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3. No. 23
M.E.O. 1-88,000-18-10

MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.	1428	Press Mis.
Dated	20 - 9 -	1918/1

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Department,
20th September 1871.*

No. 87. Read the following Extract from the Proceedings of the Government of India in the Department of Agriculture, Revenue, and Commerce, dated Simla, 22nd August 1871, No. 23 (Emigration):—

Read—

Home Department Proceedings (Public), dated the 6th May 1871, Nos. 49 and 50, and the 17th June 1871, Nos. 19 and 20.

Read also Despatch from the Right Honourable the Secretary of State for India, to His Excellency the Right Honourable the Governor-General of India in Council, dated India Office, London, 15th June 1871, No. 49 (Public).

I forward, herewith, for the consideration of your Excellency in Council, copy of a letter,* with accompaniments, from the Secretary of State for the Colonies, on the subject of the alleged kidnapping of women for service in Jamaica.

2. I desire to know if there are any grounds for the report alluded to in the extract from the *Pioneer* of India newspaper.

3. I should be glad to be informed whether your Excellency is of opinion that an amended Act, such as that suggested, is required.

From R. G. W. HERBERT, Esq., to the Under Secretary of State for India, dated Downing Street, London, the 25th May 1871.

I am directed by the Earl of Kimberley to transmit to you, to be laid before the Duke of Argyll, an extract from the *Pioneer* of India newspaper, which appeared in the *Standard* of 5th ultimo, relative to an alleged attempt to kidnap Indian women as emigrants to Jamaica, together with an extract of a letter† from the Emigration Commissioners on the subject; and I am to request that you will call His Grace's attention to Sir C. Murdoch's suggestion that an Act should be passed in India to enable the Magistrate before whom coolie women are brought by the recruiters to see and examine the women in the absence of the recruiter. Perhaps it would be expedient that the Act should not only enable, but require, the Magistrate to do so.

An Indian Slave Trade.

“It would be well,” says the *Pioneer* of India, “if Magistrates and the Police throughout the country would direct some special attention to the operations of a set of scoundrels who, there is reason to believe, are just now particularly active, who are formidably organized, and the cause of great misery in native households, and of much (not entirely undeserved) odium to Government. Some late judicial proceedings have established the fact that the enrolment of coolies for service in the West Indies, as pursued in Allahabad, differs in no essential respect, except one, from the old African slave trade. This one exception is that, in the present case, the victims are British subjects. Here in India, as formerly in Africa, the slaves are seized by force and detained against their will, and despite their tears and entreaties. Not the least ugly feature in the system is that it appears that young good-looking women are the class of coolies preferred in ‘Jamaica.’ The ‘Emigration Agents’ go about in uniform and wearing the chupprass, to all appearance the immediate servants of Government. It is, therefore, no wonder—but we are tempted to think it almost a pity—that such villainy, perpetrated with the apparent sanction of Government, does not excite a rebellion. A small *emeute* would quicken the Governmental conscience amazingly.”

From a subsequent number of the *Pioneer*, it appears that four of the Allahabad kidnappers, alias Jamaica Emigration Agents, have received a measure of punishment, having been sentenced to twelve, nine, and six months' imprisonment, respectively, for “unlawful confinement.” The

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discovery of the slave depôt, where some ten or twelve were kept in durance, came about in this wise :—

“A fine-looking young woman went out on the morning of the 14th to earn her usual daily wages by grinding corn for a Bungah. It appeared, however, that the Bungah had no corn for grinding that morning, and she was consequently returning home, when a man accosted her and offered her a job in corn-grinding at six pice for the day. She followed him to the serai at Khurdabad in the city, where another man made his appearance and demanded her name. She began to suspect something was wrong, and tried to escape, but was hustled into a room in the serai, where a number of other women and a few children were huddled up together guarded by a third peon. Her entreaties for release were answered by blows and cuffs. She was told not to be a fool, that she would be sent to Jamaica, where she would get Rupees 12 a month besides clothes, &c. She replied that she had an infant at home, and did not want to go away; she was, however, detained, strict watch being maintained over the whole party day and night. The next day her sister succeeded in tracing her out, and began to weep and beat her breast before the door, until the peon on guard pushed her also inside, saying that she might keep her sister company to Jamaica. Either, however, the arrest of the sister had been too public, or her vociferous howling inside was considered dangerous, for the peon after a time turned her out again. She offered a rupee to the recruiting agent for her sister's release, but he would not take less than five rupees. In despair she went to the Rev. Mr. Evans, where her nephew worked, and appealed to him for aid. That gentleman accordingly, in company with the Rev. Mr. Williams, went to the place indicated, and inquired of one of the agents what it all meant. The scoundrel declared he had orders from Government to collect people for service in Jamaica, but pretended that all the women inside were there with their own consent. This, however, the women eagerly denied, and rushed pell-mell into the street, one in such hurry and terror that she left her infant behind, and had to be called back to take it away. If it had not been for the humane interference of the Rev. Mr. Evans, it is probable that a batch of some twenty wretched women would shortly have been produced before a Magistrate, where, like Oliver Twist before the Guardians, they would have been too bewildered and terrified to express their horror at the idea of being expatriated, and then the subaltern kidnappers would, if we are rightly informed, have received from their European employers seven rupees for each poor woman so recruited, as an encouragement to further such good work. We are curious, by-the-by, to know why the fee for each woman captured is seven rupees, while that for the men is only four; evidently feminine labour is especially appreciated in Jamaica or somewhere. Though, as we have said, these particular women owed their liberation to Messrs. Evans and Williams, the arrest of the scoundrel, I believe, did not take place until some time afterwards, and was due to the narrative of the Rev. Mr. Evans to the Government.”

Extract from a letter from Sir CLINTON DOWNS, to the Secretary to the Government of India, dated 11th July 1871.

I have the pleasure to acknowledge the receipt of your despatch from the Secretary of British Government, dated 2nd July 1871, in relation to the charges of kidnapping and murder for the murder of the woman who was captured by the agents of the Government, and an extract from the *Pioneer of India* newspaper, describing an alleged attempt to kidnap women as emigrants to Jamaica, and you desire to state whether such offences are rare or the contrary, and whether it is necessary to take further steps to guard against them.

“2. In reply, I have to state that we have no reason to believe that outrages such as that described in the *Pioneer* newspaper have heretofore been committed. No report of any such transaction has, as far as we remember, been ever received at this office. Nor, if the Indian Act No. XIII of 1864 is properly carried out, ought such a transaction to be possible. By the 30th Section of that Act, every native of India, who in any place other than Calcutta, Madras, and Bombay, shall engage to emigrate, is to appear with the recruiter before the local Magistrate prior to leaving the district within which the engagement was entered into. The Magistrate is to examine the emigrant to ascertain that he understands the nature of the engagement and is willing

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to fulfil it; and if he does not understand it, or has been induced to enter into it by fraud or misrepresentation, the Magistrate is to refuse to register him. When he is registered one copy of the registration is to be given to the emigrant, and copies are to be forwarded to the Emigration Agent at the depôt, and to the Protector of Emigrants at the port of embarkation. Emigrants engaging at Calcutta, Madras, and Bombay are to be similarly examined before the Protector of Emigrants and registered. On the arrival of the emigrant at the depôt (Section 41) the copy of his registration is to be examined by the Emigration Agent, and countersigned by him and by the Protector; and, after being approved by the Medical Inspector, the emigrant is to receive a descriptive pass also countersigned by the Protector, which pass (Section 53) is to be delivered to the master of the vessel at the time of embarkation. Before an emigrant is embarked the Protector is to ascertain that he has with him the copy of his registration. There are other provisions for examination of the emigrants before a ship proceeds to sea to ascertain that none are embarked who have not been properly examined by the Protector and other authorities.

“3. If these provisions are carried out in the spirit in which they were made, it seems impossible that any emigrant can be put on boardship in ignorance of the nature of his engagement, still more against his will. But it is alleged that women who had been kidnapped might, when produced before the Magistrate, be too bewildered and terrified to explain the true state of the case. A Magistrate is not likely to be so misled, but all risk of it might be avoided by requiring that emigrants should be examined by the Magistrate apart from the recruiter. As the Act of 1864 requires that the emigrants should appear before the Magistrate with the ‘recruiter,’ a short Act would be necessary to enable the Magistrate to examine him or her in the absence of the recruiter.”

Endorsement by the Home Department, dated the 18th July 1871, No. 3422.

Transferred, with the enclosures, to the Department of Agriculture, Revenue, and Commerce for disposal.

Selection from the Vernacular Newspapers published in the Punjab, North-Western Provinces, Oudh, and Central Provinces, up to 8th April 1871.

“The same paper (*Khair Khwah-i-Panjab*) reports that, on the 14th of February last, a poor woman at Allahabad, who supported herself by grinding corn, was enticed by an employé of the emigration recruiters to go with him to the Khurdabad Serai, in hopes of getting work at high wages, and on reaching there was forcibly shut up in a room where a number of women and children were collected, and was told that she would be sent to the Island of Jamaica, where she would get Rupees 12 a month besides clothes. The woman refused and prayed for release, but all in vain. She remained shut up a day and night, when her sister traced out the place of her confinement somehow or other; but on nearing the door of the room where the woman was shut up, she too was forced in. On this she set up such loud cries and complaints that the recruiters were obliged through fear to release her. These particulars were communicated to the Rev. Mr. Evans, who, with the Rev. Mr. Williams, came to the spot, and, on being told that all the women and children in the room had been seized against their will, got them released. The recruiters have been sentenced to one year's imprisonment.”

From the Under Secretary to the Government of India, Home Department, to the Secretary to the Government of the North-Western Provinces, dated Simla, the 4th May 1871, No. 2180.

Adverting to page 145, paragraph 2, of the Selections from the Vernacular Newspapers in the Upper Provinces, dated the 10th ultimo, I am directed to request that, under the orders of His Honour the Lieutenant-Governor, you will be good enough to obtain and forward to this office a copy of the papers connected with the case of kidnapping by emigration recruiters therein referred to.

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From the Secretary to the Government of India, Home Department, to the Secretary to the Government of the North-Western Provinces, dated Simla, the 14th June 1871, No. 2915.

I am directed to acknowledge the receipt of your letter, No. 194, dated 16th ultimo, submitting a correspondence on the subject of an attempt made by a recruiter at Allahabad to compel certain coolies to enlist as emigrants.

2. In reply, I am directed to request that the thanks of His Excellency the Governor-General in Council may be conveyed to the Rev. T. Evans and the Rev. J. Williams for searching out the case, for placing it before Government, and for bringing the offenders to justice.

3. I am also to request that the result of the further investigation which is being made as to the connexion which Messrs. Bird and Company had with Buldeo, the recruiter, may be communicated to the Government of India.

From the Officiating Secretary to the Government of the North-Western Provinces, to the Secretary to the Government of India, Home Department, dated Allahabad, the 16th May 1871, No. 194.

With reference to your office letter, No. 2180, dated 4th May, I am directed to forward, as therein desired, for the information of His Excellency the Governor-General in Council, the G. O., No. 459-A, dated 24th March, accompanying copy of the papers noted in the margin, having reference to an attempt made by a recruiter to compel the emigration of some coolies at Allahabad.

From the Officiating Secretary to the Government of the North-Western Provinces, to the Secretary to the Government of Bengal, Judicial Department, dated Allahabad, the 24th March 1871, No. 459-A.

I am directed to forward, for the information of His Honour the Lieutenant-Governor, a copy of the documents marginally quoted, having reference to an attempt made by a recruiter, named Buldeo, to compel the emigration of some coolies at Allahabad.

2. It will be seen that Mr. Robertson, the Magistrate, believes that such cases as the present are not uncommon. He attributes their origin to the system of recruitment allowed. *First*, recruiters are paid so much per head for each emigrant. There is thus a direct inducement for these persons to collect together as many people as possible. *Secondly*, it is easy to evade the requirements of Section 30 of Act XIII. of 1864. When the recruits are brought before the Magistrate, they are threatened with action for debt for expenses incurred in feeding them, if their examination is not satisfactory, or substitutes are provided to personate them at the examination before the Magistrate. *Thirdly*, Mr. Robertson objects to the system of Emigration Agents. He would abolish recruiters and establish a Registration Office at the head-quarters of every district.

3. Mr. Robertson's remarks regarding Registration Agents are not very clear. Section 25 of Act XIII. of 1864 (re-enacted in Section 17 of Act VII. of 1871), to which objection is taken, must be read with Section 24 (Section 16 of Act VII. of 1871). Emigration Agents are only appointed at the seaport towns of Calcutta, Madras, and Bombay, and are nominated by the Government of the place to which emigration is allowed. Licenses to recruit are granted on the application of the Emigration Agents, but only under the orders of the Protector of Emigrants.

4. The Lieutenant-Governor does not concur with Mr. Robertson in holding that the law does not provide sufficiently against enforced emigration. Even supposing that an emigrant is abducted from a district in the way suggested by Mr. Robertson, there are numberless checks at the port of embarkation, from all of which escape is difficult.

5. But His Honour thinks that the Protector of Emigrants at Calcutta should be instructed to exercise some discrimination in the appointment of recruiters, and to furnish annual lists to the Local Governments of the persons so appointed. If also it is necessary that Emigration Agents

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should be paid by a fixed salary (*vide* Section 12 of Act XIII. of 1864), and not according to the number of emigrants sent, it is, in the Lieutenant-Governor's opinion, all the more necessary that recruiters should be similarly paid.

6. I am to inquire whether lists of recruiters are furnished to the Government of Bengal, and what steps are taken to see that proper persons only are employed; and I am at the same time to request that the Protector may be called upon to state what connexion Bird and Company of Allahabad have with the prisoner Buldeo, and generally as to the principles upon which licenses to recruit are granted in the North-Western Provinces.

From the Rev. T. EVANS, Baptist Missionary, to the Lieutenant-Governor, North-Western Provinces, dated Allahabad, the 18th February 1871.

A painful revelation was made to me here yesterday, which I deem of sufficient importance to communicate for your information.

About 9 o'clock yesterday morning a man by name Gunga, who has worked for me as mochi off and on for the last three years, came here in great distress, and gave me the following story:—

He said that his chachi (aunt) went out on Tuesday last in search of work, when she met a chupprasse, who asked her if she would grind some corn, and be paid for it. She said she would, and followed the man. He took her to a place in Khurdabad (near Khoosroo Bagh), and put her to sit down with some other women, saying they would get work in a little while. Later in the day she with others got some food to eat, and having eaten, were told that now their names would be written "by the orders of the Sirkar" to go to "Miritch desh" (Mauritius) as coolies, where they would get plenty of good food and nice clothes, &c.

They all protested and begged hard to be let go, but to no purpose. The husband of the above mentioned woman wondered what had become of her, and after a search, he and Gunga, mochi, found her on Wednesday at Khurdabad in charge of two men, and in company with several other women. The man who claimed possession of these women is called Duldeo, Jemadar, and the woman's husband and Gunga, mochi, begged hard of him to let her go. After some time he said, "Give me Rupees 5, and she may go." They not having the money, could not pay, and in their extremity Gunga, mochi, came to me, as I said, and begged of me with tears to try and get the woman her liberty. Having examined him well, I told him to meet me at Khurdabad by 12 noon, and to bring the woman's husband along. Taking with me the Rev. John Williams, we went to Khurdabad, and not seeing the mochi, I asked Gunga Singh, a Police Jemadar, if he knew whereabouts there they kept people to go over the sea. He came along to show us the place, when also the mochi and the woman's husband arrived, and took us to the place pointing out the woman.

I saw in all about ten or eleven women there, and asked who had charge of them. A peon present said he had, but that the headman was Buldeo, Jemadar, who had gone out. I told him to send for him, which he did. In the meanwhile the women began to cry and to fall at our feet, begging that they might be let go. I now asked each one of them how they came there, and they had all but one tale to tell, which quite corresponded with what the mochi had told me about his aunt. They said they had been decoyed there with a promise of work, and were afterwards told they were to go to work across the sea, &c. In about half an hour Buldeo came. I asked him, "Have you charge of these women?" He said, "Yes." I again said, "How came they here, and are they kept here against their will?" He said, "Oh! no." "Well," said I, "may they go away if they wish?" "Yes," said he, "they may." I then called two men to witness this (*i.e.*, Gunga Singh, Jemadar, and Bakhtawur Khan, who said he was servant to Mr. Webb), and I said, "Will you two witness to what this man says, and to what I will ask these women, and to what they will answer?" I then asked each woman before all, "Are you, or are you not, willing to stay here?" They all said, "No, Sahib, we are not, we are kept here by force, against our will, and we beg of you in the name of God to let us go." "Well," said I, "this man says you may go if you wish—so go."

They one and all bolted out, and were so eager to get away that there they left the few articles of clothing they had with them behind, and one woman actually forgot her little child in

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OBSERVATIONS.—These papers relate to a case of attempted kidnapping of women by recruiters of emigrants, which occurred in the month of February last. The attempt was defeated by the humane interference of two Missionaries, through whose exertions the culprits were brought to justice and sentenced to various terms of imprisonment.

2. The circumstances of the case, as set forth in an article in the *Pioneer* newspaper, attracted the attention of the Secretary of State for the Colonies, who brought the subject to the notice of the Board of Emigration, asking for the opinion of the Commissioners upon the case. In giving their opinion the Commissioners referred to the allegation made in the newspaper article that women who had been kidnapped might, when produced before the Magistrate, be too bewildered and terrified to explain the true state of the case. The Commissioners thought it was not likely a Magistrate would be so misled, but suggested that it might prevent such a possibility to enact that emigrants should be examined by the Magistrate apart from the recruiter.

3. The Governor-General in Council quite concurs with the Board that it is essential to ensure emigration being thoroughly voluntary. It does not seem, however, that for this purpose further legislation is necessary. There is nothing in Section 27 of Act VII. of 1871 (by which Act XIII. of 1864 has been repealed) which prevents the examination of the intending emigrant otherwise than in the presence of the recruiter. Every emigrant is "to appear with the recruiter before a Magistrate," and "upon so appearing the Magistrate shall examine the intending emigrant with reference to his engagement." But this does not necessitate examination in presence of the recruiter. Indeed, the whole spirit of the section would require the Magistrate to examine the emigrant apart from the recruiter, if he thought that he could not otherwise ascertain the real wishes of the former.

4. The Governor-General in Council desires to invite the special attention of all Local Governments and Administrations to this point; and His Excellency in Council requests that orders may be issued to all Magistrates to take the greatest care to satisfy themselves as to the willingness of intending emigrants when brought up for registration, the examination being invariably conducted apart from the recruiter. If it be considered necessary, a rule will be framed under Clause 7 of Section 56 of the Act to make such examination compulsory; and the opinion of Local Governments and Administrations on this point is invited.

5. The Governor-General in Council desires also to receive any other suggestions which Local Governments and Administrations may have to offer towards securing the complete freedom of emigration.

ORDER.—Ordered that a copy of this Resolution, together with copies of the papers cited in the preamble, be forwarded to all Local Governments and Administrations for information and the issue of the necessary orders, and with a request that the opinions asked for in paragraphs 4 and 5 may be given at an early date.

(Signed) A. O. HUME,
Secy. to the Govt. of India.

*Proceedings of the Madras Government, Public Department,
20th September 1871.*

No. 88. ORDER THEREON, 20th September 1871, No. 1428.

His Excellency the Governor in Council resolves to communicate these papers to all Magistrates.

2. His Excellency in Council thinks it desirable that when intending emigrants appear before Magistrates for registration, as provided in Part VI., Act VII. of 1871, they should, in the first instance, be examined without the recruiter being present, so that there may be no possibility of their being intimidated by the presence of the recruiter.

3. The recruiter can, after the preliminary examination, be called to answer any questions rendered necessary by statements made regarding his conduct by the intending emigrants, and the registration can be then completed.

4. His Excellency the Governor in Council desires to impress upon all Magistrates the extreme importance of making the examination of emigrants prior to registration as complete as possible, and the necessity of the examination being throughout conducted by the Magistrates themselves.

5. No portion of this duty should, under any circumstances, be delegated to the ministerial subordinates of the Magistrates.

(True Extract.)

Captain, R. E.,
*Under Secretary, P. W. D.,
for Chief Secretary.*

To the Magistrate of
" Protector of Emigrants,

Edw. J. Wright.

No.

Extract from the Proceedings of the Government of India in the Department of Agriculture, Revenue, and Commerce,—dated Simla, the 22nd August 1871.

[EMIGRATION.]

READ—

Home Department Proceedings (Public), dated the 6th May 1871, Nos. 49 and 50, and the 17th June 1871, Nos. 19 and 20.

Read also—

Despatch from the Secretary of State, No. 49, dated the 15th June 1871.

OBSERVATIONS..

THESE papers relate to a case of attempted kidnapping of women by recruiters of emigrants, which occurred in the month of February last. The attempt was defeated by the humane interference of two missionaries, through whose exertions the culprits were brought to justice and sentenced to various terms of imprisonment.

2. The circumstances of the case, as set forth in an article in the *Pioneer* newspaper, attracted the attention of the Secretary of State for the Colonies, who brought the subject to the notice of the Board of Emigration, asking for the opinion of the Commissioners upon the case. In giving their opinion the Commissioners referred to the allegation made in the newspaper article that women who had been kidnapped might, when produced before the magistrate, be too bewildered and terrified to explain the true state of the case. The Commissioners thought it was not likely a magistrate would be so misled, but suggested that it might prevent such a possibility to enact that emigrants should be examined by the magistrate apart from the recruiter.

3. The Governor General in Council quite concurs with the Board that it is essential to ensure emigration being thoroughly voluntary. It does not seem, however, that for this purpose further legislation is necessary. There is nothing in Section 27 of Act VII. of 1871 (by which Act XIII. of 1864 has been repealed) which prevents the examination of the intending emigrant otherwise than in the presence of the recruiter. Every emigrant is "to appear with the recruiter before a magistrate," and, "upon so appearing the magistrate shall examine the intending emigrant with reference to his engagement." But this does not necessitate examination in presence of the recruiter. Indeed, the whole spirit of the section would require the magistrate to examine the emigrant apart from the recruiter, if he thought that he could not otherwise ascertain the real wishes of the former.

4. The Governor General in Council desires to invite the special attention of all Local Governments and Administrations to this point; and His Excellency in Council requests that orders may be issued to all magistrates to take the greatest care to satisfy themselves as to the willingness of intending emigrants when brought up for registration, the examination being invariably conducted apart from the recruiter. If it be considered necessary, a rule will be framed under Clause 7 of Section 56 of the Act to make such examination compulsory; and the opinion of Local Governments and Administrations on this point is invited.

5. The Governor General in Council desires also to receive any other suggestions which Local Governments and Administrations may have to offer towards securing the complete freedom of emigration.

ORDER.—Ordered, that a copy of this Resolution, together with copies of the papers cited in the preamble, be forwarded to all Local Governments and Administrations for information and the issue of the necessary orders, and with a request that the opinions asked for in paragraphs 4 and 5 may be given at an early date.

Secretary to the Govt. of India.

WRECK OF A COOLIE SHIP.—The Cape Standard and Mail of June 20 gives all the information probably that can ever be known respecting the wreck of the coolie ship off the coast. A certificate found on one of the bodies showed, as supposed, it was a French vessel named the Soyuznaia, belonging to the port of Nantes. Under the direction of the French Consul at Port Bowen an investigation has been made of the coast and along the Katel River, belonging to M. van Breda. The bodies of men were found, some of which bore the names of manufacturers at Nantes. The coast is wild and rocky, and for miles, with the exception of one small bay, there is no open water. It was on this coast the vessel was literally dashed to pieces. From the beach it has been seen Gunder's Quoin Point, and it is believed that it was on this point that the Soyuznaia was struck, about the 10th or 11th of May. All the bodies that were found were white, and it is held that all the coolie vessel struck at night. It is a fearful fact that all the bodies escaped the voracious jaws of sharks, but they were dreadfully bruised by being dashed against the rocks. M. Hugo, the agent sent by the French Consul, was taken at a boat-house belonging to M. Breda, a coast, evidently of the full dress military coat of a French doctor, and a bag of biscuits with the words on one side of it, Souveraineté. Over 200 bodies had been washed up, 14 of which were white.

Nº

Copy Despatch dated 3^d June 1871
Nº 6302, from the Governor of
Cape Colony, and Extract
from the "Cape Standard" & "Mail".

Referred to in Public Notice to
Ladies Nº 19, dated Aug. 5/1871.
Paras: 1. and 2.

See Pub. 1865/71

Public 1871. Sept 11
From the Govt of India.
DEPARTMENT OF AGRICULTURE,
REVENUE, AND COMMERCE.

[Emigration.]

RESOLUTION.

To all Local Governments and Administrations.

No.

Dated August.

11th Sept 1871

7th of Res. S. Sec. 4 & 6

No 1861

THE examination of emigrants under Section 27,
Act VII. of 1871, should invariably be con-
ducted apart from the recruiter.

From Govt of India. 22nd Aug. 1871. No 23.

Draft order.

Botacannund. 20th Sept. 1871. No 1428.

His Excellency the Governor
his Council resolves to com-
municate these papers to
all Magistrates.
H.E. in Council thinks
it desirable that when
intending emigrants appear
before Magistrates for
Registration as provided
in Part VI. Act VII. of
1871: they should in the
first instance be examined
without the recruiter being
present, so that there
may be no possibility

[Handwritten signature]

& their being intimidated
by the presence of the
Recruiter.

The ~~recruiter~~ can after
the preliminary examination
be called to answer
any questions, rendered
necessery by Statements
made regarding his
conduct by the intending
emigrants. ~~matters~~
and the registration can
be then completed.

R.E. The Governor in
Council desires to

impress upon all Magistrates
the extreme importance
of making the examination
of emigrants prior to
Registration as ~~thoroughly~~
complete as possible
and ~~to~~ the necessity
of the examination being
^{throughout} conducted by the
Magistrates themselves.
No portion of this duty
should under any cir-
cumstances be delegated
to the ministerial subordinates
of the Magistrates.

To the Master of ~~the~~ ^{Despatch} ~~of~~ ^{29/9/71}
Office of Emigrants { Despatch 28/9/71.

R.E.

Memo for Orders

§ 9) and generally to provide
for the security, well being
a protection of emigrants".

H. A. L.

The question raised is as to
the necessity of providing a Rule
under Cl. 7. Sec. 56. Act VII. 1871
understanding it compulsory on
Magistrates to examine intending
emigrants - apart from the
recruiter. The object being that
the intending emigrant should
not be intimidated by the
presence of the Recruiter.

The question has arisen from
a case of kidnapping in the
N. West. -

If a Magistrate does his work
properly he will easily perceive
whether the presence of the
recruiter intimidates the
natives. he is questioning if
he is unable the main object
the recruiter will not find

impedence to the natives
examined.

It will, it is submitted, be
as well to circulate these
papers to all magistrates
impressing on them the im-
portance of ^{their themselves} carefully conducting,
themselves the examination
of intending emigrants &
that this examination
should be first without
the recorder being present.
After this preliminary examⁿ.
the presence of the recorder
may be necessary, as he
is order that he may give
explanations and answer
any complaints for which
purpose he must be ~~confronted~~
with the complainants. ~~at~~

A
reference to the protection of
Emigrants does not seem
necessary. -

The whole question depends
upon magistrates doing
their duty thoroughly -

The law is quite sufficient

RM

A draft order is
circulated.

For Order of
Sept 1. 1861

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