

Public (1898) Department.

ORDINARY PRINTED.

G.O., No. 6

Dated 4. 1. 98

INDEXED.

[Despatch Abstract.]

Emigration.

Comg: to the Protector of Emigrants & all officers concerned endorsement of the G of S. forwarding Copy of letter from the Govt of Bombay reporting a successful prosecution under Sec: 82 of the Indian Emigration Act, in the City of Bombay.

4. 1. 98.

[illegible]

G.O.	No.	Department.	Date.
CPO	1200	48	

<i>Recd.</i>	} 1898.	<i>Enclosures</i>
<i>Regd.</i>		<i>Spare copies</i>

G.O., No. 6, 4th January 1898.

JANUARY.

Emigration.

Communicating to the Protector of Emigrants and all officers concerned endorsement of the Government of India forwarding copy of letter from the Government of Bombay reporting a successful prosecution under section 82 of the Indian Emigration Act, in the city of Bombay.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper :—

Endorsement of the Government of India, Department of Revenue and Agriculture (Emigration), Calcutta, dated the 29th November 1897, No. 1783—5—45.

Read—the following paper :—

From the Government of Bombay, to the Government of India, Department of Revenue and Agriculture, dated 18th November 1897, No. 6383.

With reference to paragraph 2 of your letter, No. 599—5—27, dated the 30th April 1897, I am directed to forward herewith, for the information of the Government of India, copy of the papers noted in the margin regarding a successful prosecution instituted by the Protector of Emigrants, Bombay, under section 82 of the Indian Emigration Act XXI of 1883.

Letter from the Protector of Emigrants, Bombay, No. 94, dated 2nd November 1887. The Chief Presidency Magistrate's decision in the case.

ENCLOSURES.

From the Protector of Emigrants, Bombay, to the Government of Bombay, dated 2nd November 1897, No. 94.

Adverting to Government Resolution, No. 2749, General Department, dated 20th May last, I have the honour to bring under the notice of Government that, under section 82 of the Indian Emigration Act XXI of 1883, I prosecuted in the Court of the Chief Presidency Magistrate one Edalji Lehereebhoy for attempting to take 54 Indians to Delagoa Bay contrary to the provisions of the Emigration Act. Lehereebhoy engaged the men at Broach and Ankleshwar; he engaged to pay their passage to and from Delagoa Bay, to provide them with food, and to pay them Rs. 15 a month. On arrival in Bombay Lehereebhoy lodged the men at a Dhurmsala in Grant road and was about to ship them when I intervened and had Lehereebhoy arrested by the Police and taken to the court where he was at once admitted to bail and a date fixed for the trial. When it came on, the Government Solicitor appeared on behalf of Government and Lehereebhoy was defended by a barrister. On the second day of the prosecution Lehereebhoy pleaded guilty. He was fined Rs. 50 and agreed to pay the expenses incurred by the prosecution which amounted to about Rs. 100; he also agreed to send the men back to their homes.

I have considered it necessary to bring this prosecution under the notice of Government since it clears up the point whether verbal agreements are agreements under the Emigration Act. The decision of the Acting Chief Presidency Magistrate affirms the opinion of the Honourable the Advocate-General—*vide* Government Resolution, No. 2401, General Department, dated 3rd May 1897.

Police case No. 422 P. of 1897—*Emress versus* Lehereebhoy Edalji.

Charge.—That you on or about the 29th day of September 1897 at Bombay did induce certain natives of India (in consideration of hire or reward) to leave their native places for the purpose of emigrating and thereby committed an offence punishable.

Under section 82 (b) of Act XXI of 1883.

Judgment.—This offence is against a law which is very little known and I have no doubt the accused collected the coolies and was taking them to Delagoa Bay in ignorance that this could not be done under the law. No fraud or deceit or coercion of any kind was practised upon the men. They were offered good wages and agreed to go across the sea. Accused seems to have promised them an advance of two months' wages in Bombay, but as he put them off, they seem to have mentioned the matter to people and it came to the notice of the Police. The accused has agreed to pay the expenses of all the men he has brought down during the time they have been in Bombay and to take them back to Ankleshwar at his own expense. Under the circumstances a fine of Rs. 50 will be sufficient, in default to suffer five days, simple imprisonment. Section 82 (b) Act 21 of 1883.

(Signed) W. R. HAMILTON,
Presidency Magistrate.

20th October 1897.

Endorsement—dated 29th November 1897, No. 1783—5—45.

Forwarded to the Government of Madras, for information, with reference to Government of India letter, No. 621—5—29, dated the 4th May 1897.

(By order.)

(Signed) F. G. SLY,
Under Secy. to the Govt. of India.

ORDER—No. 6, Public, dated 4th January 1898.

Communicated in continuation of G.O., No. 677, Public, dated 31st May 1897, to the Protector of Emigrants and all officers concerned.

(True Extract.)

Chief Secretary.

To the Protector of Emigrants, Madras.
" the British Consular Agent, Pondicherry and Karikal.
" the Collectors of Maritime districts.
" the Board of Revenue (Separate Revenue), through the Revenue Department.

Encl. P. Neetharam.

Public (1897) Department.

note for P.S.

This may circulate to all H. & S., as the question is an important one. Please see notes before H.

CURRENT No. 12600

mlc.
8
xii

yes
Circ.

sent.
mlc.
14
xii

note

Please see notes at H
info. 677 Pubd 31.5.97

Order
A

no. 674-4-98

From Govt. of India -
Rev. & Agri.

Communicated
in continuation of No. 677
Pubd 31.5.97 to the
of Emigrants and all
officers concerned

No. 1783
5-45

Dated 29. x. 97

Received 3. xii. 97
Registered 4. xii. 97

Enclosures one 6/12/97

Spare copies nil

mlc.
8
xii

Part of note of Emigrants, Madras
to A. Pandey & Kaital
Collectors of Maritime Districts
Bd of Govt Dep Resd Hqs
The Govt Dept.

SUBJECT.

Forwarding a letter from the
Govt. of Bombay regarding
a successful prosecution
under Sec: 82 of the
Indian Emigration Act.

BACK PAPERS.

G.O.	No.	Department.	Date.
677	Pul	31/5/97	orgl.
360	"	11/4/97	mis
218	"	6/3/97	"
631	"	16/6/96	orgl.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

The Collectors of
The District Magistrates of

Anantapur.
North Arcot, Chittoor.
South Arcot, Cuddalore.
Bellary.
South Canara, Mangalore.
Chingleput, Saidapet.
Coimbatore.
Cuddapah.
Ganjam, Chatrapur.
Godavari, Cocanada.
Kistna, Masulipatam.
Kurnool.
Madras (when necessary).
Madura.
Malabar, Calicut.
Nilgiris, Ootacamund.
Nellore.
Salem.
Tanjore.
Tinnevely.
Trichinopoly.
Vizagapatam.

First copy sent to Press.

Returned for signature.

Despatched in print.

READ AGAIN G.O., No.
139

DATED

NUMBER OF COPIES
REQUIRED. { Order complete. 150
Letter only.
Order complete with Letter.

CURRENT No. 4643 + encl. — A.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B. —

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