

consent of the Council of Government, That where any person, in whom the legal estate of inheritance in any land may be vested upon any trust expressed by deed or will duly registered, or as mortgagee shall depart this life intestate as to such lands, such legal estate shall descend to the person who, in the like case, would, according to the laws of England, answer to the description of heir of such trustee or mortgagee.

2. That the word "lands" in this Ordinance shall extend to all lands, messuages and hereditaments, whether corporeal or incorporeal, and to chattels and other personal property by the law of England transmissible to the heir, and also to any share of the same or any of them, and any other interest capable of being inherited according to the law of England.

Passed in Council this first day of July, in the year of our Lord one thousand eight hundred and fifty-seven.

RICHARD D. CADIZ,

Clerk of Council.

No. 8.—1857.

1st July.

AN ORDINANCE to provide for the Apprenticing of destitute Orphans.

ROB. W. KEATE.

Preamble.

WHEREAS there are many infants of tender years who, by the late visitation of the cholera or otherwise, have been deprived of their parents, or who have been deserted by their parents, and are wholly destitute; And whereas there is reason to believe that there are charitable individuals who would be willing to undertake the nurture of such infants, and their proper training and instruction in some handicraft, or in the duties and offices of domestic servants, if sufficient provision were made by law for apprenticing such infants, and enforcing the respective rights and duties of the several parties to such contracts: And whereas it is expedient to make such provision: Be it therefore, and it is hereby enacted by His Excellency the Governor by

and with the advice and consent of the Council of Government as follows :

1. Every child who, being under the age of fourteen years, and being the issue of a lawful marriage, or duly legitimated, shall be, without father and mother, or shall have been deserted by its parents, or by its sole surviving parent, and shall be without sufficient provision for its maintenance and support; and every child who, being under the age of fourteen years, and illegitimate, shall have been deprived by death, or desertion, or otherwise of proper care and nurture by its mother, and shall be without sufficient provision for its maintenance and support, shall be deemed to be a destitute orphan within the meaning and provisions of this Ordinance.

Defines term
"destitute
orphans."

2. If any person being a householder shall be willing to have any such destitute orphan apprenticed to him for the purpose of being trained and instructed in some trade, art, or mystery, or in the duties and offices of a domestic servant, it shall be lawful for any Stipendiary Justice of the Peace within the county or district in which such destitute orphan shall be living, upon the application in writing on behalf of and signed by such person in the form A in the Schedule to this Ordinance annexed, to cause such application to be advertised for the space of fifteen days in some public newspaper of the Colony; and after the expiration of the said term, if no sufficient objection shall have been made to the satisfaction of such Stipendiary Justice, and such Stipendiary Justice shall be satisfied that the person making such application is honest, sober, industrious, and of good repute, and that the surety proposed by him or her is sufficient, and that it would be for the benefit and advantage of such destitute orphan to be so apprenticed, and that such destitute orphan, if of sufficient discretion, is willing to be so apprenticed, it shall be lawful for such Stipendiary Justice to apprentice such destitute orphan to such person until such destitute orphan shall attain the age of eighteen years; or for any term not exceeding five years, provided that such term shall end before such destitute orphan shall have attained the age of eighteen years; and any such contract of apprenticeship shall be, as near as may be, according to the form in the Schedule C to this Ordinance annexed.

Conditions
and form of
apprenticing
such orphans.

Obligations of
the person
taking such
apprentice.

3. Every person to whom any such destitute orphan shall be so apprenticed, shall provide such apprentice with proper and sufficient food, clothing, lodging, medicines, and medical attendance, and shall cause such apprentice to be properly instructed in reading and writing, and in the Christian religion; and shall also cause and procure such apprentice to be carefully and diligently taught the art, trade, or mystery specified in the contract of apprenticeship, or in the proper and usual duties and offices of a household servant, as specified in such contract as the case may be.

Obligations of
the
apprentice.

4. Every destitute orphan who shall be so apprenticed shall be bound to serve diligently and faithfully the employer to whom he shall be so apprenticed during the continuance of the contract, and to obey all his lawful commands, and shall be subject to all the obligations and duties attaching to or required of an apprentice or a household servant, as the case may be by the law of this Colony.

Such
apprentices
and their em-
ployers to be
governed by
the provisions
of the
"Masters and
Servants"
Ordinance.

5. Every such employer to whom any destitute orphan shall be so apprenticed, shall be deemed to be the employer of such apprentice, within the meaning and provisions of the Ordinance for regulating the relative rights and duties of masters and servants, and every destitute orphan who shall be so apprenticed, shall be deemed to be the servant of such employer within the meaning and provisions of the said Ordinance: and every such employer or apprentice, respectively, shall have and enjoy, and be subject and liable to all the rights, advantages, remedies, duties, obligations, and liabilities in and by the said Ordinance granted to or imposed upon masters and servants respectively, save and except that it shall not be lawful for either the employer or the apprentice to determine the contract of apprenticeship otherwise than by the adjudication of a Stipendiary Justice of the Peace.

Conditions
and manner
of determin-
ing the
contract.

6. It shall be lawful for any Stipendiary Justice, upon application made to him either by the employer or by the apprentice, to cancel and make void the contract and indenture of apprenticeship, if he shall see fit, upon proof being made to his satisfaction.

- 1—That the employer has wilfully failed in the observance of his contract,
- 2—Or has neglected or ill-treated the apprentice or immoderately corrected him,
- 3—Or has become incapable of observing the conditions of his contract,
- 4—Or has transferred, or contracted to transfer the services of his apprentice to any other person,
- 5—Or if the apprentice shall be convicted of any felony.

7. It shall be lawful for any Stipendiary Justice, upon the application or with the consent of both the employer and the apprentice, to cancel and make void the contract and indenture of apprenticeship in any case in which it shall be made to appear to the satisfaction of such Justice, that some other suitable employer is willing to have such apprentice bound to him according to the provisions of this Ordinance, and that it will be for the benefit of such apprentice that his services should be transferred to such new employer.

Provision for
change of
employer.

Passed in Council this first day of July, in the year of our Lord one thousand eight hundred and fifty-seven.

RICHARD D. CADIZ,

Clerk of Council.

SCHEDULE.

A

FORM OF APPLICATION TO THE STIPENDIARY JUSTICE.

TRINIDAD.

To J. S., Esq., Stipendiary Justice of the Peace.

Sir—I hereby offer and agree to receive as my apprentice, under the provisions of the “Ordinance to provide for the apprenticing of destitute Orphans,” A. B., of (describe as particularly as may be the place of abode of the Orphan), the child of C.B., late of (the name, late place of abode, and trade of the father and mother of the orphan if such orphan be a lawful child, or of the mother only if such orphan be illegitimate). The said A. B. is of the age of is without father or mother (or has been deserted by his father and mother, or his mother, as the case may be) and is destitute. I offer to teach him the trade or business of (or to have him properly trained as a household servant)

and to comply with all the obligations imposed by the Ordinance. I offer as my surety C. M., of _____ who is willing to become bound with me in the penalty of five pounds sterling, for the due performance of my part of the contract.

Signed G. H., of _____ (particular place of abode.)

B

FORM OF ADVERTISEMENT.

Police Office, Port of Spain, _____ day of _____ 1857.
Public Notice is hereby given, that G. H., of _____ has offered to receive as his apprentice, under the provisions of the "Ordinance to provide for the apprenticing of destitute Orphans," A. B., now or lately of _____ the child of (name, late place of abode, and trade of the father and mother of the orphan, or of the mother only if the orphan be illegitimate), the said A. B. being a destitute orphan, and is willing to undertake to have the said A. B. taught the trade of _____ (or trained and instructed as a household servant as the case may be); C M., of _____ is offered as the surety of the said G. H. Any objection to the apprenticing of the said A. B. to the said G. H. must be made to me within fifteen days from this date.

J. S., Stip. Just. Peace.

C

FORM OF INDENTURE.

TRINIDAD.

Be it remembered that on this _____ day of _____ A.D. one thousand eight hundred and _____ the following contract was made and entered into between G. H., of _____ of the first part, C. M., of _____ the surety of the said G. H. of the second part, and A. B., of _____ a destitute Orphan. acting herein by J. S., Esquire, Stipendiary Justice of the Peace for the county of _____ in the said Island, by virtue of the Ordinance to provide for the apprenticing of destitute Orphans.

The said G. H. agrees to take and receive the said A. B. as his apprentice, according to the provisions of the said Ordinance, from this day forth, until the said A. B. shall have attained the age of eighteen years (or for and during the term of _____ to be computed from the day of the date hereof), to provide the said A. B., at all times during the said term with proper, wholesome, suitable and sufficient meat, drink, lodging, clothing, medicine, and medical care and treatment; also, carefully and diligently to teach and instruct the said A. B. (or to cause and procure the said A. B. to be carefully and diligently taught and instructed), in the art, trade, or mystery of _____ as the same is usually exercised and practised (or in the proper and ordinary duties and offices of a household servant as the case may be) and also in reading and

writing, and in the doctrines and tenets of the Christian religion, and in the duties required by the same. And the said A. B. agrees to serve the said G. H. diligently and faithfully, according to the aforesaid Ordinance, during all the said term, to obey all his just and lawful commands, and to be honest, sober and faithful in all things.

And the said C. M. hereby binds and obliges himself unto the said A. B. in the sum of five pounds sterling money, as surety for the due and faithful performance by the said G. H. of all things by him the said G. H. to be done and performed, according to the present contract, or by virtue of the provisions of the aforesaid Ordinance.

In witness whereof the said G. H. and C. M. have hereunto set their hands, and the said J. S. hath hereunto subscribed the name of the said A. B. for and on behalf of the said A. B.

Signed and delivered by the
 within named G. H. and
 C. M., and by the said J. S.
 in the name and for and on
 behalf of the said A. B., in
 the presence of

T. W.
 X. Y.

No. 13—1857.

1st December.

AN ORDINANCE for the training of Juvenile Offenders to habits of Industry.

ROB. W. KEATE.

WHEREAS it is expedient that provision should be made for the training of Juvenile Offenders to habits of industry: Be it enacted by His Excellency the Governor by and with the advice and consent of the Council of Government as follows:

1. Whenever after the passing of this Ordinance any person under the age of sixteen years shall be convicted of any offence punishable by law either upon an indictment or a summary conviction before a Stipendiary Justice of the Peace or before two or more Justices of the Peace, and shall be sentenced to imprisonment for more than fourteen days, it shall be lawful for the Governor if he shall see fit at any time during the continuance or on the expiration