lawful for any person, to whom any other person shall be bound or engaged by any such indenture of apprenticeship, bond of service, or other written instrument, for the purpose of any agricultural, manufacturing, or other labour or service of any description, with the consent of such articted servant, tradesman, or labourer, and the permission and approbation of any sheriff of the colony, and not otherwise, to assign or make over to any other person or persons whomsoever, such indenture of apprenticeship, bond of service, or other written instrument as aforesaid; and the consent of such articted servant, and the approbation of such sheriff, shall be recorded thereon in the presence of such sheriff, and his signature attached thereto; and thereupon the articted servant, tradesman, or labourer, or person so bound and engaged, shall become and be considered to be the articted servant, tradesman, or labourer, of the person to whom or in whose favour such assignment is made, in the same manner as if he or she had been originally bound or engaged to such person: provided always, that in case the articted servant, tradesman, or labourer shall have been bound for the purpose of learning any trade or business, he or she shall be assigned over to some other master or employer of the same trade, or capable of instructing him or her in the same business.

10. Be it enacted, that no indenture of apprenticeship, bond of service, or other written instrument, by which any person shall be bound for the performance of any agricultural, manufacturing, or other labour or service in the said colony, shall be and continue in force for any period of time exceeding seven years from the commencement thereof: provided always, that the term of any such indenture of apprenticeship, bond of service, or other written instrument, may be continued beyond the said term of seven years from the commencement thereof, for the causes and in the manner provided in the sixth clause of this Ordinance, and not otherwise.

11. Be it further enacted, that any person who shall harbour, conceal, or employ, or who shall knowingly and wilfully entice away, or solicit, or endeavour to persuade any articted servant, tradesman, or labourer, or other person bound to any other persons, by any indenture of apprenticeship, bond of service, or other instrument in writing, for the performance of any work or service whatsoever, to quit or remain absent from the employment or service of the person or persons to whom he or she may be so bound or engaged, shall for every such offence forfeit and pay a fine not exceeding 20 *l.* sterling, or 280 guilders, and shall, over and above such penalty, be bound to pay to the master or employer, or other person or persons to whom such articted servant, tradesman, or labourer, or other person, is bound or engaged, damages at the rate of 10*s.* sterling, or seven guilders, for every day that such articted servant, tradesman, or labourer shall have been so harboured, concealed, or employed; or, in default of payment of such penalty and damages, and of such costs as may have been incurred in consequence thereof, shall be imprisoned for any time not exceeding the limitation of the jurisdiction of the court before which the case has been tried and adjudged.

12. Be it further enacted, that no such articted servant, tradesman, labourer, or other person as hereinbefore mentioned, shall quit the colony, except he shall be furnished with a passport from the Lieutenant-governor, obtained in the usual manner; and that every such articted servant, tradesman or labourer, quitting or attempting to quit the colony without such passport, shall, on conviction before any competent court as aforesaid, be liable to imprisonment, with or without hard labour or solitary confinement, for any time not exceeding three calendar months.

13. Be it further enacted, that all persons knowingly removing or assisting to remove any such articted servant, tradesman or labourer from the colony, without a passport from the Lieutenant-governor, shall, upon summary conviction before any such competent court as aforesaid, be liable to and adjudged to pay a penalty not exceeding 20 *l.* sterling, or 280 guilders; and it shall be lawful for such court to adjudge such person to be imprisoned until such penalty is paid, such imprisonment not to exceed three calendar months; provided nevertheless, that nothing herein contained shall be held or construed to deprive the party or parties, or employer or employers, of any remedy he, she, or they may have, by action or suit at law, for the loss he, she, or they may have sustained, against the person removing or assisting in the removal of any articted servant, tradesman or labourer, as aforesaid.

14. Be it further enacted, that any person knowingly removing or assisting to remove any such articted servant, tradesman, or labourer, as aforesaid, from the district in which he or she is under engagement to render his or her services to any other part of the colony, without the permission in writing of the master or employer of such articted servants, tradesmen, or labourers, or the manager or overseer of the estate or plantation on which such articted servant, tradesman, or labourer is employed, or of some justice of the peace in the district from which such articted servant, tradesman, or labourer is removed, shall, upon conviction before any such competent court as aforesaid, be liable to and incur a penalty not exceeding 5 *l.* sterling, or 70 guilders; or, in default of payment thereof, such offenders shall be liable to imprisonment, with or without hard labour, for any period not exceeding one calendar month.

15. Be it further enacted, that every importer of articted servants, tradesmen, or labourers, at the time of such importation, and before such articted servant, tradesman, or labourer shall be permitted to land, shall be bound, under a penalty of 5 *l.* sterling, or 70 guilders, for every person so imported, in respect of whom the regulations herein contained shall not be

be observed, to lodge with the high sheriff in Demerara, or with the sheriff in Berbice, as the case may be, the indenture of apprenticeship, bond of service, or other written instrument under which such articted servant, tradesman, or labourer have engaged themselves to serve; and the sheriff shall thereupon grant a permission in writing for the landing of such articted servants, tradesmen, or labourers, and shall, if he shall see fit, require such importer to produce such articted servants, tradesmen, or labourers, at his office, immediately on their being landed; and such indenture, bond of service, or written instrument as aforesaid, shall moreover be exhibited by such importer to the registrar of the district in which such importer or employer shall reside, together with a copy thereof, which copy shall, by the said registrar or sworn clerk, be certified to be a true copy of the original indenture, bond of service, or other written instrument; to be exhibited as aforesaid; and such copy, duly authenticated by the said registrar or sworn clerk, shall remain deposited in the office of the said registrar, and shall, for the purposes of this Act, be equally admissible in evidence in any court in this colony as the original instrument; and for the performance of such duty the registrars of the respective districts shall be entitled to charge for each such articted servant, tradesman, or labourer, one guilder, and no more.

16. Be it further enacted, that whenever any articted servant shall be desirous of quitting the colony, and shall be able to adduce sufficient reasons to satisfy the sheriff of the district in which such articted servant may reside, that it is reasonable that liberty should be given to such articted servant to quit the colony, it shall be lawful for the sheriff, after hearing the parties, to cancel the indentures or other written agreement existing between such articted servant and his or her master or employer, on payment by such articted servant to the master or employer of such sum of money as such sheriff of the district may deem just and reasonable; and it shall not be lawful for the master or employer of any articted servant, labourer, or tradesman, who may have been brought or imported into this colony under articles of agreement, to cancel the indenture, bond of service, or other written instrument of agreement existing between any such master or employer and such articted servant, labourer, or tradesman, until such master or employer has executed, in favour of the Board of Poor's Fund of the district in which such master or employer may reside, a good and sufficient bond, under a penalty of 20 *l.* sterling, or 280 guilders, that such articted servant, tradesman, or labourer shall not become chargeable for his or her maintenance on the poor's fund.

17. Be it further enacted, that during the period such articted servants, tradesmen, or labourers continue under the control of the person or persons who, by virtue of their agreement, may be entitled to their services, they shall not be required to take out any ticket of residence, nor to serve in the militia; provided nevertheless, that at the expiration of the term of service for which they may have been respectively bound, they shall, on a certificate of the sheriff of the district in which they respectively reside, that they have faithfully fulfilled their term of service, be entitled to receive tickets of residence gratis, by the possession of which they are placed on a footing with all other inhabitants of the colony.

18. Be it further enacted, that in taking cognizance of and for the hearing and determining any complaints or cases under the provisions of this Ordinance, all courts, sheriffs, and justices of the peace as aforesaid, shall have authority to make and issue all such summonses, warrants, arrests, commitments of parties and witnesses, and to take all such bails, bonds, and recognizances, and, as nearly as may be, in the same manner and form as in cases wherein any such court, sheriff, or justice might take cognizance or have jurisdiction by the laws in force in this colony.

19. Be it further enacted, that no summons, warrant, order, conviction, execution, or other proceedings under this Ordinance, shall be set aside or annulled for want of form, and that no person acting under the authority of any such warrant, order, conviction, or other proceeding, shall be deemed a wrongdoer or trespasser, by reason of any defect of form therein; nor shall any such person be deemed a trespasser or wrongdoer, by reason of any irregularity in the carrying into execution any sentence, conviction, levy, order for sale, or other proceedings under the authority of this Ordinance; but the person aggrieved by any such irregularity shall and may recover full satisfaction for any special damages, if any, which he or she may have thereby sustained by an action before any court of competent jurisdiction, but no plaintiff shall recover in any action for such irregularity, if tender of sufficient amends shall or may have been made by or on behalf of the defendant before such action brought.

20. Be it further enacted, that if any suit or action shall be prosecuted against any magistrate, justice of the peace, constable, or police-officer, for anything done in pursuance of this Ordinance, such defendant may plead the general issue, and, under such plea, may give this Ordinance and the special matter in evidence at the hearing or trial thereof, and that the same was done by the authority of this Ordinance; and if a judgment should pass for the defendant, or plaintiff shall withdraw or otherwise discontinue such suit or action, or that the same be dismissed, or judgment shall be otherwise given against the plaintiff therein, the defendant shall recover double costs, and have the like remedy for the same that any defendant hath by law in other cases, unless the court should certify it necessary for the purposes of justice that such costs should not be allowed; provided nevertheless, that no action shall be brought or sustained against any magistrate, constable, or police-officer, or other person or persons, for anything done in pursuance of this Act, unless such action be commenced within six calendar months next after the cause of action shall have accrued.

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21. Be it further enacted, that the informer in any of the cases aforesaid shall be, and shall be deemed and taken to be, a good and competent witness in law, notwithstanding he shall be entitled to a part of any of the penalties mentioned in this Ordinance.

22. Be it further enacted, that all fines incurred and received under this Ordinance shall be awarded and paid to the joint use and benefit of the persons informing and prosecuting for the same, and of the respective Boards of Church and Poor's Fund of the district, as the case may be, in such proportions as the court of justice, before which the case has been tried, shall award and determine.

23. Be it further enacted, that nothing in this Ordinance contained shall be taken or construed to hinder or preclude any person from his or her remedy by civil action, before any court of civil justice of competent jurisdiction; provided also, that nothing in this Ordinance contained shall extend, or be construed to extend, to persons described and classed as apprenticed labourers, under the Act of 3 & 4 Will. 4, c. 73, or to the persons designated as liberated and indented Africans, under the Ordinance (No. 68) for this colony.

And that no ignorance shall be pretended of this our Ordinance, these presents shall be printed and published in the customary manner.

Schedule (A.)

British Guiana.

District

THIS Indenture, made the _____ day of _____ in the year of our Lord between A. B. in the said district (the parent, guardian, or next of kin C. D. or between the president and members of the Board of Church and Poor's Fund of the district of Demerara and Essiquibo, or of Berbice, as the case may be) for and on behalf of C. D., an infant, aged _____; the said A. B. acting herein with the authority, approbation, and consent of E. F., one of his Majesty's justices of the peace for the said district, of the one part, and G. H., the master or employer of the said C. D., of the other part. Whereas the said G. H. has, in the presence and with the authority, approbation, and consent of the said E. F., testified by his signature, hereto agreed with the said A. B. (the father, guardian, or next of kin, C. D., or with the president or members of the Board of Church and Poor's Fund of the district of Demerara and Essequibo, or of Berbice, as the case may be) to take the said C. D. (the infant) as his apprentice for the term of _____ years, to be taught or instructed, or employed in the trade or business of _____ in consideration and subject to the terms and conditions hereinafter contained.

Now, this indenture witnesseth that, in pursuance of the said agreement, and in virtue of the Ordinance in this case made and provided, he, the said G. H. (the master or employer), doth hereby, for himself, his heirs, executors, and administrators, covenant, promise, and agree to and with the said A. B. (the father, &c., as the case may be) in the manner following, that is to say, that he, the said G. H. (the master or 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 infant) 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 infant) with suitable and sufficient diet, clothing, lodging, and medical attendance. And shall and will also allow to the said C. D. (the infant) such reasonable time and opportunity for education and religious instruction as shall be appointed or assigned by a 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 G. H. (the master or employer), he, the said A. B. (the father, &c.), with the authority, approbation, and consent of the said E. F. (the justice), hath placed and bound, and by these presents doth place and bind the said C. D. (the infant) unto and with the said G. H., for the said term of _____ years, to be computed from the date of these presents, and doth hereby covenant, promise, and agree that he, the said C. D., shall and will, during all and every part of the said term of _____ years, truly and faithfully serve the said G. H. in the said business or employment of _____ and diligently attend to and employ himself in the business and concerns thereof, according to the rules, regulations, or laws now or hereafter to be in force in the colony, of and concerning apprentices.

In witness whereof, they, the said A. B. (the father, &c.), for and on behalf of the said C. D. (the infant) and the said G. H. (the master and employer), have hereunto set their hands and seals, the day and year first above written, before and in the presence of the said E. F. (the justice) and the said E. F., in testimony that the same has been made and entered into in his presence, and by and with his authority and approbation, hath also hereto set his hand and seal, the day and year first above written.

And whereas it is expedient that, subject to the exceptions, and with the amendments hereinafter mentioned, the said Ordinance should be confirmed by his Majesty, it is therefore ordered by his Majesty, by and with the advice of his Privy Council, that no person who hath been or who shall be bound to any other person for the performance in British Guiana of any agricultural, manufacturing, handicraft, or other description of labour or service whatsoever,

whatsoever, by any indenture of apprenticeship, bond of service, agreement, or other instrument of any kind in writing, shall, by force and virtue of the said Ordinance, be articulated servants, tradesmen, or labourers, within the meaning or for the purposes thereof, after the expiration of three years from the date of such indenture, bond, agreement, or instrument.

And be it further ordered, that if any such indenture, bond, agreement, or instrument, hath been or shall be made or entered into on the continent of Africa, or in any of the adjacent islands inhabited wholly or in part by the Negro race, the same shall be absolutely null and void and of no effect.

And be it further ordered, that no such indenture of apprenticeship, bond of service, agreement, or other instrument as aforesaid, if made or entered into at any place beyond the limits of the said colony of British Guiana, shall be of any force or effect within the said colony, unless the same shall be so entered into in writing in the presence of two or more justices of the peace, or magistrates of the colony, territory, or place in which the proposed articulated servant, tradesman, or labourer was resident at the day of the date thereof, nor unless such justices of the peace or magistrates shall have subscribed a certificate, under their respective hands and seals, subjoined to such indenture, bond, agreement, or instrument, declaring that such proposed articulated servant, tradesman, or labourer had appeared before them the said justices or magistrates, and having by them been duly examined, had appeared fully to understand the terms and nature of such proposed engagement, and had freely and voluntarily entered into the same.

And be it further ordered, that no such indentures of apprenticeship, bond of service, agreement, or other instrument which hath been or which shall be entered into, beyond the limits of the said colony of British Guiana, with any person who is or hath been an apprenticed labourer within the meaning of the Act of Parliament for the abolition of slavery in His Majesty's dominions shall be of any force, virtue, or effect for more than 12 months from the day of the date thereof, and for such additional period as shall actually have been employed by any such person in any voyage by him or her made in pursuance thereof to the said colony of British Guiana; and every such indenture, bond, agreement, or instrument shall also, at any time within the said period of one year, become liable to defeasance, and to be set aside, on payment or tender by any such articulated servant, tradesman, or labourer to his or her master or employer of the costs and charges of and attendant upon any such voyage.

And be it further ordered, that the powers by the said Ordinance vested in any sheriff or justice of the peace within the said colony shall be, and the same are hereby transferred to and vested exclusively in the special justices appointed and authorized to act under and in pursuance of the said recited Act.

And be it further ordered, that at the termination or other lawful avoidance of any such indenture, bond, agreement, or other instrument aforesaid, it shall be lawful for any such servant, tradesman, or labourer to quit the said colony of British Guiana at his or her pleasure, subject only to such regulations as attach to and affect any other person or persons proposing or about to quit the same.

And be it further ordered, that the said Ordinance shall cease and determine upon and from the 1st day of August 1840, save only in so far as respects any act done in pursuance thereof antecedently to that day.

And be it further ordered, that so much of the said Ordinance as is in any manner repugnant or opposed to the provisions aforesaid, or any of them, shall be and the same is hereby disallowed, and that, save as aforesaid, the said Ordinance is hereby confirmed and allowed, and finally enacted.

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

(signed) *W. L. Bathurst.*

Appendix, No. 201.

Enclosure in Sir *J. C. Smyth's* Despatch, 19 August 1836, No. 644.

No. 76.

AN ORDINANCE to suppress the practice of carrying away, harbouring, or concealing Apprenticed Labourers.—Passed 2d August 1836.

Appendix, No. 201

ORDINANCE enacted by His Excellency Major-General Sir *James C. Smyth*, Bart., &c. &c. by and with the advice and consent of the Honourable Court of Policy of the said Colony.

To all to whom these presents do, may, or shall come, greeting, be it known :

WHEREAS employers of apprenticed labourers under the 3 and 4 Will. 4, c. 73, intituled "An Act for the Abolition of Slavery throughout the British Dominions," are frequently defrauded of their services by evil-disposed persons, who entice away, harbour, or conceal such apprenticed labourers; and it is expedient and necessary that such practices should be suppressed :

Any person enticing away, harbouring, or concealing apprenticed labourers, liable to penalty not exceeding 20*l.* sterling.

Penalty not to extend to employment of apprenticed labourer during his own time.

Any person convicted, refusing to pay penalties imposed by Ordinance, liable to imprisonment, with hard labour, not exceeding one month.

1. Be it therefore enacted by his Excellency the Lieutenant-governor, Major-general Sir James Carmichael Smyth, bart., by and with the advice and consent of the Court of Policy of British Guiana, that any person or persons (not being an apprenticed labourer or labourers as aforesaid) who shall henceforth entice away from the service of his, her, or their employer or employers, any such apprenticed labourer or labourers, or shall solicit or endeavour to persuade any such apprenticed labourer or labourers to quit the service of his, her, or their employer or employers, or to remain absent therefrom, or who shall knowingly harbour or conceal any apprenticed labourer or labourers who may have unlawfully absented him, her, or themselves from the service of his, her, or their employer or employers, shall for every such offence be liable to be prosecuted before any inferior court of criminal justice of the district in which such person or persons shall reside; and any such person or persons being duly convicted of any such offence, before any such inferior court, shall forfeit and pay for every such offence a fine not exceeding 20*l.* sterling (280 guilders), nor less than 5*l.* sterling (70 guilders), to be recovered and applied in the manner hereinafter prescribed: Provided always, that nothing herein contained shall extend or be construed to extend, to prevent the employment of any apprenticed labourer or labourers by any person or persons during those hours when such apprenticed labourer or labourers may not be bound to labour in the service of his, her, or their employer or employers.

2. And be it further enacted, that if any person or persons, save and except any apprenticed labourer or labourers as aforesaid, having been duly convicted before any such inferior court of criminal justice of any of the offences hereinbefore enumerated, shall refuse or neglect to pay any fine which he, she, or they may by such inferior court be adjudged to pay, it shall and may be lawful for such inferior court to commit the party or parties so refusing or neglecting to pay, if in the district of Demerara and Essequibo, to the common gaol of Georgetown, or if in Berbice, to the common gaol in New Amsterdam, there to remain imprisoned, with or without hard labour, for any period of time not exceeding one calendar month, unless such fine be sooner paid.

3. And be it further enacted, that all fines incurred and received under this Ordinance shall be paid, one-half to the person who shall inform against and prosecute the offender or offenders to conviction, and the residue shall be paid into the colonial chest, and the informer shall be deemed and admitted by every inferior court of criminal justice as a competent witness, although entitled to a proportion of the fine.

And be it further enacted, that all prosecutions under this Ordinance shall be brought within six months after the offence committed, and not otherwise.

And that no ignorance shall be pretended of this our Ordinance, these presents shall be printed and published in the customary manner.

Thus done and enacted at our ordinary Assembly, held at the Guiana Public Buildings, Georgetown, Demerara, this 2d day of August 1836, and published on the 6th following.

(signed) *J. Carmichael Smyth.*

By the command of the Court.

(signed) *H. E. F. Young, Secretary.*

Appendix, No. 202.

No. 78.

Enclosure in Sir *J. C. Smyth's* Despatch, 19 August 1836, No. 645.

AN ORDINANCE for the more effectual prevention and detection of Thefts and other Offences committed upon the Rivers and Creeks of British Guiana.—Passed 4th August 1836.

By His Excellency Major-General Sir *James Carmichael Smyth, Bart., &c. &c. &c.*, by and with the advice and consent of the Honourable Court of Policy of the said Colony.

To all to whom these presents do, may, or shall come, greeting, be it known:

WHEREAS depredations are frequently committed upon the sugar, rum, molasses, coffee, and other produce on board of the sloops, schooners, droghers, punts, and other colonial craft wherein the same may have been laden for delivery in Georgetown or New Amsterdam from the different estates, or for the purpose of being shipped for exportation, and for the better protection of such property it is expedient and necessary that the police establishments, both of Georgetown and New Amsterdam, should be severally augmented:

Police establishments of Georgetown and New Amsterdam augmented.

1. Be it therefore enacted by his Excellency the Lieutenant-governor, by and with the advice and consent of the Court of Policy of British Guiana, that the police establishments of Georgetown and New Amsterdam shall be augmented by such number of reputable and sober men as the high sheriff in Demerara, or the sheriff of Berbice in New Amsterdam, may find it expedient to employ, to the extent of the funds annually provided for such purpose, subject to the approval of the Court of Policy; and that all and every person belonging to such establishment shall be sworn in before the high sheriff, or the sheriff of Berbice,

Berbice, as a constable of police, and shall thereupon have all the powers, authorities, and immunities of a constable, so long as he shall continue in such service and no longer.

Appendix, No. 202

2. And be it enacted, that there shall be provided and kept at the public expense in each district one or more boats, with necessary oars, tackle, and appendages, to be termed police boats of Georgetown or of New Amsterdam, as the case may be; and such boat shall be kept in a fit and proper state for nautical service, and shall be moored at such places in Demerara or Berbice river, and be placed under the charge of such person, as shall be appointed by the high sheriff, or the sheriff of Berbice respectively.

One or more police boats to be kept in each district.

3. And be it further enacted, that it shall be the duty of the police boatmen, with such number of the police of Georgetown or New Amsterdam, and under the command of such officer or serjeant of police as shall be ordered for that duty by the high sheriff, or sheriff of Berbice respectively, to proceed on duty in the rivers or creeks, or canals of the respective districts, at such times of the day or night as shall be directed and ordered by the high sheriff, or sheriff of Berbice, as the case may be; and it shall be lawful for the officer or serjeant in command of such boat to enter at any time, with one or more of the men employed in such boat, on board of any sloop, schooner, drogher, punt, or other colonial craft, upon any of the rivers, creeks, or canals in the respective districts, either in the day or in the night time, and to remain on board of any such colonial craft such a reasonable time as any such officer or serjeant may deem expedient; and if such officer or serjeant of police shall have reasonable ground to suspect that there is on board of any such sloop, schooner, drogher, punt, or other colonial craft, any sugar, rum, molasses, coffee, or other produce or property whatsoever, stolen or unlawfully obtained, it shall be lawful for such officer or serjeant of police to search, with the assistance of one or more of the police, any and every part of such sloop, schooner, drogher, punt, or other colonial craft, and after demand and refusal of the keys, to break open any fast-locked place on board of any such colonial craft as aforesaid in which such officer or serjeant shall have probable grounds to believe that any such produce or property is concealed, and upon discovery thereof to detain and take charge of the same, and to apprehend the person or persons in whose possession any such produce or property shall be found, and such property, and the person or persons in whose possession the same shall be found, to take within a reasonable time thereafter before the high sheriff, or the sheriff of Berbice, as the case may be, or before any justice of the peace acting for either, who shall deal with such produce or property, and the person or persons in whose possession the same shall be found, according to law: Provided always, that it shall in like manner be lawful for any such officer or serjeant of police as aforesaid to pursue and detain, as hereinbefore provided, any person who shall be in the act of conveying such produce or property away from such boat, or on shore, or after such person shall have landed, together with the produce or property so found in their possession.

Police boatmen to proceed on duty in the rivers and creeks of respective districts under direction of sheriffs. Officer in command of police boat may enter any colonial craft by day or night and search for and detain produce or other property suspected to be stolen.

4. Be it further enacted, that all property so seized as hereinbefore provided shall be *prima facie* deemed to have been unlawfully obtained, in case the party in whose possession it shall be found, or the person in charge of the boat or craft shall not be able to give a satisfactory account of the manner in which he may have obtained such property; and it shall be lawful for the sheriff to sentence such persons to pay a fine not exceeding 5*l.* (70 guilders), and in case of non-payment to be imprisoned, with or without hard labour, for any period not exceeding six days; and if the legal right of property be not proved within 14 days, the said property shall be sold or disposed of, and the proceeds applied, at the discretion of the sheriff, to the use and benefit of the party making the seizure, or of the Board of Poor's Fund of the district.

All property seized in such colonial craft by police deemed *prima facie* unlawfully obtained unless satisfactory account given for the possession. If legal right of property not claimed in 14 days, property to be sold. Application of proceeds.

And that no ignorance shall be pretended of this our Ordinance, these presents shall be printed and published in the customary manner.

Thus done and enacted at our ordinary Assembly, held at the Guiana Public Buildings, Georgetown, Demerara, this 4th day of August 1836, and published on the 9th following.

By command of the Court.

(signed) *J. Carmichael Smyth.*

(signed) *H. E. F. Young, Secretary.*

Appendix, No. 203.

No. 79.

Enclosure in Sir *J. C. Smyth's* Despatch, 19 August 1836, No. 647.

Appendix, No. 203

AN ORDINANCE to ensure a better Observance of the Sabbath-day, and otherwise to promote habits of Morality and Decency.—Passed 4 August 1836.

ORDINANCE enacted by his Excellency Major-general Sir *James Carmichael Smyth*, Bart., &c. &c. &c., by and with the advice and consent of the Honourable Court of Policy of the Colony of British Guiana.

To all to whom these presents do, may, or shall come, greeting, be it known:

WHEREAS it is necessary that provision should be made by law for the more strict and religious observance of the Sabbath-day than has hitherto prevailed in the province of British Guiana:

No person to hire or employ mechanic or labourer to work on Sabbath-day; prohibition not to extend to domestic labour.

1. Be it therefore enacted, by his Excellency the Lieutenant-governor, Major-general Sir James Carmichael Smyth, bart., by and with the advice and consent of the Court of Policy of British Guiana, that from and after the publication of this Ordinance it shall not be lawful for any person or persons to hire, engage, or employ in his, her, or their service, any mechanic, labourer, or other working person, to perform any work or labour in his, her, or their service between the hours of 12 o'clock upon the Saturday night and 12 o'clock at night upon the following Sunday; and any person or persons committing a breach or violation of this regulation shall, for every such person so hired or employed, become liable to a penalty of not more than 5*l.* (70 guilders), and not less than 5*s.* (3 guilders 10 stivers); provided nevertheless, that nothing herein contained shall extend, or be construed to extend, to any domestic work or labour which may be performed on any Sunday by any person or persons employed as a domestic or menial servant.

No mechanic or tradesman to work publicly in Georgetown or New Amsterdam on Sabbath-day, under penalty. Labourer may be employed in work of necessity on Sabbath-day.

2. And be it further enacted, that any mechanic or tradesman publicly working in Georgetown or New Amsterdam on the Sabbath-day, whether upon his own account or for any other person or persons, shall become liable to a penalty of not more than 1*l.* sterling (14 guilders), nor less than 5*s.* sterling (3 guilders 10 stivers), to be recovered in the manner hereinafter prescribed.

3. And be it and it is hereby enacted, that nothing herein contained shall prevent the employment of any labourer or other person upon the Sabbath-day, in any work of necessity, to prevent or correct or remedy the defects of any fire, flood, hurricane, or tempest, or other such like casualty; and provided that nothing herein contained shall extend or be construed to extend to prevent the picking of cotton or coffee on Sunday, in cases wherein the crop is likely to be lost if not immediately secured, nor the turning thereof on the droghery to prevent the same being heated or spoiled, nor to persons employed in boats, punts, or other colony craft of any description, nor to the shipping of produce, nor to the persons employed in tending cattle or other live stock, nor to watchmen.

This Ordinance not to interfere with Act of 20 August 1828, for the regulation of the ferry of the River Demerara.

4. And be it enacted, that nothing herein contained shall extend, or be construed to extend, to interfere with an Act passed by the Lieutenant-governor and Court of Policy of Demerara and Essequibo on the 20th August 1828, for the regulation of the ferry of the River Demerara and the steam-boat thereof, or with the regulations in force for the other ferries throughout British Guiana.

No shop to be opened on the Sabbath-day for the sale of any merchandize; prohibition not to extend to sale of medicines or provisions.

5. And be it further enacted, that it shall not be lawful to open upon the Sabbath-day, in any part of British Guiana, any store, shop, or warehouse for the sale of any goods, commodities, or merchandize, nor shall it be lawful for any person or persons to expose for sale, or to barter upon the Sabbath-day, any goods of any kind or description in any part of the colony; and any person or persons committing a breach or violation of this regulation shall become liable, for every such breach, to a penalty of not more than 5*l.* sterling (70 guilders), nor less than 2*l.* sterling (28 guilders); provided nevertheless, that nothing herein contained shall extend or be construed to extend to prevent the sale of medicines in any store or shop, or of provisions for consumption in any inns, taverns, or victualling-houses on Sunday, nor to prevent the sale of bread, meat, fish, or fruit, or vegetables, at any time before or after the hours set apart for the celebration of Divine service.

Market to close at half-past nine on each Sunday, on ringing of bell.

6. And be it further enacted, that wherever there is at the date of publication of this Ordinance, or shall be hereafter in British Guiana, any market established by competent authority, there shall be, at half-past nine o'clock on the morning of each and every Sunday, a bell rung by the clerk of the market, or by some person to be for that special duty appointed by the sheriff of the respective districts, which ringing of the bell shall be considered as a warning calling upon all persons assembled at any such market to disperse; and any person who shall continue present at such market after such warning as aforesaid, or shall return thither for the purpose of traffic of any kind or description, shall, upon conviction of any such offence, become liable to a penalty of not more than 2*l.* (28 guilders), nor less than 5*s.* sterling (3 guilders 10 stivers).

Any person publicly cursing or swearing liable to penalty.

7. And be it further enacted, that if any person or persons shall publicly curse or swear, or make use of violent, indecent, or obscene language, or shall publicly expose their person in an indecent manner, or use any indecent gestures, every such person shall upon conviction be liable to a penalty not exceeding 3*l.* sterling (42 guilders), and not less than 5*s.* sterling (3 guilders 10 stivers).

No person to appear in public without being sufficiently and decently clothed.

8. And be it further enacted, that henceforth it shall not be lawful for any male or female, other than infants under the age of five years, to appear in public without being sufficiently and decently clothed; and no male or female above the age of five years shall be considered to be sufficiently and decently clothed unless the female be habited at the least in a shift and petticoat, and the male in a shirt and pair of trowsers, or other clothing to the satisfaction of the sheriff; and any person or persons offending against this enactment shall, upon conviction thereof, be liable to a penalty of not more than 1*l.* 10*s.* sterling (21 guilders), nor less than 5*s.* (3 guilders 10 stivers), which penalty shall be recoverable and enforced against the parent or parents of all persons above five and under 16 years of age committing a violation of this Ordinance, unless such parent or parents make it appear, to the satisfaction of the sheriff before whom the offence is tried, that the offender or offenders are of themselves of sufficient ability to provide the necessary wearing apparel hereinbefore required and described;

described: Provided that, wherever the person or persons required to be clothed in the manner aforesaid shall be an apprenticed labourer or labourers, or other person or persons entitled by law to be clothed by his, her, or their employer or employers, such penalty shall not be enforced against any such apprenticed labourer or labourers, or other person or persons entitled to be clothed as aforesaid, if he, she, or they shall make it appear, to the satisfaction of the sheriff before whom the offender shall be tried, that the wearing-apparel to which he, she, or they are by law entitled has not been supplied.

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9. And be it further enacted, that the regulations relative to clothing in this Ordinance contained shall not extend, or be construed to extend, to any labourer or labourers upon any estates working in the trenches, while actually so employed, nor whilst going to and returning from the field, nor whilst engaged in labour in the field.

Regulations as to
clothing not to extend
to labourers
working in trenches
or in the field.

10. And be it further enacted, that any person or persons committing a breach or violation of any of the regulations contained in this Ordinance, shall and may be prosecuted before the sheriffs of the respective districts in British Guiana; and in case of conviction of any offender before any such sheriff, the penalty incurred by any such offender shall, if recovered, be disposed of, at the discretion of the sheriff, in such proportion, between the colonial chest and the informer, as the sheriff shall consider expedient; and in case of nonpayment, it shall and may be lawful for the sheriffs aforesaid to adjudge any such convicted offender to imprisonment, with or without hard labour, for any number of days not exceeding six days, unless the penalty be sooner paid.

Any person committing a breach of any of the regulations of this Ordinance liable to prosecution.

11. And be it enacted, that all prosecutions under this Ordinance shall be commenced within 14 days after the offence committed, and not otherwise.

All prosecutions to be commenced within 14 days after offence committed.

12. And be it enacted, that this Ordinance shall be in force from and after the 1st day of September next.

And that no ignorance shall be pretended of this our Ordinance, these presents shall be printed and published in the customary manner.

Thus done and enacted at our ordinary Assembly held at the Guiana Public Buildings, Georgetown, Demerara, this 4th day of Aug. 1836, and published on the 9th following.

(signed) *J. Carmichael Smyth.*

By command of the Court.

(signed) *H. E. F. Young, Secretary.*

Appendix, No. 204.

Enclosure in Sir *J. C. Smyth's* Despatch, 13 February 1837, No. 650.

No. 1.

AN ORDINANCE to ensure a better Observance of the Sabbath-day, and otherwise to promote Habits of Morality and Decency.—Passed 10 February 1837.

Appendix, No. 204.

By his Excellency Major-General Sir *James Carmichael Smyth*, Bart., &c. &c. &c., by and with the advice and consent of the Honourable Court of Policy of the said Colony.

To all to whom these presents do, may, or shall come, greeting, be it known:

WHEREAS it is necessary that provision should be made by law for the more strict and religious observance of the Sabbath-day than has hitherto prevailed in the province of British Guiana:

1. Be it therefore enacted, that from and after the publication of this Ordinance it shall not be lawful for any person or persons to hire, engage, or employ, in his, her, or their service, any mechanic, labourer, or other working person, to perform any work or labour in his, her, or their service, between the hours of 12 o'clock upon the Saturday night and 12 o'clock at night upon the following Sunday; and any person or persons committing a breach or violation of this regulation shall, for every such person so hired or employed, become liable to a penalty of not more than 5*l.* (70 guilders), and not less than 5*s.* (3 guilders 10 stivers): provided nevertheless, that nothing herein contained shall extend, or be construed to extend, to any domestic work or labour which may be performed on any Sunday by any person or persons employed as a domestic or menial servant.

No person to hire or employ mechanic or labourer to work on Sabbath-day; prohibition not to extend to domestic labour.

2. And be it further enacted, that any mechanic or tradesman publicly working in Georgetown or New Amsterdam on the Sabbath-day, whether upon his own account, or for any other person or persons, shall be liable to a penalty of not more than 1*l.* sterling (14 guilders), nor less than 5*s.* (3 guilders 10 stivers), to be recovered in the manner hereinafter prescribed.

No mechanic or tradesman to work publicly in Georgetown or New Amsterdam on Sabbath-day, under penalty.

3. And be it, and it is hereby enacted, that nothing herein contained shall prevent the hiring and employment of any labourer or other person upon the Sabbath-day in any work of necessity, to prevent, or correct, or remedy the effects of any fire, flood, hurricane, or tempest, or other such like casualty; nor the employment of any labourer or other person

Labourer may be employed in work of necessity on the Sabbath-day.

Appendix, No. 204.

This Ordinance not to interfere with Act of 20th Aug. 1828.

No shop to be opened on the Sabbath-day for sale of any merchandize; prohibition not to extend to sale of medicines or provisions.

Any person publicly cursing or swearing liable to penalty.

No person to appear in public without being sufficiently and decently clothed.

Regulations as to clothing not to extend to labourers working in trenches or in the field.

Any person committing a breach of any of the regulations of this Ordinance liable to prosecution.

All prosecutions to be commenced within 14 days after

in boats, punts, or other colony craft of any description; nor the employment of any person in tending cattle or other live stock, nor the employment of watchmen.

4. And be it enacted, that nothing herein contained shall extend, or be construed to extend, to interfere with an Act passed by the Governor and Court of Policy of Demerara and Essequibo on the 20th of August 1828, for the regulation of the ferry of the river Demerara, and the steam-boat thereof, or with the regulations in force for the other ferries throughout British Guiana.

5. And be it further enacted, that it shall not be lawful to open upon the Sabbath-day, in any part of British Guiana, any store, shop, or warehouse, for the sale of any goods, commodities, or merchandize; nor shall it be lawful for any person or persons to expose for sale or to barter upon the Sabbath-day any goods of any kind or description in any part of the colony, and any person or persons committing a breach or violation of this regulation shall become liable for every such breach to a penalty of not more than 5*l.* sterling (70 guilders), nor less than 2*l.* sterling (28 guilders): provided nevertheless, that nothing herein contained shall extend; or be construed to extend, to prevent the sale of medicines in any store or shop, or of provisions for consumption in any inns, taverns, or victualling-houses, on Sunday; nor to prevent the sale of bread, meat, fish, or fruit, or vegetables, at any time before or after the hours set apart for the celebration of Divine service.

6. And be it further enacted, that if any person or persons shall publicly curse or swear, or make use of violent, indecent, or obscene language, or shall publicly expose their person in an indecent manner, or use any indecent gestures, every such person shall, upon conviction, be liable to a penalty not exceeding 3*l.* sterling (42 guilders), and not less than 5*s.* (3 guilders 10 stivers).

7. And be it further enacted, that henceforth it shall not be lawful for any male or female, other than infants under the age of five years, to appear in public without being sufficiently and decently clothed; and no male or female above the age of five years shall be considered to be sufficiently and decently clothed, unless the female be habited at least in a shift and petticoat, and the male in a shirt and pair of trowsers, or other clothing to the satisfaction of the sheriff; and any person or persons offending against this enactment shall, upon conviction thereof, be liable to a penalty of not more than 1*l.* 10*s.* sterling (21 guilders), nor less than 5*s.* (3 guilders 10 stivers), which penalty shall be recoverable and enforced against the parent or parents of all persons above five years and under 16 years of age committing a violation of this Ordinance, unless such parent or parents make it appear, to the satisfaction of the sheriff before whom the offender is tried, that the offender or offenders are of themselves of sufficient ability to provide the necessary wearing-apparel hereinbefore required and described: provided that, wherever the person or persons required to be clothed in the manner aforesaid shall be an apprenticed labourer or labourers, or other person or persons entitled by law to be clothed by his, her, or their employer or employers, such penalty shall not be enforced against any such apprenticed labourer or labourers, or other person or persons entitled to be clothed as aforesaid, if he, she, or they shall make it appear, to the satisfaction of the sheriff before whom the offender shall be tried, that the wearing-apparel to which he, she, or they are by law entitled has not been supplied.

8. And be it further enacted, that the regulations relative to clothing in this Ordinance contained shall not extend, or be construed to extend, to any labourer or labourers upon any estate working in the trenches, while actually so employed, nor whilst going to and returning from the field, nor whilst engaged in labour in the field.

9. And be it further enacted, that any person or persons committing a breach or violation of any of the regulations contained in this Ordinance shall and may be prosecuted before the sheriffs of the respective districts in British Guiana; and in case of conviction of any offender before any such sheriff, the penalty incurred by any such offender shall, if recovered, be disposed of, at the discretion of the sheriff, in such proportion, between the colonial chest and the informer, as the sheriff shall consider expedient; and in case of non-payment, it shall and may be lawful for the sheriffs aforesaid to adjudge any such convicted offender to imprisonment, with or without hard labour, for any number of days not exceeding six days, unless the penalty be sooner paid.

10. And be it enacted, that all prosecutions under this Ordinance shall be commenced within 14 days after the offence committed, and not otherwise.

And that no ignorance shall be pretended of this our Ordinance, these presents shall be printed and published in the customary manner.

Thus done and enacted at our ordinary Assembly, held at the Guiana Public Buildings, Georgetown, Demerara, this 10th day of February 1837, and published on the 11th following.

(signed) *J. Carmichael Smyth.*

By command of the Court.

(signed) *H. E. F. Young, Secretary.*

Appendix, No. 205.

Orders in Council
and Colonial Law.

Appendix, No. 205.

Enclosure in Sir J. C. Smyth's Despatch, 26 March 1837, No. 673.

No. 4.

AN ORDINANCE to repeal an Ordinance, intituled, "An Ordinance to establish and constitute Inferior Courts of Criminal Justice in British Guiana," and to make Regulation and Provision instead thereof."—Passed 3 March 1837.

ORDINANCE enacted by His Excellency Sir James Carmichael Smyth, Bart., by and with the advice and consent of the Honourable the Court of Policy.

To all to whom these presents do, may, or shall come, greeting, be it known:

WHEREAS upon the 21st day of January in the year of our Lord 1834, the Lieutenant-Governor and Court of Policy of British Guiana made and passed an Ordinance, intituled, "An Ordinance to establish and constitute Inferior Courts of Criminal Justice in British Guiana." And whereas, in consequence of the abolition of slavery, it has become expedient that the said Ordinance should be repealed, and that another Ordinance should be made and passed in lieu thereof:

Preamble.

1. Be it therefore enacted, by his Excellency the Governor of the Colony of British Guiana, by and with the advice and consent of the Court of Policy thereof, that from and after the passing and publication of this Ordinance, the said Ordinance of 21st January 1834, shall be, and the same is, hereby declared to be repealed, save and except as to any crime or offence punishable thereunder, committed previously to the publication of this Ordinance, and save and except as to the justices of the peace thereunder created and appointed, whose appointments shall continue to be valid and effectual, and save and except in so far as the said Ordinance has repealed any previous Act or Ordinance.

Repeals Ordinance of 21 January 1834, except as to offences punishable thereunder committed previously to publication of this Ordinance.

2. And be it enacted, that it shall and may be lawful for his Excellency the Governor, acting in the name and on behalf of his Majesty, to fill up any vacancy that may be occasioned by the death, removal, or resignation of any such justice of the peace, and from time to time to appoint any additional number of justices of the peace that may to him seem meet.

Justices of the peace to be appointed by the Governor.

3. And be it further enacted, that every justice of the peace appointed under this Ordinance, before he shall enter upon the duties of his office, shall appear before the Governor of the Colony, and take an oath, to be administered to him by the Governor in the following terms:

Each justice, before he enters on his office, shall take an oath.

I, A. B. do swear that I will, to the best of my knowledge and ability, faithfully execute and perform the duties of the office of a justice of the peace in and for the colony of British Guiana, without fear, favour, or partiality. So help me God.

Form of Oath.

4. Be it further enacted, that every such justice of the peace shall take cognizance of any complaint which may be submitted to him against any person, for such breaches of the law as are now or may hereafter be defined to come within the limits of the authority of any such justice of the peace; every such justice of the peace being hereby empowered, in every case where he may consider it expedient, to refer any such complaint to the next sessions of any inferior criminal court, and in the meantime to commit the accused party to prison, unless sufficient bail be given for the appearance of such accused party at the next sessions of such court.

Every justice shall take cognizance of offences within the limits of his authority. May refer complaints to inferior court.

5. And be it further enacted, that once in every month, viz. on the first Tuesday of every month, in each of the districts of Demerara, of Essequibo, and of Berbice, a court shall be convened, at which the sheriff of the district shall preside, to consist of the sheriff and not less than three justices of the peace, which court shall sit and shall hear and determine, by a majority of votes, all cases of breaches of the peace, petty thefts, and other offences committed within the respective jurisdictions of the Supreme Court of Criminal Justice of the colony; and such court shall have full power and authority to adjourn from time to time as it may see fit; and at every sessions of such inferior criminal court, such court shall have power, upon conviction of any offender brought before it, to inflict a punishment not other than or exceeding imprisonment, with or without hard labour, for a term not exceeding three months, or fine not exceeding 20*l.*, or whipping not exceeding 39 stripes (this particular punishment being limited to males only), or any two or more of such kinds of punishment together, within the limits aforesaid.

Once a month inferior court of criminal justice to be held in each district, to hear and determine breaches of the peace, petty thefts, and other offences; extent of punishments and fine limited.

6. And be it further enacted, that if at the period appointed for holding any such court, the sheriff of the district shall be prevented from being present, either by illness, absence from the district, or other unavoidable cause, his Excellency the Governor shall issue his warrant to any justice of the peace whom he may think fit to select for the purpose, authorizing him to preside at such inferior court, in which case there shall be present at such court four justices of the peace, including the president.

Governor by warrant to authorize any justice to preside at inferior court in sheriff's absence.

7. And be it enacted, that the inferior court of criminal justice to be held monthly as aforesaid, shall be assembled as follows: that for the district of Demerara, in Georgetown; for the district of Berbice, in New Amsterdam, and that for the district of Essequibo, at the office of the sheriff of that district; and of the particular period when each inferior court is

Where courts to be held.

Notice to be given when courts to be held.

Governor to assemble inferior court wherever and whenever he may deem same necessary.

Sheriffs of respective districts to select and sanction places of confinement until erection of additional gaols, &c., and thereat, or contiguous thereto, to hold a court once a month.

No justice, being employer of apprenticed labourer, &c., to try such apprenticed labourer, &c.

Inferior court, before trial, may refer case to Supreme Court; may commit accused party, unless bail be given.

Chief justice or puisne judge to discharge any person from imprisonment.

Sheriffs to take notes of examination, and keep a record of particulars.

Justices and inferior courts to administer oaths.

Authority of every justice to extend over the whole colony.

Cells upon plantations to be used solely for confining apprenticed labourers committed by special justices.

to be held, notice shall be given by the sheriff of each district, by public advertisement through the Royal Gazette or Berbice Advertiser, six days at the least previously to the day appointed for holding each session.

8. And be it enacted, that whenever there shall be erected in any part of the colony an additional gaol and a court-house, it shall and may be lawful for the Governor to authorize the assembling and holding monthly sessions of an inferior court of criminal justice at any such court-house; and it shall moreover be lawful for his Excellency, either before or after the erection of any such court-house, to direct a session of an inferior court of criminal justice to be assembled wherever and whenever he may deem such a session necessary.

9. And be it further enacted, that until the erection of such additional gaol and court-house as aforesaid, the sheriffs of the respective districts shall be authorized, and they are each of them hereby required, to select and sanction, in each of the districts of Demerara, Essequibo, and Berbice, within two months after the publication of this Ordinance, such places of confinement, not exceeding three in each district, for the safe custody of any delinquent previously to trial before any inferior court as such sheriff shall think fit and proper for the purpose; and every place selected and sanctioned as aforesaid, as well as the care and safe custody of any delinquent to be confined therein, shall be placed under the charge of such person or persons as the sheriff of each district shall select for that duty; and notice of every place selected for any such purpose by every such sheriff shall be published in the Royal Gazette as soon as may be practicable after such selection; and upon such notice being published, it shall and may be lawful for any justice of the peace appointed under this Act, in default of bail, to commit any offender against any of the provisions thereof to any such place of confinement; and the trial of every offender so committed shall take place before any such monthly inferior court of criminal justice, to be convened by the sheriff of the district in which the offence shall have been committed, at such time as the sheriff of the district shall appoint; and such court shall be held either at the place where the delinquent shall have been confined under the power herein given to each of the sheriffs, or at such place contiguous thereto as the said sheriff shall appoint.

10. And be it enacted, that no justice of the peace, being an employer of an apprenticed labourer, or of an artiled servant, or of a liberated African, shall be competent to be a member of any inferior court of criminal justice before which any such apprenticed labourer, artiled servant, or indented African shall be arraigned.

11. And be it enacted, that if at any time before the trial, or during the trial, of any person before any inferior court of criminal justice, it shall appear to the said court that the case before it is of such a nature as ought to be tried before a supreme court of criminal justice, such inferior court shall be, and is hereby, authorized to commit the accused party to the common gaol of the district in which such inferior court shall be assembled, or to admit him or her to bail; and such inferior court shall be bound, and it is hereby required, to report the case for prosecution before either of the supreme courts of the colony having jurisdiction over the case.

12. And be it further enacted, that it shall be lawful for the chief justice, or first or second puisne judge, to discharge any person in a summary way from imprisonment before trial, or to admit him or her to bail, if it shall appear to the satisfaction of such chief justice or puisne judge that such person ought in due course of law to be discharged or admitted to bail.

13. And be it enacted, that the sheriff at each inferior court, or in case of his absence the president, shall take down in writing notes of the examinations of each and every witness produced and examined, and a record-book shall be kept of the proceedings containing the particulars comprised in the form under the letter F, a copy of which record shall by the sheriff of the district be quarterly laid before the Governor and the Court of Policy.

14. And be it further enacted, that in all cases of which any justice of the peace or inferior court of criminal justice is hereby or shall hereafter be required or authorized to take cognizance, it shall and may be lawful for such justice or inferior court, and he or it is hereby authorized and empowered, to administer an oath or oaths, affirmation or affirmations, to any person or persons to whom it shall and may be right and proper to administer such oath or oaths, affirmation or affirmations.

15. And be it further enacted, that for the purposes of this Act, it shall be lawful for any justice of the peace of this colony to take cognizance of any offence committed in any part of the colony, and to form one of any inferior court of criminal justice holding its sessions in any part of the colony, and that to all and every warrant or summons issued by any justice of the peace due obedience throughout the colony shall be paid.

16. And be it enacted, that the cells and other places of confinement, upon the plantations in the different districts, shall be used solely and exclusively for the purpose of confining apprenticed labourers committed under the warrants of special justices, to the custody of the manager or other person or persons resident upon such plantations; and no person accused of any crime or offence before a justice of the peace, and by him committed for trial, either before any inferior or supreme court of criminal justice, shall be liable to be confined in any other

other place than the public gaol of the district in which the accusation shall be preferred, save and except in the cases pointed out by the provisions of the ninth clause of this Ordinance, except for such a space of time as may in particular cases be absolutely necessary to make the requisite arrangements for forwarding the prisoner to the common gaol, which time, however, shall in no case exceed the period of 24 hours.

Orders in Council
and Colonial Laws.

Appendix, No. 205.

17. And be it further enacted, that if any person shall, by an inferior court of criminal justice, be adjudged under and by virtue of this Act to pay any fine, penalty, or sum of money, such person shall, if the fine be not forthwith paid, be committed, if in Demerara or Essequibo to the common gaol in Georgetown, or if in Berbice to the common gaol in New Amsterdam, for any term not exceeding two calendar months, unless payment be sooner made.

Persons fined, and
not paying, to be
committed to gaol.

18. And be it further enacted, that whenever any person shall be convicted by an inferior court of criminal justice of any offence punishable under this Act for which imprisonment may be awarded, it shall be lawful for such inferior court to adjudge the offender to be imprisoned, or to be imprisoned and kept to hard labour, in the common gaol, and also to direct that the offender shall be kept in solitary confinement for the whole or any portion or portions of such imprisonment, or of such imprisonment with hard labour, as to the court shall seem meet.

Imprisonment may
be solitary or other-
wise, with or with-
out hard labour.

19. And be it further enacted, that every justice of the peace shall appoint and swear in such persons in the parish in which he resides as he shall think fit, to act as constables generally, or for any special purpose, which constables shall obey and execute all warrants and orders of the inferior courts of criminal justice, and of all and every the justices of the peace; and that to all such constables being so appointed due obedience shall be paid in the execution of their office; and that every justice of the peace, in either Georgetown or New Amsterdam, to whom a complaint shall be made, shall, if he think fit, refer the same to the sheriff of the district.

Justices to appoint
constables; and for
what purposes obe-
dience to be paid to
constables.

20. And for the more effectual apprehension and discovery of all offenders punishable under this Act, be it enacted, that any person found committing any offence punishable by virtue of this Act, may be immediately apprehended without a warrant, by any peace officer, or by the owner of the property on or with respect to which the offence shall be committed, or by his servant, or any person authorized by him, and forthwith taken before some neighbouring justice of the peace, to be dealt with according to law; and if any credible witness shall prove upon oath, before a justice of the peace, a reasonable cause to suspect that any person has in his possession, or on his premises, any stolen property whatsoever, or with respect to which any such offence shall have been committed, the justice may grant a warrant to search for such property; and any person to whom any property shall be offered to be sold, pawned or delivered, if he shall have reasonable cause to suspect that any such offence has been committed on or with respect to such property, is hereby authorized, and, if in his power, is required, to apprehend and forthwith to carry before a justice of the peace the party offering the same, together with such property, to be dealt with according to law.

A person in the act
of committing an
offence may be ar-
rested without war-
rant.

Justice may grant
search warrant.

Any person to whom
stolen property is
offered, may seize
party offering it.

21. And be it further enacted, that all fines and pecuniary penalties incurred and levied under this Act, shall be paid into the colonial chest of the colony.

Application of fines.

22. And be it further enacted, that the summons, warrants, convictions, commitments, bail-bonds, recognizances of witnesses, to be used, and oaths to be administered, by the said justices, when acting singly, shall be in the Forms annexed, marked A, B, C, D, E, F, G, H, I, K, L, M, N, O, P.

Forms of sum-
monses, &c., to be
used by single
justices.

And that no ignorance shall be pretended of this our Ordinance, these presents shall be printed and published in the customary manner.

Thus done and enacted at our ordinary Assembly, held at the Guiana Public Buildings, Georgetown, Demerara, this 3d March 1837, and published on the 9th following.

(signed) *J. Carmichael Smyth.*

By command of the Court.

(signed)

H. E. F. Young, Secretary.

