ABSTRACT OF PROCEEDINGS

COUNCIL OF THE GOVERNOR GENERAL OF INDIA

LAWS AND REGULATIONS.

VOL 8

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Abstract of the Proceedings of the Council of the Governor General of India, assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament 24 & 25 Vic., cap. 67.

The Council met at Government House on Friday, the 5th March 1869.

PRESENT:

His Excellency the Viceroy and Governor General of India, K. P., G. C. S. I., presiding.

His Excellency the Commander-in-Chief, G. C. S. I., K. C. B.

The Hon'ble G. Noble Taylor.

Major General the Hon'ble Sir H. M. Durand, c. B., K. c. s. I.

The Hon'ble H. Sumner Maine.

The Hon'ble John Strachey.

The Hon'ble Sir Richard Temple, K. c. s. 1.

The Hon'ble F.*R. Cockerell.

The Hon'ble Rájá Shioráj Singh, c. s. 1. *

The Hon'ble Mahárájá Sir Dig-Bijay Singh, Bahádur, k. c. s. 1., of Balrámpúr.

The Hon'ble G. S. Forbes.

The Hon'ble D. Cowie.

The Hon'ble M. J. Shaw Stewart.

The Hon'ble J. N. Bullen.

EMIGRATION OF COOLIES' BILL.

The Hon'ble Mr. Gordon Fordes moved that the Report of the Select Committee on the Bill to amend the law relating to the Emigration of Native labourers be taken into consideration. He said that the Bill was introduced by the Hon'ble Mr. Strachey in August last. It was a simple Bill, intended to amend Act XIII of 1864, which was the law that at present regulated the emigration of Native labourers to the British Colonies. The Bill, as introduced, contained a very few but not unimportant amendments, which, as some months had elapsed since the introduction of the Bill, he would take leave to recapitulate. The Bill first provided that vessels leaving Madras for the Mauritius and Seychelles should be provisioned between the months of November and March for six weeks, instead of five weeks, which was laid down as the probable length of voyage under the existing law. It also secured the provision of

a different space on deck for each adult emigrant than what was now provided by law. Ten superficial feet, which was the space now allotted for each adult, was proposed to be extended to twelve. A clause had also been inserted in the Bill as introduced, which gave the Government power, in the event of its being ascertained that, in any place in which emigration operations were being carried on, the plague or other infectious disease dangerous to life was prevalent, to direct that emigration should for the time being be suspended. These proposed amendments were introduced entirely in the interests of the emigrants, and were to apply only to emigration to the British Colonies. There was also a fourth clause, which empowered the Government of India to increase the rates of fees payable on emigration, if need be to double the amount of fees now leviable. It had transpired in the course of the five years during which the present law had been in force, that the cost of the establishment retained for purposes of emigration had not been covered by the fees levied under the Act. That was the scope of the Bill as introduced, which, as Mr. Forbes had said before, applied simply to emigrants to the British Colonies.

He had before him a list of thirteen Colonies, British and Foreign, the whole of which drew their labour from about the same number of provinces in India. From that statement it would appear that, up to the present time, 4,55,600 persons had emigrated from Madras and Calcutta. That did not include emigration from Bombay, which had never been considerable; nor did the numbers include emigration from Pondicherry, where the records had been very imperfectly kept prior to 1860.

Some embarrassment had been felt by the Committee in rendering the Bill as introduced, and the clauses added to it by the Committee, applicable to the French Colonics, because the convention of Paris, dated June 1860, was drawn up previously to the introduction in Indian legislation of those very complete provisions under which emigrants at present left the country. It differed, therefore, in some respects from this subsequent enactment, though there was an intention that the conditions of the convention should, as far as possible, be applied to British as well as French Colonies. As, however, Act XLVI of 1860, which embodied and recited the French convention, enacted a variety of rules to give effect to the provisions of that convention, the Select Committee had applied the amending Bill to that Act in such particulars as they could reach without a practical violation of the convention. The application of these clauses to French emigration was in some cases entirely beyond the terms of the convention: that remark applied, for instance, to the fourth section of the Bill as amended by the Scleet Committee, which provided that there should be an additional superficial space for every adult emigrant, and that no child should have less than eight superficial feet. It was impossible to apply that rule to French emigration, but it might perhaps be deemed advisable by the Government of India to communicate with the French authorities on this point. It seemed unreasonable that British subjects should have less accommodation, and that their health and comfort should be less adequately provided for when sent to French Colonies, than when sent to our own. In section 1 of the Bill, as amended, it was provided that vessels should be provisioned for six weeks, instead of five as at present, when making the voyage in winter between Madras and Reunion, Mauritius or Scychelles, but it was impossible to include vessels leaving Pondicherry, which was a port of embarkation, and regarding which nothing had been said in Act XLVI of 1860, which simply recited the French convention and provided means for its fulfilment. That was another point which might be worthy of reference by the Government of India.

In the application of the third clause of the Bill as introduced, and which stood as section 5 in the amended Bill, the Select Committee had made an alteration which would have the effect of applying this particular provision to the French as well as British Colonies. It could scarcely be said that any practical violation of the conditions of the French convention would be caused, or that we should in any way be infringing the convention, by the Select Committee having taken for granted the assent of the French Government to the extension of the convention to this reasonable precaution.

In section 2 of the Bill as amended, there was a clause which was introduced by the Select Committee. It was pointed out by the agent for emigration to British Guiana and Trinidad, that the law as it stood entailed certain hardships. The agent represented that the fee paid for registering an emigrant should be refunded in ease of the emigrant absconding before reaching the central depôt in the port of embarkation. The Committee had extended the section which they had introduced on that representation, and had provided that, if the emigrant absconded at any time before embarkation, the agent should be entitled to receive back the fee: that appeared a simple act of justice.

There were other clauses added to the Bill on the suggestion of the Lieutenant Governor of Bengal, and which had been approved by the Government of India. These were that, in case of emergency (section 3), emigrant vessels might leave Calcutta for any place west of the Cape of Good Hope "between the 31st of July and the 1st of April." Those words extended the discretionary time fifteen days at its close: the privilege was only intended to be made use of to prevent unnecessary detention of emigrants, occasioning great loss to the importers of labour and additional risk to the emigrants. The reason for limiting the time originally was the very inclement weather experienced at a later period in rounding the Cape, from which Native emigrants were likely to suffer. Consequently the period of embarkation was at first limited to the 1st of March; it was subsequently extended to the 15th of March, and now fifteen days more had been added, and vessels might, in cases of emergency, leave up to the 1st of April. It was not expected that the extended time would be frequently made use of, and it was therefore introduced for the purpose of taking effect in emergent cases only.

The Select Committee had also thought it right to provide specially for children. In the correspondence before Mr. Fornes, there were letters which passed between the Emigration Commissioners and the Secretary of State for India on the subject of Indian emigration generally, and in particular with reference to the great mortality which occurred in 1864; and Mr. Murdoch, one of the Commissioners, observed that it was impossible to accommodate two half grown children in the space for one adult, which might be represented by a strip of deck two feet wide and six feet long. The Select Committee had therefore provided that children above two and less than ten years of age should have at least eight superficial feet on deck.

Another of the new provisions in the amended Bill had also received the approval of the Government of India on the recommendation of the Lieutenant Governor of Bengal. A rule had been enacted which provided that every hundred male emigrants should be accompanied by at least forty women, so that no vessel could leave port without that proportion of male and female emigrants on board. But in practice it had been found, both on the testimony of the Medical Officers and the Emigration Agents, that the strict observance of that rule had resulted in common prostitutes being recruited in default of other women being available, and that emigrants were delayed in the depôts at the risk of sickness resulting and great expense to the importers of labour; and therefore it seemed absolutely wise and humane to enact that, in cases where the required proportion of women could not be made up, the vessels should not be detained. The words "in cases of emergency" had been introduced to indicate that the rule was not to be departed from under ordinary circumstances.

Section 7 of the amended Bill provided that the phrase "The Magistrate of the District" should for the purposes of the Act mean any officer who exercised the full powers of a Magistrate. This alteration had been desired and was made in the interests of all parties, both of the agents and the emigrants. There being but one Magistrate of the District, it often happened

that long distances had to be traversed for purposes of registration, so that hardship was entailed on the emigrants as well as the agents, who had to provide for the maintenance and lodging of the emigrants during the time. The Government of India had also authorized this change.

They provided that the pilot or the customs' officer, whoever might be last on board, should before leaving the vessel assemble the emigrants and ascertain if any additions had been made to their number subsequently to the vessel leaving port: this muster was required to prevent any emigrant joining a vessel on its way down the river. But it was now found unnecessary to retain this rule, because emigrant vessels were by another rule bound to take steam on their passage to the sea, so that it was perfectly impossible for such a breach of rule taking place now. Mr. Forbes understood that pilots and customs' officers had made formal complaints in regard to this matter. The Government of Bengal had recommended and the Government of India had approved of dispensing with this final examination. Considering that, as the Protector of Emigrants was bound to pass every emigrant before embarkation, and to see that all the provisions of the law were complied with, it was unnecessary to take any further precaution in this direction.

The Committee had approved of another clause which was not in the Bill: it was intended to empower the Government to withhold a recruiter's license in any province from which the further withdrawal of labour might be consider-The grounds for this provision were briefly these. Mr. Forbes had mentioned that labour was drawn principally from thirteen or fourteen provinces in Madras, Bengal and the North-Western Provinces, and he had also given the number of emigrants withdrawn, which was 4,55,600; during the last twenty-five years 92,000 emigrants had returned; the remaining 3,63,600 continued abroad, and were probably settled in the colonies to which they had emigrated. They were extremely well treated; their labour was highly valued, and every inducement was offered for them to remain. Out of this last number it might fairly be estimated that 2,50,000 emigrants were adult men, which was equivalent to the entire adult male population of an ordinary Indian province. containing a miscellaneous population of about a million and a quarter, and paying a land revenue to Government of ten or twelve lákhs of rupees. Mr. Forbes got that calculation by a reference to the census tables, from which it would appear that about three-fourths of the people in a province were agricultural; so that, in such a province as he had instanced, three-fourths of the population. or 800,000, would belong to the agricultural classes; and taking only one in

every four persons to be an adult male, 200,000 men would represent the real productive power of the province. He ventured to put these figures before the Council because, although the question of limiting the operation of the recruiting agents to provinces where there was any surplus labour was not entertained by the Committee, on the ground that considerations of too much difficulty were involved in the disposal of the question, he thought the figures he had quoted showed that emigration in India had assumed dimensions which might at any time render it absolutely necessary for the Government to consider the question, as the number of provinces from which emigration took place was limited in number, and the number of colonies to which the emigrants proceeded were about the same number. He wished to add, in order to enable the Council to estimate the value of the lost labour more truly, that the export trade of the colonies which had the advantage of Indian labour had increased so enormously that the produce of the labour sent out might be estimated at thousands and thousands of tons, and India's loss was represented by the benefits gained by the colonies; for, if left in the country, those labourers would certainly be capable of producing the same amount of valuable produce. It could not be disputed that India was thinly populated, and that what caused a diminution of the supply of labour diminished the supply of food, diminished the cultivation of the staples which formed the exports of India, retarded the general progress of agriculture, and increased the difficulties of capitalists engaged in the cultivation of special products such as coffee, cinchona, tea. indigo, &c.

The Hon'ble Mr. Strachey said, except for one reason he should have thought it unnecessary to make any remarks on the present occasion, for he entirely agreed with all the details of the Bill before the Council, and he believed there was not likely to be any opposition to the passing of the measure. When the Bill first came forward, he had charge of it. He had explained that its intention was to make certain small amendments in the existing law, and although legislation was thought necessary, he might say that a more simple Bill. and one less likely to raise a discussion on matters of principle, hardly ever came before the Council. The Bill still retained its former character; but he thought it clear from the speech of the Hon'ble Mr. Forbes that he regretted that fact. He had taken the opportunity of entering into questions which involved the whole subject of emigration from British India, and of discussing the merits and demerits of the principles by which the Government and the legislature had hitherto been guided in dealing with this most important subject. Although Mr. Strachey deemed this to be hardly a fitting opportunity for discussing such questions, he thought it would not be right to let

his Hon'ble friend's remarks go without some reply, for his Hon'ble friend's view amounted to this, that emigration was causing such serious injury to the country that it was the duty of the Government to stop it altogether. If such views were left altogether unnoticed, there might be some impression outside that they were approved by the Government. Now he would ask, in fact, what? evidence there was to show that any of those injurious results which had been depicted by his Hon'ble friend had occurred. Mr. Strachey ventured to say that there were no facts whatever to show that there had been any injurious results of any kind. His Hon'ble friend had said that, during the twenty-five years during which emigration had gone on, 4,55,000 persons had left India, and he had told us, that not long ago there were 2,00,000 emigrants still living in the Mauritius alone. According to those figures, some 16,000 or 17,000 persons, on the average, had left India every year. MR. STRACHEY must say that from those figures his Hon'ble friend had built up a somewhat extraordinary structure. We were asked to imagine a great province with a population of a million and a quarter, paying a revenue of ten or twelve lákhs a year, and his Hon'ble friend appeared to consider that the emigration of these 16,000 or 17,000 persons a year was equivalent to a loss to the country more than equal to the loss of such a province. It seemed to MR. STRACHEY that we need not be under any alarm on this subject. It seemed to him plain that this loss to which his Hon'ble friend had referred was as imaginary as the existence of the province of which he had spoken. The population of British India was ordinarily taken at some 180 millions, and from this number a population of 16,000 or 17,000 a year had to be furnished. it be admitted (though Mr. STRACHEY was not prepared to admit it) that the assumption was correct that the emigrants were really provided from a population no larger than that which the Hon'ble Member had assumed, and that they were all drawn from those twelve or thirteen provinces of which he had spoken. MR. STEACHEY found, in a memorandum prepared by his Hon'ble friend, that he said that emigration was almost entirely limited to some half dozen provinces in Bengal and about the same number in Madras, and that the average population of each of those provinces was a million and a half. MR. STRACHEY therefore presumed that his Hon'ble friend considered that a population of about 18 millions had provided these emigrants. If 17,000 people had left India every year, it was by his Hon'ble friend's calculation equivalent to saying that one in a thousand had gone away from these Provinces annually. It seemed to Mr. Steachey clear, that such a reduction of the population as this must be really altogether inappreciable, and this would be true even after making any allowance that we pleased in consideration of the fact stated by Mr. Forbes, that in agricultural districts the labouring

classes of the community from amongst whom emigrants were principally drawn, made up only about three-fourths of the population. There were a hundred other physical causes at work, which must have an incomparably greater effect on the numbers of the population than this very insignificant cause of emigration. His Hon'ble friend appeared to assume that if the emigrants who had left India during the last quarter of a century had remained in the country, India would be richer by the food-producing power of some quarter of a million of prosperous agriculturalists. Mr. STRACHEY failed to see any basis of fact for this assumption. It appeared to him that the truth was that, if this emigration had never taken place at all, the population of India would not, as a matter of fact, have been increased by anything like that number. But supposing we admitted that it would have been increased to this extent, the real question was simply this. Would this quarter or half a million of men have been better off if they had remained in India than if they had emigrated, and if they had remained, would they practically have added to the general stock of wealth, to any considerable extent, of the community from which they were taken? It had been said that not long ago there were 2,50,000 emigrants in the Mauritius, and it was admitted that they were living in comparative wealth and comfort. The real question to be considered was, whether it was better that those 2,50,000 emigrants should be living in comparative wealth and comfort in the Mauritius, where their labour had conferred on that country and on the nation benefits of a most important character, or that they should be living in comparative poverty in India? We need not trouble ourselves to look beyond the advantages to the emigrants themselves. To whatever extent emigration was beneficial to individuals, we might safely assume that it would be beneficial to the country at large.

In the debates which took place in this Council in 1864, when the subject of emigration was under discussion, he observed some remarks, which he would read, made by Sir Charles Trevelyan:—

"The emigrant went where he earned higher wages, and could acquire that which was to him a little fortune. He saw life in new aspects, and drank in new ideas, so that he returned a changed man. The emigrants who returned from the Mauritius, to which emigration had been going on for many years, came back an improved people; well clothed, and well fed; with an aspect of contented independence, and with property which they ordinarily invested in agriculture, and it was partly to these investments that the great extension of agricultural industry in the Madras Presidency was attributable. An annual efflux of the Madras labouring population had also been going on for many years to the Coffee estates in Ceylon. They crossed the Straits of Manaar for the Coffee season, as the Irish labourers crossed St. George's Channel for the hay-making and harvest in England and Scotland, and returned home at the

and of the season with the savings of the year. He (Sir Charles Trevelyan) might mention another instance of the advantage arising from emigration. In his official tour in Tanjore he held free conferences with all classes, and especially with the landholders, the Mirasidars, who were a very important class in that part of the country. After other topics had been discussed they asked that the people, whom they had formerly held in a kind of serfdom, should be prohibited from emigrating. He (Sir Charles Trevelyan) told them, that every subject of Queen Victoria was free to go wherever he chose, and that the remedy was in their own hands, as they had only to give higher wages to induce their people to remain at home. If emigration had been stopped, this servile class would have remained in their old condition, but emigration had emancipated them from those who had exercised a qualified ownership over them. It had given them a new sense of freedom, and had elevated their condition, and there could be no doubt that, in various ways, the freedom which the people now possessed to go where they liked, was a great benefit to them."

It seemed to Mr. Strachev altogether out of question at the present time even to think of putting restrictions on the right of any one to take his labour to whatever market he thought profitable to his personal interests. It was true even of the ignorant labouring classes of India that they understood their own interests in this matter infinitely better than they could ever be understood by any Government. As the Hon'ble Mr. Maine observed in the debate already referred to:—

"All emigration laws, such as the Bill before the Council, were preceded and underlain by the principle laid down by the Hon'ble Mr. Harington, the right of every subject of Her Majesty to go anywhere he pleased—to the very ends of the earth if he thought fit—for the sake of bettering his condition; that principle, he took the liberty of saying, ought to be denied least of all men by an Englishman in India."

These seemed to Mr. Stracher to be clearly the only true principles on which we could legislate, and these were the principles on which the legislation of the Government of India had constantly proceeded. We had considered that it was not our business to interfere with the right of any man to dispose of his own labour as he thought fit; but nevertheless that it was obviously the duty of the Government to take every care that its subjects should not be made the victims of fraud or misrepresentation, and that every man who wished to emigrate should do so by his own free will alone.

He ventured to say that it would be impossible for any Government to take greater precautions than had been taken by the Government of India to afford every proper protection to emigrants, to provide efficient safeguards against misrepresentation and fraud, and to take care that no one left India without the fullest knowledge of the real nature of the step he was about to take. He would ask the Council to remember the provisions of Act XIII of 1864,

which was the most important of the laws relating to emigration. It contained, he might say, rules on almost every conceivable subject for the protection of emigrants. First, the Government of each colony to which emigration took place had to appoint an Emigration Agent, who was responsible strictly to the Government of India. Then, at each of the ports from which emigration took place, the Government of India appointed a carefully selected officer under the title of Protector of Emigrants. It was his business to protect generally and aid with his advice all emigrants who came before him, and to see that all the provisions of the law were carried out. And at every port of embarkation, medical officers of experience were appointed for the medical inspection of all emigrants. Depôts were provided for their reception, and most strict rules were laid down for their management; and the Protector and Medical Inspector were bound, at least once every week, to inspect these depôts and to examine into their state and into the manner in which the emigrants were lodged, fed and provided for. So with regard to recruiting great precautions were taken. No one could recruit without a license from the Protector, and every care was taken to guard against the danger of any person being induced under false pretences to leave the country. Before he left his own district he was to go before the Magistrate, who would examine him as to his real wishes; and if the Magistrate were in doubt, and thought that the intending emigrant had not comprehended the nature of the engagement, or had been induced to enter into it by fraud or misrepresentation, the Magistrate was bound to refuse to register the emigrant, or to allow him to emigrate. Then, again, great precautions were taken to secure the provision of proper food and lodging during the journey from his home to the port of embarkation; and when the emigrant reached the port, Mr. STRACHEY might say that a constant system of examination into his physical state and welfare was kept up until he finally left India. It was only after all these repeated enquiries had been made, and the officers of Government had satisfied themselves, personal enquiries in every case, that the emigrant really desired to leave Minute regulations were also laid India, that he was allowed to go. down regarding the treatment of the emigrants during their voyage on boardship, and every security possible was taken that they should be well treated in the colonies to which they went. Special agreements were entered into with the Colonial Governments, or conventions with Foreign powers, to ensure the proper treatment of the emigrants.

MR. STRACHEY thought it might fairly be said that, if the Government of India had erred in this matter, it had probably erred on the side of attempting

too much. When Act XIII of 1864 was passed, the strongest remonstrances were made against it by persons interested in emigration, and by the Government of the Mauritius, on the ground that so many difficulties were thrown in the way that emigration would become almost impossible. He believed that those apprehensions were not well founded, that so long as the Government of India insisted on the precautions prescribed by the law, it would be impossible to say that any improper encouragement to emigration had been afforded. If, notwithstanding these elaborate rules, emigration had really been encouraged, he thought the Council would agree with Sir Henry Harington who said that we had only succeeded in making emigration popular by means of the substantial protection which we had afforded to the classes for whose benefit we had been legislating.

The Hon'ble Mr. Cowie said, the Hon'ble Mr. Strachey had ably defended the policy of the Government in permitting and regulating the emigration of Indian labourers to the colonies. As a non-official Member, Mr. Cowie might be allowed to record his entire dissent from the remarks made by the Hon'ble Mr. Forbes against the further permission of emigration. Mr. Cowie was of opinion that every Native should be free to go wherever he chose, subject of course to the enforcement of proper sanitary regulations. He should be sorry to see the Hon'ble Member's views maintained so as to prevent a labourer from emigrating to any place where he might think it to his interest to proceed.

The Motion was put and agreed to.

The Hon'ble Mr. Gordon Forbes moved that the following section be introduced after section 1:—

- 2. For section 24 of the said Act No. XIII of 1861 the following shall be substituted:-
- "21. The protector of emigrants at each of the three ports aforesaid and the British Consular Agent at each of the French ports in India, shall license so many fit persons as shall to him seem necessary to be recruiters of labourers, and no person shall act or be employed as a recruiter of labourers except under a license from such protector of emigrants or British Consular Agent."

He said that the proposed change had been required by the Secretary of State in a despatch dated some time back. It was intended to legalize the appointment and licensing of recruiters by the British Consular Agents at French Ports of embarkation; this omission in the Act of 1864 seemed to be unintentional. The Secretary of State's despatch had the following paragraph:—

"There may perhaps have been no practical objection to permitting the Consular Agents at the French Ports in India to license persons to act as recruiters of emigrants in British

territory; but as this power was declared by the Advocates General of Madras and Calcutta to be legally vested solely in the Protectors of Emigrants at the three presidencies, it would have been more prudent not to have authorized a deviation from the law. It is desirable, however, that no time should be lost in legalizing the practice you have permitted the Madras Government to recognize."

That was the reason for the introduction of this amendment, which necessitated the re-numbering of the sections, and the addition of the following section:—

"11. All persons are hereby indemnified for anything done before the passing of this Act which might lawfully have been done if this Act had been in force; and no suit or other proceeding shall be maintained against any such person in respect of anything so done.

This section shall come into operation at once: section two shall be deemed to have come into operation on the eighteenth day of March 1861; and the rest of this Act shall come into operation on the first day of May 1869."

This final clause was simply necessary to indemnify persons for acts done under authority of the Government, but without legal sanction up to the present time. This clause would take effect at once; section 2 would date from the 18th of March 1864, and the rest of the Act would not take effect till the first of May, because the owners of French ships should have timely information of the changes made in the law.

The motions were severally put and agreed to.

The Hon'ble Mr. Gordon Forbes also moved that the Bill as amended be passed.

The Motion was put and agreed to.

CIVIL COURTS' (BOMBAY) BILL.

The Hon'ble Mr. Shaw Stewart asked leave to postpone the presentation of the Report of the Select Committee on the Bill to consolidate and amend the law relating to the District and Subordinate Civil Courts in the Presidency of Bombay.

Leave was granted.

GENERAL STAMP BILL.

The Hon'ble Mr. Cockerell presented the Report of the Select Committee on the Bill for imposing Stamp Duties on certain instruments. He said there were some rather important alterations in the Bill, especially in regard

to the rates of duty chargeable on transactions of the larger amounts. He therefore proposed to republish the Bill before proceeding with the consideration of the report.

FOREST RULES (BRITISH BURMA) BILL.

The Hon'ble Mr. MAINE presented the Report of the Select Committee on the Bill to give validity to certain rules for the administration of Government Forests in British Burma.

The Council adjourned till the 6th March 1839.

WHITLEY STOKES,

Secy. to the Council of the Govr. General for making Laws and Regulations.

CALCUTTA,

The 5th March 1869.