

ORDINARY, MS.

Public DEPARTMENT.  
G.O., DATED 22-8-92  
No. 577. (22-8-1892)

When given for copying.

[Despatch Abstract.]

Addressing the Govt of India regarding the enquiry whether there are any objection to permit the Colony of Natal to recruit coolie emigrants for a compulsory service of 10 years. Inhabitants be the result on recruitment of the change was examined.

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CURRENT No.

No. 17/14  
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2 AUG 92

FROM

SIR E. C. BUCK, Kt., C.S.I.,

Secretary to the Government of India,

To

The Secretary to the Government of Madras.

Revenue and Agricultural  
Department  
(Emigration)

Simla, the 27<sup>th</sup> July 1892

SIR,

I am directed to forward for the consideration of Government of Madras, the enclosed letter received from Dated 4th January 1892. His Excellency the Governor of Natal

and to request that His Excellency the Governor in Council will favor the Government of India with an expression of his opinion on the proposal that Indian Emigrants to Natal should be obliged to serve under indenture for successive periods of five years, instead of one of five years.

2. Under the existing Law (25 of 1891), a coolie emigrating to Natal contracts to serve under indenture for five years (Section 11); he does not however acquire a right to a free return passage to India until he has resided 10 years in the Colony, of which five must be under indenture (Section 10) and he is not permitted to leave the Colony before completion of a residence of 10 years without a license, and then only, if he abandons his claim to a free return passage (Section 92).

3. The present proposal contemplates the substitution of a compulsory reindenture either to the same or some other employer on a progressive rate of pay (but apparently without any bounty) for the present five years of residence without indenture, one of the objects being to recover from the employer of the coolie under reindenture the portion of the cost of introducing Indian Immigrant which

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ch is now met from a subsidy granted from the revenues of the Colony.

The Government of India desire to learn whether in the opinion of His Excellency the Governor in Council there are any objections to permitting the Colony of Natal to recruit coolie immigrants for a compulsory term of ten years, which is double the period at present allowed to any Colony importing Indian labour, and what would be the probable effect of this change, if sanctioned, on the recruitment of emigrants for Natal.

The second proposal viz. that coolie emigrants should be compelled to leave the Colony on completing their term of indenture has been negatived and need not be considered.

I am to request the favor of a very early reply to this matter.

I have the honor to be,  
Sir,  
your most obedient servant,

*Esau*  
Secretary.

These copies will be sent from Calcutta.

CURRENT No.

[ 2 ] Public (1892) DEPARTMENT.

From The Govt of India,  
Rev: 8 April: Dept (Emigration)

No.  $\frac{1714}{10}$

Dated 27<sup>th</sup> July } 1892  
Received 2<sup>nd</sup> August }  
Enclosures /

#### SUBJECT.

Requesting an expression of opinion of H.E. the Govt in Council on the proposal that Indian Emigrants to Natal should be obliged to serve under indenture for two successive periods of five years, instead of one of five years.

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13/2/92 to 107 -

Referred to the Protector of Emigrants for very early report.

Resubmitted  
Chief Secretary

30B  
4/VIII

Dated Pietermaritzburg, the 4th January 1892.

From—His Excellency the Governor of Natal,

To—His Excellency the Viceroy and Governor General of India.

DURING the recent session of the Legislative Council of this Colony, an address was presented to me embodying Resolutions passed by that body expressing the opinion that it is desirable for the Government of Natal to communicate with the Government of India with the object of obtaining its approval to such changes in the Indian Immigration Laws of this Colony as will attain the following objects:—

(a) That for the future Indians should continue in service during the whole of their residence in the Colony;

(b) That it is desirable for Indians on the completion of their term of service to return to India.

I transmitted a copy of this address of the Council to the Secretary of State in a despatch in which I expressed my views on the subject of the Resolutions forwarded with it.

Governor to Secretary of State, No. 161, dated 17th July 1891.

I forward to Your Lordship a copy of my despatch to Lord Knutsford.

2. The Secretary of State, in reply to my despatch above referred to, intimated to me that legislation on the proposal that Indians should be compelled to return to India after the completion of their indentured service could not be sanctioned. I referred to this proposal in paragraph 10 of my despatch to the Secretary of State.

3. With regard to the question of extending the period of compulsory service under indenture to ten years, the Secretary of State authorises me, with the concurrence of the Secretary of State for India, to communicate direct with the Government of India. Copy of despatch enclosed.

Secretary of State to Governor.  
Emigration, dated 24th September 1891.

I forward also a copy of a report upon this point, which at my request has been furnished by the Protector of Immigrants.

Protector of Immigrants.  
Report, dated 2nd December 1891.

4. I should be much obliged if Your Lordship would inform me whether the Government of India has any objection to the proposal that Indian emigrants recruited for service in this Colony should be obliged to serve under indenture for two successive periods of five years instead of for one of five years as at present, their monthly wages being increased *pro rata* during the second term of service; and, if there is no objection to this proposal, I should be glad if I could be furnished with the views of the Government of India as to what would be the effect on recruiting for service in Natal of this change.

No. 161, dated Pietermaritzburg, Natal, the 17th July 1891.

From—SIR C. B. H. MITCHELL, K.C.M.G., Governor and Commander-in Chief of Natal,

To—The Secretary of State for India.

I HAVE the honour to forward to Your Lordship a copy of an address received by me from the Legislative Council embodying Resolutions passed by that body as follows:—

Address No. 34, dated 14th July 1891.

(1) That, in the opinion of this Council, it is desirable for the Government to enter into communication with the Indian Government with a view to obtaining its approval to such changes in the

Indian Immigration Laws of Natal as will attain the following objects:—

(a) that for the future Indians should continue in service during the whole of their residence in the Colony;

(b) that it is desirable for Indians on the completion of their term of service to return to India.

(2) That, in the event of it being proved to be practicable to make such changes in the laws, the Council is of opinion that the grant from revenue should be discontinued.

2. The question of the continuance of Indian emigration to Natal is one on which there has been much discussion during the present session. The tendency showed by the Indians to settle in South Africa, and the consequent considerable increase in their numbers, has excited the fears of those who desire that Natal shall be—to use the local phrase—"a Whiteman's colony," and the dislike of the mechanics and labouring classes, who see in the Indian a rival who in the near future may successfully compete with them in their craft. There are others who believe that the presence of the Indian race is slowly, but surely, tainting the moral condition of the European and Native population, and there can be no doubt that the dislike entertained by the neighbouring republics to the influx of coolies has intensified the feeling in Natal as to the undesirability of increasing the number in the Colony.

3. Every effort was made by a considerable and united minority in the Legislative Council to impede the passage of the Bill "to amend and consolidate the Laws relating to the introduction of Indian immigrants into the Colony of Natal, and to the regulation and government of such Indian immigrants," which has, however, passed the Council, but has been sent back for some trifling verbal amendments.

4. Mr. Binns, as representing the majority that carried the Bill, was so impressed with the importance of arriving at some solution of the question, that he proposed, and carried, the above-quoted Resolutions in the House.

5. The point, which has been most attacked, has been the annual subsidy of £10,000 voted in the Supply Bill in aid of Indian immigration, the opponents of the present system contending that those who introduce Indian labourers should pay the whole cost of their introduction, while the supporters of the vote allege that the supply of Indian labour is necessary for the industries of the colony; that the proportion paid by those to whom the labourers are first indentured, as those who retain their services for the first half of their stay, when they are comparatively unskilled, is as great as they should pay; and, further, that if the revenue is to be relieved of all payments for the introduction of these people, those who employ their services during the remainder of their compulsory sojourn in Natal should pay a proportion of the cost of their introduction. But to carry out this last contention it would be necessary that the terms of engagement made in India should be altered, and the emigrant be compelled to enter on a second term of indentured service at the expiry of his first five years.

6. A considerable proportion of the Indians do, as a matter of fact, re-engage for longer or shorter periods when their five years' compulsory service terminates, but the larger number of them prefer to seek their own living in the various ways open to them, and they thus come into competition with the white population. This has had the effect of considerably lowering the prices of garden produce, maize, &c., and is therefore of direct benefit to the community generally.

7. If the Government of India should be disposed to concede the question raised of a second compulsory period, I would suggest that the progressive minimum rate of wages which now obtains during the first five years of indenture be continued during the second period. The labourers would thus commence their sixth year on a payment of 15s. per month, and in their tenth year of service of 19s. per month.

8. It is, of course, understood that the new system could only apply to emigrants engaged after the coming into operation of the new form of contract.

9. I should think it probable that such an alteration in the conditions of engagement would adversely affect recruiting in India; but with this view of the subject the Indian Government has, of course, no concern.

10. With regard to the proposal (b), namely, that Indians should be required to return to India at the termination of their service, I have to say that, even if the proposal were accepted in theory, it would be difficult to enforce it in practice unless by the statute law of the Colony it were made a crime for a British Indian subject to break his contract by refusing to return to India at the termination of his engagement. To such a law, even if it passed the legislature of Natal, I find it difficult to think that Your Lordship would advise Her Majesty to give her assent.

11. The *free* Indians in Natal, numbering, according to the recent census, 30,393 (the *indentured* Indians numbering 10,749 souls), form on the whole an industrious and law-abiding section of the community. Their general usefulness cannot be denied, and, owing to the dislike of the native labourer to a continuous engagement, the Indians are simply invaluable to those cultivators and stock farmers whose success depends on steady labour.

12. The cry as to Natal's being a "whiteman's country" is untrue so far as regards the whiteman's capacity for field labour in a semi-tropical climate, and there can, I think, be no doubt that, if the colony is to prosper, a supply of coloured labour will always be necessary. Accusations more or less true are brought against the Indian of filthy and immoral habits detrimental to the community at large; but these are disadvantages which must be faced if the advantages accruing from a steady labour supply are to be continued. Moreover, I think that these accusations chiefly apply to the Indians who settle in, or in the neighbourhood of, the towns, and that the habits complained of might be dealt with by the municipal authorities making and enforcing stricter sanitary and other regulations, extending, if found necessary, to the segregation of the Indian portion of the population.

13. The question in the public mind has been somewhat complicated by the presence in Natal of a considerable number of Indian banians (locally known as Arab traders). These people have, however, come into the Colony at their own cost in the exercise of their undoubted rights as British subjects. They have, it is true, almost superseded the small shopkeeper in the towns and the "Kafir trader" in the country districts, but the lowering of prices that has thereby been obtained has a certain advantage to the community generally. These men, moreover, have not, as I think, been attracted here by the presence of the emigrant Indian, but, as a class of the keenest traders in the world, they have been brought to Natal by desire to partake in the commercial expansion of the Colony. Their progenitors have for untold generations traded between India and the East Coast of Africa, and these men have within the last fifteen or twenty years extended their operation to the South-East Coast.

ADDRESS.

No. 34 of 1891.

To His Excellency SIR CHARLES BULLEN HUGH MITCHELL, Lieutenant-Colonel, late Royal Marines, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of Natal, Vice-Admiral of the same, and Supreme Chief over the Native population, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,—The Legislative Council beg respectfully to request that Your Excellency will be pleased to take the necessary steps for carrying out the following resolutions which passed the Council this day, namely:—

(1) That, in the opinion of this Council, it is desirable for the Government to enter into communication with the Indian Government with a

view to obtaining its approval to such changes in the Indian Immigration Laws of Natal as will attain the following objects:—

- (a) that for the future Indians should continue in service during the whole of their residence in the Colony;
  - (b) that it is desirable for Indians on the completion of their term of service to return to India.
- (2) That, in the event of it being proved to be practicable to make such changes in the laws, the Council is of opinion that the grant from revenue should be discontinued.

By Resolution of the Legislative Council, this 14th day of July 1891.

(Sd.) JNO. W. AKERMAN, *Speaker*.

Dated London, the 24th September 1891.

From—The Right Hon'ble LORD KNUTSFORD, G.C.M.G., Secretary of State for the Colonies,

To—His Excellency the Governor and Commander-in-Chief of Natal.

With reference to your despatch No. 161 of 17th July last reporting the Resolutions of the Legislative Council relative to Indian immigration, I have now the honour to inform you that the proposal that immigrants should be compelled to return to India after the completion of their indentured service would be such an interference with the ordinary rights of British subjects that legislation in that sense could not be sanctioned.

Upon the question of extending the period of compulsory service under indenture to ten years, I authorise you, with the concurrence of the Secretary of State for India, to communicate direct with the Government of India.

With reference to paragraph 5 of your despatch, I have the honour to transmit for your information a copy of a law recently enacted in Jamaica which provides that any person employing a cooly labourer after the expiration of his five years' indentured service, and before the completion of ten years' residence, shall pay a tax of 1s. per week or 50s. per annum.

*Report on subject of re-indenture of Indian immigrants for a second five years.*

Towards the latter end of 1883 it was found necessary, owing to some little difficulty which existed in obtaining the required number of emigrants for Natal, to offer special terms with regard to wages, and our agents were accordingly authorised to make known that the rupee in Natal would be of the value of 2s. That the five rupees hitherto offered would be equal to 10s. in Natal, equivalent at that time to 6 rupees in India, increasing yearly up to 14s. in the fifth year, equal to rupees 8½ in India.

2. By adopting this course employers paid no more by way of wages from the fact that the rupee in Natal had all along been paid at 2s.

3. At the present time 10s. in India is of the value of 6 rupees 7 annas 9 pies.

4. Again, in 1889, it was considered advisable to increase the recruiting fee for Natal by 5 rupees at Madras, partly in order to recoup our recruiters for losses sustained through rejections of intended emigrants by Surgeon Superintendents of vessels (appointed in Natal), and also as an inducement to secure a better class of people.

5. At the present time labour is in great demand, and the demand for Indian labour is almost certain to continue for some considerable time, and any departure from the ordinary course likely to check emigration, if only for a time, should, I think, be carefully avoided.

6. The question raised of a second compulsory period of indenture is therefore quite a new departure in emigration from India; and, if enforced, will, I think, be a block, for a time at least, as no such stipulation exists in any of the other labour-importing colonies.

7. In Penang and Singapore the period of indenture is for three years; Mauritius, Fiji, St. Lucia, British Guiana, Trinidad, Jamaica, and Surinam, five years.

8. Free return passages are claimable from Surinam on completion of five years' indenture.

9. Penang, Singapore, and Mauritius do not provide free return passages. Immigrants returning to India do so at their own cost.

10. From Fiji, St. Lucia, British Guiana, Trinidad, and Jamaica free passages are provided after a continuous residence of 10 years. Immigrants may, however, return to India at their own expense on completion of their indentured term, five years; and emigrants to Natal are in this position also.

11. In Fiji and St. Lucia the minimum rate of pay is 13s. 6d. per month; British Guiana 16s., Trinidad 17s., Jamaica 11s., and Surinam 18s. 6d. These rates may, however, be considerably increased by task work. As a rule task work in these colonies is adopted in preference to time or day work.

12. Employers in Fiji, St. Lucia, British Guiana, Trinidad, Jamaica and Surinam are not called upon to provide their indentured Indians with food.

13. The average rate of pay in Natal and Mauritius for the period of indenture is 12s. per month. Only one advantage Natal has over Mauritius, and that is in respect to free return passages, all other conditions being about equal.

14. On completion of indenture in Natal, free Indians find no difficulty whatever in obtaining employment at wages varying from 16s. to 25s. per month as ordinary field hands with rations, skilled hands, sirdars, &c., at from £ 3 to £ 7 with rations.

15. The average rate of pay to the free Indian in Natal is about 20s. per month.

16. Should the Government of India be disposed to concede to a second compulsory period of five years, the progressive minimum rates of wages which now obtains during the first five years should, I think, be increased as an inducement to emigrate, commencing, say, at 11s. per month, increasing yearly up to 20s. in the 10th year.

17. The present actual cost to the employer, exclusive of food, medicine, and medical comforts, is 16s. 10d. per month per man during the first year of indenture, increasing 1s. yearly up to 20s. 10d. in the fifth year, namely:—

Annual instalment £3-10

|             |     | s.  | d.    | s.    | d.    | s.    | d.    | s.    | d.    | s.    | d.    |
|-------------|-----|-----|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Monthly     | ... | ... | 5-10  | 5-10  | 5-10  | 5-10  | 5-10  | 5-10  | 5-10  | 5-10  | 5-10  |
| Wages       | ... | ... | 10    | 11    | 12    | 13    | 14    | 15    | 16    | 17    | 18    |
| Medical fee | ... | ... | 1     | 1     | 1     | 1     | 1     | 1     | 1     | 1     | 1     |
| TOTAL       |     | ... | 16-10 | 17-10 | 18-10 | 19-10 | 20-10 | 21-10 | 22-10 | 23-10 | 24-10 |

18. If indentured for a second period of five years, instalments would then be extended over a period of ten years. By this means the General Revenue might possibly be relieved from the yearly contribution of £10,000.

19. The present cost of introduction and return is about £24 per male adult. Of this amount the employer pays £17-10 by annual instalments of £3-10 for five years, the balance being made up by the contribution from General Revenue.

20. An annual instalment of £2-10 would about cover the cost.

21. Employers would then pay for indentured labour as follows, monthly :—

|                               |     | <i>s.</i> | <i>d.</i> | <i>s.</i> | <i>d.</i> | <i>s.</i> | <i>d.</i> | <i>s.</i> | <i>d.</i> | <i>s.</i> | <i>d.</i> | <i>s.</i> | <i>d.</i> | <i>s.</i> | <i>d.</i> |
|-------------------------------|-----|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Proportion, annual instalment |     | 4         | 7         | 4         | 7         | 4         | 7         | 4         | 7         | 4         | 7         | 4         | 7         | 4         | 7         |
| Wages ...                     | ... | 11        | 12        | 13        | 14        | 15        | 16        | 17        | 18        | 19        | 20        |           |           |           |           |
| Medical fee ...               | ... | 1         | 1         | 1         | 1         | 1         | 1         | 1         | 1         | 1         | 1         |           |           |           |           |
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22. Under a new contract such as that proposed great dissatisfaction must naturally be expected from the position in which the Indians under that contract will find themselves at the expiration of their first five years, and the position in which their fellow-countrymen, the free Indians, occupy in the Colony.

23. Indians first came to Natal under Law 14 of 1859, the period of service being three years.

24. On the expiration of that period the immigrants were required to enter into a new contract with the same or some other employer for a further term of not less than twelve months or more than two years.

25. Such further indenture could, however, be commuted or reduced by the immigrant on payment of a sum of £ 2-10 for each remaining year to complete an industrial residence of five years.

26. A large majority of the immigrants commuted their industrial residence on a payment of £5; others on payment of £2-10 for the fifth year, and only these, with very few exceptions, who were not in a position to make this money payment, remained in service.

27. Law 17, 1861, extended the period of indenture from three to five years.

28. Law 14, 1859, and 17, 1864, were repealed by Law 2 of 1870, the term of indenture, five years, being maintained.

29. Law 2, 1870, has also recently been repealed by Law 25, 1891, five years, indenture being maintained.

30. Law 19, 1874 (repealed), provided for a bonus of £10 being paid to any immigrant entitled to a free return passage upon condition that the immigrant receiving this amount entered into an engagement for a further period of five years, with a right to return passage at the expiration of that time. Very few Indians availed themselves of this offer.

31. Section 58, Law 2, 1870 (repealed), also provided for a bonus on re-indenture for one year, the amount of bonus to be agreed between employer and Indian. This also proved a failure to induce the Indians to re-engage.

32. It has been my experience, and I think it is the experience of every employer of Indian labour in Natal, that the free Indian has a very great objection to re-engage for any period beyond that of a monthly servant.

33. Attached is the notice to Indians intending to emigrate to Natal.

L. H. MASON,

Protector of Immigrants.

The 2nd December 1891.

Public Department.

From

The Protector of Immigrants  
Natal

N. 413

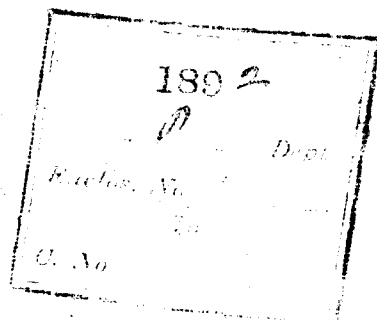
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CHIEF SECRETARY  
12 AUG 92  
GOVERNMENT

Subject

Regarding the extension of the  
term of Contract entered into  
with Coolies proceeding to Natal  
from 5 to 10 years.



Public (18 ) Department.

(EMIGRATION.)

From

THE PROTECTOR OF EMIGRANTS,  
Madras,

To

THE CHIEF SECRETARY TO GOVERNMENT,  
PUBLIC DEPARTMENT,  
Fort St. George.

No.

Dated

Despatched

Received

ENCLOSURES.

No.

Subject.

No. 413

From

W. A.

To

SIR,

In reply to  
5<sup>th</sup> inst. on the  
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matter is expl

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Public Dept

N<sup>o</sup> 577 of 22<sup>nd</sup> Aug. 92

Secretary to the Govt. of India

Rev. & Agri. Dept

Sir,

I am directed to  
acknowledge the re-  
ceipt of your letter of  
17/4/10, of 27.7.92, re-  
garding whether there  
are any objections to  
permitting the Colony of  
Solat to recruit Co-  
migrants for a com-  
munity service of two years  
and what would probably  
be the result of such  
recruitment. The change  
in reply to inform you  
that this Govt. sees no  
objection to the proposal  
provided that matter  
is clearly explained  
to all intending immig-  
rants before they enter  
with their agents in  
India and that they  
are distinctly made to  
understand that they  
are liable to serve two  
years and not only  
five years.

As to the second  
part of the question

Govt. that the  
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Emigration  
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Some  
 21/8/75

Public Department

C. Nos. 1035 and 2116

FOR ORDERS.

The objects of the proposal  
 made by the Government of Natal appear  
 to be to check to a considerable extent  
 the settling down in the country of the  
 Indian Coolie and his competition in the  
 labour market with the white man, and  
 to shift the burden of the cost of the  
 importation of the coolie labour as much  
 as possible from the shoulders of the  
 State to those of the persons for whose  
 benefit the labourer is imported.

There seem to be no objections  
 to the proposal provided that matters  
 are clearly explained to all intending  
 emigrants before they enter into their  
 agreements here and that they are dis-  
 tinctly made to understand that they will  
 be liable to serve 10 instead of 5 years.  
 The papers refer to a second term of  
 indenture but why there should not be an  
 agreement for ten years once for all is  
 not altogether clear. Possibly the Govern-  
 ment of Natal wishes to have it in its  
 power at the end of the first five  
 years, to terminate the engagement of un-  
 desir-  
 able

24/8/75  
 21/8/75

factory coolies and send them back.

The terms offered under

the renewed engagement began at 15/ in-  
creasing by yearly increments to 18/.

From Mr. Mason's report (paras 14 & 15)

it appears that the wages of Indian

coolies who have completed their five

years agreements vary from 16/ to 25/

per mensem and that ~~that~~ the average

wages is 20/. Skilled hands he ever seen

to receive much more and reind<sup>w</sup>eture would

no doubt be very much to the disadvantage

of all really good workmen and labourers.

Whether these terms, if this Government

<sup>when</sup> ~~concerns~~ to the proposal of the Natal Govt.,

will not cause a falling off in emigration

to Natal is a matter for considerable doubt.

The probability is that when the result

of the change is fully realised by the

coolies it will <sup>w</sup> ~~add~~ to a very appreciable

extent. However as Sir C. Mitchell observes

in para 1 of his letter this is a view of

the question with which the Indian Govern-

ment has no concern. It is, as there are

elsewhere and closer at hand ample <sup>fields</sup> ~~lands~~

for the surplus labour of India a matter

of perfect indifference to the Government

of the country whether emigration to Natal

falls off or not.

The letter of the Protector of

Emigrants, Madras, affords, it is submitted,

no information. He ought to have consulted

11  
the Migration Agent for Natal and has  
apparently not done so.

S  
page 6

11/2

4/11  
17-11-1904

Regarding the proposal of the  
Natal Govt. that Indian Emigrants  
should serve under indenture for two  
successive periods of five years.