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M.R.O. 1-80,000-10-10-67.

MADRAS RECORD OFFICE.

Government of Madras.

Rudie DEPARTMENT.

G.O. No.

1428

Press
Mis.

Dated

13-11-1967.

Not to be folded or roughly handled

13th November 1867.

No. 100. Read the following letter from the Protector of Emigrants, to the Chief Secretary to Government, Fort Saint George; dated Madras, 30th October 1867, No. $\frac{W}{34}$.

I have the honor to submit, for such orders as the Government may desire to pass, the accompanying original letter from the British Consular Agent at Pondicherry, dated 7th instant, No. 189, regarding the despatch of emigrants to the French Colony of Guiana.

From the British Consular Agent, Pondicherry, to the Protector of Emigrants, Madras; dated Pondicherry, 7th October 1867, No. 189.

I have the honor to acknowledge the receipt of printed copies of correspondence, regarding Indian Emigrants who have been embarked to French Guiana prior to 1862. Order of Government thereon, 16th September 1867, No. 1151.

2. I think it is my duty to bring to the notice of Government that the following four ships have, since the date of Mr. Consul Perry's letter,* been despatched from this place to Cayenne:—

Date.	Ship.	Destination.	Emigrant's Number.
1865. September 13th ...	"Duguay Trouin"...	Cayenne.....	227
1866. September 11th ...	"Zuleika".....	Do.	289
November 14th... ..	"Daguerre".....	Do.	351
1867. March 15th... ..	"Copenhagen".....	Do.	291
Total.....			1,158

3. Had the Consul's letter of 1862 reached me sooner, I should certainly not have allowed any more emigrants to embark for that place without the special permission of Government, and I think that, considering what the Consul states in his letter, some explanation is required to account for these emigrants being sent to Cayenne at all.

4. The object of my now writing is, to bring to the notice of Government that these people may at this moment require special Consular's protection, and it may be necessary to call the attention of the Secretary of State to this subject. I am inclined to this conclusion from what is stated by Mr. Perry in his letter of 1st May 1862, in which he says—

"That of the first emigrants sent, at least one-half of the unfortunate creatures died.

"That of the second consignment, the majority have died.

"That of the third, 200 men were landed, and the remainder not being wanted were sent on to Guadeloup.

"That the total number remaining alive in 1862 was about five or six hundred.

"Finally.—That the Governor and other persons informed him that they even then had more Indians than they knew what to do with; and that a certain landed proprietor had said, that he would be only too delighted to get rid of those men he had; and that the Colonists had stated, that they were unable to find employ for emigrants from India, &c. That the mortality

as from 20

*Proceedings of the Madras Government, Public Department,
13th November 1867.*

"amongst the men had been fearful, and that it would be greater were their numbers augmented,
"and that they would actually die of starvation if from nothing else."

5. In the very face of this fearful report, a further number of 1158 emigrants have been embarked from this place in 1865-66 and 67; since which a severe mercantile crisis has occurred, and I understand still exists in all the French Islands. That of Réunion is well known; and emigration is also suspended to the West India Islands. It may, therefore, be quite possible that some reaction may have taken place, and that these unfortunate emigrants may, like those formerly sent, be actually exposed to sickness and starvation.

Requesting you will take an early opportunity of laying this letter before Government.

No. 101. To His Excellency M. BONTEMPS, Governor of the French Settlements in India, dated Fort Saint George, 13th November 1867, No. 1428.

I have the honor to solicit the aid of your Excellency in preventing, for the present, emigrants recruited in British India being despatched from Ports in the French Territories in India to Cayenne (French Guiana). The reasons which have induced me to make this application are contained in the following observations.

2. In 1862, Her Britannic Majesty's Consul for French Guiana reported in a letter to the Secretary of State for Foreign Affairs that the importation of coolies into that Colony had ceased. The causes assigned for this cessation were—1st, the extraordinary mortality which had occurred in all the batches of immigrant coolies which were introduced into the Colony from Pondicherry, a large majority of immigrants having died soon after arrival; 2ndly, that the surviving coolies were found unsuited to the work required of them; and, 3rdly, the inability of the Colonists to give employment to the five or six hundred Indian coolies, including women and children, who remained in the Colony on the date on which the British Consul wrote, namely, 1st May 1862.

3. Under these circumstances, it was not considered by Her Majesty's Government any longer necessary that a British Consulate should be maintained at Cayenne, and so convinced were the Secretaries of State for India and for Foreign Affairs of the entire cessation of this emigration, that on a question being raised by the Government of His Imperial Majesty as to the administration of the property of coolies from British India dying in French Guiana, it was agreed by both the British and French Governments that the Governor of French Guiana should be requested to communicate, regarding claims to property of such deceased coolies, with the Emigration Agent by whom they were collected in India, and with the Protector at the Port from which they were despatched. The letter of the French Ambassador Majesty to this arrangement, is dated the 13th June 1867, and it is evident that both Governments were under the impression that no considerable change in the condition of French Guiana, as regards the importation of coolies, had taken place since the report submitted by Mr. Consul Perry in 1862.

4. I would now beg to call your Excellency's attention to the enclosed letter from the British Consular Agent at Pondicherry, dated the 7th October last, in which that Officer represents that, during the years 1865, 1866, and 1867, four ships, containing 1158 emigrant coolies, have been despatched from Pondicherry to Cayenne.

*Proceedings of the Madras Government, Public Department,
13th November 1867.*

5. I trust that your Excellency will concur with me in the opinion that, until further information is obtained, it is very undesirable that this emigration to Cayenne should continue.

6. Not only is the climate described as having proved fatally destructive to the Natives of India sent from 1855 to 1862 as coolies from Pondicherry to Cayenne, but unless the circumstances of French Guiana have greatly changed, it seems very doubtful whether employment will be found for those already despatched.

7. Apart from these considerations it will, I feel persuaded, be apparent to your Excellency that if emigration to Cayenne be hereafter resumed the provisions of the Convention between the Governments of His Imperial Majesty the Emperor and Her Britannic Majesty cannot be fulfilled, unless there is a British Consular Agency at Cayenne, for all the provisions of the Convention relating to the care of the interests of the immigrants when they have reached the Colonies are based on the understanding of there being in each Colony a British Consular Agent.

8. From Article 24 of the Convention it is perfectly clear not only that French Guiana is one of the Colonies to which the Convention was immediately applicable, but that the ground on which it was to apply was that a British Consul was actually, or was to be, stationed there.

9. I have, therefore, resolved to request His Excellency the Governor General in Council to exercise the power vested in him by the Emigration Acts temporarily to suspend the emigration of Natives of British India to French Guiana, until further information is obtained as to the actual position of the emigrants now in the Colony and the prospects of those who may be sent hereafter, and until a British Consular Agent is appointed to Cayenne for their protection.

10. As some delay may occur in receiving the assent of His Excellency the Governor General in Council to this proposal, I have the honor to request the co-operation of your Excellency in preventing any emigration taking place from French Ports in India to French Guiana, until an answer can be received to my application to the Governor General in Council on this subject.

Accept Sir, &c.,
(Signed) NAPIER.

I think it would be advisable
to send a copy of the proceedings
of Government of the 16th Sept
last to the Governor of
the French Settlements and
with reference to the statements
made in the King's letter of the
1st May 1882 to suggest for
his Excellency's consideration
whether before making any
order to French Guiana
it would not be expedient
to ~~ask~~ ascertain (unless indeed
it has been already ascertained)
whether satisfactory arrangements
are now made for the

to the French colonies. By section XXVI of this Act, the provisions of Act XIX of 1856 described above are made applicable to emigration to French Colonies, i.e., the Governor General in Council can prohibit emigration.

Act VIII of 1862 was passed to meet an alteration in the Convention of 1860 - and in the new article XXVI, the French Govt. have the right if the Governor General exercises his power under Act XIX of 1856, of prohibition or suspension of emigration to any French colony, to terminate the whole Convention.

Act XIII of 1864 which is an Act to consolidate and amend the laws relating to the emigration of native laborers, and which relates to emigration to our own colonies repeals former Acts, including Act XIX of 1856, the

he. But in 1864 is now in the House and must be reported to the immediate steps for maintaining the actual state of things in French Guiana as regards human labor and to consider the expediency of re-appointing a Controller Agent for the protection of those now in the colony.

R. A.

Act which gives power to the Governor General to suspend emigration to British Colonies, for the provisions of that Act are embodied in Sec. LXIV of Act XIII of 1864, but keeps alive this power of the Governor General as regards the suspension of emigration to French Colonies which had been given under the Convention in Acts XVI of 1860 and VIII of 1862.

I have thought it necessary to go into this detail to show that the Governor General in Council has by law the power to suspend emigration to French Guiana, (Cayenne) if he has reason to believe that proper measures have not been taken for the protection of emigrants immediately on their arrival, or while residing, or for their safe return -

I would now call attention

attention to the letter
addressed to the Foreign
Office by the India Office -
vide page 2 of papers -
marked A - in which,
when it was made known
to the Secretary of State for
India that there was no
British Consul at Guiana,
it was pointed out that
when the Convention with
France of the 1st July 1841
was under discussion there
was a distinct understanding
that a British Consul would
be maintained at every
French Colony to which
Indian laborers were to
be taken; that all the
provisions in the Convention
relating to the care of
the interests of the immi-
grants when they should
have reached the Colonies,
were based on this under-
standing; and it is per-
fectly clear from the 24th
article not only that
French Guiana was one of
the Colonies to which the
Convention

Convention was immediately
to apply, but that the
ground on which it should
so apply was that a
British Consul either was,
or was to be, stationed there.
The letter further goes on to
say: - "It is obviously
impossible that the intentions
of the Convention with regard
to the protection which it
has been considered essen-
tial to secure for the natives
of India when they leave
their own country to labor
in distant countries, can be
fulfilled unless, as con-
templated by the Convention,
a British Consul is on the
spot to attend to their
interests. Entirely irrespective
therefore of the immediate
question on which the
present correspondence ori-
ginated" the India Office
requested that Lord Stanley
may be moved to take
such steps as he may
deem suitable for affording
to the Indian immigrants
in French Guiana, the benefit

"of that Consular support
"and protection which it
"was originally intended
"that they should enjoy in
"common with the Indian
"laborers in the other French
"Colonies."

In reply it was pointed
out by the Secretary of
State for Foreign Affairs
that (as was then supposed)
all Emigration to French
Guiana had ceased, and
that therefore for the object
to which these papers, A.
relate, the administration
of estates of such coolies as
remained at Cayenne and
might from time to time
die, the appointment of a
Consular Agent was unne-
cessary, and that such
steps as might be necessary
for the administration of
these Estates might be left
to the French Governor of
Cayenne.

It is clear that both
the ^{to} and this arrangement was
agreed the Secretary of State for
India agreed - & is now with
the consent of the French Govt
in force.

the English and French
Governments acted upon
the supposition that Emigra-
tion had ceased since 1862,
which we now know from
the report of our Consular
Agent at Pondicherry
not to be the case.

I submit therefore that
the principal ground of the
application to the Governor
General in Council for
the suspension of Emigra-
tion to French Guiana,
and for the ad interim
assistance of the French
Governor to prevent emi-
gration till the pleasure
of the Governor General
is known on the subject,
is that there is no Consular
Agent at present at
Cayenne to give protection
as provided in the
Convention.

The draft of the letter
to the Governor of Pondicherry
is

for continuing
by A.



005

des/ 17/11

17

Public Dep't

N^o 1428.

To His Excellency M. Bontemps,
Governor of the French Settlements in India.

Your Excellency,

I have the honor to solicit
the aid of your Excellency in
preventing for the present
emigrants recruited in British
India being despatched from
Ports in the French Territories
in India to Cayenne (French
Guiana). The reasons which
have induced me to make
this application are contained
in the following observations.

In 1812, Her Britannic
Majesty's Consul for French
Guiana reported in a letter
to the Secretary of State for
Foreign Affairs that the
importation of coolies into
that colony had ceased. The
causes assigned for this
cessation were, 1st, the
extraordinary mortality
which

WPM

3. Under these circumstances, it was not considered by Her Majesty's Govt. any longer necessary that a British Consulate should be maintained at Cayenne, and so convinced were the Secretaries of State for India and for Foreign Affairs

part of their para:--
I would omit this para:--
The arrangement for payment of
fund left deceased emigrants
does not appear to have rested on
this conviction with the right-appears
to have been arrived at. It was
to be an ordinary arrangement
referred to long as emigrants
were at the French settlement.
It was not an out of a con-
viction that the system of paying
arrear emigrants to France had
been abandoned, as read the
paper. W.D.

then

This arrangement is dated
the 13th June 1867, and it is
evident that both Governments
were under the impression
that no considerable change
in the condition of ^{French} ~~British~~
Guiana as regards the
importation of coolies, had
taken place since the
report submitted by Mr.
Consul Perry in 1862.

4. I would now beg to
call your Excellency's atten-
tion to the enclosed letter
from the British Consular
Agent at Pondicherry dated
the 7th October last, in which
that officer represents that
during the years 1865, '66 & '67,
~~four ships containing 1500~~
~~emigrant coolies~~ have been
despatched from Pondicherry
& Cayenne.

5. I trust that your
Excellency will concur
with me ^{in my opinion} that, until
further

further information is
obtained, it is very unde-
sirable that this emigration
~~arrangement~~ to Cayenne should
continue.

6. Not only is the climate
described as having proved
fatally destructive to the
natives of India sent from
1855 to 1862 as coolies from
Pondicherry & Cayenne, but
unless the circumstances
of French Guiana have
greatly changed, it seems
very doubtful whether em-
ployment will be found
for those already despatched.

7. Apart from these
considerations it will I
feel persuaded be appa-
rent to your Excellency
that the provisions of the
Convention between the
Governments of His Imperial
Majesty the Emperor and
Her Britannic Majesty
cannot

& if emigration to Cayenne
be hereafter resumed.

cannot be fulfilled unless there is a British Consular Agency at Cayenne, for all the provisions of the Convention relating to the care of the interests of the immigrants when they ~~should~~ have reached the Colonies, are based on the understanding of there being in each colony a British Consular Agent.

Why should we say this? I mean para 7 - the French Govt. have raised no objection to a consular agent being located at Cayenne. This Lord Stanley who does not like the rest of one. W.A.

8. From Article 24 of the Convention it is perfectly clear not only that French Guiana is one of the Colonies to which the Convention was immediately applicable, but that the ground on which it was to apply was that a British Consul was ^{actually} or was to be, stationed there.

9. I have therefore resolved to request His Excellency the Governor General in Council

I would say "actual position of the immigrants now in the colony and the prospects of those who may be sent hereafter"

W.A.

W.A. French Ports in India are within the limits of the former of French India

to exercise the power vested in him by the Emigration Acts temporarily to suspend the Emigration of natives of British India to French Guiana, until further information is obtained as to the ~~conditions on which~~ ^{provisions} ~~to French Guiana~~ ^{to French Guiana} ~~will be placed~~, and until a British Consular Agent is appointed to Cayenne for their protection.

10. As some delay may occur in receiving the assent of His Excellency the Governor General in Council to this proposal, I have the honor to request the co-operation of your Excellency in preventing any emigration taking place from French Ports in India ^{to French Guiana} ~~under your Excellency's~~

~~context~~ until an answer can be received to my application to the Governor General

100-101

Public Debt & Eng 11th (Circular)
12th 27 of 1867

General in Council on
this subject.

Accept Sir for
Lyon's Notice

For St. George
13th Nov 1867
Public Debt & Eng
No 1428
of the London Office
Mr. John

State 13th Nov 1867
740-1428

Copy to the Protector of Emigrants, despatch 8/12/67