

Public (1896) Department.

ORDINARY MS.

G.O., No. 964-5

DATED 7-9-96

INDEXED.

[Despatch Abstract.]

Informing the Protector of Emigrants
that there is no objection to emigrants
to Natal being indentured in acc:
with the provisions of Natal Act
FVII of 1895 on certain conditions.
Copy to the H. of I.

BACK PAPERS.

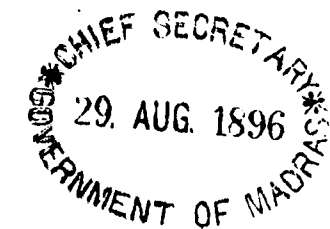
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

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C	No 1259 of 1897						

Public (1896) Department.

CURRENT No. 2827



From

The Protector of Emigrants
Madræs

No. 328.

Dated 28th August '96

Received 29th 3 27 -

Registered 31st -

Enclosures Two.

Spare copies -

SUBJECT.

Requesting orders on messrs.
Pany & Co's letter regarding
the re-indenture of Coolies
in accordance with Act 17
of 1895 (Natal).

W. W.

Order

The Protector of Emigrants
will be informed that there is
no objection to emigrants
to Natal being indentured in
accordance with the provisions
of Natal Act XVII of 1895,
amending the Indian
Immigration Law XXV
of 1891, provided precautions
are taken to ensure that
each emigrant is made
fully aware of the details of
his indenture before he
enters into it.

The Prot. of Emigrants. (9/9/96)

Encl. X

Copy to the Secy. of I. Rev.

& Agri. dept. with ref. to

Mr. Shy's No. 1196
34-2 d/14/8/96.

J. B.

4. 9. 96.

des.

Please the honor to be
Sir
your most obedt. servant

Inspector of Emigrants

W^m

As the firm Messrs. Dwyer & Co. Emigration Agents
for Natal to the Inspector of Emigrants, Natal,
dated 24th August 1896.

We have the honor to inform you that
on the 12th instant, we received a telegram
from the Inspector at Durban, stating that
all emigrants must be under indenture
in accordance with the Act 17 of 1895, copy
of which is herewith enclosed for your
information.

We therefore request that you will
be good enough to address Government on
the subject and obtain the necessary
orders in the matter.

(True Copy)

Inspector of Emigrants



V. R.

ACT,

"To amend the Indian Immigration Law, 1891."

WHEREAS it is expedient to amend the Indian Immigration Law, 1891:

BE IT THEREFORE ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Natal, as follows:—

1. This Act may be cited as the "Indian Immigration Amendment Act, 1895," and shall be read and construed together with the Indian Immigration Law, 1891, as one Act.

2. From and after the date when this Act shall take effect, the indentures to be signed by Indian Immigrants as provided by Schedules B and C of the Indian Immigration Law 1891, referred to in Section 11 of the said Law, shall contain a covenant by the Indian Immigrants in words as follows:—

"And we further agree that after the expiration or other determination of this contract, we shall either return to India or remain in Natal under indentures to be from time to time entered into: Provided that each term of new indentured service shall be for two years. And provided further, that the rate of wages for each year of indentured service after that provided by this contract shall be 16s. per month for the first year, 17s. per month for the second year, 18s. per month for the third year, 19s. per month for the fourth year, and 20s. per month for the fifth and each succeeding year."

3. Every Indian desiring to return to India on the expiry of the first or any subsequent period of his service under any contract of indenture or re-indenture entered into under the Laws for the time being in force, shall be provided by the Indian Immigration Trust Board with a free passage to India.

4. Any Indian Immigrant who may have entered into the covenant set out in Section 2 of this Act, shall be at liberty, subject to the approval of the Protector of Indian Immigrants, to choose the employer to whom he shall be indentured after his first term of service and for the purpose of making such choice the Indian Immigrant shall be entitled to a pass for one month, to be issued by his last Employer, or should the Employer refuse such pass, then by the Magistrate of the District.

5. During all the periods of re-indenture each Indian Immigrant entering into such further indenture shall have all the rights and privileges which he had during his first term of indenture.

6. Every indentured Indian who shall have entered into the covenant set out in Section 2 of this Act and who shall fail, neglect, or refuse to return to India or to become re-indentured in Natal shall take out year by year a pass or license to remain in the Colony to be issued by the Magistrate of his District, and shall pay for such pass or license a yearly sum of Three Pounds Sterling, which may be recovered by summary process by any Clerk of the Peace or other officer appointed to get in such license money.

7. The duty of causing Indian immigrants on arrival to be landed, conveyed to proper quarters, and provided with proper and sufficient food and clothing in terms of Section 15 of the Indian Immigration Law, 1891, shall devolve upon the Indian Immigration Trust Board, and shall be discharged to the satisfaction of the Protector.

8. The duties of the Protector of Indian Immigrants and of any Deputy or officer of his Department, additional to the duties imposed by any law and the manner in which such duties are to be discharged, may be defined by the Governor in Council.

9. The returns mentioned in Sections 49 and 96 of the Indian Immigration Law, 1891, shall be sent to the Indian Immigration Trust Board instead of the Protector of Immigrants, and the said Board shall have all the powers of the Protector for the purpose of enforcing such returns.

10. The contributions by employers of Indian Immigrants under Section 50 of the Immigration Law, 1891, shall be payable to and recoverable by the Indian Immigration Trust Board.

11. The appointment of a Medical Board under Section 52 of the Indian Immigration Trust Law, 1891, shall be made by the Indian Immigration Trust Board, anything in the said Section 52 to the contrary notwithstanding.

12. Licenses to leave the Colony under Sections 90, 91, 99, and 100 of the Indian Immigration Trust Law, 1891, shall not be granted without the sanction or approval of the Indian Immigration Trust Board, and for the purposes of the said Sections 99 and 100, the said Board is substituted for the Protector.

13. A renewed indenture made under the provisions of Section 107 of Law No. 25, 1891, may be signed before the Protector or Deputy Protector of Indian Immigrants, or before any Magistrate.

14. The Indian Immigration Trust Board may so adjust the annual payments to be made under Clause 18 of Law No. 25, 1891, by the employers of indentured Indian immigrants that the successive employers of Indians under original indentures or renewed indentures may be made to contribute to the cost to which the Board may be put in procuring immigrants from India.

15. The consent of the Governor shall not be needed to any increase or decrease in the annual payments on indentured Indians decided on by the Board, anything in Clause 13 of Law No. 20, 1874, and Clause 18 of Law No. 25, 1891, to the contrary notwithstanding.

16. The duty imposed by Section 21 of Law No. 25, 1891, upon the Protector of Indian Immigrants of preparing and submitting to the Indian Immigration Trust Board returns of arrear instalments shall be discharged by the Secretary to the Board.

17. Sections 106, 107, 108, and 109, of Law No. 25, 1891, shall not apply to Indians introduced into Natal under contracts of indenture made in pursuance of this Act.

18. Sections 110, 111, and 114 of Law No. 25, 1891, are hereby repealed.

19. The words "from and out of the funds of the Indian Immigration Trust Board of Natal" occurring in Sections 2, 3, and 4 of Law No. 25, 1891, shall be expunged.

20. This Act shall commence and take effect from and after such date as shall be fixed by Proclamation in the Natal Government Gazette.

Given at Pietermaritzburg, Natal, this Eighth day of August, 1895.

By command of His Excellency the Governor,

JOHN ROBINSON,

Colonial Secretary.

When given for copying
When copied
When examined
When signed

189

READ AGAIN (G.O.), No.
189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B. -

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