

Public (1898) Department.

ORDINARY MS.

G.O., No. 91

DATED 17.1.98

INDEXED

W4  
17-1-98

[Despatch Abstract.]

Recording endorsement of the  
G.O. forwarding copies of despatches  
from the Secy of State & telegram  
to him from the Govt of India  
regarding an amendment of  
the law of Jamaica respecting  
return passages for Indian  
immigrants.

17.1.98

# BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
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# FURTHER PAPERS.

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[ 29. ]  
2,000-5-5-97.

Public (1897) Department.

CURRENT No.

From *Port of India*  
Dept of Rev: Agriculture

Order *No 918 17.1.98*

Recorded

No. *1822*  
*33-112*

*Civ.*  
*6/1/98*

*MRB.*  
*10/8*

*MA*  
*14.1.98*

Dated *7. 12. 97*

Received *12* } *12. 97*

Registered *13*

Enclosures *2 (15 boxes)*

Spare copies

*Noted by Ensignanti*  
*Ed of Rev. D. R.*

SUBJECT.

*note*

Please see *G.O. 1202 Sub*  
*14. 9. 97*  
also note at *R info. 1118 Sub*  
*10. 10. 96*  
and letter after *N 2214 Sub*  
*20. 10. 96*  
Forwarding Copies of *despatch*  
from *Secy of State No 1198 & 8000*  
& telegram to *Secy of State*  
dated *3. 12. 97* *re Jamaica*

# BACK PAPERS.

| G.O. | No.        | Department. | Date. |
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| 1202 | 7/14-9-97  |             |       |
| 1118 | 7/10/10/96 |             |       |
| 2214 | 7/20/10/96 |             |       |

# FURTHER PAPERS.

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FILE No. 33 of 1897.

SERIAL No. 1.

No. 119 Public (Emigration), dated India Office, London, the 28th October 1897.

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

I FORWARD, for the consideration of Your Excellency's Government, a copy of a letter from the Colonial Office with its enclosures, regarding an amendment of the law of Jamaica respecting return passages for Indian immigrants.  
5th October 1897, No. 20155.  
2. In the event of your Government seeing no objection to the new enactment, it will be convenient if your assent can be communicated to me by telegraph.

I have, etc.,  
GEORGE HAMILTON.

No. 20155, dated Downing Street, the 5th October 1897.

*From—C. P. LUCAS, Esq., Colonial Office,  
To—The Under-Secretary of State, India Office.*

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of Lord George Hamilton, copies of the enclosed despatches as noted in the margin, on the subject of a law (No. 12 of 1897) passed by the Legislative Council of Jamaica, entitled "The Immigration Protection and Regulation Law, 1879, further Amendment Law, 1897."  
The Secretary of State proposes, if Lord George Hamilton concurs, that this law should be left to its operation.

No. 198, dated the 27th May 1897.

*From—SIR HENRY A. BLAKE, G.C.M.G., Governor of Jamaica,  
To—Her Majesty's Secretary of State for the Colonies.*

WITH reference to Sir R. H. Meade's Despatch No. 311 of 12th November last, I have the honour to forward to you herewith two authenticated copies of Law 12 of 1897—The Immigration Protection and Regulation Law, 1879, further Amendment Law 1897—which has been passed by the Legislative Council, together with the Attorney-General's Report.

JAMAICA LAW 12 of 1897.

*The Immigration Protection and Regulation Law, 1879, further Amendment Law, 1897.*

(21st May 1897.)

BE it enacted by the Governor and Legislative Council of Jamaica as follows:—

1. Every Indian immigrant who has completed a continuous residence of ten years in this Island, and has during that time obtained or become entitled to a certificate of industrial service, shall be entitled to be provided with a passage back to the port from which such immigrant sailed for this Island, on payment of one-fourth of the passage money in the case of males and one-sixth in the case of females:

Provided as follows:—

- (1) Every such immigrant shall give notice to the Protector of Immigrants at least three months immediately preceding the expiration of his residence of ten years in the Island, or of the like residence of any other Indian immigrants entitled to be provided with passages, and shall at the same time deposit with the Treasurer or a Parochial Treasurer the before-mentioned proportion of the passage money, and also an amount to be fixed by the Governor not exceeding 20 shillings for blankets and warm clothing to be supplied for use on the voyage. Any such immigrant who shall fail to embark on the ship provided for his accommodation shall not be entitled to claim a refund of such sum or sums of money deposited, nor a free or assisted passage on any future occasion, unless he or she shall, within a period of six calendar months after the sailing of such ship, prove to the satisfaction of the Protector of Immigrants that his or her failure to embark was due to good cause beyond his or her control.
- (2) Every such immigrant who is destitute or disabled shall be entitled to a free passage.

- (3) Every person, being an immigrant or the descendant of an immigrant, who has not commuted his or her claim to a back passage and who is dependent for support on any immigrant entitled to be provided with a passage, shall, if such person sails from this Island with the immigrant on whom he or she is dependent, be entitled to a free passage, but not otherwise.
- (4) Every immigrant entitled to be provided with a passage who is married to an immigrant serving under indenture, shall, if both parties desire to return to India, be entitled to have such indenture and the indenture of his or her child or children cancelled on payment to the employer of an amount calculated at the rate of one-fifth of the sum paid or payable by the employer in respect of such immigrant or immigrants for every year or portion of a year remaining unexpired of such indenture or indentures.
- (5) 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 Island.
- (6) 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 Island 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 Protector of Immigrants may with the express sanction of the Governor, in any particular case and for special cause, relax any of the provisos of this section.

2. Sections 52, 53 and 55 of Law 23 of 1879 are hereby repealed, but such repeal shall not affect the validity of any act performed or any right acquired thereunder.

No. 208, dated Downing Street, London, the 27th July 1897.

From—THE RIGHT HONOURABLE J. CHAMBERLAIN, M.P., *Her Majesty's Secretary of State for the Colonies,*

To—His Excellency the Governor of Jamaica.

I HAVE the honour to acknowledge the receipt of your Despatch No. 198 of the 27th of May, submitting, for the signification of Her Majesty's pleasure thereon, copies of Law 12 of 1897, of the Legislature of Jamaica, entitled "The Immigration Protection and Regulation Law 1879, further Amendment Law, 1897".

I observe that this Law repeals section 55 of Law 23 of 1879, under which an immigrant was allowed to commute his right to a return passage for a grant of land or a money payment; and before tendering any advice to Her Majesty regarding Law 12 of 1897, I should be glad to be informed of the reasons for repeal of this provision which is not referred to in the Attorney-General's report.

No. 363, dated the 27th August 1897.

From—SIR HENRY A. BLAKE, G.C.M.G., *Governor of Jamaica,*

To—Her Majesty's Secretary of State for the Colonies.

I HAVE the honour to acknowledge the receipt of your Despatch No. 208 of the 27th ultimo, to which you ask the reasons for the repeal by Law 12 of 1897 of section 55 of Law 23 of 1879, under which an immigrant was allowed to commute his right to a return passage for a grant of land or a money payment.

23rd August 1897.

2. I forward copy of a memorandum on the subject by the Protector of Immigrants, which affords the information desired.

3. I fully recognize the advantage to the Colony of the acquisition of land by time-expired immigrants and would be prepared to consider favourably any applications which they might make.

*Memorandum by the Protector of Immigrants.*

Section 55 of Law 23 of 1879 has never been acted on. Section 53, repealed by the present Bill, limited claims for back passages to twelve months after the expiration of ten years' residence. In withdrawing this limitation, it was necessary to repeal section 55, because if this were not done and at any time a number of coolies applied for land, the Immigration Fund might be called on to spend money required for back passages, and would in such case be unable to meet its liabilities, section 2 of Law 14 of 1891 only relieving it of certain specified charges, of which the purchase of land is not one. Sections 54, 56—9 of Law 23 of 1879 seem to leave it in the option of the Governor, with the advice of the Privy Council, to grant land if a desire sprung up amongst the coolies to obtain it, but as no coolies imported since 1878 have been promised compensation either in money or land when they decide not to take return passage, they would have no absolute claim.

I may remark that the discontinuance of the offer of bounty has had no noticeable effect either on the facility of recruiting labourers in India or on the number who return to India after residing here, and that the number of coolies who have purchased land here during the past few years has been much greater than formerly and some of the properties acquired very extensive.

P. C.,—23-8-97.

Dated the 7th October 1897.

From—ARTHUR A. PEARSON, Esq., *Colonial Office,*  
To—W. N. STURT, Esq., *India Office.*

IN answer to your letter to Mr. Lucas I send you a copy of the enclosure to Sir R. Meade's Despatch No. 311 of 12th November 1896, the covering despatch was merely a printed form forwarding the enclosure.

No. 122, dated Calcutta, the 10th October 1896.

From—A. C. STEWART, Esq., *Government Emigration Agent for Jamaica, Fiji and St. Lucia,*

To—The Under-Secretary of State, *Colonial Office.*

I HAVE the honour to state that during last season, and indeed for some time past, both the British Guiana and the Trinidad Agencies have recruited emigrants upon the modified terms as regards return passages introduced in consequence of the recommendations made by Dr. Comins in his reports on emigration to those Colonies.

2. I beg respectfully to submit for the consideration of the Right Honourable the Secretary of State for the Colonies that it is possible that the Government of India, if addressed on the subject, might grant similar concessions in the case of these three Colonies.

I believe I am right in saying that no difficulty has been experienced in obtaining the full number of emigrants required for British Guiana and for Trinidad under the modified terms, and it would, therefore, be to the interest of these three Colonies, Jamaica, Fiji, and St. Lucia—if a similar saving could be made as regards the return passages of emigrants to be engaged for them in future.

Jamaica and St. Lucia, both West Indian Colonies, are in many respects in the same position as British Guiana and Trinidad, while the cost of a return passage from Fiji has of late years been very much less than that from any of the other Colonies named.

3. I have not yet written to the Governments of the Colonies, as I have thought it better to submit the matter to you in the first instance.

Telegram from Viceroy to Secretary of State, dated 3rd  
December 1897.

Your Emigration despatch No.119 dated 28th October  
last. We have no objection to Jamaica Law 12, 1897.

No. 1832  
33-1/2  
GOVERNMENT OF INDIA.  
DEPARTMENT OF REVENUE AND AGRICULTURE.

( Emigration.)

Calcutta, dated the 7<sup>th</sup> December 1897.

Forwarded to the Government of Madras, for information.

By order,

[Signature]

*Under-Secretary to the Government of India.*

*List of Papers forwarded.*

- \* 1. Despatch from Secretary of State, No. 119 dated 28th October 1897 and enclosures.
2. Telegram to Secretary of State, dated 3rd December 1897.



R

No previous  
correspondence  
on this subject?  
16/12/97

Y. R. Please see if there are  
any papers about the "Immigration  
Protection & Regulation Law, 1879."

18/12/97 (last  
day of  
the year)

Have traceable from  
the indexes. 22/5/98.

