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2. Date of repair.
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M.R.O. 1-50,000-10-10-32.

MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.	922	Press Mis.
Dated	7-7-	19-1869

Not to be folded or roughly handled

8.1.37

Proceedings of the Madras Government, Public Department.

7th July 1869.

No. 34. Read the following Extract from the Proceedings of the Government of India, in the Home Department, (Public,) under date Simla, 15th June 1869, No. 2768.

Read again—

Despatch from the Secretary of State, No. 152 of 1868, dated the 7th of October, forwarding copy of a correspondence with the Directors of the Strangers' Home for Asiatics in London, relative to certain natives in India, received into the Home in a state of destitution; and recommending the adoption of measures for ensuring the provision of a return-passage for all natives engaged in India for service out of the country.

Circular to local Governments and Administrations, dated the 10th December 1868, calling for their opinions on the subject.

Read also the following replies to the Circular :—

From Government of the North-Western Provinces, No. 127, dated 9th January 1869.

„ „ of Bombay, No. 81, dated 13th January 1869.

„ Commissioner of Coorg, No. 857-87, dated 13th January 1869.

„ Chief Commissioner of the Central Provinces, No. 123-404, dated 15th January 1869.

„ Government of Bengal, No. 328, dated 26th January 1869.

„ „ of Madras, „ 174 „ 8th February „

„ „ of Punjab, „ 514 „ 16th „ „

„ Resident at Hyderabad, „ 6 „ 17th „ „

„ „ „ „ 10 „ 25th March „

„ Chief Commissioner of British Burmah, No. 626-10, dated 19th February 1868.

„ „ „ of Oudh, No. 1723, dated 4th April 1869.

Read—

A further despatch on the same subject for the Secretary of State, No. 32 of 1869, dated the 18th of March.

RESOLUTION.

The majority of the local Governments and Administrations agree in deprecating legislative interference as uncalled for. Some, however, assuming that legislation has been decided upon, discuss the form which such legislation should take.

2. As regards the proposed employment of some of the provisions of the Emigration Act, (No. XIII. of 1864,) the Governor General in Council observes that, under Section 3 of that Act, except in the cases specified therein, it is unlawful and a punishable offence to make a contract with any native of India to “emigrate,” or to assist him in emigrating; and the word “emigrate” is defined in Section 2 to mean departure from India for the purpose of labouring for hire. England is not a place to which emigration from British India is lawful; consequently any person who takes strolling players or men following similar professions to England violates the law, since those men labour for hire in the full legal sense of the term. The machinery of the Emigration Act can never be put in motion by persons engaging such natives; nor can that machinery be used at all, except for departure to certain specified Colonies and Foreign dependencies.

*Proceedings of the Madras Government, Public Department,
7th July 1869.*

3. No doubt the law can be evaded by passing off the engaged natives as menial servants or seamen ; and the only effectual expedient for preventing this would be that adopted by the late Court of Directors* in respect of the Madras Presidency, viz., to require a heavy deposit from any body taking Home a menial servant. But this would be felt to be a great hardship, considering the free communication with England which now exists.

4. It appears from the communication from the Government of Bengal that in order to provide, as far as possible, against the recurrence of such cases, the Lieutenant Governor has instructed the Collector of Customs at Calcutta to explain the nature of their position to men taken Home under engagements of a similar nature, and to assist them in securing a satisfactory arrangement for their return-passage. His Honour seems to have done all that is at present needed, and the other sea-board Governments and Administrations will be requested to issue similar instructions to the proper officers at the ports under their control.

Ordered that a copy of this Resolution be forwarded to the Governments of Madras, Bombay, Bengal, the North-Western Provinces, and the Punjab; and the Chief Commissioners of Oudh, the Central Provinces, British Burmah, and Mysore and Coorg, and the Resident at Hyderabad, for information and guidance.

(True Extract).

(Signed) E. C. BAYLEY,
Secy. to the Govt. of India.

No. 35.

ORDER THEREON, 7th July 1869, No. 922.

Copies of the foregoing Proceedings will be furnished to the Collectors of Sea Customs and the Collectors of the several Maritime districts, with directions to give effect to the instructions of the Government of India, contained in the last paragraph of their Resolution.

(True Extract).

Chief Secretary.

To the Collector of
,, do. of Sea Customs, Madras.
,, Master Attendant, Madras.
,, Protector of Emigrants.

PUBLIC.

To

THE COLLECTOR OF

do, do, do,

Patna July, 7th.

Recd.

Encl.

G. O. 7th July 1869, No. 922.

JULY.

Nos. 34-35.

Furnishing Proceedings of the Government of India with instructions to give effect to their recommendations regarding the adoption of certain measures for ensuring a return-passage for all natives engaged in India for service out of the country.

No. 2768

Extract from the Proceedings of the Government of India in the Home Department (Public), under date Simla, the 15th June 1869.

READ again—

Despatch from the Secretary of State, No. 152 of 1868, dated the 7th of October, forwarding copy of a correspondence with the Directors of the Strangers' Home for Asiatics in London, relative to certain Natives of India, received into the Home in a state of destitution; and recommending the adoption of measures for ensuring the provision of a return-passage for all Natives engaged in India for service out of the country.

Circular to Local Governments and Administrations, dated the 10th December 1868, calling for their opinions on the subject.

Read also the following replies to the Circular :—

From Government of the North-Western Provinces, No. 127, dated 9th January 1869.

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* *Extract from the reply of the Madras Government, No. 174, dated 8th February 1869.*

PARA. 2.—The subject attracted the attention of the late Court of Directors so long ago as 1830, and consequent on orders received from them, a notification was issued in 1832, requiring persons to deposit in the Government Treasury £100 on account of any Native servant they might take to England. In 1840, the amount of the deposit required was reduced to £50. This arrangement, however, has been long disused, the last deposit having been made in 1844.

menial servants or seamen; and the only effectual expedient for preventing this, would be that adopted by the late Court of Directors* in respect of the Madras Presidency, viz., to require a heavy deposit from any body taking Home a menial servant. But this would be felt to be a great hardship, considering the free communication with England which now exists.

4. It appears from the communication from the Government of Bengal that in order to provide, as far as possible, against the recurrence of such cases, the Lieutenant-Governor has instructed the Collector of Customs at Calcutta to explain the nature of their position to men taken Home under engagements of a similar nature, and to assist them in securing a satisfactory arrangement for their return-passage. His Honor seems to have done all that is at present needed, and the other sea-board Governments and Administrations will be requested to issue similar instructions to the proper officers at the ports under their control.

ORDERED, that a copy of this Resolution be forwarded to the Governments of Madras, Bombay, Bengal, the North-Western Provinces, and the Punjab; and the Chief Commissioners of Oudh, the Central Provinces, British Burmah, and Mysore and Coorg, and the Resident at Hyderabad, for information and guidance.

(True Extract.)

C. C. Bayley
Under Secy. to the Govt. of India.

Public Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following ~~letter~~ Extract

from Pres. of the Govt. of India.
Home Department.
(Here enters 15th June 1869 No 2708)

Order thereon 7th July 1869. No 922.

1000
Copies the
foregoing Proceedings
will be furnished to the
Collectors of Sea Customs and the
Collector of the several
Maritime Districts with
directions to give effect to
the instructions of the
Government of India
contained in the last
para. of their Resolution.

To the Collector of Maritime Districts
of Sea Customs, Madras
Master, Government Madras
Collector of Emigrants }
15/7/69

29 June
1869

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1869-70

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1869-70

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1869-70

Cont. of 1186 } **Quadr.**

Public

To the Collector of

1186

Dated *11/7* } 1869, No. 922
Recd.

Nos. 34. 35.

Transmitting *1186* ~~1186~~
of the Govt. of the *1186* ~~1186~~
including the adoption of
certain measures for in-
cluding a *1186* ~~1186~~
for all natives *1186* ~~1186~~
in India for *1186* ~~1186~~
of the *1186* ~~1186~~

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