

CURRENT NO.
Tanjore Collectors office
15th October 1893.

No. 578
Mys.

From,

J. Sturrock Esquire
Acting Collector of
Tanjore.

To,

The Honorable Mr. J. F. Price,
Chief Secretary to Government
Public Department
Madras

Sir,

I have the honor to submit the
report called for in Government Order
dated 27th September 1893, No. 799, after
having discussed the matter fully with
the Emigration Agent, Negapatam, the
Superintendent of Emigration appointed
by the Government of the Straits
Settlements, and one of the assistants
in the firm of Adamson MacTaggart
and Co. who are Recruiting Agents
for

for the Planters.

2 - As explained in a recent letter,
Recorded with Government
Order 744 Public, dated
9th September 1893 -
Emigration to
the Straits
Settlements is
now ~~almost~~ entirely free from restrictions
of any kind, the protection of
the Emigrants being left to the Government
of the Straits Settlements under Ordinance
No. IV of 1884 amended by No. XVI of
1892, supplemented by an undertaking
on the part of the Government of
the Straits Settlements that planters
and their agents, shall only employ
recruiters who take out licenses under
Rules framed by the Madras
Government.

3. The Straits Settlement Government
does not seem to have succeeded in
fully acting up to that undertaking,
as a certain amount of unlicensed
recruiting for planters has recently been
brought to notice.
4. In his Administration Report for 1892
Mr. Mac Gregor the Straits Settlement
Indian Immigration Agent alludes to
a reduction in the statutory weekly
wages for the second and third year
of a Statutory Immigrants' contract
and with reference to this, the Government
of India remarks that it may be
found possible before many years
are passed to free the immigration
of

of coolies to the Straits Settlements
from all legal restrictions, but, until
the planters compete in the open
market and offer to the immigrants,
not the minimum statutory rate,
but the same rate of pay as that
which can be obtained elsewhere, it
will be difficult to undertake the
entire freedom of emigration to the
Straits Settlements which is the ultimate
aim of our policy.

5. With reference to the failure of the
planters to offer to the immigrants
the same rate of pay as that
which can be obtained elsewhere,
it is to be observed that when
planters

planters employ on the estates Indian
laborers engaged in the Straits Settlements ⁽²⁴⁾
are not in a position to pay them lower
rates than are obtained elsewhere.
It is only when they pay for the cost
of importing labour that the law compels
the contracting labourer to accept lower
rates, and though at present the
planters may be offering too little,
the rates to the imported labourer will
always be less than those paid to others,
the compensation being that after the
contract period has been served, the
labourer finds himself in a position
to secure the high rates now available
for ordinary labour in the Straits
Settlements

Settlements.

6. The cost of importation is very high having been estimated by the Labour Commission of 1891 at twenty dollars a head, of which the planter only recovers about eight dollars from the labourer. He has also to keep his bad bargains for the contract period, or until they commit breaches involving six months' imprisonment, and he recovers only a small portion of his advances from those who desert or die.

7. I have not been able to find out definitely whether the Amended

Ordinance

Ordinance ~~XVI~~ of 1892 which fixes the revised Statutory minimum wages referred to by Mr. Macgregor has yet been brought into force, but as the Recruiting Agents in Negapatnam know nothing about it, I presume that the provisions of the Original Ordinance are still being followed.

8. With reference to para 25 of Mr. Macgregor's report quoted by the Government of India, it is to be observed that the maximum hardship as regards wages is brought to notice, without any reference to compensating improvements enacted by the same ordinance. Mr. Macgregor remarks that

that under the new Ordinance the pay
of the hard worker has been reduced,
as he will get no Sunday pay for
the second and third years; but under
the old ordinance the enhanced rate
is not introduced until all advances
have been paid off, which in practice
is never done in one year. These
advances under the old ordinance
include expenses of various sorts,
and were estimated by the Labour
Commission at an average of
eight dollars, whereas under the
amending Ordinance nothing can
be recovered except advances
actually

actually paid in cash by an officer of
the Immigration Department up to a
limit of five dollars, the average
estimated by the Labour Commission
being two dollars.

9. I do not say that the new statutory
^{minimum} wage is sufficient. I merely wish to
state what the position really is.

10. An important change not alluded
to by Mr. Mac Gregor is that made
to section 44 of the Ordinance. As
the section originally stood the contract
may be made for a definite period
not exceeding three years. Under the
amended Ordinance the contract
"shall be for the term of three years"
in

in the case of an Immigrant who
has received a free passage from
India under a promise to enter
into a contract. I regard this as
important, as the length of the term
of contract is now very frequently
objected to. If this amendment
is introduced the licensed Recruiting
agencies will not be able to secure
a sufficient supply of labour except
at considerably enhanced rates,
and it is probable that many
would prefer comparatively low
rates and a short term, to a long
term with any rates that can be
offered

offered.

11. As already noted planters are to
some extent violating the undertaking
of the Straits Settlements Government
that they should employ none but
licensed recruiters. In my former
letter I stated that as the Straits
Settlement Ordinance extended protection
to all immigrants of the labouring
class, I was not sure that any
serious harm resulted from the
occasional resort to unlicensed recruiters.
I made this remark on the assumption
that the Straits Settlement Govern-
ment, in pursuance of their
undertaking

undertaking to the Government of
Madras did not treat irregularly
recruited men as Immigrants
who had "received a free
passage from India under
a promise to enter into a
contract."

12. To make my meaning more
clear, I may explain that
every Indian immigrant of
the labouring class who arrives
in the Straits Settlements is
taken to a depot. On arrival
there those who in the words
of the Original Ordinance

* section 26

have

have "received advances under
a promise to enter into a
contract" or in the words of
the amending Ordinance have
"received a free passage from India
under a promise to enter into a contract"
are detained at the depot until
they enter into the contract, and
punished if they refuse to do so
within a week. Other immigrants
are merely told that no contract
to labour
on an estate
or do other specified classes of
work

work shall be valid unless
it is in accordance with
the provisions of the Ordinance.
These provisions secure a
term of not more than three
years, a prescribed minimum
wage, and a maximum advance
recoverable. In the amending
Ordinance the form of contract
for immigrants other than those
who have received a free
passage does not contain
any provision for the recovery
of advances.

13. With

13. With an Ordinance which contains provisions compelling a certain class of immigrants to fulfil promises made in India, it is essential that there should be no room for doubt that the conditions have been fairly explained to such immigrants before they leave India, and so far as licensed recruiting is concerned this is secured by the agency at Negapatam where the Port officer, as Emigration agent, is bound to see that this is done, and, as a matter of fact, intending immigrants do in many cases secure for themselves better terms than the prescribed statutory minimum wage. In some cases higher wages are given, in others it is stipulated that the passage money shall not be recovered, and apparently under the amending Ordinance all attempt to recover passage money is to be abandoned. Many immigrants also now stipulate for a shorter term than three years as above stated.

14. In the case of unlicensed recruiting there is no guarantee that the conditions of service are fairly understood before the immigrant leaves India, and I therefore consider it most important that a distinct assurance should be received from the Government of the Straits Settlement that none but regularly recruited immigrants are brought within the provisions which compel the

execution of the contract promised before leaving India. If there is no room for doubt upon this point, the risk of planters resorting to unlicensed recruiters need not, I think, be feared. There is now a very large passenger traffic to and from the Straits Settlements in the only steamers which ply, and highly paid free labour with legal provision for fair contracts, so that if an immigrant taken over by an unlicensed recruiter can make his own terms after arrival his case does not seem to call for further protection, and he is not worse off than many laborers similarly taken by private recruiters to Ceylon or Burma. No doubt the average sickness and mortality on estates in the Straits Settlements is at present higher than in Ceylon, but this will improve as the country is opened out, and there are many new clearances in Ceylon which are quite as unhealthy as those in the Straits Settlements. If an immigrant taken over to the Straits Settlement has not after arrival strength of character enough to shake himself free of engagements entered into with an unlicensed recruiter, it may safely be assumed that if he had been engaged by a licensed Recruiter he would have left Negapatam consenting to the lowest possible terms, and under the provisions of the Ordinance the worst that

that can happen to him is that he will find himself in the same position as some of the immigrants regularly recruited.

15. To sum up, it seems to me that all that is wanted is a definite assurance from the Government of the Straits Settlement that immigrants brought by unlicensed recruiters, shall not be compelled to enter into a contract for three years at a rate of pay agreed upon in India. I do not think the Straits Settlement Government can in practice put an entire stop to unlicensed recruiting. Owing to the heavy mortality, Estate work there presents little attraction to the Madras laborer, and the licensed recruiting agencies find the greatest difficulty in obtaining a sufficient supply of the class of laborer wanted, and as they are compelled to safeguard themselves by recruiting only those who belong to certain classes recognised by the planters as agricultural classes, no attempt is now made by them to secure men of the toddy drawing, weaving, and other classes, many of whom make in fact perfectly good agricultural labourers. Unlicensed recruiters take over men of this class besides working areas not dealt ^{with} by the licensed recruiters. There is also reason to believe that while planters have hitherto, as a rule, endeavoured

to get men on a three years contract through the regular agencies, they have taken them on shorter terms from unlicensed recruiters.

16. I do not advocate putting down unlicensed recruiting by applying the provisions of the Indian Emigration Act, except as a last resort. There is

Average of 5 years
Emigrants - 21,219
Return passengers 16,840

now a very large passenger traffic between the Straits Settlement and Negapatam

Consisting of mainly of petty traders, cart drivers boatmen and laborers of sorts, which would be unnecessarily hampered by such a measure, and if we do not as far as possible co-operate with the Government of the Straits Settlements we cannot expect them to retain the many salutary provisions of the ordinance for the protection of Indian immigrants without which all intercourse between the two countries would be unsatisfactory if not impossible.

17. I may mention that no copy of the Report of the Straits Settlement Labour Commission of 1891 seems to have been supplied to this office. I obtained one for reference from the Emigration Agent who had borrowed it from one of the Planter's Recruiters' agents.

I have the honor to be,

Sir
Your most obedt. Servant,

J. Hurvell

- Acting Collector

Put go 799 27-9-93 hrs
 " 744 27-9-93 hrs
 " 56 27-1-93 hrs
 " 619 27-7-91 hrs
 & File re Emig. to Straits Settlements

From
 The Collector
 Tanjong

To
 The Chief Secretary
 to Govt. Pub. Dept.
 Madras

§ 15.7
 Recd } Oct 1893

No 578
 magl

Exec. one

Subject

Submitting a report on
 para 25 of the Annual
 Report on Indian Immigration
 in the Straits Settlements
 for 92 in re the rates of
 pay to the immigrants
 employed on labour
 in the Straits

Public Current 2841.

The Govt. of India
 does not ask for a reply,
 but it is submitted that
 it would be well to send
 up copies of the present
 letter and also of G.O.
 743/4 of 9.9.93.

If so, orders are re-
 quested as to the re-
 marks to be made by
 this Govt.

at present unlicensed
 recruiters have an
 advantage over licensed
 men - and, as has been
 recently pointed out, the
 Govt. of the S.S. has
 failed to get its planters
 to employ only licensed
 recruiters.

If things continue
 as they are it seems
 probable that the time
 is not far off when no
 emigration will take
 place under the existing
 rules. all restrictions
 will then have to be
 withdrawn or the

began with the remark in the margin
 at the beginning of para 25. The
 application of the Emigration Act
 to the movement of population between
 India & the Straits is a measure the possi-
 bility of which need not be contemplated.
 The demand is such that a free immi-
 grant is better off than an indentured
 man, and I don't think that action is
 required at all beyond as Mr. J. says
 securing that the free immigrant is not
 subjected to any of the disabilities which
 - would be an equivalent of advantages re-
 curred attach to the indentured man

6/11/93
 W. J. J.

Emigration Act intro-
duced & its provisions
rigorously enforced.

25/10.

26/10/93

Dep't to copy R
No 743/4 of 9
Sept 93 & copy
of letter

10. 10. 93. No 2841...
Yatta all both ... for ...

21-10-93 Dep't of ...
Dep't of ...

Sir,
With reference to Mr.
Machagan's letter of 21st Sep 1893
No 2841/93, forwarding the
information of the Govt. a
copy of the report on Indian
Immigration in the Straits
Settlements for the year 1892, I
am directed to transmit for
the information of the Govt. of
India copies of Progs of the
Govt. of 9th Sep 1893, No 743/4
and of a letter from the
Collector of Tanjore, who was
consulted on the subject of
para 25 of the report referred
to in para 2 of the letter under
reply.

⊗ No 578. d/15. 10. 93.

2. I am to express the
concurrence of this Govt. with
the remark of Mr. Sturrock
at the beginning of para 15 of

his letters, and to state that
 H. E. the Governor-in-Council,
 is of opinion that the applica-
 tion of the Emigration Act
 to the movement of population
 between India and the Straits
 Settlements is a measure the
 possibility of which need not
 be contemplated. The demand
 is such that a free immigrant
 is better off than an indentured
 one; and this you consider
 that no action is requisite for
 abolishing beyond securing
 that the free immigrant is
 not subjected to any of
 the disabilities which no doubt
 as equivalent of advantages
 perceived attaching to the
 indentured man.

(from orders)

N-904

copy to the collector
 of Tanjore.

58B
 7/11

READ AGAIN ORDER OF GOVERNMENT, DATED 18, No. , MISCELLANEOUS.	
ENCLOSURES.	
CURRENT No.	
STATEMENT WITH DETTO.	
ORDER OF GOVERNMENT.	A A
LETTER OF GOVERNMENT.	
STATEMENT WITH DETTO.	
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL (not paged).	
Prov. No 743/4 of 9 th Sep 1903	

N.B.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.

BACK PAPER, No.

OF 18

FURTHER PAPER, No.

3178

3388/92

Done

copy in my hand

9/11

ORDINARY, MS.

Public DEPARTMENT.	
G.O., DATED	10-11-93
No.	903.
	904

INDEXED.*When given for copying.*

[Despatch Abstract.]

Transmitting to the
Govt of India, with remark.
Correspondence with reference
to its remark in connection
with the reduction in the
weekly wages for the 2^d &
3rd years of statutory im-
migrants in the Straits
alludes to in para 25
of the Straits Immigration
report for 1892—