

No. 8.—1847.

AN ORDINANCE for extending the term for which contracts of service may be made.

(L. S.) HARRIS.

Certain con-
tracts of ser-
vice made out
of the Colony
to be binding.

Before whom
the same to
be made.

Simulating or
altering any
written con-
tract to be a
misdemeanor
punishable
with fine.

WHEREAS it is expedient to extend the term for which contracts of hiring, made out of this Colony, but to be performed in this Colony, shall be binding. 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, That every contract made and entered into elsewhere than within the limits or upon the land of this Colony with any inhabitant of the continent or islands of Europe, or of the continent or islands of America, of the Azores, of Madeira, of the Canaries, or of the Cape de Verd Islands, respectively, for service in this Colony as a servant in husbandry, or sailor, or boatman on board any vessel or boat belonging to this Colony, or as a menial servant, or artificer, handicraftsman, or other labourer, for any period not exceeding three years from the date of his landing in this Colony, shall be valid and in force within this Colony for the period therein mentioned: Provided always that such contract shall be reduced into writing, and shall be signed with the name, or in case of illiterate persons, with the mark of each of the contracting parties, in the presence of a Justice of the Peace, if entered into within any part of the British dominions, or of a notary public, or British consul if entered into elsewhere; and such Justice of the Peace, or notary, or British consul shall subscribe the written contract in attestation of the fact that it was entered into by the parties voluntarily, and with a clear understanding of its meaning and effect.

2. And be it enacted, That if any person shall simulate or attempt to simulate any such contract, or shall without the consent of all the parties thereto, as also of the Justice of the Peace, notary, or consul in whose presence the same shall have been entered into, alter or attempt to alter any such contract after the same shall have been completed, every such person shall be guilty of a misdemeanor, and on conviction thereof shall forfeit and

pay a fine of not less than five pounds sterling, and not more than one hundred pounds sterling.

3. And be it enacted, That the signature and seal, and every signature or seal purporting to be the signature or seal of any Justice of the Peace, notary public, or consul, subscribed and affixed in proof, or purporting to be in proof, of any such contract having been made or entered into before such Justice, notary public, or consul, shall, without any proof, be received as evidence in all Courts of Justice, and by all Justices of the Peace and Magistrates in this Colony of such contract having been duly made and entered into.

Signature or seal of justice, notary, or consul to be admitted in evidence without proof.

4. And be it enacted, That if any person shall tender in evidence any such contract with any signature or seal purporting to be the signature or seal of any such Justice, notary public, or consul, knowing that such signature or seal is not the signature or seal of the Justice, notary public, or consul whose signature or seal it purports to be, every such person shall be guilty of felony, and being convicted thereof shall be liable to imprisonment with or without hard labour for any period not exceeding three years.

Persons knowingly tendering in evidence any contract with forged seal or signature guilty of felony.

5. And be it enacted, That every servant or labourer who shall have entered into any written contract as aforesaid, shall, upon arrival in this Colony, have the option of claiming, instead of any rate of wages for which he may have stipulated in any such written contract, the current rate of wages paid to the unindentured servants by any employer in whose employ, or to the unindentured labourers resident on the estate upon which such servant or labourer shall have contracted to serve; and every such labourer or servant shall, moreover, at any time after six months' service, upon giving one month's notice, be entitled to a cancelment of any such written contract into which he may have entered, on paying such proportion of the necessary expense incurred in conveying him to the Colony as the residue of the term of service yet unexpired shall bear to the whole of such expense.

Labourer or servant to have option of other rate of wages.

Contract to be determinable on certain terms after six months.

6. And be it enacted, That in the absence of any express agreement to the contrary, the first hiring of all labourers introduced into this Colony at the public

In absence of express agreement with immigrants

introduced at expense from any and every part of the world shall be deemed and taken to be for a period of six calendar months.

public ex-
pense firstser-
vice to be for
six months.
Jurisdiction
for enforcing
contracts to
be vested in
Stipendiary
or other
Justices.

7. And be it enacted, That the jurisdiction for the enforcement of all contracts made and entered into under this Ordinance shall be vested in the Stipendiary or other Justices of the Peace of the Island; and all complaints to be made in respect of any contract to be made under this Ordinance, shall be heard and determined by the Stipendiary Justice, or any two Justices of the district or place where the employer shall reside or the offence shall be committed: and in all cases to be dealt with under this Ordinance, the Stipendiary and other Justices shall have such and the same powers as are vested in them by the Ordinance passed on the first day of July, one thousand eight hundred and forty-six, and entitled "an Ordinance for regulating the relative rights and duties of masters and servants."

Commence-
ment of Ordi-
nance.

8. And be it enacted, That this Ordinance shall commence and take effect upon and from and immediately after the promulgation thereof.

Passed in Council this twenty-second day of April, in the year of our Lord one thousand eight hundred and forty-seven.

THOMAS F. JOHNSTON,

Clerk of Council.

The foregoing Ordinance was duly proclaimed in Port of Spain this eighth day of May, one thousand eight hundred and forty-seven.

A. CLOGSTOUN,

Marshal.