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(1) Number of pages 22  
 (2) Date of repair 22-3-87  
 (3) Initials of the Referencer lms ✓

# TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

*Luke* DEPARTMENT

|          |            |               |
|----------|------------|---------------|
| G.O. No. | 1677       | Press.        |
| B.P. No. |            | Mis.          |
| Dated    | 10 12 1881 | <del>19</del> |

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Not to be folded or roughly handled

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Office of the Protector  
of Emigrants,  
Singapore 11 August 81.

No 126.

CURRENT No. 2102

From

1677  
D. B. Gibson Esquire,  
Protector of Emigrants  
Singapore.

Sir,

The Collector of  
Singapore.

Sir,

I have the honour to  
request you to bring to the  
notice of the Government that  
there is in my opinion one  
small matter of procedure in  
the matter of registering em-  
igrants for the Straits Settlements  
that urgently calls for very  
early amendment and the remedy  
is simple and of very easy  
application.

2. I refer to the forms and

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mode of printing of the contracts in triplicate which are executed on the one part by the "recruiter" acting for any one specified firm of private employers in the Straits Settlements, and on the other part by the emigrant cooly and countersigned by the Emigration Agent at Negapatam for the Straits Settlement Government.

3. I fear that the Governor in Council will be painfully surprised, as I was, to learn that these contracts, the only real documentary security to these ignorant labourers nine-tenths of whom cannot even sign their own name in Tamil - these contracts or engagements are not merely, entirely and exclusively in English, all the articles of

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agreement being printed in that language only, but that these documents vary both in matter and form at the pleasure of each individual recruiter who himself is almost illiterate, although as if to complete the "emigrants" perplexity each triplicate original bears the Government stamp / (impressed eight annas stamp).

4. Until I myself commenced the practice there was never any custom at all for the Protector to countersign these contracts in token that they had even been produced before that officer, but I always countersign them all after explaining each to the emigrant and taking his assent; and this I do even in the case of those emigrants who have been previously attested and registered in other Districts.

5. These forms of contracts I beg to be permitted to repeat are not as might appear natural, and as is usually done in analogous cases, printed at any Government Press, nor even strictly according to any one prescribed form but at various private presses according to instructions.

6. I think little need be said to demonstrate the dangers of such laxity; but it is expedient to point to one danger, because I believe that, as a matter of fact, this liberty is actually made use of to evade the Emigration Acts in precisely the sort of way which has already been the subject of severe animadversion by the Government of Madras.

7. I mean illegal recruiting of emigrants, that is to say the making of engagements

with natives of India <sup>1877</sup> to labour in these colonies or elsewhere (eg. Arak<sup>21</sup>) without going through the formalities which are prescribed by Act V of 1877 for the protection of this most helpless class of natives of India.

8. It is obvious what facilities these stamped Empress-headed formidable looking printed documents in a foreign tongue must give for such practices which, I presume, Government wish to stop.

9. The superstitious awe with which the uninstructed natives of these parts regard any paper bearing the "Sirkar stamp" can however only be fully appreciated by those who daily witness its effect.

10. At present I doubt whether the Right Honourable the Governor in Council is fully aware that in very truth it is not as the Consular Agent at Karikal,

and as even some of my predecessors, turned to fancy, the exception but almost the rule that emigration is all carried out and settled between the parties (of very unequal strength) by mutual understanding without the intervention of the "Protector" at all.

11. In brief, and subject to any detailed explanation, and statistical correction hereafter thought desirable, but speaking not without consideration nor without figures and facts seen and considered by myself in and out of "office," I venture to assert (that there may be no mistake as to these matters which have been too long obscured); I dare to state broadly, and categorically, but with substantial accuracy that for every one emigrant passed by myself two labourers emigrate to Penang and the Straits under

some secret understanding, <sup>167/4</sup> without any appearance before the Protector at all; and this evasion of the law I believe to be known to almost all but the higher Government officials as general and proceeding under patrons whose names Government would learn with considerable surprise.

12. In conclusion I beg to submit one or two of the more obvious and simple suggestions for reform amongst many remedies that have occurred to me.

13. I would urge that all these contracts should be written only always on forms carefully drawn up, and printed at Singapore, Collocation Press numbered and dated there and procurable only there.

14. All these forms should be printed in Tamil and English

in parallel columns; and should  
purport to be witnessed at execution  
by the Protector and Joint Magis-  
trate and space left for entry  
of "Abstract of expenses" to be  
entered as far as possible at  
the time of execution.

15. It should be proclaimed every  
where by beat of tam-tam that  
all contracts not signed and  
sealed by "Protector" are null  
and void; and that therefore  
it is necessary, as is I understand  
provided by the Bill now under  
consideration (Consolidating Emi-  
gration Act); it is absolutely  
necessary for all emigrants with  
the recruiter to attend before the  
Protector at Negapatam to have  
their agreements attested and  
completed; and the Straits Govern-  
ment should be asked to see

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that every labourer arriving  
there has his papers correct  
which I do not think has  
been effectuated up to this time.

16. For this purpose, also, one  
copy of contract should be deli-  
vered to each emigrant here  
at Negapatam to keep - which  
is not done at present; and  
the Emigration Agent, as well  
as the Port Officer here should  
be by their respective Govern-  
ments enjoined to see that  
these regulations are really  
effectually carried out as they  
can do; but at present their  
duties are ill-defined and  
their responsibilities perplexing.

17. Other matters requiring  
reformation I must reserve for  
future communications; but  
the small matters to which

I have not drawn the attention  
of the Government lie in my  
opinion very much nearer to  
the root of the matter than  
any thing I find in the some-  
-what diffuse correspondence on  
these matters which I have  
perused with feelings of increasing  
disappointment.

I have been  
signed J. B. Gibson.  
Protector of Emigrants.

No 5665. (Encopy)

Submitted for the orders of  
Government.

2. The Acting collector agrees  
with Mr Gibson in thinking  
that it would be well to have  
fixed forms of contracts to be  
filled in and that these should  
bear a warning that the contracts

will only be valid when counter-  
-signed by the Protector of Emigrants  
as witnessing execution.

Tallam  
5 October 1881.

Ag collector

Compd  
J.B.G.

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R.D.  
2007 81

Public Dept  
(Enig)  
From The Ag collector of  
Pangore.

1677  
The Chief Secretary  
to Government.  
Madras.  
dated 5<sup>th</sup> Oct 1887.  
2102  
No. 5665.

Dr

Submitting copy of  
Regapalam Protector's letter  
proposing certain alterations  
in the matter and forms  
of emigrants contract  
for orders of Government.

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Enclat 1 of J. J. of Pangore dated 5 October 87  
on letter from Prot. Emigrants, Pangore.

During one of Mr. G.  
communities his globe  
is placed to the advantage  
of the people. The conditions that the people have  
to the contract are as follows:  
that the in the end of the day, is much  
greater than is imagined, and  
that the people are given for  
the purpose of the people  
the fact that the present  
contracts are written in  
English only, and that the  
clamped Emigrants' letters  
are formidable looking  
printed documents with  
"foreign" words, and  
certain expectations  
these are —

1. that the contracts sh<sup>d</sup> be written on carefully drawn forms printed or at the Jollynote Press -

2. Printed in English & the Vernacular -

3. Executed in the presence of the Protector & Joint Magistrate & countersigned by him.

4. Abstract of expenses to be entered at time of execution.

5. Proclaimed by the Protector that all contracts not so executed & attached are null & void

6. One copy of contract to be delivered to Emigrants & kept.

As the law at present stands (Act V of 1877) none of these matters are enjoined; & no power is reserved to the Gov<sup>t</sup> to make rules which might provide a remedy should any be deemed

them or assist him to improve it all.

I wonder whether the Director of the C.O. of the S. in the Committee for a new copy of the Act.

They sh<sup>d</sup> have. But as it is at the time Mr. G. is at the time it might be cancelled & supply copies now.

Note  
Sec 30 requires an abstract  
to be made of the  
the Emigrants.

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necessary. No action therefore can be taken on Mr. G. B. proposals.

The Bill of 1881, now under consideration, however, provides distinctly for matters of these matters; & should it be thought necessary to adopt the suggestions in the case of Straits Emigration, the proposal in the Note on the general Emigration Bill of 1881 finds an additional argument. The proposal was to consolidate the law.

Secs 33 & 36 of the Bill require the agreement to be in writing on substantial paper, & so many particulars must be entered that it will be practically a "form".

The execution of the agreement in presence of the Protector & his countersignature in at least one are new features of the Bill (ss. 37, 38 &c). The present procedure both for

other places for the Straits  
for the intention to take  
place outside, the Protector  
at Koyas duty being only  
to examine the emigrants  
touching his knowledge  
of the ~~emigrant's~~ engagement,  
thereupon to register the  
emigrant.

The entry of advances  
~~to the emigrant~~ in the Agreement  
has been recommended by  
the Officers reporting on  
the Bill.

Sec. 38 of the Bill requires  
one copy of the ~~Bill~~ Contract  
to be given to the emigrant,  
the present law only requires  
a copy of the master's registration  
to be delivered to him.

If the Govt recommended the  
incorporation of Straits legis-  
lation in the New Act  
this letter may be forwarded  
to India as an additional  
argument in favor of such a course  
J. P. 17/11/81

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PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter

Print

1 from A. G. W. of Tanjore dated 5 Oct/81

Order thereon 10<sup>th</sup> Dec 1881 No 167

As the law stands, Mr Gibson's  
proposals cannot be enforced.  
The Straits Ordinance II of 1871  
provides a form of Contract  
and there is no reason why  
the Protector at Mappalam  
should not insist upon its  
use, & provide copies for sale  
with Tamil translation. The  
Immigration Agent, Mr Oliver,  
would no doubt afford the  
every assistance in enjoining  
its exclusive employment.

From order  
To the Collector, Tanjore 10/12/81 J. P. 17/11/81

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Gobt. of {188 } Madras.

*Strait*  
DISPOSED BY

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TO SLO 51

BY SLO 51 1677 (Public)

Dated

Recd.

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188 , No.