(1) பக்கங்களின் எண்ணிக்கை _____

(2) புதுக்கித் திருப்பிய நாள் _____

(3) ஆதாரங் குறிப்பவர் சுருக்கொப்பம் _____

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

பாது துறை

அரசாணை என். 269-270 / அச்சகம்
மு. கோப்புத் தாள் என். பலவகை

நாள் : 18.3.1880 199

15

மடிக்கவோ துண்டாடவோ கையாளவோ கூடாது.

ஆவண. கா. 1—18,006—6-9-90.

No. 124

OFFICE OF THE PROTECTOR OF EMIGRANTS,

Madras, 11 February 1889.

FROM

R. W. Barlow Esqr

PROTECTOR OF EMIGRANTS,

Madras.

TO

The Honorable J. F. Price

CHIEF SECRETARY TO GOVERNMENT,

PUBLIC DEPARTMENT,

Fort St. George.

SIR,

I have the honor to acknowledge the receipt of G. O. No 46 Public, dated the 17th Ultimo, and to submit that as the proposed draft Ordinance, amending the law relating to Indian Immigrants employed on the Estates, has proved to me to be well considered, I would suggest that a coolie should not be at liberty to quit the service of his employer, if his wages for any one month are not paid by the 15th of the following month, and that Clause 16 of the proposed Ordinance should be amended accordingly.

2. I deem "28 days" as mentioned by Mr. Gordon at first

a paragraph of his letter to us dated 6th November 1888 seems to me too long a period for the Emigrant is practically never less than a full month in arrears of pay, while the practice prevailing of only paying once in "three months" practically places the Coolie in the power of his employer, for he must get advances in kind from the latter to enable him to live, during the interval, and so becomes in the employer's debt, and would then find it difficult to leave — with the practicability of an action having been commenced therefore have [illegible] employers to terms for labour, though they believe that he could obtain elsewhere.

I have the honor to be

Sir

Your most obedient Servant

Protector of Emigrants

Public (1889) Department.

(EMIGRATION.)

From

The Protector of Emigrants,
Madras,

To

The Chief Secretary to Government,
Public Department,
Fort St. George.

No.

Dated 11
Despatched
Received

February 1889

Enclosure

No. 1864

Subject

Submitting for the orders of Government the proposed draft of Ordinance amending the Law relating to Indian Immigrants employed on the Estates in Ceylon

Gen 2/2

PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

W. S. WHITESIDE, ESQ.
THE HON J. GROSE, M.A.

READ—the following G.O., dated 17th January 1889, No. 46, Public:—

ABSTRACT.—Regarding the proposed draft ordinance amending the law relating to Indian immigrants employed on estates in Ceylon.

Reference on the above, dated 7th February 1889.

Referred to the Collectors of the marginally-noted districts, and to the British Consular Agent, Pondicherry, for very early remarks.

South Arcot. Madura. Tanjore. Tinnevelly.

2. The reply should reach the Board on or before the 21st February.

(Signed) M. HAMMICK,
Secretary.

To the Collector of South Arcot.
" " of Tanjore.
" " of Madura.
" " of Tinnevelly.
" British Consular Agent, Pondicherry.

READ—the following letter from Colonel C. HARRIS, M.S.C., Her Majesty's Consular Agent, Pondicherry and Karikal, to the Secretary to the Commissioners of Land Revenue, dated Pondicherry, 19th February 1889, No. 88:—

I have the honor to acknowledge the receipt of G.O., dated 17th January 1889, No. 46, Public, referred to me for remarks by the Board of Revenue.

2. His Excellency Sir Arthur Gordon has very clearly shown in his letter, No. 451, to the Secretary of State for the Colonies, the necessity for some legislation for the protection of the Indian cooly in Ceylon, and so far as I am in a position to judge the draft ordinance is calculated to meet the want.

3. I would suggest the insertion in clause 5 after the word "monthly" of the words "on or before the day of the month next following." It appears to me that in an enactment of this nature the time of payment should be defined.

4. The blank in clause 6, I am of opinion, should be filled with the word "two." I do not see how the planters can legitimately object to this, whereas a longer delay would undoubtedly seriously affect the cooly, who could then in no sense be deemed a free monthly servant.

5. The above are the only remarks I have to offer. With the exception of the Government Order now under reply, I am not in possession of any papers on Ceylon immigration, and I am consequently in perfect ignorance of the ordinances which it is now proposed to repeal and amend.

READ—the following letter from J. THOMSON, Esq., Acting Collector of Tinnevelly, to the Secretary to the Commissioners of Land Revenue, dated 19th February 1889, No. 117 :—

I have the honor to acknowledge receipt of Board's reference on Government Register No. 193 of 1889 of 7th instant requesting very early remarks on a proposed draft ordinance amending the law relating to Indian immigrants in Ceylon.

2. The scope of the legislation is, briefly, to declare that cooly service originating in registry on the estate rolls and receipt of an advance is a monthly service unless otherwise expressly stipulated by a laborer and requires a month's notice for determination, and to promote regularity in the payment of wages, and avoid Government interference between employer and employed by releasing the cooly from liabilities to criminal prosecution for neglecting work or duty or for quitting service when his wages have fallen in arrear.

3. This legislation is intended to be in favor of the Indian immigrant, and if well conceived can call for no hostile criticism from the Government of the country supplying him.

4. I cannot find any record in this office giving information of the status and treatment of the Indian cooly in Ceylon other than Mr. Geoghegan's note of 1873. The impression one would gather from general inquiry is that he is well looked after on the whole: the marginally-noted figures give the numbers registered at Tuticorin and go to show that he does not find life in the colony more unpleasant than at home.

1882-83	...	...	...	18,184
1883-84	...	...	...	18,705
1884-85	...	...	...	20,945
1886	...	...	...	18,981 } Calendar
1887	...	...	...	25,881 } year.

5. That the Ceylon planters have difficulties with him can be gathered from these papers, and if he is—as may be supposed—not the best of the class from which he is drawn, there is no room for wonder that it should be so. There may on this score be some room for doubt whether the Ceylon Government while legislating intentionally for his benefit may not be doing him a disservice by educating him to look lightly on his engagements and abetting him in an unsettledness of mind not uncommon in his class; thus on the whole altering his relations with his employer in a manner advantageous to neither.

6. For my own part I see no hardship in an agricultural laborer having to wait for the bulk of his wages till the crop he raises can be brought to market, and as little in an engagement for a term to cover the crop raising; and if the Ceylon Government recognises an obligation on it to see that Indian immigrants are properly cared for, I question if the proposed legislation will suitably avoid that obligation.

READ—the following letter from E. GIBSON, Esq., Collector of Tanjore, to the Secretary to the Commissioners of Land Revenue, dated Vallam, 19th February 1889, No. 131 :—

In acknowledging the receipt of Board's Proceedings, dated 7th February 1889, forwarding for remarks copy of G.O., dated 17th January 1889, No. 46, Public, I have the honor to say that the continued supply of labor from the Tamil districts to Ceylon must depend upon the treatment of the laborers by the planters. Except in times of scarcity in Southern India, there is no necessity for the transfer of labor from the mainland, and unless the terms offered are not only liberal but equitable, the would-be emigrant will prefer to bear the ills he has. It is, I believe, a tradition with the Tamil cooly in Ceylon that when the time comes for him to return to his native village in India, he goes back the proud possessor not only of savings in coin, but also of a tin-box and an umbrella; not only is his wealth increased by his sojourn abroad, but his social status is raised.

2. From the papers printed with the Government Order, I am led to fear that there is a disposition on the part of a considerable number of the Ceylon planters to endeavor to reduce the immigrant cooly to the position of a serf; and if the influence of those who favor this view is sufficiently great to obtain the insertion of a lengthy period in the blank at section 6 of the draft ordinance, the result is likely to be that free emigration to Ceylon will gradually cease. The immediate effect of such a provision would be to make the planter temporarily master of the situation, since every cooly engaged upon an estate would be tied to it by bonds which he could not loosen; but the ultimate result would be that this condition of serfdom would become known in India and the laboring population would soon cease to look for a market in Ceylon.

3. It seems to be that from every point of view, in the interest of the employer as well as of the employed, it is expedient that the term fixed by section 6 should be strictly limited.

4. The case is stated with much fairness by Sir Arthur Gordon in his despatch to the Secretary of State, and there is, in my opinion, very little to add to the arguments adduced by His Excellency in favor of limiting the term. From the point of view of the Indian cooly, it is very important that it should be so limited, and it is equally important to Government of India that a check should not be put upon emigration to Ceylon.

READ—the following letter from H. SEWELL, Esq., District Magistrate of South Arcot, to the Secretary to the Commissioners of Land Revenue, dated Cuddalore, 1st February 1889, No. 156 :—

In reply to your reference, dated 7th February 1889, on G.O., No. 46, dated 17th January 1889, Public, I have the honor to state that the draft ordinance appears to me to be well considered to protect the interests of the cooly emigrants, and that I have no alterations to suggest.

READ—the following letter from E. TURNER, Esq., Collector of Madura, to the Secretary to the Commissioners of Land Revenue, dated Madura, 23rd February 1889, No. 81 :—

Adverting to Board's Reference, dated 7th February 1889, on Government Register No. 193 of 1889, I have the honor to submit the following remarks. —

2. I cannot give a very definite opinion on the subject, because I have not all the facts or papers before me. As far as I can judge a provision that "if the wages of a cooly are more than a short time in arrear, he shall be released from all the liabilities to criminal prosecution to which he is subject" may meet the difficulty, in which case sections 6 and 7 would seem to be equitable. But it is very difficult to give an opinion on a subject one knows nothing about practically, especially when one has no opportunity of hearing the arguments *pro* and *con*, nor of knowing the lines on which previous legislation has run (I have no copies of the three ordinance quoted).

RESOLUTION—dated 2nd March 1889, No. 156.

The opinions on the draft ordinance which have been received from Collectors will be submitted to Government. In the absence of any special knowledge of the relationship now existing between the employers and employed in Ceylon, it is difficult to give an opinion on the points raised by His Excellency the Governor of Ceylon. If however the ordinance is to be passed in its present form, the Board are of opinion that the period to be mentioned in clause 6 should not be greater than two months. The distance from India to Ceylon is so short, and the passage now so easy, that the

Board consider that any general ill-treatment of the Indian coolies by the Ceylon planters would in a short time be followed by a considerable decrease in the emigration to the island. They would therefore hesitate to believe that at present any great grievance is felt by the Indian cooly in Ceylon.

(True Copies and Extract.)

Secretary.

To the Chief Secretary to Government, Public Department.
Copy to the Collector of South Arcot.
" " " of Tanjore.
" " " of Madura.
" " " of Tinnevelly.
" " British Consular Agent, Pondicherry.

Ex-l. W. J. Lewis.

No. 432 433

Extract from the Proceedings of the Government of India in the Home Department (Public),—dated Calcutta, the 6th March 1889.

READ—

Home Department Circular letter to Local Governments and Administrations, Nos. 19—860-869, dated the 8th May 1878.

Despatch from Her Majesty's Secretary of State, No. 72 (Statistics and Commerce), dated the 8th November 1888, paragraph 4.

RESOLUTION.

IN paragraph 2 of Home Department circular read in the preamble, it was ruled that no official letters to Her Majesty's Government or to the Government of India, and no resolution or other official paper that would in ordinary course be reported to either of those authorities should be made public by Local Governments until the interval had elapsed which was required for their transmission to the superior authority. It was added that if, in cases of rare exigency, this rule had to be transgressed, telegraphic intimation of the circumstances, with explanation, should be sent to the superior authority. Similarly communications from the Government of India to subordinate Governments were not to be made public until the interval above described had elapsed, save under exceptional circumstances, the occurrence of which would in each case be explained by telegram to the subordinate Government concerned.

2. The Secretary of State for India has now ruled that no document which forms part, or is likely to form part, of a correspondence between the India Office and any other Government Office in England, shall be published without communication with His Lordship. The Governor General in Council accordingly directs that this rule shall be strictly observed in future.

3. It may be here explained that the rule contained in paragraph 2 of Home Department Circular letter of May 1878 was not intended to apply to departmental administration reports, but extends only to resolutions or official papers of the nature of the communications to the Secretary of State or to the Government of India referred to in that paragraph, that is to say, to resolutions or official papers which call for orders from the authority addressed.

ORDER—Ordered, that a copy of this Resolution be forwarded to Local Governments and Administrations for information and guidance; and that a copy be forwarded to all Departments of the Government of India for information.

(True Extract.)

A. P. MacDonnell

Secretary to the Government of India.

To

The Chief Secretary to the Government of Madras.

PUBLIC DEPARTMENT.

1889.

Board of Revenue

(Land Revenue),

MADRAS.

CHIEF SECRETARY'S GOVERNMENT OF MADRAS
14 MAR 89

Printed March th.

Proceedings, 2*nd March* 1889, *No.* 156.

Submitting, with Board's remarks, to Government, the opinions of certain Collectors and the British Consular Agent, Pondicherry, on the draft ordinance amending the law relating to *Indian immigrants* employed on estates in Ceylon.

PUBLIC DEPARTMENT.

No. 470-C.

MEMORANDUM.

READ—again G.O., dated 28th September 1885, Mis. No. 2288, Public.

READ—also the following papers :—

From the Secretary to Government, North-Western Provinces and Oudh, dated 6th November 1885, No. 1559—XII—626-2.
From the Punjab Government, dated 12th November 1885.
" Government of Bengal, dated 7th December 1885, No. 1106.
" " of Bombay, dated 22nd December 1885, No. 4888.

The Government has had under its consideration the existing practice of furnishing papers of public interest to editors of newspapers and others who may require or ask for them.

2. By Proceedings, No. 1135, dated 10th September 1875, the Governor in Council directed that each Secretary should mark every paper, intended for the Editor's table, so as to obviate the printing of extra copies of papers, the general publication of which was not intended.

3. As, however, papers for the Editor's table are selected after proceedings have been printed and the type broken up, the order referred to never worked satisfactorily.

4. His Excellency the Governor in Council, accordingly, desires all Secretaries to state in submitting their *drafts* that it is proposed to place them on the Editor's table, so that specific orders may be obtained from which the Superintendent of the Press will know how many copies of orders passed should be struck off. When such papers are submitted to Honorable Members in charge of departments, the Secretary should distinctly write to say that he proposes to place them on the Editor's table.

5. Probably twice the number of the newspapers, &c., entered in the list of papers entitled to proceedings placed at the disposal of the press, will suffice.

6. In the case of proceedings which do not go to Honorable Members of Government, the Secretary of the department will mark the paper for the Press.

7. Further, with reference to a recent application received from Messrs. Parry and Co., the Government will be prepared to supply mercantile and other firms with copies of proceedings in which they may be interested, and which have been placed at the disposal of the public, on their making the necessary application to the Superintendent of the Government Press, who will continue to publish in the Gazette the list of papers placed at the disposal of the press. Such papers will be supplied to such firms or individuals gratuitously, as they now are to editors of newspapers, and all such proceedings will, in future, be posted to editors of up-country newspapers, who, under the existing practice, have to send for them to the Secretariat, in consequence of which the provincial press is placed at a disadvantage as compared with that of the Presidency town. This merely recognises and extends the existing practice, the Editor's table in the Secretariat having, in fact, been non-existent for many years. Reports and bulky publications will be sold as heretofore.

8. In working the present instructions, the strictest attention will be paid to the orders of the Secretary of State concerning the publication of official papers which have to be communicated to his Lordship or to the Government of India.

9. These instructions will be found printed in G.O., 28th May 1878, No. 884, which is printed as an annexure to this memorandum, and it will be distinctly understood that it is better that papers in which the public are interested should be withheld, than that, by any oversight or inadvertence, proceedings, the publication of which is not desirable, should be made public.

FORT ST. GEORGE,
15th March 1886.

W. WILSON,
Acting Chief Secretary.

To the Departments of the Secretariat.
" Messrs. Parry and Co., extract.
" the Superintendent, Government Press.
Copy to Librarian.

NOTE.—*To be substituted for copies of same number and date previously sent*

Revenue and Agricultural Department,
(Separate)
The 4th June 1890

No. 42.

To The Secretary to the Government of India

SUBJECT.

Revised draft Rules relating to Indian immigrants in Ceylon.

SIR,

I am directed to invite attention to the communication marginally noted,* and to request the favour of an early reply thereto.

I have the honour to be,
SIR,
Your most obedient Servant,

Under-Secretary to the Govt. of India.

* No. 229/74-3 dated 4th March 90
subsequent reminder
No. — dated —

1189 & 46 inno

From,

The Government of India
Rev. & Agri. Dept.
No 42.

Rec'd 4/3/89

Requesting early reply to their communication re Proposed draft ordinance relating to Indian Immigrants in Ceylon.

ANNEXURE.

G. O., 28th May 1878, No. 884, Public.

Read—the following paper:—

From C. BERNARD, Esq., Officiating Secretary to the Government of India, Home Department (Public), to the Chief Secretary to Government, dated Simla, 6th May 1878, No. 19-860.

I am directed to forward, for the information of His Grace the Governor in Council, copies of the correspondence marginally noted, regarding the rules which should govern the publication in India of official papers which have to be communicated to the Home Government, or to the Government of India, in ordinary official course.

Despatch of Her Majesty's Secretary of State, No. 89, dated 9th August 1877.
Despatch of Government of India, No. 4, dated 18th January 1878.
Reply by Secretary of State, No. 36, dated 21st February 1878.

2. The rule will henceforward be, that no official letters to Her Majesty's Government, or to the Government of India, and no resolution or other official paper that would in ordinary course be reported to either of those authorities, should be made public by Local Governments until the interval has elapsed which is required for their transmission to the superior authorities. If, in cases of rare exigency, this rule has to be transgressed, telegraphic intimation of the circumstances, with explanation, should be sent to the superior authority. Similarly, communications from the Government of India to subordinate Governments will not be made public until the interval above described has elapsed, save under exceptional circumstances, the occurrence of which will in each case be explained by telegram to the subordinate Government concerned. No subordinate Government should, under any circumstances, give publicity to papers which may seem to reflect upon a superior authority without first obtaining its consent.

ENCLOSURE No. 1.

From Her Majesty's Secretary of State for India, to His Excellency the Right Honorable the Governor-General in Council, dated India Office, London, the 9th August 1877, No. 89.

In a Despatch to the Government of Bombay, which I communicated to your Excellency in Council,* I pointed out the disadvantages arising from the hasty publication of resolutions in which the proceedings of the Government of India had been made the subject of unfavorable comment. Other cases have recently come to my notice in which serious misapprehension has been caused by the premature publication of official correspondence. This evil has especially been felt when despatches have been published in local newspapers before they have come into the hands of those to whom they are addressed. In this practice, which is not unfrequent, Her Majesty's servants in India depart from the rule which is observed in all departments of the Government at home. Except under circumstances of special exigency, despatches are not published in this country until the interval has elapsed which is required for their transmission.

* 6th April 1877, No. 25, Revenue Department.

2. The convenience of this usage has been generally felt, and it is, I believe, a rule of old standing here. But the introduction of telegraphic communication has made the observance of it more important than before. At the present day, if a despatch is published before it reaches its destination, the person to whom it is addressed is likely to receive the first impression of its contents from the imperfect, and sometimes misleading, summaries of the ordinary telegrams. This inconvenience is often felt in respect to communications from the Governments in India to this office. Summaries of State papers from time to time reach this country before I am in possession of them, and, therefore, when I am still unable to give any explanation or make any correction which is necessary for removing any erroneous impression that may have been formed.

3. I have made the foregoing remarks for the purpose of eliciting from your Excellency in Council an opinion as to the most suitable arrangements for terminating this inconvenience. My inclination would be to lay down a rule that no despatch from you to Her Majesty's Government nor any resolution of the nature of such a despatch, should be published in the *Gazette*, or be communicated to the public press, until an interval had elapsed such as would justify the assumption that the document in question had been received at this office. Such a rule would not, of course, apply to any case in which a special object would, in your Excellency's judgment, be served by immediate publication. In such an event, the intention to publish immediately might be stated in the despatch home. Nor would the rule in the least degree interfere with the publication of any facts which the Government might think it expedient to make known. To the publication of mere facts, the considerations to which I have adverted do not apply.

4. In respect to subordinate Governments the same principles would be applicable. No such Government should give publicity, on the exceptional occasions on which publicity is thought to be necessary, to despatches addressed to a superior authority, until an interval sufficient should have elapsed for them to reach their destination. A similar rule might apply to communications from the superior to the subordinate authority. And no subordinate Government should, under any circumstances, give publicity to proceedings which reflect on a superior authority without first obtaining its consent.

ENCLOSURE No. 2.

From the Government of India, to Her Majesty's Secretary of State for India, dated Fort William, 18th January 1878, No. 4.

We have the honor to acknowledge your Lordship's Despatch, No. 89, dated 9th August 1877, on the subject of the inconvenience caused by the premature publication in India of official correspondence.

2. In reply, we beg to state that we fully appreciate the necessity for making suitable arrangements to terminate the inconvenience thus caused, and that we cordially concur in the rules which your Lordship proposes to prescribe, with this object, for future observance. With reference, however, to the proviso stated in paragraph 3 of the despatch under acknowledgment, namely, that the general rule prohibiting the immediate publication of a despatch to Her Majesty's Government, or a resolution of the nature of a despatch, should not apply to cases in which a special object would, in the judgment of the Government of India, be served by immediate publication, but that in such cases the intention to publish should be stated in the despatch, we desire to remark that it will be difficult for the Government of India in all cases to determine the expediency or otherwise of publishing a despatch before such despatch has actually issued. Circumstances, unknown to the Government at the time of sending a despatch, may afterwards transpire such as might render its immediate publication desirable in the interests of the public service, and in order to meet such cases, which will, however, probably be of unfrequent occurrence, we would propose an addition to the rules suggested by your Lordship, to the effect that, whenever the Government of India see strong reason for the publication of any document addressed to Her Majesty's Secretary of State, the intention or desire to publish such document should, if not previously announced at the time of its despatch home, be communicated and fully explained by telegraph.

3. With the addition described in the previous paragraph, we are fully prepared to accept the rules suggested by your Lordship, which appear to us to be both reasonable and proper, and on receiving the final approval of Her Majesty's Government thereto, we shall cause the necessary instructions to be issued for the guidance of subordinate Governments.

ENCLOSURE No. 3.

From Her Majesty's Secretary of State for India, to His Excellency the Right Honorable the Governor-General of India in Council, dated India Office, London, 28th February 1878, No. 30 (Public).

The Despatch of your Excellency in Council, dated 18th January. No. 4 of 1878, relative to the premature publication of official correspondence, has been considered by me in Council.

2. Your Lordship in Council agrees generally with the views expressed in my Despatch of the 9th August, No. 89 of 1877, but suggests an addition to the rules prescribed by me, to the effect that "whenever the Government of India see strong reason for the publication of any document addressed to Her Majesty's Secretary of State, the intention or desire to publish such document should, if not previously announced at the time of its despatch home, be communicated and fully explained by telegraph."

3. On the understanding that the necessity for such immediate publication will be of unfrequent occurrence, I will not object to the addition proposed by your Lordship in Council.

Order—dated 28th May 1878, No. 384, Public.

Communicated to the Departments of the Secretariat.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Chief Secretary.

To the Revenue Department.
" Military Department.
" Public Works Department
Exd. A. Raitt.

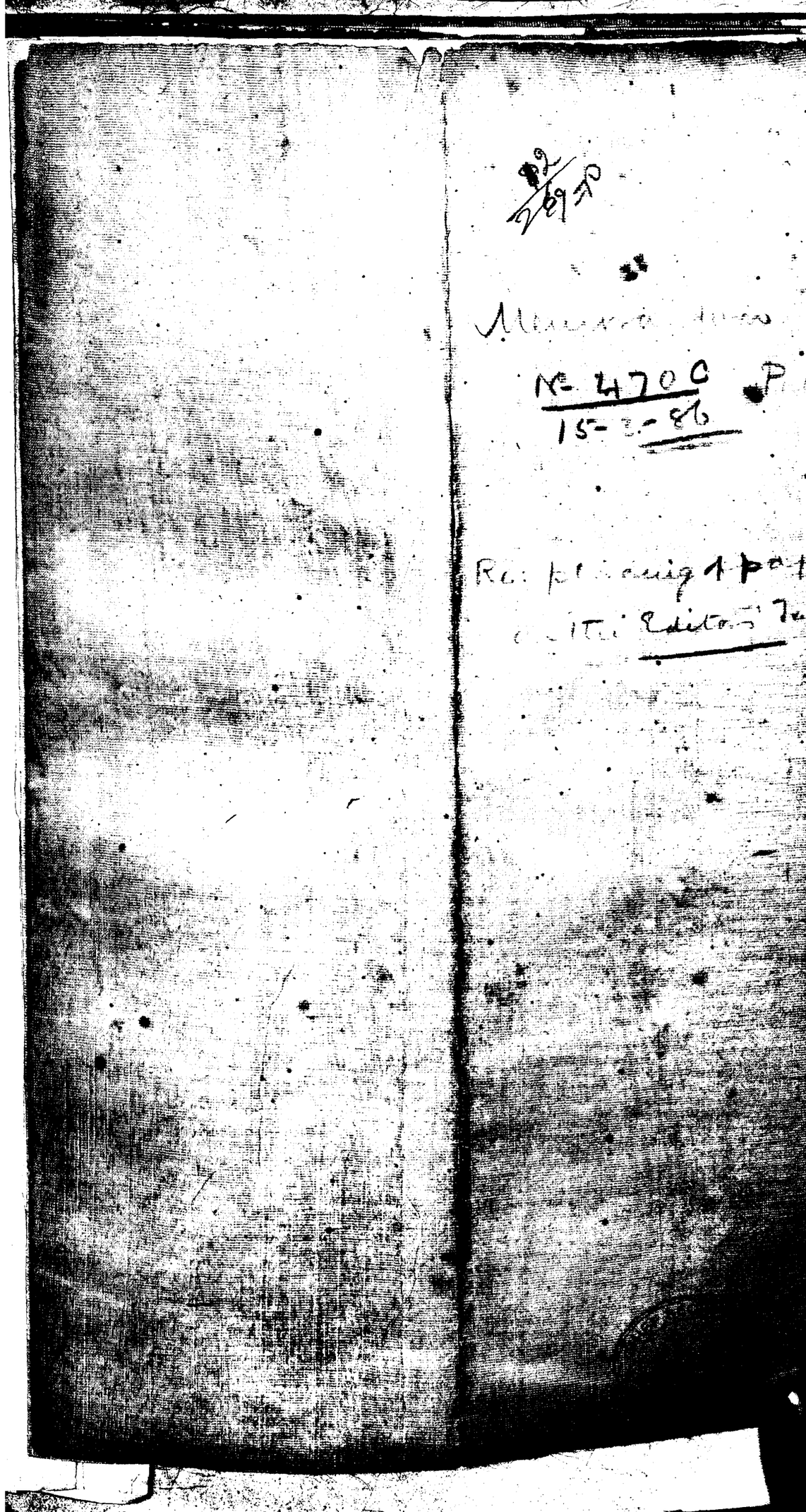
D.O. No. 514

9th May

My dear Mr Price,

His Excellency thinks he wrote sometime ago in connection with a letter received from His Excellency Sir Arthur Gordon asking the opinion of the Madras Government on the Ceylon Labour Law or making some reference of the like nature.

His Excellency would like to know, please, what has been



Note for the Secretary

12/2/69-70

For a list of persons that may be invited for the Editorial Board please see page 13 of G.G. 14-6-92 No 1414.

For the rules to be observed in the publication of despatches from the Secretary of State on the Government of India please see annexure (para 2) under Public memo. No 470 C 15-3-86 & 3. Public No 27 23-3-89

For the ensuing Forest notifications under section 16 need not be supplied to the Editors (vide G.G. 14-6-92 No 1414 Forest)

BV 31/3/96.

his -

ech m

before Mr G

769 Bebe

Yours Sincerely

J S Rees

The Honble J. F. Price,

Chief Secretary to Govern-
ment

Fort St. George.

[illegible]

DEPARTMENT.

16
769

From J. D. Rees Esq.

No. 574

Dated 8/3/89

Received

Enclosures

SUBJECT.

Re the Ceylon Labour Laws

Do. No. 5-26.

11/269/20 CHIEF SECRETARY'S OFFICE 14 MAR 1920 GOVERNMENT OF

Dear Mr. Price.

With reference to Rees' letter of the 8th Inst., kindly inform me whether anything has been ascertained about the Ceylon Labour Laws.

His Excellency has again asked for information on the subject.

Yours Sincerely

C. Vincent

The Hon. J. T. Price,
Chief Secretary to Government
Fort St. George.

Sir Edward Barnes

I have the honor to acknowledge the receipt of your note of the 16th inst. and to request that you will be pleased to lay before His Excellency the Governor the enclosed Petition of Mr. Lorenz Lewis, a Native of Ceylon, who has applied to me for assistance in obtaining redress for certain grievances which he alleges he has suffered at the hands of the Colonial Authorities.

I have the honor to be
Sir
Your most obedient
humble Servant

[illegible] on the
subject of the laws relating
to Indian Immigrants to
[illegible] Ceylon [illegible]
[illegible] to the
Board of Revenue and
the Protector of Immigrants
Madras, for [illegible]
Vide G.O. 17th January
1889, No 46, herewith
enclosed. The file has
[illegible] over awaiting the
reply from the Board of
[illegible] which has been
just received. It will
now be taken up.

[illegible]
Immigrants

[illegible]
14/3

[4]

Pol. DEPARTMENT.

Papers to be read in Proceedings:—

Again G O., dated 17th January 1887, No. 46 (19)

Again G.O., dated 188 , No.

Current No. 522 of 1887, dated 11th Feb. from the Protector of Immigrants, Madras

Current No. 870 of 1887, dated 2nd Mar. from the Board of Revenue

Ord. 18th March 95 No: 269

The foregoing papers containing the Petition of [illegible] stated to be officers on the draft Ordinance amending the Law relating to Indian immigrant employés in Ceylon will be forwarded to the Govt.

Letter 18th March 95 No: 270.

The Secy to the Govt.

[illegible]

With Letter dated 26/3/87 from [illegible]

I am directed to acknowledge receipt of Mr. Campbell's letter [illegible] No 229 E, requesting

18TH MARCH 1889, No. 269, PUBLIC.

GOVERNMENT OF MADRAS

PUBLIC DEPARTMENT.

READ—again G.O., dated 17th January 1889, No. 46, Public.

READ—also the following papers:—

From R. W. BARLOW, Esq., Protector of Emigrants, Madras, to the Chief Secretary to Government, dated Madras, 11th February 1889, No. 124.

I have the honor to acknowledge the receipt of G.O., No. 46, Public, dated the 17th ultimo, and to submit that the proposed draft Ordinance, amending the law relating to Indian immigrants employed on the estates in Ceylon, seems to me to be well considered; but would suggest that a cooly should be at liberty to quit the service of his employer, if his wages for any one month are not paid by the 15th of the following month, and that clause (6) of the proposed Ordinance should be amended accordingly.

2. Even "28 days," as mentioned by Sir Arthur Gordon at paragraph 9 of his letter, No. 451, dated 6th November 1888, seems to me too long a period, for the emigrant is practically never less than a full month in arrears of pay, while the practice prevailing of only paying once in "three months" practically places the cooly in the power of his employer, for he must get advances in kind from the latter to enable him to live during the interval, and so becomes in the employer's debt, and would then find it difficult to leave with the possibility of an action hanging over him and he would therefore have to accept his employer's terms for labour, though they be less than he could obtain elsewhere.

Proceedings of the Board of Revenue (Land Revenue), dated 2nd March 1889, No. 156.

Read—G.O., dated 17th January 1889, No. 46, Public.

ABSTRACT.—Regarding the proposed draft Ordinance amending the law relating to Indian immigrants employed on estates in Ceylon.

Reference on the above, dated 7th February 1889.

Referred to the Collectors of the marginally-noted districts, and to the British Consular Agent, Pondicherry, for very early remarks.

South Arcot.	Madura.
Tanjore.	Tinnevelly.

2. The reply should reach the Board on or before the 21st February.

(Signed) M. HAMMICK,
Secretary.

To the Collector of South Arcot.
" " of Tanjore.
" " of Madura.
" " of Tinnevelly.
" British Consular Agent, Pondicherry.

Read—the following letter from Colonel C. HARRIS, M.S.C., Her Majesty's Consular Agent, Pondicherry and Karikal, to the Secretary to the Commissioners of Land Revenue, dated Pondicherry, 19th February 1889, No. 88 :—

I have the honor to acknowledge the receipt of G.O., dated 17th January 1889, No. 46, Public, referred to me for remarks by the Board of Revenue.

2. His Excellency Sir Arthur Gordon has very clearly shown in his letter, No. 451, to the Secretary of State for the Colonies, the necessity for some legislation for the protection of the Indian cooly in Ceylon, and so far as I am in a position to judge, the draft Ordinance is calculated to meet the want.

3. I would suggest the insertion in clause 5 after the word "monthly" of the words "on or before the day of the month next following." It appears to me that in an enactment of this nature the time of payment should be defined.

4. The blank in clause 6, I am of opinion, should be filled with the word "two." I do not see how the planters can legitimately object to this, whereas a longer delay would undoubtedly seriously affect the cooly, who could then in no sense be deemed a free monthly servant.

5. The above are the only remarks I have to offer. With the exception of the Government Order now under reply, I am not in possession of any papers on Ceylon immigration, and I am consequently in perfect ignorance of the ordinances which it is now proposed to repeal and amend.

Read—the following letter from J. THOMSON, Esq., Acting Collector of Tinnevelly, to the Secretary to the Commissioners of Land Revenue, dated 19th February 1889, No. 117 :—

I have the honor to acknowledge receipt of Board's reference on Government Register No. 193 of 1889, of 7th instant, requesting very early remarks on a proposed draft Ordinance amending the law relating toIndian immigrants in Ceylon.

2. The scope of the legislation is, briefly, to declare that cooly service originating in registry on the estate rolls and receipt of an advance is a monthly service unless otherwise expressly stipulated by a laborer and requires a month's notice for determination, and to promote regularity in the payment of wages, and avoid Government interference between employer and employed by releasing the cooly from liabilities to criminal prosecution for neglecting work or duty or for quitting service when his wages have fallen in arrear.

3. This legislation is intended to be in favor of the Indian immigrant, and if well conceived, can call for no hostile criticism from the Government of the country supplying him.

4. I cannot find any record in this office giving information of the status and treatment of the Indian cooly in Ceylon other than Mr. Geoghegan's note of 1873. The impression one would gather from general inquiry is that he is well looked after on the whole : the marginally-noted figures give the numbers registered at Tuticorin and go to show that he does not find life in the colony more unpleasant than at home.

1882-83	..	..	..	
1883-84	..	..	.. 18,484	
1884-85	..	..	.. 18,705	
1886	..	..	.. 20,845	
1887	..	..	.. 18,981	Calendar year.
	..	..	.. 25,881	

5. That the Ceylon planters have difficulties with him can be gathered from those papers, and if he is—as may be supposed—not the best of the class from which he is drawn, there is no room for wonder that it should be so. There may on this score be some room for doubt whether the Ceylon Government while legislating intentionally for his benefit may not be doing him a disservice by educating him to look lightly on his engagements and abetting him in an unsettledness of mind not uncommon in his class ; thus on the whole altering his relations with his employer in a manner advantageous to neither.

6. For my own part I see no hardship in an agricultural laborer having to wait for the bulk of his wages till the crop he raises can be brought to market and is fit to in an engagement for a term to cover the cropraising ; and if the Ceylon Government recognises an obligation on it to see that Indian immigrants are properly cared for, I question if the proposed legislation will suitably avoid that obligation.

Read—the following letter from E. GIBSON, Esq., Collector of Tanjore, to the Secretary to the Commissioners of Land Revenue, dated Vallam, 14th February 1889, No. 131 :—

In acknowledging the receipt of Board's Proceedings, dated 7th February 1889, forwarding for remarks copy of G.O., dated 17th January 1889, No. 46, Public, I have the honor to say that the continued supply of labor from the Tamil districts to Ceylon must depend upon the treatment of the laborers by the planters. Except in times of scarcity in Southern India, there is no necessity for the transfer of labor from the mainland, and unless the terms offered are not only liberal but equitable, the would-be emigrant will prefer to bear the ills he has. It is, I believe, a tradition with the Tamil cooly in Ceylon that when the time comes for him to return to his native village in India, he goes back the proud possessor not only of savings in coin, but also of a tin-box and an umbrella : not only is his wealth increased by his sojourn abroad, but his social status is raised.

2. From the papers printed with the Government Order, I am led to fear that there is a disposition on the part of a considerable number of the Ceylon planters to endeavor to reduce the immigrant cooly to the position of a serf ; and if the influence of those who favor this view is sufficiently great to obtain the insertion of a lengthy period in the blank at section 6 of the draft Ordinance, the result is likely to be that free emigration to Ceylon will gradually cease. The immediate effect of such a provision would be to make the planter temporarily master of the situation, since every cooly engaged upon an estate would be tied to it by bonds which he could not loosen ; but the ultimate result would be that this condition of serfdom would become known in India and the laboring population would soon cease to look for a market in Ceylon.

3. It seems to me that from every point of view, in the interest of the employer as well as of the employed, it is expedient that the term fixed by section 6 should be strictly limited.

4. The case is stated with much fairness by Sir Arthur Gordon in his despatch to the Secretary of State, and there is, in my opinion, very little to add to the arguments adduced by His Excellency in favor of limiting the term. From the point of view of the Indian cooly, it is very important that it should be so limited, and it is equally important to Government of India that a check should not be put upon emigration to Ceylon.

Read—the following letter from H. SEWELL, Esq., District Magistrate of South Arcot, to the Secretary to the Commissioners of Land Revenue, dated Cuddalore, 18th February 1889, No. 180 :—

In reply to your reference, dated 7th February 1889, on G.O., No. 46, dated 17th January 1889, Public, I have the honor to state that the draft Ordinance appears to me to be well calculated to protect the interests of the cooly emigrants, and that I have no alterations to suggest.

Read—the following letter from E. TURNER, Esq., Collector of Madura, to the Secretary to the Commissioners of Land Revenue, dated Madura, 23rd February 1889, No. 81 :—

Adverting to Board's Reference, dated 7th February 1889, on Government Register No. 193 of 1889, I have the honor to submit the following remarks.

2. I cannot give a very definite opinion on the subject, because I have not all the facts or papers before me. As far as I can judge a provision that "if the wages of a cooly are more than a short time in arrear, he shall be released from all the liabilities to criminal prosecution to which he is subject" may meet the difficulty, in which case sections 6 and 7 would seem to be equitable. But it is very difficult to give an opinion on a subject one knows nothing about practically, especially when one has no opportunity of hearing the arguments *pro* and *con*, nor of knowing the lines on which previous legislation has run (I have no copies of the three ordinance quoted).

Resolution—dated 2nd March 1889, No. 156.

The opinions on the draft Ordinance which have been received from Collectors will be submitted to Government. In the absence of any special knowledge of the relationship now existing between the employers and employed in Ceylon, it is difficult to give an opinion on the points raised by His Excellency the Governor of Ceylon. If, however, the Ordinance is to be passed in its present form, the Board are of opinion that the period to be mentioned in clause 6 should not be greater than two months. The distance from India to Ceylon is so short, and the passage now so easy, that the Board consider that any general ill-treatment of the Indian coolies by the Ceylon planters would in a short time be followed by a considerable decrease in the emigration to the island. They would, therefore, hesitate to believe that at present any great grievance is felt by the Indian cooly in Ceylon.

(True Copies and Extract.)

(Signed) M. HAMMICK,
Secretary.

To the Chief Secretary to Government, Public Department.
Copy to the Collector of South Arcot.
" " " of Tanjore.
" " " of Madura.
" " " of Tinnevelly.
" " British Consular Agent, Pondicherry.

ORDER—dated 18th March 1889, No. 269, Public.

The foregoing papers containing the opinions of the Board of Revenue and of certain selected officers on the draft Ordinance amending the law relating to Indian immigrants employed on estates in Ceylon, will be forwarded to the Government of India.

(True Extract.)

Chief Secretary.

Exd. W. H. French.

Govt. of {1889} Madras.

PUBLIC.

Issued

Recd. *Encl.*

G.O., 18th March 1889, No. 269.

MARCH.

Immigration.

Directing that the opinions of the Board of Revenue and of certain selected officers on the draft Ordinance amending the law relating to Indian immigrants employed on estates in Ceylon be forwarded to the Government of India.

269

PUBLIC DEPARTMENT.

LETTER—from

THE CHIEF SECRETARY TO THE GOVERNMENT OF FORT ST. GEORGE,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
REVENUE AND AGRICULTURAL DEPARTMENT.

SIR,

I am directed to acknowledge receipt of Mr. Carnduff's letter of the 18th December 1888, No. 229 E, requesting to be favored with the views of this Government on the draft Ordinance amending the law relating to Indian immigrants employed on estates in Ceylon, and in reply to forward, for the information of His Excellency the Governor-General in Council, copy of Proceedings of Government of this date, No. 269, containing the opinions of the Protector of Emigrants, Madras, of the Board of Revenue and of certain selected officers consulted by the Board.

2. I am to state that, so far as he is able to judge, His Excellency the Governor in Council considers that the proposed Ordinance is likely to be a useful measure, and contains nothing to which exception can be taken on behalf of the Indian coolies. In regard to the period left blank in clause 6, His Excellency in Council agrees with the Board of Revenue that it should not exceed two months. While fully prepared to admit that nothing has come to his knowledge indicating necessity for increased protection to Indian coolies in Ceylon, the Governor in Council is decidedly of opinion that the laborer, who has been subjected by the legislature to criminal penalties for breach of contract, is entitled to claim the enforcement of a monthly term and of punctuality in the payment of his wages.

3. I am to return, as requested, the printed enclosures which accompanied the letter under acknowledgment.

I have the honor to be,
Sir,
Your most obedient servant,

FORT ST. GEORGE,
18*th March* 1889.

Chief Secretary.

Exd. W. H. French.

1889.

PUBLIC DEPARTMENT.

From the Government of
Fort St. George.

Recd. *Encl.*

Letter, 18th March 1889, No. 270.

MARCH.

Immigration.

Forwarding, with remarks, the opinions of the Board of Revenue and of certain selected officers on the draft Ordinance amending the law relating to Indian immigrants employed on estates in Ceylon.

Public

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Immigration.

Directing that the opinion of the Board of Revenue & of certain selected officers on the draft Ordinance amending the law relating to Immigrant & Imported Labourers in Ceylon be forwarded to the Secy of S.

Honble Sir, with reference to the opinions

Ceylon.