

MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

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Not to be folded or roughly handled

No. 137. Read the following letter from the Committee on European Vagrancy, to the Chief Secretary to Government, Fort Saint George; dated 5th October 1867.

The Committee appointed under Order of Government, No. 895, 24th July 1867, to obtain information and to report

The following gentlemen have communicated with the Committee or its Members:—

The Master Attendant.
The Superintendent of Marine.
The Chief Commissioner of Police.
Mr. J. D. Mayne.
Mr. T. Clarke.
Mr. Brockman.
Colonel R. Hamilton, President of the Friend-in-Need Society.
Captain Borrodale.
Mr. Montbrun.
The Managers of the Railway Companies.
The Manager of the Irrigation Company.
Messrs. Waller and Co., &c.

upon European vagrancy in Madras, have had under their consideration the opinion of those who seemed best qualified, from observation and experience, to afford them information on the subject. From these and similar sources, as well as from their personal observation, the Committee are satisfied that the number of destitute Europeans who live by beg-

ging and following a vagrant life, both in Madras and in the Provinces, has increased of late years so much that it now forms matter of general complaint; but, though the fact as above stated is beyond question, the Committee have been disappointed in their attempts to meet with any precise account of the number of vagrants to be found at this time in the Presidency. No register of such persons is anywhere kept by the Magistracy or the Police, except in cases where crime or misconduct has brought the vagrant to the special notice of authority.

2. An extract from the yearly administration report of the Commissioner of Police will be found in the appendix to this report. From this it will be seen that the number of cases of assault and drunkenness in which Europeans were concerned during the past year was one hundred and twenty-two—this number does not include persons punished under the Merchant Seamen's Act. Crime was, however, less common in that year than in the year which immediately preceded it, a fluctuation which is probably attributable to accidental causes. A return obtained from the General Hospital shows the number of destitute Europeans who have been treated there during the past two years to be eighty-one; among these, eleven deaths occurred in Hospital.

3. The Committee assume, then, that the prevalence of European vagrancy is a recognized evil, and proceed to notice the sources to which they trace its existence.

4. One obvious explanation is furnished by the augmentation of the British Army in India since 1857 to 80,000 men: a force of that strength, in a country where military service is particularly irksome to European soldiers, necessarily contributes largely, by discharges and desertions, to that unemployed class whose position is so precarious in this country.

5. The Committee have had the advantage of seeing the papers connected with the inquiry on this subject recently concluded in Bombay, and they learn from them that considerable numbers of men from the Regiments in Northern India are in the habit of seeking employment on the railways, or with mercantile firms in the Bombay Presidency. These men seem to become restless from losing the restraint of military discipline, and, either from this feeling or from misconduct, fail to settle themselves in permanent employment.

6. Probably the vagrant classes in Bombay are largely recruited from this source. In Madras, however, the Committee do not trace any such preponderance, nor do vagrants in this Presidency appear in the character of dismissed servants of the Irrigation Company or of the Railway Establishments: the extracts of letters from the Managers of these Companies, given in the appendix, show that such is not the case.

7. Discharged seamen are frequently met with travelling on foot through the maritime provinces of this Presidency on their way from Calcutta to Madras or Bombay, or *vice versa*; they support themselves entirely by begging at the stations through which they pass. When, however, they reach Madras, the excellent establishment known as the Biden Home secures to men of this class shelter and temporary support; and it does not appear to the Committee that the case of men who are *bona fide* distressed seamen, and may be shipped for England under the Merchant Seamen's Act, requires any special treatment.

8. Men who cannot make out their claim to the character of seamen, military deserters, and others have recourse to begging, and, in common with a class which has still to be described, make up the bulk of the vagrants who infest Madras. The class here alluded to are men from the Australian Colonies—in most cases, it is believed, time-expired convicts. These men ship for Madras and Calcutta in charge of horses, and under circumstances which put it out of their power to return as they came. It would seem that men of this class are possessed with a natural desire to escape from the disadvantage of their antecedents, and that, in order to get out of the colony where they are known as convicts, they undertake at nominal wages (perhaps a shilling a month) to take charge of horses, and thus get a passage to this country, where they land, ignorant of everything connected with it, and wholly without means of support. The ships from Australia which discharge here do not usually return thither, but take up freight for England or America or elsewhere, so that return by the same vessel is impossible. The Committee have learnt from Messrs. Waller & Co. that from fifty-five to sixty (besides some men recently landed from the ship *Mercia* now in the roads) have been put ashore in Madras during the last two years under the circumstances above described. Such men hang about the stables for a while, and when their scanty means are exhausted enter on a career of vagrancy, like the deserter, military or marine, and others.

9. Thrown thus upon society for support, these unfortunates, from the frequency and manner of their importunities, have come to be regarded as a social nuisance, and are often peremptorily repulsed. The demoralizing effect of mendicancy, the climate, the want of food and shelter, hopelessness, and the ease with which liquor may be had, conduct inevitably to drunkenness, and it is not surprising that many die miserably in the Hospitals from its effects, as stated by the Commissioner of Police.

10. Unhappily, the town of Madras can offer to this class neither shelter nor employment in any of its institutions, except the Penitentiary, and it is not surprising that the vagrant should deliberately seek to qualify for a prison by some breach of the law. Men have even been known to ask to be sent to prison.

11. The Biden Home is open exclusively to sailors, and the Friend-in-Need Society, meeting with but partial support from the Madras Public, is barely able to

cope with the pauperism of the city. Owing to this want of suitable charities, not vagrants only, but men of respectable antecedents, who fail in their endeavours to obtain work, are reduced, on failure of their last resources, to depend on the sympathy of any who will interest themselves in their condition, and soon become absolutely homeless.

12. In Bombay there exists an admirable institution for the reception of homeless Europeans. It is called the Strangers' Home, and was instituted, and has hitherto been maintained, by private liberality. Mr. C. J. Readymoney has subscribed 50,000 Rupees to build an improved house for this institution, and the Committee on Pauperism in Bombay recommend that a yearly grant-in-aid of Rupees 10,000 should be sanctioned out of the public funds. Such an institution is an urgent want in Madras. About ninety persons of the vagrant class were recently collected by the Commissioner of Police at the Strangers' Home in Bombay, and were thence deported at a cost to that Government of Rupees 3000.

13. Under the circumstances above described, the Committee are unanimously and decidedly of opinion that the relief and charge of European vagrants in this Presidency, their ultimate disposal by deportation, and the protection of the community of Madras from the system under which paupers and convicts from Australia are now landed here, must be provided for by a legislative enactment, which shall impose on the Government the discharge of all these duties. The Committee have prepared, and now beg to submit, the draft of an Act which they think calculated to effect this. They would further observe that the scheme proposed in the draft Act presented by the Bombay Committee to that Government similarly includes, 1st., State support (partial) to the Strangers' Home; 2nd., deportation of professional or habitual vagrants; 3rd., clauses intended to prevent the landing of objectionable classes.

14. In other respects the Act proposed for that Presidency, having in view objects which we are not called upon to attempt in Madras, will be found to differ considerably from the draft which is now submitted to Government.

15. Deportation to England, the Committee observe, is a necessary preliminary to sending the vagrant to his parish, which is the course adopted by the Magistracy in England.

16. In the appendix will be found an extract of a letter from the Government Solicitor, Mr. Brockman, in which he states that penal laws are in force to protect most of the Australian Colonies from the introduction of ticket-of-leave men and convicts, and the Committee submit that it is obviously the right of this Government, by similar checks, to preserve the community of Madras from the intrusion of a class which can in no way contribute to the public good, and must inevitably be thrown upon charity, public or private, for their support.

17. A clause has therefore been inserted in the Act, prohibiting the landing in Madras of destitute persons who have no engagement of service on shore, and of time-expired convicts and ticket-of-leave men.

18. In the draft Act submitted by the Committee, the term "Workhouse" has been used in preference to "Strangers' Home," because work of some sort will be exacted from the inmates, in order to avoid the evils of idleness.

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20th November 1867.*

19. It remains for the Committee to explain that Section 11 of their draft Act, which provides that persons employing Europeans should exchange written agreements, setting forth the conditions of service and dismissal, is designed to place the unemployed on a somewhat better footing in their attempts to obtain work, and as a means of securing to them written vouchers of employment. It is put forward as a palliative of the difficulties encountered by men desirous of employment, not as a remedy for the evil of vagrancy.

20. In the appendix will be found a memorandum drawn up by Captain Borrodaile on legislative enactments for the repression of vagrancy. A note of the law and practice in the French Colonies on this subject has been promised to the Committee, and will be separately submitted as soon as it is received.

21. The Committee regret that unavoidable circumstances have deprived them, during their later discussions, of the valued assistance of two of their members, Colonel Cadell and Captain Franklin, but they are assured that their draft Act, as well as the present report, have the concurrence of those gentlemen.

DRAFT ACT.

WHEREAS numerous persons of European extraction, and belonging chiefly to the classes which support themselves by their labor, or as soldiers or sailors, are at this time wandering in a destitute condition from place to place both in the Provinces and the Presidency Town of Madras, having neither home nor employment, and whereas the condition and conduct of the persons thus described are to the prejudice of public order and to the discredit of the European character :

I. It is hereby enacted, that on and after the , persons of European extraction who are found vagrant and begging, or who have no fixed residence or employment, shall be required by the Police to proceed to the Government Workhouse to be instituted under Section IX of this Act, and to apply for admission there.

II. Vagrants refusing to attend to such requisition shall be at once taken before the nearest European Magistrate, who shall duly inform himself of the circumstances and history of the parties before him, so far as is possible on a summary inquiry.

III. If the Magistrate shall be satisfied that the case is one of vagrancy, and that the vagrant has no ostensible means of support, except by begging, he shall, if the case occurs at the Presidency town, require such person to enter the Work-house for European vagrants, and to remain there until such time as suitable employment, or a passage to England or elsewhere, can be provided.

IV. A refusal to conform to this requisition, and to obey the rules of the Workhouse, shall render the person so refusing liable, on the sentence of a Magistrate, to one month's imprisonment with forced labor in any suitable place of confinement, and a second and third offence shall be visited with similar imprisonment for two and three months respectively.

V. The Magistrates in the Provinces shall forward cases of vagrancy, when brought to their notice, with the record of the attendant circumstances, to the Commissioner of Police at Madras, to be there disposed of by that Officer. But in cases where persons profess themselves desirous of proceeding to any great work for employment, it shall be at the discretion of the Magistrate to further their object by passing the applicants direct to the place at which such work is under execution.

VI. The Police Superintendent of the District shall take charge of the vagrant, and shall use his discretion as to the route to be travelled either by land or by sea, and it shall be competent to the Police Officers of the District through which the vagrant is passed, to exercise discretionary restraint so far as is necessary to ensure quiet and orderly transmission to Madras.

VII. A subsistence allowance of 8 Annas per diem shall be allowed for the support of the vagrant en route, or while under detention by order of a Magistrate.

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VIII. It shall be lawful for the Chief Commissioner of Police, acting under the authority of Government described in Section I, to deport by sea to England or elsewhere any person or persons of the vagrant class who may be unable after one month's detention in the Workhouse to obtain settled employment of a description to afford support, and such deportation shall be effected at the cost of the State.

IX. The Government shall provide a Workhouse, with its necessary furniture and establishment, for the temporary reception of vagrants, and shall allow the same scale of diet for their support as is provided for Europeans confined in the Penitentiary.

X. The Workhouse shall be under the immediate charge of a House Master, who shall be subject to the orders of a Committee of Management, and who shall enforce the rules of discipline and management which are appended to this Act.

The Committee of Management shall be appointed by Government, and it shall be at the discretion of the Governor in Council to modify or change the system of management.

XI. Persons engaging or employing Europeans in this Presidency as clerks, mechanics, railway servants, overseers, or laborers, for a period of more than one month, shall enter into written agreements with the persons so employed, and shall furnish them, on discharge or dismissal, with a written note of discharge or dismissal.

XII. From and after the it shall not be lawful for Captains or Masters of vessels to put ashore at any of the ports of this Presidency time-expired convicts, ticket-of-leave men, or destitute persons not being sailors and having no engagements of service on shore, save and except with the permission of the Chief Commissioner of Police at Madras, or the Magistrate of the District off which the vessel may be lying. A violation of this prohibition shall subject the offending party to a fine not exceeding Rs. 500, at the discretion of the Magistrate or Justice of the Peace having cognizance of the offence, and in default of payment such fine shall be levied on the ship or her tackling, under warrant of distress by a Magistrate or Justice of the Peace.

RULES.

I. The inmates of the Workhouse shall obey the rules of the House as enforced by the Master, and also all orders of the Committee—vide Act Section 4.

II. The Master shall enforce regularity at meals, personal cleanliness, orderly conduct, and the performance of work enjoined by the Committee.

III. The Master shall keep a daily register of admissions and discharges, and shall fill in the columns of the annexed form on the arrival or departure of inmates, and shall send it to the Visitor of the week.

IV. The Committee of Management will arrange that the Workhouse is visited at least once a week by one or other of the Members.

V. They will endeavour to verify, by written references, the account which vagrants give of their antecedents, &c.

VI. They will assign a moderate amount of work, such as gardening, sawing or chopping wood, drawing water, or the like, to the inmates of the Workhouse—not as penal labor, but to prevent idleness, and in cases where inmates are skilled laborers, an attempt shall be made to provide them with the means of working at their craft.

VII. The Master is empowered to allow temporary absence, of not over three hours, between 5 A. M. and 7 P. M.

VIII. The Committee shall be at liberty, with the approval of Government, to enact additional rules, or to modify the foregoing.

Name.	Occupation.	Birth-place.	Date of admission.	Date of discharge.	Remarks.

APPENDIX.

Extract of a letter from Major HEARN, Commissioner of Police.

It will be difficult to give a return of European vagrants for twelve months, as they are constantly coming and going, and those who do not actually come into the hands of the Police may perhaps escape observation. Three months ago I ascertained that the number of Europeans without definite means of livelihood then in Madras (loafers) was seventeen. This did not include sailors hanging on for employment on boardship. Loafers rarely commit actual crimes. They are too marked to escape detection, or probably find it easier to subsist by begging and sponging on Jack Tars, who come ashore for a spree with their wages in their pocket. I send you an extract from my Administration Report for last year which gives the results of European crime generally, but no separate Register has been kept of offences committed by actual loafers, and this I cannot give. Many of those punished for assaults, drunkenness, &c., are, of course, pensioners and others not loafers.

A man named Wardrope died in the General Hospital this year, some days after a savage assault by a loafer named Charles Smith, but the medical evidence showed that he died from other causes than the blows received, and Smith was convicted of simple hurt by the High Court.

28th July.

(Signed) C. S. HEARN.

Extract from Administration Report, Madras Town Police, for 1836.

Para. 11. It is satisfactory to find that only 197 Europeans have been convicted before the different Courts, against 319 in 1865. Only 57 have been punished under the Merchant Shipping Act against 98 in the previous year, 75 for

European Vagrancy and Crime.
assaults and Breaches of the Peace, and 47 for being drunk and incapable, against 122 and 66 under these heads in 1865. Only six have been convicted of larceny and other offences against property. It is an evil for Europeans to commit actual crime without detection. European vagrancy continues to be an evil for which no remedy as yet exists, and the presence of beggars of this class is felt to be a great nuisance in Madras. Several have died miserably in the General Hospital during the year from the effects of drunkenness and disease. The Friend-in-Need Society is the only institution for the relief of distressed Europeans other than seamen, and is quite ineffective to mitigate the evil now described. Some better provision for the relief of destitute Europeans is very desirable. There will always be a considerable proportion of mere loafers who will not work. A European Vagrancy Act might have some effect in repressing confirmed vagabonds, but the only ultimate remedy is deportation.

(True Extract).

(Signed) C. S. HEARN.

From R. B. ELWIN, Esq., Agent and Manager of the Madras Railway Company, to G. S. FORBES, Esq., Chairman of the European Vagrancy Committee, dated 1st August 1867, No. 430.

From what transpired at the Preliminary Meeting of the European Vagrancy Committee, held at the Madras Club on Friday the 26th ultimo, I gathered that there is an impression abroad, that the Madras Railway Company has contributed in no small degree to the number of European vagrants, for whom it is now considered necessary to pass a legislative enactment, with a view to rid the community at large of a social nuisance, and generally for the better maintenance of order and discipline in the Presidency.

2. As explained to the Committee, the contrary is the case, for you will perceive from the accompanying statement that, since January 1862, the date of my appointment as Agent to this Company, only two servants who were sent out from England have been summarily dismissed the

Service, and turned adrift on Madras, while, on the other hand, the Railway (especially the workshops at Perambore) has proved an Asylum to many destitute men who have found their way here in search of work either from the sister Presidencies or from Australia.

3. I may mention that all appointments to this Service made in England are under covenants, and that those servants below the rank of an Officer who have conducted themselves satisfactorily during their term of engagement are provided with free passage home.

4. From all this I trust you will concur with me in thinking that the Madras Railway has not contributed to European vagrancy in this Presidency, but, on the contrary, has done something towards alleviating it.

5. I shall feel obliged by your placing this letter upon the records of your next Meeting.

List of Covenanted Employés dismissed from the service of the Madras Railway Company since January 1862.

Names.	Rank.	Date of dismissal from the Company's service.	Cause of dismissal.
R. Boardman.....	Platelayer.....	21st October 1862.	For misconduct. Received three months' salary, but paid his own passage to England.
J. Duxbury.....	Engine Driver.....	31st " "	For misconduct. No passage provided by the Company.
W. Hutt.....	Do.	7th June 1865.....	Do. Returned to England at his own expense.
H. J. Lawrence ...	Do.	11th May 1867.....	For a gross assault committed on his Foreman (Mr. Barefoot). No passage provided by the Company.

MADRAS RAILWAY COMPANY,
AGENT AND MANAGER'S OFFICE,
1st August 1867.

(Signed) R. B. ELWIN,
Agent and Manager.

From a Resident in Madras.

You ask me for a brief account of my experience of European loafers here. On the 13th June or thereabout, a European loafer came up the steps of my house and pushed aside the chick, evidently with the intention of entering the verandah, but on my stepping into the verandah and asking sharply who he was, and where he was coming to, he remained outside the chick; he did not beg, but demanded relief in a most insolent manner.

2. On my observing that the tone he had adopted would not procure him any aid from me, and he had better be off, he replied that he was tired of going from house to house, and wanted to be sent to jail, he had nowhere to go to and would stop where he was. In fact, he declined leaving the premises, and his manner and tone of speaking was defiant and insolent. I sent a servant to call some Peons from a neighbouring Police station, after which the loafer continued for some time to pace up and down the garden in front of the door steps muttering and gesticulating, but at length, finding he was not likely to get anything out of me, he walked off. He was dressed more like a Native than a European, he had a red Fez cap on his head and native slippers on his feet; he was accompanied by another European who only came up half way to the house from the compound gate, and turned back when he saw me, and continued to hang about outside the gate while his friend remained.

3. I understood from Captain Heysham that the same parties visited his house that morning, and there also they demanded relief, asked to be sent to Jail, and refused to leave the compound.

From the Manager of the Irrigation Company; dated Lal Bāgh Lodge, Bangalore, 10th August 1867.

In reply to your letter of the 7th instant, containing queries relative to the European employés of the Madras Irrigation and Canal Company—

1. I beg to inform you that the only class of employés hitherto engaged in England is that of Civil Engineers of the highest respectability, receiving good salaries. These gentlemen are entitled by their contract to a free passage home at the expiration of their agreement.

2. Dismissals are not very frequent, but our employés of the lower grades are principally Natives and East Indians. Upon this point I will ascertain from Mr. Latham, our Chief Engineer at Kurnool, whether Europeans of the vagrant class are ever entertained up country. I do not know of any cases hitherto.

3. I have had a good many applications for employment from men representing themselves as seafaring men and mechanics, especially since a building nearly opposite my office has been occupied as the Biden Home. This is, in my opinion, a bad situation for such an Institution, being in a narrow, crowded street.

From H. BROCKMAN, Esq., Government Solicitor, dated High Court House, 21st September 1867.

I have no books of Law relating to the Australian Colonies. From recollection of reading, however, I can say that in all the parts of Australia (except Western Australia, and perhaps Queensland), there are laws in force the object of which is to prevent the landing of ticket-of-leave men, time-expired men, and others who have been convicts, from other Colonies. No such persons are permitted to land in Australia with the exception of the parts of the Colony above indicated, unless they land with specific purport, such as an engagement to serve a particular person. In such case the person to whom such arrivals are bound as servants, clerks, or otherwise, are held responsible for the good behaviour of the new arrivals for a period of, I think, six months. If any person answering the descriptions of the prohibited are landed in any of the parts of the Colony where the law above referred to prevails, the Captain of the vessel in which he was a passenger can be punished, and made to take him back.

2. The reason why this law is not in force in Western Australia is, that up to a recent date convicts were sent there, whereas the other parts of Australia declined to have them at any price.

3. This is all I know of the subject, but if you wish to be more fully and correctly informed, I could write and get you the best information on the subject from the Advocate General of Western Australia, who is a connection of mine. You will observe that under the Law to which I refer above, vagrants, who are not ticket-of-leave men, time-expired men, or *quondam* convicts, are not excluded from the portions of Australia to which that Law applies.

From Messrs. WALLER & Co., dated Madras, 19th September 1867.

In reply to yours of yesterday, we beg to say that, on an average, since 1865, there must have been about fifty to sixty men who came in charge of horses from Australia, besides those in the *Norwood*, but we cannot say what has become of them. Several were seen going about begging, they seem to have more or less disappeared one by one.

Extract of a letter from Mr. J. D. MAYNE.

I do not think we can borrow with advantage anything from the Bombay Bill. The prostitution clauses we do not require here, and those as to taking security from suspected persons should find their place, if anywhere, in a Police Act. I am opposed on principle to those security clauses in this general form. I think they are a dodge for punishing people whom you cannot convict.

I see there is complete unanimity in Bombay as to the necessity of deportation. I am greatly struck by Sir W. Mansfield's arrangements as to making those who introduce Europeans chargeable for their passage home, if they lapse into vagrancy. I do not go so far as he does, but I think they may fairly be made answerable for those whom they dismiss for no fault on the part of the employed. Legislation imposing this liability in respect of Europeans already introduced would be unfair; but, I think, it would be perfectly just in respect of those engaged after the Bill becomes Law.

From the Superintendent of Marine, dated Ooty, 11th September 1867.

I had seen your Memorandum about loafers before your additional suggestions had been inserted, and observe that you have made the same amendment in regard to the proposed Refuge as occurred to me when I read it over. The Biden Home is expressly for seafaring men, and the Refuge could be much better worked in connection with the Friend-in-Need Society.

2. The public would not only be asked to subscribe to it, but should be earnestly requested not to give alms in the indiscriminate manner which has been customary, and which, of course, fosters the system of loafers which has now become such a nuisance in this country. If you know nothing against a man's character it is hard to send him from the door without relief if he is starving, but with a refuge such as you propose, there will be no necessity for such casual and generally ill-placed charity.

3. I would not ask the public to increase their subscriptions to the Friend-in-Need Society, but would have a separate fund for the Refuge, and would only admit Europeans not belonging to the Presidency. There are, I believe, many persons who do not contribute to the Friend-in-Need Society, but perhaps they would not object to give a trifle to rid themselves of the importunities of loafers.

4. I hardly think that an Act is necessary to force vagrants into the Refuge. If the public will only refrain from assisting them, the really distressed will soon go there.

5. As regards your suggestion for an Act to deport vagrants to where they came from, I fear much difficulty would be encountered. Great numbers arrive from Australia with horses, and we have no means of sending them back, there being no direct trade to those Colonies. The P. and O. Company have great objections to grant 2nd class passages. When we send a pensioned soldier to Australia we have to engage passage from this to Galle, on the chance of passage being obtained there to the place of destination.

6. Moreover, I do not see how we could require a guarantee from the shipper, who is, say, at Sydney, for the return passage of a man engaged there to proceed to Madras. If he is put on the articles the Superintendent of Mercantile Marine (Shipping Master) may refuse to allow him to be discharged; but if merely a passenger there seems no help for it. This Government might, however, address the several Australian Governments, and request them to make it generally known that such men have no chance of employment here, and that numbers of them are starving.

7. As regards sailors or seafaring men, there ought to be no difficulty. The Merchant Seamen's Act empowers us to send them home if distressed, and we have got rid of a good many lately in this way. Captains of ships are bound to take them at a shilling a day, so that the passage home does not cost more than £5 or £6, but, of course, they would not take those loafers at this rate, nor would it be fair to enact that they should do so.

From the Superintendent of Marine.

I have perused the draft Act you were good enough to send me, and think it very suitable as far as it goes. I would, however, if no legal objection exists, require Commanders of vessels to enter into security, say for a year, that the men they land should not become chargeable as vagrants. I more particularly allude to vessels that bring horses from Australia. They will perhaps have from ten to twenty men in charge of the animals, who probably do not receive more

than £10 at the conclusion of the voyage. This is soon spent, and as they are of no particular trade, a great many roam about begging.

2. There are, I perceive, many difficulties in carrying into effect such a measure, and I almost fear they are sufficient to prevent its introduction; but it certainly would be of much use if it could be managed. I think, also, that men from Australian Colonies should be bound to produce a passport, for I have no doubt many ticket-of-leave men, and, may be, escaped convicts, come to India in this way.

3. The only other remark I have to make on the draft, is that in the preamble "European" has been substituted for "British." Will not this render necessary an alteration in the last line?

Memorandum by Captain Borrodaile.

The great object of the earlier efforts in pauper legislation was the restraint of vagrancy.

Legislative enactments for the restraint of Vagrancy.

The 12th Richard II, Cap. 7, (1388) prohibits any laborer from quitting his dwelling place without a testimonial from a Justice of the Peace, showing reasonable cause for his going, and without such a testimonial any such wanderer might be apprehended and put in the stocks. Impotent persons were to remain in the towns where they were dwelling at the passing of the Act provided the inhabitants would support them; otherwise they were to go to the places of their birth, to be there supported. By Acts passed in the 11 and 19 of Henry VII (1495 and 1504), impotent beggars were required to go to the hundred where they had last dwelt for three years, or where they were born, and were forbidden to beg elsewhere. By the Act 22 Henry VIII, Cap. 12 (1531), Justices were directed to assign to impotent poor persons a district within which they might beg, and beyond which they were forbidden to beg, under pain of being imprisoned and kept in the stocks on bread and water. Able-bodied beggars were to be whipped and forced to return to their place of birth, or where they had last lived for three years. These Acts appear to have had no permanent effect in repressing vagrancy. An Act passed in 1536 (27 Henry VIII, C. 25), is the first by which voluntary charity was converted into compulsory payment. The severity of this Act, which inflicted "death as a felon" for a third offence, prevented its execution, and it was repealed by 1 Edward VI, C. 3 (1547), which, however, was itself repealed three years after, and that of 1531 revived. An Act passed in 1551, enforced by one passed in 1555, was re-enacted in 1563, but the next Statute on the subject, which was passed in 1572 (14 Eliz., C. 5), shows how ineffectual the former Statutes had been. During this reign the evils of vagrancy increased to an alarming extent, and in 1597, after experience had shown that temporary expedients and ill-directed charity only increased the amount of vagrancy, and that severe punishments and penalties were wholly ineffectual in preventing it, the House of Commons appointed a Committee, to whom most of the existing laws relating to the condition of the poor, as well as certain Bills for their amendment, were referred. This Committee, of which Sir Francis Bacon was a member, and which was composed of all the practical men of the House, seems to have perceived, and to a certain extent acted upon, the principle that, in order to justify severity against vagrancy and mendicity, it was necessary to provide the means of relieving that destitution which was the ready and plausible excuse for both. They, therefore, prepared the Statute, 39 Eliz., C. 3, which for the first time organized that machinery for the legal relief of the poor, which was a few years afterwards completed and made perpetual by the Statute 43 Eliz., C. 2. The same Committee also recommended measures for encouraging the building of "Hospitals, or abiding and working houses" for the poor, and improving and reforming such as were already in existence, but had been misapplied or abused; and at the same time they introduced a more rational enactment for the correction and suppression of fraudulent vagrancy (Statute 39 Eliz., Cap. 4). "Many Statutes," says Sir Edward Coke, "have been made for the punishment of rogues, vagabonds, and sturdy beggars, but very few to find them work and to enforce them thereunto." The Statute 39 Eliz., C. 4, supplied this deficiency, by providing houses of correction, with stocks and materials for the employment of the inmates, and by enforcing the use of the means thus placed in the hands

of the poor by severe penalties against the idle. The provisions of this Statute, with some alteration made by the Stat. 1 Jac. I., C. 25, continued in force during the 17th century; and, when repealed by the Stat. 12 Anne, Stat. 2, C. 23, still served as the model and foundation for future Acts. It declared that a great variety of persons, who are described in the Act, should be deemed rogues, vagabonds, and sturdy beggars. The continued unwillingness of Magistrates to enforce the Statute of Elizabeth, notwithstanding a proclamation of James I., occasioned the passing of the Stat. 7, Jac. I., Cap. 5, which compelled the Justices of every country, under heavy penalties, to erect proper houses of correction for setting rogues, vagabonds, and other idle and wandering persons to work, and also required them to meet twice a year, or oftener if occasion required, for the better execution of the law. The laws relating to vagrants continued substantially upon the footing of the Statutes of 39 Eliz., and 7 Jac. I. for more than a century, until, in 1744, they were reconsidered and remodelled by the Stat. 17 George II, Chap. 5. This was the first legislative measure which distributed vagrants into the three classes of idle and disorderly persons, rogues and vagabonds, and incorrigible rogues. Although this Statute is now wholly repealed, it continued in force until 1822, when a temporary Act, Stat. 3 George IV, C. 40, passed, repealing all former laws, and re-enacting most of the provisions of the Stat. 17 George II, C. 5, with many additions and modifications. The provisions of the Stat. 3 George IV, C. 40, were, however, entirely superseded by the 5 George IV, C. 83, which, amended by 1 Vic., C. 38 (1838), now constitutes the law respecting vagrants.

It points out three classes of persons:—

First.—Idle and Disorderly Persons.—The following are, under 5 George IV, Cap. 83, Sec. 3, to be deemed idle and disorderly persons, within its true intent and meaning, so that any Justice of the Peace may commit them (being convicted before him on his own view, or by the confession of the offender, or by the evidence of one or more credible witness or witnesses) to the house of correction, there to be kept to hard labor for any time not exceeding one Calendar month, subject to an appeal to the Sessions, viz:—

- (1.) Every person being able, wholly or in part, to maintain himself or herself, or his or her family, by work or by other means, and wilfully refusing or neglecting so to do, by which refusal he or she, or any of his or her family whom he or she may be legally bound to maintain, shall have become chargeable to any parish, township, or place.
- (2.) Every person returning to and becoming chargeable in any parish, township, or place, whence he or she shall have been legally removed, by order of two Justices of the Peace, unless he or she shall produce a certificate of the Churchwardens and Overseers of the poor of some other parish, township, or place, thereby acknowledging him or her to be settled in such other parish, township, or place.
- (3.) Every petty shopman or pedlar wandering abroad, and trading without being duly licensed or otherwise authorized by law.
- (4.) Every common prostitute wandering in the public streets or public highways, or in any place of public resort, and behaving in a riotous and indecent manner.
- (5.) Every person wandering abroad, or placing himself or herself in any public place, street, highway, court, or passage, to beg or gather alms, or causing or procuring, or encouraging any children so to do.
- (6.) And by 5 George IV, C. 83, Sec. 16, every person asking alms under a certificate or other instrument prohibited by the Act.

The only certificates of Magistrates still legal are:—

Certificates granted by visiting Justices, enabling persons discharged from Jails, &c., to receive alms or relief on their route to their place of settlement, under 5 George, C. 83, Sec. 15.

Certificates granted by a Justice to a soldier, sailor, or marine, duly discharged, stating the place to which he wishes to go, being his home or legal settlement; or granted to the wife of a non-commissioned officer or soldier ordered on foreign service, and not

permitted to embark with him, under 43 Geo. III, Clause 62, Sections 1, 2, saved by 5 Geo. IV, C. 83, Secs. 15, 16.

Admiralty or War-office certificates, or passes, granted as heretofore to discharged sailors, soldiers, or marines, or to the families of such persons serving abroad, or lately deceased, under 43 Geo. III, C. 61, Sec. 4, saved by 5 Geo. IV, C. 83, Sec. 15, have the same effect as the former.

In these three cases, the asking or having relief is legal: but loitering, &c., by a party discharged from prison, makes him a rogue and vagabond—5 Geo. IV, C. 83, Sec. 15.

(7.) Every person relieved in a Workhouse, and refusing or neglecting while therein to perform the task of four hours' work prescribed by the guardians of the parish or union being suited to his age, strength, or capacity, or wilfully destroying or injuring his own clothes, or damaging any property of the guardians.

(8.) Every woman neglecting to maintain her bastard child, being able wholly or in part so to do, whereby it becomes chargeable to any parish or union.

(9.) Every poor person returning and becoming chargeable in the asylum of any district, after removal from any parish in such district, shall be deemed to have returned and become chargeable, without certificate, to the parish whence he has been legally removed.

Secondly.—Rogues and Vagabonds.—The following are, by 5 Geo. IV, C. 83, Sec. 4, to be deemed as 'rogues and vagabonds,' whom it is lawful for any Justice of the Peace to commit (being convicted before him by the confession of the offender, or by the evidence on oath of one or more credible witness or witnesses) to the house of correction, and there to be kept to hard labor for any time not exceeding three calendar months, subject, as in the case of idle and disorderly persons, to an appeal to the Sessions, viz.:—

(1.) Every person committing any of the offences hereinbefore mentioned, after having been convicted as an idle and disorderly person.

(2.) Every person pretending or professing to tell fortunes, or using any subtle craft, means, or device by palmistry, or otherwise, to deceive and impose on any of Her Majesty's subjects.

(3.) Every person wandering abroad, or lodging in any barn or out-house, or in any deserted or unoccupied building, or in the open air, or under a tent, or in any cart or waggon, not having any visible means of subsistence, and not giving a good account of himself or herself.

(4.) Every person unlawfully exposing to view in any street, road, highway, or public place, any obscene print, picture, or other indecent exhibition; or wilfully exposing, or causing to be exposed to public view, in the window or other part of any shop or other building situate in any street, road, highway, or public place, any obscene print, picture, or other indecent exhibition.

(5.) Every person wilfully, openly, lewdly, and obscenely exposing his person in any street, road, or public highway, or in the view thereof, or in any place of public resort, with intent to insult any female.

(6.) Every person wandering abroad, and endeavouring, by the exposure of wounds or deformities, to obtain or gather alms.

(7.) Every person going about as gatherer or collector of alms, or endeavouring to procure charitable contributions of any nature or kind, under any false or fraudulent pretence.

(8.) Every person running away and leaving his wife, or his or her child or children, chargeable, or whereby she or they, or any of them, shall become chargeable to any parish, township, or place.

(9.) Every person playing or betting in any street, road, highway, or other open or public place, at or with any table or instrument of gaming, at any game or pretended game of chance.

(10.) Every person having in his or her custody or possession, any picklock, key, crow, jackbit, or other implement, with intent feloniously to break into any dwelling-house,

warehouse, coach-house, stable, or out-building, or armed with any gun, pistol, hanger, cutlass, bludgeon, or other offensive weapon, or having upon him or her any instrument with intent to commit any felonious act.

(11.) Every person being found in or upon any dwelling-house, warehouse, coach-house, stable, or out-house, or in any enclosed yard, garden, or area, for any unlawful purpose.

(12.) Every suspected person or reputed thief, frequenting any river, canal, or navigable stream, dock, or basin, or any quay, wharf, or warehouse, near or adjoining thereto, or any place of public resort, or any avenue leading thereto, or any street, highway, or place adjacent, with intent to commit felony.

(13.) Every person apprehended as an idle or disorderly person, or violently resisting any constable or other peace officer so apprehending him or her, and being subsequently convicted of the offence for which he or she shall have been so apprehended.

(14.) And by 5 Geo. IV, C. 83, Sec. 15, persons discharged from prisons to whom certificates or instruments have been delivered by the visiting Justice, enabling them to have or receive alms or relief on the route to their places of settlement, but acting contrary to the directions of the certificate, or loitering on, or deviating from their route.

Thirdly.—Incorrigible Rogues.—The following persons are by 5 Geo. IV, C. 83, Sec. 5, to be deemed incorrigible rogues under the Act:—

(1.) Every person breaking or escaping out of any place of legal confinement before the expiration of the term for which he or she shall have been committed or ordered to be confined by virtue of this Act.

(2.) Every person committing any offence against this Act, which shall subject him or her to be dealt with as a rogue and a vagabond, such person having been at some former time adjudged so to be and duly convicted thereof.

(3.) And every person apprehended as a rogue and vagabond, and violently resisting any constable or other peace officer so apprehending him or her, and being subsequently convicted of the offence for which he or she shall have been so apprehended.

As to these it is enacted "that it shall be lawful for any Justice of the Peace to commit such offender (being thereof convicted before him by the confession of such offender, or by the evidence on oath of one or more credible witness or witnesses) to the house of correction, there to remain until the next general or quarter Sessions of the peace; and every such offender who shall be so committed to the house of correction shall be there kept to hard labor during the period of his or her imprisonment." And, further, it is enacted "that when any incorrigible rogue shall have been committed to the house of correction, there to remain until the next general or quarter Sessions, it shall be lawful for the Justices of the Peace there assembled to examine into the circumstances of the case, and to order, if they think fit, that such offender be imprisoned in the house of correction, and be there kept to hard labor for any time not exceeding one year from the time of making such order; and to order further, if they think fit, that such offender (not being a female) be punished by whipping at such time during his imprisonment, and at such place within their jurisdiction, as, according to the nature of the offence, they in their discretion shall deem expedient.

The Statute, besides the definition of the facts and circumstances which are to constitute offences in the several classes above enumerated, contains various provisions for the prosecution of vagrants and the regulation and disposal of them. Thus, it is enacted that any persons may apprehend a vagrant and bring him before a Magistrate. The persons as well as the carriages of or luggage of the several descriptions of vagabonds may be searched, and money or goods found upon them may on their conviction be applied towards the cost of apprehending them and main-

taining them in prison. If proceedings at the Sessions are contemplated, either by reason of an appeal against a summary conviction or the commitment of an incorrigible rogue, the committing Magistrate may bind over witnesses to prosecute, and the Justices at Sessions may order the payment of costs to persons so bound; and an appeal is given to the next Sessions to any person aggrieved by an act or determination of any Magistrate out of Sessions concerning the execution of the act.

Although the modern Statute is in many respects an improvement of the law, it is liable to some of the objections which were made to the 17 George II, C. 5, and to others of a graver character. It is by no means exclusively a Vagrant Act, though popularly so called; its provisions extend to various offences not necessarily connected with vagrancy, which the legislature has placed within the summary jurisdiction of Justices of the Peace. Under the former Statute, a single Magistrate was only entrusted with the power of summary commitment for a month in the case of idle and disorderly persons, or to the next Sessions in case of rogues and vagabonds and incorrigible rogues; but under the recent Act a single Magistrate has the power of at once committing rogues and vagabonds to prison with hard labor for three months. If the offences to be punished had been precisely defined by the Statute, this extensive summary jurisdiction might have been less objectionable; but the language of the law is very loose and inaccurate. For instance, who are to be considered "suspected persons," or "reputed thieves," or what is to be taken for an "unlawful purpose," or "frequenting a street," in the true legal construction of this Statute, so as to render persons to whose acts these phrases are applied rogues and vagabonds, are often questions of doubt and difficulty to practical lawyers, and may reasonably occasion hesitation and differences of opinion even among those to whom the final interpretation of penal laws belongs. This latitude and vagueness of expression are peculiarly dangerous in a law which gives large judicial power to unprofessional persons, who are for the most part withdrawn from the control of public opinion in the exercise of it; where the subjects and objects of the law are nearly connected with local excitements and prepossessions; and where the parties who suffer from mis-decision are commonly the poor and helpless, to whom an appeal is wholly inaccessible.

As a punishment for crimes, compulsory banishment is unknown to the ancient unwritten law of England, although voluntary exile, in order to escape other punishment, was sometimes permitted. The Crown has always exercised, in certain emergencies, the prerogative of restraining a subject from leaving the realm; but it is a known maxim of the common law, that no subject, however criminal, shall be sent out of it without his own consent or by authority of parliament. It is accordingly declared by the Great Charter, that "no free man shall be exiled, unless by the judgment of his peers or the law of the land."

Banishment is said to have been first introduced as a punishment in the ordinary courts by a Statute* in the 20th year of the reign of Elizabeth, by which it was enacted that "such rogues as were dangerous to the inferior people should be banished the realm." At a much later period the banishment, now called transportation, was sanctioned by the legislature, and has in other cases been made the condition on which the Crown has consented to pardon a capital offence.

Deportation is the third of the six "peines afflictives et infamantes" of the French Code Penal. The punishment of deportation consists in the offender being transported out of the continental territory of France, there to remain for life; and if he returns, hard labor for life is added to his sentence. The sentence of deportation carries with it loss of all civil rights; though the Government is empowered to mitigate this part of the penalty either wholly or in part (Law of September 1835, Section 18, Code Penal). Banishment (bannissement) is classed as one of the two "peines infamantes," the other being civil degradation. The offender is transported, by order of the Government, out of the territory of the kingdom for at least five and not more than ten years.

* Which was virtually converted by James I into an act for transportation to America; but transportation is not distinctly mentioned in any English statute prior to Stat. 18, Car. II. C. 3, which gives a power to the Judges at their discretion either "to execute or transport to America for life the mostroopers of Cumberland and Northumberland;" but this mode of punishment was not brought into common operation until 4 Geo. I, C. 2, continued by 6 Geo. I, C. 23.

No. 138.

ORDER THEREON, 20th November 1867, No. 1454.

The Governor in Council directs that these papers be transferred to the Legislative Department.

2. The Assistant Secretary to Government in the Legislative Department is directed, in communication with the Advocate General, to suggest such alterations or additions to the provisions of the Bill which has been submitted to Government by the Committee on European Vagrancy as may appear necessary to secure the objects which the Committee have in view.

(True Extract).

R. S. ELLIS,
Chief Secretary.

To the Legislative Department, with Major Hearn's Memorandum.

„ Advocate General.

„ President of the Committee on European Vagrancy.

Memo: for orders.

The Committee who have prepared
this Bill are very anxious that
it should be lost in bringing
it before the Leg. Council.

It seems doubtful whether

it has been made into
legislation. Vide Major Deane's
printed letter & Mss. Memo

Three months ago there were only
seventeen papers in the Press.
Now.

Having no great want

of hospitalities, it may be
desirable to suggest Imperial
legislation, Bombay &
Calcutta both require an
act, which would supply
the Madras Presidency
with a Vagrant Law.

The new Home if ^{aided} ~~supported~~
by a liberal

State Grant will probably
meet the present necessity
of Madras as regards
European Vagrants.

or the Bill may
be referred to the Leg:
Council and the Adversi:
General be requested
to take charge of it.

M.E.

Quincy, Feb. 2, 1863 Jy 67.

I should the good determine to permit
Special legislation for the repression of
the "loper" nuisance, I would suggest
that the State then received from the
"loper" committee, be placed in the hands
of the State's legal agent to be put into
the judicial form and it now presents.

But, after a full perusal of the
printed paper, ^{which} forming the packet, I
feel very doubtful whether such a course
has been made or not, as will justify special
legislation.

In the foot-note created the "loper"
committee, we stated to have "been"
"represented to foot-note that European vagrancy
"in this Presidency has been increasing" from
which supposition one naturally expects it
to be shown that some way less than
a legion of loafers were roaming about.
But the case is rather not so, for we
see in the report of the Court of Police,
Mayor Heurt, that he has been told

to state only seventeen Europeans, without
definite means of ascertainment in Madras.
Superior Comm'n Report ~~has~~ the same Office
has represented that "Several have been
from drunkenness & disease." But the Comm'n
could calculate their number as being
eleven. I don't consider that this is
a large mortality on the number of Euro-
peans who must have been admitted during
1866, the year wd. Major Hearn's Report
has reference, and therefore look upon the
seventeen said to be passing on the 28th of
1867, as a trifling number for which
we ought ^{not} specially to deplore.

In Bombay, I don't find that Lepidosis
has taken place, though, when the Comm'n
Committee of that Presidency sent in their
Report, they had 200 (described Europeans)
to write about:-

What the representation may have
been on which our own before referred
to, ~~was~~ rests, I know not. I
am inclined to think that of late, there
have been few Europeans coming about
the place compared with their number in

some few months ago. holding of the
Court say before 1867 affects this view &
admits they might have spared themselves
the trouble of receiving this letter of the
tribunal just when those poor chicks were
laid by one leader whilst another looked
on half way down the compound road.

I think there must be some mistake
in the number. To be sure there between 50 &
60 were have been left on shore at Madras
in 1867, after landing horses from
Australia - but as the Comm'n is that ~~there~~
no such number of horses have come
here with the few lots imported. Not
more than 3 or 4 men attend 100 horses
and we have not seen more than 400
men brought here in the period referred
to. -

The Bombay Comm'n Report shows
just what happens are the men to whom
they refer in their observations. It is to
be regretted that something of the kind
has not emanated from our Comm'n whose
report seems to me to be a very meagre,
cold, unsatisfactory statement.

Public DEPARTMENT.

No. 1603

From

Dated _____ 1867

FOR ORDERS.

I pass this on as I have no time
to go into it - nor would it be
much for you as I shall be
soon be out of office.

I should be obliged for a spare
copy of the Report being sent
me J.P.

in respect of the mere vagrancy and
begging from door to door of the Poor
tribe, the trustees of the Freedmen's
Town can act under Section 54 of our
new Police Law, Act-8 of 1867. - and
we know from an opinion given
by the Advocate-General (Knox) about
1½ year or 2 years ago, that ^{the} ~~no~~ ^{proposed}
wanderers of the same tribe, without
credible means of livelihood, was
effectually dealt-with under the
provisions of Chapter 19 Code rim Procedure
- that is, in Chapter for Securing for good
behaviour.

The only points then, remaining for a specific legal provision may seem hereafter are those of giving to the proper power to deport, to open, & determine who is to pay the cost of deportation - I submit however -

I submit, however, that we issue
really nothing before us, to show that the
insurance has attained serious limits, or taking
them as shown that there limits are such
as necessitate legislation—
W. C. C. G. W. J. H.

Japan

No doubt many difficulties will be met with
in discussing the question of European
Japan. But they are all stated in the
Memo. accompanying these papers.
I would not however be deterred from
making the attempt. It is true that the
evil is not numerically a great one yet
in this Presidency, but a single ^{evil} ~~vapor~~ ^{evil}
makes great moral & political mischief.
The spectacle of indigent abandoned
Englishmen wandering in rags on the
land is one which cannot be witnessed
without humiliation by us and it must
operate ~~in~~ ^{on} ~~our~~ ^{our} prestige and
consideration. The prostitution of European
women, ^{and} confined to the ^{Foreign} ~~Viceroy's~~ ^{and}
military cantonments is a still
more deplorable feature of recent times.
I would not allow the mischief to become
greater before attempting to extirpate
it. You cannot extirpate the impurities
which the growing evil will meanwhile
~~produce~~ produce. It is fortunate that
the evil is not more extensive or can

eradicate it at once & prevent the
consequences which would arise if we suffered
it to continue longer.

The agitation of the question here will
indirectly arouse the other Governments.
If the question is taken into our hands
by the Supreme Gov. so much the better. If
it is not taken into our hands we can
pass our own law & execute it and if
the facilities granted here for the discharge
of rogants homewards attract them to
this Presidency we can memorialize
Calcutta and Bombay upon the subject
and the question would become general
concern. The discussion of an Act and
its temporary application at Madras can
do no harm and must do some good.

I doubt the efficacy of the home
remedy suggested by the benevolent
executions of Mr. Forbes. However aided
by Gov. Gov. cannot well give more
to such an extent than half

the whole expenditure. But when we see all
the charitable institutions of Madras in a
languishing condition and none more
depressed than the "Friend in Need Society"
I don't anticipate that the Refuge for
European Rogants will be well supported.
It will always depend on the accidents
of personal ability and interest. At best
it will be a bad institution till placed
under strict Gov. control. At present
discipline and labour could not be
enforced in it.

I would place the Bill in the hands
of the Advocate General with
instructions to recast it preserving
the principal features, which is the
key stone of the whole, a permission
granted to Gov. to transport European
and American Rogants to England,
English Colonies and Possessions, and
America, in the case maybe, at
the public charge. N.P.

On another paper recently received...

I have no real ^{legislation for} opinion that no case has been
made out for the ^{legislation for} European supremacy
and certainly the practical discussion of 'human
rights' ~~is a mere~~ ^{is a mere} ~~and empty~~ ^{and empty}
~~before the Legislature~~ ^{confronts me in the corridors}
of the new State. I doubt if any way is
the extermination of prostitution of European women.
and am extremely doubtful whether any attempt
should be made to deal with the evil through
the medium of an act of the Legislature. ^{As a matter of}
fact the prestige of our race is lowered by
this vagrancy & the prostitution to which we are
now drawing, because attention is drawn to the
of consideration whether that prestige has not
been also been affected in a more or less degree,
by habits of immorality among the non-vagrant
classes which no legislation can be made
to remove.

C. D. C.

I would transfer the papers ~~to the~~
instructing ^{instructing} ~~instructing~~ ^{instructing} ~~instructing~~
to the Legislature by the with ^{instructing}
to the Legislature by the with ^{instructing}
with the Advocates General &
resent the Bill and submit it
with such amendments to ~~the~~
as he and the Advocates General
may have to suggest. When the
Bill has been revised the papers
might be submitted to the Govt.

In first making Mr
Phillips' remarks on
the report of the Committee
on European Vagrancy,
I felt some doubt as
to whether his time and
effort were for essential
to legislation on this
matter; but on further
reflection I have arrived
at the conclusion that
the evil of having European
vagrancy about the
country is about as
serious of which I would
even to the comparative
limited extent to which
it has attained in this
country is such an
important matter.

measures of a repressive
character.

Our department is the
United Kingdom. Persons
of this class is, in my
judgment, not only free
from all objection on the
score of interference with
the liberty of the subject,
but is an act of humanity
and with reference to the
sympathetic efforts as our
national prestige in the
hands of the natives, arising
from the frequent presence
of European vagrants in
the interior of the country,
it is, I submit, a very
politic act.

I would transfer the
Committee Report to
the Legislature to Sept.
with instructions to the
Department Secretary

in that department to
transmit the draft Bill
submitted by the Committee
and to lay before Govt.
an amended Bill with
such alterations as may
occur to him with
reference to the provisions
embraced in the Committee
Bill and ^{in regard to} others
which he may think it
advisable to introduce.
It can then be determined
whether the Bill as
amended by the Department
Secretary shall be
introduced into the
Council for making
Laws & Regulations.

26th Nov/87

W. H.

Secretary to the
Legislature

of India with an enquiry
as to whether the Government
of St. Augustine are
imposed Legislation on
the subject and if not
whether they are any system
to local legislation for
the Territory.

by A.

Public Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the
President of the Committee on
European Vagrancy.
[Enclosed is October 1867]

ORDER THEREON

ORDER THEREON 20 Nov^r 1867 N^o 1456-

in communication with
the Advocate General.

The Governor in Council
directs that these papers be trans-
ferred to the Legislative Depart-
ment. The Assistant Secretary to
Government in the Legislative
Department is directed to suggest
~~any~~ ^{such} alterations or additions to the
provisions of the Bill which has
been submitted to Govt by the
Committee on European Vagrancy
as may appear necessary to secure
the objects which the Committee
have in view.

new
work

To The Leg. Sect with my best
 regards & affectionate remembrance }
 from D^r of the Court &c. 10 years
 January 1849

Public
1867. Department.

No. *454*

PROCEEDINGS OF GOVERNMENT.

Dated. *20th February 1867*