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MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

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Dated	22-5-19	1871

Not to be folded or roughly handled

26-4-37

No. 12, dated Foreign Office, London, the 3rd October 1870.

From—EARL GRANVILLE,

To—Consul SEGRAVE.

IN reply to your despatch No. 32 of the 13th of July last, inquiring whether you should give any, and if so what, encouragement to a scheme promoted by a French merchant in Réunion for the recruitment for Queensland of a limited number of coolies whose terms of service in Réunion had expired, I have to inform you that the same considerations apply to this question as to that of recruitment for New Caledonia or Mauritius, namely, that the functions of Her Majesty's Consul under the Convention must be held to cease when the coolies re-emigrate.

Your interference should, therefore, be limited in all such cases to protecting the coolies as British subjects from being deceived or led away by false representations, and to giving them such advice as you may consider necessary; but it would be highly objectionable to countenance or support officially any special recruitment of coolies for a British colony, or to allow it to be conducted under the superintendence of British officers.

It would be well, however, that coolies who propose, at the expiration of their engagements, to re-emigrate from Réunion to another colony, whether British or foreign, should be made aware that by so doing they forfeit their right to a return passage to India under the Convention; and that if they wish to secure a free passage to India at the end of their second engagement, they should obtain the insertion in their fresh contracts of service of a stipulation for repatriation at the expense of their new employer.

I have just learnt with regret that the British Vice-Consul in New Caledonia will be unable to proceed to his post for some time, and you should, therefore, warn intending emigrants for that colony that for the present they will find no British agent there to protect them.

PRÉCIS.

The following is a précis of the papers in this bundle on the subject of the re-emigration of time-expired Indian emigrants from Réunion to the French Colony of New Caledonia and the British Colony of Queensland.

New Caledonia.

In June 1869 Her Majesty's Consul at Réunion reported to Her Majesty's Government that 156 time-expired Indian emigrants had entered into engagements with some French sugar-planters from New Caledonia, and had left for that Colony. In reporting this fact, Mr. Segrave remarked that New Caledonia was not one of the French Colonies to which the Convention of 1861 applied, and he enquired whether such emigration should be permitted before adequate security could be ensured for the due performance of the planters' contracts with the emigrants. The result of the correspondence on this subject between Her Majesty's Government and the Government of France, was communicated to the Government of India in the Secretary of State's despatch noted on the margin. The French Government was of opinion that the Convention of 1861 should not be extended to New Caledonia, and the Duke of Argyll, while thinking that it was not at present necessary to make any further communication to the French Government on the subject, suggested that the Consul at Réunion should be instructed to watch quietly over the interests of the emigrants in respect of their engagement for service in New Caledonia, and that reports on their numbers and condition should, from time to time, be obtained from that Colony for the information of Her Majesty's Government.

This correspondence was communicated to the Government of Bengal on the 16th February 1870 (No. 917).

On the 23rd December 1869 Mr. Segrave reported to Her Majesty's Government the departure of 176 other time-expired emigrants from Réunion to New Caledonia. Her Majesty's Ambassador in Paris was thereupon instructed that Her Majesty's Government would be glad to come to an understanding with the French Government as to the protection of these coolies

Public, from Secretary of State, No. 74, dated 25th August 1869.

Public, from Secretary of State, No. 112, dated 28th December 1869.

Public, from Secretary of State, No. 28, dated 24th March 1870.

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while resident in New Caledonia on the same principles as those adopted in the case of emigrants to other French Colonies. At the same time Her Majesty's Vice-Consul at Bordeaux (in New Caledonia), who had recently been appointed, was instructed to exercise his vigilance for the care and protection of the coolies. These proceedings had the concurrence of Her Majesty's Secretary of State for India.

A copy of this correspondence was also communicated to the Government of Bengal (No. 2548, dated 25th May 1870).

Meanwhile, the subject of emigration to New Caledonia was also noticed by Mr. Consul Segrave in his Annual Immigration Report for 1869, a copy of which was communicated by him to the Government of India. He combatted the objection of the French Government to extend to New Caledonia the provisions of the Convention of 1861, upon the ground that the position of the coolies from Réunion who emigrated to New Caledonia in no wise differed from that of any British subject who chose to emigrate to that Colony, and he strongly advocated the adoption of measures for the security and protection of the emigrants.

Upon this the Government of India addressed Her Majesty's Secretary of State, and, after referring to the correspondence that had already taken place with the French Government, remarked—"We venture to express a hope that this important question will be settled with as little delay as possible, and we are strongly of opinion that no arrangements will be satisfactory which do not afford to Indian coolies in New Caledonia all the protection which it is found necessary to give them in other British and Foreign Colonies."

Meanwhile some further correspondence with the English Foreign Office and the Consul at Réunion was received from Her Majesty's Secretary of State for India. The purport of this correspondence was as follows: The emigration to New Caledonia was still going on. In one instance 10 men had been "secretly shipped" on board a French vessel (*Massaliote*). The Consul requested that the vessel might be detained until he had an opportunity of communicating with the men. This request was not complied with, and the vessel sailed. He thereupon wrote to the Governors of Her Majesty's Australian Colonies to investigate the case in the event of the *Massaliote* touching at any

Pub. Progs., 25th June 1870, No. 92.

Public, to Secretary of State, No. 73, dated 24th June 1870, paragraph 16.

Public, from Secretary of State, No. 76, dated 14th July 1870.

of their ports, and, if necessary, to take the men out of the vessel and send them back to India. But, on learning subsequently of the appointment of a British Vice-Consul in New Caledonia, Mr. Segrave recalled these suggestions. The English Foreign Office having requested an expression of the views of the Secretary of State for India, the Duke of Argyll replied to the effect that a British Vice-Consul having been appointed in New Caledonia, it appeared unnecessary to make any further representation to the French Government regarding the arrangements necessary for the protection of the emigrants.

The Hon'ble Mr. Strachey noted on this despatch that the mere appointment of a Consul at New Caledonia would not afford adequate security, and he would be disposed, if necessary, to go the length of stopping emigration to Réunion altogether. It was, however, determined to await the reply of Her Majesty's Secretary of State to the despatch of the 24th June 1870, No. 73.

Public, from Secretary of State, No. 89, dated 14th September 1870.

* There is nothing in the correspondence to show exactly that the men went to Queensland, though in the report of Her Majesty's Emigration Commissioners, dated 11th August 1870, it is broadly stated that "eventually the destination of the men * * was changed from New Caledonia to Queensland."

The *Massaliote* arrived in due course at Sydney, but the Governor was advised by the Colonial Attorney General that His Excellency had not the power to interfere in the manner suggested by the Consul at Réunion, especially as the Convention with France did "not at all touch the subject of re-emigration, or of transfer from one French Colony to another." The Governor reported to Her Majesty's Secretary of State for the Colonies that the ten coolies in question had "expressed their willingness to change their destination to Queensland."* On a review of the correspondence on this subject, His Grace the Duke of Argyll informed the Foreign Office that he entirely concurred in the opinion of the Colonial Attorney General that the re-emigration of coolies from one French Colony to another after service in the first was not within the terms of the Convention, and that it seemed reasonable "that coolies who of their own accord choose to leave one French Colony for another should no longer be the objects of that special protection which is accorded under the treaty to those who are embarked for India. All that would appear to be necessary is, first, that precaution should be taken against their being induced to leave the first Colony through fraud or misrepresentation; next, that on their arrival in the

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second Colony they should receive the general protection to which English subjects in a foreign Colony are entitled, and with fair regard to their comparatively helpless position." "These objects," His Grace did not doubt, "will be obtained by the recent appointment of a Vice-Consul, as far as New Caledonia is concerned."

Instructions in accordance with the Duke of Argyll's views above-quoted, were communicated by the Foreign Office to Her Majesty's Consul at Réunion.

Public, from Secretary of State,
No. 93, dated 6th October 1870.

The Secretary of State's reply to the despatch of the 24th June 1870, No. 73, was received about this time. His Grace simply referred to the correspondence above-noted, transmitted with his despatches Nos. 76, 89, and 93 of 1870. These despatches, His Grace remarked, "will have put your Government in possession of all the correspondence which has passed on this matter, concluding with the instructions sent by the Foreign Office to Mr. Consul Segrave on the 14th of July last."

Public, from Secretary of State,
No. 95, dated 20th October 1870,
paragraph 10.

This despatch, with the previous despatch No. 76, was simply communicated to the Government of Bengal for information (No. 5358, dated 8th December 1870).

Queensland.

With his despatch noted in the margin, the Secretary of State forwarded copy of a correspondence with the Foreign Office relative to a scheme of recruitment for Queensland of time-expired Indian emigrants in Réunion.

Public, from Secretary of State, No. 91
dated 6th October 1870.

The scheme arose out of an enquiry made by Monsieur Dorndin, a French Merchant residing in Réunion, whether there would be any objection to the recruitment in the Colony of a limited number of time-expired Indian coolies who might be willing to enter into fresh contracts for Queensland. Mr. Segrave asked for instructions as to whether any and what encouragement should be afforded by him in carrying out the proposed re-emigration.

The Foreign Office referred Mr. Segrave's enquiry to the India Office, with the remark—"that in any case it would be highly objectionable that the recruitment in question should have an official character."

The Duke of Argyll's reply was communicated in the 2nd paragraph of Mr. Merivale's letter to the Foreign Office, dated 16th September 1870, as follows:

In reply, I am to request that you will inform Earl Granville that in accordance with the views repeatedly expressed by this Department in the case of re-emigration of coolies from Réunion and other Colonies, French or British, the Duke of Argyll in Council is of opinion that the function of British Consuls in foreign Colonies under the Convention ceases when coolies re-emigrate. From thenceforth they are no longer under the stipulations, nor subject to the supervision sanctioned by that instrument. How far the British Consul is justified in advising these people on the subject of re-emigration, not in his special duty under the Convention, but in his general character of Consular Officer, is a question which can only, as it seems, be dealt with by the officer himself in the exercise of prudence and moderation. But any systematic interference to induce them to seek British rather than foreign Colonies is, of course, to be avoided; and His Grace fully agrees with Lord Granville that it would be exceedingly objectionable to give an official character to any recruitment of coolies at Réunion for Queensland, or to allow such recruitment to be conducted under the superintendence of British officers.

A copy of this despatch, and of its enclosures, was communicated to the Governments of Bengal, Madras, and Bombay for information.—(Nos. 5275 to 5277, dated 2nd December 1870.)

Public, from Secretary of State,
No. 112, dated 24th November 1870.

The Foreign Office accordingly returned the following instructions to Mr. Segrave (letter dated 3rd October 1870, No. 12):

* * I have to inform you that the same considerations apply to this question as to that of recruitment for new Caledonia or Mauritius, namely, that the functions of Her Majesty's Consul under the Convention must be held to cease when the coolies re-emigrate. Your interference should, therefore, be limited in all such cases to protecting the coolies as British subjects, from being deceived or led away by false representations, and to giving them such advice as you may consider necessary; but it would be highly objectionable to countenance or support officially any special recruitment of coolies for a British Colony, or to allow it to be conducted under the superintendence of British officers. It would be well, however, that coolies who propose, at the expiration of their engagements, to re-emigrate from Réunion to another Colony, whether British or Foreign, should be made aware that by so doing they forfeit their right to a return passage to India under the Convention; and that if they wish to secure a free passage to India at the end of their second engagement, they should obtain the insertion in their fresh contracts of service of a stipulation for repatriation at the expense of their new employer.

A copy of this despatch was communicated to the Government of Bengal (No. 5831 dated 31st December 1870).

The Secretary of State now sends copy of a correspondence received from the Colonial Office relative to the re-emigration of time-expired Indian coolies from Réunion to the French Colony of New Caledonia, or the British Colony of Queensland. There is nothing in this correspondence that calls for any remark, as will be seen from the following summary:

The Emigration Board doubt whether the coolies will find employment in Queensland so profitable as employment in Réunion. Nor will the Queensland regulations for the protection of Indian emigrants, obtained direct from India, apply to those who come from Réunion. It is

hardly worthwhile to bring the subject under the notice of the local legislature with a view to the passing of a special Act for the protection of the latter class of emigrants, considering the small number who have as yet reached the Colony.

The Emigration Board also notice that the coolies re-emigrating to Queensland would lose their claim to be repatriated at the expense of the French Government without acquiring one against their new employers, unless it were made to form one of the stipulations of their contract of service.*

* This has been provided for in the instructions given by the Foreign Office to Mr. Consul Segrave in the letter dated 3rd October 1870, quoted above.

There is also a correspondence between the Colonial Office and the Governor of the New South Wales, the only point in which that need be noticed is that the Governor has been informed that the question of re-emigration or transfer of coolies from one French Colony to another is not touched by the Convention of 1861.†

† This is only a confirmation of the advice given by the Colonial Attorney General, to the Governor, as already mentioned in a former part of this précis.

A copy of the present despatch from the Secretary of State (No. 10, dated 2nd March 1871), together with a copy of Earl Granville's letter No. 12, dated 3rd October 1870, to Mr. Consul Segrave (enclosed in the Secretary of State's despatch No. 112, dated 24th November 1870), may be communicated to the Governments of Bengal, Madras, and Bombay for information, in continuation of the endorsements Nos. 5275 to 5277, dated 2nd December 1870, on the Secretary of State's despatch No. 91, dated 6th October 1870.

A. D'C., 21-4-71.

THIS précis represents only one portion of the extremely unsatisfactory state of affairs prevailing in the French Colony of Réunion as regards Indian immigrants in that Colony. From the correspondence it is clear that the state of disorder in which France has been for the past ten months has prevented the Home Government getting the matter settled on a satisfactory basis. As suggested within, perhaps the only action we can now take on the despatch of the Secretary of State, No. 10, is to send copies to the Local Governments.

Perhaps the Indian Government will be unable to admit the force of the argument of the French authorities, that the coolie re-emigrating to New Caledonia requires no protection, because from his experience in Réunion he knows what is before him.

The Secretary of State has strongly insisted that the functions of the British Consul at Réunion cease when the coolies re-emigrate, and this is very evidently true if it means that he has nothing to do with the coolie when the latter *has actually* re-emigrated from Réunion. But the Secretary of State appears to consider that these words, if admitted, almost preclude the active interference of the Consul with coolies about to re-emigrate.

The question raised by Mr. Segrave that this re-emigration, though not perhaps specifically provided against by the Convention with the French Government, is contrary to its spirit, appears to have been slurred over by the Home authorities.

W. V.

I do not think so. At any rate see the passage which I have marked in the instructions to Mr. Segrave from the Foreign Office. I think we had better wait and see what actually comes of this re-emigration, which should, however, be very carefully watched.

E. C. B., 22-4-71.

No. 2195.

FROM

J. GEOGHEGAN, Esq.,

Under Secretary to the Govt. of In.

TO

The Secy & the Govt. of Port St. George

Home Dept.

Public.

SIMLA, the 4th May 1871.

SIR,

IN continuation of the endorsement from this Department, No. 5276, dated the 2nd December last, I am directed to forward, for the information of His Excellency the Govt. in Council, the accompanying copy of a despatch from Her Majesty's Secretary of State for India, No. 10, dated the 2nd March, and of its enclosures, together with a copy of a letter from Earl Granville to Mr. Consul Segrave, No. 12, dated the 3rd October 1870, on the subject of the re-emigration of time-expired Indian emigrants from Réunion to New Caledonia and Queensland.

I have the honor to be,

SIR,

Your most obedient Servant,

Geoghegan

Under Secretary to the Govt. of India.

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In 13. 1871.

22 May 1871 No. 685.

Communicated to the Protector
of Emigrants. L.H.

Dr. the Protector of Emigrants.

Public 1871 Defauld

From

The United Secretary to
the Government of Victoria
House Dept No. 2185
Public

Dated 4 May 1871
Recd 12 "

No. 893 Enclosure &
J. J. C.

Forwarded copy
of a despatch from the
Secretary of State for India
& enclosures together with a
copy of a letter from Lord
Granville to Mr. Coward
regarding the subject of
the re-employment of immi-
grated Chinese emigrants
from Victoria to New Zealand
and elsewhere.

With enclosures.

22 May 1871
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