

CHAPTER 192.

INDUSTRIAL AND REFORMATORY SCHOOLS.

[No. I of 1852.]

[6th March, 1852.]

Short title.

1. This Ordinance may be cited as the Industrial and Reformatory Schools Ordinance.

Interpretation.

2. In this Ordinance, unless the context otherwise requires,—

“ industrial school ” means and includes any industrial school established and conducted by the colony;

“ reformatory school ” means and includes any reformatory school established and conducted by the colony;

“ the schedule ” means the schedule to this Ordinance;

“ form ” means a form given in the schedule.

PART I.

GENERAL PROVISIONS.

Vesting of orphan asylum in the Crown as an industrial school.

3. On the commencement of this Ordinance, all the lands, buildings, and effects, both movable and immovable, moneys, books, and papers, of the Orphan Asylum and School of Industry of British Guiana, and all and singular the corporate property of that institution, shall be and are hereby vested in His Majesty, for the support and maintenance of an industrial school under this Ordinance, or for such other charitable or educational purposes as the Governor, on behalf of His Majesty, may direct.

Appointment of managing director, master, and subordinate officers.

4.—(1) The Governor, on behalf of His Majesty, may appoint some fit person to be managing director of the industrial and reformatory schools established under this Ordinance, who shall hold office during pleasure.

(2) The Governor may also appoint a master, matron, and any officers and servants he considers necessary.

(3) The salaries and wages of the master, matron, officers, and servants, and all other charges and expenses incurred in the due maintenance of the industrial and reformatory schools respectively, shall be paid from and out of moneys from time to time provided for that purpose by the Legislative Council.

5. The industrial and reformatory schools established under this Ordinance shall be regularly visited and inspected by the Director of Education. Inspection of schools.

6. The managing Director shall lay before the Governor and Legislative Council, on or before the first day of March in each year, an exact account of the receipts and expenditure of the industrial and reformatory schools as audited and approved by the Auditor, and an estimate of the sums likely to be required during the year then next ensuing, and also a report of the state and condition of the industrial and reformatory schools, in the form and containing the particulars directed by the Governor. Annual account of receipts and expenditure and report.

7.—(1) It shall be the duty of the managing director from time to time to frame regulations for the following purposes, that is to say,— Regulations.

- (a) for the guidance of the managing director of the industrial and reformatory schools in the discharge of his duties;
- (b) for the management and discipline of those schools; and
- (c) for the education, training, moral and religious instruction, and apprenticeship of the children and youthful offenders sent to those schools.

(2) The regulations shall be laid before the Governor and Legislative Council for approval and, if approved, shall be published in the Gazette for general information and be thereupon legal, valid, and binding upon all persons concerned.

PART II.

INDUSTRIAL SCHOOLS.

Admission.

8. All poor and destitute children of both sexes, who have lost by death, or who have been deserted by, one or both parents and do not exceed the age of fourteen years Children who are admissible :

and are not idiots or lunatics, shall be eligible to be received in an industrial school on the order of the managing director :

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Provided that—

- (a) children, both of whose parents are dead, shall be preferred to those who have one parent alive; and
- (b) where there is any necessity for selection of one child from any two or more, the one who is most needy and destitute shall be preferred.

Destitute child.

9. Any justice, on its coming to his knowledge that any child under the age of twelve years and not labouring under either of the disabilities aforesaid, has been left an orphan by the death of both parents, or has been deserted by both parents, shall associate with him some other justice, and they shall inquire into the condition of the child and of the person in whose possession the child may be, and if it appears to them that the person in possession of the child is not entitled thereto, and that the child is not properly fed, clothed, and educated, they shall issue a warrant to any police officer or constable authorising him to take charge of the child and convey him to an industrial school.

Transfer of children chargeable to poor law.

10. All children as aforesaid (not subject to either of the disabilities aforesaid) under the age of fourteen years who become chargeable to the poor law commissioners shall be transferred to an industrial school by the commissioners.

Time during which children are to remain.

11. All children admitted into an industrial school under the provisions hereinbefore contained shall be held to be permanently admitted, there to remain until the time arrives for apprenticing them out as hereinafter provided.

Penalty for enticing away child.

12. No relation of any child aforesaid, nor other person, shall remove or aid or assist in removing, except with the consent and approbation of the managing director first had and obtained, or seduce, entice away, harbour, or conceal, or aid or assist in seducing, enticing away, harbouring, or concealing the child, upon pain of forfeiting for each offence a sum not exceeding fifty dollars; and, moreover, and in addition to that penalty, the justices convicting shall issue a warrant, directed to any police

officer or constable, to arrest and take possession of the child so removed, seduced, enticed away, harboured, or concealed, and restore him to the school.

Classes of children to be detained.

13.—(1) In addition to the children admitted into an industrial school under and by virtue of the provisions hereinbefore contained, anyone may bring before a magistrate a child apparently under the age of fourteen years who comes within any of the following descriptions, that is to say, who—

Power to arrest child in certain cases,

- (a) is found begging or receiving alms (whether actually or under the pretext of selling or offering for sale anything) or being in a street or public place for the purpose of so begging or receiving alms; or
- (b) is found wandering and not having any home or settled place of abode, or proper guardianship, or visible means of subsistence; or
- (c) is found destitute, either being an orphan or having a surviving parent who is undergoing imprisonment or penal servitude; or
- (d) frequents the company of reputed thieves.

(2) The magistrate before whom a child is brought as coming within one of those descriptions, if he is satisfied on inquiry of that fact and that it is expedient to deal with the child under this Ordinance, may order him to be sent to an industrial school.

and to send child to industrial school.

Order of Detention.

14.—(1) The order of a magistrate sending a child to an industrial school (in this Ordinance referred to as "the order of detention") shall be in writing and shall specify the time for which the child is to be detained in the school, being the time to the magistrate seeming proper for the teaching and training of the child, but not in any case extending beyond the time when the child will attain the age of sixteen years.

Form and contents of order; form 1.

(2) The order of detention shall be transmitted to the master of the industrial school with the child and shall be a sufficient warrant for the conveyance of the child thither and his detention there.

Effect of order.

Evidence
of order.

(3) Any instrument purporting to be the order of detention and to be signed by a magistrate, or purporting to be a copy of the order and to be so certified by the clerk to the magistrate by whom it was made, shall be evidence of the order.

Instruction.

Subjects of
instruction.

15. The boys admitted into an industrial school shall be instructed in reading, writing, and arithmetic, in all branches of agriculture, and in all trades which the managing director thinks proper to order, subject to any regulations in that behalf; and the girls admitted into an industrial school shall be instructed in reading, writing, and arithmetic, in plain sewing, cooking, washing, scouring, and all other matters of domestic economy.

Management.

Permission
to child to
lodge out of
industrial
school.

16. The managing director may permit a child sent to an industrial school under this Ordinance to lodge at the dwelling of his parent or of any trustworthy and respectable person, so that the master of the school teaches and trains the child in the school as if he were lodging in the school itself, and so that the managing director reports to the Governor, in the manner the Governor thinks fit to require, every instance in which he exercises a discretion under this section.

Licence to
child after
six months
to live out.

17.—(1) The managing director, with the approval of the Governor, may at any time after the expiration of six months of the period of detention allotted to a child, by licence under his hand, permit the child to live with any trustworthy and respectable person named in the licence and willing to receive, teach, train, and take charge of the child.

(2) A licence so granted shall not be in force for more than six months, but may, at any time before the expiration of those six months, be renewed for a further period not exceeding six months to commence from the expiration of the previous period of six months, and so from time to time until the period of detention of the child expires.

(3) The licence may also be revoked at any time by the managing director, by writing under his hand, with the approval of the Governor, and thereupon the child to whom the licence related may be required by him, by writing under his hand, to return to the school.

(4) The time during which a child is absent from an industrial school in pursuance of a licence, except where the licence has been forfeited by his misconduct, shall be deemed to be part of the time of his detention in the school, and at the expiration of the time allowed by the licence he shall be taken back to the school.

(5) Any child who escapes from the person with whom he is placed under a licence, or refuses to return to the industrial school on the revocation of his licence or at the expiration of the time allowed thereby, shall be deemed to have escaped from the school and shall be liable to the same penalty.

18. The managing director, at any time after a child has been placed out on licence as aforesaid, if he has conducted himself well during his absence from the school, may bind him apprentice, until he completes the age of eighteen years, to any trade, calling, or service, notwithstanding that his period of detention has not expired; and that binding shall be valid and effectual to all intents.

Power to apprentice child placed out on licence.

19. A certificate purporting to be signed by the managing director, or by the master of an industrial school, to the effect that the child therein named was duly received into the school and is, at the signing thereof, there detained, or has been duly discharged or removed therefrom or otherwise disposed of according to law, shall be evidence of the matters therein stated.

Evidence as to reception in industrial school.

20. No order of the managing director nor any by-law shall oblige a child in an industrial school who is born of Christian parents to attend or be present at any religious service celebrated in a mode contrary to the religious principles of his parents if known, or shall authorise the education of a child in the school born of Christian parents in any religious creed other than that professed by his parents or surviving parent, and to which his surviving parent, or, in the event of the death of both parents, his guardian, or godfather, or godmother, being a Christian, objects:

Protection of rights of conscience:

Provided that—

- (a) any regular minister of the Christian religious persuasion of the parents of a child in an industrial school may, at such times in the day as the managing director appoints, visit the

Proviso.

school for the purpose of affording religious assistance to him, and also for the purpose of instructing him in the principles of his religion; and

- (b) whenever there are twenty children or upwards of any particular denomination of Christians in an industrial school, a teacher of that denomination shall be employed for the purpose of attending more especially to the religious instruction of those children, but may nevertheless be made useful in imparting secular instruction to the children in general.

Apprenticeship of Children.

Inquiry as to propriety of binding child to particular person.

21. Before any child is bound apprentice by the managing director of an industrial school, he shall be taken before two justices, who shall inquire into the propriety of binding him apprentice to the person to whom it is proposed by the managing director to bind him, and the justices shall particularly inquire and consider whether that person resides or has his place of business within a reasonable distance from the place to which the child belongs, having regard to the means of communication between those places, or whether any circumstances make it fit, in the judgement of the justices, that the child should be placed apprentice at a greater distance and, if the father or mother of the child is living and resides in or near the place to which the child belongs, the justices, if they see fit, shall examine the father or mother, and shall particularly inquire as to the distance of the residence or place of business of the person to whom it is proposed to bind the child and the means of communication therewith, and the justices shall also inquire into the circumstances and character of that person, and if the justices, on examination and inquiry, think it proper that the child should be bound apprentice to that person, the justices shall sign the register of apprenticeship, and the signing shall be considered and shall be a declaration that the person is a fit person to whom the child may be properly bound as an apprentice, and shall be an order of the justices and a warrant for binding the child apprentice as aforesaid.

Register of apprentices; form 2.

22.—(1) There shall be kept at an industrial school by the master thereof, a register of all apprentices bound out, according to form 2, and the register shall contain the number, date of apprenticeship, name, and age of the

apprentice, the name and names (if known) of his parent, the name of the person to whom the apprentice is bound, the trade and residence of that person, and the names of the parties to the act of apprenticeship, including the justices; and the entry of those particulars in the register shall be the act and articles of apprenticeship.

(2) A copy of the register purporting to be authenticated by the master as aforesaid shall be evidence of the apprenticeship, and shall be so received by all courts, judges, magistrates, and justices without any further proof of apprenticeship, and without proof of the handwriting of the master.

23. Everyone taking an apprentice as aforesaid shall be furnished with a copy of the register authenticated by the master as aforesaid, and that copy shall be considered and held to be the counterpart of the act or articles of apprenticeship.

Furnishing
copy of
register to
master, and
payment
of fee.

24.—(1) Everyone so taking an apprentice shall sign his name in the column of the register appropriated thereto, and thereupon shall become bound and obliged to provide the apprentice during the continuance of the apprenticeship with sufficient clothing, meat, drink, lodging, medical attendance, and all other necessaries.

Mutual
obligations of
master and
apprentice.

(2) By the signature of the managing director in the column of the register appropriated thereto, the apprentice shall become bound and obliged, during the whole term specified in the said register—

- (a) to serve his master faithfully;
- (b) to keep the secrets of his master;
- (c) to obey all his master's lawful commands;
- (d) not to do any damage to his master nor see any damage done by others, but to prevent or give notice of it to his master;
- (e) not to waste the goods of his master nor lend them unlawfully to any;
- (f) not to commit fornication nor contract matrimony;
- (g) not to play at cards, dice, tables, or any other unlawful game whereby his master may have or sustain any loss;
- (h) not to frequent taverns or grog shops; and
- (i) not to absent himself from his master's service by day or by night unlawfully; but as a faithful apprentice to behave himself towards his master in all things.

(3) A copy of this and the last three preceding sections shall be printed at the foot of each authenticated copy of the register when furnished as aforesaid.

Apprehension
of apprentice
running
away.

25. If an apprentice under this Ordinance runs away from or leaves the service of his master, any justice may grant a warrant, directed to an officer of the police force or constable, to arrest him and bring him before the justice, or any other justice, to be dealt with according to law.

Misusage of
apprentice.

26. Any justice may, on complaint or application by an apprentice under this Ordinance, or by anyone on his behalf, touching or concerning any misusage, refusal of clothing, meat, drink, lodging, medical attendance, or other necessary, or cruelty, or other ill-treatment of or toward him, by his master, summon the master to appear before that justice and some other justice at a reasonable time to be named in the summons; and the justices shall examine into the matter of the complaint; and on proof thereof to their satisfaction (whether the master is present or not, if service of the summons is proved upon oath), the justices may convict the offender for each offence in a penalty not exceeding twenty-five dollars, to be levied by distress and sale of his goods by warrant under the hand of either of the justices, and to be applied to the use of the industrial school, and the justices shall moreover, discharge the apprentice from apprenticeship by warrant or certificate under their hands, for which warrant or certificate no fee shall be paid.

Penalty.

Ill-behaviour
of apprentice.

27. On application or complaint made upon oath by a master touching or concerning any misdemeanour, mis-carriage, or ill-behaviour of any apprentice in his service, any justice may hear, examine, and determine the matter, and may punish the offender by commitment to prison, there to remain in solitary confinement for a reasonable time not exceeding fourteen days.

Liability of
apprentice
absenting
himself to
double term
of service.

28.—(1) Any apprentice who absents himself from his master's service before the term of his apprenticeship has expired shall, at any time thereafter, whenever he is found, be compelled to serve his master two days for every day on which he has so absented himself from his service, unless he makes satisfaction to his master for the loss his master may have sustained by his absence from service, and so

from time to time, as often as he, without leave of his master, absents himself from service before the term of his apprenticeship has been fulfilled.

(2) If any apprentice refuses to serve as hereby required, or to make satisfaction to his master, the master may complain upon oath to any justice, who shall issue a warrant under his hand and seal for apprehending the apprentice, and on hearing the complaint may determine what satisfaction shall be made to the master by the apprentice, and, if the apprentice does not give security to make the satisfaction according to the determination, may commit the apprentice to prison, there to remain in solitary confinement for any time not exceeding fourteen days.

29. Where any apprentice has been discharged from his apprenticeship under and by virtue of this Ordinance in consequence of the misconduct of his master, the managing director of an industrial school shall not bind any other apprentice to that person, and every indenture, articles of apprenticeship, and every contract of whatever kind purporting to bind any child of the school to that person shall be null and void.

Effect of
misconduct
of master.

30. When any child as aforesaid is an apprentice to anyone who is declared a bankrupt or adjudged an insolvent, the bankruptcy or insolvency shall be and enure as a complete discharge from apprenticeship of the apprentice, who shall thereupon be bound out by the managing director to any other person for the unexpired period of the original term.

Insolvency
of master.

31.—(1) Within three months after the death of a master, any two justices, on application made by the widow, or by any son or daughter, brother or sister, or by any executor or administrator, of the master or of his estate and effects, may assign, with the consent of the managing director, his apprentice to serve as an apprentice to any one of the persons so applying as aforesaid (that person having lived with and having been part of the family of the master at the time of his death) whom the justices in their discretion think fit, for and during the residue of the term mentioned in the articles of apprenticeship; and the person obtaining that order shall declare his acceptance of the apprentice by subscribing his name to the order.

Death of
master.

(2) From and after the making of the order, the executors and administrators, and the personal assets, estate, and effects of the master so dying shall be released and discharged of and from any promise, covenant, or obligation whatsoever on his part or on the part of his executors or administrators, to be done or performed; and the person obtaining the order shall be the master of the apprentice.

schedule :
form 3.

(3) The assignment shall be in the form or to the effect set forth in form 3 hereto, but it shall not be valid or good in law until it has been exhibited to the managing director, and has been countersigned by him and recorded in the register of the school.

Death of
subsequent
master.

32. All and singular the regulations and provisions hereinbefore made and directed to take place on the death of the original master shall be deemed and taken to relate to the death of any subsequent master, and to his several relations and representatives before enumerated, from time to time, as often as happens during the continuance of the term mentioned in any act or articles of apprenticeship.

When no
application is
made on
death of
master.

33. If no such application as aforesaid is made within three months next after the death of a master, or if the justice to whom any application aforesaid is made is of opinion that the apprenticeship should not be continued, the apprenticeship shall be determined, and the act or articles of apprenticeship and covenants therein contained shall be at an end, and the managing director may apprentice out the child to some other person until the expiration of the original term.

Restriction
of provisions
to apprentice
living with
family.

34. Nothing herein contained shall extend to any apprentice who is not living with and making part of the family, or is not in the actual employment of the original master, or of any subsequent master appointed under and by virtue of the several provisions of this Ordinance, at the time of the bankruptcy, insolvency, or death of the master.

Failure of
master to
maintain
apprentice.

35. If a master, during the term of any apprenticeship aforesaid, or any executor or administrator of a master during such three months as aforesaid, refuses or neglects to maintain and provide for an apprentice according to the provisions of this Ordinance, any justice may, on complaint of that apprentice or of any person on his behalf,

by warrant under the justice's hand, levy by distress and sale of the personal estate and effects of the master or the executor, the sum or sums of money necessary for the maintenance and clothing of the apprentice, over and above and independent of any fine or penalty levied under any of the provisions of this Ordinance.

36.—(1) A master of an apprentice aforesaid, by and with the consent of the managing director and with the approbation of two justices as aforesaid, may assign the apprentice to any person who is willing to take him for the residue of the term mentioned in the articles of apprenticeship; and the assignment may be in the form or to the effect mentioned in form 3 hereto.

Assignment
of apprentice.

Schedule ;
form 3.

(2) In that case the apprentice shall be deemed and taken to be the apprentice of the subsequent master to whom the assignment is made, to all intents and purposes whatsoever, and so from time to time as often as it may be necessary or convenient for a subsequent master to part with an apprentice; and two justices shall have the like power and authority, in the several cases last mentioned, with respect as well to the subsequent master as to the apprentice, as if the apprentice had been originally bound to that master.

(3) The last-mentioned master and apprentice, respectively, shall be subject and liable to the several penalties, provisions, and regulations of this Ordinance.

37. Where any apprentice is discharged, the justices discharging him may order the person who was his master to deliver up to him his clothes and wearing apparel, and also to pay to the industrial school any sum not exceeding twenty-five dollars, and also to pay any sum not exceeding twenty-five dollars, if the master refuses to deliver up the clothes and wearing apparel; and, on the refusal to pay the sums so ordered, or either of them, or any part thereof, the justices shall levy the same by distress, together with the reasonable expenses of the distress.

Rights of
apprentice
on being
discharged.

38. To prevent the expectation of a discharge being an inducement to ill-behaviour on the part of an apprentice, in all cases where any apprentice is discharged by any justices under and by virtue of this Ordinance from his apprenticeship, on account of any misdemeanour, mis-carriage, or ill-behaviour on his part, the justices may,

Punishment
of apprentice
discharged
for ill-
behaviour.

by warrant, commit the offender to prison, there to remain in solitary confinement for any time not exceeding fourteen days.

Case of
master
removing his
residence.

39.—(1) If anyone to whom a child is bound apprentice under and by virtue of this Ordinance changes his residence or place of business from the place where it was when the child was bound apprentice, he shall, at least ten days previous to the change, give a written notice thereof to the managing director of the industrial school, who shall cause the apprentice to appear before two justices.

(2) The justices shall inquire whether it is fit and proper that the apprentice should continue in the service of that person, or be discharged therefrom, or be bound or assigned over to any other person, and shall thereupon, with the consent of the managing director, make order either for the continuance of the apprentice with that person, or for his discharge, or for his binding or assignment to some other person, as to them seems meet, and, if they see fit, shall also require the person so giving notice of change to pay the amount of the expense of assigning or binding the apprentice to any other person, to be approved by them.

(3) The person to whom the apprentice is so bound or assigned shall be subject to the same rules, provisions, regulations and obligations as the person to whom he was originally bound.

(4) If a master changes as aforesaid, and takes any apprentice to any other place without the order aforesaid, or wilfully abandons and leaves an apprentice without giving the notice aforesaid, he shall forfeit a sum not exceeding twenty-five dollars for each apprentice, to be paid to the Colonial Treasurer for the uses of the industrial school.

Master
putting
away or
transferring
apprentice
without
consent of
two justices.
Penalty.

40. No master may put away or transfer any apprentice aforesaid to any other person, or in any way discharge or dismiss the apprentice from his service, without the consent of two justices and the managing director, upon pain of forfeiting a sum not exceeding twenty-five dollars, and of having the act or articles of apprenticeship cancelled.

Wages of
child ap-
prenticed.

41. All wages which may be earned by any child apprenticed under the provisions of this Ordinance, including any sums of money payable under section thirty-seven of this Ordinance, shall be paid to the managing director, or to

any person authorised by him to receive them, and those wages and other moneys shall be retained by the managing director and applied by him for the benefit of that child until he attains the age of twenty-one years.

42.—(1) Everyone who—

(a) harbours, conceals, or employs any child, being at the time under apprenticeship by virtue of this Ordinance; or

(b) removes and entices away, or solicits or entices a child or an apprentice to remove, from the employment or service of his master,

Harbouring,
concealing,
employing,
or enticing
away
apprentice :

shall for each offence, on being convicted thereof before any justice, forfeit and pay the sum of twenty-three dollars, and shall further pay to the master of the apprentice the sum of one dollar for each day during which the apprentice has been harboured, concealed, or employed.

Penalty :

(2) If the master of any apprentice aforesaid proves upon oath, before any justice, a reasonable cause to suspect that the apprentice is harboured, concealed, or employed on the premises of any person, the justice shall grant a warrant to search for the apprentice, and bring him, together with the person by whom he is harboured, concealed, or employed, before the justice, to be dealt with as aforesaid :

Provided that in every case in which any dispute or difference arises as to whether any person charged with harbouring, concealing, or employing any apprentice under this Ordinance, or with having removed and enticed away, or with having solicited or enticed, that apprentice to remove, from the employment or service of his master, had knowledge of the child being an apprentice, the proof of the want of knowledge shall be on that person, and the proof of his knowledge shall not be on the party aggrieved, complaining, or informing.

Proviso.

PART III.

MISCELLANEOUS PROVISIONS.

Expenses of children in school.

43. The parent of any child or youthful offender detained in an industrial or reformatory school shall, if of sufficient ability, contribute to his maintenance and training therein a sum not exceeding one dollar a week.

Liability of
parent, if
able to
contribute to
maintenance
of child.

Order for
payment of
contribution.

Schedule ;
form 4 ;
form 5 ;
form 6 .

44.—(1) On the complaint of the master of an industrial or reformatory school, or of any police officer or constable under the directions of the master (with which directions the police officer or constable is hereby required to comply) at any time during the detention of a child in that school, any magistrate may, on summons to the parent, examine into his ability to maintain the child, and may, if he thinks fit, make an order on him for the payment to the master or the master's agent of such weekly sum, not exceeding one dollar a week, as to the magistrate seems reasonable, during the whole or any part of the time for which the child is liable to be detained in the industrial or reformatory school, as the case may be.

Terms of
order, and
enforcement
thereof.

Schedule ;
form 7 ;
form 8 .

(2) The order may specify the time during which the payment is to be made, or may direct the payment to be made until further order, and may be enforced by any magistrate in a summary manner by distress, and, in default of sufficient distress, by imprisonment, with or without hard labour, for any term not exceeding three months.

Appropriation of
payments.

(3) The payment shall go in relief of the charges on the Treasury in respect of industrial and reformatory schools, and shall be accounted for by the master and paid over to the Colonial Treasurer within seven days after the expiration of every month.

Remission of
payment.

(4) The Governor may in his discretion remit, either wholly or partially, any payment so ordered.

Varying
order for
payment.

(5) Any magistrate may from time to time vary the order on the application either of the person on whom it was made, or of the master of the industrial or reformatory school, as the case may be, or his agent, on fourteen days' notice being given to that person or his master respectively.

Discharge of children from school.

Cesser of
detention
on child
attaining
16 years.

45. No person who has attained the age of sixteen years shall be detained in a reformatory school, nor shall any person be detained in an industrial school beyond that age except with his own consent in writing.

Governor's
order for
discharge of
child or
youthful
offender.

46. The Governor may at any time order any child or youthful offender to be discharged from an industrial or reformatory school, either absolutely or on any condition the Governor approves, and the child or youthful offender shall be discharged accordingly.

Offences relating to schools.

47. Any child or youthful offender detained in an industrial or reformatory school who wilfully refuses or neglects to conform to the rules thereof shall, on being convicted before a magistrate, be liable to imprisonment, with or without hard labour, for any term not exceeding three months, and, if a male, with or without whipping; and, at the expiration of the term of his imprisonment, he shall be brought back to the school from which he was taken, there to be detained during a period equal to so much of his period of detention as remained unexpired when he was sent to prison.

Refusal of child or youthful offender to conform to rules.

48. If any child or youthful offender ordered or sentenced to be detained in an industrial or reformatory school escapes therefrom, he may, at any time before the expiration of his period of detention, be apprehended without warrant, and, if the managing director thinks fit but not otherwise, may (any law to the contrary notwithstanding) be then brought before a magistrate, and he shall thereupon, on being convicted before the magistrate, be liable to imprisonment, with or without hard labour, for any term not exceeding three months, and, if a male, with or without whipping; and at the expiration of that term he shall be brought back to the school from which he escaped, there to be detained during a period equal to so much of his period of detention as remained unexpired at the time of his escape:

Escaping from school:

Provided that, in the case of a child escaping from an industrial school, the magistrate may direct him to be sent, at the expiration of his term of imprisonment, to a reformatory school, there to be detained subject and according to this Ordinance.

Proviso.

49. Everyone who—

- (a) knowingly assists, either directly or indirectly, any child or youthful offender detained in an industrial or reformatory school to escape therefrom; or
- (b) either directly or indirectly induces that child or offender to escape therefrom; or
- (c) knowingly harbours, conceals, or prevents from returning to the school, any child or youthful offender who has escaped therefrom,

Punishment of person assisting child or youthful offender to escape from school.

shall, on being convicted before a magistrate, be liable to a penalty not exceeding ninety-six dollars, or, at the

discretion of the magistrate, to imprisonment, with or without hard labour, for any term not exceeding four months.

Procedure.

Use of forms.
Schedules.

50. No summons, notice, or order made for the purpose of carrying into effect the provisions of this Ordinance shall be invalidated for want of form only; and the forms contained in the schedule to this Ordinance, or forms to the like effect, may be used in the matters to which they refer, with any variations that circumstances require, and, when so used, shall be deemed sufficient.

Service of
notice on
managing
director or
master.

51. Service of notice may be made on the managing director or master of an industrial or reformatory school by delivery of the notice to either of them, as the case may be, personally, or by sending the notice by post or otherwise in a letter addressed to the managing director or master of the school.

Effect of
warrant as
evidence of
identity,
conviction,
and detention
of youthful
offender.

52. The production of the warrant or other document in pursuance of which a youthful offender is directed to be sent to a reformatory school, with a statement indorsed thereon or annexed thereto, purporting to be signed by the master of the school, to the effect that the offender therein named was duly received into, and is, at the date of the signing thereof, detained in, the school, or has been otherwise dealt with according to law, shall, in all proceedings relating to that offender, be evidence of the identity, and of the due conviction and subsequent detention, of the person named in the warrant or other document.

Evidence
of rules.

53. A copy of the rules of an industrial or reformatory school, purporting to be signed by the managing director, shall be evidence of those rules in all legal proceedings whatever.

Exercise by
magistrate of
powers of
two justices.

54. Any one magistrate shall have all the power, authority, and jurisdiction granted to two justices of the peace by any and every part of this Ordinance, and may do all things provided by this Ordinance to be done by two justices.

Procedure
and appeal:

55. Subject to the provisions of this Ordinance, the Ordinances for the time being in force regulating procedure before magistrates exercising summary jurisdiction and

FORM 3.

(Sections 31 and 36.)

Register of apprentices assigned.

Number.	Date of indenture.	Name of apprentice.	Sex.	Age.	Parents' names, if known.	Name of person to whom bound.	Name of person to whom assigned.	Trade.	Residence.	Names of justices or magistrates assenting.

FORM 4.

(Section 44.)

Complaint for enforcing contribution from parent or others.

BRITISH GUIANA.

The complaint of the master of the industrial (or reformatory) school situated at _____] or as the case may be] made to me the undersigned, a Magistrate for the said colony, this _____ day of _____ 19____, at _____ in the said colony, who says, that one *A.B.*, of the age of _____ years or thereabouts, is now detained in the said industrial (or reformatory) school under the Industrial and Reformatory Schools Ordinance and has been duly ordered and directed to be detained therein until the _____ day of _____ 19____; and that one *C.D.*, dwelling in the parish of _____ in the county of _____ is the parent [or step-parent, etc.] of the said *A.B.*, and is of sufficient ability to contribute to the support and maintenance of the said *A.B.*, his son; and the said complainant therefore prays that the said *C.D.* may be summoned to show cause why an order should not be made against him to contribute accordingly.

Exhibited before me this _____ day of _____ 19____, at _____

(Signed)

Magistrate.

FORM 5.

(Section 44.)

Summons to parent or others.

BRITISH GUIANA.

To *C.D.*, of _____

Whereas complaint has this day been made before me the undersigned, a magistrate for the said colony, for that you [here state shortly the matter of the complaint]:—This is therefore to command you, in his Majesty's name,

to be and appear on _____ day, the _____ day of
 19 _____, at _____ o'clock in the forenoon at _____ before such
 magistrate as may then be there, to answer the said complaint and to be
 further dealt with according to law.

Dated this _____ day of _____ 19 _____, at _____ .

(Signed)

Magistrate.

FORM 6.

(Sections 44 and 47.)

Order on parent or others, to contribute a weekly sum.

BRITISH GUIANA.

Be it remembered that on this _____ day of _____ 19 _____, at
 _____ in the county of _____ a certain
 complaint of the master of the industrial (or reformatory) school situate at
 [or as the case may be] for that one, *A.B.*, of the age
 of _____ years or thereabouts, is now detained in the said industrial (or
 reformatory) school under the Industrial and Reformatory Schools Ordinance
 and has been duly ordered and directed to be detained therein until
 the _____ day of _____ 19 _____, and that one *C.D.*, dwelling in
 the parish of _____ in the county of _____ is the
 parent [or step-parent, etc.] of the said *A.B.* and is of sufficient ability to
 contribute to the support and maintenance of the said *A.B.*, his son, was duly
 heard by and before me the undersigned, a Magistrate for the colony, in the
 presence and hearing of the said *C.D.* [or the said *C.D.* not appearing to the
 summons duly issued and served in this behalf]; and I, having duly examined
 into the ability of the said *C.D.* and on consideration of all the circumstances
 of the case, do order the said *C.D.* to pay the said master [or to an agent of
 the said master] the sum of _____ per week from the date of this
 order until the _____ day of _____ 19 _____, the same to be paid
 at the expiration of each fourteen days [or as the case may be].

Dated this _____ day of _____ 19 _____, at _____ .

(Signed)

Magistrate.

FORM 7.

(Sections 44 and 47.)

Distress warrant for amount in arrear.

BRITISH GUIANA.

To all members of the police force and constables.

Whereas on the hearing of a complaint made by the master of the
 industrial (or reformatory) school situated at _____ [or as the case
 may be] that *A.B.*, of the age of _____ years or thereabouts, is now detained
 in the said industrial (or reformatory) school under the Industrial and

Reformatory Schools Ordinance and has been duly ordered and directed to be detained therein until the day of 19 , and that one *C.D.*, dwelling in the parish of in the county of is the parent [*or step-parent, etc.*] of the said *A.B.*, and is of sufficient ability to contribute to the support and maintenance of the said *A.B.*, his son, an order was made on the day of 19 , by me the undersigned, a magistrate for the colony, against the said *C.D.* to pay to the said master [*or as the case may be*] the sum of per week from the date of the said order until the day of 19 , the same to be paid at the expiration of each fourteen days [*or as the case may be*]; And whereas there is due upon the said order the sum of being for [*three*] periods of [*fourteen*] days each, and default has been made therein for the space of fourteen days:—This is therefore to command you and every of you in his Majesty's name, forthwith to make distress of the goods and chattels of the said *C.D.*, and if, within the space of [*five*] days next after the making of that distress, the said last-mentioned sum, together with the reasonable charges of taking and keeping the said distress, is not paid, then to sell the goods and chattels so by you distrained, and to pay the money arising from that sale to my clerk that he may pay and apply the same as by law directed, and may render the overplus, if any, on demand to the said *C.D.*; and if no such distress can be found, then to certify same to me, to the end that such proceedings may be had therein as the law requires.

Dated this day of 19 , at .

(Signed)

Magistrate.

FORM 8.

(Section 44.)

Commitment in default of distress.

BRITISH GUIANA.

To all members of the police force and constables and to the keeper of the prison at in the county of

Whereas on the hearing of a complaint made by the master of the industrial (*or reformatory*) school situated at [*or as the case may be*] that *A.B.*, of the age of years or thereabouts, is now detained in the said industrial (*or reformatory*) school under the Industrial and Reformatory Schools Ordinance and has been duly ordered and directed to be detained therein until the day of 19 , and that one *C.D.*, dwelling in the parish of in the County of is the parent [*or step-parent, etc.*] of the said *A.B.*, and is of sufficient ability to contribute to the support and maintenance of the said *A.B.*, his son, an order was made on the day of 19 , by me the undersigned, a Magistrate for the colony, against the said *C.D.*, to pay to the said master [*or as the case may be*] the sum of per week from the date of the said order until the day of 19 , the same to be paid at the expiration of each fourteen days [*or as the case may be*]; And whereas afterwards, on the day of 19 , I issued a warrant to all members of the said police force and constables commanding them and every of them to levy the sum of due

upon the said recited order, being for [*three*] periods of [*fourteen*] days each, by distress and sale of the goods and chattels of the said *C.D.*; And whereas a return has this day been made to me, the said Magistrate that no sufficient goods of the said *C.D.* can be found :—This is therefore to command you, the said members of the police force and constables, and every of you, to take the said *C.D.* and him safely to convey to the prison at _____ in the county of _____ and there to deliver him to the keeper thereof, together with this precept; And I do hereby command you, the said keeper of the said prison, to receive the said *C.D.* into your custody in the said prison, and there to imprison him [*and keep him to hard labour*] for the term of _____ unless the said sum, and all costs and charges of the said distress and of the commitment and conveying of the said *C.D.* to the said prison, amounting to the further sum of _____ are sooner paid unto you, the said keeper; And for your so doing, this shall be your sufficient warrant.

Dated this _____ day of _____ 19____, at _____.

(Signed)

Magistrate.