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P A P E R S

PRESENTED TO PARLIAMENT, BY

HER MAJESTY'S COMMAND,

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

FOR GIVING EFFECT TO THE ACT

FOR THE

ABOLITION OF SLAVERY

THROUGHOUT THE BRITISH COLONIES.

PART V.

BARBADOS AND BRITISH GUIANA.

(2.)

*(In Continuation of the Papers presented in 1835, 1836, 1837 and 1838, Nos. 177, 278 of 1835,
No. 166.-I. & II. of 1836, No. 521.-I. & II. of 1837, and No. 154.-I. of 1838.)*

1838.

*Ordered, by The House of Commons, to be Printed,
9 March 1838.*

SCHEDULE.

BARBADOS.

APPRENTICESHIP OF CHILDREN.

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P A P E R S
RELATING TO THE
ABOLITION OF SLAVERY.

B A R B A D O S.

APPRENTICESHIP OF CHILDREN.

(No. 69.)

—No. 76.—

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart., to
Lord *Glenelg*.

BARBADOS.

No. 76.

Vide Appendix,

No. 197.

No. 620.

3 April 1837.

My Lord,

Government House, Barbados, 4 April 1837.

IN transmitting the accompanying copy of an Act of this island, intituled, "An Act to repeal the 38th Clause of 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,'" I beg permission in the most earnest manner to recommend this enactment to the favourable consideration of your Lordship.

The clause sanctioning the apprenticeship, in certain cases, of free children of apprenticed labourers, which it is proposed to repeal, is viewed with jealous apprehension by the peasantry; and the legislature now affords the strongest proof of its being, upon that account, no less objectionable to the proprietors.

It is to be hoped, consequently, that the relinquishment of a provision in the Barbados Abolition Act will be authorized by his Majesty's Government, which, however wise in its original intent, both classes of persons practically interested in its effects are equally desirous to forego.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Barbados.

Enclosure in No. 76.

AN ACT to repeal the 38th Clause of an Act, intituled, "An Act for the Abolition of Slavery, for the Government of Apprenticed Labourers, and for ascertaining the reciprocal Duties between them and their Employers."

Encl. in No. 76.

The first clause of this Act repeals the 38th clause of the Act mentioned in the above title. The second clause of this Act declares, that it shall not be in force until his Majesty's pleasure shall be known.

The repeal of the 38th clause of the Abolition Act, intended to be affected by the above law, has been rendered almost necessary, in consequence of the injurious effects which have arisen to the free children of apprenticed labourers, chiefly from erroneous impressions engendered on their minds as to its real object; they have been made to believe that, by the terms of that clause, an indefinite prolongation of the apprenticeship system, which they were at the same time taught to consider as but another name for slavery, was intended to be sanctioned; and so firmly has this feeling become rooted in their minds that they will not permit their children to be employed or work for wages on the different estates to which they are themselves attached. The result to their children is most lamentable; they are being brought up in a state of absolute idleness; but little instruction is within the reach of the great mass of them, and, although the parents generally desire that their children should be educated, every attempt to accomplish it, on the part of the employers, has been unsuccessful, and every offer of employment for them, from the same quarter, has been rejected, and is looked on as but affording evidence of an intention to entrap them into a fresh state of slavery. It was originally proposed to alter this clause only, by taking away the power of apprenticing for 21 years, and declaring that no child should be apprenticed for a longer term than till 1840; and, I confess, I think this would have been the most judicious course,

BARBADOS.

as the provision for any really destitute child would have been preserved. It was, however, rejected by a majority of the House of Assembly, because it was thought (and perhaps rightly) that all infants and those children who were unable to work would be forthwith apprenticed, in order to procure the provision for maintenance to which they would have thus become entitled; but, in my opinion, this would not have taken place in a single instance, as I believe that nothing would induce any one of them to apprentice any child for a single day, so strong are their feelings on this subject; and I am warranted in this conclusion from the known fact that, since August 1834, only one child out of upwards of 14,000 who became free on that day, being under six years of age, has been apprenticed, and that not under the 38th clause, as a destitute child, but, as I have been most credibly informed, because it was a favourite of the employers, who, dreading its being taken from him, if suffered to remain free, procured the consent of its parents to its apprenticeship, in order that he might retain it under his own protection. This clause, therefore, has been wholly inoperative, and its repeal will tend, more than any other measure, to remove those suspicious and erroneous impressions from the minds of the parents of these children, which offer such serious obstacles to their education and moral advancement. A suspending clause has been added to the Bill, it being deemed too important an alteration of a principle of the Abolition Act to be brought into operation without the previous sanction of his Majesty's Government, notwithstanding the clause itself has been a dead letter.

It is proper to add, that this report is, for the most part, founded on evidence taken before a joint committee of the Council and Assembly, appointed to inquire into the condition of the free children of apprenticed labourers; the investigations of the committee are not yet completed, but the result of their labours will be submitted to his Majesty's Government, in the hope of devising, with its concurrence, a proper plan for their education and employment, and of rescuing so numerous a class, destined to form the great body (at no distant day) of our labouring population, from the evils necessarily incident to a youth spent in idleness.

3 April 1837.

(signed) *R. Boucher Clarke.*

(No. 39.)

—No. 77.—

COPY of a DESPATCH from Lord *Glenelg* to Governor
Sir *E. J. M. M'Gregor*, Bart.

No. 77.

Sir,

Downing-street, 30 June 1837.

I HAVE the honour to acknowledge the receipt of your despatch, No. 69, of the 4th April last, transmitting an Act (No. 620) for repealing so much of the Colonial Act for the Abolition of Slavery as authorizes the apprenticeship of the children of apprenticed labourers.

It appears from the Solicitor-general's report which accompanied your despatch, that the whole negro population of the island have unanimously opposed themselves to the apprenticeship of their children, receiving it as nothing else than a contrivance for perpetuating slavery. Out of 14,000 children, one child only is stated to have been apprenticed, and even in that case the employer was enabled to overcome the difficulty only by circumstances of a very peculiar nature.

Under these circumstances, the colonial legislature have judged it expedient to repeal this part of the Abolition Act, with the expectation that, by so doing, the fears of the parents will be quieted as to the future freedom of their offspring, and that they will be induced to allow them to work when they can no longer be employed as apprentices. Concurring, as I do, in the opinion which you and the Solicitor-general have expressed, that this Act, which has a suspending clause, should be allowed, I shall advise Her Majesty in Council to confirm it.

I have, &c.

(signed) *Glenelg.*

(No. 24.)

—No. 78.—

COPY of a DESPATCH from Lord *Glenelg* to Governor
Sir *E. J. M. M'Gregor*, Bart.

No. 78.

Sir,

Downing-street, 29 March 1837.

I HAVE the honour to transmit to you a copy of a letter and enclosure addressed to my Under Secretary of State, Sir G. Grey, by Mr. Fowell Buxton, representing that an attempt is making by planters in the island of Barbados to force the apprenticeship of the free children without the consent of their parents, and

and that the Solicitor-general is endeavouring to prove that a clause in one of the local Acts will enable them to effect this object.

BARBADOS.

I have to desire that you will call on the Solicitor-general for a report upon the facts alleged by Mr. Buxton's correspondent, his Majesty's Government having repeatedly expressed their concurrence in the very decided opinions of Sir Lionel Smith, that the apprenticeship of children ought not to take place except upon the clearest proof that they cannot be adequately supported by other means. You will have the goodness to instruct the Solicitor-general to act in his public capacity on this principle, and I will observe, that it will be your duty not to assent to any law having for its object to give any increased power of compelling children, or their parents on their behalf, to enter into contracts of this kind.

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

Enclosure in No. 78.

(Received 27th March 1837.)

Sir,

I HAVE received a letter from Barbados, a copy of part of which I am desirous of laying before you, feeling sure that you will be as fully averse, as I am, to the apprenticeship of children contrary to the will of their parents. I hope you will take immediate notice of it, and send out strict orders to the West Indies at once. Pray excuse my earnestness on this subject, as I consider it one of vital importance.

Encl. in No. 78.

Sir Geo. Grey, Bart., M. P.
&c. &c. &c.

Believe me, &c.
T. F. Buxton.

"The planters in this island are attempting to force the apprenticeship of the free children without the consent of the parents. The Solicitor-general is endeavouring to prove that a clause in one of the local Acts, which the Colonial Office has sanctioned, will enable them to effect this; but in case this method should fail, they intend to pass another Act.

"Every effort is made to force the parents to apprentice the children, by turning the infants out of their houses into the road, stopping the molasses, on which they are partly sustained, &c.; but though we are told that the number of deaths of free children is 'frightful to relate,' yet we have heard of only one child in the whole island hitherto apprenticed. One ground alleged by the Solicitor-general for forcing the apprenticeship under a clause of the local Act is, that the parents do not educate them!! Now, in the new Moravian schools, out of 150 to 180 children, all were free on the 1st of August 1834, except two, and the parents of these two paid their master and owner for liberty to send them."

— No. 79. —

(No. 88.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart., to
Lord Glenelg.

Windward Islands, Government House, Barbados,
1 May 1837.

No. 79.

My Lord,

I HAVE had the honour of receiving your Lordship's despatch of the 29th March, No. 24, in reference to a representation, erroneously communicated to your Lordship, "that an attempt is making by planters in the island of Barbados to force the apprenticeship of the free children without the consent of their parents."

With respect to your Lordship's observation, that his Majesty's Government have repeatedly expressed their concurrence in the very decided opinions of Sir Lionel Smith upon the apprenticeship of children, it may not be inconvenient to quote the Earl of Aberdeen's expressions upon this question, in a letter to Sir Lionel, of the 1st of January 1835, as follows:—

"I am constrained to express my own concurrence in the opinion that Parliament have tendered to the apprenticed labourers the choice of maintaining their own young children by the earnings of their leisure time, or of permitting those children to be bound out as apprentices. I therefore cannot condemn the local legislature for having declined to increase the amount of leisure assigned to the parents, in order that such additional time might be employed by them to rescue their children from the apprenticeship."

154.—II.

On

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On my own behalf, I cannot more appropriately meet the injunction your Lordship has thought it requisite to lay upon me, "not to assent to any law having for its object to give any increased power of compelling children, or their parents on their behalf, to enter into contracts of this kind," than by adverting to the fact of my having already assented to an Act, which, if his Majesty shall be advised to sanction it, will be attended with the opposite effect of relieving your Lordship from the constraint experienced by my Lord Aberdeen in this respect, and of effectually rescuing the children of apprenticed labourers from that apprenticeship, to which, according to the statement of the noble Earl, it was the obvious intention of the imperial legislature to render them, under particular circumstances, liable and subject.

It will be the province of Mr. Clarke, the Solicitor-general, to report, in obedience to your Lordship's commands, upon the facts alleged by Mr. Buxton's correspondent, and of the Legislative Council and Assembly to act upon the occasion as the honourable board and house may deem expedient; but Mr. Fowell Buxton, perhaps, may be disposed to waive the impression he has been led to adopt, in this instance, on an *ex-parte* statement, to the prejudice of the Governor, Council and Assembly of Barbados, on being made aware of my having, in a despatch of the 4th of April last, No. 69, in the most earnest manner recommended to the favourable consideration of your Lordship, "An Act to repeal the 38th Clause of an Act, intituled, 'An Act for the Abolition of Slavery, and for the Government of Apprenticed Labourers,'" &c., on the following grounds, viz.—

That "the clause sanctioning the apprenticeship in certain cases of free children of apprenticed labourers, which it is proposed to repeal, is viewed with jealous apprehension by the peasantry, and the legislature now affords the strongest proof of its being, upon that account, no less objectionable to the proprietors;" and that, "it is to be hoped, consequently, that the relinquishment of a provision in the Barbados Abolition Act will be authorized by his Majesty's Government, which, however wise in its original intent, both classes of persons partially interested in its effects are equally desirous to forego."

With every respect for Mr. Buxton's public character, it is, at any rate, an indispensable obligation on my part to avow a high sense of the liberal proceedings generally of the local legislature since my accession to this government, and to affirm that the learned gentleman now filling the office of Solicitor-general, whose zeal and assiduity as a law officer of the Crown are most commendable, is as amiable, as talented, and incapable of countenancing any design calculated to prove oppressive in its operation to the labouring population of his country.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

—No. 80.—

(No. 97.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart., to Lord *Glenelg*.

No. 80.

My Lord,

Government House, Barbados, 9 May 1837.

8 May 1837.

WITH reference to my letter of the 1st instant, No. 88, I have the honour of enclosing, in further obedience to your Lordship's despatch of the 29th of March, a report received from his Majesty's Solicitor-general, "upon the facts alleged by Mr. Buxton's correspondent," relative to an attempt in this island "to force the apprenticeship of the free children without the consent of their parents."

In this report, received by me last night, Mr. Clarke correctly mentions that I suggested the addition of a suspending clause to the Act now before your Lordship, to repeal the 38th clause of the Act, intituled, "An Act for the Abolition of Slavery," and this proposal was founded on the belief that it is inexpedient to make alterations in the Abolition Act without the utmost caution, and only in cases of emergency. On adverting to my despatch of the 31st of December 1836, No. 57, the existence in my mind of this impression may be traced,

traced, it being therein remarked, "I coincide entirely in the opinion expressed by Major Colthurst, in a letter of which a copy is enclosed, that 'the fewer alterations of the original law that take place the better.'"

To this letter my recollection has been directed by a passage in the Solicitor-general's report, stating that "the condition of the free children of apprenticed labourers became," at an early period of "my" administration, the subject of "my grave consideration," and the letter referred to proves that the question came, by an inevitable process, to my notice, soon after my arrival in Barbados, through the medium of the special magistrates' reports, as it commences thus:—

"Returns from the stipendiary magistrates of Barbados, for the month of November, in reply to questions from your Lordship, are herewith forwarded.

"The interruption of intercourse between apprenticed females and their free children, the repugnance of the mothers to apprentice them, and the situation of this class of persons in general, form a most important subject, to which my attention is anxiously directed."

That Mr. Clarke has acted, in respect to the Bills introduced for the purpose of obliterating the apprenticeship clause affecting free children from the Abolition Law, with my "entire concurrence," I most readily acknowledge; and, indeed, that concurrence and approbation could not well be withheld, seeing that his efforts advanced the accomplishment of views adopted and avowed by myself before I had the honour of being nominated, through your Lordship's favourable recommendation, to the government of the Windward Islands.

After having assented to an Act for the express purpose of expunging every trace of slavery, even in the modified form of apprenticeship from Antigua, there are proofs on record, in your Lordship's office, of my recommending it in other Leeward colonies, the propriety of shortening the term of apprenticed servitude; and, on taking leave of the Dominica legislature, I publicly imparted that advice, as follows, on the 24th of August 1836:

"My earnest recommendation is renewed, that your timely attention may be bestowed upon the careful preparation of enactments calculated to meet those important alterations in colonial society, which cannot be respectively postponed beyond the years 1838 and 1840. In my humble judgment, under the peculiar circumstances of this colony, it is indeed much to be desired that these inevitable changes could be accomplished by a single effort."

That these occurrences should not be remembered in the colonial department need not excite surprise, on considering the multiplicity of its avocations; they must be quite unknown to Mr. Buxton, and are material, for the moment, solely in so far as they are calculated to evince that my concurrence would not have been accorded, nor my suggestions offered to Mr. Clarke, had he been engaged in the design imputed to him of contributing to force the apprenticeship of the free children, or, in other words, of opposing, in the instance of the children, my own repeatedly declared wishes for the emancipation of their parents, of which it appears, from the following passage of a despatch addressed to me on the 20th of July 1836, No. 65, that your Lordship once was cognizant:

"No. 65.—Montserrat.

"Sir,

"Downing-street, 20 July 1836.

"I have had the honour to receive your despatch and enclosures, No. 74, of the 14th of April, in which you describe the feeling which prevails amongst many persons in Montserrat in favour of the abolition of the remaining period of apprenticeship, and the establishment of immediate freedom.

"I have perused with much interest the report you have made on the subject, and I have no hesitation in expressing to you my concurrence in the propriety of the cautious conduct which you have observed, in not attempting to press forward the adoption of your own views before the community of Montserrat was prepared to receive them.

"I have, &c.

"Governor Sir E. J. M. M'Gregor,"
&c. &c. &c.

(signed) "Glenelg."

Upon these grounds, my testimony, in addition to his own clear narrative, will account for the confidence reposed by me in Mr. Clarke, and, I should hope, restore him to your Lordship's, there being no doubt, as he himself submits, that

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that Mr. Buxton's correspondents, however unintentionally, have mistaken the motives and misrepresented the conduct of the learned gentlemen.

Upon the present occasion, I have been reminded, by the Solicitor-general's reference to the Bill described as having been thrown out, and in lieu of which that subsequently passed has been substituted, of a private note to a member of his Majesty's Council of this island, in which I took occasion to observe, on the 30th of January last, that "the authority vested by the Abolition Act in the special magistrates, to apprentice children under certain circumstances, seems to have been designed for the protection of the peasantry against the forcible separation of families, as well as that of infants, from the injudicious proceedings of their parents. It does not, however, occur to me that it was within the contemplation of the Act by any means to sanction the general application of this power, which, if so exercised, might be equally oppressive on the employers as on the employed; and I must confess myself at a loss to account for the impression apparently entertained in some quarters, that a project exists of establishing a system of 21 years' apprenticeship amongst the free children in Barbados. But the main objection to the practical operation of the enactment arises from the prescribed length of the engagement which it sanctions, and I shall therefore witness with satisfaction any alteration of the law that may tend to render salutary the occasional exertion of the power in question, by limiting the duration of those contracts to which the special magistrates now possess the right of compelling refractory parties to submit.

"A message will apprise the Legislative Houses to-day of Lord Glenelg's sentiments upon schools; and the progress of these subsidiary measures is interesting, in as far as each respectively promises to promote the great object of placing the proprietors and working classes on an amicable footing when the period of apprenticeship expires."

This object is the unceasing aim of my personal policy, as Governor, and as it cannot fail also to be that of Mr. Buxton, I trust to be forgiven for requesting your Lordship's good offices in impressing upon that gentleman the extreme risk, by unadvisedly exerting external interference, of weakening its beneficial effects, if really required, and, at the same time, my perfect readiness to promote his measures, in whatever form communicated, that do not in any manner tend to militate against the instructions with which I am honoured by your Lordship.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure in No. 80.

Kingston Lodge, Barbados, 8 May 1837.

Encl. in No. 80.

IN obedience to your Excellency's desire, communicated in the accompanying memorandum, I have the honour to forward the report directed by Lord Glenelg, in his despatch of the 29 March 1837, No. 24.

Before I enter on the subject of that communication, I have to express my thanks to his Lordship for having given me an opportunity of removing the injurious impressions made against me, by the misrepresentations of the anonymous correspondent of Mr. Buxton's, and I consider myself peculiarly fortunate in being able to effect this, not only by reference to opinions expressed in public, long before I could have had any idea that such a charge was to be got up against me, but also by an appeal to facts and acts, emanating from myself, previously done in a "public capacity," (though not as a law officer of the Crown), which render the denial, on my part, of the truth of those allegations superfluous, by completely disproving them. The general charge made by Mr. Buxton's correspondent is, as stated by his Lordship, "that an attempt is making by the planters in the island of Barbados to force the apprenticeship of the free children without the consent of their parents." And the part assigned to myself, in furtherance of this alleged scheme of the planters, is, "that the Solicitor-general is endeavouring to prove, that a clause in one of the local Acts will enable them to effect this object."

That there is not a syllable of truth in this, the following statement will show; while the real facts of the case, most of which have, ere this, been officially communicated to his Lordship, will prove that, instead of its having been the object of the planters "to force the apprenticeship of the free children," their representatives in the House of Assembly have, with, I am persuaded, the concurrence of every respectable person, done all in their power to prevent any such apprenticeship, and the Solicitor-general has, as a member of that House, lent his humble aid also, not "to enable," but, in fact, to prevent them from effecting "that object."

Your

Your Excellency is aware, that the condition of the free children of apprenticed labourers has for some time occupied the anxious attention of those interested in the welfare and prosperity of the colony; that it necessarily became, at an early period of your Excellency's administration, the subject of your grave consideration, and that, in order to obtain all the information required, before any means could be devised for improving their condition, your Excellency addressed a circular to the special magistrates, calling on them to inquire into, and report to you, on their number and actual state. These inquiries, though made by the special magistrates, were received with great jealousy by the parents of these children, and, unhappily, there were not wanting either those to whose views it was more congenial to foster than to remove erroneous impressions amongst the apprenticed labourers, or those whose office it was to convey that information, however false, across the Atlantic. About the latter end of January last, I was informed that an idea was entertained by many of the apprenticed labourers, that it was intended to apprentice their free children. Knowing well their great objections to such a measure, and that such an impression would operate most injuriously if allowed to prevail among them, I felt it my duty to use every means in my power to remove it, and allay their fears on this head. On moving in the House of Assembly, on the 31st of January last, "for the appointment of a committee to inquire into the actual condition of the free children of apprenticed labourers, with a view of devising the best means of providing for their education, and promoting their welfare," I find that, in one of the island newspapers of February 2d, I am reported (and that report is sufficiently correct) to have expressed myself thus on the subject: "Before he (Mr. Clarke) sat down, he wished to say a few words on an important point connected with this question; he had heard that an idea had got abroad among the parents of these children, that it was in contemplation to enforce generally that clause of the Imperial Act for the Abolition of Slavery which had been incorporated into the Island Act, for causing the apprenticeship of these children under certain circumstances; he had been told of this impression, in a way which had induced him to believe that it was equally general and baneful; he had no hesitation in giving it the most unqualified denial, and as it was most desirable that all erroneous impressions of this nature, in the minds of the parents of these children, should be removed, he took that opportunity of contradicting it; such an idea had not, he believed, been ever entertained by any person possessing the least influence, or having any authority whatever; he was most solicitous that this impression should be done away with, because he feared that the result of the inquiry which he was about to recommend would show, that nearly all the evils to which these unfortunate children were exposed arose from wrong and unfounded impressions, chiefly on this subject, in the minds of their parents; he trusted that they would be persuaded that the only object the legislature had in view was to benefit these children, to rescue them from the curse of idleness, and, by obtaining for them the blessings of education, enable them to provide for themselves, at a future day, by honest and profitable industry."

I did not, however, content myself with this general public disavowal of any such intention; I knew that mere statements and contradictions would not be sufficient, but that something more was required to satisfy the minds of the apprenticed labourers. I therefore determined effectually to set the question at rest by an Act of the legislature, altering the 38th clause of the Abolition Law, which sanctioned the apprenticeship of the children, when destitute, and declaring that no child apprenticed under it should continue in a state of apprenticeship beyond the 1st of August 1840; and the next time the House met, on the 21st of February last, I introduced a Bill to effect this object; my remarks, and indeed the whole debate, as reported in a newspaper of the 27th of February, sufficiently explained my object and the feeling of the House, and are as follows:

(No. 1.)

"Mr. Clarke rose to introduce a short but most important Bill.

"By the 38th clause of the Island Slavery Abolition Act, taken exactly from the Imperial Act, the stipendiary magistrates had the power to bind the free children of apprenticed labourers whose parents were unable to maintain them, until such children reached the age of 21 years. This clause was one which, amongst the parents of these children, had given rise to an impression equally fallacious as unfounded; they looked upon it as being calculated and intended to perpetuate slavery under the name of apprenticeship. To attempt to remove this absurd prejudice by arguments, or a plain statement of facts, would be unavailing; the one they would not understand, the other they would not believe. He knew it was the sincere wish of every member of the House to see the condition of the large class of free children of apprentices bettered, and that they should not be allowed to continue in their present state of idleness and vagabondage; but he felt that nothing effectual could be done until the erroneous impression which now existed in their minds was removed, and which was at present a stumbling-block in the way of every measure that could be proposed for their advantage. To give the parents of these children correct views on the subject was the duty of the House. The House had received praise from each successive Secretary for the good faith which they had evinced throughout the whole measure of slavery abolition; but one thing was still wanted to convince the apprenticed population of their good feeling, and that they had no desire to renovate slavery; and this object, he was fully persuaded, could only be effected by the House consenting to the Bill which he held in his hand, which repealed so much of the 38th clause of the Abolition Act as authorized the special magistrates to bind the children of apprentices until the age of 21, and substitute in lieu a provision, limiting the term of such apprenticeship to the year 1840. As argument was not in fashion nowadays for the removal of absurd impressions and prejudices, he proposed to remove them by law. The honourable member concluded by moving that this Bill be read.

"Dr.

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" Dr. Bascom seconded the motion ; and the Bill was accordingly read three times, and the question for passing put, when Mr. Corben objected to the measure, as calculated to impose a great responsibility and expense upon employers without any corresponding benefit. That under this law the mother of every infant now in the colony, or which may hereafter be born, would immediately come forward and apprentice them to their master, who would then be compelled to feed, clothe and care them for three years, during which time they would be perfect burthens to him ; whereas not one single child would be apprenticed by them who was old enough to perform the slightest labour, or be of the most trifling service.

" Mr. Clarke contended, that the amendment he proposed would cause little or no alteration with regard to apprenticing, but it would effect the great object of removing an erroneous impression from the minds of parents, which was doing the colony a material injury. With respect to its increasing the burthens of proprietors, he could not see that it would do any such thing ; there was not a proprietor in the island who would refuse to support the children of any labourer who applied to him to do so ; and this enactment would only legalize the practice, which is now universally acted upon.

" Dr. Bascom supported the Bill very ably ; the abolition of slavery had not made any difference in the manner in which the children were treated on his property, and he thought the same might be said with regard to almost every estate in the colony ; the great object now was to educate the children, and the present Bill was the first step to remove the erroneous impression alluded to by the honourable and learned member for St. Michael's, and which, if suffered to exist, would oppose almost insurmountable obstacles to the success of their project—(several honourable members were for repealing the clause altogether ; but Mr. Clarke declared, he would rather lose his Bill than consent to the proposal)."

My reasons for objecting on that day to amend the Bill, so as totally to repeal the clause, were, that I deemed it too important an alteration of a principle of the Abolition Act (and one, the object of which might very easily have been misunderstood, and would, most certainly, have been misrepresented) to feel myself authorized, as law officer of the Crown, in advising your Excellency to give your assent to it, without the previous sanction of his Majesty's Government, and as it would have been wholly inconsistent in me to have agreed to it in the House, and objected at my chambers, I let the Bill take its chance, and it was lost on the third reading by a majority of one. Being, however, still deeply impressed with the importance of removing these impressions by law, and knowing that the clause, as a provision for destitute children, had been a dead letter, I agreed to the total repeal of it at the next meeting of the House, on condition of a suspending clause being added, having, as your Excellency cannot fail to remember, been previously informed that you thought such a course desirable.

(No. 2.)

The Act subsequently passed the Council, was assented to by your Excellency, and transmitted to the Colonial Office, with my official report thereon, of the 3d of April last (a copy of which is annexed), on reference to which his Lordship will find that I felt the subject to be a most important one, and that I expressed my decided conviction, that abolishing the power of apprenticing these children, under any circumstances, " will tend more than any other measure to remove those suspicious and erroneous impressions from the minds of the parents of these children, which offer such serious obstacles to their education and moral advancement."

That this has been my sole object, your Excellency is well aware ; as also, that I have acted throughout with your Excellency's entire concurrence ; and I trust I shall be permitted to add, at no distant day, with his Lordship's approval also ; for when he shall have been made acquainted with the above facts (which could not have been invented, and cannot be explained away), I feel gratified in the assurance that his Lordship will perceive that I have been actively engaged in accomplishing the very reverse of what I am accused by Mr. Buxton's correspondent of intending.

So far in justification of myself from the charge as understood and conveyed in his Lordship's despatch ; but although I fear I have already tasked your Excellency's patience, I cannot omit to notice the information conveyed to Mr. Buxton. I can assure your Excellency, that the first time I ever heard of " the planters in this island attempting to force the apprenticeship of the free children ;" the first knowledge I ever had of my own attempts to prove it practicable under a local Act, and the first intimation that " in case this method should fail, they intend to pass another Act," was when I had the honour of receiving his Lordship's despatch and its enclosures, announcing these events on the authority of Mr. Buxton's correspondent.

I also learned for the first time, from the same source, of the " efforts made and the means employed " to force the parents to apprentice their children, and which I am sure I could not have been ignorant of such attempts, if they had been made. I trust that your Excellency knows, and his Lordship will be persuaded, that they would have met my most decided opposition ; because I am certain they would have produced irritation and dissatisfaction on the part of the apprenticed labourers towards their employers, between whom it is of the first importance to preserve the most friendly feelings.

I confess, however, I am induced to despair of accomplishing that good for these unfortunate children which I have most anxiously desired, as I cannot but feel disheartened when I find my endeavours to promote their welfare made the groundwork of charges of an opposite tendency against me, and perverted into proof of a desire on my part to oppose the policy of his Majesty's Government, and though founded on the communication of an anonymous correspondent, so far credited by his Lordship as to produce what I cannot but

but

but feel as a censure on my conduct; I can assure his Lordship that I yield not to Mr. Buxton himself, for whose philanthropic feelings I entertain the greatest respect, in my desire to benefit these children.

I sincerely hope he may in future receive more accurate information respecting them and those who seek to do them good, and rely on his Lordship's kindness and known sense of justice to inform that influential gentleman, that in this instance his correspondents have mistaken the motives and misrepresented the conduct of

Yours, &c.
(signed) *R. Boucher Clarke.*

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To his Excellency Sir E. J. M. M^cGregor, Bart., Governor.
&c. &c. &c.

(No. 1.)

AN ACT to amend an Act, intituled, "An Act for the Abolition of Slavery, for th Government of Apprenticed Labourers, and for ascertaining and enforcing the reciprocal Duties between them and their Employers."

WHEREAS by the thirty-eighth clause of the Act for the Abolition of Slavery taken from the Imperial Act, it is lawful for the special justices of the peace to apprentice any free child of any apprenticed labourer who is not provided with adequate maintenance until such child shall have completed his twenty-first year: And whereas, in consequence of various misconstructions which have been made in this clause, it is expedient to repeal so much of the same as permits the apprenticeship of any such child for so long a period; and to declare that the special justices of the peace shall in no case have power to apprentice any such child beyond the year one thousand eight hundred and forty, in which the apprenticeship system will expire:

Be it therefore enacted, by the Governor, Council and Assembly, and by the authority of the same, that so much of the said thirty-eighth clause of the said Act for the Abolition of Slavery as declares "that the term of such apprenticeship of any such child so to be apprenticed by the said special justices of the peace, as by the said clause is specified, shall be limited, and made to continue in force until such child shall have completed his or her twenty-first year and no longer," shall be and the same is hereby repealed.

Clause 2.—And be it further enacted, that no special justice of the peace shall have power to bind out as an apprentice, under the authority of the said thirty-eighth clause, or of the said Act for the Abolition of Slavery, any such child who shall be unprovided with adequate maintenance for a longer period than the year one thousand eight hundred and forty, in which the said apprenticeship system will cease.

I do certify that the foregoing is a true copy of the Bill introduced in the House of Assembly by Mr. Solicitor-general Clarke, on the 21st of February 1837, and which was lost by a majority of one.

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

(No. 2.)

COPY of a REPORT on "An Act to repeal the 38th Clause of an Act, intituled, 'An Act for the Abolition of Slavery, for the Government of Apprenticed Labourers, and for ascertaining the reciprocal Duties between them and their Employers.'"

(For Report, *vide* page 1.)

—No. 81.—

(No. 40.)

COPY of a DESPATCH from Lord *Glenely* to Governor
Sir *E. J. M. M^cGregor*, Bart.

Sir,

Downing-street, 30 June 1837.

No. 81.

I HAVE to acknowledge the receipt of your despatches, Nos. 88 and 97, dated the 1st and 9th of May, enclosing the explanation of the Solicitor-general of Barbados on the imputation which had been conveyed against him, of promoting the views of "planters in the island of Barbados to force the apprenticeship of the free children without the consent of their parents."

I did not delay transmitting these despatches and enclosures to Mr. Fowell Buxton in a letter, of which the accompanying is a copy, and that gentleman has replied to it by communicating to me the letter, which he has addressed to Mr. Clarke on the subject, a copy of which I have likewise to furnish you with for your information.

23 June.

26 June.

It is highly gratifying to me to have received from Mr. Buxton a letter, in which that gentleman, in terms so honourable to his own character, has avowed

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and retracted the erroneous statement which he had made to the prejudice of Mr. Clarke, in reliance on information which now appears to have been entirely incorrect. I feel convinced that the apology will be accepted by Mr. Clarke in the same spirit of candour in which it has been made.

With regard to your part of this correspondence, it is painful to me to learn that you should have understood my despatch of the 29th March as conveying any implied censure or distrust, against which it behoved you to vindicate your character. Had any such defence been required, I gladly admit that it could not have been made in terms more conclusive than those of your despatch of the 9th of May. But I feel anxious to assure you, that there never rested on my mind so much as a surmise to the prejudice of your zeal for the welfare of the negro population of the Colonies under your government, and that if the language of my despatch of the 29th of March required or admitted such a construction, that language must have been most unfortunately chosen, and wholly inappropriate to the occasion on which it was employed.

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

Enclosure 1, in No. 81.

Encl. 1, in No. 81.
No. 88, 1 May.
No. 97, 9 May.

Sir,

Downing-street, 23 June 1837.

I AM directed by Lord Glenelg to transmit to you herewith two despatches, with their enclosures, from Sir Murray M'Gregor, the Governor-general of the Windward Islands, in which that officer conveys his own explanations, and those of the Solicitor-general of Barbados, of the course adopted by them in respect to the apprenticeship of children, freed under the Act for the Abolition of Slavery. These explanations are given in consequence of the information which you received from a correspondent in Barbados, and communicated to Lord Glenelg, to the effect that attempts were being made by the public authorities of that island, and especially by the Solicitor-general, to force the apprenticeship of the children. Lord Glenelg cannot doubt that the enclosed documents will satisfy you that the information which you received was totally without foundation, and that you have unconsciously been the means of giving currency to a statement not less erroneous than it is prejudicial to the character of the Solicitor-general of Barbados.

T. Fowell Buxton, Esq., M. P.
&c. &c. &c.

I have, &c.
(signed) *Geo. Grey.*

Enclosure 2, in No. 81.

Encl. 2, in No. 81.

My Lord,

London, 26 June 1837.

I BEG to return you the despatches of the Governor of Barbados, with the enclosures. I enclose also the copy of a letter which I have addressed to the Solicitor-general.

The Lord Glenelg,
&c. &c. &c.

I have, &c.
(signed) *T. F. Buxton.*

Sir,

London, 26 June 1837.

I HAVE received your letter. In the first place, allow me to express my sense of the delicate and kind manner in which you conveyed your complaint of the statement I had made to Lord Glenelg, and to thank you for your charity in ascribing to unintentional error those observations of mine which, under your feeling of unmerited obloquy, might have been imputed to another cause, and might have been called by a harsher name.

I have no hesitation in saying at once that I was betrayed into a great error, and that I was the means of inflicting an injury upon you which you did not merit.

My only apology is, that I derived my information from an informant, whom I know to be incapable of wilful misrepresentation; that I copied verbatim his statement, and requested that an inquiry might be instituted.

Since the receipt of your letter, and the perusal of his Excellency the Governor's despatch, containing your convincing justification, I have communicated with my informant. He has called my attention to the fact, that he spoke of your intentions early in December, and that your public proceedings did not take place till the following January. This relieves him from the imputation of stating that which the smallest inquiry would have proved to be without foundation; but it makes no other difference. Your intentions in December must be judged by your acts in the following month. I therefore altogether withdraw my charge, and request your pardon for having made it. I take the liberty of adding, for the sake of my own character, that in a controversy which has now lasted 14 years, this is the first occasion on which I have found it necessary to retract any thing I have asserted; and that in this case, I stated no more, and no less, than I received from a very respectable, and, in other instances, a very accurate informant.

I have sent a copy of this letter to Lord Glenelg, and I trust it will prove satisfactory to his Excellency the Governor, as well as to yourself.

To the Solicitor-general, &c. &c. &c.
Barbados.

I have, &c.
(signed) *T. Fowell Buxton.*

—No. 82.—

BARBADOS.

(No. 133.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart., to
Lord *Glenelg*.

My Lord,

Government House, Barbados, 12 June 1837.

No. 82.

IN continuation of the subject on which I had the honour of addressing your Lordship, in my letters, Nos. 88 and 97 of the 1st and 9th ultimo, the accompanying papers are now submitted for your Lordship's further information.

Nos. 1 to 15, from
8 May to 8 June
1837.

In those numbered from 1 to 8, it will be found that my inquiries, whether they had "occasion to observe, 1st that the planters in this island are attempting to force the apprenticeship of the free children without the consent of their parents;" and "2dly, that every effort is made to force the parents to apprentice the children, by turning the infants out of their houses into the road, stopping the molasses, on which they are partly sustained, &c.," have been answered in the negative by all the stipendiary magistrates serving in this island under the appointment of his Majesty.

The enclosures from 9 to 14 exhibit the sentiments of those gentlemen collectively upon allusions immediately connected with the above questions that have recently appeared in the public prints, Nos. 11 and 12 of which attest the liability to error of persons, however well-disposed, engaged in cursorily gleaned passing information in these colonies.

In noticing those enclosures, I cannot omit the intimation of my entire dissent from the notion therein expressed, that "the sufferings of the negro would have been less, and his preparations for freedom at least as great, had Parliament simply decided that in 1840 slavery should cease, and not at all interfered with the master's authority till that period;" because, in accordance with the special justices, it appears to me that "the apprenticeship system" is infinitely to be preferred to a continued state of slavery, were it for no other reason, founded upon general principles of equity, than that of transferring from the hands of the master into those of the magistrate the power of punishment, so that no class of the King's subjects can any longer be excluded more than another from benefiting by the possible interposition of the Royal mercy.

On the state of the apprenticeship in Barbados, the special magistrates generally report, that "they also consider it necessary to adduce, as the most cogent proof of the satisfactory working of the apprenticeship system, that the agricultural state of the island at this moment, and previously to the reaping of the late crop, although it may have been equalled, has been seldom surpassed, while the large returns made on all the estates sufficiently evince the contented spirit with which the apprentices performed their daily routine of duty; and, with such strong evidence before them, the meeting would submit to your Excellency the impolicy (to use no stronger epithet) of disturbing the present feeling of harmony by introducing to the heated imaginations of the apprentices an over-wrought picture of oppression, as exercised towards them by their natural protectors, and thus sowing the seeds of discontentment and final insubordination!"

When these "unanimous opinions" of the whole body of special justices shall have been ascertained, and the proofs considered, which are supplied in the joint letter and its accompaniments to my address from their honours the President of the Council and Speaker of the Assembly, (Enclosures 15, (A.), (B.), (C.), (D.)), of the occupation of the legislature, in inquiring "into the actual condition of the free children of apprenticed labourers, with a view of devising the best means of providing for their education and promoting their welfare," at the very period in which the planters were represented to him as attempting "to force the apprenticeship of those children without the consent of their parents;" it is scarcely to be doubted that the "embarrassing distrust" complained of by the honourable board and house will be replaced, in Mr. Buxton's mind, by perfectly different and less unfavourable feelings.

Any "hostility" due "to the principle of the apprenticeship of children" would seem to have been more correctly levelled at the framers of the original Bill, by whom, however, it must have been adopted with the most humane intentions, than against the authorities here, on whose part no disposition to profit by it can be traced, and by whom it has been recently repudiated.

Your Lordship has been pleased to do justice to the liberality of the Council and

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and Assembly (adverted to in my former despatches), which indeed in more than one instance since my appointment to this government it has been my agreeable duty to bring under your Lordship's observation; and the present discussion will not have been in vain, if their declaration, "that they have cheerfully applied themselves in good faith to the consummation of this great natural experiment," shall be attended with the fortunate result of inclining Mr. Buxton, and those interested with that gentleman in the welfare of the apprenticed labourers, to communicate their suggestions to your Lordship in future, whenever the co-operation of the local legislature of Barbados may be desired, in a conciliatory form, as well as in a more confiding spirit.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure 1, in No. 82.

(Circular.)

Encl. 1, in No. 82.

Sir,

Private Secretary's Office, 8 May 1837.

I HAVE received the Governor's directions to inquire, for his Excellency's information, whether, in the district under your magisterial superintendence, you have had occasion to observe,

1st. That "the planters in this island are attempting to force the apprenticeship of the free children without the consent of the parents."

2d. That "every effort is made to force the parents to apprentice the children, by turning the infants out of their houses into the road, stopping the molasses, on which they are partly sustained," &c.

I have, &c.

(signed) *T. H. Ponsonby*, Act. Priv. Sec.

The Special Magistrates of the respective Districts,
&c. &c. &c.

Enclosure 2, in No. 82.

Encl. 2, in No. 82.

Sir,

Town District A., 9 May 1837.

IN reply to your circular letter, dated 8 May 1837, I have the honour to state, for the information of his Excellency the Governor, that I have not heard of any instance in which the planters of this district, as also of that of district C. (formerly under my superintendence) 1st, "attempting to force the apprenticeship of the free children without the consent of their parents;" 2d, "or that any effort is made to force the parents to apprentice the children by turning the infants out of their houses into the road, stopping the molasses, &c.;" and I am quite satisfied, if such had been the case in either of the districts to which I allude, but particularly in district C. (where I was for 10 months), I should have been acquainted with it. No application has ever been made to me on the part of the planters or apprentices as to apprenticing the free children.

I have, &c.

T. H. Ponsonby, Esq. Act. Priv. Sec.

(signed) *F. D. Hutcheson*, s. J. P.

Enclosure 3, in No. 82.

Encl. 3, in No. 82.

Sir,

Station House, District A. R. D., 10 May 1837.

I BEG to acknowledge the receipt of your circular of the 8th instant, and written by command of his Excellency the Governor, requiring from me some information on the subject of "planters in this island attempting to force the apprenticeship of free children without the consent of the parents, and whether every effort is not made to force the parents to apprentice the children by turning the infants out of their houses into the road, stopping the molasses, upon which they are partly sustained," &c.

I have the satisfaction to inform you, that not a single effort of the above description (having for its object the apprenticeship of the free children of apprentices) has come to my knowledge in the district under my magisterial superintendence, since I took the chair early in December 1835, nor do I believe that any attempts of this nature have been made by the planters.

It is true, however, that in one instance a planter of my district, of little consideration, did, some months ago, turn off seven free children from his estate. This circumstance being made known to me in an hour after it happened, I instantly interfered, and threatened to manumit the parents if such brutality was persevered in; this had the desired effect, and the children were immediately permitted to return to the estate.

This act had nothing to do whatever with an intention of forcing the parents to consent to the apprenticeship of their children, but to inflict a punishment on the parents for some supposed offence, and of which I took proper notice.

I have, &c.

T. H. Ponsonby, Esq.
&c. &c. &c.

(signed) *John B. Colthurst*, s. J. P.

Enclosure 4, in No. 82.

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Encl. 4, in No. 82.

Sir, District B., May 10, 1837.
I HAVE the honour to state, for the Governor's information, that, to the best of my recollection, not one case of the description contained in his Excellency's circular of the 8th instant has occurred in this district.

I have, &c.

T. H. Ponsonby, Esq., Priv. Sec.
&c. &c. &c.

(signed) *Jos. Hamilton*, s. J. P.

Enclosure 5, in No. 82.

Encl. 5, in No. 82.

Sir, Station House, District C., 10 May 1837.
IN reply to your letter of the 8th instant, I have the honour to state, for the information of his Excellency the Governor, that I have not had occasion to observe any instance in this district in which the planters attempt to force the apprenticeship of free children without the consent of their parents; or that any effort has been made to force the parents to apprentice children by turning their infants out of their houses into the road, and by stopping their molasses, on which they are partly sustained.

I have, &c.

T. H. Ponsonby, Esq., Private Secretary,
Government House.

(signed) *A. Cuppage*, s. J. P.

Enclosure 6, in No. 82.

Encl. 6, in No. 82.

Sir, District D., 16 May 1837.
IN answer to your circular of the 8th instant, respecting the free children, I beg to state, for the information of his Excellency the Governor,—

"1st. That I do not know of a single instance in my district of the planters attempting to force the apprenticeship of the free children without the consent of their parents;" and here I must observe, I have not in this district a free child apprenticed.

"2d. I cannot learn of any effort having been made by the planters to force the parents to apprentice the children 'by turning the infants out of their houses into the road, stopping the molasses, on which they are partly sustained,'" &c. Had such measures been attempted, I have no doubt I should have heard of it.

I have, &c.

T. H. Ponsonby, Esq.
Acting Private Secretary.

(signed) *Jno. Jas. Hough*, s. J. P.

Enclosure 7, in No. 82.

Encl. 7, in No. 82.

Sir, District E., 10 May 1837.
I HAVE the honour to acknowledge the receipt of his Excellency's circular of the 8th instant, proposing the two following questions, to which I am desired to reply, as far my observations have enabled me to judge, with regard to the district under my charge.

First. "Whether the planters in this island are attempting to force the apprenticeship of the free children without the consent of the parents?"

Among the numerous applications made to me by the apprentices, either to note their complaints, or to afford them advice, I have not received the slightest intimation from them that such a system prevailed. My observation on this point has led me to a different conclusion, and I rather imagine, that many proprietors who were at first willing to receive the free children under bonds of apprenticeship have now grown indifferent to the question, in consequence of the repugnance evinced by the parents towards this arrangement.

Secondly. "Whether every effort is made to force the parents to apprentice the children, by turning the infants out of their houses into the road, stopping the molasses, on which they are partly sustained," &c. &c.

No instance (to my knowledge) has occurred in this district, since my jurisdiction (and I find none previously recorded), of "the free infants of apprentices being turned out of the houses of the parents into the road;" and I make no doubt, if such an act had been committed, that the apprentice would have reported the circumstance to me forthwith.

I have, &c.

T. H. Ponsonby, Esq.
Acting Private Secretary.

(signed) *Joseph Garraway*, s. J. P.

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Enclosure 8, in No. 82.

Encl. 8, in No. 82.

Sir,

District F., 10 May 1837.

WITH reference to his Excellency's circular of the 8th instant, I have the honour to state, in answer to question 1st, "It has not come to my knowledge in this district, that the planters are attempting to force the apprenticeship of free children without the consent of their parents."

2dly. "I do not think, in the instances of free children being put out of doors, or their molasses taken from them," &c., that these measures had been adopted, as an effort to force parents to apprentice their children, so far as I can ascertain.

I have, &c.

To T. H. Ponsonby, Esq.
&c. &c. &c.

(signed) *Geo. Kennedy*, s. J. F.

Enclosure 9, in No. 82.

Memorandum.

Encl. 9, in No. 82.
See Encl. 2 to 8.

THE Governor lays before the special magistrates collectively letters in which they have separately answered the inquiries addressed to them on the 8th instant, in relation to an alleged attempt on the part of the planters in this island to force the apprenticeship of the free children of apprenticed labourers.

13 & 20 May 1837.

The present meeting was suggested by the perusal of certain articles inserted in two numbers of the "Antigua Herald," now produced, together with a number of the "West Indian," a Barbados paper, subsequently published, all containing allusions to this subject.

24 March 1837,
No. 24.

The Right honourable the Colonial Secretary of State's despatch, in consequence of which the inquiries respecting it, already adverted to, were addressed to the special justices, is also presented, the Governor considering it important that they should have an opportunity of expressing their sentiments on the various documents in question.

Government House, 1 June 1837.

Enclosure 10, in No. 82.

Encl. 10, in No. 82.

TAKEN from "The Antigua Herald" of the 13th May 1837.

Mr. Joseph Sturge.

From "The Philanthropist," March 16th.

WE are glad to announce that letters were received on Saturday last, from Mr. Sturge and his friends, dated Jamaica, January 30, 1837, and that they were in health. It appears from their contents, that the letters and papers which were forwarded to them from this country on the 3d and 17th December had not been delivered, notwithstanding both packets had duly arrived. We have been favoured with the following extracts:

"Dominica.—We arrived in about two hours at our destination, a free village at the mouth of a considerable stream. We proceeded to the cottage of a respectable old negro woman, who keeps a shop here for the sale of bread and provisions. The old lady is upwards of 80, has never been married, but has always borne an irreproachable character. She appeared to be a person of very cheerful piety, and exercises the happiest influence over those in her neighbourhood by her example; she is a class leader among the Methodists, who have a chapel in the village, where service is performed usually every Sabbath by one of the missionaries or the local preacher. She is indeed a bright instance of usefulness and respectability in a very humble sphere; she has been free for about 10 years. The house was in nice order and very clean, and the garden neatly fenced."

"As a specimen of the dealings of planters towards their apprentices, we may mention, that one estate in this island, where the hurricane had destroyed the buildings and negro-houses, and the Government loan had been obtained for rebuilding them, the money was applied to the general improvement of the property; and, after considerable delay, the negroes were compelled to build their huts with their own labour in their own time, and, though the manager was fined by the stipendiary on this occasion, yet the people had no compensation."

"It was really a cause of sorrowful reflection to us to see an island like St. Lucia so entirely neglected, not only by the Home Government, but by the different missionary and other societies. One of the gentlemen, who so kindly devoted his time to us, observed that not a single ray from the religious and benevolent societies of England had yet reached it. There is only one Protestant minister in the island, viz. the rector. There are but two Catholic clergymen. The number of children receiving education does not probably much exceed 100. It is difficult to account for the indifference of the Home Government, as the subject has been repeatedly brought under its notice by the Council, who are themselves anxious that something should be done. On the part of the proprietary body generally, no obstacle need be feared; some of them would be glad to promote the efforts of missionaries and other teachers, and the others have not power to impede them."

"Barbados.

"Barbados. * * * speaking of the destitute white poor, mentioned the case of a lady whose property was entirely destroyed by the hurricane, and who was taken in and supported by one of her former slaves, who had purchased her time after 1834.

"* * * called upon us in the course of the morning. He conversed on the past history of slavery, a subject he has deeply studied. He spoke with great concern of the project on foot for the general apprenticeship of the children. He said it was impossible to obtain correct information respecting the actual state of things without a very long residence. The whole system was one of misrepresentation. He gave us the following illustration of the difficulty of obtaining correct information. Some years ago a body of slaves in the colony of Berbice, called the Winkel negroes, were emancipated by Government, to whom they belonged; happening, some time afterwards, to be in Berbice, he asked the local governor how these negroes were conducting themselves. The Governor said nothing could be more deplorable than their condition: "They are idle and dissolute, and the pest of society; the Government could not have done a greater injury to them than by emancipating them." A few days afterwards he dined with the Governor, and sat next to the protector of slaves, to whom he expressed his great concern at the conduct of these liberated negroes. The protector said, 'I presume your information comes from our host, who is full of prejudice. I assure you the conduct of these negroes is most satisfactory, not one of them, that I am aware of, has ever been brought before a magistrate for misconduct.'" In order to ascertain which of the contradictory statements was true, he went early in the morning to the village where these people reside, in order to see for himself. He went into twenty of their houses in succession. There were in every house evidences of industry and domestic comfort; he found that in most of them there was some one who could read; and in every house there was a Bible or Testament, and nothing could be more satisfactory than the result of his investigation.

"We asked him whether, as the period of final emancipation approached, the planters would not be likely to adopt a conciliatory course towards their people. He said that he feared no improvement would be likely to take place, because it was not so much the loss of money which they regretted, as the loss of despotic power. No one now imagined that any loss would be sustained in the expense of cultivation. He considered it a providential thing that Antigua had adopted complete emancipation; because, had the apprenticeship prevailed in all the colonies, at the end of the term such strong representations would have been made to the Home Government that they would probably have been induced to sanction laws restricting the labourers to the soil, which would have tended to perpetuate the system."

Enclosure 11, in No. 82.

EXTRACT from the "Antigua Herald" of the 20th May 1837, alluded to in the Archdeacon's Letter.

WE went this morning to the adult Sunday school connected with St. Mary's church; there were present 40 or 50 old people, whom * * * * was addressing; they were catechumens, or candidates for baptism. There were also 50 or 60 scholars learning to read, in three or four classes; they were from 14 to upwards of 60 years of age; there were several very old people even in the alphabet class, some of whom, we were told, came eight or ten miles to the school; they exhibited a striking and affecting proof of the general desire among the negroes for education. Encl. 11, in No. 82.

The archdeacon of * * * * is a bright instance of true Christian boldness and liberality; he has been resident 12 years; his family are now in England, and he feels his health so far affected by the climate, that he thinks he must shortly leave permanently, which, at the present time, will be a great loss, for his views on the abolition question are remarkably just and decided; he is strongly opposed to any apprenticeship of the children, for however short a period, or to any vagrancy law that shall in any manner shackle the freedom of the negro in the choice of a master. He appears to be universally beloved by the negroes and people of colour; he told me that the negroes spoke freely to him, and said that their present condition was worse than their former one; that they knew that the King and people of England intended it should be better, but the planters had prevented it.

To comprehend the severity of their punishments in time, it must be borne in mind, that in the only district of which we have obtained the returns, of 1,150 free children only 62 receive any food whatever from the estates, 51 any clothing, and 193 any medical care; of these, 49 belong to one humane proprietor, so that they and perhaps five or six children are dependent entirely for support upon the time of which they are robbed, for they appear to have commuted, in many cases, their slave allowances for half an acre of land.

In Barbados the combination amongst the planters is such, that it would require a degree of moral courage not to be expected, except in decidedly religious characters, for one of their number to adopt a liberal and enlightened course. The labour extracted from the negro in this colony, can be proved, is more than under the old system, and he would often prefer flogging severely to the robbery of his time, though perhaps the moral degradation may not be quite so great. The sufferings of the negro would have been less, and his preparations for freedom at least as great, had Parliament simply decreed that in 1840 slavery should cease, and not at all interfered with the master's authority till that period. Besides the mortality occasioned by the present system to the free children, the disgust to field labour

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labour which it keeps alive in the minds of the parent greatly increases their reluctance to having them put to any kind of agricultural work, and the masters generally are able to throw obstacles in the way of their getting any kind of efficient instruction till the end of the apprenticeship, so that there is ground to fear many of them will imbibe idle habits that will not easily be removed.

Though nearly two years and a half have now elapsed since the commencement of the apprenticeship, and Government and Parliament were as much pledged to the adoption and support of a liberal plan of education for the negroes as for the payment of the twenty millions, yet nothing worth naming has been done, or seems likely to be done.

* * * *, speaking of the state of the free children, said the planters had settled it in their own mind, after 1834, to have the children apprenticed, and when the parents unanimously refused, in a fit of disappointment many turned them out upon the public roads, and refused to allow the mothers any time to attend them, or any of their usual indulgences. They told them, "See what your friends in England have done for your children." This state of things lasted about a fortnight; some of the planters, particularly the owners of large estates, had the children in the estate nurseries, as before, under the care of an old woman. On the smaller properties they are not so well off; the free children were not allowed to be about the estate in the day-time, and it was a wonder what became of them, as their parents usually fastened their doors as they went into the field. Many came to the infant school three hours before it was open, simply because there was nowhere where they could pass the time; they had been obliged to hire a person to take care of them.

A stipendiary magistrate stated, that it was most ill-advised policy to pay the compensation beforehand; if it had been left till the end of the apprenticeship, things would have gone on very differently, and many lives would have been saved, as the utmost care would have been taken of the children and old people. Both he and another gentleman who was present agreed that there had been a large proportion of deaths among the free children, but there were no means of ascertaining the exact truth.—*Birmingham Philanthropist*, March 16th.

Enclosure 12, in No. 82.

"West Indian," of the 29th May 1837

To the Editor of the "Barbadian."

Encl. 12, in No. 82.

Sir,

HAVING just read in the "*Antigua Herald*" a statement made by Mr. J. Sturge of the condition of the negroes in this island, in which my name appears to be introduced, I am anxious, before I sail from Barbados, to obviate any misapprehension which may arise from the allusion made to my opinions of the existing state of the negro labourers.

I have a distinct recollection that I mentioned, in the presence of Mr. Sturge, that certain of the negroes considered the condition of their apprenticeship to differ but little from their former condition of slavery, and that they attached an undue importance to the cessation of certain allowances or indulgences which they received under the old system, without sufficiently regarding the benefits which, in a moral view, had resulted from the change in their state. I particularly noticed among these benefits the discontinuance of the demoralizing practice of flogging the females, and also the power given by law to the magistrates to interpose in any case of complaint made by the apprentice against his master.

With reference to what the King and the people of England intended, and what the planters prevented, I am perfectly certain that Mr. Sturge is under a mistake in supposing that I used the expressions which he attributes to me in this matter.

As my conversation with Mr. Sturge was in the presence of a third person, now in this island, I am happy to be able to say that that person fully admits the correctness of the remarks which I have here made of Mr. Sturge's communication to his friends in England.

With respect to my being in opinion opposed to the apprenticeship of the negro children, I hesitate not to declare that I am so. My sentiments on this subject have continued without any change from the first promulgation of the Imperial Act down to the present day.

I have noticed all which in Mr. Sturge's letter can have reference to any conversation which that gentleman had with me on the state of the apprenticeship in this colony.

I am, &c.

Barbados, 26 May 1837.

(signed) *Edward Eliot.*

Enclosure 13, in No. 82.

Encl. 13, in No. 82.

Sir,

Barbados, Station-house, District A. R. D., 6 June 1837.

As chairman of a meeting of the special justices of this island, convened by desire of his Excellency the Governor, and held on the 1st instant, I have the honour to forward to you, for his information, the report of that meeting and the conclusions arrived at.

The several matters contained in his Excellency's memorandum, and laid before this meeting, were separately taken into consideration, and investigated deliberately. Those subjects

subjects are of such importance in the present and peculiar situation of the population of the colony, that every possible care was taken by the committee in drawing up their report, which conveys to his Excellency the unanimous opinions of their whole body on the points submitted to them for consideration.

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I have, &c.

T. H. Ponsonby, Esq.
&c. &c. &c.

(signed) *John B. Colthurst, s. j. p.*

Enclosure 14, in No. 82.

Barbados, 1 June 1837.

Encl. 14, in No. 82.

At a meeting of special magistrates of this island, held this day, present, Major Colthurst, Captains Hough, Cuppage, Robertson, Hutcheson, Kennedy and Mr. Garraway, the enclosed memorandum, with its accompaniments, was laid before the meeting by desire of his Excellency the Governor.

The meeting, having attentively considered that portion of a report inserted in the "Antigua Herald" of the 20th of May, and extracted from "The Birmingham Philanthropist" of the 16th of March, under the head of "Barbados," in which several statements connected with the apprenticeship system in this colony are advanced, which, in the opinion of this meeting, should be met by a record of their sentiments, the more particularly as the confidence of the Home Government has reposed in their hands, with a view of bringing the important experiment of the apprenticeship at present in operation throughout the colonies to a successful termination, are induced respectfully to state to your Excellency, in reference to the following observations contained in the report above alluded to,

"1st. That the sufferings of the negro would have been less, and his preparations for freedom at least as great, had Parliament simply decreed, that in 1840 slavery should cease, and not at all have interfered with the master's authority until that period."

On this point they hold a different opinion; and although they do not doubt that a state of entire freedom would have been more beneficial to the negro than a perpetuation of slavery until 1840, still, under present circumstances, they consider the apprenticeship system highly advantageous, from which the best results may reasonably be expected, and infinitely to be preferred to a continued state of slavery.

"2dly. That a mortality has taken place among the free children of apprenticed labourers, occasioned by the present system of withholding the usual allowances from the free children, and also that the disgust which the apprenticeship system keeps alive in the minds of the parents greatly increases this reluctance to engage their children in any kind of agricultural work."

With reference to the mortality of free children, the special magistrates are unable to speak with certainty; they must, however, observe that they are unacquainted with any apparent cause which might have originated such mortality, and have no doubt, if such cause existed, that it would have come under their observation. Relative to the repugnance of the apprentices in engaging their children in agricultural labour, they conceive this disinclination to be the very natural result arising from feelings connected with their late state of slavery.

"3dly. That the masters are generally able to throw obstacles in the way of their free children receiving efficient instruction till the end of the apprenticeship, so that there is ground to fear many of them will imbibe idle habits."

The magistrates, being aware that this important subject has been already referred by his Excellency the Governor to the House of Legislature, they forbear offering any remark on this statement. The meeting feel themselves called upon to add, that assertions, of a nature similar to those above noted (which they have endeavoured to show, as far as their experience and observation entitle them to judge, are vague and unsatisfactory), must tend materially to keep alive those feelings of irritation generated under the late system of slavery, which it would be politic to soothe and allay; and, by connecting the old system which prevailed with the present preparatory state of apprenticeship, they consider that a serious obstacle is raised in the minds of the parents towards entering into that conciliatory contract, which their friendly advocates at home, as well as in the colonies, are equally anxious to establish, viz., the participation of the employers in partially defraying the expenses attending the education of the free children on the one hand; and on the other, the imperative necessity on the part of the parents to inculcate in the minds of their juvenile offspring the propriety of engaging in some species of agricultural labour, as a means of future subsistence.

They cheerfully bear testimony to the general good behaviour of the apprentices, which they have reason to hope will still continue to prevail; but they fear that reports similar to that under observation, promulgated, no doubt, with pure intentions, and firmly credited by the authors, who have implicitly relied on the communications made to them on the subject, are not by any means calculated to maintain this peaceable and tranquil behaviour on the part of the apprentices, inasmuch as a feeling of imaginary wrong is created; whereas, on the contrary, they are firmly protected from oppression by the impartial administration of the wholesome laws confided to the care of the special magistrates.

They also consider it necessary to adduce, as the most cogent proof of the satisfactory working of the apprenticeship system, that the agricultural state of the island at this

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moment, and previously to the reaping of the late crop, although it may have been equalled, has been seldom surpassed; while the large returns made on all the estates sufficiently evince the contented spirit with which the apprentices performed their daily routine of duty; and with such strong evidence before them, the meeting would submit to your Excellency the impolicy (to use no stronger epithet) of disturbing the present feeling of harmony by introducing to the heated imaginations of the apprentices an overwrought picture of oppression, as exercised towards them by their natural protectors, and thus sowing the seeds of discontentment and final insubordination.

(signed) *John B. Colthurst, s. j. p.*

 Enclosure 15, in No. 82.

Barbados.

To his Excellency Sir *Evan John Murray M^cGregor*, Baronet, Governor, &c. &c.,

Encl. 15, in No. 82.

May it please your Excellency,

THE Council and Assembly have the honour to acknowledge the receipt of your Excellency's message of the 9th instant, together with its enclosures, Nos. 1, 2 and 3. No. 1, being copy of a despatch from his Majesty's Principal Secretary of State for the Colonial Department; No. 2. Copy of a letter from Mr. Buxton to the Under Secretary of State, Sir George Grey; and No. 3. Copy of part of a letter said to have been addressed to Mr. Buxton from a correspondent in Barbados; and we beg to assure you, Sir, that we are impressed with a deep sense of gratitude for the frank, open and generous conduct of your Excellency, in having been graciously pleased to communicate to these two branches of the legislature documents containing matter of such great importance to the best interests of the island under your government.

Lord Glenelg has, at the suggestion and under the influence of Mr. Buxton, assumed the truth of the following proposition on authority, the value of which will be presently apparent, "that an attempt is making by planters in the island of Barbados to force the apprenticeship of the free children without the consent of their parents; and that the Solicitor-general is endeavouring to prove that a clause in one of the local Acts will enable them to affect this object." His Lordship has unfortunately in this instance drawn his conclusions from premises wholly unfounded in fact, and consequently given instructions altogether needless.

It were well if our Trans-Atlantic brethren would in such cases wait for proof before they proceeded to condemn; accustomed, however, to be calumniated as a body, we have long ceased to regard with feelings other than those of astonishment the credulity which fosters falsehood, and the avidity with which malicious representations are credited, when they coincide with the views or promote the objects of party.

We, therefore, return your Excellency sincere thanks for having afforded us an opportunity of refuting the slanderous imputations attempted to be cast on the character of an honourable and most efficient member of the legislature, and also of removing from the minds of his Majesty's Ministers an impression highly injurious to the character of this community. This will be best done by a simple statement of facts. In Appendix (A.) to which we most respectfully refer your Excellency, you will find that on the 31st of January last, the Solicitor-general made a motion in his place in the House of Assembly, "for the appointment of a committee to inquire into the actual condition of the free children, with a view of devising the best means of providing for their education and promoting their welfare, and that the Council be invited to appoint a committee of their body to confer with the committee of the House on the occasion;" which motion the learned member supported by the arguments contained in Appendix (B.), the Council and Assembly being impressed with the conviction, that on the industrious habits and moral conduct of the labouring population mainly depend the success of the great experiment which is now being made on the colonies; and being moreover desirous of laying the surest foundation for the reorganization of our social system, a joint committee of the Council and Assembly was appointed, which, as your Excellency is aware, is now engaged in instituting a minute inquiry, to carry into effect the objects set forth in the Solicitor-general's motion. As a preliminary measure to the success of this, the Solicitor-general himself, on the 21st of February, introduced a Bill in the House of Assembly to repeal that part of the 38th clause of the Abolition Act, authorizing the apprenticeship of the free children of apprenticed labourers until the age of twenty-one years, which was lost by a majority of one—*vide* Appendix (C.) On the 14th of March, another member of Assembly, not being an official servant of the Crown, and having no scruples as to an assumed principle of the Government, introduced a Bill to repeal the whole of the 38th clause of the Abolition Act. To this the Solicitor-general objected, unless accompanied with a suspending clause, which being added on his motion, the Bill was carried by a large majority, and immediately went through the Council, both branches of the legislature being convinced that this clause of the Abolition Act had been quite inoperative.

So much, then, for the truth of the allegations of Mr. Buxton's correspondent, as regards the Solicitor-general, whose conduct has been the very reverse of that with which he is charged, for so far "from attempting to prove that a clause in one of the local Acts, which

which the Colonial Office has sanctioned, will enable them to effect this," the Solicitor-general has been mainly instrumental in effecting the repeal of the clause alluded to.

With respect to the allegation made by Mr. Buxton's correspondent, that "the planters in this island are attempting to force the apprenticeship of the free children without the consent of their parents," and by that gentleman imposed as truth upon his Majesty's Government, we again refer your Excellency to the Minutes of Assembly, Appendix (D.) for the total refutation of that charge, the popular branch of the legislature having, with the full approbation of their constituents, "the planters," voluntarily repealed the 38th clause of the Abolition Act, the only law under which free children could have been apprenticed, and thus the principle of hostility to the apprenticeship of children adverted to by my Lord Glenelg, and attributed to the opinion of Sir Lionel Smith, but in fact originating with the Anti-Slavery Society, has been carried out during your Excellency's administration to the fullest extent which his Lordship could desire.

We cannot omit to take this opportunity of drawing your Excellency's attention to an erroneous impression which has been engendered in the minds of the parents of the free children by a misinterpretation of that very principle, when advocated by Sir Lionel Smith, which has been most detrimental to the best interests of the children themselves, as it is viewed by this class of persons as involving degradation in agricultural labour, and connecting idleness with freedom.

In the letter from Mr. Buxton's correspondent it is stated, "every effort is made to force the parents to apprentice the children, by turning the infants out of their houses into the roads, stopping the molasses, on which they are partly sustained." Charges so general demand but a general denial, which the Council and Assembly have no hesitation in giving, not a single instance of such inhuman conduct having come to their knowledge.

The question of emancipation being no longer a debatable point, we have cheerfully applied ourselves in good faith to the consummation of this great national experiment, in the ultimate success of which we are so deeply interested, and in pursuing this stern path of duty, surrounded by difficulties of no ordinary nature, we cannot but confess that we feel great mortification and disappointment in having to encounter embarrassing distrust and misapprehension, when we expected to find ready assistance and able support.

(signed) *John A. Beckles, President.*
Samuel Hinds, Speaker.

8 June 1837.

Appendix (A.)

EXTRACT from the Minutes of the General Assembly of the 31st of January 1837.

MR. CLARKE having expressed himself at some length on the subject, moved the appointment of a committee to inquire into the actual condition of the free children of apprenticed labourers, with a view of devising the best means of providing for their education and promoting their welfare, and that a communication be addressed to the Council requesting their concurrence in this inquiry; the motion being seconded by Mr. Bovell, and agreed to, Mr. Speaker was pleased to appoint Mr. Thornhill, Mr. Haynes, Mr. Muse, Mr. Clarke and Mr. Bovell, a committee for that purpose.

Appendix (B.)

EXTRACT from the Report of a Speech made by Mr. Solicitor-general *Clarke*, in the House of Assembly, on the 31st January 1837.

BEFORE he sat down he wished to say a few words on an important point connected with this question. He had heard that an idea had got abroad among the parents of these children, that it was in contemplation to enforce generally that clause of the Imperial Act for the Abolition of Slavery which had been incorporated in the Island Act, for causing the apprenticeship of these children under certain circumstances. He had been told of this impression in a way which had induced him to believe that it was equally general and baneful; he had no hesitation in giving it the most unqualified denial, and as it was most desirable that all erroneous impressions of this nature in the minds of the parents of these children should be removed, he took that opportunity of contradicting it. Such an idea had not, he believed, been ever entertained by any person possessing the least influence, or having any authority whatever; he was most solicitous that this impression should be done away with, because he feared that the result of the inquiry which he was about to recommend would show, that nearly all the evils to which these unfortunate children were exposed arose from wrong and unfounded impressions, chiefly on this subject, in the minds of their parents. He trusted that they would be persuaded that the only object the legislature had in view was to benefit these children, to rescue them from the curse of idleness, and by obtaining for them the blessings of education, enable them to provide for themselves at a future day by honest and profitable industry. The honourable member, after a few other remarks, concluded by moving the appointment of a committee to inquire into the actual condition of the

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free children of apprenticed labourers, with a view of devising the best means of providing for their education, and promoting their welfare, and that the Council be invited to appoint a committee of their body to concur with the committee of the House on the occasion.

Appendix (C.)

EXTRACT from the Minutes of the General Assembly of the 21st of February 1837.

MR. CLARKE, after expressing himself on the subject, introduced a Bill to repeal so much of the 38th clause of the Slavery Abolition Act as authorizes the special justices to apprentice the free children of apprenticed labourers until the age of 21 years, and to provide, that it shall not be lawful to apprentice such children beyond the 1st of August 1840, which he moved might be read; and his motion having been seconded by Mr. Bascom, the same was read a first, second and third time, and the question being about to be put thereon, Mr. Corbin rose and expressed himself against the measure, Mr. Clarke having spoken in reply to the objections urged by Mr. Corbin, the question was put on the Bill, when the same was lost, the House dividing as follows: Ayes 7; Noes 8.

Appendix (D.)

EXTRACT from the Minutes of the General Assembly of the 14th of March 1837.

MR. BOVELL, adverting to the Bill introduced at a former meeting by his learned colleague, Mr. Clarke, for repealing a part of the 38th clause of the Slavery Abolition Act, and which he regretted had been lost, begged to claim the attention of the House to the Bill he then held in his hand for repealing the whole of the said clause, which he delivered in, and moved that it might be read; and his motion having been seconded by Mr. Corbin, the Bill was read accordingly.

Mr. Clarke spoke as to the merits of the rejected as well as the present Bill; and said that he should not oppose the measure if a suspending clause for his Majesty's pleasure was added to the Bill, whereupon a suspending clause was unanimously agreed to, and added to the Bill accordingly.

The Bill was then, on the motion of Mr. Bovell, seconded by Mr. Corbin, read a second and third time; and the question for passing put thereon, when the same passed the Houses; Mr. Bascom dissenting.

—No. 83.—

(No. 53.)

COPY of a DESPATCH from Lord *Glenelg* to Governor
Sir *E. J. M. M'Gregor*, Bart.

No. 83.

Sir,

Downing-street, 31 August 1837.

I HAVE had the honour to receive your despatch and enclosures of the 12th June, No. 133, in further reference to the charge imputed to Mr. Clarke and the planters of Barbados, of forcing the apprenticeship of the free children without the consent of their parents.

You will before this be in possession of my despatch of the 30th of June, in which I communicated to you the frank retraction by Mr. Buxton of the erroneous statement which he had made to the prejudice of Mr. Clarke. I may therefore consider that part of the subject as disposed of; and it now only remains for me to assure you of the gratification with which I have perused the statements of the several stipendiary magistrates serving in Barbados, that the planters have not, in any one instance that has been brought to their cognizance, attempted to force the apprenticeship of the free children without the consent of their parents.

I perceive it to be stated by the Council and Assembly, in the communication made to you on the 8th June, through the President and Speaker, that I had, "at the suggestion and under the influence of Mr. Buxton, assumed the truth" of the statements made to me through that gentleman. The Council and Assembly are in error in supposing that I assumed the truth of the statements in question; I merely dealt with them as I am bound to deal with any statements which are not anonymous, and which contain allegations affecting public interests. I transmitted them to you for inquiry and report, affirming at the same time the principles of policy which Her Majesty's Government had adopted in regard to the subject they were connected with.

I have, &c.

(signed) *Glenelg*.

—No. 84.—

(No. 183.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart.,
to Lord *Glenelg*.

No. 84.

My Lord, Government House, Barbados, 16 August 1837.

I HAD the pleasure of acquainting Mr. Solicitor-general Clarke, immediately on its receipt, with the contents of your Lordship's despatch of the 30th of June, No. 40, and have since been verbally assured of his concurrence with me in entirely adopting your Lordship's view of the candid and handsome manner in which Mr. Fowell Buxton has hastened to withdraw the charges against the learned gentleman, which erroneous information had induced him to advance.

At the same time, in consequence of the allusion to myself in the conclusion of his explanatory letter to Mr. Clarke, I am desirous, with your Lordship's permission, that Mr. Buxton should be distinctly apprized of its having proved, as he had every right to expect, perfectly satisfactory to me.

Your Lordship will likewise permit me to express the proper sense with which I am impressed of the kind and considerate terms in which your Lordship has been pleased to disclaim any implied censure or distrust of my sentiments or proceedings in regard to the negro population of these colonies.

I have, &c.

(signed) *E. J. M. M'Gregor*, Governor.

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SPECIAL MAGISTRATES' REPORTS.

—No. 85.—

(No. 143.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart.
to Lord *Glenelg*.

No. 85.

My Lord,

Government House, Barbados, 20 June 1837.

May 1837.

COMMUNICATIONS from the stipendiary magistrates of Barbados, relative to the questions they are required to answer monthly, are herewith forwarded to your Lordship.

I have, &c.

(signed) *E. J. M. M'Gregor*, Governor.

Enclosure 1, in No. 85.

BARBADOS.—DISTRICT C.

Encl. 1, in No. 85.

MONTHLY REPORT from the 1st to the 31st of May 1837.

QUESTIONS.

No. 1.—WHAT has been the general conduct of the apprentices in your district since your last report?

No. 2.—Is there any want of good feeling between them and their employers; and if so, to what cause do you attribute it?

No. 3.—Do they perform their work willingly; and if not, to what do you ascribe it?

No. 4.—What are the working hours generally in use in your district? Are any, and what, intervals of relaxation allowed to the apprentices during the working hours?

No. 5.—Is task-work generally resorted to in your district? If not, does the objection lie with the master or the apprentices?

No. 6.—Is it usual for the apprentices to work in their own time for money-wages? If so, what is the ordinary rate of wages, and how are they paid? If not, have they been offered?

No. 7.—Are any indulgences withheld which it was usual during slavery for the estate to supply?

No. 8.—What is the condition of the free children, and how are they supported?

No. 9.—What facilities does your district supply for education and religious instruction? Is the attendance at church

ANSWERS.

Although a good many complaints have been preferred this month from this district, still, generally speaking, the conduct of the apprentices has been good.

In some instances a want of good feeling does exist between employers and apprentices, which I attribute principally to the substitution of time in lieu of part of the apprentices' allowance, and which is permitted by the 32d clause of the Abolition Act; together with private agreements entered into by apprentices with their masters to give extra time, and these agreements not held to by one or other of the party.

Generally speaking, the apprentices do perform their work willingly.

The working hours in this district are from six in the morning until nine, from ten until one, and from three until six, allowing intervals of relaxation from nine until ten, and from one until three.

Task-work is not generally resorted to in this district, which appears to be the mutual wish of master and apprentice.

It is usual for apprentice labourers in this district to work in their own time, and for money-wages, which average from 10*d.* to 1*s.* 1*d.* for nine hours' labour, and paid in money.

I am not prepared to say there are any indulgences withheld which it was usual during slavery for the estate to supply.

The free children in this district are principally supported by their parents, but on some estates they are fed and taken care of the same as previous to the 1st August 1834.

There are two churches in this district, with resident clergymen attached to each, and three chapels, having a school attached to each,

QUESTIONS.

church and in the schools equal to the accommodation?

ANSWERS.

each, and both well attended; but the facilities for education in this district are not near adequate for the rising population.

No. 10.—Is there a general desire amongst the apprentices to purchase their discharge? How many discharges have been effected since your last report?

There is a great desire on the part of the apprentice labourers to purchase their discharge; seventeen were obtained this month; viz. three by free gift, one by private agreement, and thirteen by appraisement.

No. 11.—To what kinds of employment do those who have obtained their discharge usually betake themselves?

Apprentices who obtain their discharge generally betake themselves to the same employments they followed previous to their obtaining the same.

No. 12.—What are the prospects of the ensuing crop; and what the general state of cultivation? Has the season been favourable, or otherwise?

The prospects of the ensuing crop hold forth to the planter the expectation of its being most abundant; the season as yet has been favourable, and the cultivation has been good.

No. 13.—Have you any suggestions to make, or practical measure to recommend?

I have not at present any suggestions to make, or practical measure to recommend.

(signed) *A. Cuppage, s. J. P.*

Enclosure 2, in No. 85.

Station-house, Barbados, District A. R. D.

2 June 1837.

Sir,

I BEG leave to acquaint you, for the information of his Excellency the Governor, that nothing of any importance has occurred in my district since I had the honour of forwarding my last monthly report for April. Encl. 2, in No. 85.

I have, however, great pleasure in stating, that the apprentices continue their good conduct by continuing to labour freely, particularly during extra hours required for the manufacture of the crop of canes. I consider this rather as a test in inclination to discharge their general duties; their conduct upon this occasion has undergone improvement, when compared with that of last year on the like occasions.

I beg leave to call the Governor's attention to a few remarks which I have considered it my duty to make upon the very important subject of education for the free children of apprenticed labourers.

I also enclose you the return of persons obtaining their discharge during the month of May.

I have, &c.

To T. H. Ponsonby, Esq.
&c. &c. &c.

(signed) *John B. Colthurst, s. J. P.*

Question 13.—Under this head of general inquiry, and having had an opportunity of reading a report of a Committee of the House of Commons appointed to inquire into the working of the apprenticeship system in the West Indies:

This report only refers to the operation of that system in Jamaica; however, the present situation of this colony is so similar in that respect, and the position of the special justices so much alike, that whatever the Committee have recommended for the one may, in my judgment, be adopted for the other; both are the principal seats of government; both have been chief nurseries of slavery, and markets for slaves; and, consequently, the two colonies, wherein the passions, prejudices and evils attendant upon that system have taken the deepest root, to calm and eradicate which becomes the most critical, and often painful, duty of the special justice, who is almost daily called upon to allay feelings so hostile to the temperate adjustment of questions on interests so much at variance.

However, now I have the pleasure of having it in my power to inform his Excellency that a manifest change for the better, in this respect, has gradually taken place in my district within the last four months; asperities seem to be giving way to temperate arrangement; the laws are better understood and obeyed; the number of runaways from estates to Bridge Town, where so many temptations exist, much fewer; this fact is satisfactorily proved by the morning reports to me from the police magistrates. The average number of those persons sent up to me with this report each morning, for the six months previous to the 1st January 1837, was 10, or thereabouts. The average number since that period to the present is not more than three each day, and on some mornings as low as one. This gradual decrease in the number of absentees from estates to Bridge Town, where (as I said before) so many temptations present themselves, I consider a most favourable circumstance.

In the report of the Committee which I have alluded to, several matters have been taken into consideration, and, among others, the necessity of educating, in a suitable manner, the free children of apprentice labourers, as well as suggesting the expediency of alterations in the laws now in force.

BARBADOS.

Reflection, and some experience, in the discharge of my duties have led me to be of opinion generally, that the fewer alterations of the present laws (affecting the apprenticeship system) that take place the better. Those laws, however defective, have been so long acted on, and the parties concerned so reconciled to their operation, it would, in my very humble judgment, be exceedingly injudicious to alter or amend them now, at this late period of the apprenticeship, and, by so doing, rouse passions and jealousies at present, happily, at rest, which again excited, the evil would fall (as in almost all such cases) on the weaker party, the apprentice, for whose protection and interests the great Abolition Law was mainly carried into effect. I therefore think the present tranquil and prosperous state of things should remain undisturbed; and whatever difficulties the special justices may experience in the discharge of their duties, it would be most advisable to permit this great experiment to settle down without any material change in the laws now in existence, or further interference, the more particularly as the momentous question of education will, ere long, be brought before the public. This, of itself, and upon whatever system formed, will create considerable agitation for some time; it is of such vast importance to the future and best interests of this colony, all minor considerations should give way, and permit the present good understanding between the parties to be assisting in whatever system of education may be finally decided on, and which, if properly handled, will ensure the future prosperity of the colony in the affirmative; it will also require to be carried into effect by judicious persons, without (if possible) disturbing the favourable current of the apprenticeship, and which, under any circumstances, should not be lost sight of for a single moment.

I am led respectfully to make the above remarks in consequence of the variety of opinions expressed by individuals on the precise mode or system of education to be adopted; some of those opinions are wild and extravagant in the greatest degree, and utterly irreconcilable with the present situation of the people; others again are more rational, and many take a sincere interest in the project, and would lend their hearty aid in the education of their dependents. The first of those parties insist upon compulsive measures throughout; the second say, "Let the parents be compelled (in case of refusal) to send their children to school;" the third party say, "Let us have no more compulsion, but conduct all our movements both by the letter and the spirit of the Abolition Law;" with those last opinions I feel bound to agree, and, therefore, think that any description of compulsion adopted upon this occasion would produce great evil, and, perhaps, endanger the apprenticeship itself. When it is considered how extravagantly the apprentice population regard their new-born liberty, as well as their profound ignorance of what may be intended purely for the benefit of themselves and children, any compulsive system of education introduced thus early, and however modified, would, in my judgment, be productive of consequences exceedingly difficult of remedy; if such proposition was to become law, no art could persuade the apprentices but that their masters and employers were concerned in it, and hence feelings of ill-will and hostility would arise.

I have lately conversed with many respectable planters on this interesting subject, who differ, as I said before, upon the plan or system to be adopted, but all agree upon the expediency and necessity of the undertaking, and freely admit the propriety and justice of assisting themselves on the occasion to a limited amount. During those discussions I proposed a plan for the free children of apprentice labourers, to be called the "Estate Education System," which would include others not immediately belonging to the estates, but in the neighbourhood, and thus education would become more or less general, and the proprietors relieved from the disgrace and danger of suffering at least 20,000 young fry to grow up in idleness and ignorance of their most common duties; it is also plain that Government will assist, upon this occasion; and to explain my meaning more clearly, I will describe my own district as nearly as I can, and endeavour to show this estate system of education may be carried into effect upon fair and economical principles.

There are 64 estates in my district over 25 acres; I proposed that each estate of this number should pay 5*l.* British per annum, for the education of their negro children and others; that the sum paid should be regulated by the numbers fit for instruction, and actually receiving it; thus the very large estates would have to pay considerably more than 5*l.* and the small estates considerably less, and as it would be quite impossible for the children to walk any considerable distance either to or from school, I proposed that the 64 estates should be divided into eight school districts; thus the children of eight estates may assemble without much inconvenience daily, and return home without much fatigue. This subscription or tax would, from eight estates, produce 40*l.* British per annum, which being increased by the Government to 40*l.* more would make 80*l.* British, or about 112*l.* Barbados currency, and which would be amply sufficient to support a school.

There are six rural districts in the island, and rating them all at this average, which is not far from the truth, the expenses would stand fully nearly as follows:

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|-------------|
| Eight estates, at 5 <i>l.</i> per annum | - | - | - | - | - | - | - | - | £. 40 |
| Paid by Government | - | - | - | - | - | - | - | - | 40 |
| | | | | | | | | | <hr/> £. 80 |

Therefore, 64 estates, at this rate, would require,—

| | | | | | | | | | |
|--------------------|---|---|---|---|---|---|---|---|--------------|
| Island charge | - | - | - | - | - | - | - | - | £. 320 |
| Paid by Government | - | - | - | - | - | - | - | - | 320 |
| | | | | | | | | | <hr/> £. 640 |

There-

There are about 2,000 free children of apprentices in my district, of various ages under eight years; the far greater number too young and unfit for any description of useful instruction; and, therefore, not more perhaps than one-sixth of this whole number would have to be provided for. The calculation would stand thus:—

| | | | | | | | | |
|---------------------------------|---|---|---|---|---|---|---|-----|
| Free children of apprentices | - | - | - | - | - | - | - | 280 |
| From neighbouring small estates | - | - | - | - | - | - | - | 35 |
| | | | | | | | | 315 |

When the distances were short, some of the younger ones might attend, and so increase the number to 400; then taking the six rural districts to average about the same, 2,400 children would be placed under instruction. The island charge for 384 estates upon this system would be 1,920*l.* at 5*l.* for each estate, to which the Government would have to add 1,920*l.* more per annum.

At first sight, these sums when added together appear heavy; but when it is considered the most important results are likely to arise from this expenditure, no man can reasonably object to it. The other islands in this government are less densely peopled, and therefore the expenses would be greatly diminished.

It is plain, that upon the early training of those interesting children, the prosperity of the West India colonies will hereafter have mainly to depend; and, therefore, a narrow policy now would be productive of little good. Millions may possibly be saved at some future time by moderate advances now, and taking advantage of the position the parties are relatively placed, would give the conductors of any system of education during the continuance of the apprenticeship opportunities of access which, after its termination in the year 1840, will never occur again.

It may be doubted by some whether the subscription or tax would be willingly paid by the owners of estates; I am fully satisfied it would, if the demand is properly made and explained to the public generally. In my intercourse with the planters, I have not met a single man of any consideration who did not at once admit the necessity of some well-digested system of education; and further, that such plan or system should be chargeable on estates to a certain extent; it is therefore clear that it can be done, and the more speedily the better.

By this arrangement, there would be 48 schools established in the island in the rural districts, attended by about 50 or 60 children each. I have said nothing of the seventh, the town division of District A., because here the children of all descriptions have access to many schools established in Bridge Town and its neighbourhood while the rural districts of the island are almost entirely unprovided; a small school, it is true, is here and there established, but the numbers are so few they are entirely inadequate to the wants of the people.

I have felt it my duty to inform myself upon the various subjects connected with the discharge of my official duties, and, therefore, the conclusions I have come to will be found to be generally correct. It is said in other colonies as well as in Barbados, that there has been a great want of natural affection among the negro parents for their children, and that great mortality has taken place among the free children of apprentices in another colony, from this cause; this has been most satisfactorily contradicted by the reports of the special justices to the Lieutenant-governor. I have spared no pains to ascertain whether any unnatural neglect of the negro parents to their children had occurred in my district; not a single instance of such conduct has come to my knowledge, I am happy to say; far, too far, the contrary is the truth, over-indulgence and petting their children seem to be the only matters the negro parents can be fairly accused of; they exhibit their fondness in many ways, and first of all, in their untaught estimation, they do not require them to work. This is easily accounted for—the recently emancipated slave will always hold for a considerable time liberty and idleness as the first of blessings.

It is asserted that the negro parents are disinclined to send their children to school; this certainly does exist to a certain extent; however, as some proof that this disinclination is by no means general, a vast many of the apprentices of my district send their children to school and pay a bit a week for them, a quarter-dollar entrance, and the same at each vacation; those schools are well attended, but very few in number. Many of the apprentices hire their apprenticed children from their masters at a quarter-dollar a week, for the express purpose of sending them to school.

On the establishment of any general system of education for the free children of apprentices, there is no doubt but labour, if practicable, should form a part; this, however, in the first instance, had better not perhaps be insisted on; but it should be always kept steadily in view and carried into effect when a favourable moment arrived. I do not believe there is a single respectable estate in the island where a breakfast of roots or corn would not be given to the older children, provided they gave three hours' light work, from six to nine o'clock in the morning, prior to their going to school. The planters generally know how to estimate such training, and therefore I anticipate no hesitation on their parts to come forward upon its adoption.

(signed) *John B. Colthurst, s. j. p.*

BARBADOS.

Enclosure 3, in No. 85.

Encl. 3, in No. 85.

Sir,

District B., Barbados, 31 May 1837.

IN obedience to the instructions contained in Lord Glenelg's circular letter of the 15th July 1836, I have the honour to submit to his Excellency the Governor the subjoined answers to the questions therein propounded, and in the order in which they are numbered.

QUESTIONS.

ANSWERS.

- No. 1.—It was only on the 15th instant that I commenced to do duty in this district; but in that short time the general conduct of the apprentices has been good.
- No. 2.—There is a good feeling generally, as far as I have seen, existing between the apprentices and their employers. There are, however, exceptions, but chiefly where the proprietors or the accredited attorneys are absent; the estates (for example, Lord Harewood's) for which Mr. Foster Clarke is attorney having, during Mr. Clarke's absence, been under several acting attorneys, who have made changes with regard to the indulgence given to women who are nursing children.
- Mr. Foster Clarke had given instructions, which were acted upon until within the last few weeks, that the nursing women should not be in the field at work before eight o'clock in the morning: they are now ordered out at seven. This change, although perfectly legal (and still an indulgence, because they might be ordered out at six o'clock in the morning), the women look upon as a hardship; hence many complaints arise from this feeling; but had the greater indulgence never been granted, the women would be now contented with that which they have.
- No. 3.—They do perform their work willingly.
- No. 4.—The working hours generally in use are from six in the morning until six in the evening; with an interval of one hour (from nine to ten) for breakfast, and of two hours for dinner, viz., from one to three o'clock.
- No. 5.—Task-work is scarcely ever resorted to in this district; the objection, I understand, being on the part of the employers, who say that they found task-work when given was executed in a very slovenly manner.
- No. 6.—The apprenticed labourers in this district work with good-will for money-wages in their own time. There are estates, however, which cannot get their share of this extra labour. But this may be accounted for by some of the bad practices of former times being still kept up on the said estates, especially in the harsh and degrading language of slavery which is still held by some managers, and, by their example, used even by the superintendents (these being of their own class) towards the apprenticed labourers. Quarter-dollar a day.
- No. 7.—I am not competent to answer this question. Salt, molasses and rum are now issued upon some estates as an indulgence, and withdrawn on any relaxation of good conduct.
- No. 8.—The free children are in general in good condition, and supported almost exclusively by their parents.
- No. 9.—There is a great want of schools, and apparently of encouragement to acquire the elements of moral and religious instruction, in this rural district. As an instance: a free coloured man, the manager of an estate belonging to an honourable member of his Majesty's Council, in preferring a charge at this office against an apprenticed labourer, the said manager, not knowing how to write his name, made his mark to the complaint.
- No. 10.—The apprentices have a very general desire to purchase their discharge. The non-prædial class, whose time is now drawing to a close, and easily purchased, have come forward in considerable numbers; the prædial classes, for want of means to purchase the longer period, have not been able, practically, to exhibit the same anxiety; but there is no doubt that it exists in an equal degree; and as the time draws near, I have no hesitation in stating my belief that the ability to purchase even one week of freedom will not be lost to anticipate their release from the apprenticeship. Seventeen is the number discharged in the course of last month.
- No. 11.—To various employments. They are generally tradesmen or domestics, who now purchase their discharge; and they usually betake themselves to their former employments.
- No. 12.—The ensuing crop promises to be one of the most abundant that has appeared in this island for a long series of years. The general state of the cultivation is much improved, according to my recollection and judgment, since 1833-4, the year preceding the emancipation. The season has been most favourable.
- No. 13.—The only suggestions I should presume to offer would be—First. That the allotment of a small portion of land in lieu of provisions being very generally granted in this district to the apprenticed labourer, I should therefore, with great deference, submit that, in order to avoid a scarcity of provisions prevailing by any unexpected casualty in the course of the seasons, the cultivation of sugar should be prohibited by law on those provision allotments. Secondly. That

That the commutation of money or time in lieu of clothing should not exonerate the master from the moral responsibility of seeing that his apprenticed labourer does not outrage the decencies of society by the filthiness or the scantiness of his covering. I have been disgusted by exhibitions of this kind at the station-house, and in every case it was the effect of the commutation law, which at this rate must retard the march of civilization during the apprenticeship.

T. H. Ponsonby, Esq., Priv. Sec.
Government House.

I have, &c.
(signed) A. Robertson, S. J. P.

Enclosure 4, in No. 85.

Sir,

Town District A., 31 May 1837.

Encl. 4, in No. 85
15 July 1836.

I HAVE the honour to transmit the following replies to the thirteen questions contained in the circular despatch from the Colonial Office.

QUESTIONS.

ANSWERS.

- No. 1.—THE general conduct of the apprentices has been good.
 No. 2.—No want of good feeling.
 No. 3.—They do work willingly.
 No. 4.—The working hours are generally from 6 A. M. to 6 P. M. ; out of this is deducted three hours for meals. They have no other relaxation but what the law allows them, so far as prædial apprentices are concerned. The non-prædials (domestics) labour is continuous; and they have no relaxation but what is usual for meals and rest.
 No. 5.—No, I cannot say where the objection lies; and am not aware that task-work has ever been tried.
 No. 6.—It is; the ordinary rate of wages is quarter of a dollar, or 1s. - ½d. sterling per day; and they are paid in the current money of the colony.
 No. 7.—I believe where the apprentices behave well, they have the same indulgences as hitherto; if otherwise, they are withheld.
 No. 8.—The condition of the free children is, I believe, pretty good; and as far as I can understand, they are principally supported by their parents, while young.
 No. 9.—There are three churches, and their schools; the attendance appears equal to the accommodation, wherever I have had an opportunity of seeing it.
 No. 10.—There is a general desire to purchase discharges; 70 voluntary and eight by appraisement, and 19 by private agreement, have been effected this month.
 No. 11.—To their usual trades or occupations; some of the females become travelling hucksters or pedlars.
 No. 12.—It is rather too early to judge of the appearances of the ensuing crop; but the rain is now setting in, which is considered favourable to it.
 No. 13.—I have no suggestions to make, or practical measure to recommend.

T. H. Ponsonby, Esq., Act. Priv. Sec.
Government House.

I have, &c.
(signed) F. D. Hutchison, S. J. P.

Enclosure 5, in No. 85.

DISTRICT D.

Encl. 5, in No. 85

REPORT of the Special Magistrate of the above District for the month of May 1837.

QUESTIONS.

ANSWERS.

- No. 1.—WHAT has been the general conduct of the apprentices in your district since your last report? See report for month of August last.
 No. 2.—Is there any want of good feeling between them and their employers; and if so, to what cause do you attribute it? - - ditto.
 No. 3.—Do they perform their work willingly; and if not, to what do you ascribe it? - - ditto.
 No. 4.—What are the working hours generally in use in your district? Are any, and what, hours of relaxation allowed to the apprentices during the working hours? - - ditto.
 No. 5.—Is task-work generally resorted to in your district? If not, does the objection lie with the apprentices or masters? - - ditto.

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QUESTIONS.

ANSWERS.

- No. 6.—Is it usual for the apprentices to work in their own time for money-wages? If so, what is the ordinary rate of wages, and how are they paid? If not, have they been offered? See report for month of August last.
- No. 7.—Are there any indulgences withheld which it was usual during slavery for the estate to supply? - - ditto.
- No. 8.—What is the condition of the free children, and how are they supported? - - ditto.
- No. 9.—What facilities does your district supply for education and religious instruction? Is the attendance at church and in the schools equal to the accommodation? - - ditto.
- No. 10.—Is there a general desire among the apprentices to purchase their discharge? How many discharges have been effected since your last report? - - ditto.
Eleven: five by appraisalment, and six by the voluntary acts of owners.
- No. 11.—To what kinds of employment do those who have obtained their discharge usually betake themselves? See report for month of August last.
- No. 12.—What are the prospects of the ensuing crop, and what the general state of cultivation? Has the season been favourable, or otherwise? - - ditto.
- No. 13.—Have you any suggestions to make, or any practical measure to recommend? None at present.

(signed) John J. Hough, s. J. P.

Enclosure 6, in No. 85.

Encl. 6, in No. 85.

Sir,

District E., 1 June 1837.

IN conformity with the monthly duty enjoined on the special magistrates, of reporting on the condition of their several districts, I have the honour to state, for the information of his Excellency the Governor, that the favourable account of the general good conduct of the apprenticed labourers, which I was gratified to transmit in the month of April, has been fully confirmed by their continued good behaviour during the last month of May. A reference to Table (A.) will exhibit a total number of 109 punishments inflicted, and on comparison with my previous Tables (A.) the present penal number will be found to be sensibly diminished from that recorded in the preceding months; and I submit this fact as the best support of the position I have advanced, that the apprenticed population of this district are steadily and peaceably performing their stated round of agricultural duty. It is here proper to allude to a late accident which happened on an estate in this district, the consequences of which might have been seriously alarming, had not the exertions of the apprentices on the property fortunately succeeded in arresting the evil. The shaft of the mill on Orange Hill estate having been discovered in a state of ignition, the bell was rung, and the manager bears testimony to the alacrity with which the people immediately repaired to the spot, and cheerfully obeyed such precautionary orders as he deemed requisite to issue for the preservation of the mill. The credit of timely exertion on this occasion is alone due to the apprentices, who laboured to arrest, and finally succeeded in extinguishing the fire. The crops throughout the district are all reaped, and the returns, as I have already had occasion to note, such as the most sanguine planters could expect.

I would respectfully bring under his Excellency's notice the subject of appeals preferred by apprentices *versus* their classification of registry. During the last month six applications of this nature were submitted for my decision, four of which (setting aside the registered classification of P. A. and substituting that of non-prædial) will be found recorded in my duplicate monthly journal; the remaining two have been postponed for decision early this month. As the period of emancipation for non-prædials, in 1838, is fast approaching, I am inclined to think that the appeal cases will form a large proportion of the magistrates' duties, and will sensibly increase as the intervening period becomes more contracted; hence some confusion will necessarily arise if these appeals are delayed until the last few months; and it becomes a question of much importance as to the best method in which these numerous claims may be brought forward for timely adjustment, without imparting to the apprentices an erroneous opinion that all are to resort to the special magistrates for an investigation of their claims, many of which would be groundless, and productive of the consumption of much time, without any corresponding benefit. I am aware that his Excellency's consideration has been already attracted to this subject; but I have deemed it necessary to allude to it in this report, it being the first practical proof of this nature that I have experienced since assuming the magisterial charge of this district.

The number of appraisements during the month of May amounts to 15, and that of voluntary discharges to 4, in all 19; as will be found more clearly specified in the return of appraisements, &c. &c. already transmitted; and I have only to add, that the desire of procuring their discharge still continues prevalent among all classes of the apprentices.

Taylor H. Ponsonby, Esq.
&c. &c. &c.I have, &c.
(signed) Joseph Garraway, s. J. P.

Enclosure 7, in No. 85.

BARBADOS.

Sir, District F., 1 June 1837.
I HAVE the honour to forward my journal for May 1837, also my Table (A.) for that month.

Encl. 7, in No. 85.

My answers to the questions for the Right honourable the Secretary of the Colonies are the same as those already forwarded for the month of April.

I have, &c.
(signed) *Geo. Kennedy, s. J. P.*
T. H. Ponsonby, Esq.
&c. &c. &c.

—No. 86.—

(No. 159.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart., to
Lord *Glenelg*.

My Lord, Government House, Barbados, 10 July 1837.
COMMUNICATIONS from the stipendiary magistrates of Barbados, relative to the questions they are required to answer monthly, are herewith forwarded to your Lordship.

No. 86.

For the month of June.

I have, &c.
(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure 1, in No. 86.

Sir, Town District A., 1 July 1837.
I HAVE the honour to state, with reference to the circular list of questions from the Right honourable the Secretary of State for the Colonies, that there has been nothing worthy of notice different to the report of the month of May; but I cannot but observe the diminution of offences in this district for the month of June, which I can only attribute to the improved state of feeling on the parts of employers as well as their apprentices. There have been 59 discharges effected this month.

Encl. 1, in No. 86.

15 July 1836.

I have, &c.
(signed) *F. D. Hutcheson, s. J. P.*

Enclosure 2, in No. 86.

Sir, Station-house, District A., Rural Division, 1 July 1837.
I BEG leave to acquaint you, for the information of his Excellency the Governor, that no change of any importance has taken place in my district since I had the honour of forwarding to your office my last monthly report for May.

Encl. 2, in No. 86.

I have, however, great pleasure in expressing my satisfaction at the general good conduct of the apprentices, who are now in the act of finishing the manufacture of the last year's splendid crop of canes, producing, perhaps, the greatest quantity of sugar ever before known. I am also happy to inform his Excellency that the new planted crops of canes, corn and roots look extremely well, in consequence of the late rains; the estates are in a high state of agricultural order, and all things look well for the coming year.

The apprenticeship proceeds steadily, and I trust it will continue to do so; complaints are by no means so numerous for the last three or four months as they were before, and the absentees from estates very much fewer; therefore I have, I trust, a well-grounded hope, as the period of service becomes less, so will complaints in the same ratio; both parties begin to feel they will be ultimately dependent upon each other, therefore consider it prudent to be upon such terms, prior to the 1st of August 1840, as will insure to the master steady labour for his estate, and to the apprentice the means of support when all will be alike free; this feeling, I rejoice to say, is quite apparent, and proves that the employer and the employed begin to understand their true position of mutual interests.

Under the 13th head of general monthly inquiry, I took the liberty in my last for May, to call his Excellency's attention to the necessity of devising some well-digested system of training and education for the free children of apprentices; having entered at some length on this subject in that report, I will not now revert to it further in this, but merely to state respectfully that, in my judgment, its early consideration is the most important of any other connected with the best interests of the colony.

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I think it my duty also to mention another matter of very little less importance in its consequences to the interests of the island, namely, vaccination for the labouring classes and others; upon the strictest inquiry I find that perhaps not above one in thirty of the population generally have been secured by inoculation; therefore the great mass of the people, and particularly of the labouring classes, are at this moment exposed to the introduction of small-pox, with all its most lamentable consequences.

I have, &c.

T. H. Ponsonby, Esq.
&c. &c. &c.

(signed) John B. Colthurst, S. J. P.

Enclosure 3, in No. 86.

DISTRICT B.—Barbados, 30 June 1837.

MONTHLY REPORT upon the Questions contained in Lord *Glenelg's* Circular, dated Downing-street, 15 July 1836.

QUESTIONS.

ANSWERS.

- Encl. 3, in No. 86.
- No. 1.—THE general conduct of the apprentices in this district has been very good since my last report.
- No. 2.—The same good feeling generally exists between the apprentices and their employers, with the same exceptions that I had the honour to observe in my last report; and I would now add, that the system of changing the managers of estates frequently has the effect of producing some misunderstanding on every change between these gentlemen and the labourers. It seems to be a favourite idea amongst planters and attorneys, who have several estates, that on any comparative failure of a crop, the interchange amongst their managers alone can insure them against a recurrence of such failure. But the new manager being a stranger to the people, in urging the work with increased zeal, often treats the industrious and the idle indiscriminately, taunting them, without sufficient knowledge of their respective characters, with their former habits, which is the cause of much discontent. As an illustration, on an estate (Walker's) in this district, which I visited on Monday last, on account of some slight misunderstanding of this nature with a new manager, an old man belonging to the estate said that this was the sixteenth manager he remembered there.
- No. 3.—They do generally perform their work well and willingly; although, from the changes of managers as above alluded to, some complaints are made of idleness against individuals, when they fall short of a certain scale of labour, which was calculated by a committee of practical planters of this island, and which scale professes to be what effective apprenticed labourers are to perform in a given time. But the gangs are almost always badly classed, men of different ages and of different strength, and women of the same description, comprising even what is called the first gang on an estate. The strongest man of a gang, and the best workman, is generally chosen as a leader, or as he is called, a first-row-man; and when the time comes to leave off for breakfast or for dinner, or at the close of the daily labour of nine hours, the whole gang, weak and strong, are obliged to put their respective rows on a line with that of the first-row-man before they quit their work. This frequently robs the weaker ones, particularly the women, of the time which the law allows for refreshment or repose; for if they do not keep up their work with the leader, or else finish it afterwards in their own time, they are brought before the special justice and complained of. Yet it is illegal to give them task-work, unless the majority of the gang consent. But this system of compelling the weak to keep up with the strong is surely not the spirit of the law. It is task-work in disguise, and of the hardest kind.
- No. 4.—The working hours in general use are as stated in my last report, viz. from six in the morning till six in the evening, with one hour for breakfast and two hours for dinner; but the intervals allowed by law for refreshment or for rest in the course of the day are often curtailed from the causes I have stated in No. 3.
- No. 5.—I stated in my last report, that task-work was scarcely ever resorted to in this district. I should now add that task-work is virtually in force, from what I have observed in No. 3; but it is more severe on the weaker individuals, who, in being tasked in a gang, would be assisted in their share of the work by the more powerful labourers of the gang.
- No. 6.—The same willingness to work for wages in their own time, as reported in my last, and the same objections to work for particular estates, still continue. The best classes of prædial labourers demand, however, generally a higher rate of wages than they did, viz. 4 bitts, or 2s. 6d. currency per diem. This high demand is alleged on their part to be necessary to meet the high appraisements when they wish to purchase their time; and it is, on the other hand, an excuse for

QUESTIONS.

ANSWERS.

for their owners to value them at a higher rate, because they must replace their labour at an enhanced price. But moderate appraisements might have the effect of throwing more labour into the market, and, consequently, of moderating its price.

- No. 7.—In my last report I stated that I was not competent to answer this question. I have now to observe that women, when in a state of pregnancy or while nursing, are less indulged than, I understand, they were when they and their offspring were in a state of slavery, the nine hours per day in the field being very frequently insisted upon from them in their condition, the law having made no exception in their favour; and nothing but going into the sick-house, to be fed, perhaps, upon water-gruel, which a woman in either case may not fancy, and, perhaps, to be locked up in the said hospital or sick-house, agreeably to the 34th clause of the island “Act for the Abolition of Slavery;” nothing but this alternative, under some managers, can exempt them from giving their nine hours in the field.
- No. 8.—The free children, as reported in my last, are almost exclusively supported by their parents, and are generally well-conditioned. But it is a hard task upon the mother to give attention to her children and to work for nine hours in the field during the day. On some estates an old woman is appointed to watch the children as it was in the time of slavery. But this is by no means general, and scarcely ever, excepting upon the larger estates.
- No. 9.—The want of schools is great and urgent, and has been already brought under the notice of the island legislature.
- No. 10.—The apprentices continue to evince a desire, generally, to purchase their discharge. I have been applied to by great numbers in the course of the month for advice as to the probable amount of their appraisement; and on finding that they had not yet sufficient funds, they seemed much affected at the disappointment. Twenty-seven discharges have been effected in their district since my last report.
- No. 11.—The discharged apprentices usually betake themselves to their former employments, whether tradesmen, prædials or domestics.
- No. 12.—The ensuing crop continues to promise to be an abundant one. The cultivation is excellent, and the season has been most favourable.
- No. 13.—I have no suggestions to make but what may be gathered from the remarks, which I have presumed to offer in answering the foregoing questions.

I have, &c.

His Excellency Sir E. J. M. M'Gregor,
&c. &c. &c.

(signed) A. Robertson, s. j. p.

Enclosure 4, in No. 86.

BARBADOS.—DISTRICT C.

MONTHLY REPORT, from the 1st to the 30th June 1837.

QUESTIONS.

ANSWERS.

- No. 1.—WHAT has been the general conduct of the apprentices in your district since your last report? Encl. 4, in No. 86.
The general conduct of the apprentice labourers in this district during the last month has been good.
- No. 2.—Is there any want of good feeling between them and their employers; and if so, to what cause do you attribute it?
No want of good feeling, generally speaking, exists between masters and apprentices in this district.
- No. 3.—Do the apprentices perform their work willingly; and if not, to what do you attribute it?
With few exceptions, the apprentices in this district perform their work most willingly.
- No. 4.—What are the working hours generally in your district? Are any, and what, intervals of relaxation allowed to the apprentices during the working hours?
On most estates the working hours in this district are from six in the morning until nine, from ten to one, and from three until six, allowing intervals of relaxation from nine until ten, and from one until three.
- No. 5.—Is task-work generally resorted to in your district? If not, does the objection lie with the master or apprentice?
Task-work is not generally resorted to in this district, which appears to be the mutual wish of master and apprentice.
- No. 6.—Is it usual for the apprentices in their own time to work for money
It is usual for the apprentice labourers in this district to work in their own time, and

QUESTIONS.

ANSWERS.

- money-wages? If so, what is the ordinary rate of wages, and how have they been paid? If not, have they been offered?
- No. 7.—Is there any indulgence withheld which it was usual for the estate to supply during slavery?
- No. 8.—What is the condition of the free children, and how are they supported?
- No. 9.—What facilities does your district supply for education and religious instruction? Is the attendance at church and at the schools equal to the accommodation?
- No. 10.—Is there a general desire among the apprentices to purchase their discharge? How many discharges have you effected since your last report?
- No. 11.—To what kinds of employment do those who have obtained their discharge usually betake themselves?
- No. 12.—What are the prospects of the ensuing crop, and what the general state of cultivation? Has the season been favourable, or otherwise?
- No. 13.—Have you any suggestions to make, or practical measure to recommend?

and for money-wages, which average from 10½*d.* to 1*s.* 1*d.* for nine hours' labour, and paid in money.

I am not prepared to say that there is any indulgence withheld from the apprentice labourer which it was usual during slavery for the estate to supply.

The free children in this district are generally supported by their parents, but on some estates they are fed and taken care of the same as previous to the 1st August 1834.

There are two churches in this district, with resident clergymen, and three chapels, each having a school attached, and both well attended; but the facilities afforded for education not near adequate for the population requiring instruction.

There is a great desire on the part of the apprentice labourers to purchase their discharge; 23 discharges have been effected since my last report, viz., 15 by appraisement and eight with free gift.

Of the apprentices who obtain their discharge, tradesmen and mechanics continue their usual occupation, and the others employ themselves in trafficking and keeping little shops.

The prospect of the ensuing crop holds forth to the planter the expectation of its being most abundant; the season as yet has been most favourable, and the cultivation good.

I have the honour to suggest, that if the hours of labour in which the apprentices are to work were laid down by law, so that the proprietor and manager of every estate would

turn out their apprentices to work at the same hour, and give the same hours of relaxation, it would be attended with beneficial results, so far as doing away with much discontent that prevails at present amongst some of the apprentice labourers on several of the estates in this district. The proprietors and managers of estates generally work their apprentice labourers three hours without intermission, allowing them one hour (from nine to ten) for breakfast, and two (from one to three) for dinner, which in my opinion is fair, and gives general satisfaction. Upon others, and some of the largest estates, one hour at noon is only allowed, which is of no service to the apprentices, further than giving them a short respite from labour; when half an hour is occupied by them in going and returning from their work to their houses, it leaves them little or no time to cook and eat their dinner, which I presume to be the intention of allowing them to leave off work for this time at noon; besides, the apprentices state that five o'clock is the hour on these estates at which they should discontinue work, and they are frequently kept to near six, which causes much discontent amongst them, and renders it difficult for a special magistrate to decide whether their causes of complaint are just or otherwise, amongst so much conflicting and opposite evidence as appears invariably in cases of this kind.

(signed) *A. Cuppage, s. J. P.*

Enclosure 5, in No. 86.

DISTRICT D.

REPORT of the Special Magistrate of the above District, for the month of June 1837.

QUESTIONS.

ANSWERS.

Encl. 5, in No. 86.

- No. 1.—WHAT has been the general conduct of the apprentices in your district since your last report? See report for August last.
- No. 2.—Is there any want of good feeling between them and their employers; and if so, to what cause do you attribute it - - ditto.

| QUESTIONS. | ANSWERS. |
|---|---|
| No. 3.—Do they perform their work willingly; and if not, to what do you ascribe it? | See report for August last. |
| No. 4.—What are the working hours generally in use in your district? Are any, and what, intervals of relaxation allowed to the apprentices during the working hours? | - - ditto. |
| No. 5.—Is task-work generally resorted to in your district? If not, does the objection lie with the masters or apprentices? | - - ditto. |
| No. 6.—Is it usual for the apprentices to work in their own time for money-wages? If so, what is the ordinary rate of wages, and how are they paid? If not, have they been offered? | - - ditto. |
| No. 7.—Are there any indulgences withheld which it was usual during slavery for the estate to supply? | - - ditto. |
| No. 8.—What is the condition of the free children, and how are they supported? | - - ditto. |
| No. 9.—What facilities does your district supply for education and religious instruction? Is the attendance at church and in the schools equal to the accommodation? | - - ditto. |
| No. 10.—Is there a general desire among the apprentices to purchase their discharge? How many discharges have been effected since your last report? | - - ditto. Sixteen, viz. seven by the voluntary acts of owners, eight by purchase, and one by agreement. |
| No. 11.—To what kinds of employment do those who have obtained their discharge usually betake themselves? | See report for August last. |
| No. 12.—What are the prospects of the ensuing crop, and what the general state of cultivation? Has the season been favourable, or otherwise? | - - ditto. |
| No. 13.—Have you any suggestions to make, or any practical measure to recommend? | - - ditto. |

(signed) *John James Hough, s. J. P.*

Enclosure 6, in No. 86.

Sir, District E., 1 July 1837. Encl. 6, in No. 86
 WITH reference to the monthly questions to be answered by the special magistrates reporting on the state of their districts, I have the honour to state, for the information of his Excellency the Governor, that the general good conduct of the apprentices under my jurisdiction (as previously noted in my last report) is most gratifying and satisfactory.

I am inclined to think that a feeling of mutual accommodation is now manifesting itself between the employers and their dependents, which, if well ripened by the exertions of the magistrate, will materially tend to diminish the list of trifling complaints lately brought under his notice for adjustment.

I beg to add, that 19 appraisements and 13 voluntary discharges have taken place in this district for the month of June, as will more particularly appear on reference to the enclosed document.

T. H. Ponsonby, Esq.
 Act. Priv. Sec., &c. &c. &c.

I have, &c.
 (signed) *Joseph Garraway, s. J. P.*

Enclosure 7, in No. 86.

Sir, District F., 3 July 1837. Encl. 7, in No. 86
 I BEG to forward my journal for the month of June; also Table (A.) and a report of penal labour, and fines inflicted.

My answers to the thirteen questions for the Secretary of the Colonies are the same as last submitted.

T. H. Ponsonby, Esq.
 &c. &c. &c.

I have, &c.
 (signed) *George Kennedy, s. J. P.*

BARBADOS.

—No. 87.—

(No. 55.)

COPY of a DESPATCH from Lord *Glenelg* to Governor
Sir *E. J. M. M'Gregor*, Bart.

No. 88.

Sir,

Downing-street, 14 September 1837.

I HAVE received your despatch, No. 159, Barbados, of the 10th of July, enclosing the reports of the special magistrates for the month of June, which I have read with great satisfaction. I learn from them that the conduct of the apprentices has been every where good; that complaints against them are less frequent; that a better understanding is growing up between them and their employers; that in every district wages for extra labour have been offered and accepted; that those who have received or purchased their discharge from apprenticeship either continue to follow their former occupation or betake themselves to some other mode of profitable industry; that an abundant crop has been got in apparently without loss or difficulty; and that cultivation is in a forward state.

I find, however, by Mr. Robertson's report, that a practice obtains in his district which the special magistrate ought undoubtedly to resist. He complains that the gangs are badly classed, comprising men and women of different ages and different degrees of strength; and that, nevertheless, each member of the gang is required to do the same quantity of work. At the close of the regular hours of labour the "first-row-men" are drawn off; but the rest are kept at work till "they have put their respective rows on a line with that of the first-row-men." In other words, the weaker portion of the gang are made to labour for more than 45 hours during the week, which is contrary to the law.

Against this illegal exaction, it appears to me that the apprentices, if duly protected by the special magistrate, have a complete remedy in their own hands. The close of each period of labour is made known to them by the drawing off of the first-row-men; those who are behind may insist upon being drawn off at the same time. If they should afterwards be charged before the special magistrate with not having done a sufficient quantity of work it is for him to judge whether the work done is sufficient or not. In determining this, he will remember that a "sufficient" quantity of work is that quantity which the labourer can be reasonably expected to accomplish within the prescribed time; and that it can never be reasonable to expect that a weak man should do as much work as a strong one.

Mr. Robertson seems also to think that sufficient allowance is not always made for the weakness of women during pregnancy, or for their maternal duties during the infancy of their children. In many cases they are expected to perform their full nine hours of daily labour, as usual; and their only way of escaping that hardship is to exchange it for the confinement of the sick-house.

You will remind Mr. Robertson that, in this as in the former case, the law places the ultimate decision in the hands of the special magistrate. Sickness is a lawful cause for neglecting the employer's work; and the weakness which accompanies the later stages of pregnancy, and makes the performance of the full amount of labour impracticable, injurious or painful, is clearly to be classed under this head. If a complaint for not working the full number of hours be preferred against a woman who can justly plead in excuse either bodily weakness or the demands of maternal duty, the special magistrate ought not to hesitate in admitting such excuse as a valid defence.

You will be so good as to impress the substance of these observations not only on Mr. Robertson, but on all the special magistrates, and indeed on all parties.

I am, &c.

(signed) *Glenelg*.

—No. 88.—

BARBADOS.

(No. 199.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart., to Lord *Glenelg*.

My Lord, Government House, Barbados, 1 Sept. 1837. No. 88.
 COMMUNICATIONS from the stipendiary magistrates of Barbados, relative to the questions they are required to answer monthly, are herewith forwarded to your Lordship. For the month of July.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure 1, in No. 88.

Station-house, District A., Rural Division, Encl. 1, in No. 88.
 4 August 1837.

Sir,
 I BEG to acquaint you, for the information of his Excellency the Governor, that nothing of any importance has occurred in my district since I had the honour to forward my monthly report for June last.

I have, however, great pleasure to report the general good conduct of the apprentices in my district during the last month; and, in conclusion, have only again to recommend that measures may be speedily taken to educate, in a suitable manner, the free children of apprentice labourers, whose situation at present is most critical, both as regards themselves and the future prosperity of this fine colony.

I have, &c.

To T. H. Ponsonby, Esq. (signed) *John B. Colthurst*, s. j. p.
 &c. &c. &c.

Enclosure 2, in No. 88.

Sir, Town District A., 5 August 1837. Encl. 2, in No. 88.
 IN transmitting my journal and Table (A.) for the last month, I beg leave to observe, that no alteration has taken place in this district to require any answers to the thirteen questions contained in the circular despatch of the Right honourable the Secretary of State for the Colonies, different to the last I transmitted to his Excellency the Governor; but I cannot but remark, from the few complaints I have had for the month of July, and from other causes, the improved state of good feeling on the part of employers as well as apprentices. 15 July 1836.

There have been no cases of altering the registry of any of the apprentices of this district, therefore I have sent no return in of such.

I have, &c.

T. H. Ponsonby, Esq. (signed) *F. D. Hutcheson*, s. j. p.
 Acting Private Secretary, &c. &c. &c.

| | | | | | | |
|-------------------------|---|---|---|---|---|-----------|
| Discharges by agreement | - | - | - | - | - | 22 |
| " appraisalment | - | - | - | - | - | 7 |
| Voluntary discharges | - | - | - | - | - | 41 |
| TOTAL | - | - | - | - | - | <u>70</u> |

Enclosure 3, in No. 88.

BARBADOS.—DISTRICT C.

MONTHLY REPORT from the 1st to the 31st July 1837.

QUESTIONS.

ANSWERS.

- No. 1.—WHAT has been the general conduct of the apprentices in your district since your last report? The general conduct of the apprentice labourers in this district since my last report has been good. Encl. 3, in No. 88.
- No. 2.—Is there any want of good feeling between them and their employers; and if so, to what cause do you attribute it? Generally speaking, no want of good feeling exists between master and apprentice in this district.

BARBADOS.

QUESTIONS.

ANSWERS.

No. 3.—Do they perform their work willingly; and, if not, to what do you ascribe it?

With few exceptions, the apprentices, generally speaking, perform their work most willingly.

No. 4.—What are the working hours generally in use in your district? Are any, and what, intervals of relaxation allowed to the apprentices during the working hours?

On most estates the working hours in this district are from six to nine in the morning, from ten to one, and from three to six, allowing intervals of relaxation from nine until ten, and from one until three.

No. 5.—Is task-work generally resorted to in your district? If not, does the objection lie with the masters or the apprentices?

Task-work is not generally resorted to in this district, which appears to be the mutual wish of masters and apprentices.

No. 6.—Is it usual for the apprentices to work in their own time for money-wages? If so, what is the average rate of wages, and how are they paid? If not, have they been offered?

It is usual for the apprentices in this district to work in their own time, and for money-wages, which average 1s. 1d., and paid in money; nine hours' work they give in each day.

No. 7.—Are any indulgences withheld which it was usual during slavery for the estate to supply?

I am not prepared to say there are any indulgences withheld from the apprentice labourer which it was usual during slavery for the estate to supply.

No. 8.—What is the condition of the free children, and how are they supplied?

The free children in this district are principally supported by their parents; but on some estates they are fed and taken care of the same as previous to the 1st of August 1834.

No. 9.—What facilities does your district supply for education and religious instruction? Is the attendance at church and in the schools equal to the accommodation?

There are two churches in this district, with resident clergymen, and three chapels; all have schools attached, but the facilities afforded for education are not near equal for the population requiring instruction; the attendance at church and in the schools is equal to the accommodation.

No. 10.—Is there a general desire among the apprentices to purchase their discharge? How many discharges have been effected since your last report?

There is a great desire on the part of the apprentice labourers to purchase their discharge; twenty-four obtained their discharge this month, viz. seventeen by appraisal, three by private agreement, and four by free gift.

No. 11.—To what kinds of employment do those who have obtained their discharge usually betake themselves?

Of the apprentices who obtain their discharge, some follow the same employment they did previous to obtaining it, and others go about trafficking.

No. 12.—What are the prospects of the ensuing crop, and what the general state of cultivation? Has the season been favourable, or otherwise?

The prospects of the ensuing crop hold forth to the planter the expectation of its being most abundant; the season as yet has been most favourable, and the cultivation good.

No. 13.—Have you any suggestions to make, or practical measure to recommend?

I have not any suggestions at present to make, or practical measure to recommend.

(signed) *A. Cuppage, s. J. P.*

Enclosure 4, in No. 88.

DISTRICT D.—31 July 1837.

REPORT of the Special Magistrate of the above District, in reply to the following Questions.

QUESTIONS.

ANSWERS.

Encl. 4, in No. 88.

No. 1.—WHAT has been the general conduct of the apprentices in your district since your last report?

See report for August last.

No. 2.—Is there any want of good feeling between them and their employers; and if so, to what cause do you attribute it?

- - ditto.

No. 3.—Do they perform their work willingly; and if not, to what do you ascribe it?

- - ditto.

| QUESTIONS. | ANSWERS. | |
|---|---|--|
| No. 4.—What are the working hours generally in use in your district? Are any, and what, hours of relaxation allowed to the apprentices during the working hours? | See report for August last. | |
| No. 5.—Is task-work generally resorted to in your district? If not, does the objection lie with the masters or apprentices? | - - ditto. | |
| No. 6.—Is it usual for the apprentices to work in their own time for money-wages? If so, what is the ordinary rate of wages, and how are they paid? If not, have they been offered? | - - ditto. | |
| No. 7.—Are there any indulgences withheld which it was usual during slavery for the estate to supply? | - - ditto. | |
| No. 8.—What is the condition of the free children, and how are they supported? | - - ditto. | |
| No. 9.—What facilities does your district supply for education and religious instruction? Is the attendance at church and in the schools equal to the accommodation? | - - ditto. | |
| No. 10.—Is there a general desire amongst the apprentices to purchase their discharge? How many discharges have been effected since your last report? | - - ditto. Fourteen; six by purchase, and eight by the voluntary acts of the owners. | |
| No. 11.—To what kinds of employment do those who have obtained their discharge usually betake themselves? | See report for August last. | |
| No. 12.—What are the prospects of the ensuing crop, and what the general state of cultivation? Has the season been favourable, or otherwise? | - - ditto. | |
| No. 13.—Have you any suggestions to make, or any practical measure to recommend? | - - ditto. | |

(signed) *John James Hough, s. J. P.*

Enclosure 5, in No 88.

Sir,

District E., 1 August 1837.

Encl. 5, in No. 88.

I HAVE the honour to report, for the information of his Excellency the Governor, that the general good conduct and orderly behaviour of the apprenticed labourers in this district, as noted in my last, still continues, and I trust will meet with that encouragement from their employers which it certainly merits.

Agreeably to his Excellency's instructions respecting the adoption of cautious but effectual measures for explaining to the apprentices under my jurisdiction their right of appeal from the registrar's decision, I beg to state that I have taken such steps in this matter as will, I hope, fully elicit the claims of those apprentices who may consider themselves aggrieved by their present classification of registry: a monthly numerical return of the appeal cases preferred before me for decision, on evidence, debors the registry, is herewith transmitted, by which his Excellency will observe, that the apprentices have not been backward in availing themselves of the opportunity thus afforded them of bringing their claims under the notice of the special magistrate for early adjustment.

I have little of importance to add, save with reference to the appraisements, 14 of which (together with three voluntary discharges) have taken place during the month of July, as specified in the enclosed return.

I have, &c.

Taylor H. Ponsonby, Esq.
&c. &c. &c.

(signed) *Joseph Garraway, s. J. P.*

Enclosure 6, in No. 88.

Sir,

District F., 1 August 1837.

Encl. 6, in No. 88.

I HAVE the honour to forward my journal with the various monthly returns for July.

My answers to the thirteen questions for the Right honourable the Secretary of the Colonies are the same as the last return submitted.

I have, &c.

Five discharges by appraisements.

T. H. Ponsonby, Esq.
&c. &c. &c.

(signed) *Geo. Kennedy, s. J. P.*

BARBADOS.

—No. 89.—

(No. 215.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart.,
to Lord *Glenelg*.No. 89.
For the month of
August 1837.My Lord,
COMMUNICATIONS from the stipendiary magistrates of Barbadoes, relative to
the questions they are required to answer monthly, are herewith forwarded to
your Lordship.

Government House, Barbados, 24 Sept. 1837.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure 1, in No. 89.

Encl. 1, in No. 89.

Sir,

Town District A. 31 August 1837.

15 July 1836.

IN transmitting the journal for this month and Table (A.), as nothing has taken place to require any change in the replies I have made during the last months to the circular despatch of the Right honourable the Secretary of State for the Colonies, I have only to observe, the gradual but great change that has taken place in the disposition of the apprentices towards their employers, as well as of the latter towards their apprentices, corroborated in a great manner by the few complaints I have had, as well as the few punishments I have been obliged to inflict during the month; by the returns enclosed, there have been 30 voluntary discharges, 15 discharges by private agreement, and five discharges by appraisement, effected during the month of August.

I have, &c.

T. H. Ponsonby, Esq.
&c. &c. &c.(signed) *F. D. Hutcheson*, S. J. P.

Enclosure 2, in No. 89.

Encl. 2, in No. 89.

Sir,

Station-house, District A. R. D., 4 September 1837.

I BEG to acquaint you, for the information of his Excellency the Governor, that no change of any consequence has taken place in my district since I had the honour of forwarding to your office my last monthly report for July; if any change has taken place, it seems for the better. Complaints are less numerous; and the apprentices have conducted themselves well. The crops of all descriptions have a most promising appearance.

I have, &c.

To T. H. Ponsonby, Esq.

(signed) *John B. Colthurst*, S. J. P.

Enclosure 3, in No. 89.

Encl. 3, in No. 89.

A GENERAL REPORT of the state of District B. for August 1837.

QUESTIONS.

ANSWERS.

- No. 1.—TAKING every circumstance into consideration, the apprentices have not behaved ill.
- No. 2.—I regret to say a decided bad feeling still exists, and in my opinion has not in the least decreased.
- No. 3.—The work is performed willingly, excepting on those days they have to return labour to their employer for the time they may have been in confinement.
- No. 4.—Not altered since the commencement of these reports.
- No. 5.—Not generally resorted to; the objection lies with the masters.
- No. 6.—Generally; wages have been raised lately by two or three individuals to three bits, or 1s. 3½d. sterling; but this only temporary.
- No. 7.—On some estates.
- No. 8.—Deplorable generally; supported by their parents.
- No. 9.—The facilities are good for education, but little sought after by the apprentices. Attendance at church equal to the accommodation; additional chapels built annually; schools not.
- No. 10.—A very great desire; twenty-three discharged.
- No. 11.—As in former reports.
- No. 12.—Prospects of the crop are favourable; cultivation very good; rains have been seasonable.
- No. 13.—None at present.

(signed) *Jos^h Hamilton*, S. J. P.

Enclosure 4, in No. 89.

DISTRICT C.—MONTHLY REPORT from the 1st to the 31st August 1837.

Encl. 4, in No. 89.

QUESTIONS.

ANSWERS.

- No. 1.—A CONSIDERABLE increase of complaints for theft and idleness have taken place in the district since my last report.
- No. 2.—Generally speaking, no want of good feeling exists between masters and apprentices in this district.
- No. 3.—The apprentices in this district, generally speaking, perform their work most willingly.
- No. 4.—On most estates the working hours in this district are from six to nine in the morning, from ten to one, and from three to six, allowing intervals of relaxation, from nine until ten, and from one until three.
- No. 5.—Task-work is not generally resorted to in this district, which appears to be the mutual wish of masters and apprentices.
- No. 6.—It is usual for the apprentices in this district to work in their own time, and for money-wages, which average at 1 s. 1 d. for nine hours' labour, and paid in money.
- No. 7.—I am not prepared to say that there are any indulgences withheld from the apprentice labourer which it was usual during slavery for the estate to supply.
- No. 8.—The free children of this district are principally supported by their parents, but on some estates they are fed and taken care of the same as previous to the 1st August 1834.
- No. 9.—There are two churches in this district, with resident clergymen, and five chapels, all having schools attached, besides other schools throughout the district; still these do not afford education near adequate for the population requiring instruction. The attendance at the churches and at the schools is equal to the accommodation.
- No. 10.—There is a great desire on the part of the apprentice labourers to purchase their discharge. Twenty discharges were obtained last month, viz. sixteen by appraisement, two by private agreement, and two by free gift.
- No. 11.—Of the apprentices who obtain their discharge, some follow the same employment they did previous to obtaining it. Others go about trafficking, and keep little shops.
- No. 12.—The prospects of the ensuing crop hold forth to the planter the expectation of its being most abundant. The season as yet has been most favourable, and the cultivation good.
- No. 13.—I have not at present any suggestions to make, or practical measure to recommend.

(signed) *A. Cuppage*, s. J. P.

Enclosure 5, in No. 89.

DISTRICT D.

REPORT of the Special Magistrate of the above District, for the month of August 1837, in reply to the following Questions. Encl. 5, in No. 89.

QUESTIONS.

ANSWERS.

No. 1.—WHAT has been the general conduct of the apprentices in your district since your last report?

The greater number of the complaints exhibited monthly before me being for idleness and petty theft, and this being my only source of information, I conclude therefrom that the conduct of the apprentices of this district is idle and given to petty theft.

No. 2.—Is there any want of good feeling between them and their employers; and if so, to what cause do you attribute it?

In but very few instances that have come under my notice can it be said that a want of good feeling exists between the apprentice and his employer, and when this is the case, it generally has its origin in the idleness or insolence of the apprentice towards his employer. This, however, is only temporary.

No. 3.

BARBADOS.

QUESTIONS.

No. 3.—Do they perform their work willingly; and if not, to what do you ascribe it?

No. 4.—What are the working hours generally in use in your district? Are any, and what, intervals of relaxation allowed to the apprentices during the working hours?

No. 5.—Is task-work generally resorted to in your district? If not, does the objection lie with the masters or apprentices?

No. 6.—Is it usual for the apprentices to work in their own time for money-wages? If so, what is the ordinary rate of wages, and how are they paid? If not, have they been offered?

No. 7.—Are there any indulgences withheld which it was usual during slavery for the estate to supply?

No. 8.—What is the condition of the free children, and how are they supported?

No. 9.—What facilities does your district supply for education and religious instruction? Is the attendance at church and in the schools equal to the accommodation?

No. 10.—Is there a general desire among the apprentices to purchase their discharge? How many discharges have been effected since your last report?

No. 11.—To what kinds of employment do those who have obtained their discharge usually betake themselves?

ANSWERS.

The apprentices generally cannot be said to perform their work willingly; but where the apprentices in authority conduct themselves well, the others yield a more ready obedience to the law; where these are wanting, the reverse is mostly the consequence.

The working hours, except in crop season, when the apprentices are required, for obvious reasons, to be up earlier, are from six o'clock A. M. to six P. M., three hours of relaxation being allowed them within that time, viz. most commonly from the hour of nine to that of ten A. M., and from that of one to three P. M.

Task-work is not, I understand, generally resorted to, and when adopted, is rather as a resort against idleness than of choice; consequently the objection lies with the apprentices: yet even when had recourse to, the apprentices frequently finish the task assigned them as arranged by a scale of work approved of and directed by the late Governor-general Sir Lionel Smith to be a standard for task-work, before the nine hours of labour their masters are entitled to by law have expired.

The apprentices can get abundance of employment for money-wages in this district during their own time, would they be so employed, at the rate, to every effective labourer, of the sum of 1*s.* 6½*d.* in money and half a pint of rum, which increases the wages fully to 1*s.* 10½*d.* currency, which is given them at the expiration of their nine hours' labour; but such is their idleness and indolence of character, that it is difficult to get them to work for these wages.

Where the apprentices conduct themselves well, none of the indulgences supplied during slavery are withheld.

The free children, for the most part, are dependent for support on the allowances furnished their parents from the estates. Where, however, the parents conduct themselves well, few or none of the indulgences enjoyed by the children heretofore are withheld.

The only facilities afforded in this district for education, that I am aware of, are one weekly and three Sunday schools, the latter held at the places of divine worship by their respective ministers, two being of the Established Church and one of Moravians. The attendance at church is rather more than equal to the accommodation; but I am unable to state what that in the schools is.

I conclude, from the fact of several apprentices having had themselves appraised, without being able to produce the amount of their valuation, that the desire to purchase their discharge is general amongst the apprentices, and that the means only are wanting. Fourteen apprentices have been discharged during this month; viz. eight by appraisement, and six by the voluntary acts of proprietors.

For the most part, the discharged apprentices betake themselves to the calling of petty hawkers or huxters. Few or none can be got to engage in agricultural pursuits, especially on the sugar estates.

QUESTIONS.

No. 12.—What are the prospects of the ensuing crop, and what the general state of cultivation? Has the season been favourable, or otherwise?

ANSWERS.

The prospect for the ensuing crop is at present favourable. The cultivation, generally speaking, is not as extended as during the state of slavery; and on many estates the lands are not kept in the high state of cultivation as heretofore. The rains, up to the present time, have been favourable; but great injury has been sustained by very many of the sugar estates, from the heavy gales of the last two months.

ARBADOS.

No. 13.—Have you any suggestions to make, or any practical measure to recommend?

None at present.

John J. Hough, S. J. P.

Enclosure 6, in No. 89.

Sir,

District E., 1 September 1837.

Encl. 6. in No. 89

I BEG to state, for the information of his Excellency the Governor, that it is with much pleasure I now discharge the monthly duty of reporting on the condition of the apprenticed labourers (imposed on the special magistrates in their several districts), inasmuch as I am enabled to confirm my previous statements relative to the general good understanding which prevails between master and dependent in the district under my jurisdiction. My best exertions are employed in cherishing this feeling, and the good effect resulting from its operation is to be found in the comparatively small number of complaints (monthly) when contrasted with the extensive number of apprentices within this district.

With reference to appraisements, 19 have taken place in the month of August, together with nine voluntary discharges, a particular return of which (together with a numerical return of appeal cases during the same period) is herewith transmitted to your office.

I have, &c.

Taylor H. Ponsonby, Esq.,
Acting Private Secretary, &c. &c. &c.
Government House.

(signed) *Joseph Garraway, S. J. P.*

Enclosure 7, in No. 89.

Sir,

District F., 1 September 1837.

Encl. 7, in No. 89

I HAVE the honour to forward my journal for the month of August, also the other necessary returns.

Ten discharges by appraisements.

My answers to the 13 questions are the same as heretofore.

I have, &c.

T. H. Ponsonby, Esq.
&c. &c. &c.

(signed) *Geo. Kennedy, S. J. P.*

— No. 90. —

(No. 234.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor, Bart.*, to Lord *Glenelg*.

My Lord, Government House, Barbados, 14 Oct. 1837.

No. 90.

COMMUNICATIONS from the special magistrates of Barbados, relative to the questions they are required to answer monthly, are herewith forwarded to your Lordship.

For the month of September 1837.

I have, &c.

(signed) *E. J. Murray M'Gregor, Governor.*

BARBADOS.

Encl. 1. in No. 90.

Enclosure 1, in No. 90.

Sir,

District A., Town Division, 2 October 1837.

I BEG leave to acquaint you, for the information of his Excellency the Governor, that nothing of importance has occurred in this district during the last month.

The conduct of the apprentices, as far as I am able to judge, is good. Having only filled the chair of the district for the last month, I am yet unable to form a just opinion. At the close of this month I hope to have it in my power to report more fully upon this subject.

I have, &c.

To Edward H. Senhouse,
&c. &c. &c.(signed) *John B. Colthurst, s. j. p.*

Number of Discharges :

| | | | | | | | | | |
|------------------|---|---|---|---|---|---|---|---|-------|
| By appraisalment | - | - | - | - | - | - | - | - | 2 |
| „ agreement | - | - | - | - | - | - | - | - | 13 |
| Without charge | - | - | - | - | - | - | - | - | 39 |
| | | | | | | | | | <hr/> |
| TOTAL | - | - | - | - | - | - | - | - | 54 |

Enclosure 2, in No. 90.

Encl. 2, in No. 90.

Sir,

Rural District A., 5 October 1837.

15 July 1836.

I HAVE the honour to state, for the information with reference to the Right honourable the Secretary of State for the Colonies despatch, containing thirteen questions, to be answered monthly, that I have not been long enough in this district to answer with accuracy the questions therein contained, but I am of opinion, with some exceptions, that a good feeling subsists among the employers and apprentices of the rural district.

I have, &c.

E. H. Senhouse, Esq.
Acting Colonial Secretary, &c. &c. &c.(signed) *F. D. Hutcheson, s. j. p.*

Number of Discharges :

| | | | | | | | | | |
|----------------------|---|---|---|---|---|---|---|---|-------|
| By appraisalment | - | - | - | - | - | - | - | - | 3 |
| „ agreement | - | - | - | - | - | - | - | - | 1 |
| Voluntary discharges | - | - | - | - | - | - | - | - | 5 |
| | | | | | | | | | <hr/> |
| TOTAL | - | - | - | - | - | - | - | - | 9 |

Enclosure 3, in No. 90.

Encl. 3, in No. 90.

A GENERAL REPORT of the state of District B. for September 1837.

QUESTIONS.

ANSWERS.

No 1.—THE conduct of the apprentices has been generally good.

No 2.—The same as last report.

No 3.—They do perform it willingly, except those days' labour they are compelled to make good to their employers for the time they are in confinement, considering it a second punishment under the inspection of their masters.

No 4.—From six to nine, then from ten to one, and then from three to six; the intervening hours they have for repose.

No 5.—As the last report.

No 6.—Invariably so. Wages 1 s. 1 d. sterling per day, with a little molasses or rum.

No 7.—Some are withheld.

No 8.—As the last report. Parents bring them up in idleness, occasioned by the great abhorrence they have to hiring them out from recollections of slavery.

No 9.—Same as last report.

No 10.—There is a general desire among the apprentices to purchase their discharge; but on the well-regulated estates there is not so much inclination shown: three males and five females have been discharged this month.

No. 11.

- No. 11.—Generally to their former employments, except the women, who take more to the domestic employment. BARBADOS.
- No. 12.—At present good ; season has been favourable.
- No. 13.—I would suggest that clause 59* of the Island Abolition Act should be repealed. I am confident the number of complaints would be materially reduced, particularly from the minor properties.
- (signed) *Joseph Hamilton, s. j. r.*

* The 59th clause is as follows :—

“ And be it further enacted, that every apprenticed labourer shall make good out of his or her extra days, to his or her employer, the time that his or her employer shall have been deprived of his or her services by the sentence of any special justice of the peace or court.” Apprentices to make up for lost time.

There appear to me no grounds for applying to the council and assembly to repeal the foregoing clause.

(signed) *E. J. Murray M'Gregor,*
Governor.

Enclosure 4, in No. 90.

DISTRICT C.

MONTHLY REPORT from the 1st to the 30th of September 1837.

Encl. 4, in No. 90.

QUESTIONS.

ANSWERS.

- No. 1.—A CONSIDERABLE decrease of complaints has taken place in this district since my last report.
- No. 2.—Generally speaking, no want of good feeling exists between masters and apprentices in this district.
- No. 3.—In this district, the apprentices, generally speaking, perform their work willingly.
- No. 4.—On most estates the working hours in this district are from six to nine in the morning, from ten to one, and from three to six ; allowing intervals of relaxation from nine until ten, and from one until three.
- No. 5.—Task-work is not generally resorted to in this district, which appears to be the mutual wish of masters and apprentices.
- No. 6.—It is usual for the apprentices to work in their own time, and for money-wages, which average at 1 s. 1 d. for nine hours' labour, and paid in money.
- No. 7.—I am not prepared to say that there are any indulgences withheld from the apprentice labourer which it was usual during slavery for the estate to supply.
- No. 8.—The free children in this district are principally supported by their parents, but on some estates they are fed and taken care of the same as previous to the 1st August 1834.
- No. 9.—There are two churches in this district, with resident clergymen, and five chapels, all having schools attached, besides other schools throughout the district ; still these do not afford education near adequate for the population requiring instruction ; the attendance at church and schools is equal to the accommodation.
- No. 10.—There is a great desire on the part of the apprentice labourers to purchase their discharge ; sixteen discharges were obtained last month, viz. eight by appraisal, two by private agreement, and six by free gift.
- No. 11.—Of the apprentices that obtain their discharge, some follow the same employment they did previous to obtaining it ; others go about trafficking, and keep little shops.
- No. 12.—The prospects of the ensuing crop hold forth to the planter the expectation of its being most abundant. The season as yet has been most favourable, and the cultivation good.
- No. 13.—I have not at present any suggestions to make, or practical measure to recommend.

(signed) *A. Cuvpage, s. j. p.*

Enclosure 5, in No. 90.

BARBADOS.

Encl. 5, in No. 90.

DISTRICT D.

REPORT of Special Magistrate of the above District for the month of September 1837,
in answer to the following Questions.

| QUESTIONS. | ANSWERS. |
|---|--|
| No. 1.—WHAT has been the general conduct of the apprentices in your district since your last report? | See report for August last. |
| No. 2.—Is there any want of good feeling between them and their employers; and if so, to what cause do you attribute it? | - - ditto. |
| No. 3.—Do they perform their work willingly; and if not, to what do you ascribe it? | - - ditto. |
| No. 4.—What are the working hours generally in use in your district? Are any, and what, intervals of relaxation allowed to the apprentices during the working hours? | - - ditto. |
| No. 5.—Is task-work generally resorted to in your district? If not, does the objection lie with the masters or apprentices? | - - ditto. |
| No. 6.—Is it usual for the apprentices to work in their own time for money-wages? If so, what is the ordinary rate of wages, and how are they paid? If not, have they been offered? | - - ditto. |
| No. 7.—Are there any indulgences withheld which it was usual during slavery for the estate to supply? | - - ditto. |
| No. 8.—What is the condition of the free children, and how are they supported? | - - ditto. |
| No. 9.—What facilities does your district supply for education and religious instruction? Is the attendance at church and in the schools equal to the accommodation? | - - ditto. |
| No. 10.—Is there a general desire among the apprentices to purchase their discharge? How many discharges have been effected since your last report? | - - ditto. Ten apprentices have been discharged during this month, viz. six by appraisement, and four by the voluntary acts of the proprietors. |
| No. 11.—To what kinds of employment do those who have obtained their discharge usually betake themselves? | See report for August last. |
| No. 12.—What are the prospects of the ensuing crop, and what the general state of cultivation? Has the season been favourable, or otherwise? | - - ditto. |
| No. 13.—Have you any suggestions to make, or any practical measure to recommend? | - - ditto. |

(signed) *John J. Hough, s. J. P.*

Enclosure 6, in No. 90.

Encl. 6, in No. 90.

Sir,

District E., 7 October 1837.

You will be pleased to inform his Excellency the Governor, that although I have nothing material to report in addition to my last communication on the general condition of the apprentices in this district, still the return of this monthly duty affords me the opportunity of confirming the favourable statement therein noted; one solitary exception has, however, occurred in the case of a female apprentice, who was discharged by me from further apprenticeship, on the conviction of her employer for cruelty. (See case, No. 38, for September.)

The apprentices throughout this district are now well apprized of their right of appeal against their registry, in all cases where they may feel themselves aggrieved by the classification. Since this question was first agitated (in the month of May) up to the close of the month of September, a period of five months, 38 appeal cases on the part of apprentices to be non-prædials have been heard before me; 23 of which have been admitted, and 15 rejected. In imparting this necessary information to the apprentices, respecting their right of appeal, I have endeavoured to adopt such a course of conduct as would not lead to imaginary pretensions, and I am inclined to think that, as soon as the decisions on the several appeal cases become generally known among them, it will materially tend to diminish the
number

number of unfounded applications on their part. With the view, therefore, of meeting his Excellency's wishes respecting an early adjustment of this important question, I have given every publicity to the decisions on such appeals as have been already brought before me for adjudication.

I beg to add that eight appraisements and eight voluntary discharges have taken place during the month of September.

E. H. Senhouse, Esq.
Acting Colonial Secretary, &c. &c. &c.

I have, &c.
(signed) *Joseph Garraway, s. j. p.*

BARBADOS.

Enclosure 7, in No. 90.

Sir, District G., 2 October 1837. Encl. 7, in No. 90.
I HAVE the honour to forward my journal, with the various returns enclosed. Seven discharged by
My answers to the thirteen questions for the Right honourable the Lord Glenelg are the appraisements.
same this month as before submitted.

Lieut. Senhouse, R. N.
Acting Colonial Secretary.

I have, &c.
(signed) *Geo. Kennedy.*

—No. 91.—

(No. 273.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor, Bart.*, to
Lord *Glenelg*.

Government House, Barbados,
28 November 1837.

No. 91.

My Lord,
I do myself the honour of forwarding to your Lordship tables and reports of
the special magistrates of this island during the month of October last.

I have, &c.
(signed) *E. J. Murray M'Gregor, Governor.*

Enclosure 1, in No. 91.

Sir, Barbados, Town Division, District A. Encl. 1, in No. 91.
3 November 1837.
I BEG leave to acquaint you, for the information of his Excellency the Governor, that
nothing of any importance has occurred in my district during the last month. I have, how-
ever, pleasure in reporting that fewer cases have been brought before me during the month
of October than during the month preceding; these also were of a more trivial nature.

Considering the temptations which present themselves in Bridge Town to induce the
apprentices to conduct themselves improperly, I have satisfaction in saying that few are
brought before me who seem to be utterly corrupted; impertinences, and absence from the
employer's service, are the general grounds of complaint, which are the more likely to occur
as almost the whole of the apprentice population of Bridge Town are domestic servants, and
constantly in contact with the employer; upon the whole, however, the apprentices conduct
themselves well.

I think it my duty to inform you that, in obedience to his Excellency's instructions, I
commenced a close investigation into the classification of the apprentices of the district, by
having lists taken of those in the possession of each individual, distinguishing the prædials from
the non-prædials; these lists will be shortly furnished, when I shall proceed to the investiga-
tion of each individual case; and as there are not many hundred prædials, I hope to have it
concluded before the end of the present year, as his Excellency requires. I consider the
inquiry of the greatest importance, and shall, therefore, bestow the greatest attention upon it.

To E. H. Senhouse, Esq.
Acting Colonial Secretary, &c. &c. &c.

I have, &c.
(signed) *John B. Colthurst, s. j. p.*

P. S.—I have satisfaction in stating that many voluntary discharges have taken place
during the last month; the whole number amounts to 25, out of which 19 have been dis-
charged by the voluntary act of the employer.

(signed) *J. B. C.*

BARBADOS.

Enclosure 2, in No. 91.

Encl. 2, in No. 91.
Duplicate Journal.
Table (A.)
Return of Decisions
on Appeals from
Registry.
Return of Labour
performed by Penal
Gangs.
Return of Dis-
charges effected.
15 July 1836.

Sir,

I HAVE the honour to transmit the returns, as per margin, for the last month, and to acquaint you, for the information of his Excellency the Governor, that no change has taken place to require any reply different from the last, with reference to the 13 questions contained in the despatch of the Right honourable the Secretary of State for the Colonies; and I am happy to state to his Excellency that there is progressive improvement in the feeling of employers and apprentices throughout this district generally.

Rural District A., 9 November 1837.

E. H. Senhouse, Esq.
Acting Colonial Secretary, &c. &c. &c.

I have, &c.
(signed) *F. D. Hutcheson, s. J. P.*

| Number of apprenticed Labourers discharged : | |
|--|-------------|
| By agreement | - - - - - 1 |
| „ appraisement | - - - - - 8 |
| „ voluntary discharge | - - - - - 5 |
| | 14 |

Enclosure 3, in No. 91.

Encl. 3, in No. 91.

A GENERAL REPORT of the state of District B. for the month of October 1837.

QUESTIONS.

ANSWERS.

- No. 1.—THE general conduct of the apprentices has been very good.
No. 2.—The ill feeling quoted in my last report, in my opinion, has greatly subsided; managers are the persons I alluded to in that report, and not the proprietors.
No. 3.—They do perform their work willingly.
No. 4.—As in former reports.
No. 5.—As in former reports.
No. 6.—As in former report.
No. 7.—As in former reports.
No. 8.—As in former report.
No. 9.—As in former report.
No. 10.—A great desire; six males and 13 females have been discharged since last report.
No. 11.—The prædials generally follow their former avocations, excepting those females who have families, and their occupations vary.
No. 12.—The appearance of the ensuing crop is very good, and the crop forward; cultivation excellent; the season has been favourable.
No. 13.—I would submissively suggest, for the better government of the apprentices and their employers, that a medical board should be formed of disinterested* persons, to meet periodically in various parts of the island, to give their opinion and advice upon those critical cases so often brought before the special justices, which, without the aid of the profession, it is next to an impossibility for them to decide with satisfaction to themselves and with justice to the parties.

(signed) *Jos. Hamilton, s. J. P.*

* Disinterested medical gentlemen are not always to be found, nor can they be expected to meet periodically in various parts of the island, without obtaining payment for their proposed services, for which no legal provision has been made; and, unless they were to meet frequently, the business of the country might be so much retarded as to render the consequences of the intended remedy more embarrassing than those of the defect complained of.

(signed) *E. J. Murray M'Gregor, Governor.*

Enclosure 4, in No. 91.

Encl. 4, in No. 91.

DISTRICT C.

MONTHLY REPORT from the 1st to the 31st October 1837.

QUESTIONS.

ANSWERS.

- No. 1.—SINCE my last report, a considerable decrease of complaints has taken place in this district.
No. 2.—Generally speaking, no want of good feeling exists between masters and apprentices in this district.
No. 3.—The apprentices in most instances perform their work most willingly.
No. 4.—On most estates in this district, the working hours are from six to nine in the morning, from ten to one, and from three to six, allowing intervals of relaxation from nine until ten, and from one until three.
No. 5.—Task-work is not generally resorted to in this district, which appears to be the mutual wish of masters and apprentices.

No. 6.

QUESTIONS.

ANSWERS.

- No. 6.—It is usual for the apprentices to work in their own time and for money-wages, which average, at 1s. 1d. for nine hours' labour, and paid in money.
- No. 7.—I am not prepared to say that there are any indulgences withheld from the apprentice labourer which it was usual during slavery for the estate to supply.
- o. 8.—The free children in this district are principally supported by their parents; but on some estates they are fed and taken care of the same as previous to the 1st August 1834.
- No. 9.—There are two churches, with resident clergymen, and five chapels, all having schools attached, besides other schools throughout the district; still these do not afford education near adequate for the population requiring instruction. The attendance at the churches and schools is equal to the accommodation.
- No. 10.—There is a great desire on the part of the apprentice labourers to purchase their discharge; 13 discharges were obtained last month, viz., seven by appraisement, three by private agreement, and three by free gift.
- No. 11.—The apprentices who obtain their discharge, some follow the same employment they did previous to obtaining it, others go about trafficking and keeping shops.
- No. 12.—The prospects of the ensuing crop hold forth to the planter the expectation of its being most abundant. The season as yet has been most favourable, and the cultivation has been good.
- No. 13.—I have not at present any suggestions to make, or practical measure to recommend.

(signed) *A. Cuppage, s. J. P.*

Enclosure 5, in No. 91.

DISTRICT D.

REPORT of the Special Magistrate of the above District for the month of October 1837, in reply to the following Questions. Encl. 5, in No. 91.

QUESTIONS.

ANSWERS.

- | | |
|---|---|
| No. 1.—WHAT has been the general conduct of the apprentices in your district since your last report? | See report for August las |
| No. 2.—Is there any want of good feeling between them and their employers; and if so, to what cause do you ascribe it? | - - ditto. |
| No. 3.—Do they perform their work willingly; and if not, to what do you ascribe it? | - - ditto. |
| No. 4.—What are the working hours generally in use in your district? Are any, and what, intervals of relaxation allowed to the apprentices during the working hours? | - - ditto. |
| No. 5.—Is task-work generally resorted to in your district? If not, does the objection lie with the masters or apprentices? | - - ditto. |
| No. 6.—Is it usual for the apprentices to work in their own time for money-wages? If so, what is the ordinary rate of wages, and how are they paid? If not, have they been offered? | - - ditto. |
| No. 7.—Are there any indulgences withheld which it was usual during slavery for the estate to supply? | - - ditto. |
| No. 8.—What is the condition of the free children, and how are they supported? | - - ditto. |
| No. 9.—What facilities does your district supply for education and religious instruction? Is the attendance at church and in the schools equal to the accommodation? | - - ditto. |
| No. 10.—Is there a general desire among the apprentices to purchase their discharge? How many discharges have been effected since your last report? | - - ditto. Four by appraisement, and three by the voluntary acts of their employers. |
| No. 11.—To what kinds of employment do those who have obtained their discharge usually betake themselves? | See report for August last. |
| No. 12.—What are the prospects of the ensuing crop, and what the general state of cultivation? Has the season been favourable, or otherwise? | - - ditto. |
| No. 13.—Have you any suggestions to make, or any practical measure to recommend? | - - ditto. |

John J. Hough, s. J. P.

BARBADOS.

Enclosure 6, in No. 91.

Encl. 6, in No. 91.

Sir,

District E., 20 November 1837.

WITH reference to the monthly queries proposed for the special magistrates' reply, I have the honour to state, for the information of his Excellency the Governor, that having nothing of importance to represent in addition to the matter noted in my last report for the month of September, I respectfully request that his Excellency will be pleased to refer to the same, as illustrative of the condition of this district for the present month of October.

I beg to add, that 10 appraisements and 10 voluntary discharges have been effected during the same period.

I have, &c.

(signed) *Joseph Garraway, s. J. P.*

To Edward H. Senhouse, Esq.
Acting Colonial Secretary, &c. &c. &c.

Enclosure 7, in No. 91.

Encl. 7, in No. 91.

Sir,

District F., 2 October 1837.

I HAVE the honour to forward my journal with the various reports for the month of October.

There have been no appraisements in this district for the above month.

My answers to thirteen questions are the same as last submitted.

I have, &c.

(signed) *Geo. Kennedy, s. J. P.*

E. H. Senhouse, Esq.
Acting Colonial Secretary.

(No. 288.)

— No. 92. —

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor, Bart.*, to
Lord *Glenelg*.

No. 92.

My Lord,

Government House, Barbados,
18 December 1837.

I do myself the honour of forwarding to your Lordship tables and reports of the special magistrates of this island during the month of November last.

I have, &c.

(signed) *E. J. Murray M'Gregor, Governor.*

Enclosure 1, in No. 92.

Encl. 1, in No. 92.

Sir,

District A., Town Division, 3 Dec. 1837.

I BEG to acquaint you, for the information of his Excellency, that nothing worth remarking has occurred in my district since my last report for October, to which I beg you to refer.

The apprentices generally conduct themselves well, the greater number of whom are non-prædials; 22 domestics were manumitted last month without charge, thereby showing good feeling on the part of the employers, as well as proof of good conduct on the part of the apprentices.

I have, &c.

(signed) *John B. Colthurst, s. J. P.*

To E. H. Senhouse, Esq.
&c. &c. &c.

| | | | | | | |
|----------------------------|---|---|---|---|---|----|
| Discharges by appraisement | - | - | - | - | - | 4 |
| " agreement | - | - | - | - | - | 15 |
| Voluntary discharges | - | - | - | - | - | 22 |
| | | | | | | — |
| TOTAL | - | - | - | - | - | 41 |

Enclosure 2, in No. 92.

BARBADOS.

Sir,

Rural District A., 9 December 1837.

Encl. 2, in No. 92.

I HAVE the honour to state, for the information of his Excellency the Governor, that I see no reason to alter my last month's report, with reference to the circular despatch containing 13 questions.

15 July 1836.

The good feeling still subsists as stated in it.

Fifteen discharges from apprenticeship have been effected during the last month, nine by appraisement, one by agreement, and five voluntary discharges.

I have, &c.

(signed) *F. D. Hutcheson, s. j. p.*

Enclosure 3, in No. 92.

A GENERAL REPORT of the state of District B. during the month of November 1837.

Encl. 3, in No. 92.

QUESTIONS.

ANSWERS.

No. 1.—THE conduct of the apprentices has been very good.

No. 2.—A better feeling exists at present.

No. 3.—They do work willingly.

No. 4.—As in former reports.

No. 5.—As in former reports.

No. 6.—Yes; wages from 1 s. 1 d. to 1 s. 3 ½ d. sterling per day, for first-class field people, but generally the former.

No. 7.—As in former reports.

No. 8.—As in former report.

No. 9.—As in former report.

No. 10.—Yes; four males and nine females discharged.

No. 11.—As in former reports.

No. 12.—Prospects of ensuing crop good, and the cultivation excellent; season generally favourable.

No. 13.—None at present.

(signed) *Joseph Hamilton, s. j. p.*

Enclosure 4, in No. 92.

DISTRICT C.

MONTHLY REPORT from the 1st to the 30th November 1837.

Encl. 4, in No. 92.

QUESTIONS.

ANSWERS.

No. 1.—THE general conduct of the apprentice labourers in this district since my last report has been good.

No. 2.—Generally speaking, no want of good feeling exists between master and apprentice labourer.

No. 3.—With few exceptions, the apprentices, generally speaking, perform their work most willingly.

No. 4.—On most estates the working hours are from six to nine in the morning, from ten to one, and from three to six, allowing intervals of relaxation from nine until ten, and from one until three.

No. 5.—Task-work is not generally resorted to in this district, which appears to be the mutual wish of masters and apprentices.

No. 6.—It is usual for the apprentice labourers in this district to work in their own time, and for money-wages, which average at 1 s. 1 d. for nine hours' labour, and paid in money.

No. 7.—I am not prepared to say that there are any indulgences withheld from the apprentice labourer which it was usual during slavery for the estate to supply.

No. 8.—The free children in this district are principally supported by their parents, but on some estates they are fed and taken care of the same as previous to the 1st August 1834.

No. 9.—There are two churches in this district, with resident clergymen, and five chapels, all having schools attached, besides other schools throughout the district; still these do not afford education near adequate for the population requiring instruction. The attendance at church and at the schools is equal to the accommodation.

154.— II.

No. 10.

BARBADOS.

QUESTIONS.

ANSWERS.

- No. 10.—There is a great desire on the part of the apprentice labourers to purchase their discharge; 17 were obtained last month, viz. 10 by appraisalment, three by private agreement, and four by free gift.
- No. 11.—Of the apprentice labourers who obtain their discharge, some follow the same occupation they did previous to receiving it, and others go about trafficking.
- No. 12.—The prospects of the ensuing crop holds forth to the planter the expectations of its being most abundant; the season has been most favourable, and the cultivation good.
- No. 13.—I have not at present any suggestions to make, or practical measure to recommend.

(signed) *A. Cuppage, s. J. P.*

Enclosure 5, in No. 92.

DISTRICT D.

Encl. 5. in No. 92. REPORT of the Special Magistrate of the above District for the month of November 1837, in reply to the following Questions.

QUESTIONS.

ANSWERS.

- | | |
|---|---|
| No. 1.—WHAT has been the general conduct of the apprentices in your district since your last report? | See report for August last. |
| No. 2.—Is there any want of good feeling between them and their employers; and if so, to what cause do you attribute it? | - - ditto. |
| No. 3.—Do they perform their work willingly; and if not, to what cause do you ascribe it? | - - ditto. |
| No. 4.—What are the working hours generally in use in your district? Are any, and what, intervals of relaxation allowed to the apprentices during their working hours? | - - ditto. |
| No. 5.—Is task-work generally resorted to in your district? If not, does the objection lie with the masters or apprentices? | - - ditto. |
| No. 6.—Is it usual for the apprentices to work in their own time for money-wages? If so, what is the ordinary rate of wages, and how are they paid? If not, have they been offered? | - - ditto. |
| No. 7.—Are there any indulgences withheld which it was usual during slavery for the estate to supply? | - - ditto. |
| No. 8.—What is the condition of the free children, and how are they supported? | - - ditto. |
| No. 9.—What facilities does your district supply for education and religious instruction? Is the attendance at church and in the schools equal to the accommodation? | - - ditto. |
| No. 10.—Is there a general desire among the apprentices to purchase their discharge? How many discharges have been effected since your last report? | Seven; four by appraisalment, and three by the voluntary acts of their employers. |
| No. 11.—To what kinds of employment do those who have obtained their discharge usually betake themselves? | See report for August last. |
| No. 12.—What are the prospects of the ensuing crop, and what the general state of cultivation? Has the season been favourable, or otherwise? | - - ditto. |
| No. 13.—Have you any suggestions to make, or any practical measure to recommend? | - - ditto. |

(signed) *John J. Hough, s. J. P.*

Enclosure 6, in No. 92.

Encl. 6, in No. 92.

Sir,

District E., 7 December 1837.

IN discharging the usual monthly duty of reporting on the state of the district under my charge, I have the honour to represent, for the information of his Excellency the Governor, that no circumstances have occurred during the last month (November) to check the general good understanding which, I feel pleasure to add, at present subsists between employers

employers and apprentices within my jurisdiction. There are, doubtless, many reasons to which the existence of this desirable feeling may be attributed; but I am inclined to think that, as the period of service becomes gradually diminished, it has led to the conviction that a community of interest at this stage of the apprenticeship between masters and dependents is so intimately blended with the future success of both (in their relative situations) that it has now become imperative to employ the medium of conciliation, rather than that of coercion, to produce a favourable result, when the important experiment now in operation shall have been finally concluded in 1840. The very promising appearance of the crop about to be reaped in the course of a few short months justifies the announcement of fair average labour on the part of the apprentices, while the insignificant number of punishments inflicted during the month of November (100, per Table (A.)), out of a population of 13,000 is an additional proof that the general duties exacted by the laws, which more especially bind the employer and apprentice, continue to be discharged by the latter in a creditable and satisfactory manner.

I have, in conclusion, to report that 18 appraisements and voluntary discharges have occurred during the month of November.

Edward H. Senhouse, Esq.
Acting Colonial Secretary, &c. &c. &c.

I have, &c.
(signed) *Joseph Garraway, s. J. P.*

Enclosure 7, in No. 92.

Sir,

District F., 1 December 1837.

Encl. 7, in No. 92.

I BEG to forward my various returns for the month of November, with my journal.

My answers to thirteen questions for the Right honourable the Colonial Secretary are the same as last submitted.

E. H. Senhouse, Esq.

I have, &c.
(signed) *Geo. Kennedy, s. J. P.*

Discharges by appraisement - - - - - 1

— No. 93. —

(No. 13.)

EXTRACT of a DESPATCH from Governor Sir *E. J. M. M'Gregor, Bart.*,
to Lord *Glenelg*, dated Government House, Barbados, 27 January 1838.

I HEREWITH forward the reports and tables of the several special magistrates for the month of December 1837.

No. 93.

Enclosure 1, in No. 93.

Sir,

District A., Town Division, 2 January 1838.

Encl. 1, in No. 93.

I BEG leave to acquaint you, for the information of his Excellency the Governor, that nothing of any moment has occurred in this district since I had the honour of transmitting to your office my last monthly report for November 1837.

I have, however, much pleasure in stating that the conduct of the apprentices has been good during the month of December, and free discharges continue to increase in number. These are confined to the non-prædial class.

In consequence of the apprentice population of this district being almost exclusively composed of the non-prædial class, or domestics, only one case of appeal has been brought before me during the last month, which was successful, and the complainants' class altered accordingly.

In obedience to his Excellency's instructions, forwarded to the special magistrates through your office, requiring them to adjust the classification, to the best of their power, by the end of the last year, I beg leave to inform you, that after instituting a critical inquiry into the claims of the apprentices in this respect, I find that no inclination at present exists to any extent to avail themselves of their rights of appeal; indeed, there are so very few prædial labourers in the district, I anticipate no trouble on this account, either now or at any future period.

I have, &c.

To E. H. Senhouse, Esq.
&c. &c. &c.

(signed) *John B. Colthurst, s. J. P.*

BARBADOS.

Enclosure 2, in No. 93.

Encl. 2. in No. 93.

Sir,

Rural District A., 10 January 1838.

I HAVE the honour to transmit, for the information of the Right honourable the Secretary of State for the Colonies, my report for the month of December 1837, to his circular despatch, 15 July 1836.

QUESTIONS.

ANSWERS.

No. 1.—WHAT has been the general conduct of the apprentices in your district since your last report?

Very good; only 34 punishments among 8,966 apprentices for the month of December.

No. 2.—Is there any want of good feeling between them and their employers; and if so, to what cause do you attribute it?

None, that I am aware of.

No. 3.—Do they perform their work willingly; and if not, to what cause do you attribute it?

From the few complaints, I have every reason to believe they do.

No. 4.—What are the working hours generally in use in your district? Are any, and what, intervals of relaxation allowed to the apprentices during the working hours?

Forty-five hours per week, between 6 A.M. and 6 P.M., from Monday morning to Friday evening. No intervals of relaxation allowed, that I am aware of.

No. 5.—Is task-work resorted to in your district? If not, does the objection lie with the masters or the apprentices?

No; I am not aware where the objection lies.

No. 6.—Is it usual for the apprentices to work in their own time for money-wages? If so, what is the ordinary rate of wages, and how are they paid? If not, have they been offered?

Yes; quarter-dollar per day is the ordinary rate; they are paid in money.

No. 7.—Are any indulgences withheld which it was usual during slavery for the estate to supply?

I am not aware of their getting any indulgences now, but at Christmas.

No. 8.—What is the condition of the free children, and how are they supported?

But indifferent; I believe by their mothers generally.

No. 9.—What facilities does your district supply for education and religious instruction? Is the attendance at church and in the schools equal to the accommodation?

There are four Protestant chapels, with schools attached, besides Moravian. I believe it is; certainly at church.

No. 10.—Is there a general desire among the apprentices to purchase their discharge; and how many discharges have been effected since your last report?

Yes; eleven since last report.

No. 11.—To what kinds of employment do those who have obtained their discharge usually betake themselves?

To their usual trades or employments; those who do not, to the employment of hucksters or pedlars.

No. 12.—What are the prospects of the ensuing crop, and what the general state of cultivation? Has the season been favourable, or otherwise?

Good; has been favourable.

I have, &c.

To the Under-Secretary of State,
Colonial Office.

(signed) *F. D. Hutcheson, s. J. P.*

Enclosure 3, in No. 93.

Encl. 3, in No. 93.

A REPORT of the general state of District B. during the month of December 1837.

QUESTIONS.

ANSWERS.

No. 1.—THE conduct of the apprentices has been very good.

No. 2.—There appears to be a much better feeling between master and apprentice.

No. 3.—The same as other reports.

No. 4.—The same as previously reported.

No. 5.—The same as previously reported.

No. 6.—The same as previously reported.

QUESTIONS.

ANSWERS.

- No. 7.—The same as previously reported.
 No. 8.—The same as previously reported.
 No. 9.—The same as previously reported.
 No. 10.—There is.
 No. 11.—The same as previously reported.
 No. 12.—Every appearance of an abundant crop ; the cultivation excellent ; the season has been favourable.
 No. 13.—Not at present.

(signed) *Josh Hamilton, S. J. P.*

Enclosure 4, in No. 93.

DISTRICT C.

MONTHLY REPORT from the 1st to the 31st December 1837.

QUESTIONS.

ANSWERS.

- No. 1.—The general conduct of the apprentice labourers in this district since my last Encl. 4, in No. 93. report has been good.
 No. 2.—Generally speaking, no want of good feeling exists between masters and apprentices.
 No. 3.—The apprentices, generally speaking, perform their work most willingly in this district.
 No. 4.—On most estates, the working hours are from six to nine in the morning, from ten to one, and from three to six, allowing intervals of relaxation from nine until ten, and from one until three.
 No. 5.—Task-work is not generally resorted to in this district, which appears to be the mutual wish of masters and apprentices.
 No. 6.—It is usual for the apprentices to work in their own time, and for money-wages, which average, at 1s. 1d. for nine hours' labour, and paid in money.
 No. 7.—I am not prepared to say that there are any indulgences withheld from the apprentice labourer which it was usual during slavery for the estate to supply.
 No. 8.—The free children in this district are principally supported by their parents, but on some estates they are fed and taken care of the same as previous to the 1st August 1834.
 No. 9.—There are two churches in this district, with resident clergymen, and five chapels, all having schools attached, besides other schools throughout the district ; still these do not afford education near adequate for the population requiring instruction. The attendance at church and at the schools is equal to the accommodation.
 No. 10.—There is a great desire on the part of the apprentice labourers to purchase their discharge. Eleven discharges were obtained last month, viz. eight by appraisement, two by free gift, and one by private agreement.
 No. 11.—Of the apprentices who obtain their discharge, some follow the same employment they did previous to obtaining it, and others go about trafficking.
 No. 12.—The prospects of the ensuing crop hold forth to the planter the expectation of its being most abundant. The season as yet has been most favourable, and the cultivation good.
 No. 13.—I have not at present any suggestions to make, or practical measures to recommend.

(signed) *A. Cuppage, S. J. P.*

Enclosure 5, in No. 93.

DISTRICT D.

REPORT of the Special Magistrate of the above District for the month of December 1837, Encl. 5, in No. 93. in reply to the following Questions.

QUESTIONS.

ANSWERS.

- No. 1.—WHAT has been the general conduct of the apprentices in your district since your last report? See report for August last.
 No. 2.—Is there any want of good feeling between them and their employers ; and if so, to what cause do you attribute it? - - ditto.
 No. 3.—Do they perform their work willingly ; and if not, to what do you ascribe it? - - ditto.
 No. 4.—What are the working hours generally in use in your district? Are any, and what, intervals of relaxation allowed to the apprentices during the working hours? - - ditto.

BARBADOS.

QUESTIONS.

ANSWERS.

- No. 5.—Is task-work generally resorted to in your district? If not, does the objection lie with the masters or apprentices? See report for August last.
- No. 6.—Is it usual for the apprentices to work in their own time for money-wages? If so, what is the ordinary rate of wages, and how are they paid? If not, have they been offered? - - ditto.
- No. 7.—Are there any indulgences withheld which it was usual during slavery for the estate to supply? - - ditto.
- No. 8.—What is the condition of the free children, and how are they supported? - - ditto.
- No. 9.—What facilities does your district supply for education and religious instruction? Is the attendance at church and in the schools equal to the accommodation? - - ditto.
- No. 10.—Is there a general desire among the apprentices to purchase their discharge? How many discharges have been effected since your last report? - - ditto.
Five; two by appraisement and three by the voluntary acts of their employers.
- No. 11.—To what kinds of employment do those who have obtained their discharge usually betake themselves? See report for August last.
- No. 12.—What are the prospects of the ensuing crop, and what the general state of cultivation? Has the season been favourable, or otherwise? - - ditto.
- No. 13.—Have you any suggestions to make or any practical measure to recommend? - - ditto.

(signed)

John J. Hough, s. J. P.

Enclosure 6, in No. 93.

Encl. 6, in No. 93.

Sir,

District E., 31 December 1837.

I BEG respectfully to solicit his Excellency's reference to the report which I had the honour to transmit for the preceding month of November, as exhibiting a correct estimate of the condition of this district for the present month of December.

I have only in addition to remark, that six voluntary discharges have been recorded in this office during the same period.

E. H. Senhouse, Esq.
Acting Colonial Secretary, &c. &c. &c.

I have, &c.
(signed) *Joseph Garraway, s. J. P.*

Enclosure 7, in No. 93.

Encl. 7, in No. 93.

Sir,

District F., 2 January 1838.

I HAVE the honour to forward my journal and various reports for the month of December.

My answers to 13 questions for the Right honourable the Secretary of State are the same as last submitted.

E. H. Senhouse, Esq.
Acting Colonial Secretary.

I have, &c.
(signed) *Geo. Kennedy, s. J. P.*

Enclosure 8, in No. 93.

Encl. 8, in No. 93.

Sir,

District G., 6 January 1838.

IN transmitting to you my duplicate journal for the month of December, as well as Table (A.), I beg leave to state, that the answers usually appended by the magistrates to their reports are omitted by me in this instance, because my recent assumption of the office prevents me from offering any opinion upon the working of the apprenticeship system.

During the above period the classification of one prædial labourer has been altered to that of non-prædial, but I have not had any appraisements.

E. H. Senhouse, Esq.
Acting Colonial Secretary, &c. &c. &c.

I have, &c.
(signed) *Henry Loving, s. J. P.*

—No. 94.—

BARBADOS

No. 94.

(No. 31.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart.,
to Lord *Glenelg*.

My Lord,

Government House, Barbados, 22 Feb. 1838.

I do myself the honour of forwarding to your Lordship tables and reports of the special magistrates of this island during the month of January last.

I have, &c.

(signed) *E. J. M. M'Gregor*, Governor.

Enclosure 1, in No. 94.

DISTRICT A., Town Division.

REPORT of the Special Magistrate of the above District for the month of January 1838, in Encl. 1, in No. 94.
reply to the following Questions.

QUESTIONS.

No. 1.—WHAT has been the general conduct of the apprentices in your district since your last report?

No. 2.—Is there any want of good feeling between them and their employers; and if so, to what cause do you attribute it?

No. 3.—Do they perform their work willingly; and if not, to what do you ascribe it?

No. 4.—Relating to working hours and intervals of relaxation?

No. 5.—Regarding task-work?

No. 6.—Apprentices working in their own time?

No. 7.—With reference to indulgences in the time of slavery being withheld now?

No. 8.—What is the condition of the free children, and how are they supported?

No. 9.—What facilities does your district supply for education and religious instruction? Is the attendance at church and in the schools equal to the accommodation?

No. 10.—Is there a general desire among the apprentices to purchase their discharge? How many discharges have been effected since your last report?

No. 11.—To what kinds of employment do those who have obtained their discharge usually betake themselves?

No. 12.—What are the prospects of the ensuing crop, and what the general state of cultivation? Has the season been favourable, or otherwise?

No. 13.—Have you any suggestions to make, or any practical measure to recommend?

ANSWERS.

I am to presume that the majority of apprentices are conducting themselves in a proper manner, otherwise there would not have been so few complaints on the part of employers.

In the cases that have come before me during this month, there has been a want of good feeling; attributable, where the employer is complainant, to neglect of duty and idleness on the part of the apprentice; and where the former is defendant, to acts of deliberate oppression.

The answer to this question is involved in the preceding one.

Do not apply to this district, which is chiefly composed of non-prædials, who are obliged to serve at all hours.

Read the foregoing answer.

Ditto.

This question applies to plantations.

Their condition is worse than during the time of slavery, because they are, except with a few humane employers, thrown wholly upon their parents for maintenance, who are also obliged to furnish them with medical care.

Considerable; yes.

The desire is very prevalent. During the month there have been 79 discharges; 23 by purchase, and 56 by the voluntary act of employers.

To the same occupations that they have been bred; whether as tradesmen, domestics, or otherwise.

The crop will be an abundant one; cultivation is in the highest state, generally, and the season is favourable.

I have no suggestions to make, nor measures to recommend, unless it was contemplated by the local legislature to amend the existing Apprenticeship Law.

(signed) *Henry Loviny*, S. J. P.

BARBADOS.

Encl. 2, in No. 94.

15 July 1836.

Enclosure 2, in No. 94.

Rural District A., 7 February 1838.

Sir,

I HAVE the honour to transmit, for the information of the Right honourable the Secretary of State for the Colonies, my report for the month of January 1838, to his circular despatch, containing 13 questions to be reported on monthly by the special magistrates.

QUESTIONS.

No. 1.—WHAT has been the general conduct of the apprentices in your district since your last report?

No. 2.—Is there any want of good feeling between them and their employers; and if so, to what cause do you attribute it?

No. 3.—Do they perform their work willingly; and if not, to what do you ascribe it?

No. 4.—What are the working hours generally in use in your district? Are any, and what, intervals of relaxation allowed to the apprentices during the working hours?

No. 5.—Is task-work generally resorted to in your district? If not, does the objection lie with the masters or the apprentices?

No. 6.—Is it usual for the apprentices to work in their own time for money-wages? If so, what is the ordinary rate of wages, and how are they paid? If not, have they been offered?

No. 7.—Are any indulgences withheld which it was usual during slavery for the estate to supply?

No. 8.—What is the condition of the free children, and how are they supported?

No. 9.—What facilities does your district supply for education and religious instruction? Is the attendance at church and in the schools equal to the accommodation?

No. 10.—Is there a general desire among the apprentices to purchase their discharge; and how many discharges have been effected since your last report?

No. 11.—To what kinds of employment do those who have obtained their discharge usually betake themselves?

No. 12.—What are the prospects of the ensuing crop, and what the general state of cultivation? Has the season been favourable, or otherwise?

No. 13.—Have you any suggestions to make, or any practical measure to recommend?

ANSWERS.

Very good.

None, that I am aware of.

From the few complaints, I have every reason to believe they do.

Forty-five hours per week, from six A. M. to six P. M.; no relaxation allowed, that I am aware of.

No; I am not aware where the objection lies.

Yes; quarter of a dollar per day; they are paid in money.

I am not aware of their getting any indulgences now.

But indifferent; I believe by their mothers generally.

There are four Protestant chapels with schools attached, besides Moravian; the attendance is equal to the accommodation, I believe.

Yes; fifteen since last report.

To their usual trades or employments; those that have not any, to hucksters or pedlars.

Very good; yes.

None.

I have, &c.

(signed) F. D. Hutcheson, s. J. P.

Enclosure 3, in No. 94.

DISTRICT B.

Encl. 3, in No. 94.

A GENERAL REPORT of the State of District B. during the month of January 1838.

QUESTIONS.

No. 1.—THE conduct of the apprentices has been very good.

No. 2.—A better feeling exists.

No. 3.—Yes.

No. 4.—The same as usual.

ANSWERS.

No. 5.

QUESTIONS.

ANSWERS.

- No. 5.—It is not; the cause as in former reports.
- No. 6.—Yes; I think of late they have shown a greater inclination to do so, especially upon those properties where they are not treated harshly.
- No. 7.—As in former reports. In this district an estate has been lately purchased by a gentleman in a public office, who has adopted a most salutary way to check misconduct in the apprentices, as well as to encourage and attach them to the property: "All those who pass the week without complaint against them are allowed an additional pound of fish, and a small quantity of molasses and salt on Friday evening; those who misbehave are rejected." It has reduced the complaints from this estate materially.
- No. 8.—As former reports.
- No. 9.—As former report.
- No. 10.—More so as the periods draw nigh. Six males and fourteen females have been discharged, the greater portion the gift of the employer.
- No. 11.—As former report.
- No. 12.—The ensuing crop very good, a very abundant one; the young crop looking very healthy; cultivation very good; season has been very favourable, especially for the young crop.
- No. 13.—None at present.

(signed)

Josh Hamilton, s. J. P.

Enclosure 4, in No. 94.

DISTRICT C.

MONTHLY REPORT from the 1st to the 31st January 1838.

Encl. 4, in No. 94.

QUESTIONS.

ANSWERS.

- No. 1.—THE general conduct of the apprentice labourers in this district since my last report has been good.
- No. 2.—No want of good feeling exists, generally speaking, between masters and apprentices.
- No. 3.—The apprentices in this district, generally speaking, perform their work willingly.
- No. 4.—On most estates the working hours are from six to nine in the morning, from ten to one, and from three to six, allowing intervals of relaxation from nine to ten, and from one to three.
- No. 5.—Task-work is not generally resorted to in this district, which appears to be the mutual wish of masters and apprentices.
- No. 6.—It is usual for the apprentices to work in their own time, and for money-wages, which average at 1s. 1d. for nine hours' labour, and paid in money.
- No. 7.—I am not prepared to say that there are any indulgences withheld from the apprentice labourer which it was usual during slavery for the estate to supply.
- No. 8.—The free children in this district are principally supported by their parents, but on some estates they are fed and taken care of the same as previous to the 1st August 1834.
- No. 9.—There are two churches in this district, with resident clergymen, and five chapels, all having schools attached, besides other schools throughout the district; still these do not afford education near adequate for the population requiring instruction. The attendance at church and at the schools is equal to the accommodation.
- No. 10.—There is a great desire on the part of the apprentice labourers to purchase their discharge; twenty-seven were obtained last month, viz., nine by appraisement and eighteen by free gift.
- No. 11.—The apprentices who obtain their discharge, some follow the same employment they did previous to obtaining it, and others go about trafficking.
- No. 12.—The prospects of the present crop hold forth to the planter the expectation of its being most abundant. The season has been most favourable, and the cultivation good.
- No. 13.—I have not at present any suggestions to make, or practical measure to recommend.

(signed)

A. Cuppage, s. J. P.

BARBADOS.

Enclosure 5, in No. 94.

DISTRICT D.

Encl. 5, in No. 94.

REPORT of the Special Magistrate of the above District for month of January 1838, in reply to the following Questions.

| QUESTIONS. | ANSWERS. |
|---|---|
| No. 1.—WHAT has been the general conduct of the apprentices in your district since your last report? | See report for August last. |
| No. 2.—Is there any want of good feeling between them and their employers; and if so, to what cause do you attribute it? | - - ditto. |
| No. 3.—Do they perform their work willingly; and if not, to what do you ascribe it? | - - ditto. |
| No. 4.—What are the working hours generally in use in your district? Are any, and what, intervals of relaxation allowed to the apprentices during the working hours? | - - ditto. |
| No. 5.—Is task-work generally resorted to in your district? If not, does the objection lie with the masters or apprentices? | - - ditto. |
| No. 6.—Is it usual for the apprentices to work in their own time for money-wages? If so, what is the ordinary rate of wages, and how are they paid? If not, have they been offered? | - - ditto. |
| No. 7.—Are there any indulgences withheld which it was usual during slavery for the estate to supply? | - - ditto. |
| No. 8.—What is the condition of the free children, and how are they supported? | - - ditto. |
| No. 9.—What facilities does your district supply for education and religious instruction? Is the attendance at church and in the schools equal to the accommodation? | - - ditto. |
| No. 10.—Is there a general desire among the apprentices to purchase their discharge? How many discharges have been effected since your last report? | - - ditto. Seventeen; six by appraisal, and eleven by the voluntary acts of their proprietors. |
| No. 11.—To what kinds of employment do those who have obtained their discharge usually betake themselves? | See report for August last. |
| No. 12.—What are the prospects of the ensuing crop, and what the general state of cultivation? | - - ditto. |
| No. 13.—Have you any suggestions to make, or any practical measure to recommend? | - - ditto. |

(signed) *John J. Hough, s. j. p.*

Enclosure 6, in No. 94.

Encl. 6, in No. 94.

Sir,

District E., 10 February 1838.

I HAVE the honour to state, for the information of his Excellency the Governor, that the district under my charge has, during the last month of January, experienced no susceptible change from the general remarks which have accompanied my previous reports on this subject.

The obligations which bind the master and dependent continue (with some slight exceptions on either side) to be fairly fulfilled, and an abundant harvest is confidently expected from the productive crop now about to be reaped.

Thirty-two appraisements and seven voluntary discharges have taken place during the month.

I have, &c.

C. T. Cunningham, Esq. Colonial Secretary,
&c. &c. &c.(signed) *Jos. Garraway, s. j. p.*

Enclosure 7, in No 94.

BARBADOS.

Encl. 7, in No. 94.

Sir,

District F., 6 February 1838.

I BEG to forward the accompanying returns for the month of January, with my journal. The answers to thirteen questions for the Right honourable the Secretary of the Colonies are the same as last submitted.

I have, &c.

C. J. Cunningham, Esq. C. S.

(signed) *Geo. Kennedy, s. J. P.*

Enclosure 8, in No. 94.

DISTRICT G., from 1st to 31st January 1838.

Encl. 8, in No. 94.

QUESTIONS.

ANSWERS.

No. 1.—WHAT has been the general conduct of the apprentices in your district since your last report?

The very short time I have been in the district (this being the first month) has not as yet afforded me sufficient opportunity to form a correct opinion on these points.

No. 2.—Is there any want of good feeling between them and their employers; and if so, to what cause do you attribute it?

No. 3.—Do they perform their work willingly; and if not, to what do you ascribe it?

The working hours generally in use, I understand, are from six to nine, then from ten to one o'clock, and from three to six. From nine till ten is allowed for breakfast, and from one till three for dinner hours.

No. 4.—What are the working hours generally in use in your district? Are any, and what, intervals of relaxation allowed to the apprentices during the working hours?

As far as my inquiries have as yet extended, there appears an objection with the employer to resort to task-work, assigning as a reason the hurried and careless manner it is performed.

No. 5.—Is task-work generally resorted to in your district? If not, does the objection lie with the masters or the apprentices?

These are points I am unable as yet to afford correct information on.

No. 6.—Is it usual for the apprentices to work in their own time for money-wages? If so, what is the ordinary rate of wages, and how are they paid? If not, have they been offered?

No instance of the kind has come to my knowledge.

No. 7.—Are any indulgences withheld which it was usual during slavery for the estate to supply?

No. 8.—What is the condition of the free children, and how are they supported?

I have had no opportunity of ascertaining the condition of the free children in this large and populous district, and confess I am at a loss how to ascertain the required information as to their education, religious instruction, &c., there not being records in this office on the subject.

No. 9.—What facilities does your district supply for education and religious instruction? Is the attendance at church and in the schools equal to the accommodation?

No. 10.—Is there a general desire among the apprentices to purchase their discharge? How many discharges have been effected since your last report?

During the month of January, two apprentices have purchased their discharge by private agreement, and four by appraisalment, but I am not aware of their present occupation or employment.

No. 11.—To what kinds of employment do those who have obtained their discharge usually betake themselves?

No. 12.—What are the prospects of the ensuing crop, and what the general state of cultivation? Has the season been favourable, or otherwise?

As far as I can form an opinion, the prospect of the ensuing crop is good, and the season favourable.

No. 13.—Have you any suggestions to make, or any practical measure to recommend?

None.

(signed) *J. J. Tining,*
Special Justice, District G.

BARBADOS.

— No. 95. —

(No. 291.)

Copy of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart.,
to Lord *Glenelg*.

No. 95.

My Lord,

Government House, Barbados, 30 December 1837.

21 Dec. 1837.
No. 1.

I HAVE the honour of transmitting, for your Lordship's information, the copy of a Proclamation, which, by and with the advice of Her Majesty's Council, it has appeared to me expedient to publish in this colony (with the intention of renewing it eventually, if requisite), for the purpose of affording every timely facility to the correct classification of the apprenticed population before the separation, by their attainment of entire freedom, of the non-prædial apprentices from their prædial brethren, on the 1st of August 1838.

The motives that have led to my adoption of this measure are explained in the following extracts of a circular letter addressed by my directions, on the 4th of July last, to the special magistrates of Barbados.

“The servitude of the non-prædial apprentices expiring in August 1838, it is expedient to place beyond doubt, that an opportunity has been offered at or before that period to any individuals deeming themselves properly belonging to this class, to substantiate their claims to freedom.

“Notwithstanding the probability that many unfounded applications will be submitted when the apprenticed labourers are communicated with upon this subject, the Governor prefers encountering the risk of intermediate inconvenience rather than that of exposing the community to the more distant yet more serious embarrassment that might be incurred, by leaving these possible pretensions to accumulate unexamined, until suddenly stimulated into action by the arrival of that approaching crisis, in which, while themselves constrained to continue at the hoe, the prædial apprentices are destined to witness the entire emancipation of their non-prædial brethren.

“You will be pleased, therefore, his Excellency desires, to take cautious but at the same time effectual measures for clearly explaining to the apprenticed labourers within your jurisdiction their right of appeal to you from the decision of the registrar, in cases where they may consider themselves thereby aggrieved; and to make the necessary intimation to the secretary of the island for the due alteration of the registry, whenever you may have occasion to ‘decide that an apprenticed labourer ought to belong to any other class than the one in which he or she shall have been registered.’”

20 Dec. 1837.
No. 2.

By the accompanying return it will be found that, between the date of the above-mentioned circular letter and the 30th ultimo, 106 male and 165 female apprenticed labourers have been transferred, under the Abolition Act of this island, from the prædial to the non-prædial class.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure 1, in No. 95.

BARBADOS.

BARBADOS.—E. J. MURRAY M'GREGOR, GOVERNOR.

Encl. 1, in No. 95.

By his Excellency Major-general Sir *Evan John Murray M'Gregor*, Baronet, Companion of the most honourable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-chief in and over the Islands of *Barbados, Saint Vincent, Grenada, Tobago, &c. &c. &c.*

A PROCLAMATION.

WHEREAS by a royal proclamation, bearing date the 4th day of September 1833, his late Majesty was most graciously pleased to direct that, "subject to apprenticeship, all persons who on the 1st day of August 1834 shall be holden in slavery within any of the British colonies, will upon and from that day be absolutely and for ever manumitted and set free; and that all persons who shall then be duly registered as slaves in such respective colonies, and actually within the same, and of the full age of six years and upwards, will, by force and virtue of an Act of the Imperial Parliament, become apprenticed labourers in the services of the persons previously entitled to their services as slaves, and that the apprenticeship of such labourers will terminate on the 1st day of August 1840, or on the 1st day of August 1838, according to the nature and description of employment in which such labourers shall be severally engaged, as in the said Act set forth; and that such apprenticed labourers will, during such their apprenticeships, be bound by law to labour in the service of their respective employers, on such terms and conditions, and for such limited period of time as by the said Act of Parliament, or as by any Acts hereafter to be made and passed in such colonies respectively," are or shall be prescribed on that behalf:

And whereas, by Acts in conformity with the said royal proclamation subsequently made and passed in this island, it has been enacted, that no person who by virtue thereof shall become a prædial apprenticed labourer, whether attached or not to the soil, shall continue in such apprenticeship beyond the 1st day of August 1840; and that no person who by virtue thereof shall become a non-prædial apprenticed labourer shall continue in such apprenticeship beyond the 1st day of August 1838; and that lists or schedules, distinguishing, in reference to each apprenticed labourer, to which of the said classes such apprenticed labourers belong, shall be returned by or for every employer of apprenticed labourers to the registrar of slaves; and that during the continuance of the aforesaid apprenticeship such slave registry shall be deposited in the secretary's office of this island; and that it shall and may be lawful for any apprenticed labourer to appeal from any such decision of the registrar to the special justice of the peace of the district in which such apprenticed labourer shall reside, who is authorized to hear and determine any such appeal, and to summon all necessary parties and witnesses before him for that purpose; and in case such special justice shall decide that such apprenticed labourer shall belong to any other class than the one in which he or she shall have been registered, it shall be lawful for the secretary of the island and he is required to make such alteration in the said registry as shall correspond with the decision of such special justice:

Now, therefore, the indefinite amount of daily service exacted under the aforesaid Acts from the non-prædial class having been thereby imposed as an equivalent for the shorter term of their apprenticeship, in contradistinction to that of the prædial apprentices, who are not bound or liable to perform any labour for more than 45 hours in the whole in any one week, it has appeared to me indispensable to place beyond doubt, that opportunities will have been offered on or before the 1st day of August 1838, to any individuals deeming themselves properly belonging to the said non-prædial class, to substantiate their claims to the attainment of freedom at that period.

And whereas, in consequence of instructions issued to the special justices of the peace, those magistrates are and have been for some time past occupied in rectifying, where requisite, the classification of such apprentices; and it being important, both to the employer and labourer in this dense population, that whatever doubts in this respect may happen to exist should be settled without unnecessary delay, as well as without undue precipitation:

Now, therefore, in order the better to facilitate the prosecution of the inquiries already in progress, and to the end that any apprenticed labourers wishing to apply for an alteration of their registered class, and whose cases have not been yet investigated, may be enabled to appeal, as herein set forth, in the manner prescribed by law, I do by this my proclamation, by and with the advice of Her Majesty's Council, declare that all persons concerned are required to aid and assist the special justices in the premises; and the said special justices are hereby further directed to make suitable arrangements with the parties interested, for ascertaining and successively determining on or before the 1st day of March next any claim of this description remaining unadjusted in their respective districts at the date hereof.

Given under my hand and seal this 21st day of December 1837, and in the first year of Her Majesty's reign.

God save the Queen.

By his Excellency's command,
(signed) *E. H. Senhouse*, Acts Coll Sec^r.

BARBADOS.

Enclosure 2, in No. 95.

Encl. 2, in No. 95.

Barbados, 20 Dec. 1837.

GENERAL RETURN of APPEALS of Apprenticed Labourers transferred from the Prædial to the Non-prædial Class, up to the 30th of November 1837.

| DISTRICTS. | NUMBER ADMITTED. | | | NUMBER REJECTED. | | | Number to be decided. | Total Number of Appeals since 4th July 1837. |
|------------|------------------|----------|--------|------------------|----------|--------|-----------------------|--|
| | Males. | Females. | TOTAL. | Males. | Females. | TOTAL. | | |
| A. - - | 8 | 1 | 9 | 1 | - | 1 | - | 10 |
| B. - - | 18 | 26 | 44 | 13 | 3 | 16 | - | 60 |
| C. - - | 15 | 19 | 34 | 13 | 18 | 31 | 6 | 71 |
| D. - - | 49 | 86 | 135 | 7 | 17 | 24 | - | 159 |
| E. - - | 14 | 29 | 43 | 18 | 16 | 34 | - | 77 |
| F. - - | 2 | 4 | 6 | 1 | 2 | 3 | - | 9 |
| | 106 | 165 | 271 | 53 | 56 | 109 | 6 | 386 |

N. B.—Number of male apprenticed labourers - - - 30,736
 Number of female - ditto - - - 35,801

TOTAL apprenticed population - - - 66,537

(signed) *E. J. Murray M'Gregor*, Governor.

— No. 96.—

(No. 81.)

COPY of a DESPATCH from Lord *Glenelg* to Governor
 Sir *E. J. M. M'Gregor*, Bart.

No. 96.

Sir,

Downing-street, 14 February 1838.

I HAVE had the honour to receive your despatch, No. 291, of the 30th of December, enclosing the copy of a proclamation, which, with the advice of the board of council, you had issued in Barbados, in connexion with other measures for securing a correct classification of the apprenticed population.

I have much satisfaction in expressing to you my approval of the decisive measures which you have taken to reduce an evil apparently of great magnitude, and of a very pressing nature. Your proceedings are in precise conformity with those which have recently been taken by Her Majesty in Council in reference to Mauritius and to the other colonies which are subject to the legislative authority of the Crown.

I have, &c.

(signed) *Glenelg*.

MISCELLANEOUS.

—No. 97.—

(General.—No. 5.)

COPY of a DESPATCH from Lord *Glenelg* to Governor
Sir *E. J. M. M'Gregor*, Bart.

Sir,

Downing-street, 15 June 1837.

No. 97.

I HAVE the honour to transmit to you for your information the enclosed copy of a letter, which has been addressed to my Under-Secretary, by the direction of the committee of the Prison Discipline Society in this country, relative to the state of the gaols and of prison discipline in the colonies; and also a copy of the rules established in the Bahamas for the management of the gaols there, which the committee allude to; and I have to request that you will transmit to me at your earliest convenience the answers to the inquiries contained in the enlarged return herewith enclosed, and that you will endeavour to give effect to the suggestions of the committee, as far as local circumstances will admit, in the different colonies under your government.

Vide Papers relative to the Abolition of Slavery, 1837, Part 4 (1), p. 20.

Ditto.

Ditto.

I have, &c.

(signed) *Glenelg*.

—No. 98.—

(General.—No. 163.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart., to
Lord *Glenelg*.

My Lord,

Government House, Barbados, 20 July 1837.

No. 98.

IN acknowledgment of your Lordship's despatch of the 15th ultimo, marked "General, No. 5," I beg leave to report, that the execution of the commands therein contained will be proceeded on, as soon as the enlarged return of inquiries relative to the state of the gaols and of prison discipline in the colonies, therein alluded to, shall be received.

I have, &c,

(signed) *E. J. Murray M'Gregor*, Governor.

—No. 99.—

(No. 8.)

COPY of a DESPATCH from Lord *Glenelg* to Governor
Sir *E. J. M. M'Gregor*, Bart.

Sir,

Downing-street, 14 August 1837.

No. 99.

I ENCLOSE an additional instruction, under Her Majesty's sign manual, authorizing you to admit appeals to Her Majesty in Council in cases in which the right of any person employed as an apprenticed labourer to be discharged from that employment may be a question. The enclosed copies of a correspondence in which I have been engaged with Sir Lionel Smith will explain the motives by which this measure has been suggested. There did not appear to me any sufficient reason why the power granted in this respect to that officer should not be committed to the Governor-general of the Windward Islands.

Similar Instruction addressed to the Governor of Jamaica: *Vide Papers relative to the Abolition of Slavery, 1838, Part 5 (1), p. 30.*

I have, &c.

(signed) *Glenelg*.

— No. 100.—

BARBADOS.

(General.—No. 203.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart.,
to Lord *Glenelg*.

No. 100.

My Lord,

Government House, Barbados, 20 September 1837.

I HAVE had the honour of receiving, with your Lordship's despatch of the 14th ultimo, "General, No. 8," and will duly observe an additional instruction, under Her Majesty's sign manual, authorizing me to admit appeals to Her Majesty in Council in cases in which the right of any person employed as an apprenticed labourer to be discharged from that employment shall be in question.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

— No. 101.—

(No. 185.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart.,
to Lord *Glenelg*.

No. 101.

My Lord,

Government House, Barbados, 23 August 1837.

Nos. 1, 2 and 3,
1 & 22 Aug. 1837.

I HAVE the honour of submitting to your Lordship copies of my address to the legislative Houses of this colony, and of the respective answers of the Council and Assembly, on the occasion of my meeting them after the late election.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure 1, in No. 101.

Encl. 1, in No. 101.

Mr. President, My Lord Bishop and Gentlemen of the Council,
Mr. Speaker, and Gentlemen of the Assembly,

You cannot fail deeply to participate in the general emotion pervading the British empire on the demise of his late most Excellent Majesty King William the Fourth; and no subjects of the Crown, I am well aware, will more cordially concur in humbly tendering to our most Gracious Queen, Victoria the First, the homage of heartfelt condolence on the decease of the departed Monarch, and of ardent congratulation on Her most Sacred Majesty's accession to the throne of her royal ancestors; as well as in evincing that sympathy which, being eminently due to the virtues of the widowed Consort of our late beneficent and revered Sovereign, constitutes the most appropriate tribute of affectionate respect that can be rendered by a grateful people to the memory of a patriot King.

Mr. Speaker and Gentlemen of the Assembly,

On the present occasion I will not further trespass on your indulgence than by observing, that the wise liberality of the late Assembly encourages me confidently to believe, in as far as financial considerations will with safety and propriety permit, that the cost of continuing, by prudent and salutary measures, to adapt the public establishment of the country to the various changes progressively affecting it, will be readily sustained on behalf of your constituents by your honourable House.

Mr. President, My Lord Bishop and Gentlemen of the Council,
Mr. Speaker and Gentlemen of the Assembly,

After recently experiencing the direful effects of fire and tempest, your honourable Board and House will permit me to recommend the adoption of early precautions for the more adequate protection of the public on the possible recurrence of similar calamities, and at the same time to solicit your favourable consideration of the spirited and useful services, not only of the officers and troops of the line, whom his Excellency the Lieutenant-general commanding the forces ordered in each instance to assist the civil power, and of the officers and men of the militia, but also of many gentlemen, and other persons who voluntarily and zealously exerted themselves in contributing to the preservation of life and property.

Notwithstanding these painful scenes, it is consolatory to be enabled to advert to the almost unexampled agricultural prosperity of the island, to its exemption, under Divine Providence, from the intrusion of infectious disease, to the diminution of crime, and to the enjoyment of internal peace; and I derive peculiar gratification from this opportunity of thankfully acknowledging the courteous disposition which, ever since my arrival in Barbados, has been considerably manifested towards me in our official intercourse by the Council and Assembly.

The good understanding animating the legislature is for the most part diffused throughout other portions of the community; and, on the authority of the special magistrates, already generally

generally obtains, and is happily increasing, I am sure, between employers and the apprenticed population.

Your honourable Board and House have lately declared, "that the question of emancipation being no longer a debatable point," you "have cheerfully applied" yourselves, "in good faith, to the consummation of this great national experiment, in the success of which you are so deeply interested." Satisfaction has been expressed, by the Right honourable the Colonial Minister, at the coincidence of opinion subsisting between the Royal Government and local authorities on the matters lately forming the subject of communication, particularly at the manner in which your attention has been directed to the important object of the education of the peasantry; and the justices especially appointed by the Crown for their superintendence have unanimously affirmed, that, "Although they do not doubt that a state of entire freedom would have been more beneficial to the negro than a perpetuation of slavery until 1840; under present circumstances they consider the apprenticeship system highly advantageous, from which the best results may reasonably be expected, and infinitely to be preferred to a continued state of slavery."

An Act too has been passed, "for repealing so much of the Colonial Act for the Abolition of Slavery as authorizes the Apprenticeship of the Children of Apprenticed Labourers;" and remarking that "the colonial legislature have judged it expedient to repeal this part of the Abolition Act, with the expectation that by so doing the fears of the parents will be quieted as to the future freedom of their offspring, and that they will be induced to allow them to work when they can no longer be employed as apprentices." Her Majesty's Principal Secretary of State for the Colonies announces that the Queen in Council will be advised to confirm this law.

Under these circumstances, as considerable numbers of the apprentices are about to be exonerated in the ensuing year from their existing obligations, while the greater mass have arrived midway between the termination of their original condition, and the attainment of that complete liberty which rapidly draws near, every inducement ought to incite them to prove worthy, by their intermediate conduct, of the benefits they have already received, and of the still higher privileges eventually to be conferred on them.

It is indeed the interest, as it fortunately seems to be the growing inclination of all parties, during the remaining brief tenure of apprenticeship, to accommodate themselves to its fleeting exigencies in a spirit of mutual forbearance. I implicitly rely therefore on the countenance of the legislative Houses, of the Right Reverend the Lord Bishop and clergy, of the special justices, and of the influential inhabitants, in earnestly inculcating upon proprietors, managers and labourers the assiduous cultivation of this conciliating principle, in order, by allaying and subduing any partial asperities incidental to the present ephemeral and evanescent stage of its political relations, ultimately to establish the future tranquillity of this valuable colony on the firm basis of that general harmony and union, in the absence of which, even in the approaching state of unrestricted freedom, no class of society can hope to prosper.

In taking leave of your honourable Board and House, I am happy in being empowered to add, that the Act authorizing the hire of a house for the meeting of the legislature and the holding of the courts is to receive the royal sanction, and that the approbation of Her Majesty's Government has been signified at the testimony thereby afforded "to the public spirit of the Council and Assembly, in providing proper accommodation for their public institutions, at the expense of their own convenience."

Government House, Barbados,
2 August 1837.

(signed) *E. J. Murray M'Gregor,*
Governor.

Enclosure 2, in No. 101.

May it please your Excellency,

WE very sincerely concur with your Excellency in your expressions of heartfelt condolence on the demise of our late lamented Sovereign, and of ardent congratulation on the accession of Her present Majesty to the throne of her ancestors. We sympathize with the royal widow in the deep affliction with which it hath pleased the Almighty to visit her; and we contemplate with feelings of the deepest respect the affectionate and unwearied attention with which she watched over the bed of the dying Sovereign. Encl. 2, in No. 101.

It will ever be to us a source of the highest satisfaction, as it is an act of our bounden duty, to co-operate with the other branch of the legislature to the utmost extent of the financial resources of the country in all measures which shall be calculated to advance its true interests, and we shall be ready to unite with that branch in adapting, whenever it shall be found necessary, on sound and safe principles the public institutions of the land to the civil changes which await its internal polity.

We earnestly respond to the just encomiums which your Excellency has been pleased to pass on the exertions of the military, of the officers and men of the militia, and of other numerous individuals, among whom we would be permitted to specify the master and crew of Her Majesty's packet "Spey," on the late disastrous occasions of fire and tempest, and we shall most cheerfully devote our attention to any suggestions which may be offered for the more adequate protection of the persons and property of the public on the possible recurrence of similar calamities.

BARBADOS.

We feel with your Excellency that amid these severe trials there is great, and, we trust, under God, increasing cause for rejoicing in the prosperous and peaceful state of the country, in the diminution of public crime, and in the absence of all infectious disease, and as another instance of merciful interposition in our behalf, in the providential extinction of the late fire before the violence of the succeeding gale had set in.

We respectfully assure your Excellency, that the harmony which at present so happily exists between the executive and the two other branches of the legislature is little likely to be disturbed whilst your Excellency continues to manifest so much urbanity in your personal intercourse, and so much judgment, promptness and consideration in all your public proceedings. That the community at large should share in the same courteous disposition towards your Excellency, which so generally pervades the members of the two legislative branches, is a result which might indeed have been anticipated, but which we are happy in having thus confirmed by your Excellency's own declaration. We are much gratified by the further assurance given by your Excellency, on the authority of the special magistrates, that a good understanding already generally obtains, and is increasing, between employers and the apprenticed population.

We are thankful for the manner in which Her Majesty's Government has been pleased to speak of the steps already taken by the legislature of this island towards the consummation of the great measure of emancipation.

We are duly sensible of the paramount importance of securing for the rising generation the benefit of a religious and suitable education.

It is our most earnest wish and prayer that the intermediate state of apprenticeship may realize the wise and benevolent intentions of the Imperial Legislature, and afford to the apprentices themselves, and to every freed child, an opportunity eagerly embraced by them for moral and civil preparation.

We trust that neither the legislature nor the clergy, nor any other official or influential body of men, will be found wanting at this momentous period in their endeavours to prevent or allay amongst all classes of our people whatever may be destructive of public peace, or may retard the full enjoyment of those blessings, which have ever been attendant, under God's good providence, on the maintenance of religion, on the establishment of a well-understood and duly-balanced freedom, and on the extension of general knowledge and civilization.

We are happy in learning from your Excellency that the late Act, authorizing the hire of a house for the meeting of the legislature and the holding of the courts, is to receive the royal sanction, and we cannot but hope that through the arrangement thus secured, many essential improvements, hitherto unavoidably protracted, may speedily be introduced both into the fabric and internal discipline of the public gaol.

We take leave of your Excellency with the renewal of our most respectful consideration.

| | | |
|----------|-------------------------|-------------------------|
| (signed) | <i>John A. Beckles.</i> | <i>J. H. Gittens.</i> |
| | <i>W. H. Barbados.</i> | <i>Philip L. Hinds.</i> |
| | <i>Jno. Brathwaite.</i> | <i>J. H. Alleyne.</i> |
| | <i>R. A. Alleyne.</i> | <i>J. B. Nurse.</i> |

Council Chamber, 22 August 1837.

Enclosure 3, in No. 101.

The Speaker and the House of Assembly to his Excellency Sir *Evan John Murray M'Gregor*,
Baronet, Governor, &c. &c. &c.

Encl. 3, in No. 101.

May it please your Excellency,

THE House of Assembly cannot fail deeply to participate in the general emotion pervading the British empire on the demise of his late most Excellent Majesty King William the Fourth; and no subjects of the Crown, as you are, sir, well aware, more cordially concur in humbly tendering to our most Gracious Queen Victoria the homage of heartfelt condolence on the decease of the departed Monarch, and of ardent congratulation on Her most Sacred Majesty's accession to the throne of her royal ancestors; as well as in evincing that sympathy which, being eminently due to the widowed Consort of our late beneficent and revered Sovereign, "constitutes the most appropriate tribute of affectionate respect," as your Excellency most justly observes, "that can be rendered by a grateful people to the memory of a patriot King."

Animated by an anxious desire to cherish the institutions of the colony, the House of Assembly will, in its financial operations, pursue that policy which your Excellency is pleased to characterize as "wisely liberal," and as far as it can, with safety and propriety, cheerfully make provision for those expenses which must necessarily be incurred in the support of the public establishments of the island, endeavouring by prudent and salutary measures to adapt them to the various changes progressively affecting society.

With reference to the dreadful calamity occasioned by fire to which the town has been recently subjected, and to which your Excellency adverts, the House of Assembly will take early measures for the more adequate protection of the public, on the possible recurrence of such an event; and the House of Assembly begs to assure your Excellency that it highly appreciates the humane and considerate conduct of the gallant Lieutenant-general commanding the forces, in aiding the civil power with that spirited and useful assistance which was so ably afforded by the officers and troops of the line, of whose noble exertions

tions in checking the ravages of the fire, no less than in preserving the life and property of individuals during the tempest which so suddenly followed, the House of Assembly will not fail to make grateful and honourable acknowledgments. To "those gentlemen and others" who by similar exertions on the same occasion won for themselves the gratitude of their fellow-citizens, and the approbation of your Excellency, the House of Assembly awards also that meed of approval to which their meritorious conduct justly entitles them.

Notwithstanding these painful scenes, in which you yourself, sir, took so active and distinguished a part, and to which you so feelingly allude, the House of Assembly is humbly grateful to Divine Providence for the manifold blessings which, under the enlightened administration of your Excellency, the country yet enjoys; and the House of Assembly begs to assure your Excellency, that the courtesy of which you are pleased to make mention is no more than a just tribute of respect due to your Excellency for the considerate attention and candour which you have on all occasions manifested in your intercourse with the other branches of the legislature.

That the councils of the legislature may continue to be conducted in the same spirit of concord by which they are at present directed is the earnest desire of the House of Assembly; and that it may diffuse its influence throughout all classes of society is to be no less earnestly desired.

The abolition of slavery being a law of the land, patriotism, loyalty and interest equally require that this law should be religiously observed; and the Right honourable the Colonial Minister, in expressing satisfaction at the coincidence of opinion between the royal government and the local authorities on matters lately forming the subject of communication, has thus virtually admitted his disbelief of the injurious imputation which had been lately attempted to be cast on the character of this community.

The House of Assembly is very much gratified to find that the Queen in Council will be advised to confirm the Act repealing the 38th clause of the Abolition Act.

That the apprentices who are about to be exonerated from their existing obligations in the coming year, as well as those who will with equal certainty receive the same boon at a period a little more protracted, should so conduct themselves as to prove worthy of the benefits they have already received, and of the still higher privileges eventually to be conferred on them, the House of Assembly perfectly coincides in opinion with your Excellency.

The ephemeral and evanescent probationary stage of the apprenticeship system drawing rapidly to a close, it becomes equally the duty and the interest of employers and apprentices to comport themselves, the former with generous liberality, and the latter with cheerfulness and alacrity, in the performance of their accustomed avocations, thus establishing that mutual confidence and good-will towards each other which is essential to the prospects of both parties.

The House of Assembly thanks your Excellency for the intelligence that the Act authorizing the hire of a house for the meeting of the legislature and the holding of the courts is to receive the royal sanction, and they trust that the knowledge of the inconveniences to which both branches of the legislature have been put in providing proper accommodation for the public institutions, will have its proper weight in inducing Her Majesty's Ministers to restore that portion of the island revenue which was expressly granted to the Crown, and remains now by a local Act solely applicable to the support of the institutions of this colony.

By order of the House,

House of Assembly, 22 Aug. 1837.

(signed) *Samuel Hinds*, Speaker.

(True copies, &c.)

E. J. M. M'Gregor, Governor.

— No. 102. —

(No. 64.)

COPY of a DESPATCH from Lord *Glenelg* to Governor
Sir *E. J. M. M'Gregor*, Bart.

Sir,

Downing-street, 14 October 1837.

No. 102.

I HAVE had the honour to receive your despatch, No. 185, of the 23d August last, and I have perused with much gratification the copies which you have therein transmitted of your address to the legislature of Barbados at the commencement of the session on the 2d of August, and of the respective answers returned by the Council and Assembly.

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

BARBADOS.

— No. 103. —

(No. 213.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart.,
to Lord *Glenelg*.

No. 103.

My Lord, Government House, Barbados, 24 September 1837.

*Vide Papers relative
to the Abolition of
Slavery, 1837,
Part 4 (1), p. 416.*

I HAVE the honour to report that the observations contained in your Lordship's despatch of the 15th of August, No. 52, relative to the separation of free children of apprentices from their mothers, have been circulated for the information and guidance of Her Majesty's special justices within this colony.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

— No. 104. —

(No. 236.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart.,
to Lord *Glenelg*.

No. 104.

My Lord, Government House, Barbados, 23 October 1837.

*Vide Papers relative
to the Abolition of
Slavery, 1838,
Part 5 (1), p. 2.*

I HAVE the honour to acknowledge your Lordship's circular despatch, received from Captain Pringle, of the 12th of September last; and, in obedience to Her Majesty's commands, I beg leave to assure your Lordship that all the support and assistance in my power will be afforded to that gentleman in the performance of the duty with which he is intrusted, of inquiring into the state of the prisons and workhouses in the West India colonies.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

— No. 105. —

(No. 289.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart.,
to Lord *Glenelg*.

No. 105.

My Lord, Government House, Barbados, 21 December 1837.

*Nos. 1 and 2,
11 & 14 Dec. 1837.*

I HAVE the honour to submit to your Lordship the charge of the chief justice, and reply of the grand inquest, at the sessions lately held in Bridgetown.

The prisoners were disposed of as follows :—

| | | | |
|--|--|-----------|---|
| | Discharged for want of prosecution | - - - - - | 5 |
| | Indictment ignored | - - - - - | 3 |
| | Remanded | - - - - - | 6 |
| | Acquitted | - - - - - | 3 |
| A. An old offender. | A.—Sentenced to two years' imprisonment, with hard labour | - - - | 1 |
| B. A boy. | B.—Sentenced to one year's imprisonment, with hard labour, and to be twice publicly flogged with rods, 12 stripes each time | - - - | 1 |
| | Sentenced to one year's imprisonment, with hard labour, and to be once publicly flogged, 21 stripes | - - - | 4 |
| C. Punishment too complicated. | C.—Sentenced to six months' imprisonment, with hard labour, one in solitary confinement, and to be once publicly flogged, 21 stripes | - - - | 1 |
| | Sentenced to one year's imprisonment, with hard labour | - - - | 5 |
| | Sentenced to one year's imprisonment, and fined 5 <i>l.</i> each | - - - | 2 |
| | Sentenced to one year's imprisonment | - - - | 5 |
| | Sentenced to six months' imprisonment, and to keep the peace for six months | - - - | 1 |
| | Sentenced to six months' imprisonment, with hard labour | - - - | 1 |
| D. Misled by his employer. | D.—Sentenced to three months' imprisonment, with hard labour | - - - | 1 |
| E. Two months remitted in one case, the offence being less serious than that of one of the prisoners sentenced to one month's confinement. | E.—Sentenced to three months' imprisonment | - - - | 3 |
| F. One remitted; delicate, and not suited to hard labour. | Sentenced to one month's imprisonment | - - - | 2 |
| F. Ditto. | | | |

FEMALE PRISONERS.

| | | |
|--|-------|---|
| F.—Sentenced to one year's imprisonment, with hard labour | - - - | 2 |
| F.—Sentenced to three months' imprisonment, with hard labour | - - - | 2 |

TOTAL - - - 48

Stripes have been remitted in three instances ; two months' confinement has been struck off from a sentence of three in a case of assault ; and that of one prisoner has been entirely remitted, as he is an apprenticed labourer, and became involved in a riot under the influence of his employer, who remains imprisoned for the same offence. Two female prisoners have likewise been relieved from the performance of hard labour, for 12 months in one case, and in the other for three.

Of two private soldiers, reported in my letter of the 24th of June last, No. 146, as accused of murder, one has been remanded, the other having escaped, and being supposed still in the island. No prisoners have been condemned to transportation ; but, adverting to the late instructions prohibiting the banishment of convicts from these colonies, may I request to be informed whether any exception may be permitted where the offenders are not of African descent ?

Upon the difference of sentiment between the chief justice and the grand inquest, in regard to the decrease of crime, I beg leave, with great submission, to remark that the exception respectfully urged by the jury to his honour's charge under that head does not appear warranted by the actual circumstances of the case. The comparatively inconsiderable offences dealt with by the general and special magistracy existed formerly no less than now ; and the chief justice would therefore seem to be borne out in deeming the present state of the calendar, as contrasted with that exhibited at the sessions in June and December last, a fit subject of congratulation to the country.

I have great pleasure in assuring your Lordship of the continued humane and liberal disposition manifested by the local authorities in favour of the amelioration of prison discipline.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure 1, in No. 105.

Mr. Foreman, and Gentlemen of the Grand Jury,

At an early period of my life, I was forcibly impressed with the inconsistency of requiring gentlemen, who were not prepared by a legal education, to preside at our courts of grand sessions, merely because they hold official situations in the island ; and as the lapse of time has tended to strengthen that impression, you will readily believe that it is with reluctance I occupy this seat.

I entertain much diffidence as to my power of being useful, and I feel that the responsibilities under which I am placed are great ; but supported by the purity of my intentions, and the knowledge that many of my predecessors, under like disadvantages, have successfully discharged their duties to the satisfaction of the country, I am encouraged to hope for a similar result, more especially as I shall have the able assistance of Her Majesty's Solicitor-general, a gentleman whose legal acquirements are justly appreciated by his countrymen.

It is with heartfelt gratification that I draw your attention to the state of the calendar for the present session compared with those of December and June last ; it shows a gradual diminution of crime, the number of offences on that of December being 84, and on that of June 53, while the one before the court contains only 32 cases. Nor is there less cause for congratulation when the nature of the offences on the preceding calendar is compared with that of those on the present, it being free from the more heinous crimes which the former unhappily exhibited. This decrease of crime in so short a period, and in a population so dense as ours, I attribute chiefly to the great improvements which have been made during that time in our prison discipline ; and the community is much indebted to those gentlemen by whose voluntary exertions and constant attention these salutary amendments have been effected. It is part of your duty, gentlemen, to visit and inspect the gaol, and I confidently anticipate from you a most satisfactory report ; those alterations which were planned some months ago are now nearly completed ; they were absolutely necessary to effect a due classification and enforce a proper behaviour among those confined within its walls, and will, I trust, be found to supply nearly all that was wanting to ensure the successful working of a complete system of improved prison discipline.

To promote these desirable objects, it was necessary that the courts, and all other public meetings, should cease to be held within the walls of the prison ; and when their importance is considered, the gentlemen of the court and juries will, I am persuaded, agree with me that they are sufficient to reconcile us to any inconveniences we may suffer from the present temporary court-house, until the finances of the island will enable us to erect a more suitable building.

With feelings of no less exultation do I congratulate you on the present condition of the island. Notwithstanding the elements of wind and fire have this year occasioned loss to many individuals, yet we have great cause to be thankful to the Almighty for his superintending Providence ; we have the gratification to witness our lands promising a plentiful return, and the majority of our labourers behaving to our reasonable expectations.

Our esteemed Governor evinces an anxious desire to promote the best interests of the island ; and our active and zealous diocesan and his clergy exert their united energies in dispensing the benefits of religious instruction to all classes. The chief drawback to our future

BARBADOS.

future prospects is the condition of the free children of apprenticed labourers, who are not in training to agricultural pursuits, but are rather permitted by their parents to loiter about the different negro-yards in a state of idleness. I am free to confess that no blame can be attached to the proprietors, a great part of whom are willing to employ for adequate wages, or to clothe and feed the whole of these children, provided their mothers showed a disposition to instil into their minds habits of industry; but so strong is their prejudice against bringing them up to field labour, that they will not allow their children to assist them even in their own gardens, their desire being manifest, where they permit them to be employed, to make them domestics or mechanics.

This important question is, however, under the consideration of the legislature, who will, I doubt not, adopt such measures as will tend to remove these impressions, so injurious to our young peasantry, and by insuring to all the full reward of their labour, promote such a spirit of contentment and industry as cannot fail to be equally beneficial to master and servant. Gentlemen, I shall be at my post each morning by 10 o'clock, at which hour I expect you also will be present. It is a punctual attendance alone that can promote the business of the sessions, and by the due observance of it, I trust that we shall not fail to bring our labours to a satisfactory conclusion.

11 December 1837.

(signed)

J. B. Nurse, Chief Justice.

Enclosure 2, in No. 105.

Encl. 2, in No. 105.

May it please your Honour,

THE grand inquest, in returning thanks to your honour for the very interesting address which your honour was pleased to deliver at the commencement of this sessions, beg leave to felicitate the court on his Excellency's selection of a gentleman of your honour's amiability and integrity of character to preside in the judicial chair. They coincide with your honour's allusions to the legal deficiencies under which (notwithstanding) your honour's predecessors have so faithfully discharged the duties of chief justice, and, with confidence in your own rectitude of principle, feel assured that your honour's present administration of the laws has been conducted with credit to yourself and benefit to the country at large.

The grand inquest hail with pleasure any authentic proof of the diminution of crime in the extensive population of this island; but while they recognize, in the language of congratulation, a calendar on the decrease, both in the number as well as in the degree of offences, they regret that the time has not yet arrived when that document can be quoted as a statistical record of the morality of the lower classes. In their present dependent position, it is in many cases a matter of absolute necessity to subject a numerous train of crimes either to direct compromise or at the least to a scrutiny less rigid than that which the dignity of a criminal court would impose. At the same time the grand inquest are ready to admit, that this absence of moral restraint is chiefly to be attributed to that degradation of mind consequent on the state of thralldom from which they have so lately emerged.

In obedience to your honour's injunction, the grand inquest have visited the gaol, and are happy in being enabled to confirm your honour's anticipations of a favourable report. The alterations are judicious, and the classification of the prisoners is likely to promote the object which the legislature appear to have had so much at heart, namely, an improved state of prison discipline. In bearing testimony, however, to the admirable character of these arrangements, the grand inquest cannot forbear to allude, in the strongest terms of approbation, to the zealous activity of the respectable provost-marshal and his deputies, whose conduct on this occasion seems to merit something more substantial than a passing acknowledgment of their services. The advantages to be derived from such improvements are more than sufficient to reconcile your jurors to the temporary inconveniences of the present building, and they will greet with satisfaction that era of future prosperity which will empower their trusty representatives to consult their comfort, by the erection of a building more suitable to the purposes of legislation and judicature.

In the chastened spirit of humiliation, the grand inquest humbly bow to the heavy dispensations with which it has pleased Almighty God to visit the island during the late inclement season. They would devoutly acknowledge his protecting influence in the devastations of the storm, the fire and the earthquake, and look forward with the same honest exultation as your honour to the cheering promise of an abundant harvest, and the progressive improvement of the labouring population.

The grand inquest echo, with much satisfaction, the respectful compliment which your honour has paid to our esteemed Governor. They claim to be admitted among the foremost rank of those who appreciate the zeal, the learning and the piety of the Lord Bishop, and sincerely hope that his faithful clergy may, in the dispensing of religious instruction to all classes, meet with the success which their efforts deserve.

The grand inquest, composed as it is of individuals interested in the successful working of free labour, approach the next portion of your honour's address with some hesitation. On this important topic their expressions, however guarded, may be liable to misinterpretation, and their views censured as arbitrary and confined. But they rejoice to hear from your honour, as a member of the higher branch of the legislature, that a Bill is in contemplation, which will have for its object the removal of those prejudices which unfortunately still exist in the minds of the parents of the youthful peasantry; and they look with confident anticipation to the adoption of such measures as shall be calculated to remove impressions injurious alike to agricultural prosperity and the joint interests of master and servant.

From

From a subject of such grave import, the grand inquest turn with pleasure to perform their last and most agreeable duty. They desire gratefully to acknowledge the legal assistance which has been so courteously afforded them by Her Majesty's Solicitor-general, by which their investigations have been rendered less fatiguing, and an early completion of business fully ensured. While, therefore, they tender through your honour their tribute of thanks to that gentleman, they venture to hope that their own duties have been discharged to the satisfaction of your honour and the court in general.

14 December 1837.

Robert Reece, Foreman.

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—No. 106.—

(No. 80.)

COPY of a DESPATCH from Lord *Glenelg* to Governor Sir
E. J. M. M'Gregor, Bart.

Sir,

Downing-street, 13 February 1838.

No. 106.

I HAVE had the honour to receive your despatch, No. 289, of the 21st of December, containing the charge of the chief justice and reply of the grand jury at the court of grand sessions, held at Bridgetown in December last.

I am happy to believe that your opinion, and that of the chief justice, as to the decrease of crime in Barbados rests upon sure grounds, notwithstanding the dissent of the grand jury from the inferences drawn by the judge from the state of the calendar. The disinclination to agricultural labour, urged to such an extent as to induce the apprenticed labourers to reject the assistance of their own children even in the cultivation of their own gardens, affords as impressive an illustration as it is possible to give of the injurious effects of slavery. The association in the minds of the emancipated negroes of degradation with agriculture is too natural to excite any surprise; but it is one of those accidental prejudices which may reasonably be expected to yield to the influence of increasing knowledge and good example, if not to the pressure of want. I cannot doubt that your attention will have been directed to the adoption of any methods by which this erroneous impression may be gradually removed.

With regard to the question of transportation, I am not prepared to say that no exception can ever be allowed to the general rule, but, adverting to the policy of Her Majesty's Government and of Parliament on the subject, such an exception could only be justified by very extraordinary circumstances.

I have, &c.

(signed) *Glenelg*.

— No. 107. —

(No. 17.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart., to
Lord *Glenelg*.

My Lord,

Government House, Barbados, 29 January 1838.

No. 107.

In obedience to the commands contained in your Lordship's circular despatch of the 1st of December last, I have the honour to enclose a Return, specifying the number of all the children apprenticed in Barbados, under the provision of the Abolition Law, as required by a Resolution of the House of Commons of the 28th of November 1837.

Return.

I have, &c.

(signed) *E. J. M. M'Gregor*, Governor.

Enclosure in No. 107.

RETURN of CHILDREN APPRENTICED in *Barbados*, under the ABOLITION ACT, from the 1st of August 1834 to the March 1837, at which Date the 38th Clause was repealed by an Act of the Legislature of *Barbados*, approved by Her Majesty in Council, on the 12th of July 1837.

| Districts. | No. of Children. | | Employers. | To whom apprenticed. | Names of Apprentices. | REMARKS. |
|------------|------------------|----------|-----------------|----------------------|-----------------------|---|
| | Males. | Females. | | | | |
| A. rural. | - | 1 | Mrs. Sarah Tull | Mrs. Sarah Tull | Ellen - - | <p>- - Cancelled at the request of the child's mother, "Kitty," and with the consent of Mrs. Tull, on the 17th of July 1837.</p> <p>- - It appears the mother of this child died when it was only two years old, and the father suffered it to be in want of the common necessaries of life; the child is now alive and well, and living on Golden Ride estate; and Mr. Cox waited on the special magistrate to state, that nothing but humanity induced him to take this child, and that if his Excellency the Governor would be pleased to make any other arrangements for its support and protection, except placing him with an unfeeling and cruel father, he, Mr. Cox, would readily consent to cancel the indenture.</p> |
| A. town. | - | - | | | | |
| B. rural. | - | - | | | | |
| C. " | - | - | | | | |
| D. " | - | - | | | | |
| E. " | - | - | | | | |
| F. " | - | - | Mr. W. T. Cox | Mr. W. T. Cox | Wm. Thomas | |
| G. " | 1 | - | | | | |

(signed)

E. J. Murray M'Gregor, Governor.

— No. 108. —

(No. 13.)

COPY of a DESPATCH from Lord Glenelg to Governor Sir
E. J. M. M'Gregor, Bart.

No. 108.

Sir,

Downing-street, 31 January 1838.

N.B. Similar Despatches addressed to the Lieut.-governor of Trinidad. Ditto - St. Lucia.

ON receiving the monthly returns of punishments inflicted by order of the special magistrates in the West Indies, I observe with regret, that in some of the colonies under your government the average amount of corporal punishment has not been reduced. It has been the anxious hope of Her Majesty's Government, that under the judicious administration of the Apprenticeship Law, this mode of punishment would be gradually disused, and that it would become needless to resort to it as a means of enforcing the duties attached to that condition. In some of the colonies this hope has been already fulfilled; in others it seems likely to be fulfilled at an early period; there are, however, others which do not at present afford this prospect.

I am not unaware of the many difficulties with which the special magistrates have to contend in endeavouring to bring about this object; nor would I hastily infer that their best endeavours have not been used for its attainment, because they have hitherto proved unsuccessful. But upon comparing the several returns from all the West Indian colonies, I find a difference in this respect for which I cannot readily account, and so remarkable that I think it necessary to call your attention particularly to the subject.

By the enclosed table you will perceive, that in Jamaica, Barbados, British Guiana and Grenada, and in all the Leeward Islands, with the exception of Dominica, the average number of floggings inflicted during the month has been very greatly reduced; while in some of these colonies that mode of punishment has been nearly, and in Bahamas altogether, discontinued. Nor has any inconvenience been experienced in any of these islands, so far as my information extends, in consequence of the change. On the contrary, in St. Vincent, Tobago and Trinidad, there is no appearance of a progressive diminution; and in St. Lucia, though there has been a considerable reduction within the last year, the monthly average of floggings still continues larger than it was during the first year of the apprenticeship.

In the absence of information as to any peculiar circumstances by which so remarkable a difference may be accounted for, I cannot but hope that it may yet be removed by an unremitting endeavour on the part of the special magistrates to introduce a less degrading discipline.

So

So long as corporal punishment, for offences committed under the apprenticeship system, is sanctioned by law, I do not feel myself at liberty to give positive instructions for its discontinuance; but I must request you to take the subject into your most serious consideration, and to impress upon the special magistracy the importance of abstaining as much as possible from the infliction of this punishment. On their judicious exertions, and under the unremitting supervision of yourself and the Lieutenant-governors, I must rely for the accomplishment of this object; the importance of which, considered as a preparation of the apprenticed classes for that entire freedom which is so soon to be theirs, can scarcely be estimated too highly. In British Guiana the magistrates have been directed to abstain, except under very peculiar circumstances, from inflicting corporal punishment, without the previous sanction of the Governor, to any sentence of this nature which they may have felt it their duty to pass. I think this precaution against the too frequent recurrence to it might be beneficially adopted in other colonies.

I have, &c.

(signed) *Glenelg.*

Enclosure in No. 108.

TABLE showing the AVERAGE NUMBER OF FLOGGINGS inflicted during each Month.

| COLONY. | Population (about) | AVERAGE NUMBER OF FLOGGINGS PER MONTH | | | | | | | | | |
|---------------------|-----------------------|---------------------------------------|--------------|---|--------------|---|--------------|---|--------------|--|--------------|
| | | Before August 1835. | Per Cent. | Between August 1835 and January 1836. | Per Cent. | Between January 1836 and July 1836. | Per Cent. | Between August 1836 and January 1837. | Per Cent. | Between February 1837 and July 1837. | Per Cent. |
| Jamaica - - | 260,000 | 593 | ·228 | 458 | ·176 | 224 | ·086 | 374 | ·105 | 250 | ·096 |
| Barbados - - | 69,000 | 145 | ·210 | 103 | ·149 | 25 | ·036 | 22 | ·032 | 29 | ·042 |
| British Guiana - - | 72,000 | 181 | ·251 | 61 | ·084 | 31 | ·043 | 30 | ·041 | 2 | ·002 |
| Montserrat - - | 5,000 | 16 | ·320 | 32 | ·640 | 19 | ·380 | 8 | ·160 | 8 | ·160 |
| St. Christopher - - | 13,500 | - | - | 61 | ·451 | 12 | ·088 | 11 | ·081 | 4 | ·029 |
| Nevis - - | 6,200 | - | - | 34 | ·548 | 22 | ·354 | 8 | ·129 | 6 | ·096 |
| Virgin Islands - - | 4,200 | 7 | ·166 | 9 | ·214 | 7 | ·166 | 4 | ·095 | 4 | ·095 |
| Dominica - - | 72,000 | 33 | ·275 | 37 | ·308 | 33 | ·275 | 23 | ·191 | 22 | ·183 |
| St. Vincent - - | 19,300 | - | - | 45 | ·233 | 62 | ·321 | 72 | ·373 | 48 | ·248 |
| Grenada - - | 21,500 | 22 | ·102 | 21 | ·097 | 8 | ·037 | 14 | ·065 | 3 | ·013 |
| Tobago - - | 9,800 | 36 | ·367 | 26 | ·265 | 23 | ·234 | 44 | ·449 | 30 | ·306 |
| Trinidad - - | 16,800 | 53 | ·315 | 53 | ·315 | 52 | ·309 | 53 | ·315 | 60 | ·359 |
| St. Lucia - - | 10,500 | 19 | ·100 | 38 | ·361 | 46 | ·438 | 28 | ·266 | 21 | ·200 |
| Bahamas - - | 10,200 | 12 | ·117 | | | | | | | | |
| TOTAL - - - | 530,000 | 1,117 | ·229 | 948 | ·178 | 554 | ·106 | 691 | ·130 | 487 | ·090 |

— No. 109. —

(No. 25.)

COPY of a DESPATCH from Governor Sir *E. J. M. M'Gregor*, Bart.,
to Lord *Glenelg*.

My Lord,

Government House, Barbados, 6 February 1838.

No. 109.

At the request of Captain Hamilton, special magistrate of District B., I do myself the honour of submitting to your Lordship the copy of a letter to my address, and a statement of the particulars of certain cases referred to "in a paper called the 'British Emancipator,' said to be extracts from authenticated records, and which were tried and decided" in that district by Captain Hamilton.

3 Feb. 1838,
with Enclosure.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

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Enclosure in No. 109.

Encl. in No. 109.

Sir,

District B., 3 February 1838.

I PERCEIVE in a paper called the "British Emancipator," several cases said to be extracts from authenticated records, and which were tried and decided by me in this district. Considering those statements convey a tendency to injure my character, and also the public welfare of the colony, I beg leave to state, for his Excellency's information, that, with the exception of one case, the whole are erroneous and exaggerated.

I have the honour to enclose a copy of the particulars of each case from the records of the trials alluded to, and humbly solicit his Excellency's interference in forwarding them to Her Majesty's Secretary of State.

C. J. Cunningham, Esq.
Colonial Secretary.

I have, &c.
(signed) *Joseph Hamilton*, S. J. P.

(True copy, &c.)

(signed) *E. J. Murray M'Gregor*, Governor.

From a Paper called the British
Emancipator.

DISTRICT B.

Special Magistrate, *Joseph Hamilton*.

Dec. 1836.—William, apprenticed labourer on Pilgrim estate, charged by Outram, manager, with being "absent from work on Saturday last." Defence: "He (defendant) states he cannot work his Saturdays."

Magistrate's decision: "Fifteen days' confinement, with hard labour." (!!!)

From the Special Justice's Records.

DISTRICT B.

Joseph Hamilton, Special Justice.

12 Dec. 1836.—Frere Pilgrim estate, RT. Outram, manager, *v.* William, an apprenticed labourer. Charge: "Defendant was absent on Saturday last, although cautioned by the magistrate." Defence: "He cannot lose his Saturdays." Decision: "Fifteen days' confinement, with hard labour." ("Fourth offence.")

REMARKS.

William had a lame arm; he was employed attending cattle; but, from his constant neglect and refusing to mind them, was ordered

to go into the field to work with a boy's hoe, which he positively refused to do; he was brought before the special justice, who, after admonishing him and giving him the best advice, discharged him.

A few days after he was brought up again, 29th September, with the same charge against him: the quantity of work was not the object, but that he should not stand idle, setting a bad example to the gang. Sentence: "Four days' solitary confinement." He was again advised by the magistrate not to resist his master's orders.

Oct. 11.—Charge as before.—Medical attendant examined: "Does not consider the injury in the arm will prevent his using a light hoe with the other in light work; he received the injury when a babe; has seen him use the whip very well when driving;" this made six days successively he had refused to work. Decision: "Ten days' confinement, with hard labour."

Oct. 27.—Same charge.—Had worked two days very well; his master advised him this morning to behave better; but he would not listen, neither would he attempt to work, but said he would go to the Governor again. Decision: "Three days' confinement, with hard labour;" to make good the labour lost.

Nov. 8.—Charge: "Absent on Saturday last;" went to the sick-house on Monday, and discharged on Tuesday; nothing the matter with him. Decision: "Two days' solitary confinement;" to make good the labour lost.

Nov. 15.—"Absent last Saturday." Defence: "He was not paid for his extra work, therefore cannot work the Saturdays." Nelly Lynch, mother to the defendant, states she paid him his wages up to the time he left the cattle. Decision: "Six days' solitary confinement;" to return the labour lost. (Second offence.)

Nov. 28.—"Absent on Saturday last." Defence: "He has not his quantity of provisions given him when he returns out of prison." Samuel Byar states, "William has had his full proportion of provisions given him whenever he comes out of prison; last week he had a pound and a half of potatoes over his allowance." Decision: "Ten days' solitary confinement;" to make good the labour lost. (Third offence.)

William stated his case to the Governor, who wrote to the special justice to reply to it, which was perfectly satisfactory to his Excellency. I believe his master, the Honourable John R. Best, also saw the Governor concerning him.

Dec. 15.—

Dec. 15.—Weekes and Ned Weekes, coopers, on Maxwell estate, charged with “making only nine casks in 14 days, instead of one per day. Ned insolent.” (!) Sentence: “Ned, sixteen days’ extra labour; Weekes, fifteen days’ extra labour, in service of master.”

Dec. 15.—Sophia, an apprenticed labourer, charged by John Baker with “making a noise in the field, and would not work the row when ordered her.” Sentence: “Five days’ confinement, with hard labour.”

Melly Rench did not work the row ordered, and when desired to go back threw herself on the ground. Sentence: “Four days’ solitary confinement.”

Dec. 16.—Joseph Edwards, apprenticed labourer, charged his master, John H. Perryman, with “beating him with a whip.” Decision: “Compromised at the request of the complainant.”

Dec. 19.—E. T. Whitehall, manager of farm, charged Sam Edwards with “stealing canes.” Sentence: “Ten days’ hard labour.”

Dec. 15.—Walker and Ned Weekes: the former charged with “idleness,” the latter with “insolence.” Sentence: “Walker six days’ extra labour; Ned Weekes, five days’ confinement, with hard labour.”

Walker had a boy with him to assist, and confessed he could make a cask a day; the deficiency was to be made good in the five days, and the extra day as a punishment.

Dec. 15.—Sophia, apprenticed labourer, on Lower Greys estate, charged by John H. Baker, manager, with “disorderl conduct and disobeying the orders of the superintendent.” “Defendant was ordered upon a particular row to work; she left it, and said, ‘So help me God, I won’t;’ then went to work upon another row, making a great noise.” Sentence: “Five days’ confinement, with hard labour.”

Dec. 16.—Melly Rinah, an apprenticed labourer on Lower Greys estate, charged by John H. Baker, manager, with “disobedience of orders and disorderly conduct in the field.” “Defendant was ordered by superintendent to take a particular row; she left it and went away; when ordered back, she threw herself upon the ground and would not return to the field again; she made a great noise also.” Sentence: “Four days’ solitary confinement.”

Dec. 16.—John H. Perryman, employer, charged by Joseph Edwards, apprenticed labourer, with “giving him two or three stripes with a whip on his bottom;” defendant confessed “he did strike him.” Complainant: “He does not wish the trial to go on.” Decision: “Guilty;” but “compromised at the request of the complainant.”

The magistrate went through this trial contrary to the wishes of the complainant, for the purpose of obtaining a conviction, that in the event of the defendant committing a similar offence, the complainant might be discharged from all further services.

This and the last case are the only two that have been in the least correctly stated; all the others have been exaggerated, particularly the two first.

If one case of theft was overlooked, 20 more would follow the next day, and in a very short time a whole field would be cut down. It is wrong that in the time of slavery they were allowed to cut the canes with impunity, although the thefts during that period were of a more formidable nature. The negro during the crop was allowed to suck as much cane as he pleased, and many estates still allow that privilege.

(signed) *Joseph Hamilton, s. j. p.*

TABLE (B.)

RETURN of the NUMBER and EFFECT of the RETURNS of PUNISHMENTS received by the Governor of Barbados from the Special Magistrates, from the 1st June 1837 to the 31st January 1838.

| DATE. | Total Number of Apprentices throughout the Island. | Total Number of Punishments inflicted under the Authority of Special Magistrates throughout the same. | Proportion per Cent. of Punishments to Apprentices. | Total Number of Males punished. | | Total Number of Females punished. | The Average Number of Stripes inflicted in Cases of Punishment by Whipping. | The Maximum Number of Stripes inflicted in any one Case of Punishment by Whipping. | The Maximum of Severity in any one Case of Punishment by Confinement. | The Maximum of Severity in any other Mode of Punishment. |
|-------------|--|---|---|---------------------------------|-----------------------------|-----------------------------------|---|--|--|---|
| | | | | By Whipping. | Otherwise than by Whipping. | | | | | |
| 1837: | | | | | | | | | | |
| June - | 66,913 | 1,143 | 1 $\frac{1}{2}$ | 31 | 564 | 548 | 15 | 35 | -- One month on public road; one month's imprisonment with hard labour. | -- One month's confinement to hard labour; to forfeit one month's wages. |
| July - | *54,578 | 1,206 | 2 $\frac{1}{4}$ | 7 | 624 | 575 | 9 | 20 | -- Two months on public roads; 21 days' imprisonment with hard labour; one month's confinement with hard labour. | -- Three weeks' hard labour. |
| August - | 68,963 | 1,350 | 2 | 11 | 606 | 733 | 11 | 18 | -- 30 days' imprisonment with hard labour. | -- One month on public road; to forfeit three weeks' hard labour for 17 days' absence. |
| September - | 66,653 | 1,227 | 1 $\frac{7}{8}$ | 17 | 658 | 552 | 14 | 25 | -- One month's hard labour on public roads. | -- 21 days' hard labour; and 14 days' extra labour. |
| October - | 66,702 | 911 | 1 $\frac{3}{8}$ | 26 | 518 | 367 | 17 | 30 | -- One month's hard labour on the public roads; one month with hard labour. | -- Three weeks' confinement with hard labour, and to return 3 $\frac{1}{2}$ days' labour to the estate. |
| November - | 66,537 | 597 | $\frac{1}{2}$ | 15 | 327 | 255 | 15 | 30 | -- One month on public roads; one month's confinement with hard labour. | -- 14 days' hard labour. |
| December - | 66,537 | 612 | $\frac{2}{10}$ | 9 | 326 | 277 | 22 | 24 | -- One month's confinement with hard labour, and to return 105 days' labour; 30 days' imprisonment with hard labour; three weeks with hard labour, and then one week's solitary confinement; one month's imprisonment. | -- Four weeks' hard labour to an incorrigible female runaway; 25 days' extra labour to compensate for the same lost from absence without leave. |
| 1838: | | | | | | | | | | |
| January - | †50,664 | 721 | 1 $\frac{1}{2}$ | 11 | 394 | 316 | 14 | 20 | -- Two weeks' imprisonment. | -- 20 days' hard labour. |

* No Return from District B., the Magistrate being absent on leave.

† The number of apprentices for Districts B. and G. cannot be ascertained correctly.

BRITISH GUIANA.

CORRESPONDENCE relative to MR. SCOBLE'S INQUIRIES
and REPRESENTATIONS.

—No. 110.—

(No. 300.)

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

My Lord,

Camp House, Demerara, 7 April 1837.

No. 110.

Two gentlemen, who were stated to be agents of the Anti-Slavery Society, arrived in this colony some months ago. One of them (Dr. Lloyd) stayed here but a very short time, and then proceeded to Jamaica; the other, a gentleman of the name of Scoble, is still residing in Guiana.

I beg leave to lay before your Lordship copy of a minute, addressed by me to the Government Secretary, and which was communicated to those gentlemen, as a proof of the readiness with which I was prepared to afford to them every facility of access to all public documents; as also of the perfect liberty with which they were permitted to visit every part of this province; as also to communicate with the labourers and all classes of this community. Mr. Scoble waited upon me a few days ago, and in a very long interview which I had with him, gave to me a detailed account of all the irregularities he had either witnessed or had heard of. I took down in his presence, and from his report, the particulars of each statement, in order that each complaint should be fully and regularly inquired into. I now beg leave to submit to your Lordship copy of a letter I have caused to be addressed to Mr. Scoble, acquainting him with the result of the several investigations. I respectfully submit to your Lordship that nothing can afford a more satisfactory proof of the state of this province than the paucity of the complaints made known to me by Mr. Scoble, and the mistakes and errors upon which the greater number are founded.

(A.)

I have, &c.

(signed) *J. Carmichael Smyth*.

(B.)

Enclosures in No. 110.

(A.)

MEMORANDUM.

THERE are two gentlemen (Dr. Lloyd and Mr. Scoble) at present upon a visit in this colony, for the purpose of witnessing personally the working of the system of apprenticed labour. If these gentlemen or either of them have occasion to call at the office of the Government Secretary, I wish them to be informed that they may have access to any official documents, and that they are at liberty to visit any and every part of this colony in the most unrestrained manner. If in the course of their tour they should happen to be made aware of any illegal or improper transaction, all that I have to request is, that the same may be communicated to me. Occasional instances of individual misconduct, both on the side of the planter, as well as that of the labourer, must be expected. It is my duty to take care that none such pass unnoticed. I am obliged to any body who will give me information upon the subject.

Encl. in No. 110.
(A.)

It will also be useful to me to learn from strangers (so unconnected as I understand these gentlemen to be with West India property, and, of course, personally so disinterested) their opinions, together with any observations they may like to offer to me, as to the details of the apprenticed labour system. Many things, in particular, may occur to a cool inquirer, which, in his anxiety to obtain a successful result to the measure, in general, may have been overlooked by a person more immediately superintending its operation. I am anxious to be made acquainted with the sentiments and opinions of all, reserving, of course, to myself the right of exercising my own judgment, and of only agreeing with those views of the subject which, after due reflection, may appear to me to be correct.

Dec. 1836.

(signed)

J. Carmichael Smyth.

(True copy.)

H. E. F. Young, Gov. Sec.

(B.)

(B.)

Sir,

Government Secretary's Office, 31 March 1837.

WITH reference to the statements which you made to the Governor when you waited upon his Excellency about a fortnight ago, and of which his Excellency made memoranda at the time, relative to several abuses and infringements of the law, which in your tour in this colony you had observed, I am instructed to inform you of the result of the inquiries which the Governor caused forthwith to be made into each individual case :

1. You were correct in the information you had received, that the working period has been reckoned, generally, in this colony, from the actual commencement of the labour. Where the field was contiguous to the dwelling of the labourer, this arrangement was productive of no injury to the labourer. When the labourer had to go some distance, as must occasionally have been the case, the loss of time was detrimental to the labourer ; to remedy this evil, his Excellency has issued a circular to the special justices ; this evil, however, can only have existed on those few estates in this colony on which labour by task has not been adopted.

2. That prædial labourers are occasionally employed as non-prædial, and non-prædial labourers in performing the duty of prædials, can hardly be prevented. The prædial labourers are too well acquainted with their own rights to allow themselves to be called upon to perform any extra labour beyond the seven and a half hours without being paid for the same. If, on the other hand, the non-prædial, that is, the house-servant, is called upon to lend a hand in any field labour, at a time when there is nothing for him to do in the house, his Excellency cannot say that he should be disposed to entertain his complaint. The non-prædial is bound to afford his labour for nine hours per day, and will receive his complete emancipation on the 1st August next year, that is, two years sooner than the prædial, who only works for seven and a half hours ; the great point will be, to see that all those classed as non-prædial receive their freedom when they are legally entitled to it. His Excellency does not conceive that either the spirit or the letter of the law is infringed by the non-prædial labourer being occasionally required to help in the field in getting in the crop at a busy time.

3. That the remaining time of those labourers who are desirous of purchasing their immediate freedom is in general appraised at a much higher rate than appears to the Governor to be correct, his Excellency is ready to admit. With a view to diminish what has been deemed an evil, his Excellency directed, so far back as on the 29th April 1836, the amount of each appraisal ; the names of the appraisers and other particulars to be published periodically in the Royal Gazette. The Governor is not aware what can be done further, so long as the terms prescribed by the law are complied with. It is in the power of the judge, to whom the valuation must be submitted for ratification, if he is dissatisfied with the valuation, to order a new appraisal.

4. Special justice M'Leod, to whom your statement, that the women on plantation Providence are overworked, was referred, denies, in a letter addressed to this office, dated the 17th instant, the fact : Mr. M'Leod states, that the women prefer working by task-work to remaining in the field the time required by law.

5. Special justice Allen, in a letter addressed to this office, dated the 27th instant, not only denies the fact of the women on Malgré Tout, in his district, being overworked, but adds, " Whatever share of work may have been allotted or required from the people of Malgré Tout, they have latterly not performed a reasonable quantity, although no formal complaint has been preferred against them on that subject."

6. It appears from the report of his honour the sheriff of Berbice, that five removals of the prædial apprenticed labourers from the several estates to which they had been attached have been effected in that district : two of them in the month of October 1836 ; one on the 12th June 1835 ; one on the 26th July 1834 ; one in August 1836. Of these five transfers, that which took place on the 26th July 1834, having been effected previously to the abolition of slavery, cannot be called in question. In the case of the removal of the 77 prædial labourers from Overwinning to Lochaber by Mr. D. C. Cameron, it appears, upon inquiry, that these people were registered unattached, and their services as such were purchased by Mr. Cameron ; he had consequently a legal right to employ them on Overwinning, or to remove them to Lochaber, as he thought most advisable. His Excellency laments that the other three transfers should have been sanctioned by the special justices. The special justices were, however, influenced by the terms in which the ninth section of the Act for the Abolition of Slavery is worded. In a subsequent case, in which the transfer of prædial labourers from one estate to another was enforced by the whip, complaints were made to the Governor, and his Excellency felt it his duty most severely to animadvert upon the conduct of the special justice, as also to issue a circular, dated the 6th December 1836, prohibiting the removal of apprenticed labourers from one estate to another without a reference to himself, in order that his Excellency might be satisfied that full justice was done to the labourers, and that there should be no latent cause for complaint. Special justices M'Leod, Heyland and Candlin acted very imprudently in the business of these transfers ; as, however, these transfers have been effected, and that the people are now settled in their new houses and grounds, it would be impolitic, and could only be productive of excitement, to attempt to send them back to the former estate, even in the event of such a proceeding being legal, which his Excellency rather doubts.

7. The special justices have been called upon to inquire into the circumstances attending the issue of provisions to the people on the Sabbath on two estates in the Berbice district, and to deal with the managers thereof, under whose orders or connivance this irregularity can be proved to have taken place according to law.

8. His Excellency is aware that on several estates the hospitals have been very irregularly and improperly managed. The state of the hospitals on the estates forms now one of the items of the monthly report from each special justice to the Governor. It is, however, due to the medical gentlemen, and to many attornies and managers, to add that there are many hospitals as well attended to in every particular as could be wished.

9. Special justice M'Leod states, that on the 4th January he sentenced three of the Overwinning labourers to the performance of hard labour on the estate for one week. Mr. M'Leod appears to have overlooked the difference of extra labour, at the rate of one hour and a half per day, which is all the extra labour the estate can receive, and the hard labour, at the rate of 12 hours per day, which can only be carried into execution in a gaol or police station as a punishment. This mistake will not, however, again occur, as the special justice has been made aware of his error.

10. It is perfectly true that it has been customary for some time for all male prisoners confined in Georgetown gaol to have one leg confined in the stocks at night. This measure was deemed prudent during the period when the gaol was undergoing repairs and alterations. The Governor is glad, however, that you drew his attention to the subject, and his Excellency has directed the sheriff that in future only the turbulent should be so confined. When the alterations now in progress are completed, it will not be necessary to apply any other mode of restraint than simply locking the doors of the several wards and apartments.

11. The Governor has desired the sheriff to draw the attention, at their next meeting, of the judges to the difference of food as allowed to the white and to the black prisoner in the gaol of Georgetown. The interior economy of the gaol rests (by the colonial law) with the judges; this difference of food is a remnant of the old prejudice, which his Excellency agrees with you ought to be forthwith removed.

12. The 18th article of the regulations for the Berbice gaol directs, that the daily allowance of all prisoners, without distinction, shall be half a pound of salt fish and 12 full-grown plantains. Prisoners undergoing solitary confinement are not, by the same regulations, to receive salt fish. This regulation appears to his Excellency to be a very proper one. A prisoner undergoing hard labour requires to be better fed than one sentenced to solitary confinement. The Governor will, however, give orders to the sheriff that a supply of salt shall be issued.

13. Cornelius, the apprenticed labourer who is stated by you to have received 15 lashes in the gaol of Berbice, by order of the sheriff, whilst undergoing a sentence of imprisonment awarded to him by special justice M'Leod, appears, from the report of the sheriff, to be a man of very bad character, and to have been regularly and legally punished. On the 4th of November, Cornelius received in the gaol of Berbice 30 lashes, by order of special justice M'Leod, for being a runaway, and he was further sentenced by the special justice as aforesaid to hard labour for one month, with solitary confinement when not at work. Cornelius made his escape from the penal gang, was tried upon the 22d November, and found guilty of making his escape from the penal gang, and of taking with him the gaol clothing, which had been supplied to him. He was adjudged an additional month of hard labour. Again, on the 6th December, Cornelius made his escape; he was retaken, and sentenced by the sheriff, under the 8th article of gaol regulations, to receive 15 stripes, and to perform hard labour for an additional month. Cornelius again made his escape upon the 15th of December, for which offence he has been sentenced by the sheriff to one month's solitary confinement. On a careful review of the whole of the circumstances of the case of Cornelius, his Excellency is of opinion, that the first punishment awarded by special justice M'Leod was more severe than the nature of the offence required. The month's hard labour would have been sufficient without the flogging. The repeated attempts to escape from the custody of the sheriff rendered the subsequent punishments necessary. No corporal punishment can, however, now take place in this colony until the particulars of the misconduct calling for such a mode of punishment have been laid before the Governor. In the case of Cornelius, the sheriff (having previously resorted to all milder punishment) was justified in adopting the measure he at last resorted to for the maintenance of the necessary discipline and subordination amongst the prisoners intrusted to his care. However averse the Governor may be to corporal punishment, his Excellency cannot but express his opinion that in this instance the sheriff acted for the best.

14. The tread-mill regulations at Berbice gaol establish as the maximum of labour eight spells of 15 minutes, with intervals of half an hour between each, and four additional spells of 12 minutes, with intervals of 25 minutes between each. The whole period a prisoner can be kept during each day upon the mill is consequently two hours and three quarters and a few seconds; an amount of hard labour surely not beyond the quantum of that which an able and healthy man ought to be compelled to undergo, if he is to perform any hard labour at all.

15. The death of the apprenticed labourer, Kendall, attached to Goldstone Hall, was inquired into by the coroner and jury according to law. The verdict was, that Kendall came by his death by drowning, supposed to have been seized with a fit of apoplexy whilst bathing. The Governor has no reason to doubt the propriety and justice of that verdict; with which the sheriff of Berbice (one of the very best, most active and upright magistrates his Excellency ever met with) declared himself quite satisfied.

BRITISH GUIANA.

16. The last case brought to the Governor's notice by you is that of three female apprenticed labourers, stated to have been confined in the cells at plantation Goldstone Hall by order of the special justice, and that one of the women alluded to had been taken with the pains of labour whilst in the cell. Special justice M'Leod, in whose district plantation Goldstone Hall is situated, and to whom the complaint was referred, denies that any pregnant women have been confined in the cells at plantation Goldstone Hall. The special justice, however, acknowledges that three pregnant women were ordered by him to be locked up at night (in a room) for neglecting or refusing to work with the hoe five hours per day in weeding a dam; and states that one of them was taken in the pains of labour whilst confined in the room in question. At the advanced period of pregnancy at which, at any rate, one of these women appears to have been, the Governor cannot approve of the conduct of the special justice, who has acted contrary to the spirit of the instructions contained in his Excellency's circular of the 18th May 1836: special justice M'Leod will be required to be more circumspect in future.

Having thus gone through every subject which you were good enough to bring to the Governor's notice, I am desired to add, that it affords his Excellency very great satisfaction at finding so many of the complaints to be capable of being easily explained or extenuated. With the means at his Excellency's disposal, the Governor may say, that if some things have been omitted, much has been done. From the ignorance of some, and the unwillingness of others, the progress of the great change in the constitution of the society of this colony may occasionally be in some slight degree impeded. Whenever any thing wrong is however made known to the Governor, a remedy, if possible, is immediately applied. If in your future excursions, or during the remainder of your residence in this colony, you should perceive any thing which may appear to you to be at variance with the words or the spirit of the Act abolishing slavery, his Excellency will be obliged to you to communicate the same to him without delay.

John Scoble, Esq.

(A true copy.)
(signed)*H. E. F. Young,*
Government Secretary.I have, &c.
(signed) *H. E. F. Young,*
Government Secretary.

—No. 111.—

(No. 225.)

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

No. 111.

Sir,

Downing-street, 19 July 1837.

I HAVE the honour to acknowledge the receipt of your despatch, No. 300, of the 7th April.

Until the receipt of this communication, it had not occurred to me to hear of the mission of Messrs. Lloyd and Scoble, nor was I even acquainted with the names of these gentlemen. I concur with you in thinking that the result of this inquiry is satisfactory. I fully approve of the prompt inquiry which you have instituted into every case of complaint which was brought to your notice by your communications with them.

I am confident that these gentlemen must have felt gratified to you for the entire frankness and unreserve with which you proffered access to the records of your government, and entered into explanations with them on a subject, with regard to which the people of this country, feeling in it a deep and just interest, are entitled to all the information which the officers of Government can supply. In adopting this course in the present instance, you appear to me to have exercised a sound discretion, and it is scarcely necessary for me to express a hope that it will not produce any inconvenience by being drawn into a precedent in other cases, when less reason may exist for similar conduct on the part of Her Majesty's representative, who at the same time, it must be remembered, cannot be compelled to vindicate his administration to any authority inferior to that of Her Majesty's Government, or of Parliament.

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

—No. 112.—

(No. 363.)

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

No. 112.

My Lord,

Camp House, Demerara, 8 August 1837.

I HAD the honour, on the 7th April last, in my despatch, No. 300, to draw your Lordship's attention to the proceedings of Mr. Scoble in this colony, and to submit

submit to your Lordship a copy of a letter I caused to be addressed to that gentleman, acquainting him with the result of the investigations I had caused to be made into the various irregularities connected with the treatment of the apprenticed labourers which he had made known to me.

Mr. Scoble left this colony a few weeks ago; but, previously to his departure, he addressed a letter, dated 16th June, to the Government Secretary; and forwarded to that officer, to be communicated to me, a series of suggestions (25 in number) connected with the government of the apprenticed labourers. I take the liberty of submitting to your Lordship a copy of these suggestions; together with my observations and remarks upon each in succession. I have also deemed it my duty to submit my reflections upon the statements, as contained in Mr. Scoble's letter to the Government Secretary (as already quoted) to your Lordship. Your Lordship will observe, and I am certain with considerable regret, that the good which might be gained by the observations of a judicious and impartial traveller, is, in the case of Mr. Scoble, neutralized by the haste with which he arrives at his conclusions, and, but too frequently, upon erroneous and inaccurate information.

I have, &c.

(signed) *J. Carmichael Smyth.*

BRITISH GUIANA

(A.)

(B.)

Enclosures in No. 112.

(A.)

COPY of certain SUGGESTIONS relative to the Government of the Apprenticed Labourers in *British Guiana*, by *John Scoble*, Esquire; together with the REMARKS of the Governor, Major-general *Sir James Carmichael Smyth*, thereon.

Euc. in No. 112.

(A.)

SUGGESTIONS.

1.—THAT a registry should be kept in each judicial district of births, marriages and deaths.

2.—All deaths of apprenticed labourers should be immediately reported to the special justices resident in the districts in which they occur.

3.—The special justices should be called on to report quarterly the number of free children on the estates within their jurisdictions.

4.—Greater protection than at present exists is required for the special justices in the *bonâ fide* discharge of their duties.

REMARKS.

1.—A registry is kept by the clergymen of the different persuasions of the christenings, the marriages, and of the funeral services they severally perform, and all marriages are moreover registered by law in the office of the colonial registrar. The funerals are also registered (within the precincts of George Town) by the colonial sexton. If any thing further should be considered hereafter advisable, it ought to be done, in my opinion, through the parishes, and by means of parish officers. The special justices of the judicial districts are already fully occupied, without having these proposed additional duties placed under their charge or superintendence.

2.—All sudden deaths, and deaths when the parties have not been attended by a medical practitioner, must already by law be reported to the nearest justice of the peace, who is enjoined to assemble a jury, to examine the body, to inquire into all the circumstances upon oath, and to report to the sheriff, forwarding at the same time the verdict of the jury; any thing further appears unnecessary, and a work of supererogation.

3.—I agree to this suggestion, only making the report annual instead of quarterly. I have already called for a report of this nature, but more in detail, with a view to adopting some general plan of instruction. I beg to refer to my despatch, No. 360, of the 27th July 1837.

4.—The propriety of this suggestion is not very evident. There have been, since the establishment of special justices in this colony, but two prosecutions having reference to their proceedings. Special justice Ross was prosecuted by Mr. Van der Pant, a manager, for illegal imprisonment. Mr. Ross was defended by the Attorney-general; the plaintiff was nonsuited, and sentenced by the supreme court to pay treble costs. In the second case, viz. that of special justice Allen, who was prosecuted by an inhabitant of the name of King, for illegally confining his arms in what are called handstocks, the business ended by the death of Mr. King, previously to the trial coming on. In this case I did not direct the Attorney-general to defend special justice Allen, insomuch as the circumstance which gave rise to the confinement of Mr. King did not originate altogether in a point of public duty. I therefore waited the result of the trial before I should form any opinion as to the propriety or impropriety of the conduct of special justice Allen; and determined how far I should have felt justified in applying to His Majesty's Government for the repayment of his expenses.

5.—Female

BRITISH GUIANA.

SUGGESTIONS.

5.—Female apprenticed labourers in a state of pregnancy should not be committed to gaol for offences against ordinance, No. 43.

6.—Female apprenticed labourers who are sentenced to the tread-mill in gaol should not be compelled to put on their working dress, nor indeed to work on the mill, in presence of the male prisoners condemned to the same punishment.

7.—The right of the negro to the possession of his hut should be clearly stated, together with the right of his relations and friends to have access to him, agreeably to Lord Glenelg's despatch to Sir E. Murray M'Gregor, Baronet, dated 28 July 1835.

8.—The right of non-prædials who have been wrongly classified to have their registration revised should be decided judicially by the chief justice, as in the case of *Betsey v. Leid Grenada*. The decision of the Government on the subject will be found in Par. Pap. part 3.

9.—The appointment of magistrates, &c. as headboroughs, and their creatures as constables, is open to serious objection, and has been attended with great abuse.

10.—Regulations are necessary to enforce the performance of the duties incumbent on justices of the peace, headboroughs and constables.

11.—There ought to be penalties against persons guilty of contempt of court in the case of special justices.

12.—Clerks of the peace are much wanted in each district, who would be both a relief and a check on the special justices.

13.—The number of negro houses on the plantations actually in cultivation in the colony should be ascertained.

14.—Places of temporary refuge should be found for apprenticed labourers and indented servants when driven from their masters' yards, or are in need of medical treatment.

15.—Measures should be taken to secure a provision for aged, infirm and diseased negroes at the termination of their apprenticeship.

REMARKS.

5.—Female apprenticed labourers in a state of pregnancy are prohibited from being put on the tread-mill, or being compelled to perform hard labour. I cannot however go the length that Mr. Scoble proposes, namely, that a female apprenticed labourer in a state of pregnancy is not to be committed to prison for any offence she may commit against any of the enactments of ordinance, No. 43.

6.—Female apprenticed labourers sentenced to the tread-mill do not put on their gaol dresses in presence of the male prisoners. They have a distinct room to themselves. To prevent, however, the possibility of any indelicacy taking place, the sheriff has been directed never to allow female prisoners hereafter to be placed upon the tread-mill at the same time with prisoners of the other sex.

7.—I should not anticipate any practical good from the discussions which could not but arise if this suggestion was acted upon. Few, if any, inconveniences are found to arise from the present state of the law, and the general understanding which prevails throughout the colony upon this subject. After the 1st of August 1840 the house of the labourer will be held by him on as firm a tenure as that by which any cottager in England has possession of his dwelling. I think it rather advisable to avoid defining too scrupulously rights and privileges which will so shortly find their level.

8.—I concur decidedly in the propriety of this suggestion. I beg to refer to the 6th paragraph of my despatch to your Lordship, of the 15th November 1835, No. 79, upon the subject. It is my intention early next spring to introduce an ordinance, extending the power of the judges of the supreme court, so as to allow them some additional months for the correction of erroneous registration.

9.—The appointment of headboroughs and constables are made by the special justices in their several districts. I do not see how, in the absence of any police, we could do without them. If any headborough abuses his authority, and such abuse is made known to me, of course he would be removed.

10.—I know not what further regulations are required than those contained in the several ordinances.

11.—The special justice can of course commit for contempt of court. I do not see what further is required.

12.—I agree to the propriety of this suggestion. I have more than once suggested the idea of clerks of the peace being appointed for each of the three districts into which the colony is divided. It is, however, necessary that not only the members of the court of policy, but also the financial representatives, should concur in the propriety of such appointments before they would sanction the expense.

13.—The number of negro-houses upon the several estates is already well known. There is hardly an estate in this colony, out of debt, on which new and superior cottages to those formerly in use are not now being built.

14.—This suggestion is quite unnecessary; apprenticed labourers and indented servants are supplied with medical treatment by their employers. It is in contemplation to establish dispensaries for the relief of such indigent sick as hereafter may have no claim upon their employers.

15.—This suggestion would, at any rate, of course have been a matter of consideration and arrangement after the 1st August 1840; at present it is unnecessary. It will not be forgotten.

16. Sick

Vide Papers relative to the Abolition of Slavery, 1833-5, part 2, p. 133.

SUGGESTIONS.

16.—Sick-houses should be kept unlocked during the day.

17.—Apprenticed labourers about to be brought before the special justice should have due notice of the charges to be preferred against them by their employers; and be allowed to take witnesses for their defence with them.

18.—Special justices should not be allowed to pass conditional sentences on apprenticed labourers.

19.—No apprenticed labourer should be brought before a special justice, except upon summons duly issued.

20.—Steps should be taken to supply the apprenticed labourers with a sufficient supply of food.

21.—The circumstances of the apprenticed labourers at the wood-cutting establishments should be inquired into, destitute as they are both of the protection of the special justices and the aid of medical practitioners.

22.—The gaol surgeon should not be permitted to supply the patients under his care either with medicine or food.

23.—It is desirable that there should be uniformity in the administration of the Abolition Law by the special justices.

24.—Above all, there should be a superintending special justice, whose business it should be to visit each district, to attend to special cases, &c.

REMARKS.

16.—I differ with this suggestion. The sick-houses should be locked or opened according to circumstances. The arrangement at present is in the hands of the special justice, and to him it may safely be confided.

17.—The latter part of this suggestion is a truism which nobody can deny, and which, I hope, in no case has been overlooked by any special justice. With respect to due notice of the charges against them, Mr. Scoble ought to define what he means by due notice. If he requires further notice than that given by the delivery of the summons, I disagree with him. The ordinance, No. 43 (ch. 2, s. 819), is sufficiently clear upon these points. If in any case they have not been attended to, the special justice proceeding irregularly to convict an offender, of course has laid himself open to severe censure. I am not, however, aware of any such erroneous conduct. The records transmitted to the office of the Government Secretary, on the contrary, show, generally, evidence of the several enactments having been carefully complied with.

18.—I cannot agree to this suggestion. I think a special justice who sentences an offender to so many hours of extra work, but leaves an authority with the manager of that estate not to enforce the whole of the sentence, provided the labourer conducts himself more to his satisfaction, and expresses sorrow for his offence, cannot be said to act contrary to the interests of the apprenticed labourer. I should be sorry to see conditional sentences of such a nature done away with.

19.—This suggestion is already met and provided for in ordinance 43.

20.—My letter of the 29th April to Messrs. M^rTurk, Lane and Fullarton, a copy of which was forwarded to your Lordship in despatch of the 29th April 1837, No. 310, will show that I have not been inattentive to this very important subject.

21.—Local circumstances, of course, prevent the apprenticed labourers employed upon remote wood-cutting establishments from being so carefully looked after as those who form a more dense population. Reference, however, to the registrar's returns during the period of slavery will show that the mortality amongst labourers so situated was less than on other establishments. In a Bill now before the court of policy, providing for the superintendence of the rivers and creeks of this colony, I have proposed arrangements which will lessen the force of Mr. Scoble's remark.

22.—This objection is good in theory; in practice, however, it is not very important, inasmuch as the daily average number of patients does not exceed five, for each of whom the gaol surgeon receives an allowance of one guilder per diem. His total receipts for the year 1836 amounted to 287*l.* sterling.

23.—It is hardly to be expected that 15 gentlemen, taken from various professions, and having received different educations, should adopt the same views in administering the details of the ordinance for the government of the apprenticed labourers. If the special justices in British Guiana err, it is not for want of detailed instructions and detailed information upon every point connected with their duty having been repeatedly and earnestly communicated to them.

24.—If this suggestion had been made at the commencement of the operation of the apprentice labour system, I, for one, should probably have deemed it advisable. Now, however, that more than one-half of the period of the apprenticeship has passed away, that the information which such a superintending officer might usefully, at first, have imparted to the executive government has been acquired in the course of its experience of the working of the system, I think that the danger

BRITISH GUIANA.

SUGGESTIONS.

REMARKS.

25.—There ought to be a medical board to inspect the sick-houses, and to frame rules for their government.

danger of lessening the authority of the special justices in the eyes of both employer and labourer is not counterbalanced by the presumed advantage of a new office, requiring a special law for its creation.

25.—A superintending medical man would have been a useful officer, had such an appointment been made at the commencement of the system. I am disposed, however, so far to concur in this and the preceding suggestion, as to turn over in my mind the propriety of sending occasionally commissioners to the more remote districts, for the purpose of inspecting and reporting upon the state of the peasantry, and the administration of the laws affecting them. If, after well weighing the subject, I should deem it advisable to send such commissioners, I shall have the honour to report to your Lordship accordingly.

8 August 1837.

(signed) *J. Carmichael Smyth.*

(B.)

(B.)

EXTRACTS from a LETTER addressed on the 16th June 1837, by *John Scoble, Esq.*, to the Honourable *Henry Young*, Government Secretary; together with REMARKS by Major-general Sir *James Carmichael Smyth, Bart.*, Governor of British Guiana.

EXTRACTS.

1.—SEVERAL cases of sudden death, or death resulting from want of medical treatment, have come under my notice since I came to the colony, on which no inquests have been held.

2.—The mortality among the free children in British Guiana has been very great since the 1st August 1834. It is a matter of the first moment that these little ones should be cared for; and not left to the mercies of men alike destitute of justice and humanity.

3.—A short time since I found four women in gaol, committed by special justice Lyons, for contumaciously refusing to do the work given them, from the 10th to the 17th May. Rebecca appeared to be eight months, Madeline and Matilda seven months, and Europa six months advanced in pregnancy. They belonged to *Vryheid's Lust*. They stated that the work given them was entirely beyond their strength; they appeared to have suffered much from their confinement. They were sentenced to gaol for 14 days.

4.—Sometimes pregnant women have been sentenced to, and worked on, the mill.

5.—I have seen the women in tears when they have been compelled to undress in the room appropriated to them for that purpose in the mill. Their room is open to the inspection of the men.

6.—Instances are continually occurring of the interposition of managers to prevent relations and friends from visiting each other. A short time since two men, who have wives, on plantation *Arcadia* (Mr. Mackinnon, manager), were both assaulted by him, his overseer and a constable, and finally locked up in the sick-house for the night. It appears next morning they went and complained to

Captain

REMARKS.

1.—All cases of sudden death ought, under the ordinance establishing coroners, to be reported to the nearest justice of the peace. If any sudden death has not been so reported, if the particulars are made known to me, the Attorney-general shall be directed to prosecute for the penalty.

2.—I have already had the honour of drawing the attention of the Secretary of State to this subject.

3.—The explanation of special justice Lyons, relative to the four women alluded to in this paragraph, will be found attached to this document, under letter (A.), and I feel it due to that officer to add, that to me it is perfectly satisfactory.

4.—If pregnant women have been so sentenced, it has been done contrary to regulation. To prevent, however, all misconceptions upon this subject, I have issued an order to the respective sheriffs and gaol-keepers, never to place a female, under any circumstances, upon the treadmill.

5.—The high sheriff, as also the gaoler, deny the accuracy of that part of this statement which has reference to the apartments of the women being open to the inspection of the men: *vide* Enclosure (B.) From my own personal knowledge of the gaol, I agree with the high sheriff and the gaoler.

6.—The cases here alluded to have been referred to special justice *Delafons* for investigation. His report will be found attached under letter (C.)

7.—I beg

EXTRACTS.

REMARKS.

Captain Delafons, who told them the manager had a right to prevent their going on the estate if he chose: whether any redress has been afforded these men, I am not able to say.

7.—The circumstances of those negroes who ought to have been registered non-prædials, in consequence of their having heretofore been employed in domestic offices, certainly requires instant attention; not only are they liable, under their present circumstances, to serve two years more than their appointed time, but they can be sent into the field to satisfy the caprice of a house-keeper, or the whim of a manager; and if to avoid that, to them degrading and painful alternative, they seek to purchase the residue of their apprenticeship, they are compelled to pay double or treble their actual value.

8.—Only such managers as are known to be just and humane should be appointed headboroughs.

9.—Go in whatever direction you please, you will generally find the negro-huts in a most wretched state; the married and the unmarried crowded together, whole families occupying single apartments; many without houses, and obliged to shift for themselves. On some estates, the labourers have actually been, for several years, without accommodation. A man from Sage Pond complained, in my presence, as well as that of his manager, that he had been destitute of a hut for years; that he had complained again and again to the manager about it, without effect; that he had left the estate in consequence of it, and had been flogged twice by Captain Delafons; that he had told Captain Delafons the cause of his leaving the estate, and that nothing whatever had been done to redress the grievance; that many others were in similar circumstances with himself; and that the general character of the huts was most wretched.

10.—On the larger estates, such as the Kitty and La Penitence, the huts are crowded, every room being occupied; the married people have no privacy, and the younger people are allowed, too frequently, to herd together to the great deterioration of their morals; on Le Repentir, in one hut, may be found two families, consisting of 11 people, and one old man. The accommodation of the negroes is very bad; Mr. Arrindell himself told me it would cost 1,200*l.* or 1,400*l.* to put them to rights; and that, being only the renter of the estate for a limited time, he would not go to that expense.

11.—I am informed that Mr. Arrindell has contracted to cleanse the Lamaha canal, thus making the people a job-gang; the women are, at present, at work in it; and the men are to follow them in a short time; the people are suffering much from this arrangement, and are likely to suffer more before it is finished.

12.—The number of aged, infirm and diseased negroes, including lepers, is very great, much larger, indeed, than is generally supposed; something must be done for these poor creatures or they will starve and perish.

154.—II.

7.—I beg to refer to my despatch of the 15th November 1835, No. 79, the 6th paragraph of which is upon this subject. It is my intention, early in the spring of next year, to bring forward, in the court of policy, an ordinance, empowering the judges of the court to rectify erroneous registrations within a limited period.

8.—The appointment of headboroughs and constables is with the special justices. If they misconduct themselves, they are of course liable to be removed from office.

9.—I deny the correctness of the general assertion; very many of the negro-houses are as comfortable and in as good order as could be desired. There is a general spirit of improvement prevailing at this moment; and the advertisements in the newspapers will show that the proprietors are, very generally, incurring considerable expense in building detached cottages, in lieu of the long ranges of buildings formerly constructed. With reference to the case stated to have occurred at plantation Sage Pond, the report of special justice Delafons will be found under letter (D.) The conduct of the special justice, in flogging the man in question, I much disapprove of; but I myself saw the apartment at Sage Pond, which was stated to be his, and do not conceive that he, as a single man, had any cause to complain.

10.—Having referred this statement to the proper authorities, I subjoin their reports, under letters (E.), (F.) and (G.) The evils complained of are in progress of being remedied.

11.—Subjoined, under letter (H.), is the report of the special justice of the district.

12.—This is a matter for future arrangement, which it may fairly be presumed will not be overlooked in framing the laws for the government of the labouring population for the period after the 1st August 1840.

13.—This

EXTRACTS.

13.—The apprenticed labourers are brought without any previous intimation before the special justice; the charge then preferred is sustained by the evidence of the manager, overseer or driver; no witnesses are called for the defence; and after the usual "What have you got to say for yourself?" the accused is convicted and punished. The proceedings before the special justice are too frequently a mere mockery of justice. The apprentices feel it to be so; and sullenly submit to that which appears inevitable.

14.—Conditional sentences are clearly illegal; they place a power in the employer's hands which he wields with tremendous severity. Mr. Kellock is said to be famous for these sentences, and other acts of his, which are equally illegal; such as the infliction of pecuniary fines, giving the medical men authority to lock sore-foot people in the stocks, &c. &c. These things have given him high repute with the planters in his district; one of them has built a house on Leguan expressly for his accommodation; and others have subscribed and purchased him a boat; and have further determined to supply him with two men, at a cost of about 70 joes per annum. A friend of mine has seen the list of subscribers, and the proportions that they have consented to pay.

15.—I do not believe there are 50 estates in British Guiana where the people get their full allowance of plantains and salt fish. About two-thirds of the quantity is as much as they get on most plantations; and on some, scarcely more than one-half! When rice or corn-meal is substituted for plantains, it does not last them more than half of the week. If it be inquired how they support themselves under these circumstances, the reply is, that they go to the neighbouring estates, and beg of those who are better off than themselves; and that failing them, they pilfer. This I have had from their own lips, in different parts of the colony.

16.—There are, I believe, 70 or 80 establishments up the Demerara river alone, on which there are a large number of apprenticed labourers destitute of religious instruction, magisterial protection and medical advice. It would be well if some gentlemen, in whom confidence could be placed, were commissioned to visit these establishments, and report upon them. If this were done, I think sufficient reason would be discovered to prevent any more grants of land for the purposes of such establishments; unless the parties would guarantee that none but free persons should be employed thereon.

REMARKS.

13.—This is a most erroneous representation of the proceedings of the special justices. Although I have had, occasionally, reason to be much dissatisfied with several individual magistrates, yet I cannot agree in the propriety of such a sweeping condemnation of them as a body.

14.—Mr. Kellock is one of the very best of my special justices. The boat said to have been subscribed for and purchased for him, I myself purchased and paid for out of the King's chest (as per receipt annexed, under letter I.), to enable him to visit the different islands of which his district is composed. I have already given my opinion of conditional sentences, and which I here repeat: the hire of a boat's crew for the service of the special justice is defrayed by a small assessment on the plantations of his district. It was discussed in the combined court, whether this item of expense should be defrayed out of the general revenue, or be allowed to continue as a charge upon the proprietors of the district. It was the opinion of the court that the present arrangement should continue. The special justice neither receives the money nor pays the people. The crew are provided for him.

15.—On estates where salt fish and plantains are issued, I am of opinion that the labourers are perfectly well fed. I agree that the existing allowance of rice or corn-meal, when substituted for plantains, is not sufficient. I beg to refer to my despatches of the 23d and 29th April, Nos. 304 and 310,* upon the subject.

* *Vide* Nos. 115 & 116.

16.—From the last estate to the residence of the postholder, there are—

- 2 Justices of the peace.
- 2 Medical men.
- 2 Catechists.
- 1 Clergyman.
- 984 } Labourers, males and females.
- 797 }

It would therefore appear that the 1,781 apprenticed labourers located at the different wood-cutting establishments up the Demerara river, if not so well supplied with medical advice as could be wished—if not so fully under magisterial protection as might be advisable—if not so amply provided with religious instruction as would be desirable, are nevertheless not so completely destitute in those essential particulars as represented by Mr. Scoble.

8 August 1837.

(signed) J. Carmichael Smyth.

LIST of ENCLOSURES to accompany these REMARKS.

BRITISH GUIANA.

- (A.)—Report from Special Justice Lyons, respecting the Imprisonment of four Women in gaol, belonging to Plantation Vryheid's Lust.
- (B.)—Letter from the High Sheriff, and Enclosures relative to the Apartment for the Women, when preparing for the Treadmill, not being open to the inspection of the Men.
- (C.)—Report from Special Justice Delafons, relative to two Labourers not being permitted to visit their Wives, located on Plantation Arcadia.
- (D.)—Report of Special Justice Delafons, relative to a Labourer belonging to Plantation Sage Pond, having been twice flogged by his authority, for leaving the estate.
- (E.), (F.), (G.)—Reports relative to the accommodation for the Apprenticed Labourers on the Plantations Kitty, La Penitence, and La Repentir.
- (H.)—Report of Special Justice Allen, relative to the employment of the Labourers belonging to La Repentir, in cleaning out the Lahama Canal.
- (I.)—Copy of the Receipt for the Purchase-money of a Boat, for the service of Special Justice Kellock.

8 August 1837.

(signed) *J. Carmichael Smyth.*

(A.)

Sir,

District B., 29 July 1837.

I HAVE the honour to report, for the information of his Excellency the Governor, on the subject of four pregnant women, Rebecca, Europa, Matilda, Madeline, apprenticed labourers, attached to plantation Vryheid's Lust.

I have, &c.

Hon. *H. E. F. Young*, Gov. Sec.
&c. &c. &c.

(signed) *A. W. Lyons*, S. J. P.

REPORT.

THE apprenticed labourers, Rebecca, Europa, Matilda, Madeline, were brought before me the 17th May, and charged by J. H. Haly, manager of plantation Vryheid's Lust, with contumaciously refusing to do any work; to which charge they, the said labourers attached to plantation Vryheid's Lust, pleaded guilty, that they were pregnant and unable to work.

I told them they must do a little work, as it was better for them than to sit down in their houses; they said no, they would do no work. I then said, if you will try and do a little work about the yard, and which is all the work the manager wishes you to perform, in weeding about his house with a hoe, and only do what you are able, if you will promise me this, I will not punish you; I know you are able to do this, because I have seen you go to George Town with a large tray of yams and other things on your hours on Saturdays, and you refuse to do any thing for your employer. I argued with them in this way some time, but I found all remonstrance vain; they were determined not to do any thing; and under these circumstances, I sentenced them to two weeks' confinement in the colony gaol. Rebecca, who appeared to his Excellency's informant eight months with child on the 18th May, is not yet confined, the 29th July.

(signed) *A. W. Lyons*, S. J. P.

(B.)

Sir,

High Sheriff's Office, 20 June 1837.

IN reply to your letter of the 17th instant, I have the honour to state, for the information of his Excellency the Governor, that I lost no time in calling on Mr. Horan, the keeper of his Majesty's gaol in George Town, to report on the statement made to his Excellency, viz:—

- 1st.—That the room appropriated to the women at the treadmill, and in which they change their dresses, is open to the inspection of the men, and,
- 2d.—That the men are worked with the women.

I have now the honour to lay over Mr. Horan's reply, to which I beg to refer his Excellency.

With respect to the first point, I can fully vouch for the correctness of Mr. Horan's statement, and further, that from the position of the door of the women's room with respect to the men's room, they cannot see into that room when the door is open.

On the second point, I believe the orders which I gave to Mr. Horan, not to allow the women to be taken to the mill-house until the men had finished their spells, and been removed back to their respective wards, have been, with the exceptions stated by Mr. Horan, attended to; yet to prevent any mistakes or misconceptions in future, I have now directed that, under no circumstances whatever, are the women to be taken to the mill until the men are removed back to their wards, so long as the present mill-house is made use of; as soon as the new building in the gaol is finished, and the mill removed into the compartment allotted to it, the separation of the classes will be more complete than could be in the present buildings.

I have, &c.

The Hon. *H. E. F. Young*, Gov. Sec.
&c. &c. &c.

(signed) *George Bagot.*

BRITISH GUIANA.

Sir,

Demerara, Colonial Gaol, 20 June 1837.

I BEG leave to state, in reply to your honour's letter of the 19th instant, and for the information of his Excellency the Governor, that the room appropriated to the women at the treadmill is not open to the inspection of the men, it being close boarded in, and the door and window opening in directions that could not possibly afford an opportunity for such inspection; neither are the women, under any circumstances, compelled or allowed to undress in a room open to the inspection of the men. The women have, for the last two years, been worked on the treadmill by themselves, and never taken there until after the men had been removed from the mill-house, with the exception of two or three times, when the number of women condemned to be worked on the treadmill did not exceed three or four, which number was insufficient of themselves to work the mill, and they were, under these circumstances, worked on one end of the wheel of the mill, and a sufficient number of men placed on the other end to make up the spell; whenever there was any other employment coming under the denomination of hard labour in the gaol, I have, under such circumstances as the latter, employed the women in it in preference. In short, from the strict injunctions that your honour gave me immediately after his Excellency was pleased to appoint me to this office in November 1833, to carefully guard against the male and female prisoners having any communication with each other that could possibly be prevented, and convinced as I was of the moral propriety and necessity of such attention, I beg to assure your honour that I have made it a paramount duty to enforce this salutary regulation to the utmost.

From the great influx of female prisoners condemned to the treadmill in the latter part of 1834 and the beginning of 1835, we were, during those periods, necessitated to work them separate from the males; and in June 1835, your honour directed that the old practice of taking the males and females together to the mill-house was to be discontinued, unless the number of females were insufficient of themselves to work the mill. The inspection of the treadmill rooms will convince your honour of the correctness of my explanation respecting them, if their situation be not fresh in your recollection from your former numerous instructions.

To his Honour George Bagot,
High Sheriff of British Guiana, &c. &c. &c.

I have, &c.
(signed) P. Horan, Keeper.

(C.)

Sir,

30 July 1837, Hague.

I HAVE to acknowledge the receipt of your letter of the 28th instant, with an extract from a statement made respecting husbands being prevented from visiting their wives on plantation Arcadia, and have the honour to acquaint you, for the information of his Excellency the Governor, that on the 21st March 1837, a complaint was made to me by Wren, an apprenticed labourer on plantation Profit, and June, an apprenticed labourer on plantation Henry, against Mr. M'Kinnon, the manager of plantation Mocha and Arcadia, for beating, throwing into the trench and confining Wren on the night of the 20th March, and for having confined June on the same night, and liberating him the next morning at six A. M., they having both gone to plantation Arcadia to see their wives.

I made a very strict and particular inquiry into both their complaints, and found June was the first aggressor; as, when he passed Mr. M'Kinnon going into plantation Arcadia, Mr. M'Kinnon inquired, "Who is that?" June made answer, "What is that to you? are you deaner of the canal, to be asking people who they are?" June acknowledged he knew it was Mr. M'Kinnon who made the inquiry. Now it was proved he had before been insulted when in his house by individuals belonging to other estates going to visit the apprenticed labourers on plantation Arcadia, but not knowing whom it was, Mr. M'Kinnon followed June to the negro-houses, and desired him to begone from the estate, as he did not belong to it, it being then near nine P. M. June said he would not go; a constable was called to turn him away, when he again said he would not go, but would rather be locked up, for that he had as much right there as Mr. M'Kinnon, and would come in defiance of them all. When taken to the hospital, he was again told to leave the estate, but would not, and Mr. M'Kinnon, seeing he had been so very impudent, and continuing so, confined him until the next morning, at six A. M. I dismissed this complaint of June's, because he was altogether behaving in an improper and unbecoming manner, and because he acknowledged he had never before been interrupted seeing his wife, and as it was proved he had been insolent and was not sober, it was not to be wondered he should be ordered away from an estate to which he did not belong.

I found the complaint of Wren's every way false and improper; he had commenced abusing and collared Pompey (who had confined June by order of Mr. M'Kinnon), and he struck him three different times before they told Mr. M'Kinnon, and created and caused such a riot in the negro-yard, that the manager, overseer and the constables were obliged to attend; Wren's wife, hearing the manager calling for Wren, pushed him into her house and secured the door, which the manager opened, and took Wren, and he was repeatedly desired to quit the estate; but Wren called Mr. M'Kinnon a d—d ————, was extremely rude and insolent, and did not appear to be sober; he was placed in the hospital, but he twice leaped from the middle of a plank into the trench; neither June nor Wren were ever struck, although they both resisted the constable taking them to the hospital.

I dismissed

I dismissed Wren's complaint, as it was clearly proved Mr. M'Kinnon had done no more than his duty, when finding a person not belonging to the estate creating a riot in the negro-yard, fighting and abusing the man who had done his duty as constable at near ten at night.

I told both June and Wren that as they had been married so long, without any molestation in their visiting their wives, it was their bounden duty to behave peaceably and orderly, but if they did not, Mr. M'Kinnon was justified in forbidding their coming on plantation Arcadia.

To H. E. F. Young, Esq. Gov. Sec.
&c. &c. &c.

I have, &c.
(signed) *Thomas Delafons, s. J. P.*

(D.)

Sir,

23 June 1837.

YOUR letter, dated 17th instant, I received on the evening of the 20th instant, and having been in District E. from the morning of the 21st until this day, I had not an earlier opportunity of making the necessary inquiry into the alleged complaint from plantation Sage Pond than this day at noon.

As no name of the complainant is given, neither any dates as to the punishments by flogging said to be inflicted by my order, of course I was obliged to refer to my record, and there find, that from August 1, 1836, to the 31st of March 1837, I had sentenced and seen three punishments by flogging on plantation Providence; those dates including my having taken and resigned the situation of magistrate on that estate. Of the three said punishments, two were inflicted upon a man named Petro, of plantation Sage Pond; the first on the 29th August, for desertion from the 8th to the 25th August 1836, to which charge he pleaded guilty: he had hired himself to the slaughter-house in town when he was apprehended. The second punishment of Petro was on the 7th September 1836, for absconding from plantation Sage Pond from the 3d to the 5th September 1836, then under sentence to be confined after work for ten nights, commencing on the 29th August. It was then proved he was apprehended in a punt, where he had hired himself, going out of the canal, called Seward and Davison's, and the punt was about to proceed to receive a load of shell-stuff for the roads. To this charge he pleaded guilty; but said he had not received any thing to eat when he absconded. It was proved Mr. Symes, the manager of Sage Pond, and deputy manager of plantation Providence, had provided a cook to prepare the breakfast for Petro before he went to work, and likewise to prepare his dinner after he had finished his work in the field. Petro on both trials was declared to be continually absconding from the estate and his work; it had repeatedly been done by him; he had been threatened to be brought before the magistrate repeatedly. He never, directly nor indirectly, made any declaration upon either trial of having complained to the manager of being without a house, and he never uttered one syllable of the kind to me, as a magistrate, nor did any others until November 10, when an apprenticed labourer, named George Charles, of plantation Sage Pond, was complained of, and who stated he had not any house. The complaint against him was not attended to, and the manager, Mr. Shaw, directed to inquire into that of the man. On the 15th November I ascertained George Charles had a house at plantation Sage Pond, and that for a very long time. The circumstance of the houses requiring repairs was never named until February or March 1837, when troubles and other requisites were sent for to repair them; but I distinctly declare, as can be proved (should other proof be deemed requisite), that the man who was twice punished by me, viz. Petro, never uttered a word when tried that he had been destitute of a house, and which cause had induced him to abscond from the estate.

I must, therefore, pronounce the complaint as false and wicked.

In justice to myself, I have to request his Excellency the Governor may be pleased to give me the name of the individual who lodged the statement of the labourer of plantation Sage Pond having complained to his manager without effect, again and again, of being for years destitute of a house, and he had told me it was the cause of his leaving the estate, and that nothing had been done by me to redress the grievance.

To H. E. F. Young, Esq., Gov. Sec.
&c. &c. &c.

I have, &c.
(signed) *Tho. Delafons, s. J. P.*

Sir,

2 July 1837.

I HAD yesterday, at five P. M. the honour to receive your letter of the 27th ultimo, containing his Excellency the Governor's directions that I should report whether or not Petro, an apprenticed labourer on plantation Sage Pond, had a house on the estate at the time he was punished by me for desertion, viz. August 29th, and September 7th, 1836, and whether he had one previous to my appointment to District E.

I positively declare that Petro never made known to me at any time whether or not he had a house on plantation Sage Pond; and in consequence I wrote to Mr. Alexander Shaw, manager of plantation Providence and Sage Pond, this day, requesting he would inform me whether Petro had a house on plantation Sage Pond at the time he had been so punished, and whether he had one previous to my appointment to District E., a copy of whose letter in reply I transmit.

To H. E. F. Young, Esq., Gov. Sec.
&c. &c. &c.

I have, &c.
(signed) *Thos. Delafons, s. J. P.*

BRITISH GUIANA.

Sir,

Providence, 2 July 1837.

IN answer to your favour of this day, I beg leave to state positively that the man Petro had a share of a house with his sister in August and September last; and further, that he never made any complaint on that subject until after the death of Captain Johnston, when there were several new houses erected; he then made a demand for one of them; but as others of the apprenticed labourers were more in want of houses than he, his request at that time was not complied with. He, however, since has been supplied with one in the old range; but this he refuses to accept of, and is at present and has been absconded for the last month, and is under a warrant of apprehension, which he is often in the habit of doing without any reasonable cause.

I remain, &c.
(signed) A. Shaw.

(E.)

EXTRACT from a LETTER from Special Justice *Allen* dated District C.,
Pl. Peter's Hall, 27 June 1837.

Sir,

IN reference to your letter of the 17th instant (received 23d), I have the honour to report that yesterday I visited plantations "La Penitence" and "Le Repentir," and made as minute an inspection of the negro habitations there as circumstances would permit.

On "La Penitence" I found many of the houses very much crowded, in one case six persons of different sexes lying in one room on the floor, and in two other instances, five persons so circumstanced.

Eleven people were without any location at all, lodging where they could; the majority of the labourers without bedsteads or boards to sleep on, and several of the dwellings leaky, or otherwise out of repair.

It was very evident that little attention had been paid to the wants or welfare of the apprenticed labourers of this estate.

The manager who accompanied me appeared sensible of the evils described, and has promised to use all diligence to remedy them; but a considerable period must elapse before the several arrangements proposed for this purpose can be effected.

The buildings on "Le Repentir" are in a shameful state of dilapidation, the roofs throughout leaking in every part. The space is far too limited for the number of persons it is destined to accommodate.

I found eleven persons (as stated to his Excellency) in one house, consisting of two rooms and a hall, five of them being lodged in the room below, and six lying on the floor up-stairs. The old man alluded to had been sent as a watchman to the back dam.

In another place of the same dimensions, five of different sexes were up-stairs and three below, and as one had a husband and another a wife, who slept there from other estates, ten persons, all apprenticed labourers, were lodged in these two rooms; the whole on the ground or floor.

In a third place there were seven individuals, including a child.

More than half the people had neither bedsteads (nor boards in lieu) to sleep on.

Six persons had no house at all; one of them (a man) living in the hospital.

The manager of Le Repentir deprecates very much the state of the houses, and the wretchedness of the labourers in consequence; he seems likewise anxious to correct this state of things, as will be seen from the following extract of a letter, dated the 24th instant, which he addressed to me in reply to some queries I had made him relative to the estate, viz.

"The labourers have made several complaints to me about their houses, &c. which I am aware are much in want of repair, and I have as often represented the same to Mr. Arrindell, the lessee of the estate, who informed me this morning that he has petitioned the court of justice on the subject. I trust, therefore, that we shall shortly be enabled to put the buildings in repair, and that the labourers will have no further occasion to complain."

(A true extract.)

(signed) W. B. Wolseley,
Assistant Government Secretary.

The Hon. H. E. F. Young,
Gov. Sec. &c. &c. &c.

(F.)

Gentlemen,

Government Secretary's Office, Demerara, 6 July 1837.

I HAVE the honour to forward to you, by the Governor's desire, the accompanying official report upon the lodging afforded to the labourers on plantation "Le Repentir."

I have, &c.

To M. J. Retemeyer, Esq.
J. C. Schade, Esq.

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

(A true copy.)

(signed) W. B. Wolseley,
Assist. Gov. Sec.

(G.)

Sir,

George Town, 31 July 1837.

WE regret that differences have arisen between Mr. Albouy, the lessee of plantation Le Repentir up to the 28th February last, whereby the repairs to the negro-houses on said estate have been retarded. On said day these houses were inspected by Colin Simson, Esq., and the required repairs pointed out by that gentleman to Captain Warren, the attorney of Mr. Albouy, who has until now neglected to have these repairs effected, and in consequence whereof, we have already applied to the court of justice for an authorization to institute law proceedings.

On the 1st March, Mr. Arrindell took over the estate as lessee, and has informed us on the subject, which shall have our consideration, and we beg to assure you hereby, that the repairs will be commenced as soon as possible.

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

We remain, &c.

(signed) *M. J. Retemeyer,*
for self, *J. C. Schade.*

(H.)

EXTRACT from a LETTER from Special Justice *Allen*, addressed to the Honourable *H. E. F. Young*, Government Secretary, dated District C., 27 June 1837.

It appears that Mr. Arrindell has contracted to clear the Lamaha canal, and to keep it clean, &c.

The women have already been employed there about five weeks, and will finish, for the present, in a few days longer. In about three months, they are to commence again from Haagschiebosch upwards.

I spoke to all those whom I could immediately assemble on this subject, and clearly explained that the work was optional on their part.

They expressed themselves as satisfied with it until latterly, when they had to walk so far (about 1½ hours to the scene of labour. The able women receive two bits, and the weekly 1½ bits daily, and it seems they get home in good time, from three to four o'clock, to their houses. I fancy they will continue in the voluntary performance of the work in question during the few days which remain of the job now in hand.

(A true extract.)

(signed) *W. B. Wolseley,*
Assist. Gov. Sec.

No. 107.

(I.)

£. 23 sterling, at f. 14.—f. 322.

Sir,

King's House, 31st day of December 1834.

You are hereby required to pay from his Majesty's chest, under your charge, to Messrs. Alexander Glen & Co. for the purchase of a boat for use of Chairman, District F., the sum of Twenty-three Pounds sterling, due to them for services rendered, as per annexed account; and for the payment of which you will take the necessary receipts.

I have the honour to be, Sir,

Your obedient servant,

To M. J. Retemeyer, Esq.
His Majesty's Colonial Receiver-general.

(signed) *J. Carmichael Smyth.*

George Town, January 12th, 1835,
Received payment,
A. Glen & Co.
Per *J. H. Heulings.*

No. 21

f. 257.

Sir,

Guiana Public Buildings, 24th day of August 1835.

You are hereby required to pay from his Majesty's chest, under your charge, to George Kellock, stipendiary justice, the sum of Two hundred and fifty-seven Guilders, due to him for services rendered, as per annexed account; and for the payment of which you will take the necessary receipts.

I have the honour to be, Sir,

Your obedient servant,

To M. J. Retemeyer, Esq.
His Majesty's Colonial Receiver-general.

(signed) *J. Carmichael Smyth.*

Signed for Receipt,
Geo. Kellock.

(A true copy.)

(signed) *M. J. Retemeyer,*
Colonial Receiver-general.

BRITISH GUIANA.

Government, British Guiana, Dr. to *George Kellock*, s. j. p.

For the following sums paid by him in erecting a boat-house, for the boat furnished by Government for official duties, and which was absolutely necessary to preserve the boat :

| | |
|--|------------|
| Paid Wessel for posts, spars and rods - - - - - | f. 70 - - |
| For troulies to cover roof and side - - - - - | 66 - - |
| For labour in transporting materials and putting up house - - - - - | 77 - - |
| Glen & Co. for four blocks to hoist up the boat, rope, &c. &c. - - - - - | 44 - - |
| | f. 257 - - |

Wakenaam, 14 August 1835.

(signed)

Geo. Kellock, s. j. p.
District F.

(A true copy.)

(signed) *M. J. Retemeyer*,
Colonial Receiver-general.

—No. 113.—

(No. 367.)

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

No. 113.

My Lord,

Camp House, Demerara, 14 August 1837.

MR. SCOBLE having, upon the eve of his departure from this colony, transmitted to the Government Secretary, Mr. Young, a series of notes upon the letter of the 31st March 1837, addressed to him, by my desire, explaining the erroneous views he had taken of various matters in this colony (a copy of which was laid before your Lordship in my despatch of the 7th April, No. 300), I felt it incumbent upon me to direct a further investigation to be made in the several transactions of which the accounts, as submitted to me, were so completely at variance with the statements made to me by Mr. Scoble. I pass by all Mr. Scoble's general reflections and remarks, and attach myself only to those facts, upon the accuracy of which all his reasoning must depend.

The first fact asserted by Mr. Scoble, in his series of notes, is, that on plantations Providence, Overwinning and Lonsdale (in the district of Berbice), all the property of Mr. Henry, the women are overworked. Mr. Scoble further states, that he cannot omit the mention of two disgraceful facts, namely, the refusal of Mr. Chisholm to allow any assistance to two women either during or subsequent to their confinement. They had none (says Mr. Scoble) to care for or to attend to them.

(A.)

Under letter (A.) I submit the report of special justice M'Leod, supported by various documents denying the accuracy of the foregoing statements as made by Mr. Scoble.

Mr. Scoble says that he meant Belle Vne, and not Malgré Tout, as the estate upon which the women were overworked. The denial of the special justice having charge of Belle Vue, and the denial of the special justice having charge of Malgré Tout, are, however, both forwarded under (B. 1.) and (B. 2.)

(B.)

With reference to the removal of the Vryburg people to Overwinning, and the alleged separation of families, I have the honour to forward the report of the special justice under letter (C.) Upon this subject, I, however, propose a further investigation.

(C.)

With respect to Mr. Scoble's assertion, that Fortune, Cooper and Amsterdam, belonging to Schepmoed, were punished by the special justice for visiting their wives at Canefield, I have to refer to the report of the special justice of the district, who places their conduct in a very different point of view. (D.)

(D.)

Frederick, an apprenticed labourer belonging to Waakraamheid, unquestionably put an end to himself; but from the evidence taken by the coroner and transmitted to me, through the sheriff of Berbice, (*vide* Enclosure (E.)), no cause has been assigned for this rash Act. The projected removal to plantation Marah may very probably, as asserted by Mr. Scoble, have been the cause. I am as aware as Mr. Scoble can possibly be of the dislike the negroes have to quit an estate on which they have been located for some time; and I deplore the impolicy of these removals. I found great fault at the time with the special justice who so harshly and peremptorily enforced the removal in this case. Your

(E.)

Lordship

Lordship has, however, since informed me that the law does not prohibit these removals. I therefore (however much I may lament the circumstance) cannot prevent a proprietor from removing his people. All that I can do is to take care that every legal enactment is scrupulously attended to, and that the labourer does not suffer by the change of location.

The report of the special justice in charge of plantation La Hague is herewith submitted, relative to the mode of providing the labourers on that estate with provisions, and which report is completely at variance with the statement of Mr. Scoble. (Enclosure (F.))

(F.)

No special justice can legally sentence a labourer to hard labour on the estate. The reason is evident: it would be, if such was the law, the interest of the proprietor or attorney to be constantly preferring complaints. I am aware that such sentences have been awarded in one or two instances; but they have immediately been redressed by me. Mr. Scoble, in Mr. Young's letter of the 31st March, was fully informed upon all those points.

The report of the sheriff, and the inquest of the coroner in the case of Kendal, a labourer belonging to Goldstone Hall, accompany this despatch (Enclosure (G.)) It is ill-judged on the part of Mr. Scoble to persevere in the insinuations respecting the death of this man, in the face of such respectable evidence.

(G.)

The report of the special justice respecting the cases of Catherine, Eliza and Celia, is attached to this despatch under letter (H.); Mr. Scoble's assertions and those of special justice M'Leod are diametrically opposite.

(H.)

Under letter (I.), I enclose a letter addressed to me by special justice M'Leod, relating to the alleged unwillingness of Mr. Scoble that any of the complaints or irregularities with which he professed to have made himself acquainted should be communicated to me, for fear that I should order the same to be immediately investigated and reported upon. I beg to express my hope that the special justice has misunderstood Mr. Scoble, being unwilling to attribute the conduct of the latter to any other motives than a zeal to relieve suffering humanity, and an anxiety to assure himself, by personal inspection, that the apprenticed labourers were not defrauded of any of their rights and privileges; that individual proprietors and attorneys have committed, and will occasionally commit, illegal and impolitic acts; and that individual special justices will either fall asleep at their posts, or manifest a leaning towards the planter, are not to be denied. All that a Governor can do is to discountenance and punish all such offenders without favour or partiality. That, however, a kind and a good feeling has happily arisen; that the generality or great mass of the labourers are happy, contented, cheerful and well treated; that the apprenticed system works beyond the hopes of the most sanguine, are facts equally undeniable.

(I.)

Having thus entered into every particular alluded to in the notes of Mr. Scoble, having reference to the letter addressed to him on the 31st March by my orders, I shall not further intrude upon your Lordship's time than respectfully to refer your Lordship to that letter, to my remarks of the 8th instant upon Mr. Scoble's suggestions relative to the government of the apprenticed labourers of this colony, and to my observations, of the same date, upon his letter to the Government Secretary of the 16th June 1837, as affording convincing proofs of the accuracy and justice of the remark with which I have concluded the despatch of the 8th instant (No. 363), which I had the honour to address to your Lordship, namely, "that the good which might be gained by the observations of a judicious and impartial traveller is, in the case of Mr. Scoble, neutralized by the haste with which he arrives at his conclusions; and, but too frequently, upon erroneous and inaccurate information."

I have, &c.

(signed) *J. Carmichael Smyth.*

LIST of ENCLOSURES accompanying the Despatch of the 14th August 1837, No. 367, addressed to the Right honourable the Lord Glenelg by the Governor of British Guiana.

(A.)—Report and Documents from Special Justice M'Leod, relative to the work performed by the Apprenticed Labourers upon Plantations Providence, Overwinning and Lonsdale.

(B. 1.)—Extract from a Report from Special Justice Allen, affirming that the Women on Plantation Belle Vue, so far from being overworked, have not done a fair proportion of work.

- BRITISH GUIANA. (B. 2.)—Report from Special Justice M'Lennan, affirming that the statement that the Women of Plantation Malgré Tout are overworked is not true.
- (C.)—Report from Special Justice De Groot, relative to the removal of certain Labourers from Plantation Vryburg.
- (D.)—Report from Special Justice De Groot, relative to alleged Irregularities connected with the Labourers of Plantation Schepmoed.
- (E.)—Report from the Sheriff of Berbice; as, also, a Copy of the Coroner's Inquest held in the case of Frederick, an apprenticed labourer.
- (F.)—Report from Special Justice Delafons, relative to the mode of issuing Plantains to the Labourers on Plantation La Hague.
- (G.)—Report from the Sheriff of Berbice, forwarding Copy of the proceedings of the Coroner's Inquest in the case of apprenticed labourer Kendal, of Goldstone Hall.
- (H.)—Report from Special Justice M'Leod, relating to three pregnant Women alleged to have been locked up by his orders in the cells of Plantation Goldstone Hall.
- (I.)—Letter from Special Justice M'Leod, reporting certain expressions and certain proceedings of John Scoble, Esq., at Berbice.

(signed) *J. Carmichael Smyth.*

(A.)

(A.)

Sir,

Berbice, 30 July 1837.

THE apprenticed labourers of plantation Providence, Overwinning or Lonsdale, never complained to me of being overworked.

Apprenticed labourers charged with not doing sufficient work always state they did "as much as they were able"—try best—"work too much." I now forward the evidence of Messrs. Kirkwood, Hicks and Lowenfeld, three of his Majesty's justices of the peace for British Guiana, as well as that of Mr. Laing, part proprietor of plantation Friends, which with the evidence of the foreman of Providence and Lonsdale, will I am sure be considered satisfactory; as to Overwinning there must be some mistake, for during the time Mr. Scoble was in Berbice, the people of that estate did nothing at all; they refused to work on Providence, and the manager would not employ them on Overwinning. At any rate, the same task is given on both estates.

I am sorry I cannot send the evidence of Mr. Gunn, manager of plantation Rose Hall, who was taken ill whilst examining the work on Providence, and is now seriously ill. He, however, assured me that the people under his charge readily and cheerfully perform the same amount of labour as that done on Providence. To Mr. Gunn's credit, he has never had to make a complaint against any apprenticed labourer since August 1834; equal credit is due to the apprenticed labourers for their uniform good conduct.

I remember a man of Overwinning stating his wife had been delivered on the previous evening; that he had applied to Mr. Chisholm for a woman to sit with his wife, but without success. Mr. Chisholm was in the office at the time, also Mr. Scoble; Mr. Chisholm stated that the mother of the woman lived in the same house, and that he considered that she was capable of giving the attendance requisite; the husband declared that the party alluded to was an invalid, and could give little or no assistance; on which I stated that a woman at such a period was entitled to every consideration, and that assistance must be afforded her; that same morning a person was allowed to attend. I am not aware of any other case of a similar nature; and have made inquiry on the subject.

I cannot say what arrangement Mr. Henry made with Mr. Chisholm. I am inclined, however, to believe that this part of the report is correct. Before I conclude, I would state that yesterday upwards of 20 of the Providence people were in town before 12 o'clock after finishing their day's work, and earned from three to five guilders; they were hired by Mr. Chisholm.

H. E. F. Young, Esq.

I have, &c.
(signed) *J. M'Leod, s. j. p.*

PROVIDENCE WORK.

Plantation Providence, 26 July 1837.

Shakespeare, sworn.—I am foreman on plantation Providence. I am also a constable; the people of Providence work by the task; they agreed with Mr. Henry as to amount of task; this was in August 1834, when the new law came; the same task is given at present; the amount of the different tasks is as follows:—Weeding and moulding ratoons, 100 roeds; supplying, according to circumstances, from 60 roeds; trashing separate, 100 roeds, when bad, 70 and 80; cane-cutting, three persons to two punts; new small drains, two feet deep, 15 roeds; old small drains, one foot deep, 30 roeds; trenching, 10 feet of 12 foot canal, five shovel deep; relieving and supplying 50 roeds; hoe ploughing and planting seldom done; shovel plough 60 roeds; ground very soft in Doe Park; don't plant.

I am now superintending the cutting of canes; on Friday last 45 men were cutting canes; the number of hands varies every day; yesterday I had 41 men in the field. The men finish their work every day in good time; to-day I was home before two o'clock; left no one in the field; many finished before 12 o'clock.

(signed) *Shakespeare.*

Adam,

Adam, sworn.—I am foreman on plantation Providence; I am also a constable; I superintend the labour of the women; the people work by the task; they agreed with the late Mr. Henry as to amount of task; this was when the new law came; no alteration has been made in the work since that agreement was entered into; the tasks are as follows:—In cutting canes, three persons to two punts; weeding and moulding 100 roeds; stripping (only) 100 roeds; do not hoe plough; supplying 50 roeds; relieving 50 roeds, if heavy, if light, 100.

The women always finish in very good time. Soon after Christmas, some women were taken before the magistrate for not doing sufficient work; the women asked Mr. Chisholm, the manager, to allow them to work by the hours. Mr. Chisholm allowed them to do so; they took the hours, and worked in this way for four or five days; after that they returned to the old system, and have worked by the task ever since. Manager has never taken any of the women to court since that time; they have been working very well ever since; sometimes they finish by 11, sometimes by 12; by one o'clock all the women are in their houses. The people work with good heart.

Witness, *J. M'Leod*, s. J. P.

Adam's ✕ mark.

At the request of John M'Leod, Esq., special magistrate of the district, the work on plantation Providence was examined on the 26th of July by the following gentlemen.

James Kirkwood, Esq., J. P.
William Gunn.

William Laing, Esq.

James Kirkwood, sworn.—I am part proprietor of the sugar estates, Lochaber and Cane-field; both estates are under my direction; I am a justice of the peace for British Guiana; I have been twenty-one years a sugar planter; at request of John M'Leod, s. J. P. and Lambert P. Henry, part proprietor of plantations Providence and Overwinning, I yesterday minutely examined the cultivation of these estates.

I have read over the evidence of Shakespeare and Adam, foremen of plantation Providence, in regard to the amount of labour expected from the apprenticed labourers of that estate, as set forth in said evidence, and which is corroborated by the statement of the manager; I am of opinion that it can be performed with ease in less than 7½ hours.

The same quantity of work is readily and cheerfully performed by the apprenticed labourers under my charge, and I cannot see any thing in the local circumstances of plantations Providence and Overwinning to prevent the apprenticed labourers of those estates from doing the same.

(signed) *James Kirkwood*.

William Laing, sworn.—I am part proprietor of plantation Friends; that estate is under my direction; it is a sugar estate; I have been 12½ years a sugar planter.

Having been requested by Mr. M'Leod and Mr. Henry to examine the work on plantations Providence and Overwinning, I yesterday went round those estates in company with Mr. Kirkwood and Mr. Gunn; I particularly examined the cultivation, and am of opinion that the amount of task given (as per evidence of the foremen Shakespeare and Adam) can easily be performed in less than 7½ hours. The apprenticed labourers under my charge do the same quantity of work after finishing their task they perform extra labour for hire.

I see nothing in the soil of Providence or Overwinning to prevent the apprenticed labourers of those estates doing the work required of them. I consider the task to be fair and reasonable.

(signed) *William Laing*.

Office of Special Magistrate, K. District,
25 July 1837.

Mustick, sworn.—I am foreman on plantation Lonsdale, have been so employed upwards of five years; I am also a constable.

Since 1st of August we have not planted any new fields with coffee; not since the new law came.

In weeding, three persons put to each bed; no bed exceeds two and a half roeds in width; cannot say how many roeds in length; in most rows there are 90 coffee trees, the greatest number on any row 105.

In assorting coffee, 80 lbs. is the task.

If the people commence work at seven o'clock, the strong hands could finish by 12 o'clock. Some time ago I was working in the field; was only there a few days; I was employed weeding; I had the same task as the other people; the first day I finished by 11 o'clock; I then did part of another row, which I finished next morning by nine o'clock. A man named Joris or Jonas worked next to me, "he finished all two rows in one day," he worked till six o'clock; we began work after seven.

I remember the time when Rose, Dorinda and others were taken before the magistrate; they had been leaving half rows for some days; the foreman, Monday, superintended the labour

BRITISH GUIANA. labour of the women at that time; the men took up the rows next to where the women had been working, and all finished by one o'clock.

The people have always worked by the task on plantation Lonsdale; they never wished to work by the hours till within the last few days.

The women on Lonsdale never begin work till nine o'clock; it is sometimes 10 o'clock before they take their rows.

In weeding Plantain Walk, three persons are put to a bed 22 feet wide, from 70 to 75 roeds.

Mustick's × mark.

Read over to Mustick, by
J. M'Leod, s. j. p.

Edward Hicks, Esq., J. P., and *G. G. Lowenfeld*, Esq., J. P., at the request of John M'Leod, special justice of the district, visited plantation Lonsdale this 26th day of July 1837.

Edward Hicks, sworn.—I am manager of plantation Busses Lust, and attorney for several other coffee estates; I am a justice of the peace for British Guiana. I have been 18 years a coffee planter; at the request of Mr. M'Leod, I have examined particularly into the system of labour pursued on plantation Lonsdale.

In regard to weeding, I consider three persons to a bed, 70 roeds in length by 2½ roeds wide, including small drains, to be a task that can easily be performed in less than 7½ hours. It is not a greater amount of labour than is given to effective people on other coffee estates; the same quantity of work is done by the apprenticed labourers of plantation Busses Lust in five hours. I have often seen them do the same work in four hours. I cannot see any thing to prevent the apprenticed labourers on Lonsdale doing this work. I have seen the women of Lonsdale, and they are a far more effective set of people than are on any of the properties I am connected with.

Every thing appears to be conducted on the same principle on Lonsdale as on the estate I manage.

I have been round the estate this morning; I find that all the beds are not of the same width, but no bed is wider than 2½ roeds; some are only 22 feet wide; I find that the same number of persons are put to weed these beds; but were the beds all 2½ roeds wide, it would be the task usually given.

In assorting coffee, 80 lbs. is a moderate task.

The weeding to be done with hoe.

On Busses Lust, 80 lbs. is the task for 7½ hours; the greater part of the people prepare from 40 to 50 lbs. for payment per day.

(signed) *E. Hicks*.

George G. Lowenfeld, sworn.—I am a justice of the peace for British Guiana; I am one of the representatives of the estates of the late Wolfert Katz; three of these are coffee estates; the one named Gebroeden is under my particular charge. Having been requested by Mr. M'Leod, special magistrate, to examine the work given to the apprenticed labourers of plantation Lonsdale with Mr. Hicks, I this morning went on that estate.

We went through the whole of the cultivation, and particularly examined the different fields. We found that some beds were 2½ roeds wide, some only 22 feet; in fact laid out as other coffee estates.

I have read over the evidence of Mustick, foreman on Lonsdale; he states, what I know to be the truth, that in weeding, three persons are put to each bed; the bed is from 65 to 70 roeds; each person taking a row of coffee trees. This is the amount of work given on coffee estates generally, and which is performed very frequently in less than five hours; under any circumstance this is a task which could easily be performed in less than 7½ hours. Weeding to be with the hoe. On Gebroeden the women often do the same quantity of work in 4½ hours. In assorting coffee, 80 lbs. is an easy task; the women on coffee estates earn extra wages for clearing a further quantity.

(signed) *G. G. Lowenfeld*.

(B. 1.)

(B. 1.)

EXTRACT from a LETTER from Special Justice *Allen*, addressed to the Hon. *H. E. F. Young*, Government Secretary, dated 27 March 1837.

WHATEVER share of work may have been allotted or required from the people of Belle Vue, they have latterly not performed a reasonable quantity, although no formal complaint has been preferred against them on that subject.

(A true extract.)

(signed) *W. B. Wolseley*,
Assistant Government Secretary.

(B. 2.)

(B. 2.)

Sir,

La Retraite, District D., 8 August 1837.

I HAVE had the honour to receive your letter of 28th ult., prefixing copy of a statement, to the effect "that the women of plantation Malgré Tout are overworked."

I beg to assure his Excellency that this statement is not true; that, so far from their being "overworked," the quantity required of them as a day's labour is moderate, and considerably within the ordinary scale of task-work; and that, in many instances, they do not perform even this quantity, and certainly do not exceed it in any case.

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

I have, &c.
(signed) D. M'Lennan, S. J. P.

(C.)

Office of Special Justice of the Peace, District L.
Berbice, 12 July 1837.

Sir,

I HAD the honour of your communication of the 4th, received the 9th instant, forwarding a copy of a statement respecting the labourers of plantation Vryburg, to report thereon for the information of his Excellency. (C.)

To which I beg leave to say, that it was not I that conducted the removal of these people to District K., plantation Providence or Overwinning, being very ill at that time. Special justices Messrs. Heyland and Candlin attended, and, as I afterwards understood, managed that removal to the satisfaction of parties concerned, and did the needful; I never had a document in my possession respecting the above to be guided by in the present instance; neither have any of the labourers so removed, or those of their legal or reputed connexions (if any) as enumerated by statement, ever made a complaint to me; if the removed labourers had grievances and were so very unhappy, why not address themselves to their present magistrate and protector of District K., J. M'Leod, Esq., who lives quite near to their present abode, and there is no doubt but that gentleman would have taken it in hand by investigating them with due care. As matters now stand, the inquiry should commence in District K., either at Providence or Overwinning, where the complaining may be, and further prosecuted in District L., if found necessary.

If after this respectful explanation it be still his Excellency's pleasure for me to investigate the said statement with respect to plantation Providence or of Overwinning, in District K., on either of which said labourers were removed, I will do so directly, and request to be allowed to require the assistance of special justice K. Heyland, Esq., who is the only official gentleman that can give me the information required, where to ground upon the inquiry and report.

I am, &c.
(signed) A. Van Ryck de Groot, S. J. P.

H. E. F. Young, Esq. Government Secretary,
British Guiana, &c. &c. &c. Demerara.

(D.)

Office of Special Justice of the Peace, District L.,
Berbice, 12 July 1837.

Sir,

I HAD the honour of your despatch of the 28th of June last, received on the 9th instant, followed up by a statement received by his Excellency respecting husbands residing at plantation Schepmoed being prevented from visiting their wives at plantation Canefield, and of their having been punished (under a different pretext for such visits), his Excellency requiring my report thereon. (D.)

Unfortunately, I cannot effectually rebut this malicious charge, as all my official papers, amongst which the minutes of judicial proceeding up to 23d of November last, were destroyed by the awful fire of plantation Dankbaarhird's dwelling, where I resided.

Unconscious of receiving or giving judgment on trumped-up charges, I sent to gaol for the convictions, of which I send your Excellency a duplicate, and from which it appears that delinquents Casper, Amsterdam and Fortuin, apprenticed labourers of plantation Schepmoed, were convicted before me on the 14th November last, "for absenting themselves from the estate and employment thereof from the 21st of August last until the 1st of September following, without leave or permission so to do, causing thereby a loss of labour to the estate of eight days, and for which trespass they have incurred the penalty of the law; Ordinance, No. 43, cap. 6, sec. 4, adjudged as runaways;" they were consequently adjudged for the said offence to two months' hard labour in the colonial penal gang, with imprisonment at night; on their return to the estate, to perform extra labour for one month, at a rate of 10 hours' per day, with confinement at night by non-performance.

What plea the delinquents may have brought in their defence, I cannot say from memory.

Plantation Schepmoed is up Berbice river, and plantation Canefield is situated on the river Canje, 28 miles distant from each other; and when it is said Casper, Amsterdam and Fortuin

BRITISH GUIANA. Fortuin have wives, it is also said that they have several times visited them there without leave of the manager; if this is a fact, which I much doubt, considering the distance, they must have done so between the Saturday afternoon and succeeding Monday morning, or on the holidays; and nothing could be well said against that; but if these persons were to take eight or nine days from estate's labour for such visits, either to wives or reputed wives, it would be very improper, and be a great loss to that property.

The circular despatches of his Excellency of the 31st of March last, received the 8th of April following, containing his Majesty's Attorney-general's opinion respecting access to each other of married labourers resident on different estates, explains and will guide the magistrates in future in these matters.

I hope the above will be accepted by his Excellency for report, as it is absolutely all that I can say about it.

I have, &c.

(signed) *A. Van Ryck de Groot, s. j. p.*

H. E. F. Young, Esq., Government Secretary,
British Guiana, &c. &c. &c. Demerara.

CONVICTION.

British Guiana, to wit, District L., in the Colony of Berbice.

BE it remembered, that on the fourteenth day of November in the year of our Lord one thousand eight hundred and thirty-seven, at a court of special justice held this day on plantation La Retraite, in the colony of British Guiana, apprentices Casper, Amsterdam and Fortuin, attached to plantation Schepmoed, are convicted before me, Apollonius van Ryck de Groot, Esq., one of his Majesty's special justices of the peace for said colony, for that they the said apprentices, Casper, Amsterdam and Fortuin, attached as before, did absent themselves from the estate and employment thereof, from the twenty-first of August last until the first of September following, without leave or permission so to do, causing thereby a loss of labour to the estate of eight days, and for which trespass they have incurred the penalty of the law; Ordinance 43, cap. 6, sec. 4, adjudged as runaways; and I, the said special justice, adjudge the said apprentices, Casper, Amsterdam and Fortuin, attached to plantation Schepmoed, for the said offence, to two months' hard labour in the colonial penal gang, with imprisonment at night; on their return to the estate, to perform extra labour for one month, at a rate of ten hours per day, with confinement at night by non-performance daily, Sundays including.

Given under my hand and seal the day and year first above-mentioned.

(signed) *A. Van Ryck de Groot, s. j. p.*

To Vincent Simmonelli, Keeper of his Majesty's Gaol,
and Headborough or Constable of Plantation
Schepmoed.

(E.)

Sir,

Office of the Sheriff of Berbice, 20 July 1837.

(E.) I HAVE the honour, in obedience to the desire of his Excellency the Governor, conveyed in your letter of the 18th instant, herewith to forward copy of the proceedings and inquest, in the case of Frederick, deceased, apprenticed labourer, attached to plantation Mara and Germania, and formerly of plantation Waakzaamheid.

I have, &c.

To the Honourable Henry Fox Young,
Government Secretary.

(signed) *Charles R. Whinfield,*
Sheriff.

CORONER's Inquest held at Plantation Waakzaamheid, on the body of *Frederick*,
Apprenticed Labourer, attached to Plantation Mara and Germania.

Willemuntje, apprenticed labourer, attached to plantation Mara and Germania, sworn.—States, I am the mother-in-law of Frederick, the deceased; this morning, between 10 and 11 o'clock, I came in my house where I and Frederick were dwelling, and saw him lying on his face in the bed-room. I startled, and called out for assistance, as I perceived a rope around his neck; some people came running in, and found Frederick dead; apparently he had hung himself, and the rope must have broken. I do not know any cause to assign for his destroying himself.

(signed) *Willemuntje.*
J. V. Mittleholzer, Coroner.

Sander, apprenticed labourer, sick-nurse, attached to plantation Mara and Germania, sworn.—States, I know Frederick, the deceased, very well; I heard a noise of crying and yelling this morning, about 10 o'clock, in the negro-yard, and ran to the spot into the house of the deceased, and found him lying forward on his face; I examined him, and he was cold and dead; from a piece of rope around his neck, and another piece similar to that on his

his neck, attached to the beams of his bed-room, I concluded that he had hung himself, and that the rope must have given way afterwards. I cannot say or think what brought him to this act; I do not know any thing further.

(signed) *Sander, Sick Nurse.*
J. V. Mittleholzer, Coroner.

Felix, apprenticed labourer, attached to plantation Mara and Germania, sworn.—States, I am the father of the deceased, and know nothing about the death of my son Frederick; I heard the noise in the negro-yard, went there, and found him, Frederick, lying dead; apparently he had hung himself with a small fish-line, of which part was round his neck, and the other part fastened to a beam of his bedroom; I cannot imagine what brought him to this violent act; I cannot give any further elucidation.

(signed) *Felix, Apprenticed Labourer.*
J. V. Mittleholzer, Coroner.

D. P. Staal, medical practitioner of District L., sworn.—I know Frederick, the deceased; I have duly and carefully examined the corpse, and find no other marks of violence on his body but that of hanging, which I consider to be the cause of his death; he was a well-disposed man, and sober.

QUESTIONS by the Court.

Was he, Frederick, ever troubled with any remarkable complaint?—Once he was brought out of the field in a fit of apoplexy, about a few months ago.

At that time when you saw him, was he then still out of his senses?—Yes, he was senseless.

Had he ever had such an attack previous or after that time?—No, not to my knowledge.

(signed) *D. Polyn. Staal, Surgeon.*

Office of the Sheriff, Berbice, 20 July 1837.

I do hereby certify this to be a true copy from the original proceedings lodged in this office.

Charles R. Whinfield, Sheriff.

INQUISITION.

Berbice, to wit.

AN inquisition taken at plantation Waakzaamheid, in District L., in the colony of British Guiana, on the 25th day of October, in the year of our Lord 1836, before me, J. V. Mittleholzer, one of the coroners of our Lord the King for the colony aforesaid, upon the view of the body of Frederick, apprenticed labourer, then and there lying dead, upon the oaths of A. Austine, H. Ayngé, J. Russell, J. Riddock and J. Arends, of this district, good and lawful men, who, being sworn and charged to inquire on the part of our Lord the King, when, where, how and after what manner the said Frederick came to his death, as also by what signs and marks the body of the said Frederick was known or identified, do say upon their oath, that he, Frederick, came to his death by hanging himself in a fit of temporary insanity.

In witness hereof, as well the aforesaid coroner as the jurors aforesaid have to this inquisition put their hands, on the day and year and at the place first above-mentioned.

(signed) *J. V. Mittleholzer, Coroner.*
Alex. Austine,
John Riddock,
James Russell,
Johan. Arends,
H. Ayngé, } Jurors.

(True copy.)

(signed) *Charles R. Whinfield, Sheriff.*

(F.)

Sir,

15 July 1837, Plantation Hague.

(F.)

REFERRING to your letter of the 28th June, transmitting a complaint made of the manner in which the provisions on plantation Hague are served to the apprentices, I deemed it my duty to show the same to J. Sievewright, Esq., attorney for the estate, and who states, "It is quite true they cut their own plantains, and I believe have done so since it was an estate. Last year I tried the plan of serving them with an allowance, but could not please them, and for two weeks they would scarcely take what was cut; not wishing to have any disturbance on the estate, I allowed them to return to their old way, and since then have not heard of any complaints. I rather think they look upon it as a privilege." I inquired of Mr. Pickthall if he had ever refused the use of the punt; he declared he had never, since he had been manager.

BRITISH GUIANA.

I must say, that it appears to be perfectly litigious to complain of being allowed to cut their own plantains, on a plea of its occupying at least five hours to cut at two different periods two bunches of plantains.

To H. E. F. Young, Esq., Gov. Sec.
&c. &c. &c.

I have, &c.
(signed) *Thos. Delafons, s. j. p.*

(G.)

(G.)

Sir,

Office of the Sheriff of Berbice, 4 February 1837.

I HAVE the honour to acquaint you, that it has been brought to my notice that a person of the name of Scoble has recently been travelling in this district from estate to estate, and much exciting the minds of the apprenticed labourers, more particularly in the parish of St. Patrick, where he is represented to have circulated a most mischievous and unfounded report relative to apprenticed labourer Kendall, deceased, formerly attached to Goldstone Hall, to the effect that this man had come to his death through ill-treatment and violence—in fact, murdered; and that there had been neither inquest nor inquiry as to how he had come to his death. I have been applied to for copies of the inquest in question, in order that this prejudicial report may be contradicted, the person Scoble being now in Demerara on his return to Europe.

I however informed the parties, that, granting copies of official documents from my office without authority from his Excellency the Governor would be irregular, but that I would submit the whole to his Excellency.

I have therefore to request you will do me the favour to submit this letter and accompanying copy of inquest held on the body of apprenticed labourer Kendall, for his Excellency's consideration and commands.

To Henry Fox Young, Esq.
Government Secretary.

I have, &c.
(signed) *Charles R. Whinfield, Sheriff.*

PROCEEDINGS of a CORONER'S INQUEST held on Plantation Goldstone Hall, this 1st day of June 1835, on the body of *Kendall*, apprenticed labourer attached to that estate.

THE following jurors, viz. George Adams, William Deans, and A. A. Seear, having been duly sworn in, proceeded to examine the body of the deceased.

Dr. *Richardson*, sworn and examined.—I knew Kendall; examined his body yesterday, and found no marks of violence thereon, and am of opinion that he died suddenly in a fit of apoplexy while bathing.

(signed) *William Richardson.*

Goodluck, sworn and examined.—Knew the deceased, and identifies the body; I am a foreman on this estate; Kendall was working with me on Saturday the 30th ultimo; I saw him last at about half-past five o'clock p. m.; he had not then finished his row; I told him I was going home, he must try his best and finish his row; the manager asked me the following morning if Kendall had finished his row; I told him he had not; he then desired me to bring him and lock him up; I went to Gibson, who is also a foreman and constable, and told him that the manager had desired me to bring Kendall and lock him up; we both went to look for him; we went along the public road and returned by the front dam near the field where I had been at work on Saturday; when we came near the beam over the canal, between the field and front dam, we saw Kendall's jacket hanging upon a tree, and the rest of his clothes on the dam; we soon after discovered his body in the canal, and his hoe resting against the beam as if he had used it to assist him across the canal; Kendall had been taken to a special justice of the peace on the 29th ultimo, in consequence of his having refused to do any work; I sent on Saturday evening to ask of the person who had gone with him to the special justice, whether he had been sentenced to confinement, but got no reply; Kendall was with me the whole of Saturday, and I saw nothing the matter with him.

Goodluck, ✕ his mark.

Gibson, sworn and examined.—Is foreman and constable on this estate; knew the deceased, and identifies the body; did not see the deceased on Saturday the 30th ultimo. On Saturday morning, *Goodluck* came to me and told me he had been ordered by the manager to lock up Kendall; we went together to his house, did not find him there; *Goodluck* said we had better go round the front, where he had been working on Saturday, as it is likely he might have slept in the watch-house; when we came near the beam lying over the canal, between the field and the dam, we found Kendall's clothes on the dam, and his body floating in the canal, with the face downwards; examined the body and saw no marks of violence thereon. I then came to the overseer and reported the circumstance; his hoe was lying in the trench as if he had used it to cross over; I asked *Goodluck* why he had not locked up Kendall on Saturday night; he said he had no orders to do so. I think that Kendall, in attempting to walk over the stick, fell in the canal and got drowned.

Gibson, ✕ his mark.

Anie,

Amie, sworn and examined.—I was working alongside of Kendall on Saturday; I finished my row about three o'clock, and went to help my sister; Kendall had not finished his row then; I left him there; it did not appear to me that there was any thing the matter with him.

Amie, ✕ her mark.

Celia, sworn and examined.—I superintend the weak gang on this estate; Kendall belonged to my gang, but did not do his work; I brought him to the manager, and he sent me with him to a special justice of the peace, who reprimanded him, and told him that he should be locked up at night if he did not finish two-thirds of the usual row given to the weak gang on this estate; I carried him out to the field on Saturday morning and gave him to Goodluck, and did not see him afterwards; I did not say to Goodluck that Kendall was sentenced to be locked up if he did not finish his row.

Celia, ✕ her mark.

VERDICT.—The jurors, having maturely considered the evidence, are of opinion that the apprenticed labourer Kendall came by his death by drowning; supposed to have been seized by a fit of apoplexy while bathing.

(signed) *Geo. Adams,*
Wm. Deans, } Jurors.
A. A. Seear, }

James Kirkwood, J. P. Coroner.

(True copy.)

(signed) *Charles R. Whinfield,* Sheriff.

(H.)

Sir,

Berbice, 28 July 1837.

(H.)

I HAVE received an extract from a report made to his Excellency the Governor, respecting the confinement of certain pregnant women in the cells of plantation Goldstone Hall; I can assure his Excellency there is no truth in such report; and I again declare, that no pregnant women have been sentenced to be locked up in the cells of that estate since I have acted as a special justice.

In regard to Catherine's case, I shall only add that she never was locked up in any cell; that she was released at half-past six in the evening, and at eleven o'clock the same night she was delivered; that the child's name is Rose, and that it is never called Black-hole.

I made every inquiry as to Eliza, but no one of that name had either been locked up or had been delivered of a dead child.

I found, however, that a woman named Celia miscarried; I would beg leave to refer you to the evidence of the midwife, Barbara, on this subject, and to that of the foreman, Gibson, relative to the last charge, "that women are worked up to the period of their delivery."

I am sorry that the state of my health has prevented my making further inquiry into these reports. The evidence of Barbara and Gibson was taken on the 25th February last.

I have, &c.

H. E. F. Young, Esq.
&c. &c. &c.

(signed) *J. M'Leod,* Special Magistrate.

Goldstone Hall, 25 February 1837.

Gibson, sworn.—I am head foreman on plantation Goldstone Hall; I am also a constable (he then gives a statement relative to Kendall, who was found drowned); I superintend the labour of the strong gang; pregnant women do not work with me; women in their last month no work in the field at all; do any little thing about the buildings; sometimes look after the children in the Creole-house; Louisa is now sitting down in Creole-house; she is far advanced in pregnancy. Lodovica just make child; she had been getting cane-tops to tie the megass for some weeks before she make. Catherine was locked up in one of the rooms in the brick building; was not put in the cell; she did not remain long there; she called out and was released; she then went to her house and was delivered in the morning; child's name, Rose. I know Celia; she make dead child; * * * * * she was doing light work at the time; weeding dam with hoe; the other pregnant women were doing the same work. Barbara is midwife; the women always call upon Barbara whenever pain hold them. Becky lately made piccanini; the child is alive; no child has died for several months; no woman goes to work till one month after they make child; Barbara always says when they are to go to work; no woman was ever sent to field two weeks after her confinement.

Provision grounds are on the estate; the ground never was taken from the people; they say they have no time to work them; they used to work them on the Sunday, now they go to church; no free children work on Goldstone Hall; they go to the school.

TASKS given on Goldstone Hall.

| | Previous to 1st Aug. 1834 : | Since 1834 : |
|----------------------------|-----------------------------|-------------------------|
| Weeding and moulding | - - 120 roeds | - - 100 roeds. |
| Digging 12 feet of a canal | - - 1 roed | - - 10 feet. |
| Old small drain | - - 50 roeds | - - 35 roeds. |
| Cutting canes | - - 8 feet cords, 2 roeds | - - 2 cords 6 ft. 8 in. |
| Shovel ploughing | - - 60 to 70 roeds | - - 50 roeds. |
| Planting (done by women) | - - 50 roeds | - - 60 roeds. |

The strong hands always finish in good time, the lazy hands only are late.

Gibson's ✕ mark.

Barbara,

BRITISH GULIANA.

Barbara, sworn.—I am an apprenticed labourer of plantation Goldstone Hall; I am mid-wife; I have acted in such capacity for many years; whenever I see a woman with belly, I ask 'em, "How many moon they carry belly;" sometime they tell me, sometime no; when pain hold 'em they come to me; I know Celia; I was not at home when she miscarry; she told me one month left for her; this was after she miscarry; I ask 'em why she no get somebody for help 'em; she say she no able; she been cook plantain in watchman house; that after eating them she feel bad pain * * * * *
* * * * * Celia told me the child dead; I did not see her till the morning after she miscarried; Celia sat down for four weeks after this in her own house; she had been very ill some time before with measles; Celia did not say what had caused miscarriage; I know Catherine; she was locked up one night in a room next dark house; pain hold 'em; she called out; was released and went home; was delivered in the negro-house; did not attend on her; I mind the child; Catherine did not tell me when she expected to make child.

Women never go to field till one month after their confinement; I always remain one week with them; Mr. Nash give them sugar; rice is given about a month afterwards.

Barbara's ✕ mark.

Mr. Scoble asserted that the hospital on Goldstone Hall was dirty; only washed once a week.

Macaw, sworn.—I am an apprenticed labourer of plantation Goldstone Hall; I am employed in the hospital; I wash it every day, Sunday or no Sunday; the hospital is kept very clean; Cressa cooks for the sick.

(True copy.)

Macaw's ✕ mark.

L. M'Leod, s. J. P., K. District.

(I.)

(I.)

Sir,

Berbice, 28 July 1837.

I THINK it my duty to state, that when Mr. Scoble mentioned the cases now under consideration, I immediately inquired into them, and reported the result to that gentleman, who remarked, "that had he known that I would have made such investigation, he never would have reported the cases to me." I then stated to Mr. Scoble, that if he did not consider the result of such inquiry satisfactory, it would be an act of justice to all parties to report the matter to his Excellency the Governor, who would immediately order the strictest inquiry to be made on the subject.

Mr. Scoble gave me to understand that such was not his object; that it was his intention to refer the cases home, when they would be tried before a very different court, when he himself would take an active part in behalf of the apprenticed labourers.

In regard to Celia's case, I stated that it all depended on the nature of the work she was called on to perform; if such work was improper or unfit for a woman in her condition, then I should consider the manager of the estate highly culpable; but if, on the contrary, the work was fair and reasonable, such as she was capable of performing with ease to herself, I did not see that any blame could be attached to any one. Mr. Scoble agreed in this view of the case; when, therefore, he learnt that Celia had been engaged in very light work, such as weeding the dam with hoe, which Mr. S. himself acknowledged was work she was capable of performing, it would have been more candid and just in him to have said no more on that subject. Mr. Scoble attended daily at my office whilst in Berbice. On one occasion he stated that the amount of labour at that time exacted from the labourers was greater than ever was given to the people when they were in a state of slavery. This I denied, and engaged to prove that he was misinformed. I made a point of asking every apprenticed labourer that came to my office what quantity of work was expected, indeed exacted, from them formerly; and in every instance showed that on the 1st of August 1834, the work was reduced one-sixth, without regard to tariff. I obtained evidence from at least fifteen estates in this district on this point, yet Mr. Scoble persisted in his assertion, "that the work was heavier now than formerly." I would only add, that when Mr. Scoble refused to submit certain cases to his Excellency the Governor, I called upon him to publish them in this colony, and that I would pay the expense of publication, and would afterwards prosecute him for a libel. I need hardly say he objected to this proposal.

I told him I feared no inquiry being made into my conduct as a magistrate; that I had always acted in accordance with the oath I had taken, without fear, favour or partiality; and that I felt satisfied that in this district the apprenticed labourers had every thing they were by law entitled to.

I think it but justice to myself to make these few remarks, and am, sir,

Yours, &c.

(signed) *J. M'Leod*, s. J., K. District.

— No. 114. —

(No. 266.)

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

Sir,

Downing-street, 1 November 1837.

No. 114.

I HAVE received your despatches (No. 363 and 367) of the 8th and 14th of August, further on the subject of the proceedings of Mr. Scoble, who, as reported in your despatch (No. 300) of the 7th of April last, had visited British Guiana for the purpose of personally investigating the working of the apprenticeship system in that colony. I have read these despatches, and the remarks and documents enclosed in them, with very great satisfaction, and I have to convey to you my entire approval of the line of conduct which you pursued, both in the unqualified facilities which you afforded Mr. Scoble in aid of his researches, and in the manner in which you dealt with the communications addressed to you by that gentleman. Your course of proceeding appears to me to have been just, temperate and judicious, and calculated alike to dispel suspicion on the part of those who regard the apprenticeship as oppressive to the negroes, and to place on a sound and proper footing the reputation of the Colonial Society. The promptitude with which you investigated every circumstance alleged by Mr. Scoble which seemed to demand inquiry has been attended with the twofold benefit of correcting without delay what was susceptible of immediate amendment, and of furnishing true information on various points on which Mr. Scoble's statements, founded on partial evidence or the result of superficial inquiry, would, if unexplained, have tended to produce very erroneous impressions. It must be highly gratifying to you to find the results of your labours in the superintendence of the great change which has been effected in the colonial system placed in so clear and satisfactory a light as they appear to me to be in the documents now before me. That a perfect system could at once have been established and enforced in substitution for that which existed for so long a series of years was not, indeed, to be expected by any man of common sense and ordinary acquaintance with human nature. It is no matter of surprise that evils of great inveteracy and malignity should have left some traces of their former existence, and that in British Guiana, as elsewhere, the authority of the law and the administration of justice should not have been in every instance effective and impeccable. I confess, however, that I derive from a review of these papers, as well as from other sources of information, the strongest conviction that, even during the comparatively short period which has hitherto elapsed since the operation of the new law, benefits of no ordinary character, and fully equal to any reasonable anticipations, have been realized in the colony under your government. I am also confirmed in the assurance that nothing is wanting on your part to give full effect to the intentions of the British Legislature in the abolition of slavery, with a just and correct view of what is really conducive to the permanent interests of all classes of the society at the head of which you are placed.

There are several facts and suggestions brought under my notice in the enclosures to your present despatches, which, had they been submitted to me under other circumstances, I should have felt it my duty distinctly to notice, and I may have occasion, as has already been the case, to advert to some of them in separate despatches, but here I do not think this necessary. It is for the present enough that your attention has been pointedly directed to them, and that the most important are either reserved for further consideration, or have been immediately met by those means which you think the most available to remedy existing defects.

Your experience and local information as well as the spirit which has uniformly characterized your administration, induced me to place full confidence in the judgment and discretion with which you will continue to watch over the working of the present system, and to prepare for the safe and satisfactory accomplishment of the unqualified emancipation which is now rapidly approaching.

I have, &c.

(signed) *Glenelg*.

REGULATIONS relative to the SUPPLY of FARINACEOUS FOOD.

— No. 115. —

(No. 304.)

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

No. 115.

My Lord,

Camp House, Demerara, 23 April 1837.

THE great mass of the labouring population of this colony are fed upon plantains and salt fish. The planters are, however, at liberty to substitute other farinaceous food for the plantains; and on estates where plantains are not cultivated, corn-meal, made from Indian corn, and imported from America, is occasionally issued to the labourers. Some disputes having taken place on a plantation called the John and Cove, relative to the quantity of corn-meal offered to the apprenticed labourers, and which was asserted by the latter to be inadequate to their sustenance, I referred to the existing tariff, and found that 10 pints of corn-meal was the whole amount of the weekly allowance of farinaceous food for a stout labouring man. This tariff was issued and established, by proclamation, by Major-general Sir Benjamin D'Urban. The order in council of the 2d November 1831, fixes 21 pints of corn-meal as the weekly allowance of that species of food when plantains are not issued. I cannot account for such a very important discrepancy between the order in council and the proclamation issued for the purpose of carrying the details of that order into effect, otherwise than by adverting to the fact of plantains being the usual food. The amount or quantity of those articles authorized to be issued as succedaneums had not been carefully examined. I have, however, felt it my duty forthwith to remedy this oversight; and I take the liberty of laying before your Lordship a copy of a proclamation which I drew up and caused to be promulgated, with the least possible delay, as soon as I became aware of the circumstances.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure 1, in No. 115.

PROCLAMATION.

J. CARMICHAEL SMYTH, British Guiana.

(L. S.)

By his Excellency Major-general Sir *James Carmichael Smyth*, Baronet, Companion of the most honourable the Military Order of the Bath, Knight Commander of the Royal Order of Hanover, Knight of the Austrian Imperial Order of Maria Theresa, Knight of the Russian Imperial Order of St. Wladimir, Governor and Commander-in-chief in and over the Colony of British Guiana, Vice-Admiral and Ordinary of the same, &c. &c. &c.

WHEREAS in the fifth regulation of the 88th clause of the order in council of the King's most Excellent Majesty, dated the 2d November 1831, it is ordered and directed, that every slave above the age of 10 years shall receive in each week 21 pints of wheat-flour, or of the flour or meal of Guinea, or Indian corn, as a substitute for plantains, cocoas or yams: And whereas by the sixth regulation of the same clause, the Governor of this colony is empowered to authorize from time to time, by proclamations to be by him for that purpose issued, the substitution for the provisions aforesaid of any other provisions equivalent to and equally nutritious with the same: And whereas his Excellency Major-general Sir Benjamin D'Urban, late Governor of British Guiana, did issue a proclamation upon the 18th January 1833, to which a schedule of allowances for food is attached, and in which schedule 25 lbs. of yams or potatoes, or 20 lbs. of eddoes or tanyas, or 10 pints of wheat-flour, or 10 pints of Indian corn-meal, or 10 pints of rice, are declared to be the proportions of other farinaceous food which may be substituted for the allowance of 70 lbs. of plantains: And whereas in the 120th clause of the order in council, as already quoted, it is ordered and declared, that no law, statute, ordinance or proclamation now or at any time heretofore in force in this colony, or which shall hereafter, by any governor or local legislature of the colony, be made, enacted, ordained or promulgated (in as far as the same may or shall be in anywise repugnant to or inconsistent with the said order in council) shall be binding on his Majesty's subjects in such colony, or be of any force, virtue or effect therein; or shall be recognized as legal or valid by any court, judge or magistrate within this colony:

And

And whereas the substitution aforesaid, by reason of the diminished quantity, is repugnant to the provisions of the said order in council, and of no force or effect: And whereas by the 11th clause of the Act of the Imperial Parliament, 3 & 4 Will. IV. c. 73, intituled, "An Act for the Abolition of Slavery throughout the British Colonies," it is enacted, that during the continuance of the apprenticeship of the labourers therein referred to, they shall be entitled to such food, clothing, lodging and medical attendance, and such other maintenance and allowances as by any law then in force in the colonies the owner of any slave was bound to supply and furnish:

I do hereby, by virtue of the power and authority vested in me by his Majesty, under the sixth regulation of the 88th clause of the order in council of the 2d November 1831, and which authority is again specially renewed as regards the apprenticed labourers, under the sixth regulation of the first section of chapter the third of ordinance 43, authorize and direct (whenever it may not be convenient for the employer of an apprenticed labourer to issue the weekly allowance of 70 lbs. weight of plantains to each labourer) the substitution of not less than 56 lbs. of yams or potatoes, or cocoas, or eddoes, or tanyas; or 21 pints of wheat-flour, or of Indian corn-meal, or of rice, in lieu of the plantains.

Given under my hand and seal of office, at the Guiana Public Buildings, in George Town, Demerara, British Guiana, this 24th day of April 1837, and in the seventh year of his Majesty's reign.

God save the KING.

By his Excellency's command,

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

—No. 116.—

(No. 310.)

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

My Lord,

Camp House, Demerara, 29 April 1837.

No. 116.

WITH reference to the despatch of the 23d instant, No. 304, which I had the honour to address to your Lordship, and to the proclamation therein contained, I have the honour to state to your Lordship, that having been waited upon by a deputation or committee of respectable proprietors and attornies, I have been induced, in consequence of the very many difficulties which these gentlemen stated would be experienced if the regulations prescribed in the proclamation were forthwith carried into effect, to suspend its operation for six months. I have not arrived at the conclusion of suspending the operation of the proclamation without some regret; as, in the mean while, those labourers whose employers issue to them a weekly allowance of only 10 pints of Indian corn-meal are receiving a very inadequate supply of food. I beg to lay before your Lordship a copy of my reply to the gentlemen forming the deputation, a perusal of which will place your Lordship completely in possession of the arguments and of the motives which have influenced my conduct.

(A.)

As the principal objection to the augmentation of the quantity of those articles of farinaceous food which the employers are at liberty to substitute for plantains is the additional expense thereby entailed upon the estates to which the labourers are attached, as stated to me by the gentlemen composing the deputation, I have thought it my duty to lay before your Lordship the five enclosed calculations, showing the expense of feeding an able-bodied labourer, according to the average prices of last year for twelve months; 1st, upon plantains and salt fish, three pounds; 2dly, upon a weekly allowance of 21 pints of corn-meal and three pounds of salt fish; 3dly, upon a weekly allowance of 21 pints of rice and three pounds of salt fish; 4th, upon a weekly allowance of only 10 pints of corn-meal and three pounds of salt fish; and 5thly, upon a weekly allowance of only 10 pints of rice and three pounds of salt fish. Your Lordship will easily, from these documents, form your own opinion as to whether the amount of the additional expense is of a nature to affect the consideration of a question of such overwhelming importance to the well-being of the labouring population.

(B.)

Your Lordship will, I feel confident, deplore with me that the former Dutch system, by which the proprietors of estates were compelled to have a certain extent of ground in cultivation as a plantain walk or as provision grounds, has, by degrees, been done away with. The high price of sugar and other articles of produce has induced the planter to purchase imported provisions, and to apply all his labour towards raising those things only from which an immediate profit was to be expected. If it is intended that this province should continue to flourish,

and

BRITISH GUIANA.

and that the character of her labouring population should be that of steady, peaceable and moral people, this error must be rectified. It will be very advisable, I respectfully submit to your Lordship, that, in regulating the nature of the future transactions between the employer and the labourer, on and after the 1st August 1840, a cottage with a piece of land attached to it, together with sufficient time to cultivate the same, should be insisted upon as the basis of all agricultural agreements.

I take the liberty of respectfully stating to your Lordship, that if the regulations as contained in my proclamation of the 24th instant should meet with his Majesty's gracious approbation, it will be necessary, in compliance with the enactment upon that subject, contained in his Majesty's order in council of the 6th November 1832, that his Majesty's confirmation of the same should be communicated to me.

I have, &c.

(signed) *J. Carmichael Smyth.*

Enclosures in No. 116.

(A.)

GOVERNMENT NOTICE.

Encl. in No. 116.
(A.)

THE following letter, addressed by his Excellency the Governor to a deputation of gentlemen who waited upon him, with reference to his Excellency's proclamation of the 24th instant, is published for general information.

By his Excellency's command,

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

Guiana Public Buildings, 29 April 1837.

Gentlemen,

Camp House, Demerara, 29 April 1837.

I HAVE listened with attention to every thing you have had to object to the measure I have felt it my duty to adopt, with respect to the augmentation of the quantity of those articles of food which you are at liberty to substitute for plantains. I now beg to request your consideration of the following observations :

I.

The allowance of plantains and of salt fish is ample. The best friend to the labourer cannot wish to see it augmented. I refer you to the fifth paragraph of my instructions to the special justices of this province, dated the 1st August 1834, as to my opinion upon the subject ; and as a proof of my unwillingness to entertain complaints so long as the labourer himself is satisfied. My expressions in the instructions alluded to are as follow :—

“ 5.—The weekly allowance of salt fish and of plantains has been represented to me by several gentlemen, whose honour and veracity I can depend upon, as being more than is required by a labouring man ; and it has been stated to me that it is the general custom to issue not more than two pounds of salt fish and fifty-six pounds of plantains per week, and to make up to the labourer the value of the difference with sugar, rum, tobacco, and other extra articles not mentioned in the tariff. To any amicable arrangement of this sort I can have no objection, provided the labourer is satisfied. If, on any estate, there should be any complaints on the part of the apprenticed labourers as to an insufficiency of food, or in any way connected with the subject of their provisions, it will be your duty to enforce the tariff with the utmost punctuality. On the other hand, it is a very material object, and one quite in unison with that good feeling between the landlord and the labourer which I feel it my duty by every means in my power to encourage, that the latter should feel that his comforts and his happiness will very much depend upon his own good conduct and upon the approbation of his employer. I wish that the apprenticed labourer should always be instructed to complain to his employer in the first instance, and not be encouraged to apply to the special justice, excepting it is of his employer himself he has to complain, or that he cannot otherwise obtain redress.”

II.

I need not point out to you, gentlemen, that the cultivation of plantains and of provisions for the labourers has of late considerably and rapidly diminished. The excellent and prudent Dutch regulation, by which every estate was obliged to have provision grounds in the proportion of one acre to every five persons, has become a dead letter. The periodical visits and reports of the burgher officers to ascertain that the foregoing regulation was complied with have been discontinued. The fines levied by order of the court of policy upon defaulters have not been heard of for some time. The profits to be derived from the cultivation of sugar and other colonial produce have induced the planters in general to apply all disposable labour towards the production of those articles which afford the greatest returns ;

returns; and the anomaly has arisen (and, if not checked in time, will reach a still greater height), that in a country where every necessary for the subsistence of man can be raised with the least possible trouble, the labouring class have, in a great measure, to depend for their subsistence upon corn, meal and rice imported from other countries. No less quantities than 951,024 lbs. of Indian corn-meal, and 3,945,396 lbs. of rice, were imported into the river Demerara during the year 1836; and if we may judge by the quantity of these articles of provision imported from 1st January to 31st March last, the importation during the present year will be at least threefold of that of last year.

III.

Under the circumstances I have depicted, and in consequence of complaints and representations having been made to me of the insufficiency of the quantity of food issued to the labourers in lieu of the plantains (the allowance of which, as I have before said, is ample), it became my duty to look carefully into the subject, and to ascertain whether the issues of other articles of farinaceous food, allowed by his Majesty's order in council of the 2d November 1831 to be substituted for plantains, accorded with the spirit of that order. In Sir Benjamin D'Urban's proclamation of the 18th January 1833, issued to carry into effect the details of that and the subsequent order of the 6th November 1832, I find 10 pints of flour of wheat substituted for 21, 10 pints of Indian corn-meal for 21, and 10 pints of rice ordered as a succedaneum for 70 lbs. of plantains. It must have been under the impression that plantains were to be the permanent ration, and that the issuing of the imported articles of a farinaceous nature in lieu thereof was to be a temporary or occasional measure, only to be resorted to in the event of a failure or dearth of the plantain crops, that my estimable predecessor could have affixed his name to such a diminished tariff. I have felt, however, that it was impossible for me to sanction the continuance of a state of things not only at variance with the spirit of the several orders in council, but calculated, in my view of the subject, to injure the permanent interest of the province.

IV.

The only three articles which, in my proclamation of the 24th instant, I have caused to be augmented in quantity, to which it will be necessary for me to draw your attention, are, first, wheat flour; secondly, Indian corn-meal; and thirdly, rice. When these articles are issued, they must be purchased from the importers; and, consequently, any augmentation to the quantity of each or either of these articles of farinaceous food issued per week to the labourer adds to the expenditure, and in so much diminishes the profit of the estate.

V.

With respect to the wheat-flour, you, gentlemen, know full well, that the labourer of British Guiana is not acquainted with even the taste of wheat-flour; and that it is perfectly immaterial to him and to you, whether the words twenty-one pints of wheat-flour, as found in the order in council of the 2d November 1831, or ten pints of wheat-flour, as specified in Schedule (A.) attached to Sir Benjamin D'Urban's proclamation of the 18th January 1833, are considered valid. You never have purchased a cask of flour, for the purpose of issuing the same, to the apprenticed labourer.

VI.

The next article proposed as a substitute for plantains is Indian corn-meal. On the subject of Indian corn, I can speak with more confidence and experience than perhaps any planter in this colony. It is the constant food issued to the labouring class in the Bahama islands. The weekly allowance is 16 pints of Indian corn, and which, when passed through the mill, gives to each individual about 21 pints of good farinaceous food, or at the rate of three pints per day. I cannot comprehend how, as the Bahama labourer requires the quantity I have alluded to, and which is cheerfully given by the poor Bahama planter, it can be imagined, in this wealthy colony, that an allowance of Indian corn-meal, not amounting to a pint and a half per day, could afford sufficient nourishment for a strong labouring man. The order in council has, in my opinion, very judiciously fixed the quantity of Indian corn-meal at 21 pints per week, or three pints per day. It is impossible for me to sanction any diminution from this quantity.

VII.

The article of rice is not mentioned in the order in council. Sir Benjamin D'Urban, in his tariff, places, however, 10 pints of rice as equal to 10 pints of Indian corn-meal, and having shown you that three pints of the latter are required for the daily subsistence of a labourer, I consequently assume that he will require the same quantity of the former.

VIII.

With respect to my authority to issue the proclamation of the 24th instant, and with which you appear to be unacquainted, it is only necessary to observe to you that the order in council of the 2d November 1831, establishes a certain scale of provisions, and authorizes the Governor to issue, from time to time, proclamations directing the substitution for the provisions aforesaid of any other provisions equivalent to and equally nutritious with the same. The authority thus given to the Governor is very considerably enlarged by the subsequent order in council of the 6th November 1832; it being declared in the said order in council lawful for the Governor, by any proclamation to be by him issued, from time to time to

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suspend so much and such parts of the order in council of the 2d November 1831 as shall appear inapplicable to the state and condition of the said colony, and to establish such other rules and regulations as shall to such Governor appear to be more compatible with the interests of all parties, &c. The Act abolishing slavery was passed upon the 28th August 1833; and in the 11th clause of that Act, it is enacted that during the continuance of any such apprenticeship as aforesaid, the person or persons for the time being entitled to the services of every such apprenticed labourer shall be bound, and is and are hereby required to supply him or her with such food, clothing, lodging, medicine, medical attendance, and such other maintenance and allowance as by any law now in force in the colony to which such apprenticed labourer may belong an owner is required to supply to and for any slave being of the same age and sex as such apprenticed labourer shall be. At the period at which this Act of the Imperial Parliament was passed, the order in council of the 6th November 1832 was the only law in force regulating the food, &c. of the slave in British Guiana; and as by that law the power was vested in the Governor of making such regulations upon these subjects as to him might appear proper, establishing the same by proclamation to be by him issued from time to time, it follows that my proclamation of the 24th instant is, consequently, in strict conformity to the power vested in me by the order in council of the 6th November 1832, and which power is rendered permanent until the 1st August 1840, by the Act of the Imperial Parliament. The confirmation by his Majesty of the tariff promulgated by Sir Benjamin D'Urban, in preference to one upon a more reduced scale proposed by the court of policy, to be attached to ordinance 43, and to the impropriety of which I, at the time, drew the attention of his Majesty's Government, after having stated to the court of policy that I should so do, in no way militates against the power vested in the Governor, by his Majesty by his order in council of the 6th November 1832, of establishing such rules and regulations upon the subject of the food of the labourer as from time to time may to him appear to be requisite; subject, of course, as more particularly stated in the order itself, to the approbation or disallowance of his Majesty.

IX.

In conclusion, I have now, gentlemen, to acquaint you, that although I have not the smallest doubt with respect to the propriety, policy and legality of my proceeding, yet I am willing, in consequence of the statements you have made to me, to suspend the operation of the proclamation for a period of six months, in order to enable you to be better prepared, at the end of that period, to provide the additional quantity of farinaceous food you will have to supply to your labourers (when plantains are not issued), either by reverting to the old system of cultivating an ample extent of provision grounds upon account of the estate, or by giving to the labourer land, and allowing him the legal time required to cultivate the same, or by taking the necessary measures to ensure a larger importation of rice and Indian corn-meal. I am in hopes that the larger quantities of those articles of imported food which will hereafter be required for the weekly allowance of the labourer will induce proprietors not only to pause before they still further abandon the cultivation of provision grounds, but may be the means of introducing into general use the allowing of sufficient time to the labourer to cultivate his own ground, a system by which his attachment to the estate from which he may receive his subsistence can alone, in my opinion, be permanently secured.

I am, &c.

(signed) *J. Carmichael Smyth.*(True copy.) *H. E. F. Young*, Gov. Secretary.

To M. M'Turk, G. Fullarton and J. Lane, Esquires.

PROCLAMATION.

J. C. SMYTH, British Guiana.

(L. s.)

By his Excellency Major-general Sir *James Carmichael Smyth*, Baronet, Companion of the most honourable the Military Order of the Bath, Knight Commander of the Royal Order of Hanover, Knight of the Austrian Imperial Order of Maria Theresa, Knight of the Russian Imperial Order of St. Wladimir, Governor and Commander-in-chief in and over the Colony of British Guiana, Vice-Admiral and Ordinary of the same, &c. &c. &c.

WHEREAS it has been represented to me, by several very respectable proprietors and attornies of estates, that from the small quantities of rice and of corn-meal in hand, and the diminished extent of the plantain and provision cultivation upon the estates, it will be very inconvenient and difficult to carry forthwith the alterations with respect to the food of the labourers, as directed in my proclamation of the 24th instant, into effect: Now, having taken the aforesaid representations into my most serious consideration, and being duly impressed with the necessity of equally attending to the wants and interests of all parties, I do hereby, by virtue of the power and authority vested in me by his Majesty, by his order in

in council of the 6th November 1832, which order in council is rendered permanent until the 1st August 1840, by the Act of the Imperial Parliament for the Abolition of Slavery, suspend the operation of my proclamation as aforesaid for a period of six months; that is to say, until the 1st November of the present year; upon and from which day the additional quantities as therein detailed, of either yams, potatoes, cocoas, eddoes, tanyas, wheat-flour, Indian corn-meal, or of rice, at the option of the employer, will have to be issued to the labourer, instead of the legal allowance of plantains.

Given under my hand and seal of office, at the Guiana Public Buildings, in George Town, Demerara, this 29th day of April 1837, and in the seventh year of his Majesty's reign.

God save the KING.

By his Excellency's command,
(signed)

H. E. F. Young,
Government Secretary.

(True copy.) *H. E. F. Young,*
Government Secretary.

(B.)

STATEMENT showing the average yearly Expense of feeding a Labourer in *British Guiana*, according to the following proportions of Rations.

(B.)

| WEEKLY ALLOWANCE. | | EXPENSE PER ANNUM. | | |
|-------------------|--|--------------------|--------------|-----------------|
| | | <i>Guil.</i> | <i>Stiv.</i> | <i>£. s. d.</i> |
| No. 1. | Showing the Rations of last year. | | | |
| | 2 bunches of plantains, at 13½ stivers per bunch | 89 | - | 6 7 2 |
| | 3 lbs. of salt fish, at 2½ stivers per lb. - - - } | | | |
| No. 2. | | | | |
| | 21 pints of corn-meal, at 2½ stivers per pint | 140 | 7 | 10 6 - |
| | 3 lbs. of salt fish, at 2½ stivers per lb. - - - } | | | |
| No. 3. | | | | |
| | 21 pints of rice, at 3 stivers per pint - - - } | 181 | 6 | 12 19 - |
| | 3 lbs. of salt fish, at 2½ stivers per lb. - - - } | | | |
| No. 4. | | | | |
| | 10 pints of corn-meal, at 2½ stivers per pint | 76 | - | 5 8 7 |
| | 3 lbs. of salt fish, at 2½ stivers per lb. - - - } | | | |
| No. 5. | | | | |
| | 10 pints of rice, at 3 stivers per pint - - - } | 95 | 10 | 6 16 5 |
| | 3 lbs. of salt fish, at 2½ stivers per lb. - - - } | | | |

— No. 117. —

(No. 319.)

Copy of a DESPATCH from Governor Sir *J. C. Smyth*, Bart., to Lord *Glenelg*.

My Lord,

Camp House, Demerara, 13 May 1837.

IN the despatch of the 25th ultimo, No. 310, which I had the honour to address to your Lordship, I submitted for your Lordship's perusal, and, as I hope, for your approbation, a copy of a letter I wrote to a committee of gentlemen, who waited upon me relative to the augmented quantity of corn-meal I have directed to be issued to the apprenticed labourers whenever their employers may think proper to have recourse to that species of food as a substitute for plantains. I was in hopes that the facts and the arguments stated and urged in that letter would have been conclusive, and that, until his Majesty's pleasure could be made known, I should not have received any further representations upon the subject. These gentlemen, however, do not appear to be satisfied either as to the propriety or as to the legality of the measure I have felt it my duty to adopt; and they have forwarded to me the accompanying documents for transmission to your Lordship.

No. 117.

(A.)

I was in hopes that, at this time of day, every person connected with this colony and interested in apprenticed labour would have been aware of the impolicy of agitating such a subject as the minimum of corn-meal with which an apprenticed labourer can be fed. Of the propriety of issuing the ration I have directed,

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(B.)

(C.)

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

Enclosures in No. 117.

(A.)

To Sir *James Carmichael Smyth*, Bart., K. C. B., Governor of the Colony of British Guiana.

Encl. in No. 117.

Sir,

Your Excellency having been pleased to inform us that you were prepared to receive, and to transmit to the proper quarter, such observations as we might consider it our duty to offer, in regard to the communication addressed to us by your Excellency on the 29th of April, we have now the honour of submitting the views which have presented themselves to our minds with reference to that communication, and to the proclamation by your Excellency, by which it was preceded.

In the following observations we shall take leave to observe the order of the communication of the 29th of April, most respectfully requesting your Excellency to understand, that the authority of these remarks entirely depends upon the personal convictions resulting from our own experience, and that we do not consider ourselves as limiting or representing, in any manner of way, the feelings or opinions of any other parties.

I.

Your Excellency has stated that the allowance of plantains and of salt fish now supplied to the apprenticed labourers of British Guiana is ample, and that no friend of such labourers can desire to see this allowance augmented.

In the propriety of this opinion we most humbly and heartily concur. If, however, it be meant by your Excellency that any inference is in consequence to arise unfavourable to the equal sufficiency of the other provisions which may now, by law, be delivered in lieu of plantains, we are satisfied that such inference would be entirely erroneous.

When the schedule of Sir Benjamin D'Urban, which forms the existing scale of allowances in this colony, was in the course of preparation, we have reason to know that it was the earnest desire, as it was the obvious duty, of that able and excellent person so to regulate the enactments as to ensure the various classes of supplies to be furnished to the negro, being as nearly as possible equivalent to plantains and to each other.

That the regulations of this schedule were equal in themselves, as well as in every respect adapted to the wants of the labourer, we must hold to be established by the circumstance, that from the issuing of the proclamation of the 18th of January 1833 down to the present hour, we are not aware of a single allegation of the inadequacy of any allowance thereby provided having proceeded from any slave, or from any apprenticed labourer, within the wide extent of British Guiana.

Of the practical operation of the scale of Sir Benjamin D'Urban, we, as individuals, have had an experience of more than four years, extending over a series of estates administered under our immediate superintendence, comprising a large proportion of the cultivation of this colony, and comprehending upwards of 8,000 apprenticed labourers, not one of whom has ever insinuated to us the existence of any hardship or insufficiency connected with his legal allowance, whether delivered to him in plantains, or in any separate form of supply, permitted by law to represent that article of subsistence.

In a recent proceeding at plantation "John and Cove," your Excellency is aware that the complaint by the apprenticed labourer, "Rose Ann," did not allege the inadequacy of the legal allowance, but averred that the legal allowance had not been properly served upon the estate. The charge, as embodied in the words of the petition, is thus stated: "That the allowance is very ill-served out on said estate; and, in fact, that for four days in the Easter week they were without their due allowance, and still the daily labour was exacted and performed by them." In the case, therefore, of the complainants of "John and Cove," obviously in no degree disposed to slumber upon their sufferings, no shadow of imputation was cast upon the amount of the allowance itself. It was solely the non-delivery of the "due allowance" that was made the occasion of that clamorous, and, as it proved, most groundless petition.

The propriety of the fifth article of the instructions to the special justices of this colony, issued by your Excellency on the 1st of August 1834, and introduced into the communication of the 29th of April, we are disposed most cheerfully to admit. It would have been well were we also enabled to express our belief, that these wise and wholesome injunctions have had a due or general effect.

II. In

II.

In so far as we are in possession of the means of information, we are unable to concede to your Excellency that any great or general neglect has occurred in the cultivation of plantains. Instances may, doubtless, be enumerated in which the higher attraction of a sugar-crop may have diverted the labour of the estate from the plantain-walk towards the boiling-house; but the chief occasion of the deficiency in plantains appears to be far more deeply-seated, and, unhappily, to be far less susceptible of remedy than your Excellency has hitherto been made aware. For a series of years, a distemper, of a most destructive character, has been extending itself among the plantain grounds of British Guiana. In a colony throughout which the cultivation of plantains had previously been attended with almost certain success, so fatal have been the results of this disorder, that a variety of estates, at one time calculated to produce very large disposable crops, are not now in a situation to provide for their own allowances. The cause and the cure of this vegetable malady are equally unknown. A large reward offered by the court of policy has entirely failed in establishing a remedy. In this situation, it is not unlikely that in certain instances a less than usual anxiety may have been displayed with reference to a crop now become precarious; but very opposite cases are within our knowledge, in which, with a rapidly diminishing production, the labour bestowed upon the plantain grounds has been materially increased.

We are, however, unable to perceive the justice or the expediency of holding it incumbent upon the proprietor of an estate in this colony to keep up the cultivation of plantains, or of any other crop whatever, notwithstanding of a separate and more profitable demand for his apprenticed labour. In the present condition of British Guiana, it is obvious that the supply by importation, so long as it shall be fostered by a steady demand, cannot be said to be less certain or less convenient, while it is frequently far less expensive, than by a home production. In the midst of a profound peace, it would be hard, we think, to insist on maintaining the restrictions applicable, if applicable at all, only to a season of strict blockade.

Whatever may have been the original importance of the Dutch regulations referred to, with approbation, by your Excellency, it is certain that there is now no rule having the force of law in this colony by which the cultivation of a certain extent of provision ground is made compulsory upon the proprietor of an estate. Any attempt to restore such regulations would necessarily be resisted as an invasion of the rights of ownership, and a great impediment to the free and profitable employment of the land. At the same time, it would, perhaps, have been more intelligible, if the production of plantains is really to be made imperative upon this colony, had the object been attempted by a positive regulation of your Excellency, rather than the imposition of irregular and apparently invidious burthens upon supplies of a different description.

III.

Your Excellency has been pleased to inform us, that complaints and representations have been made to you of the insufficiency of the quantity of the allowances issued in this colony to the apprenticed labourers in lieu of plantains. In what fell from your Excellency at our recent interviews, we did not understand it to be said that these complaints or representations had proceeded, directly or indirectly, from the apprenticed labourers themselves, who have, for four years and a half, been receiving the quantities now pretended to be insufficient. Who, then, we venture to inquire, are the lurking informants, hostile alike to the interests of this colony and to the true credit of your Excellency, who have most presumptuously, as well as most falsely, represented that the food, in the enjoyment of which the negro has for so long a time lived in sleek and uncomplaining comfort, is nevertheless inadequate, in the proportion of upwards of one-half, to the common necessities of his nature?

Your Excellency has further stated, that in consequence of the complaints so made, you have felt it to be your duty carefully to ascertain whether the issues of farinaceous food, now substituted for plantains, are in accordance with the spirit of the order of the King in council of 2d November 1831. A slight regard, however, to the history of this order will, we think, be sufficient to establish that the existing scale of allowances in British Guiana is quite as independent of the provisions of the enactment of 1831 as if these provisions had never been heard of in this colony.

When information of the terms of the order in council of November 1831 first arrived in this colony, a most serious alarm for the consequences was excited throughout the length and breadth of the land. It is impossible, indeed, to doubt that many, if not most, of the provisions of that order had been framed in utter ignorance of the peculiar situation of British Guiana, and that any attempt to enforce them against this community must have been attended with the most imminent peril to the very existence of the colony.

In these circumstances, a humble memorial was presented to the predecessor of your Excellency, by "the colonial members" of the court of policy, in which there appear these earnest and memorable expressions: "From the nature of this order in council, we are impressed with a firm conviction, that if its publication does take place, the utter ruin and desolation of this colony, already suffering under the severest calamities, will be consummated. As members of the court of policy, called upon by our duty to the colonists at large, and as the only hope to which they now cling, to avert this fatal measure, we, in behalf of the colony, implore your Excellency to stay the publication of the said order in council, that we may have an opportunity of demonstrating to his Majesty its ruinous tendency to every interest of this community."

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The instructions of his Excellency being peremptory, this most affecting memorial necessarily failed in averting the so much dreaded publication. A solemn declaration was thereupon prepared by "the colonial members," exposing, with much ability, the mischievous character of the order of 1831; and being delivered in to Sir Benjamin D'Urban, at a meeting of the court of policy, was by him transmitted, in a favourable manner, to his Majesty's Government. The regulations, with reference to food, contained in the 88th section of the order in council, are thus observed upon at page 9 of that "declaration:"

"The quantity of flour, corn-meal or yams specified in this clause is far beyond what any human being can consume; and although Lord Goderich quotes the gaol regulations of Jamaica in justification of the order, we cannot help coming to the conclusion, that some mistake has arisen in the matter; perhaps this excessive quantity was intended to afford the gaoler a perquisite of office, for it cannot be accounted for on any other rational ground. If flour was given in lieu of plantains in the quantity specified, it would take nearly the whole of the net proceeds of the produce of British Guiana to pay for it, as will be made obvious by the calculations given in the appendix. The planters have no objection to fix a fair and full allowance of provisions for their slaves, but they contend that the scale specified in this clause is enormous and the quantity cannot possibly be consumed by the negro."

The remonstrances thus wrung from the agony of British Guiana received, as they surely merited, the immediate and anxious attention of his Majesty's Government. It was speedily discovered by the parties least disposed to bestow their indulgence upon the planters, that the order of the 2d of November 1831 could not possibly be maintained; and although, for reasons of policy, it was not held to be expedient that the express recall or alteration of the obnoxious enactments should be pronounced by the Government itself, an order in council did issue upon the 6th of November 1832, with the view of substantially conceding the just requests which had been submitted on the part of this colony. That the objections set forth by the colonial members to the allowance of food proposed to be delivered to the negro, by the order of 1831, had attracted a principal degree of the notice of his Majesty's Government is obvious from the fact, that the remedial order of the 6th of November 1832 actually begins with enumerating the regulations, in reference to food, as standing at the very head of the erroneous provisions of the order of 1831. It is thereafter said: "Whereas it has been represented to his Majesty, that some of the several regulations aforesaid cannot be enforced in the said colonies without great prejudice to the slaves therein, nor without ruinous loss to the owners of such slaves, and that other regulations might be established in the said respective colonies for securing to the slaves therein an adequate supply of food, clothing and household furniture, more compatible with the interests of the owners of such slaves, and equally conducive to the benefit of the slaves themselves." It was thereupon provided, that the Governors of the said colonies, being such as were subjected to the legislative authority of the King in council, should have, by proclamations to be from time to time issued, a power "to suspend so much and such parts of the before-mentioned order in council relating to the several measures aforesaid, or any of them, as to such respective Governors shall appear inapplicable to the state and condition of the said respective colonies; and, by such proclamations, to establish such other rules and regulations respecting the several measures aforesaid, or any of them, as shall to such respective Governors appear to be more compatible with the interests of the owners of the slaves therein, and better adapted for securing to such slaves an adequate supply of food, clothing and household furniture."

If there be meaning in the language of a royal order in council, we cannot doubt that the intent of this enactment was not to support and enforce the scale of allowances contained in the order of 1831, or even to render that scale susceptible of renewal or restoration at any after period; but, on the contrary, to admit the force of the objections stated to that scale in the "declaration" of the colonial members almost in the very words of that document itself. The scale in question is referred to as ruinous to, and incompatible with, the true interests of master as well as slave. A power is then conferred upon the Governor not to exact or enforce its provisions, but to suspend and annul them,—a power, the granting of which under such circumstances we can hardly be mistaken in holding to be tantamount to an express injunction to exercise it.

Accordingly, upon the 18th day of January 1833, Sir Benjamin D'Urban, not only under the authority of the order by the King in council of 6th November 1832, but as we have shown your Excellency, in obedience thereto, issued a proclamation with reference to the grievances admitted to exist under the order of the 2d of November 1831. Following the example of the order of 1832, his Excellency proceeded, in the first place, to order and direct: "That the fifth regulation of the 88th clause of his Majesty's order in council, bearing date the 2d of November 1831, relating to the allowance of provisions to be supplied to slaves, shall be and the same is hereby suspended; and that, in lieu thereof, every manager who shall, by such declaration as is therein referred to, propose to maintain his slaves by an allowance of provisions, shall be and he is hereby bound and required to supply such provisions to the amount and of the kinds set forth in the schedule marked (A.) hereunto annexed." This proclamation, having been duly transmitted to his Majesty in council, was maintained as the regular scale of allowances down to the passing of the Statute for the Abolition of Slavery, and was, thereafter, included, by the special authority of his Majesty, as the rule of the allowances to apprenticed labourers among the schedules set forth in the appendix to the order in council of the 5th June 1834, by which the ordinance of your Excellency and the court of policy, number 43, was amended and approved. It humbly, therefore, appears to us that the inquiry undertaken by your Excellency, as to the corre-

spondence

spondence of the proclamation by Sir Benjamin D'Urban with the spirit of the order in council of 2d November 1831, was entirely nugatory. As well might your Excellency have examined, whether any other proclamation, by any other Governor, issuing under due authority, was or was not "in the spirit" of the law proposed to be suspended. As well, indeed, might your Excellency have inquired, whether the provisions of the Abolition Act itself, by which slavery was for ever extinguished throughout the British empire, was "in the spirit" of the laws previously existing, by which the property in slaves was held to be a sacred and essential right of owners and others in this colony. And with just as much success, we venture to believe, might your Excellency have directed your proclamation against the express and enfranchising terms of that Act of Parliament, as against the schedule of allowances first published under the authority of Sir Benjamin D'Urban, but now adopted and confirmed by virtue of the very enactment which forms the great charter of freedom to the negro.

We cannot concur with your Excellency in the conjecture, that the allowances in lieu of plantains contained in the schedule of Sir Benjamin D'Urban were by him intended to be temporary and occasional. We know the fact to have been otherwise; and grievously indeed would his Excellency have betrayed his trust, if, for periods however short, recurring at intervals however long, the negro, by an ill-considered act of his administration, had been subjected to any serious privation in regard to the actual necessities of existence.

IV. V. VI. VII.

It is true, as stated by your Excellency, that the sums of money disbursed by the cultivator for flour, rice and meal in so far diminish the profits of estates. But wherein do these forms of supply differ, in expense, from the production of provisions upon the lands themselves? The diversion of labour from the ordinary cultivation of the estate appears to be quite as much a charge upon profits as the actual outlay of so much current money.

Your Excellency has been pleased to take for granted that we "know full well" that the labourers of British Guiana "are not even acquainted with the taste of wheat-flour," and that it is therefore "perfectly immaterial" to them what amount of such supply may be deemed to be sufficient. We are under the necessity of stating to your Excellency that our knowledge is precisely the other way. There is not, we believe, at this moment one working negro on any sugar, cotton or coffee estate in British Guiana who does not know, as well as we do, the qualities of the luxury imagined by your Excellency to be unknown. The appetency of the negro for "bread" is, indeed, one of the earliest peculiarities which occurs to a stranger landing upon our shores. Hardly an estate is without its negro baker. True it is that, from the proprietor, wheaten-flour is not an usual, and, owing to the difficulties of cooking it, we do not think it would be an expedient or beneficial supply. But the time has existed in Demerara when, from special circumstances, little else than wheaten-flour could be delivered to the negro. Who shall say that such a time may not come again? And can it, therefore, be correctly stated, as "perfectly immaterial" what extent of such allowance may now be declared to be the law? In regard to the absolute non-issue of wheaten-flour at the present time, your Excellency has been misled by your informants. The books of many most respectable store-keepers transacting business in George Town would have satisfied your Excellency that, within the last twelve months, supplies of wheaten-flour have been repeatedly issued to apprenticed labourers.

In regard to the amount of allowances furnished to the labourers of the Bahamas, we certainly shall not be guilty of the presumption of placing our scanty information against the actual experience of your Excellency. But for this much, we may refer to the authority of your Excellency, that, in point of general comfort and advantage, the position of the negro of the Bahamas, whether apprenticed or not, is in no degree comparable to that of the industrious labourer of British Guiana.

It is true that rice is not an article mentioned in the order in council of 1831. How, therefore, in the act of restoring that order, your Excellency should have been led to introduce into the scale a double quantity of an article not enumerated in the order at all, we confess ourselves at a loss to understand. It is not, surely, that every thing is to be assumed, right or wrong, against the planter, and in favour of the negro. It is not, surely, that the rule of interpretation is to be that the order in council of 1831 shall be held as law wherever it presses hard upon the employer, and that the otherwise repudiated proclamation of Sir Benjamin D'Urban, of 1833, shall also be law, but only where it indicates an additional supply of which the labourer may have the benefit.

VIII.

In regard to the authority under which the proclamation of the 24th of April is said to have been issued, we shall not presume to engage in a legal controversy with your Excellency. On that head, we shall beg humbly to refer your Excellency to the "Case," and following "Opinion," herewith delivered in. Your Excellency will there perceive that, along with several parties having a weighty stake in this community, we have deemed it our duty to resort to the counsel of other individuals of whose competency and impartiality we trust there is no just doubt, and whose profession it is to afford such elucidations to the parties who may consult them. That opinion we cannot but regard as clear and conclusive; and your Excellency will not be surprised to learn that by its terms it is our purpose to abide.

Although not learned in the law, we profess, however, to have a moderate acquaintance with the circumstances under which the existing scale of allowances happens to have been maintained as the rule in British Guiana since the passing of the Abolition Act. To some

BRITISH GUIANA. of these circumstances we shall take leave shortly to direct the attention of your Excellency.

When the ordinance, No. 43, at first came under the consideration of the court of policy, your Excellency will remember that the scale of Sir Benjamin D'Urban was held to be over high; and a reduced schedule of allowances was accordingly appended to the early form of that ordinance, transmitted by the court for the approbation of the King in council.

We cheerfully do your Excellency the justice of admitting that, in these reduced allowances, your Excellency stated at the time that you were unable to concur. The grounds of this dissent appear to have preceded or accompanied the draft of the ordinance, No. 43, to the office of the Colonial Secretary, by whom the views suggested by your Excellency were held to be correct, and a corresponding alteration was made by the order of the King in council, of 1834, in regard to the schedule which had been prepared by the local legislature of the colony.

Among the various communications by the Government received at that period by your Excellency, we shall advert to a single document as entirely settling the question, both as to the views understood by that Government to be entertained by your Excellency in regard to the due and legal extent of the allowances, and, what is of more importance, the explanations and instructions communicated to your Excellency in regard to the colony of British Guiana, by the very parties by whom the Act of Abolition was prepared and passed. The important paper to which we allude is the despatch, No. 90, of date the 24th of May 1834, addressed to your Excellency by the Hon. E. G. Stanley (now Lord Stanley), at that time his Majesty's Secretary of State for the Colonial Department.

In this despatch, Mr. Stanley observes to your Excellency, "The doubts which you appear to have entertained, as to substituting for the food, maintenance and allowances, authorized by Sir Benjamin D'Urban's proclamation of the 18th January 1833, the proposed schedules to the ordinance, marked (P.) and (Q.) were founded in a perfectly correct view of the intent of the Slavery Act."

"Under that statute, sect. 11, the employer of every labourer is required to supply him with such food and clothing and other allowances, as by any law now in force in the colony to which such labourer may belong an owner is required to supply to and for any slave, being of the same age and sex as such apprenticed labourer shall be."

"On the 28th of August last, when the Act was passed, Sir Benjamin D'Urban's proclamation of the 18th of January 1833, issued under the authority of the order of 6th November, was in force in the colony, and had the authority of the law there."

"The schedule of food, &c. sanctioned by that proclamation must therefore continue in force in British Guiana during the apprenticeship, and must, consequently, be inserted in place of schedules (P.) and (Q.)"

A document more completely fatal to the proclamation by your Excellency of the 24th of April, and to the views set forth in your written communication of the 29th of that month, cannot, as we humbly conceive, be stated or imagined. Upon each and all of the points now at issue, it seems to be clear, decisive and unanswerable. The proclamation by Sir Benjamin D'Urban, now impugned by your Excellency, is described as a legal proclamation, proceeding under a legitimate authority. The schedule of allowances thereto attached is declared to have been a legal schedule, having the force of law in this colony at the passing of the Emancipation Act. The proceeding of your Excellency, in maintaining the integrity of that schedule against the attempts of the court of policy, received the applause of the Government, as being founded upon "a perfectly correct view of the intent of the Slavery Act." This view is, obviously, assumed to be identical with the opinion of the Government itself, and to be in perfect consonance with the positive instructions to your Excellency, that the scale of Sir Benjamin D'Urban "must continue in force in British Guiana during the apprenticeship." We should be wanting in proper feeling towards your Excellency were we to conceal from you our strong conviction, that these opinions and that instruction are entirely irreconcilable with the scale of allowances now sought to be inflicted upon this colony.

IX.

It is hardly necessary to observe, that after the most anxious consideration of the views which have been presented to us by your Excellency, we have the misfortune entirely to differ from your Excellency in regard to "the propriety, policy and legality" of your recent proclamation. At the same time, we have to offer you our humble thanks for the great attention with which our statements have been received, as well as for the promptness with which, in consequence of these statements, you have authorized a suspension of this proclamation for six months. We regret that the great importance of the points in issue has led us to draw so largely upon the time of your Excellency; and we trust you will not consider our expectation as unreasonable, that the same publicity will be authorized by your Excellency in behalf of these observations and the accompanying documents as has already been allowed to the communication of the 29th of April.

(Nos. 1 & 2.)

We have, &c.

(signed) *Michael M' Turk.*
Gavin Fullarton.
John Lane.

Demerara, 10 May 1837.

(No. 1.)

To *C. W. E. Hofsted, J. L. Smith, jun., and Charles M'Dougal*, Esquires.

Demerara, 27 April 1837.

HEREWITH are submitted the following documents :

- No. 1.—Order in Council, dated 2 November 1831, promulgated in British Guiana on the 12th January 1832.
- No. 2.—Order in Council, dated 6 November 1832, promulgated in British Guiana 18th January 1833.
- No. 3.—Proclamation of Sir Benjamin D'Urban, Governor of British Guiana, dated 18 January 1833, issued in pursuance of last-mentioned Order in Council.
- No. 4.—Ordinance of British Guiana, 1834 (No. 43), promulgated 22 July 1834, with the Schedules thereunto annexed, particularly Schedule (P.)
- No. 5.—Act of the Imperial Parliament, 3 & 4 Will. 4, c. 73, particularly section 11 (and the proviso at the end of section 16).
- No. 6.—Order in Council, dated 5 June 1834, promulgated in British Guiana 19th July 1834, confirming Ordinance, No. 43, with alterations and additions, and the Schedules thereunto annexed, particularly Schedule (X.)
- No. 7.—Proclamation of Governor Sir James Carmichael Smyth, dated 25 April 1837, relating to allowances of food to apprenticed labourers.

Reference being had to these documents, and to all others within your knowledge in anywise legally applicable to or bearing on the following questions, your opinion is asked on the following points :

No. 1.—Was or was not the proclamation of Sir Benjamin D'Urban, dated 18 January 1833, relating to the allowance of provisions to be supplied to slaves, null, void and of no effect ?

No. 2.—The 11th section of the above-mentioned Act of Parliament having enacted, "During the continuance of any such apprenticeship as aforesaid, the person or persons for the time being entitled to the services of every such apprenticed labourer shall be and is and are hereby required to supply him or her with such food, clothing, lodging, medicine, medical attendance and such other maintenance and allowances as by any law now in force in the colony to which such apprenticed labourer may belong an owner is required to supply to and for any slave being of the same age and sex as such apprenticed labourer shall be : " What law regulated the allowances of food referred to, and consequently what was the schedule of allowances of food in force when said Act of Parliament took effect, and to which it has reference ?

No. 3.—Is or is not the proclamation of Sir James Carmichael Smyth, Governor, promulgated the 25th instant, of any legal force, validity or authority, and are the persons entitled to the services of apprenticed labourers in this colony bound to supply wheat-flour, rice, yams, potatoes, eddoes or tanyas and Indian corn-meal in the quantities required by such proclamation, or are they bound to furnish allowances of such provisions according to any other scale than that specified in Schedule (X.) referred to and annexed to the above-mentioned order in council, dated 5 June 1834 ?

No. 4.—In the event of your opinion being against the legality of the requisitions prescribed by the proclamation of the Governor of the 25th April 1837, and supposing any special magistrate should attempt to enforce penalties for non-compliance with these requisitions, so far as they relate to the articles of rice, flour and corn-meal, what remedy is competent to a party so aggrieved ?

(No. 2.)

On the First Question.

WE are of opinion that the proclamation of Sir Benjamin D'Urban, dated 18 January 1833, relating to the allowance of provisions to be supplied to slaves, was not null, void and of no effect.

On the contrary, it appears that on the 6th November 1832, an order was issued by his Majesty in Council, in which, after stating that by the order in council of 2d November 1831, various provisions had been made respecting the nature and amount of food to be provided for the slaves in this colony, and after referring to other provisions of said order in council of 2d November 1831, not applicable to the present question, and after further stating that it had been

BRITISH GUIANA. represented to his Majesty that some of the said provisions could not be enforced without great prejudice to the slaves therein, nor without a ruinous loss to the owners of such slaves, and that other regulations might be established for securing to the slaves an adequate supply of food, clothing, &c. more compatible with the interests of the owners of such slaves, and equally conducive to the benefit of the slaves themselves, it was ordered, that it should be lawful for the Governor of the said colony, by any proclamation to be by him from time to time for that purpose issued, to suspend so much and such parts of the order in council of the 2d November 1831, relating to the matters in said order contained, as to such Governor should appear inapplicable to the state and condition of the colony; and by such proclamation to establish such other rules and regulations respecting the said several measures, or any of them, as should to such Governor appear to be more compatible with the interest of the owners of the slaves, and better adapted for securing to such slaves an adequate supply of food, clothing, &c.

Provided always, that all such proclamations should be confirmed and approved or disallowed by his Majesty in such and the same manner as was provided, in the said order, in reference to the proclamations which, by the said order, such Governor was authorized to issue.

It further appears, that in virtue of the authority conferred on him by the said order in council of 6th November 1832, and in pursuance thereof, Sir Benjamin D'Urban issued, on 18th January 1833, his proclamation, ordering and directing that the fifth regulation of the 88th clause of his Majesty's order in council, bearing date the 2d of November 1831, should be suspended, and that in lieu thereof, every owner or manager who should propose to maintain his slaves by an allowance of provisions, should be bound and required to supply such provisions to the amount and of the kinds set forth in the Schedule marked (A.) thereunto annexed.

This proclamation, then, was issued under the same authority as that by which the law of 2d November 1831 was enacted, and under an exercise of that authority, at a date posterior to the enactment of November 1831.

To suppose that his Majesty, by the order of 2d November 1831, intended to tie up or restrict his own legislative power, would not only be inconsistent with the idea of legislative authority, but also with the express words of the 120th clause of that very order; for after that part of the said clause which is recited in the proclamation of his Excellency the Governor, of April 1837, his Majesty adds these words: "Unless the same (that is, the law, statute, ordinance or proclamation repugnant to or inconsistent with that Act) shall first have been approved or confirmed by his Majesty, or by his heirs and successors, with the advice of his and their privy council."

We are therefore of opinion that the proclamation referred to in this question was at the time legal and valid.

On the Second Question.

By the 117th clause of the order in council of November 1831, coupled with the order in council of November 1832, it was declared that until disallowed by his Majesty, the proclamation of the Governor, in reference to the quantity of food to be supplied to the slaves, should have the same force and effect as if it had formed part of the order in council of 2d November 1831.

The proclamation of 18th January 1833 was duly published in the colony by Sir Benjamin D'Urban, and never disallowed, nor was any contrary order, proclamation or law promulgated prior to the passing of the Abolition Act, on the 28th August 1833.

We are therefore of opinion that the law regulating the allowance of food to slaves in force in this colony at the date of the passing of the Act of Parliament of 3 & 4 Will. 4, chap. 73, namely, 28th August 1833, was the proclamation by Sir Benjamin D'Urban, of 18th January 1833, and that the schedule of such allowances was Schedule (A.) attached to that proclamation.

On the Third Question.

We are of opinion that, notwithstanding the proclamation of his Excellency the Governor, dated the 24th April instant, the persons entitled to the services of apprenticed labourers in this colony are not bound by law to furnish allowances of provisions according to any other scale than that specified in Schedule (X.) annexed to the order in council of 5th June 1834.

By the 11th section of the Act of Parliament of 3 & 4 Will. 4, chap. 73, it was enacted, that during the continuance of the apprenticeship, the person entitled to the services of the apprenticed labourer should be required to supply him with such food, &c. and such other maintenance and allowances as by any law then in force in the colony the owner was required to supply to the slave.

And by the 16th section of the same Act it was left to the Governors, Councils and Assemblies, or other local legislatures of the colonies, or to his Majesty, with the advice of his privy council, in reference to those colonies to which the legislative authority of his Majesty in council extends, to frame the rules and regulations for securing to the apprenticed

ticed labourers punctuality and method in the supply of the food, &c. to which they were therein declared entitled; and by the 44th clause of that Act it was further enacted, that no part of the fund raised for compensating the persons then entitled to the services of slaves should be applied to the purpose of that Act for the benefit of any such person, unless an order should first have been made by his Majesty, by and with the advice of his privy council, declaring that adequate and satisfactory provision had been made by law in such colony for giving effect to that Act of Parliament, by such further Acts and supplementary enactments as therein mentioned,

His Excellency Sir James Carmichael Smyth, and the court of policy, with the view of making this adequate and satisfactory provision, framed an ordinance, on the 8th March 1834, which was transmitted home for confirmation, and to which was attached a schedule of allowances of food to be furnished to the apprenticed labourers, of diminished quantity, and differing from that of Sir Benjamin D'Urban.

By the order in council of 5th June 1834, his Majesty, after referring to the aforesaid Act of Parliament, and particularly to the 44th clause of that Act, and after referring to the above-mentioned ordinance of the Lieutenant-governor and court of policy, did, by and with the advice of his privy council, and in pursuance and exercise of the power and authority in and by the said Act of Parliament in his Majesty in council on that behalf vested, declare, that, except in so far as certain parts of the said ordinance were thereafter disallowed, and except in so far as certain parts of the said ordinance were thereafter amended by the substitution of other provisions in lieu thereof, the said ordinance was approved, confirmed and allowed and finally enacted. And his Majesty did moreover declare, that by the said ordinance, so in part disallowed and so amended as aforesaid, adequate and satisfactory provision had been made in British Guiana for giving effect to the said Act of Parliament, by such further and supplementary enactments as were therein mentioned and required. And his Majesty did further, in the said order in council, disallow the diminished schedule of allowances for food proposed by the said ordinance of the court of policy, and did substitute the Schedule (X.), which is literally a transcript of Schedule (A.) attached to Sir Benjamin D'Urban's proclamation.

Under this order of his Majesty in council, persons formerly entitled to the services of slaves in this colony received their respective portions of the compensation fund raised under the aforesaid Act of Parliament.

We cannot therefore doubt that the Schedule (X.) referred to ought to be considered as an integral and inseparable portion of the order in council of 5th June 1834, incapable of being enlarged or diminished by any power less than that by and under which it was originally enacted. The power granted to the Governor of authorizing the substitution of other provisions cannot be extended to affect the quantities of the provisions specified in the schedule. Yams, potatoes, eddoes, tanyahs, wheat-flour, Indian corn-meal and rice, are as much substantive provisions of the schedule as are the plantains, and their respective quantities are as accurately defined and fixed, and as little liable to change.

On the Fourth Question.

We are of opinion that, in the case supposed, the remedy competent to the party aggrieved would be either by interdict or by an action of damages, as circumstances might direct.

Thus *Salvo Meliori* advised, in George Town, Demerara, 28 April 1837.

(signed) *C. W. Ellents Hofsted.*
J. L. Smith, jun.
Charles M' Doug l.

(B.)

GOVERNMENT NOTICE, 29 April 1837.

[(Vide Enclosure in Despatch 29 April 1837, No. 116, page 106.)

PROCLAMATION, 29 April 1837.

(Vide Enclosure in Despatch 29 April 1837, No. 116, page 108.)

(C.)

OPINION of the ATTORNEY-GENERAL.

(C.)

UNDER the fifth regulation of clause 88 of the order in council of the 2d of November 1831, it is enacted as follows:—"Each and every slave above the age of 10 years shall receive in each week not less than 21 pints of wheat-flour or of the flour of meal or Guinea corn, or 56 full grown plantains, or 56 pounds of cocoa or yams, and also seven herrings or shads, or other salted provisions equal thereto; and every slave below the age of 10 years shall be supplied with one-half of the before-mentioned allowance in each week, which allowance shall be delivered to the mother or nurse of every such infant slave." It is impossible to suppose for a moment that this order in council, as far as regards the quantity of provisions to be supplied to the slave, was not, previously to its being passed, well and maturely considered by the authorities in England; and the conclusion arrived at by his Majesty in council, that a less quantity of provisions than that specified in this fifth regulation would not be an adequate supply of food for the slave under the sixth regulation of this order in council, the Governor had the power conferred upon him of issuing from time to time, as (I presume) the exigencies of the colony might require it, proclamations authorizing the substitution for the provisions aforesaid of any other provisions equivalent to and equally nutritious with the same.

It is declared in a manner not to be misunderstood, that the provisions to be substituted for the allowance of food required to be given to the slave by the order in council are not to be less in quantity than that allowance, and they are not to be less nutritious. By the subsequent order of his Majesty in Council of the 6th November 1832, the Governor was authorized to suspend such parts of the order in council of the 2d November 1831, relative to food, &c., as appeared to be inapplicable to the state and condition of the colony, and by proclamations (in the plural number) to be by him issued from time to time to establish such other rules and regulations respecting the several matters referred to in the order in council of the 2d November 1832, as to him might appear more compatible with the interest of the owners of the slaves, and better adapted for securing to such slaves an adequate supply of food. It is also a special part of this order in council, that while the regulations to be issued under it shall be more compatible with the interest of owners, they are clearly to be "equally conducive to the benefit of the slaves themselves." It is impossible for me to consider that this order in council, authorizing the Governor to make other rules and regulations of a description better adapted for securing to the slave an adequate supply of food, could, by any sound construction that could be put upon it, put the slave in a worse condition, as to the quantity of food to be served out to him, than he was placed in by the order in council of 1831. Other rules and regulations are to be framed certainly, but not, as I conceive, to diminish the quantity of food to be allowed to the slave; but if I am correct in my interpretation of these expressions, the situation of the slave with regard to these matters might be improved, but could not be deteriorated. The order in council, I think, contemplated nothing more than the probability, that occasionally, from the state of the markets, wheat-flour, corn-meal or Guinea corn could not be procured but at a very ruinous price, perhaps could not be procured at all, and in those exigencies gave the Governor the power it conferred of authorizing the substitution of other provisions instead of those enumerated in the law, equal in quantity and not less nutritious. How Sir Benjamin D'Urban was led to issue the proclamation of the 18th January 1833, which gave the slave not even half of the quantity of corn-meal or rice as a substitute for his plantains, which the order in council of 1831 secured to him, I am at a loss to understand; Sir B. D'Urban must have been mistaken or misled as to the quantity of food necessary to be substituted for the allowance of plantains, for no planter will pretend that the substitute given is equivalent to the original allowance, any more than he could pretend that one-half of the allowance of the salted provisions given by the order would be equivalent to the whole. It must be remembered that the two orders in council of the 2d November 1831 and 6th November 1832, are laws passed *in pari materiâ*, and it is a settled rule of construction with regard to these, that they are to be considered as one law, and to be construed, not independently of each other, but with a reference to the code of which each is only a component part; when, therefore, I read the order in council of 1831, which gives the slave 21 pints of wheat-flour, or the same quantity of the flour or meal of Guinea or corn-meal, and collate it with the 120th clause of the same order, which enacts that no proclamation then or at any time theretofore in force in the colony, or which should thereafter be by any Governor or local legislature of such colony made, enacted, ordained or promulgated, should be of any force if in anywise repugnant to or inconsistent with the order of 1831, I must come to the conclusion that the order in council of the 6th November 1832, while it conferred upon Sir Benjamin D'Urban power to make other rules and regulations better adapted for securing to the slave an adequate supply of food, did not invest him with authority to reduce the 21 pints of wheat or other flour, allowed by the order of 1831, to such a diminished quantity when substituted for plantains as amounted to less than one-half of the quantity which the order in council prescribed, and consequently I think the legality of the proclamation of the 18th

January

January 1833, as far as regards the diminished quantity of food substituted by it for the slave's allowance of plantains, exceedingly questionable. BRITISH GUIANA

On the 28th August 1833, the Act for the Abolition of Slavery was passed. It is by the 11th clause enacted, that during the continuance of the apprenticeship (in other words, up to the 1st day of August 1840), the person or persons for the time being entitled to the services of the apprenticed labourer shall be bound to supply him or her with such food, clothing, lodging and medical attendance as by any law in force in the colony to which the apprenticed labourer may belong the owner of the slave was bound to furnish. It appears to be assumed as incontrovertible that the proclamation of the 18th January 1833 was the law in force at the period when the Abolition Act was passed, and that, consequently, the 11th clause of the Act of Parliament fixed this proclamation as the law finally and irrevocably, and subject to no modification or change; but I cannot concur in this view of the subject.

The order in council authorizing the Governor to issue proclamations (in the plural number), and from time to time contemplated the issuing of frequent proclamations as circumstances might require,—I can see nothing that could have prevented Sir Benjamin D'Urban from issuing another proclamation in a week after the proclamation of the 18th January 1833, and I can perceive nothing in the 11th clause of the Abolition Act that destroys the power vested in the Governor, under the order in council of the 6th November 1832, of issuing proclamations from time to time relative to the allowances of food therein mentioned. The law of the colony, by which the food of the apprenticed labourers was to be regulated after the passing of the Act of Parliament up to 1840, was the order in council of the 6th November 1832, and not (as appears to be insisted on) a mere regulation emanating from the order in council in the shape of a proclamation. The Act of Parliament for the Abolition of Slavery was a remedial Act; it was intended to benefit the slave thenceforth to become an apprenticed labourer, and it would be a rather anomalous construction of such an Act, to put upon it an interpretation which would perpetuate and render final, conclusive and unalterable a proclamation, which put the apprenticed labourer, in one of the most important points of his state, in a much worse condition than he felt himself placed in when detained in a state of slavery from which he had been raised by the Imperial Act. For these reasons, I think the 11th clause of the Act of Parliament neither took away nor fettered the power of the Governor under the order in council of the 6th November 1832, to issue his proclamations from time to time regulating the allowances of food, but that, on the contrary, the Act of Parliament has left the law on this subject precisely as it stood during the period of slavery under the order in council of the 6th November 1832.

This order in council of the 4th June 1834 has adopted the scale of allowances fixed by the proclamation of the 18th January 1833; I cannot think that this was intended to arrest and annul the Governor's power of issuing any other proclamations under the order in council of 6th November 1832, which the exigencies of the case might require.

This order in council of the 4th June 1834 appears to me rather an affirmation of the legal existence of the order in council of the 6th November 1832, as continued in force by the 11th clause of the Act of Parliament, inasmuch as it adopts the proclamation of the 18th January 1833, issued under the authority of the order of 1832. I repeat, there appears to me nothing in this circumstance intended to annihilate the powers conferred on the Governor to issue proclamations from time to time under the order of 1832, or to render the scale of allowances fixed by the order of 1834 irrevocable and unalterable during the apprenticeship.

It has been stated already, that the order of 1832 contemplated the issue of frequent proclamations; the ordinance of 8th March 1834 was confirmed by the King with precisely the same clause, enabling the Governor to issue proclamations from time to time of a similar nature. Occasions, it was contemplated, might arise when it would become matter not only of urgent but of absolute necessity to alter the scale of allowances. It is perfectly well known that yams, potatoes, tanyahs, eddoes and cocoa are not cultivated by the planters of British Guiana as provisions to be served out to the labourers. Suppose from the state of the markets it was impossible to obtain any of the substitutes for plantains enumerated in the schedule of the order in council of 1834, while others equally nutritious could be procured in abundance, could it be successfully maintained that the Governor of the colony had no power, after the Act of Parliament for the Abolition of Slavery, of issuing a new proclamation, appointing different but equivalent substitutes? I think not. It is clear, therefore, to me, that the Act of Parliament did not deprive the Governor of the power which he possessed under the order in council of November 1832, and the ordinance, No. 43, of issuing proclamations from time to time, regulating the allowance of food for the labourers, and bringing that allowance back to a standard equivalent to that at which it was fixed by the order in council of 1831 during the period of slavery; and for these reasons, coupled with that part of the 16th clause of the Act of Parliament, 3 & 4 W. 4, c. 73, which declares every enactment null and void and of no effect which falls short of effecting the true intent and meaning of the Abolition Act, even though it may have received the highest sanction which it is capable of obtaining, I think the labourer's allowance of food cannot be reduced to less than one-half of that to which the slave was entitled as a substitute

BRITISH GUIANA.

tute for his plantains, and consequently that the proclamation of the 24th April 1837 is a legal proclamation ; and that it is a debt of justice due to the labourer, I think no one who attentively considers the subject and the object of the Act of Parliament 3 & 4 W. 4, c. 73, particularly the 11th clause, will deny.

(signed) *W^m Furlonge*, Attorney-general.

— No. 118.—

(No. 232.)

COPY of a DESPATCH from Lord *Glencly* to Governor Sir *J. C. Smyth*, Bart.

No. 118

Sir,

Downing-street, 31 July 1837.

I HAVE the honour to acknowledge the receipt of your despatches, Nos. 304, 310 and 319, of the 23d and 29th April and 13th May, relative to the proclamation which you issued on the 24th April last, as to the quantity of corn-meal to which the apprenticed labourers were entitled when substituted for plantains.

The only question controverted between yourself on the one hand, and Messrs. M'Turk, Fullarton and Lane on the other, is the lawfulness of your proclamation of the 24th April. In their very elaborate statement of the 10th May, those gentlemen have not attempted to maintain that the allowances of flour and rice provided by Sir B. D'Urban's proclamation are really adequate to the maintenance of the labourer ; and from their silence on this head, it may be inferred that they regarded the opinion of the Lieutenant-governor as incontrovertible.

This, indeed, is not the view taken of that opinion by several gentlemen connected with the colony who have addressed themselves to me on the subject, and to whose representations I shall, in a separate despatch, call your attention. At present, I confine myself to the sole question raised by Messrs. M'Turk, Fullarton and Lane—the legality of your proclamation.

Now the question of law is debated upon a ground which, if it be valid, restrains the power of Her Majesty in Council not less than that of the Governor himself ; for it is alleged that the Act of Parliament for the Abolition of Slavery has fixed immutably, until the 1st August 1840, the scale which was actually in force at the date of that statute. It is therefore denied that any authority inferior to that of Parliament can alter any part of that scale. This conclusion is maintained by the three advocates consulted by Messrs. M'Turk, Fullarton and Lane, and it is as distinctly negated by the Attorney-general of British Guiana.

In such circumstances, it does not appear to me that the validity of your proclamation can be ascertained by any method, excepting that of a judicial decision. If the law officers of the Crown in this country should maintain its legal authority, still the parties would not be bound by their opinion ; and have, indeed, plainly intimated their intention to resist, by all lawful methods, the enforcement of the proclamation of the 24th April last.

My present opinion, therefore, is, that the proper course would be to instruct the local attorney-general to take the necessary means for bringing this question under the cognizance of the court of civil justice of Demerara and Essequibo. If the proclamation should be pronounced valid by that tribunal, it will come under the consideration of Her Majesty in Council to decide. On the opposite supposition, it should be recalled by yourself. It may, indeed, be said that Her Majesty's previous confirmation of this proclamation is essential to impart to it the force of law ; and that, therefore, the course which is suggested will bring the case to trial under a fatal disadvantage. It appears to me, however, that this is a misapprehension. If the power of making such a proclamation exist at all, it exists in virtue of the order in council of the 6th November 1832 ; and the questions really are, first, whether the powers imparted to the Governor of British Guiana by that order were lawfully exercised by Sir B. D'Urban's proclamation of the 18th January 1833 ; and, second, whether those powers are spent and exhausted, or can still be brought into exercise. The validity of this proclamation

tion of the 24th April depends, therefore, upon the extent of the powers which were on that day vested in you under royal orders previously issued, and is not necessarily dependent upon any royal order to be subsequently issued. Nothing, therefore, seems to forbid the suspension of Her Majesty's decision, until this doubt shall have been set at rest by the judgment of the court. Supposing, however, this view of the case to be erroneous, there will be sufficient time for the correction of it on that error being explained, since the order will not come into operation until four months from the present time.

I have, &c.

(signed) *Glenelg.*

— No. 119. —

(No. 247.)

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

Sir,

Downing-street, 15 September 1837.

No. 119.

IN my despatch, No. 232, of the 31st July, on the subject of your proclamation of the 24th April last, regulating the quantity of corn-meal to which the apprentices were entitled in substitution for plantains, I stated that the only question controverted between yourself on the one hand, and Messrs. M'Turk, Fullarton and Lane on the other, was the lawfulness of your proclamation, and that those gentlemen had not attempted to maintain the adequacy of the allowance of flour and rice provided by Sir Benjamin D'Urban's proclamation; and, proceeding on the assumption that the point of adequacy was not contended for by those gentlemen, although by others who had objected to the proclamation it was, I confined myself in that despatch to instructing you as to the method by which the question of law might be brought to adjudication; and I reserved for a separate despatch the remarks which I should have to address to you on the representations of the parties residing in this country, who, by communications made to me, had affirmed the adequacy of the allowances under Sir Benjamin D'Urban's proclamation.

I have now to acquaint you, that since the date of my above-mentioned despatch, I have been corrected as to the supposition that Messrs. M'Turk, Fullarton and Lane acquiesced in the insufficiency of the former allowances; and I have received from the remonstrants against your proclamation statements of the grounds on which they contend for their sufficiency. These statements are now under my consideration; and the object of my present communication is, to desire that you will continue the suspension of your proclamation until you shall have received the instructions which I shall have the honour to address to you, so soon as I shall have had the necessary time for forming a deliberate decision as to the right course to be taken on this question.

I have, &c.

(signed) *Glenelg.*

— No. 120. —

(No. 371.)

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

My Lord,

Camp House, Demerara, 28 August 1837.

No. 120.

I BEG to lay before your Lordship a memorial addressed to Her Majesty by certain proprietors and representatives of estates and others, relative to my proclamation of the 24th April 1837, augmenting the quantity of corn-meal or of rice to be issued to the labourers, whenever recourse should be had, in lieu of plantains, to those articles of food. I also beg to enclose a copy of my reply. With respect to the subject itself, I beg to refer your Lordship to my despatches of the 23d April 1837, No. 304; of the 29th April 1837, No. 310; and of the 13th May 1837, No. 319; together with their several enclosures.

I very much lament the narrow, confined and impolitic view of so important a subject

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subject taken by the memorialists. The estates in Berbice are highly cultivated, produce immense profits, and are making the most ample returns to the proprietors. To endeavour, under such circumstances, to muzzle the ox which is treading out their corn; to give to a stout labouring man, for his weekly subsistence, but ten pints of ground corn or of dirty rice; appears to me to be an act of the most ill-judged parsimony. Fortunately for the country, fortunately even for their own interests, the law is not as represented by these gentlemen; and I have very little doubt but that Her Majesty's approbation of the proclamation of which the memorialists complain has already been communicated to your Lordship, and that the same will, in due course, be notified to me.

I have, &c.

(signed) *J. Carmichael Smyth.*

Enclosure 1, in No. 120.

To The QUEEN's most Excellent Majesty in Council.

Encl. 1, in No. 120.

The humble Memorial of the undersigned Proprietors and Representatives of Estates, Merchants and others, inhabitants of the District of Berbice, in the Colony of British Guiana.

Most Gracious Sovereign,

YOUR memorialists are desirous, in all loyal and dutiful humility, of laying at the feet of Your Majesty in council their earnest and respectful remonstrance against a proclamation recently issued by his Excellency Sir James Carmichael Smyth, Governor of British Guiana, in regard to the allowances of food hereafter to be supplied to the apprenticed labourers of this colony.

On the 2d of November 1831, an order was issued by his late Majesty in council, by section 88, whereof it was provided, that every owner or manager of slaves who should propose to maintain the same by an allowance of provisions, should be required to supply, in each week, to every such slave, being above the age of 10 years, "not less than 21 pints of wheat-flour, or of the flour or meal of Guinea or Indian corn, or 56 full-grown plantains, or 56 pounds of cocoas or yams, and also seven herrings or shads, or other salted provisions equivalent thereto;" and to every such slave, being under the age of 10 years, one-half of the said allowances. Several of the regulations of this order in council, and especially the scale of provisions set forth in the said section, having appeared to the inhabitants of British Guiana to be most erroneous and excessive, productive of no real benefit to the negro, while they were fraught with heavy damage to masters and employers, a solemn "declaration" against their enforcement was humbly transmitted by the non-official members of the court of policy for the consideration of his late Majesty in council.

In consequence of this strong representation, his late Majesty in council was graciously pleased to issue another order upon the 6th of November 1832, giving power to the Governor of British Guiana, by proclamations to be by him issued from time to time, to suspend such parts of the order of 1831 as might appear to be inapplicable to the condition of this colony, and to establish such other regulations in the room thereof as to such Governor might seem to be expedient.

His Excellency, Sir Benjamin D'Urban, at that time Governor of British Guiana, upon receiving the order of his late Majesty in council of the 6th November 1832, proceeded without delay to determine upon the alteration necessary to be introduced into the operation of the order of 1831.

By proclamation of date the 18th of January 1833, Sir Benjamin D'Urban, in pursuance of the authority thus conferred upon him, did suspend certain of the regulations of the order of 1831; and in the first place, and altogether, the scale of provisions to be supplied to slaves, as set forth in section 88 thereof. In lieu of the quantities contained in the scale so suspended, the allowance to slaves was directed, by this proclamation, to be furnished by owners and managers, in terms of a certain schedule thereto annexed, whereby every slave became entitled in each week, besides a liberal allowance of salt provisions, to not less than 70 pounds of plantains, or, as substitutes for plantains, to 25 pounds of yams or potatoes, or to 20 pounds of eddoes or tanyahs, or to 10 pints of wheat-flour, or to 10 pints of Indian corn-meal, or to 10 pints of rice.

The schedule of Sir Benjamin D'Urban was received with cheerfulness by the slaves, and with general gratitude by their employers; and it continued, without the occurrence of a single complaint, to form the law of allowances in British Guiana down to the passing of the Abolition Act.

It was a chief purpose of the said Act to maintain the apprenticed labourers in exactly the same situation, with regard to the amount of their allowances, in which they stood, in the character of slaves, at the date of the passing of that enactment, it being distinctly provided by section 11 thereof, that the employer of any such labourers should be required "to supply him or her with such food, clothing, lodging, medicine, medical attendance, and

such

such other maintenance and allowances as by any law now in force in the colony to which such apprenticed labourers may belong an owner is required to supply to and for any slave being of the same age and sex as such apprenticed labourer shall be."

In so far as regards the colony of British Guiana, your memorialists cannot consider that the "law" of allowances, referred to in this Act of Parliament as "now in force in the colony," namely, at the date of the passing of the Act itself, had reference to any suspended portion of the order of his late Majesty in council of 1831, but entirely to the schedule of Sir Benjamin D'Urban, by which the allowances to slaves had been exclusively regulated since the 18th of January 1833.

By the 44th section of the Act for the Abolition of Slavery it was provided, that no part of the sum of 20,000,000 *l.* sterling, appropriated by Parliament, in name of compensation, should be applied for the benefit of any person entitled to the services of any slave in any colony, till an order should have first issued from his Majesty in council, "declaring that adequate and satisfactory provision hath been made, by law, in such colony for giving effect to this present Act by such further and supplementary enactments as aforesaid."

In order to secure the application of the amount of compensation appropriated to British Guiana, the court of policy thereof proceeded to construct a certain ordinance, numbered "43," with the view of making provision in this colony for the giving effect to the statute for the Abolition of Slavery; but in the enactments of that ordinance, with regard to the provisions to be supplied to apprenticed labourers, the said court, overlooking the obvious import of section 11 of the said Act of Parliament, transmitted, for the approval of his late Majesty in council, a diminished scale of allowances, materially differing from the schedule of Sir Benjamin D'Urban.

His Majesty in council, acting upon the true intent of the law for the Abolition of Slavery, was pleased to disallow, by an order in council dated the 5th of June 1834, the scale of allowances proposed by the court of policy, and instead thereof to enact a separate tariff, which is annexed to said order, as a substantive portion thereof, and is, in all respects, a transcript of the schedule of the 18th January 1833, a formal communication being, about the same period, received by his Excellency the Governor from the Colonial Secretary of his late Majesty, that the scale of Sir Benjamin D'Urban "must" be maintained as the law in British Guiana to the expiry of the apprenticeship.

By virtue of the said order in council, of which the scale or schedule already mentioned was a clear, integral and unalterable provision, proceeding under the powers vested in his late Majesty in council by the very Act of Abolition, the parties entitled to the services of slaves in this colony received their proportions of the compensation, and in conformity with that scale so solemnly sanctioned, the allowances have ever since been supplied by the employer and received by the negro without one instance of dissatisfaction or complaint within the entire extent of British Guiana.

In this situation of absolute contentment on the part of the apprenticed labourers of this colony, in regard to the quantity of their provisions, a proclamation was promulgated by his Excellency the Governor, on the 29th of April 1837, without any previous notice or communication whatever, declaring the schedule of allowances, first published by Sir Benjamin D'Urban in 1833, and afterwards adopted by his late Majesty in council, under the authority of the Abolition Act, to be "repugnant" to the provisions of the previous order of his late Majesty in council of the 2d of November 1831, and to be therefore "of no force or effect" in this colony.

No notice whatever is taken in this proclamation of the order by his late Majesty in council of the 6th of November 1832, by which Sir Benjamin D'Urban was not only empowered, but, as it humbly appears to your memorialists, substantially enjoined by his late Majesty in council to suspend the obnoxious provisions of the order of 1831, and to substitute other regulations in their room, leaving it thereby to be inferred that the scale of Sir Benjamin D'Urban had been an utterly unauthorized and gratuitous enactment, and as such, was incapable of being "recognized as legal or valid by any court, judge or magistrate within this colony."

Having thus disposed of the schedule of Sir Benjamin D'Urban, the proclamation of the 29th of April proceeds to direct, in all cases where "it may not be convenient for the employer of an apprenticed labourer to issue the weekly allowance of 70 pounds weight of plantains to each labourer, the substitution of not less than 56 pounds of yams or potatoes, or cocoas, or eddoes or tanyahs, or 21 pints of wheat-flour, or of Indian corn-meal, or of rice, in lieu of plantains."

In so enumerating the supplies to be substituted for plantains, this proclamation not only distinctly re-enacts the scale contained in the superseded order of his late Majesty in council of 2d November 1831, being more than double the extent of such supplies according to the schedule of Sir Benjamin D'Urban, but moreover introduces an exorbitant allowance of a totally new article of supply, namely rice, which was not referred to at all in the order of 1831.

While your memorialists regard with the deepest interest the happiness and comfort of the apprenticed labourers of this colony, they cannot but consider the proclamation thus issued as a proceeding of a most injurious and arbitrary character, negative of the obvious import and enactments of the laws with regard to the Abolition of Slavery, and for which there is no apology on the ground of any previous complaint on the part of an apprenticed labourer, or by any kind of investigation into the sufficiency or otherwise of the allowances presently supplied.

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Your memorialists have observed in the Royal Gazette of this colony a printed communication by his Excellency the Governor, of date the 29th of April 1837, in which his Excellency appears no longer to insist upon the nullity previously declared against the schedule of Sir Benjamin D'Urban, on the ground of its being "repugnant" to the scale of the order by his late Majesty in council of 1831, and in which his Excellency for the first time, noticing the existence of the remedial order of 1832, has been pleased to maintain the legality of the proclamation of the 24th of April 1837, upon a footing totally different from the statement in that proclamation itself.

Being well assured that the arrangements with reference to the supplies to be given to apprenticed labourers in British Guiana, after the passing of the Abolition Act, are not only adequate and liberal in themselves, but were intended by his late Majesty in council, as well as by the Imperial Parliament, to remain unaltered during the full period of the apprenticeship, and that all contrary powers of regulation previously conferred upon any Governor or Governors were by virtue of these arrangements arrested and annulled, your memorialists are impelled to seek the gracious protection of Your Majesty in council against so serious an aggression, not only upon the lawful rights of individuals, but upon the happiness and tranquillity of this district at large, as appears to be contemplated by the proclamation of the 24th of April, which, by a following proclamation of the 29th of that month, is to come into operation in British Guiana upon the 1st of November 1837.

May it therefore please Your Majesty, by and with the advice of your most honourable Privy Council, graciously to adopt such measures with regard to the said proclamation of the 24th of April 1837, either by the immediate disallowance thereof or otherwise, as may be sufficient for the protection of your humble memorialists from the serious peril in danger of which they are standing.

And your memorialists will ever pray.

Andrew Ross, James Kirkwood, D. C. Cameron (by his attorney, James Kirkwood), M. M. Thackrah, Rodk. Barron Fraser, W. Gunn, Will. Richardson, Geo. Adams, T. M. Houston, W. Nash, Wm. Grant, Wm. Fyfe, George Falcons, James H. Young, James Paterson, George Hogan, Thomas William (by his attorney, James Paterson), John Edwards, R. Marshall, John Bethune, J. H. Downel, John M'Dougall, Hy. Hayer, Wm. Marshall, John Sharp, J. H. Grant, J. P. Alt, T. ———, James Grimond, W. G. Krieyez, Wm. Campbell, E. P. Cameron, M. D., Robert Robertson, J. Chisholm, Thomas Gunn, John Anderson, Patrick Cameron, G. Baird, R. Taitt, Wm. Deans, W. Ross, John Murray (by his attorney, W. Ross), Thomas Ansell (by his attorney, W. Ross), Thomas Gray, Thomas Fraser, Thomas Jones Gellivry, James Sutherland, Wm. Walker, D. Chisholm, R. C. Williamson, E. M. Smith, John Williams, D. K. Taylor, Alexander Cameron, Thomas Coleman, D. Ross, William Cort, William Cort, jun., John Cort, Frederick Cort, Joseph Walker O. Byron, John M'Leod, Donald Campbell, Wm. Laing, James Bone, Benjamin Warren, S. Dawson, James Laing, Geo. Laing, Robert Sempee (by his attorney, Geo. Laing), E. Westmorland, Wm. Munro (by his attorney, Robert Robertson), Peter Heywood, Alex. M'Intosh, Wm. Menzies, P. N. Mackay, A. Bone, W. Chisholm, E. Lloyd Jones, H. L. Beard, Lambert P. Henery, Wm. P. Henery, A. R. Hollingsworth, jun., G. T. Turnbull (by his attorney, James Kirkwood), Walter Lorimer, William M'Neil, A. M'Kenzie, James Scott, John A. Forsyth, James Ross, J. N. Overmüller, Frans. Jackson, J. C. Cameron, jun., Robert Gardner (by his attorney, Frans. Jackson), John Cameron, attorney of Davidsons, Burkly & Co., Lord Reay, Estate of Wm. Alves, deceased, O. M'Donald, J. M'Lennan, John Sonnersall, Henry Quin, Thomas Rich, Cathcart Chalmers, H. Ayngge, James Pym, H. S. Clarke, W. M. Hackney, F. Braithwaite, Robert Boyd, Alexander Macpherson, F. Lanyeim, G. A. Bender, J. F. Mittleholset, William G. Bootle, H. J. Chalmers, J. Muyderman, T. Overeem, the widow Helmers, Charles Hy. Milne, G. B. M'Kenzie, Thomas Cormack, H. M. Nicholson, Thomas Kelsh, J. C. S. Noteboorn, John P. Van Rossum, John Griffith, William M'Adam, Duncan M'Laren, John M'Cubbin, G. G. Lowenfeld, Peter Richirst, sz., E. Avenegh, G. G. Lowenfeld, qq., John M'Dougall, William Katz, J. S. Lowenfeld, George Katz, Est. H. White, deceased, Minors Jeffery, J. De Vry, Johans. Arends, H. d'Hantzur, Thomas Edgeton, Charles Matheson, P. Ware, Henry E. Stockin, R. Sempee & Co., attornies of plantation Schepmoed, Wm. Campbell, qq., Plant. Albion, Plant. Litchfield, Plant. Reliance, R. Hart, J. A. Earrault, H. M'Callum (by his attorney, J. A. Earrault), Wm. Pashley (by his attorney, J. A. Earrault), Chas. Faddy (by his attorney, J. A. Earrault), Campbell Faloon, attorney of James Blair, Campbell Faloon, attorney of H. M'Calmont, Campbell Faloon, attorney of T. and W. Earle & Co., Campbell Faloon, attorney of John Ross, Campbell Faloon, proprietor of plantations Smithson's Place and Essendam, Lewis Cameron, qq., plantation Union, Lewis Cameron, qq., plantation Ross; J. Moore, proprietor of plantation Jacoba Wilhelmina; William Corlett, manager of plantation Waterloo, Philip Oldfield, manager, pp. No. 17 & 18, 19 & 20; A. Erant, manager of Hope and Experiment; Wm. Dean, overseer of Hope and Experiment; P. Nicolson, Robert M'Laren, John

John Hollis, Alex. M'Donald, Thomas Fry, George Lancaster, William Niles, Hugh Roxburgh, manager, Cotton Tree, Jas. Ross, Wm. O'Donoghue, Charles Keating, Richard Wegg, John Stewart, manager of plantation Blairmount; Robt. J. Gibson, N. T. Black, Wm. Matheson, A. Macleod, G. Crass, F. G. Carbin, H. M. Nicholson, W. v. d. Marck, John Riddock, William Ross, Thomas Bethune, John J. Dare, James Cormick, R. Nugent, A. Nicolson, C. Franzen, J. Theilen, C. B. Kip, M. V. Kimmers, L. Carbin, qq., J. J. D'Hannar, M. Lankhorst, J. Russel, G. H. von Waldkind, John M'Kenzie, J. Franzen, James Carlile, R. Burns, J. Carmichael Jameson, Geo. Hewley, Hugh Campbell, J. Wintz, Thos. Hutchison (by his attorney, J. A. Earrault), Rodk. M'Kenzie, E. Hicks, John Junor (by his attorney, E. Hicks), T. C. H. Moore (by his attorney, E. Hicks).

BRITISH GUIANA.

Enclosure 2, in No. 120.

Government Secretary's Office,
Demerara, 28 August 1837.

Encl. 2, in No. 120.

Sir,

I AM directed by his Excellency the Governor to acknowledge the receipt of your letter of the 22d instant, and of the memorial to Her Majesty which accompanied it. I have the honour to acquaint you that this document will be forwarded by the earliest opportunity. It will be impossible for the Governor to support the prayer of the memorial, as his Excellency is perfectly convinced that 10 pints of ground maize or Indian corn per week, or the same quantity of the very dirty and ill-cleaned African rice imported into this colony, will not afford sufficient nourishment for a labouring man for that period of time.

The Governor desires me to add, that he was not aware that there had been a public meeting of the proprietors and representatives of estates of the district of Berbice, held in May last, at New Amsterdam, upon this subject. Such a meeting, in his Excellency's opinion, had better have been avoided. As, however, the proprietary body have thought proper to assemble, and to unite in making a representation to the Crown in favour of what they erroneously conceive to be their interest, his Excellency knows of no authority to prevent the apprenticed labourers from equally addressing themselves to the Crown, and of praying that the proclamation of the Governor, alluded to in the memorial, based alike upon law and upon equity, may be confirmed.

I have, &c.

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

To John Cameron, Esq.
Chairman of the Committee of Proprietors and
Representatives of Estates in the
District of Berbice.

(True copy.)

(signed) *W. B. Wolseley*, Assistant Government Secretary.

— No. 121. —

(No. 267.)

COPY of a DESPATCH from Lord *Glencly* to Governor Sir *J. C. Smyth*, Bart.

Sir,

Downing-street, 11 November 1837.

No. 121.

IN my despatch of the 31st July last, No. 232, instructing you as to the course of proceeding by which the legality of your proclamation of the 24th April might be ascertained, I intimated to you my intention of addressing you in a separate communication as to the merits of that measure, as involved in the question whether the quantity of wheat-flour, Indian corn-meal and rice (being 10 pints of each) allowed weekly to the apprenticed labourer under Sir B. D'Urban's tariff of 18th January 1833, was sufficient for his maintenance, or whether, on the contrary, that quantity required to be augmented, as it was by your proclamation, to 21 pints of each of those articles. I further apprized you, in my despatch of the 15th September, that I had invited the parties in this country who had complained of your proclamation to set forth the grounds on which they maintained the adequacy of Sir B. D'Urban's tariff, and that my instructions to you on the subject were deferred until I should have had a sufficient opportunity of considering their several statements, and forming a mature opinion on the subject; and I directed you in the meanwhile further to suspend

BRITISH GUIANA. the operation of your proclamation until my final instructions should have reached you.

In order that you may be enabled the better to appreciate the grounds on which my present opinion has been formed, I enclose herewith copies of the whole of the correspondence which has taken place between this department and the gentlemen in this country who have remonstrated against your proclamation.

In approaching the consideration of this subject, I have thought it not immaterial to have reference to the course of the previous measures relating to it,—the order in council of 2d November 1831; the order in council of the 6th November 1832; Sir B. D'Urban's proclamation of the 18th January 1833; the ordinance of the court

Mr. Stephen to Mr. M'Garel, 12 July.

Mr. M'Garel to Mr. Stephen, 19 July.

Mr. Stephen to Mr. M'Garel, 4 Aug.

Ditto - - ditto - - 9 Aug.

Mr. M'Garel to Mr. Stephen, 15 Aug.

Mr. Stephen to Mr. Gladstone, 9 Aug.

Mr. Gladstone to Mr. Stephen, 26 Aug.

Mr. Fullarton to ditto 11 Aug.

Mr. Stephen to Mr. Fullarton, 25 Aug.

f policy of 8th March 1834; and the order in council of the 5th June 1834. On referring to these instruments, and the correspondence connected with them, I find that the tariff of food which was imposed by the first of the orders in council, and which your proclamation would revive, was the subject of remonstrance so soon as it was promulgated, and that his late Majesty's Government of that time, being satisfied of the propriety of admitting alterations in that tariff, as well as in certain other of the regulations, passed the second of the orders in council, in order that the Governor might be empowered to make alterations accordingly. It was in pursuance of this second order that Sir B. D'Urban issued his proclamation of the 18th January 1833 with a new tariff, which was not expressly confirmed at the time, but was, however, suffered to remain in operation, and was subsequently adopted by his Majesty in council, and inserted under the title of Schedule (X.) in the order in council of 5th June 1834, passed for the purpose of confirming, with amendments, the ordinance of the 8th March preceding, in aid of the Abolition Act.

I collect from the terms of your proclamation, and of your despatch, No. 304, of the 23d April, transmitting it, that at the moment of issuing it, you had not in your recollection the order in council of the 6th November 1832, although you appear to have adverted to its being in existence before the 29th of April, when you suspended the operation of your proclamation, and addressed your letter in defence of it to Messrs. M'Turk, Fullarton and Lane.

Having regard to this course of the proceedings in the matter, I think we can hardly look on the order in council of 2d November 1831 as necessarily furnishing a standard for present adoption, and inasmuch as the allowances of 18th of January 1833 had been (as far as I can judge from a collation of your despatches of the 23d and 29th April and 13th May, with the representations of Messrs. M'Turk, Fullarton and Lane) universally acquiesced in by the negroes for three years, without any complaint of their insufficiency when duly served out; and as I was not apprized of any representation of their insufficiency having been made on behalf of the apprentices by the special magistrates, none of whom have been referred to by you in support of that view, I cannot but consider the tariff of Sir B. D'Urban, adopted by his Majesty in council in the order of 5th June 1834, as having at least a presumption in its favour, and as entitled to be maintained, until a case against it should be clearly established by other evidence than that of the order in council of 2d November 1831.

To the evidence afforded by the Bahamas allowance of 21 pints of Indian corn-meal, it is replied, that in that colony there is no allowance of salt fish, the corn-meal being the only article of food provided for the apprentices. If I were to assume the respective values of Indian corn-meal and salt fish in the Bahamas to be the same as (according to the table enclosed in your despatch of the 29th April) they are in British Guiana, 10 pints of Indian corn-meal and three pounds of salt fish would be by no means a money equivalent for 21 pints of Indian corn-meal. But I apprehend that Indian corn is much cheaper in the Bahamas than in British Guiana, and I perceive accordingly that when rice is substituted for it in the former colony, 14 pints of rice are given as an equivalent for the 21 pints of Indian corn-meal, instead of the equal quantities which are given both by Sir B. D'Urban's tariff and by your own. Rice is an article more likely to approach the same price in the respective colonies; and if I compare the cost of the allowance of 14 pints of rice with that of 10 pints of rice and three pounds of salt fish, computing all at British Guiana prices, I find the money value of the British Guiana allowance to fall short by only 5½ stivers that of the Bahamas, the one amounting

amounting to 42 stivers per week, the other to $36\frac{3}{4}$; and as the Bahamas tariff allows nothing but farinaceous food of the one species or the other, I presume that the quantity was not supposed to be all consumed by the negro, but that a portion was intended to enable him, by sale or exchange, to provide himself with salt fish or other esculents; and it is unnecessary to say that where the exchangeable value of the article is small, a larger quantity of it must be given for this purpose.

Taking these circumstances into consideration, I am inclined very much to doubt whether the Bahamas tariff of Indian corn-meal can be referred to as a standard or measure by which to judge of the adequacy of Sir B. D'Urban's tariff for British Guiana, whilst the tariffs in force in Trinidad and the Mauritius, as Messrs. M'Garel, King and Cavan have observed, fall short of Sir Benjamin D'Urban's.

But on the simple practical question, whether 10 pints or 21 of any particular species of farinaceous food is required for the support of a male adult in British Guiana, it would have been more satisfactory to appeal to more direct and practical tests than those of one tariff or another in force at different times in different places: it is a question which appears capable of being solved by experiment with sufficient accuracy for all necessary purposes. In this country, the experiment could not easily be tried as regards Indian corn-meal; but rice is assumed by both proclamations (as I have already remarked, to be equivalent to it in equal quantities, and it is moreover (judging by the respective imports) much more extensively used; and in respect to this article, the information which I have received would lead me to infer that 10 pints per week is not an inadequate allowance. If, therefore, I were compelled at once to decide the question with the imperfect means which I here possess of bringing it to a satisfactory test, I own that I should not feel myself warranted in advising Her Majesty to allow your proclamation to take effect. On a subject, however, of this nature, and indeed on any subject connected with your administration, I could not reconcile it to myself to overrule your authority without the most entire conviction of the necessity for my interference. If, indeed, the illegality of the proclamation should be established, it must fall to the ground without any further interposition. Assuming, however, for the present its legality, I shall suspend my final opinion upon it until you shall have had an opportunity of considering the observations which I have now addressed to you, and the enclosed documents, and shall have consulted the special magistrates severally on the sufficiency of the present allowance. You will transmit to me their respective opinions on this point, with the grounds stated by themselves on which their opinions have been formed. It will, however, be desirable that it should not be publicly known that such an inquiry has been addressed to them, as the knowledge of it might tend to excite complaint and dissatisfaction where none at present exist, and thus, among other inconveniences, to lessen the value of the information which the past experience of the special magistrates may enable them to impart. In the mean time, you will continue the suspension of your proclamation. I have not overlooked the importance which you attach, on moral and political grounds, to the continuance or restoration of the practice of subsisting the negro on the produce of provision grounds instead of imported grain. I entirely concur with you in this view, and I should regard the condition of British Guiana as in every respect more auspicious if the circumstances of the colony were such as to induce naturally, or to permit us to bring about by any laws or regulations, the dependence of the negro on his provision grounds for some portion of the necessaries of life. But it is evident from the facts which you have mentioned, that circumstances are tending forcibly in a contrary direction, and I do not see that any method has been pointed out which would be of any avail to counteract them after the termination of the apprenticeship. You recommend that after the 1st August 1840, a piece of land, together with sufficient time to cultivate it, should be insisted on as the basis of all agricultural agreements. The difficulty here is to find by what means any such contract could be made binding, when it is the direct pecuniary interest of both the parties to it to defeat it. It could not be proposed to employ the civil power in compelling freemen to work on provision grounds, when wages are offered them which will buy them more and better food than they could raise. Nor can it be imagined to be practicable to prevent the planter from purchasing the time and labour which the negro is desirous to sell.

BRITISH GUIANA. Unless, then, there could be some prospect of being able to keep up the system of provision grounds after the 1st August 1840, it would not be advisable to force its continuance during the intermediate time, when it is comparatively unimportant; nor do I think that even were it more important, the means of forcing it, by an alteration of the tariff, could be justified as such, if they fail of justification on the ground of inadequacy in the tariff as it exists.

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

Enclosure 1, in No. 121.

Encl. 1, in No. 121.

Gentlemen,

Downing-street, 12 July 1837.

ADVERTING to what passed at the interview which you held with Lord Glenelg at this office on the 10th instant, his Lordship directs me to request that, to prevent any misapprehension on a subject of no ordinary importance, you would communicate to him a written statement of the facts which you then brought under his notice relative to the administration of the Government of British Guiana.

Messrs. Cavan, M'Garel and King.

I have, &c.
(signed) *J. Stephen.*

Enclosure 2, in No. 121.

Encl. 2, in No. 121.

My Lord,

14, Wimpole-street, 19 July 1837.

WE have the honour to acknowledge the receipt of Mr. Stephen's letter, conveying to us your Lordship's request that, to prevent any misapprehension on a subject of no ordinary importance, we should communicate to your Lordship a written statement of the facts which we had brought under your Lordship's notice relative to the administration of the government of British Guiana, at the interview with which we were honoured on the 10th instant.

In compliance with this request, we have now the honour to state, that the facts with respect to the proclamation of the Governor of British Guiana of the 24th April last, by which his Excellency increased the allowances of provisions to the apprentices in lieu of plantains more than twofold what they are now as established by law, are as follows:

1st. The present allowances were fixed by Sir Benjamin D'Urban, after a patient inquiry in the colony, and were formally made law by order in council dated 5th June 1834, no doubt after due consideration.

2d. The present allowances have been found to be proper and sufficient for the healthy maintenance of the apprentices. That this must be the case is evident by the state of health of the colony, and, as we are informed and believe, by the absence of complaints by the apprentices of the allowances being inadequate. The many frivolous complaints on other subjects which have been made by them proves that they are sufficiently prone to complain where there is any shadow of excuse for doing so; and, in a case of insufficient food, there would not have been a solitary or occasional complaint, but an universal clamour and outcry.

3d. The Governor, in his proclamation of 24th April, does not declare that the alteration is founded upon inquiry with or without a complaint, but merely that the schedule settled by Sir Benjamin D'Urban is different from one in an order in council of 1831, not adverting to the fact of its having been made law by the order in council of 5th June 1834.

4th. The Governor, in a Government notice accompanying his proclamation of 29th April, admits that Sir Benjamin D'Urban was authorized, by order in council, to issue a schedule, though his Excellency enters into a laboured defence of his first proclamation.

5th. The Governor, on the 29th of April, suspends his first proclamation for six months, on the representation made to him that there was not in the colony a sufficient stock of farinaceous food to enable the planters to issue the new allowances, and that the present allowance is abundant.

It is thus evident (granting the assumption of there being a deficient supply) that the Governor could not consider the increased allowances essential to the health of the people, for importations could have been obtained in much less time than six months; and if the old allowances be only one-half of what is proper, the delay would be totally unjustifiable. The effect of such proceedings upon the minds of the people must be most injurious to the tranquillity of the colony, and the dissatisfaction and discontent must prevent all those arrangements which it is so necessary to consider and prepare in anticipation of the final alteration in the condition of society which will take place so soon as 1840.

With respect to the subject matter of those complaints of the conduct of the Governor formerly made, and which were alluded to at the conference, we think it unnecessary to trouble your Lordship with any fresh statement of facts. The memorials and documents are no doubt to be found in the records of the Colonial Office; but we feel it incumbent upon us respectfully to state

to

to your Lordship, that no answer to those complaints has ever been made, calculated to change the opinion which we sincerely entertain, that the complaints made by the inhabitants and other proprietors of the colony, of the conduct of the Governor in so many instances, are founded on truth and reason.

Hoping that your Lordship will give the subject matter of this communication your serious consideration,

BRITISH GUIANA.

We have, &c.

(signed) *Charles M'Garel.*
William King.
James Cavan.

The Lord Glenelg, &c. &c. &c.

Enclosure 3, in No. 121.

Gentlemen,

Downing-street, 4 August 1837.

Encl. 3, in No. 121.

I AM directed by Lord Glenelg to acknowledge the receipt of your letter of the 19th ult. On a full consideration of the subject to which you have in this letter, and in your previous interview with Lord Glenelg, called his attention, his Lordship desires to observe, that the charges which you prefer against the administration of the government of British Guiana by Sir James Carmichael Smyth, relate either to the conduct of that officer in reference to his recent proclamations respecting the food of the apprenticed labourers, or to matters which had formerly been brought under the notice of his Lordship or his predecessors in office.

For your information, with regard to the first of these topics, Lord Glenelg directs me to transmit to you the accompanying copy of the instructions which have been addressed to the Governor. With regard to the other complaints of which Sir Carmichael Smyth's administration has at various times been the object, Lord Glenelg finds that they have each, in turn, been investigated and disposed of, and must now be considered as set at rest. To this general remark, an exception is to be made, in the case of certain proceedings which appear to have occurred in the last ordinary session of the court of policy, and in which the combined court of policy and of financial representatives was ultimately engaged. On this head, his Lordship has directed the Governor to supply additional information, and, until it shall have arrived, must suspend his opinion.

I have, &c.

Messrs. M'Garel, King and Cavan.

(signed) *James Stephen.*

Enclosure 4, in No. 121.

Gentlemen,

Downing-street, 9 August 1837.

Encl. 4, in No. 121.

WITH reference to my letter of the 4th instant, respecting the proclamation which had been issued by the Governor of British Guiana, on the subject of the allowance of food to the apprenticed labourers, I am directed by Lord Glenelg to acquaint you, that as his Lordship would be desirous of receiving and of affording due consideration to the statements which may be made to him in proof of the sufficiency of the allowance of farinaceous food, which the proclamation of the former Governor, Sir Benjamin D'Urban, required to be made to the negroes, his Lordship would feel obliged if you would inform him whether your letter of the 19th ult. is to be considered as comprising all the observations which you propose to make to his Lordship on this topic.

I am, &c.

Messrs. M'Garel, King and Cavan.

(signed) *James Stephen.*

Enclosure 5, in No. 121.

My Lord,

14, Wimpole-street, 15 August 1837.

Encl. 5, in No. 121.

WE have the honour to acknowledge your Lordship's communication of the 9th instant, inviting further information as to the sufficiency of the allowance of farinaceous food now unfortunately brought forward by Sir Carmichael Smyth as a topic of discussion and ill-feeling between the apprenticed labourers of British Guiana and their employers, after having been finally fixed throughout all Her Majesty's colonies previously to the adjudication and payment of their respective awards of compensation.

In support of our opinions, we take the liberty to call your Lordship's attention to the annexed observations which have occurred to us on examining the schedules of allowances by orders in council in the islands of Trinidad and the Mauritius, and by colonial enactments in Barbados and the Bahamas; and we trust that these will be sufficient to satisfy your Lordship of the erroneous opinions entertained by Sir Carmichael Smyth, and at least to induce your Lordship to direct that further opportunity and more time may be afforded to bring additional evidence, if additional evidence be deemed necessary.

As to the general complaints against Sir C. Smyth's administration, which your Lordship, in your letter of the 4th instant, is pleased to declare to be considered as set at rest, we must continue to lament that, if such has been the case, so little satisfaction has been derived from the settlement.

BRITISH GUIANA.

We would presume, also, to call your Lordship's attention to the misconception which has arisen in your Lordship's despatch, No. 232, to Sir Carmichael Smyth, as to opposite views taken by Messrs. M^rTurk, Fullarton and Lane and ourselves, respecting the adequacy of the allowances; but having been informed by Mr. Fullarton, who has recently arrived from British Guiana, that he has addressed your Lordship in explanation, we merely notice the circumstance as being consonant with our own impressions.

In conclusion, we must respectfully reiterate the expression of our opinions as to the adequacy of the allowances of food in British Guiana; and we may be permitted to remark, that when coupled with the knowledge that all, or nearly all, the prædial apprenticed labourers in British Guiana have allotments of provision grounds, and that they now receive the same allowances of food for 45 hours, as they did when their employers were entitled to 60 hours of their labour, the justice of our observations must be apparent to every impartial person; and we cannot but deem it most impolitic in the Governor to have opened the question of the sufficiency of a quantity of food, already deemed sufficient by law, and found to be so for upwards of three years, when in three years more the whole system will be entirely changed; thus causing great excitement during a period when a contrary feeling would be so desirable.

We beg to apologize for thus trespassing on your Lordship's time; and have, &c.

The Lord Glenelg,
&c. &c. &c.

(signed) *Charles M^rGarel.*
William King.
James Cavan.

P. S.—If your Lordship should, from what has been stated, deem it right to wait for further information from the colony on this matter, we would take the liberty to remind your Lordship that in such case it would be indispensable to direct at once a further suspension of the order, which would otherwise come into operation on the 1st November, for it would be impossible that an order from hence, in consequence of any reply from the colony to communications yet to be sent out, could reach the colony till some time after that period.

OBSERVATIONS.

It appears, in reference to the order in council for the island of Trinidad, regulating the allowance of food for the apprenticed labourers, so as to entitle the proprietors to receive their compensation under the Act of Parliament for the Abolition of Slavery, that six pints of wheaten or rye flour, or rice, or nine pints corn-meal, with three pounds and a half of cod or salt fish, were set down as a weekly allowance for adult apprenticed labourers. On reference to the order in council for the island of Mauritius on the same subject, it appears that the same scale or allowance of food which was considered adequate for the island of Trinidad had been precisely adopted for the Mauritius.

In both these instances, the quantity specified as an allowance is less than the allowance fixed for British Guiana by Sir Benjamin D'Urban, and now represented by Sir Carmichael Smyth as insufficient; and in the articles of rye, flour and rice, which last is of greater consumption than any other farinaceous food when plantains become scarce, the difference in favour of British Guiana amounts to four-tenths of the weekly allowance; whilst in the article of salted or cod fish there is a trifling difference of one-seventh in favour of Trinidad and the Mauritius.

In the island of Barbados the allowance of corn is the same as in British Guiana; but the weekly allowance of salted or cod fish is one-third less than that of British Guiana.

In the Bahamas, a weekly allowance of 16 pints of corn, which the labourer has to grind, and which makes about 21 pints of coarse unsifted meal, stands in lieu of fish and every other allowance of food; but when rice is resorted to, then seven quarts or 14 pints is deemed a sufficient allowance, without any other article whatever.

And here some comment may be permitted on the apparently disingenuous statement of Sir Carmichael Smyth, who draws an unfavourable comparison between the scale of allowance in the Bahamas and British Guiana, and directs in his proclamation of 24th April last, that 21 pints of rice and three pounds of salt fish should be taken as a weekly allowance for the labourers in British Guiana, when it must have been in his Excellency's knowledge that 14 pints of rice formed the only allowance of food without fish or any other article whatever, when rice was resorted to as an allowance in the Bahamas.

Enclosure 6, in No. 121.

Encl. 6, in No. 121.

Sir,

Downing-street, 9 August 1837.

WITH reference to the conversation which Lord Glenelg had the pleasure of holding with you, on the subject of the proclamation issued by the Governor of British Guiana, respecting the allowance of food to the apprenticed labourers in that colony, I am desired by his Lordship to acquaint you, that he would be happy to receive and to consider any further statement which you may wish to make in proof of the sufficiency of the allowance of farinaceous food which was required to be made to the negroes by the former proclamation of Sir Benjamin D'Urban.

J. Gladstone, Esq.

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

Enclosure 7, in No. 121.

BRITISH GUIANA.

Encl. 7, in No. 121.

Sir,

Farque by Fettercairn, 26 August 1837.

YOUR favour of the 9th instant has been forwarded to me, but, owing to absence from home, I have been prevented from both acknowledging and replying to it at an earlier period.

With reference to the communication I had the honour of making to Lord Glenelg, on the subject of Sir J. C. Smyth's late proclamation for increasing the quantity of farinaceous food previously supplied for the use of the apprenticed labourers in the colony of British Guiana, I then stated to his Lordship the facts and material points that were connected with the question, but as this was done verbally, I shall now repeat them in writing.

When there is a want of plantains, the Act of Parliament, which confirmed the allowances required by Sir B. D'Urban's proclamation issued under the authority of an order in council, requires that 10 pints of wheat-flour, Indian corn-meal or rice, shall be weekly supplied for the use of each apprentice; of these, rice is considered the most nutritious, and therefore in such cases preferred. A pint of rice weighs from 14 to 16 ounces, according to the quality; at 14½, the 10 pints are equal to nine pounds; when boiled it increases from four to fivefold in weight, and therefore nine pounds in that state may be taken at an average of 40, or nearly six pounds of boiled rice per diem for each apprentice. I have been informed that this quantity is more than they generally can or do consume; and in evidence of the fact, it is well known that many carry their surplus rice to the market and sell it there; in addition to this food, each apprentice is allowed three pounds of dried salted cod fish weekly, which is also more than they generally consume; they have also the power of fishing in the canals, where I understand fresh fish are abundant; they are each allowed to cultivate as much land as they think proper, and to consume and sell the produce; they are left at liberty to select the best on the estate to which they happen to belong, and sell the stock and ground provisions which they do not consume.

To increase these allowances would, I apprehend, not only be attended with the most injurious consequences to the planters, but were they to be extended to the excessive quantities, it would be ruinous to many, without any adequate object being gained, as it would only extend the supply, which is already proved to be most ample, but it would produce the most injurious consequences on the conduct of the apprentices in the wasteful use of food, which they could not individually consume; in evidence of this fact, I would refer to the law and practice in the other conquered colonies, particularly Trinidad and the Mauritius, where I think the allowance weekly for each apprentice is only six pints, in place of ten, without being made a subject of complaint, as far as my knowledge or information extends, and I think that rice only is used for food by the apprentices in the Mauritius, of all which you, as well as Lord Glenelg, are no doubt aware. In the Bahamas, the weekly allowance is, I believe, 21 pints of Indian corn, not meal, where the apprentice must grind it for himself, without any allowance of salt fish or other food, or the means of producing it.

For these reasons, I trust my Lord Glenelg will be satisfied that the legal provision for the apprentice's food, as stated by the late Governor Sir B. D'Urban's proclamation in 1833, and confirmed by Act of Parliament in 1834, is most ample under the system existing in British Guiana. If his Lordship should desire any further information that it is in my power to supply, I shall be happy and ready to do so.

James Stephen, Esq. &c. &c. &c.

I have, &c.
(signed) John Gladstone.

Enclosure 8, in No. 121.

7, Hanover-street, Hanover-square,
11 August 1837.

Encl. 8, in No. 121.

My Lord,

ON my arrival from Demerara within these few days, Messrs. M'Garel, King and Cavan put into my hands a copy of your Lordship's despatch to Sir James Carmichael Smyth of the 31st ultimo, with which they had been furnished by Mr. Stephen, Under-secretary of State. In that despatch I find the following paragraph: "The only question controverted between yourself on the one hand, and Messrs. M'Turk, Fullarton and Lane on the other, is the lawfulness of your proclamation of the 24th April. In their very elaborate statement of the 10th May, those gentlemen have not attempted to maintain that the allowances of flour and rice provided by Sir Benjamin D'Urban's proclamation are really adequate to the maintenance of the labourer, and from their silence on this head it may be inferred, that they regarded the opinion of the Lieutenant-governor as incontrovertible."

As I am the Mr. Fullarton alluded to, I trust your Lordship will permit me to offer a few words in explanation.

The first head of the document of the 10th May commences thus:—

"Your Excellency has stated that the allowance of plantains and of salt fish now supplied to the apprenticed labourers of British Guiana is ample, and that no friend of such labourers can desire to see this allowance augmented. In the propriety of this opinion we most humbly and heartily concur. If, however, it be meant by your Excellency that any inference is in consequence to arise unfavourable to the equal sufficiency of the other provisions

BRITISH GUIANA.

sions which may now by law be delivered in the lieu of plantains, we are satisfied that such inference would be entirely erroneous."

I humbly conceive that the fair interpretation of these passages is, that it was the opinion of the writers that the allowances of flour and rice were not merely "adequate," but that they were "ample," not less in "sufficiency" than the allowance of plantains. That such was the opinion is made manifest by the declaration that a solitary instance of complaint by slave or apprentice was unknown "within the wide extent of British Guiana." But had these or similar indications of opinion been wanting, I should deny the justice of the inference drawn from silence; I should venture to maintain that the opposition offered to the increase was of itself "incontrovertible" evidence of the opinion that the allowances were adequate; had it been otherwise, I can solemnly declare for myself, and I am safe in declaring for the gentlemen with whom I was associated, that no question would have been raised on the legality of the increase. The legal ground was only taken as a defence against what was considered an unjust and oppressive measure.

Having disposed of the misconception which gave rise to my addressing your Lordship, I trust that the part I took in the proceedings in the colony will be thought to justify my venturing to offer some observations on the course pointed out to the Governor as expedient to be pursued.

As a proprietor, I do not profess to be qualified to judge, and far less to discuss, legal niceties; but it appears to me that the power assumed by the Governor is destructive of the rights secured to the apprentices by the Abolition Act. If it be competent to the Governor to increase, it is equally competent to him to diminish the allowances. Had the power been exercised in diminution, the apprentices would have been entitled to deny the authority, not only under the 11th section of the Act of Parliament, but also under the interpretation of the framer of that Act, Lord Stanley, who, in his despatch to the Governor, No. 90, dated 24th May 1834, says that the "schedules" of food in operation on the passing of the Act must continue in force during the apprenticeship. This deliberate and clear opinion of the Secretary of State left no doubt on the minds of the planters but that the Abolition Act imposed the "schedule" during the existence of the apprenticeship, and all transactions subsequent to the passing of the Act have been founded on that belief. I am not prepared to say that an overruling necessity may not arise for the temporary substitution of food not mentioned in the schedule; but to men of common understanding in the colony, it did appear that of the food mentioned in the schedule, the Act of Parliament and Lord Stanley's explanation alike deprived the Governor of all authority under any previous order in council.

This question of right, however, I wish to dismiss, and to impress on your Lordship that its settlement will not close up the wound that has been opened; and I must be permitted to deplore that your Lordship's instructions to the Governor should make the subject one of legal discussion,—indeed narrow it to that. Such discussion, however it may terminate, must be attended with injurious consequences. It will present the unseemly spectacle of masters resorting to legal technicality to deprive those under them of food; to the apprentices, it will exhibit the Governor as their friend contending against their enemies, and the decision will be received as a party triumph, and this great evil will leave the most important question untouched, namely, whether the allowances in the schedule are or are not sufficient. Taking this view of the subject, I implore your Lordship to reconsider the despatch of the 31st July. Of all the complaints brought against the planters in British Guiana by their enemies, I believe a desire to withhold necessary food has not been in the number; indeed it is notorious that the allowances have been framed on a scale of liberality which may challenge comparison with that of any other colony.

I have to claim your Lordship's attention to the circumstance, that the Governor's proclamation is only suspended to the 1st November, a period, not of four, but of three months: may I hope that he will be instructed to suspend it indefinitely?

I have, &c.

(signed) *Gavin Fullarton.*

Enclosure 9, in No. 121.

Encl. 9, in No. 121.

Sir,

Downing-street, 25 August 1837.

I AM directed by Lord Glenelg to acknowledge the receipt of your letter of the 11th instant, explanatory of your opinions in regard to the proclamation issued by the Governor of British Guiana for increasing the allowance of provisions to the apprenticed labourers in that colony.

His Lordship is glad to have been afforded an opportunity of correcting any wrong impression which he may have entertained regarding your views on the subject. He finds that you do not, as he had inferred, acquiesce in the judgment of Sir J. C. Smyth, but that you consider the farinaceous food allowed by Sir B. D'Urban's proclamation as adequate to the maintenance of the apprenticed labourers. Lord Glenelg would be happy to be apprized of the grounds on which that opinion rests, and would especially invite your attention to a comparison between the amount of those allowances, and the provisions allowed by law for the maintenance of negroes in the Bahama Islands and in the gaols of Jamaica, and those allowed for the maintenance of inmates of workhouses and of the public gaols in this country, and the rations allowed to Her Majesty's navy and army when on actual service.

service. If there be any other standard of comparison to which you may be of opinion that reference can be more justly and accurately made, Lord Glenelg would be happy to be informed of the result of such comparison. Until he shall be in receipt of that information, his Lordship will not be able to advert to the recommendation with which your letter concludes.

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

— No. 122. —

(No. 378.)

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

My Lord,

Camp House, Demerara, 11 September 1837.

No. 122.

WITH reference to the despatch of your Lordship dated the 31st July, No. 232, I beg to lay before your Lordship the opinion of the Attorney-general relative to the mode of proceeding as suggested by your Lordship, in order to bring the question of the legality of my proclamation of the 24th April 1837 before the supreme court of civil justice in this colony. I beg respectfully to state, that I most completely concur in the opinion of the Attorney-general; and I am induced, consequently, to express my hope that your Lordship will deem it advisable that my proclamation of the 24th April 1837 shall be confirmed and approved of, according to the 117th section of the order in council of the 2d November 1831, by Her Majesty in Council. It is very true that, by the same section, my proclamation is to be considered as having the force of law until disallowed by the Crown. A proclamation, however, which has only not been disallowed, and one which has been confirmed and approved of by Her Majesty in Council, I need hardly observe to your Lordship (although, strictly speaking, equally legal instruments), yet will not be so viewed or considered by the inhabitants in general. The proclamation in question, if confirmed and approved of by Her Majesty in Council, will be all but implicitly obeyed. If only not disallowed, it will be opposed by every legal subtlety.

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

Enclosure in No. 122.

Sir,

Demerara, 9 September 1837.

Encl. in No. 122.

I HAVE read with attention the despatch of the Right honourable the Secretary of State for the Colonies, dated the 31st July 1837, handed to me by command of his Excellency the Governor, and in which Lord Glenelg, referring particularly to the proclamation of the 24th April last, issued here, relative to the food of the apprenticed labourers, expresses his opinion that the question of the legality of that proclamation should be brought before the judges of the supreme court of civil justice for their decision.

The proclamation itself is at present suspended, and will remain suspended until the 1st day of November next, and if I could bring this question before the court of civil justice in the way suggested by his Lordship, considerable delay would inevitably ensue, as I could not do so until subsequently to the period when the proclamation would come into operation; and as the case would then go through the ordinary roll process of our court, which his Lordship is perhaps aware is a very dilatory process, a decision of the court upon the question could not be hoped for for many months. I, however, could originate no suit which would bring this question to adjudication before the supreme court, as that tribunal tries questions of property from 20*l.* sterling and upwards, and any case which would arise under the proclamation would be simply a question as to the sufficiency of food supplied to the apprenticed labourer, and that point would come before and be decided by the special justice of the district.

If the special justice enforces the scale of provisions fixed by the proclamation of the 24th of April 1837 (as he will feel it his duty to do after the 1st November), there can be no doubt (as his Lordship seems to anticipate) that the decision of the special justice will be resisted, and that an action will be brought against him either for false imprisonment or for restitution of any penalties which he may impose, and which the party convicted may have been compelled to pay for refusing to supply to the apprenticed labourers the provisions required by the proclamation, and when such a case occurs, I shall be called upon to undertake the defence of the special justice, and to support the proclamation, and (in this way) the question which his Lordship wishes to be brought before the judges will come before them for decision.

I have, &c.
(signed) *William Furlonge*, Attorney-general.

To the Hon. Henry Fox Young,
Government Secretary.

BRITISH GUIANA.

— No. 123. —

(No. 268.)

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

No. 123.

Sir,

Downing-street, 15 November 1837.

SINCE I addressed to you my despatch, No. 267, of the 11th inst., I have received your despatch, No. 378, of the 11th September, with the opinion of the Attorney-general of British Guiana relative to the mode of proceeding which I had suggested with a view to decide the question of the legality of your proclamation of the 24th April last. The reasons alleged by the Attorney-general against the course which I had suggested appear to be conclusive ; and, although I regret that no judicial solution of this question can be obtained until after my ultimate decision as to bringing the proclamation into operation has been formed, I am not aware of any escape from this difficulty. Under these circumstances, I have only to express my hope that you will be able, at an early period, to transmit to me the information which I have asked for in my despatch of the 11th inst. On the receipt of that information, my final instructions will be given with as little delay as possible. In the mean time, the proclamation will continue suspended.

I have, &c.

(signed) *Glenelg*.

— No. 124. —

(No. 391.)

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

No. 124.

My Lord,

Camp House, Demerara, 25 October 1837.

I HAD the honour to report to your Lordship, upon the 29th April, in my despatch, No. 310, that I had suspended for a period of six months the operation of the enactments promulgated in my proclamation of the 24th April 1837, relative to the additional quantities of rice or of corn-meal required to be issued to the apprenticed labourers of this colony, whenever those articles of food are served out in lieu of plantains, beyond the allowance directed in the proclamation published by Sir Benjamin D'Urban upon the 18th January 1833.

The period of the suspension of the regulations contained in my proclamation as aforesaid will cease in a few days ; and it has consequently become imperative upon me either to be prepared to enforce the enactments alluded to, or to continue their suspension. In my despatch of the 11th September, No. 378, I have had the honour to explain to your Lordship the difficulties I should encounter were I to attempt to bring the question of the legality of my proclamation before the court of justice of this colony, previously to the confirmation of the same by Her Majesty in Council, as required by the order in council of the 6th November 1832. I have, moreover, had the honour, in my despatch of the 28th August, No. 371, to forward to your Lordship a petition from the proprietors and other inhabitants of the district of Berbice, addressed to Her Majesty in Council, praying that the additional quantities of rice and of corn-meal, as directed by my proclamation, may be disallowed.

As, under the circumstances I have detailed, the subject may be said to be before Her Majesty, I have felt that (putting the opposition I should experience entirely out of the question) it would be indecorous in me to precipitate the adoption of a measure which will, in so short a period, either be confirmed or be disallowed by Her Majesty in Council. I have therefore deemed it my duty to issue a proclamation, suspending the operation of my proclamation of the 24th April 1837 until the pleasure of Her Majesty in Council shall have been communicated upon the subject.

I have, &c.

(signed) *J. Carmichael Smyth*.

—No. 125.—

(No. 397.)

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

My Lord,

Camp House, Demerara, 3 November 1837.

No. 125.

I HAVE to acknowledge the receipt of your Lordship's despatch of the 15th September, No. 247; and it afforded me much pleasure to find that I had anticipated your instructions upon the subject of my proclamation regarding the additional quantities of rice and of corn-meal to be issued to the apprenticed labourers in this colony, whenever those articles of food are given as a substitute for 70 pounds of plantains.

In my former communications, I have so fully pointed out both the legality and the propriety of the measure I adopted, that it would be only very unnecessarily occupying your Lordship's time if I was to repeat either the facts or the arguments by which my conduct has been influenced. I will only add, that I observe, in Mr. Gladstone's proposed agreement with the hill coolies from Bengal, that 14 pounds of rice, which weight gives $15\frac{1}{2}$ pints, are to be the weekly allowance of a labouring man. We have here, at once, an allowance more by one-third than the 10 pints which the Demerara gentlemen, who have addressed themselves to your Lordship upon the subject, assert to be sufficient food for a labouring negro.

I have, &c.

(signed) *J. Carmichael Smyth*.

—No. 126.—

(No. 285.)

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

Sir,

Downing-street, 1 January 1838.

No. 126.

I HAVE to acknowledge the receipt of your despatches, No. 391, of the 25th October, and No. 397, of the 3d November, on the subject of your proclamation of the 24th April last, respecting the additional allowance of farinaceous food to the apprentices. As in my despatch, No. 267, of the 11th November, I have entered fully into this question, I abstain from any further discussion of it until I shall have received your reply to that despatch. I have only, therefore, in answer to your present communications, to convey to you my approval of the course which in the mean time you have adopted with reference to this subject.

I have, &c.

(signed) *Glenelg*.

—No. 127.—

(No. 8.)

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

My Lord,

Camp House, Demerara, 17 January 1838.

No. 127.

I HAVE perused, with every attention, your Lordship's despatch of the 11th November, No. 267, together with the correspondence which has taken place between your Lordship's Under-secretary of State, on the one side, and Messrs. M'Garel, King and Cavan, Gladstone and Fullarton, on the other, relative to the proposed augmentation of the quantities of rice or of Indian corn-meal when issued to the apprenticed labourers in this colony as a succedaneum for the 70 pounds of plantains which form their weekly allowance of farinaceous food.

In obedience to your Lordship's commands, I have called upon the special justices for their opinions upon the subject under discussion; and I have the honour to enclose copies of their several reports. Having carefully considered their statements, I am of opinion that 14 pounds of rice, or 21 pounds of Indian corn-meal, being at the rate of two pounds of rice, or of three pounds of corn-meal per day, may be substituted for the weekly allowance of 70 pounds of plantains, or at the daily rate of 10 pounds of plantains. It is requisite that, in order to prevent disputes about broken periods, the daily as well as the weekly allowance

BRITISH GUIANA.

allowance of the three descriptions of farinaceous food should each be detailed or specified. I beg further to suggest, that these allowances should be issued by weight, and not by measurement, in consequence of a recommendation to that effect as contained in one of the reports from the special justices. I take the liberty further of adding, that it will be very advisable that the decision of the special justice, in all disputes respecting the quality as well as the quantity of the food of every species, should be declared to be final, and without appeal.

I have purposely avoided making any observations upon the arguments adduced by those gentlemen, who, in their correspondence with Mr. Stephen, have expressed themselves so hostile to any augmentation to the existing customary allowances of rice or of corn-meal when issued in lieu of plantains. I beg, however, to draw your Lordship's attention to the practical good that this colony has already derived from the discussion of the subject, as explained in the report from special justice Coleman, in the augmented cultivation of the plantain. The point of view in which, in my public letter to Messrs. M'Turk, Fullarton and Lane, I placed the mistaken policy of allowing the food of the labourer to be imported, instead of being raised upon the estate to which he was bound to render his services, has had a very good effect; and many additional plantain walks have, in consequence, been established.

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

Enclosure 1, in No. 127.

Encl. 1, in No. 127.

Sir,

Sparta, 11 January 1838.

IN reply to your letter of 23d ultimo, which arrived when I was in the Pomeroun, I beg to state, for the information of his Excellency, that the following estates never, except under peculiar circumstances of unusually unfavourable weather, have occasion to serve rice or corn-meal to their labourers, being in the habit of supplying other estates which do not cultivate plantains.

These plantations are the two large and two small cultivated estates in the lower Pomeroun, viz. Caledonia, Dunbarton Castle, Phoenix Park, and Land of Promise; and on the coast plantations, Exmouth, Perth, Better Success, and Evergreen. The other estates from Exmouth up to La Belle Alliance, eight in number, all serve out rice or corn-meal occasionally, either in part or as entire allowance to their labourers. Devonshire Castle will soon be enabled to supply full allowances of plantains, without having recourse to any substitutes. Other estates have of late considerably increased their plantain walks, especially since the proclamation ordering 21 pints to be served out.

As to the quantity of these articles which would suffice for the support of a strong hard-working labourer, in my opinion, a quart a day would not exceed what he would use, with three pounds of salt fish per week, and this is supposing the rice to be of the very best quality, which often is not the case, although, perhaps, not so bad as to warrant its being absolutely rejected.

I have taken some trouble to inform myself upon this subject, the more so as many painful complaints have come before me from apprenticed labourers stating that they were obliged to take rice in place of plantains, although they could not eat rice, which disagreed with them. In some cases I have known them to take half allowance of plantains in place of the full 10 pints of rice, and this as a favour.

But the question put to me is not only what I consider sufficient for the nourishment of an able-bodied labourer, but also what I deem equivalent to 70 lbs. of plantains? In this view of the question, I should say that I myself, and, in my opinion, most if not all the apprenticed labourers, would hardly consider double the present allowance of rice to be an equivalent for two bunches of plantains weighing 70 lbs.

Surely when the legislature assigned so liberal a quantity of this most excellent food for the weekly support of each apprenticed labourer, it must have been with the humane intention of not confining him to what was barely sufficient for his or her individual food. It may have been considered that many of them had families of free children, whom the new law had thrown entirely on their hands for support, and that some of them, from age or weakness, would not be able to support them by the proceeds of their extra work. These young children are wholly dependent on what their parents can spare out of their weekly allowance, but for this purpose the 10 pints of rice are totally inadequate, being a very short allowance, even for the parents alone. The insufficiency of the 10 pints of rice or meal was lately admitted to me by the manager of plantation Lima, who said that he had long been in the habit of serving 12 pints, with the sanction of his employer. Several managers were present, who said they would be glad to do so too, but that their attorneys, in place of suggesting an increase of allowance, were constantly complaining of their being too profuse in the use of the provisions which they then supplied them with.

I deem it proper also to state other serious evils arising from this great disproportion in the several articles of food, as laid down in the scale. It has come to my knowledge, in many

many instances, that managers, when they supplied the gang generally with plantains, selected certain individuals to whom they gave rice; I cannot pretend to say whether the grounds of complaint they had against the labourers, whom they contrived in this way to punish, were well founded or frivolous, but it appears to me to be far from desirable that the law should put it into the power of any class of men to inflict severe suffering on their dependents, at their own discretion, and without any interference of the magistrate.

Such power will unfortunately remain, in too many cases, in spite of the wisest legislation, but in this case it is created directly by the law.

(A true copy.)
(signed) *H. E. F. Young, Esq.*
Government Secretary.

I have, &c.
(signed) *W. J. Brittain, s. J. P.*

Enclosure 2, in No. 127.

JUDICIAL DISTRICT A.

Sir,

Lower Division, 30 December 1837.

Encl. 2, in No. 127.

I HAVE had the honour to receive your circular confidential of the 23d instant, and hasten to answer it.

1. The only estate where rice or Indian corn-meal is served out to the labourers continually is plantation Dochfour, the plantain walk of which Mr. Reed, the proprietor, gave up to his people on the 1st August 1834; on the other plantations in my district, or connected therewith, there are thriving and extensive plantain lands, from which the labourers are weekly supplied in due proportions, according to law; still, however, upon many of the estates when plantains are short there is an occasional allowance of rice or corn-meal given to them, which kind of allowance will perhaps bear an average of from five to fifteen upon those estates during the year.

2. I have often read the scale of food appended to the ordinance 43, and I have as often said that there must have been some error in framing it, reasoning thus, "that either 70 lbs. of plantains were too much, or 10 pints of rice or corn-meal too little;" for, in point of actual sustenance, they are not, in my opinion, to be compared with each other; now my experience has taught me that an able-bodied labourer can easily consume his two bunches of plantains per week; I am therefore led to infer that 10 pints of rice or corn-meal is insufficient for a continued weekly allowance.

3. I can hardly form an opinion as to "what quantity of rice or corn-meal would be equivalent to 70 lbs. of plantains," and I tender my thoughts on the subject with much diffidence, but I would certainly say that it ought to be from 15 to 18 pints.

Upon plantation Greenfield, the indented Africans prefer 14 pints of rice per week each to two bunches of plantains, and have actually refused the latter to obtain the first; this is, however, an isolated case.

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

I have, &c.
(signed) *C. H. Strutt, s. J. P.*

Enclosure 3, in No. 127.

UPPER DISTRICT A.

Sir,

31 December 1837.

Encl. 3, in No. 127.

I HAVE the honour to acknowledge the receipt of your confidential circular of the 23d instant, and to report to you, for the information of his Excellency the Governor, that rice and Indian corn-meal are occasionally issued on all the estates in this district; but on no one estate are those articles issued to the apprenticed labourers exclusively. That since his Excellency's proclamation of the 24th of April last was published, greater attention has been paid to the cultivation of plantains than before; the consequence is, that on many estates they rarely issue any thing in lieu thereof; and on the others, where there may not have been such large crops, or where accidents may have happened, they purchase them; so as, in general, to issue one-half of the weekly allowance in plantains, and the other half in rice or Indian corn-meal.

I have also the honour to state my opinion, that 14 lbs. of rice, or 18 lbs. of Indian corn-meal, are equal to 70 lbs. of plantains, and sufficient for the nourishment of an able-bodied labourer during the period of a week; and that the grounds upon which I have founded my opinion are, 1st, Taking into consideration the reduction in the weight of the plantains, by divesting them of stalks, skins, such as may be damaged, &c.; 2dly, That when the labourers have complained of the insufficiency of rice or corn-meal issued (10 lbs.), they have always appeared satisfied when two or three measures have been added to that allowance; and, 3dly, That they invariably prefer rice to corn-meal, by reason of the former yielding a much greater quantity of food.

To the Hon. H. E. F. Young,
Government Secretary, &c. &c. &c.

I have, &c.
(signed) *Thos. Coleman, s. J. P.*

BRITISH GUIANA.

Enclosure 4, in No. 127.

Encl. 4, in No. 127.

Sir,

George Town, 15 January 1838.

In the statement contained in my letter of the 13th instant, that I consider about 35 pints of Indian corn-meal as the lowest equivalent which could in justice be offered to the apprenticed labourers of this colony in lieu of 70 lbs. of plantains, perhaps I have not been sufficiently explicit with regard to the data on which I founded that opinion.

For persons who have been accustomed to Indian corn as their usual food, as is the case with the majority of the articed labourers imported from the W. I. Islands, 20 pints of Indian corn-meal, or thereabouts, might be quite a sufficient equivalent for 70 lbs. of plantains, and equally nutritious; but, with the apprenticed labourers of this colony, it is otherwise.

Besides their absolute dislike for this particular article of food, which ought not to be altogether disregarded, in making calculations for their comfort and happiness, Indian corn-meal is said to have a laxative effect, accompanied with some degree of debility, when it is substituted for the daily food of persons who have been previously accustomed to live on rice or plantains. This, at least, is asserted by the apprenticed labourers themselves, and, I am inclined to think, not altogether without reason. At any rate, rice of the lowest quality is almost universally preferred to Indian corn-meal by the negro creoles of this colony, as well as by the old Africans; and if the maxim of Hudibras is allowed to be just, that

“The worth of any thing
Is just as much as it will bring,”

I do not think that I have overshot the mark.

I have, &c.

To the Hon. H. E. F. Young,
Government Secretary.

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

Enclosure 5, in No. 127.

Encl. 5, in No. 127.

Sir,

George Town, 13 January 1838.

WITH reference to the confidential circular of 23d ult., I have the honour to report that, among the apprenticed labourers on the plantations contiguous to George Town, five pints of good clean Carolina rice are considered an equivalent for a bunch of plantains weighing at an average 17 or 18 lbs.; but that East Indian or African rice is a much less valuable article in exchange, leaving its nutritive qualities out of the question.

On those plantations where the allowance is supplied in rice, it is not unusual for the apprenticed labourers to barter part of it with their neighbours, who are fed with plantains, and *vice versa*.

From these circumstances, and after sounding one or two intelligent persons in George Town, in whose opinion I can place confidence, I conclude that 20 pints of good Carolina rice, or 25 pints of clean whole Indian or African, or 30 pints of dirty or broken but sound merchantable Indian or African rice, would be an equivalent for 70 lbs. of plantains.

Indian corn-meal is not at present supplied on any of the plantations in my district; but it is generally disliked as a permanent article of diet by the negro creoles of this colony. I should, however, consider about 35 pints of Indian corn-meal the lowest equivalent which would in justice be substituted for 70 lbs. of plantains; and that not so much for the actual consumption of the apprenticed labourers, as to afford them an opportunity of exchanging it for other articles of diet more to their taste. I may further remark, that where rice or Indian corn-meal is furnished to the apprenticed labourers in this neighbourhood for their allowance, a good deal of it generally finds its way to town, where it is hawked about or sold in the market; not, as might at first sight be supposed, owing to the superfluity of food furnished by the employer, but because most of the apprenticed labourers in this district, either by raising provisions or by grass-cutting, are able to indulge themselves, at their own expense, in their favourite diet.

To the Hon. H. E. F. Young,
Government Secretary.

I have, &c.

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

Enclosure 6, in No. 127.

Encl. 6, in No. 127.

Sir,

DISTRICT C.

6 January 1838.

IN reply to your letter of the 23d ult., I have the honour to report that rice or corn-meal is occasionally issued on the majority of estates in this district.

On some estates the issue of corn-meal and rice is more frequent than on others, depending either on the price of plantains, or their abundance on the property.

I consider 16 pints of Carolina rice, 21 pints of African or East Indian rice, or 16 pints of Indian corn-meal, as equivalent to 70 lbs. weight of plantains, or rather as a reasonable substitute for the same.

Where rice alone has been given for the weekly allowance, it is generally found that the 10 pints issued on the Monday afternoon has been exhausted on the Thursday morning; the labourers for the remainder of the week being thrown on their own resources.

An

An intelligent and liberal proprietor long since candidly acknowledged to me, that 10 pints of rice was quite inadequate for the support of a labouring man, and that he invariably gave 14 pints to his people when he could not procure plantains. BRITISH GUIANA.

As rice is seldom issued but in conjunction with plantains, few complaints are made on the subject.

It is seldom that more than half an allowance of corn-meal is issued at a time; but in any case it proves an unwholesome food as prepared by the labourers of this colony, and its issue is usually productive of complaints and discontent.

My own judgment and experience on the above subjects, strengthened by the repeated complaints and representations of the apprentices themselves, has been confirmed by the confidential testimony of some intelligent foremen of estates, on whose veracity I could place great reliance.

It may be necessary to add, that no quantity of rice or corn-meal which a labourer can consume will afford him the same nourishment as the legal allowance of plantains; and that it is the frequent practice of the apprentices sullenly to receive from their employers two small bunches of plantains (weighing, perhaps, together 35 to 40 lbs.), rather than have to put up with the 10 pints of rice or corn-meal, which would be given him on refusal, as prescribed by the ordinance.

I have, &c.

Honourable Henry E. F. Young,
Government Secretary, &c. &c. &c.

(signed) *J. A. Allen, S. J. P.*

Enclosure 7, in No. 127.

Sir,

31 December 1837.

Encl. 7, in No. 127.

IN acknowledging the receipt of his Excellency the Governor's confidential circular of the 23d instant, I have the honour to inform you, the plantations serving rice (occasionally) in lieu of plantains (corn-meal not appearing to be used) are, viz., Greenwich Park, St. Christopher's, Philadelphia, Vergoenegen Tuschen de Vrienden, Zeelught, De Kindren, Met-en-Meerzorg, William and Zeeberg, but whenever they can procure plantains they are issued. On the Uitolught and Vrees-en-Hoop, rice is only served when their stock of plantains fail, they having plantain walks on their estates.

I do think 10 (Dutch) pints of rice is not commensurate with 70 lbs. of plantains, without reference to bunches, and my reason for so thinking is this, viz., 70 lbs. of plantains appear at the first sound and sight an immense quantity of food for any one person to consume in a week, but when the skins thereof are taken from them and the stems of the bunches, they do not weigh near half the quantity, consequently, although that remaining quantity must be considered to be more than any one person can consume, still the 10 pints of rice is every way inadequate, particularly when it is considered there is no other food but salt fish, which from its quantity can only be considered as a relish to the plantains or rice, which former article they have many ways of dressing, viz., roasting, boiling, making into fou-fow, or into fou-fow soup with other ingredients; rice must be boiled.

I should think 15 pints a fair proportion to issue, both to the labourer and to the employer, rice being by no means a solid food; and it must be borne in mind the imperial measure is not in use in this colony, the old Dutch weights and measures being still in use here. I beg to state my opinion with reference to a hard-labouring person.

I have, &c.

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

(signed) *Thos. Delafons, S. J. P.*

Enclosure 8, in No. 127.

Sir,

Leguan, 27 December 1837.

Encl. 8, in No. 127.

I HAVE the honour to acknowledge the receipt of your letter of 23d instant. In this district there are not more than two or three estates on which sufficient plantains are grown to supply their labourers all the year round. Many of the others have small plantain walks, and which they have been enlarging during the last six months; but they chiefly depend on the east and west coasts of Demerara for their supplies of plantains. As long as plantains can be procured at a reasonable rate they are issued to the labourers; but on an average, I think that on the 44 sugar estates in this district, rice is the allowance for four months out of the twelve. Corn-meal is seldom or never used while rice can be procured.

With respect to the quantities of rice or corn-meal which ought to be given to the labourer instead of plantains, and equivalent as an article of food to 70 lbs. of plantains, and consequently for the nourishment of an able-bodied labourer during the period of a week, I conceive the allowance ought to be,

| | |
|-------------------|---------------------|
| 14 pints per week | first quality rice. |
| 17 - ditto - | second ditto. |
| 20 - ditto - | third ditto. |
| 20 - ditto - | corn-meal. |

From repeated and minute personal observations and inquiries, I am satisfied two pints of best rice per day is not more than an able-bodied labourer can eat. But even this I do not think

BRITISH GUIANA. an equivalent to plantains, for rice cooked in any manner can never form such solid food as plantains; and in every country it is an established fact, that a labourer who performs heavy work ought to have at least one meal of solid food per day. This is so well understood here, that the planter never gives his people rice except when it is considerably cheaper than plantains; and the labourers, when they get an allowance of rice, always sell a portion in order to procure some other article of food. Corn-meal makes a more solid food than rice, but the labourers do not understand the art of cooking it, and dislike it for an allowance. Corn-meal ought to be served out by weight and not measure, for a pint can be made to contain one pound of meal or half a pound, according to the mode of filling it.

According to the present regulations, as there is no distinction made between the qualities of rice, a premium is held out to the planter to issue an inferior article to his people. I conceive that when rice is issued, a certain quantity of salt pork or beef ought to be given with it, which would be more agreeable to the labourer than giving him an increased quantity of rice. The people never complain when they are fed on salt fish and plantains, but are not satisfied with salt fish and rice, and always cook a piece of pork with their rice.

The Hon. H. E. F. Young,
Government Secretary, &c. &c. &c.

(signed)

I have, &c.

Geo. Kellock, s. J. P.
District F.

Enclosure 9, in No. 127.

Encl. 9, in No. 127.

Sir,

District G., 11 January 1838.

I HAVE the honour to acknowledge the receipt of your letter of the 23d December last, which did not reach me until the 7th instant, and beg leave to state, that of the 23 estates comprised in this district, there is not one upon which rice and Indian corn-meal are not issued more or less frequently; there are, however, six provided with plantain walks, nearly sufficient to afford a regular supply of plantains; and I am glad to have it in my power to add, that proprietors begin to turn their attention to their culture, and I think in a short time a good number of estates will be well supplied with them.

In reply to the inquiry as to my opinion of the quantity of each of the first-mentioned articles of food which I may consider equal to 70 lbs. of plantains, I beg leave to observe, that although I cannot believe the present allowance of 10 pints of either to be an equivalent, yet if I were to judge from the general healthy appearance of the apprenticed labourers, and the absence of any complaint upon the subject, I should be disposed to think it otherwise. But this apparent sufficiency is unquestionably to be attributed to the addition of their diet derived from the esculent roots and vegetables raised by themselves on the grounds here almost universally allowed them by proprietors, and cannot, of course, be taken into account in the consideration of the present question.

Fourteen pints of rice or 16 of Indian corn-meal are the quantities of each of these articles of food which would, in my opinion, be equivalent to 70 lbs. of plantains, and consequently sufficient (with the allowance of fish) for the sustenance of an able-bodied labourer during the period of a week—a conclusion to which I have arrived in some measure from my own observation, and further, from the result of such inquiries as I have been enabled to make consistently with the confidential nature of the subject.

To Hon. H. E. F. Young,
Government Secretary, George Town.

I have, &c.
(signed) George Ball, s. J. P.

Enclosure 10, in No. 127.

Encl. 10, in No. 127.

Sir,

La Retraite, District D., 10 January 1838.

IN obedience to your circular confidential letter of the 23d ultimo, directing me to report, for his Excellency the Governor's information, the number of estates in the district under my charge in which rice or Indian corn-meal is issued to labourers instead of plantains, and my opinion, with the grounds on which it may be formed, as to the quantities of the articles of food which may be deemed equivalent to 70 lbs. of plantains, I have the honour to report, that, as far as I have been able to ascertain, the invariable practice in this district is to give the labourers' allowance of food in corn-meal or rice and in plantains in equal portions, that is, half in meal or rice and half in plantains, except on rare occasions, when plantains cannot be had, either from their own estates or at the market, at which times the allowance is made up entirely of corn-meal or rice. All the cultivated estates have plantain walks, but some yield very little, and only five from which regular sales to any valuable extent can be made.

As to the quantity of rice or corn-meal which may be equivalent to 70 lbs. of plantains, I cannot speak with any degree of certainty. I believe 70 lbs. of plantains cannot be consumed by any labourer; but as to the present legal quantity of rice or corn-meal, I do think it too little for an able-bodied labourer. Such a person would require, in my opinion, 14 or 15 pints, instead of 10, for a week's allowance. I give this opinion, partly from experience in feeding labourers at home with meal (I take it, rice is not more nourishing), and partly from the statements of labourers here, to the effect that 10 pints is too little.

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

I have, &c.
(signed) D. M' Lennan.

Enclosure 11, in No. 127.

BRITISH GUIANA.

Encl. 11, in No. 127.

Sir,

Richmond, 8 January 1838.

I HAVE the honour to acknowledge the receipt of your letter of the 23d ultimo, requiring me to report, for the information of his Excellency the Governor, the number of estates under my charge on which rice or Indian corn-meal is issued to the labourers instead of plantains, and my opinion as to the quantity of each of these articles of food I may deem equivalent to 70 lbs. of plantains, sufficient consequently for the nourishment of an able-bodied labourer during the period of a week.

There are two estates under my charge on which rice or Indian corn-meal is generally issued instead of plantains. On another (plantation Aberdeen) the weekly allowance consists, one-half of plantains, the other of corn-meal.

The two estates which generally issue rice or corn-meal are Henrietta and Anna Regina; in the case of the latter, however, it is done in compliance with the taste of the labourers on that plantation. The greatest part of them are natives of Bahama; and they prefer having Indian corn unground; accordingly, the representatives of the estate have ordered, I am informed, a large quantity of corn from America, and have sent to England for mills to be distributed to the labourers.

I have been assured that when plantains have been served on that estate, many have offered to take half an allowance of rice in preference to the full allowance of plantains. Biscuits, commonly called bread, is often issued to the labourers on Anna Regina.

Indian corn-meal I believe to be much more nutritious than rice. As a constant article of food, rice is perhaps one of the worst that can be issued to labourers. In all countries where it is the sole or chief article of food (in India for example), the physical energies of the people are greatly inferior to those of our labouring population.

The quantities, however, of rice or Indian corn-meal which, according to the schedule of allowances attached to ordinance, No. 43, may be issued in lieu of plantains, I believe to be sufficient "for the nourishment of an able-bodied labourer during the period of a week." My opinion has been formed partly from my knowledge of those articles of food, but more from the circumstance, that no complaints were made by the labourers of insufficiency of food at a time when, from the scarcity of plantains, these articles were generally issued. I also remarked, at the time alluded to, that very liberal supplies of the same articles of food were furnished by the labourers to their feathered and other stock—a pretty good proof that they themselves were neither exposed to the cravings of hunger, or limited to the bare supply of their wants.

There had also been a great neglect, on the part of the labourers, of their provision grounds, and, consequently, few could have added to their allowances from that source.

Though 10 pints of rice or Indian corn-meal are, in my opinion, sufficient for the nourishment of an able-bodied labourer during the period of a week, I do not deem them equivalent to 70 lbs. of plantains. The allowance of plantains is far beyond what any one man can possibly consume; the plantain also is generally admitted to be a more nutritious article of food. It would be very desirable if, on all estates where the labourers are partial to the plantain, that article of food should be issued to them. Unfortunately, however, there are several estates on which it cannot be reared. On four or five within my district, it cannot be cultivated to any extent; and it is not at all times that plantains can be purchased.

The proclamation of his Excellency, of 24th April last, has had the good effect of stimulating the planters to a more extensive cultivation of the plantain, where practicable. I think it would be highly advantageous to have a constant stimulus to its cultivation; but, with deference, I would beg to offer my opinion, that an increase in quantity of the substituted articles which may be issued for allowances in lieu of plantains will not materially aid in the attainment of this object, and (especially if that increase be considerable) will not be (generally) beneficial to the labourers.

An increase of the quantities of rice or Indian corn-meal required to be given for a weekly allowance may induce many (particularly proprietors or representatives of estates on which the plantain cannot be cultivated) to maintain their labourers by the appropriation of land, and, consequently, to a certain extent, decrease the demand for plantains. If all our labourers were able-bodied, such a change on the mode of maintaining them might be beneficial; but how different would be the condition of the infirm, the old and the young!

His Excellency is aware that great excitement was caused by the publication of his proclamation of the 24th April. Had that proclamation been enforced, I know it was the general intention on this coast to have withheld the allowances given to the free children, and all allowances at the holidays and at other times, of sugar, rum, tobacco, &c.; in fact, to have restricted the allowances to the strict letter of the law. Such, I fear, will be the consequence of any important change in the schedule of allowances.

It certainly appears to have been the intention of the legislative council to make the issue of plantains the general rule, and of the other articles of farinaceous food the exception. To enforce this, I presume, was the chief object of his Excellency in that proclamation.

It is with diffidence I presume to offer any suggestions of my own, but it has occurred to me that an improvement in the regulation for the maintenance of the labourers, which would fully effect his Excellency's intention, and produce many benefits, might be introduced; and that simply by leaving it to the option of the labourer, when he cannot have plantains, to take either the regulated allowance of rice or corn-meal, or its equivalent in money. I do not apprehend to so slight a change any serious opposition on the part of the planters, as it can be a matter of very little importance to them whether their labourers give a preference to the one

BRITISH GUIANA. one or the other, since to themselves, in a pecuniary point of view, there can be no material loss.

The interest I take in the calm and successful working of the apprenticeship, and in the welfare of both parties interested in it, will, I trust, plead my excuse for entering into the detail of some of the advantages which I anticipate would result from the adoption of a partial money-payment in lieu of an issue of food to the labourers.

1. As a money-payment can only be demanded when plantains are not offered, it will act as a constant stimulant to the cultivation of the plantain, while, from making its acceptance optional with the labourer, he cannot be left destitute of food.

2. It will incite the labourer to the cultivation of his provision grounds (which of late have been much neglected), and thereby promote in him habits of industry and economy.

3. It will put an end to the frequent irritations which arise from the distribution of articles of food not palatable to the labourer.

4. It will check that indiscriminate hospitality by which so many of the idle and dissolute are enabled to obtain a maintenance, and control in some degree an incipient vagrancy. This is an evil which has a more extensive existence than is generally supposed.

5. It will operate as a partial and gradual introduction of a system which is likely to prevail after 1840, and in some degree prepare the labourers for the important change which the termination of the apprenticeship must necessarily produce. It will inculcate the useful lesson, that on their own industry and frugality their maintenance must chiefly depend.

These are a few of the advantages which appear to me likely to result from the substitution of a money-payment (at the option of the labourer) in lieu of any article of farinaceous food, except plantains. The money-payment, however, ought not to exceed the average price of the articles for which it is substituted; and I think six bits would be considered as an ample remuneration for the week's allowance. But this and other details are matters more proper for his Excellency's determination.

I have, &c.

To the Hon. H. E. F. Young,
Government Secretary.

(signed) *J. O. Lockhart Mure, s. J. P.*

Enclosure 12, in No. 127.

Encl. 12, in No. 127.

Sir,

District I., 1 January 1838.

IN reply to your letter of the 23d ult., I beg to report to you, for his Excellency's information, that those estates under my charge which are provided by allowances (there are three which have grounds allotted) are generally supplied with plantains (either by growth or purchase), and it is only occasionally, when they fail, that rice or corn-meal is given.

I should conclude the quantity issued of the latter articles (10 pints) is sufficient, on the grounds that I have never received a complaint of its not being so.

I have, &c.

To the Hon. H. E. F. Young,
Government Secretary.

(signed) *G. Rose, s. J. P.*

Enclosure 13, in No. 127.

Encl. 13, in No. 127.

Sir,

District K., Berbice, 2 January 1838.

IN reply to the confidential circular of 23d December last, I have the honour to state, for the information of his Excellency the Governor, that there are only three estates in this district on which rice or corn-meal are regularly issued weekly to the labourers in lieu of plantains.

On one estate (Providence), some short time ago, there was a little difference as to the quantity given, viz. 10 pints each as a full allowance. I put the question to several of the labourers as to how much each of them could consume during the week; their reply was, 15 pints of rice, or 18 of corn-flour, as the latter provision often got sour when exposed to the air, the consequence of which was, they required a larger quantity, having sometimes to throw it away or feed the poultry upon it; whereas the former kept good for a considerable time, but that it was impossible for them to subsist entirely upon farinaceous food.

I beg respectfully to say that I am of opinion 16 pints of rice, or 18 of corn-flour, is sufficient for the nourishment of an able-bodied man during the week, and equal to 70 lbs. of plantains.

I have, &c.

The Hon. the Government Secretary.

(signed) *Walter Howard Ware, s. J. P.*

Enclosure 14, in No. 127.

Encl. 14, in No. 127.

Sir,

Office of Special Justice of Peace, District L,
Berbice, 9 January 1838.

I HAD the honour to receive your communication of the 23d December on the 2d instant, and in obedience to his Excellency's commands, enclose a list of estates in my district, from which

which you will perceive that, with the exception of plantations Herstelling, Welgeleegen and Nieuwe Vigilantie (where occasionally rice is served), all the other estates issue plantains.

In further reply to where his Excellency desires my opinion as to an equivalent in rice or corn-meal for 70 lbs. of plantains for the nourishment of an able-bodied labourer during the period of a week: that if the plantain-stalks and upper tufts of the bunches and the skins are deducted from the whole, there will remain from 50 to 55 lbs. of good plantains; this, however, is as much as is required for a labourer of the above description. An equivalent for these 70 lbs. in rice (as it is a light food) I would calculate at 18 pints, and that of corn-meal (it being a more substantial food) at 15 pints; this, in my opinion, would be found superabundant.

I remain, &c.

(signed) A. Van Ryck de Groot, s. j. p.

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

— No. 128.—

(No. 318.)

COPY of a DESPATCH from Lord *Glenelg* to the Officer administering the Government.

Sir,

Downing-street, 27 April 1838.

No. 128.

I HAVE received the despatch dated the 17th of January last, and numbered 8, in which the late Governor of British Guiana reported to me the result of his inquiries as to the sufficiency of the supply of farinaceous food which, under the proclamation of Sir Benjamin D'Urban, is substituted in that colony for the plantains which the same proclamation requires to be delivered to the apprenticed labourers. Having brought this subject under the consideration of The Queen, Her Majesty, with the advice of Her Privy Council, has been pleased to make an order, which I herewith transmit, for determining what shall hereafter be the amount of such substituted allowances. You will immediately promulgate this order, and direct the special justices to cause it to be carried into execution in their respective districts.

I have, &c.

(signed) *Glenelg*.

Enclosure in No. 128.

At the Court at Buckingham Palace, the 25th day of April 1838.

Present,

The QUEEN's most Excellent Majesty in Council.

WHEREAS by the law now in force in the colony of British Guiana, the employer of every apprenticed labourer within the said colony is bound to supply for his or her weekly maintenance 70 lbs. of plantains, or, in lieu of such plantains, certain quantities of corn-meal or rice:

Encl. in No. 128.

And whereas by an Act passed in the present Session of Parliament, intituled, "An Act to amend the Act for the Abolition of Slavery in the British Colonies," reciting, amongst other things, that in such of the colonies as are subject to the legislative authority of Her Majesty in Council, certain laws were in force at or immediately before the time when the Act for the Abolition of Slavery passed in the Session of Parliament, holden in the third and fourth years of the reign of his late Majesty King William the Fourth, came into operation, determining the amount of food and other allowances to be supplied to the persons then held in slavery in the said colonies; and further reciting, that doubts had arisen whether, consistently with the provisions of the said Act for the Abolition of Slavery, it is competent to Her Majesty in Council to increase the said allowance, it is, amongst other things, enacted, "that it is and shall be competent to Her Majesty in Council, by any order or orders in council for that purpose to be made from time to time, to increase the amount of the said allowances, as to Her Majesty in Council shall seem meet; any thing in the said recited Act to the contrary notwithstanding:"

Now, therefore, in pursuance of the said Act of Parliament of the first year of Her Majesty's reign, and in exercise of the powers thereby declared to be vested in Her Majesty as aforesaid, Her Majesty, by and with the advice of Her Privy Council, doth order, and it is hereby ordered, that, in the colony of British Guiana, every employer of any apprenticed labourer who shall not supply to such labourer the full weekly allowance of 70 lbs. of plantains, shall be and is hereby required to substitute for the same, at the discretion of such employer, either corn-meal or rice, in the proportions following, that is to say, in respect of every 10 lbs., or other less amount, of plantains, by which the weekly supply of that article to any apprenticed labourer shall fall short of the said prescribed amount of 70 lbs., the employer shall be bound to supply to each labourer either three pints of corn-meal or two pints of rice; and it is further ordered, that the plantains, corn-meal or rice so to be supplied

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as aforesaid shall at all times be of good average merchantable quality, and that the pints to be used for the purposes aforesaid shall be the imperial standard measure as by law established; and it is further ordered, that the Governor or officer administering the government of the said colony shall be and he is hereby authorized, by a proclamation to be by him for that purpose issued, to determine the weight of one pint of corn-meal and the weight of one pint of rice, of such quality as aforesaid, such weight having been first ascertained by exact experiments to be made by such Governor or officer as aforesaid, or in his presence; and it is further ordered, that it shall be lawful for any such apprenticed labourer, or for any special justice within the said colony on his or her behalf, at any time to require that such corn-meal or rice as aforesaid be measured by weight and not by quantity, such measurement being made according to the proportion between the weight and quantity thereof so to be ascertained and established as aforesaid; and it is further ordered, that if any question shall in any case arise as to the quality of any such plantains, corn-meal or rice as aforesaid, delivered or tendered to any such apprenticed labourer, or as to the measurement thereof, either by weight or by quantity, every such question shall be adjudged and determined by some special justice having jurisdiction within the district within which such questions shall so arise, and the decision of such special justice upon any such question shall be final and conclusive, and without appeal:

And it is further ordered, that all penalties which, under the law now in force within the said colony, may be imposed on any person refusing or neglecting to supply to any apprenticed labourer therein the provisions to which, by such law, such apprenticed labourer is now entitled, shall be applicable to the case of any employer refusing or neglecting to supply the provisions in this present order mentioned, and shall be in force against such employer in such and the same manner as is now provided and directed by law within the colony aforesaid:

And it is further ordered, that, in respect of such existing penalties for the purpose and within the meaning of this present order, any person entitled to the services of any apprenticed labourer, or any person who is attorney, manager, agent, or otherwise may be in the lawful superintendence of any such apprenticed labourer, shall be taken to be the employer of such labourer:

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

(signed) *Wm. L. Bathurst.*

CLASSIFICATION.

— No. 129. —

(No. 390.)

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

My Lord,

Camp House, Demerara, 24 October 1837.

No. 129.

IN the despatch of the 13th November 1835, No. 250, which I had the honour to address to your Lordship, I took the liberty of drawing your Lordship's attention to various instances of erroneous registrations of apprenticed labourers; and I explained, that if an opportunity was not afforded of amending the classification, many apprenticed labourers, whose services, if they had been correctly registered, would expire on the 1st August 1838, will be liable to be kept as prædial labourers until the 1st August 1840. Your Lordship did me the honour, in your despatch of the 22d January 1836, No. 251, to reply to my observations, and to state that, in point of law, it must first be ascertained whether the Act of Parliament does really require that mistakes of this kind should always be remediable, and that you would propose this inquiry to the law officers of the Crown. As I have not again heard from your Lordship upon this subject, and as, if a local ordinance is to be framed, granting (as I have proposed) a summary jurisdiction to the judges of the supreme court, in all cases of alleged erroneous classification, to correct the registrar's lists, it is desirable that such ordinance should not be delayed beyond the ensuing spring session of the court of policy, I take the liberty, with every respect, of again submitting the subject for your Lordship's consideration and decision.

Vide Papers relative to the Abolition of Slavery, 1836, Part 3 (2), page 99.

Ditto, page 104.

In your Lordship's despatch which I have already had the honour to quote, your Lordship states, as a practical difficulty, that if an apprentice, erroneously classed as a prædial, has, under that mistake, only been called upon to perform 45 hours of labour per week, instead of rendering an indefinite amount of service as a non-prædial, there will be a difficulty in adjusting the mutual rights and obligations of the employer and of the apprentice upon the discovery and correction of the error. With reference to this observation of your Lordship, I beg leave most respectfully to observe, that it was the employer to whom the law delegated the duty of making out the classification returns; and that the employer, and not the labourer, swore to their having been made out agreeable to certain data which the law enjoined him to attend to. To keep the non-prædial labourer longer in a state of obligatory servitude than he would otherwise be liable to be detained, on account of an error on the part of his employer in placing him in a wrong column in his return, whether such error may have been accidental or intentional, I humbly conceive would not be justified by the Act of Parliament. I shall await your Lordship's instructions and the opinions of the law officers of the Crown with some anxiety.

I have, &c.

(signed) *J. Carmichael Smyth*.

— No. 130. —

(No. 392.)

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

My Lord,

Camp House, Demerara, 26 October 1837.

No. 130.

WITH reference to the remarks I had the honour to lay before your Lordship in my despatch of the 24th instant, No. 390, upon the subject of the erroneous registration of some of the apprenticed labourers in this colony, I take the liberty of observing, that although the employer may state that, in registering a non-prædial labourer in the class of prædial, he has lost the nine hours of labour per week which the non-prædial is obliged to devote to the service of his master more than is required from the prædial for the space of four years, yet the whole loss amounts only to 1,872 hours of labour; whereas the two years of prædial labour,

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labour, at the rate of 45 hours per week, to obtain which he has given up the 1,872 hours of non-prædial labour, amount to 2,340 hours of labour, leaving a balance of 468 hours of labour in favour of the erroneous registration.

I have, &c.

(signed) *J. Carmichael Smyth.*

—No. 131.—

(No. 290.)

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

No. 131.

Sir,

Downing-street, 29 January 1838.

I HAVE received your despatches, Nos. 390 and 392, dated the 24th and 26th of October, on the subject of the erroneous registration of some of the apprenticed labourers in Guiana, as prædial or non-prædial.

Since the receipt of your first despatch on this subject, information of similar errors has reached me from several other colonies; and a careful examination has consequently been made of the provisions of the several laws respecting classification, in order to ascertain whether any new enactment was required for the assertion of the undoubted right of the apprentice to be placed in that class to which he really belongs.

The result is, that these laws appear to be all more or less ambiguous on the question of the right of the apprentices, after a limited period, to claim a revision of the lists. I think, however, for the reasons which you have assigned, that this doubt ought to be decided in favour of the apprentices. In accordance with a suggestion to this effect from the Governor of Mauritius, I accordingly submitted to The Queen in Council the draft of an order for declaring the law on this subject in Mauritius; and Her Majesty in Council was accordingly pleased, on the 18th of November 1837, to make an order for this purpose. I enclose a copy of it for your information.

Order in Council,
18 Nov. 1837.

It is, of course, competent to The Queen in Council to make a similar order for the removal of all doubts on this subject in British Guiana; but Her Majesty would be reluctant, needlessly, to resort to the exercise of that authority. When the original enactments in aid of the Slavery Abolition Act were framed for British Guiana, the court of policy requested, and was permitted, to originate that part of the law. It appears to have been thought that this course of proceeding was the best calculated to place the local legislature and the emancipated slaves in friendly relations with each other; and as you have now suggested that the proposed amendment of the law should be made in the ensuing spring session of the court of policy, The Queen has been pleased to command me to instruct you to recommend to that court the adoption of a declaratory ordinance, corresponding in substance with the order in council of the 18th November last.

In the event of the adoption of such an ordinance as I have mentioned, you will, of course, instruct the special magistrates in their several districts to give to the apprenticed labourers, collectively and individually, the most distinct intimation of the real nature of the law, and to afford to every person who may have been erroneously classed all necessary advice and assistance in bringing forward his claim for the correction of the mistake. You will also consider whether it may not be expedient to assign to some one of the special magistracy the duty of exercising a general superintendence over all proceedings of this nature, and of bringing all applications for the correction of the lists under the notice of the judges. It is, however, happily unnecessary for me to enter with any minuteness upon details of this nature, as I am well aware that your own zeal for the welfare of this class of the colonial society, directed by the most extensive and accurate information, will guide you to the best and most effectual method of accomplishing the object in view.

I have, &c.

(signed) *Glenelg.*

Enclosure in No. 131.

BRITISH GUIANA.

At the Court at Buckingham Palace, the 18th November 1837.

Present,

The QUEEN's most Excellent Majesty in Council.

WHEREAS by the third chapter of an order made by his late Majesty in Council, entitled, "An Order of the King in Council for giving effect in the Colony of Mauritius to the statute third and fourth Will. IV. c. 73, for the Abolition of Slavery throughout the British dominions, at the Court at St. James's, the 17th day of September 1834," certain rules and proceedings are prescribed for dividing the apprenticed labourers into the respective classes of "prædial," "prædial unattached" and "non-prædial," and for correcting and recording such classification in the slave registry of the colony: And whereas it is enacted by the twelfth article of the same chapter, that "during the continuance of the apprenticeship the slave registry, so corrected as aforesaid, shall be deposited amongst the records of the superior court of the colony, and when any question shall arise respecting the class to which any apprenticed labourer belongs, such corrected registry, or a certified copy thereof, shall be taken as conclusive evidence of the fact:"

Encl. in No. 131.

But whereas there is reason to believe that apprentices properly "non-prædial," have been, in some instances, erroneously registered as "prædials," and it is just that any such apprentice so erroneously registered should have the benefit of the shorter duration of apprenticeship, and it is necessary, for this purpose, that provision should be made for the correction of such erroneous classification, in all cases in which the fact can be clearly established, any thing contained in the article above cited notwithstanding:

It is therefore hereby ordered by Her Majesty, by and with the advice of Her Privy Council, that whenever there shall appear to a special justice good grounds for believing that an apprentice has been erroneously classed, it shall be competent to such special justice to submit every such case to the chief or to any other judge of the superior court at Mauritius, together with such proofs as may be deemed necessary; and it shall be lawful for the judge to whom the case is submitted to proceed to hear and decide the same in a summary way, and to order such correction to be made in the classification of the registry as, on good and satisfactory evidence, he may judge to be right and just; and such order shall have the same effect as if such apprentice had been originally classed under the amended denomination.

(signed) *Wm. L. Bathurst.*

— No. 132. —

(No. 32.)

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

My Lord,

Camp House, Demerara, 14 February 1838.

No. 132.

WITH reference to your Lordship's circular of the 28th December 1837, upon the subject of commissioners being about to be appointed for this colony for the purpose of amending such errors as may have taken place in the classification returns of the prædial and non-prædial labourers, I beg to lay before your Lordship a proclamation which I have felt it my duty to issue, and which, I trust, will have the effect of doing away any excitement, and of explaining away any misapprehension which the arrival of these gentlemen might perhaps otherwise possibly occasion. The labourers have perfect confidence in the government, and will, I have no doubt, continue to perform the duties allotted to them, according to the classes into which they may ultimately be divided, with diligence, and to the satisfaction of their employers.

Upon the receipt of your Lordship's despatch in question, I lost no time in laying it before the court of policy; and I, at the same time, introduced a Bill, extending to the judges of the supreme court that power of summary adjudication and of amending the classification returns in all cases of complaint, which they formerly possessed under ordinance 42, but which power ceased upon the 1st August 1834.

I had the honour, in the despatch of the 13th November 1835, No. 250, addressed by me to your Lordship, respectfully to suggest that this mode should be adopted, and that an order in council should be issued to that effect. It always appeared to me, not only that the judges were the most eligible and competent persons to whom such an authority could be intrusted, but that the arming them anew with a power which they once were in possession of, would cause less excitement, and be less liable to misapprehension, than any other course which could be adopted. It would have been a matter of the highest gratification to me, and I was in hopes that it would have been seen and felt by the non-official members of the court of policy in the same point of view, that the commissioners should not have found, upon their arrival in this colony, a single case to redress. These gentlemen of the court of policy were, however,

Vide Papers relative to the Abolition of Slavery, 1836, Part 3 (2), page 99.

BRITISH GUIANA.

so averse to my Bill that I withdrew it; and they subsequently threw out a Bill, to the same effect, which the Attorney-general had introduced. The lists will consequently be laid before the commissioners without any amendment or correction; and, if I have been rightly informed, some exposures of erroneous classifications must, in consequence, take place, highly discreditable to the parties concerned. The errors in the returns will, moreover, I am led to apprehend, be found, upon investigation, to be infinitely more numerous than I anticipated. I sincerely lament all these circumstances. That confidence between the employer and the labourer which I have been so anxious to encourage would have been materially strengthened, had the unofficial members of the court of policy readily co-operated with me in placing every labourer in his proper class. I respectfully submit to your Lordship that they have acted most unwisely in not cheerfully acquiescing in the enactments of the Bill, calculated as it was to correct those errors which it is our bounden duty to cause to be corrected, but without more publicity and excitement than was unavoidable.

I have, &c.

(signed) *J. Carmichael Smyth.*

Enclosure in No. 132.

PROCLAMATION addressed to the Apprenticed Labourers of *British Guiana.*

J. C. SMYTH, British Guiana.

(L. S.)

Encl. in No. 132.

By his Excellency Major-general Sir *James Carmichael Smyth*, Baronet, Companion of the most honourable the Military Order of the Bath, Knight Commander of the Royal Order of Hanover, Knight of the Austrian Imperial Order of Maria Theresa, Knight of the Russian Imperial Order of St. Wladimir, Governor and Commander-in-chief in and over the Colony of British Guiana, Vice-Admiral and Ordinary of the same, &c. &c. &c.

My good Friends,

You have conducted yourselves, ever since the abolition of slavery, in a way to entitle you to the highest praise. You have paid implicit obedience to the laws. The laws know no distinction of persons; and whoever behaves himself as a loyal and peaceable subject is sure of protection both in his person and in his property. I feel confident that you are convinced of these truths; and that you will continue in your present quiet and industrious habits, the advantages of which you experience more and more every day.

II.

It has been stated to me that some of you feel dissatisfied at the class in which you have been registered, and conceive that you have been unfairly placed in the prædial instead of the non-prædial lists. Now, although the Lord of lords and King of kings has been pleased, since last I addressed you, to remove from this transitory world our good King William, who abolished slavery, yet the same Almighty Disposer of events has placed the crown on the head, and the sceptre in the hands, of a most gracious and beloved young Queen, who feels equally interested in the happiness and prosperity of all her subjects, without distinction of colour, and without reference to the distance of the colony in which they may reside. Her Majesty has already ordered and directed that gentlemen are to be sent out to this colony as commissioners, for the express purpose of satisfying themselves and reporting to her that each and every one of you is placed in that class which, by the wisdom of the Imperial Parliament, has been allotted to you. You need not, consequently, suffer any uneasiness or unhappiness as far as regards the class in which you have been placed. Such of you as, by the law for the abolition of slavery, are entitled to be made free upon the 1st August next, are sure to receive your complete emancipation. Such of you as, by the same law, are bound to continue upon the estates at plantation work, at the rate of seven and a half hours per day, will persevere steadily in the discharge of your duty until the 1st August 1840, when you will receive your full and perfect freedom.

III.

You may place perfect reliance upon what I state to you. I expect that each and every one of you will remain quietly and happily at your present occupations. Be not uneasy with respect to the class in which you have been registered. If you have been wrongfully classed, the error will be corrected by the commissioners. Turn a deaf ear to all foolish and idle reports. Lay not yourselves open to be accused of idleness or negligence, or of tumultuously assembling. Your interests are watched over; and your happiness is anxiously desired by our Queen.

Given under my hand and seal of office, at the Guiana Public Buildings, George Town, Demerara, this 14th day of February 1838, and in the first year of Her Majesty's reign.

God save The QUEEN.

By his Excellency's command,

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

(No. 326.)

Copy of a DESPATCH from Lord *Glenelg* to the Officer administering the Government of British Guiana.

My Lord,

Downing-street, 1 May 1838.

No. 133.

I HAVE received the despatch of the late Governor of British Guiana, dated the 14th February, No. 32, reporting the refusal of the court of policy to enact an ordinance to provide for the amendment of the classification returns in that colony. Within two days after my receipt of that communication, the royal assent was given to the Statute 1 Vict. cap. 19, amending the Act for the Abolition of Slavery in the British West India Colonies. The 19th section of that statute authorizes the Governor of each colony, if he shall think fit, by proclamation, with the advice of the council, or, in the case of British Guiana, with the advice of the court of policy, to make regulations for this purpose. But as there now appears no reason to hope that the court of policy will concur in making any such regulations, Her Majesty has been advised, in the exercise of her legislative authority over British Guiana, to assume the discharge of this duty, and I have accordingly the honour to transmit to you an order, made by Her Majesty in Council on the 25th ultimo, by which provision is made for this purpose. You will perceive that the order follows as closely as possible the terms of the Act of Parliament. The selection of the revisers is committed by Her Majesty to you, subject only to the condition that they shall be persons who have no interest in any classification to be made of apprenticed labourers in the colony. You will make those appointments with the least possible delay, and you will instruct the special justices to institute in their respective districts all necessary inquiries for ascertaining in what cases any real or apparent error has occurred in preparing the existing lists. For that purpose they will enter into personal communication with the apprenticed labourers, and will afford them every possible assistance in bringing their claims under the notice of the revisers.

Order in Council,
25 April 1838.

Under the 4th clause of the original Slavery Abolition Act, a question of great importance has been much agitated. The variation between the language of the preamble and enactment of the clause on the one side, and that of the following proviso with which the clause concludes on the other side, had given rise to an opinion that an apprenticed labourer who, during the continuance of slavery, had been employed upon a plantation not in agriculture or in the manufacture of colonial produce, but in work of a different description, ought to be placed in the prædial class. Thus the whole body of persons usually designated as plantation tradesmen were regarded by some as being in this predicament, while others maintained that the real design of Parliament was to place such persons in the non-prædial class. You are aware, from my circular of the 30th of last March, that the law officers of the Crown adopted the latter opinion, and reported that no apprenticed labourer who, in his state of slavery, had been ordinarily employed for 12 calendar months at the least next before the passing of the Abolition Act upon a plantation, whether belonging to his owner or to any other party, in the trade of a cooper, or carpenter, or mason, or otherwise as a mechanic, although it were in works undertaken exclusively with a view to the benefit of the plantation or of the produce raised upon it, should be considered as belonging to the prædial class.

In conformity with this opinion, the 19th section of the Statute 1 Vict. cap. 19, has been framed in such terms as to place beyond doubt that the only test by which the two classes are to be discriminated from each other is to be derived from the fact, whether the individual respecting whom the inquiry is made was or was not for 12 months at least next before the 28th of August 1833 habitually employed in agriculture or in the manufacture of colonial produce. In the case of a man whose habitual employment during that period was that of a cooper, a mason, a carpenter, or an artisan of any other description, it is plain that this criterion requires him to be classed amongst the non-prædials. You will communicate this explanation of the statute to the special justices for their guidance.

Sir J. C. Smyth's proclamation of the 14th of February last I entirely approve. The intention to which it refers, of appointing commissioners for the purpose of revising the classification lists, had been entertained by Her Majesty's Government at a time when no adequate information had reached us of the extent to

BRITISH GUIANA. which errors in the classification lists prevailed throughout all the colonies. The intelligence which I subsequently received from the Governors of Jamaica and of the Windward and Leeward Islands indicated the necessity of resorting to Parliament for a remedy more general and effectual than any which could be supplied by the exercise of the prerogatives of the Crown. It was for this reason that the plan of proceeding by a Royal Commission was abandoned in favour of that which has now received the sanction of the Legislature.

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

Enclosure in No. 133.

At the Court at Buckingham Palace, the 25th day of April 1838.

Present,

The QUEEN'S most Excellent Majesty in Council.

Encl. in No. 133.

WHEREAS by the law in force in British Guiana no adequate provision hath been made for revising the classification of the apprenticed labourers attached to the soil, and of prædial apprenticed labourers not attached to the soil, and it is necessary that regulations be made for the effectual revision of the classification aforesaid:

It is therefore ordered, by The Queen's most Excellent Majesty, by and with the advice of Her Privy Council, that the Governor or officer administering the government of the said colony shall, by commissions to be by him for that purpose issued, under the public seal thereof, nominate and appoint a sufficient number of persons, having no interest in any such classification, to make such revision; and that the persons so appointed shall have full power to correct all such errors as shall be proved to them to exist in the said classification, and that their decision in each case shall be final, except in the case of appeal, as hereinafter provided:

And it is further ordered, that either of the parties to the said classification who shall be dissatisfied with the decision of the said revisers, or any of them, or any other person on his or her behalf, may, within one calendar month after such decision shall have been made, appeal against such decision, by petition to the Governor or the officer administering the Government of the said colony; and such Governor or officer shall, with the advice of the court of policy of the said colony, proceed in a summary way to hear and decide the matter of the petition, and his decision shall be final, subject only to an appeal to Her Majesty in Council:

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

(signed) *Wm. L. Bathurst.*

V A L U A T I O N.

—No. 134.—

(No. 357.)

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

No. 134.

My Lord,

Camp House, Demerara, 26 July 1837.

No. 1. Quarterly Returns.

I BEG to lay before your Lordship the returns for the last quarter of the present year, that is to say, for the quarter ending on the 30th June last. Your Lordship will observe with pleasure that we continue in this rising colony to flourish, in every respect equal to our most sanguine expectations.

No. 2. Valuations.

I have, &c.

(signed) *J. Carmichael Smyth.*

Enclosure 2, in No. 134.

RETURN of APPRAISEMENTS for Demerara and Essequibo.

| Name of Apprenticed Labourer appraised. | Age. | Sex. | Registered Employment. | Amount of Appraisement in Guilders, D. C. | Name of the Employer or Plantation. | Names of Appraisers: 1. Appraiser appointed by Sp. J. 2. Ditto, by Employer. 3. Umpire, by Judge Gloster. | Valuation given in by each Appraiser. | Name of the approving Judge. |
|---|------|--------|------------------------|---|--------------------------------------|--|---------------------------------------|------------------------------|
| April 1837: | Yrs. | | | ƒ. | | | ƒ. | |
| Venus - - | 23 | Female | P. A. field - | 880 | Pl. Helena - - | 1. William M'Callum - - 2. Hon. Peter Rose - - 3. A. M'Queen - - | 660 1,000 880 | Chief Justice Bent. |
| Agnes - - | 12 | Female | P. A. - - | 500 | Pl. Good Hope - - | 1. Capt. Southey - - 2. James Stuart - - 3. J. J. Knight - - | 220 600 500 | |
| Present - - | 55 | Female | P. A. midwife | 550 | Pl. Belmont - - | 1. Capt. Southey - - 2. James Stuart - - 3. Dr. Rankin - - | 550 550 - | |
| John, jun. - - | 10 | Male - | P. A. jobbing | 330 | - ditto - - | 1. Capt. Southey - - 2. James Stuart - - 3. Dr. Rankin - - | 330 330 - | |
| Francina - - | 1 | Female | P. U. field - | 330 | Elizabeth Yongius - | 1. R. Burnthorn - - 2. R. Jordan - - 3. W. Burnett - - | 330 330 - | |
| Catherine - - | 27 | Female | P. A. field - | 900 | Pl. Met en Meer Zorg | 1. Capt. Southey - - 2. Hon. P. Rose - - 3. W. E. Pierce - - | 594 1,000 900 | |
| Betsy - - | 20 | Female | P. A. field - | 1,000 | Pl. Sophia - - | 1. Capt. Southey - - 2. Hon. P. Rose - - 3. Hugh Rogers - - | 900 1,300 1,000 | |
| Maria - - | 27 | Female | P. A. field - | 700 | Pl. La Jalousie - - | 1. Thomas Ross - - 2. T. Glendinning - - 3. Archibald M'Queen - - | 500 880 700 | |
| Mattybella - - | 22 | Female | P. A. field - | 1,200 | Pl. Uniform - - | 1. Capt. Southey - - 2. E. L. Christiani - - 3. Geo. Cauty - - | 900 1,250 1,200 | |
| Christina - - | 30 | Female | P. U. field - | 900 | Mary Grinion - - | 1. Capt. Southey - - 2. E. L. Christiani - - 3. John Beete - - | 900 900 - | |
| Lucretia - - | 49 | Female | N. P. domestic | 400 | John Coates - - | 1. Capt. Southey - - 2. James Stuart - - 3. David Rose - - | 330 660 400 | |
| Mary - - | 27 | Female | P. A. field - | 1,100 | Pl. Elizabeth Anne - | 1. Capt. Southey - - 2. Hon. P. Rose - - 3. Dr. Rankin - - | 800 1,100 1,100 | |
| Augustine - - | 40 | Female | P. A. field - | 900 | Pl. Cullen - - | 1. J. F. Padmore - - 2. James Stuart - - 3. C. Playter - - | 900 900 - | |
| Rosaline - - | 34 | Female | P. U. field - | 990 | Est. of Joseph Cook, deceased - - | 1. Capt. Southey - - 2. James Stuart - - 3. E. L. Christiani - - | 600 990 990 | |
| Frank - - | 34 | Male - | N. P. cooper - | 235 | M. Mackay - - | 1. Wm. M'Callum - - 2. T. Glendinning - - 3. G. Cauty - - | 220 250 235 | |
| Csthera - - | 44 | Female | P. A. field - | 220 | Pl. Providence - - | 1. Richard Haynes - - 2. J. J. Knight - - 3. W. E. Peirce - - | 220 220 - | |
| Geo. Charles - | 22 | Male - | P. A. field - | 1,100 | - ditto - - | 1. Richard Haynes - - 2. J. J. Knight - - 3. Hugh Rogers - - | 1,100 1,600 1,100 | |
| Anthony Sampson alias Toney Osborn. | 27 | Male - | P. A. field - | 1,000 | - ditto - - | 1. Richard Haynes - - 2. J. J. Knight - - 3. Hugh Rogers - - | 1,100 1,600 1,000 | |
| Phillida - - | 32 | Female | P. A. field - | 1,200 | Pl. Henrietta - - | 1. J. F. Padmore - - 2. W. E. Pierce - - 3. Alem Shaw - - | 1,200 1,200 - | |
| Catherine Taylor | 28 ½ | Female | P. A. domestic | 660 | Pl. Anna Regina - | 1. J. F. Padmore - - 2. W. Burnett - - 3. J. J. L. Moliere - - | 660 660 - | |
| Phillis - - | 34 | Female | N. P. field - | 330 | Sarah Morgan - - | 1. J. F. Padmore - - 2. J. J. Knight - - 3. E. L. Christiani - - | 300 440 330 | |
| Susan - - | 15 | Female | N. P. working out. | 250 | - ditto - - | 1. J. F. Padmore - - 2. J. J. Knight - - 3. E. L. Christiani - - | 220 330 250 | |

Chief Justice Bent.

Not admitted by C. J.

Chief Justice Bent.

RETURN OF APPRAISEMENTS for Demerara and Essequibo—continued.

| Name of Apprenticed Labourer appraised. | Age. | Sex. | Registered Employment. | Amount of Appraisement in Guilders, D. C. | Name of the Employer or Plantation. | Names of Appraisers : 1. Appraiser appointed by Sp. J. 2. Ditto, by Employer. 3. Umpire, by Judge Gloster. | Valuation given in by each Appraiser. | Name of the approving Judge. | |
|---|------------|--------|-------------------------|---|---|---|---------------------------------------|------------------------------|----------------------|
| May 1837 : Lydia - - | Yrs. 19 | Female | P. A. field - | f. 1,300 | Plantation Brothers - | 1. Richard Hancock - - 2. Hon. P. Rose - - 3. L. Boode - - | 1,000 1,300 1,300 | } Not admitted by C. J. | |
| Frances - - | 57½ | Female | N. P. domestic | 308 | Rachael Batty - - | 1. Captain Southey - - 2. J. F. Adcock - - 3. E. L. Christiani - - | - 308 388 | | |
| Hendrick - - | 31 | Male - | P. A. carpenter | 1,600 | Pl. De Kinderen, in St. Luke's parish - | 1. Captain Southey - - 2. P. M. Watson - - 3. John Jackson - - | 836 1,900 1,600 | | |
| Sukey - - | 32 | Female | N. P. field - | 400 | Alex. Shaw - - | 1. Richard Hancock - - 2. Dr. Rankin - - 3. F. C. Whitlock - - | 400 400 - | | |
| Sankey - - | 24 | Female | N. P. jobber - | 400 | Est. of W. Urquhart, deceased - - | 1. Captain Southey - - 2. E. C. Whitlock - - 3. L. Boode - - | 242 440 400 | | |
| Pomelia - - | 44 | Female | P. U. washer - | 700 | A. Edmondstone & Co. | 1. P. Horan - - 2. Dr. Rankin - - 3. John Lane - - | 700 700 - | | |
| Lewy - - | 25 | Male - | P. A. domestic | 1,200 | Pl. Arthurville - | 1. Captain Southey - - 2. T. Bowerbank - - 3. R. Morrison - - | 836 1,300 1,200 | | |
| Alick - - | 34 | Male - | P. U. field - | 2,200 | William M'Keand - | 1. Captain Southey - - 2. E. L. Christiani - - 3. Charles Palmer - - | 1,000 2,200 2,200 | | |
| Friday - - | 36 | Male - | P. A. domestic | 1,450 | Capt. Warren, or Pl. Taymouth Manor, in St. Mary's parish - | 1. Captain Southey - - 2. Hon. P. Rose - - 3. E. C. Whitlock - - | 308 1,600 1,450 | | |
| Louisa - - | 3 | Female | P. U. field - | 1,000 | Mrs. Ruperti - - | 1. Captain Southey - - 2. Richard Hancock - - 3. William Roberts - - | 308 1,100 1,000 | | |
| Eether - - | 32 | Female | P. A. field - | 1,050 | Pl. Enterprise - - | 1. Captain Southey - - 2. Hon. P. Rose - - 3. Alex. Shaw - - | 800 1,300 1,050 | | |
| Ellen - - | 24 | Female | P. A. washer and field. | 600 | Pl. Belfield, in Leguan | 1. Captain Southey - - 2. J. Bowerbank - - 3. E. L. Christiani - - | 308 600 600 | | |
| Amelia - - | 48 | Female | P. A. washer - | 716 | Pl. New Bendorff, in Wakenaam - - | 1. Captain Southey - - 2. James Matthews - - 3. S. B. Liot Bacher - - | 308 880 716 | | |
| Simon - - | 35 | Male - | P. A. carpenter | 1,000 | Pl. Paradise - - | 1. Richard Hancock - - 2. W. Roberts - - 3. J. Bowerbank - - | 1,000 1,000 - | | } Chief Justice Bent |
| Polly - - | 30 | Female | P. A. field - | 880 | - ditto - - | 1. Richard Hancock - - 2. W. Roberts - - 3. J. Bowerbank - - | 880 880 - | | |
| June 1837 : Stewart - - | 20 | Male - | P. A. field - | 770 | Pl. Strathaven - - | 1. H. Kemp - - 2. E. L. Christiani - - 3. James Anglim - - | 770 770 - | | |
| Sally - - | 22 | Female | P. A. field - | 1,100 | Pl. Good Hope - - | 1. G. M. Forrester - - 2. James Stuart - - 3. J. J. L. Moliere - - | 1,100 1,100 - | | |
| Hannah, alias Honora. | 14 | Female | P. A. domestic | 660 | Pl. Hibernia - - | 1. S. G. Jacobs - - 2. E. L. Christiani - - 3. H. Kemp - - | 660 660 - | | |
| Maria - - | 25 | Female | P. U. field - | 800 | Executors of John Grant, deceased - | 1. M. Jacobs - - 2. H. Kemp - - 3. Dr. M'Turk - - | 800 800 - | | |
| Gift - - | 33 | Male - | P. A. carpenter | 1,200 | Pl. Providence - - | 1. Richard Haynes - - 2. James Stuart - - 3. Colin Simson - - | 1,200 1,200 - | | |
| Nanny - - | 32 | Female | P. A. field - | 990 | - ditto - - | 1. Richard Haynes - - 2. James Stuart - - 3. Colin Simson - - | 990 990 - | | |
| Martha - - | 43 | Female | P. A. domestic | 580 | Pl. Wales - - | 1. M. Jacobs - - 2. E. L. Christiani - - 3. D. Rose - - | 580 580 - | | |
| Gift - - | 31 | Male - | P. A. field - | 1,500 | Pl. Onderneeming - | 1. S. G. Jacobs - - 2. E. L. Christiani - - 3. Dr. M'Turk - - | 1,500 1,500 - | | |
| Mary - - | 32 | Female | P. A. field - | 1,000 | Pl. Sarah, in Wakenaam - - | 1. G. M. Forrester - - 2. E. L. Christiani - - 3. J. J. L. Moliere - - | 1,000 1,000 - | | |
| Betty - - | 33 | Female | N. P. domestic | 330 | John Thierens, of Wissevallegheid - | 1. G. M. Forrester - - 2. James Stuart - - 3. Richard Hayn - - | 330 330 - | | |

George Ross, S. J. P.

RETURN OF APPRAISEMENT for Berbice.

| | | | | | | | | |
|---------------------------|------------|--------|------------|-----------|--|--|-------------|---------------------------|
| June 1837 : Louisa - - | Yrs. 50 | Female | Domestic - | f. 700 | Wm. Nicholson, attached to Pl. Enfield - | 1. A. R. Hollingsworth - - 2. C. Faloon - - 3. H. J. Baird - - | - - - | } His Honor S. Firebrace. |
|---------------------------|------------|--------|------------|-----------|--|--|-------------|---------------------------|

John M'Leod, Special Magistrate.

—No. 135.—

(No. 248.)

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

No. 135.

Sir,

Downing-street, 15 September 1837.

I HAVE received your despatch of the 25th July, No. 357, enclosing various printed quarterly returns, which exhibit in a very clear and gratifying manner the general state of the colony of British Guiana under various statistical aspects. While congratulating you on the general result of these returns, I cannot pass without notice the facts which they exhibit, respecting the valuation of the services of apprenticed labourers seeking their discharge from apprenticeship. In the list I perceive two cases of children, one named Francina, and the other Louisa, the first of whom is represented to be one year, and the second three years old. The first of these infants was valued at 330 guilders, and the second at 1,000. I take for granted that the figures of the ages are erroneously printed, since no person could be lawfully regarded as an apprenticed labourer who was not of the age of six years and upwards on the 1st of August 1834, and since it is incredible that any value whatever could be attached to the services of these children.

I have not read without surprise the valuations in question. One of the apprentices is appraised at the extraordinary sum of 2,200 guilders, another at 1,600, one at 1,500, one at 1,300, and four at 1,200; and several at other large sums. Yet the period of service had at the date of these valuations been reduced to little more than three years. One of two conclusions seems inevitable: either the Parliamentary compensation was far beyond what could reasonably have been demanded, or the remaining service has been estimated on the most extravagant principles of calculation. If it be really true that, after providing for the maintenance of a field labourer, there remains to his employer a profit of more than 730 guilders per annum as the valuation of the man named Alick seems to imply, I fear that the terms on which labourers introduced into the colony are daily apprenticed must be most unequal and injurious to them.

The variations between the appraisements made by the nominees of the special justices and by those of the employer are in many cases startling. Thus in the cases of the three apprentices named Alick, Friday and Louisa, it appears that Captain Southey's estimate was in the first 1,000 guilders, while that of his associate in the valuation was 2,200. In the second of these cases, Captain Southey returned the sum of 308 guilders, while his associate, Mr. Rose, a member of council, returned 1,600. In the third case, Captain Southey estimated the apprentice at 308 guilders, and Mr. Handcock at 1,100. There are many other cases in which similar variations occur. These differences of opinion are such as imply some difference of principle, for it is incredible that any two competent persons, reasoning on the same principles, should habitually reach conclusions so entirely repugnant to each other. I am the more inclined to adopt this conclusion, from observing that Captain Southey's estimate, as often as he is employed, is almost invariably lower, and those of Mr. Rose with almost equal certainty is higher, than that of their respective coadjutors.

It is remarkable also that, whereas in the month of April, out of 22 cases 14 were decided by the umpire, and in the month of May, 10 out of 15 were so decided; in the month of June it appears, that in every case the nominees of the special justice and of the employer agreed in their estimate without invoking the aid of an umpire at all. This is a variation which can hardly be ascribed to accident. The real cause of it would seem to merit inquiry.

Having thus drawn your attention to this subject, I am aware that it is needless to impress on you the importance of doing whatever can be done for the correction of any error or abuse which may have prevailed in giving effect to this part of the law.

I have, &c.

(signed) *Glenelg*.

—No. 136.—

(No. 396.)

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

My Lord,

Camp House, Demerara, 31 October 1837.

No. 136.

I beg to acknowledge the receipt of your Lordship's despatch of the 15th September, No. 248, relative to the exorbitant valuations of the services of apprenticed labourers seeking their discharge from apprenticeship. Your Lordship does not do me more than justice in expressing your opinion that it is needless to impress on me the importance of doing whatever can be done for the correction of any error or abuse which may have prevailed in giving effect to this part of the law.

I beg leave most respectfully to observe to your Lordship, that so far back as on the 13th November 1835, I had the honour to report to your Lordship, that "the appraisers have hitherto valued the services of the apprenticed labourers at so high a rate as to cause serious inconvenience and discontent amongst such of the labouring class as have been able to save a little money, and effectually to deter many from purchasing their freedom who, at a more moderate price, would gladly have availed themselves of this mode of procuring immediate emancipation." I ventured, in the same despatch, to suggest that rules for the guidance of the appraisers should be established by an order in council. I entered into some details of calculation, to show that it did not appear to me that there would be any difficulty in framing a general scale to serve as a guide for the appraisers. Your Lordship, however, having, in your despatch of the 22d January 1836, No. 251, disapproved of my plan, to which there appeared to your Lordship many serious objections, I have thought no more upon the subject; but I have contented myself, as I had the honour to report to your Lordship (in my despatch of the 11th March 1836) I should do, in causing a periodical nominal return to be published of all apprenticed labourers who may have purchased their emancipation by appraisement; such return showing the names of the appraisers, the amount of the appraisement, and other particulars. The publication of such a document I intended to operate as a check upon exorbitant and unfair appraisements. In publishing these returns, I did all that the law allowed me to do—I left the conduct of the appraisers to the opinion and judgment of the public.

Vide Papers relative to the Abolition of Slavery, 1836, Part 3 (2), page 99.

Ditto, page 104.

Ditto, page 148.

I have been anxious, in justice to myself, to offer the foregoing explanation to your Lordship. It might otherwise have been imagined that I had overlooked so important a matter, one so intimately connected with the welfare and happiness of the apprenticed labourer.

I am not aware that I can adopt any better plan for checking the present apparently very exorbitant appraisements than by giving publicity to your Lordship's remarks upon the subject. I shall, therefore, cause an extract from your Lordship's despatch to be printed in the Royal Gazette.

I need hardly observe, that the ages of the two individuals named Francina and Louisa have been erroneously transcribed. Instead of one year and three years, they ought to have been returned, the first at 31, and the second at 31 years of age also.

I have, &c.

(signed) *J. Carmichael Smyth*.

—No. 137.—

(No. 415.)

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

My Lord,

Camp House, Demerara, 27 November 1837.

No. 137.

WITH reference to the despatch I had the honour of addressing to your Lordship upon the 31st ult., No. 396, I beg to lay before your Lordship the accompanying printed copies of the appraisements of the services of such apprenticed labourers as have purchased their emancipation during the quarter ending on the 30th September of the present year in this colony.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure in No. 137.

RETURN of APPRAISEMENTS for *Demerara and Essequibo.*

| Name of Apprenticed Labourer appraised. | Age. | Sex. | Registered Employment and Classification. | Amount of Appraisement in Guilders, D. C. | Name of the Employer or Plantation. | Names of Appraisers : 1. Appraiser appointed by Sp. J. 2. Ditto, by Employer. 3. Umpire, by Judge Gloster. | Valuation given in by each Appraiser. | Name of the approving Judge. | |
|---|------|--------|---|---|---|---|---------------------------------------|------------------------------|--|
| July 1837 : | Yrs. | | | ƒ. | | | ƒ. | | |
| Alice - - | 23 | Female | P. A. field - | 920 | Reps. of Pl. Hamburg | 1. W. Dallas - - - 2. Colin Simson - - - 3. B. J. Hopkinson - - - | 900 920 920 | Chief Justice Bent. | |
| Mingay - - | 33 | Male - | P. A. field - | 1,230 | Rps. of Pl. Cane Grove | 1. Hugh Rogers - - - 2. James Stuart - - - 3. James Anglim - - - | 1,200 1,200 - | | |
| Sally - - | 61 | Female | P. A. field - | 900 | Reps. of Pl. Enterprise | 1. John Gibbs - - - 2. Hector Kemp - - - 3. Geo. Cauty - - - | 900 900 - | | |
| Christina - - | - | Female | - ditto - | 900 | Reps. of Pl. Enterprise | 1. John Gibbs - - - 2. Hector Kemp - - - 3. Geo. Cauty - - - | 900 900 - | | |
| Judy - - | 42 | Female | P. A. labourer | 900 | Rps. of Pl. Ann's Grove | 1. A. Wishart - - - 2. H. Kemp - - - 3. Rd. Hancock - - - | 800 900 900 | | |
| Queen - - | 26½ | Female | N. P. domestic | 330 | John Coates - - - | 1. James Anglim - - - 2. Capt. Warren - - - 3. Rd. Hancock - - - | 330 330 - | | |
| Tom - - | 50 | Male - | P. U. woodcutter | 900 | George Eyman - - - | 1. Rd. Hancock - - - 2. Hugh Rogers - - - 3. John Gibbs - - - | 900 900 - | | |
| Harriet - - | 55 | Female | N. P. jobber - | 300 | Elizabeth Game - - | 1. William Roach - - - 2. James Stuart - - - 3. Dr. Vries - - - | 300 300 - | | |
| Prince - - | 18 | Male - | N. P. jobbing (N. B. an in- valid.) | 22 | Elizabeth Game - - | 1. William Roach - - - 2. James Stuart - - - 3. Dr. Vries - - - | 22 22 - | | |
| Robert - - | 10 | Male - | N. P. none - | 220 | Elizabeth Game - - | 1. W. Roach - - - 2. James Stuart - - - 3. Dr. Vries - - - | 220 220 - | | |
| Nancy - - | 38 | Female | N. P. domestic | 290 | The minors Waddell - | 1. J. M. McGusty - - - 2. A. Wishart - - - 3. Hugh Rogers - - - | 220 400 290 | | |
| Friday (the younger). | 9 | Male - | P. A. none - | 264 | Reps. of Pl. T.aymouth, minor - - - | 1. William Hick - - - 2. William Arrindell - - - 3. A. Wishart - - - | 264 264 - | | |
| May - - | 28 | Male - | N. P. labourer | 1,500 | J. P. Spaman - - - | 1. Hugh Rogers - - - 2. Rd. Hancock - - - 3. Dr. Vries - - - | 1,500 1,500 - | | |
| Nancy - - | 44 | Female | P. A. washer - | 660 | Pln. Maryville - - - | 1. Rd. Hancock - - - 2. Charles Palmer - - - 3. Hector Kemp - - - | 660 660 - | | |
| Daboo - - | 28 | Female | P. A. field - | 770 | Plns. Rome and Houston | 1. Colin Simson - - - 2. A. F. Baird - - - 3. David Rose - - - | 800 700 770 | | |
| August 1837 : | | | | | | | | | |
| Maria - - | 26 | Female | P. A. field - | 800 | Reps. of Pl. Blankenburg | 1. R. S. Turton - - - 2. E. L. Christiani - - - 3. J. V. Nedderman - - - | 750 850 800 | | |
| Rebecca - - | 16 | Female | N. P. domestic | 220 | The minors Harper - | 1. R. S. Turton - - - 2. E. L. Christiani - - - 3. - - - | 220 220 - | | |
| Rosy - - | 17 | Female | N. P. domestic | 300 | Amelia Hendy - - - | 1. J. F. Padmore - - - 2. Jas. Stuart - - - 3. - - - | 300 300 - | | |
| Eve - - | 23½ | Female | N. P. domestic | 250 | The minors Waddell - | 1. R. S. Turton - - - 2. A. Wishart - - - 3. E. L. Christiani - - - | 220 300 250 | | |
| Hendrick - - | 22 | Male - | P. U. field - | 660 | The estate of E. C. Moll, deceased - - - | 1. R. S. Turton - - - 2. E. L. Christiani - - - 3. - - - | 660 660 - | | |
| Samuel - - | 21 | Male - | P. A. cooper - | 1,200 | The Reps. of Pl. Farm | 1. R. S. Turton - - - 2. E. L. Christiani - - - 3. R. J. Merchant - - - | 1,100 1,200 1,200 | | |
| La Fleur - - | 22 | Male - | P. A. field - | 1,200 | - ditto - - - | 1. R. S. Turton - - - 2. E. L. Christiani - - - 3. R. J. Merchant - - - | 1,100 1,200 1,200 | | |
| Jenny - - | 36 | Female | P. A. field - | 840 | Reps. of Pl. Triumph | 1. R. S. Turton - - - 2. U. J. F. Bach - - - 3. - - - | 840 840 - | | |
| Pomona - - | 31½ | Female | P. A. nurse - | 800 | Reps. of Pl. Hope - | 1. Thos. Hubbard - - - 2. U. J. F. Bach - - - 3. A. E. Luthers - - - | 800 800 - | | |
| Belinda - - | 38½ | Female | P. A. jobber - | 700 | Reps. of Pl. La Bonne Intention - - - | 1. H. Montaroux - - - 2. Jas. Stuart - - - 3. S. B. L. Backer - - - | 700 700 - | | |
| William - - | 52 | Male - | P. A. field - | 1,000 | Reps. of Pl. Good Success - - - | 1. Thos. Hubbard - - - 2. J. A. Holmes - - - 3. Richard Haynes - - - | 1,000 1,000 - | | |

RETURN OF APPRAISEMENTS for *Demerara* and *Essequibo*—continued.

| Name of Apprenticed Labourer appraised. | Age. | Sex. | Registered Employment and Classification. | Amount of Appraisement in Guineas, D. C. | Name of the Employer or Plantation. | Names of Appraisers : 1. Appraiser appointed by Sp. J. 2. Ditto, by Employe r: 3. Umpire, by Judge Gloster. | Valuation given in by each Appraiser. | Name of the approving Judge. | |
|---|-------------|--------|---|--|--|--|---------------------------------------|------------------------------|--|
| August 1837 : | <i>Yrs.</i> | | | <i>£</i> | | | <i>£</i> | | |
| Rebecca - - | 24½ | Female | P. A. field - | 950 | Reps. of Pl. Garden of Eden - - | 1. Richard Haynes - - 2. Hon. P. Rose - - 3. Jas. Pinkerton - - | 880 1,000 950 | } Chief Justice Bent. | |
| Charlotte - - | 27 | Female | P. A. domestic | 450 | Reps. of Pl. Great Diamond - - | 1. Thos. Hubbard - - 2. Richard Haynes - - 3. A. B. Goring - - | 450 450 — | | |
| Henry - - | 32 | Male - | N. P. domestic | 330 | T. Fetherston and Co. | 1. Richard Haynes - - 2. J. A. Holmes - - 3. Thos. Hubbard - - | 330 330 — | | |
| Jan - - | 23 | Male - | P. U. field - | 900 | Estate of E. C. Moll, deceased - - | 1. H. Montaroux - - 2. E. L. Christiani - - 3. J. A. Holmes - - | 900 900 — | | |
| Sophie - - | 39 | Female | N. P. domestic | 250 | Colonel Goodman - | 1. S. B. L. Backer - - 2. Thomas Hubbard - - 3. James Pinkerton - - | 218 300 250 | | |
| September 1837 : | | | | | | | | | |
| Maria - - | 54 | Female | N. P. domestic | 220 | The estate of F. Cort, deceased - - | 1. A. Wishart - - 2. Colin Simson - - 3. D. Rose - - | 220 220 — | | |
| Tom - - | 31 | Male - | P. A. cooper - | 1,661 | The Reps. of Pln. Tusschen de Vrienden - | 1. Capt. Southey - - 2. A. A. Frank - - 3. J. F. Obermuller - - | 1,122 2,244 1,661 | | |
| William - - | 9½ | Male - | N. P. lt. work | 110 | Thomas Finlayson - | 1. Capt. Southey - - 2. S. Harvey - - 3. G. Bonyun - - | 110 110 — | | |
| Alexander - - | 15 | Male - | N. P. lt. work | 176 | Thomas Finlayson - | 1. Capt. Southey - - 2. S. Harvey - - 3. G. Bonyun - - | 176 176 — | | |
| Madelaine - - | 47 | Female | P. U. field - | 660 | Caroline Count - - | 1. Capt. Southey - - 2. Colin Simson - - 3. Geo. Cauty - - | 220 750 660 | | |
| Polly - - | 29 | Female | P. A. field - | 440 | Reps. of Pln. La Bonne Mere - - | 1. D. M'Arthur - - 2. Jas. Stuart - - 3. Geo. Bonyun - - | 440 500 440 | | |
| Bess - - | 30 | Female | P. A. agricult. - | 880 | Reps. of Pln. Drill - | 1. A. Wishart - - 2. H. Kemp - - 3. S. Harvey - - | 880 880 — | | |
| Mary - - | 57 | Female | P. A. washer - | 572 | Reps. of Pl. New Hope | 1. W. B. Pollard - - 2. James Stuart - - 3. Colin Simson - - | 500 700 572 | | |
| Ruth - - | 9 | Female | P. A. none - | 132 | Reps. of Pl. Canefields | 1. George Bear - - 2. Colin Simson - - 3. David Rose - - | 132 132 — | | |
| Theresa - - | 30 | Female | P. A. field - | 1,000 | Reps. of Pln. Marionville - - | 1. A. Shaw - - 2. James Stuart - - 3. M. Steele - - | 1,000 1,000 — | | |
| Juno - - | 24 | Female | P. A. field - | 950 | Reps. of Pln. Pleasing Hope - - | 1. H. Kemp - - 2. James Stuart - - 3. James Taylor - - | 950 950 — | | |
| Henrietta - - | 13 | Female | P. A. cl. gang | 637 | Reps. of Pln. Cullen - | 1. W. B. Pollard - - 2. James Taylor - - 3. J. F. Obermuller - - | 572 640 637 | | |
| Dido - - | 24½ | Female | P. A. field - | 800 | Reps. of Pln. Three Friends - - | 1. Thomas Day - - 2. Colin Simson - - 3. Geo. Bonyun - - | 800 800 — | | |

George Ross, s. J. P.

— No. 138. —

(No. 10.)

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

My Lord,

Camp House, Demerara, 19 January 1838.

No. 138.

I HAVE the honour to lay before your Lordship a return of the apprenticed labourers who have purchased their complete emancipation during the last quarter of the year 1837.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure in No. 138.

RETURN of APPRAISEMENTS for *Demerara* and *Essequibo*.

| Name of Apprenticed Labourer appraised. | Age. | Sex. | Registered Employment and Classification. | Amount of Appraisement in Guilders, D. C. | Name of the Employer or Plantation. | Names of Appraisers : 1. Appraiser appointed by Sp.J. 2. Ditto, by Employer. 3. Umpire, by Judge Norton. | Valuation given in by each Appraiser. | Name of the approving Judge. |
|---|-------------|--------|---|---|-------------------------------------|---|---------------------------------------|------------------------------|
| Nov. 1837 : | <i>Yrs.</i> | | | <i>ƒ.</i> | | | <i>ƒ.</i> | |
| Susannah - | 38 | Female | P. A. field - | 900 | Pln. Turkeyen - | 1. M. Dyett - 2. E. L. Christiani - 3. J. M. M'Gusty - | 900 900 — | Chief Justice Bent. |
| James - | 23 | Male | N. P. domestic | 300 | Lisette Kendrick - | 1. R. B. Knight, jr. - 2. N. Chapman - 3. H. Kemp - | 226 374 300 | |
| Lucretia - | 28 | Female | P. A. field - | 900 | Pln. Uniform - | 1. J. Abrams - 2. E. L. Christiani - 3. Jan Koert - | 900 900 — | Puisne Judge Norton. |
| Sophia - | 56 | Female | P. A. prædial | 900 | Pln. Lima - | 1. W. P. Reid - 2. Andrew Davidson - 3. David Rose - | 780 1,000 900 | |
| Ned - | 36 | Male | P. U. field - | 990 | H. Burton - | 1. J. S. Parnell - 2. J. V. Nedderman - 3. David Rose - | 990 990 — | Chief Justice Bent. |
| Amelia - | 30 | Female | P. A. field - | 800 | Pln. Anna Catharina - | 1. M. Dyett - 2. E. L. Christiani - 3. J. M. M'Gusty - | 800 800 — | |
| Afiba - | 36 | Female | P. U. field - | 800 | John Mitchell - | 1. Jan Koert - 2. H. Kemp - 3. E. L. Christiani - | 800 800 — | Puisne Judge Norton. |
| Aurora - | 26 | Female | P. A. field - | 1,000 | Pln. Batseba's Lust - | 1. Hugh Robertson - 2. E. L. Christiani - 3. D. Rose - | 750 1,000 1,000 | |
| Philip - | 47 | Male | P. A. field - | 1,100 | Pln. Vauxhall & Westminster - | 1. M. Jacobs - 2. J. V. Nedderman - 3. E. L. Christiani - | 1,000 1,200 1,100 | Chief Justice Bent. |
| Thomas - | 38 | Male | P. A. field - | 1,200 | Pln. Strathavon - | 1. P. Horan - 2. G. Bonyun - 3. W. P. Reid - | 900 1,200 1,200 | |
| Mary or Maria - | 26 | Female | P. U. field - | 750 | Griffith Parry - | 1. J. M. M'Gusty - 2. C. Liebau - 3. Joseph Beete - | 750 750 — | Puisne Judge Norton. |
| Jessy - | 54 | Female | P. U. field - | 800 | Rev. W. W. Harman - | 1. G. F. Fraskini - 2. C. Cross - 3. George Fraser - | 800 — 800 | |
| Michael - | 27 | Male | P. U. field - | 935 | John H. Watson - | 1. W. B. Pollard - 2. George Fraser - 3. Joseph Baum - | 935 935 — | Chief Justice Bent. |
| George - | 23 | Male | N. P. Carpenter | 440 | William Fraser - | 1. George Fraser - 2. A. M'Laren - 3. J. A. Sievewright - | 440 440 — | |
| Fanny - | 51 | Female | P. A. field - | 650 | Donald Reid - | 1. Jan Koert - 2. H. Howes - 3. J. Coates - | 650 650 — | Puisne Judge Norton. |
| Lizzy - | 30 | Female | P. U. timber-cutter. | 990 | The Heirs of N. W. Pollard - | 1. Charles Cross - 2. Geo. Bonyun - 3. Jas. Stuart - | 990 990 — | |
| Jack Will - | 49 | Male | P. A. cooper - | 1,200 | Pln. Dochfour - | 1. Thomas Day - 2. A. A. Frank - 3. L. W. Boode - | 305 1,300 1,200 | Chief Justice Bent. |
| Henrietta - | 17 | Female | N. P. jobbing | 220 | Mary Rose Stewart - | 1. E. L. Christiani - 2. Hon. P. Rose - 3. W. P. Reid - | 154 220 220 | |
| Barbary - | 22 | Female | N. P. field - | 200 | Michael Thompson - | 1. Geo. Fraser - 2. W. Van Sertima - 3. J. M. M'Gusty - | 180 200 200 | Puisne Judge Norton. |
| Pitt - | 24 | Male | P. A. field - | 1,320 | Pln. Le Repentir - | 1. Chas. Cross - 2. James Stuart - 3. Hon. P. Rose - | 1,320 1,320 — | |
| Mary - | 19½ | Female | P. A. none - | 800 | Pln. Little Diamond - | 1. C. Liebau - 2. G. F. Fraskini - 3. Joseph Baum - | 800 800 — | Chief Justice Bent. |
| Petronella - | 54 | Female | P. A. none - | 200 | Pln. Providence - | 1. Jan Koert - 2. H. Kemp - 3. Thomas Day - | 176 264 200 | |
| Franky - | 44 | Female | P. A. field - | 1,000 | Pln. Annandale - | 1. Thomas Day - 2. Hon. P. Rose - 3. E. L. Christiani - | 750 1,000 1,000 | Puisne Judge Norton. |
| Xantippe - | 35 | Female | P. A. field - | 850 | Pln. Vauxhall & Westminster - | 1. H. Kemp - 2. Jan Koert - 3. George Bonyun - | 850 850 — | |
| Pians - | 46 | Male | P. A. field - | 660 | Pln. Hague - | 1. P. Horan - 2. James Stuart - 3. R. S. Turton - | 660 660 — | Chief Justice Bent. |
| Hagar - | 29 | Female | P. A. field - | 750 | Pln. Hibernia - | 1. Thomas Day - 2. George Bonyun - 3. J. M. M'Gusty - | 600 1,000 750 | |
| Frederick, alias Job. | 43 | Male | P. A. cooper - | 1,000 | Pln. Ruinveld - | 1. C. Liebau - 2. H. Kemp - 3. J. Coates - | 1,000 1,000 — | |

RETURN of APPRAISEMENTS for *Demerara* and *Essequibo*—continued.

| Name of Apprenticed Labourer appraised. | Age. | Sex. | Registered Employment and Classification. | Amount of Appraisement in Guilders, D. C. | Name of the Employer or Plantation. | Names of Appraisers : 1. Appraiser appointed by Sp. J. 2. Ditto, by Employer. 3. Umpire, by Judge Norton. | Valuation given in by each Appraiser. | Name of the approving Judge. |
|---|-------------|--------|---|---|--|--|---------------------------------------|------------------------------|
| Dec. 1837 : | <i>Yrs.</i> | | | <i>f.</i> | | | <i>f.</i> | |
| Joanna - - | 35 | Female | P. A. field - | 850 | Pl. Spring Hall - | 1. J. M. M'Gusty - 2. A. Pearson - 3. E. Dawson - | 850 850 - | Chief Justice Bent. |
| Elizabeth - - | 38 | Female | P. A. field - | 1,000 | Pl. Good Hope - | 1. S. B. L. Backer - 2. James Stuart - 3. J. M. M'Gusty - | 1,000 1,000 - | |
| Robin - - | 30 | Male - | P. A. field - | 1,600 | Creswell Spencer - | 1. J. P. Hicks - 2. Hon. P. Rose - 3. James Stuart - | 1,600 1,600 - | |
| Arabella - - | 12½ | Female | P. U. none - | 800 | - ditto - - - | 1. George Runcie - 2. Hon. P. Rose - 3. M. Steel - | 800 800 - | |
| Cæsar - - | 46 | Male - | P. U. domestic | 1,150 | W. E. Thompson - | 1. E. Berry - 2. M. Steele - 3. E. Dawson - | 1,150 1,150 - | |
| Serena - - | 76 | Female | P. A. field - | 22 | Pl. Strathaven - | 1. S. B. L. Backer - 2. A. Pearson - 3. E. L. Christiani - | 22 110 22 | |
| Nancy - - | 47 | Female | N. P. domestic | 220 | William Case - | 1. Geo. Wight - 2. J. P. Hicks - 3. E. L. Christiani - | 220 220 - | |
| Noel - - | 37 | Male - | P. A. field - | 1,450 | Pl. Chantilly - | 1. S. B. L. Backer - 2. D. M'Arthur - 3. E. L. Christiani - | 1,450 1,450 - | |
| Betty - - | 24 | Female | P. A. field - | 800 | Pl. Hoff Van Aurich | 1. S. B. L. Backer - 2. James Stuart - 3. J. M. M'Gusty - | 630 800 800 | |
| Franky - - | 44 | Female | P. A. field - | 1,000 | Pl. Ogle - - - | 1. S. B. L. Backer - 2. Creswell Spencer - 3. J. M. M'Gusty - | 1,000 1,000 - | |
| Phoebe - - | 31 | Female | P. A. field - | 800 | Pl. Wales - - - | 1. A. Stevenson - 2. Hon. P. Rose - 3. Geo. Runcie - | 800 800 - | |
| Dorinda - - | 57 | Female | P. A. field - | 880 | Pl. Elizabeth Ann | 1. S. B. L. Backer - 2. James Stuart - 3. J. M. M'Gusty - | 880 880 - | |
| François - - | 27 | Male - | P. A. field - | 1,100 | Pl. De Kinderen in St. Mark's - - - | 1. R. S. Turton - 2. E. L. Christiani - 3. W. Davison - | 900 1,100 1,100 | |
| Ophelia - - | 26 | Female | P. A. field - | 880 | Pl. Ogle - - - | 1. George Runcie - 2. W. Davison - 3. J. F. Obermuller - | 880 880 - | |
| Joe - - | 29 | Male - | P. A. boat-captain | 1,800 | Pl. Henrietta - - | 1. M. Steele - 2. Colin Simson - 3. E. L. Christiani - | 1,250 1,880 1,800 | |
| Sarah - - | 41 | Female | P. A. washer-woman | 880 | Pl. Patientia - - | 1. James Pinkerton - 2. Thomas Brown - 3. Adam Pearson - | 880 880 - | |
| Margaret - - | 20 | Female | P. A. field - | 880 | - ditto - - - | 1. James Pinkerton - 2. Thomas Brown - 3. Adam Pearson - | 880 880 - | |
| Mary - - | 23 | Female | N. P. drudge - | 264 | Alexander Wishart - | 1. R. S. Turton - 2. James Pinkerton - 3. E. L. Christiani - | 176 264 264 | |
| Cecilia - - | 10 | Female | P. A. Creole gang. | 440 | Pl. Wisselvallegheid - | 1. Geo. Runcie - 2. James Pinkerton - 3. R. S. Turton - | 440 440 - | |

N. B.—There were no appraisements in October.

George Ross, s. j. r.

RETURN of APPRAISEMENTS for *Berbice* during the Months of October, November and December 1837.

| | | | | | | |
|---------------|--------|---------|-------|------------------------|-------------|------------------|
| Toney - - - | Male - | P. U. - | 1,200 | John Chisholm, senr. | } - - - - - | Judge Firebrace. |
| Katje - - - | Female | P. U. - | 600 | Baillie Chisholm & Co. | | |
| Amelia - - - | Female | N. P. - | 160 | Susannah Williams - | | |
| Molly - - - | Female | P. A. - | 880 | Pl. Philadelphia - | | |
| Toeto - - - | Female | P. A. - | 800 | Pl. Blayndhal - | | |
| Klartje - - - | Female | P. A. - | 400 | - ditto - - - | | |
| Maria - - - | Female | P. U. - | 550 | Estate of A. Kriezer - | | |

Walter Howard Ware, s. j. r.

(No. 24.)

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

No. 139.

My Lord,

Camp House, Demerara, 12 February 1838.

WITH reference to your Lordship's despatch of the 15th September, No. 248, in which the name of Mr. Peter Rose, a member of the court of policy, is quoted as one of those gentlemen who have constantly appraised the value of the services of apprenticed labourers desirous of purchasing their emancipation at a high and exorbitant rate, I have the honour to lay before your Lordship a statement received by me from Mr. Rose, accompanied by several explanatory documents.

Papers from Mr.
Peter Rose.

I beg to add, that I have not deemed it right to cause any reply to be given to Mr. Rose. The prolongation of the discussion could afford no satisfactory result; and as we are daily approaching to the period when the valuations in question will no longer be resorted to, I am not aware that any better arrangement can be adopted than the periodical publication of the appraisements, together with the names of the appraisers,—a measure which I have, for some time back, caused to be enforced.

I am, &c.

(signed) *J. Carmichael Smyth*.

Enclosures in No. 139.

OBSERVATIONS on Lord *Glenelg's* Despatch, dated 15 September 1837, respecting the Appraisements of the Services of Apprenticed Labourers in April, May and June 1837.

Encl. in 139.

THE Right honourable the Lord *Glenelg*, in a despatch dated the 15th September last, an extract of which was published in the Royal Gazette of this colony for general information on the 31st October following, in commenting on the various appraisements referred to in that despatch, having personally alluded to me as an appraiser and member of the court of policy, I have conceived it a duty I owe to myself to submit the following observations in justification of my appraisements, and moreover thus publicly to state them, so as to disabuse the public mind, which might be led to suppose, from the conclusions arrived at by his Lordship, that injustice had been done to the apprenticed labourers by the nominees of employers in estimating the value of the remainder of their services.

His Lordship expresses his surprise at the high rate at which the services of certain apprenticed labourers have been valued; and upon reference to those appraisements, I find that I was an appraiser on the part of employers in seven cases, and most of those cases have been selected by his Lordship as instances of "extraordinary appraisements." His Lordship must recollect that it is not the young, the old or the infirm who apply to have their services appraised, but mostly those in the prime of life, and whose services are most valuable. In proof of this opinion, the appraisements of April, May and June last, referred to by his Lordship, will show that out of 47 persons whose services were appraised, only four were above 45 years of age, and three above 40.

Upon every occasion where I have been called upon to act as an appraiser, I have invariably been governed in my opinion by the qualifications and descriptions of the persons to be appraised, and also the price at which the services of apprenticed labourers were selling for, both at public and private sale.

His Lordship, upon reference to documents attached, numbered 1 to 10, will perceive the description of persons whose services were appraised, and who were more immediately alluded to in his Lordship's despatch, with respect to the value of the services of apprenticed labourers, and in support of the views I have taken as to that value. Let his Lordship refer to the return of the sale of the services of apprenticed labourers at public vendue between the 1st of April and the 31st of October 1837, as contained in document marked (A.) It will be there seen that non-prædials, whose term of service was only 15 months, were sold as high as 1,100 guilders, and that the services of 17 prædials unattached, sold by order of the representatives of the estate of Cook, deceased, were purchased together at an average of 812 guilders, and of that number five may be said, from their age, to be incapable of performing any work, thereby increasing the value of the remainder. By reference to private sales, as contained in documents marked (B.), (C.), (D.) and (E.), his Lordship will perceive that the services of 22 P. U. labourers, belonging to W. M'Keand, were purchased on the 23d November 1837 for the sum of f.36,300, being an average of 1,650 guilders. The services of 12 P. U. labourers, belonging to D. Grant, were purchased on the 23d November 1837 for the sum of 19,800 guilders, being an average of 1,650 guilders. The services of six P. U. labourers, belonging to J. Bowerbank, were purchased on the 23d November 1837 for 9,900 guilders, being an average of 1,650 guilders. The services of 49 P. U. labourers, belonging to C. Spencer, were purchased on the 1st December last

last for 4,508 *l.* sterling, being an average of 92 *l.*, or 1,345 guilders. Let his Lordship now look at the registration of these people: of those purchased from W. M'Keand, 11 were above 50 years of age, and one above 45; of those from D. Grant, six above 50 years; of those from Bowerbank, two above 50 years and one above 45; of those from C. Spencer, 10 were above 50 and 12 above 45. In comparing, then, the appraisements which appear so enormously high to his Lordship, it will be seen that they fall far short of the actual value of labour; and the better to elucidate this point, take the average of each month, or the total of the three months, in which the services of apprenticed labourers have been valued, and his Lordship will find that the average for April would be 712 guilders, May 987, and June 893, or of the three months together, 838 guilders.

His Lordship, from those returns of appraisement, draws conclusions which appear incomprehensible. His Lordship states that "either the Parliamentary compensation was far beyond what could reasonably be demanded, or the remaining service has been estimated on the most extravagant principles of calculation." I have already proved that the appraisements fall far short of the actual rate at which labour is disposed of in this colony, and therefore the latter conclusion is already answered. But with respect to the compensation received, one would be led to infer, from his Lordship's opinion, that the compensation-money was granted as the difference between the then value of slaves and the value of their labour during the apprenticeship; but such, his Lordship must be aware, was not the case. The compensation-money was given as a supposed equivalent for the loss of labour which the proprietor would be deprived of by the Emancipation Act. If, therefore, the remainder of the services of the apprenticed labourers be as valuable as I have established them to be, the very reverse of his Lordship's conclusion must follow, and the proprietors, so far from receiving more than "could have been demanded," were entitled to a larger amount of compensation for that increased loss which they will sustain by the termination of the apprenticeship.

His Lordship next states, "that if it be really true that, after providing for the maintenance of a field labourer, there remains to his employer a profit of more than 730 guilders per annum, as the valuation of the man Allick seems to imply, I fear that the terms on which labourers introduced into the colony are daily apprenticed must be most unequal and injurious to them." His Lordship must recollect that the importation of these labourers is attended with great risk and expense; that they are people who are unaccustomed to this climate, and to the system of labour in this colony; that they are people of whom nothing is known as to character or disposition; and that a considerable time must elapse before those by whom they are imported can derive any advantage from their labour. His Lordship cannot therefore compare people labouring under these disadvantages with such valuable persons as Allick, Friday, Louisa and others; the former, it will be seen by Document, No. 9, was offered 924 guilders a year, with house doctor and allowances; and Friday now receives a salary of 1,000 guilders a year. His Lordship must further remember that a great benefit is conferred upon the imported labourers by furnishing in many cases the apprenticed labourers with the means of purchasing their discharge from apprenticeship, without any expense to themselves, removing them from those islands where, from the poverty of soil, they with difficulty obtained a livelihood, and who, when their term of service has expired, will be placed on the same footing as other free people.

The next subject to which his Lordship refers is "the variations between the appraisements made by the nominees of the special justice, and by those of the employer." In the opinion expressed by his Lordship on this point, I cannot but concur, for as his Lordship states, "These differences are such as imply some difference of principle, for it is incredible that any two competent persons reasoning on the same principles should habitually reach conclusions so entirely repugnant to each other." Having already given my reasons for the conclusion arrived at by me, let his Lordship call upon Captain Southey, to whom reference is made, to state upon what principle of reasoning he estimates the value of labour; by what method of calculation he valued the services for three years of the man Friday, and the woman Louisa at 308 guilders, when Captain Southey knows that the hire for a common domestic for one year is upwards of 360 guilders. It is not for me to question the competency of individuals to appraise the services of apprenticed labourers, but Captain Southey, from his retired habit of life, and from the little opportunity he has had of judging of the value of the services of apprenticed labourers, could not be said to possess that necessary qualification for an appraiser.

In reference to his Lordship's remarks "that in the month of April, out of 22 cases, 14 were decided by the umpires, and in the month of May, 10 out of 15 were so decided; in the month of June it appears that in every case the nominees of the special justice and of the employer agreed;" it appears that in the months of April and May, of the 24 cases alluded to by his Lordship, Captain Southey was the nominee of the special justice in 20 cases, and with the exception of only two, all were decided by the umpire; whilst in the month of June, he does not appear to have been employed in any case; thus it will be seen that in most cases where a reference has been made to the umpire, Captain Southey has been the nominee of the special justice. This may in some measure explain to his Lordship the remarkable coincidence.

(signed) *Peter Rose.*

LIST of DOCUMENTS referred to in the preceding Observations.

- (No. 1.)—Letter from P. M. Watson, qq., dated 4 November 1837, relative to Venus attached to plantation Helena, and Lydia attached to plantation Brothers.
- (No. 2.)—Letter from William Burnett, qq., dated 3 November 1837, relative to "Catherine" attached to plantation Met en Meerzorg.
- (No. 3.)—Letter from George Park, manager of plantation Sophia, dated 2 November 1837, relative to Betsey attached to said estate.
- (No. 4.)—Letter from Ed. Dawson, qq., plantation Sophia, dated 3 November 1837, relative to ditto.
- (No. 5.)—Certificate of Robert Mackie, medical attendant, plantation Elizabeth Ann, relative to Mary, dated 6 November 1837.
- (No. 6.)—Letter from M. Warner, dated 7 November, relative to ditto.
- (No. 7.)—Letter from W. E. Pierce, dated 13 November, relative to "Mary."
- (No. 8.)—Letter from George Warren, dated 3 November, relative to Friday attached to plantation Taymouth Manor.
- (No. 9.)—Letter from C. W. Lyng, dated 6 November, relative to "Alick," formerly attached to Task Gang.
- (No. 10.)—Certificate by Richard Hancock, relative to Louisa.
- (A.)—Extract Vendue Sales of the Services of Apprenticed Labourers, from the 1st April to the 31st October 1837.
- (B.)—Notarial Extract of Register of Slaves belonging to W. M'Keand, and Certificate of Sale.
- (C.)—Ditto - - - ditto - - - ditto - - - to Donald Grant, and - - - ditto.
- (D.)—Ditto - - - ditto - - - ditto - - - to John Bowerbank, and - - - ditto,
- (E.)—Ditto - - - ditto - - - ditto - - - to C. Spencer, and - - - ditto.

(No. 1.)

Sir,

George Town, 4 November 1837.

In reply to the inquiry contained in your letter of 2d instant, I beg to state, that the apprenticed labourer Venus attached to plantation Helena, appraised by you in April last, and Lydia attached to plantation Brothers, also appraised by you in the month of May last, were both exceedingly effective, and of the first class of field labourers, and also people in the prime of life.

I am, &c.

(signed) *Peter M. Watson,*
Attorney of said Plantation.

To the Honourable Peter Rose.

(No. 2.)

Dear Sir,

Demerara, 3 November 1837.

In answer to your communication of yesterday, I beg to say, that the woman Catherine, apprenticed labourer, attached to plantation Met en Meerzorg, and appraised in April last, is a young, strong and effective negress, wife of Trim, head engineer upon that estate; she had always been employed in what is termed "the strong gang," and I consider that the sum awarded for the remainder of her apprenticeship was inadequate to her services during that time; more particularly as she happened to be appraised immediately subsequent to the promulgation of the first order in council, restricting the term of apprenticeship of labourers imported from the islands; and which, in my opinion, increased the value of our own apprentices 25 per cent.; and by which opinion I was influenced, when subsequently called upon both as appraiser and umpire. To show the facility which labourers have of raising sufficient money to purchase up their time, when they have a wish to do so, I may state that "Catherine," (with that suspicion and distrust now so common among apprentices to their employers), having about half of the sum required lodged in the savings bank, instead of paying the balance to me in small sums within the three months allowed by law, preferred lodging it with one of those low petition-writing agitators that infest this community; who, upon getting it into his hands, absconded with the amount, leaving her to make up the deficiency the best way she could; and which she succeeded in doing a short time after the period allowed her had expired, and though not then bound to do so, I received it from her, having no wish to throw any obstacle in the way of her obtaining full and unrestricted freedom. Your letter to me is answered in the first few lines of this, and I trust you will excuse the remaining (and perhaps superfluous) part of my communication.

I am, &c.

(signed) *W. Burnett,*

Representative of Plantation Met en Meerzorg.

Peter Rose, Esq.

(No. 3.)

Dear Sir,

Plantation Bel Air, 2 November 1837.

IN reply to your letter of this day's date, with a copy of one from Mr. Peter Rose annexed, I beg to state, that the woman Betsey, formerly belonging to plantation Sophia, was the most effective of any female thereon, constantly performing her allotted work in five days, when the others, with an exception of one or two, took six; this the women, for their own convenience, were permitted to do. As manager of the estate, I never had occasion to find fault with her; I am truly sorry that the property has lost the benefit of her services and example.

The fact is, she would not have left the property had she not been induced to do so by a manager in the neighbourhood, who was an overseer on Sophia in November last, and who cohabited with her; he caused her to apply to be released from her apprenticeship, and furnished her with the whole of the money; the proprietors, conceiving it to be for the young woman's benefit, made no objection.

I am, &c.

(signed) *George Park,*

Manager of Plantation Bel Air and Sophia.

To E. Dawson, Esq. qq.

(No. 4.)

Sir,

George Town, 3 November 1837.

IN answer to your letter of yesterday, requesting to be informed of the capabilities and employment of the apprenticed labourer Betsey attached to plantation Sophia, and appraised by you in April last, I enclose a letter of yesterday's date from Mr. Park, the manager, to whom I sent a copy of your letter.

At the time of appraisement, I represented her to you as a very valuable woman; I derived my information from him; and as he had a better opportunity of knowing her capabilities, I applied to him for the information I now supply you with.

I am, &c.

(signed) *E. Dawson, qq.*

To the Honourable Peter Rose.

(No. 5.)

Leguan, 6 November 1837.

THIS is to certify, under tender of oath, that an apprenticed labourer named Mary, attached to plantation Elizabeth Ann, was in perfect health at the time she left the estate to be appraised; I have always considered her to be one of the most effective women on that estate; and, with the exception of occasional attacks of fever, she has, to my certain knowledge, been exceedingly healthy for the last 12 years.

Since her return to the estate, some weeks after being appraised, she has resumed the usual field labour as a first-rate hand.

(signed) *Robert Mackie, M. B. C. S. L.*

(No. 6.)

Dear Sir,

Elizabeth Ann, 7 November 1837.

THE apprenticed labourer Mary has, for the last six years, been performing a full day's work; and I consider her one of the most effective women on the estate; she was in perfect health when she left the estate for appraisement, and is still so.

I am, &c.

(signed) *M. Warner.*

W. E. Pierce, Esq.

(No. 7.)

George Town, 13 November 1837.

Sir,

AGREEABLE to your request, conveyed in your letter of 2d instant, I now hand to you enclosed certificate of Dr. Mackie, and note from Mr. Warner, manager of plantation Elizabeth Ann, under my charge, respecting the woman Mary, whom you appraised for me in April last, I think. In addition to what is stated in the above referred to documents, I would add that I feel convinced I could not have supplied her place for the sum she was appraised at, say *f. 1,100*

I am, &c.

(signed) *W. E. Pierce,*

Attorney of Plantation Elizabeth Ann.

To Peter Rose, Esq.

(No. 8.)

Sir,

Demerara, 3 November 1837.

IN reply to your letter of yesterday, requesting that I would state "the capabilities and employment of the apprenticed labourer Friday, attached to plantation Taymouth Manor, appraised by you in May last," I cannot better answer the inquiry respecting his capabilities than by copying the paper I gave him as a character on leaving my service, which was as follows:—"The bearer hereof, Friday, late an apprenticed labourer attached to plantation Taymouth Manor and farm, having purchased the remainder of his services, and having applied to me for a character, this is to certify that I consider him to be sober and honest, and capable of rendering himself generally useful to any gentleman who may employ him."

As regards his employment, he was brought up as a labourer and carpenter on the plantation where he was born, Taymouth Manor, to which his parents belonged ever since their original importation from Africa, and to which his mother, an invalid, and his brother still belong. I employed him as a confidential servant, and considered him one of those few negroes whose services to their employer cannot justly be appreciated by a money value, as they cannot easily be replaced. From the confidence I was known to place in him, he was enabled to employ his extra time so advantageously to himself as not only to amass sufficient money to purchase the remainder of his time, but a house likewise in George Town.

I have reason to believe that he was induced to apply to be appraised by the salary of *f.*1,100 per annum held out to him as sexton of Christchurch, which place he now holds; this takes up so little of his time that he is enabled by other employments to earn in 12 months as much or more than the sum at which you appraised the remainder of his services.

I stated my objections in open court to the appraisement of Captain Southey as an appraiser, on the grounds,

1st. That he was not a competent judge.

2d. That he could not be considered an impartial one, inasmuch as the wife of Friday was, and had been ever since his arrival here, his domestic servant.

It was on the occasion of his being objected to as an appraiser on the same day that Captain Southey on taking the oath is stated to have added to the words, "so help me God," the expression, "in spite of the planters."

To the Honourable Peter Rose.

I am, &c.
(signed) *Geo. Warren,*
Proprietor of Plantation Taymouth Manor and Farm.

(No. 9.)

Dear Sir,

George Town, 6 Nov. 1837.

IN answer to your letter, I beg to state that the man Allick, who formerly belonged to the task-gang under the charge of Mr. Bowerbank, and taken over by the town on the 1st of August last, paid one hundred joes for himself on the 11th of the same month. I offered the man Allick three joes per month, and to find him house, doctor and allowance; I would give him half a joe more per month if he would come and act as an overseer to the gang under my charge,

To P. Rose, Esq.

I am, &c.
(signed) *W. Lyng.*

(No. 10.)

IN reference to the appraisement of the remaining services of P. U. apprenticed labourer "Louisa," belonging to Mrs. Ruperti, in May last (1837), in which case I was appointed on behalf of Mrs. Ruperti, I made it my business to inquire particularly about said Louisa, and found, on good information, that she was almost invaluable to her mistress, being generally useful and well-disposed, had no complaint against her mistress, but had been put up to get herself appraised by her husband, who was only provided with 450 guilders, Demerara currency, and for which sum he expected to have got her for. That from my long residence in this colony (now 22 years), and having had so much to do with negroes and apprenticed labourers, I made my calculation and allowances for the value of said Louisa's remaining services, and fairly, justly, and truly placed them at 1,000 guilders Demerara currency according to the best of my knowledge and judgment, on my oath.

(signed) *Richard Hancock.*

(A.)

Vendue Office, 6 Nov. 1837.

Sir,
IN conformity to directions received through Mr. Secretary Young, dated Court of Policy, 2d instant, I have herewith the honour to forward to you an extract of all vendue sales of the services of apprenticed labourers from the 1st April to the 31st October last.

I have, &c.

The Honourable Peter Rose,
&c. &c. &c.

(signed) S. A. Goodman, v. M.

EXTRACT from VENDUE SALES BOOK of all SALES of the Services of APPRENTICED LABOURERS effected at PUBLIC VENDUE, from the 1st of April 1837 to date inclusively.

| DATE OF SALE. | NAMES OF SELLERS. | NAMES OF LABOURERS. | AGE. | CLASS. | PRICE. |
|---------------|------------------------------|---------------------|---------------------------------|--------|-----------|
| 1837: | | | | | |
| April 1 | Guad ^{ns} Funtman | Mary | 38 | N. P. | f. 295 -- |
| — | Ditto | Thomas | 12 ⁵ / ₁₂ | " | |
| — | E. Christy | Suckey | 57 | P. U. | 360 -- |
| 15 | L. Sandiford | Henry | 18 | " | 220 -- |
| — | Ditto | Maria | 14 | " | 150 -- |
| — | Geo. Bear | Floris | 18 ³ / ₄ | " | 434 -- |
| — | Ditto | Jem | 24 ³ / ₄ | " | 433 -- |
| — | J. M. Vries, nom. ux. | Phillida | 35 | " | 365 -- |
| 22 | Ex ^{rs} W. Urquhart | Charles | 49 | N. P. | 330 -- |
| — | Ditto | Ned William | 27 | " | 1,105 -- |
| — | Ditto | Ceazar | 27 | " | 1,100 -- |
| — | Ditto | Patrick | 52 | " | 1,000 -- |
| — | Ditto | Susannah | 40 | " | |
| — | Ditto | Monday | 45 | " | 1,000 -- |
| — | Ditto | Natty | 39 | " | 1,090 -- |
| — | Ditto | Sam Burrowes | 37 | " | 900 -- |
| — | Ditto | Bets | 37 | " | |
| — | Ditto | William | 9 | " | 200 -- |
| — | Ditto | Gilbert | 15 | " | |
| — | Ditto | Charles | 50 | P. U. | 1,050 -- |
| — | Ditto | Phoebe | 45 | " | |
| — | Ditto | France | 45 | N. P. | 530 -- |
| — | Ditto | Abany | 46 | " | |
| — | Ditto | Harry | 47 | " | 880 -- |
| — | Ditto | Wentworth | 54 | " | 660 -- |
| — | Ditto | Betsey | 51 | " | 1,645 -- |
| — | Ditto | Job | 19 | " | |
| — | Ditto | Antoinette | 25 | " | 900 -- |
| — | Ditto | Jeffrey | 33 | " | |
| — | Ditto | Providence | 57 | " | 180 -- |
| — | Ditto | Patience | 26 | " | 600 -- |
| — | Ditto | Massey | 42 | " | |
| — | Ditto | Celia | 53 | " | 720 -- |
| — | Ditto | Quashie | 49 | " | |
| — | Ditto | Massey | 10 | " | 440 -- |
| — | Ditto | Ann | 27 | " | |
| — | Ditto | Hancah | 7 | " | 440 -- |
| — | Ditto | Adjeiba | 30 | " | |
| — | Ditto | Joe | 55 | " | 650 -- |
| — | Ditto | Petro | 47 | " | 2,410 -- |
| — | Ditto | Jean | 40 | " | |
| — | Ditto | Thomas | 12 | " | 700 -- |
| — | Ditto | Jemmy or Archy | 16 | " | |
| — | Ditto | Trim | 47 | " | 660 -- |
| — | Ditto | Simon | 51 | " | 800 -- |
| — | Ditto | Thomas | 31 | " | 690 -- |
| — | Ditto | Will | 45 | " | 310 -- |
| — | Ditto | Dolphin | 57 | " | 720 -- |
| — | Ditto | Jupiter | 44 | " | 750 -- |
| — | Ditto | Chance | 39 | " | 115 -- |
| — | Ditto | Newton | 45 | " | 580 -- |
| — | Ditto | Buck Harry | 51 | " | 270 -- |
| — | Ditto | Robin Sam | 51 | " | 490 -- |
| — | Ditto | Guy | 45 | " | 450 -- |
| — | Ditto | Samson | 49 | " | 700 -- |
| — | Ditto | Simon | 45 | " | 810 -- |
| — | Ditto | Louis | 34 | " | |
| — | Ditto | Hester | 57 | " | 500 -- |
| — | Ditto | Moses | 18 | " | |
| — | Ditto | John William | 14 ³ / ₄ | " | 500 -- |
| — | Ditto | Mary | 18 | " | |
| — | Ditto | Rebecca | 11 ¹ / ₂ | " | |

(continued.)

BRITISH GUIANA.

EXTRACT from Vendue Sales Book—continued.

| DATE OF SALE. | NAMES OF SELLERS. | NAMES OF LABOURERS. | AGE. | CLASS. | PRICE. |
|---------------|--|---------------------|------|--------|--------|
| 1837: | | | | | |
| April 22 | Ex ^r W. Urquhart | Mulatto Thomas | 27 | N. P. | f. 780 |
| — | Ditto | Billy | 32 | " | 820 |
| — | Ditto | Hazard | 43 | " | 660 |
| — | Ditto | Bona | 25 | " | 660 |
| — | Ditto | John Screw | 24 | " | 450 |
| — | Ditto | Thomas | 47 | " | 820 |
| — | Ditto | Industry | 32 | " | 260 |
| — | Ditto | Yammie | 55 | " | 780 |
| — | Ditto | Andrew | 17½ | " | 385 |
| — | Ditto | Rodney | 63 | " | 740 |
| — | Ditto | Fortune | 43 | " | 760 |
| — | Ditto | Goodluck | 50 | " | 730 |
| — | Ditto | Harry | 52 | " | 721 |
| — | Ditto | Mingo | 23 | " | 110 |
| — | Ditto | Susey | 47 | " | 720 |
| — | Ditto | Frank | 39 | " | 950 |
| — | Ditto | Edmund | 28 | " | 630 |
| — | Ditto | William | 27 | " | 700 |
| — | Ditto | Ben | 44 | " | 830 |
| — | Ditto | John | 18 | " | 700 |
| — | Ditto | Ben | 44 | " | 610 |
| — | Ditto | Providence | 33 | " | 115 |
| — | Ditto | Jim | 45 | " | 110 |
| — | Ditto | Tom | 45 | " | 820 |
| — | Ditto | Peter | 19½ | " | |
| — | Ditto | Neptune | 47 | " | |
| — | Ditto | Beminda | 47 | " | |
| — | Ditto | Ben | 19 | " | 2,500 |
| — | Ditto | Cornelius | 13 | " | |
| — | Ditto | Melissa | 11½ | " | |
| — | Ditto | Maria | 9 | " | |
| May 6 | Ex ^r M ^c Gowan | Sylvia | 60 | " | 260 |
| — 22 | A. Meertens | Alfred | 25 | P. U. | 2,000 |
| — | Ditto | Billy | 29 | " | |
| — | Ditto | Tiverton | 47 | " | 600 |
| — | Ex ^r R. Buchanan | William | 19 | N. P. | 220 |
| June 20 | Ex ^r C. Sandiford | Fatima | 57 | P. U. | 220 |
| — | Ditto | Louis Christmas | 11 | " | |
| — | Ditto | Minna | 32 | " | 780 |
| — | Ditto | Sophia Johanna | 16 | " | |
| — | Ditto | Delia | 55 | " | 65 |
| July 7 | Ex ^r J. Maxwell | Frans | 60 | " | 330 |
| — 10 | D. Fallant | Eliza | 25 | N. P. | 260 |
| August 2 | Board of Orphans | La Fleur | 40 | P. U. | 300 |
| — | Ditto | Ann | 52 | N. P. | 100 |
| — | Ditto | Souvenir | 29 | " | 345 |
| — | Ditto | Rosa | 45 | P. U. | 185 |
| — 3 | J. M ^c Kay, P. & qq. | Diana | 50 | N. P. | 132 |
| — | Ditto | Rachel | 43 | " | |
| — | Ditto | Catherine | 18 | " | 748 |
| — | Ditto | Violet | 14 | " | |
| — | Ex ^r R. Buchanan | Michael | 24 | " | 215 |
| — 16 | Amta Ernst | Charlotte | 18 | " | 110 |
| — | Guad. Hasperhoeven | Christian | 44 | P. U. | 400 |
| — 18 | Board of Orphans | Elphin and William | 25 | N. P. | 400 |
| — | Ditto | L'Esperance | 54 | P. U. | 300 |
| — 24/25 | Ex ^r D. M ^c Intosh | Nelson | 46 | " | 1,050 |
| — | Ditto | Michael | 26 | " | |
| — | Ditto | Charles | 28 | " | 2,100 |
| — | Ditto | Carl | 52 | " | 270 |
| — | Ditto | Paddy | 43 | N. P. | 612 |
| — | Ditto | William | 55 | P. U. | 356 |
| Sept. 9 | Ex ^r A. D. Ross | Charles | 15 | " | 730 |
| — | Repts Est. J. Cook | Ben | 60 | " | |
| — | Ditto | Lawrence | 58 | " | |
| — | Ditto | Isaac | 58 | " | |
| — | Ditto | Moses | 55 | " | |
| — | Ditto | Christmas | 27 | " | |
| — | Ditto | Nancy | 58 | " | |
| — | Ditto | Betsey | 45 | " | |
| — | Ditto | Leah | 41 | " | |
| — | Ditto | Kitty | 32 | " | 13,800 |
| — | Ditto | Rosalind | 33 | " | |
| — | Ditto | Amaryllis | 30 | " | |

EXTRACT from Vendue Sales Book—continued.

| DATE OF SALE. | NAMES OF SELLERS. | NAMES OF LABOURERS. | AGE. | CLASS. | PRICE. |
|---------------|------------------------|---------------------|------|--------|------------|
| 1837: | | | | | |
| Sept. 9 | Repts Est. J. Cook - - | Henry - - - | 24 | P. U. | |
| - | Ditto - - - | Fanny - - - | 23 | " | |
| - | Ditto - - - | Augusta or Amba - | 19 | " | |
| - | Ditto - - - | Peggy - - - | 18 | " | |
| - | Ditto - - - | Jane - - - | 17 | " | |
| - | Ditto - - - | Peggy - - - | 16 | " | |
| - | C. R. Slayter - - - | Andrew - - - | 28 | N. P. | f. 115 - - |
| - | John Beete - - - | Charles - - - | 19 | P. U. | 1,000 - - |
| - | W. Coey - - - | Billy - - - | 17 | N. P. | 300 - - |

(signed) S. A. Goodman,
Vendue Master.

(A true extract.)

Demerara, 31 October 1837. (signed) W. J. Hicks, Bookkeeper.

(B.)

DEMERARA and ESSEQUIBO.—Registration of Apprenticed Labourers.

No. 435.—SCHEDULE.

Parish of St. Mary.

EXTRACT from the RETURN of SLAVES belonging to and in the lawful possession of William M'Keand, on the 20th day of March 1834, having reference to Schedule, No. 165, Registered folio 12 in the Register of Slaves for the 31st of May 1832.

| Sex. | Names. | Colour. | Age. | Bodily Marks. | Condition. | Country. | Employment. | Class. |
|------|----------------|---------|------|-------------------------|------------|------------|-------------|--------|
| Male | Harry - - | black | 52 | black scar, right heel. | able - | Africa - | field - | P. U. |
| " | Lewis - - | " | 35 | none - - | " - | Dominica - | " - | " |
| " | Cornwallis - - | " | 50 | " - - | " - | Africa - | " - | " |
| " | Ben - - | " | 57 | cont ^s marks | healthy - | " - | " - | " |
| " | Jem - - | " | 49 | scars on leg | able - | " - | " - | " |
| " | Allick - - | " | 31 | none - - | " - | Demerara - | " - | " |
| " | Ben - - | " | 32 | " - - | " - | " - | " - | " |
| " | Adam - - | " | 36 | " - - | " - | " - | " - | " |
| " | Bob - - | " | 16 | " - - | " - | " - | " - | " |
| " | Bob - - | " | 45 | " - - | " - | Africa - | " - | " |
| " | Cummings - - | " | 32 | " - - | " - | Demerara - | " - | " |
| " | De Groot - - | " | 47 | " - - | " - | Africa - | " - | " |
| " | Dick - - | " | 39 | " - - | " - | " - | " - | " |
| " | Hoop - - | " | 21 | " - - | " - | Demerara - | " - | " |
| " | Jaaen - - | " | 26 | " - - | " - | Creole - | " - | " |
| " | Mingo - - | " | 47 | " - - | " - | Africa - | " - | " |
| " | M'Kenzie - - | " | 52 | " - - | " - | " - | " - | " |
| " | Quintus - - | " | 47 | " - - | " - | " - | " - | " |
| " | Sam - - | " | 34 | " - - | " - | Creole - | " - | " |
| " | Anthony - - | " | 45 | " - - | " - | Africa - | " - | " |
| " | Joy - - | " | 43 | " - - | " - | " - | " - | " |
| " | Ned - - | " | 50 | " - - | " - | " - | " - | " |

Registrar's Office of the District of Demerara and Essequibo, in the Colony of British Guiana, this 22d July 1837.

(A true extract.)

(Quod attestor.)

(signed)

Gordon C. Reid, s. c.

Names of the under-mentioned 22 (twenty-two) apprenticed labourers, being part of the above-named, sold on the 10th November 1837, by James Stewart, attorney of William M'Keand, to the Town Council, for the sum of 36,300 Guilders, payable in six equal half-yearly instalments of f. 6,050.

MALES.

| | | |
|-------------|-------------|-----------|
| Allick. | Dick. | De Groot. |
| Jem. | Big Bob. | Jan. |
| Harry. | Little Bob. | M'Kenzie. |
| Cornwallis. | Hope. | Anthony. |
| Creole Ben. | Lewis. | Ned. |
| Congo Ben. | Cummings. | Joy. |
| Quintus. | Sam. | Mingo. |
| Adam. | | |

(Quod attestor.)

(signed)

Gordon C. Reid,

Sworn Clerk and Notary Public, Registrar's Office, Demerara and Essequibo.

BRITISH GUIANA.

(C.)

DEMERARA and ESSEQUIBO.—Registration of Apprenticed Labourers.

No. 1821.—SCHEDULE.

Parish of St. Mary.

EXTRACT from the RETURN of SLAVES belonging to me, in the lawful possession of *Donald Grant*, on the 20th day of March 1834, having reference to Schedule, No. 512, Registered folio 44 in the Register of Slaves for the 31st of May 1832.

| Sex. | Names. | Colour. | Age. | Bodily Marks. | Condition. | Country. | Employment. | Class. |
|--------|----------------|---------|------------------|---------------|------------|----------|-------------|--------|
| Male | Adam - - | black | 33 | none - - | healthy - | Demerara | field - | P. U. |
| " | Inglis - - | " | 29 | " - - | " - | " - | " - | " |
| " | Glasgow - - | " | 47 | " - - | " - | Africa - | " - | " |
| " | Hector - - | " | 47 | " - - | " - | " - | " - | " |
| " | Saturday - - | " | 47 | " - - | " - | " - | " - | " |
| " | Robinson - - | " | 34 | " - - | " - | Demerara | " - | " |
| " | Apollo - - | " | 57 | " - - | " - | " - | " - | " |
| Female | Eliza - - | " | 52 | " - - | " - | Africa - | " - | " |
| " | Mary Lewis - - | " | 49 | " - - | " - | " - | " - | " |
| " | Petronella - - | " | 33 | " - - | " - | Demerara | " - | " |
| " | Sally - - | " | 11 $\frac{1}{2}$ | " - - | " - | " - | " - | " |
| Male | September - - | " | 29 | " - - | " - | " - | " - | " |

Registrar's Office of the District of Demerara and Essequibo, in the Colony of British Guiana, 22 July 1837.

(A true copy.)

(Quod attestor.)

(signed)

Gordon C. Reid, s. c.

Names of the under-mentioned 12 (twelve) apprenticed labourers, being the above-named, sold on the 10th November 1837, by James Stuart, executor to the last will and testament of Donald Grant, deceased, to the Town Council, for the sum of 19,800 Guilders, payable in six half-yearly instalments of *f.* 3,300 each.

MALES.

| | |
|----------|------------|
| Adam. | Saturday. |
| Inglis. | Apollo. |
| Glasgow. | September. |
| Hector. | Robinson. |

(Quod attestor.)

FEMALES.

| |
|-------------|
| Eliza. |
| Mary Lewis. |
| Petronella. |
| Sally. |

(signed)

Gordon C. Reid,
Sworn Clerk and Notary Public, Registrar's
Office, Demerara and Essequibo.

(D.)

DEMERARA and ESSEQUIBO.—Registration of Apprenticed Labourers.

No. 204.—SCHEDULE.

Parish of St. Matthew.

EXTRACT from the RETURN of SLAVES belonging to *John Bowerbank*, in the lawful possession of himself, on the 20th day of March 1834, having reference to Schedule, No. 735, Registered folio 2249 in the Register of Slaves for the 31st of May 1832.

| Sex. | Names. | Colour. | Age. | Bodily Marks. | Condition. | Country. | Employment. | Class. |
|------|-------------|---------|------|-----------------------------|------------|----------|-------------|--------|
| Male | October - - | black | 42 | none - - | effective | Demerara | field - | P. U. |
| " | David - - | " | 27 | " - - | " - | " - | " - | " |
| " | Nestor - - | " | 50 | cont ^s marks - - | " - | Africa - | " - | " |
| " | April - - | " | 47 | none - - | " - | " - | " - | " |
| " | Pedro - - | " | 23 | " - - | " - | Demerara | " - | " |
| " | Bob - - | " | 21 | " - - | " - | " - | " - | " |

Registrar's Office of the District of Demerara and Essequibo, in the Colony of British Guiana, the 22d day of July 1837.

(A true extract.)

(Quod attestor.)

(signed)

Gordon C. Reid,
s. c. and Notary Public.

Names of the under-mentioned 6 (six) apprenticed labourers, being the above-named, sold on the 10th November 1837, by John Bowerbank, to the Town Council, for the sum of 9,900 Guilders, payable in six half-yearly instalments of *f.* 1,650 each.

MALES.

| | | |
|----------|---------|--------|
| David. | Nestor. | Bob. |
| October. | April. | Pedro. |

(Quod attestor.)

(signed)

Gordon C. Reid,
Sworn Clerk and Notary Public, Registrar's
Office, Demerara and Essequibo.

(E.)

DEMERARA and ESSEQUIBO.—Registration of Apprenticed Labourers.

No. 1866.—SCHEDULE.

Parish of St. Paul.

THE RETURN of SLAVES belonging to *Creswell Spencer*, in the lawful possession of himself, on the 20th day of March 1834, having reference to Schedule, No. 1621, Registered folio 367 in the Register of Slaves for the 31st of May 1832.

| Sex. | Names. | Colour. | Age. | | Bodily Marks. | Condi- tion. | Country. | Employ- ment. | Class. |
|--------|---------------|---------|------|-----|--------------------------|-----------------|-----------|------------------|--------|
| | | | Yrs. | Mo. | | | | | |
| Male | Alexander | black | 45 | — | none | able | Africa | field | P. U. |
| " | Anthony | " | 42 | — | " | " | " | " | " |
| " | Bedford | " | 45 | — | " | " | " | " | " |
| " | Bristol | " | 46 | — | " | " | " | " | " |
| " | Cash | " | 35 | — | " | " | " | " | " |
| " | Dick | " | 18 | 9 | " | " | Demerara | " | " |
| " | Davy | " | 45 | — | " | " | Africa | " | " |
| " | Felix | " | 43 | — | " | " | " | " | " |
| " | Fraser | " | 41 | — | " | " | " | " | " |
| " | February | " | 36 | — | " | " | " | " | " |
| " | Goodluck | " | 45 | — | cont ^s marks | " | " | " | " |
| " | George | " | 44 | — | " | " | " | " | " |
| " | Henry | " | 45 | — | none | " | " | " | " |
| " | Henry | " | 40 | — | " | " | " | " | " |
| " | Harry | " | 42 | — | cont ^s marks | " | " | " | " |
| " | Jem | " | 46 | — | none | " | " | " | " |
| " | John Charles | " | 40 | — | " | " | Grenada | " | " |
| " | Joe | " | 40 | — | " | " | Africa | " | " |
| " | La Fleur | " | 39 | — | two toes grown together. | " | " | " | " |
| " | Quamina | " | 40 | — | none | " | " | " | " |
| " | Rutland | " | 47 | — | " | " | " | " | " |
| " | Simon | " | 43 | — | " | " | " | " | " |
| " | Tom | " | 47 | — | " | " | " | " | " |
| " | William | " | 46 | — | " | " | " | " | " |
| " | William James | " | 18 | — | " | " | Demerara | " | " |
| " | Phoenix | " | 28 | — | " | " | " | " | " |
| " | Sam | " | 23 | — | " | " | Africa | " | " |
| " | Harry | " | 40 | — | blind, left eye | " | " | " | " |
| " | Joe | " | 37 | — | none | " | " | " | " |
| " | Peter | " | 27 | — | " | " | Demerara | " | " |
| " | Daphnes | " | 42 | — | " | " | Africa | " | " |
| " | George | " | 14 | 4 | " | " | Demerara | " | " |
| " | James | " | 14 | 6 | " | " | " | " | " |
| " | Heathcote | " | 15 | 5 | " | " | " | " | " |
| " | Isaac | " | 33 | — | " | " | " | field | " |
| " | Nelson | " | 32 | — | " | " | " | " | " |
| " | Triumph | " | 37 | — | " | " | " | " | " |
| " | Welcome | " | 39 | — | " | " | " | " | " |
| " | Quaminâ | " | 34 | — | " | " | " | " | " |
| " | Jaba | " | 30 | — | " | " | " | " | " |
| " | Do Little | " | 27 | — | " | " | " | " | " |
| " | Cobus | " | 39 | — | scars on nose | " | Essequibo | " | " |
| " | Hard Times | " | 39 | — | none | " | Demerara | " | " |
| " | Charles | " | 12 | 8 | " | " | " | " | " |
| " | Fortune | " | 16 | 2 | " | " | " | " | " |
| " | Daniel | " | 36 | — | " | " | " | " | " |
| " | Robin | " | 26 | — | " | " | Berbice | " | " |
| " | Mourant | " | 19 | — | " | " | " | " | " |
| Female | Mary | " | 39 | — | " | " | Barbados | " | " |

(A true extract.)

Registrar's Office, George Town,
Demerara, 7 Dec. 1837.

(Quod attestor.)

(signed)

W. J. Martinius, s. c.

The above-mentioned 49 (forty-nine) apprenticed labourers were sold on the 7th December 1837, by *Creswell Spencer* to *Thomas Colin Sand*, as attorney of *Spencer Mackay, Esq.*, for the sum of 92 *l.* sterling per head, say 4,508 *l.* sterling, payable in Bills of Exchange on London.

(Quod attestor.)

(signed)

Gordon C. Reid,
Sworn Clerk and Notary Public, Registrar's
Office, Demerara and Essequibo.

MISCELLANEOUS.

—No. 140.—

(No. 254.)

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

No. 140.

My Lord,

Camp House, Demerara, 6 December 1836.

Vide Appendix,
No. 6.

I BEG to lay before your Lordship, for his Majesty's approbation, an ordinance (No. 86) passed by myself and the court of policy for regulating the qualification for the exercise of the elective franchise in British Guiana.

I had the honour, in my despatch of the 29th June of last year (No. 16), to submit to your Lordship an ordinance passed by myself and the court of policy upon the 2d May 1835 (No. 57), establishing a new elective franchise instead of that which was formerly held, by being the owner or proprietor of 25 slaves. In that ordinance the elective franchise was fixed at the payment of 70 guilders per annum of direct taxes. The amount, however, of our indirect taxation (from the increase of our importations) has so considerably augmented, that we have reduced, and propose still further to reduce, the direct taxation. Under these circumstances, another qualification became necessary to prevent the decrease of the number of voters. Every person possessing an income of 2,000 guilders (about 142*l.*), from whatever source it may be derived, or whatever may be the rate of taxation to which the income as aforesaid may be liable, has by the new ordinance a corresponding right of voting with the direct tax-payer to the amount of 70 guilders. This new regulation will augment the number of voters to some extent; and in two more years the franchise may be safely lowered, so as to admit all persons having an annual income of 1,500 guilders, which is the lowest income liable to taxation.

I shall have the honour, so soon as the registers under the new ordinance are completed, to submit to your Lordship an epitome of the same.

The additional facilities afforded to the expression of the public feeling by thus extending the elective franchise has given general satisfaction amongst the inhabitants of British Guiana, and will, I respectfully hope, meet with his Majesty's approbation.

I have, &c.

(signed) *J. Carmichael Smyth*.

—No. 141.—

(No. 185.)

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

No. 141.

Sir,

Downing-street, 3 February 1837.

I HAVE to acknowledge the receipt of your despatch (No. 254) of the 6th December, enclosing an ordinance which has been passed by yourself and the court of policy of British Guiana, "for regulating the qualification of the exercise of the elective franchise."

I have the honour to acquaint you, that his Majesty has been pleased to approve and confirm this ordinance.

I have, &c.

(signed) *Glenelg*.

—No. 142.—

BRITISH GUIANA.

(No. 321.)

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

No. 142.

(A.)

3.

My Lord,

Camp House, Demerara, 13 May 1837.

I BEG to lay before your Lordship a petition, addressed to me by a proprietor of this colony (Mr. J. J. Gilgeons, of Windsor Castle), together with three documents thereto belonging. I have some difficulty in making up my mind as to how far articulated servants imported from Madeira, where they were perfectly free agents, as also how far Dutch slaves, redeemed from slavery for the express purpose of being imported into British Guiana as articulated servants for a definite period, can be considered as coming under the enactments of his Majesty's order in council of the 1st March 1837. I have therefore felt it my duty to forward Mr. Gilgeons's petition, and the documents relative thereto, for your Lordship's decision.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosures in No. 142.

(A.)

Unto his Excellency Sir *James Carmichael Smyth*, Baronet, K. C. B., Governor in and over the Colony of British Guiana.

Encl. in No. 142.

The humble Petition of *John Jacob Gilgeons*, of plantation Windsor Castle, in the district of Essequibo, in the said colony;

Sheweth,

THAT your petitioner has most humbly to represent to your Excellency the injurious consequences which must result to your petitioner from the enforcement, in some of its particulars, of the order by his Majesty in council of the 1st of March 1837, confirming, with certain exceptions and amendments, the ordinance of your Excellency and the court of policy of the 22d June 1836.

That your petitioner has been an inhabitant of this colony for the period of 37 years, and is at present the proprietor of plantation Windsor Castle, in the district of Essequibo, attached to which plantation there are 280 apprenticed labourers, natives of, or originally connected with, the colony of British Guiana, and 120 indented labourers, not natives of any part of his Majesty's dominions, and never previously connected with this colony.

That from the deficiency of human labour in this colony, and the serious obstructions thereby occasioned to the due and extensive cultivation of the soil, your petitioner was induced, in the course of the year 1835, to proceed to the island of Madeira, with the view of engaging the services of such free persons resident therein as might be disposed to emigrate, in the capacity of agricultural labourers, to the colony of British Guiana.

That at the above period there existed no law, practice or regulation in this colony in any way restricting the rights of the inhabitants in regard to the entering into fair and regular agreements of service with persons of free condition, whether in or out of his Majesty's dominions.

That upon the faith of the colonial law, as it then existed, your petitioner proceeded, upon his arrival at Madeira, to enter into engagements, according to the form and practice of that island, with a variety of individuals, natives thereof, all of whom expressed not merely a perfect readiness, but the strongest anxiety to quit Madeira for the happier prospects of British Guiana.

That a most ample explanation of the future duties and condition of these individuals in British Guiana was afforded by the parties employed by your petitioner; and it will appear by the authenticated copy, now submitted to your Excellency, of one of the original agreements, translated at the time by his Majesty's agent and consul-general for the islands of Madeira, the tenor of which is identical with that of all the others, not only that the arrangements on the part of your petitioner were of a just and liberal nature, but that the individuals so indented were thereby relieved from a state of utter idleness and destitution then existing in their native country.

That the said indented parties, having been equipped and conveyed at the sole expense of your petitioner, proceeded, upon their arrival in British Guiana, to plantation Windsor Castle, the property of your petitioner, where they have since remained, fulfilling their contracted duties with cheerfulness and fidelity.

That in the latter part of the year 1836, your petitioner, with the view of obtaining an additional supply of labour, proceeded to the island of Curaçao, a Dutch colony in the West Indies, in which negro slavery continues to be maintained by the full force of the law.

That from the general poverty of this island, and the consequent privations of the negro labourers, whether free or enslaved, the same anxiety to be enabled to proceed to British Guiana, which had previously occurred at Madeira, was expressed at Curaçao.

That

BRITISH GUIANA.

That your petitioner, thereupon, entered into an arrangement with not fewer than 57 individuals, then in a state of slavery, by which the manumission of these persons was purchased at a great expense by your petitioner, on the understanding that the parties, when actually emancipated, were voluntarily to engage, upon terms very favourable to themselves, in the agricultural service of your petitioner for the limited period of six years.

(No. 2.)

That these individuals, having received their freedom, did accordingly, and of their own free-will, enter into an agreement with your petitioner, after the form and practice observed in Curaçao, a sworn translation of which is herewith humbly submitted to your Excellency, and were thereafter conveyed, at the sole expense of your petitioner, from the colony of Curaçao to the plantation Windsor Castle, in the district of Essequibo.

That by virtue of this agreement, the parties therein mentioned have not only become entitled, at the hands of your petitioner, to the full allowances, provision grounds, lodging and medical attendance of apprenticed labourers in British Guiana, in addition to the monthly wages provided by their agreement, but have, for themselves and their descendants, been emancipated from a state of abject and permanent slavery, in which they were liable at any moment to be for ever separated from their friends and families, and sold for exportation to the neighbouring settlements, particularly to the Spanish slave market at Porto Rico.

That very shortly afterwards your petitioner entered into similar engagements of service at the said island of Curaçao, with 29 persons of free condition, who have also been conveyed to British Guiana at the exclusive expense of your petitioner, and are now engaged with the others in the cultivation at Windsor Castle.

(No. 3.)

That the actual outlay of your petitioner, previous to any labour whatever being performed by the persons indented at Madeira and Curaçao, and independently of time, trouble and exposure, exceeds, according to the statement now humbly submitted, the sum of 4,934*l.* sterling; and your petitioner not only relied in the disbursement thereof on the law as then existing in British Guiana, but was encouraged in regard to the contracts at Curaçao by the terms of the enactment contained in the ordinance by your Excellency and the court of policy, then under the consideration of the King in council, by which it was proposed that agreements of service should be valid in this colony, provided they did not exceed seven years in duration.

That in this situation of your petitioner, not only with a large advance of money expended in reliance upon the agreements executed in Madeira and at Curaçao, but with the cultivation of his estate materially depending upon the continued services of the persons who have so contracted with him, an order has been most unexpectedly issued by the King's most excellent Majesty in council, of date the 1st of March 1837, by which the expectations of your petitioner have been very seriously affected.

That it has, *inter alia*, been thereby ordered, that no individual at present bound by any written instrument for the performance of any labour or service in British Guiana shall continue to be bound by such instrument at the expiration of three years from the date thereof.

That by virtue of this sweeping and retrospective enactment, the valuable and important right of your petitioner to the labour of the natives of Madeira now in his employment is restricted from five years to three, while, in regard to the negroes of Curaçao, the interest of your petitioner is abridged to precisely the one-half.

That your petitioner cannot persuade himself that, at the framing of the said order, a situation so peculiar as his could have come within the contemplation of his Majesty in council: he cannot imagine that a penalty so uncalled for could have been purposely applied to a case affecting parties not originally under the authority of the British Crown, all of whom have been conveyed by the humble instrumentality of your petitioner from a state of misery and depression to one of employment and abundance; and a majority of whom, moreover, have been rescued by your petitioner from cruel and perpetual servitude, and admitted to the enjoyment of all the rights of free-born men.

That a very dangerous difficulty has besides arisen in regard to the effect of another enactment of the said order—"That no such indenture of apprenticeship, bond of service, agreement or other instrument as aforesaid, if made or entered into beyond the limits of the said colony of British Guiana, shall be of any force or effect in the said colony, unless the same shall be so entered into in writing in presence of two or more justices of the peace, or magistrates of the colony, territory or place in which the proposed artiled 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 artiled servant, tradesman or labourer had appeared before them, the said justices or magistrates, and having by them been duly examined, and appeared fully to understand the terms and nature of such proposed engagement, and had freely and voluntarily entered into the same."

That your petitioner understands that an opinion has been stated in certain quarters that these formalities, with reference to the execution of agreements, bonds or other instruments of service, are alike retrospective with the provisions in regard to the duration of the service itself, in which event it is obvious that every such agreement now in existence in British Guiana would be annihilated at once.

That although your petitioner is advised that the view so entertained, in regard to the alleged retrospective effect of the solemnities enacted by the late order in council, is erroneous, and contrary to the just interpretation of the said order, nevertheless very serious mischief

chief cannot fail to ensue from the general circulation of such opinion, unless at once contradicted by high authority. BRITISH GUIANA.

May it therefore please your Excellency to take into consideration what has now been humbly stated by your petitioner, and to grant such relief to your petitioner in the premises as to your Excellency may seem fit, whether by an immediate exercise of such authority as may by law be vested in your Excellency, or otherwise by submitting the hard and peculiar case of your petitioner for the favourable consideration of his Majesty in council.

And your petitioner, as in duty bound, will ever pray.

John J. Gilgeons.

(No. 1.)

KNOW all men who may see this instrument of contract in the manner hereafter stipulated, that in the year of our Lord one thousand eight hundred and thirty-five, on the eleventh day of the month of August, in the city of Funchal in the island of Madeira, appeared before me, notary public, on one part the Portuguese hereinafter subscribed, and on the other part Keirs & Co., British merchants of this city, as agents for Mr. J. J. Gilgeons, of Demerara; and it was said by the aforesaid Portuguese that being unemployed for want of work, and destitute of the means of subsistence, being informed that they may find happier prospects in the West Indies, and certain of obtaining their passport from the government of this island, they have agreed of their own free-will, and without inducement from any person whatever, with Messrs. Keirs & Co. in the following manner: that they shall embark immediately in the English ship Mars, Captain Peter Martin, at anchor in this port, to be conveyed at the expense of Keirs & Co., or J. J. Gilgeons, to Demerara, or Esse- quibo and Berbice, to be employed in agricultural labour or any other, under the orders of Mr. Gilgeons or his representatives and successors. The said Portuguese engage to work with satisfaction and good-will, without deceit or malice, observing due respect and obedience to the person or persons who may superintend them, for the space of five years complete from the day of their landing at Demerara during the period of the said five years. Messrs. Keirs & Co., or J. J. Gilgeons or his representatives, shall be bound to pay each of the said Portuguese five Spanish dollars per month, and to each woman who may accompany them, fit to be employed in some work adapted to their condition and abilities, three dollars per month, as long as the aforesaid of either sex may work; but if, through some indisposition exceeding the period of twenty successive days, they should be unable to serve, they shall receive no wages until they have recovered; they shall also be supplied with their daily and necessary food, as well as a residence, a physician, medicines and due treatment when sick, during the said five years. The hours for working every day shall be the same as are customary in those countries; on days of festivals and such as are kept at Demerara, they shall not be compelled to work, unless some urgent necessity may require it. Mr. Gilgeons shall give each of the said Portuguese a piece of ground to cultivate in their vacant hours and days, the produce of which shall belong to them, except those who do not conduct themselves well. When the aforesaid period of five years of this contract is elapsed, the said Portuguese, both men and women, may seek some other way of living they may think proper, without having a right to claim any other pay or responsibility. Should any of the said Portuguese of either sex infringe this contract, each of them shall lose fifty dollars penalty, payable to Mr. J. J. Gilgeons, or his representative or representatives, being obliged to continue in the service if Mr. Gilgeons should think proper, serving with readiness and loyalty; being, on the contrary, punished according to law. Each mechanic going on this voyage shall receive ten dollars per month, being cooper or carpenter; and each boy or girl, under twelve years of age, the wages mentioned in the list to be forwarded by Messrs. Keirs & Co. to Mr. Gilgeons monthly, to which entire credit shall be given, in consequence of the good faith and integrity of said gentlemen; and the aforesaid Keirs & Co. said that they accept this contract for Mr. J. J. Gilgeons, binding themselves to the like penalty of fifty dollars, and to observe and keep the said conditions, that the said Portuguese shall receive good treatment both on their voyage and at Demerara, Berbice and Essequibo. They declare that they have paid and advanced to every Portuguese, on account of their wages, five dollars, to be deducted from their future pay; and they also declare, that in case of advancing any money to the women, it shall be specified in a list to be forwarded to Mr. Gilgeons. It was thus granted and ratified in the presence of the witnesses, Antonio Elias da Costa and Roberto Augusto da Costa, of this city, who have also signed this instrument; Januario Francisco da Costa made it; Manoel Gonsalves Pulgueiro, a cross; Antonia da Silva, a cross; Joas Martinho Rodrigues, a cross; Francisco Fernandes Pedra, a cross; Manoel Gonsalves, a cross; Felis de Freetas, a cross; Keirs & Co., Antonio Elias da Costa, Roberto Augusto da Costa: I, the said notary, who had this instrument extracted from my book of records, to which I refer, subscribing and signing the same with my public signature.

In fidem veritatus.

Januario Francisco da Costa.

BRITISH GUIANA.

I, Henry Veitch, Esquire, H. B. Majesty's agent and consul-general for the islands of Madeira, do hereby certify that the foregoing is a faithful translation of the preceding and annexed bond of agreement.

An act whereof being required, I have granted this under my hand and seal of office, at Funchal, island of Madeira, this twenty-first day of August one thousand eight hundred and thirty-five.

(L. s.) (signed) *Henry Veitch,*
Agent and Consul-general.

A true copy from the original exhibited to me, the undersigned sworn clerk and notary public of the Registrar's Office of the district of Demerara and Essequibo, in the colony of British Guiana, for authentication and signature, this twelfth day of May one thousand eight hundred and thirty-seven.

(L. s.) (Quod attestor.) *G. Wildoy,*
Sworn Clerk and Notary Public.

(No. 2.)

(Translation.)

On this day, the 9th February 1837, appeared before me, I. J. Rammelman Elsvier, junior, secretary of the island of Curaçao, in the presence of the hereinafter mentioned witnesses: Mr. David de Meza, partner of the firm of Abraham Meza & Sons, residing on this island, being, by virtue of the 27th article of the regulations for manumitting slaves in the West Indies, possession of the Netherlands, dated 23d October 1831, appointed to the charge of guardianship of the following minors:

| | |
|---------------------|-------------------------|
| Constantyn Roebel. | Kalister Brakkeput. |
| Caroline Fak. | Maria Tomasa. |
| Dorothea Pyl. | Pedro Paula Landbouwer. |
| Maria Delai. | Martis Hetman. |
| Maria Gracia. | Barberina Savonet. |
| Maria Eresin. | Fransina Savonet. |
| Emelia Kars. | Vincent Brakkeput. |
| Annetta Savonet. | Martyn Brakkeput. |
| Joseph Savonet. | Josephina Brakkeput. |
| Eliza Savonet. | Johannes Brakkeput. |
| Caroline Brakkeput. | Isenia Brakkeput. |
| Henia Brakkeput. | Martina Brakkeput. |
| Roset Brakkeput. | Pier Brakkeput. |
| Kadet Brakkeput. | |

Also of the following:

| | |
|-----------------|--------------------------|
| Michiel Navano. | Geertruida Pouk. |
| Thomas Jochems. | Hendrik Roevoet. |
| Jan Chiko. | Bastiaan Savonet. |
| Martis Feliks. | Fraus Savonet. |
| Wielem Mars. | Jacobus Savonet. |
| Joseph Anjel. | Beneto Knip. |
| Pieter Wed. | Christoppel St. Barbera. |
| Jan Leonard. | Jan Lorgvliet. |
| Martis Hilario. | Lodewyk Brakkeput. |
| Karel Mais. | Clara Savonet. |
| Thomas Piek. | Adriana Savonet. |
| Manuel Clement. | Inus Brakkeput. |
| Elias Ploeg. | Benieta Brakkeput. |
| Joseph Bisento. | Josephina Brakkeput, and |
| Maria Stam. | Anthony Claver. |
| Maria Mersé. | |

All of them residing here, and being of professions, agriculturists and labourers, on the first part; and John Jacob Gilgeons, at present here, as proprietor of plantation Windsor Castle, situate in British Guiana, planter, on the other part; which appearers have agreed and contracted as follows:

Article 1.—The appearers on the first part, in consideration of the sums of money paid to their former master for their freedom, as well as the consequent expenses attending the obtaining of their letters of emancipation, do by these presents bind and engage themselves, by and with the first ship's opportunity, which the appearer on the other part shall procure, to depart for Demerara, situate in the said colony of British Guiana, and on their arrival there to enter into the service and the employ of the appearer on the other part, his heirs, executors, attornies or representatives, and, in their capacity as agriculturists and labourers, honestly to perform

perform all work on the said plantation, or on any other estate situate in said colony, and also on all lawful and usual working days to perform all such field or other work of service which are and will be connected with the agriculture, manufactory, preparing and delivering of the produce, or any other work on the said estate, and also to give due obedience and submission to all those who may be appointed over them, and to conduct themselves with zeal, utility and honesty.

Article 2.—That the appearers on the first part shall not commit, or by their knowledge suffer any one else to commit, any depredation, injury or destruction to the property of the appearer on the other part, as also to the property intrusted to his or their care and such for and during the period of six successive years, to be computed from the day of the appearers on the first part's arrival in this colony.

Article 3.—The appearer on the other part, in consideration and as a reward for the due and faithful performance of said services, engages and binds himself, with the exception of the ten last-named minors, to pay as wages, during the six years of their engagement, two dollars per month, and moreover to find and supply the appearers on the first part with good lodgings, food and medicines, and also with medical attendance in case of sickness, as is customary in hospitals on plantations, agreeable to the laws, regulations and usages of the said colony; and with regard to the said ten minors, with good lodging, food, clothing, medicine and medical attendance as before, and no more.

Article 4.—The appearers on the first and second part agree and stipulate that nine hours' assiduous labour shall be considered for one day's work, and all days when the appearers on the first part shall be prevented, from sickness, to perform their allotted labour, exceeding five successive days, shall be made good to the appearer on the other part, his heirs or representatives, immediately after the expiration of this contract; and before the appearers on the first part shall be allowed to leave the estate they are working on, and for every day that the appearers on the first part shall wilfully, and without leave of absence obtained, absent themselves from their work, they shall work and make good two other days, immediately after the expiration of the term of this contract, and before leaving the plantation; and the foregoing shall also apply, in the event of the appearers on the first part becoming indebted to the appearer on the second part, his heirs or representatives, for cash to be advanced and clothing and other articles, in which case the appearers on the first part shall be bound, after the expiration of this contract, to continue to labour for the appearer on the second part, at the same rate and conditions as hereinbefore mentioned, until the appearers of the second part be fully paid and satisfied.

Article 5.—The appearers on the first part finally bind themselves, and give their consent that the appearer on the second part, his heirs or representatives, shall be at liberty to hire them to other persons for such time as may be yet wanting to complete the period of six years.

Lastly.—The appearers on the first and second part bind themselves to comply and fulfil this contract in every part, and to bind, for that purpose, their persons and property according to law.

Thus done and executed at Curaçao, in the presence of Messrs. Cornelius Palm and Johan Frederick Moller as witnesses, and by me, the undersigned colonial secretary, and sworn translator in the English language, interpreted to the appearers on the first part.

The original of this being duly signed.

(Quod attestor.) *I. J. Rammelman Elsvier, jun., Secretary.*

Seen legalisation of the signature of Isaac Johannes Rammelman Elsvier, Colonial Secretary, Curaçao, 11 February 1837.

The Director of Curaçao and dependent Islands,

R. F. van Radies.

By command,

H. Kikkert, 1st Clerk.

Faithfully translated from the Dutch,

W. L. Moline, Sworn Translator.

(No. 3.)

STATE of actual DISBURSEMENTS by Petitioner in respect of One hundred and twenty indented Labourers, previous to any Labour having been performed by them in *British Guiana.*

MADEIRA.

| Gross expense attending import of labourers from the island of | £. | s. | d. |
|--|-----|----|----|
| Madeira - - - - - | 615 | - | - |
| Being for each individual an original advance of - - - | 15 | - | - |

| | |
|--|---------------------|
| Cost of purchase of individuals, now indented labourers, formerly slaves, whose names are contained in List, No. 1, with the prices thereof respectively, in guilders of Curaçao | f. 14,710 |
| Cost of purchasing individuals whose names are contained in List, No. 2, having been obtained under one agreement | 13,253 |
| | f. 27,963 |
| Converted into guilders of Demerara by addition of 20 per cent. | 5,592 |
| | f. 33,555 |
| Amounting, in sterling money, exchange at f.14 an advance in purchase money of | £. 2,396 15 - |
| Being for purchase of each of 57 slaves, now indented labourers an advance of | £. 42 1 - |
| Expense of voyage to and from Curaçao, including all supplies, charges and disbursements for 86 indented labourers, in currency of Demerara, | f. 11,932 |
| Or in sterling money | £. 852 8 8 |
| Expense of erecting cottages for accommodation of said 86 persons, being 15 cottages at f.1,000 | f. 15,000 |
| Or in sterling money | £. 1,071 8 8 |
| Proportion of two preceding disbursements, applicable to 57 indented labourers, formerly slaves | £. s. d. 22 11 6 |
| Add purchase, as above | 42 1 - |
| Being an outlay for each of said 57, previous to any labour having been performed by them, of | £. 64 12 6 |
| And for each of 29 indented labourers, previously of free condition, previous to any labour having been performed by them, of | £. 22 11 6 |

ABSTRACT.

| | £. | s. | d. |
|---|-------|----|----|
| Total expense of 41 labourers from the island of Madeira | 615 | - | - |
| Purchase of 51 slaves at Curaçao | 2,396 | 15 | - |
| Expenses of voyage for 86 indented labourers | 852 | 8 | 8 |
| Expense of erecting cottages for said indented labourers | 1,071 | 8 | 8 |
| TOTAL outlay of petitioner previous to any labour being performed by indented labourers | 4,934 | 13 | 4 |

LIST, No. 1.

A LIST of SLAVES emancipated and indented at Curaçao, with respective Cost to the Petitioner of their Freedom.

| | Guilders. | Cents. |
|---------------|-----------|--------|
| Carolina | 417 | 50 |
| Miguel Navara | 417 | 50 |
| Delai | 431 | 50 |
| Dorothy | 406 | - |
| Thomas | 619 | - |
| Maria | 467 | 50 |
| Gratia | 423 | 50 |
| Leonard | 756 | - |
| Martes | 336 | 51 |
| Ned | 663 | - |
| Exsen | 372 | 50 |
| Amelia | 431 | 50 |
| Karel | 769 | - |
| Francisco | 419 | 50 |

| | Guilvers. | Cents. |
|----------------------------|-----------|--------|
| Manoel - - - - - | 669 | 50 |
| Martes Hilario - - - - - | 670 | - |
| Massey and child - - - - - | 644 | - |
| Constantine - - - - - | 361 | 75 |
| Elias - - - - - | 613 | - |
| William - - - - - | 719 | - |
| Angel - - - - - | 437 | - |
| Thomas - - - - - | 706 | 50 |
| Joseph Vincento - - - - - | 700 | - |
| Hindrick - - - - - | 517 | 50 |
| Anthony - - - - - | 613 | - |
| Gertruda - - - - - | 654 | - |
| Peter and Maria - - - - - | 475 | - |
| <i>f.</i> | 14,710 | - |

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LIST, No. 2.

| | | |
|------------|------------|-----------------|
| Annitta. | Vincent. | Benito. |
| Joseph. | Martin. | Christoffle. |
| Eliza. | Josephina. | John Zorgvliet. |
| Carolina. | Johannes. | Lodywik. |
| Hierna. | Ilenia. | Clara. |
| Roset. | Martina. | Adriana. |
| Kadet. | Pier. | Juris. |
| Calisher. | Bastian. | Benito. |
| Barbarina. | Francisco. | Josepha. |
| Francina. | Jacobus. | |

— No. 143. —

(No. 222.)

Copy of a DESPATCH from Lord *Glenelg* to Governor Sir *J. C. Smyth*, Bart.

Sir,

Downing-street, 29 June 1837.

No. 143.

I HAVE received your despatch, No. 321, of the 13th of May, enclosing a petition addressed to you by Mr. J. J. Gilgeons, a proprietor of a plantation called Windsor Castle in British Guiana, in which he represents the injurious consequences which must ensue to him from the enforcement, in some of its particulars, of his late Majesty's order in council of the 1st of last March.

I have to acquaint you, in answer, that I do not perceive, in the late order in council to which the petition refers, any language which could justify the supposition that the validity of contracts of apprenticeship entered into beyond the limits of British Guiana before the date of that order is hereby made to depend upon the previous attestation of the magistrates at the place at which such contracts were completed. In this construction I find myself supported by the opinion of the colonial Attorney-general. The petitioner suggests that the law of Guiana, as it existed antecedently to the enactment of the colonial ordinance on this subject, would have rendered the contracts into which he entered valid, and that the order of March 1837 retrospectively operated upon them, so as to deprive the petitioner of two-fifths in one case, and of one-half in the other, of the stipulated period of service. This is an objection which it is impossible for me to estimate without the aid of a report from the colonial law officer of the Crown. The abridgment of any pre-existing legal right was certainly not contemplated when the order in council was made; but the ordinance which it confirmed, with amendments, must apparently have been liable to precisely the same objection, unless it can be shown that the common law right to which the petitioner refers was precisely commensurate with the rights created by that ordinance. Upon the whole of this branch of the subject, however, it is necessary that further explanations should be given, and especially that it should be shown what the ancient law of Guiana was respecting contracts entered into in foreign countries for the performance of services for a term of years within the colony, and whether the law had made any provision for enforcing the performance of such engagements by the contracting parties, or what, in the event of non-performance, would have been the penalty or the civil remedy. Until all

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this shall have been distinctly explained, it will be impossible to reach any confident conclusion on the question, whether the amendments of the Guiana ordinance extinguished any rights, of which the existence was earlier than the date of that ordinance.

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

—No. 144.—

(No. 383.)

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

No. 144.

My Lord,

Camp House, Demerara, 7 October 1837.

WITH reference to the despatch of your Lordship, dated the 29th June (No. 222), I beg leave to lay before your Lordship the accompanying copy of a letter received from Mr. Gilgeons, together with copies of the legal opinions of Mr. Smith the barrister, employed by Mr. Gilgeons, as also of the Attorney-general.

(A.)(B.)(C.)

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

Enclosures in No. 144.

(A.)

Encl. in No. 144.

Sir,

George Town, 18 September 1837.

(A.)

IN reference to the memorial which I presented to his Excellency in May last, and to the copy of the despatch from the Secretary of State enclosed in your letter of 11th August on the subject of that memorial, I now hand you the opinion of counsel on a case submitted by me, embracing the points on which further information was acquired; and that this information may be as full as possible, I request that his Excellency may be pleased to cause the papers to be laid before the colonial law officer of the Crown, for report to be forwarded to the Right honourable the Secretary of State for the Colonies.

To the Hon. H. E. F. Young, Gov. Sec.
&c. &c. &c.

I have, &c.
(signed) *John J. Gilgeons.*

CASE for the opinion of Counsel, submitted by *John Jacob Gilgeons*, of Plantation Windsor Castle, in Essequibo, British Guiana.

THERE is herewith submitted to counsel a copy of a petition presented by the said *J. J. Gilgeons* to his Excellency Sir James Carmichael Smyth, Bart., Governor in and over the colony of British Guiana, relative to the order by his Majesty in council of the 1st March 1837, setting forth the consequences to him of the said order in council, and praying that his Excellency would grant such relief to him in the premises as to his Excellency might seem fit, whether by an immediate exercise of such authority as might by law be vested in his Excellency, or otherwise by submitting the case for the favourable consideration of his Majesty in council.

His Excellency, having been pleased to forward such petition to his Majesty's Secretary of State for the Colonies, has received in answer thereto a despatch, No. 222, bearing date 29th June last, of which a copy is also herewith submitted.

With reference to the subject matter of these documents, the opinion of counsel is requested on the following queries:

1st.—Previously, and up to the passing of the ordinance of his Excellency and the court of policy of British Guiana of 22d June 1836, was it lawful, by the common law of Demerara and Essequibo in British Guiana, for an inhabitant of that colony to hire parties residing in a foreign country as servants or labourers in the said colony for a term of years; and would the contract of hire, whether entered into in the foreign country or in this colony, be by such law valid?

2d.—Could either of the contracting parties to such contract enforce, by the law of the said colony, performance of the engagements entered into, and by what legal steps; and to what penalty or claim did the party not performing subject himself?

3d.—Was there any restriction, by the common law of Demerara and Essequibo, as to the length of the time of service in such a contract?

4th.—Was the said ordinance required to render a contract of that kind for the period of seven years binding?

(signed) *John J. Gilgeons.*

(B.)

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(B.)

OPINION.

On the first question: I answer without hesitation, that by the common law of Holland, the law of Demerara and Essequibo, it was lawful, previous to the ordinance of the court of policy of 22d June 1836, for an inhabitant of the said colony to hire parties residing in a foreign country as servants or labourers in this colony for a term of years; and the contract of hire of such servants or labourers would by the law of the colony, as it existed previous to 22d June 1836, have been valid and binding.

On the second question: both parties to such a contract had by the common law, as it existed previously to June 1836, a right to enforce the performance of this as of any other contract by an ordinary action at law; and non-performance here, as in other instances, rendered the party liable for the damages thence arising.

On the third question: there was no restriction by the common law of the colony as to the length of service in such a contract, except, perhaps, that it could not be expressly for the whole of a man's life.

On the fourth: the ordinance was not required to render the contract binding for seven years; but it was required to give a more speedy remedy in case of non-performance.

George Town, 14 September 1837.

(signed) *J. L. Smith, jun.*

(True copy.)

(signed) *H. E. F. Young, Gov. Sec.*

(C.)

Office of the Attorney-general,
3 October 1837.

(C.)

Sir,

In obedience to the command of his Excellency the Governor, signified to me through you, accompanied by a despatch of the Right honourable the Secretary of State for the Colonies, No. 222, dated Downing-street, 29 June 1837, I have to submit the following observations upon what was the ancient law of Guiana respecting contracts entered into in foreign countries for the performance of services for a term of years within British Guiana, and what provision that law had made for enforcing the performance of such engagements by the contracting parties, and what, in the event of non-performance, would have been the penalty or civil remedy.

For greater perspicuity, this subject may be treated of in the following order:—

First.—What was the common law relative to these contracts, as it existed from the capitulation until the 22d of June 1836, when the ordinance, No. 74, intituled, “An Ordinance for the better regulation and enforcement of the relative duties of Masters and Employers, and articles Servants, Tradesmen and Labourers in British Guiana,” was passed by the Governor and Court of Policy of the colony?

Secondly.—What alteration of the common law was made by the ordinance?

Thirdly.—What amendments of the ordinance have been made by the order in council of his late Majesty of the 1st March 1837?

By the common law of the colony, as it existed previously to the ordinance, No. 74, a contract of the description alluded to in the despatch was valid if legally entered into according to the laws of the foreign country where the contract was made, and if the parties to the agreement subsequently arrived and resided in British Guiana, the court here would recognize and give effect to such a contract.

“Omnium fere legislatorum consensu ex comitate receptum est ut negocia testamenta cæterique actus secundum leges, loci ubi gesti sunt rite celebrati ubicunque valeant nisi contrarium diserte statutum sit vel infraudem statuti domicilii resalibi gesta est.”

Theses Selectæ
Juris Hollandici,
XXXIX

The performance of such engagements was enforced by an ordinary action at law, either for specific performance of the contract or for damages, and if the plaintiff succeeded, the defendant was condemned either to specific performance of his agreement, or to pay damages according to the form of action which the plaintiff had adopted.

At the period when the ordinance, No. 74, was passed, a very large body of labourers had already arrived in the colony from foreign countries under written agreements for service, and the law as it existed was found to be quite inadequate to afford to the parties, in cases of breaches of these contracts, any adequate redress.

If the labourer quitted the service of his employer, or committed any other breach of contract, the only remedy competent to the employer was to bring his action, which occupied, perhaps, a period of 12 or 18 months; and if the employer ultimately obtained a judgment, he obtained it at a very heavy expense, which he had no chance of recovering against the labourer. If, on the other hand, the employer was guilty of a breach of contract, the labourer who had not the means of incurring the expenses of a legal contest

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might fairly be said to be without a remedy. It was for these reasons that when the ordinance, No. 74, for the more speedy administration of justice in all cases of breaches of contract between masters and artiled servants was passed, the first clause was made pointedly retrospective, for the purpose of making it applicable to all indentures which had then been made, whether executed in or out of his Majesty's dominions, by which means all indentures and labourers in the colony, when the ordinance was passed, were brought within the operation of the new law. The first clause of the ordinance is in the following words:—

“ Be it therefore enacted, 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 artiled servants, tradesmen or labourers, within the meaning and for the purposes of this ordinance, and the person or persons to whom such artiled servants, tradesmen or labourers shall be so bound, shall be and be considered as the masters or employers of such artiled servants, tradesmen or labourers, for all the purposes of this ordinance.”

Some of these contracts in the district of Berbice had been entered into for a period of 14 years' service, but the 10th clause of the ordinance cut down all agreements of the kind to a period of seven years.

The order in council of the 1st March 1837 confirmed the ordinance, No. 74, with amendments, and reduced the term of service to a period of three years.

It clearly enacts (partially adopting the retrospective words of the 1st clause of the ordinance) that no person who hath been or shall be bound to any other person for the performance, in British Guiana, of any agricultural labour, &c. &c., shall by force and virtue of the ordinance be an artiled servant, tradesman or labourer, within its true intent and meaning, after the expiration of three years from the date of his agreement for service, and the ordinance itself the order in council extinguishes altogether on the 1st August 1840, with a qualification not necessary to be discussed.

A question has arisen within the colony of some importance, whether children put to learn a trade should not continue to be bound for seven years under the 10th clause of the ordinance, notwithstanding the order in council of the 1st March 1837.

The ordinance undoubtedly extends to the cases of children put to learn trades, as the 8th clause gives the power to parents and guardians as well as to the boards of poor's fund, to apprentice infants of the full age of nine years, and the form of the indenture under the Schedule (A.) referring to indentures of this particular description expressly mentions that the party to whom the infant is bound takes him as his apprentice, “ to be taught or instructed in the trade or business of,” &c.

In the order in council of the 1st of March, limiting all indentures under the ordinance (with an exception unnecessary to be stated) to three years, I see no exception made in favour of the indentures mentioned in the 8th clause of the ordinance; and the ordinance itself, as already remarked, is at an end on the 1st of August 1840.

The whole question herein discussed may thus be briefly recapitulated:—

The common law respecting contracts of service, prior to No. 74, fixed no particular limit to their duration.

The ordinance, No. 74, superseded the common law, inasmuch as it fixed a definite limit to contracts of service, and in case their stipulations were violated, gave to the party injured a summary remedy for redress.

The order in council reduced the term of service prescribed by the ordinance, No. 74, and disallowed its operation altogether after the 1st of August 1840.

I have, &c.

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

(True copy.)

(signed) *H. E. F. Young*, Gov. Sec.

To the Honourable Henry Fox Young,
Government Secretary.

(No. 389.)

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

My Lord,

Camp House, Demerara, 23 October 1837.

No. 145.

I HAVE the honour to lay before your Lordship a humble memorial, addressed to Her Majesty in Council by the proprietors, merchants, traders and others, inhabitants of the district of Berbice in this province. The memorial relates to the late order in council, shortening the period for which artificers and servants could otherwise, under the ordinance regulating the relative duties of employers and articed servants, have been indented.

Whatever may be the decision of Her Majesty with respect to the prayer of this memorial, the expressions of the memorialists, wherein they state the sentiments of devout gratitude which they entertain towards the Divine Providence for the high degree of general prosperity which, under the fostering care of his late Majesty, the colony of British Guiana has already attained, and the confidence with which they assert that they look forward to the continuance and increase of those blessings under Her Majesty's reign, will, I most respectfully hope and anticipate, be gratifying to Her Majesty.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure in No. 145.

Unto The QUEEN's most Excellent Majesty in Council.

The humble Memorial of the undersigned proprietors and representatives of estates, merchants, traders and others, inhabitants of the district of Berbice, in the colony of British Guiana. Encl. in No. 145.

May it please Your Majesty,

WE, the undersigned proprietors, representatives of proprietors, merchants, traders and others, inhabitants of the district of Berbice, in the colony of British Guiana, are desirous of approaching Your Royal presence in Council, with the assurance of our loyal and dutiful attachment to Your Majesty's Person and Government.

Your memorialists are deeply sensible of the anxious attention with which the interest of the dependencies of the Crown were regarded by Your Majesty's venerated uncle, their late sovereign, William the Fourth, whose name will long be cherished and held in most respectful remembrance, for that paternal regard for the rights and welfare of his subjects, and that strong desire to ameliorate all laws and customs at variance with their prosperity and happiness, which so eminently distinguished his Majesty during the course of his Majesty's memorable reign; and they are devoutly grateful to Divine Providence for the high degree of general prosperity to which, under such fostering care, the colony of British Guiana has already attained.

It is with the fullest confidence Your memorialists look forward to the continuance and increase of those blessings in the reign which has now so propitiously commenced by Your Majesty's accession to the throne, which assurance emboldens them to lay their memorial at the feet of Your Majesty in Council, with the firm belief that the grievances of which they have to complain will at once be removed.

The settlement of British Guiana as a colony, acquired by conquest, has hitherto been subject to the authority of Your Majesty, and Your Majesty's Royal predecessors, in Council.

By the articles of capitulation, on the faith of which the district of Berbice, then a separate colony from Demerara and Essequibo, was surrendered to the Crown of Great Britain in the year 1803, it was conceded to the colonists that the laws and usages of the colony should remain in force and be respected, and that no new institutions should be introduced without the consent of the court of policy, as the legislative authority of the colony.

That, in conformity to his late Majesty's order in council, bearing date the fourth day of March 1831, the colonies of Berbice, Demerara and Essequibo were united, under the name of British Guiana, when the court of policy of the districts of Demerara and Essequibo, with certain prescribed alterations, became the local legislative body of the united colony.

Previous to the 22d day of June 1836, there existed no law, practice or regulations in British Guiana in any way restricting the rights of the inhabitants, in regard to the entering into

BRITISH GUIANA.

into fair and regular agreements of service with persons of free condition, whether in or out of Your Majesty's dominions; and where such contracts were entered into by parties, the observance of the stipulated conditions was enforced by virtue of the laws and usages of the colony.

Vide Papers relative to the Abolition of Slavery, 1837, Part 4 (1), page 442; and Appendix to ditto, page 41.

In this situation an ordinance was enacted, on the 22d day of June 1836, by his Excellency Sir James Carmichael Smyth, Baronet, Governor of British Guiana, by and with the advice of the court of policy of the colony, entitled, "An Ordinance for the better regulation and enforcement of the relative duties of Masters and Employers, and articed Servants, Tradesmen and Labourers in British Guiana." By which ordinance it was, *inter alia*, enacted, "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 the purposes of this ordinance." And, "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 colony, shall be and continue in force for any period of time exceeding seven years from the commencement thereof."

Vide Papers relative to the Abolition of Slavery, 1837, Part 4 (1), page 442.

Upon the strength and faith of the laws and usages of the colony as they existed previous to the promulgation of the aforesaid colonial ordinance, of the ordinance itself—and such ordinances have always been viewed and received by your memorialists as having the full force of law, until disallowed or altered by orders in council—and of the publication in this colony of a despatch by the Right honourable the Lord Glenelg, Colonial Secretary, addressed to his Excellency the Governor of British Guiana, bearing date the 31st day of October 1836, declaring that ordinance to be in full effect and force until his Majesty's pleasure should be known, and in consequence of the great deficiency of human labour in British Guiana, and the serious obstruction thereby occasioned to the due cultivation of the soil of this extensive and important colony (the resources of which can never be fully developed unless the labouring population is increased by many times their present number), many planters and others, inhabitants of this district, were induced to proceed to the foreign islands of Curaçao, St. Eustatia, St. Thomas, &c., in which negro slavery continues to be maintained by the full force of the law, where they entered into engagements, according to the forms and practices of those islands, with a variety of individuals, both free and enslaved, whereby they bound them to proceed to this district of British Guiana as agricultural labourers, tradesmen or domestic servants, all of whom, from the general poverty of the islands in which they were located, and their consequent privations and miserable condition there, expressed not only a willingness, but the strongest anxiety, to leave these places for the more cheering prospects of British Guiana, upon the favourable conditions stipulated in their indentures.

That with regard to such as were enslaved, arrangements were entered into by which their manumission was purchased, on the understanding that they, when actually emancipated, were voluntarily to engage upon terms uniformly very advantageous to themselves, in the agricultural or other stipulated service of their employers in this colony for a certain period, being in all cases from five to seven years, at the expiry of which indentures, of course, they were to become unconditionally free.

The expense of purchasing the freedom of these individuals, manumitting, indenting and conveying them to this colony, in many instances, amounted to the sum of 80*l.* sterling, and seldom to less than 50*l.* sterling; besides, being furnished with board, lodging, medicine and medical attendance, they receive from their employers certain wages, according to circumstances, varying from two to five dollars a month each, all as stipulated in their indentures.

By virtue of their agreements, such labourers have not only been amply provided with all the necessaries of life during the limited period of their apprenticeship, but have for themselves and their descendants been emancipated from a state of harassing, abject and perpetual slavery, in which they were liable at any moment to be for ever separated from their friends and families, and sold for exportation to the other foreign settlements in which slavery continues to exist with unabated rigour.

With regard to the contracting labourers imported of free condition, there has, it is true, been a much smaller outlay of capital required; but their indentures are generally of shorter duration, and, in all cases, their wages are much higher, varying from 10 to 18 dollars a month.

A most ample explanation of their future duties and condition in British Guiana was uniformly afforded to these labourers, whether free or enslaved, by the parties contracting with them, and those duties were again explained to them on their arrival in this colony by the sheriff of the district, to whom every such indenture falls to be exhibited, that he may

may satisfy himself that the labourer fully understands its import; and in no instance has that officer of the Crown in the district of Berbice seen cause to object to the conditions stipulated in the contracts as unfair towards the labourer. BRITISH GUIANA.

In this situation the importers of the labourers in question, not only with a large advance of money expended in reliance upon the proper fulfilment of the agreements entered into with them, but with the cultivation of their estates, in many instances, materially depending upon the continued services of these individuals, an order was very unexpectedly issued by his late Majesty in council, of date the 1st of March 1837, by which the just expectations of the parties contracting with them have been very seriously affected; and generally, this district of the colony cannot fail to be materially injured, provided some of the enactments of that order in council are not repealed or satisfactorily explained.

It is thereby declared, that no individual at present bound by any written instrument for the performance of any labour or service in British Guiana shall continue to be bound by such instrument at the expiration of three years from the date thereof.

By virtue of this most unexpected and retroactive order in council, the continuance of the valuable and important rights of the parties entitled to the services of the labourers imported into this district of British Guiana from the aforesaid foreign islands, and now in their employment, performing their contracted duties with the greatest possible cheerfulness, is in every instance abridged; and, in the great majority of cases, the term of endurance of the contracts is, by its retrospective operation, shortened by more than one-half.

That Your memorialists have always understood that *ex post facto* laws cannot have effect given to them in Great Britain, and that all laws, therefore, framed there are made to commence *in futuro*, and not until they are properly promulgated.

In Dwarries's Treatise on Statutes, and the proper Boundaries of Legislation and of Judicial Interpretation, he observes, "A retroactive statute would partake in its character of the mischiefs of an *ex post facto* law as to all cases of crimes and penalties; and in matters relating to contracts or property would violate every sound principle."—Part II., p. 680.

British Guiana being a colony acquired by conquest is subject to the orders of Your Majesty in Council; but the memorialists are unable to discover any reason why such orders, which are binding on them, should have a retroactive effect, any more than Acts of Parliament, which affect the rights and interests of other portions of the subjects of the Crown. But they cannot persuade themselves that at the framing of the order in question, the abridgment of their then existing just rights was really contemplated; nor can they believe that a penalty so very oppressive could have been purposely applied to cases affecting parties not originally under the authority of the British Crown; a great majority of whom, moreover, have been rescued by the instrumentality of many of Your memorialists from a state of cruel and permanent servitude, in countries where they were invariably kept in utter ignorance of religion, and placed in a colony where instruction is provided for their spiritual wants, and where they are in the possession and enjoyment of the inestimable rights of free-born men.

Your memorialists have also to represent that a difficulty or ambiguity exists in regard to another portion of the said order in council: it is thereby enacted, "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 artiched 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 artiched 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."

Your memorialists have reason to know that contrary opinions are entertained in the colony regarding these formalities; some contend that the clause here quoted is alike retrospective with that part of the order which affects the duration of the service of the labourers; and that every agreement between the colonists and the labourers is liable to be set aside at once, for want of witnessing magistrates to the indentures at the places where the contracts were entered into and executed.

Your memorialists do not so interpret that clause of the order; they concur in the view taken of it by the colonial attorney-general, as contained in his opinion, furnished to his Excellency the Governor of the colony on the 1st of May last, in which he says that he feels "inclined to think that indentures are not null and void, on the ground that they have not been executed in presence of two witnessing magistrates;" but as he has expressed some doubts on the subject, and as it is possible that the erroneous construction may be circulated among the persons so indented, and that very serious discontent and mischief may consequently ensue therefrom, your memorialists consider it their duty most respectfully to

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solicit from Your Majesty in Council a contradiction of so dangerous an interpretation of that clause, in order to obviate all difficulty and embarrassment with reference to it.

May it therefore please Your Majesty, by and with the advice of Your most Honourable Privy Council, graciously to take into consideration the hard and peculiar circumstances in which many of Your Majesty's loyal subjects in this colony are placed, by the enactments contained in the aforesaid order in council, and to abrogate and disallow the retrospective effect of the clauses therein inserted, or to grant such other relief in the premises as to Your Majesty in Council may seem to be just and requisite.

And your memorialists, as in duty bound, will ever pray.

| | |
|---|--------------------|
| W. Ross. | James Kirkwood. |
| George Laing. | William Gunn. |
| Robert Robertson. | John Patterson. |
| John Cameron, attorney of Davidsons, Barkly & Co., Lord Reay, executors, estate of William Alves. | W. Nash. |
| William Cort. | James H. Young. |
| William Cort, jun. | J. E. Foderingham. |
| Frederick Cort. | William Scott. |
| John Cort. | A. Bone. |
| Robert Smith, M. D. | John Somersall. |
| J. Chisholm. | Henry Quin. |
| D. N. Taylor. | R. Marshall. |
| Thomas Coleman. | John Bethune. |
| D. Fraser. | F. Langain. |
| Campbell Faloon, for self, and as representing the estates of James Blair, Hugh M'Calmont, Thomas William Earle & Co., and John Ross. | J. W. Grant. |
| Lewis Cameron, attorney, Plantation Union. | J. P. Alt. |
| P. Nicolson. | William Marshall. |
| P. Oldfield. | John Sharp. |
| A. Grant. | James Gismond. |
| S. B. Beresford. | B. Trell. |
| W. O'Donoghue. | William M'Neil. |
| N. T. Black. | M. T. B. Campbell. |
| John Stewart. | William Campbell. |
| Richard W. Egg. | John Beresford. |
| M. Bennett. | James Laing. |
| G. Crass. | L. P. Henery. |
| W. Fenekenseeper. | John Campbell. |
| W. von der Marck. | G. Fullarton, jun. |
| John Riddoch. | James Bone. |
| James Paterson, for self, and Thomas Williams, proprietor, plantation Prospect and Standvastiqhead. | Donald Ross. |
| F. Braithwaite. | William Lyle. |
| Samuel M'Kirdy. | Roderick M'Kenzie. |
| John J. Dare. | Alexander Cameron. |
| A. Macleod. | Charles Matheson. |
| James Dunlop. | R. Gornall. |
| Robert J. Gibson. | Evan Cameron. |
| James Cormicke. | Alexander Winter. |
| James Russel. | L. A. Earrault. |
| James Carlile. | A. Houstoun. |
| J. Franzen. | Robert Grayton. |
| William Waugh. | Hugh Campbell. |
| John M'Kenzie. | George Hewley. |
| R. Burns. | Benjamin Warren. |
| Robert Fraser. | S. Dawson. |
| J. Carmichael Jameson. | G. P. Anthony. |
| D. C. Cameron, by his attorney, James Kirkwood. | George Bone. |
| | William Cox. |
| | C. Franzen. |
| | J. Patovi. |
| | A. M'Donald. |
| | T. Theilen. |
| | C. B. Kip. |
| | J. Timmey. |
| | M. J. Timmey. |
| | C. J. van Rossum. |
| | William Laing. |
| | Angus Campbell. |

—No. 146.—

BRITISH GUIANA.

(No. 281.)

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

Sir,

Downing-street, 1 January 1838.

No. 146.

I HAVE the honour to acknowledge the receipt of your despatches, Nos. 383 and 389, of the 7th and 23d of October; the former enclosing a copy of a letter and other documents from Mr. Gilgeons, on the subject of the order of his late Majesty in council, of the 1st March last, respecting the hiring and apprenticeship of indentured servants in British Guiana; the latter enclosing a memorial from certain merchants and inhabitants of Berbice, also relating to the above order in council of the 1st March.

By the present opportunity, you will receive from me a despatch, enclosing an explanatory order which was passed by Her Majesty in council, on the 11th ultimo, with a view to obviate the misconceptions which had arisen in regard to the previous order. This explanatory order will be found to meet the case of Mr. Gilgeons, and renders any further remark on his present representation unnecessary. It likewise affords the answer which it is my wish that you should return to the other persons, whose memorial you have transmitted; and I trust that it will prove satisfactory to them, as it was with a view to meet the wishes of parties similarly situated with themselves that these modifications of the order in council were made, which must be considered as the only departure from its original provisions which Her Majesty can be advised to sanction.

I have further to state, with reference to this memorial, that having laid it before The Queen, Her Majesty was pleased to receive it very graciously; and Her Majesty has commanded me to assure you that she fully partakes in those feelings of gratitude to Divine Providence which the memorialists have expressed in the contemplation of the important benefits to all classes of Her Majesty's subjects in the colony, which have resulted from the abolition of slavery, and from the impartial and firm administration of the law.

I have, &c.

(signed) *Glenelg*.

Vide Papers ordered to be printed by The House of Lords, 27 February 1838, No. 74, p. 44,

Ditto, ditto, by the House of Commons, 2 March 1838, No. 180, p. 44.

—No. 147.—

(No. 347.)

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

My Lord,

Camp House, Demerara, 24 June 1837.

No. 147.

I BEG to submit, with every respect, to your Lordship, copy of an ordinance passed by myself and the court of policy, extending the authority of the special justices, and granting to them power to adjudicate in all cases of petty breaches of the peace, petty thefts, and other matters over which they have hitherto had no jurisdiction. As the additional authority thus granted to the special justices is not confined to apprenticed labourers only, but embraces equally all classes of his Majesty's subjects, I feel it my duty to observe to your Lordship, that the passing of this ordinance affords one of the strongest proofs that could be desired of the very great change in the opinions of the inhabitants of this colony. This ordinance, which is now accepted as a boon, would formerly, and not long ago, have been rejected with indignation. The alteration in the public opinion is most gratifying, and encourages me to be very sanguine in my hopes of complete ultimate success.

Your Lordship will not fail to observe, that all punishments under this ordinance are by fine and imprisonment; and that the degrading lash is never resorted to.

I hope that this ordinance will meet with his Majesty's most gracious approbation.

I have, &c.

(signed) *J. Carmichael Smyth*.

Vide App. No. 7.

(No. 258.)

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

No. 148.

Sir,

Downing-street, 6 October 1837.

I HAVE received your despatch, No. 347, of the 24th June, transmitting copy of an ordinance passed by yourself and the court of policy, for the purpose of extending the jurisdiction of each special justice within his own district to all cases of breaches of the peace which shall not, in his judgment, merit a severer punishment than a penalty of 2*l.* sterling, whether committed by apprentices or others; to all cases of petty theft or receipt of stolen goods, where the value stolen or received does not exceed 2*l.* sterling; and to similarly limited cases of embezzling or obtaining property on false pretences, or of malicious injury to property.

I am not aware of any objection to this jurisdiction, in so far as the subjects and objects of it are concerned; nor do I consider it objectionable as regards the special justices, who are, of course, less laboriously occupied with their peculiar duties now, than they were in the earlier years of the apprenticeship.

With respect to the methods of procedure prescribed by the ordinance, there are only two points on which I have any remarks to make.

1st. By the 7th clause, the special justice is empowered, in cases of breaches of the peace, to administer an oath not only to the accuser, but also to the accused. I advert to this, because I am not aware of any precedent for it in British law, and I think, therefore, that the special justices should be cautioned not to use the powers, unless when the special circumstances of the case shall fully justify it. The cases which are contemplated in the enactment are (as I conceive) those in which it may be a matter of chance, or perhaps of dispute, which party to the breach of the peace accuses the other first, and in which it might seem an injustice to subject one party and not another to the obligations of an oath. If confined to such cases, I am not prepared to say that the exercise of the power of administering an oath to both parties may not be justifiable and expedient.

2d. By the 8th clause, power is given to the special justice to adjourn his proceedings, and in default of security in money, to the amount of 2*l.* sterling, being lodged, to commit "the offender" (meaning, I presume, the accused) to prison pending the adjournment, provided that no adjournment shall exceed 48 hours, except in cases of sickness or other unavoidable cause. I doubt whether 48 hours' confinement previous to conviction, in cases wherein it is not unavoidable, can be properly permitted. I think that 12 hours would be a more fitting maximum where the adjournment is not unavoidable, and that even when it is unavoidable, it should not be extended beyond 48, when that extension involves the necessity of keeping an unconvicted party in prison.

I have to request that you will submit to the court of policy the expediency of amending this ordinance in conformity with this view, unless you should be aware of some adequate reasons to the contrary, which, in that case, you will be pleased to report for my information.

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

—No. 149.—

(No. 414.)

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

No. 149.

My Lord,

Camp House, Demerara, 27 November 1837.

I HAVE the honour to lay before your Lordship an authenticated copy of a letter from Mr. Gloster, Her Majesty's Attorney-general in this colony, affording explanation upon those enactments in the ordinance for the purpose of extending the jurisdiction of special justices, respecting which your Lordship, in your despatch of the 6th October, No. 258, required further and more detailed information.

I hope that the explanations offered by Mr. Gloster will be deemed satisfactory by your Lordship.

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

Enclosure in No. 149.

Encl. in No. 149.

Sir,

Guiana Public Buildings, 25 Nov. 1837.

I HAVE the honour to acknowledge the receipt of your letter, dated the 24th instant, enclosing copy of a despatch of the Right honourable the Lord Glenelg, dated the 6th October 1837, No. 258, requesting explanation of some provisions of the ordinance, No. 8, intituled, "An Ordinance for extending the Powers of the Special Justices." The special justice was, by the 7th clause of the ordinance, empowered to administer an oath to the accused precisely for the reasons assigned by his Lordship, and to enable the special justice, in particular complaints, to extract the real truth and justice of the case. It might happen that the party preferring and swearing to a charge of assault was a person of very indifferent character, and the accused of the highest respectability. In such a case it was deemed expedient that the magistrate should have a discretion (if he saw fit to exercise it) to allow to the accused the power of contradicting, by his own oath, the oath of the complainant. The 9th section seems objectionable to his Lordship, as it allows the special justice to commit the party accused, on an adjournment of his proceedings, for 48 hours. The amount of security, 28 guilders, required is so small, and is so readily found by almost every person brought before a magistrate, that perhaps any alteration of the law in this respect may be considered unnecessary, particularly as adjournments in the petty cases which the justice has to try must be very rare.

I have, &c.
(signed) *Henry Gloster*, Attorney-general.

(A true copy.)

(signed) *W. B. Wolseley*, Assist. Gov. Sec.

To the Honourable H. E. F. Young,
Government Secretary.

—No. 150.—

(No. 295.)

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

Sir,

Downing-street, 14 February 1838.

No. 150.

I HAVE to acknowledge the receipt of your despatch, No. 414, of the 27th of November last, enclosing a letter from the Attorney-general of Guiana, in which he furnishes the explanations which I was desirous of receiving on the subject of the ordinance passed by yourself and the court of policy, "to extend the powers of the special justices."

I have now the honour to inform you, that the Attorney-general's explanations are satisfactory, and that Her Majesty has been pleased to confirm and allow this ordinance.

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

—No. 151.—

(No. 360.)

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

My Lord,

Camp House, Demerara, 27 July 1837.

No. 151.

I HAVE for some time occupied myself in turning over in my mind the nature of the measures it may be advisable to adopt for the introduction into this colony of a general system of education for the children of the apprenticed labourers. I make use of, upon the present occasion, the word "education" in its most enlarged meaning, as including not only instruction in religious and moral duties, but also habits of application and of industry. The subject is one of primary importance for the future welfare of this province; and consequently, if looked upon as a mere political matter, is deserving of every consideration. When we, however, reflect upon the number of human beings whose eternal as well as whose present happiness is deeply connected with the steps which may be taken, it is impossible not to feel a deep anxiety that that path may be selected which may lead to the most beneficial results.

Impressed as I am with the truth of the foregoing observations, yet I should not discharge my duty to the King's service were I to withhold from your Lordship my opinion of the very great difficulties attending any attempts to legislate upon

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so delicate a subject. The apprenticed labourer glories in the freedom of his children, and any measure carrying with it the least appearance of coercion may excite distrust and suspicion. There is happily, however, a general desire amongst them to attend schools; and little more need be done under this, than to cause more masters to be provided, and more school accommodation to be constructed. Habits of labour and of industry must equally, however, be encouraged; and all these young people ought to be taught to gain their livelihood by the performance of agricultural or other labour. To accomplish these objects, without alarming the labourer and losing his confidence, is the problem we have to solve. Upon the mode which may be adopted for educating the children of the apprenticed labourers, the future state of this colony will, in a very great measure, depend.

In the plan which I have it in contemplation to suggest, I propose to lead, not to drive. In the early stages of emancipation, I felt it my duty to resist strenuously every attempt to apprentice the children of the emancipated slaves; and, by so doing, I fortunately acquired the confidence and good-will of the great body of the labourers. My conduct was influenced by the conviction that it was absolutely necessary, on the one hand, to demonstrate practically to the labourer that there was no deception; that his child was as free as any white child; and on the other, to let the planter be made early and fully aware that the days of coercion had completely passed away. The sooner both parties were made acquainted with the exact nature of their new relative duties and situations, the more readily, it always appeared to me, were they likely to arrive at a proper understanding. The feelings both of the employers and of the employed have now happily undergone so complete a change, that I think the moment has arrived when measures relative to the education and the employment of the children of the latter may be discussed. As an additional reason for selecting the present time for bringing forward my views upon this important subject, I hope I may be allowed to allude, without any imputation of vanity, to the confidence which the labouring population have in my administration; and that, consequently, measures sanctioned and recommended by me are much more likely to be carried cheerfully into effect than if proposed, at a later period, by some future Governor, who may not have had the same opportunity of acquiring their attachment and good opinion. I feel also convinced that, at the present moment, four-fifths of the white inhabitants are prepared readily to support the principles and the measures of my government. Under all these circumstances, I venture to lay before your Lordship the following outline of a plan of a general system of education for the children of the labouring classes of this colony.

I. There shall be a schoolroom and a schoolmaster provided, in the proportion of one for every male children throughout the colony.

II. There shall be a schoolroom and a schoolmistress provided, in the proportion of one for every female children throughout the colony.

III. The foregoing regulations not to apply to the wards of George Town, nor to the parish of All Saints, forming the town of New Amsterdam. These towns are already tolerably provided with schools under existing regulations.

IV. In forming a calculation of the number of schools which will be required, under articles I. and II., existing schools, whether kept by the catechists of the several parishes, by the reverend the missionaries, or at the expense of proprietors upon their estates, to be taken into consideration. If the total number of schools is in accordance with the spirit of the enactment as proposed, and that a consequent facility for procuring information and instruction is afforded to the children of the labouring classes to the extent required, that will be deemed sufficient.

V. The parents of the children to pay a small monthly sum towards defraying the expense of these schools. It has been found by experience that where a periodical payment is required, however small in amount, the attendance of the scholar is much more regular than when the instruction is entirely gratuitous.

VI. No boy above the age of to be liable to be kept longer at any of these public schools than hours in the course of each day, so as to enable him to devote a reasonable proportion of each day in providing for his own livelihood, either by working on the estates on which his father may be at work, or in working in the grounds of his father, or by being employed in such occupation as his father may direct. The father to be answerable that his son is not brought up in idleness, but that he is employed usefully and made to contribute towards his own maintenance by performing a certain number of hours' work daily, according to his age and strength.

VII. The

VII. The fathers of all boys to be at liberty to apprentice them for seven years to carpenters, smiths and all other master artificers and workmen, as also for the same period to managers of estates, so that they may be brought up to the knowledge of some useful trade, or as agriculturists. No boy to be apprenticed under _____ years of age, nor above _____ The colony to pay a premium to the father of every boy so apprenticed.

In the foregoing seven enactments the outline of the plan I have it in contemplation to lay before your Lordship in a more matured shape, and at no very distant day, is contained. Unquestionably when I come to discuss the various particulars, and to solicit the opinions of those deeply interested in the welfare of this colony, many points will be modified and many alterations will be suggested. It is, however, evident that some general regulations will be required, and I have been anxious to lay before your Lordship those ideas which have occurred to me upon so important a subject, with as little delay as possible. I beg to lay before your Lordship a copy of a circular letter I have addressed to the special justices, so that I trust I shall be in possession of more detailed information, and be able to proceed to place my plan into a more tangible shape, if I should be so fortunate as to find that the general principles meet with your Lordship's approbation.

I have, &c.

(signed) *J. Carmichael Smyth.*

(Circular.)

Enclosure 1, in No. 151.

Sir,

Government Secretary's Office, Demerara, 3 July 1837.

Encl. 1, in No. 151.

In order to enable the Governor to bring forward certain legislative measures which his Excellency has had for some time in contemplation, calculated to ensure the children of the apprenticed labourers attached to estates being not only duly instructed in their religious and moral duties, but being brought up in habits of industry, I am instructed to apply to you for information respecting the numbers, employment, instruction and mode of subsisting the children in question on each and every estate or plantation within your district.

The annexed tabular form will, if carefully filled up, afford to the Governor the details connected with the subject, which his Excellency is desirous of obtaining.

I have, &c.

N.B.—In order to afford you sufficient time to make your returns with every accuracy, they will not be required to be sent in until the 1st September next.

To the Special Justices.

RETURN of FREE CHILDREN, the Offspring of Apprenticed Labourers, residing on the several Estates and Plantations in the Judicial District.

| Name of Estate or Plantation. | Name of Proprietor. | Name of Manager. | Number of Free Children. | | How Employed, and for how many Hours each Day? | What are the Means of Instruction, and how afforded. | How, and by whom, subsisted and clothed. |
|-------------------------------|---------------------|------------------|--------------------------|--------|--|--|--|
| | | | Boys. | Girls. | | | |
| | | | | | | | |

Office of Special Justice of Judicial District,
1 September 1837.

— No. 152. —

(No. 251.)

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

No. 152.

Sir,

Downing-street, 24 September 1837.

I HAVE had the honour to receive your despatch of the 27th July, No. 360, soliciting the expression of my opinion as to the general principles of the plan you have projected for the education of the youth of British Guiana, and for training them to habits of useful industry, and I will not postpone the declaration of my acquiescence in your views on this subject. On the other hand, as the plan is not yet expanded into those details which it must ultimately embrace, and as it is in the arrangement of those questions that the real difficulties of the undertaking will present themselves, I must be understood as reserving my ultimate opinion until it shall appear how far and in what manner those obstacles may have been surmounted.

I shall be especially anxious to learn what may be the enactments by which you will encounter the obstacle to a national system of education, arising from those differences of opinion by which the Christian world is divided upon various questions of religious belief and ecclesiastical government; how you propose to disarm the jealousy with which the negro population and their descendants have but too naturally learnt to regard every restraint on the freedom of their children originating with Europeans, however kindly intended or judiciously conceived. We have no just right to condemn, however much we may regret, the excess of this feeling, because it is nothing else than the reaction against that system of slavery, for the introduction of which we are responsible, and the evils of which are at length universally acknowledged. It is a jealousy which it is impossible not to respect, even when urged beyond the limits of strict reason and prudence. I can well believe that, in claiming for yourself the confidence of the negro population, you assert nothing more than you are in the fullest sense entitled to claim. But in the contingency to which you have referred, of the administration passing into other hands, this security against discontent would be no longer availing, and, therefore, it would seem desirable, if possible, to adopt other means for the same purpose.

I would therefore suggest for your consideration, whether it might not be possible in some measure to consult the adult apprenticed labourers on the plan before its adoption, and whether they could not be gratified with being made in some sense the apparent authors of the scheme which you have devised for the benefit of their children. If the adult negro population are sufficiently advanced in knowledge to appreciate the benefits of education for their children, and could be induced to ask it as a boon from the Government, they would of course regard the law in a much more favourable light than if it were forced upon them.

I have, &c.

(signed) *Glenelg*.

— No. 153. —

(No. 374.)

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

My Lord,

Camp House, Demerara, 28 August 1837.

No. 153.

I HAVE great pleasure in laying before your Lordship a Government notice, giving publicity to a letter from the proprietor of an estate in the district of Essequibo, showing from unquestionable facts the prosperous and flourishing state of that part of this important colony.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure in No. 153.

GOVERNMENT NOTICE.

THE Governor has directed that the following letter, addressed to his Excellency from the proprietor of plantation Aberdeen, shall be published in the Royal Gazette for general information. His Excellency has great pleasure in granting his sanction towards the formation of the town of Williamstown; an undertaking which the Governor sincerely hopes and believes will be found to answer every purpose that the spirited projector has in view in planning so useful an establishment.

Encl. in No. 153.

Guiana Public Buildings,
22 August 1837.

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

Sir,

Plantation Aberdeen, Essequibo,
2 August 1837.

By the erection of several dwelling-houses, and by letting small portions of land on leases for 21 years, I have established a town in front of this estate

A mercantile store was opened here some years ago under my protection and support: this store now sells goods to the extent of 10,000*l.* per annum, with increasing business.

I have made a grant of two acres of land to the Lord Bishop of the diocese and his successors, for a church establishment, gratis.

The church is already contracted for at *f.* 25,000, for little more than the bare walls and roof; I contribute *f.* 700 and much local assistance to it; and my labourers, by my advice and influence, subscribe upwards of *f.* 400, with a cheerful promise of future and continued pecuniary assistance in support of church and schoolhouse.

This town, which will soon contain property to the amount of several thousand pounds, is in the most central part of Essequibo, abundantly supplied with the best fresh water, and in juxtaposition with the military post Capoey, to which, in many points of view, it will afford most important advantages.

The buildings erected, and the large shipping stelling in front of the town, have cost me considerable sums of money.

I beg your Excellency's sanction to this undertaking, most respectfully solicit your permission that said town may, in honour of our late most gracious Sovereign, be called Williamstown, and that you will be pleased to issue an official order accordingly.

I have, &c.

(signed) *Thomas Bell*, M. D.
Proprietor of Plantation Aberdeen, Essequibo.

To his Excellency Major-general Sir *J. Carmichael Smyth*,
Bart. &c. &c. &c.,
Governor and Commander-in-chief of British Guiana.

— No. 154.—

(No. 264.)

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

No. 154.

Sir,

Downing-street, 28 October 1837.

I HAVE to acknowledge the receipt of your despatch (No. 374) of the 28th of August, enclosing a Government notice giving publicity to a letter addressed to you by a proprietor of an estate in the district of Essequibo.

I read this document with sincere pleasure, as an additional proof of the flourishing condition of the colony.

It was due to the benevolent owner of the estate, that the success which has attended his spirited undertaking should be generally known throughout the colony, as an incentive to others to conduce, by a wise application of their means and opportunities, to the general welfare of the community.

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

— No. 155.—

(No. 377.)

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

No. 155.

My Lord,

Camp House, Demerara, 8 September 1837.

I BEG to solicit your Lordship's attention to the accompanying official reports from the high sheriff and from the sheriff of Berbice. Your Lordship will perceive that at the last monthly sessions of the inferior criminal court held in those districts, there was not a single prisoner for trial. I beg further to draw your Lordship's observation to the reflections upon the subject contained in the report from the high sheriff.

I have already had the honour to communicate to your Lordship, that during the month of July it was only necessary to have recourse to the lash in the cases of two apprenticed labourers.

I beg respectfully to offer my congratulations to your Lordship upon these irrefragable proofs of the happiness, tranquillity and good conduct of the apprenticed labourers in British Guiana.

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

Enclosure 1, in No. 155.

(No. 189.)

Mary's Hope, Courantyne Coast,
22 August 1837.

Encl. 1, in No. 155.

Sir,

I HAVE the honour to report, for the information of his Excellency the Governor, that I had not a case for trial at the session of the inferior criminal court held on this plantation yesterday.

To the Honourable H. E. F. Young,
Government Secretary.

I have, &c.
(signed) *Charles R. Whinfield*,
Sheriff of Berbice.

(True copy.)

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

Enclosure 2, in No. 155.

Encl. 2, in No. 155.

Sir,

High Sheriff's Office, 7 September 1837.

HAVING this day transmitted, through the usual channel, a return of cases tried at the monthly sessions of an inferior criminal court of justice, held on the 5th instant in Georgetown, to be laid before your Excellency, I cannot allow the occasion to pass without expressing

expressing the high gratification I feel, and in which feeling I am conscious your Excellency will entirely coincide, at its having proved a maiden sessions. Two cases only were called for trial. Combining with this fact, the gradual and progressive decrease, for several months back, in the number of cases brought for trial before the monthly sessions of the inferior criminal courts in the district of Demerara, I feel justified in drawing the most favourable conclusion of the rapidly improving state of society, especially as refers to the middle and lower classes, and of the admirable working, under your Excellency's government, of the great experiment now going on.

BRITISH GUIANA.

To his Excellency
Sir J. Carmichael Smyth, Governor,
&c. &c. &c.

I have, &c.
(signed) *Geo. Bagot.*
High Sheriff.

(True copy.)

H. E. F. Young, Government Secretary.

— No. 156. —

(No. 273.)

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

Sir,

Downing Street, 25 November 1837.

No. 156.

I HAVE had the honour to receive your despatch (No. 377) of the 8th of September, with the accompanying official reports from the high sheriff of Guiana, and from the sheriff of Berbice.

The information contained in this despatch and its enclosures is a very welcome addition to the proofs previously in my possession, of the success with which your labours for the general good of the important colony under your government have been rewarded.

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

— No. 157. —

(No. 252.)

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

Sir,

Downing Street, 25 September 1837.

No. 157.

I HAVE received your despatch (No. 295) of the 1st of April, enclosing the epitome of the reports of the stipendiary magistrates for February, and proposing, in consideration of the uniform and satisfactory tenor of these communications for several months past, to discontinue the transmission of them in future.

vide Papers relative to the Abolition of Slavery, 1837, part 4 (1), p. 565.

I agree with you as to the needlessness of so frequent a repetition of the same details. I should, however, be unwilling to forego the satisfaction of laying before Parliament, from time to time, testimony so ample and so conclusive of the prosperous working of the apprenticeship within your government, and the prosperous termination to which it promises to lead. I would therefore propose, that instead of discontinuing the transmission altogether, you would furnish me with a similar report every half-year instead of every month.

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

— No. 158. —

(No. 385.)

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

My Lord,

Camp House, Demerara, 16 October 1837.

No. 158.

I HAVE great pleasure in laying before your Lordship the accompanying tables of returns, showing the number of marriages, of communicants at the Holy Sacrament, of persons receiving instruction at schools, of convictions before

BRITISH GUIANA. the supreme criminal courts, of convictions before the inferior criminal courts, of the shipping, tonnage and seamen, of the number of artificers and labourers who have emigrated into Guiana, of the quantity of colonial produce exported, of the value of goods imported, and of the balance in hand in the colonial chest, accruing from the revenue of the quarter ending on the 30th of last month.

I beg respectfully to offer my congratulations to your Lordship upon the flourishing state of this improving colony. The religious and moral feelings so happily prevailing may be judged of by the number of marriages, of communicants at the Sacrament, by the number of adults and of children attending schools, and by the paucity of convictions before the criminal courts. The industry of the labouring class may be appreciated by the quantity of produce manufactured and exported, and their happiness and improved condition cannot be tested by a better proof than by the quantity of goods imported, and which are principally for their use. The transition from the dejected and almost naked slave to the cheerful and decently-clad labourer, which has taken place in Guiana, can only be believed by those who having been in this colony some few years ago have again had occasion lately to revisit it.

In the next quarterly returns I propose to add the number of convictions of apprenticed labourers before special justices, as also the number and nature of complaints preferred by apprenticed labourers against their managers or overseers, together with the decision of the justices thereon. These documents, added to those as at present submitted, will put your Lordship in possession, in a condensed shape, of the fullest information respecting this colony. I have had for some time the idea of forwarding returns of the nature I have described, but have not been able exactly, until lately, to hit upon a form of return which would afford the information required in a condensed shape. The epitomes which I formerly had the honour to transmit were necessarily too bulky, from being so much in detail.

I have, &c.

(signed) *J. Carmichael Smyth.*

Enclosure in No. 158.

Encl. in No. 158.

THE following Quarterly Returns are published for general information.

By order of his Excellency the Governor,

H. E. F. Young, Government Secretary.

Guiana Public Buildings, 14 October 1837.

(A.)

RETURN of Marriages in *British Guiana*, during the Quarter ending 30 September 1837.

| | | | | | | | | |
|----|----------------------------------|---|---|---|---|---|---|-----|
| 1. | Marriages by special license | - | - | - | - | - | - | 22 |
| 2. | Ditto - by publications of banns | - | - | - | - | - | - | 289 |
| | TOTAL | - | - | - | - | - | - | 311 |

(B.)

RETURN of Communicants at the Holy Sacrament in *British Guiana*, during the Quarter ending 30 September 1837.

| | | | | | | | | |
|-----|-------------------------------|---|---|---|---|---|---|-------|
| * 2 | 1. Church of England | - | - | - | - | - | - | 2,278 |
| 3 | 2. Church of Scotland | - | - | - | - | - | - | 230 |
| 1 | 3. Reformed Church of Holland | - | - | - | - | - | - | — |
| | 4. Lutheran Church | - | - | - | - | - | - | 12 |
| 2 | 5. Roman Catholic Church | - | - | - | - | - | - | — |
| | 6. Church Missionary Society | - | - | - | - | - | - | 20 |
| | 7. Wesleyan Missionaries | - | - | - | - | - | - | 1,415 |
| 1 | 8. London Missionary Society | - | - | - | - | - | - | 1,854 |
| 1 | 9. Moravian Missionaries | - | - | - | - | - | - | — |
| | TOTAL | - | - | - | - | - | - | 5,809 |

* These figures denote the number of Returns deficient.

RETURN

(C.)

RETURN of Persons receiving Instruction in Schools in *British Guiana*, during the Quarter ending 30 September.

| | Average No. Adults. | Ditto, Children. | Total. |
|--------------------------|---------------------|------------------|---------------|
| 1. Sunday Schools - - - | 3,956 | 4,394 | 8,350 |
| 2. Day Schools - - - | 258 | 3,006 | 3,264 |
| 3. Evening Schools - - - | 2,148 | 315 | 2,463 |
| TOTAL - - - | 6,362 | 7,715 | 14,077 |

(D.)

RETURN of Convictions before the Supreme Criminal Courts in *British Guiana*, during the Quarter ending 30 September.

| | Males. | Females. |
|--|----------|----------|
| 1. In the District of Demerara and Essequibo - - - | 2 | - |
| 2. In the District of Berbice - - - | - | - |
| TOTAL - - - | 2 | - |

(E.)

RETURN of Convictions before the Inferior Criminal Courts in *British Guiana*, during the Quarter ending 30 September.

| | Males. | Females. |
|------------------------|-----------|----------|
| 1. Demerara - - - - - | 36 | 3 |
| 2. Essequibo - - - - - | 9 | 1 |
| 3. Berbice - - - - - | 8 | - |
| TOTAL - - - - - | 53 | 4 |

(F.)

RETURN of Shipping, Tonnage and Seamen entered the Ports of *British Guiana*, during the Quarter ending 30 September.

| | No. Vessels. | Tons. | Seamen. |
|---------------------------------|--------------|---------------|--------------|
| 1. Demerara and Essequibo - - - | 122 | 20,171 | 1,190 |
| 2. Berbice - - - - - | 29 | 4,648 | 279 |
| TOTAL - - - - - | 151 | 24,819 | 1,469 |

(G.)

RETURN of Labourers and Artificers imported into *British Guiana*, during the Quarter ending 30 September.

| | Males. | Females. |
|------------------------|------------|------------|
| 1. Demerara - - - - - | 416 | 238 |
| 2. Berbice - - - - - | 14 | - |
| TOTAL - - - - - | 430 | 238 |

(H.)

RETURN of Colonial Produce shipped from the Ports of *British Guiana*, during the Quarter ending 30 September.

| | SUGAR. | | | RUM. | | | MOLASSES. | | | COFFEE. | COTTON. |
|--------------------|---------------|------------|------------|--------------|------------|-------|--------------|----------|-----------|----------------|------------|
| | Hhds. | Trcs. | Brls. | Puns. | Hhds. | Brls. | Hhds. | Trcs. | Brls. | Pounds. | Bales. |
| 1. Demerara - - - | 11,844 | 499 | 581 | 3,219 | 810 | 300 | 7,332 | 6 | 54 | 214,050 | 365 |
| 2. Berbice - - - | 2,456 | 175 | 9 | 640 | 70 | 8 | 507 | - | - | 635,100 | 225 |
| TOTAL - - - | 14,300 | 674 | 590 | 3,859 | 880 | | 7,839 | 6 | 54 | 840,150 | 590 |

BRITISH GUIANA.

(I.)

RETURN of the Value of Goods imported into *British Guiana*, during the Quarter ending 30 September.

| | £. | s. | d. |
|--|---------|----|----|
| 1. Into the Port of Demerara - - - - - | 179,344 | 19 | 5 |
| 2. Into the Port of Berbice - - - - - | 35,092 | 10 | 7 |
| TOTAL Sterling - - - - - | 214,437 | 9 | - |

(K.)

RETURN of Balance in the Colonial Chests on 30 September 1837.

| | £. | s. | d. |
|---|--------|----|----|
| 1. In the Chest of Georgetown - - - - - | 31,008 | 4 | 3 |
| 2. New Amsterdam - - - - - | 14,137 | 12 | 4 |
| TOTAL Sterling - - - - - | 45,145 | 16 | 7 |

Compiled from the Official Returns,

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

--No. 159.--

(No. 289.)

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

No. 159.

Sir,

Downing-street, 12 January 1838.

I HAVE have the honour to acknowledge the receipt of your despatch (No. 385) of the 16th of October last, transmitting a government notice containing quarterly return on the state of the colony, which you had published for general information.

I have perused these returns with interest and satisfaction; they contain the most convincing evidence (if indeed, after the many reports which you had previously furnished on the same subject, such evidence were necessary), of the encreasing happiness and prosperity of the colony under your administration.

I appreciate the anxiety which you feel to place me in possession of information of this interesting nature, to which I attach great value, and which on all occasions I shall be happy to receive from you.

I have, &c.

(signed) *Glenelg*.

—No. 160.—

(No. 411.)

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

No. 160.

My Lord,

Camp House, Demerara, 18 November 1837.

I HAVE the honour to lay before your Lordship the documents required by the circular of your Lordship of the 5th July 1837, relative to the gaols and prisons of this colony, and which I hope will prove satisfactory.

I have, &c.

(signed) *J. Carmichael Smyth*.

Gaol in George
Town.
Gaol in New Am-
sterdam.

Vide Papers relative
to the Abolition of
Slavery, 1837,
part 4 (1), p. 20.

QUESTIONS.

1.—GENERAL description of the prison; whether common gaol, house of correction or otherwise? (To be accompanied by a ground plan of the buildings, &c.)

2.—Under whose jurisdiction and superintendence; and what measures are adopted for securing the visitation of the prison by the local magistrates or other authorities? (A copy of the rules and regulations to be forwarded with the return.)

3.—Number of officers, and how appointed? Do all the officers reside in the prison? Are female prisoners attended by female officers exclusively?

4.—Number of classes, divisions or wards, day-rooms, work-rooms and airing-yards (with reference to plan), and whether the same can be extended or increased?

5.—Number of sleeping cells, solitary or dark cells, &c.; and if any are below ground?

6.—Dietary or weekly allowance, and weekly cost per head, for the different descriptions of prisoners?

7.—Allowance of clothing and bedding, and cost per head?

8.—Hours of labour and exercise?

9.—Description of employment and hard labour?

10.—Amount of earnings, and how applied; in what proportion to the prisoners, to the officers, or to the fund for the maintenance of the prison?

11.—Whether the classification directed by the Colonial Act has been observed: if not, for what reasons; and what measures have been taken to remedy this defect?

12.—Are convicted prisoners prohibited from receiving visits or letters, or any articles of food or clothing from their relatives or friends: if not, under what restriction?

13.—Is there a chapel in the prison or suitable apartment for the performance of religious services? How are the prisoners separated therein?

14.—What duties are performed by the chaplain? What provision is made for the instruction of the prisoners, and are they supplied with Bibles and other suitable books?

15.—Are dissenting ministers allowed to have access to the prisoners: and if so, at what times, and under what restrictions?

16.—What duties are performed by the surgeon? Are separate buildings or apartments provided for the sick?

17.—What diseases have been most prevalent during the year (in reference to columns 10 and 11, return, No. 1)?

18.—Reasons for non-employment of prisoners (in reference to column 8)?

19.—Reasons for punishments, by whipping, irons, solitary confinement or otherwise?

20.—Is there any insane person in confinement? State his or her name and age, and for what offence committed? How long has he or she been in confinement, and is such person separated from the other prisoners?

21.—Are any and what fees demanded of debtors, or of any other prisoners, either at their admission to, or discharge from the gaol?

22.—General observations.

ANSWERS.

Common gaol and house of correction combined. (Ground plan subjoined sub 1^a A.)

Under the superintendence of the judges of the supreme court, and of the high sheriff, who visit the gaols at uncertain periods. (Rules and regulations subjoined sub 1^a B.)

Two, viz., keeper and assistant keeper, who reside in the gaol: The keeper is appointed by his Excellency the Governor, and the assistant by the keeper. No female officers attend to the gaol.

One hundred and ten wards, three large work-rooms, one day-room and two yards which can be extended.

One hundred and ten wards or cells, 96 of them for solitary confinement. There are none dark or below ground.

See diet table attached to rules and regulations sub 1^a B. Weekly list per head for dieting varies from 3s. 6d. to 4s.

Working clothing supplied to penal gang as required; no specific allowance; blankets found as required.

For penal gang from six to eleven o'clock, A. M. and one to half-past five, P. M. Treadmill from ten to twelve, and two to four o'clock.

Weeding and cleaning the streets and trenches of town and garrison; the treadmill and breaking stones.

Eight hundred and twenty-five pounds applied to the fund for the maintenance of the prison.

Classification observed as far as the means of the prison admits, and will be completely observed when the new buildings in the gaol are completed.

Convicted prisoners are occasionally permitted to receive visits, letters and clothing, and, under peculiar circumstances, provisions also, on application to the high sheriff.

A suitable apartment has been fitted up, and is used for the performance of divine service. The males and females are separated by a railing.

Divine service is performed every Sunday morning by the chaplain of the Church of England persuasion, or his curate, and occasionally by the chaplain of the presbyterian persuasion. Bibles and Prayer-books are supplied to those who can read.

Dissenting ministers are permitted to have access to prisoners at any hours of daylight, on application to the high sheriff.

A separate building is provided as an hospital for the sick, and the surgeon visits every day, and oftener if necessary.

Bilious fever of the colony.

All prisoners under sentence of hard labour are employed, except when they are sick in the hospital, or convalescent.

No punishments for breach of prison discipline have taken place, except by solitary confinement and extra labour on the treadmill, or otherwise.

None.

No fees from debtors either at admission or discharge. A fee of 2s. 10⁷/₈ d. is demanded from persons not apprenticed labourers on discharge from gaol, towards the support of the gaol hospital.

The gaol is well ventilated, kept exceedingly clean, and the wards frequently white-washed, to which may be imputed its having escaped the malignant fever which prevailed in Georgetown during the months of May, June, July and August.

George Bugot, High Sheriff, British Guiana.

Enclosure 2, in No. 160.

RETURN of the GAOLS and HOUSES of CORRECTION, and of the Number of PRISONERS confined therein for the Year ending 30 September 1837.

| Name of the Prison, and where situated. | 3. Number of Prisoners in Confinement at Michaelmas, 1837. | | | | | | | | | | 4. Total Number of Prisoners in Confinement at Michaelmas 1837. | | 5. Greatest Number of Prisoners in Confinement at any one time in the Year. | | 11. Deaths during the Year. Name of the Prison, and where situated. | | | | | | | | | | | | | | | | | |
|---|---|--|------------------------------------|--|------------------------------------|---|-------------------------------|--|-----------------------------------|--|---|--|---|--|---|-----------------------------|--------------------------------------|---------|--|-----------------------------|-------------------------|--|---|--|---|--|--|--|---|--|---|--|
| | 1. Number of Prisoners the Prison is capable of containing in separate Cells. | | | | | 2. Number of Prisoners the Prison is capable of containing where more than one Prisoner sleeps in one Cell. | | | | | Total Cases of Sickness during the Year. | | Blacks or Coloured Persons. | | | Blacks or Coloured Persons. | | | | | | | | | | | | | | | | |
| | F. M. | | F. M. | | F. M. | | F. M. | | F. M. | | F. M. | | F. M. | | | F. M. | | F. M. | | | | | | | | | | | | | | |
| | Whites. | | Blacks or Coloured Persons. | | Whites. | | Blacks or Coloured Persons. | | Whites. | | Blacks or Coloured Persons. | | Whites. | | | Blacks or Coloured Persons. | | Whites. | | Blacks or Coloured Persons. | | | | | | | | | | | | |
| Her Majesty's Common Gaol, New Amsterdam. | 9 | | - | | 7 | | 16 | | 9 | | 4 | | 1 | | 7 | | 207 | | 130 | | 40 | | 31 | | Her Majesty's Common Gaol, New Amsterdam. | | | | | | | |
| | - | | - | | - | | - | | - | | - | | - | | - | | - | | - | | - | | - | | | | | | | | | |
| 6. Total Number of Prisoners committed in the course of the Year. | Blacks or Coloured Persons. | | Number under 18 Years cannot Read. | | Number under 18 Years cannot Read. | | Three times or more. | | At Hard Labour in the Prison. | | At Hard Labour out of the Prison. | | At Employment, not Hard Labour. | | Not employed. | | Whipping. | | Irons. | | Solitary Confinement. | | Other Punishments. | | Greatest Number of Sick at one time. | | Total Cases of Sickness during the Year. | | Deaths during the Year. | | Name of the Prison, and where situated. | |
| 7. Number of Prisoners who have been committed before. | Once. | | Twice. | | Three times or more. | | At Hard Labour in the Prison. | | At Hard Labour out of the Prison. | | At Employment, not Hard Labour. | | Not employed. | | Whipping. | | Irons. | | Solitary Confinement. | | Other Punishments. | | Greatest Number of Sick at one time. | | Total Cases of Sickness during the Year. | | Deaths during the Year. | | Name of the Prison, and where situated. | | | |
| 8. Number of Prisoners employed in the course of the Year. | At Hard Labour in the Prison. | | At Hard Labour out of the Prison. | | At Employment, not Hard Labour. | | Not employed. | | Whipping. | | Irons. | | Solitary Confinement. | | Other Punishments. | | Greatest Number of Sick at one time. | | Total Cases of Sickness during the Year. | | Deaths during the Year. | | Name of the Prison, and where situated. | | Blacks or Coloured Persons. | | Blacks or Coloured Persons. | | Blacks or Coloured Persons. | | Blacks or Coloured Persons. | |
| 9. Punishments for Offences within the Prison during the Year. | At Hard Labour in the Prison. | | At Hard Labour out of the Prison. | | At Employment, not Hard Labour. | | Not employed. | | Whipping. | | Irons. | | Solitary Confinement. | | Other Punishments. | | Greatest Number of Sick at one time. | | Total Cases of Sickness during the Year. | | Deaths during the Year. | | Name of the Prison, and where situated. | | Blacks or Coloured Persons. | | Blacks or Coloured Persons. | | Blacks or Coloured Persons. | | Blacks or Coloured Persons. | |
| 10. Cases of Sickness. | At Hard Labour in the Prison. | | At Hard Labour out of the Prison. | | At Employment, not Hard Labour. | | Not employed. | | Whipping. | | Irons. | | Solitary Confinement. | | Other Punishments. | | Greatest Number of Sick at one time. | | Total Cases of Sickness during the Year. | | Deaths during the Year. | | Name of the Prison, and where situated. | | Blacks or Coloured Persons. | | Blacks or Coloured Persons. | | Blacks or Coloured Persons. | | Blacks or Coloured Persons. | |
| 11. Deaths during the Year. | At Hard Labour in the Prison. | | At Hard Labour out of the Prison. | | At Employment, not Hard Labour. | | Not employed. | | Whipping. | | Irons. | | Solitary Confinement. | | Other Punishments. | | Greatest Number of Sick at one time. | | Total Cases of Sickness during the Year. | | Deaths during the Year. | | Name of the Prison, and where situated. | | Blacks or Coloured Persons. | | Blacks or Coloured Persons. | | Blacks or Coloured Persons. | | Blacks or Coloured Persons. | |

1.—GENERAL description of the prison; whether common gaol, house of correction, or otherwise? (To be accompanied by a ground plan of the buildings, &c.)

2.—Under whose jurisdiction and superintendence; and what measures are adopted for securing the visitation of the prison by the local magistrates or other authorities? (A copy of the rules and regulations to be forwarded with the return.)

3.—Number of officers, and how appointed? Do all the officers reside in the prison? Are female prisoners attended by female officers exclusively?

4.—Number of classes, divisions or wards, day-rooms, work-rooms and airing-yards, (with reference to plan); and whether the same can be extended or increased?

5.—Number of sleeping-cells, solitary or dark cells, &c.; and if any are below ground?

6.—Dietary or weekly allowance, and weekly cost per head, for the different descriptions of prisoners?

7.—Allowance of clothing and bedding, and cost per head?

8.—Hours of labour and exercise?

9.—Description of employment and hard labour?

10.—Amount of earnings, and how applied; in what proportion to the prisoners, to the officers, or to the fund for the maintenance of the prison?

11.—Whether the classification directed by the Colonial Act has been observed: if not, for what reasons; and what measures have been taken to remedy this defect?

12.—Are convicted prisoners prohibited from receiving visits or letters, or any articles of food or clothing from their relatives or friends: if not, under what restrictions?

13.—Is there a chapel in the prison, or suitable apartment for the performance of religious services? How are the prisoners separated therein?

14.—What duties are performed by the chaplain? What provision is made for the instruction of the prisoners; and are they supplied with Bibles and other suitable books?

15.—Are dissenting ministers allowed to have access to the prisoners; and, if so, at what times, and under what restrictions?

16.—What duties are performed by the surgeon? Are separate buildings or apartments provided for the sick?

17.—What diseases have been most prevalent during the year (in reference to columns 10 and 11, return, No. 1)?

18.—Reasons for non-employment of prisoners (in reference to column 8)?

19.—Reasons for punishments, by whipping, irons, solitary confinement or otherwise?

Both common gaol and house of correction.

Under the jurisdiction of their honours the judges of the supreme court, and general superintendence of his honour the sheriff of the district.

Two, the keeper and a turnkey. There are no female officers attached to the prison.

Four classes, twenty-two wards or divisions, and two airing-yards, which can be extended or increased.

Six sleeping-rooms, and sixteen solitary cells.

Dietary or weekly allowance three and a half pounds of salt fish, eighty-four full grown plantains or other farinaceous food, and cost per head, per week about 2s. 2d.

Three changes per week, and cost about 3*l.* per head per annum.

From 6 to 11 A.M., and from 12 to 6 P.M.; hours of exercise, for such as are not at labour, from 6 to 7 A.M., and from 5 to 6 P.M.

Employed on public roads, or upon the treadmill.

No earnings of any description.

Classification strictly observed.

They are, excepting under special sanction in particular cases.

No, there is not.

No chaplain appointed; the rector of New Amsterdam, the Rev. T. R. Redwar, gives his gratuitous attendance to perform divine service every Sunday morning. No provision made for instruction; Bibles and other books are not supplied.

They have, on making application to his honour the sheriff.

The surgeon attends daily and whenever required. There is an hospital containing four wards.

Fever and dysentery, but very few cases have occurred.

No persons unemployed.

Breaches of gaol discipline.

QUESTIONS.

ANSWERS.

BRITISH GUIANA.

20.—Is there any insane prisoner in confinement? State his or her name and age, and for what offence committed? How long has he or she been in confinement; and is such person separated from the other prisoners?

No.

21.—Are any, and what fees demanded of debtors, or of any other prisoners, either at their admission to or discharge from the gaol?

None demanded.

22.—General observations.

V. Simonelli,

Keeper of H. M. Gaol, New Amsterdam,
District of Berbice.

REGULATIONS for Her Majesty's Gaol, *New Amsterdam, Berbice.*

1.—THE keeper of the gaol is required to reside on the gaol premises in the house provided for him; he is not to absent himself from duty without leave, nor is he allowed to sell or derive any benefit from the sale of articles to the prisoners, either directly or indirectly, nor is he to have an interest in any contract for the supply of the prison with provisions or otherwise.

2.—The keeper of the gaol is to keep a journal in which is to be entered all punishments inflicted by authority, together with the name of each prisoner, the date of commitment, and for what offence, the time of release, and the amount of fees received on account of each.

3.—The keeper of the gaol will make the following reports and returns, viz. a daily report of the gaol to his honour the puisne judge, and to his honour the sheriff; a weekly report to his Excellency the governor, and monthly reports to his honour the chief justice, and his honour the puisne judge residing in this district; a quarterly return for the honourable the court of policy, exhibiting the amount of fees and expenditures, each item of account being previously checked at the sheriff's office.

4.—The keeper of the gaol is held responsible for the safe custody of all prisoners, and it will be his duty to visit the several wards and cells at least once every day.

5.—The amended tariff of fees established by his Excellency the Lieutenant-governor and the honourable court of policy, under date 29 April 1834, for the police and gaols, to be conspicuously hung up in the gaol.

6.—The classification of prisoners, by the separation of males and females, to be strictly attended to.

7.—In order to secure cleanliness and health to the prisoners, they will all, solitary or otherwise, be taken out from six to seven o'clock in the morning, and from five to six o'clock in the afternoon, and be kept in the gaol-yard during that period under the superintendence of one of the police during these hours, the rooms and cells to be kept open and cleaned.

8.—The interior of the wards and cells to be whitewashed once a month, and oftener if necessary.

9.—Prisoners are not allowed the use of tobacco in any shape; and all gambling in the gaol is positively prohibited.

10.—Prisoners, with or without hard labour, are never to be employed as servants, either for cooking or any other purpose.

11.—Convicted prisoners not to be permitted to receive letters or visits from their friends, unless under peculiar and pressing circumstances.

12.—All prisoners to be locked up at sun-set, and no lights to be allowed excepting when in hospital, and then not later than eight o'clock, or at the discretion of the surgeon.

13.—The surgeon, appointed by his Excellency the Governor, will attend the gaol daily, and upon any occasion it may be necessary to send for him; and he is requested to keep a diary of all patients.

14.—All sick prisoners upon the report of the surgeon to be immediately removed to the hospital.

15.—No liquor of any quality whatsoever to be introduced into the gaol, excepting such as the surgeon may think necessary for a patient.

16.—All the prisoners will be assembled in the common gaol-room at seven o'clock every Sunday morning for divine service.

17.—Irons or fetters are not permitted, except for security of prisoners in special cases, and then only under orders of the sheriff.

18.—The allowance of food for all prisoners is half a pound of salt fish, and 12 full grown plantains daily, excepting to those in solitary confinement, who will be allowed the plantains only; no other provisions will be permitted, unless the surgeon may see fit to order any particular diet for a patient in hospital.

(True copy.)

(signed)

Charles R. Whinfield, Sheriff.

BRITISH GUIANA

—No. 161.—

(No. 2.)

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

No. 161.

My Lord,

Camp House, Demerara, 2 January 1838.

WITH reference to the third paragraph of the despatch of the 16th October (No. 385), which I had the honour to address to your Lordship, I beg to lay before your Lordship the accompanying returns for the month of November, made up from the reports of the special justices and from the proceedings of the inferior criminal courts, as forwarded by the sheriffs of the several districts. I have deemed it my duty to cause publicity to be given to these documents, affording as they do such satisfactory and unquestionable evidence of the state of tranquillity and happiness enjoyed by the great mass of the labouring population of this province.

I propose doing myself the honour of transmitting to your Lordship similar monthly tables in future.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure in No. 161.

GOVERNMENT NOTICE.

Encl. in No. 161. THE Governor has directed in future the following returns shall be published in the Royal Gazette, as early in each month as the receipt of the documents from which they are severally compiled from the respective sheriffs and special justices, will permit:—

- (A.)—Table, exhibiting the number and nature of punishments upon apprenticed labourers in each district, together with a summary of the sentences awarded by apprenticed labourers.
- (B.)—Table exhibiting the number and nature of complaints, preferred by apprenticed labourers or articted servants, together with a *précis* of the decision of the special justice.
- (C.)—Table, exhibiting an epitome of all cases brought before the monthly inferior criminal courts, together with the result of the proceedings in each case.

The returns now published are for the month of November.

By command of his Excellency the Governor,

H. E. F. Young,
Government Secretary.

TABLE (A.)

EXHIBITING the Number and Effect of the RETURNS of PUNISHMENTS received by the Governor from the Special Magistrates, from the last day of the Month of October to the first day of the Month of December 1837.

| Name of Special Magistrate. | District. | Total Number of Apprentices comprised in this District. | | Total number of Punishments inflicted. | Total Number of Males Punished. | | Total Number of Females Punished. | Average Number of Stripes in the punishments by Whipping. | Maximum number of Stripes in any one case of Punishment by Whipping. | Maximum of Severity in any one case of Punishment by Imprisonment. | Maximum of Severity in any other Mode of Punishment. |
|-----------------------------|-----------------|---|----------|--|---------------------------------|-----------------------------|-----------------------------------|---|--|--|---|
| | | Males. | Females. | | By Whipping. | Otherwise than by Whipping. | | | | | |
| C. H. Strutt | (A.) Lower Div. | 1728 | 1617 | 18 | - | 12 | 6 | - | - | 7 days | -- 3 months' hard labour in the penal gang in Georgetown. |
| Thomas Coleman | (A.) Upper Div. | 1470 | 1340 | 27 | - | 11 | 16 | - | - | 2 months | -- 5 weeks' extra labour on the estate. |
| A. M. Lyons | (B.) - - - | 2932 | 2739 | 24 | - | 15 | 9 | - | - | - | -- 1 month's hard labour in the colony gaol. |
| George Ross | (C.) Town Div. | 3380 | 3480 | 5 | - | 5 | - | - | - | 3 weeks | 3 weeks' hard labour. |
| Austin Carroll | (C.) Town Div. | 3380 | 3480 | 12 | - | 11 | 1 | - | - | 2 weeks | 2 weeks' hard labour. |
| J. A. Allen | (C.) Upper Div. | 2380 | 2153 | 37 | - | 22 | 15 | - | - | 21 nights | 2 months' hard labour. |
| D. M'Lennan | (D.) - - - | 3188 | 2597 | 22 | - | 10 | 12 | - | - | 2 months | 2 weeks' extra labour. |
| Thomas Delafous | (E.) - - - | 2831 | 2637 | 93 | 2 | 38 | 53 | 39 | 39 | 3 months | 3 months' extra labour. |
| George Kellock | (F.) - - - | 4456 | 4346 | 1 | - | 1 | - | - | - | 1 month. | - |
| George Ball | (G.) - - - | 1850 | 1400 | 14 | - | 10 | 4 | - | - | 14 days | -- 1 month's hard labour on the treadmill. |
| W. J. Brittain | (H.) Lower Div. | 1800 | 1560 | 5 | - | 5 | - | - | - | 2 months | -- 2 months' hard labour in the colony gaol. |
| J. O. L. Mure | (H.) Upper Div. | 1480 | 1370 | 4 | - | 3 | 1 | - | - | 1 month | 10 weeks' extra labour. |
| George Rose | (I.) - - - | 1071 | 928 | 6 | - | 5 | 1 | - | - | 1 week | 2 weeks' extra labour. |
| W. H. Ware | (K.) - - - | 5995 | - | 37 | - | 22 | 51 | - | - | 2 months. | - |
| A. Van R. de Groot. | (L.) - - - | 1594 | 1429 | 38 | - | 16 | 22 | - | - | 2 months | -- 2 months' hard labour on the treadmill. |
| K. Heyland | (M.) - - - | 1909 | 1666 | 22 | - | 10 | 12 | - | - | 3 months | 1 month's extra labour. |

TABLE (B.)

GENERAL RETURN of COMPLAINTS preferred by APPRENTICED LABOURERS, or ARTICLED SERVANTS, during the Month of November 1837.

| DISTRICT. | Special Justice. | From what Estate. | For Assault, or Illegal Confinement. | Relative to Food. | Relative to Clothing. | Relative to Lodging. | Relative to Hospital Treatment, or Treatment under Sickness out of Hospital. | Relative to Work, Quantity or Description. | Relative to Wages for Extra Work. | Relative to Treatment when Pregnant or Nursing. | Relative to the Destruction of Pigs or other Personal Property. | Relative to Terms of Indenture. | Total Number of Complaints. | Pronounced Frivolous or Unfounded. *Amicably Settled or Compromised. | Complaints followed to Conviction. | Maximum of Punishment awarded for Ill-treatment of Apprenticed Labourer or Articled Servant. |
|--------------------|------------------|----------------------|--------------------------------------|-------------------|-----------------------|----------------------|--|--|-----------------------------------|---|---|---------------------------------|-----------------------------|--|------------------------------------|--|
| | | | | | | | | | | | | | | | | |
| " | " | Farm | 1 | 1 | - | - | - | - | - | - | - | - | 1 | 1 | - | |
| " | " | Bushy Park | - | - | 1 | - | - | - | - | - | - | - | 1 | 1 | - | |
| (A.) Lower Section | C. H. Strutt | Supply | 1 | - | - | - | 1 | - | - | - | - | - | 2 | 3 | - | |
| " | " | Greenfield | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | - | |
| " | " | Ann's Grove | - | - | - | 1 | - | - | - | - | - | - | 1 | 1* | - | |
| " | " | Beehive | - | - | 1 | - | - | - | - | - | - | - | 1 | 1* | - | |
| " | " | John and Cove | - | - | - | 1 | - | - | - | - | - | - | 2 | 2* | - | |
| " | " | Baillie's Hope | - | - | - | 1 | - | - | - | - | - | - | 1 | 1* | - | |
| " | " | Paradise | - | - | - | 1 | - | 1 | - | - | - | - | 2 | 2* | - | |
| " | " | Bachelor's Adventure | - | - | - | - | 1 | - | - | - | - | - | 1 | 1 | - | |
| (B.) - - - | A. M. Lyons | Lusignan | - | - | - | 1 | - | - | - | - | - | - | 1 | 1* | - | |
| " | " | Goedverwagten | 1 | 1 | - | - | - | - | - | - | - | - | 2 | 1 | 1 | |
| " | " | Vryheid's Lust | - | - | - | - | - | 1 | - | - | - | - | 1 | 1 | - | |
| " | " | Felicity | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | 1 | |
| " | " | Cuming's Lodge | - | - | - | 1 | - | - | - | - | - | - | 1 | 1 | 1 | |
| " | " | Triumph | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | 1 | |
| " | " | Annandale | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | 1 | |
| " | " | New Orange Nassau | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | 1 | |
| " | " | Articled servant | - | - | - | 1 | - | - | - | - | - | - | 1 | 1 | 1 | |
| (C.) - - - | J. A. Allen | La Penitence | - | - | 2 | 3 | - | - | - | - | - | - | 5 | 5* | - | |
| " | " | Ruinveld | - | 2 | - | 1 | - | - | - | - | - | - | 3 | 3* | - | |
| " | " | Rome and Houston | 1 | 4 | - | 1 | 1 | - | 1 | 6 | - | - | 13 | 13* | - | |
| " | " | Velzerhoofd | - | - | - | 1 | 1 | - | - | - | - | - | 1 | 1* | - | |
| " | " | Peter's Hall | 1 | - | - | 1 | - | - | - | - | - | - | 2 | 2* | - | |
| " | " | Farm | - | - | - | 2 | - | 1 | 3 | - | - | - | 6 | 6* | - | |
| " | " | Little Diamond | 1 | 1 | - | 1 | - | - | - | - | - | - | 3 | 3* | - | |
| " | " | Great Diamond | - | - | - | 2 | - | - | - | - | - | - | 2 | 2* | - | |
| " | " | Golden Grove | - | - | - | - | - | - | - | - | - | - | 1 | 1* | - | |
| " | " | Friendship | - | - | - | - | 1 | - | - | - | - | - | 1 | 1* | - | |
| " | " | Garden of Eden | - | - | - | - | 1 | - | - | - | - | - | 1 | 1* | - | |
| " | " | Sage Pond | - | - | - | 1 | - | 1 | - | - | - | - | 2 | 2* | - | |
| " | " | Prosperity | - | - | - | - | 1 | - | - | - | - | - | 2 | 2* | - | |
| " | " | Arcadia | - | - | - | - | 1 | - | - | - | - | - | 1 | 1* | - | |
| " | " | Profit | - | - | - | - | 1 | - | - | - | - | - | 1 | 1* | - | |
| " | " | Werk-en-Rust | - | - | - | - | 1 | - | - | - | - | - | 1 | 1* | - | |

TABLE (B.)—GENERAL RETURN of COMPLAINTS preferred by APPRENTICED LABOURERS, &c.—continued.

| DISTRICT. | Special Justice. | From what Estate. | For Assault or Illegal Confinement. | Relative to Food. | Relative to Clothing. | Relative to Lodging. | Relative to Hospital Treatment, or Treatment under Sickness out of Hospital. | Relative to Work, Quantity or Description. | Relative to Wages for Extra Work. | Relative to Treatment when Pregnant or Nursing. | Relative to the Destruction of Pigs or other Personal Property. | Relative to Terms of Indenture. | Total Number of Complaints. | Pronounced Frivolous or Unfounded. * Amicably Settled or Compromised. | Complaints followed to Conviction. | Maximum of Punishment awarded for Ill-treatment of Apprenticed Labourer or Artied Servant. |
|--------------------|----------------------|---------------------|-------------------------------------|-------------------|-----------------------|----------------------|--|--|-----------------------------------|---|---|---------------------------------|-----------------------------|---|------------------------------------|--|
| (D.) - - - | D. M'Lennan - | Vriedesten - | - | - | - | - | 1 | - | - | - | - | - | 1 | 1 | - | reprimanded. |
| (E.) - - - | Thomas Delafons - | Met-en-Meerzorg - | 1 | - | - | - | - | - | - | - | - | - | 2 | 2 | - | |
| (F.) - - - | " - - - | Vrees-en-Hoop - | 2 | - | - | - | - | - | - | - | - | - | 2 | 2 | - | |
| (G.) - - - | George Kellock - | Elizabeth Ann - | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | 1 | finned 30 guilders. |
| " - - - | George Ball - | Good Intent - | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | - | |
| " - - - | " - - - | Huis t'Dieren - | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | - | |
| " - - - | " - - - | Hamburg - | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | - | |
| " - - - | " - - - | Sophinberg - | - | - | - | - | - | - | - | - | - | - | 1 | 1 | - | |
| " - - - | " - - - | Perseverance - | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | - | |
| " - - - | " - - - | The Rectory - | - | - | - | - | - | - | - | - | - | - | 1 | 1 | - | |
| (H.) Upper Section | J. O. L. Mure - | Affiance - | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | - | |
| (I.) Lower Section | W. J. Brittain - | La Belle Alliance - | - | - | - | Svrl. | - | - | - | - | - | - | 1 | 1 | - | |
| (J.) - - - | George Rose - | " - - - | - | - | - | - | - | - | - | - | - | - | - | - | - | |
| (K.) - - - | W. H. Ware - | Balthyock - | - | 3 | - | - | - | - | - | - | - | - | 3 | - | 3 | - - fined double the value of the food withheld. |
| " - - - | " - - - | Philadelphia - | 3 | - | - | - | - | - | - | 2 | - | - | 5 | 2 | 3 | - - a fine of 5 l. to each. |
| " - - - | " - - - | Overwinning - | - | - | - | - | - | 1 | - | - | - | - | 1 | 1 | - | - - work ordered to be reduced. |
| " - - - | " - - - | New Forest - | - | - | - | - | - | 2 | - | - | - | - | 2 | - | 2 | - - work ordered to be reduced. |
| " - - - | " - - - | Friends - | 1 | - | - | - | - | - | - | - | - | - | 1 | - | 1 | finned 2 l. |
| " - - - | " - - - | Blairmont - | - | - | - | - | - | 1 | - | - | - | - | 1 | - | 1 | - - work ordered to be reduced. |
| (L.) - - - | A. Van. R. de Groot, | Zuidwyk - | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | - | |
| " - - - | " - - - | - idem - | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | - | |
| " - - - | " - - - | - idem - | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | - | |
| " - - - | " - - - | De Liefde - | - | 1 | 1 | - | - | - | - | - | - | - | 2 | - | 2 | - - fined 2 l. on first charge; second satisfactorily arranged. |
| (M.) - - - | K. Heyland - | Herstelling - | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | - | finned 1 l. 10 s. |
| " - - - | " - - - | Prospect - | 1 | - | - | - | - | - | - | - | - | - | 1 | - | - | |
| " - - - | " - - - | Hampshire - | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | - | |
| Town District | George Ross - | Artied Servants - | 2 | 3 | 1 | 1 | - | - | 1 | - | 6 | 1 | 15 | 8 | 5 | - - two referred to inferior criminal court. |
| " - - - | Austin Carroll - | Non-Prædials - | 2 | 2 | 3 | 2 | 1 | - | - | - | - | - | 10 | 10 | - | |
| | | | 35 | 18 | 9 | 13 | 18 | 8 | 6 | 11 | 7 | 4 | 129 | 102 | 25 | |

TABLE (C.)

EXHIBITING an ERRORS of all Cases brought before the Monthly Inferior Criminal Courts, together with the Result of the Proceedings in each Case.

| No. | Name of Accused. | Station in Life. | Offence charged with. | Result of Trial. |
|-----|----------------------|----------------------|--|--|
| 1 | Easter - - | apprenticed labourer | assault - - - - - | - - 10 days' imprisonment with hard labour, and solitary confinement when not at work. |
| 2 | Harry - - | - idem - - - | theft - - - - - | 2 months' ditto ditto, to receive 39 lashes. |
| 3 | Graham - - | - idem - - - | assault - - - - - | acquitted. |
| 4 | Thomas Bagear - | sailor - - - | idem - - - - - | - idem. |
| 5 | Goodluck King - | carpenter - - | - - employing and harbouring another's apprentice. | - - fined 5 l.; imprisonment until paid, not exceeding one month. |
| 6 | Alick - - | apprenticed labourer | - - breaking down and stealing the materials of a building of the value of 10 l. | - - 1 month imprisonment with hard labour, in the colony gaol. |
| 7 | Sam Richardson | constable - - | assault - - - - - | acquitted; prosecutor not appearing. |
| 8 | James - - | apprenticed labourer | burglary and theft - - - - - | - - 1 month imprisonment with hard labour, in the colony gaol. |
| 9 | Scipio - - | - idem - - - | - - selling spirits to a private of the 69th regiment, having no license. | - - fined 220 guilders, with one month imprisonment and hard labour, in the colony gaol. |
| 10 | John Ben - - | - idem - - - | stealing and killing a cow - - - - - | - - 6 weeks' imprisonment with hard labour, in the colony gaol. |
| 11 | John Philip Herault. | - - - - - | - - defrauding an apprenticed labourer of 600 guilders. | - - fined 20 l., three months' imprisonment with hard labour, and to receive 39 lashes. |
| 12 | Quaco - - | apprenticed labourer | theft - - - - - | - - 2 months' imprisonment with hard labour, and to receive 39 lashes. |
| 13 | John Quin - | indentured labourer | - - absenting themselves from employers' service, and attempting to quit the colony without a pass - - - - - | 6 weeks' imprisonment with hard labour. |
| 14 | Samuel Wickstead | - idem - - - | | |

(No. 548.)

— No. 162. —

No. 162.

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

My Lord,

Camp House, Demerara, 9 January 1838.

I TAKE the liberty of laying before your Lordship a table showing the number of punishments by the lash, inflicted in this colony from the 1st August 1834 up to the end of the year 1837. This document I feel convinced your Lordship will examine with considerable interest, proving as it does the gradual decrease of human suffering, and the all but total extinction of punishment of so revolting and degrading a nature. I was induced to cause this return to be prepared from having observed in the public papers that it has been asserted at various public meetings that the condition of the apprenticed labourer is not essentially better than that of the former slave. The apprenticed labourer is, at any rate in British Guiana, in the full possession of every right conferred upon him by the Act for the Abolition of Slavery, and is perfectly aware that no punishment, however trivial, can be inflicted upon him without a previous careful investigation into his alleged misconduct, and without his being afforded every facility to defend himself. It is upon this conviction of their personal security; upon this feeling of the protection afforded to them by the law (so long as its enactments are complied with) now so generally entertained by the apprenticed labourers, that I rely with confidence for the continuance of the good order and tranquillity of this province throughout all ulterior changes. I can faithfully assure your Lordship, that, when I reflect upon what has been done within so short a space of time; when I contrast the present state of the labourer, not only with what was his condition as a slave, but with the earlier days of his emancipation, previously to the present system being brought into full operation; when I call to mind all the prophecies as to the ruin which it was asserted could not but ensue to the planter from the assumption by the Governor of the power of pardoning a labourer, and of mischievously interfering (as it was termed) with the authority of the magistrates; when I witness the good effects of that interference, in the decrease of punishment, and, above all, in the progressive removal of that prejudice which deemed these punishments necessary,—I feel no small degree of satisfaction at having been an humble instrument employed in the effecting of so much good. In a country where, at so recent a period, the whip was so readily resorted to, and so indiscriminately employed, whether to repress crime, to correct error, or to stimulate industry, I can now lay down my head upon my pillow with the happy assurance that throughout the whole extent of this colony not a single lash is given which ought to be withheld. Judging from what has been done, and reflecting upon the immense changes, both in opinion as well as in practice, which have been brought about in so short a period, I am induced to look forward to the still greater alterations which the constitution of the society in this province will have to undergo in August 1840, without any very great degree of apprehension.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure in No. 162.

RETURN of FLOGGINGS inflicted upon APPRENTICED LABOURERS from the 1st August 1834 to the end of the year 1837; showing the gradual decrease and almost total extinction of punishment of so revolting and degrading a nature in the province of British Guiana.

| PERIOD. | By Sentence of Supreme Criminal Court. | By Sentence of Inferior Criminal Court. | By Sentence of Special Justices. | REMARKS. |
|-------------------------------------|--|---|----------------------------------|---|
| 1834:—From 1 August to 30 September | - nil - | 102 | | The power of inflicting punishment upon apprenticed labourers was taken from proprietors and managers on the 1st March 1834, and was transferred, by ordinance 41, to a certain number of gentlemen in the colony who were appointed justices of the peace. The ordinance enjoined, that there should be not less than 45 justices, viz., in the proportion of three for each parish; these colonial justices were, however, subsequently deprived of all authority over apprenticed labourers, by his late Majesty's order, promulgated in this colony on the 8th August 1835, from which date the apprenticed labourers have been solely under the jurisdiction of 15 special justices appointed from home. |
| 1835:—From 1 January to 31 March | - nil - | 60 | | |
| „ 1 April to 30 June | - - - | 85 | 167 | |
| „ 1 July to 30 September | - - - | 48 | 153 | |
| „ 1 October to 31 December | - - - | 26 | 127 | |
| 1836:—From 1 January to 31 March | - - - | 42 | 84 | |
| „ 1 April to 30 June | - - - | 46 | 140 | |
| „ 1 July to 30 September | 1 | 29 | 71 | |
| „ 1 October to 31 December | 1 | 27 | 21 | |
| 1837:—From 1 January to 31 March | - nil - | 15 | 6 | |
| „ 1 April to 30 June | - - - | 28 | 10 | |
| „ 1 July to 30 September | 2 | 8 | 3 | |
| „ 1 October to 31 December | 2 | 8 | | |

Certified,

H. E. F. Young, Govt Secy, British Guiana.

(No. 6.)

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

No. 163.

My Lord,

Camp House, Demerara, 13 January 1838.

WITH reference to your Lordship's circular of the 1st December, calling for returns of all the children of apprenticed labourers who may have been apprenticed under the provision of the Abolition Law, I have the honour to report to your Lordship that not one single child has been apprenticed in this colony.

I have, &c.

(signed) *J. Carmichael Smyth*.

— No. 164. —

(No. 11.)

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

No. 164.

My Lord,

Camp House, Demerara, 19 January 1838.

I HAVE the honour to lay before your Lordship the quarterly returns, similar to those which I have, for some time past, been in the habit of periodically transmitting for your perusal. I have only to offer, most respectfully, my congratulations to your Lordship at the continued prosperity of this most valuable province.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure in No. 164.

GOVERNMENT NOTICE.

Encl. in No. 164.

THE following quarterly returns are published for general information.

By command of his Excellency,

H. E. F. Young, Government Secretary.

Guiana Public Buildings, 16 January 1838.

(A.)

RETURN of Marriages in *British Guiana* during the Quarter ending 31 December 1837.

| | |
|---|-----|
| 1. Marriages by special license - - - - - | 20 |
| 2. Publication of banns - - - - - | 464 |
| TOTAL - - - - - | 484 |

(B.)

RETURN of Communicants at the Holy Sacrament during the Quarter ending 31 December 1837.

| | |
|--|-------|
| 1. Church of England - - - - - | 3,104 |
| 2. Church of Scotland - - - - - | 752 |
| 3. Reformed Church of Holland - - - - - | — |
| 4. Lutheran Church - - - - - | 10 |
| 5. Roman Catholic Church - - - - - | 235 |
| 6. Church Missionary Society - - - - - | 20 |
| 7. Wesleyan Missionary Society - - - - - | 978 |
| 8. London Missionary Society - - - - - | 1,712 |
| 9. Moravian Missionary Society - - - - - | — |
| TOTAL - - - - - | 6,811 |

(C.)

RETURN of Persons receiving Instruction in Schools in *British Guiana*, during the Quarter ending 31 December 1837.

| | Average No. Adults. | Ditto, Children. | Total. |
|------------------------------|---------------------|------------------|--------|
| 1. Sunday Schools - - - - - | 4,425 | 5,253 | 9,678 |
| 2. Day Schools - - - - - | 51 | 3,433 | 3,484 |
| 3. Evening Schools - - - - - | 2,051 | 837 | 2,888 |
| TOTAL - - - - - | 6,527 | 9,523 | 16,050 |

(D.)

(D.)

RETURN of Convictions before the Supreme Criminal Court during the Quarter ending 31 December 1837.

| | Males. | Females. |
|--|----------|----------|
| 1. In the District of Demerara and Essequibo | 4 | - |
| 2. In the District of Berbice | 2 | - |
| TOTAL | 6 | - |

(E.)

RETURN of Convictions before the Inferior Criminal Courts during the Quarter ending 31 December 1837.

| | Males. | Females. |
|--------------|-----------|----------|
| 1. Demerara | 18 | 1 |
| 2. Essequibo | 15 | 1 |
| 3. Berbice | 3 | - |
| TOTAL | 36 | 2 |

(F.)

RETURN of Shipping, Tonnage and Seamen entered the Ports of *British Guiana* during the Quarter ending 31 December 1837.

| | No. of Vessels. | Tons. | Seamen. |
|---------------------------|-----------------|---------------|--------------|
| 1. Demerara and Essequibo | 149 | 27,486 | 1,543 |
| 2. Berbice | 37 | 5,835 | 339 |
| TOTAL | 186 | 33,321 | 1,882 |

(G.)

RETURN of Labourers and Artificers arrived in *British Guiana* during the Quarter ending 31 December 1837.

| | Males. | Females. |
|--------------|------------|------------|
| 1. Demerara | 333 | 169 |
| 2. Berbice | 59 | 17 |
| TOTAL | 392 | 186 |

(H.)

RETURN of Colonial Produce shipped from the Ports of *British Guiana* during the Quarter ending 31 December 1837.

| | SUGAR. | | | RUM. | | | MOLASSES. | | | COFFEE. | COTTON. |
|--------------|---------------|--------------|--------------|--------------|--------------|------------|---------------|----------|------------|----------------|------------|
| | Hhds. | Trcs. | Brls. | Puns. | Hhds. | Brls. | Hhds. | Trcs. | Brls. | Pounds. | Bales. |
| 1. Demerara | 14,908 | 922 | 965 | 2,901 | 1,103 | 357 | 9,645 | - | 100 | 47,250 | 256 |
| 2. Berbice | 3,694 | 199 | 166 | 1,237 | 116 | 21 | 1,716 | - | - | 234,000 | 24 |
| TOTAL | 18,602 | 1,121 | 1,131 | 4,138 | 1,219 | 378 | 11,361 | - | 100 | 281,250 | 280 |

(I.)

RETURN of the Value of Goods imported into *British Guiana* during the Quarter ending 31 December 1837.

| | £. | s. | d. |
|------------------------------|----------------|-----------|-----------|
| 1. Into the Port of Demerara | 203,118 | 14 | 9 |
| 2. Into the Port of Berbice | 26,058 | 1 | 1 |
| TOTAL | 229,176 | 15 | 10 |

(K.)

RETURN of Balance in the Colonial Chests on 31 December 1837.

| | £. | s. | d. |
|----------------------------------|---------------|----------|-----------|
| 1. In the Chest at Georgetown | 37,548 | 8 | 5 |
| 2. In the Chest at New Amsterdam | 14,015 | 13 | 1½ |
| TOTAL | 51,564 | 1 | 6½ |

Compiled from the Official Returns,
H. E. F. Young, Government Secretary.

(No. 9.)

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

No. 165.

My Lord,

Camp House, Demerara, 19 January 1838.

WITH reference to my despatch of the 16th October (No. 385), I beg to lay before your Lordship the enclosed document, which, showing as it does, upon one sheet of paper, an epitome of the proceedings of each special justice during the preceding month; an abstract of the complaints of labourers and articted servants against their employers, and a precis of all cases adjudicated by the inferior criminal courts during the same period, will enable your Lordship, without much trouble, to form a pretty accurate state of the tranquillity and internal state of this prosperous and important colony.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure in No. 165.

GOVERNMENT NOTICE.

Encl. in No. 165. IN pursuance of the Government Notice of the 30th December last, the following Returns for the month of December are published for general information.

Guiana Public Buildings, 16 January 1838.

By his Excellency's command,

H. E. F. Young,

Government Secretary.

TABLE (A.)

EXHIBITING the NUMBER and EFFECT of the RETURNS of PUNISHMENTS received by the Governor from the Special Magistrates.

| DISTRICT. | Name of Special Magistrate. | Total Number of Apprentices comprised in this District. | | Total Number of Punishments inflicted. | Total Number of Males punished. | | Total Number of Females punished. | Average Number of Stripes in the Punishments by Whipping. | Maximum Number of Stripes in any one Case of Punishment by Whipping. | Maximum of Severity in any one Case of Punishment by Confinement. | Maximum of Severity in any other Mode of Punishment. |
|-----------------|-----------------------------|---|----------|--|---------------------------------|-----------------------------|-----------------------------------|---|--|---|--|
| | | Males. | Females. | | By Whipping. | Otherwise than by Whipping. | | | | | |
| (A.) Upper Div. | Thos. Coleman | 1,470 | 1,340 | 21 | - | 16 | 5 | - | - | 1 month - - - | - - 3 months' extra labour on the estate. |
| (A.) Lower Div. | C. H. Strutt - | 1,728 | 1,617 | 24 | - | 14 | 10 | - | - | 10 days - - - | - - 3 months' hard labour in the penal gang in Georgetown. |
| (B.) - - | A. M. Lyons | 2,932 | 2,739 | 35 | - | 13 | 22 | - | - | 1 month - - - | 2 weeks' extra labour. |
| (C.) Town Div. | George Ross - | 3,370 | 3,465 | 6 | - | 6 | - | - | - | 2 weeks - - - | 2 weeks' hard labour. |
| (C.) Upper Div. | Geo. Ross, for J. A. Allen. | 2,320 | 2,150 | 43 | - | 17 | 26 | - | - | 3 weeks - - - | 3 months' extra labour. |
| (C.) Town Div. | Austin Carroll | 3,370 | 3,465 | 21 | - | 18 | 3 | - | - | 3 weeks - - - | - - 3 weeks' hard labour in the penal gang. |
| (D.) - - | D. McLennan | 3,186 | 2,595 | 10 | - | 6 | 4 | - | - | 1 week - - - | 8 days' extra labour. |
| (E.) - - | Thos. Delafons | 2,831 | 2,637 | 69 | - | 38 | 31 | - | - | - - solitary confinement 21 days; locked up at nights for one month. | - - hard labour in the colony prison 2 months; extra labour 2 ½ hours a day for 10 days. |
| (F.) - - | George Kellock | 4,456 | 4,346 | 2 | - | 2 | - | - | - | - - confined at night and on Sundays during one month. | - - extra labour, with confinement, for two months. |
| (G.) - - | George Ball - | 1,850 | 1,400 | 13 | - | 9 | 4 | - | - | - - 3 months at treadmill; solitary confinement for 14 days. | - - extra labour, at the rate of an hour and a half per day, for 20 working days. |
| (H.) Upper Div. | J. O. L. Mure | 1,435 | 1,350 | 15 | - | 8 | 7 | - | - | - - solitary confinement for two weeks, and in the stocks for 10 hours on 6 days. | - - extra labour, at the rate of an hour and a half per day, for 20 working days. |
| (H.) Lower Div. | W. J. Br'ttain | 1,800 | 1,560 | - | - | No Return received. | - | - | - | - | - |
| (I.) - - | George Rose - | 1,070 | 926 | 5 | - | - | 5 | - | - | 1 week. | - |
| (K.) - - | W. H. Ware - | 2,558 | 2,424 | 26 | - | 18 | 8 | - | - | 2 months - - - | 5 days' extra labour. |
| (L.) - - | A. Van R. de Groot. | 1,594 | 1,429 | 22 | - | 10 | 12 | - | - | 1 month - - - | 1 month's hard labour. |
| (M.) - - | K. Heylend - | 1,909 | 1,666 | 6 | - | 3 | 3 | - | - | 3 months. | - |

TABLE (B.)

GENERAL RETURN of COMPLAINTS preferred by APPRENTICED LABOURERS or ARTICLED SERVANTS.

| DISTRICT. | Special Justice. | From what Estate. | For Assault or Illegal Confinement. | Relative to Food. | Relative to Clothing. | Relative to Lodging. | Relative to Hospital Treatment, or Treatment under Sickness out of Hospital. | Relative to Work, Quantity or Description. | Relative to Wages for Extra Work. | Relative to Treatment when Pregnant or Nursing. | Relative to the Destruction of Figs or other Personal Property. | Relative to Terms of Indenture. | Total Number of Complaints. | Pronounced Frivolous or Unfounded. * Amicably Settled or Compromised. | Complaints followed to Conviction. | Maximum of Punishment Awarded for Ill-treatment of Apprenticed Labourer or Articled Servant. |
|--------------------|--------------------|-----------------------------|-------------------------------------|-------------------|-----------------------|----------------------|--|--|-----------------------------------|---|---|---------------------------------|-----------------------------|---|------------------------------------|--|
| | | | | | | | | | | | | | | | | |
| (A.) Upper Section | Thomas Coleman | Belmont - - - | - | 1 | - | - | - | - | - | - | - | - | 1 | 1 | | |
| | " | Mrs Delices - - - | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | | |
| (A.) Lower Section | C. H. Strutt | Chapman's Grove - - - | - | - | - | - | - | 1 | - | - | - | - | 1 | 1* | | |
| " | " | Ann's Grove - - - | - | - | - | - | - | - | - | 1 | - | - | 1 | 1* | | |
| " | " | Baillie's Hope - - - | - | - | - | 2 | - | - | - | - | - | - | 2 | 2* | | |
| " | " | John and Cove - - - | - | - | - | 1 | - | 1 | - | - | - | - | 2 | 2* | | |
| " | " | Paradise - - - | - | - | - | 1 | - | - | 1 | - | - | - | 2 | 2* | | |
| (B.) - - - | A. M. Lyons | Vryheid's Lust - - - | 1 | - | - | - | - | - | - | - | - | - | 1 | - | 1 | finéd 2 l. sterling. |
| " | " | Annandale - - - | - | - | - | - | - | 4 | - | - | - | - | 5 | 4 | 1 | -- work reduced, being non-effective. |
| " | " | Brothers - - - | - | - | - | - | - | 1 | - | - | - | - | 1 | 1 | | |
| " | " | Beterverwagten - - - | 1 | 4 | - | - | - | - | - | - | - | - | 4 | 4 | | |
| (C.) - - - | J. A. Allen | La Penitence - - - | - | - | - | 1 | - | - | - | - | - | - | 2 | 1* | 1 | finéd 2 l. sterling. |
| Town Section | George Ross | A. Ls. of individuals - - - | 2 | 1 | 1 | 1 | - | - | - | - | - | - | 3 | 3 | | |
| " | " | Art. Ls. and Workmen - - - | 2 | 1 | - | - | - | - | 2 | - | - | - | 5 | 2* | 3 | finéd f. 44. |
| " | " | Non-prædial A. Ls. - - - | 2 | 2 | 1 | 2 | - | - | - | - | - | - | 7 | 6 | 1 | - idem. |
| (D.) - - - | D. Maclellan | Hyde Park - - - | - | - | - | - | - | - | - | - | - | - | 1 | 1 | | |
| (E.) - - - | Thomas Delafons | " - - - | - | - | - | - | - | - | - | - | - | - | 1 | 1 | | |
| (F.) - - - | George Kellock | " - - - | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | | |
| (G.) - - - | George Ball | Hoff Van Aurich - - - | - | - | - | - | - | - | - | - | - | - | 1 | 1 | | |
| " | " | Vilvoorden - - - | - | 1 | - | - | - | - | - | - | - | - | 1 | 1 | | |
| " | " | Zorg - - - | - | 1 | - | - | - | - | - | - | - | - | 1 | 1 | | |
| (H.) Upper Section | I. O. L. Mure | " - - - | - | - | - | - | - | - | - | - | - | - | - | - | | |
| (H.) Lower Section | W. J. Brittain | No Return received. | - | - | - | - | - | - | - | - | - | - | - | - | | |
| (I.) - - - | George Rose | " - - - | - | - | - | - | - | - | - | - | - | - | - | - | | |
| (K.) - - - | W. H. Ware | Lochaber - - - | - | - | - | - | - | 1 | - | - | - | - | 1 | 1 | | |
| " | " | Lonsdale - - - | - | - | - | - | - | - | - | 1 | - | - | 1 | - | 1 | work reduced. |
| " | " | Gebroeders - - - | - | - | - | - | 1 | - | - | - | - | - | 1 | 1 | | |
| (L.) - - - | A. Van R. de Groot | " - - - | - | - | - | - | - | - | - | - | - | - | - | - | | |
| (M.) - - - | K. Heyland | " - - - | - | - | - | - | - | - | - | - | - | - | - | - | | |
| | | | 11 | 6 | 7 | 8 | 1 | 8 | 3 | 2 | - | - | 54 | 37 | 8 | |

TABLE (C.)

EXHIBITING an EPITOME of all CASES brought before the Monthly Inferior Criminal Courts, together with the Results of the Proceedings in each Case.

| No. | Name of Accused. | Station in life. | Offence charged with. | Result of Trial. |
|-----|------------------|------------------------|---|--|
| 1 | Joseph - - | apprenticed labourer - | burglary and theft - - - - - | -- 3 months' imprisonment, half the time with hard labour, remainder solitary confinement, and 25 stripes. |
| 2 | London Lindsay | house servant - - - | theft - - - - - | acquitted. |
| 3 | London Lindsay | - idem - - - | - idem, 3d conviction - - - - - | as No. 1. |
| 4 | Dick - - - | apprenticed labourer - | aggravated assault - - - - - | 3 months' imprisonment. |
| 5 | Nicholas - - | - idem - - - | assault upon a constable - - - - - | - idem - - - with hard labour. |
| 6 | Elizabeth Battle | fruit-seller - - - | purchasing provisions from a soldier - - - - - | -- fined 5 l., imprisonment until paid, not exceeding 14 days. |
| 7 | Wm. Harlequin - | carpenter - - - | theft, 7th conviction - - - - - | as No. 1, with 39 stripes. |
| 8 | W. R. Burton - | coachmaker - - - | -- withholding wages due to an articled servant. | payment ordered. |
| 9 | J. Nathaniel - | apprenticed labourer - | theft - - - - - | 1 month's imprisonment, with hard labour. |
| 10 | F. Candido - | articled servant - - - | assault and riotous conduct - - - - - | 2 ditto - - - - - ditto. |
| 11 | Windsor - - - | apprenticed labourer - | theft - - - - - | 14 days' ditto - - - - - ditto. |
| 12 | L. De Frietas - | - idem - - - | waylaying with intent to stab - - - - - | acquitted. |
| 13 | J. De Sylvia - | articled servant - - - | assault upon a constable - - - - - | 14 days' imprisonment, with hard labour. |
| 14 | Henry - - - | apprenticed labourer - | -- selling a bottle of rum to a corporal of the 6th regiment. | -- to pay a fine of f. 150; in default, one month's imprisonment. |
| 15 | Francisco - - | - idem - - - | } -- combining not to work, and disobedience of lawful orders | each one month's solitary confinement. |
| 16 | Sam - - - | - idem - - - | | |
| 17 | Mary Jane - - | Huckster - - - | theft - - - - - | - idem. |
| 18 | Hope - - - | - idem - - - | idem - - - - - | -- one month on treadmill, and solitary confinement when not at work. |
| 19 | Tidy - - - | apprenticed labourer - | assault - - - - - | 1 month's solitary confinement. |
| 20 | Scipio - - - | - idem - - - | theft - - - - - | -- 1 month on treadmill, and solitary confinement when not at work. |
| 21 | Tom - - - | - idem - - - | idem - - - - - | 3 months' solitary confinement in colony gaol. |

BRITISH GUIANA.

—No. 166.—

(No. 19.)

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

No. 166.

My Lord,

Camp House, Demerara, 27 January 1838.

As I am convinced that your Lordship will peruse the enclosed extract of a letter from the rector of the parish of St. Patrick, in the district of Berbice, with much pleasure, I take the liberty of laying it before you. Berbice has been divided into parishes little more than a year. It is truly gratifying to observe the good effects of this measure, even in so short a space of time.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure in No. 166.

Encl. in No. 166.

EXTRACT of a Letter from the Rev. *J. Fothergill*, rector of the parish of St. Patrick, in British Guiana, addressed to the Government Secretary, and dated January 18th, 1838.

I ALSO think that if our church be properly finished, as it requires, and our parochial schools flourish as at present, and the people go on in future as quietly as at this time, we shall not thank the colony for building any gaol in this quarter, or feel much indebted to any magistrate for appearing amongst us. I may by the way here remark, that on the three plantations, Canefield, Rose Hall and Reliance (nearest to the church, and consequently best supplied with instruction), no punishments have taken place during the whole of last year. These three estates have made 2,100 hogsheads of sugar.

(A true extract.)

W. B. Wolseley,
Assist^t Gov^t Sec^y.

—No. 167.—

(No. 20.)

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

No. 167.

My Lord,

Camp House, Demerara, 26 January 1838.

I have the honour to forward to your Lordship the document respecting prædial and non-prædial labourers, called for in the last paragraph of your Lordship's circular of the 30th November 1837.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure in No. 167.

Encl. in No. 167.

RETURN of APPRENTICED LABOURERS according to the existing Classification.

| DISTRICTS. | PRÆDIALS. | NON-PRÆDIALS. | TOTAL. |
|----------------------------|-----------|---------------|--------|
| Demerara and Essequibo - - | 51,762 | 6,253 | 58,015 |
| Berbice - - - - - | 15,855 | 1,165 | 17,020 |
| TOTAL - - - - - | 67,617 | 7,418 | 75,035 |

British Guiana,
Government Secretary's Office,
30 January 1838. }

H. E. F. Young,
Government Secretary.

Certified,

J. Carmichael Smyth,
Governor, British Guiana.

—No. 168.—

(No. 22.)

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

My Lord,

Camp House, Demerara, 1 February 1838.

No. 168.

I HAD the honour to present, in Her Majesty's name, upon the 29th ultimo, gold medals to those 12 managers of estates in this colony who were selected and recommended by the special justices for their kindness and good conduct towards the apprenticed labourers attached to their several estates. I also presented three similar medals to the three medical gentlemen in charge of estates' hospitals, who were similarly recommended by the special justices.

I beg to lay before your Lordship an account of the ceremony, as also a copy of a short speech, which I felt it my duty to make to the gentlemen who received the medals.

I beg to add, that this annual distribution of gold medals has been attended with the best effects; it places the deserving and meritorious manager in a prominent point of view, whilst it makes manifest to the public that the conduct of all is equally watched over and duly appreciated.

I trust that my address to the managers will meet with Her Majesty's approbation.

I have, &c.

(signed) *J. Carmichael Smyth*.

Enclosure in No. 168.

GOVERNMENT NOTICE.

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 chief justice, the high sheriff and sheriff of Berbice, the reverend the clergy, the special magistracy, and a large concourse of the inhabitants, to present, in the name of Her Majesty, a gold medal to each of the under-mentioned gentlemen, managers of estates, and medical practitioners in charge of estates' hospitals in British Guiana, in testimony of The Queen's gracious approbation of their conduct towards the apprenticed labourers attached to the estates of which they respectively have the superintendence.

Encl. in No. 168.

District of Demerara :

1. W. H. Arnold, Esq., manager of plantation Le Repentir, leased by William Arrindell, Esq.
2. Sholto Douglas, Esq., manager of plantation Spring Hall, the property of R. M. Jones, Esq.
3. A. C. Archer, Esq., manager of plantation Greenfield, the property of Messrs. Alexander and James Glen.
4. Henry Hunter, Esq., manager of plantation Herstelling, M. J. Retemeyer, Esq., Attorney.

District of Essequibo :

1. J. Whitehead, Esq., manager of plantation Belle Plaine, the property of Messrs. Cornfoot and Bell, of London.
2. — Seward, Esq., manager of plantation Aberdeen, the property of Dr. Bell.
3. Robert Philip, Esq., manager of plantation Cullen, the property of A. Mackie, Esq.
4. A. Murdock, Esq., manager of plantation Perseverance, the property of the heirs of Cramer.

District of Berbice :

1. James Kirkwood, Esq., manager of plantation Canefield, the property of Messrs. D. C. Cameron and Kirkwood.
2. G. G. Lowenfeld, Esq., manager of plantation Gebroeders, Charles Matheson, Esq., Attorney.
3. — Currie, Esq., manager of plantation Providence, the property of William Henery, Esq.
4. A. Grant, Esq., manager of plantation Hope and Experiment, the property of — M'Calmont, Esq.

Medical Practitioners :

Dr. Mackie, of Leguan, Dr. James Fraser, of Essequibo, and Dr. J. B. Beresford, of Berbice.

II.

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

Gentlemen,

It is with feelings of no common satisfaction that I meet, assembled in this hall, so many respectable gentlemen, justly entitled to the esteem of the community, and truly deserving of those honorary marks of distinction which the mild and benevolent Government under which we have the happiness to live has authorized me to distribute. In the name and on behalf of Her Majesty, I have the honour to present to you these medals. I hope that you may long continue to wear them ; and I feel confident that you will be careful to transmit them to your children, as flattering testimonials equally of your own worth and of the gratifying notice taken of your conduct by our Sovereign.

I am desirous of availing myself of this opportunity of addressing to you personally a few words respecting the present state and the future prospects of this province.

With respect to its present state, I have only to observe, that the industry which prevails, the happiness, good order and contentment which, under the blessing of an Almighty Providence, are to be met with throughout British Guiana, are universally acknowledged. It is to you, gentlemen, and to such as think and act as you do, that we are principally indebted for these inestimable advantages. I am happy in bearing this public testimony to your merits.

With reference to the future, I wish to remark, that if under a mild and kind treatment, and by paying the labourer for extra work performed during his own time, such large quantities of produce as are now exported can be raised and manufactured, we, surely, in British Guiana, have no cause to apprehend that when the period arrives at which the labourer is to receive the full value of the whole of his day's work, he will discontinue or diminish his exertions. We shall require an equitable rural code ; affording, on the one side, to the labourer the means of obtaining prompt payment for such work as he may have performed ; and, on the other, ensuring to the employer that he shall not be subject to be abandoned or deserted at the caprice of the labourer in the midst of an agreement. I see no reason to doubt but that (under the government of a law founded upon those immutable principles of justice to which I have alluded) the agricultural labour in this colony will be cheerfully carried on, to the mutual advantage of all parties. That such will be the result, I fervently pray. That such will be the result, I sincerely believe. By steadily persevering in that praiseworthy line of conduct which you and the great body of the managers have so judiciously adopted, every prospect of triumphant success will be afforded to this important province of the empire.

(signed) *J. Carmichael Smyth.*

By command,

H. E. F. Young, Government Secretary.

29 January 1838.

— No. 169. —

(No. 311.)

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

No. 169.

Sir,

Downing-street, 12 April 1838.

I HAVE received your despatch, No. 22, of the 1st February, in which you report the issue by you of the annual gold medals to the twelve managers of estates who had most distinguished themselves by their kindness and good conduct towards the apprentices under their charge, and to the three medical gentlemen whose services rendered to the apprentices had been most deserving of your approbation.

I have laid this despatch before Her Majesty ; and I am to convey to you Her Majesty's gracious approval of the address which you delivered on the occasion, and Her Majesty's confident expectation that Her subjects in British Guiana will duly appreciate the testimony thus afforded to a species of merit which it is peculiarly gratifying to Her Majesty to notice as a ground of reward and distinction.

I have, &c.

(signed) *Glenelg.*

— No. 170. —

BRITISH GUIANA.

(No. 25.)

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

My Lord,

Camp House, Demerara, 12 February 1838.

I BEG to lay before your Lordship copy of the speech which I addressed to the court of policy, a few days ago, upon the opening of the present session.

The state of this colony continues to be most gratifying; and I hope that the measures I have alluded to in my speech will meet with the approbation of Her Majesty.

I have, &c.

(signed) *J. Carmichael Smyth*.

No. 170.

Copy of the
Governor's Speech.

Enclosure in No. 170.

SPEECH of his Excellency the Governor on the opening of the Court of Policy.

Gentlemen,

HER Majesty having been graciously pleased to cause her royal approbation to be communicated to me of the practice I have adopted of addressing to this court, at the opening of the 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 law which it is my intention to bring forward; I feel it my duty to request your attention to the following observations upon the present occasion:—

Encl. in No. 170.

II.

I am in the first place desirous of offering you my sincere congratulations upon the happy, contented and prosperous state of this province. I challenge comparison with any county of Great Britain; and I affirm that fewer crimes and fewer breaches of the peace will be found to have been committed in British Guiana during the year 1837 than in any part of Her Majesty's dominions of the same extent, possessing two sea-ports, and containing an equal population.

III.

When I reflect upon the good conduct of the apprenticed labourers, upon their anxiety for religious and moral instruction; when I see new churches, chapels and schoolrooms rising rapidly in every district throughout this province, it is impossible not to be sanguine in the expectation that after the expiration of the apprentice system this colony will be blessed with a religious, moral and industrious peasantry, and continue to flourish accordingly.

IV.

You are aware, gentlemen, that in a despatch dated so far back as on the 19th March 1836 (now nearly two years ago), addressed by me to the Right honourable the Lord Glenelg, I deprecated the idea of shortening the period of the apprenticeship. The contents of that despatch have only been made known to you in consequence of its having been laid before Parliament, and been directed by the House of Commons to be printed. I allude to these circumstances in order to prevent the possibility of its being supposed, even for a moment, that in communicating to the Right honourable the Secretary of State my sentiments upon a question of so important a nature to the future prosperity of this colony, I was actuated by any foolish or mistaken desire to acquire an ephemeral popularity with any particular class in this colony. The sentiments I expressed in that despatch I still entertain. I consider the continuance of the present system until the 1st August 1840 as identified with the future welfare of this magnificent province. If I had been of opinion that a more immediate release from the apprenticeship would have benefited either this colony or the labourers themselves, I would have felt it my duty to have so reported to the Right honourable the Secretary of State. It appears to me that if, in British Guiana, we are allowed to continue as we are, there is every prospect of our being enabled to slide almost imperceptibly into a state of perfect freedom. Excepting in cases of theft, the degrading punishment of the lash is unknown. Females are not permitted to be sent to the treadmill. The advantages resulting from labour are becoming daily more understood and better appreciated by the apprentice. He is moreover fast acquiring a knowledge of the rights and duties which, as a free man, he will hereafter have in the one case to enjoy, and in the other to perform. The proprietor, on his part, is daily preparing to meet the coming change. A kind and a good feeling between the employer and the labourer is every where rapidly gaining ground. It is no longer the master and the slave having opposite interests; but the husbandman, who cannot effectually till his ground without the willing aid and the extra work of his apprenticed labourer; and the apprenticed labourer, who looks to the husbandman for that money, in payment for his extra labour, which he requires to enable him to take care of his wife and family, and to provide himself and them with those articles of comfort or of luxury to which they have become habituated. When things are going on so well as in British Guiana, it appears to me that it would be little short of an act of folly to offer any interruption to the present system.

154.—II.

V. During

BRITISH GUIANA.

V.

During the year which has elapsed, we passed 17 ordinances in this court. It does not appear necessary for me to trouble you, at this moment, with any remarks upon Acts which have so recently received your attention.

VI.

The first legislative measure which I wish to bring under your notice during the present session will be one relative to the classification of the prædial and non-prædial labourers. If errors have taken place; if any individual is liable to be called upon for two additional years of servitude, in consequence of his name having been entered in the wrong column of the registration list, it is fit and proper that he should be placed in that class to which he legally belongs. I anticipate your ready acquiescence in this measure.

VII.

Some alterations have been suggested by Her Majesty's Government in the ordinance establishing the British Guiana Bank. A copy of the despatch upon the subject has been communicated to the directors, and I have directed another copy to be laid on the table of this court. As soon as I hear from the bank directors that they are willing to accede to the alterations proposed in the despatch alluded to, no time will be lost in bringing before you for your consideration an amended ordinance.

VIII.

My time and my attention have been much engrossed of late in the consideration of the particulars of a Bill for establishing a Rural Code for the future government of this colony, which I am anxious at no distant period to lay before you for your consideration. I am in correspondence with Her Majesty's Government upon the subject. As soon as matters shall be more advanced, and have assumed a tangible shape, I shall invite your co-operation and assistance.

IX.

There are several measures connected with the finance of this colony, and more particularly with respect to the introduction of a silver circulating medium to an extent equal to what will be required for the payment of our labourers, which press upon us and demand our most serious attention. I shall, however, postpone what I have to remark upon these subjects until the meeting of the combined court.

Court of Policy, 3 February 1838.

(signed) *J. Carmichael Smyth.*

—No. 171.—

(No. 310.)

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

No. 171.

Sir,

Downing-street, 12 April 1838.

I HAVE received your despatch, No. 25, of the 12th February, enclosing the speech which you had addressed to the court of policy on the opening of the session. I beg to convey to you my approval of this address, and to express the gratification which Her Majesty's Government derive from the report which you are enabled to make of the continued tranquillity and prosperity of the colony.

I have, &c.

(signed) *Glenelg.*

—No. 172.—

(No. 26.)

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

No. 172.

My Lord,

Camp House, Demerara, 12 February 1838.

I BEG to lay before your Lordship copy of a Government notice issued by my orders upon the 8th instant, exhibiting returns of the number and extent of punishments awarded during the month of January against apprenticed labourers by special justices; of the complaints preferred during the same period by apprenticed labourers or articed servants against their employers; and lastly, an epitome of all cases brought before the monthly criminal courts held in the several counties.

As these returns will enable your Lordship to form your own opinion as to the internal tranquillity and happiness enjoyed by the inhabitants of British Guiana throughout the whole extent of the province, I shall abstain from offering any remarks upon the present occasion.

I have, &c.

(signed) *J. Carmichael Smyth.*

Enclosures in No. 172.

GOVERNMENT NOTICE.

THE Governor has directed the following Returns for the month of January to be published Encl. in No. 172. in the Royal Gazette; viz.—

TABLE (A.)—Exhibiting the Number and Nature of Punishments upon Apprenticed Labourers in each District, together with a Summary of the Sentences awarded by the Special Justice.

TABLE (B.)—Exhibiting the Number and Nature of Complaints preferred by Apprenticed Labourers or Articled Servants, together with a Précis of the Decision of the Special Justice.

TABLE (C.)—Exhibiting an Epitome of all Cases brought before the Monthly Inferior Criminal Courts, together with the Result of the Proceedings in each Case.

By his Excellency's command.

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

Government Secretary

Guiana Public Buildings, 8 February 1838.

TABLE (A.)

EXHIBITING the NUMBER and EFFECT of the RETURNS of PUNISHMENTS received by the Governor from the Special Magistrates.

| District. | Name of Special Magistrate. | Total Number of Apprentices comprised in this District. | | Total No. of Punishments indicted. | Total Number of Males punished. | | Total Number of Females punished. | Average No. of Stripes in the Punishments by whipping. | Maximum No. of Stripes in any one Case of Punishment by whipping. | Maximum of Severity in any one Case of Punishment by Confinement. | Maximum of Severity in any other Mode of Punishment. |
|---------------|-----------------------------|---|----------|------------------------------------|---------------------------------|-----------------------------|-----------------------------------|--|---|---|--|
| | | Males. | Females. | | By whipping. | Otherwise than by whipping. | | | | | |
| A. Upper Div. | Thos. Coleman | 1,470 | 1,340 | 6 | - | 3 | 3 | - | - | 2 months | 2 months' extra labour. |
| A. Lower Div. | C. H. Strutt | 1,728 | 1,617 | 51 | - | 27 | 24 | - | - | 2 months | 3 months' hard labour on the treadmill. |
| B. - - - | A. M. Lyons | 2,932 | 2,739 | 33 | - | 15 | 18 | - | - | 1 month | 2 weeks' extra labour. |
| C. Town Div. | Geo. Ross | 3,358 | 3,450 | 11 | - | 4 | 7 | - | - | 3 weeks | 3 weeks' hard labour. |
| C. Town Div. | Austin Carroll | - | - | 16 | - | 16 | 2 | - | - | 3 weeks | 3 weeks' hard labour in the penal gang. |
| C. Upper Div. | J. A. Allen | 2,386 | 2,167 | 24 | - | 13 | 9 | 2 of these were twice punished. | - | 3 months | 3 months' extra labour. |
| D. - - - | D. M'Lennan | 3,186 | 2,595 | 28 | - | 19 | 9 | - | - | 1 month | 3 weeks' extra labour. |
| E. - - - | Thos. Delafons | 2,831 | 2,637 | 67 | - | 29 | 38 | - | - | 2 months | 3 months' hard labour. |
| F. - - - | George Kellock | 4,456 | 4,346 | 6 | - | 3 | 3 | - | - | 2 months. | |
| G. - - - | George Ball | 1,850 | 1,400 | 6 | - | 5 | 1 | - | - | 2 months | 3 months at the treadmill. |
| H. Upper Div. | J. O. L. Mure | 1,475 | 1,368 | 3 | - | 3 | - | - | - | 1 week | 2 weeks' extra labour. |
| H. Lower Div. | W. J. Brittain | 1,800 | 1,560 | 9 | - | 7 | 2 | - | - | 1 month. | |
| I. - - - | George Roe | 1,065 | 924 | 1 | - | 1 | - | - | - | 1 week. | |
| K. - - - | W. H. Ware | 2,557 | 2,423 | 12 | - | 10 | 2 | - | - | 3 weeks. | |
| L. - - - | A. Van R. de Groot | 1,604 | 1,449 | 30 | - | 19 | 11 | - | - | 3 months | 3 months on the treadmill. |
| M. - - - | K. Heyland | 1,891 | 1,646 | 28 | - | 21 | 7 | - | - | 6 weeks | 3 months' extra labour. |

TABLE (B.)

GENERAL RETURN of COMPLAINTS preferred by APPRENTICED LABOURERS or ARTICLED SERVANTS.

| District. | Special Justice. | From what Estate. | For Assault or illegal Confinement. | Relative to Food. | Relative to Clothing. | Relative to Lodging. | Relative to Hospital Treatment. | Relative to Work, Quantity or Description. | Relative to Wages for extra Work. | Relative to Treatment when Pregnant or Nursing. | Relative to the Destruction of Pigs or other personal Property. | Relative to Terms of Indenture. | Total Number of Complaints. | Complaints pronounced frivolous or unfounded. | Complaints amicably settled or compromised. | Complaints followed to Conviction. | Maximum of Punishment awarded for Ill-treatment of Apprenticed Labourer or Articled Servant. |
|--------------------|--------------------|----------------------|-------------------------------------|-------------------|-----------------------|----------------------|---------------------------------|--|-----------------------------------|---|---|---------------------------------|-----------------------------|---|---|------------------------------------|--|
| A. Upper Section - | Thomas Coleman | Carleton Hall | - | 1 | - | - | - | - | - | - | - | - | 1 | - | 1 | - | |
| " | " | Woodlands - | - | 1 | - | - | - | - | - | - | - | - | 1 | 1 | - | - | |
| " | " | Belmont - | - | - | - | - | - | 1 | - | - | - | - | 1 | 1 | - | - | |
| A. Lower Section - | C. H. Strutt | Chapman's Grove - | - | - | - | - | - | 1 | - | - | - | - | 1 | 1 | - | - | |
| " | " | Beehive - | - | - | - | - | - | - | 1 | - | - | - | 1 | 1 | - | - | |
| " | " | Ann's Grove - | - | - | - | - | - | - | 1 | - | - | - | 1 | - | 1 | - | |
| " | " | John and Cove - | - | - | - | 1 | - | 1 | - | - | - | - | 1 | - | 2 | - | |
| " | " | Paradise - | - | 1 | - | - | - | - | - | - | - | - | 2 | - | 1 | - | |
| " | " | Bachelor's Adventure | - | - | - | - | - | 4 | - | - | - | - | 4 | - | 4 | - | |
| B. - - - | A. M. Lyons | Nonpareil - | - | 1 | - | - | - | - | - | - | - | - | 1 | - | 1 | - | |
| " | " | Felicity - | - | - | - | - | - | 2 | - | - | - | - | 2 | - | 2 | - | |
| " | " | Cuming's Lodge | - | - | - | - | - | 2 | - | - | - | - | 2 | - | 2 | - | |
| " | " | Brothers - | 1 | - | - | - | - | - | - | - | - | - | 1 | - | - | 1 | Fined 10s. |
| " | " | Annandale - | - | - | - | - | - | 4 | - | - | - | - | 4 | - | 4 | - | |
| C. - - - | J. A. Allen | La Penitence - | 4 | 1 | 1 | 6 | 1 | 1 | 2 | - | - | - | 16 | - | 13 | 3 | Fined 15s. |
| " | " | Ruinveld - | - | - | - | - | 1 | - | - | - | - | - | 1 | - | 1 | - | |
| " | " | Rome and Houston | 1 | 5 | - | 2 | - | 1 | - | - | - | - | 9 | - | 9 | - | |
| " | " | Velzerhoofd - | - | - | - | 1 | - | - | - | - | - | - | 1 | - | 1 | - | |
| " | " | Peter's Hall - | 1 | - | - | - | - | - | - | - | - | - | 1 | - | 1 | - | |
| " | " | Providence - | - | - | - | - | 1 | - | - | - | - | - | 1 | - | 1 | - | |
| " | " | Farm - | - | 1 | - | - | 1 | - | 1 | - | - | - | 3 | - | 3 | - | |
| " | " | Covent Garden - | 1 | - | - | - | - | - | - | - | - | - | 1 | - | 1 | - | |
| " | " | Little Diamond | 1 | - | - | - | - | 1 | - | - | - | - | 2 | - | 2 | - | |
| " | " | Friendship - | - | 1 | - | - | - | 1 | 1 | - | - | - | 3 | - | 3 | - | |
| " | " | Garden of Eden | - | - | - | - | - | 1 | - | - | - | - | 1 | - | 1 | - | |
| " | " | Arcadia and Mocha | - | 1 | - | 1 | 2 | 3 | - | - | - | - | 7 | - | 7 | - | |
| D. - - - | D. MacLennan | Wales - | - | - | - | - | 1 | - | - | - | - | - | 1 | 1 | - | - | |
| " | " | Malgrè Tout - | - | - | - | - | 1 | - | - | - | - | - | 1 | 1 | - | - | |
| " | " | Camoooney Creek | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | - | - | |
| " | " | Potosi - | - | - | - | - | 1 | - | - | - | - | - | 1 | 1 | - | - | |
| E. - - - | Thomas Delafons | Waller's Delight | 2 | - | - | - | - | - | - | - | - | - | 2 | 2 | - | - | |
| " | " | Haarlem - | 1 | 1 | - | - | - | - | - | - | - | - | 2 | 1 | - | 1 | Fined £. 7. sterling. |
| F. - - - | George Kellock | " | - | - | - | - | - | - | - | - | - | - | - | - | - | - | |
| G. - - - | George Ball | Huis t'Dieren | - | 1 | - | - | - | - | - | - | - | - | 1 | - | 1 | - | |
| " | " | Hoff Van Holland | 1 | - | - | - | - | - | - | - | - | - | 1 | - | 1 | - | |
| " | " | Spring Garden | - | - | - | - | - | - | - | - | - | 3 | 3 | - | 3 | - | |
| H. Upper Section - | J. O. L. Mure | Anna Regina | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | - | - | |
| H. Lower Section - | W. J. Brittain | Perth - | - | - | - | - | - | 2 | - | - | - | - | 2 | 2 | - | - | |
| I. - - - | George Rose | " | - | - | - | - | - | - | - | - | - | - | - | - | - | - | |
| K. - - - | W. H. Ware | Enfield - | - | 1 | - | - | - | - | - | - | - | - | 1 | - | 1 | - | |
| " | " | Overwinning | - | - | - | - | 1 | - | - | - | - | - | 1 | - | 1 | - | |
| " | " | Locaber - | - | - | 4 | - | - | - | - | - | - | - | 4 | 4 | - | - | |
| " | " | Balthyock - | - | - | - | 1 | - | - | - | - | - | - | 1 | - | 1 | - | |
| " | " | Fry and Co. - | - | - | - | 1 | - | - | - | - | - | - | 1 | - | 1 | - | |
| L. - - - | A. Van R. De Groot | " | - | - | - | - | - | - | - | - | - | - | - | - | - | - | |
| M. - - - | K. Heyland | Mary's Hope - | - | - | - | - | - | 1 | - | - | - | - | 1 | 1 | - | - | |
| " | " | Skeldon - | 2 | - | - | - | - | 1 | - | - | - | - | 3 | 2 | - | 1 | |
| Town District - | George Ross | Kitty - | - | - | - | - | 1 | - | - | - | - | - | 1 | - | 1 | - | |
| " | " | Art. Srt. Georgetown | 2 | 1 | - | - | - | - | 6 | - | - | - | 9 | - | 6 | 3 | Fined 9f. |
| " | Austin Carroll | A. L. Georgetown | 2 | 1 | - | - | 1 | - | - | - | - | - | 4 | - | 3 | 1 | Fined £. 5. |
| | | | 21 | 18 | 5 | 13 | 12 | 24 | 15 | - | - | - | 111 | 21 | 80 | 10 | |

TABLE (C.)

EXHIBITING an EPITOME of all CASES brought before the MONTHLY INFERIOR CRIMINAL COURTS, together with the Result of the Proceedings in each Case.

| No. | Name of Accused. | Station in Life. | Offence charged with. | Result of Trial. |
|-----|--------------------------|------------------------|--|--|
| 1 | Sammy Ireland - | Stone-mason - - | Breaking out of gaol when under sentence of the Supreme Criminal Court, and stabbing a man sent in pursuit of him. | Three months' imprisonment; hard labour half the time, solitary confinement the remainder, and to receive 39 stripes at the expiration of former sentence. |
| 2 | Jacobus Scheffers | Carpenter ' - - | Harbouring and employing an apprentice of another person - - - - - } | Fined £. 10. sterling; imprisonment until paid, not exceeding one month. |
| 3 | Klaas - - | Apprenticed labourer - | Stealing a watch and key - - - - - | One month's solitary confinement, and to receive 25 stripes. |
| 4 | Frederick Harman | Fisherman - - | Assault and battery - - - - - | Acquitted, prosecutor not appearing. |
| 5 | Jenny - - | Apprenticed labourer - | Selling spirits - - - - - | Fined ten joes, and imprisoned one month. |
| 6 | John Wellington Sheriff. | Stone-mason - - | Theft - - - - - | Acquitted, prosecutor not appearing. |
| 7 | Fortune - - | Apprenticed labourer - | - idem (third conviction) - - - - - | Three months' imprisonment; hard labour and solitary confinement. |
| 8 | John Munro - | Mariner - - - | Assault - - - - - | Reprimanded. |
| 9 | Jim - - - | Apprenticed labourer - | Burglary (sixth conviction) - - - - - | Three months' imprisonment, with hard labour. |
| 10 | James - - - | - idem - - - | Theft - - - - - | Two months' imprisonment, with hard labour, and to receive 25 stripes. |
| 11 | Wellington - - | - idem - - - | Breaking into and stealing from a puncheon of rum - - - - - } | - idem - - - idem - - - idem. |
| 12 | Wallace - - - | - idem - - - | | |
| 13 | Adam - - - | - idem - - - | Theft - - - - - | idem - - - idem, and to receive 39 stripes. |
| 14 | William Smith - | - idem - - - | Trespass and assault - - - - - | Fined £. 2. sterling; imprisonment until paid not exceeding six days. |
| 15 | William Henery - | Labourer - - - | Burglary - - - - - | Three months' solitary imprisonment, and to receive 20 stripes. |
| 16 | Thomas Henery - | Apprenticed labourer - | Theft - - - - - | - idem - - - 30 idem. |
| 17 | Quickly - - - | - idem - - - | - idem - - - - - | - idem, with hard labour - - idem. |
| 18 | Agnes Lewis - | not stated - - - | Assault and battery - - - - - | Fined £. 20. sterling; imprisonment until paid, not exceeding two months. |

—No. 173.—

Copy of a DESPATCH from *H. E. F. Young, Esq.*, to Lord *Glenelg*.

My Lord,

Camp House, Demerara, 5 March 1838.

No. 173.

It is my very painful duty to announce to your Lordship the melancholy intelligence of the death of Sir James Carmichael Smyth. This lamentable event was occasioned by fever, and occurred yesterday at 10 minutes past six o'clock in the evening, after an illness of only four days.

Major Orange, of the 67th Regiment, as senior officer of Her Majesty's Forces, on full pay, in British Guiana, has consequently succeeded to the administration of the government, but as he is at present in the county of Berbice, and cannot arrive in Demerara for at least a day or two, I have felt it right to communicate these tidings to your Lordship without delay. I have, after consultation with the chief justice, adopted the customary measures to facilitate the immediate assumption by Major Orange of the functions of Acting Governor. In the absence of Major Orange from the seat of government, I have reported his succession to his Excellency Lieutenant-general Sir Samford Whittingham.

BRITISH GULANA.

The unaffected admiration, the respectful affection and veneration with which I regard the memory of my lamented chief and friend would prevent my presuming upon even a faint allusion to his uncommon merit from one of so little note as myself, did I not know that my humble opinion is but the echo of that which on public grounds your Lordship has so frequently had occasion to express. The eminent services of the intrepid—the just—the signally successful ruler of this not easily-governed colony, have been repeatedly honoured with your Lordship's cordial acknowledgments and with the gracious approbation of our Sovereign; yet permit me, with feelings of the utmost respect, to state, that my humble testimony now supplies this further corroboration of the late Sir James Carmichael Smyth's conspicuous worth, in that his (humanly speaking) untimely removal from a sphere of extensive usefulness, to which he was incessantly devoted, has excited the deepest regret in the bosom of every individual, whilst to the community at large his loss appears a great public calamity.

I have, &c.
(signed) *H. E. F. Young,*
Government Secretary.

— No. 174. —

Copy of a DESPATCH from Major *W. N. Orange* to Lord *Glenelg*.

No. 174. My Lord, Public Buildings, Demerara, 7 March 1838.

THE despatch of the Government Secretary, dated the 5th instant, will have apprized your Lordship of my succession to the temporary government of this colony, vacant by the deeply-lamented death, on the 4th instant, of the late Major-general Sir James Carmichael Smyth. I have now the honour to acquaint your Lordship, that the oaths of office were this day administered to me in the customary manner, and the publication usual on these occasions has been issued by myself and the court of policy, of which I beg to annex a copy.

A.

B.

C.

I have also to forward a copy of an address to the apprenticed labourers, and of a circular letter to the sheriffs and special justices, directing them to give due publicity to the said address. I respectfully trust that these measures, intended for the general good, may be honoured with your Lordship's approbation.

I have great satisfaction in announcing to your Lordship that the latest accounts from every part of the colony report a state of good order and perfect tranquillity to be prevalent.

I have, &c.
(signed) *W. N. Orange*
Major 67th Reg. Commg. Troops.

Enclosures in No. 174.

(A.)

Encl. in No 174.

PUBLICATION by his Excellency Major *William Nesbitt Orange*, Commanding Her Majesty's Troops, Acting Governor; and the Honourable the Court of Policy of *British Guiana*.

UNTO all to whom these presents may or shall concern, greeting: Be it known:—

WHEREAS, by the lamented death of his Excellency the late Major-general Sir *James Carmichael Smyth*, Baronet, the administration of the government of British Guiana hath devolved upon Major *William Nesbitt Orange*, of the 67th Regiment of Foot, who did this day take the usual oaths of office, we have thought fit to issue this our Publication, in order that the said event may be promulgated for general information.

Thus done at our Extraordinary Assembly, held at the Hall of the Honourable the Court of Policy, at the Guiana Public Buildings, this 7th day of March 1838, and published the same day.

By command of the Court,
H. E. F. Young, Secretary.

(B.)

AN ADDRESS to the APPRENTICED LABOURERS of *British Guiana*, by his Excellency *William Nesbitt Orange*, Major of the 67th Regiment of Foot, Commanding H. M. Troops, Acting Governor and Commander-in-chief of *British Guiana*.

Apprenticed Labourers,

YOUR beloved Governor—your watchful and kind friend, the late Major-general Sir James Carmichael Smyth—always gave you a good character. He always said with confidence, that you would be willing and able to prove that his favourable opinion of you was correct and just. Now, at this time, when it has been the will of Almighty God to remove him into another world, is afforded to you an opportunity of showing your grateful sense of his never-wearied zeal for your interests. Prove to the world how greatly you have profited by the good advice he so frequently gave you. Is there any one of you who is inclined to be idle, or disobedient, or inattentive to what your magistrates, or your managers, or your head people may say to you? Think what the good Governor—now no more—the poor man's friend—would say were he still upon earth: "Labour and obedience to the laws must be the lot of every man who desires to do well and to be protected." This is what he has often told you; and by continued good conduct, by continued industry, by an absence of complaints against you, you will best show your grateful respect for the memory of him who took a pride in promoting your welfare—who rejoiced in your good behaviour—who upheld your character—who grieved when any one of you did wrong.

Apprenticed Labourers,

The Queen's orders have made me, for the time being, the successor of your late Governor. To-day, in humble reliance upon Divine Providence, I took the oaths of office, and swore to acquit myself to the best of my ability in the high situation which has unexpectedly devolved upon me. You all know that the same laws which the late Governor caused to be administered are still in force, and will continue in force, until in 1840 other laws will be made.

I have served under the command of your late Governor. I know how fearless, how just a man he was. Fearlessly and justly, according to my conscience, I will endeavour respectfully to follow in his honoured steps. Acting upon his inflexible principles, I will favour no man; but I will be anxious and zealous to do full justice, according to law, to every man—high and low—knowing no distinction (in cases of right and wrong) of rank or class or colour.

Given under my hand and seal, at the Guiana Public Buildings, Georgetown, Demerara, this 7th day of March 1838, and in the first year of Her Majesty's reign.

William Nesbitt Orange, Acting Governor.

By command of his Excellency the Acting Governor,
H. E. F. Young, Government Secretary.

(C.)

(Circular.)

Sir,

Guiana Public Buildings, 7 March 1838.

His Excellency the Acting Governor has directed me to forward to you the accompanying Address to the Apprenticed Labourers, with his earnest request that you should give it the utmost publicity throughout your district.

II.

The implicit trust and confidence which were reposed by all classes, but especially by the apprenticed labourers, in the distinguished individual whose death the whole community so deeply deplore, have rendered the loss of his valuable life a great public calamity. The continuance of good order, the stability of the present flourishing state of the country, demands from every officer in the service of Her Majesty the utmost care and circumspection at this time; nor can this care, in the opinion of his Excellency the Acting Governor, be better exercised on your part than by the most patient and assiduous exertions to maintain and increase the reliance of the inhabitants of your district, in the due and upright administration of the laws generally, and most especially in the zealous and impartial execution of such of them as relate to your office. By more than ordinary attempts (made however discreetly, and only as occasion may in your judgment seem to require) to draw to yourself some portion of that confiding expectation and submission with which the lower orders invariably regarded the acts of the late Governor, you will contribute most materially to the preservation of the public tranquillity.

Should your prudent and alert conduct have this happy effect, and tend also to the maintenance of cheerful industry, it will be the pleasing duty of his Excellency the Acting Governor to obtain for you the thanks of Her Majesty's Government.

I have, &c.

To their Honours the respective Sheriffs
and Special Justices.

H. E. F. Young, Government Secretary.

BRITISH GUIANA.

No. 175.

(No. 314.)

—No. 175.—

COPY of a DESPATCH from Lord *Glenelg* to the Officer administering the Government of *British Guiana*.

Sir,

Downing-street, 16 April 1838.

ON the eve of the departure of the packet, the intelligence has reached me of the death of Sir James Carmichael Smyth. It has been my mournful duty to communicate the intelligence to The Queen, and it has been received by Her Majesty with deep concern. By Her Majesty's Government the loss to Her Majesty's service is severely felt; and on my own part it would not be easy for me to express to you the sorrow which I feel for the death of Sir James Carmichael Smyth, both as a public calamity and on grounds of the highest personal respect and esteem.

After administering the government of the Bahamas for some years with ability, decision and success, he was appointed to the highly-important post which he has since occupied, at that critical period when the minds both of the planters and of the negroes were agitated at the approach of great changes in the relations between them and in the general condition of society. It was above all things essential to the safety of the colonial community that the Governor should inspire the negroes with an implicit confidence in his determination to do justice to their cause, and this confidence was almost immediately secured by the energy and inflexible resolution with which Sir James Carmichael Smyth protected their rights and promoted their well-being upon all occasions. And if his policy was for a time disapproved and resisted by the planters, they had at least the satisfaction of knowing at all times that they were under the government of a man whose abilities and courage rendered him equal to any emergency that could arise; whilst, as the course of events unfolded the advantages of the conduct which had been adopted, and proved the wisdom of the spirit by which the Governor had been guided in his administration of affairs, bearing upon the relations between the planter and the negro, all parties appear to have become equally sensible of the gratitude which was owing to him. They were indeed indebted mainly to him for the ease and security with which the transition from slavery to apprenticeship had been accomplished, and for the growing prosperity, contentment, and moral and religious improvement which followed, and to the promotion of which his efforts were unceasingly and most efficaciously directed down to the last days of his existence.

There is no public functionary in the colonial empire at the present time whose continued services would have been of higher importance to the prospects of the portion of that empire which is now placed in circumstances at once so novel and so deeply interesting to humanity. The only consolation which can be suggested for the loss of such services is to be found in the reflection, that the security, confidence and contentment which his efforts have established, afford the best promise of success in conducting the colonial society through the changes which are yet to come, and that the benefits which have been derived from his exertions are not of a nature to terminate with his life.

It must be my care to advise Her Majesty, to the best of my ability, in the selection of a successor, to whose hands, under Divine Providence, the arduous trust which has thus become vacant may be worthily committed. The arrangements which are to be made in the meantime will be notified to you in a separate despatch.

I have, &c.

(signed) *Glenelg*.

—No. 176.—

(No. 43.)

No. 176.

COPY of a DESPATCH from Major *Orange* to Lord *Glenelg*.

My Lord,

Public Buildings, Demerara, 14 March 1838.

WITH reference to the despatch, No. 26, dated 12th February last, addressed to your Lordship by the late Governor, I have now the honour of forwarding to your Lordship returns for last month, exhibiting the number and extent of punishments awarded against apprenticed labourers by special justices; of the complaints preferred by apprenticed labourers or articed servants against their employers; and lastly an epitome of all cases brought before the criminal courts held in the several counties.

I have, &c.

(signed) *W. N. Orange*, Acting Governor.

Enclosure in No. 176.

GOVERNMENT NOTICE.

Encl. in No. 176.

THE Acting Governor has directed the following Returns for the month of February to be published in the Royal Gazette.

By his Excellency's command,

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

Government Secretary.

Guiana Public Buildings, 13 March 1838.

(A.)

EXHIBITING the NUMBER and EFFECT of the RETURNS of PUNISHMENTS received by the Governor from the Special Magistrates.

| District. | Name of Special Magistrate. | Total Number of Apprentices comprised in this District. | | Total No. of Punishments inflicted. | Total Number of Males punished. | | Total Number of Females punished. | Average No. of Stripes in the Punishments by whipping. | Maximum No. of Stripes in any one Case of Punishment by whipping. | Maximum of Severity in any one Case of Punishment by Confinement. | Maximum of Severity in any other Mode of Punishment. |
|---------------|-----------------------------|---|----------|-------------------------------------|---------------------------------|-----------------------------|-----------------------------------|--|---|---|--|
| | | Males. | Females. | | By whipping. | Otherwise than by whipping. | | | | | |
| A. Upper Div. | Thos. Coleman | 1,470 | 1,340 | 26 | - | 6 | 20 | - | - | 16 days | 1 month's extra labour on the estate. |
| A. Lower Div. | C. H. Strutt | 1,728 | 1,617 | 31 | - | 16 | 15 | - | - | 14 days | 3 months' hard labour on the treadmill. |
| B. - - - | A. M. Lyons | 2,932 | 2,739 | 37 | - | 20 | 17 | - | - | 1 month | 2 weeks' extra labour. |
| C. Town Div. | Geo. Ross | 3,346 | 3,428 | 11 | - | 8 | 3 | - | - | 2 weeks | 2 weeks' hard labour. |
| C. Town Div. | Austin Carroll | | | 19 | - | 14 | 5 | - | - | 4 weeks | 4 weeks' hard labour |
| C. Upper Div. | J. A. Allen | 2,243 | 2,134 | 41 | - | 16 | 25 | - | - | 1 week | 3 months' hard labour. |
| D. - - - | D. McLennan | 3,183 | 2,594 | 18 | - | 13 | 5 | - | - | 2 months | 1 month's extra labour. |
| E. - - - | Thos. Delafons | 2,831 | 2,637 | 77 | - | 26 | 51 | - | - | - - Colony prison four months, solitary confinement 3 months. | 42 days' extra labour. |
| F. - - - | George Kellock | 4,456 | 4,346 | 6 | - | 4 | 12 | - | - | 1 month | - |
| G. - - - | George Ball | 2,000 | 1,470 | 3 | - | 2 | 1 | - | - | 1 month | 1 month's hard labour at the treadmill. |
| H. Upper Div. | J. O. L. Mure | 1,494 | 1,350 | 17 | - | 13 | 4 | - | - | 1 month | 20 days' extra labour. |
| H. Lower Div. | W. J. Brittain | 1,800 | 1,560 | 16 | - | 6 | 10 | - | - | 2 months | - |
| I. - - - | George Rose | 1,063 | 923 | - | - | - | - | - | - | - | - |
| K. - - - | W. H. Ware | 2,556 | 2,423 | 30 | - | 22 | 8 | - | - | 2 months | - |
| L. - - - | A. Van R. de Groot | 1,604 | 1,449 | 29 | - | 7 | 22 | - | - | 1 month | 1 month's hard labour on the estate. |
| M. - - - | K. Heyland | 1,891 | 1,646 | 7 | - | 1 | 6 | - | - | 2 weeks | 2 weeks' extra labour. |

(B.)

GENERAL RETURN of COMPLAINTS preferred by APPRENTICED LABOURERS or ARTICLED SERVANTS.

| District. | Special Justice. | From what Estate. | For Assault or Illegal Confinement. | Relative to Food. | Relative to Clothing. | Relative to Lodging. | Relative to Hospital Treatment. | Relative to Work, Quantity or Description. | Relative to Wages for Extra Work. | Relative to Treatment when Pregnant or Nursing. | Relative to the Destruction of Pigs or other Personal Property. | Relative to Terms of Indenture. | Total Number of Complaints. | Complaints pronounced Frivolous or Unfounded. | Complaints Amicably Settled or Compromised. | Complaints followed to Conviction. | Maximum of Punishment awarded for Ill-treatment of Apprenticed Labourer or Articled Servant. |
|--------------------|----------------------|--|-------------------------------------|-------------------|-----------------------|----------------------|---------------------------------|--|-----------------------------------|---|---|---------------------------------|-----------------------------|---|---|------------------------------------|--|
| A. Upper Section - | Thomas Coleman | Helena - - - | 1 | - | - | - | 1 | - | - | - | - | - | 2 | 1 | - | 1 | Fined 48 <i>f</i> . |
| " | " | Melville - - - | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | - | - | |
| A. Lower Section - | C. H. Strutt - | Greenfield - - - | - | 2 | - | - | 1 | 1 | - | - | - | - | 3 | - | 3 | - | Fined 10 <i>s</i> . |
| " | " | Clonbroek - - - | - | - | - | - | 1 | 1 | - | - | - | - | 1 | - | 1 | - | |
| " | " | Ann's Grove - - - | - | - | - | - | 1 | 1 | - | - | - | - | 1 | - | 1 | - | |
| " | " | Dochfour - - - | - | - | - | - | 3 | 3 | - | - | - | - | 3 | 3 | - | - | |
| " | " | Baillie's Hope - - - | - | - | - | - | 2 | 2 | - | - | - | - | 2 | - | 2 | - | |
| " | " | John and Cove Paradise - - - | - | - | - | 4 | 1 | 1 | 1 | - | - | - | 5 | 1 | 4 | - | |
| B. - - - | A. M. Lyons - | Friendship - - - | 1 | - | - | - | - | - | - | - | - | - | 1 | - | - | 1 | Fined 10 <i>s</i> . |
| " | " | Turkeyen - - - | - | - | - | 4 | - | - | - | - | - | - | 4 | - | 4 | - | |
| " | " | Good Hope - - - | - | - | - | - | 1 | 1 | - | - | 1 | - | 1 | 1 | - | - | |
| " | " | Felicity - - - | - | - | - | - | - | - | - | - | - | - | 1 | 1 | - | - | |
| " | " | Vryheid's Lust New Orange Massau - - - | 1 | - | - | - | - | - | 1 | - | - | - | 1 | - | 1 | - | |
| C. - - - | J. A. Allen - | La Penitence - - - | - | - | - | 2 | 1 | 1 | - | - | - | - | 3 | - | 3 | - | Fined 21 <i>s</i> . |
| " | " | Ruimveld - - - | 1 | - | - | - | 2 | 2 | - | - | - | - | 3 | - | 3 | - | |
| " | " | Rome and Houston - - - | 1 | 2 | - | 1 | 1 | 1 | - | - | - | - | 5 | - | 5 | - | |
| " | " | Peter's Hall - - - | 1 | - | - | - | 1 | 1 | - | - | - | - | 2 | - | 2 | - | |
| " | " | Herstelling - - - | - | - | - | - | 1 | 1 | - | - | - | - | 1 | 1 | - | - | |
| " | " | Farm - - - | - | 10 | - | - | 7 | 7 | - | - | - | - | 18 | 5 | 4 | 9 | |
| " | " | Covent Garden - - - | - | - | - | 1 | - | - | - | - | - | - | 1 | - | 1 | - | |
| " | " | Great Diamond - - - | 1 | - | - | - | - | - | - | - | - | - | 1 | - | 1 | - | |
| " | " | Little Diamond - - - | 1 | - | - | - | 1 | 1 | 1 | - | - | - | 3 | - | 3 | - | |
| " | " | Golden Grove - - - | - | - | - | - | 1 | 1 | - | - | - | - | 1 | - | 1 | - | |
| " | " | Friendship - - - | 1 | - | - | - | - | - | 1 | - | - | - | 2 | - | 2 | - | |
| " | " | Arcadia and Mocha - - - | - | - | - | - | 3 | 3 | - | - | - | - | 3 | - | 3 | - | |
| " | " | Henry - - - | 2 | - | - | - | - | - | - | - | - | - | 2 | - | 2 | - | |
| " | " | Profit - - - | - | - | - | 1 | 1 | 1 | - | - | - | - | 3 | 1 | 2 | - | |
| Town Section - | George Ross - | Employers Art. Svts. - - - | 3 | 3 | 1 | - | - | - | - | - | - | 2 | 9 | 4 | 2 | 3 | Fined 9 <i>f</i> . |
| " | Austin Carroll - | Employers N. P. - - - | 2 | 2 | 1 | 1 | 1 | - | - | - | - | - | 7 | - | 7 | - | |
| D. - - - | D. M'Lennan - | Anna Catharina - - - | - | - | - | - | 1 | 1 | - | - | - | - | 1 | 1 | - | - | Fined 12 <i>f</i> . |
| " | " | Good Intent - - - | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | - | - | |
| " | " | Nimes - - - | - | - | - | 1 | - | - | - | - | - | - | 1 | - | 1 | - | |
| " | " | Vreeden Vriendschap - - - | 1 | - | - | - | - | - | - | - | - | - | 1 | - | 1 | - | |
| E. - - - | Thomas Delafons - | Greenwich Park - - - | 1 | - | - | - | - | - | - | - | - | - | 1 | - | - | 1 | Fined 6 <i>f</i> . |
| " | " | Blankenburg - - - | 1 | - | - | - | - | - | - | - | - | - | 1 | - | - | 1 | |
| F. - - - | George Kellock - | Success - - - | - | - | - | - | - | - | - | 1 | - | - | 1 | - | 1 | - | Fined £.16 & £. 5. |
| " | " | Wisselvalligheid - - - | - | 1 | - | - | - | - | - | - | - | - | 1 | - | 1 | - | |
| " | " | Vertrowen - - - | 2 | - | - | - | - | - | - | - | - | - | 2 | - | - | 2 | |
| " | " | Articled Servant - - - | 1 | - | - | - | - | - | - | - | - | - | 1 | - | 1 | - | |
| G. - - - | George Ball - | Spring Garden - - - | - | - | - | - | - | - | - | - | - | 4 | 4 | 3 | 1 | - | |
| H. Upper Section | J. O. L. Mure - | No complaint - - - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | Fined 5 <i>s</i> . |
| H. Lower Section | W. J. Brittain - | No return received - - - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | |
| I. - - - | George Rose - | No complaint - - - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | Fined 5 <i>s</i> . |
| " | W. H. Ware - | Balthrock - - - | - | - | - | 1 | 2 | - | - | - | - | - | 3 | - | 3 | - | |
| " | " | Blairmont - - - | 1 | - | - | - | 2 | - | - | - | - | - | 3 | - | 2 | 1 | |
| " | " | Gebroeders - - - | 1 | - | - | - | - | - | - | - | - | - | 1 | 1 | - | - | |
| " | " | Lonsdale - - - | - | 1 | - | - | - | - | - | - | - | - | 1 | 1 | - | - | |
| " | " | Lochaber - - - | - | - | - | 2 | - | - | - | - | - | - | 2 | 2 | - | - | |
| " | " | Everton - - - | - | - | - | - | 2 | - | - | - | - | - | 2 | - | 2 | - | |
| L. - - - | A. Van R. De Groot - | Roesfield - - - | 2 | - | - | - | - | - | - | - | - | - | 2 | 1 | - | 1 | Fined £.1. |
| M. - - - | K. Heyland - | Mary's Hope - - - | - | - | - | - | - | 2 | - | - | - | - | 2 | 2 | - | - | |
| " | " | Hampshire - - - | 1 | - | - | - | - | - | - | - | - | - | 1 | - | - | 1 | Fined 14 <i>f</i> . |
| | | | 29 | 21 | 2 | 19 | 3 | 37 | 6 | 1 | 1 | 6 | 125 | 32 | 72 | 21 | |

(C.)

EXHIBITING an EPIHOME of all Cases brought before the MONTHLY INFERIOR CRIMINAL COURTS, together with the Result of the Proceedings in each Case.

| No. | Name of Accused. | Station in Life. | Offence charged with. | Result of Trial. |
|-----|-------------------------------|--|---|--|
| 1 | Edward - - | Apprenticed labourer - | Burglary and theft - - - - - | One month's imprisonment in colony jail with hard labour, and to receive 15 stripes. |
| 2 | Polydore - - | - - idem - - | Assault on a constable - - - - - | Fourteen days - - - ditto - - ditto. |
| 3 | John B. Edward | - - idem - - | Theft - - - - - | Three months' imprisonment with hard labour, and to receive 30 stripes. |
| 4 | Friday - - | - - idem - - | Idem - - - - - | One month's - - - ditto - - ditto. |
| 5 | Colin - - | - - idem - - | Burglary and theft - - - - - | Acquitted. |
| 6 | Christ. Behrends | Merchant - - | Harbouring and employing another person's apprentice - - - - - | Fined £ 10. and 10 stripes per day for 12 days; imprisonment till paid, not to exceed one month. |
| 7 | Christian Goding | Shop-keeper - - | Selling spirits to soldiers - - - - - | Fined 150 guilders - - ditto - 14 days. |
| 8 | Jane Harlequin | Sempstress - - | As No. 6. - - - - - | Fined £. 3. - - - ditto - - ditto. |
| 9 | Jos. Bignel - James Moll - | Mariners of the brig } Frederick - - } | Assaulting the master of the brig Frederick - | One week solitary imprisonment in colony jail. - - - idem. |
| 10 | M'Leod - - | Apprenticed labourer - | Burglary and theft - - - - - | Two months' imprisonment with hard labour, and to receive 25 stripes. |
| 11 | Dominique - - | - - idem - - | Wilful indolence, unlawful absence from work, and instigating others to acts of insubordination - - - - - | One month's imprisonment with hard labour. |
| 12 | George - - | - - idem - - | Breaking out of jail when under sentence and subsequently committing various thefts - | Three months' imprisonment with ditto and 39 st. |
| 13 | Samuel Jeffery - | Not described - - | Assault and battery on a female - - - - - | Fined £. 4., imprisonment till paid, not to exceed one month. |
| 14 | Alexander - - | Apprenticed labourer - | Theft - - - - - | Two months' solitary confinement. |
| 15 | James Lea - - | - - idem - - | Assault - - - - - | Fined £. 10. |
| 16 | Prince - - | - - idem - - | Assault and wounding - - - - - | One month's solitary confinement. |
| 17 | Charles - - | - - idem - - | Ditto ditto - - - - - | - - ditto - - or a fine of £. 5. |
| 18 | J. B. Gray - - | - - - - - | - - - - - | Acquitted. |
| 19 | A. G. Fowler - | - - - - - | - - - - - | Fined 220 guilders. |
| 20 | J. Longley - - | - - - - - | - - - - - | " 330 ditto. |
| 21 | A. W. Perry - - | - - - - - | - - - - - | " 220 ditto. |
| 22 | D. Grant - - | Gentlemen in charge } of Estates in the } County of Essequibo. } | Illegal state of the roads - - - - - | " 220 ditto. |
| 23 | Evan M'Donald - | - - - - - | - - - - - | " 110 ditto. |
| 24 | James Mulligar - | - - - - - | - - - - - | Acquitted. |
| 25 | Jos. Whitehead - | - - - - - | - - - - - | ditto. |
| 26 | C. E. Drake - - | - - - - - | - - - - - | ditto. |
| 27 | W. Napier - - | - - - - - | - - - - - | ditto. |

TABLE (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 1837 to the 31st January 1838.

| D A T E. | Total Number of Apprentices throughout the Government. | Total Number of Punishments inflicted under the Authority of the Special Magistrates throughout the same. | Proportion per Cent. of Punishments to Apprentices. | Total Number of Males punished. | | Total Number of Females punished. | The Average Number of Stripes inflicted in Cases of Punishment by Whipping. | The Maximum Number of Stripes inflicted in any one Case of Punishment by Whipping. | The Maximum of Severity in any one Case of Punishment by Confinement. | The Maximum of Severity in any other Mode of Punishment. |
|-------------|--|---|---|---------------------------------|-----------------------------|-----------------------------------|---|--|---|--|
| | | | | By Whipping. | Otherwise than by Whipping. | | | | | |
| 1837: | | | | | | | | | | |
| June - - | 70,479 | 334 | ½ | 1 | 166 | 167 | 30 | 30 | One month - - | - - One month's hard labour on the treadmill. |
| July - - | 69,932 | 651 | 1 | - | 326 | 325 | - | - | Three months - | Two months' ditto. |
| August - | 70,215 | 506 | ¾ | 8 | 257 | 241 | 28 | 35 | Three months - | Two months' ditto. |
| September - | 67,261 | 350 | ½ | - | 222 | 128 | - | - | Three months - | Two months' ditto. |
| October - | 66,291 | 345 | ½ | 1 | 198 | 146 | 39 | 39 | Two months - - | Two months' ditto. |
| November - | 67,326 | 365 | ½ | 2 | 196 | 167 | 39 | 39 | Three months - | Two months' ditto. |
| December - | 66,153 | 328 | ½ | - | 181 | 147 | - | - | Three months - | Three months' ditto. |
| 1838: | | | | | | | | | | |
| January - | 66,250 | 333 | ½ | - | 196 | 137 | - | - | Three months - | Three months' ditto. |
| February - | 66,293 | 368 | ½ | - | 174 | 194 | - | - | Four months - | Three months' ditto. |

APPENDIX.

COLONIAL LAWS.

Appendix, No. 5.

ENCLOSURE in Sir *E. J. Murray M'Gregor's* Despatch, 4 April 1837.—No. 76.

Barbados.—No. 620.

Appendix, No. 5.

AN ACT to repeal the 38th Clause of 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 30 March 1837.

WHEREAS erroneous impressions have been engendered in the minds of the apprenticed labourers of this Island, which have operated most injuriously on the condition of their free children :

And whereas the provisions of the 38th clause of the Abolition Act of this Island, taken from the Act of the Imperial Parliament, authorizing in certain cases the apprenticeship of these children, has been made the means of creating these impressions, and has become altogether inoperative ;

Repeals the 38th Clause of the Act here mentioned. Clause 2, not to be in force until his Majesty's pleasure shall be known.

1. Be it therefore enacted, by the governor, council and assembly, That the said clause shall be and the same is hereby absolutely repealed.

2. Provided always, and be it further enacted, That this Act shall not be in force in this Island until his Majesty's pleasure shall be known thereon.

Read three times, and passed the Council unanimously, this 28th day of March 1837.

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

30 March 1837.

I assent.

(signed)

Read three times, and passed the General Assembly, this 14th day of March 1837.

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

E. J. Murray M'Gregor, Governor.

Appendix, No. 6.

ENCLOSURE in Governor Sir *J. C. Smyth's* Despatch, 6 December 1836.—No. 140.

British Guiana.—No. 86.

Appendix, No. 6.

AN ORDINANCE regulating the Qualification for the exercise of the Elective Franchise in British Guiana.—(Passed 2d December 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 the Court of Policy.

To all whom these presents do, may or shall come, greeting ; Be it known :

WHEREAS upon the 2d day of May 1835, his Excellency the Lieutenant-governor, by and with the advice and consent of the honourable the Court of Policy of British Guiana, framed and passed an ordinance, intituled, "An Ordinance to establish a new qualification for the exercise of the Elective Franchise in this Colony:" And whereas it is expedient and necessary that the same should be repealed :

Be it therefore enacted, as it is hereby enacted, That from and after the passing and publication of this ordinance, the said ordinance, intituled, "An Ordinance to establish a new qualification for the exercise of the Elective Franchise in this Colony" shall be and the same is hereby declared to be repealed.

1. And be it enacted, That from and after the taking effect of this ordinance, every inhabitant of this colony, of full age and not subject to any legal disability, who, for himself, or as curator, administrator, sequestrator, executor, guardian, or in any other capacity, shall have been assessed to pay direct taxes to the colonial revenue upon an income of not less than 2,001 guilders, or who shall have paid direct taxes to the amount of 70 guilders

or

or upwards, in the year of or in the year preceding any new election of a member of the College of Electors or of the College of Financial Representatives of this colony, or who after the publication of this ordinance shall be assessed upon an income of the amount as aforesaid, or who shall be assessed and liable to pay to the colonial revenue of the said colony direct taxes to the amount of 70 guilders or upwards, and not being in arrear in the payment of such taxes for more than six months from the date of such taxes becoming payable, shall be entitled to vote upon and for the election of any such member of the respective colleges aforesaid.

2. And be it further enacted, That where two or more persons shall possess jointly, or in common, any estate or plantation, or shall be connected as partners in any trade, business or profession, jointly returning or paying direct taxes to the colonial receiver, each and every of such possessors or partners shall be entitled to vote as aforesaid: Provided that the amount of direct taxes by them jointly paid or payable (when divided by the number of persons paying the same,) shall be sufficient to give or leave to each of such possessors or partners a proportion amounting to the sum of 70 guilders; and provided further, that every such possessor or partner, claiming a right to vote, shall be bound to prove annually, by the affidavit of himself, or of some other credible person, before a magistrate or justice of the peace, who is hereby authorized and required to administer the same without fee or reward, that his individual share of such direct taxes amounts to 70 guilders; which affidavit, to be made as aforesaid, shall be lodged at the office of the Financial Accountant in George Town, or at the office of the Assistant Receiver-General in New Amsterdam.

3. And be it enacted, That every person possessing a right to vote as aforesaid, and who shall be absent from the colony, shall be entitled to vote by his or her agent or attorney: Provided always, that the name or names of the party or parties absent from the colony, in whose behalf any vote or votes are given, shall be fully set forth in such vote or votes. And be it further enacted, That in every case in which any property affording a qualification or qualifications for voting as aforesaid is administered by sequestrators, curators, administrators, executors, guardians or trustees, such sequestrators and others as aforesaid, shall be entitled to vote in respect of such property on behalf of the owner or owners thereof: Provided always, that the number of votes received or receivable in respect thereof shall not exceed the number of votes which, under this ordinance, it would be competent for the owner or owners thereof, if in the immediate administration thereof, and directly exercising the right of voting, to give; provided further, that in cases where such property is owned jointly or in common by two or more persons, the affidavit relating thereto, as prescribed in the second section of this ordinance, shall be made and given in.

4. And be it further enacted, That in each and every year, commencing with the year 1837, the Financial Accountant in George Town, and the Assistant Receiver-General in New Amsterdam, shall be bound, and they are each of them hereby required, within one calendar month from the last day fixed by law for giving in at the offices of the said Financial Accountant and Assistant Receiver-General, the annual returns for colonial taxes, to make out from such returns, or in cases of partnership or joint property, from the affidavits thereunto relating, as hereinbefore required, a list or registry of the names of all persons in the respective districts, who shall appear by such returns and affidavits to be *prima facie* qualified to vote as aforesaid; and in such list or register the said names shall be arranged in alphabetical order of the surnames of the parties so qualified as aforesaid; and upon the completion of such lists the same shall be posted up during office hours in some conspicuous place in the offices of the said Financial Accountant and Assistant Receiver-General, and shall moreover be three times published in the Royal Gazette of the colony.

5. And be it further enacted, That it shall and may be lawful for the said Financial Accountant and Assistant Receiver-General, and they are hereby respectively authorized and required to correct and amend such list or register, if it should at any time be made to appear to them or either of them that any clerical or other error has by either of them been committed therein; and it shall be further lawful for any person or persons claiming a right to vote whose name shall not have been inserted in any such list or registry as aforesaid by the Financial Accountant or Assistant Receiver-General, as the case may be, to prefer in writing a representation of any such non-insertion to the Secretary of the Court of Policy, which shall by the said secretary be as soon as may be practicable thereafter laid before the honourable the Court of Policy, when the court will make such decision on the case and such order on the said Financial Accountant or Assistant Receiver-General relative thereto, as it may deem fit and proper.

6. And be it further enacted, That for the purposes of any election now pending, or in progress, or in which the votes may be returnable before the list or registry of votes for the year 1837 shall be completed, a list or registry of votes shall be framed by the said Financial Accountant and Assistant Receiver-General from the returns made for colonial taxes for the year 1836, and such list or registry shall be transmitted by the said Financial Accountant and the said Assistant Receiver-General, to the Secretary of the Court of Policy, one week at least before the period of voting at any such election shall cease, to be by the said secretary laid before the honourable the Court of Policy, when the boxes containing the votes at any such election shall be opened.

7. And be it further enacted, That every vote to be given at any such election as aforesaid, and every affidavit to be made in pursuance of the provisions of this ordinance, shall

Appendix, No. 6. be as near as may be respectively according to the forms set forth in the schedules hereunto annexed, under the letters (A.) (B.) and (C.)

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, George Town, Demerara, this 2d day of December 1836, and published the 3d following.

J. Carmichael Smyth.

By command of the Court,

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

(A.)

I, A. B. do swear, That C. D. and E. J. are partners of the firm of or joint common owners of Plantation (as the case may be) and that the individual share of direct taxes assessed for the year on said firm or plantation, and paid or payable by each of said amounts to 70 f.

(signed) *A. B.*

Partner in the firm of
(or joint proprietors of plantation)
(or agent of proprietor of plantation.)
(or partner in the firm of)

(B.)

I vote for A. B. to fill the present vacancy in the College of Electors (or College of Financial Representative, as the case may be)

(signed) *A. B.*

(or signed *A. B.*

Attorney, Agent, or Representative of C. D.
absent from the Colony.)

(C.)

FOR A CREDIBLE WITNESS.

I, A. B., do swear, That C. D., E. F., &c. (setting forth the names of the parties to whom the affidavit applies) are partners of the firm of (or joint owners of the plantation as the case may be); and that the individual share of direct taxes assessed on said firm or plantation (as the case may be) for the year paid or payable by each of said partners or joint owners (as the case may be), amounts to the sum of 70 guilders.

Appendix, No. 7.

Appendix, No. 7.

AN ORDINANCE to extend the Powers of the Special Justices, passed 23 June 1837.
(Enclosure in Sir *J. C. Smyth's* Despatch, 24 June 1837, No. 152.)

J. CARMICHAEL SMYTH,
(L. S.)

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.

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

Preamble:

WHEREAS it is expedient that the powers hitherto vested in the special justices of the peace should be increased;

Special justices in country districts vested with power to hear and determine cases of breaches of the peace and petty thefts.

1.—Be it therefore enacted, by his Excellency the Governor, by and with the advice and consent of the honourable Court of Policy of British Guiana, That from and after the passing and publication of this Ordinance, such special justice for the time being throughout the colony of British Guiana, resident in the country districts of British Guiana, shall, within the country district to which he shall have been appointed to act as a special justice of the peace, have, and he is hereby vested with, full power and authority to take cognizance of, and to hear and determine in manner hereinafter mentioned, all cases of breaches of the peace which shall in his judgment not merit a severer punishment than a penalty of Two pounds sterling (Twenty-eight guilders), whether the same shall have been committed by apprenticed labourers or others; all cases of petty thefts, where the property stolen shall not exceed the value of Two pounds sterling; each and every case of the receipt of stolen property, not exceeding the same value, by any person or persons with a guilty knowledge that

that the same has been stolen; each and every case of embezzlement of property to the same value; each and every case where property not exceeding the same amount in value shall have been obtained from any person or persons under any false or fraudulent pretence, together with each and every case of malicious injury to property committed, by any person or persons, where the damage sustained shall not exceed the said amount of Two pounds sterling: Provided always, That each and every one of the offences hereinbefore enumerated shall have been committed by some person or persons within the limits of the district to which the said special justice shall have been appointed.

Special justices in George-town and New Amsterdam vested with same power. Exception.

2.—And be it further enacted, That the special justices resident for the time being in Georgetown and New Amsterdam, shall have in each of their districts a like jurisdiction, power and authority over each and every one of the offences hereinbefore enumerated, save and except when any such offence shall have been committed within any of the wards of Georgetown, or within the limits of the town of New Amsterdam.

3.—And be it further enacted, That any person or persons shall be at liberty to prefer to any such special justice of the peace (on oath) any complaint against any other person or persons for any of the offences hereinbefore enumerated, which complaint shall be reduced into writing, and shall be entered by the special justice in a book to be by him kept for that purpose; and such complaint shall contain a description of the charge preferred in words of ordinary use, with a reasonable specification of the time and place when and where the offence was committed; and upon the receipt of any such complaint, the special justice shall, if he see fit, issue a summons for the appearance before him of the person or persons accused, and of any witness or witnesses who may be required at such time and place as the special justice may think proper to appoint.

Complaint to special justice to be on oath and in writing. Summons to be issued.

4.—And be it further enacted, That each and every such summons for the appearance of the party charged, and of any witness or witnesses to be produced, shall be in the forms annexed, marked (A.) and (B.), and shall be served by any person whom the special justice shall appoint for the purpose; and if any person or persons charged with any offence under this Ordinance, after being served with any such summons to appear either personally or by the summons being left at his usual place of residence, shall refuse to render due obedience thereto, the special justice, after proof being made to his satisfaction of the service of any such summons upon the party charged by the oath of the party serving the same, shall proceed to hear the complainant and his witness or witnesses, if any, ex parte, and shall pronounce such decision on the case as he may deem just and reasonable.

Consequence of neglect of summons to appear to answer complaint preferred.

5.—And be it further enacted, That if any person or persons being summoned to appear as a witness or witnesses before any such special justice shall refuse or neglect to appear according to the tenor of the summons, such person or persons shall become liable to apprehension under a warrant to be issued for service by the special justice to any person or persons in the form annexed, marked (C.)

Any witness refusing after summons to appear, liable to apprehension.

6.—And be it further enacted, That any summons, warrant, commitment or order, if issued for the purposes of this Ordinance by any special justice, may without any further authority be carried into execution in any part of the colony, although beyond his district.

Warrant issued by special justice may be carried into execution in any part of colony.

7.—And be it further enacted, That on the appearance before the special justice of the complainant and the party accused, the special justice shall have full power and authority to administer an oath to the complainant, and if he see fit (in any case of breach of the peace), to the accused also, and to any witness or witnesses appearing, either for the complainant or for the accused; and the special justice shall carefully note down in a book to be by him kept for the purpose, the substance of the complaint and of the defence, with the evidence of each and every witness.

Substance of complaint, defence and evidence to be noted down.

8.—And be it further enacted, That the special justice shall have full power and authority to adjourn his proceedings from time to time, and to accept any security in money to the amount of Two pounds sterling (Twenty-eight guilders), for the appearance before him at any period to which he may adjourn his proceedings of the party charged, or in default of such security being given, the special justice may commit, in the form annexed, marked (D.), the offender to any duly authorized place of confinement, in or contiguous to his district, that he may deem proper, pending any such adjournment: Provided always, That no adjournment shall exceed forty-eight hours, except in cases of sickness or other unavoidable cause.

Special justice may adjourn and take security.

No adjournment to exceed forty-eight hours.

9.—And be it further enacted, That if any person or persons after having given to the special justice such security as aforesaid, for his appearance, after any such adjournment of the proceedings, shall, without any reasonable or lawful excuse to be allowed by the special justice, fail duly to make such appearance, the security given for such appearance shall be absolutely forfeited by the accused, and shall by the special justice be paid over to the colonial chest.

Security forfeited if party fail to appear after adjournment.

10.—And be it further enacted, That if on the hearing of any complaint the special justice shall be of opinion that the same is not deserving of any punishment or further inquiry, he may dismiss the same; and may in any case of breach of the peace sanction any compromise which he may deem just and proper between the parties.

Special justice may sanction compromise in cases of breaches of the peace.

11.—And be it further enacted, That if any person shall be either on his own confession, or in his absence after having been summoned as aforesaid, or on other evidence, convicted

Punishment on conviction of offence.

Appendix, No. 7. convicted before any special justice of any offence under this Ordinance, save and except a breach of the peace, such person shall become liable to a penalty of not less than Five shillings, nor more than Two pounds sterling, with or without imprisonment with hard labour, solitary or otherwise, for any period not exceeding Six days in any gaol, or in any place sanctioned for the custody of delinquents under the Ordinance, No. 4, 1837, intituled, "An Ordinance to repeal an Ordinance to establish Inferior Courts of Criminal Justice of British Guiana, and to make Regulation and Provision instead thereof."

Penalty on conviction of breach of the peace.

12.—And be it further enacted, That if any person shall be convicted before any such special justice of any breach of the peace, such person shall become liable to a penalty of not less than Five shillings, nor more than Two pounds sterling.

Consequence of refusing to pay penalty.

13.—And be it further enacted, That if any person or persons who shall on conviction before any special justice be adjudged to pay any penalty, shall refuse or neglect to pay the same, he or she shall by the special justice be committed either to the common gaol or to any duly sanctioned place of confinement as aforesaid, in the form annexed under the letter (E.), for a period not exceeding six days, unless the penalty be sooner paid.

No process of special justice to be quashed for want of form.

14.—And be it further enacted, That no summons, warrant or process of any kind issued by the special justice shall be quashed for want of form, or held void by reason of any defect therein, if expressed with reasonable accuracy; but such process shall receive such a liberal construction from all courts and judges as shall support the same as good and effectual for the purpose or purposes for which the same shall have been issued.

And that no ignorance may be pretended of this our Ordinance, these presents shall be printed and published as customary.

Thus done and enacted at our Ordinary Assembly, held at the Guiana Public Buildings, George-town, Demerary, this Twenty-third June, One thousand eight hundred and Thirty-seven, and published on the First July following.

(signed) *J. Carmichael Smyth.*

By command of the Court. (signed) *H. E. F. Young, Secretary.*

(A.)

FORM OF SUMMONS to appear before a Special Justice to answer a Charge preferred.

WHEREAS a complaint has been preferred to me by A. B. (or, it has been made to appear to me on credible evidence), that you, C. D., did on the _____ day of _____ in the year of our Lord 18____ (here state briefly the nature of the offence).

Now I do hereby summon and require you, the said C. D., to attend before me on the _____ day of _____ next, at _____ then and there to answer to the said complaint, and further to proceed according to law.

Given under my hand this _____ day of _____ 18____

To E. F., of _____ Special Justice.

(B.)

FORM OF SUMMONS for Attendance of a Witness before a Special Justice.

These are to require you to attend before me on the _____ day of _____ next, at the hour of _____ at _____ then and there to be examined before me as a witness, touching and concerning a certain complaint now depending before me, preferred before me by A. B. against C. D.

Given under my hand, this _____ day of _____ 18____

To _____ *E. F.*
the Colony of British Guiana.

(C.)

WARRANT of ARREST for any Person refusing to attend as a Witness before a Special Justice after the service of Summons.

Whereas on the _____ day of _____ 18____ I did issue my summons, requiring A. B. to appear before me to be examined as a witness, (here state the purport of the summons); and whereas the service of the said summons on the said A. B. has been made to appear to me by sufficient proof, and he hath neglected to render obedience thereto. Now you are hereby authorized to arrest the person of the said A. B., and him (or her) to bring before me on the _____ day of _____ next, at _____ and for so doing this shall be your warrant.

Given under my hand this _____ day of _____ 18____

To _____ Special Justice.

(D.) COMMITMENT

(D.)

COMMITMENT by Special Justice in Default of Security.

Whereas A. B. was this day brought before me on a complaint preferred against him (or her) by C. D. for (here briefly state the nature of the offence), and it has become necessary to adjourn the further investigation of the complaint until _____, and the said A. B. having by me been required to give sufficient security for his further appearance before me, on the _____ day of _____ at _____ then and there further to proceed in the matter of the said complaint, hath refused (or neglected) to give the said security by me required. These are, therefore, to require and command you, him (or her) the said A. B., safely to convey and deliver to _____ at _____ who is hereby authorized and required him (or her) the said A. B. to receive, and safely in his custody to keep, until the said A. B. shall give the said security or be otherwise discharged in due course of law.

Given under my hand this _____ day of _____ 18

To

Special Justice.

(E.)

FORM of COMMITMENT of a Party refusing or neglecting after Conviction to pay Penalty.

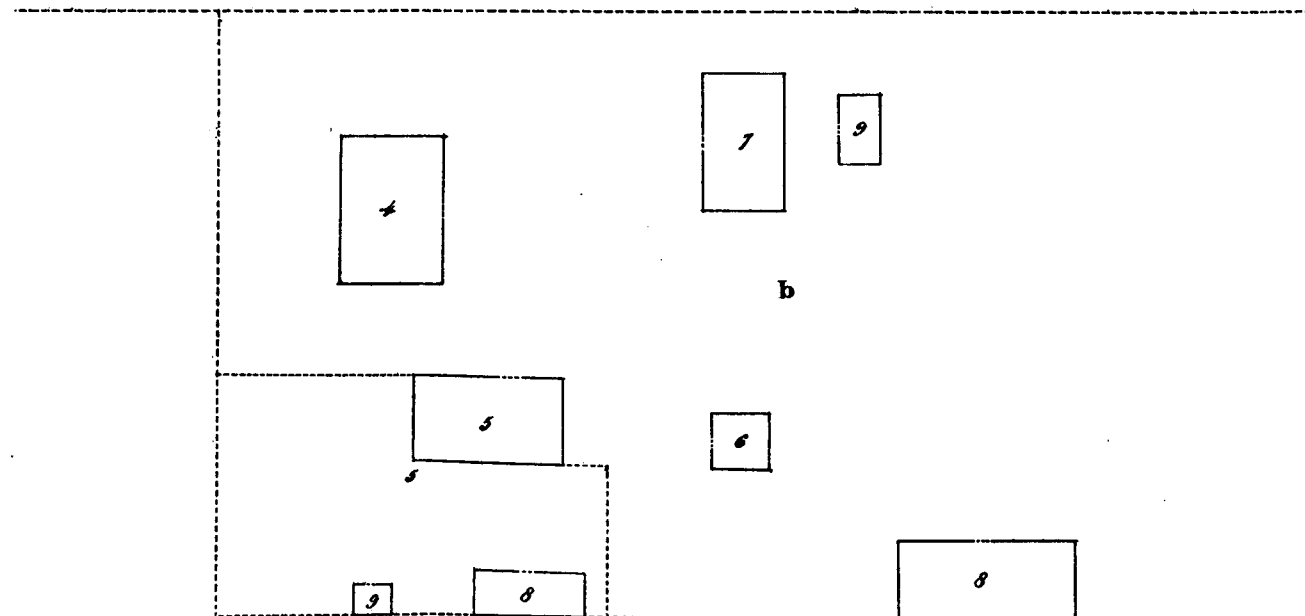
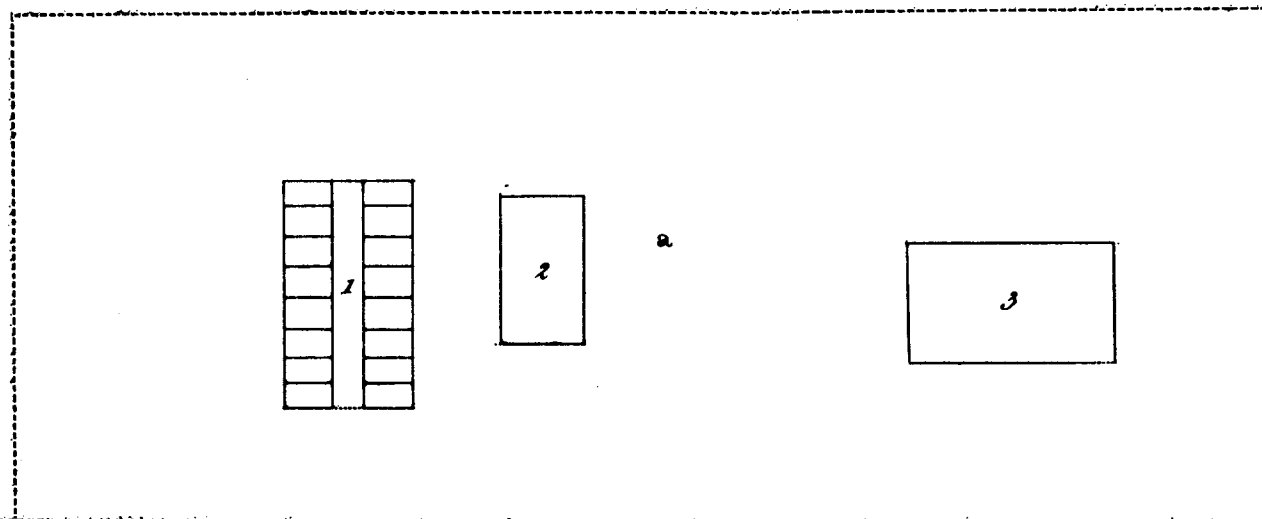
Whereas upon the _____ day of _____ 18 A. B. was convicted before me of having on the _____ day of _____ at _____ (here briefly state the nature of the offence,) and I did then adjudge the said A. B., for his said offence, to pay a penalty of _____. And the said A. B., although by me so convicted and required to pay the said penalty, hath refused (or neglected) to pay the same. These are, therefore, to authorize and require you him (or her) the said A. B. safely to convey and deliver to the keeper of the common gaol (or other duly sanctioned place of confinement, as the case may be,) who is hereby authorized and required him (or her) the said A. B. to receive and safely to keep in custody, for a period not exceeding _____ days, unless the said penalty be sooner paid, or the said A. B. be otherwise discharged in due course of law.

Given under my hand this _____ day of _____ 18

To

Special Justice.

GROUND PLAN
OF
HER MAJESTY'S GAOL,
NEW AMSTERDAM DISTRICT
of
BERBICE.



- a. *New Gaol Yard.*
- b. *Old. d. d.*
- 1. *New Gaol & Solitary Cells.*
- 2. *Pond.*
- 3. *Bread-mill House.*
- 4. *Old Gaol & Hospital.*
- 5. *House & Premises of the Keeper.*
- 6. *Turnkey's House.*
- 7. *Police Barracks.*
- 8. *Cook Rooms.*
- 9. *Toilets.*