

TRINIDAD AND TOBAGO.

Immigration.

No. 33.—1902.

15th December.

AN ORDINANCE to amend "The Immigration Ordinance, 1899."

[L.S.]

C. C. KNOLLYS,

ACTING GOVERNOR.

31st December, 1902.

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

Short title. **1.** This Ordinance may be cited as the Immigration Ordinance 1902. It shall be read as one with the Immigration Ordinance 1899, hereinafter called the principal Ordinance, and the Repatriation Fund Ordinance 1902, (2—1902). The said Ordinances and this Ordinance may together be cited as the Immigration Ordinances 1899 and 1902.

Indenture fees. **2.** In Section 28 of the principal Ordinance the following words shall be read after the word "immigrant" in the fourth line of such section: "not being a minor, and two pounds ten shillings on the indenture of such immigrant being a minor."

Repeal. **3.** Section 30 of the principal Ordinance is hereby repealed and in lieu thereof shall be read the following:—

30. All fees on indenture payable to His Majesty under this Ordinance shall be a first charge on the plantation named in the indenture of the immigrant in respect of whom such monies shall be payable, and shall be paid by the person in possession of such plantation to the Receiver-General on the last day of the month in which such fee shall be payable; and every employer or his agent shall make out and deliver to such Receiver-General a return in duplicate showing the name of the plantation and the number of immigrants in respect whereof any such fees of indenture shall be payable, and shall pay the amount of all such fees; and the Receiver-General shall at the foot of each such return certify the payment of such fees, and shall deliver one such return so certified to the person paying such fees and shall deliver the other such return to the Protector to be kept by such Protector.

4. The following shall be read as Section 64A of the *Depôt.* principal Ordinance:—

The Protector of Immigrants may from time to time with the sanction of the Governor retain unallotted such of the immigrants as appear to him to be required for service connected with the supervision and control of and attendance upon immigrants arriving by any immigrant ship, for such time as he may deem necessary, not in any case exceeding six months except with their own consent. On the expiration of such time, the immigrants so retained shall be allotted, and in each such case an apportioned part of the indenture fee shall be deducted from the first year's payment to be made by the employer in respect of the allotment of such immigrants.

5. Section 74 of the principal Ordinance shall be amended ^{Term of indenture.} by the insertion of the words "the arrival of the ship in" "which he came to the Colony" in place of the word "allotment" in the seventh line thereof.

Rations. **6.** In Section 88 of the principal Ordinance the word "such" at the end of the fifth line shall be omitted, and in lieu of the words "as are" in line six shall be read the words "at the rate per day."

Hospitals. **7.** Section 94 of the principal Ordinance is amended by the insertion of the words "Protector or" before the words "Government Medical Officer" in the fourth and sixth lines of such section.

Idem. **8.** In Section 96 Sub-section (2) of the principal Ordinance after the word "immigrant" at the end of such Sub-section shall be read the words "and entries in such books shall be taken as evidence of the facts therein mentioned."

Visits of District Medical Officer. **9.** Section 99 of the principal Ordinance is amended by adding the following words at the end thereof :

"Provided that it shall be lawful for the Governor by order in writing in the case of any plantation to be mentioned in such order, to direct the visits to be made to such plantation at such less frequent intervals than three days, as in such order shall be prescribed.

Assaults. **10.** The words "or any other person" shall be inserted in Section 118 of the principal Ordinance after the word "plantation" where it first occurs; and in respect of any such assault or ill usage as in the said section mentioned the Protector shall be deemed to be a party aggrieved within the meaning of Section 1 of Ordinance No. 22 of 1887.

Absence from work, &c. (Schedule.) **11.** The following shall be read as Section 125A of the principal Ordinance :—

(1.)—Every indentured immigrant who—

- (a.) Without lawful excuse absents himself from work, or
- (b.) Having been directed by some duly authorized person to attend at a specified time and place for the performance of any particular work, refuses or neglects so to attend, or
- (c.) Refuses or neglects to begin or to finish any particular work which he has been directed by some duly authorized person to perform,

shall on complaint in the form in the Schedule hereto be liable to a penalty not exceeding Two Pounds or to imprisonment for any term not exceeding one month.

(2.) It shall be sufficient for the purposes of this section if any direction herein referred to is given on the afternoon or evening of the day before or on the same day on which the work is required to be performed.

12. The following shall be read as Section 130 of the principal Ordinance :—

Employer to
make certain
Returns.

Every employer of indentured immigrants shall within the first five days of the months of January, April, July and October in every year make and deliver to the Protector a return in the prescribed form of all immigrants whether indentured or not in his employ or residing on his plantation during the whole or any part of the preceding three months, and of the children of such immigrants and of all deaths and the number of births of children of such immigrants. And the Protector shall keep all such returns, and shall in the month of April of every year make an abstract of all such returns for the preceding year, which abstract shall be laid before the Legislative Council.

13. Section 199 of the principal Ordinance shall be amended by the addition of the following words : “ and it shall be lawful for the Protector, pending the determination of the Governor, temporarily to transfer any immigrant to any other such employer, provided that in each case he forthwith reports to the Governor any such transfer, and his reasons for the same ; and any immigrant so transferred shall remain in the service of the employer to whom he has been transferred pending the decision of the Governor, and pending such decision he shall be deemed to be in all respects subject to the provisions hereof as if he had been indentured to such employer.”

Transfer of
immigrant.

14. Section 209 of the principal Ordinance is amended by omitting from Sub-section (1) thereof all the words following the word “ labour ” in the eighth line of such Sub-section.

Exemption
from labour.

Passports. 15. Section 216 of the principal Ordinance is amended to read as if the words " or attempted departure" had followed the word " departure" in the second and fifth lines of such section.

Registers. 16. Section 226 of the principal Ordinance is amended by adding to Sub-section (2) the words " and any entry in such " books shall be evidence of the facts therein recorded"; and Sub-section (3) Clause (b) of the said section shall be read as follows :—

(b.) An indenture list of immigrants allotted to the estate together with a register of dwellings.

Muster Roll. 17. The following shall be read as Section 227A of the principal Ordinance :—

Every Manager shall keep a muster roll of all immigrants who have been allotted to the plantation within the then next preceding twelve months, and such muster roll shall on some stated day in every month be called over in the presence of the District Medical Officer, when every immigrant whose name is therein inscribed shall be produced by the Manager and his state of health and sanitary condition ascertained and reported on by the District Medical Officer.

Schedule. 18. In the first schedule to the principal Ordinance Forms Nos. 15 and 25 shall be omitted and in lieu of Forms Nos. 4, 5 and 11 shall be read the following :—

FORM No 4.

(Section 3.)

Return of Indenture Fees payable by

Estate.	No. of Immigrants.	Ex Ship.	Date when due.	Amount of Fees

FORM No. 5.

TRINIDAD.

Application for Immigrants for the Season 190 .

SIR, We beg to make application for Indian Immigrants, to arrive during the ensuing season, to be located on the undermentioned Estates, situated in the following Wards :—

Estate.	Ward.	Number of Immigrants (including females).

As of above estates, we hereby bind ourselves to accept and receive all or any of such immigrants as may be allotted to us and to pay all charges and expenses due in respect of the introduction of the same and to observe all Laws, Rules and Regulations regarding Indentured Immigrants that at present exist as well as such others as the Governor may from time to time establish.

We are, &c.,

The Hon'ble
THE PROTECTOR OF IMMIGRANTS.

FORM No. 11.

*Indenture List of Immigrants ex Ship , 190 ,
allotted to Plantation*

Register No.	Name.	Caste.	Sex.	Age.	Height.	Bodily Marks.	Date of Indenture.	Amount of Fee.	No. of Wife, Husband, or Parents.	Remarks.

This indenture witnesseth that from this date the Immigrants scheduled above have been duly indentured by the Protector of Immigrants to serve as labourers and reside on Plantation for Five Years, subject in all respects to the Immigration Ordinance, 1899, or any Ordinance amending or replacing the same.

Dated this day of , 19 .

Witness: (Signed.)

*Protector of Immigrants.
Proprietor [or as the case may be].*

Passed in Council this Fifteenth day of December, in the year of Our Lord one thousand nine hundred and two.

C. J. ROOKS,
Clerk of the Council.

THE SCHEDULE.

COMPLAINT FOR ABSENCE FROM WORK, &c.

Section 11.

TRINIDAD.

DISTRICT.

The Complaint of _____ the _____ Manager of Plantation _____, in the Ward of _____, in the County of _____ taken (upon oath) before me, the undersigned Stipendiary Magistrate for the District, who saith that the Immigrant _____ male, _____ years on arrival, No. _____, _____, 19 _____, being then under indenture on the said plantation, on the _____ day of _____, 19 _____, at the said Plantation, did without lawful excuse, absent himself from work, namely, *(here describe the work* _____ *or after having been directed by* _____ *being a duly authorized person, namely, (here state the capacity of the person) on the said Plantation, to attend at (here state the time) at (here state the place) for the performance of certain work, namely (here describe the particular work, as for instance, weeding one opening in Field No. 6 on the said Plantation) refuse (or neglect) to so attend* _____ *(or refuse to begin or refuse to finish, or neglect to begin, or neglect to finish (as the circumstances of the case may require) certain work, namely, (here describe the particular work) which said work the said _____ had been directed by _____ being a duly authorized person, namely, (here state the capacity of the person) on the said Plantation to perform* _____ *contrary to the form of the Ordinance in such case made and provided.*

(Signed.)

Manager of Plantation.

Taken (and sworn) before me this _____ day of _____ 19 _____, at _____

(Signed.)

Stipendiary Magistrate.