

MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.

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Press
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Dated

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Not to be folded or roughly handled

26th September 1865.

No. 134. Read the following Despatch from the Right Honorable Sir C. WOOD, Bart., Secretary of State for India, to His Excellency the Right Honorable the Governor General of India in Council; dated India Office, London, 8th July 1865, No. 51.

I herewith forward, for the information of your Excellency in Council, a copy of a correspondence* which has taken

* Letter from Colonial Office, dated 10th April 1865, and enclosures.
Letter to Colonial Office, dated 16th June 1865.

place between the Colonial Office and this Department, respecting "an Ordinance to amend and consolidate the Laws relating to Immigration," passed by the Legislative Council of St. Lucia.

From Sir F. L. ROGERS, Bart., Under Secretary of State, Colonial Office, to H. MERIVALE, Esq., c. B., Under Secretary of State, India Office; dated Downing Street, 10th April 1865.

I am directed by Mr. Secretary Cardwell to transmit to you, for the information of Secretary Sir Charles Wood,*the copy of a Despatch* from the Governor-in-Chief of the Windward Islands, enclosing an Ordinance of the Legislature of St. Lucia, entitled "an Ordinance to amend and consolidate the Laws relating to Immigration."

* No. 241, dated 15th February 1865.

No. 1 of 1865.

2. I am also to enclose the copy of a Report† upon the Ordinance which has been furnished by the Chairman of the Board of Emigration, and I am to state that, with Sir Charles Wood's concurrence, Mr. Cardwell proposes to advise Her Majesty to sanction the Law.

† Dated 31st March 1865.

From the Governor-in-Chief, Windward Islands, to the Right Honorable E. CARDWELL, M. P., Secretary of State, Colonial Office; dated Barbadoes, 15th February 1865, No. 241.

Legislative.

I have the honor to submit to you, for the signification of Her Majesty's pleasure, an Ordinance which has been passed by the Legislative Council of St. Lucia,—

Law Officer's Report.
Colonial Secretary's Report.
Minutes of Council.

"To amend and consolidate the Laws relating to Immigration," together with the usual report from the Law Officer, and the Minutes of the Council relating thereto.

2. To avoid troubling you with the long and desultory correspondence which has passed between the Administrator and myself, upon the subject of many of the provisions contained in this Ordinance, I will endeavor to state as concisely as possible, and in the order in which they appear in the Ordinance, the modifications which we have ventured to introduce into the Law, several of which have already obtained the sanction of Her Majesty's Government.

Clause 6.

Power has been given to the Immigration Agent to enter into a contract of service on behalf of the immigrant. Cases have arisen in which, without any assignable cause, the immigrant has positively refused to sign an Indenture, and this, too, to his own injury.

Clause 7.

The Immigration Agent is required to make a quarterly, instead of, as formerly, a half-yearly inspection and report of the state of the immigrants.

Clause 8.

By the first proviso to the 6th Clause of the Hospital Ordinance of the 1st of October 1861, a system of pass books was established, for the purpose of entering and checking the amount of labor performed by the coolies, and enabling the employers to obtain an extension of the period of service, for such time as the immigrant may have neglected to fulfil his contract. This system has completely failed. The pass books were procured from Home at considerable expense; and, although publicly advertised for delivery at the small charge of one shilling each, not a single copy was taken up. I can only suppose that the employers preferred the risk of losing the labor, to the daily trouble of filling up these books; and in very many cases, I dare say, a fear was felt that the managers or overseers to whom the duty must have been confided, and who, in St. Lucia, are a most illiterate set, would only blunder and complicate the whole thing. The system was an excellent one, if it could have been carried out. The pass book system, therefore, is not attempted again. The consequence will be that no account will be taken of occasional short absences. If desertion, or other unwarrantable absence, occurs, it will be reported to the Immigration Agent, who, on inquiry into the case, and from the register which he will keep for the purpose, will endorse the Indenture with a memorandum of the period of absence, and so enable the employer to obtain his remedy.

Clause 11.

The term of Indenture on the coolies' first arrival has been extended to five years, under the authority of the late Duke of Newcastle's instruction of the 13th August 1862.

The Demarara Ordinance, of which large use has been made in framing the present Law, makes no provision for commutation; but I should have been sorry to have seen this privilege altogether taken away from the coolie, and particularly that he should have been deprived of the power of purchasing some of his wife's or child's time; and it is still reserved to him, therefore, to commute after three years' service for the remaining two.

Clauses 12 and 13.

The classification and the extension of the Indenture of the liberated Africans, to five years, have been adopted from the Demarara Ordinance. As the contract was established for the liberated African's own advantage and protection, there can be no valid reason why he should not be put on the same footing as the coolie, with regard to his period of service, now that the expense of his passage has to be paid for.

It is right here to mention that the provisions of the Ordinance, No. 7, of the 2nd of May 1850, for promoting immigration from Africa, have been omitted in the present measure, as they relate to a class of people who are not likely ever to be introduced into St. Lucia.

Clauses 14 and 15.

Half Indenture fees only (as well as half medical tax, see Section 38) are authorized to be exacted in the case of non-adult coolies or Chinese. This has hitherto been the practice, but not the law. In the case of non-adult liberated Africans, the amount of the fee is left to be fixed by the Governor.

Clause 16.

When it may be considered better that the immigrant should receive full wages instead of rations, from the day of his arrival, power is given to the Governor to order it to be done.

Clauses 18 and 19.

These two Clauses are framed in conformity with the 57th and 58th Clauses and the Demara Ordinance, and are intended to give the Governor the power, when an immigrant is unfit for agricultural labor, to remit a portion of the public charges on his Indenture, or, in case of his physical inability to perform service under Indenture, to remit these charges altogether, and to place him in the dépôt or in hospital.

Clause 23.

This Clause extends to liberated Africans the Governor's power to determine contracts of service, which he did not previously possess by law.

It also omits the fee of twenty shillings which was formerly payable under the 12th Section of the Ordinance No. 3 of 1854, by the party to whom the Indenture was in such cases transferred. The transferee is liable for all the other Government charges in respect of such immigrant, current and future; and it was found, in practice, that the transfer fee only operated as an obstruction to finding other suitable engagements for the immigrants.

Clause 25.

The Demarara Ordinance does not make it incumbent on the employer to give the labourer work for any specific number of days, though it enacts that every indentured immigrant shall perform five days' labour in each week; and it was proposed from St. Lucia that the like course should be pursued in the present legislation, by omitting, from the form of Indenture, the number of days for which the employer should be bound to find employment for the immigrant, and leaving it to him, if not provided with sufficient work, to make complaint thereof to the stipendiary Magistrate, who should thereupon be empowered to grant him a remedy. I preferred, however, to retain the old form of Indenture, which defined the rights of both parties, instead of leaving it to the Magistrate to decide, in every case of dispute, what should be sufficient work to enable the immigrant to earn a fair amount of wages.

Clause 33.

The inspection by the stipendiary Justice of the District of every estate on which immigrants may be located, has been hitherto performed under instructions from the executive; but the opportunity has been taken for providing by law for the Magistrate's visits once at least in every two months.

Clause 38.

In this Clause it has been established that the medical tax shall be payable for the period during which the immigrant may be indentured, and not arbitrarily for a whole year at the outset, and then for another whole year on each 1st of January following. The principle has already received the sanction of the Secretary of State.

Clause 53.

When any coolie immigrant is desirous to commute his right to a return passage to India for a piece of land, the Governor is authorized by this Clause to grant him one out of the Crown lands of the Colony.

This is a provision which was contained in the St. Lucia Ordinance No. 3 of 1854. It was subsequently repealed at the suggestion of Secretary Sir George Grey, who considered that, under the then existing circumstances of coolie immigration, the enactment was not a desirable one. But as it is understood that Her Majesty's Government have more lately sanctioned the arrangement as regards Jamaica, I have ventured to direct its introduction into the present Ordinance; and now that the great disparity of sexes among the coolie immigrants has to some extent been removed, and the circumstances of the immigration become in other respects changed, I trust that you will not disapprove the Clause. There is no doubt as to the advantage which would be derived from the permanent settlement of these people in a Colony where population is so much needed, and where there is so much valuable land at the disposal of the Crown. At the same time, I am quite aware that such questions are not to be decided altogether upon grounds of advantage to the Colony. It would not be until the year 1867, that any of the coolies in St. Lucia could avail themselves of the proposed commutation; and the intervening period, therefore, would afford ample time for regulating the details upon which the settlement would proceed.

Clause 54.

This is a general power to the Governor in the case of a re-indenture, or transfer of an indenture, to waive the payment of the whole or a part of the Government charges. This power has already been ceded by Her Majesty's Government, in cases where difficulties have been experienced in otherwise obtaining for the immigrant proper employment under contract, and will only, as hitherto, be exercised under special circumstances, to be specially reported.

Clause 58.

The proviso which has been added to this Clause is merely with the view of carrying out the principle laid down by the late Secretary of State, that one-third of the expenses of immigration should be borne by the general revenue of the Colony.

Clause 59.

It has been thought only fair to discharge the general revenue of the island from the expenses to which they are now liable under the Ordinance No. 9 of 1862, on account of the medical care and treatment of the unindentured immigrants.

The consolidation of the immigration laws of St. Lucia into one Ordinance will be a great public convenience, and I am happy in being at length able to lay it before you for your approval.

SAINT LUCIA.

No. 1,—14th January 1865.

AN ORDINANCE

Enacted by the Governor of Saint Lucia, with the advice and consent of the Legislative Council thereof.

&c., &c., &c.

To amend and consolidate the Laws relating to Immigration.

WHEREAS divers Ordinances have been, from time to time, passed in Council relating to Immigration, and it is expedient to repeal the said Ordinances and to consolidate the provisions thereof into one Ordinance—

Preamble.

Be it therefore and it is hereby enacted and ordained by the Governor of Saint Lucia, with the advice and consent of the Legislative Council thereof, in the exercise of the powers and authority in him and them vested by Her Majesty in that behalf, as follows:—

Words of enactment.

I. On this Ordinance coming into operation, the several Ordinances in the Schedule A, hereunto annexed, shall be and the same are hereby repealed; save only and except so far as regards all matters and things which have

Ordinance repealed.

been done in pursuance of the said Ordinance, before the commencement of the present Ordinance, all which matters and things shall be as good and effectual to all intents and purposes as if this Ordinance had not been passed, and save also and except so far as may be necessary for the purpose of supporting any proceedings taken or to be taken under the said Ordinances and after the commencement of this Ordinance, against employers of immigrants for any act or acts by them done before the commencement of the same, and except as to the recovery of all sums of money due by them, and likewise the recovery and application of any penalty for any offence which shall have been committed before the commencement of this Ordinance; and provided always, that all Immigrants already introduced into this Colony shall have and enjoy the same privileges, rights and immunities as to commutation and changing their employers during their existing terms of indenture as they had and enjoyed previous to the taking effect hereof; and provided further, that all existing rights, claims and preferential liens of the Colony shall be in no way prejudiced or affected by such repeal.

2. It shall be lawful for the Governor, from time to time, to nominate and appoint some fit and proper person to be Immigration Agent: and such Immigration Agent shall hold Office during pleasure, and shall have and receive a salary not exceeding the sum of one hundred and fifty pounds sterling per annum, and an annual allowance not exceeding thirty pounds for travelling expenses; provided that nothing herein contained shall invalidate the appointment of the Immigration Agent now in office, or shall be held to require the said Officer to be re-appointed.

Governor to appoint Immigration Agent.

3. The Immigration Agent shall keep a "Register," in which he shall insert the names of all Immigrants who have been and may be hereafter introduced into this Colony, at the public expense; and shall number each of such

Register to be kept by Immigration Agent.

Immigrants by a particular number commencing with the number one, and proceeding by regular numerical progression; and shall distinguish therein, under different heads, the number, name, age and sex of every such Immigrant, and the time when, and the place from which, and the vessel in which such Immigrant shall have arrived, the original and subsequent assignments of such Immigrants, and also the amount of the monies, if any, which may have been advanced to each Immigrant previous to his embarkation, and which are to be repaid by such Immigrant out of his wages in this Colony; and the said Immigration Agent shall likewise record on the said Register, the births and deaths occurring amongst all such Immigrants, and such particulars in respect of such births and deaths as may be necessary.

4. On the arrival in this Colony of any ship having Immigrants on board, the Immigration Agent shall forthwith go on board such ship, and shall ascertain and report to the Governor the number of Immigrants embarked

Duties of Immigration Agent on arrival of Immigrants.

in her, the state of their health, the number of deaths which have occurred on the voyage, and whether the provisions of the Charter-Party, under which such Immigrants have been conveyed, have been complied with or not; and the said Immigration Agent shall thereupon assign the said Immigrants to planters who shall be ready to employ them, in such manner as shall be directed by the Governor; provided that the wages payable to the said Immigrants shall be equal to the wages paid to Labourers not receiving gratis medical attendance, or provision grounds; and provided also, that in such allotments, the wishes of the Immigrants shall be, as far as possible, ascertained and attended to, and that, in no case whatever, shall any husband and wife, nor any parent and child, be allotted to different employers.

5. If, from any cause, any Immigrants on their arrival in the Colony shall not immediately be provided with employment, the Immigration Agent shall, with the sanction of the Governor, provide such Immigrants with food and lodging in the Immigration Depot, until the means of earning their own subsistence shall be procured for them; and on the account for such expenditure being duly certified by the Immigration Agent, the same, if approved of by the Governor, shall be paid out of the Immigration Fund.

Food and lodging to be supplied to Immigrants on arrival.

6. On the due completion of every allotment, the Immigration Agent shall cause each of the Immigrants included in such allotment to be indentured to their employer, according to the form in Schedule B. hereunto annexed, or

Immigrants to be indentured on arrival.

in such other form as may, from time to time, be approved of by the Governor (with the exception of liberated Africans of the second class, as hereinafter mentioned); and every such indenture shall be signed or acknowledged by the parties thereto, before some stipendiary Magistrate

or such other person as the Governor may appoint in that behalf, and in the presence of the Immigration Agent; *provided also*, that in case any Immigrant shall refuse to sign or acknowledge his indenture as aforesaid, whether the original one, or an indenture upon his transfer to another employer as hereinafter mentioned, it shall be lawful for the Immigration Agent to enter into such contract upon his behalf, which contract shall be as valid and effectual in law as if it had been signed or acknowledged by the Immigrant himself. And the Governor is authorized to alter the form of contract to meet such case; *provided also*, that in the case of the re-indenture or indenture to another employer of any coolie immigrant by the *Ulysses*, the Immigration Agent shall possess and may exercise the power hereinbefore given, and the Governor is likewise authorized to alter the form of contract accordingly.

7. The Immigration Agent shall, at least once in each quarter of every year, visit and inspect every estate on which Immigrants are employed, and shall ascertain whether such Immigrants are properly treated, and shall inquire into any complaints which may be made by employers against Immigrants, or by Immigrants against their employers, and shall report the result to the Governor; and it shall be lawful for the Immigration Agent, with the sanction of the Governor, to cancel the contract of service of any Immigrant, who, being paid according to the quantity of his work, shall not have received work sufficient, in the opinion of the said Immigration Agent, to enable him to earn a reasonable amount of wages.

8. The Immigration Agent shall keep a separate book, in which shall be entered a full description of every indentured Immigrant who shall have deserted, or shall have been imprisoned, or shall have absented himself, without lawful excuse, from the service of his employer, and shall, in consequence of such desertion, imprisonment, or absence, have failed in the performance of his contract; and if it shall appear by such separate book that any such Immigrant shall have been at one time, or upon different occasions, absent from the performance of his contract for twenty days or more for each year that he shall have been indentured, it shall be lawful for the said Immigration Agent, and he is hereby required, to endorse on the indenture of such Immigrant a note of the aggregate period of absence; and such Immigrant shall, on the expiration of the term of his indenture, be bound to work for his employer for such additional time; *provided* that the Immigration Agent shall not sanction any addition of time to an Immigrant's indenture, in respect of any week in which such labourer shall have performed five days' work or five days' task according to any daily scale of tasks which may be established with the approval of the Governor, or in which such Immigrant shall have been absent from sickness or other lawful cause.

9. It shall be the duty of the Immigration Agent to collect and take possession of the property of any Immigrant who shall die in the Colony, and (with the sanction of the Governor) to deliver all such property to any person in the Colony who shall establish a right to the same, or, in the absence of any such person, to convert the said property into money and pay the proceeds into the Colonial Treasury, in order that this same may be remitted to the person or persons, in India or elsewhere, who shall be entitled thereto; and it shall be lawful for the Governor to make all necessary Regulations for giving effect to this enactment, and any person contravening such Regulations shall be liable, on conviction thereof, to a penalty not exceeding five pounds, to be recovered before any Court of competent jurisdiction.

10. In respect of all ships leaving the Colony with return Immigrants, the Immigration Agent shall perform all the duties imposed on Emigration Officers in England by the Statute XVIII and XIX. Vict., Cap. 119, commonly called "the Passengers' Act, 1855."

11. Every Coolie or Chinese Immigrant shall, on his arrival in this Colony, be indentured to the proprietor or other person in charge of the estate to which such Immigrant shall be allotted, for the term of five years; *provided always* that, at the expiration of the first three years of such contract, such Immigrant shall be at liberty to commute the remaining two years of such contract by a payment to the Colonial Treasurer of fifty shillings, or at the expiration of the fourth year, in like manner to commute his fifth year's service by the payment of twenty-five shillings; *provided also*, that if any such Immigrant be "non-adult," half the above sums shall be paid.

12. All liberated Africans introduced as Immigrants into this Colony, shall, on arrival be divided into two classes: the first class shall include all those who are of the age of fifteen years and upwards, and the second all those under the said age of fifteen years.

13. Every such liberated African of the first class shall, on arrival, be indentured for the term of five years, and every such African of the second class shall be indentured until he shall have attained the age of twenty years, according to the form in Schedule C. to this Ordinance annexed, or in such other form as may be from time to time fixed by the Governor; and the Immigration Agent shall enter into such indenture or contract on his behalf before some stipendiary Magistrate, or such other person as the Governor may appoint for that purpose.

14. Every employer to whom any Coolie or Chinese Immigrant may be allotted, shall pay to the Colonial Treasurer, by way of indenture fees, for every such adult Immigrant, the sum of twenty shillings at the time of the execution of the indenture, and the annual sum of twenty-five shillings, in advance, for every subsequent year during which such indenture shall endure; and for non-adult Coolie or Chinese Immigrants, one-half of the said sums.

15. Every employer to whom any African Immigrant of the first class shall be allotted, shall pay to the Colonial Treasurer, by way of indenture fees, the sum of five pounds ten shillings sterling, which fee shall be paid by such employer in five instalments,—the first, of thirty shillings, upon the signing of the indenture, and four others, each of twenty shillings, at the commencement of every subsequent year of such indenture; *provided* that, as regards African Immigrants of the second class, such fee shall be paid on the indentures of such Africans, and in such instalments as the Governor in Council shall appoint.

16. All Immigrants upon their arrival shall receive from their employers food rations, in lieu of a portion of their wages, during the first three months, according to a tariff to be fixed, from time to time, by the Governor, who shall also fix the price of the food rations and the portion of wages for which such rations shall be issued; *provided* that in the case of a liberated African, the issue of food rations shall extend to six months, and that in every case when the Governor shall think fit to order it, the Immigrant shall receive full wages upon his arrival, instead of part wages and food rations.

Proceedings of the Madras Government, Public Department,
26th September 1865.

17. Every Coolie, Chinese, or African Immigrant of the first class, who shall have completed an industrial residence of five years, under contract of service, and every African Immigrant of the second class, who shall have served under contract, until he shall have attained the age of twenty years, shall respectively be entitled to a Certificate of discharge; and it shall no longer be obligatory on any such Immigrant to enter into any further contract of service, but he shall be at liberty to hire or dispose of his services, or to change his residence, in the same manner as any other labourer not being a Coolie, Chinese or liberated African Immigrant.

18. If, on arrival in the Colony, it shall happen that any Immigrant has been introduced not fit to perform service as an agricultural labourer, the Immigration Agent may, with the sanction of the Governor, indenture such Immigrant, with or without the Government charges, or subject to a part only of them, and the Immigrant shall be indentured for the same term of service as other Immigrants, and shall perform such services as may be agreed upon with his employer, subject always to the sanction of the Governor. And such Immigrant shall have and enjoy the same privileges and advantages of other Immigrants.

19. If at any time after the allotment of any Immigrant, it shall appear that such Immigrant has any disease, malady, or other disability as may render such Immigrant permanently unable to perform service under indenture, and if the employer of such Immigrant shall send to the Immigration Agent a certificate under the hand of the medical attendant of the Immigrant, stating the disease, malady, or disability with which such Immigrant may be afflicted, and that such medical practitioner is of opinion that such Immigrant is permanently unable to perform such service, with his reasons for such opinion, it shall be lawful for the Governor, on the report of the Immigration Agent, to remit such portion of the Government charges upon such Immigrant as he shall think fit, and, if he shall deem it expedient, to admit such Immigrant into the depot or one of the hospitals, either free of charge or under such arrangement as he may sanction.

20. Every person in possession of an estate, in respect of which the services of Immigrants may be assigned or transferred under the provisions of this Ordinance, who shall wilfully ill-treat any Immigrant in his employ, or who shall fail or neglect to supply any such Immigrant with sufficient nourishment when sick, or who shall fail or neglect to supply any such Immigrant with any article of food, or to pay to him any wages to which he may be entitled, at the times prescribed in his contract, or to provide him good and comfortable lodging and one-half acre of provision garden land, shall, on conviction thereof before any Court of competent jurisdiction, forfeit and pay such sum, not exceeding ten pounds sterling, for every such offence, as to the Court shall seem fit, and in default of payment shall be imprisoned for any term not exceeding thirty days; *provided* that no award of a penalty for non-payment of wages shall relieve such employer from the payment thereof, or from any other obligation which he may be bound to perform; and *provided also*, that it shall at the same time be lawful for the Governor to determine the contract of service of any such Immigrant, and also of any other Immigrants in the service of the same employer, and to assign such Immigrants to some other person, and in respect of some other estate, for the residue of the original terms of service of such Immigrants respectively.

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21. All complaints for the non-payment of wages due to Immigrants may be summarily enquired into and decided by the visiting stipendiary Magistrate of the District, such decision to be subject, nevertheless, to the usual right of appeal.

22. No Immigrant shall be liable, whilst under indenture of service in terms of this Ordinance, to imprisonment for debt; and it shall not be lawful for any creditor of such Immigrant to attach his wages, or levy upon his goods and chattels, during the continuance of such indenture, any law to the contrary notwithstanding.

23. It shall be lawful for the Governor, in any case where he shall see fit, to determine the contract of service of any Immigrant, and to transfer his services to some other person and in respect of some other estate, for the residue of the unexpired term of such contract; and such transfer shall be in writing, signed by the Immigration Agent, and shall be enforced under indenture as the original contract; and the person to whom such services shall be so transferred, shall be bound to pay to Her Majesty, instead of the original employer, and at the same times as he was bound to pay them, the annual sums hereinbefore mentioned, and all other charges provided in this Ordinance for Immigrants under contract of service; and the employer in whose favor the prior assignment so determined shall have been made, shall forfeit all money which he shall have paid in respect of such assignment.

24. Every Immigrant whose services may be assigned or transferred to any employer, under the provisions of this Ordinance, shall be bound to work on the estate in respect of which his services shall have been so assigned or transferred, notwithstanding that his employer shall die, or the estate shall be sold or demised; and in every such case, the right to the services of every such Immigrant for the residue of the term of his contract of service, shall vest in the person or persons to whom such estate shall descend, or be sold, or be demised.

25. Every Immigrant, whose services shall be so assigned or transferred, in the absence of an express agreement to the contrary between such Immigrant and the person entitled to his services under such assignment or transfer, shall be bound to work upon the estate in respect of which his services shall be due, for nine hours of each day,—Sunday, Good-Friday, Christmas, New-Year's day, and Corpus-Christi excepted; *provided always*, that it shall be lawful for the

Governor in Council, from time to time, to make regulations for allowing Immigrants from Her Majesty's Dominions in the East Indies, such other holidays or days to be observed as religious festivals, as to him shall seem meet; *provided also*, that nothing herein contained shall interfere with the power of the Governor to cancel the indenture of such Immigrant, and transfer his services to some other person.

26. If any person shall harbour or receive into his employment any Immigrant, to whose services any other person may be entitled, under any assignment or transfer of services, then unexpired and in force, every such person, on conviction before a stipendiary Magistrate, on the complaint of the Immigration Agent, or of the person entitled to such services, or of the manager or other person in charge of the estate, in respect of which such services shall be due, and which complaint may be laid at any time within twelve calendar months, next after the day on which such Immigrant may be so harboured or employed, shall forfeit and pay to Her Majesty the sum of ten pounds sterling, and to the person entitled to

such services under such assignment or transfer, the sum of eight shillings for each day during which such Immigrant shall be so harboured or employed.

27. Every Immigrant who, during the continuance of his indenture, shall without lawful cause absent himself from his work, shall, on conviction before a stipendiary Magistrate, forfeit two days' wages for each day he shall be so absent; the said penalty to be deducted from the Immigrant's wages, and in the event of no wages being due, he shall for every such offence be imprisoned with hard labour for any time not exceeding fourteen days, as to the convicting Magistrate shall seem fit.

28. It shall be lawful for every person entitled to the services of any Immigrant, or any servant of such person, or for any Constable, to apprehend, without warrant, such Immigrant when found at a distance of more than two miles from the estate in respect of which his services are due, without a written ticket of leave, signed by the manager or person in charge of such estate, and to cause such Immigrant to be taken back thereto.

29. It shall be lawful for the Immigration Agent, any stipendiary Magistrate, Justice of the Peace, Police Constable, or Superintendent of the Police, to stop any Immigrant wherever he may find him, or for the owner or occupier, or servant of the owner or occupier of any land or house, to stop any such Immigrant found upon or about such land or house; and if such Immigrant, upon being so required, shall fail to produce his Certificate of discharge, or a written ticket of leave, signed by the manager or person in charge of the estate in respect of which his services may be due, to take such Immigrant before some stipendiary Magistrate, who shall forthwith inquire into the case, and unless such Immigrant shall make it appear to the satisfaction of such Magistrate that he has obtained such discharge, or that he is absent with leave, such Magistrate shall in every case commit such Immigrant to imprisonment with hard labor for a term not exceeding fourteen days.

30. Any Immigrant as aforesaid, who shall be guilty of any misconduct, or practise any fraud or deception in the performance of any work which he is bound to perform, or shall, by negligence or other improper conduct, lose, throw away, or damage the property of his employer, or shall endanger such property by the careless use of fire, or shall wilfully maim, wound, or cruelly ill-use any live-stock or cattle belonging to his employer or entrusted to his care, or by negligence shall suffer to be maimed, wounded, or cruelly ill-used any such cattle or live-stock, shall, on conviction before a stipendiary Magistrate, suffer such punishment by fine or imprisonment, until the same be paid, or imprisonment in any lawful place of confinement, with or without hard labor, for the whole or any part of such imprisonment not to exceed thirty days, as such convicting Magistrate shall deem fit.

31. Every employer of any registered Immigrants, shall, within ten days next after the 30th day of June and 31st of December in each year, send in to the Immigration Agent a true and correct Return, according to the form in Schedule D. to this Ordinance annexed, of all such registered Immigrants who may have been in his employ at any time during the preceding six months, specifying the name and sex of each

such Immigrant, and whether such Immigrant shall be under a written agreement for labor or not, and the date of such agreement, the number of days labor performed by each Immigrant, and the number of days during which he shall have absented himself from his work; and also of all deductions from the original number of Immigrants under written contract, which shall have taken place within the last preceding six months, by death or desertion; and also of the births of any children among such Immigrants, specifying the

Penalty on Immigrant for absenting himself from his work.

Power to apprehend Immigrants, without warrant, who are absent without leave.

Who may apprehend an Immigrant who has no leave of absence.

Punishment of Immigrant for misconduct.

Employer to send in half-yearly list of registered Immigrants.

What such Return shall specify.

ages and sexes of such children, with such remarks as may be required for showing the state and condition of such Immigrants.

32. It shall be lawful for the Governor, from time to time, to require from every employer of any such registered Immigrants, such further Return as he may see fit to direct, as to the number, state, and condition of such registered

Immigrants; and every such employer shall be bound to send in such Return to the Immigration Agent, or other person duly appointed by the Governor for that purpose, within one calendar month next after he shall have been notified so to do; and every employer of any such registered Immigrants who shall fail to send in to

the Immigration Agent or other person duly appointed by the Governor for that purpose, such half-yearly Return as aforesaid, or shall neglect or refuse to send in such further Return as may be required by the Governor, within one calendar month after such person shall have been notified so to do, or shall wilfully make any false Return, shall, on conviction thereof before any competent Court, forfeit and pay such sum not exceeding ten pounds sterling for every such offence, as to the Court shall seem fit, and in default of payment, to imprisonment not exceeding thirty days.

33. It shall be lawful for the stipendiary Magistrates, the Immigration Agent, and other persons duly authorized by the Governor for that purpose, to enter into and upon any estate where any such registered Immigrants may be

employed, and to inspect the state and condition of all registered Immigrants whom he may find upon such estate, and inquire into any complaint which the employer may have against such Immigrants, and such Immigrants may have against their employer, and such stipendiary Magistrates shall visit every estate within their respective districts upon which Immigrants are located, at least once in every two months, or at such other times as the Governor may from time to time appoint, and shall report to him upon the state and condition of such Immigrants.

34. Every person who shall obstruct such stipendiary Magistrate, Immigration Agent, or other person duly authorized by the Governor for that purpose, in entering upon any estate where any such Immigrant shall be employed,

or shall wilfully do any act whereby such stipendiary Magistrate, Immigration Agent, or other person duly authorized by the Governor for that purpose, may be prevented or obstructed in inspecting the state and condition of any such registered Immigrants whom he may find on such estate, shall, on conviction thereof before any Court of competent jurisdiction, forfeit and pay such sum not exceeding ten pounds sterling, for every such offence, as to the Court shall seem fit, and in default of payment, to imprisonment not exceeding thirty days.

35. It shall not be lawful for any Immigrant introduced into this Colony at the public expense, to depart from this Colony without a license in writing, signed by the Immigration Agent, and every master or other person in charge of any

Immigrant not to depart from the Colony without a license from Immigration Agent.

vessel, who shall knowingly receive or harbour on board of such vessel, or agree to receive on board of such vessel, with the intention of carrying out of this Colony, any such Immigrant whose name shall appear in such register, and who shall not have obtained such license, shall, on conviction thereof before a stipendiary Magistrate, forfeit and pay to Her Majesty the sum of twenty pounds sterling, for each and every such Immigrant whom he shall have so received or harboured, or agreed to receive with said intention as aforesaid.

36. No license to leave this Colony shall be delivered by the Immigration Agent to any such Immigrant, until he shall have completed an industrial residence of five years within this Colony, as hereinbefore provided, unless the Governor shall make an order in writing, under

Immigration Agent not to give such license unless after an industrial residence of five years.

No license to be given to African, unless he is twenty.

his hand, for the return of any such Immigrant to the place whence he may have come, before the expiration of the said term of five years; *provided* that no African Immigrant shall be held to have completed his industrial residence, unless he shall have attained the age of twenty.

37. General Hospitals shall be maintained at the towns of Castries, Soufriere and Vieuxfort, and it shall be lawful for the Governor, from time to time, to appoint some duly licensed Medical practitioners to take Medical charge of all Immigrants or other persons who shall be sent to such hospitals; and it shall be the duty of

General Hospitals to be maintained at Castries, Soufriere and Vieuxfort.

Duties of Medical Officers.

such Medical practitioners to make regular periodical visits to such estates on which Immigrants are located, as may be prescribed to them from time to time by the Governor, and to afford medical advice and supply medicines to the sick on such estates, and also to supply and distribute medicines at the hospitals to all inmates, whether Immigrants or others, and to give advice and supply medicines, either at the hospitals or at private houses, when required to do so by the stipendiary Magistrates, and to vaccinate all children who may be brought to them for that purpose, and such Medical practitioners shall be paid such salaries and allowances for medicines, as the Legislative Council shall from time to time determine.

38. Every employer of Immigrants shall, upon the original assignment by indenture of any Immigrant, and at the commencement of each succeeding year of his indenture, or in the case of any Immigrant who is under indenture when this Ordinance comes into operation upon the second day of January in every subsequent year of his indenture, pay to the Treasurer the sum of ten shillings for every such adult Immigrant, and five shillings for every such non-adult Immigrant, which shall be placed by the Treasurer to the credit of the Immigration Fund; *provided* that whenever the indenture of any such Immigrant shall expire during the year, the Governor shall have power to make a fair deduction from the

amount of such medical tax for the current year; and every such employer shall also be liable for the payment of six pence for each day that any

Subsistence money to be paid by employers.

Immigrant in his employment shall remain in hospital, to cover the expense of food, and also for any sum expended in the conveyance to or from any hospital of any such Immigrant, and for the funeral expenses of any such Immigrant dying in the hospital; and if payment of all such sums shall not be made within one month after an account of the same shall have been rendered to the proprietor, lessee or person in charge of the estate, the Treasurer is hereby authorized to sue for and recover the same in manner hereinafter provided.

39. It shall be the duty of the medical practitioners to keep in each Hospital a Register Book according to the form in Schedule E., and also a Case Book according to the Form in Schedule F. to this Ordinance annexed; and

Medical Officers to keep Register and Case Books.

such Register Book and Case Book shall be placed in charge of the nurse of each Hospital, and shall be at all times open to the inspection of the Immigration Agent, any of the stipendiary Magistrates, and of any other persons duly empowered by the Governor to visit and enquire into the state of such Hospital, and it shall be the duty of the medical practitioners to enter into the hospital registers, the name, age, sex and race of every Immigrant who may be brought to the hospital, and shall state therein the nature of the disease or injury from which he shall be alleged to be suffering, and the result of the case of every patient shall be stated in the Register Book, and he shall enter in the Case Book the remedies ordered for each Immigrant or other patient, and the scale of diet to be given to such patient.

40. It shall be the duty of the proprietor, manager or person in charge of every estate, to cause to be brought before the medical practitioner at his periodical visits, every indentured

Sick Immigrants how to be dealt with.

Immigrant whom he may believe to be labouring under any disease, malady or complaint, or suffering from any wound or sore, or to be in

any respect in need of medical assistance, and such medical practitioner shall then order such Immigrant to be admitted into the hospital, or to be treated as an out-patient, as to him may appear proper.

41. A scale of diet shall from time to time be framed under the direction of the Governor for use in the hospitals, and it shall be the duty

Diet,—a scale to be framed.

of the medical practitioner to inform each patient in the hospital, or on any estate, if he should be treated as an out-door patient, of the scale of diet ordered for him; and it shall be the duty of the person in charge of such estate to supply the articles prescribed, cooked and fit for use, unless such patient shall for reason of caste, desire such food to be delivered uncooked; and it shall be the duty of the nurse in any hospital to supply the diet ordered for the patients therein, under such Regulations as may be established for the hospital, under the sanction of the Governor.

42. It shall be the duty of the medical practitioner to take care that the hospital, with all bedding, utensils and appliances belonging thereto, be at all times kept clean and in proper order, and to make a report to the Stipendiary Magistrate if the hospital be found dirty, or any of the appliances be wanting or out of order, and the Magistrate shall forthwith take the necessary steps for removing all cause of complaint.

Bedding, &c., to be supplied for Hospital.

43. The manager or person in charge of any estate is hereby authorized and required to compel any indentured Immigrant in his employment, to enter the hospital or the room on the estate set apart for the sick, as soon as it

Sick Immigrants to be compelled to enter Hospital, and penalty for refusing to do so.

shall come to his knowledge that such Immigrant is attacked with any illness, or is suffering from any sore, wound, malady, or complaint, there to remain until discharged by the order of the medical practitioner; and any such Immigrant refusing, when required so to do by the manager or person in charge of the estate, to make his appearance before the medical practitioner, or resisting any order for his admission into the hospital, or quitting the same without permission, shall be guilty of an offence, and shall be liable on conviction, to a penalty not exceeding one pound sterling, and in default of payment, shall be imprisoned for any period not exceeding fourteen days with hard labour.

44. Every stipendiary Magistrate shall, at least once in every fortnight, visit the hospital of the district in which he resides, and shall, once in every three months, make a special report to the Governor as to the condition of

Stipendiary Magistrates to inspect Hospitals, and report thereon.

such hospital, and whether the provisions of this Ordinance have been fully complied with; and every such Magistrate shall, at every such visit, record any complaint that may be made to him, and shall proceed without delay to investigate the same, and make a statement thereof in his report.

45. The Immigration Agent and any person who may be thereto authorized by the Governor in writing, may at any time visit and inspect the hospitals in like manner, and as fully as the stipendiary Magistrates are by the

Power given to Immigration Agent to inspect Hospitals.

preceding Section hereof authorized and required to do.

46. Every Coolie Immigrant shall be entitled to a free passage back to India, upon his application for the same, who shall have resided eight years in the Colony, and during the said eight years shall have completed an industrial residence of five years in manner prescribed by this Ordinance; *provided* that no such free passage shall be granted unless applied for within eighteen months of the time at which it shall have become due.

Immigrants who are entitled to a free passage back to India.

47. The Governor shall give to each applicant for a return passage at least three months' notice, as precise as circumstances render possible, of the period at which such passage will be offered him.
Notice to be given to applicants for a free passage.
48. There shall be paid to every Coolie Immigrant who shall become entitled to a free passage back to India, the sum of twenty-five shillings for every six months, which shall intervene between his application for such passage and his receiving an actual offer of, or opportunity for, the same.
Allowance to be granted to Immigrant entitled to a back-passage, until one is obtained.
49. The Governor may provide a back-passage at the expense of the Colony, for any Coolie Immigrant who may have become unfit for labour at any period of his industrial residence.
Governor may procure back-passage for any Immigrant unfit for labour.
50. Any Immigrant who shall falsely and fraudulently pretend that he has completed an industrial residence of five years, or an actual residence of eight years within this Colony; or who shall wilfully use as his own, any license to depart from this Colony, or Certificate of Discharge which shall have been granted to any other Immigrant, or who shall lend such License or Certificate to any other Immigrant; and any Immigrant or other person who shall wilfully counterfeit or alter such License or Certificate, shall, for every such offence, and on conviction thereof before any stipendiary Magistrate, be imprisoned with hard labour, for such term not exceeding three months as to the convicting Magistrate shall seem meet.
Penalty for using a false Certificate of industrial residence, &c.
51. Proof of the hand writing of the Immigration Agent to any assignment or transfer of services of any Immigrant, or to any certificate or other document mentioned in this Ordinance shall be sufficient proof of the execution of the same, and of the facts mentioned in such assignment, transfer, certificate or other document.
Proof of signature of Immigration Agent to be evidence of execution of document to which it is attached.
52. When any question shall arise whether any Immigrant has completed an industrial residence of five years, or an actual residence of eight years within this Colony, the burthen of the proof shall lie on the Immigrant, or other person alleging that such Immigrant has completed such residence.
Onus of proof of completion of industrial residence to lie on Immigrant.
53. When any Coolie Immigrant shall be desirous to commute his right to a free passage back to India for a piece of land, and the Governor shall see fit to grant to such Immigrant, out of the Crown lands of the Colony, such piece of land, then such Immigrant shall have the same in lieu of his right to a free passage.
Commutation of right to free passage back by grant of Crown land.
54. Whenever, in any case of a transfer of service of an Immigrant under the provisions of this Ordinance, it shall not be practicable to assign such services under indenture, subject to the payment of the Government charges by the said Ordinance imposed; it shall be lawful for the Governor to waive the payment of such charges, or of any portion thereof, and to assign the services of any such Immigrant upon such conditions, and under such arrangements as to him shall seem meet.
In what case Government charges may be waived.
55. All monies payable under this Ordinance, by employers of Immigrants, shall be a first charge on the estate or plantation, in respect of which the services of such Immigrants shall have been assigned or transferred under indenture or contract as hereinbefore mentioned.
Monies payable under this Ordinance, a first charge on estate.

56. All monies payable under this Ordinance, by way of indenture fees, medical tax, subsistence money, or any other charges, shall be paid to the Colonial Treasurer, and by him carried to the credit of a separate account to be called the "Immigration Fund;" and the same shall be applied to payment of salaries of officers and all other expenses incurred by virtue of this Ordinance for the general purposes of Immigration; and an account of all such monies shall be laid before the Legislative Council on the first day of January and the first day of July in each year, or at the first Sitting of the Council after the said days respectively.
All monies payable under this Ordinance, to be placed to the credit of Immigration Fund.
57. All penalties by this Ordinance imposed, shall be payable to Her Majesty, Her Heirs and Successors, and when received by the Colonial Treasurer, shall be carried to the credit of the said Immigration Fund; and all such penalties and all monies in the preceding Section mentioned, shall be recoverable by such Treasurer, before any Court of competent jurisdiction.
All penalties recovered, to be carried to the credit of the Immigration Fund.
58. All expenditure incurred by Her Majesty's Government in the hiring, employing and licensing any vessel for bringing or sending any Immigrants into this Colony; in providing for the maintenance and clothing of such Immigrants during their passage or otherwise; in employing on board any such vessel a Surgeon, and such other just expenditure as shall be caused by and be necessarily incidental to such immigration, and for sending back any Coolie Immigrants to the place from which they shall have been brought or sent into this Colony, shall be paid out of the said Immigration Fund; *provided always*, that whenever any expenses shall have been so incurred by the said Immigration Fund, for the introduction of any Immigrants into this Colony, one-third of such amount shall be taken from the general revenue and placed to the credit of the said Immigration Fund, so long as the Export Duty raised upon Sugar, Rum, and Molasses, under the Ordinance of the third day of March 1854, shall continue to be levied.
All expenditure for immigration to be paid out of Immigration Fund.
59. All expenses whatsoever incurred for, and on account of, the hospitals established in the towns of Castries, Soufriere, and Vieux-
Expenses of hospitals to be paid out of Immigration Fund. fort, shall be defrayed from and out of the said Immigration Fund; *provided* that for any pauper (not being an Immigrant), who shall be a patient in any of the said hospitals, the sum of one shilling for each day such pauper shall remain in hospital, shall be paid to the Treasurer to the credit of the said fund, from any fund appropriated by the Legislature to the relief to the poor; and that for any other person being a patient in any such hospitals, there shall be paid by such person, or by any one on behalf of such person, such daily rate or amount as may be from time to time fixed by the Governor; and the general revenue of the Colony is hereby declared to be entirely freed and discharged from the payment of any sums of money for which it may have become liable, in respect of free Immigrants, under the provisions of the Ordinance of the fifteenth day of December 1862.
60. This Ordinance shall take effect, and be in force on from and after its promulgation, and may be cited as the "Consolidated Immigration Ordinance, 1865."
Ordinance when to be in force.

Given under my Hand and the Great Seal of the said Island of Saint Lucia, this fourteenth day of January, in the Year of our Lord one thousand eight hundred and sixty-five, and in the twenty-eight Year of Her Majesty's Reign.

By Command,

J. H. JENNINGS,
Chief Clerk.

Schedules referred to in the foregoing Ordinances.

SCHEDULE A.

ORDINANCES REPEALED.

Number.	Date of Ordinance.	Title.
No. 4	28th November 1836...	An Ordinance for the protection and promoting the industry and good conduct of Africans that may be transferred to this Island.
No. 3	6th February 1849 ...	An Ordinance to provide for the reception and allocation of captured African laborers, and to confirm the exclusive jurisdiction of the stipendiary Justices of St. Lucia, in respect to contracts of labour effected with such persons in this Island.
No. 7	2nd May 1850	An Ordinance for promoting African immigration into the Colony of St. Lucia, and the industry of the Immigrants.
No. 3	1st September 1853 ..	An Ordinance for the regulation and Government of Chinese Immigrants introduced into this Colony at the public expense.
No. 3	22nd April 1854	An Ordinance to provide for the immigration of Coolies into this Colony, at the public expense, and for the regulation and government of such Immigrants.
No. 6	11th October 1854.....	An Ordinance to repeal the 25th Clause of an Ordinance entitled "An Ordinance to provide for the Immigration of Coolies into this Colony, at the public expense, and for the regulation and government of such Immigrants."
No. 2	13th July 1857	An Ordinance to amend the Ordinance No. 3 of the 22nd day of April 1854, providing for the immigration of Coolies into this Colony.
No. 5	21st July 1858	An Ordinance to amend the Ordinance No. 7 of the 2nd day of May 1850, entitled "An Ordinance for promoting African immigration into the Colony of St. Lucia, and the industry of the Immigrants."
No. 4	29th April 1859	An Ordinance to amend the laws providing for the immigration of Coolies into this Colony.
No. 2	12th February 1861 ...	An Ordinance to amend the Ordinance No. 3 of the 22nd day of April 1854, entitled "An Ordinance to provide for the immigration of Coolies into this Colony, at the public expense, and for the regulation and government of such immigrants."
No. 7	1st October 1861	An Ordinance to amend the laws regulating the immigration of Coolies into this Colony, and to provide for the establishment and maintenance of general hospitals at or in the vicinity of the towns of Castries, Soufriere, and Vieuxfort.
No. 1	31st January 1862	An Ordinance to provide for the payment of the expense of the immigration of certain liberated Africans into the Colony of St. Lucia.
No. 3	31st March 1862	An Ordinance to amend the laws now in force in this Island, relating to African immigration.
No. 9	15th December 1862 ...	An Ordinance to make further provision in respect to the expense incurred by the establishment and maintenance of hospitals at the towns of Castries, Soufriere, and Vieuxfort.
No. 2	27th January 1863	An Ordinance to authorize the Governor, in certain cases, to remit the "Head Money" and other charges payable by the employers of Coolie Immigrants.

SCHEDULE B.

Indenture.

BE IT REMEMBERED that on this day of in the year one thousand eight hundred and Appeared before me a stipendiary Magistrate of this Colony of Estate in the quarter of in the said Colony.

And the undermentioned Immigrants to wit: which parties have signed in my presence their names or marks to the following Contract of Service.

The said agrees to hire the services of the above-named Immigrants, and the said Immigrants agree to render to the said their services in the capacity of , for years, commencing on the day of in the Year of Our Lord one thousand eight hundred and ; and it is further agreed between the said parties, that the said Immigrants shall be employed as for days in each week, and that the hours of labor of the said Immigrants shall not be more than nine hours daily, between sun-rise and sun-set, with a break of at least one hour for rest.

And it is further agreed between the said parties that the said shall pay to the said Immigrants as such laborers aforesaid, wages at and after the same daily rate as is paid to the laborers not under Indenture or Agreement, working on the said Estate, or according to the quantity of work performed, and that such wages shall be paid on the first and fifteenth day of each month, and shall not be less than the following rates, namely:

For male adults, one shilling and four pence a day, if employed in the mill or boiling house, or one shilling, if not so employed; ten pence a day for female adults; and for those under sixteen years, at such rates as shall be fixed as a fair proportion, according to the age of the laborer.

And further the said doth hereby bind and oblige himself to give, grant, and provide to and for the said good and comfortable lodging, and at least one-half acre of provision garden land.

And it is further agreed that the parties to this Contract shall be subject to and bound by the several enactments, stipulations and conditions in the "Consolidated Immigration Ordinance, 1865," contained in as full and ample a manner as if the same were specifically recited and set forth in this Contract.

The preceding Agreement was signed by the above-named parties in my presence, on the day and year above written, voluntarily,—the same being, as far as I am able to judge, fully understood by them respectively.

N. B.—The amount (if any) advanced to each Immigrant previous to his embarkation, is to be deducted from his wages in monthly instalments of four shillings by his employer, which sum shall be paid by the said employer to the Treasurer.

SCHEDULE C.

Indenture.

BE IT REMEMBERED that on this day of in the year one thousand eight hundred and Appeared before me a stipendiary Magistrate for this Colony of Estate, in the quarter of in the said Colony.

And Immigration Agent for the said Colony, acting for and on behalf of the following liberated Africans of the second class, namely: which said parties have signed in my presence their names to the following Contract of service, that is to say—

The said agrees to hire the services of the said liberated Africans, and the said Immigration Agent, acting as aforesaid, agrees that the said liberated Africans

shall render to the said their services in the capacity of for the whole period extending from the date of this Indenture to the date of each such liberated African attaining the age of twenty years.

And it is further agreed between the said parties that the said liberated Africans shall be employed as for days in each week, and that the hours of labor of the said Africans shall not be more than nine hours daily, between sun-rise and sun-set, with a break of at least one hour for rest.

And it is further agreed that the said shall pay to the said Africans, until they shall have attained the age of fifteen years, wages at such daily rate as shall be fixed on as a fair proportion to the age of the laborer; and that the said shall pay to the said Africans, when they have attained the age of fifteen years, wages at and after the same daily rate as is paid to liberated Africans of the first class.

And further the said doth hereby bind and oblige himself to give, grant, and provide to and for the said good and comfortable lodging, and at least one-half acre of provision garden ground.

And it is further agreed that the parties to this Contract shall be subject and bound by the several enactments, stipulations, and conditions in the "Consolidated Immigration Ordinance, 1865" contained in as full and ample a manner as if the same were specifically recited and set forth in the Contract.

This agreement was entered into by the above-named parties in my presence, on the day and year above written, voluntarily,—the same being, as far as I am able to judge, fully understood by them respectively.

SCHEDULE D.

Return of Immigrants on Estate for the half-year ending

Name of Employer.	Number, name, age, sex, description, and class of Immigrant.		Date and terms of Contract.	Days labor performed.	No. of days absent.	Deaths.	Desertion.	Births.		Remarks.
	Male.	Female.						M.	F.	

SCHEDULE E.

Hospital Register.

Date.	Name.	Age.		Race.*	Result.	Date.	Remarks.†
		M.	F.				

* In the case of an East Indian Immigrant, specify the Province to which he belongs, as Bengal, Madras, &c.

† In the Column of Remarks, state how often each patient has been in Hospital, if more than once during the quarter.

SCHEDULE F.

Case Book.

Date	Name.	Age.		Disease.	Diet.	Remedies, directions, medical comforts.
		M.	F.			

GOVERNMENT OFFICE,
St. Lucia, the 14th January 1865.

This Ordinance (consisting of sixty Clauses) is a consolidation of the numerous enactments which have been passed on the subject of Immigration from the year 1836 up to the present time (with the exception of those relating to loans for this purpose, and the appropriation of a surplus amount arising from the accumulation of export duty). Advantage has been taken of this opportunity to introduce amendments in the system to make the law here similar to that in other Colonies. The principal alterations are as follows:—

The contract for Coolie and Chinese Immigrants is extended to five years, which does away with the more complicated system of a re-indenture at the expiration of three years to the same employer for two years further, or an indenture for the same period to another employer. At the same time, the privilege of Immigrants of this description to commute the last two years of their contract by a money payment is retained.

Liberated Africans are divided into two classes,—the first, those of fifteen years of age and upwards; the second, those under fifteen. The first class is to be contracted for five years; the second until they attain the age of twenty.

Power is given to the Governor, in the event of an Immigrant who is entitled to a free passage back to India, being desirous to commute his right for a grant of land, to make him a grant of Crown land. As there are many abandoned uncultivated estates in this Colony contiguous to those in cultivation, which could easily be re-annexed to the demesne of the Crown, and which would form eligible settlements for such Immigrants, it is thought that the introduction of a Clause of this nature will be advantageous to the Colony. On the one hand, the Colony will be spared the expence of a back passage for those who accept a grant of land; and on the other, the permanent population of the Colony will be increased, and lands brought into cultivation, which now only encourage the abuses of squatting.

Other alterations of a minor character have been made in the law, but it is not necessary to encumber this Report with a description of them.

J. M. GRANT,
Colonial Secretary.

SAINT LUCIA.

Report of the Attorney General on the Ordinance of the 14th day of January 1865, "to amend and consolidate the Laws relating to Immigration."

The object of this Ordinance is to consolidate into one Ordinance the several laws relating to Immigration, which have been passed by the Legislature of the Colony, from 1836 to 1863, with the introduction only into that Ordinance of certain useful amendments sanctioned in other Colonies.

It is not necessary in this Report to make any remarks upon the old enactments which have been re-embodied, word for word, in the present Ordinance. It will be sufficient to advert briefly to those provisions which have been introduced into it by way of amendments, as above stated, and for the purpose of improving the plan upon which our system of Immigration is based.

Clauses 11, 12 and 13 have reference to the terms for which Immigrants can be indentured. Coolie and Chinese Immigrants, as hitherto, are to be indentured for the term of five years, with

26th September 1865.

the option, at the expiration of the three first years, to commute the remainder of their contract of service by money payments. With regard to the liberated Africans, they are divided into two classes. The first class includes those of fifteen years and upwards; and the second class, those under the age of fifteen years. The Africans of the first class can be indentured for the term of five years, and the Africans of the second until they have attained the age of twenty years: and the Immigration Agent is required to enter into contracts of service on behalf of the latter.

This is adopted from the British Guiana Immigration Ordinance, one of the most complete and best Immigration Ordinances in operation.

The indenture fees are the same as before, with the exception that, in the case of liberated Africans of the first class, they are payable in five instalments, instead of three.

Clauses 18 and 19 sanction a practice, which by necessity has been in operation without having the force of law. By the 18th Clause, it is provided that, if any Immigrant is introduced not being fit to perform service as an agricultural laborer, the Immigration Agent shall indenture him, without the Government charges, or subject to a part only of them, for the same term of service as other Immigrants, and to perform such services as may be agreed upon with his employer, always subject to the sanction of the Governor. And by the 19th Clause, that if it shall appear that any immigrant allotted has any permanent disease which incapacitates him from performing service under indenture, and that such permanent disease is certified by a medical practitioner, the Governor may, upon the report of the Immigration Agent, remit such portion of the Government charges as he shall think fit, and cause the Immigrant to be admitted into the Immigration Depot, or one of the hospitals.

Clause 53 revises a provision which had been introduced into the Coolie Immigration Ordinance of April 1854, and subsequently disallowed; but which it seems is in force in Jamaica, and it is this, that if any Coolie Immigrant is desirous to commute his right to a free passage back to India for a piece of land, and the Governor shall see fit to grant him out of the Crown lands of the Colony such piece of land, the Immigrant shall have the same in lieu of his right to a free passage.

Nothing further occurs.

I have the honor to report in favor of this Ordinance.

(Signed) L. LACAZE,
Attorney General.

CHAMBERS, 14th January 1865.

MINUTES

Of a Meeting of the Legislative Council, held at the Council Chamber, Castris, on Friday the thirteenth day of January, in the year of our Lord 1865.

PRESENT.

HIS HONOR J. M. GRANT, Administrator.

THE HONORABLE L. LACAZE, Attorney General.

THE HONORABLE MACNAMARA DIX, II. M.'s Treasurer.

THE HONORABLE C. MALLET PARET, Solicitor General.

THE HONORABLE T. PARKER, Auditor General.

THE HONORABLE J. M. D' AUBERT, Stipendiary Magistrate.

J. P. LEUGER,
J. S. MOFFAT, } Esquires.
S. WEEKS,

The Administrator informed the Council that, since their last Meeting, the provisional appointments of Mr. Fleming and Mr. Weeks to the Board had been confirmed.

The Minutes of last Meeting were read and confirmed.

The Minutes of the Central Board of Commissioners of Roads and Bridges were laid before the Council.

The Administrator then informed the Board that he proposed under his instructions to submit to them an Ordinance, consolidating and amending slightly the numerous Ordinances relating

26th September 1865.

to Immigration. The first of these laws was passed as far back as 1836, and the last at the close of 1863; and it would be very convenient to have all the operative parts collected in one Ordinance, at the same time introducing such alterations in the system as had been sanctioned in other Colonies. The greater part of the Ordinance submitted, was purely old law re-enacted and required no remark; but he would point out briefly the principal amendments which were introduced in it. The term of indenture of Coolies and Chinese Immigrants was extended to five years, giving however to them the power to commute the last two years of their services. Liberated Africans were divided into two classes,—the first fifteen years of age and upwards; and the second, under fifteen. The first class was to be indentured for five years, and the second until they attained the age of twenty. The head money upon all but Africans of the second class, was the same as at present. The amount for these Africans was to be fixed by the Executive. The fee payable on transfer of Immigrants was cancelled. The provisions with regard to medical tax were modified, and a Clause introduced, which had originally been in the Coolie Ordinance of 1854, and subsequently withdrawn by direction of the Secretary of State, empowering the Governor to make grants of Crown lands to these Immigrants in commutation of their right to a free back passage, as such grants of land had been sanctioned in Jamaica, and he believed, in other Colonies; he trusted no objection would be raised to this part of the Ordinance. They were aware that in 1857 two lots of Coolies, those by the *Palmyra* and *Francis Ridley*, would complete their eight years' residency in the Colony, and would for the most part be entitled to a free passage back to India. Now, although the experience of other Colonies showed that but a small number returned, it might be beneficial to have the power of making an agreement with them of the nature he had mentioned. If they took the land a two-fold advantage would be gained to the Colony. Land which was at present of no use, and indeed only afforded a means of living to squatters who might otherwise have to engage in agricultural labor on estates, would be brought into cultivation, and be occupied by Coolies and their families, forming a permanent addition to the population; whilst, at the same time, the Colony would be spared a heavy expense for back passages. He believed some of the Crown land was very well suited for settlements of this nature, and he thought the Clause was worth their very careful consideration. His Honor further observed that provision was made for payment of half charges on non-adult Immigrants, and after explaining the provisions of the law as it now stood, and the other alterations which would be proposed to the Council, submitted an Ordinance to amend and consolidate the Ordinances relating to Immigration, which was read a first time.

The Honorable the Attorney General moved, seconded by the Honorable the Treasurer, the second reading of the Ordinance.

Adopted.

Ordinance read a second time.

The Honorable the Attorney General moved, seconded by the Honorable the Treasurer, that the Ordinance be engrossed and read a third time at the next Meeting.

Adopted.

The Administrator said, that before the Council separated, he wished to explain that towards the close of the last month, the Treasurer had reported to him that there would not be sufficient money in his hands belonging to general revenue to pay the salaries, &c., for December, as was customary, and suggested that he might temporarily make up the deficiency from other money lying idle in the Bank, forming part of the special funds of the Colony. As the amount required was not large, and inconvenience would have been caused by postponing payments to the beginning of the month, both by the derangement of the accounts which would show an expenditure of eleven months instead of twelve, and to public officers and others who were to receive the money, he sanctioned the arrangement. The amount thus temporarily appropriated was about £400, and he wished further to observe that, if the Treasurer was directed to replace it this month, there would not be sufficient to pay the usual liabilities on the first of next month; and as no possible inconvenience could arise from the matter being left open, not only for one month, but even for a year, he thought it would be better to wait for a short time and see how the revenue of this year turned out. He might, at the same time, mention that as there was no

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surplus in the Treasury at the close of the year, the Educational Fund of £500 was not due by law; but upon this point he should obtain the instructions of His Excellency the Governor-in-Chief, before the annual Meeting of the Board of Education. This year the grant was not dependant on a surplus, and at the close of 1864 the Education Fund was slightly in credit.

The Honorable J. S. Moffat intimated his approval of the course which had been adopted, and of the suggestions made by the Administrator as to replacing the money.

The other Members concurred, and His Honor then adjourned the Council to the next day (Saturday the 14th January), at three o'clock.

Done and passed at the Council Chamber,
Castrics, on Friday the 13th January 1865.

(Signed) J. M. GRANT,
Administrator.

MINUTES

Of an adjourned Meeting of the Legislative Council, held at the Council Chamber, Castrics, on Saturday the Fourteenth day of January 1865.

PRESENT:

HIS HONOR J. M. GRANT, *Administrator.*

THE HONORABLE E. LACAZE, *Attorney General.*

THE HONORABLE M. DIX, *Her Majesty's Treasurer.*

THE HONORABLE C. MALLETT PARET, *Solicitor General.*

THE HONORABLE J. M. A. AUBERT, *Stipendiary Magistrate.*

J. P. LEUGER,
J. S. MOFFAT, } *Esquires.*
A. FLEMING, }

The Minutes of the previous Meeting were read and confirmed.

The Honorables J. S. Moffat and A. Fleming inquired whether the deficiency alluded to by the Administrator, in his statement to the Board on the previous day, was caused by the actual being greater than the estimated expenditure, or from the revenue being less than estimated for.

The Honorable the Treasurer explained that it arose from the latter cause.

The Administrator observed that he was afraid it would be found the Import Duties had fallen short of the estimate.

The Honorable A. Fleming thought that more might be obtained from the Excise Duty upon Rum, and mentioned some particulars in which he believed the Rum Duty Ordinance might be amended with advantage.

Some conversation took place upon the subject, and the Administrator stated that the Rum Ordinance was a subject upon which he had frequently conversed with the Treasurer, who had been good enough to promise to furnish him with heads for an amended Ordinance. He quite agreed that the Law could be altered beneficially, and he would be much obliged if the Honorable Member, and any other Member of the Board would favor him with their suggestions for its improvement in writing.

The Honorable A. Fleming intimated that he would comply with His Honor's request, after consulting with some gentlemen who were experienced in the manufacture of Rum.

The Ordinance to amend and consolidate the Laws relating to Immigration having been engrossed, was read a third time.

The Honorable the Attorney General moved that the Ordinance do pass into Law, and be entitled "An Ordinance to amend and consolidate the Laws relating to Immigration."

Adopted—Ordinance passed.

The Board then adjourned.

Done and passed at the Council Chamber,
Castrics, this fourteenth day of January
1865.

(Signed) J. M. GRANT,
Administrator.

Proceedings of the Madras Government, Public Department,
26th September 1865.

From T. W. C. MURDOCH, Esq., Chairman of the Emigration Board, to Sir F. ROGERS, Bart., Under Secretary of State, Colonial Office; dated Emigration Board, the 31st March 1865.

I have to acknowledge your letter of 22nd instant, with a Despatch from the Governor of the Windward Islands, enclosing an Ordinance

No. 241, 15th February.

No. 1 of 1865, herewith returned.

passed by the Legislature of St. Lucia, entitled
"An Ordinance to amend and consolidate the
"Laws relating to Immigration."

2. This Ordinance consolidates the law relating to Immigration which was previously spread over fifteen Ordinances extending from 1836 to 1863. The greater part of it is a verbatim reproduction of the provisions of those Ordinances; but some few alterations and amendments have been introduced, in accordance with alterations sanctioned by the Secretary of State, either in St. Lucia or in other Colonies. These alterations are so clearly and succinctly explained by Governor Walker in his Despatch, that it would be superfluous to reproduce them here. The only provision which requires notice is that in Clause 53, which allows an Immigrant to commute his right to a back passage for a grant of land. A similar provision was introduced into the St. Lucia Ordinance of 1854, but was repealed at the desire of the Secretary of State, the Board of Directors objecting, I believe at that time, to any attempt to induce Indian Immigrants to surrender their right to a back passage. Since that date, however, it has been proved by experience that a large proportion of those who become entitled to back passages never avail themselves of their right: and agreements for the postponement of the claim, which may be renewed indefinitely, have been sanctioned in other Colonies. In Jamaica, moreover, a provision similar to that under consideration has been allowed. Under these circumstances, it appears to me that no objection can reasonably be taken to this part of the Ordinance. It cannot come into operation till the Immigrant has been eight years in the Colony, by which time he must be able to decide for himself whether it is for his advantage and happiness to return home or to remain. And even then the clause is permissive only, when the Governor "shall see fit to grant" to an Immigrant a piece of Crown land, so that it would be in the power of the Secretary of State to limit the exercise of the Governor's discretion in this respect, should he think it necessary to do so.

3. In other respects, the Ordinance appears to me open to no objection; and there is an obvious advantage in bringing all the laws now in force on the subject within the compass of a single Ordinance. I would therefore submit that it should receive Her Majesty's approval in the usual way.

From H. MERIVALE, Esq., C. B., Under Secretary of State, India Office, to the Under Secretary of State for the Colonies; dated India Office, 16th June 1865.

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 10th April, transmitting a copy of a Despatch, dated the 15th of February last, No. 241, from the Governor-in-Chief of the Windward Islands, submitting "An Ordinance to amend and consolidate the Laws relating to Immigration," passed by the Legislative Council of Saint Lucia, together with a report upon the Ordinance by the Chairman of the Emigration Board.

2. I am instructed to acquaint you that Sir Charles Wood concurs in Mr. Cardwell's proposal to advise Her Majesty to sanction the law.

3. The enclosures forwarded with your letter, in original, are herewith returned.

No. 1577.

Copy forwarded to the Government of Fort Saint George.
(By Order).

(Signed) A. P. HOWELL,

Under Secy. to the Govt. of India.

HOME DEPARTMENT,
SIMLA, 1st September 1865.

26th September 1865.

No. 135.

ORDER THEREON, 26th September 1865, No. 996.
Copy furnished to the Protector of Emigrants.

(True Extract).

W. HUDLESTON,
Acting Secretary to Government.

To the Protector of Emigrants.

PUBLIC.

No. 51.

INDIA OFFICE ;

London, the 8th July 1865.

His Excellency the Right Hon'ble the Governor General of India in Council.

SIR,—I herewith forward for the information of your Excellency in Council, a copy of a correspondence* which has taken place between the Colonial Office and this Department, respecting “an Ordinance to amend and consolidate the Laws relating to “Immigration,” passed by the Legislative Council of St. Lucia.

I have, &c.,

(Signed) C. Wood.

DOWNING STREET ;

The 10th April 1865.

SIR,—I am directed by Mr. Secretary Cardwell to transmit to you, for the information of Secretary Sir Charles Wood, the copy of a Despatch* from the Governor-in-Chief of the Windward Islands, enclosing an Ordinance of the Legislature of St. Lucia, entitled “an Ordinance to amend and consolidate the Laws relating to Immigration.”

No. 1 of 1865.

2. I am also to enclose the copy of a Report* upon the Ordinance which has been furnished by the Chairman of the Board of Emigration, and I am to state that, with Sir Charles Wood's concurrence, Mr. Cardwell proposes to advise Her Majesty to sanction the Law.

* Dated 31st March 1865.

H. MERIVALE, Esq., C. B.,
&c.; &c., &c.

I am, &c.,

(Signed) F. ROGERS.

ST. LUCIA.

No. 241.

Legislative.

WINDWARD ISLANDS ;

Barbados, the 15th February 1865.

SIR,—I have the honor to submit to you, for the signification of Her Majesty's pleasure, an Ordinance which has been passed by the Legislative Council of St. Lucia,—

Law Officer's Report.
Colonial Secretary's Report.
Minutes of Council.

“To amend and consolidate the Laws relating to “Immigration,” together with the usual report from the Law Officer, and the Minutes of the Council relating thereto.

2. To avoid troubling you with the long and desultory correspondence which has passed between the Administrator and myself, upon the subject of many of the provisions contained in this Ordinance, I will endeavor to state as concisely as possible, and in the order in which they appear in the Ordinance, the modifications which we have ventured to introduce into the Law, several of which have already obtained the sanction of Her Majesty's Government.

Clause 6.

Power has been given to the Immigration Agent to enter into a contract of service on behalf of the immigrant. Cases have arisen in which, without any assignable cause, the immigrant has positively refused to sign an Indenture, and this, too, to his own injury.

Clause 7.

The Immigration Agent is required to make a quarterly, instead of, as formerly, a half-yearly inspection and report of the state of the immigrants.

Clause 8.

By the first proviso to the 6th Clause of the Hospital Ordinance of the 1st of October 1861, a system of pass books was established for the purpose of entering and checking the amount of labour performed by the coolies, and enabling the employers to obtain an extension of the period of service for such time as the immigrant may have neglected to fulfil his contract. This system has completely failed. The pass books were procured from Home at considerable expense: and, although publicly advertised for delivery at the small charge of one shilling each, not a single copy was taken up. I can only suppose that the employers preferred the risk of losing the labour, to the daily trouble of filling up these books: and in very many cases, I dare say, a fear was felt that the managers or overseers to whom the duty must have been confided, and who, in St. Lucia, are a most illiterate set, would only blunder and complicate the whole thing. The system was an excellent one, if it could have been carried out. The pass book system, therefore, is not attempted again. The consequence will be that no account will be taken of occasional short absences. If desertion or other unwarrantable absence occurs, it will be reported to the Immigration Agent, who, on enquiry into the case, and from the register which he will keep for the purpose, will endorse the Indenture with a memorandum of the period of absence, and so enable the employer to obtain his remedy.

Clause 11.

The term of Indenture on the coolies' first arrival, has been extended to five years, under the authority of the late Duke of Newcastle's instruction of the 13th August 1862.

The Demarara Ordinance, of which large use has been made in framing the present Law, makes no provision for commutation; but I should have been sorry to have seen this privilege altogether taken away from the coolie, and particularly that he should have been deprived of the power of purchasing some of his wife's or child's time; and it is still reserved to him, therefore, to commute after three years' service for the remaining two.

Clauses 12 and 13.

The classification and the extension of the Indenture of the liberated Africans to five years, have been adopted from the Demarara Ordinance. As the contract was established for the liberated Africans' own advantage and protection, there can be no valid reason why he should not be put on the same footing as the coolie with regard to his period of service, now that the expense of his passage has to be paid for.

It is right here to mention that the provisions of the Ordinance No. 7 of the 2nd of May 1850, for promoting immigration from Africa, have been omitted in the present measure, as they relate to a class of people who are not likely ever to be introduced into St. Lucia.

Clauses 14 and 15.

Half Indenture fees only (as well as half medical tax, see Section 38) are authorized to be exacted in the case of non-adult coolies or Chinese. This has hitherto been the practice, but not the law. In the case of non-adult liberated Africans, the amount of the fee is left to be fixed by the Governor.

Clause 16.

When it may be considered better that the immigrant should receive full wages instead of rations, from the day of his arrival, power is given to the Governor to order it to be done.

Clauses 18 and 19.

These two Clauses are framed in conformity with the 57th and 58th Clauses and the Demarara Ordinance, and are intended to give the Governor the power, when an immigrant is unfit for agricultural labor, to remit a portion of the public charges on his Indenture, or in case of his physical inability to perform service under Indenture, to remit these charges altogether and to place him in the dépôt or in hospital.

Clause 23.

This Clause extends to liberated Africans the Governor's power to determine contracts of service, which he did not previously possess by law.

It also omits the fee of twenty shillings which was formerly payable under the 12th Section of the Ordinance No. 3 of 1854, by the party to whom the Indenture was in such cases transferred. The transferee is liable for all the other Government charges in respect of such immigrant, current and future; and it was found in practice that the transfer fee only operated as an obstruction to finding other suitable engagements for the immigrants.

Clause 25.

The Demarara Ordinance does not make it incumbent on the employer to give the labourer work for any specific number of days, though it enacts that every indentured immigrant shall perform five days' labour in each week; and it was proposed from St. Lucia that the like course should be pursued in the present legislation, by omitting from the form of Indenture, the number of days for which the employer should be bound to find employment for the immigrant, and leaving it to him, if not provided with sufficient work, to make complaint thereof to the stipendiary Magistrate, who should thereupon be empowered to grant him a remedy. I preferred, however, to retain the old form of Indenture, which defined the rights of both parties, instead of leaving it to the Magistrate to decide in every case of dispute, what should be sufficient work to enable the immigrant to earn a fair amount of wages.

Clause 33.

The inspection by the stipendiary Justice of the District of every estate on which immigrants may be located, has been hitherto performed under instructions from the executive; but the opportunity has been taken for providing by law for the Magistrate's visits once at least in every two months.

Clause 38.

In this Clause it has been established that the medical tax shall be payable for the period during which the immigrant may be indentured, and not arbitrarily for a whole year at the outset, and then for another whole year on each 1st of January following. The principle has already received the sanction of the Secretary of State.

Clause 53.

When any coolie immigrant is desirous to commute his right to a return passage to India for a piece of land, the Governor is authorized by this Clause to grant him one out of the Crown lands of the Colony.

This is a provision which was contained in the St. Lucia Ordinance No. 3 of 1854. It was subsequently repealed at the suggestion of Secretary Sir George Grey, who considered that, under the then existing circumstances of coolie immigration, the enactment was not a desirable one. But as it is understood that Her Majesty's Government have more lately sanctioned the arrangement as regards

Jamaica, I have ventured to direct its introduction into the present Ordinance; and now that the great disparity of sexes among the coolie immigrants has to some extent been removed, and the circumstances of the immigration become in other respects changed, I trust that you will not disapprove the Clause. There is no doubt as to the advantage which would be derived from the permanent settlement of these people in a Colony where population is so much needed, and where there is so much valuable land at the disposal of the Crown. At the same time, I am quite aware that such questions are not to be decided altogether upon grounds of advantage to the Colony. It would not be until the year 1867, that any of the coolies in St. Lucia could avail themselves of the proposed commutation; and the intervening period, therefore, would afford ample time for regulating the details upon which the settlement would proceed.

Clause 54.

This is a general power to the Governor in the case of a re-indenture or transfer of an Indenture, to waive the payment of the whole or a part of the Government charges. This power has already been ceded by Her Majesty's Government in cases where difficulties have been experienced in otherwise obtaining for the immigrant proper employment under contract, and will only, as hitherto, be exercised under special circumstances, to be specially reported.

Clause 58.

The proviso which has been added to this Clause, is merely with the view of carrying out the principle laid down by the late Secretary of State, that one-third of the expenses of immigration should be borne by the general revenue of the Colony.

Clause 59.

It has been thought only fair to discharge the general revenue of the island from the expenses to which they are now liable under the Ordinance No. 9 of 1862, on account of the medical care and treatment of the unindentured immigrants.

The consolidation of the immigration laws of St. Lucia into one Ordinance, will be a great public convenience; and I am happy in being at length able to lay it before you for your approval.

THE RIGHT HON'BLE

EDWARD CARDWELL, M. P.,
&c., &c., &c.

I have, &c.,

(Signed) J. WALKER.

SAINT LUCIA.

No. 1,—14th January 1865.

AN ORDINANCE

Enacted by the Governor of Saint Lucia, with the advice and consent of the Legislative Council thereof,

&c., &c., &c.

Title.

To amend and consolidate the Laws relating to Immigration.

WHEREAS divers Ordinances have been, from time to time, passed in Council relating to Immigration, and it is expedient to repeal the said Ordinances and to consolidate the provisions thereof into one Ordinance—

Be it therefore and it is hereby enacted and ordained by the Governor of Saint Lucia, with the advice and consent of the Legislative Council thereof, in the exercise of the powers and authority in him and them vested by Her Majesty in that behalf, as follows:—

1. On this Ordinance coming into operation, the several Ordinances in the Schedule A. hereunto annexed, shall be and the same are hereby repealed; save only and except so far as regards all matters and things which have been done in pursuance of the said Ordinances, before the commencement of the

present Ordinance, all which matters and things shall be as good and effectual to all intents and purposes as if this Ordinance had not been passed, and save also and except so far as may be necessary for the purpose of supporting any proceedings taken or to be taken under the said Ordinances and after the commencement of this Ordinance, against employers of Immigrants for any act or acts by them done before the commencement of the same, and except as to the recovery of all sums of money due by them, and likewise the recovery and application of any penalty for any offence which shall have been committed before the commencement of this Ordinance; and *provided always*, that all Immigrants already introduced into this Colony shall have and enjoy the same privileges, rights and immunities as to commutation and changing their employers during their existing terms of indenture as they had and enjoyed previous to the taking effect hereof; and *provided further*, that all existing rights, claims and preferential liens of the Colony shall be in no way prejudiced or affected by such repeal.

2. It shall be lawful for the Governor, from time to time, to nominate and appoint some fit and proper person to be Immigration Agent: and such Immigration Agent shall hold Office during pleasure, and shall have and receive a salary not exceeding the sum of one hundred and fifty pounds sterling per annum, and an annual allowance not exceeding thirty pounds for travelling expenses; *provided* that nothing herein contained shall invalidate the appointment of the Immigration Agent now in Office, or shall be held to require the said Officer to be re-appointed.

3. The Immigration Agent shall keep a "Register," in which he shall insert the names of all Immigrants who have been and may be hereafter introduced into this Colony, at the public expense; and shall number each of such Immigrants by a particular number commencing with the number one, and proceeding by regular numerical progression; and shall distinguish therein, under different heads, the number, name, age and sex of every such Immigrant, and the time when, and the place from which, and the vessel in which such Immigrant shall have arrived, the original and subsequent assignments of such Immigrants, and also the amount of the monies, if any, which may have been advanced to each Immigrant previous to his embarkation, and which are to be repaid by such Immigrant out of his wages in this Colony; and the said Immigration Agent shall likewise record on the said Register, the births and deaths occurring amongst all such Immigrants, and such particulars in respect of such births and deaths as may be necessary.

4. On the arrival in this Colony of any ship having Immigrants on board, the Immigration Agent shall forthwith go on board such ship and shall ascertain and report to the Governor the number of Immigrants embarked in her, the state of their health, the number of deaths which have occurred on the voyage, and whether the provisions of the Charter-Party under which such Immigrants have been conveyed, have been complied with or not; and the said Immigration Agent shall thereupon assign the said Immigrants to planters who shall be ready to employ them, in such manner as shall be directed by the Governor; *provided* that the wages payable to the said Immigrants shall be equal to the wages paid to Labourers not receiving gratis, medical attendance, or provision grounds; and *provided also*, that in such allotments, the wishes of the Immigrant shall be, as far as possible, ascertained and attended to, and that in no case whatever, shall any husband and wife, nor any parent and child be allotted to different employers.

5. If, from any cause, any Immigrants on their arrival in the Colony shall not immediately be provided with employment, the Immigration Agent shall, with the sanction of the Governor, provide such Immigrants with food and lodging in the Immigration Depot, until the means of earning their own subsistence shall be procured for them; and on the account for such expenditure being duly certified by the Immigration Agent, the same, if approved of by the Governor, shall be paid out of the Immigration Fund.

6. On the due completion of every allotment, the Immigration Agent shall cause each of the Immigrants included in such allotment, to be indentured to their employer, according to the form in Schedule B. hereunto annexed, or in such other form as may, from time to time, be approved of by the Governor (with the exception of liberated Africans of the second class, as hereinafter mentioned); and every such indenture shall be signed or acknowledged by the parties thereto, before some stipendiary Magistrate or such other person as the Governor may appoint in that behalf, and in the presence of the Immigration Agent; *provided also*, that in case any Immigrant shall refuse to sign or acknowledge his indenture as aforesaid, whether the original one, or an indenture upon his transfer to another employer as hereinafter mentioned, it shall be lawful for the Immigration Agent to enter into such contract upon his behalf, which contract shall be as valid and effectual in law

as if it had been signed or acknowledged by the Immigrant himself. And the Governor is authorized to alter the form of contract to meet such case; *provided also*, that in the case of the re-indenture or indenture to another employer of any coolie immigrant by the *Ulysses*, the Immigration Agent shall possess and may exercise the power hereinbefore given, and the Governor is likewise authorized to alter the form of contract accordingly.

7. The Immigration Agent shall, at least once in each quarter of every year, visit Immigration Agent to visit estates and inspect Immigrants four times a year. and inspect every estate on which Immigrants are employed, and shall ascertain whether such Immigrants are properly treated, and shall enquire into any complaints which may be made by employers against Immigrants, or by Immigrants against their employers, and shall report the result to the Governor; and it shall be lawful for the Immigration Agent, with the sanction of the Governor, to cancel the contract of service of any Immigrant who, being paid according to the quantity of his work, shall not have received work sufficient, in the opinion of the said Immigration Agent, to enable him to earn a reasonable amount of wages.

8. The Immigration Agent shall keep a separate book in which shall be entered a full description of every indentured Immigrant who shall have deserted, or shall have been imprisoned, or shall have absented himself without lawful excuse from the service of his employer, and shall, in consequence of such desertion, imprisonment or absence, have failed in the performance of his contract; and if it shall appear by such separate book that any such Immigrant shall have been at one time, or upon different occasions, absent from the performance of his contract for twenty days or more for each year that he shall have been indentured, it shall be lawful for the said Immigration Agent, and he is hereby required, to endorse on the indenture of such Immigrant a note of the aggregate period of absence; and such Immigrant shall, on the expiration of the term of his indenture be bound to work for his employer for such additional time; *provided* that the Immigration Agent shall not sanction any addition of time to an Immigrant's indenture, in respect of any week in which such labourer shall have performed five days' work or five days' task, according to any daily scale of tasks which may be established with the approval of the Governor, or in which such Immigrant shall have been absent from sickness or other lawful cause.

9. It shall be the duty of the Immigration Agent to collect and take possession of the property of any Immigrant who shall die in the Colony, and (with the sanction of the Governor) to deliver all such property to any person in the Colony who shall establish a right to the same, or in the absence of any such person, to convert the said property into money and pay the proceeds into the Colonial Treasury, in order that this same may be remitted to the person or persons, in India or elsewhere, who shall be entitled thereto; and it shall be lawful for the Governor to make all necessary Regulations for giving effect to this enactment, and any person contravening such Regulations shall be liable on conviction thereof, to a penalty not exceeding five pounds, to be recovered before any Court of competent jurisdiction.

10. In respect of all ships leaving the Colony with return Immigrants, the Immigration Agent shall perform all the duties imposed on Emigration Officers in England by the Statute XVIII. and XIX. Vict., Cap. 119, commonly called "the Passengers' Act, 1855."

11. Every Coolie or Chinese Immigrant shall, on his arrival in this Colony, be indentured to the proprietor or other person in charge of the estate to which such Immigrant shall be allotted, for the term of five years; *provided always* that, at the expiration of the first three years of such contract, such Immigrant shall be at liberty to commute the remaining two years of such contract by a payment to the Colonial Treasurer of fifty shillings, or at the expiration of the fourth year, in like manner to commute his fifth years' service by the payment of twenty-five shillings; *provided also*, that if any such Immigrant be "non-adult," half the above sums shall be paid.

12. All liberated Africans introduced as Immigrants into this Colony, shall on arrival be divided into two classes: the first class shall include all those who are of the age of fifteen years and upwards, and the second all those under the said age of fifteen years.

13. Every such liberated African of the first class, shall on arrival be indentured for the term of five years, and every such African of the second class shall be indentured until he shall have attained the age of twenty years, according to the form in Schedule C. to this Ordinance annexed, or in such other form as may be from time to time fixed by the Governor; and the Immigration Agent shall enter into such indenture or contract on his behalf before some stipendiary Magistrate, or such other person as the Governor may appoint for that purpose.

14. Every employer to whom any Coolie or Chinese Immigrants may be allotted, shall pay to the Colonial Treasurer, by way of indenture fees, for every such adult Immigrant, the sum of twenty shillings at the time of the execution of the indenture, and the annual sum of twenty-five shillings, in advance, for every subsequent year during which such indenture shall endure; and for non-adult Coolie or Chinese Immigrants, one-half of the said sums.

15. Every employer to whom any African Immigrant of the first class shall be allotted, shall pay to the Colonial Treasurer, by way of indenture fees, the sum of five pounds ten shillings sterling, which fee shall be paid by such employer in five instalments,—the first, of thirty shillings, upon the signing of the indenture; and four others, each of twenty shillings, at the commencement of every subsequent year of such indenture; *provided* that, as regards African Immigrants of the second class, such fee shall be paid on the indentures of such Africans and in such instalments as the Governor in Council shall appoint.

16. All Immigrants upon their arrival shall receive from their employers food rations in lieu of a portion of their wages during the first three months, according to a tariff to be fixed from time to time by the Governor, who shall also fix the price of the food rations and the portion of wages for which such rations shall be issued; *provided* that, in the case of a liberated African, the issue of food rations shall extend to six months, and that in every case when the Governor shall think fit to order it, the Immigrant shall receive full wages upon his arrival, instead of part wages and food rations.

17. Every Coolie, Chinese or African Immigrant of the first class, who shall have completed an industrial residence of five years, under contract of service, and every African Immigrant of the second class, who shall have served under contract, until he shall have attained the age of twenty years, shall respectively be entitled to a Certificate of Discharge; and it shall no longer be obligatory on any such Immigrant to enter into any further contract of service, but he shall be at liberty to hire or dispose of his services, or to change his residence, in the same manner as any other labourer not being a Coolie, Chinese or liberated African Immigrant.

18. If, on arrival in the Colony, it shall happen that any Immigrant has been introduced not fit to perform service as an agricultural labourer, the Immigration Agent may, with the sanction of the Governor, indenture such Immigrant with or without the Government charges, or subject to a part only of them, and the Immigrant shall be indentured for the same term of service as other Immigrants, and shall perform such services as may be agreed upon with his employer, subject always to the sanction of the Governor. And such Immigrant shall have and enjoy the same privileges and advantages of other Immigrants.

19. If at any time after the allotment of any Immigrant, it shall appear that such Immigrant has any disease, malady, or other disability as may render such Immigrant permanently unable to perform service under indenture, and if the employer of such Immigrant shall send to the Immigration Agent a certificate under the hand of the medical attendant of the Immigrant, stating the disease, malady, or disability with which such Immigrant may be afflicted, and that such medical practitioner is of opinion that such Immigrant is permanently unable to perform such service with his reasons for such opinion, it shall be lawful for the Governor, on the report of the Immigration Agent, to remit such portion of the Government charges upon such Immigrant as he shall think fit, and if he shall deem it expedient, to admit such Immigrant into the depot or one of the hospitals, either free of charge or under such arrangement as he may sanction.

20. Every person in possession of an estate, in respect of which the services of Immigrants may be assigned or transferred under the provisions of this Ordinance, who shall wilfully ill-treat any Immigrant in his employ, or who shall fail or neglect to supply any such Immigrant with sufficient nourishment when sick, or to pay to him any wages to which he may be entitled, at the times prescribed in his contract, or to provide him good and comfortable lodging and one-half acre of provision garden land, shall, on conviction thereof before any Court of competent jurisdiction, forfeit and pay such sum not exceeding ten pounds sterling for every such offence, as to the Court shall seem fit, and in default of payment, shall be imprisoned for any term not exceeding thirty days; *provided* that no award of a penalty for non-payment of wages shall relieve such employer from the payment thereof, or from any other obligation which he may be bound to perform; and *provided also*, that it shall at the same time be lawful

for the Governor to determine the contract of service of any such Immigrant, and also of any other Immigrants in the service of the same employer, and to assign such Immigrants to some other person, and in respect of some other estate, for the residue of the original terms of service of such Immigrants respectively.

21. All complaints for the non-payment of wages due to Immigrants may be summarily enquired into and decided by the visiting stipendiary Magistrate of the District, such decision to be subject nevertheless to the usual right of appeal.

22. No Immigrant shall be liable, whilst under indenture of service in terms of this Ordinance, to imprisonment for debt; and it shall not be lawful for any creditor of such Immigrant to attach his wages, or levy upon his goods and chattels, during the continuance of such indenture, any law to the contrary notwithstanding.

23. It shall be lawful for the Governor, in any case where he shall see fit, to determine the contract of service of any Immigrant, and to transfer his services to some other person and in respect of some other estate, for the residue of the unexpired term of such contract; and such transfer shall be in writing, signed by the Immigration Agent, and shall be enforced under indenture as the original contract; and the person to whom such services shall be so transferred, shall be bound to pay to Her Majesty, instead of the original employer, and at the same times as he was bound to pay them, the annual sums hereinbefore mentioned, and all other charges provided in this Ordinance for Immigrants under contract of service; and the employer in whose favor the prior assignment so determined shall have been made, shall forfeit all money which he shall have paid in respect of such assignment.

24. Every Immigrant whose services may be assigned or transferred to any employer, under the provisions of this Ordinance, shall be bound to work on the estate in respect of which his services shall have been so assigned or transferred, notwithstanding that his employer shall die, or the estate shall be sold or demised; and in every such case, the right to the services of every such Immigrant for the residue of the term of his contract of service, shall vest in the person or persons to whom such estate shall descend, or be sold, or be demised.

25. Every Immigrant, whose services shall be so assigned or transferred, in the absence of an express agreement to the contrary between such Immigrant and the person entitled to his services under such assignment or transfer, shall be bound to work upon the estate in respect of which his services shall be due, for nine hours of each day,—Sunday, Good-Friday, Christmas, New-Year's day, and Corpus-Christi excepted; *provided always*, that it shall be lawful for the Governor in Council, from time to time, to make regulations for allowing Immigrants from Her Majesty's Dominions in the East Indies, such other holidays or days to be observed as religious festivals as to him shall seem meet; *provided also*, that nothing herein contained shall interfere with the power of the Governor to cancel the indenture of such Immigrant, and transfer his services to some other person.

26. If any person shall harbour or receive into his employment any Immigrant, to whose services any other person may be entitled, under any assignment or transfer of services, then unexpired and in force, every such person, on conviction before a stipendiary Magistrate, on the complaint of the Immigration Agent, or of the person entitled to such services, or of the manager or other person in charge of the estate, in respect of which such services shall be due, and which complaint may be laid at any time within twelve calendar months, next after the day on which such Immigrant may be so harboured or employed, shall forfeit and pay to Her Majesty the sum of ten pounds sterling; and to the person entitled to such services under such assignment or transfer, the sum of eight shillings for each day during which such Immigrant shall be so harboured or employed.

27. Every Immigrant who, during the continuance of his indenture, shall without lawful cause absent himself from his work, shall, on conviction before a stipendiary Magistrate, forfeit two days' wages for each day he shall be so absent; the said penalty to be deducted from the Immigrant's wages, and in the event of no wages being due, he shall for every such offence be imprisoned with hard labour for any time not exceeding fourteen days, as to the convicting Magistrate shall seem fit.

28. It shall be lawful for every person entitled to the services of any Immigrant, or any servant of such person, or for any Constable, to apprehend, without Warrant, such Immigrant, when found at a distance of more than two miles from the estate in respect of which his services are due, without a written ticket of leave, signed by the manager or person in charge of such estate, and to cause such Immigrant to be taken back thereto.

29. It shall be lawful for the Immigration Agent, any stipendiary Magistrate, Justice of the Peace, Police Constable, or Superintendent of the Police, to stop any Immigrant wherever he may find him, or for the owner or occupier, or servant of the owner or occupier of any land or house, to stop any such Immigrant found upon or about such land or house; and if such Immigrant, upon being so required, shall fail to produce his Certificate of Discharge, or a written ticket of leave, signed by the manager or person in charge of the estate in respect of which his services may be due, to take such Immigrant before some stipendiary Magistrate, who shall forthwith inquire into the case, and unless such Immigrant shall make it appear to the satisfaction of such Magistrate that he has obtained such discharge, or that he is absent with leave, such Magistrate shall in every case commit such Immigrant to imprisonment with hard labour for a term not exceeding fourteen days.

30. Any Immigrant as aforesaid, who shall be guilty of any misconduct, or practice any fraud or deception in the performance of any work which he is bound to perform, or shall, by negligence or other improper conduct, lose, throw away, or damage the property of his employer, or shall endanger such property by the careless use of fire, or shall wilfully maim, wound, or cruelly ill-use any live-stock or cattle belonging to his employer or entrusted to his care, or by negligence shall suffer to be maimed, wounded, or cruelly ill-used any such cattle or live-stock, shall, on conviction before a stipendiary Magistrate, suffer such punishment by fine or imprisonment, until the same be paid, or imprisonment in any lawful place of confinement, with or without hard labour, for the whole or any part of such imprisonment not to exceed thirty days, as such convicting Magistrate shall deem fit.

31. Every employer of any registered Immigrants, shall, within ten days next after the 30th day of June and 31st of December in each year, send in to the Immigration Agent a true and correct Return, according to the form in Schedule D. to this Ordinance annexed, of all such registered Immigrants who may have been in his employ at any time during the preceding six months, specifying the name and sex of each such Immigrant, and whether such Immigrant shall be under a written agreement for labour or not, and the date of such agreement, the number of days labour performed by each Immigrant, and the number of days during which he shall have absented himself from his work; and also of all deductions from the original number of Immigrants under written contract, which shall have taken place within the last preceding six months, by death or desertion; and also of the births of any children among such Immigrants, specifying the ages and sexes of such children, with such remarks as may be required for shewing the state and condition of such Immigrants.

32. It shall be lawful for the Governor, from time to time, to require from every employer of any such registered Immigrants, such further Return as he may see fit to direct, as to the number, state and condition of such registered Immigrants; and every such employer shall be bound to send in such Return to the Immigration Agent or other person duly appointed by the Governor for that purpose, within one calendar month next after he shall have been notified so to do; and every employer of any such registered Immigrants who shall fail to send in to the Immigration Agent or other person duly appointed by the Governor for that purpose, such half-yearly Return as aforesaid, or shall neglect or refuse to send in such further Return as may be required by the Governor, within one calendar month after such person shall have been notified so to do, or shall wilfully make any false Return, shall, on conviction thereof before any competent Court, forfeit and pay such sum not exceeding ten pounds sterling for every such offence, as to the Court shall seem fit, and in default of payment, to imprisonment not exceeding thirty days.

33. It shall be lawful for the stipendiary Magistrates, the Immigration Agent, and other persons duly authorized by the Governor for that purpose, to enter into and upon any estate where any such registered Immigrants may be employed, and to inspect the state and condition of all registered Immigrants whom he may find upon such estate, and inquire into any complaint which the employer may have against such

Immigrants, and such Immigrants may have against their employer, and such stipendiary Magistrates shall visit every estate within their respective districts upon which Immigrants are located, at least once in every two months, or at such other times as the Governor may from time to time appoint, and shall report to him upon the state and condition of such Immigrants.

34. Every person who shall obstruct such stipendiary Magistrates, Immigration Agent, or other person duly authorized by the Governor for that purpose, in entering upon any estate where any such Immigrant shall be employed, or shall wilfully do any act whereby such stipendiary Magistrate, Immigration Agent, or other person duly authorized by the Governor for that purpose, may be prevented or obstructed in inspecting the state and condition of any such registered Immigrants whom he may find on such estate, shall, on conviction thereof before any Court of competent jurisdiction, forfeit and pay such sum not exceeding ten pounds sterling, for every such offence, as to the Court shall seem fit, and in default of payment, to imprisonment not exceeding thirty days.

35. It shall not be lawful for any Immigrant introduced into this Colony at the public expense, to depart from this Colony without a license in writing, signed by the Immigration Agent, and every master or other person in charge of any vessel, who shall knowingly receive or harbour on board of such vessel, or agree to receive on board of such vessel, with the intention of carrying out of this Colony, any such Immigrant whose name shall appear in such register, and who shall not have obtained such license, shall, on conviction thereof before a stipendiary Magistrate, forfeit and pay to Her Majesty the sum of twenty pounds sterling, for each and every such Immigrant whom he shall have so received or harboured, or agreed to receive with said intention as aforesaid.

36. No license to leave this Colony shall be delivered by the Immigration Agent to any such Immigrant, until he shall have completed an industrial residence of five years within this Colony, as hereinbefore provided, unless the Governor shall make an order in writing, under his hand, for the return of any such Immigrant to the place whence he may have come, before the expiration of the said term of five years; *provided* that no African Immigrant shall be held to have completed his industrial residence, unless he shall have attained the age of twenty.

37. General Hospitals shall be maintained at the towns of Castries, Soufriere and Vieuxfort, and it shall be lawful for the Governor, from time to time, to appoint some duly licensed medical practitioners to take medical charge of all Immigrants or other persons who shall be sent to such hospitals; and it shall be the duty of such medical practitioners to make regular periodical visits to such estates on which Immigrants are located, as may be prescribed to them from time to time by the Governor, and to afford medical advice and supply medicines to the sick on such estates, and also to supply and distribute medicines at the hospitals to all inmates, whether Immigrants or others, and to give advice and supply medicines, either at the hospitals or at private houses, when required to do so by the stipendiary Magistrates, and to vaccinate all children who may be brought to them for that purpose, and such medical practitioners shall be paid such salaries and allowances for medicines, as the Legislative Council shall from time to time determine.

38. Every employer of Immigrants shall, upon the original assignment by indenture of any Immigrant, and at the commencement of each succeeding year of his indenture, or in the case of any Immigrant who is under indenture when this Ordinance comes into operation upon the second day of January in every subsequent year of his indenture, pay to the Treasurer the sum of ten shillings for every such adult Immigrant, and five shillings for every such non-adult Immigrant, which shall be placed by the Treasurer to the credit of the Immigration Fund; *provided* that whenever the indenture of any such Immigrant shall expire during the year, the Governor shall have power to make a fair deduction from the amount of such medical tax for the current year; and every such employer shall also be liable for the payment of six pence for each day that any Immigrant in his employment shall remain in hospital, to cover the expense of food, and also for any sum expended in the conveyance to or from any hospital of any such Immigrant, and for the funeral expenses of any such Immigrant dying in the hospital; and if payment of all such sums shall not be made within one month after an account of the same shall have been rendered to the proprietor, lessee or person in charge of the estate, the Treasurer is hereby authorized to sue for and recover the same in manner hereinafter provided.

39. It shall be the duty of the medical practitioners to keep in each hospital a Register Book according to the form in Schedule E., and also a Case Book according to the form in Schedule F. to this Ordinance annexed; and such Register Book and Case Book shall be placed in charge of the nurse of each hospital, and shall be at all times open to the inspection of the Immigration Agent, any of the stipendiary Magistrates, and of any other persons duly empowered by the Governor to visit and enquire into the state of such hospital; and it shall be the duty of the medical practitioners to enter into the hospital registers, the name, age, sex and race of every Immigrant who may be brought to the hospital, and shall state therein the nature of the disease or injury from which he shall be alleged to be suffering, and the result of the case of every patient shall be stated in the Register Book, and he shall enter in the Case Book the remedies ordered for each Immigrant or other patient, and the scale of diet to be given to such patient.

40. It shall be the duty of the proprietor, manager or person in charge of every estates, to cause to be brought before the medical practitioner at his periodical visits, every indented Immigrant whom he may believe to be labouring under any disease, malady or complaint; or suffering from any wound or sore, or to be in any respect in need of medical assistance, and such medical practitioner shall then order such Immigrant to be admitted into the hospital, or to be treated as an out-patient, as to him may appear proper.

41. A scale of diet shall from time to time be framed under the direction of the Governor for use in the hospitals, and it shall be the duty of the medical practitioner to inform each patient in the hospital, or on any estate, if he should be treated as an out-door patient, of the scale of diet ordered for him; and it shall be the duty of the person in charge of such estate to supply the articles prescribed, cooked and fit for use, unless such patient shall for reason of caste, desire such food to be delivered uncooked; and it shall be the duty of the nurse in any hospital to supply the diet ordered for the patients therein, under such Regulations as may be established for the hospital, under the sanction of the Governor.

42. It shall be the duty of the medical practitioner to take care that the hospital, with all bedding, utensils and appliances belonging thereto, be at all times kept clean and in proper order, and to make a report to the stipendiary Magistrate if the hospital be found dirty, or any of the appliances be wanting or out of order, and the Magistrate shall forthwith take the necessary steps for removing all cause of complaint.

43. The manager or person in charge of any estate is hereby authorized and required to compel any indentured Immigrant in his employment, to enter the hospital or the room on the estate set apart for the sick, as soon as it shall come to his knowledge that such Immigrant is attacked with any illness, or is suffering from any sore, wound, malady, or complaint, there to remain until discharged by the order of the medical practitioner; and any such Immigrant refusing, when required so to do by the manager or person in charge of the estate, to make his appearance before the medical practitioner, or resisting any order for his admission into the hospital, or quitting the same without permission, shall be guilty of an offence, and shall be liable on conviction, to a penalty not exceeding one pound sterling, and in default of payment, shall be imprisoned for any period not exceeding fourteen days with hard labour.

44. Every stipendiary Magistrate shall, at least once in every fortnight, visit the hospital of the district in which he resides, and shall, once in every three months, make a special report to the Governor as to the condition of such hospital, and whether the provisions of this Ordinance have been fully complied with; and every such Magistrate shall, at every such visit, record any complaint that may be made to him, and shall proceed without delay to investigate the same, and make a statement thereof in his report.

45. The Immigration Agent and any person who may be thereto authorized by the Governor in writing, may at any time visit and inspect the hospitals in like manner, and as fully as the stipendiary Magistrates are by the preceding Section hereof authorized and required to do.

46. Every Coolie Immigrant shall be entitled to a free passage back to India, upon his application for the same, who shall have resided eight years in the Colony, and during the said eight years shall have completed an industrial residence of five years in manner prescribed by this Ordinance; *provided* that no such free passage shall be granted unless applied for within eighteen months of the time at which it shall have become due.

Notice to be given to applicants for a free passage.

47. The Governor shall give to each applicant for a return passage at least three months' notice, as precise as circumstances render possible, of the period at which such passage will be offered him.

48. There shall be paid

Allowance to be granted to Immigrant entitled to a back passage, until one is obtained.

to every Coolie Immigrant who shall become entitled to a free passage back to India, the sum of twenty-five shillings for every six months, which shall intervene between his application for such passage and his receiving an actual offer of, or opportunity for, the same.

Governor may procure back passage for any Immigrant unfit for labour.

49. The Governor may provide a back passage at the expense of the Colony, for any Coolie Immigrant who may have become unfit for labour at any period of his industrial residence.

50. Any Immigrant who shall falsely and fraudulently pretend that he has completed an industrial residence of five years, or an actual residence of

Penalty for using a false certificate of industrial residence, &c.

eight years within this Colony; or who shall wilfully use as his own, any license to depart from this Colony, or Certificate of Discharge which shall have been granted to any other Immigrant, or who shall lend such license or certificate to any other Immigrant; and any Immigrant or other person who shall wilfully counterfeit or alter such license or certificate, shall, for every such offence, and on conviction thereof before any stipendiary Magistrate, be imprisoned with hard labour, for such term not exceeding three months, as to the convicting Magistrate shall seem meet.

51. Proof of the handwriting of the Immigration Agent to any assignment or transfer

Proof of signature of Immigration Agent to be evidence of execution of document to which it is attached.

of services of any Immigrant, or to any certificate or other document mentioned in this Ordinance, shall be sufficient proof of the execution of the same, and of the facts mentioned in such assignment, transfer, certificate or other document.

52. When any question

Onus of proof of completion of industrial residence to lie on Immigrant.

shall arise whether any Immigrant has completed an industrial residence of five years, or an actual residence of eight years within this Colony, the burthen of the proof shall lie on the Immigrant, or other person alleging that such Immigrant has completed such residence.

53. When any Coolie

Communication of right to free passage back by grant of Crown land.

Immigrant shall be desirous to commute his right to a free passage back to India for a piece of land, and the Governor shall see fit to grant to such Immigrant, out of the Crown lands of the Colony, such piece of land, then such Immigrant shall have the same in lieu of his right to a free passage.

54. Whenever, in any

In what case Government charges may be waived.

case of a transfer of service of an Immigrant under the provisions of this Ordinance, it shall not be practicable to assign such services under indenture, subject to the payment of the Government charges by the said Ordinance imposed, it shall be lawful for the Governor to waive the payment of such charges, or of any portion thereof, and to assign the services of any such Immigrant upon such conditions and under such arrangements as to him shall seem meet.

55. All monies payable

Monies payable under this Ordinance, first charge on estate.

under this Ordinance, by employers of Immigrants, shall be a first charge on the estate or plantation, in respect of which the services of such Immigrants shall have been assigned or transferred under indenture or contract as hereinbefore mentioned.

56. All monies payable

All monies payable under this Ordinance, to be placed to the credit of Immigration Fund.

under this Ordinance, by way of indenture fees, medical tax, subsistence money, or any other charges, shall be paid to the Colonial Treasurer, and by him carried to the credit of a separate account to be called the "Immigration Fund;" and the same shall be applied to payment of salaries of officers, and all other expenses incurred by virtue of this Ordinance for the general purposes of immigration; and an account of all such monies shall be laid before the Legislative Council on the first day of January and the first day of July in each year, or at the first sitting of the Council after the said days respectively.

57. All penalties by this

All penalties recovered, to be carried to the credit of the Immigration Fund.

Ordinance imposed, shall be payable to Her Majesty, Her Heirs and Successors, and when received by the Colonial Treasurer, shall be carried to the credit of the said Immigration Fund; and all such penalties and all monies in the preceding Section mentioned, shall be recoverable by such Treasurer before any Court of competent jurisdiction.

58. All expenditure incurred by Her Majesty's Government, in the hiring, employing and

All expenditure for immigration to be paid out of Immigration Fund.

licensing any vessel for bringing or sending any Immigrants into this Colony; in providing for the maintenance and clothing of such Immigrants during their passage or otherwise; in employing on board any such vessel a Surgeon, and such other just expenditure as shall be caused by and be necessarily incidental to such immigration, and for sending back any Coolie Immigrants to the place from which they shall have been brought or sent into this Colony, shall be paid out of the said Immigration Fund; *provided always*, that whenever any expenses shall have been so incurred by the said Immigration Fund,

One-third of expense of introduction of Immigrants to be borne by general revenue.

for the introduction of any Immigrants into this Colony, one-third of such amount shall be taken from the general revenue and placed to the credit of the said Immigration Fund, so long as the Export Duty raised upon Sugar, Rum and Molasses, under the Ordinance of the third day of March 1854, shall continue to be levied.

59. All expenses whatsoever incurred for and on account of the hospitals established in

Expenses of hospitals to be paid out of Immigration Fund.

the towns of Castries, Soufriere and Vieuxfort, shall be defrayed from and out of the said Immigration Fund; *provided* that for any pauper (not being an Immigrant), who shall be a patient in any of the said hospitals, the sum of one shilling for each day such pauper shall remain in hospital, shall be paid to the Treasurer to the credit of the said fund, from any fund appropriated by the Legislature to the relief to the poor; and that for any other person being a patient in any such hospitals, there shall be paid by such person, or by any one on behalf of such person, such daily rate or amount as may be from time to time fixed by the Governor; and the general revenue of the Colony is hereby declared to be entirely freed and discharged from the payment of any sums of money for which it may have become liable, in respect of free Immigrants, under the provisions of the Ordinance of the fifteenth day of December 1862.

Ordinance when to be in force.

60. This Ordinance shall take effect, and be in force on from and after its promulgation, and may be cited as the "Consolidated Immigration Ordinance, 1865."

Given under my Hand and the Great Seal of the said Island of Saint Lucia, this fourteenth day of January, in the Year of our Lord one thousand eight hundred and sixty-five, and in the twenty-eight Year of Her Majesty's Reign.

By Command,

J. H. JENNINGS,

Chief Clerk.

Number.	Date of Ordinance.	Title.
No. 4 ...	28th November 1836..	An Ordinance for the protection and promoting the industry and good conduct of Africans that may be transferred to this Island.
No. 3 ...	6th February 1849 ...	An Ordinance to provide for the reception and allocation of captured African labourers, and to confirm the exclusive jurisdiction of the stipendiary Justices of St. Lucia, in respect to contracts of labour effected with such persons in this Island.
No. 7 ..	2nd May 1850 ...	An Ordinance for promoting African immigration into the Colony of St. Lucia, and the industry of the Immigrants.
No. 3 ...	1st September 1853 ...	An Ordinance for the regulation and government of Chinese Immigrants introduced into this Colony at the public expense.
No. 3 ...	22nd April 1854 ...	An Ordinance to provide for the immigration of Coolies into this Colony, at the public expense, and for the regulation and government of such Immigrants.
No. 6 ...	11th October 1854 ...	An Ordinance to repeal the 25th Clause of an Ordinance entitled "An Ordinance to provide for the Immigration of Coolies into this Colony, at the public expense, and for the regulation and government of such Immigrants."
No. 2 ...	13th July 1857 ...	An Ordinance to amend the Ordinance No. 3 of the 22nd day of April 1854, providing for the immigration of Coolies into this Colony.
No. 5 ...	21st July 1858 ...	An Ordinance to amend the Ordinance No. 7 of the 2nd day of May 1850, entitled "An Ordinance for promoting African immigration into the Colony of St. Lucia, and the industry of the Immigrants."
No. 4 ...	29th April 1859 ...	An Ordinance to amend the laws providing for the immigration of Coolies into this Colony.
No. 2 ...	12th February 1861 ...	An Ordinance to amend the Ordinance No. 8 of the 22nd day of April 1854, entitled "An Ordinance to provide for the immigration of Coolies into this Colony, at the public expense, and for the regulation and government of such Immigrants."
No. 7 ...	1st October 1861 ...	An Ordinance to amend the laws regulating the immigration of Coolies into this Colony, and to provide for the establishment and maintenance of general hospitals at or in the vicinity of the towns of Castries, Soufriere and Vieuxfort.
No. 1 ...	31st January 1862 ...	An Ordinance to provide for the payment of the expense of the immigration of certain liberated Africans into the Colony of St. Lucia.
No. 3 ...	31st March 1862 ...	An Ordinance to amend the laws now in force in this Island, relating to African immigration.
No. 9 ...	15th December 1862...	An Ordinance to make further provision in respect to the expense incurred by the establishment and maintenance of hospitals at the towns of Castries, Soufriere, and Vieuxfort.
No. 2 ...	27th January 1863 ...	An Ordinance to authorize the Governor, in certain cases, to remit the "Head Money" and other charges payable by the employers of Coolie Immigrants.

BE IT REMEMBERED that on this day of in the year one thousand
eight hundred and
Appeared before me a stipendiary Magistrate of this Colony
of Estate in the quarter of
in the said Colony.

And the undermentioned Immigrants to wit:

which parties have signed in my presence their names or marks to the following Contract of Service.

The said _____ agrees to hire the services of the above-named Immigrants, and the said Immigrants agree to render to the said _____ their services in the capacity of _____, for _____ years commencing on the _____ day of _____ in the Year of Our Lord one thousand eight hundred and _____; and it is further agreed between the said parties, that the said Immigrants shall be employed as _____ for _____ days in each week, and that the hours of labour of the said Immigrants shall not be more than nine hours daily, between sun-rise and sun-set, with a break of at least one hour for rest.

And it is further agreed between the said parties that the said shall pay to the said Immigrants as such labourers aforesaid, wages at and after the same daily rate as is paid to the labourers not under Indenture or Agreement, working on the said Estate, or according to the quantity of work performed, and that such wages shall be paid on the first and fifteenth day of each month, and shall not be less than the following rates, namely:

For male adults, one shilling and four pence a-day, if employed in the mill or boiling house, or one shilling, if not so employed; ten pence a-day for female adults; and for those under sixteen years, at such rates as shall be fixed as a fair proportion, according to the age of the labourer.

And further the said
and provide to and for the said
half acre of provision garden land.

And it is further agreed that the parties to this Contract shall be subject to and bound by the several enactments, stipulations and conditions in the "Consolidated Immigration Ordinance, 1865," contained in as full and ample a manner as if the same were specifically recited and set forth in this Contract.

The preceding Agreement was signed by the above-named parties in my presence, on the day and year above written, voluntarily,—the same being, as far I am able to judge, fully understood by them respectively.

M. B.—The amount (if any) advanced to each Immigrant previous to his embarkation, is to be deducted from his wages in monthly instalments of four shillings by his employer, which sum shall be paid by the said employer to the Treasurer.

SCHEDULE C.

Indenture.

BE IT REMEMBERED that on this day of in the year one thousand eight hundred and

Appeared before me a stipendiary Magistrate for this Colony of the Estate, in the quarter of in the said Colony.

And Immigration Agent for the said Colony, acting for and on behalf of the following liberated Africans of the second class, namely :

which said parties have signed in my presence their names to the following Contract of Service, that is to say—

The said agrees to hire the services of the said liberated Africans, and the said Immigration Agent, acting as aforesaid, agrees that the said liberated Africans shall render to the said their services in the capacity of for the whole period extending from the date of this Indenture to the date of each such liberated Africans attaining the age of twenty years.

And it is further agreed between the said parties that the said liberated Africans shall be employed as for days in each week, and that the hours of labour of the said Africans shall not be more than nine hours daily, between sun-rise and sun-set, with a break of at least one hour for rest.

And it is further agreed that the said shall pay to the said Africans, until they shall have attained the age of fifteen years, wages at such daily rate as shall be fixed on as a fair proportion to the age of the labourer; and that the said shall pay to the said Africans when they have attained the age of fifteen years, wages at and after the same daily rate as is paid to liberated Africans of the first class.

And further the said doth hereby bind and oblige himself to give, grant and provide to and for the said good and comfortable lodging, and at least one-half acre of provision garden ground.

And it is further agreed that the parties to this Contract shall be subject and bound by the several enactments, stipulations and conditions in the "Consolidated Immigration Ordinance, 1865," contained in as full and ample a manner as if the same were specifically recited and set forth in the Contract.

This Agreement was entered into by the above-named parties in my presence, on the day and year above written, voluntarily,—the same being, as far as I am able to judge, fully understood by them respectively.

SCHEDULE D.

*Return of Immigrants on**Estate for the half-year ending*

Name of Employer.	Number, name, age, sex, description, and class of Immigrant.		Date and terms of Contract.	Days' labour performed.	No. of days absent.	Deaths.	Desertion.	Births.		REMARKS.
	Male.	Female.						M.	F.	

SCHEDULE E.

Hospital Register.

Date.	Name.	Age.		Race.*	Result.	Date.	REMARKS.†
		M.	F.				

* In the case of an East Indian Immigrant, specify the Province to which he belongs, as Bengal, Madras, &c.

† In the column of Remarks, state how often each patient has been in Hospital, if more than once during the quarter.

SCHEDULE F.

Case Book.

Date.	Name.	Age.		Disease.	Diet.	Remedies, directions, medical comforts.
		M.	F.			

GOVERNMENT OFFICE;
St. Lucia, the 14th January 1865.

This Ordinance (consisting of sixty Clauses) is a consolidation of the numerous enactments which have been passed on the subject of immigration from the year 1836 up to the present time (with the exception of those relating to loans for this purpose, and the appropriation of a surplus amount arising from the accumulation of export duty). Advantage has been taken of this opportunity to introduce amendments in the system to make the law here similar to that in other Colonies. The principal alterations are as follows:—

The contract for Coolie and Chinese Immigrants is extended to five years, which does away with the more complicated system of a re-indenture at the expiration of three years to the same employer for two years further, or an indenture for the same period to another employer. At the same time, the privilege of Immigrants of this description to commute the last two years of their contract by a money payment, is retained.

Liberated Africans are divided into two classes,—the first, those of fifteen years of age and upwards; the second, those under fifteen. The first class is to be contracted for five years; the second, until they attain the age of twenty.

Power is given to the Governor, in the event of an Immigrant, who is entitled to a free passage back to India, being desirous to commute his right for a grant of land, to make him a grant of Crown land. As there are many abandoned uncultivated estates in this Colony contiguous to those in cultivation, which could easily be re-annexed to the demesne of the Crown, and which would form eligible settlements for such Immigrants, it is thought that the introduction of a clause of this nature will be advantageous to the Colony. On the one hand the Colony will be spared the expense of a back passage for those who accept a grant of land; and on the other, the permanent population of the Colony will be increased, and lands brought into cultivation, which now only encourage the abuses of squatting.

Other alterations of a minor character have been made in the law, but it is not necessary to encumber this Report with a description of them.

J. M. GRANT,
Colonial Secretary.

SAINT LUCIA.

*Report of the Attorney General on the Ordinance of the 14th day of January 1865,
“to amend and consolidate the Laws relating to Immigration.”*

THE object of this Ordinance is to consolidate into one Ordinance the several laws relating to immigration, which have been passed by the Legislature of the Colony, from 1836 to 1863, with the introduction only into that Ordinance of certain useful amendments sanctioned in other Colonies.

It is not necessary in this Report to make any remarks upon the old enactments which have been re-embodied, word for word, in the present Ordinance. It will be sufficient to advert briefly to those provisions which have been introduced into it by way of amendments, as above stated, and for the purpose of improving the plan upon which our system of immigration is based.

Clauses 11, 12 and 13 have reference to the terms for which Immigrants can be indentured. Coolie and Chinese Immigrants, as hitherto, are to be indentured for the term of five years, with the option, at the expiration of the three first years, to commute the remainder of their contract of service by money payments. With regard to the liberated Africans, they are divided into two classes. The first class includes those of fifteen years and upwards; and the second class, those under the age of fifteen years. The Africans of the first class can be indentured for the term of five years, and the Africans of the second until they have attained the age of twenty years: and the Immigration Agent is required to enter into contracts of service on behalf of the latter.

This is adopted from the British Guiana Immigration Ordinance, one of the most complete and best Immigration Ordinances in operation.

The indenture fees are the same as before, with the exception that, in the case of liberated Africans of the first class, they are payable in five instalments, instead of three.

Clauses 18 and 19 sanction a practice, which by necessity has been in operation without having the force of law. By the 18th Clause, it is provided that, if any Immigrant is introduced not being fit to perform service as an agricultural laborer, the Immigration Agent shall indenture him, without the Government charges, or subject to a part only of them, for the same term of service as other Immigrants, and to perform such services as may be agreed upon with his employer, always subject to the sanction of the Governor. And by the 19th Clause, that if it shall appear that any immigrant allotted has any permanent disease which incapacitates him from performing service under indenture, and that such permanent disease is certified by a medical practitioner, the Governor may, upon the report of the Immigration Agent, remit such portion of the Government charges as he shall think fit, and cause the Immigrant to be admitted into the Immigration Depot, or one of the hospitals.

Clause 53 revises a provision which had been introduced into the Coolie Immigration Ordinance of April 1854, and subsequently disallowed; but which it seems is in force in Jamaica, and it is this, that if any Coolie Immigrant is desirous to commute his right to a free passage back to India for a piece of land, and the Governor shall see fit to grant him out of the Crown lands of the Colony such piece of land, the Immigrant shall have the same in lieu of his right to a free passage.

Nothing further occurs.

I have the honor to report in favor of this Ordinance.

CHAMBERS,
The 14th January 1865.

(Signed) L. LA CAZE,
Attorney General.

MINUTES

*Of a Meeting of the Legislative Council, held at the Council Chamber, Castries, on
Friday the thirteenth day of January, in the year of our Lord 1865.*

PRESENT:

HIS HONOR J. M. GRANT, *Administrator.*
THE HON'BLE L. LA CAZE, *Attorney General.*
THE HON'BLE MACNAMARA DIX, *H. M.'s Treasurer.*
THE HON'BLE C. MALLET PARET, *Solicitor General.*
THE HON'BLE T. PARKER, *Auditor General.*
THE HON'BLE J. M. A. AUBERT, *Stipendiary Magistrate.*
J. P. LEUGER,
J. S. MOFFAT, } *Esquires.*
S. WEEKS,

THE Administrator informed the Council that, since their last Meeting, the provisional appointments of Mr. Fleming and Mr. Weeks to the Board, had been confirmed.

The Minutes of the last Meeting were read and confirmed.

The Minutes of the Central Board of Commissioners of Roads and Bridges were laid before the Council.

The Administrator then informed the Board that he proposed under his instructions to submit to them an Ordinance, consolidating and amending slightly the numerous Ordinances relating to Immigration. The first of these laws was passed as far back as 1836, and the last at the close of 1863; and it would be very convenient to have all the operative parts collected in one Ordinance, at the same time introducing such alterations in the system as had been sanctioned in other Colonies.

The greater part of the Ordinance submitted, was purely old law re-enacted and required no remark; but he would point out briefly the principal amendments which were introduced in it. The term of indenture of Coolies and Chinese Immigrants was extended to five years, giving however to them the power to commute the last two years of their services. Liberated Africans were divided into two classes,—the first, fifteen years of age and upwards; and the second, under fifteen. The first class was to be indentured for five years, and the second until they attained the age of twenty. The head money upon all but Africans of the second class, was the same as at present. The amount for these Africans was to be fixed by the executive. The fee payable on transfer of Immigrants was cancelled. The provisions with regard to medical tax were modified, and a clause introduced, which had originally been in the Coolie Ordinance of 1854, and subsequently withdrawn by direction of the Secretary of State, empowering the Governor to make grants of Crown lands to these Immigrants in commutation of their right to a free back passage, as such grants of land had been sanctioned in Jamaica and he believed in other Colonies; he trusted no objection would be raised to this part of the Ordinance. They were aware that in 1867 two lots of Coolies, those by the *Palmyra* and *Francis Ridley*, would complete their eight years' residence in the Colony, and would for the most part be entitled to a free passage back to India. Now, although the experience of other Colonies showed that but a small number returned, it might be beneficial to have the power of making an agreement with them of the nature he had mentioned. If they took the land a two-fold advantage would be gained to the Colony. Land which was at present of no use, and indeed only afforded a means of living to squatters who might otherwise have to engage in agricultural labor on estates, would be brought into cultivation, and be occupied by Coolies and their families, forming a permanent addition to the population; whilst, at the same time, the Colony would be spared a heavy expense for back passages. He believed some of the Crown land was very well suited for settlements of this nature, and he thought the clause was worth their very careful consideration. His Honor further observed that provision was made for payment of half charges on non-adult Immigrants, and after explaining the provisions of the law as it now stood, and the other alterations which would be proposed to the Council, submitted an Ordinance to amend and consolidate the Ordinances relating to Immigration, which was read a first time.

The Hon'ble the Attorney General moved, seconded by the Hon'ble the Treasurer, the second reading of the Ordinance.

Adopted.

Ordinance read a second time.

The Hon'ble the Attorney General moved, seconded by the Hon'ble the Treasurer, that the Ordinance be engrossed and read a third time at the next Meeting.

Adopted.

The Administrator said, that before the Council separated, he wished to explain that towards the close of the last month, the Treasurer had reported to him that there would not be sufficient money in his hands belonging to general revenue to pay the salaries, &c., for December, as was customary, and suggested that he might temporarily make up the deficiency from other money lying idle in the Bank, forming part of the special funds of the Colony. As the amount required was not large, and inconvenience would have been caused by postponing payments to the beginning of the month, both by the derangement of the accounts which would show an expenditure of eleven months instead of twelve, and to public officers and others who were to receive the money, he sanctioned the arrangement. The amount thus temporarily appropriated was about £400, and he wished further to observe that, if the Treasurer was directed to replace it this month, there would not be sufficient to pay the usual liabilities on the first of next month; and as no possible inconvenience could arise from the matter being left open, not only for one month, but even for a year, he thought it would be better to wait for a short time and see how the revenue of this year turned out. He might, at the same time, mention that as there was no surplus in the Treasury at the close of the year, the Educational

Fund of £500 was not due by law; but upon this point he should obtain the instructions of His Excellency the Governor-in-Chief, before the annual Meeting of the Board of Education. This year the grant was not dependant on a surplus, and at the close of 1864 the Education Fund was slightly in credit.

The Hon'ble J. S. Moffat intimated his approval of the course which had been adopted, and of the suggestions made by the Administrator as to replacing the money.

The other Members concurred, and His Honor then adjourned the Council to the next day (Saturday the 14th January), at three o'clock.

Done and passed at the Council Chamber,
Castries, on Friday the 13th January,
1865.

J. M. GRANT,

Administrator.

MINUTES

*Of an adjourned Meeting of the Legislative Council, held at the Council Chamber,
Castries, on Saturday the Fourteenth day of January 1865.*

PRESENT:

HIS HONOR J. M. GRANT, *Administrator.*

THE HON'BLE L. LA CAZE, *Attorney General.*

THE HON'BLE M. DIX, *Her Majesty's Treasurer.*

THE HON'BLE C. MALLET PARET, *Solicitor General.*

THE HON'BLE J. M. A. AUBERT, *Stipendiary Magistrate.*

J. P. LEUGER,
J. S. MOFFAT, } *Esquires.*
A. FLEMING,

THE Minutes of the previous Meeting were read and confirmed.

The Hon'bles J. S. Moffat and A. Fleming enquired whether the deficiency alluded to by the Administrator in his statement to the Board on the previous day, was caused by the actual being greater than the estimated expenditure, or from the revenue being less than estimated for.

The Hon'ble the Treasurer explained that it arose from the latter cause.

The Administrator observed that he was afraid it would be found the Import Duties had fallen short of the estimate.

The Hon'ble A. Fleming thought that more might be obtained from the Excise Duty upon Rum, and mentioned some particulars in which he believed the Rum Duty Ordinance might be amended with advantage.

Some conversation took place upon the subject, and the Administrator stated that the Rum Ordinance was a subject upon which he had frequently conversed with the Treasurer, who had been good enough to promise to furnish him with heads for an amended Ordinance. He quite agreed that the Law could be altered beneficially, and he would be much obliged if the Hon'ble Member, and any other Member of the Board would favor him with their suggestions for its improvement in writing.

The Hon'ble A. Fleming intimated that he would comply with His Honor's request, after consulting with some gentlemen who were experienced in the manufacture of Rum.

The Ordinance to amend and consolidate the Laws relating to Immigration having been engrossed, was read a third time.

The Hon'ble the Attorney General moved that the Ordinance do pass into Law, and be entitled "An Ordinance to amend and consolidate the Laws relating to Immigration."

Adopted—Ordinance passed.

The Board then adjourned.

Done and passed at the Council Chamber,
Castries, this fourteenth day of January 1865.

J. M. GRANT,
Administrator.

EMIGRATION BOARD,
The 31st March 1865.

SIR,—I have to acknowledge your letter of 22nd instant, with a Despatch No. 241, 13th February. from the Governor of the Windward Islands, enclosing an Ordinance passed by the Legislature of St. Lucia, entitled "An Ordinance to amend and consolidate the Laws relating to Immigration." No. 1 of 1865, herewith returned.

2. This Ordinance consolidates the law relating to immigration which was previously spread over fifteen Ordinances extending from 1836 to 1863. The greater part of it is a verbatim reproduction of the provisions of those Ordinances; but some few alterations and amendments have been introduced, in accordance with alterations sanctioned by the Secretary of State, either in St. Lucia or in other Colonies. These alterations are so clearly and succinctly explained by Governor Walker in his Despatch, that it would be superfluous to reproduce them here. The only provision which requires notice is that in Clause 53, which allows an Immigrant to commute his right to a back passage for a grant of land. A similar provision was introduced into the St. Lucia Ordinance of 1854, but was repealed at the desire of the Secretary of State, the Board of Directors objecting, I believe at that time, to any attempt to induce Indian Immigrants to surrender their right to a back passage. Since that date, however, it has been proved by experience that a large proportion of those who become entitled to back passages never avail themselves of their right: and agreements for the postponement of the claim, which may be renewed indefinitely, have been sanctioned in other Colonies. In Jamaica, moreover, a provision similar to that under consideration has been allowed. Under these circumstances, it appears to me that no objection can reasonably be taken to this part of the Ordinance. It cannot come into operation till the Immigrant has been eight years in the Colony, by which time he must be able to decide for himself whether it is for his advantage and happiness to return home or to remain. And even then the clause is permissive only, when the Governor "shall see fit to grant" to an Immigrant a piece of Crown land, so that it would be in the power of the Secretary of State to limit the exercise of the Governor's discretion in this respect, should he think it necessary to do so.

3. In other respects, the Ordinance appears to me open to no objection; and there is an obvious advantage in bringing all the laws now in force on the subject, within the compass of a single Ordinance. I would therefore submit that it should receive Her Majesty's approval in the usual way.

SIR FREDERIC ROGERS, BART.,

&c., &c., &c.

I have, &c.,

(Signed) T. W. C. MURDOCH.

INDIA OFFICE;

The 16th June 1865.

SIR,—I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 10th April, transmitting a copy of a Despatch dated the 15th of February last, No. 241, from the Governor-in-Chief of the Windward Islands, submitting "An Ordinance to amend and consolidate the Laws relating to Immigration," passed by the Legislative Council of St. Lucia, together with a report upon the Ordinance by the Chairman of the Emigration Board.

2. I am instructed to acquaint you that Sir Charles Wood concurs in Mr. Cardwell's proposal to advise Her Majesty to sanction the law.

3. The enclosures forwarded with your letter, in original, are herewith returned.

THE UNDER-SECRETARY OF STATE
FOR THE COLONIES.

I am, &c.,
(Signed) H. MERIVALE.

No. 1577
COPY forwarded to the Government of *Port St. George.*

By Order,

HOME DEPARTMENT;
SIMLA,
The 1 September 1865.

W. H. M. M. M.
Under-Secy. to the Govt. of India.

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