

Public (1895) Department.

ORDINARY PRINTED.

G.O., No. 78

DATED 1st Feb. 1895

INDEXED.

[Despatch Abstract.]

BANGALORE PENSIONERS', WIDOWS' AND ORPHANS'
FUND.

Reviewing report of the---for 1894 and sanctioning a grant
of Rs. 200 ϕ towards the fund.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	416		1896				

Govt. of {1895} Madras.
PUBLIC.

Issued

Recd.

Encl.

G.O., 1st Feb. 1895, No. 78.

FEBRUARY.

Bangalore Pensioners' Widows'
and Orphans' Fund.

Reviewing report of the — for 1894, and sanc-
tioning a grant of Rs. 200 towards the fund.



GOVERNMENT OF MADRAS.
PUBLIC DEPARTMENT.

READ—the following paper :—

From the Revd. J. SHARP, Chaplain, Honorary President, Bangalore Pensioners', Widows' and Orphans' Fund, to the Chief Secretary to Government, dated Bangalore, 10th January 1895.

I have the honour to forward the report of the Bangalore Pensioners', Widows' and Orphans' Fund for 1894, for the information of His Excellency the Governor in Council.

2. The net assets of the fund on the 31st December 1893 were Rs. 13,819-4-0 with a liability of Rs. 300 and the assets at the end of 1894 are Rs. 14,097-1-3, viz., loans on mortgages Rs. 11,801-7-1, outstanding at interest Rs. 985-9-9, cash balance Rs. 1,310-0-5, which leaves a balance in favour of the fund of Rs. 277-13-3, after deducting Rs. 59-6-8, loss on capital.

3. The cash receipts from all sources amount to Rs. 5,075-6-2 and the disbursements to Rs. 3,765-5-9, leaving a cash balance of Rs. 1,310-0-5.

4. The pensions paid to widows amount to Rs. 1,246, against Rs. 1,085 of last year, although one widow less, owing to the committee sanctioning an extra rupee per month on the petition of the widows on the ground of dearness of food-grains.

5. During the year one widow died. There are now on the list seventeen widows incumbent on the fund.

6. The number of subscribers to the fund is one.

7. Subscriptions from the general public Rs. 226, the amount subscribed by the one member Rs. 8, total Rs. 234. Owing to the old subscribers leaving the station and the difficulty of inducing others to take their place, the amount of voluntary contributions has fallen off by Rs. 67.

8. Abstract of the loan and cash account are appended.

9. I have the honour to request that His Excellency the Governor in Council will be pleased to sanction the usual grant of Rs. 300.

ENCLOSURE.

ABSTRACT OF LOAN ACCOUNT, 1894.

	RS.	A.	P.
Balance from 1893	12,672	13	9
New loans	2,195	0	0
From interest	65	1	2
	14,932	14	11
Loss on capital	59	6	5
	14,873	8	6
Repaid	3,072	1	5
Balance outstanding on 1st January 1895 ..	11,801	7	1

ABSTRACT OF CASH ACCOUNT, 1894.

Receipts.						RS.	A.	P.
Balance from 1893	..	..	..	..	..	495	12	8
Loans repaid	..	..	..	..	..	3,072	1	5
Interest received	..	..	..	..	..	958	1	8
Subscriptions	..	..	..	..	..	234	0	0
Bank interest	..	..	..	..	..	3	8	5
Government grant	..	..	..	..	..	300	0	0
Law fees, &c.	..	..	..	..	..	11	14	0
Total						5,075	6	2

Expenditure.						RS.	A.	P.
Pensions to widows	..	..	..	..	..	1,246	0	0
Loans advanced	..	..	..	..	..	2,195	0	0
Management	..	..	..	..	..	240	0	0
Contingencies	..	..	..	..	..	66	5	9
Interest on deposits	..	..	..	..	..	18	0	0
Cash balance on 31st December 1894	..	..	..	..	..	1,310	0	5
Total						5,075	6	2

ORDER—dated 1st February 1895, No. 78, Public.

In the letter read above the President of the Bangalore Pensioners', Widows' and Orphans' Fund submits his report for the year 1894. The fund commenced the year with a cash balance of Rs. 495-12-8. The total receipts during the year fell from Rs. 7,466-7-0 to Rs. 4,579-9-6, and the expenditure from Rs. 7,764-4-5 to Rs. 3,765-5-9. There was thus a balance of Rs. 1,310-0-5 at the close of the year under review.

2. The loan balance at the credit of the fund on the 31st December 1893 was Rs. 12,672-13-9. New loans issued during the year amounted to Rs. 2,195 and the repayments to Rs. 3,072-1-5. The amount of interest remaining unpaid at the end of the year was Rs. 65-1-2. Deducting Rs. 59-6-5 on account of "loss on capital" the loan balance at the close of the year under review stood at Rs. 11,801-7-1.

3. Including loans and interest outstanding the total assets of the fund amounted to Rs. 14,097-1-3 on the 31st December 1894 against Rs. 13,819-4-0 on the corresponding date of the previous year. The balance in favour of the fund fell from Rs. 351-11-4 to Rs. 277-13-3.

4. The number of widows borne on the fund at the close of the year was seventeen or one less than in the previous year. The number of subscribers remained stationary. The public subscribed Rs. 226 and the one member Rs. 8, making a total of Rs. 234. Voluntary contributions fell by Rs. 67.

5. Considering the present very limited scope of the fund and the fact that the interest on investments and subscriptions together amounted to Rs. 1,192, while the pensions granted aggregated Rs. 1,246 only, the Government is of opinion that a grant of Rs. 200 will be sufficient. That amount is accordingly sanctioned.

(True Extract.)

Chief Secretary.

To the Honorary President, Bangalore Pensioners',
Widows' and Orphans' Fund.

Accountant-General.

Editors' Table.

Exd. A. Raitt.

Sub No. 87

The Rev. J. Sharp, Chaplain,
Hon. President, Bangalore Pensioners'
Widows and Orphans' Fund.

To the Chief Secretary to the
Government of Madras.

Bangalore 10th January 1895

I have the honor to forward the
report of the Bangalore Pensioners', Widows'
and Orphans' Fund for 1894 for the
information of His Excellency the
Governor in Council.

The cash assets of the fund on
the 31st December 1894 were Rs. 13,819-4-0
with a liability of Rs. 2,018-4-0, and the assets
at the end of 1894 are Rs. 14,297-1-3, viz.
Loans on mortgages Rs. 11,801-7-1, outstand-
ing at interest Rs. 985-9-9. Cash balance
Rs. 1,510-0-5, which leaves a balance in
favor of the fund of Rs. 277-13-3, after
deducting Rs. 59-6-5 loss on capital.

The cash receipts from all sources
amount to Rs. 5,075-6-2, and the dis-
bursements to Rs. 3,765-5-9 leaving a
cash balance of Rs. 1,310-0-5.

The pensions paid to Widows
amount to Rs. 1246-0-0 against Rs. 1185-
of last year, altho one Widow less, owing
to the Committee sanctioning an Extra-
Rupee per month on the petition of the
Widows, on the ground of dearth of
food grains.

5 During the year one Widow died. There are now on the list 17 Widows incumbent on the fund.

6 The number of subscribers to the fund is one.

7 Subscriptions from the general public Rs 226-4-2 The Amount subscribed by the one member Rs 8-4-4 Total Rs 234-8-6 owing to the old subscribers leaving the station and the difficulty of inducing others to take their place the Amount of voluntary contributions has fallen off by Rs 67/-

8 Abstract of the Loan and Cash Account are appended.

9 I have the honor to request that His Excellency the Governor in Council will be pleased to sanction the usual grant of Rs 500-0-0

I have the honor to be Sir

Your Most Obedt. Servant,
James Mark

Chaplain
Honry: President Bangalore
Pensioners Widows orphan fund.

Abstract of Loan Account 1894.

Balance from 1893.	12,672 13 9
New Loans	2195 ..
From Interest	65 1 2
	14,932 14 11
Loss on Capital	69 6 5
	14,873 8 6
Repaid	3072 15 ..
Balance outstanding on 1 st January 1895	11,801 7 1

Abstract of Cash Account 1894.

Receipts	
Balance from 1893	495 12 8
Loans repaid	3072 15 ..
Interest received	958 1 8
Subscriptions	234 8 6
Bank Interest	385 ..
Government Grant	500 ..
Law fees &c	11 14 ..
Total Rs	5,075 6 2

Expenditure	
Pensions to Widows	1,246 ..
Loans Advanced	2,195 ..
Management	240 ..
Contingencies	665 9 2
Interest on deposits	18 ..
Cash balance on 31 st December 1894	1,510 4 5
Total Rs Paid	5,075 6 2

James Mark. Chaplain
Honry: President Bangalore
P. W. O. fund.

Pub. 389 of 4-6-95

129 of 23-2-94

Pub. 389 of 4-6-95

97

The Rev. J. Sharp

Hon. Presd., Bangalore

Pensioners' Widows' Fund

Dated 10.1.95

Recd 12.1.95

Subject

Forward the report of the Bangalore Pensioners' Widows' Fund for 1894

Considering the present very limited scope of the Fund and the fact that interest & subscriptions came together to Rs 1195, while the Pensioners' Fund only amounts to Rs 1246, I think a grant of Rs ²⁰⁰ ~~100~~ should suffice

MS
28/1/95

Note

The "usual grant of Rs. 300" is asked for.

In its letter No. 33 Pub. of 28.10.56, this Govt. applied to the Hon. Court for permission to make a donation to the fund equal in amount to the annual subscriptions raised.

The reply will be found in Public despatch No. 57 of 1857. The Court sanctioned "an annual subn of 300/ provided an equal sum is realised by private subns or donations, to be continued so long as you may consider the charity to be worthy of Govt. support".

For years the subns exceeded the amount but in 1886 they were only 166/. In para: 6 of its order No. 387 of 14.3.87 it is stated "strictly speaking the Govt. grant should be limited to 166/. The full grant

7. will however be
 issued on this occasion;
 it must be clearly
 understood that in
 future the Govt payments
 will not be allowed to
 exceed the amount
 retained by private
 sub in each year -
 This idea has been follow
 in subsequent years
 but from the original
 despatch it does not
 appear that the Govt
 authorized any payt
 the private sub were
 below 300/-
 Last year pri: sub:
 were 226/- only - and
 orders are requested
 whether any and if so
 what grant may now
 be made.

25/1
 24/1
 25/1/95

Bangalore Pensioners' Fund

13/10/95

vide Lpo 78 Pub
 12/11

c 25/1

M Fort St. George

10

17 JANUARY 1895, No. , PUBLIC.
 GOVERNMENT OF MADRAS.
 PUBLIC DEPARTMENT.

READ—the following paper :—

From the Revd. J. SHARP, Chaplain, Honorary President, Bangalore Pensioners', Widows' and Orphans' Fund, to the Chief Secretary to Government dated Bangalore, 10th January 1895.

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2. The net assets of the fund on the 31st December 1893 were Rs. 13,819-4-0 with a liability of Rs. 300 and the assets at the end of 1894 are Rs. 14,097-1-3, viz., loans on mortgages Rs. 11,801-7-1, outstanding at interest Rs. 985-9-9, cash balance Rs. 1,310-0-5, which leaves a balance in favour of the fund of Rs. 277-13-3, after deducting Rs. 59-6-8, loss on capital.
3. The cash receipts from all sources amount to Rs. 5,075-6-2 and the disbursements to Rs. 3,765-5-9, leaving a cash balance of Rs. 1,310-0-5.
4. The pensions paid to widows amount to Rs. 1,246, against Rs. 1,085 of last year, although one widow less, owing to the committee sanctioning an extra rupee per month on the petition of the widows on the ground of dearness of food-grains.
5. During the year one widow died. There are now on the list seventeen widows incumbent on the fund.
6. The number of subscribers to the fund is one.
7. Subscriptions from the general public Rs. 226, the amount subscribed by the one member Rs. 8, total Rs. 234. Owing to the old subscribers leaving the station and the difficulty of inducing others to take their place, the amount of voluntary contributions has fallen off by Rs. 67.
8. Abstract of the loan and cash account are appended.
9. I have the honour to request that His Excellency the Governor in Council will be pleased to sanction the usual grant of Rs. 300.

ENCLOSURE.
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	3,072	1	5
Balance outstanding on 1st January 1895	11,801	7	1

ABSTRACT OF CASH ACCOUNT, 1894.

Receipts.

	RS.	A.	P.
Balance from 1893	495	12	8
Loans repaid	3,072	1	5
Interest received	958	1	8
Subscriptions	234	0	0
Bank interest	3	8	5
Government grant	300	0	0
Law fees, &c.	11	14	0
Total	5,075	6	2

Expenditure.

	RS.	A.	P.
Pensions to widows	1,246	0	0
Loans advanced	2,195	0	0
Management	240	0	0
Contingencies	66	5	9
Interest on deposits	18	0	0
Cash balance on 31st December 1894	1,310	0	5
Total	5,075	6	2

ORDER—dated 14th January 1895, No. 78, Public.

In the letter read above the President of the Bangalore Pensioners', Widows' and Orphans' Fund submits his report for the year 1894. The fund commenced the year with a cash balance of Rs. 495-12-8. The total receipts during the year fell from Rs. 7,466-7-0 to Rs. 4,579-9-6, and the expenditure from Rs. 7,764-4-5 to Rs. 3,765-5-9. There was thus a balance of Rs. 1,310-0-5 at the close of the year under review.

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3. Including loans and interest outstanding the total assets of the fund amounted to Rs. 14,097-1-3 on the 31st December 1894 against Rs. 13,819-4-0 on the corresponding date of the previous year. The balance in favour of the fund fell from Rs. 351-11-4 to Rs. 277-13-3.

4. The number of widows borne on the fund at the close of the year was seventeen or one less than in the previous year. The number of subscribers remained stationary. The public subscribed Rs. 226 and the one member Rs. 8, making a total of Rs. 234. Voluntary contributions fell by Rs. 67.

5. Considering the present very limited scope of the Fund and the fact that the interest on investments and subscriptions together amounted to Rs. 1192 while the pensions granted aggregated Rs. 1246 only, the Comt is of opinion that a grant of Rs. 200 will be sufficient. That amount is accordingly sanctioned.

The Hon. Presd., Bangalore Pensioners',
Widows' & Orphans' Fund
Adm. General
Edwin. Tabb.
Recd. address
Copy 8/11/95

for orders

31/1/95

29/1

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Order complete with Letter.

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO G.No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.

No. 120, dated India Office, London, the 13th December 1894.

FILE No. 2.
SERIAL No. 1.

From—Her Majesty's Secretary of State for India,
To—The Government of India.

In continuation of my Despatch No. 73, dated 9th August last, I forward for the information of Your Excellency in Council copy of a letter from the Colonial Office to India Office, 21st November 1894, of the British Guiana Ordinance, No. 16 of 1894, entitled "An Ordinance to amend the Immigration Ordinance, 1891," which has received the sanction of Her Majesty.

Dated Colonial Office, Downing Street, London, the 21st November 1894.

From—The Assistant Under Secretary of State, Colonial Office,
To—The Under-Secretary of State for India.

I AM directed by the Marquess of Ripon to transmit to you, with reference to the letter from this Department of the 23rd of July last, a copy of the British Guiana Ordinance, No. 16 of 1894, entitled "An Ordinance to amend the Immigration Ordinance, 1891," which has received the sanction of Her Majesty.

I am to add that this Ordinance carries out the amendments suggested in Lord Ripon's despatch to Sir C. Lees of the 23rd of July, a copy of which was forwarded to you with the letter referred to above, with the exception that section 2, sub-section 2, for the reasons stated in the Acting Attorney General's report on the Ordinance, reduces the term of indenture of female immigrants for the purposes of labour under Part VIII of the Ordinance of 1891 from five to three years instead of to two years as suggested by his Lordship.

Ordinance No. 16 of 1894.

An Ordinance to amend the Immigration Ordinance, 1891.

(1st November 1894.)

Be it enacted by the Governor of British Guiana, with the advice and consent of the Court of Policy thereof, as follows:—

Short title. 1. This Ordinance may be cited as the Immigration Ordinance, 1891, Amendment Ordinance, 1894.
Amendment in the Immigration Ordinance, 1891. 2. The Immigration Ordinance, 1891, is hereby amended as follows, that is to say:—

- (1) Section 7 (1) shall be construed and have effect as if the words "but not of the duties of the Medical Officers" were inserted therein after the words "of its duties";
- (2) The term of indenture of a female immigrant for the purposes of labour under Part VIII of the Ordinance shall be three years instead of five years, and all necessary consequential amendments shall be deemed to be made in the Ordinance.
- (3) In section 67 (2) the words from "and shall also make" to the end of the section are hereby repealed, and the following sub-section shall be substituted and have effect instead thereof:—
"(3) The Medical Inspector shall report to the Surgeon General such requisitions as he may deem necessary for ensuring the sanitary fitness of such dwelling for the habitation, and a copy of every such requisition shall be transmitted by the Surgeon General to the Immigration Agent General, and by the Immigration Agent General to the employer; and every such requisition shall be complied with by the employer; Provided that if the employer considers any such requisition unreasonable he may make such representation as is hereinafter provided in the case of requisitions in the Hospital Register."
- (4) Section 79 shall be construed and have effect as if the making of the regulations and the framing of the dietary therein referred to were vested in the Surgeon General alone.
- (5) Section 88 shall be construed and have effect as if the words "the Surgeon General" were substituted for the words "the Immigration Agent General" wherever these latter words occur;
- (6) Section 134 shall be construed and have effect as if the word "male" were inserted therein before the words "indentured immigrant."
- (7) Section 141 (3) shall be construed and have effect as if the words "that either of the parties had a wife or husband alive at the time of registration, or," were omitted therefrom;

(8) The following sub-sections shall be added to section 156 :—

“(4) Where a male immigrant and a female immigrant have cohabited together, without having been married, and one of them dies intestate during the period of cohabitation, it shall be lawful for the Immigration Agent General in the case of the death of an indentured immigrant, or of an immigrant not under indenture dying in any Hospital, Asylum, Prison or other Public Institution of whatever kind, and being in possession of moveable property not exceeding in value the sum of ten dollars, and for the Administrator General, in the case of the death of any other immigrant not under indenture, to assign to the survivor for his or her absolute use and benefit such share, not exceeding one-half of all the property moveable and immoveable, belonging to the estate of the deceased immigrant which has been acquired by their joint earnings, or to the acquisition of which the survivor has contributed, as after due inquiry and consideration appears just.”

“(5) Every decision under the preceding sub-section shall be final, and the Immigration Agent General or the Administrator General, as the case may be, shall have full power and authority to do all things necessary, including the power to transport immoveable property for placing such survivor in possession of the share of such property so assigned.”

(9) Section 199 is hereby repealed, and the following section shall be read in the place thereof :—

“199. Every Indian immigrant who has completed a continuous residence of ten years in the Colony and has during that time obtained or become entitled to a certificate of exemption from labour shall, if such immigrant desires to return to India, be entitled to be provided with a passage back to the Port in India whence such immigrant sailed for this Colony, on payment of one-fourth of the passage money in the case of males and of one-sixth thereof in the case of females.

Provided as follows :—

- (1) Every such immigrant who is destitute or disabled shall be entitled to a free passage.
- (2) The wife and every son and daughter of every such immigrant and any person being an immigrant or the descendant of an immigrant who is dependent on any such immigrant shall be entitled to a free passage, if such wife, or son, or daughter or other person sails from this Colony with her husband or his or her parent or with the person on whom he or she is dependent, as the case may be, but not otherwise.
- (3) Where any son or daughter of any Indian immigrant is a child under the age of twelve years, the Governor may refuse a return passage or a passage to India to such child, if it appears that it is desirable, in the interests of the child, that the child should remain in the Colony.
- (4) If the child of any Indian immigrant is under indenture upon which any indenture fee has been paid, he shall pay the commutation money to the employer of such child; and
- (5) Every immigrant who at any time quits or attempts to quit the Colony without a passport shall thereby forfeit all claim to a return passage, whether wholly or partly, at the expense of the Colony notwithstanding he may have resided ten years in the Colony.
- (6) This section shall not affect the rights of immigrants who have been engaged on the terms of being entitled to a return passage wholly at the expense of the Colony.
- (7) The right to a return passage in terms of this section shall be subject, in the case of every person who has previously proceeded to the Colony as an immigrant and has returned to India, to any condition made with him or her on his or her engagement in India that he or she shall have no right to a free or reduced return passage.

Provided, however, that the Immigration Agent General may with the express sanction of the Governor, in any particular case and for special cause, relax any of the provisos of this section.”

(10) In section 207 in the second line, in the place of the word “quarter” there should be read the word “year,” and in the third line in the place of the word “cases” there shall be read the word “diseases.”

(11) Wherever it is provided that any report or return shall be sent by a Government Medical Officer to the Medical Inspector, such report or return shall be sent by such Government Medical Officer to the Surgeon General.

Dated Chambers, the 1st November 1894.

From—ALFRED KINGDON, Esq., Q.C., Acting Attorney General,

To—His Excellency Sir CHARLES C. LEES, K.C.M.G.

I HAVE the honour to report as follows on Ordinance No. 16 of 1894 entitled “An Ordinance to amend the Immigration Ordinance, 1891”.

2. This Ordinance amends the Immigration Ordinance, 1891, in the way required by the Secretary of State in his despatch marked “Emigration” of 23rd July 1894.

3. Section 2, sub-section 2, relates to the indenture of a female immigrant (see paragraph 9 of despatch). The clause as drafted reduced the term of indenture for the purpose of labour to two years as suggested by Dr. Comins, but on the motion of Mr. Howell Jones, who stated that he was expressing the views of the Planters generally, the term was made three years, the shorter period being thought insufficient to enable the immigrants to thoroughly learn their work or to repay the employer, seeing of what comparatively little use they are for the first 12 months. It was considered absolutely necessary that the term of indenture for the purposes of residence should remain five years as at present.

4. Sub-section 8 of section 2 was drafted after consultation with the Immigration Agent General and the Administrator General and legalises the existing practice.

5. Sub-section 9 gives effect to the amended Resolution recently passed in the Court of Policy as directed in the Secretary of State's despatch marked “Emigration” of 31st July 1894, and sent home in Despatch No. 293 of 1st October 1894.

6. Sub-section 10 is new and was suggested by the Surgeon General and approved by the Immigration Agent General.

7. The Immigration Ordinance, 1891, has been proclaimed to take effect from to-day (1st November) simultaneously with the publication and coming into operation of the present Ordinance.

8. In my opinion this Ordinance is one to which the Royal Assent may properly be given.

No. 120, dated India Office, London, the 13th December 1894.

FILE No. 2.
SERIAL No. 1.

*From—Her Majesty's Secretary of State for India,
To—The Government of India.*

In continuation of my Despatch No. 73, dated 9th August last, I forward for the information of Your Excellency in Council copy of a letter from the Colonial Office (with its two enclosures transmitting) a copy of the British Guiana Ordinance, No. 16 of 1894, entitled "An Ordinance to amend the Immigration Ordinance, 1891," which has received the sanction of Her Majesty.

Colonial Office to India Office, 21st November 1894.
British Guiana Ordinance, 16 of 1894.
From Acting Attorney General, British Guiana, to Governor, dated 1st November 1894.

Dated Colonial Office, Downing Street, London, the 21st November 1894.

*From—The Assistant Under Secretary of State, Colonial Office,
To—The Under-Secretary of State for India.*

I AM directed by the Marquess of Ripon to transmit to you, with reference to the letter from this Department of the 23rd of July last, a copy of the British Guiana Ordinance, No. 16 of 1894, entitled "An Ordinance to amend the Immigration Ordinance, 1891," which has received the sanction of Her Majesty.

I am to add that this Ordinance carries out the amendments suggested in Lord Ripon's despatch to Sir C. Lees of the 23rd of July, a copy of which was forwarded to you with the letter referred to above, with the exception that section 2, sub-section 2, for the reasons stated in the Acting Attorney General's report on the Ordinance, reduces the term of indenture of female immigrants for the purposes of labour under Part VIII of the Ordinance of 1891 from five to three years instead of to two years as suggested by his Lordship.

Ordinance No. 16 of 1894.

An Ordinance to amend the Immigration Ordinance, 1891.

(1st November 1894.)

Be it enacted by the Governor of British Guiana, with the advice and consent of the Court of Policy thereof, as follows:—

- | | |
|---|---|
| Short title. | 1. This Ordinance may be cited as the Immigration Ordinance, 1891, Amendment Ordinance, 1894. |
| Amendment in the Immigration Ordinance, 1891. | 2. The Immigration Ordinance, 1891, is hereby amended as follows, that is to say:— |

- (1) Section 7 (1) shall be construed and have effect as if the words "but not of the duties of the Medical Officers" were inserted therein after the words "of its duties";
- (2) The term of indenture of a female immigrant for the purposes of labour under Part VIII of the Ordinance shall be three years instead of five years, and all necessary consequential amendments shall be deemed to be made in the Ordinance.
- (3) In section 67 (2) the words from "and shall also make" to the end of the section are hereby repealed, and the following sub-section shall be substituted and have effect instead thereof:—
"(3) The Medical Inspector shall report to the Surgeon General such requisitions as he may deem necessary for ensuring the sanitary fitness of such dwelling for the habitation, and a copy of every such requisition shall be transmitted by the Surgeon General to the Immigration Agent General, and by the Immigration Agent General to the employer; and every such requisition shall be complied with by the employer; Provided that if the employer considers any such requisition unreasonable he may make such representation as is hereinafter provided in the case of requisitions in the Hospital Register."
- (4) Section 79 shall be construed and have effect as if the making of the regulations and the framing of the dietary therein referred to were vested in the Surgeon General alone.
- (5) Section 88 shall be construed and have effect as if the words "the Surgeon General" were substituted for the words "the Immigration Agent General" wherever these latter words occur;
- (6) Section 134 shall be construed and have effect as if the word "male" were inserted therein before the words "indentured immigrant."
- (7) Section 141 (3) shall be construed and have effect as if the words "that either of the parties had a wife or husband alive at the time of registration, or," were omitted therefrom;

(8) The following sub-sections shall be added to section 156 :—

“(4) Where a male immigrant and a female immigrant have cohabited together, without having been married, and one of them dies intestate during the period of cohabitation, it shall be lawful for the Immigration Agent General in the case of the death of an indentured immigrant, or of an immigrant not under indenture dying in any Hospital, Asylum, Prison or other Public Institution of whatever kind, and being in possession of moveable property not exceeding in value the sum of ten dollars, and for the Administrator General, in the case of the death of any other immigrant not under indenture, to assign to the survivor for his or her absolute use and benefit such share, not exceeding one-half of all the property moveable and immoveable, belonging to the estate of the deceased immigrant which has been acquired by their joint earnings, or to the acquisition of which the survivor has contributed, as after due inquiry and consideration appears just.”

“(5) Every decision under the preceding sub-section shall be final, and the Immigration Agent General or the Administrator General, as the case may be, shall have full power and authority to do all things necessary, including the power to transport immoveable property for placing such survivor in possession of the share of such property so assigned.”

(9) Section 199 is hereby repealed, and the following section shall be read in the place thereof :—

“199. Every Indian immigrant who has completed a continuous residence of ten years in the Colony and has during that time obtained or become entitled to a certificate of exemption from labour shall, if such immigrant desires to return to India, be entitled to be provided with a passage back to the Port in India whence such immigrant sailed for this Colony, on payment of one-fourth of the passage money in the case of males and of one-sixth thereof in the case of females.

Provided as follows :—

- (1) Every such immigrant who is destitute or disabled shall be entitled to a free passage.
- (2) The wife and every son and daughter of every such immigrant and any person being an immigrant or the descendant of an immigrant who is dependent on any such immigrant shall be entitled to a free passage, if such wife, or son, or daughter or other person sails from this Colony with her husband or his or her parent or with the person on whom he or she is dependent, as the case may be, but not otherwise.
- (3) Where any son or daughter of any Indian immigrant is a child under the age of twelve years, the Governor may refuse a return passage or a passage to India to such child, if it appears that it is desirable, in the interests of the child, that the child should remain in the Colony.
- (4) If the child of any Indian immigrant is under indenture upon which any indenture fee has been paid, he shall pay the commutation money to the employer of such child; and
- (5) Every immigrant who at any time quits or attempts to quit the Colony without a passport shall thereby forfeit all claim to a return passage, whether wholly or partly, at the expense of the Colony notwithstanding he may have resided ten years in the Colony.
- (6) This section shall not affect the rights of immigrants who have been engaged on the terms of being entitled to a return passage wholly at the expense of the Colony.
- (7) The right to a return passage in terms of this section shall be subject, in the case of every person who has previously proceeded to the Colony as an immigrant and has returned to India, to any condition made with him or her on his or her engagement in India that he or she shall have no right to a free or reduced return passage.

Provided, however, that the Immigration Agent General may with the express sanction of the Governor, in any particular case and for special cause, relax any of the provisos of this section.”

(10) In section 207 in the second line, in the place of the word “quarter” there should be read the word “year,” and in the third line in the place of the word “cases” there shall be read the word “diseases.”

(11) Wherever it is provided that any report or return shall be sent by a Government Medical Officer to the Medical Inspector, such report or return shall be sent by such Government Medical Officer to the Surgeon General.

Dated Chambers, the 1st November 1894.

From—ALFRED KINGDON, Esq., Q.C., *Acting Attorney General*,

To—His Excellency Sir CHARLES C. LEES, K.C.M.G.

I HAVE the honour to report as follows on Ordinance No. 16 of 1894 entitled “An Ordinance to amend the Immigration Ordinance, 1891”.

2. This Ordinance amends the Immigration Ordinance, 1891, in the way required by the Secretary of State in his despatch marked “Emigration” of 23rd July 1894.

3. Section 2, sub-section 2, relates to the indenture of a female immigrant (see paragraph 9 of despatch). The clause as drafted reduced the term of indenture for the purpose of labour to two years as suggested by Dr. Comins, but on the motion of Mr. Howell Jones, who stated that he was expressing the views of the Planters generally, the term was made three years, the shorter period being thought insufficient to enable the immigrants to thoroughly learn their work or to repay the employer, seeing of what comparatively little use they are for the first 12 months. It was considered absolutely necessary that the term of indenture for the purposes of residence should remain five years as at present.

4. Sub-section 8 of section 2 was drafted after consultation with the Immigration Agent General and the Administrator General and legalises the existing practice.

5. Sub-section 9 gives effect to the amended Resolution recently passed in the Court of Policy as directed in the Secretary of State's despatch marked “Emigration” of 31st July 1894, and sent home in Despatch No. 293 of 1st October 1894.

6. Sub-section 10 is new and was suggested by the Surgeon General and approved by the Immigration Agent General.

7. The Immigration Ordinance, 1891, has been proclaimed to take effect from to-day (1st November) simultaneously with the publication and coming into operation of the present Ordinance.

8. In my opinion this Ordinance is one to which the Royal Assent may properly be given.

No. 120, dated India Office, London, the 13th December 1894.

FILE No. 2.
SERIAL No. 1.

*From—Her Majesty's Secretary of State for India,
To—The Government of India.*

In continuation of my Despatch No. 73, dated 9th August last, I forward for the information of Your Excellency in Council copy of a letter from the Colonial Office (with its two enclosures transmitting) a copy of the British Guiana Ordinance, No. 16 of 1894, entitled "An Ordinance to amend the Immigration Ordinance, 1891," which has received the sanction of Her Majesty.

Colonial Office to India Office, 21st November 1894.
British Guiana Ordinance, 16 of 1894.
From Acting Attorney General, British Guiana, to Governor, dated 1st November 1894.

Dated Colonial Office, Downing Street, London, the 21st November 1894.

*From—The Assistant Under Secretary of State, Colonial Office,
To—The Under-Secretary of State for India.*

I AM directed by the Marquess of Ripon to transmit to you, with reference to the letter from this Department of the 23rd of July last, a copy of the British Guiana Ordinance, No. 16 of 1894, entitled "An Ordinance to amend the Immigration Ordinance, 1891," which has received the sanction of Her Majesty.

I am to add that this Ordinance carries out the amendments suggested in Lord Ripon's despatch to Sir C. Lees of the 23rd of July, a copy of which was forwarded to you with the letter referred to above, with the exception that section 2, sub-section 2, for the reasons stated in the Acting Attorney General's report on the Ordinance, reduces the term of indenture of female immigrants for the purposes of labour under Part VIII of the Ordinance of 1891 from five to three years instead of to two years as suggested by his Lordship.

Ordinance No. 16 of 1894.

An Ordinance to amend the Immigration Ordinance, 1891.

(1st November 1894.)

Be it enacted by the Governor of British Guiana, with the advice and consent of the Court of Policy thereof, as follows:—

Short title.	1. This Ordinance may be cited as the Immigration Ordinance, 1891, Amendment Ordinance, 1894.
Amendment in the Immigration Ordinance, 1891.	2. The Immigration Ordinance, 1891, is hereby amended as follows, that is to say:—

- (1) Section 7 (1) shall be construed and have effect as if the words "but not of the duties of the Medical Officers" were inserted therein after the words "of its duties";
- (2) The term of indenture of a female immigrant for the purposes of labour under Part VIII of the Ordinance shall be three years instead of five years, and all necessary consequential amendments shall be deemed to be made in the Ordinance.
- (3) In section 67 (2) the words from "and shall also make" to the end of the section are hereby repealed, and the following sub-section shall be substituted and have effect instead thereof:—
"(3) The Medical Inspector shall report to the Surgeon General such requisitions as he may deem necessary for ensuring the sanitary fitness of such dwelling for the habitation, and a copy of every such requisition shall be transmitted by the Surgeon General to the Immigration Agent General, and by the Immigration Agent General to the employer; and every such requisition shall be complied with by the employer; Provided that if the employer considers any such requisition unreasonable he may make such representation as is hereinafter provided in the case of requisitions in the Hospital Register."
- (4) Section 79 shall be construed and have effect as if the making of the regulations and the framing of the dietary therein referred to were vested in the Surgeon General alone.
- (5) Section 88 shall be construed and have effect as if the words "the Surgeon General" were substituted for the words "the Immigration Agent General" wherever these latter words occur;
- (6) Section 134 shall be construed and have effect as if the word "male" were inserted therein before the words "indentured immigrant."
- (7) Section 141 (3) shall be construed and have effect as if the words "that either of the parties had a wife or husband alive at the time of registration, or," were omitted therefrom;

(8) The following sub-sections shall be added to section 156 :—

“(4) Where a male immigrant and a female immigrant have cohabited together, without having been married, and one of them dies intestate during the period of cohabitation, it shall be lawful for the Immigration Agent General in the case of the death of an indentured immigrant, or of an immigrant not under indenture dying in any Hospital, Asylum, Prison or other Public Institution of whatever kind, and being in possession of moveable property not exceeding in value the sum of ten dollars, and for the Administrator General, in the case of the death of any other immigrant not under indenture, to assign to the survivor for his or her absolute use and benefit such share, not exceeding one-half of all the property moveable and immoveable, belonging to the estate of the deceased immigrant which has been acquired by their joint earnings, or to the acquisition of which the survivor has contributed, as after due inquiry and consideration appears just.”

“(5) Every decision under the preceding sub-section shall be final, and the Immigration Agent General or the Administrator General, as the case may be, shall have full power and authority to do all things necessary, including the power to transport immoveable property for placing such survivor in possession of the share of such property so assigned.”

(9) Section 199 is hereby repealed, and the following section shall be read in the place thereof :—

“199. Every Indian immigrant who has completed a continuous residence of ten years in the Colony and has during that time obtained or become entitled to a certificate of exemption from labour shall, if such immigrant desires to return to India, be entitled to be provided with a passage back to the Port in India whence such immigrant sailed for this Colony, on payment of one-fourth of the passage money in the case of males and of one-sixth thereof in the case of females.

Provided as follows :—

- (1) Every such immigrant who is destitute or disabled shall be entitled to a free passage.
- (2) The wife and every son and daughter of every such immigrant and any person being an immigrant or the descendant of an immigrant who is dependent on any such immigrant shall be entitled to a free passage, if such wife, or son, or daughter or other person sails from this Colony with her husband or his or her parent or with the person on whom he or she is dependent, as the case may be, but not otherwise.
- (3) Where any son or daughter of any Indian immigrant is a child under the age of twelve years, the Governor may refuse a return passage or a passage to India to such child, if it appears that it is desirable, in the interests of the child, that the child should remain in the Colony.
- (4) If the child of any Indian immigrant is under indenture upon which any indenture fee has been paid, he shall pay the commutation money to the employer of such child; and
- (5) Every immigrant who at any time quits or attempts to quit the Colony without a passport shall thereby forfeit all claim to a return passage, whether wholly or partly, at the expense of the Colony notwithstanding he may have resided ten years in the Colony.
- (6) This section shall not affect the rights of immigrants who have been engaged on the terms of being entitled to a return passage wholly at the expense of the Colony.
- (7) The right to a return passage in terms of this section shall be subject, in the case of every person who has previously proceeded to the Colony as an immigrant and has returned to India, to any condition made with him or her on his or her engagement in India that he or she shall have no right to a free or reduced return passage.

Provided, however, that the Immigration Agent General may with the express sanction of the Governor, in any particular case and for special cause, relax any of the provisos of this section.”

(10) In section 207 in the second line, in the place of the word “quarter” there should be read the word “year,” and in the third line in the place of the word “cases” there shall be read the word “diseases.”

(11) Wherever it is provided that any report or return shall be sent by a Government Medical Officer to the Medical Inspector, such report or return shall be sent by such Government Medical Officer to the Surgeon General.

Dated Chambers, the 1st November 1894.

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4. Sub-section 8 of section 2 was drafted after consultation with the Immigration Agent General and the Administrator General and legalises the existing practice.

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