

Government of Madras.
1897
Public (~~190~~) Department.

ORDINARY MIS.

G.O., No. 165-66.

DATED 19.2.97.

[Despatch Abstract.]

Forwarding to the Govt of India certain
memorials addressed to the Viceroy in Council
and the Secretary of State relative to the grievances
of British Indians in South Africa, and
requesting that Govt to make enquiries of the
Natal authorities on the subject in view to the
drawal of existing facilities for Indian
emigration to that colony in the event of
a war being declared.

BACK PAPERS.							
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

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e.no.	1259	of 97	for $\frac{465}{27.4.97}$				

When signed

Forwarding memorials
addressed to the Governor of
Madras, the Viceroy of India
and the Secy. of State for
India re ~~the~~ Indians in
South Africa.

G.O.	No.	Department.	Date.
	96415	Pub	7/9/96
	707	"	4/7/96
	503	"	1/5/96
07	113	"	23/11/96
07	58	"	9/11/96
	849	"	11/10/95
	744	"	7/9/95
	743	"	7/9/95
	79	"	1/3/95

G.O.	No.	Department.	Date.

To

His Excellency Sir Arthur Herbert Havelock,
G. C. M. G., G. C. S. I., the Governor of
Madras in Council.

*The Humble Memorial of the Inhabitants of
Madras in Public Meeting assembled.*

SHewETH,

1. That your Memorialists at a Meeting held in Madras on the 26th October last after a consideration of the grievances of British Indians in South Africa adopted the following resolutions:—

- (a) This meeting fully sympathizes with the Indian Settlers in that country and authorize Messrs. P. Ananda Charlu, C. Sankaran Nair, John Adam, N. Subramaniam, H. Hadi Badsha Saib and G. Subramania Iyer to draw up memorials to the Home and the Indian Governments, inviting their attention to the grievances with a view to their prompt redress, and forward the same under the signature of the Chairman.

- (b) This meeting regrets the action of the Home and the Indian Governments in having assented to the Indian Immigration Law Amendment Act passed by the Natal Parliament last year, and is of opinion that, if the repeal of that Act cannot be brought about by the Governments, indentured emigration to the colony of Natal should be suspended.

2. That your *Memorialists* beg to submit herewith copies of the pamphlet and the speech detailing the grievances.

3. That your *Excellency's* Memorialists are deeply pained to hear of the grievances existing in South Africa and pray that your *Excellency's* Government may take such steps as are necessary to remedy them.

4. That your *Memorialists* beg further to invite your *attention* to the Natal Immigration Law Amendment Act and to point out that the provisions therein are highly detrimental to the welfare of this country and are opposed to the solemn declarations of Her Majesty's Government from time to time that Her Majesty's Indian subjects will be treated on a footing of equality with Her Majesty's other subjects.

5. That your *Memorialists* humbly venture to suggest that if the authorities in South Africa cannot be compelled to remove the disabilities your *Memorialists* Government may take steps to suspend Indentured Emigration to the colony.

6. That your *Memorialists* beg to point out that, for the reasons contained in the Memorials of Indians in South Africa already submitted to your *Government* (printed copies of which are herewith submitted), the repeal of the Act is absolutely necessary in the best interests of the Government of this country.

That your *Memorialists* pray that your *Health* may be pleased to take the necessary steps to ameliorate the condition of our countrymen in South Africa.

Africa.

And for this act of justice your *Memorialists* shall as in duty bound ever pray.

President.

Public Meeting held on the 26th October 1896.

To His Excellency Sir Arthur Herbert Halliday
G.C.B., G.C.I.D., the Governor of
Madras in Council.

The Humble Memorial of the Inhabitants of
Madras in Public Meeting assembled.

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6. That your *Excellency's* Memorialists beg to point out that, for the reasons contained in the Memorials of Indians in South Africa already submitted to your *Excellency's* Government (printed copies of which are herewith submitted), the repeal of the Act is absolutely necessary in the best interests of the Government of this country.

That your *Excellency's* Memorialists pray that your *Excellency* may be pleased to take the necessary steps to ameliorate the condition of our countrymen in South Africa.

And for this act of justice your *Excellency's* Memorialists shall as in duty bound ever pray.

President.

Public Meeting held on the 26th October 1896.

To His Excellency Sir Arthur Herbert Hamilton,
G.C.M.G., G.C.S.I., the Governor of
Madras in Council.

The Humble Memorial of the Inhabitants of
Madras in Public Meeting assembled.

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(a) This meeting fully sympathizes with the Indian Settlers in that country and authorize Messrs. P. Ananda Charlu, C. Sankaran Nair, John Adam, N. Subramaniam, H. Hadi Badsha Saib and G. Subramania Iyer to draw up memorials to the Home and the Indian Governments, inviting their attention to the grievances with a view to their prompt redress, and forward the same under the signature of the Chairman.

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That your *Excellency's* Memorialists pray that your *Excellency* may be pleased to take the necessary steps to ameliorate the condition of our countrymen in South Africa.

And for this act of justice your *Excellency's* Memorialists shall as in duty bound ever pray.

President,

Public Meeting held on the 26th October 1896.

To,—

His Excellency the Right Honourable LORD ELGIN, Viceroy
and Governor General of India in Council, Calcutta.

The memorial of the undersigned
Indians in the Colony of Natal,

Humbly Sheweth:

That your memorialists who are Her Majesty's Indian subjects crave leave to draw your Excellency's attention to the humble memorial addressed to Her Majesty's Government with regard to certain clauses of the Indian Immigration Law Amendment Bill which was recently passed by the Hon. the Legislative Assembly and the Hon. the Legislative Council of Natal, and which is partly based upon your Excellency's dispatch to his Excellency the Governor of Natal on the subject thereof, a copy of which is annexed hereto.

Besides drawing your Excellency's attention to the above memorial, your memorialists beg respectfully to State as follows with regard to the Bill.

Your Excellency's memorialists have noticed with regret that your Excellency is disposed to sanction the principle of compulsory re-indenture, or compulsory return.

Your memorialists also regret that they did not send a representation at the time the Delegates set out for India. It will be idle to discuss the causes that prevented such a course from being adopted. Your memorialists, however, confidently hope that the wrong inflicted would be so great, in case the Bill became Law, that the above omission will not come in the way of its being averted.

Your memorialists, with the greatest deference, venture to point out that if the noncompliance with the condition as to compulsory return could not set the criminal law in motion, the insertion in the contracts of such a clause is absolutely useless, if not actually harmful, in as much as it might encourage the contracting party to break his contract, and the law would connive at such a breach. And since such extreme precaution presupposes the injustice of the contract, your memorialists respectfully submit that the reasons adduced for inducing the sanction are absolutely insufficient, if any reasons could justify it.

As has been hinted at in the annexure, your memorialists implore your Excellency not to sanction any of the clauses objected to; but, in accordance with the emphatically expressed opinions of Mr. J. R. Saunders and the Hon. Mr. Escombe, quoted in the annexure, to stop Immigration to Natal.

Your memorialists respectfully beg to protest against any section of

Her Majesty's subjects, be they the poorest, being practically enslaved or subjected to a special obnoxious poll tax, in order that a body of Colonists who already have been deriving the greatest benefits from such subjects, may be able to satisfy their whims or desire to exact more from the same men without any return whatsoever. Calling the idea of compulsory re-indenture, or in lieu thereof of a Poll. tax, a whim, your memorialists believe they have used the right expression. For your memorialists firmly believe there would be no cause for alarm even if the Indian population were trebled in the Colony.

But your memorialists humbly submit that in a matter like the above the wish of the Colony cannot guide your Excellency's decision, but that the interests of the Indians affected by the clauses should alone be considered. And your memorialists have no hesitation in submitting with all due respect, that the clauses, if ever sanctioned, will be a grave injustice and wrong to the most helpless of Her Majesty's Indian subjects.

Five year's indenture, your Memorialists submit, is long enough to enlarge. To raise it to an indefinite period would mean that an Indian who cannot pay a poll tax of £3 or return to India, must for ever remain without freedom, without any prospect of ever bettering his condition, without ever even thinking of changing his hut, his meagre allowance, and ragged clothes for a better house, enjoyable food and respectable clothing. He must not even think of educating his children according to his own taste, or comforting his wife with any pleasure or recreation. Your Memorialists submit that a life of semi-starvation in India, but of freedom, and among friends and relations in the same state would certainly be better and more desirable than the above. In this case the Indian may expect and get the chance to better his lot, in that never. That your Memorialists submit and believe, never was the object of encouraging immigration.

In conclusion, therefore, your Memorialists earnestly pray and confidently hope that if the Colony does not want the Indian immigration without the arrangement objected to being sanctioned, your Excellency may be graciously pleased to stop future immigration to Natal, or grant such other relief as may seem just.

And for this act of justice and mercy, your Memorialists as in duty bound, shall for ever pray &c., &c.

(Sd.) Abdul Karim Hajee Adam.

To,—

The Right Honourable JOSEPH CHAMBERLAIN, Her Majesty's
Principal Secretary of State for the Colonies, London.

The Memorial of the undersigned Indians residing in the Colony of Natal,

Humbly Sheweth,

That your Memorialists, representing the Indian community in the Colony of Natal respectfully venture to approach you with respect to the Indian Immigration Law Amendment Bill recently passed by the Hon. Legislative Assembly, and the Hon. Legislative Council of Natal, in so far as it affects the existing conditions of indenture and requires a special license costing £3 every year, to be taken out by the indentured Indians coming under that Law and wishing to remain in the Colony as free Indians.

2. Your Memorialists, with a view to have the Clauses dealing with the above matter left out presented respectful memorials to both the Honourable Houses, but your Memorialists regret to mention without avail. The copies of the memorials are annexed hereto, and marked A, and B, respectively.

3. The Clauses that deal with the matter are as follows:—

Clause 2. "From and after the date when this Act shall take effect the indentures to be signed by Indian Immigrants as provided by Schedules B and C of the Indian Immigration Law, 1891, referred to in Section 11 of the said Law, shall contain a Covenant by the Indian Immigrants, in words as follows:—"

"And we further agree that after the expiration or other determination we shall either return to India or remain in Natal under indentures to be from time to time entered into; provided that each term of new indentured service shall be for two years, and provided further, that the rate of wages for each year of indentured service after that provided by this Contract shall be 16/-per month for the first year, 17/-per month for the second, 18/-per month for the third year, 19/-per month for the fourth year, and 20/-per month for the fifth and each succeeding year."

Clause 6 runs as follows:—

"Every Indentured Indian who shall have entered into the Covenant set out in Section 2 of this Act, and who shall fail, neglect, or refuse to return to India, or become re-indentured in Natal, shall take out year by year, a pass or license to remain in the Colony to be issued by the Magistrate of his district, and shall pay for such pass or license a yearly sum of £3 sterling, which may be recovered by summary process by any Clerk of the Peace or,

other Officer appointed to get in such license money.

The Schedule B referred to in Clause 2, quoted above, so far as it relates to the period of service is as follows:—

"We, the undersigned, emigrants from _____ to Natal, hereby engage to serve the employer to whom we may respectively be allotted by the Protector of Indian Immigrants at Natal; provided that we shall receive monthly in money the wages stated hereunder opposite our respective names, and the allowances following":—

4. From the above it will be seen, that if the Bill under discussion became law, an indentured Indian, in case he desires to settle in the Colony after the first five years of his indentured service, should either have to remain under perpetual indenture, or pay a yearly tax of £3; your memorialists have used the word *tax* advisedly, because that was the word used in the original Bill before it passed the committee stage. Your memorialists submit that the mere change of name from *tax* to *license*, does not make it the less offensive but shows the knowledge on the part of the framers that a special poll tax, on a special class of people in the Colony, is entirely repugnant to the British notions of justice.

5. Now, your memorialists humbly, but emphatically submit, that to raise the term of indenture from five years to a practically indefinite period, is extremely unjust, especially because such a measure is absolutely uncalled for so far as the industries protected, or affected by, the indentured Indians are concerned.

6. The clauses owe their origin, to the commission that was sent out, to India in the year 1894, by the Natal Government, and the report made by the Delegates, Messrs. Binns and Mason, who formed the commission. The reasons given in that report for such legislation are given at p. p. 20 and 21 of the "Annual Report of the Protector of Immigrants for 1894." Your memorialists venture to quote the following from the report of the Delegates.

"In a country where the native population is in number so far in excess of the European, the unlimited settlement of Indians is not considered desirable, and there is a general wish that when they have completed their last period of indenture they should return to India. There are already about 25,000 free Indians settled in the Colony, many of whom have allowed their right to a return passage to lapse; this is exclusive of a very considerable Banyan-trading population."—(p. 20.)

7. Thus the reasons for the special arrangement are political merely. Properly speaking there is no question of overcrowding at all. There can be

none in a newly opened up country where there are yet vast tracts of land entirely uninhabited and uncultivated.

8. Again, in the same report, the Delegates state as follows:—

"There is a strong feeling amongst the merchants and shopkeepers with regard to the Arabs, who are all traders and not workers; but, as they are mostly British subjects and do not go to the Colony under any form of agreement, it is recognised that they can not be interfered with."

* * * * *

"The Coolie does not come into competition to any considerable extent with the European. Field work for Europeans is impossible on the coast, where all the plantations are situated, and the number of servants other than Coolies and Natives has always been very small."

* * * * *

"Although we are decidedly of opinion that up to the present the working Indians *who have settled down* (the italics are your memorialists') have been of great benefit to the Colony, we cannot avoid having regard to the future, and, in the face of the great Native problem yet to be solved in South Africa, sharing in the concern which is now felt. If a large proportion of the Coolies had taken advantage of the return passage provided for them, there would have been less cause for alarm."

9. Your memorialists most respectfully submit that the above extracts, which form part of the reasons given for measures restrictive of the settlement of *freed* Indians in the Colony, go to prove the exact opposite; for if the Indian traders, to which class most of your memorialists belong, who "do not go to the Colony under any form of agreement," could not be interfered with, *much less* the indentured Indians, who are also equally British subjects and who are, so to speak, invited to go to the Colony, and whose *settlement* (in the Delegates' own words) "has been of great benefit to the Colony," and who have therefore a special claim on the goodwill and attention of the Colonists.

10. And, if the 'Coolie' "does not come into competition to any considerable extent with the Europeans," where is the justification your memorialists humbly ask, for adopting measures that would make it difficult for the indentured Indians to earn honest bread in peace and freedom? It does not certainly lie in any qualities special to the indentured Indian which render them dangerous members of society. The peace-loving disposition and the mildness of the Indian nation are proverbial. Their obedience to authorities over them is no less

prominent a trait of their character, and it would not lie in the mouth of the Delegates to say otherwise; for the protector, who was one of the Delegates, in his report at p. 15 of the same book says:—

"Many persons, I am aware, condemn the Indians as a race, yet these persons cannot fail, if they look around them to see hundreds of these Indians honestly and peaceably pursuing their several useful and desirable occupations"

* * * * *

I am pleased to be able to state that the Indians generally resident in the Colony continue to form a prosperous, enterprising and law-abiding section of the community."

11. The Hon. the Attorney General, in moving the second reading of the Bill is reported to have said that.

"There was no intention to interfere with the introduction of labour to the injury of any industry, but these Indians were brought here for the purpose of supplying labour for the development of local industries, and were not intended to form portion of the South African nation which was being built up in the various States."

12. With the greatest deference to the learned Attorney General, your memorialists humbly submit that the above remarks condemn entirely the clauses under discussion, and venture to believe that her Majesty's Government will not endorse such remarks by sanctioning the Bill.

13. Your memorialists venture to think that it is against the spirit of the British constitution to countenance measures that tend to keep men under perpetual bondage. That the Bill, if passed, would do so, it is submitted is self-evident.

14. The *Natal Mercury* of the 11th May, 1895, the Government organ thus justifies the measure:—

"This much, however the Government cannot accede to, that men who contract at fair wages to assist the Colonists, should be allowed to break their contract, and remain competitors against the Colonists; those whom, and for no other purpose, and no other condition they came to serve. To do otherwise, would be to destroy all distinction between right and wrong, and to give tacit disavowal of the existence of law and equity. There is no desire for, nor is there any harshness of any kind, nor is there anything to which unbiassed judgment can take exception."

15. Your memorialists have quoted the above to show what feeling

exists even amongst responsible quarters against the Indians only because *some very few* dare to trade in the Colony, after having served as labourers not only under and during their term of indenture, but a long time after the completion of their term.

16. The statement that requiring those who are admittedly indispensable to the welfare of the Colony to remain either under perpetual bondage, or to "purchase freedom" as it is put by the *Natal Advertiser*, 9/5/95, by paying an annual tax of £3, "is neither harsh nor inequitable," will not your memorialists feel sure be accepted by Her Majesty's Government.

17. The injustice of the clauses seems to be so evident and strong, that even the *Natal Advertiser*, a paper which is by no means favourable towards the Indian, felt it, and expressed it in the following terms on the 16th May, 1895.

"The penal clause of the Bill originally was to the effect that the Indian failing to return to India, should pay "an annual tax to the Government." On Tuesday, the Attorney-General moved that this be altered to read:—"should take out a pass or license to remain in the Colony," for which £3 would be payable. This is decidedly an alteration for the better, and effects the same end under less disagreeable terms. A broad question, however, is raised by this proposal to establish a special tax on the Coolie settlers. If such a disability is to be placed on Coolies coming from another part of the Empire, surely its application should be extended to include members of other non-European races, who have no connection with the British Empire, such as Chinese, Arabs, Kafirs from outside states, and all such visitors. To specially select the Coolies for attention in this way, and to allow all other *aliens* to settle with impunity, and without disability, is not an equitable arrangement. The practice of taxing *aliens*, if it is to be inaugurated at all, should surely commence with those races not under the British flag in their native land, and not with those who, whether we like the fact or not, are the subjects of the same Sovereign as ourselves. These should be the last, not the first, to be placed by us under exceptional disabilities."

18. Your Memorialists submit that the arrangement has not appealed to any fair minded men at all. How the Indian Government could be persuaded by the Natal Delegates to make a promise to sanction an indefinite extension of the indentures, or compulsory return, no matter how reluctantly, your

memorialists do not profess to know. But your memorialists venture to hope that the case, as put here, on behalf of the indentured Indians will receive full attention from both Her Majesty's Government and the Indian Government, and that any sanction given on the representation of an *ex parte* commission will not be allowed to prejudice the case of the Indentured Indians.

19. For the sake of ready reference your Memorialists beg leave to quote as follows from His Excellency the Viceroy's despatch to His Excellency the Governor of Natal, dated the 17th September 1894.

"I should myself have preferred the continuance of the existing system, under which it is open to an immigrant at the termination of his period of indenture to settle in the Colony on his own account, and I have little sympathy with the views that would prevent any subject of the Crown from settling in any Colony under the British flag. But, in consideration of the feelings at present manifested in the Colony of Natal towards Indian settlers I am prepared to accept the proposals (a to f) set forth by the Delegates in the memorandum of 20th January, 1894, referred to in preceding paragraph, subject to the following provisions, viz.,—

- a) That a Coolie when first recruited shall be required by the terms of his Contract to return to India, within or immediately on the expiration of the period of his indenture, unless he may prefer to re-enter into a further indenture on the same conditions.
- (b) That such Coolies as may choose to return should in no case be made subject to penalties under criminal law and
- (c) That all renewals shall be for a period of two years, and that a free passage should be secured to the immigrant at the end of the first term for which his engagement is made as well as at the end of every subsequent renewal.

The alterations in the existing system which I am prepared to sanction with the approval of Her Majesty's Government, may be summarised as follows":—

20. Your Memorialists notice with a feeling of relief that Her Majesty's Government, have not yet approved of the suggestions of the Delegates.

21. To show yet further how grossly unjust the adoption of the compulsory return or re-indenture has seemed from the first time that the idea was started, your Memorialists crave leave to quote from the report of and evidence taken before the Immigration Commission that sat in Natal in

the year 1885.

22. Mr. J. R. Saunders, one of the Commissioners, forcibly puts his views on the matter in his additional report in the following terms:—

"Though the Commission has made no recommendation on the subject of passing a law to force Indians back to India at the expiration of their term of service unless they renew their indentures, I wish to express my strong condemnation of any such idea, and I feel convinced that many, who now advocate the plan, when they realise what it means, will reject it as energetically as I do. Stop Indian immigration and face results, but don't try to do what I can show is a great wrong.

"What is it but taking the best out of servants (the good as well as the bad), and then refusing them the enjoyment of the reward! Forcing them back (if we could, but we cannot) when their best days have been spent for our benefit. Where to? Why back to face a prospect of starvation from which they sought to escape when they were young. Shylock like, taking the pound of flesh, and Shylock like we may rely on its meeting, Shylock's reward.

"Stop Indian immigration if you will; if there are not enough unoccupied houses now, empty more by clearing out Arabs and Indians who live in them, and who add to the productive and consuming power of a less than half-peopled country. But let us trace results in this one branch of the enquiry, taking it as an example of others, trace out how untenanted houses depreciate the value of properties and securities—how, out of this must result stagnation in the building trade and those other trades and stores for supplies dependent on it—follow out how this leads to a reduced demand for white mechanics, and with the reduction in spending power of so many, how fall of revenue is to be expected next, need of retrenchment or taxation, or both. Let this result and others far too numerous to be calculated in detail, be faced, and if blind race sentimentality or jealousy is to prevail, so be it. The Colony can stop Indian immigration, and that perhaps far more easily and permanently than some 'popularity seekers' would desire. But force men off at the end of their service, this the Colony cannot do. And I urge on it not to discredit a fair name by trying."

23. The late member of the late Legislative Council and the present

Attorney-General (the Hon. Mr. Escombe), giving his evidence before the Commission said (p. 177):—

“With reference to time expired Indians, I do not think that it ought to be compulsory on any man to go to any part of the world save for a crime for which he is transported; I hear a great deal of this question; I have been asked again and again to take a different view, but I have not been able to do it. A man is brought here, *in theory with his own consent, in practice very often without his consent*, (the italics are your memorialists) he gives the best five years of his life, he forms new ties, forgets the old ones, perhaps establishes a home here, and he cannot, according to my view of right and wrong, be sent back. Better by far to stop the further introduction of Indians altogether than to take what work you can out of them and order them away. The Colony, or part of the Colony, seems to want Indians but also wishes to avoid the consequences of Indian immigration. The Indian people do no harm as far as I know; in certain respects they do a great deal of good. I have never heard a reason to justify the extradition of a man who has behaved well for five years. I do not think that the Indian, at the expiration of his five years' service, should be placed under police supervision unless he is a criminal. I know not why Arabs should be placed under police supervision more than Europeans. In cases of some Arabs the thing is simply ridiculous. They are men of large means, large connections, who are always used in trade if they can be dealt with more profitably than others.

24. Your memorialists, while drawing your attention to the above, cannot help expressing their regret that the gentleman who expressed the above views ten years ago should now be the member to introduce the Bill under discussion.

25. Mr. H. Binns, who went with Mr. Mason as a delegate to induce the Indian Government to sanction the compulsory return or re-indenture, expressed the following opinion, giving his evidence before the Commission:—

“I think the idea which has been mooted, that all Indians should be compelled to return to India at the end of their term of indenture, is most unfair to the Indian population, and would never be sanctioned by the Indian Government. In my opinion the free Indian population is a most useful section of the community. A large proportion of them, considerably large than is generally

supposed, are in service in the Colony, particularly employed as house servants in the towns and villages. * * *

Before there was a free Indian population the towns of Pietermaritzburg and Durban had no supply of fruit, vegetables, and fish. At present all these things are fully supplied. We have never had any immigrants from Europe who have shown any inclination to become market gardeners and fishermen, and I am of opinion that, but for the free Indian population, the markets of Pietermaritzburg and Durban would be as badly supplied now as they were ten years ago.”—(p. 155-156).

26. The present Chief Justice and the then Attorney General expressed the following opinion:—

I object to any alteration in the terms of the laws under which Indians are introduced into the Colony. In my opinion, numbers of the Indians who have been introduced, have in a great measure provided on the coast for the failure of white immigrants, and have cultivated lands, which would otherwise remain uncultivated, with the crops which are of real advantage to the inhabitants of the Colony. Many who have not availed themselves of the return passage to India, have turned out to be trusty and useful domestic servants. (p. 327.)

27. It is yet possible to take out extracts from the same voluminous report and evidence, to show what the most distinguished men in the Colony have thought about the arrangement.

28. Your memorialists further beg to draw your attention to the following from Messrs Binn's and Mason's report:

“So far, no second term of indenture has been agreed to in the case of any country to which Coolies emigrated, although the consent of the Government of India has been frequently asked for, and in no case had the condition of compulsory return at the end of the indenture been sanctioned.”

29. It has been said in the Colony, in defence of the measure, that there can be no injustice, where two parties voluntarily agree to do a certain thing, and that the Indians before coming to Natal will know under what conditions they will go to Natal. This point has been dealt with in the petitions to the Hon. the Legislative Assembly, and the Hon. the Legislative Council and your memorialists venture to repeat that when the contracting parties are not situated equally, the proposition is entirely inapplicable. An Indian who in order “to escape from starvation,” as Mr. Saunders has put it, seeks indenture,

can hardly be called a free agent.

30. So recently as 1894, the evidence as to the indispensableness of the Indian has been dwelt upon in the Protector's Report referred to above. At p. 15 he says:

"If it were possible even for a short space of time to withdraw the whole of the Indian population from this Colony, I am convinced that with but very few exceptions, every industry in existence at the present time would collapse, solely for the want of reliable labour. There is no getting over the fact that the Native as a rule will not work: hence it is generally admitted throughout the Colony that without the Indian as a labourer, no industry, agricultural or otherwise, of any importance could possibly be carried on successfully, and not only this, but almost every householder in Natal would be without domestic servants."

31. If almost the whole current of what may be called expert opinion, from beginning up to date, goes to show the usefulness of the Indians, then your Memorialists submit it is not too much to say that to keep such people under perpetual bondage, or to make them pay a yearly tax of £3 whether they can afford it or not, is, to say the very least, absolutely one sided and selfish.

32. Your Memorialists beg respectfully to draw your attention to the fact that were the Bill to become law, the very objects of immigration will be frustrated in all its aspects. If it is to enable the Indians to improve their material condition ultimately, the object certainly will not be fulfilled by compelling them to remain under perpetual indenture. If it is to relieve the overcrowded parts of India, that object also will be frustrated. For the object of the Bill is not to allow the number of Indians in the Colony to increase. The desire is to replace those who can no longer bear the yoke of indenture by fresh importation, and to force the former back to India. Thus your Memorialists humbly submit that the last state will be worse than the first. For while the number of Indians in the overcrowded districts, so far as Natal as an outlet is concerned, will remain the same, those who would return against their will, cannot but be a source of additional anxiety and trouble, because they being without any prospect of work or any capital to maintain them, may have to be maintained at the public expense. It may be said in reply to this objection that it presupposes a state of things which will never happen, that is to say, the Indians will gladly pay the annual tax. Your Memorialists, however, beg leave to point out that such an argument, if advanced, would really go to prove that the Clause about re-indenture and tax are absolutely useless, in so far as they will not produce the desired effect. It has never been contended that the

object is to raise any revenue.

33. Your Memorialists therefore submit that if the Colony cannot put up with the Indians, the only course, in your Memorialists humble opinion, is to stop all future immigration to Natal at any rate for the time being. Your Memorialists beg respectfully, but emphatically, to protest against an arrangement that gives all the benefit to one party only, and that indeed the least need of it. Such stopping of immigration will not, your Memorialists submit, materially affect the congested parts of India.

34. Your Memorialists have so far discussed both the indenture and the license clauses together. As to the latter, your memorialists beg to draw your attention to the fact that even in the Transvaal—a foreign state—the Government have not ventured to levy an annual tax on the Indians who go there of their own accord and on their own means. There is only a license of £3 10s. to be taken out once for all. And this too has, your memorialists understand, among other things formed the subject of a memorial to her Majesty's Government. Moreover, the license in this case is an annual tax in its most obnoxious form. This tax has to be paid whether the unfortunate victim has the means or not. When a member, during the discussion, asked how the tax will be collected, if any Indian objected to or did not pay it the Hon. Attorney General remarked that there would always be found sufficient in the defaulting Indian's house to attach under a summary process!

Lastly, your memorialists submit that the introduction of the license clause goes beyond the limits laid down by the Viceroy's Dispatch referred to above.

In conclusion, your memorialists most earnestly pray and confidently hope that Her Majesty's Government will come to the conclusion that the clauses discussed herein are manifestly unjust, and will therefore be pleased to disallow the Indian Immigration Amendment Bill referred to above, or grant such other relief as may meet the ends of justice.

And for this act of justice and mercy your memorialists, as in duty bound, shall for ever pray &c., &c.

APPENDIX A.

To—

The Honourable the Speaker and Members of the Legislative
Assembly of the Colony of Natal.

The Petition of the undersigned Indians,
residing in the Colony of Natal,

Humbly Sheweth

That your Petitioners, as representing the Indians in this Colony, hereby respectfully approach your Honourable Assembly with regard to the Indian Immigration Law Amendment Bill now before you for consideration.

Your Petitioners respectfully submit that so much of the Bill which provides for reindenture, and imposition of a tax in default of re-indenture, is manifestly unjust, entirely uncalled for; and in direct opposition to the fundamental principles upon which the British Constitution is based.

That the Bill is manifestly unjust it does not need, your Petitioners submit, many words to prove. To raise the maximum term of indenture from five years to an indefinite period is in itself unjust, because it puts in the way of the masters of the indentured Indians greater temptations to oppression or harshness. No matter how humane the masters may be in the Colony, they will always remain human. And your Petitioners need hardly point out what human nature is when selfish considerations guide one's actions. Moreover the Bill, your Petitioners venture to say, is an absolutely one-sided arrangement for while it shows every consideration to the employer it gives practically nothing in return to the employè.

The Bill is, your Petitioners submit, uncalled for, because no reasons exist for its introduction. It is not meant to help the Colony out of a pecuniary crash or help forward any industry. On the other hand, it was because it was recognised that the industries for which the Indian labour was specially required, no longer required, any extraordinary aid that the £ 10,000 vote was abolished only last year. It is, then, evident that there is no real need for such legislation.

To show that the Bill is in direct opposition to the fundamental principles of the British Constitution, your petitioners humbly refer your honourable Assembly to the whole course of the great events during the last century in which Britain has played a prominent part. Forced labour, from the grossest form of slavery to the mildest form of Veth, has always been repugnant to the British traditions, and has everywhere, so far as practical, been abolished. Indentured labour exists in Assam as it does in this Colony. It was only a short time ago when it was admitted by Her Majesty's Government, in reference to

such labour in that country, that the indentured labour was an evil to be countenanced only as long as it was absolutely necessary to support or promote an important industry, and to be removed on the first suitable opportunity. Your petitioners respectfully submit that the Bill under consideration violates the above principle.

If the proposed extension of the term of indenture is thus (your petitioners hope they have shown to your honourable Assembly's satisfaction) unjust uncalled for, and opposed to the fundamental principles of the British Constitution, the proposed imposition of a tax is more so. It has long been acknowledged as an axiomatic truth that taxation is meant only for the purposes of revenue. It will not a moment be said, your petitioners humbly think, that the proposed tax is meant for any such purpose. The proposed taxation is avowedly meant to drive the Indian out of the Colony after he has finished his indenture. It will, therefore, be a prohibitive tax, and conflict with the principles of Free Trade.

It will, moreover, inflict, your petitioners fear, an unwarranted wrong on the indentured Indians, because for an indentured Indian who has severed all connection with India and come down to the Colony with his family to go back and hope to earn a livelihood is almost an utter impossibility. Your petitioners crave leave to mention from their own experience that as a rule it is only those Indians who cannot find work to keep body and soul together in India who come to the Colony under indenture. The very fabric of the Indian society is such that the Indian in the first place does not leave his home, and when once he is driven to do so, it is hopeless for him to return to India and expect to earn his bread, much less to make a fortune.

It is an admitted fact that the Indian labour is indispensable to the prosperity of the Colony. If so, your petitioners submit that the indentured Indians who so materially help forward the prosperity of the Colony are entitled to better consideration.

It need hardly be mentioned that the Bill is a piece of a class legislation and that it accentuates and encourages the prejudice that exists against Indians in the Colony, and thus would widen the gulf between one class of British subjects and another. Your petitioners, therefore, humbly pray that your honourable Assembly will come to the conclusion that portion of the Bill which contemplates re-indenture and an imposition of a tax in default of re-indenture is not such as could be considered favourably by your honourable Assembly, and for this act of justice and mercy your petitioners shall for ever pray, &c. &c.

(Signed) ABDULLA HAJI ADAM.
and several others.

APPENDIX B.

To—

The Honourable the President and Members of the Honourable the Legislative Council.

The Petition of the undersigned Indians,
residing as traders in the Colony of Natal.

Humbly Sheweth:

That your petitioners, as representing the Indian community in the Colony, venture hereby to petition your honourable Council with regard to the Indian Immigration Law Amendment Bill, so far as it affects the present term of indenture, and proposes a yearly license of £3 to be taken out by every immigrant wishing to stop in the Colony as a free Indian, after finishing his term of indenture.

Your petitioners respectfully submit that both the clauses above referred to are entirely unjust and uncalled for.

Your petitioners humbly draw the attention of this honourable House to the following, from the report of the delegates, Messrs. Binns and Mason who were commissioned to go to India in connection with this matter:—

“So far no second term of indenture has been agreed to in the case of any country to which coolies emigrated, although the consent of the Government of India had frequently been asked for; and in no instance had the condition of compulsory return at the end of the indentures been sanctioned.”

Thus the clauses in the Bill are a total departure, your petitioners submit for the worse, from the practice prevalent throughout the British Colonies

Assuming that the average age of an indentured Indian at the time of his entering into the contract of indenture is 25, under the clause which expects the Indian to work for 10 years, the best part of the life of the indentured Indian would be simply spent away in a state of bondage.

For an India to return to India after a continuous 10 years' stay in the Colony would be pure fatuity. All the old cords and ties will have been broken up. Such an Indian will be comparatively a stranger in his mother land. To find work in India would be almost impossible. The market is already overcrowded, and he will not have amassed sufficient fortune to enable him to live on the interest on his capital.

The total of the wages for 10 years would amount to £87. If the indentured Indian saves £50, allowing only £37 for clothing and other expenses

during the whole 10 years, that capital will not give him interest sufficient to keep body and soul together, even in a poor country like India. Such an Indian, therefore, even if he ventured to return to India, would be compelled to return under indenture, and thus his whole life would be spent in bondage. Moreover, during the 10 years the indentured Indian would be entirely neglecting his family, should he have any. And a family man will not be able to save even £50. Your petitioners know several instances of indentured Indians with families having saved nothing.

As to the 2nd Clause, about the £3 license, your petitioners submit that it is calculated to create wide discontent and oppression. Why one class of Her Majesty's subjects, and this the most useful to the Colony, should be singled out for such taxation, it is in the humble opinion of your petitioners difficult to understand.

Your petitioners most respectfully venture to submit that it is not in accordance with the principles of simple justice and equity to make a man pay heavily for being allowed to remain free in the Colony after he has already lived under bondage for 10 years.

The fact that the clauses will apply only to those Indians who would come to the Colony after the Bill has become law, and that they would know the terms under which they may come, does not free the clauses from the objections sought to be raised against them. For both the contracting parties, submit, will not have the same freedom of action. And Indian hard pressed by pangs of poverty and finding it impossible to support his family, can scarcely be called a free agent when he signs the contract of indenture. Men have been known to consent to do far worse things in order to be free from immediately pressing difficulties. Your petitioners, therefore, humbly hope and pray that the clauses above referred to will not meet with the approval of this honourable House, and for this act of justice and mercy your petitioners shall for ever pray, &c, &c,

(Signed) ABDULLA HAJI ADAM
and several other Indians.

Public C. 3955

Encl. No. 25487.
The memorials to
to the Clerk
Returned for
compliance
with the rules for the
mission of memorials
to the Secy of State
and Council and
to the Secy of State
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a. J. H.
11/21/6

To the Chairman of the Public
Meeting held in connection
with the prevalence of
Influenza in South Africa
(with memorials)
and copy of
Memorial Rules Article VIII
and B. Section I rule 2.

GRIEVANCES
OF
THE BRITISH INDIANS
IN
SOUTH AFRICA.

AN ADDRESS

DELIVERED BEFORE A PUBLIC MEETING HELD
UNDER THE AUSPICES OF

THE MADRAS MAHAJANA SABAH,

ON THE 26th OCTOBER 1896.

BY

M. K. GANDHI, ESQ.,

Barrister-at-Law.

MADRAS:

PRINTED AT THE PRICE CURRENT PRESS,
167, POPHAM'S BROADWAY.

1896.

PREFACE.

THE rush for copies of this pamphlet at the Madras Meeting in Pachaiyappa's Hall has necessitated the issue of the second edition. It was a scene never to be forgotten.

The demand proved two things—the importance of the question of the grievances of the British Indians in South Africa, and the interest shown by the Indian Public in the welfare of their countrymen beyond the waters.

It is to be hoped that the second edition will be disposed of as soon as the first, showing the continuance of the interest. Publicity is perhaps the chief remedy for the grievances and the pamphlet is one of the means to that end.

The appendix is an addition to the 1st edition and is a part of the address read before the Madras Meeting, being a reply to the Natal Agent-General's statement to Reuter.

The Natal Immigration Law Amendment Act referred to in the pamphlet has unfortunately, for the poor Indians in South Africa, received the Royal assent. It is respectfully submitted that the question requires the closest study by our public men and there should be no rest till the Act is repealed or State aided emigration to Natal suspended. The Madras Meeting has passed a Resolution requesting suspension of such emigration if the repeal of the Act cannot be brought about.

M. K. GANDHI.

CALCUTTA, 1st Nov., 1896.

GRIEVANCES OF THE BRITISH INDIANS IN SOUTH AFRICA.

MR. PRESIDENT AND GENTLEMEN,

I am to plead before you this evening for the 1,00,000 British Indians in South Africa—the land of gold and the seat of the late Jameson raid. This document will show you that I have been deputed to do so by the signatories to it who profess to represent the 1,00,000 Indians. A large majority of this number are people from Madras and Bengal. Apart therefore from the interest that you would take in them as Indians, you are specially interested in the matter.

South Africa may, for our purposes, be divided into the too self-governing British Colonies of Natal and the Cape of Good Hope, the Crown Colony of Zululand, the Transvaal or the South African Republic, the Orange Free State, the Chartered territories and the Portuguese territories comprising Delagoa Bay and Beira.

South Africa is indebted to the Colony of Natal for the presence of the Indian population there. In the year 1860, when, in the words of a member of the Natal Parliament, "the existence of the Colony hung in the balance," the Colony of Natal introduced indentured Indians into the Colony. Such immigration is regulated by law, is permissible only to a few favoured States, *e-g.*, Mauritius, Fiji, Jamaica, Straits Settlements, Damarara and other States and is allowed only from Madras and Calcutta. As a result of the immigration, in the words of another eminent Natalian, Mr. Saunders: "Indian immigration brought prosperity, prices rose, people were no longer content to grow or sell produce for a song, they could better." The

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sugar and tea industries as well as sanitation and the vegetable and fish supply of the Colony are absolutely dependent on the indentured Indians from Madras and Calcutta. The presence of the indentured Indians about 16 years ago drew the free Indians in the shape of traders who first went there with a view to supply the wants of their own kith and kin; but afterwards found a very valuable customer in the native of South Africa called Zulu or Kaffir. These traders are chiefly drawn from the Bombay Memon Mahomedans and owing to their less unfortunate position have formed themselves into custodians of the interests of the whole Indian population there. Thus adversity and identity of interests have united in a compact body the Indians from the three Presidencies and they take pride in calling themselves Indians rather than Madrasses or Bengalees or Gujaratees except when it is necessary to do so. That however by the way.

These Indians have now spread all over South Africa. Natal which is governed by a Legislative Assembly consisting of 37 members elected by the voters, a Legislative Council consisting of 11 members nominated by the Governor who represents the Queen and a moveable Ministry consisting of 5 members, contains a European population of 50,000, a native population of 400,000 and an Indian population of 51,000. Of the 51,000 Indians about 16,000 are at present serving their indenture, 30,000 are those that have completed their indenture and are now variously engaged as domestic servants, gardeners, hawkers and petty traders and about 5,000 are those who emigrated to the Colony on their own account and are either traders, shop-keepers' assistants or hawkers. A few are also school-masters, interpreters and clerks.

The self-governing Colony of the Cape of Good Hope has, I believe, an Indian population of about 10,000 consisting of traders, hawkers and labourers. Its total population is nearly 1,800,000 of whom not more than 4,00,000 are Eu-

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ropeans. The rest are natives of the country and Malays.

The South African Republic or the Transvaal which is governed by two elective Chambers called the Volksraad and an Executive with the President at its head has an Indian population of about 5,000 of whom about 200 are traders with liquidated assets amounting to nearly £100,000. The rest are hawkers and waiters or household servants, the latter being men from this Presidency. Its white population is estimated at roughly 1,20,000 and the Kaffir population at roughly 6,50,000. This Republic is subject to the Queen's suzerainty. And there is a Convention between Great Britain and the Republic which secures the property, trading and farming rights of all persons other than natives of South Africa in common with the citizens of the Republic.

The other States have no Indian population to speak of, because of the grievances and disabilities except the Portuguese territories which contain a very large Indian population and which do not give any trouble to the Indians.

The grievances of the Indians in South Africa are twofold, i. e., those that are due to the popular ill-feeling against the Indians and, 2ndly, the legal disabilities placed upon them.

To deal with the first, the Indian is the most hated being in South Africa. Every Indian without distinction is contemptuously called a 'coolie'. He is also called 'Sammy' 'Ram sammy,' anything but 'Indian.' Indian school-masters are called 'coolie school-masters.' Indian store-keepers, are called 'coolie store-keepers.' Two Indian gentlemen from Bombay, Messrs. Dada Abdulla and Moos Hajee Cassim, own steamers. Their steamers are 'coolie ships.' There is a very respectable firm of Madras traders by name, A. Colandavelloo Pillay, & Co. They have built a large block of buildings in Durban, these buildings are called "coolie stores" and the owners are 'coolie owners.' And

I can assure you, gentlemen, that there is as much difference between the partners of that firm and a 'coolie' as there is between any one in this hall and a coolie. The railway and tram officials in spite of the contradiction that has appeared in official quarters which I am going to deal with presently, I repeat, treat us as beasts. We cannot safely walk on the foot-paths. A Madrassee gentleman, spotlessly dressed always, avoids the foot paths of prominent streets in Durban for fear he should be insulted or pushed off. We are the 'Asian dirt' to be 'heartily cursed,' we are 'chokeful of vice' 'and we live upon rice,' we are 'stinking coolies' living on "the smell of an oiled rag," we are 'the black vermin,' we are described in the Statute Books as "semi-barbarous Asiatics or persons belonging to the uncivilized races of Asia." "We breed like rabbits" and a gentleman at a meeting lately held in Durban said he 'was sorry we could not be shot like them.' There are coaches running between certain places in the Transvaal. We may not sit inside them. It is a sore trial apart from the indignity it involves and contemplates to have to sit outside them either in deadly winter mornings, for the winter is severe in the Transvaal or under a burning sun though we are Indians. The hotels refuse us admission. Indeed there are cases in which respectable Indians have found difficulty even to procure refreshments at European places. It was only a short time ago that a gang of Europeans set fire to the Indian stores in a village, called Dundee, in Natal, doing some damage, and another gang threw burning crackers into the Indian stores in a business street in Durban.

This feeling of intense hatred has been reproduced into legislation in the various States of South Africa restricting the freedom of the Indians in many ways.

To begin with, Natal, which is the most important from an Indian point of view, has of late shown the greatest activity in passing Indian legislation. Till 1894 the Indians

had been enjoying the franchise equally with the Europeans under the general franchise law of the Colony which entitles any adult male being a British subject to be placed on the voters' list who possesses immoveable property worth £50 or pays an annual rent of £10. There is a separate franchise qualification for the Zulu. In 1894 the Natal Legislature passed a Bill disfranchising Asiatics by name. We resisted it in the local Parliament but without any avail. We then memorialized the Secretary of State for the Colonies and as a result that Bill was this year withdrawn and replaced by another which, though not quite so bad as the first one, is bad enough. It says that natives of countries (not being of European origin), which have not hitherto possessed elective representative institutions founded on the Parliamentary Franchise shall be placed on the voters' roll unless they shall first obtain an exemption from the Governor-in-Council. This Bill excepts from its operation those whose names are already rightly contained in any voters' list. Before being introduced it was submitted to Mr. Chamberlain who has approved of it. We have opposed it on the ground that we have such institutions in India, and that therefore the Bill will fail in its object if it is to disfranchise the Asiatics and that therefore also it is a harassing piece of legislation and is calculated to involve us in endless litigation and expense. This is admitted on all hands. The very members who voted for it thought likewise. The Natal Government organ says in effect: "We know India has such institutions and therefore the Bill will not apply to the Indians. But we can have that Bill or none. If it disfranchises Indians nothing can be better. If it does not, then too, we have nothing to fear, for the Indian can never gain political supremacy and if necessary we can soon impose an educational test or raise the property qualification which, while disfranchising Indians wholesale, will not debar a single European from voting." Thus the Natal legislature is playing a game of

'tossup' at the Indian's expense. We are a fit subject for vivisection under the Natal Pasteur's deadly scalpel and knife with this difference between the Paris Pasteur and that Natal Pasteur that, while the former indulged in vivisection with the object of benefiting humanity, the latter has been indulging in it for the sake of amusement out of sheer wantonness.

The object of this measure is not political. It is purely and simply to degrade the Indians, in the words of a member of the Natal Parliament "to make the Indian's life more comfortable in his native land than in Natal," in the words of another eminent Natalian 'to keep him for ever a hewer of wood and drawer of water.' The very fact that at present there are only 250 Indians as against nearly 10,000 European voters shows that there is no fear of the Indian vote swamping the European. This question is now engaging Mr. Chamberlain's attention. For a fuller history of the question I must refer you to the Green Pamphlet. The *London Times* which has uniformly supported us in our troubles, dealing with the franchise question in Natal, thus puts it in its issue of the 27th day of June of this year:—

"The question now put before Mr. Chamberlain is not an academic one. It is not a question of argument but of race feeling. We cannot afford a war of races among our own subjects. It would be as wrong for the Government of India to suddenly arrest the development of Natal by shutting all the supply of immigrants as it would be for Natal to deny the right of citizenship to British Indian subjects, who, by years of thrift and good work in the Colony, have raised themselves to the actual status of citizens."

If there is any real danger of the Asiatic vote swamping the European, we should have no objection to an educational test being imposed or the property qualifications being raised. What we object to is class legislation and

the degradation which it necessarily involves. We are fighting for no new privilege in opposing the Bill, we are resisting the deprivation of one we have been enjoying.

In strict accordance with the policy of degrading the Indian to the level of a raw kaffir and in the words of the Attorney-General of Natal "that of preventing him from forming part of the future South African nation that is going to be built," the Natal Government last year introduced their Bill to amend the Indian Immigration Law which I regret to inform you has received the Royal sanction in spite of our hopes to the contrary. This news was received after the Bombay meeting, and it will therefore be necessary for me to deal with this question at some length, also because this question more immediately affects this Presidency and can be best studied here.

Up to the 18th day of August 1894, the indentured immigrants went under a contract of service for five years in consideration for a free passage to Natal, free board and lodging for themselves and their families and wages at the rate of ten shillings per month for the first year to be increased by one shilling every following year. They were also entitled to a free passage back to India if they remained in the Colony another five years as free labourers. This is now changed, and in future the immigrants will have either to remain in the Colony for ever under indenture, their wages increasing to 20 shillings at the end of the 9th year of indentured service or to return to India or to pay an annual poll-tax of £ 3 sterling equivalent to nearly half a year's earnings on the indenture scale.

A Commission consisting of two members was sent to India in 1893 by the Natal Government to induce the Indian Government to agree to the above alterations with the exception of the imposition of the poll-tax. The present Viceroy while expressing his reluctance agreed to the alteration subject to the sanction of the Home Government, refusing to allow the Natal Government to make

the breach of the clause about compulsory return a criminal offence. The Natal Government have got over the difficulty by the poll-tax clause. The Attorney-General in discussing that clause said that while an Indian could not be sent to gaol for refusing to return to India or to pay the tax, so long as there was anything worth having in his hut it will be liable to seizure! We strongly opposed that Bill in the local Parliament and failing there sent a memorial to Mr. Chamberlain praying either that the Bill should be disallowed or emigration to Natal should be suspended.

The above proposal was mooted 10 years ago and it was vehemently opposed by the most eminent colonists in Natal. A Commission was then appointed to inquire into various matters concerning Indians in Natal. One of the Commissioners, Mr. Saunders, says in his additional report:—

"Though the Commission has made no recommendation on the subject of passing a law to force Indians back to India at the expiration of their term of service unless they renew their indentures, I wish to express my strong condemnation of any such idea, and I feel convinced that many, who now advocate the plan, when they realise what it means, will reject it as energetically as I do. Stop Indian immigration and face results, but don't try to do what I can show is a great wrong.

"What is it but taking the best of our servants (the good as well as the bad), and then refusing them the enjoyment of the reward! Forcing them back (if we could, but we cannot) when their best days have been spent for our benefit. Whereto? Why back to face a prospect of starvation from which they sought to escape when they were young. Shylock-like, taking the pound of flesh, and Shylock-like we may rely on it meeting Shylock's reward.

"The Colony can stop Indian immigration, and that perhaps far more easily and permanently than some 'popularity seekers' would desire. But force men off at the end

of their service, this the Colony cannot do. And I urge on it, not to discredit a fair name by trying."

The Attorney-General of Natal who introduced the Bill under discussion expressed the following views while giving his evidence before the Commission:—

"With reference to time-expired Indians, I do not think that it ought to be compulsory on any man to go to any part of the world save for a crime for which he is transported; I hear a great deal of this question; I have been asked again and again to take a different view, but I have not been able to do it. A man is brought here, *in theory with his own consent, in practice very often without his consent*, he gives the best five years of his life, he forms new ties, forgets the old ones, perhaps establishes a home here, and he cannot, according to my view of right and wrong, be sent back. Better by far to stop the further introduction of Indians altogether than to take what work you can out of them and order them away. The Colony, or part of the Colony, seems to want Indians but also wishes to avoid the consequences of Indian immigration. The Indian people do no harm as far as I know; in certain respects they do a great deal of good. I have never heard a reason to justify the extradition of a man who has behaved well for five years."

And Mr. Binns who came to India as one of the Natal Commissioners to induce the Indian Government to agree to the above mentioned alterations gave the following evidence before the Commission ten years ago:—

"I think the idea which has been mooted, that all Indians should be compelled to return to India at the end of their term of indenture, is most unfair to the Indian population, and would never be sanctioned by the Indian Government. In my opinion the free Indian population is a most useful section of the community."

But then great men may change their views as often and as quickly as they may change their clothes with impunity and even to advantage. In them, they say, such

changes are a result of sincere conviction. It is a thousand pities however that unfortunately for the poor indentured Indians his fear or rather the expectation that the Indian Government will never sanction the change was not realized.

The *London Star* thus gave vent to its feelings on reading the Bill:—

"These particulars are enough to throw light upon the hateful persecution to which British Indian subjects are being subjected. The new Indian Immigration Law Amendment Bill, which virtually proposes to reduce Indians to a state of slavery, is another example. The thing is a monstrous wrong, an insult to British subjects, a disgrace to its authors, and a slight upon ourselves. Every Englishman is concerned to see that the commercial greed of the South African trader is not permitted to wreak such bitter injustice upon men who, alike by proclamation and by statute, are placed upon an equality with ourselves before the Law."

The *London Times*, also in supporting our prayer, has compared the State of perpetual indenture to a "State perilously near to slavery." It says:—

"The Government of India has one simple remedy. It can suspend indentured immigration to South Africa as it has suspended such immigration to foreign possessions until it obtains the necessary guarantees for the present well-being and the future status of the immigrants. . . . It is eminently a case for sensible and conciliatory action on both sides. . . . But the Indian Government may be forced to adopt measures in connection with the wider claim now being urged by every section of the Indian community and which has been explicitly acknowledged by Her Majesty's Government at home—namely, the claim of the Indian races to trade and to labour with the full status of British subjects throughout the British Empire and in allied States."

The letters from Natal informing me of the royal sanction to this Bill ask me to request the Indian public to help us to get emigration suspended. I am well aware that the idea of suspending emigration requires careful consideration. I humbly think that there is no other conclusion possible in the interests of the Indians, at large. Emigration is supposed to relieve the congested districts and to benefit those who emigrate. If the Indians, instead of paying the poll-tax, return to India, the congestion cannot be affected at all. And the return Indians will rather be a source of difficulty than anything else as they must necessarily find it difficult to get work and cannot be expected to bring sufficient to live upon the interest of their capital. It certainly will not benefit the emigrants as they will never if the Government can possibly help it, be allowed to rise higher than the status of labourers. The fact is that they are being helped on to degradation. Under such circumstances I humbly ask you to support our prayer to suspend emigration to Natal unless the new law can be altered or repealed.

You will naturally be anxious to know the treatment of the Indians while under indenture. Of course, that life cannot be bright under any circumstances; but I do not think their lot is worse than the lot of the Indians similarly placed in other parts of the world. At the same time they too certainly come in for a share of the tremendous colour prejudice. I can only briefly allude to the matter here and refer the curious to the green pamphlet wherein it has been more fully discussed. There is a sad mortality from suicides on certain estates in Natal. It is very difficult for an indentured Indian to have his services transferred on the ground of ill treatment. An indentured Indian after he becomes free is given a free pass. This he has to show whenever asked to do so. It is meant to detect desertion by the indentured Indians. The working of this system is a source of much irritation to poor free Indians and often puts respectable Indians in a very unpleasant position. This law really would not give any trouble but for the un-

reasonable prejudice. A sympathetic Protector of Immigrants, preferably an Indian gentleman of high standing and knowing the Tamil, Telugu and Hindustani languages, would certainly mitigate the usual hardships of the indentured life. An Indian immigrant who loses his free pass is as a rule called upon to pay three pounds sterling for a duplicate copy. This is nothing but a system of black-mail.

The nine o'clock rule in Natal which makes it necessary for every Indian to carry a pass if he wants to be out after 9 P.M., at the pain of being locked up in a dungeon causes much heart-burning especially among the gentlemen from this Presidency. You will be pleased to hear that children of many indentured Indians receive a pretty good education; and there wear as a rule the European dress. They are a most sensitive class and yet unfortunately most liable to arrest under the 9 o'clock rule. The European dress for an Indian is no recommendation in Natal, it is rather the reverse. For the flowing robe of the Memon frees the wearer from such molestation. A happy incident described in the green pamphlet led the Police in Durban some years ago to free Indians thus dressed from liability to arrest after 9 P.M. A Tamil school-mistress, a Tamil Schoolmaster and a Tamil Sunday school-teacher were only a few months ago arrested and locked up under this law. They all got justice in the law courts but that was a poor consolation. The result however was that the Corporations in Natal are clamouring for an alteration in the law so that it might be impossible for such Indians to get off scot-free in the law courts.

There is a bye-law in Durban which requires registration of coloured servants. This rule may be and perhaps is necessary for the Kaffirs who would not work, but absolutely useless with regard to the Indians. But the policy is to class the Indian with the Kaffir whenever possible.

This does not complete the list of grievances in Natal. I must beg to refer the curious to the green pamphlet for further information.

But, gentlemen, you have been told lately by the Natal Agent-General that the Indians are nowhere better treated than in Natal; that the fact that a majority of the indentured labourers do not avail themselves of the return passage is the best answer to my pamphlet; and that the railway and tram-car officials do not treat the Indians as beasts nor do the law courts deny them justice.

With the greatest deference to the Agent-General, all I can say as to the first statement is that he must have very queer notions of good treatment if to be locked up for being out after 9 P.M. without a pass, to be denied the most elementary right of citizenship in a free country, to be denied a higher status than that of bondman and at best a free labourer and to be subjected to other restrictions referred to above are instances of good treatment. And if such treatment is the best the Indians receive throughout the world, then the lot of the Indians in other parts of the world and here must be very miserable indeed, according to the common-sense view. The thing is that Mr. Walter Peace, the Agent-General, is made to look through the official spectacles and to him every thing official is bound to appear rosy. The legal disabilities are condemnatory of the action of the Natal Government, and how can the Agent-General be expected to condemn himself? If he or the Government which he represents only admitted that the legal disabilities mentioned above were against the fundamental principles of the British Constitution, I should not stand before you this evening. I respectfully submit that statements of opinions made by the Agent-General cannot be allowed to have greater weight than those of an accused person about his own guilt.

The fact is that the indentured Indians as a rule do not avail themselves of the return passage we do not dispute, but we certainly dispute that it is the best answer to our complaints. How can that fact disprove the existence of the legal disabilities? It may prove that the Indians who

do not take advantage of the return passage either, do not mind the disabilities or remain in the Colony in spite of such disabilities. If the former be the case, it is the duty of those who know better to make the Indians realize their situation and to enable them to see that submission to them means degradation. If the latter be the case it is one more instance of the patience and the forbearing spirit of the Indian nation which was acknowledged by Mr. Chamberlain in his despatch in connection with the Transvaal arbitration. Because they bear them is no reason why the disabilities should not be removed or why they should be interpreted into meaning the best treatment possible.

Moreover, who are these people who instead of returning to India settle in the Colony? They are the Indians drawn from the poorest classes and from the most thickly populated districts, possibly living in a state of semi-starvation in India. They migrated to Natal with their families, if any, with the intention of settling there if possible. Is it any wonder if these people, after the expiry of their indenture, instead of returning 'to face semi-starvation,' as Mr. Saunders has put it, settle in a country where the climate is magnificent and where they may earn a decent living? A starving man generally would stand any amount of rough treatment to get a crumb of bread.

Do not the Uitlanders make out a terribly long list of grievances in the Transvaal? And yet do they not flock to the Transvaal in thousands in spite of the ill-treatment they receive there because they can earn their bread in the Transvaal more easily than in the old country?

This, too, should be borne in mind that in making his statement Mr. Peace has not taken into account the free Indian trader who goes to the colony on his own account and who feels most the indignities and disabilities. If it does not do to tell the Uitlander that he may not go to the Transvaal if he cannot bear the ill-treatment, much

less will it do to tell so to the enterprising Indian. We belong to the Imperial family and are children adopted, it may be, of the same august mother, having the same rights and privileges guaranteed to us as to the European children. It was in that belief that we went to the Colony of Natal and we trust that our belief was well-founded.

The Agent-General has contradicted the statement made in the pamphlet that the railway and tram-car officials treat the Indians as beasts. Even if the statements I have made were incorrect, that would not disprove the legal disabilities which and which alone have been made the subject of memorials and to remove which we invoke the direct intervention of the Home and the Indian Governments. But I venture to say that the Agent-General has been misinformed and beg to repeat that the Indians are treated as beasts by the railway and the tram-car officials. That statement was made now nearly two years ago in quarters where it could have been contradicted at once. I had the honour to address an 'open letter' to the members of the Local Parliament in Natal. It was widely circulated in the Colony and noticed by almost every leading newspaper in South Africa. No one contradicted it then. It was even admitted by some newspapers. Under such circumstances, I ventured to quote it in my pamphlet published here. I am not given to exaggerate matters and it is very unpleasant to me to have to cite testimony in my own favour, but since an attempt has been made to discredit my statements and thereby the cause I am advocating, I feel it to be my duty for the sake of the cause to tell you what the papers in South Africa thought about the 'open letter' in which the statement was made.

The *Star*, the leading newspaper in Johannesburg, says.

"Mr. Gandhi writes forcibly, moderately and well. He has himself suffered some slight measure of injustice since he came into the Colony, but that fact does not seem to

have coloured his sentiment, and it must be confessed that to the tone of the open letter no objection can reasonably be taken. Mr. Gandhi discusses the questions he has raised with conspicuous moderation."

The *Natal Mercury*, the Government organ in Natal, says:

"Mr. Gandhi writes with calmness and moderation. He is as impartial as any one could expect him to be and probably a little more so than might have been expected, considering that he did not receive very just treatment at the hands of the Law Society when he first came to the Colony." Had I made unfounded statements the newspapers would not have given such a certificate to the "open letter."

An Indian, about two years ago, took out a second class ticket on the Natal railway. In a single night journey he was thrice disturbed and was twice made to change compartments to please European passengers. The case came before the Court and the Indian got £10 damages. The following is the plaintiff's evidence in the case:—

"Deponent got into a second class carriage in the train leaving Charlestown at 1-30 p.m. Three other Indians were in the same compartment but they got out at New Castle. A white man opened the door of the compartment and beckoned to witness saying "come out Sammy". Plaintiff, asked "why" and the white man replied "Never mind, come out, I want to place some one here". Witness said "why should I come out from here when I have paid my fare..." The white man then left and brought an Indian who, witness believed, was in the employ of the railway. The Indian was told to tell plaintiff to get out of the carriage. Thereupon the Indian said "the white man orders you to come out and you must come out." The Indian then left. Witness said to the white man, "what do you want to shift me about for. I have paid my fare and have a right to remain here." The white man became angry at this and

said, "Well, if you don't come out I will knock hell out of you." The white man got into the carriage and laid hold of the witness by the arm and tried to pull him out. Plaintiff said "Let me alone and I will come out." The witness left the carriage and the white man pointed out another second-class compartment and told him to go there. Plaintiff did as he was directed; the compartment he was shown into was empty. He believed some people who were playing a band were put into the carriage from which he was expelled. This white man was the District Superintendent of Railways at Newcastle. To proceed "witness travelled undisturbed to Maritzberg. He fell asleep and when he awoke at Maritzberg he found a white man, a white woman and a child in the compartment with him. A white man came up to the carriage and said, "Is that your boy, speaking to the white man in the compartment." Witness's fellow-traveller replied "yes," pointing to his little boy. The other white man then said, "No, I don't mean him. I mean the damned coolie in the corner." This gentleman with the choice language was a railway official being a shunter, "the white man in the compartment replied, "Oh never mind him, leave him alone." Then the white man outside (the official) said, "I am not going to allow a coolie to be in the same compartment with white people." This man addressed Plaintiff saying "Sammy, come out". Plaintiff said, "why, I was removed at Newcastle to this compartment" The white man said, "well, you must come out" and was about to enter the carriage. Witness thinking he would be handled as at Newcastle said he would go out and left the compartment. The white man pointed out another second-class compartment which witness entered. This was empty for a time but before leaving, a white man entered. Another white man, (the official,) afterwards came up and said, "if you don't like to travel with that stinking coolie I will find you another carriage." (The *Natal Advertiser* 22nd November 1893, Wednesday.)

You will have noticed that the official at Maritzburg maltreated the Indian passenger although his white fellow-passenger did not mind him. If this is not bestial treatment, I should very much like to know what is and such occurrences take place often enough to be irritating.

It was found during the case that one of the witnesses for the defendant was coached. In answer to a question from the Bench whether the Indian passengers were treated with consideration the witness who was one of the officials referred to replied in the affirmative. Thereupon the presiding Magistrate who tried the case is reported to have said to the witness: "Then you have a different opinion to what I have and it is a curious thing that people who are not connected with the railway observe more than you."

The *Natal Advertiser*, a European daily in Durban, made the following remarks on the case:—

"It was indisputable from the evidence that the Arab had been badly treated and seeing that second-class tickets are issued to Indians of this description the plaintiff ought not to have been subjected to unnecessary annoyance and indignity. . . . Some definite measures should be taken to minimise the danger of trouble arising between European and coloured passengers without rendering the carrying out of such measures annoying to any person whether black or white."

In the course of its remarks on the same case the *Natal Mercury* observed:—

"There is throughout South Africa a tendency to treat all Indians as coolies pure and simple no matter whether they be educated and cleanly in their habits or not. . . . On our railways we have noticed on more than one occasion that coloured passengers are not by any means treated with civility, and although it would be unreasonable to expect that the white employees of the N. G. R. should treat them with the same deference as is accorded to European passengers, still we think it would not be in any

way derogatory to their dignity if the officials were a little more *Suaviter in modo* when dealing with coloured travellers" (24-11-93.)

The *Cape Times*, a leading newspaper in South Africa, says:—

"Natal presents the curious spectacle of a country entertaining a supreme contempt for the very class of people she can least do without. Imagination can only picture the commercial paralysis which would inevitably attend the withdrawal of the Indian population from that Colony. And yet the Indian is the most despised of creatures, he may not ride in the tram-cars nor sit in the same compartment of a railway carriage with the Europeans, Hotel keepers refuse him food or shelter and he is denied the privilege of the public bath!" (5-7-91).

Here is the opinion of an Anglo-Indian, Mr. Drummond, who is intimately connected with the Indians in Natal. He says, writing to the *Natal Mercury*:—

"The majority of the people here seem to forget that they are British subjects that their Maharanee is our Queen and for that reason alone one would think that they might be spared the opprobrious term of 'coolie' as it is here applied. In India it is only the lower class of white men who calls a native a 'nigger' and treats him as if he were unworthy of any consideration or respect. In their eyes as in the eyes of many in this Colony, he is treated either as a heavy burden or a mechanical machine. . . . It is a common thing and a lamentable thing to hear the ignorant and the unenlightened speak of the Indian generally as the scum of the earth, etc. It is depreciation from the white man and not appreciation that they get."

I think I have adduced sufficient outside testimony to substantiate my statement that the railway officials treat the Indians as beasts. On the tram-cars the Indians are often not allowed to sit inside but are sent 'upstairs' as the

phrase goes. They are often made to remove from one seat to another or prevented from occupying front benches. I know an Indian officer, a Tamil gentleman, dressed in the latest European style who was made to stand on the tram-car board although there was accommodation available for him.

Quoting statistics to prove the prosperity of the Indian Community is quite unnecessary. It is not denied that the Indians who go to Natal do earn a living and that in spite of the persecution.

As to the statement that the Indians get justice in the law courts I beg to say that I have never said they do not nor am I prepared to admit that they get it at all times and in all courts.

In the Transvaal we cannot own landed property, we may not trade or reside except in specified locations, which are described by the British Agent "as places to deposit the refuse of the town without any water except the polluted soakage in the gully between the location and the town." We may not as of right walk on the footpaths in Johannesburg and Pretoria, we may not be out after 9 p.m. We may not travel without passes. The law prevents us from travelling 1st or 2nd class on the railways. We are required to pay a special registration fee of £3 to enable us to settle in the Transvaal, and though we are treated as mere 'chattels' and have no privileges whatever we may be called upon to render compulsory military service, if Mr. Chamberlain disregards the memorial which we have addressed to him on the subject. The history of the whole case as it affects the Indians in the Transvaal is very interesting and I am only sorry that for want of time I cannot deal with it now. I must however beg you to study it from the green pamphlet. I must not omit to mention that it is criminal for an Indian to buy native gold.

The Orange Free State has made "the British Indian an impossibility by simply classifying him with the Kaffir"

as the chief organ puts it. It has passed a special law whereby we are prevented from trading, farming or owning property under any circumstances. If we submit to these degrading conditions we may be allowed to reside after passing through certain humiliating ceremonies. We were driven out from the State and our stores were closed causing to us a loss of £9,000. And this grievance remains absolutely without redress.

The Cape Parliament has passed a Bill granting the East London Municipality in that Colony the power to frame bye-laws prohibiting Indians from walking on the footpaths and making them live in locations. It has issued instructions to the authorities of East Griqualand not to issue any trading licenses to the Indians. The Cape Government are in communication with the Home Government with a view to induce them to sanction legislation restricting the influx of the Asiatics.

The people in the Chartered territories are endeavouring to close the country against the Asiatic trader.

In Zululand, a Crown Colony, we cannot own or acquire landed property in the townships of Eshowe and Nondweni. This question is now before Mr. Chamberlain for consideration. As in the Transvaal there also it is criminal for an Indian to buy native gold.

Thus we are hemmed in on all sides by restrictions. And if nothing further were to be done here and in England on our behalf, it is merely a question of time when the respectable India in South Africa will be absolutely extinct. Nor is this a merely local question. It is, as the London Times puts it, "that of the status of the British Indian outside India." "If" says the *Thunderer*, "they fail to secure that position (i.e. of equal status) in South Africa, it will be difficult for them to attain it elsewhere." I have no doubt you have read in the papers that Australian Colonies have passed legislation to prevent Indians from settling in that part of the world. It will be interesting to know how the Home Government deal with that question.

The real cause of all this prejudice may be expressed in the words of the leading organ in South Africa, namely, the *Cape Times*, when it was under the editorship of the Prince of South African Journalists, Mr. St. Leger. "It is the position of these merchants which is productive of no little hostility to this day. And it is in considering their position that their rivals in trade have sought to inflict upon them through the medium of the State what looks on the face of it something very like an injustice for the benefit of self." Continues the same organ: "the injustice to the Indians is so glaring that one is almost ashamed of one's countrymen in wishing to have these men treated as natives (i.e. of South Africa), simply because of their success in trade. The very reason that they have been so successful against the dominant race is sufficient to raise them above that degrading level." If this was true in 1889, when the above was written, it is doubly so now because the legislatures of South Africa have shown phenomenal activity in passing measures restricting the liberty of the Queen's Indian subjects.

Other objections also have been raised to our presence there, but they will not bear scrutiny, and have been dealt with in the Green Pamphlet. I venture, however, to quote from the *Natal Advertiser* which states one of them and prescribes a statesmanlike remedy also. And so far as the objection may be valid, we are in perfect accord with the *Advertiser's* suggestion. This paper which is under European management was at one time violently against us. Dealing with the whole question from an Imperial standpoint, it concludes:—

"It will, therefore, probably yet be found that the removal of the drawbacks at present incidental to the immigration of Indians into British Colonies is not to be effected so much by the adoption of an obsolete policy of exclusion as by an enlightened and progressive application of ameliorating laws to those Indians who settle in them. One of

the chief objections to Indians is that they do not live in accordance with European rules. The remedy for this is to gradually raise their mode of life by compelling them to live in better dwellings and by creating among them new wants. It will probably be found easier, because more in accord with great onward movements of mankind, to demand of such settlers that they shall rise to their new conditions, than to endeavour to maintain the *status quo ante* by their entire exclusion."

We believe also that much of the ill-feeling is due to the want of proper knowledge in South Africa about the Indians in India. We are therefore endeavouring to educate public opinion in South Africa by imparting the necessary information. With regard to the legal disabilities we have tried to influence in our favour the public opinion both in England and here. As you know, both the Conservatives and Liberals have supported us in England without distinction. The *London Times* has given 8 leading articles to our cause in a very sympathetic spirit. This alone has raised us a step higher in the estimation of the Europeans in South Africa and has considerably affected for the better the tone of newspapers there. The British Committee of the Congress has been working for us for a very long time. Ever since he entered Parliament Mr. Bohnuggree has been pleading our cause in season and out of season. Says one of our best sympathisers in London:

"The wrong is so serious that it has only to be known in order I hope to be remedied. I feel it my duty on all occasions and in all suitable ways to insist that the Indian subjects of the Crown should enjoy the full status of British subjects throughout the whole British Empire and in allied States. This is the position which you and our Indian friends in South Africa should firmly take up. In such a question compromise is impossible. For any compromise would relinquish the fundamental right of the Indian races to the complete status of British subjects—a right which they

have earned by their loyalty in peace and by their services in war, a right which was solemnly guaranteed to them by the Queen's Proclamation in 1857, and which has now been explicitly recognised by Her Majesty's Government." Says the same gentleman in another letter: "I have great hope that justice will in the end be done; you have a good cause. . . . You have only to take up your position strongly in order to be successful. That position is that the British Indian subjects in South Africa are alike in our own Colonies and in independent friendly States being deprived of their status as British subjects guaranteed to them by the Sovereign and the British Parliament." An ex-Liberal member of the House of Commons says: "You are infamously treated by the Colonial Government and you will be so treated by the Home Government if they do not compel the Colonies to alter their policy."

A Conservative member says: "I am quite aware that the situation is surrounded with many difficulties but some points stand out clear and as far as I can make out it is true to say that breaches of what in India is a Civil contract are punishable in South Africa as though they were criminal offences. This is, beyond doubt contrary to the principles of Indian Code and seems to me an infringement of the privileges guaranteed to British subjects in India. Again it is perfectly evident that in the Boer Republic and possibly in Natal it is the direct obvious intention of the Government to "hunt" natives of India and to compel them to carry on their business under degrading conditions. The excuses which are put forward to defend the infringements of the liberties of British subjects in the Transvaal are too flimsy to be worth a moment's attention." Yet another Conservative member says: "Your activity is praiseworthy and demands just. I am therefore willing to help you as far as lies in my power."

Such is the sympathy evoked in England. Here, too, I know we have the same sympathy, but I humbly think

that our cause may occupy your attention still more largely.

What is required in India has been well put by the *Moslem Chronicle* in a forcibly written leader: "What with a strong and intelligent public opinion here and a well-meaning Government, the difficulties we have to contend with are not at all commensurate with those that retard the well-being of our countrymen in that country. It is therefore quite time that all public bodies should at once turn their attention to this important subject to create an intelligent public opinion with a view to organise an agitation for the removal of the grievances under which our brethren are labouring. Indeed, these grievances have become and are day by day becoming so unbearable and offensive that the requisite agitation cannot be taken up one day too soon."

I may state our position a little more clearly. We are aware that the insults and indignities that we are subjected to at the hands of the populace cannot be directly remedied by the intervention of the Home Government. We do not appeal to it for any such intervention. We bring them to the notice of the public so that the fair-minded of all communities and the press may, by expressing their disapproval, materially reduce their rigour and possibly eradicate them ultimately. But we certainly do appeal, and we hope not vainly, to the Home Government for protection against reproduction of such ill-feeling in legislation. We certainly beseech the Home Government to disallow all the Acts of the Legislative bodies of the Colonies restricting our freedom in any shape or form. And this brings me to the last question, namely, how far can the Home Government interfere with such action on the part of the Colonies and the allied States. As for Zululand, there can be no question, since it is a Crown Colony directly governed from Downing-street through a Governor. It is not a self-governing or responsibly governed Colony as the Colonies of Natal and the Cape of Good Hope are. With regard to the last

two their Constitution Act provides that Her Majesty may disallow any Act of the Local Parliament within two years even after it has become law having received the Governor's assent. That is one safe-guard against oppressive measures by the Colonies. The Royal instructions to the Governor as also the Constitution Act enumerate certain Bills which cannot be assented to by the Governor without Her Majesty's previous sanction. Among such are Bills which have for their object class legislation such as the Franchise Bill or Immigration Bill. Her Majesty's intervention is thus direct and precise. While it is true that the Home Government is slow to interfere with the Acts of the Colonial Legislatures, there are instances where it has not hesitated to put its foot down on occasions less urgent than the present one. As you are aware, the repeal of the first Franchise Bill was due to such wholesome intervention. What is more, the Colonists are ever afraid of it. And as a result of the sympathy expressed in England and the sympathetic answer given by Mr. Chamberlain to the Deputation that waited on him some months ago, most of the papers in South Africa, at any rate in Natal, have veered round considerably. As to the Transvaal there is the Convention. As to the Orange Free State I can only say that it is an unfriendly act on the part of a friendly state to shut her doors against any portion of Her Majesty's subjects. And as such I humbly think it can be effectively checked.

It may not be amiss to quote a few passages from the *London Times*' articles bearing on the question of intervention as well as the whole question generally.

"The whole question resolves itself into this. Are Her Majesty's Indian subjects to be treated as a degraded and an outcaste race by a friendly Government, or are they to have the same rights and status as other British subjects enjoy? Are leading Mahomedan merchants, who might sit in the Legislative Council at Bombay, to be liable to indignities and outrage in the South African Republic? We are continually telling our Indian subjects that the econ-

omic future of their country depends on their ability to spread themselves out and to develop their foreign trade. What answer can our Indian Government give them if it fails to secure to them the same protection abroad which is secured to the subjects of every other dependency of the Crown?

"It is a mockery to urge our Indian fellow-subjects to embark on external commerce, if the moment they leave India they lose their rights as British subjects, and can be treated by foreign Governments as a degraded and an outcaste race." In another article it says:

"The matter is eminently one for good offices and for influence, for that 'friendly negotiation' which Mr. Chamberlain promises, though he warns the deputation that it may be tedious and will certainly not be easy. As to the Cape Colony and Natal, the question is to a certain extent simplified since, of course, the Colonial Office can speak to them with greater authority.

"The incident is one of those which suggests wider questions than any that directly offer themselves for official replies. We are at the centre of a world-wide Empire, at a period when locomotion is easy and is every day becoming easier, both in time and cost. Some portions of the Empire are crowded, others are comparatively empty, and the flow from the congested to the under-peopled districts is continuous. What is to happen when subjects differing in colour, religion, and habits from ourselves or from the natives of a particular spot emigrate to that spot for their living? How are race prejudices and antipathies, the jealousies of trade, the fear of competition, to be controlled? The answer, of course, must be—by intelligent policy at the Colonial Office.

"Small as are the requirements of the Indian, the steady growth of the population of India is such that a certain outward movement is inevitable, and it is a movement that will increase. It is very desirable that our white

fellow-subjects in Africa should understand that there will, in all probability, be this current flowing from India, that it is perfectly within the rights of the British Indian to seek his subsistence at the Cape, and that he ought, in the common interests of the Empire, to be well-treated when he comes there. It is, indeed, to be feared that the ordinary colonist, wherever settled, thinks much more of his immediate interests than of those of the great Empire which protects him, and he has some difficulty in recognizing a fellow-subject in the Hindu or the Parsee. The duty of the Colonial Office is to enlighten him and to see that fair treatment is extended to British subjects of whatever colour." Again

"In India the British, the Hindu, and the Mussulman communities find themselves face to face with the question as to whether at the outset of the new industrial movements which have been so long and anxiously awaited, Indian traders and workers are or are not to have the same status before the law as all other British subjects enjoy. May they or may they not go freely from one British possession to another and claim the rights of British subjects in allied States? Or are they to be treated as outcaste races, subjected to a system of permits and passes when travelling on their ordinary business avocations, and relegated, as the Transvaal Government would relegate them to a ghetto at the permanent centres of their trade? These are questions which apply to all Indians who seek to better their fortunes outside the limits of the Indian Empire. Mr. Chamberlain's words and the determined attitude taken up by every section of the Indian Press show that to such questions there can be but one answer." I shall take the liberty to give one more quotation from the same journal.

"The question with which Mr. Chamberlain was called upon to deal cannot be so easily reduced to concrete terms. On the one hand he clearly laid down the principle of the 'equal rights and equal privilege' of all British subjects

in regard to redress from foreign States. It would, indeed, have been impossible to deny that principle. Our Indian subjects have been fighting the battles of Great Britain over half the old world with a loyalty and courage which have won the admiration of all British men. The fighting reserve which Great Britain has in the Indian races adds greatly to her political influence and prestige and it would be a violation of the British sense of justice to use the blood and the valour of these races in war and yet to deny them the protection of the British name in the enterprises of peace. The Indian workers and traders are slowly spreading across the earth from Central Asia to the Australian Colonies and from the Straits Settlements to the Canary Islands. Wherever the Indian goes he is the same useful well-doing man, law-abiding under whatever form of Government he may find himself, frugal in his wants and industrious in his habits. But these very virtues make him a formidable competitor in the labour markets to which he resorts. Although numbering in the aggregate some hundreds of thousands, the emigrant Indian labourers and small dealers have only recently appeared in the foreign countries or British Colonies in numbers sufficient to arouse jealousy and to expose them to political injustice. But the facts which we brought to notice in June, and which were urged on Mr. Chamberlain by a deputation of Indians last week, show that the necessity has now arisen for protecting the Indian labourer from such jealousy, and for securing to him the same rights as other British subjects enjoy."

Gentlemen, Bombay has spoken in no uncertain terms. We are yet young and inexperienced, we have a right to appeal to you, our elder and freer brethren for protection. Being under the yoke of oppression we can merely cry out in anguish. You have heard our cry. The blame will now lie on your shoulders if the yoke is not removed from our necks.

THE GRIEVANCES OF
THE BRITISH INDIANS

IN

SOUTH AFRICA.

AN APPEAL

TO

THE INDIAN PUBLIC

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THE GRIEVANCES OF THE BRITISH IN- DIANS IN SOUTH AFRICA.

THIS is an appeal to the Indian public on behalf of the 100,000 Indians in South Africa, I have been commissioned by the leading members representing that community in South Africa to lay before the public in India the grievances that Her Majesty's Indian Subjects are labouring under in that country.

South Africa is a continent by itself and is divided into many states of which the colonies of Natal and the Cape of Good Hope, Zululand, a crown Colony, the South African Republic or the Transvaal, Orange Free State and the Chartered territories, are inhabited more or less by the Indians together with the Europeans and the natives of those countries. The Portuguese territories, viz., Delagoa Bay, Beira and Mozambique have a large Indian population but there the Indians have no grievances apart from the general population.

NATAL.

From an Indian stand-point Natal is the most important portion of South Africa. It has a native population of about 400,000, a European population of nearly 50,000 and an Indian population of about 51,000, of whom about 16,000 are those at present serving their indenture, about 30,000 are those who having once been under indenture are freed therefrom and have settled in the colony on their own account, and about 5,000 belong to the trading community. These latter of course came to the Colony on their own means and some of them brought capital also into the country. The indentured Indians are drawn from the labouring population of Madras and Calcutta and are nearly equally divided. Those from Madras speak as a rule the Tamil language and from Calcutta, the Hindi. They are most of them Hindoos, a good few are Mahomedans. Strictly speaking they do

not observe the caste-restrictions. After becoming free they either take to gardening or hawking vegetables and earn from 2 to 3 pounds sterling per month. A few become petty storekeepers. That business however is practically in the hands of the 5000 Indians, who are drawn chiefly from the Mahomedan community in the Bombay Presidency. Some of these latter are doing well. Many are large landowners, two are now shipowners also. One of them has a small oil machine worked by steam. They come either from Surat, districts surrounding Bombay or Porebunder. Many merchants from Surat have settled in Durban, with their families. Most of them including the assisted immigrants can read and write their own language to a greater extent than one would think they do. I venture to quote the following from my "Open Letter" to the Members of the Legislative Assembly and the Legislative Council of Natal to show what treatment the Indians receive at the hands of the general run of Europeans in the Colony.

"The man in the street hates him, curses him, spits upon him, and often pushes him off the footpath. The Press cannot find a sufficiently strong word in the best English Dictionary to damn him with. Here are a few samples. 'The real canker that is eating into the very vitals of the Community' 'these parasites' 'wily wretched semi barbarous Asiatics,' 'A thing black and lean and a long way from clean which they call the accursed Hindoo.' 'He is choke full of vice and he lives upon rice. I heartily cuss the Hindoo', 'Squalid coolies with truthless tongues and artful ways. The Press almost unanimously refuses to call the Indian by his proper name. He is 'Ramsamy.' He is Mr 'Samy,' 'He is Mr Coolie' 'He is the black man.' And these offensive epithets have become so common that they at any rate—one of them—Coolie are used even in the sacred precincts of the Courts, as if the Coolie were the legal and proper name to give to any and every Indian. The public men too seem to use the word freely. I have often heard the painful expression, 'coolie clerk,' from the mouths of men who ought to know better. The tramcars are not for the Indians. The railway officials may treat the Indians as beasts. No matter, how clean his very sight is such an offence to every white man in the Colony that he would object to sit even for a short time in the same compartment with the Indian. The Hotels shut their doors against them. Even the public baths are not for the Indians, no matter who they are . . . The vagrant law is needlessly oppressive and often puts respectable Indians in a very awkward position."

I have quoted this because the statement has been before the

South African public for nearly one year and a half, has been commented upon freely by almost every newspaper in South Africa and remains practically uncontradicted (indeed it has even been endorsed by one newspaper with approval) and because during the interval that has elapsed I have seen nothing to change that view. The Right Honourable Mr Chamberlain however while in full sympathy with its object in his reply to the deputation headed by the Hon'ble Mr Dadabhai is said to have stated that our grievances were more sentimental than material and real, and that if he could be shown any instances of real grievance, he should deal with them effectively. "The Times of India" which has done us much service and has laid us under deep obligation to it by its persistent advocacy on our behalf rebuked Mr Chamberlain for calling our grievances sentimental. To give, however, proof of real grievances and to strengthen the position of the advocates of our cause in India, I shall beg leave to cite my own testimony and that of those who have undergone grievances personally. Every word of every statement to be made immediately can be established beyond the shadow of a doubt.

In Dundee last year during the Christmas time, a gang of white men sat fire to the Indian stores without the slightest provocation in order to enjoy themselves. Mr Abdulla Haji Adam, a ship owner and one of the leading members of the Indian Community in South Africa was travelling with me as far as Krantzkkloof Station. He alighted there to go by postal cart to Natal. No one there would sell him even bread. The hotel keeper would not allow him a room in his hotel and he had to sleep in the coach shivering the whole night with cold. And the winter in that part of Africa, is no joke. Mr. Haji Mahomed Haji Dada another leading Indian gentleman was travelling in a coach some time ago from Pretoria to Charlestown. He was forced out of the coach and had to walk a distance of three miles because he had not got a pass—whatever that may mean.

A Parsee gentleman Mr Rustomjee whose generosity goes much further than his purse would allow, has been unable to take a Turkish bath for the sake of his health in Durban, although the public baths are the property of the Durban corporation to which Mr Rustomjee pays his rates just as well as the other rate payers. In Field Street Durban last year during the Christmas time, some European youths threw burning crackers in the Indian stores doing some damage. Three months ago in the same street, some youths shot lead bullets into an Indian store in Field Street with a sling hurting a cus-

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tomer who nearly lost his eye. Both these matters were brought to the notice of the Superintendent of Police, who promised to do all he could. Nothing more has been heard of the matter. Yet the Superintendent is an estimable gentleman anxious to protect all the Communities in Durban. But what could the poor man do against the tremendous odds? Will his subordinates take the trouble to find out the miscreants? When the aggrieved gentleman saw the constables at the police station they first laughed and then asked him to get a warrant from the Magistrate for their arrest. No warrant is required in such cases when a constable wants to do his duty. Only the day before I left Natal the son of an Indian gentleman spotlessly dressed, was walking along the pavement in the principal street in Durban. Some Europeans pushed him off the pavement without any reason but to amuse themselves. Last year the magistrate at Est court, a village in Natal had an Indian who was a prisoner in the Dock forced out of it. His cap was forcibly removed and he was brought back bareheaded in spite of the protest from the man that the removal of the cap was contrary to the Indian custom and it offended his religious feeling also. A civil action was brought against the Magistrate. And the judges held that the Magistrate was not civilly liable for the acts done by him in his capacity as such. When we went to law, we knew that such would be the decision. Our object was to have the matter thoroughly thrashed. This question at one time was a very great question in the colony.

An Indian official whenever he accompanies his superior during his periodical tours is unable to secure accommodation in the hotels. He is obliged to sojourn in huts. The grievance had reached such a stage when I left Natal that he was seriously thinking of sending in his resignation.

A Eurasian gentleman Mr Desilva by name who was for some time employed in a responsible position in Fiji happened to come to Natal to seek fortune. He is a certified chemist. He received an appointment as chemist by letter. When however his employer saw that he was not quite white, he dismissed him. I know other Eurasians who being fair enough to pass as "white men" are not molested. This last instance I have quoted to show how unreasonable the prejudice is in Natal. I could go on relating such instances. But I hope I have adduced sufficient instances to show that our grievances are real and as one of our sympathisers in England says in a letter, "They have only to be known to be removed."

Now what is our mode of action in such cases? Are we to go to Mr Chamberlain in every case and turn the colonial office into

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one for hearing petty complaints from Indians in South Africa? I have used the word "petty" advisedly for I admit that most of these cases are cases of petty assault and inconvenience. But when they occur pretty regularly they assume a sufficiently big shape to be a source of constant irritation to us. Just picture a country where you never know you are safe from such assaults no matter who you are, where you have anervous fear as to what would happen to you whenever you undertake a journey, where you cannot be accommodated in a hotel even for a night and you have a picture of the state we are living in in Natal. I am sure I am not exaggerating when I say that if any of the Indian High Court Judges came to South Africa, I doubt very much whether any hotel would admit him unless he took extraordinary precautions and I am almost positive that he will have to travel from Charles town to Pretoria in a Kaffir compartment unless he is dressed in European clothing from top to toe.

I am aware that in some of the instances cited above Mr Chamberlain could not very well afford relief as for example the case of Mr DeSilva but the fact is clear that such instances occur because of the rooted prejudice against the Indians in South Africa which is due to the indifference of the Home and the Indian Governments to the complaints of the Indians. In all the cases of assault our mode of action as a rule is not to take any notice of them. We follow the principle, so far as we can of going two miles when we are asked to go one. Sufferance is really and sincerely the badge of the Indians in South Africa especially in Natal. I may state however that we follow this policy not from any philanthropic, but from purely selfish motives. We have found by painful experience that to bring the offenders to justice is a tedious and expensive process. The result is often contrary to our expectations. The offender would either be discharged with a caution or fined "five shillings or one day." The very man after getting out of the box assumes a more threatening attitude and puts the complainant in an awkward position. And the publication of such acts incites others to similar ones. We therefore do not as a rule even mention them before the public in Natal.

Such a feeling of deep seated hatred towards the Indians is reproduced all over South Africa, in special legislation for Indians, which has for its object the degradation of the Indian community in that country. The Attorney General of Natal wants to keep the Indians for ever "hewers of wood and drawers of water." We are classed with the natives of South-Africa Kaffir races. He defines the

status of the Indians in the following words. "These Indians were brought here for the purpose of supplying labour for development of local industries and were not intended to form portion of the south African nation which was being built up in the various states." The policy of the Orange Free state which in the words of its leading organ "has made the British Indian an impossibility by simply classifying him with the south African native" is cherished by the other states as a model policy. What that State has completely accomplished the other states would accomplish within a very short time but for the vigilance of the Indian public. We are passing through a crisis now. We are hemmed in on all sides by restrictions and high handed measures.

I shall now show how the feeling of hatred above described has been crystallized into legislation. An Indian cannot leave his house after 9 o'clock at night unless he has a pass signed by some one showing that he is out under instructions or can give a good account of himself. This law applies to the natives and Indians only. The police use their discretion and do not as a rule trouble those who are dressed in the Memon costume as that dress is supposed to be the Indian trader's dress. Mr Aboobaker now deceased was the foremost Indian trader in Natal and much respected by the European community. He with his friend was once arrested by the police. When he was brought to the police station for being out after 9 p. m. the authorities knew at once that they had committed a mistake. They told Mr Aboobaker that they did not want to arrest gentlemen like himself and asked him if he could point out any distinguishing mark between a trader and a labourer. Mr Aboobaker pointed to his robe and ever since it has been a tacit understanding between the police and the public that those wearing the flowing robe, should not be arrested even though they may be out after 9 p. m. But there are Tamil and Bengal traders equally respectable who do not wear the robes. There are again the Christian Indian educated youths—a most sensitive class—who do not wear robes. They are constantly molested. A young Indian well educated and Sunday school teacher, another, a school master were arrested only four months ago and locked up in a dungeon the whole night in spite of their protestations that they were on their way home. They were discharged by the Magistrate but that was a poor consolation. An Indian lady, a teacher, the wife of the Indian Interpreter at La-lay-smith was a short time ago on her return from the church on a Sunday evening, arrested by two Kaffir policemen, and roughly handled so much so that her dress was soiled not to speak of all

sorts of bad names she was called. She was locked up in a cell. She was carried home senseless and was promptly released when the superintendent of the police came to know who she was. The bold lady sued the corporation for damages for wrongful arrest and got £ 20 and costs from the Supreme court. The Chief Justice remarked that her treatment was "unjust, harsh, arbitrary and tyrannical." The result however of these three cases is that the corporations are now clamouring for more powers and an alteration of the law, in order that they may, to put it bluntly, subject all Indians irrespective of their position to restrictions so that as a member of the Legislative Assembly said on the occasion of the passing of the Immigration Bill of 1894, "the intention of the colony to make the Indian's life more comfortable in his native land than in the colony of Natal" may be fulfilled. In any other country, such instances would have excited the sympathy of all right minded people and the decision quoted above would have been hailed with joy.

Some eight months ago about 20 Indians pure labourers on their way to the Durban market with vegetable baskets on their heads—a sufficient indication that they were not vagrants—were arrested at 4 o'clock in the morning under the same law. The police prosecuted the case vigorously. After a two days trial the Magistrate discharged them but at what cost to the poor people! They were carrying their days' earnings in prospect, on their shoulders. These were gone. They were I believe detained for two days in gaol and had to pay their attorney's fees in the bargain, for having ventured to be up and doing in the early morning, a fitting reward for industry! And Mr Chamberlain wants instances of real grievances!

There is a system of passes in Natal. Any Indian who whether in the day time or the night time, does not show a pass as to who he is, is liable to arrest. This is meant to prevent desertion by the indentured Indians and to facilitate identification and is thus far I believe necessary but the working of the law is extremely irritating and a crying grievance. But for the cruel feeling no injustice need occur under that law. Let the papers speak for themselves as to the working of the law. The Natal Advertiser of the 19th June 1895 has the following on the subject. "I wish to bring before your notice a few facts regarding the manner in which the Cato Manor tenants are arrested under Section 31 Law 25 of 1891. When they are walking on their grounds the police men come and arrest them ask for their free passes. When they call out for their wives or relatives to

produce the passes before they can be produced the policemen begin to drag the Indians to the police station. When the passes are produced on the road to the station the police men simply look at them and throw them to the ground. The Indians are taken to the police station, detained for a night and made to wash the cell out in the morning and are then brought before the Magistrate. The Magistrate without taking their pleas, fines them. When they reported this to the Protector he told them to go to the Magistrate, yet (adds the correspondent) he is appointed to protect the Indian immigrants. If such things exist in the Colony (continues the writer) to whom are they to appeal." The statement that the Magistrate does not take pleas must I think be a mistake.

The Natal mercury the Government Organ in Natal of 13th April 1895 has the following from the Editor.

"A point of considerable importance to respectable Indians and which causes much heart burning, is their liability to arrest. Let me give a case in point. A well known Durban Indian who has property in various parts of the town, a well educated and exceedingly intelligent man, was the other night with his mother visiting Rydenham where also he has property. Met by two native constables the young man and his mother were taken into custody and marched off to the police station, though it is only fair to say the native police conducted themselves admirably. The young Indian referred to explained who he was and gave references and the trooper at length bade him begone warning him however, that if he did not have a pass next time he would be detained and prosecuted. Being a British Subject in a British Colony, he objects to being treated in this way, though of course recognizes the necessity of watchfulness in general. He makes a very strong point however and one which the authorities should certainly consider." It will be only fair to state what the authorities have to say. They admit the grievance but ask how they are to distinguish between an indentured Indian and a free Indian. We on the other hand submit that nothing can be easier. The indentured Indian never is dressed in a fashionable dress. The presumption should be in favour of, not against the Indian especially an Indian of the type I am referring to. There is no more reason to presume a man to be a thief than to presume an Indian to be a deserter. Even if an Indian did desert and made preparations to look decent it will be difficult for him to remain undetected for a long time. But then the Indian in South Africa is not credited with any feelings. He is a beast "a thing black and lean."

"the Asian dirt to be heartily cursed."

There is again a law which says that natives and Indians when driving cattle, must be provided with certain passes, also a bye law in Durban which provides for the registration of native servants and "others belonging to the uncivilized races of Asia." This presupposes that the Indian is a barbarian. There is a very good reason for requiring registration of a native in that he is yet being taught the dignity and necessity of labour. The Indian knows it and he is imported because he knows it. Yet to have the pleasure of classifying him with the natives he too is required to be registered. The Superintendent of the Borough police has never so far as I know, put the law in motion. Once I raised an objection, in defending an Indian servant, that he was not registered. The Superintendent resented the objection and said he never applied the law to Indians and asked me if I wanted to see them degraded. The law however being there may at any time be used as an engine of oppression.

But we have not attempted to have any of these disabilities removed. We are doing what we can to have their rigour mitigated locally. For the present our efforts are concentrated towards preventing and getting repealed fresh legislation. Before referring to that I may further illustrate the proposition that the Indian is put on the same level with the native many other ways also. Lavatories are marked "natives and Asiatics," at the railway stations. In the Durban Post and Telegraph offices there were separate entrances for natives and Asiatics and Europeans. We felt the indignity too much and many respectable Indians were insulted and called all sorts of names by the clerks at the counter. We petitioned the authorities to do away with the invidious distinction and they have now provided three separate entrances for natives, Asiatics, and Europeans.

The Indians have upto now enjoyed the franchise rights under the general franchise law of the Colony which requires ownership of immoveable property worth £ 50 or payment of an annual rental of £ 10 to qualify an adult male to be placed on the voters' Roll. There is a special franchise law for the natives. Under the former in 1894 there were 9309 European voters and 251 Indian of whom only 203 were living at the time, the populations being equal. Thus the European vote in 1894 was 38 times as strong as the Indian vote. Yet the government thought or pretended to think that there was a real danger of the Asiatic vote swamping the European. They therefore introduced into the Legislative As-

sembly of Natal, a bill disfranchising all Asiatics save those who were then rightly contained in any voters' list, the preamble of the Bill stating that the Asiatics were not acquainted with elective representative institutions. Against this Bill we memorialised both the Legislative Assembly and the Legislative Council of Natal but to no purpose. We then memorialised Lord Ripon and forwarded copies of the memorial to the press and the public in India and England, with a view to enlist their sympathy and to secure their active support which we are thankful to say we received to some extent.

As a result that Act has now been repealed and replaced by an Act which says "the natives or descendants in the male line of natives of countries which have not hitherto possessed elective representative institutions founded on the parliamentary franchise shall not be placed on any voter's list unless they shall first obtain an order from the Governor in council, exempting them from the operation of the Act." It also exempts from its operation those persons that are rightly contained in any voters' list. This Bill was first submitted to Mr Chamberlain who has practically approved of it. We have yet thought it advisable to oppose it and with a view to secure its disallowance we have sent a Memorial to Mr Chamberlain and hope to secure the same measure of support that has been extended to us hitherto. We believe that the real reason for all such legislation is to accord a different treatment to the Indian in South Africa such that under it a respectable Indian in that country may become an impossibility. There is no real danger of the Asiatic vote swamping the European or the Asiatic ruling South Africa. Yet this was the main point urged in support of the Bill. The whole question has been well thrashed out in the colony and Mr Chamberlain has got all the materials before him to judge. Here is the Government giving their own view in their organ, the Natal Mercury of the 5th March 1896 dealing with the present Bill and supporting it. After quoting the figures from the voters' list it says,

"The fact of the matter is that apart from numbers altogether the superior race will always hold the reins of government. We are inclined to the belief therefore that the danger of the Indian vote swamping the European, is a chimerical one. We do not consider that the danger of being swamped, is at all a likely one, as past experience has proved that the class of Indians coming here as a rule, do not concern themselves about the franchise and further that the majority of them do not even possess the small property qualification required."

This admission has been reluctantly made. The Mercury supposes and we believe that the Bill will fail in its purpose, if it is to debar the Asiatic from the Franchise and says that it would not matter if it does. What then is the object if it be not to harass the Indian Community. The real reason why the Bill has been introduced is thus guardedly but frankly stated by the Mercury of the 23rd April 1896.

"Rightly or wrongly, justly, or unjustly a strong feeling exists among the Europeans in South Africa and especially in the two republics against Indians or any other Asiatics being allowed unrestricted right to the franchise. The Indian argument of course is that there is only one Indian to every 38 European voters on the roll at present with the open franchise and that the danger anticipated, is imaginary. Perhaps it is but we have to deal with it as if it were a real danger, not al-

Important Corrections.

At the end of page 11 please read at page 12 from line 7th to 18th (i. e. "from Chapter 140" to "oppressed to the view.") and at page 20 please read 'in the Transvaal' after 'were' 2nd line 3rd paragraph.

ment at which they explained the real reasons for passing the Bill. It has been condemned by the colonists and the other newspapers as inadequate from their point of view and by the very members who voted for it. They hold that the Bill will not apply to the Indians because they possess in India "elective representative institutions founded on the parliamentary franchise and that it will involve the colony in endless litigation and agitation." We too have taken up the same ground. We have urged that the Legislative councils in India are "elective representative institutions founded on the parliamentary franchise." Of course in the popular sense of the term we have no such institutions but in the opinion of the London Times and an able jurist in Durban our institutions can well be legally classified under those described in the Bill. The "Times" says "the argument that he (Indian) has no franchise whatever in India is inconsistent with facts." Mr Laughton an eminent lawyer in Natal writing to a newspaper on the subject says "Is there then a parliamentary (or legislative) franchise in India, and what is it? There is and it was created by the Acts 24 and 25 Victoria chapter 67 and 55 and 56 Victoria

expressed by the "Times" partly quoted above and has naturally frightened us. We are anxious to know what the best legal opinion here is. We can not however, too often urge that it is not political power that we want and it is degradation which these franchise bills involve that we resist. If a colony is allowed to treat the Indians on a different footing from the Europeans in one respect, chapter 140 by the regulations made under Section 4 of the latter Act. It may not be founded on what we call a liberal basis, it may indeed be founded on a very crude basis but it is the parliamentary franchise nevertheless and under the bill, it is on it that elective representative institutions of India have to be founded." This is also the opinion of other eminent men in Natal. Mr Chamberlain however in his despatch in connection with the matter says, "I also recognise the fact that the natives of India do not possess representative institutions in their own country and that they themselves in those periods of their history when they were exempt from European influence, have never set up any such system themselves." The opinion as will be noticed, is opposed to the view there would be no difficulty in going further. Their goal is not merely disfranchisement. Their goal is total extinction of the Indian. He may be allowed to exist there as pariah, as an indentured labourer, at the most a free labourer, but he must not aspire higher. At the time the first franchise Bill was introduced, in response to the clamour for Municipal disfranchisement of the Indians, the Attorney General said that would be dealt with in the near future. The Natal Government about a year ago wished to convene what was called a "Coolie conference" so that there might be uniformity in Indian legislation throughout South-Africa. At that time also the deputy Mayor of Durban moved a resolution that the Asiatics should be induced to live in separate locations. The Government are vexing themselves to find out how they can directly and effectively check the influx of the Indian traders whom Mr. Chamberlain describes to be "peaceable lawabiding meritorious body of persons whose undoubted industry and intelligence and inimitable perseverance," he hopes "will suffice to overcome any obstacles which may now face them in pursuit of their avocations." The present Bill therefore we humbly think has to be taken in connection with these facts and treated accordingly. The London Times has put the franchise question in this form. "The question now before Mr. Chamberlain is not an academic one. It is not a question of argument but of race-feeling. We cannot afford a war of races among our own subjects. It would be as wrong for the government of India to

suddenly arrest the development of Natal by shutting off the supply of immigrants as it would be for Natal to deny the rights of citizenship to British Indian subjects who by years of thrift and good work in the colony have raised themselves to the actual status of citizens."

The Second Bill that has been passed by the Natal Legislature proposes to keep the indentured Indians always under indenture or if they do not relish it to send them back to India at the end of the first indenture of five years or if they would not go back then to compel them to pay an annual tax of £3. How in a British colony such a measure could even be thought of passes our comprehension. Almost all the public men in Natal are agreed that the prosperity of the colony depends upon the Indian labour. In the words of a present member of the Legislative Assembly "at the time the Indian immigration was decided upon the progress and almost the existence of the colony hung in the balance" but in the words of another eminent Natalian, "Indian immigration brought prosperity, prices rose, people were no longer content to grow or sell produce for a song, they could do better. If we look to 1859, we shall find that the assured promise of Indian Labour resulted in an immediate rise of revenue which increased fourfold within a few years. Mechanics who could not get away and were earning 5 Shillings a day and less found their wages more than doubled and progress gave encouragement to every one from the Burg to the Sea." Yet they want to tax these industrious and indispensable people who in the words of the present Chief Justice of Natal have turned out to be "trustworthy and useful domestic servants," after having taken the very life blood out of them. The following opinion was held by the present Attorney General ten years ago. He is now the framer of this Bill "which a radical newspaper in London says "is a monstrous wrong, an insult to British Subjects, a disgrace to its authors and a slight upon ourselves."

"With reference to the time expired Indians I do not think that it ought to be compulsory on any man to go to any part of the world save for a crime for which he is transported; I hear a great deal of this question. I have been asked again and again to take a different view but I have not been able to do it. A man is brought here in theory with his own consent, in practice very often without, he gives the best five years of his life, he forms new ties, forgets the old ones perhaps establishes a home here and he can not according to my view of right and wrong be sent back. Better by far to stop the further introduction of Indians altogether than

to take what work you can out of them and order them away." But now that which was meritorious 10 years ago in the Indian Chamel's service to the colony for years for a paltry wage has become a crime for which he would deserve transportation to India if the Natal attorney General be allowed to do so by the Indian and the Home government. I may mention that the Indian government on the representation of an *ex parte* commission that visited India from Natal in 1893 have accepted the principal of compulsory indenture. We however are hoping confidently that the facts brought out in the memorials to the Home and the Indian Governments are sufficient to induce the latter to alter their views.

Although we have not moved in the matters specially affecting the Indians now serving their indenture, one may well presume that their lot will not be particularly comfortable on the estates. We think that the alteration in the colony's tone with regard to the general population will affect the masters also of the indentured Indians. One or two matters however I have been asked to especially bring to the notice of the public. A representation was made even as far as 1891 by an Indian Committee headed by Mr. Haji Mohamed Haji Dada, one of the prayers where of being that the Protector of Immigrants should be a man knowing the Tamil and the Hindustani languages and should, if possible, be an Indian. We have not receded from that position but the interval has merely confirmed that opinion. The Present protector is an estimable gentleman. His ignorance of the languages however can not but be a serious drawback. We humbly consider also that the Protector should be instructed to act as an advocate for the Indians more than as judge between the employers and the immigrants. I shall illustrate what I say. An Indian named Bala-sundram was in 1894 so ill treated by his master that his two teeth were nearly knocked out; they came out through his upper lips causing an issue of blood sufficient to soak his long turban in it. His master admitted the fact but pleaded grave provocation denied by the man. On receiving the punishment he seems to have gone to the Protectors' house which was close by his master's. The Protector sent word that he must go to his office the next day.

The man went then to the magistrate who was much moved at the sight. The turban was kept in Court and he was at once sent to the hospital for treatment. The man after having been kept in the hospital for a few days was discharged. He had heard about me and came to my office. He had not recovered sufficiently to be able to speak. I asked him therefore to write out his complaint in Tamil which he knew. He wanted to prose-

cute the master so that his contract of indenture might be cancelled. I asked him if he would be satisfied if his indenture was transferred. On his nodding consent to what I said, I wrote to his master asking if he would consent to transfer the services of the man. He was at first unwilling but subsequently consented. I sent the man also to the Protector's office with a Tamil clerk of mine who gave the man's version to the Protector. The Protector desired the man to be left in his office and sent word that he would do his best. The master in the mean while went to the Protectors office and changed his mind saying his wife would not agree to the transfer because his services were invaluable. The man was then said to have compromised and to have given the Protector a written document to the effect that he had no complaint to make. He sent me a note to the effect that as the man had no complaint to make and as his master did not consent to transfer the services he would not interfere in the matter. I ask if this was right? Was it right for the Protector to have taken such a document from the man? Did he want to protect himself against the man? To proceed however with the painful story, naturally the note sent a shock through my body. I had hardly recovered when the man came to my office crying and saying the Protector would not transfer him. I literally ran to the Protector's office and inquired what the matter was. He placed the written document before me and asked me how he could help the man. He said the man should not have signed the document. And this document was an affidavit attested by the Protector himself. I told the protector that I should advise the man to go to the Magistrate and lodge a complaint. He said the document will be produced before the magistrate and it would be useless. He advised me therefore to drop the matter. I returned to my office and wrote a letter to his master imploring him to consent to the transfer. The master would do nothing of the kind. The magistrate treated us quite differently. He had seen the man while the blood was yet dropping from his lips. The deposition was duly made. On the day of hearing I explained the whole circumstances and again appealed to the master in open court and offered to withdraw the complaint if he consented to the transfer. The Magistrate then gave the master to understand that unless he considered my offer more favourably than he seemed to do at the time consequences might be serious for him, he went on to say that he thought the man was brutally treated. The Master said he gave provocation. The Magistrate retorted, "You had no business to take the law in your own hands, and beat the man as if he were a beast." He adjourned the case for one

day in order to enable the Master to consider the offer made by me. The Master of course came down and consented. The Protector then wrote to me that he would not agree to transfer unless I submitted a European name he could approve of. Happily the colony is not quite devoid of benevolent men. A Wesleyan local preacher & solicitor out of chairty undertook to take over the man's services and thus ended the last act of this painful drama. Comment is superfluous as to the procedure adopted by the Protector. This is only a typical instance showing how hard it is for the indentured men to get justice.

We submit that no matter who he is, his duties should be clearly defined as are those of judges, advocate solicitors, and others. Certain things for the sake of avoiding temptations he should not be able to do in spite of himself. Just fancy a judge being the guest of a criminal who is being tried before him. Yet the Protector when he goes to the estates to inquire about the condition of the men and to hear complaints he can and does often become the guest of the employers. We submit that this practice is wrong in principle no matter how high minded the protector may be. As a Surgeon Superintendent of immigrants remarked the other day, the Protector should be easily approachable to the meanest coolie but he should be unapproachable to the lordliest employer. He may not be a Natal man. It also looks a strange procedure to appoint a Protector, a member of a commission whose object is to induce the Indian Government to consent to pass harsher laws for the indentured Indians. When the Protector has to perform such a conflicting duty who is to protect the indentured men?

It should be easy for the immigrant to have his services transferred. There are in the gaol some Indians who have been there for years because they refuse to go to their employers. They say they have complaints which owing to the peculiar circumstances in which they are placed, they can not substantiate. A Magistrate was so much disgusted with the business that he wished he had not to try such cases. The Natal Mercury of 13th. June 1895 thus comments on such a case "when a man even a coolie immigrant prefers to go to prison rather than work for the Master to whom he has been indentured the natural inference is that some thing is wrong somewhere and we are not surprised at Mr Dillon's remarks. on Saturday when he had three coolies before him all charged with the same offence of refusing to work all giving the same excuse viz, that they were ill-treated by their Masters. Of course it is just possible that these particular coolies prefer gaol work to plantation work. On the other hand it is just possible that the Coolies

have some ground for their complaint as to their treatment and the matter is one that ought to be investigated and at least these men who complain in this way should be transferred to another master and if they again refuse to work it can be readily seen that they do not want work. If a coolie is ill-treated it may be said that he can complain to the Magistrate but it is not an easy matter for any coolie to prove such cases. It is a matter altogether for the Protector of Immigrants to inquire into and remedy if possible."

There is an Immigration Trust-board that consists of employers of Indians. They have now received very wide powers. And seeing the position they occupy, their acts will have to be very jealously watched by the Indian Government. The punishment for desertion is heavy enough and yet they are now seriously considering whether some stiffer mode of dealing with such cases could not be devised. It should be remembered however that in at least 9 cases out of 10 the so-called deserters complain of ill-treatment, and such deserters are protected under the law from punishment but as the poor fellows cannot establish their complaints, they are treated as real deserters and sent by the Protector to the Magistrate for punishment accordingly. Under such circumstances any alteration for the worse in the law about desertion should, we submit, require careful consideration.

There is a sad mortality among these people from suicides. They are not satisfactorily accounted for. I cannot do better than quote the Advertiser of the 15th May 1896.

"A feature of the annual report of the Protector of Immigrants to which more public attention should be given than is the case is that referring to the number of suicides which take place every year among the indentured coolies on the estates. This year the number recorded is out of a total of 1828. A large number occurred in 1894. It is however a very high percentage and raises the suspicion that on some estates a system of treatment exists towards the coolie labourers much akin to slave driving. It is extremely significant that so many suicides should occur on certain estates. This is a point which calls for investigation. Apparently no inquiry of any kind is held into the cases with a view to ascertain whether the treatment meted out to the unfortunate wretches who prefer death to life is such as to render existence an intolerable misery. The matter is one which is apt to pass unnoticed. It however ought not to do so. In a recent case of desertion on the part of several coolies from an estate down South, the prisoners openly declared in Court

that they would rather kill themselves than return to their employer. The Magistrate said he had no option but to order them back to serve out their indentures. It is time the colony took steps to afford such complainants an opportunity of bringing the facts in connection with their complaints before some Court of inquiry and the public. It is also desirable that a Secretary of Indian affairs should be added to the Ministry. As matters stand at present, the indentured Indian has no effectual mode of appeal against whatever brutality may be inflicted on him on the plantations. We however wish to guard ourselves against being understood to say that the life of the indentured Indians in Natal is harder than in any other country or that this is a part of the general grievances of the Indians in the colony. On the other hand we know that there are estates in Natal where the Indians are very well treated. At the same time we do humbly submit that the lot of the indentured Indians is not all that it might be and that there are points which require attention. When an indentured Indian loses his free pass he is charged £ 3 for the duplicate. The reason for this is the alleged fraudulent sale by the Indians of their passes. But surely such fraudulent sale can be criminally punished. A man who has sold his pass should never be able to get a duplicate even on a payment of £ 30. On the other hand it should be as easy for an ordinary Indian to get a duplicate as the original. They are supposed to carry their passes about their persons. No wonder if they are frequently lost. I know a man who could not get a duplicate because he had not £ 3 with him. He wanted to go to Johannesburg and he could not go. The practice in the Protector's department in such cases is to issue temporary passes so that the men may be able to make a present of their first £ 3 earned to the Protector's office. In the case I am referring to, the man had a temporary pass issued for six months. He could not earn £ 3 during that time. There are dozens of such case I have no hesitation in saying that this is nothing but a system of black mail.

Zululand.

In the crown Colony of Zululand there are certain townships. There are regulations published with reference to the sale of land in these townships and the regulations for the townships of Eshowe and Nondweni prevent the Indians from owning or acquiring land, although the Indian's own land worth nearly £ 2000 in the township of Melmoth in the same country. We have sent a memorial to Mr Chamberlain and it is now engaging his

attention. The colonists in Natal say that if such disabilities can be placed on Indians in a crown colony, a responsibly governed colony such as Natal should be allowed to do what it liked with regard to the Indians. Our position in Zululand is no better than in the Free State. It is so dangerous to go to Zululand that the one or two who ventured to go there had to return back. There is a good opening for the Indians there but the ill-treatment comes in the way. This is a matter that we are earnestly hoping will be set right without much delay.

THE CAPE COLONY.

In the Cape Colony the Mayoral congress has passed a resolution signifying its desire for legislation prohibiting the influx of Asiatics in that colony and hoping that prompt action will be taken. The Cape Legislature has lately passed a measure which gives the East London Municipality in that colony the power to make bye laws compelling natives and Indians to remove to and reside in certain locations and prohibiting them from walking on foot paths. It is difficult to conceive a better instance of cruel persecution. The following is the position of the Indians in East Griqualand under the Cape Government according to the Mercury of 23rd March 1896. "An Arab named Ismail Suliman erected a store in East Griqualand paid customs duty upon goods and applied for a license which the Magistrate refused. Mr Attorney Francis on the Arab's behalf appealed to Cape Government who upheld the Magistrate and have issued instructions that no coolies or Arabs are to have trading licenses in East Griqualand and the one or two that have licenses are to be closed up." Thus in some parts of Her Majesty's dominions in South Africa, even the vested rights of Her Indian subjects are not to be protected. What happened to the Indian in the end I was unable to ascertain. There are many cases where Indians have been unceremoniously refused licenses to trade. There is a blue book on Native Affairs published in Natal. One of the Magistrates therein says he simply refuses to issue trading licenses to Indians and thus prevents Indian encroachments.

In the chartered territories the Indians are receiving the same kind of treatment. Only lately an Indian was refused a license to trade. He went to the Supreme Court who decided that the license could not be refused to him. Now the Rhodesians have sent a petition to the Government requesting them to alter the law so as to prevent the Indians from getting licenses under the law.

It is said that the Government are inclined to favour the request of the petitioners. This is what the correspondent of the South African Daily Telegraph has to say about the meeting that sent the petition.

"It affords me pleasure to be able to say and say truthfully that the meeting was in no wise a representative one. Had it been so, little credit would thereby have been reflected on the inhabitants of the town. Some half dozen leading storekeepers the editor of a paper, a sprinkling of minor Government officials and a fairly large collection of prospectors mechanics and artisans made up the assembly which those under whose direction it was held, would fain have us believe represented the voice of public of Salisbury. The resolutions which I have already wired you with the proposers and seconders were nicely cut and dried before the meeting commenced and the figures were set in order and worked in their places when the time arrived. There were no Indians present and no one ventured a word on their behalf, why it is hard to say; for it is certain that the feeling of by far the majority in this town is altogether adverse to the one-sided selfish and narrow minded opinion expressed by those who essayed to speak on the question. . . . I cannot help thinking that little if any harm need be feared from the advent of a race who are industrious and steady and who in higher spheres have on occasion given evidences of their capabilities in upholding positions which they maintain ably and honourably side by side with their lighter skinned brother.

Coming now to the non British states i. e. Transvaal and the Free State there were nearly two hundred traders in 1894 whose liquidated assets would amount to £100000. Of these about three firms imported goods directly from England, Durban, Port Elizabeth, India and other places, and had thus branches in the other parts of the world whose existence mainly depended upon their Transvaal businesses. The rest were small vendors having stores in different places. There were then nearly two thousand hawkers in the Republic who buy goods and hawk them about. Of the labouring Indian population who are employed as general servants in European houses or hotels, there were about 1500 men of whom about 1000 lived in Johannesburg. Such roughly was the position at the end of 1894. A. D. The numbers have now considerably increased. In the Transvaal the Indians can not own landed property; they can be ordered to reside in locations. No new licenses to trade are issued to them. They are made to pay a special registra-

tion fee of £ 3. All these restrictions are unlawful being in contravention of the London convention which secures the rights of all Her Majesty's subjects. But the previous Secretary of State for the Colonies having consented to a departure from the convention, the Transvaal has been able to impose the above restrictions. They were the subject of an arbitration in 1894-95 which has decided against the Indians that is to say which has declared that the Republic was entitled to pass those laws. A memorial against the award of the arbitrator was sent to the Home Government. Mr. Chamberlain has now given his decision on the Memorial and while sympathising with the prayer there of, has accepted the award of the arbitrator. He has however, promised and retained the right to make friendly representations to the Transvaal Government from time to time. And if the representations are emphatic enough, we have no doubt that we shall get justice in the end. We therefore implore the public bodies exert their influence, so that these representations may be such as to have their desired effect. I shall venture to quote an instance in point. When during the Malaboch war the British Subjects were being commandeered many protested against it and asked for the interference from the Home Government. The reply first sent was to the effect that they could not interfere with the affairs of the Republic. The papers however were enraged and Memorials strongly worded were repeated. At last came the request to the Transvaal Government not to commandeer British subjects. It was not an interference yet the request had to be granted and the commandeering of British subjects was stopped. May we hope for such a request which carries with it its fulfilment? If we are not as important a community as that concerned with the commando movement our grievances, we submit, are much more so. Whether such or any representations are made or not there will arise questions out of the award that will engage Mr. Chamberlain's attention. What shall be done with the hundreds of Indian stores in the Transvaal? Will they all be closed up? Will they all be made to live in locations and if so, what locations? The British Agent has thus described the Transvaal locations with reference to the removal of the Malays in Pretoria, the Metropolis of the South African Republic:—

"to be forced into a small location on a spot used as a place to deposit the refuse of the town without any water except the polluted soakage in the gully between the location and the town must inevitably result in malignant fevers and other diseases breaking out amongst them whereby their lives and the health of the community in town will be endangered (green Book No. 2

1893 page 72.)

Will they or will they not receive any compensation if they are made to sell off? Again the very law is ambiguous. The Arbitrator was called upon to decide upon the interpretation which he has now left to the High Court of the Transvaal. We contend that by the law the State can only compel us to reside in locations. The State contends that residence includes trading stores also and that therefore we may not under that law even trade except in specified locations. The High Court is said to favour the state interpretation.

Nor are these the only grievances in the Transvaal. These were the subject of the arbitration. But there is a law, which prevents the railway authorities in the Transvaal from issuing first or second class tickets, on the railways. There is a tin compartment reserved for natives and other coloured people in which we are literally packed like sheep without regard to our dress, our behaviour or our position. In Natal there is no such law but the petty officials give trouble. The hardship is not insignificant. In Delagoa Bay the authorities so respect the Indian that they would not allow him to travel 3rd class so much so that if a poor Indian could not afford the 2nd class fare he is allowed to travel 2nd class under a 3rd class ticket. The same Indian as soon as he reaches the Transvaal border, is compelled to put his dignity into his pocket, asked to produce a pass and then unceremoniously thrust into the third class compartment no matter whether he has a first class or a second class ticket. The journey is long enough to be felt like a month's journey in those uncomfortable quarters. The same thing happens on the Natal side. Four months ago an Indian gentleman got a 2nd class ticket for Pretoria at Durban. He was assured that he would be alright yet he was not only forcibly put out at Volksrust, a station on the Transvaal border, but could not proceed by that train because it did not carry any third class compartment. These regulations seriously interfere with our carrying on our trade also. There are many who owing to such inconveniences would not move from place to place unless they could not possibly avoid it.

Then in the Transvaal an Indian like the Native of South Africa has to carry a travelling pass which costs a shilling. This is the Indian's permit to travel about. It is, I believe, available only for a single journey. Thus Mr Haji Mahomed Haji Dada was put out of his post-cart and had to walk a distance of three miles at the point of the police-man's sjambok which serves the purpose of the bayonet in order to get the pass. The pass master however knew

him and so would not issue any pass to him. All the same he had to pass his coach and walk from Volksrust to Charlestown.

The Indians can not as of right walk on the footpath in Pretoria and Johannesburg. I use the word "as of right" advisedly because the traders are as a rule not interfered with. In Johannesburg there is a bye law to that effect passed by the sanitary board. A gentleman named Mr Pillay, a graduate of the Madras University was violently pushed off the footpaths in Pretoria. He wrote about it to the papers. The attention of the British Agent also was drawn to the matter. But sympathetic as he was towards the Indians, he declined to interfere.

The gold mining laws of Johannesburg prevent Indians from taking out mining licenses and render it criminal for them to sell or possess native gold.

The treaty exempting the British subjects from commando service has been accepted by the Transvaal with the reservation that British subjects therein shall mean only "whites". That is now the subject of a memorial to Mr Chamberlain. Under it apart from the serious disability it places upon Indian subjects of Her Majesty we might, as the London Times puts it, "now see a levy of British Indian subjects driven at the point of the Transvaal bayonets against the bayonets of British troops."

THE ORANGE FREE STATE.

The Orange free state as I have already quoted from a newspaper, has made the British Indian an impossibility. We are driven away from that state causing to us a loss of £9000. Our stores were closed up and no compensation was given to us. Will Mr. Chamberlain consider this a real grievance and get us our £9000 from the Orange Free State not to speak of the future blighting of the prospects of the traders particularly concerned. I know them all and most of them have not been able to regain their former position although at the time they were thus driven out, they were supposed to be the wealthiest firms. The law which is entitled "the law to prevent the influx of Asiatic coloured persons" prevents any Indian from remaining in the Orange Free State for more than 2 months unless he gets the permission from the President of the Republic who cannot consider the application to reside before thirty days have elapsed after the presentation of the petition and other ceremonies have been performed. He can however on no account hold fixed property in the State or carry on any mercantile or farming business.

The President may or may not "according to the state of things" grant such mutilated permission to reside. Any Indian resident moreover is subject to an annual poll tax of 10/. The first contravention of the section relating to mercantile and farming business renders the delinquent liable to a fine of £ 25 or three months' imprisonment with or without hard labour. For all subsequent contraventions the punishment is to be doubled.

Such is then the position of the Indians in South Africa except Delagoa Bay where the Indians are very much respected, labour under no special disability and are owners of nearly half the fixed property in the principal streets of that city. They are all of them mostly traders. Some of them are in Government employment also. There are two Parsee gentlemen who are engineers. And there is another Parsee gentleman whom perhaps even a child in Delagoa Bay knows by the name of "Senkor Edul."

The trading class however chiefly consists of Mahomedans and Banias mostly from Portuguese India. It yet remains for me to examine the cause of this deplorable state of things as also the remedy. The Europeans say that the habits of the Indians are insanitary, they spend nothing and that they are untruthful and immoral. These are the objections according to the most moderate journals. Others of course simply abuse us. The charge as to insanitary habits and untruthfulness, is partially true, that is to say, the sanitary habits of the Indian community as a whole in South Africa are not as good as they might be from the highest point of view. The charge as laid against us by the European community and used in the way it has been we totally deny and we have quoted the opinions of Doctors in South Africa to show that "class considered the lowest class Indian lives better and in better habitation and with more regard to sanitary measures than the lowest class white," Dr. Voale (B. A. M. B. B. C. Cantab) finds the Indians "to be cleanly in their persons and free from the personal diseases due to dirt or careless habits" and finds also that "Their dwellings are generally clean and sanitation is willingly attended to by them." But we do not say we are beyond improvement in this matter. We may not live quite satisfactorily if there were no sanitary laws. Both the communities err equally in this respect as the newspaper records would show. That however cannot be a reason for all the serious disabilities that are imposed upon us. The cause lies elsewhere as I shall presently show. Let them enforce the sanitary law

very strictly and we shall be all the better for that. Those of us, who are lazy will be properly aroused from our lethargy. As to untruthfulness the charge to a certain extent is true with regard to the indentured Indians utterly exaggerated with regard to the traders. But the indentured Indians placed in the position they are, I venture to say, have done much better than any other community would do in a similar position. The very fact that they are liked as servants by the colonists and called "useful and trusty" shows that they are not the incorrigible liars they are made out to be. However the moment they leave India they are free from the healthy checks that keep them on the narrow path. In South Africa they are without any religious instruction, though they need it badly. They are called upon to give evidence against their masters for the sake of a fellow brother. This duty, they often shirk. Gradually therefore their faculty for adhering to the truth under all circumstances, becomes perverted and they become helpless afterwards. I submit that they are more the objects of pity than of contempt. And this view I ventured to place before the public in South Africa two years ago and they have not excepted to it. The facts that the European firms in South Africa give hundreds of Indians large credit practically on their word of honour and have no cause to regret having done so and that the Banks give Indians almost unlimited credit while the merchants and bankers would not trust Europeans to that extent conclusively prove that the Indian traders can not be so dishonest as they are made out to be. I do not of course mean to convey that the European firms believe the Indians to be more truthful than the Europeans. But I do humbly think that while they would perhaps trust both equally, they rely upon the Indian's thrift, his determination not to ruin his creditor and his temperate habits. A Bank has been giving credit to an Indian to a very large extent. A European gentleman known to the Bank and a friend of this Indian wanted £ 300 credit for speculation. The Bank refused to give him credit without guarantee. The Indian friend pledged his honour and that was all he had to pledge and the Bank accepted that security although at that time too, he was heavily in debt to the Bank. The result is, the European friend has failed to refund the £. 300 to the Bank and the Indian friend, for the present has lost the money. The European of course lives in a better style and requires some drink for his dinners, and our Indian friend drinks only water. The charges that we spend nothing and are immoral, i. e. more than those who bring the charge against us, we repudiate entirely. But the real cause

is the trade jealousy in the first instance and want of knowledge about India and the Indians in the second.

The hue and cry against the Indians was first raised by the traders and then taken up by the populace till at last the prejudice permeated the high and the law. This can be seen from the South African legislation affecting Indians. The Orange Free Staters have frankly stated that they hate the Asiatic, because he is a successful trader. The chambers of commerce in the different States were the first movers. And they of course came out with the statements that we believed the Christians a natural prey and that we believed our women to be soulless and were propagators of leprosy and syphilis and other diseases. The matters have now reached such a stage that for a good Christian gentleman it is as natural to see nothing unjust in the persecution of the Asiatics as it was in the olden days for the *bona fide* Christians to see nothing wrong or un-Christian in slavery. Mr. Henry Balo is a legislator in the Natal Assembly a typical English gentleman and is dubbed Balo the conscientious because he is a converted Christian and takes a prominent part in religious movements and brings his conscience often into play on the floor of the Assembly House. Yet this gentleman is one of the most powerful and uncompromising opponents of Indians and gives his certificate that an annual poll tax of £ 3 on a body of men who have been the main stay of the colony and compulsory return of such men are just and humane measures.

Our method in South Africa is to conquer this hatred by love. At any rate that is our goal. We would often fall short of that ideal but we can adduce innumerable instances to show that we have in that spirit. We do not attempt to have individuals acted punished but as a rule patiently suffer wrongs at their hands. Generally our prayers are not to demand compensation for past injuries but to render a repetition of those injuries impossible and to remove the causes. Our grievances have been laid before the Indian public in the same spirit. If we have quoted instances of personal injuries, that we have done not for the purpose of seeking compensation but for that of laying our position vividly before the public in India. We are trying to remove any causes that may be in us for such treatment. But we cannot succeed without the sympathy and support of the public men in India, and without strong representations from the Home and Indian Governments. The

want of knowledge about India is so great in South Africa that the people would not even believe us if we said that India is not dotted by huts only. The work done in our behalf by the London Times, the British Committee of the Congress and by Mr. Bhowmiggie and in India by the Times of India, has borne fruit already. Of course the question of the position of the Indians has been treated as an imperial question and almost every statesman whom we have approached has expressed his full sympathy to us. We have letters of sympathy from both the conservative and liberal members of the House of Commons. The Daily Telegraph has also extended its support to us. When the Franchise Bill was first passed and there was some talk of its disallowance the public men and the newspapers in Natal said the Bill will be passed over and over again till Her Majesty's Government were tired. They rejected the British subject "humbug" and one paper went so far as to say that they would throw over their allegiance to the Queen if the Bill was disallowed. The ministers openly declared that they would decline to govern the colony if the Bill was disallowed. This was the time when the writer of the "Colonial affairs" in the London Times favoured the Natal Bill. But the Thunderer when it dealt with the matter specially changed its tone. The Colonial Secretary seemed to be decisive and the dispatch with reference to the Transvaal arbitration arrived in time. This changed the whole tone of the Press in Natal. They protested but they were a part and parcel of the British Empire. The Natal Advertiser which at one time proposed the formation of an anti-Asiatic league thus dealt with the Indian question in a leading article, dated the 28th February 1895. After alluding to the then reported disallowance of the Franchise Bill and the resolution of the Mayoral Congress in the Cape Colony before referred to the article goes on :—

"The problem therefore when looked at as a whole from the imperial to the purely local stand point is a very large and complex one. But however prone localities may be to regard the subject simply from the local stand point, it should be apparent to all who wish to study the matter in all its bearings (the only way in which a sound and healthy judgment can be arrived at) that the wider or imperial considerations must also be taken into account. And further as regards the purely local aspect of the case, it is quite as necessary and perhaps as difficult to discover whether a comprehensive view of the position is being taken or whether imperfect opinions are being formed on one side or the other through the acceptance of only

such data as prejudice or self interest may find acceptable. The general opinion existing throughout South Africa as regards Indian emigration, may be summed up in the words: "We don't want them."

The first point to be weighed is this that in belonging to the British Empire we have to take whatever may be evils as well as whatever may be good as arising from that connection, provided, of course, it is inseparable therefrom. Now as regards the destinies of India's population it may be taken for granted that the Imperial Government will not readily permit of legislation in any British dependency which has for its avowed object the repulsion of India's surplus population from any part of the British dominions; or to put it the other way, which embodies the principle, so far as the particular legislating state is concerned, that India's teeming and fast increasing millions must be confined, and ultimately smothered within India itself. On the contrary the desire of the British Government is to remove from India the possibilities of such congestion, and to thereby render it a prosperous and happy, instead of a dangerous and discontented portion of the British Empire. If India is to be retained as an advantageous part of the Empire, then it is absolutely necessary that means shall be found for relieving it of much of its present population and it may be taken to be a part of the Imperial policy that India's surplus population is to be encouraged, rather than discouraged to find fresh outlets in those other portions of the Empire which are in need of a labouring population. It will thus be seen that the question of coolie immigration into the British Colonies is one which reaches down to the deepest foundations on which the British Empire stands it signifies the amelioration and salvation of India it may even mean the inclusion or exclusion of that great possession in or from the British Empire. That is the imperial aspect of the question, and is one which points directly to a desire on the part of the Imperial Government to do all in its power to prevent the upraising in other portions of the Empire of barriers for the prevention of Indian immigration.

As regards the local aspect of Indian emigration, what has to be considered is whether and if so, how far, does this Imperial policy conflict with what is desirable for this particular locality? There are those who absolutely condemn Indian immigration into this colony, but it is doubtful whether these have given full consideration to all the bearings of the case. In the first place those who so oppose Indian immigration have

to answer the question:—What would this colony have done without them in those departments of industry in which they have undoubtedly proved useful? There is unquestionably much that is undesirable about the coolie, but before his presence here is condemned as an unmixed evil, it has to be shown that the colony would have been better without him. This we think, would be somewhat difficult to prove. There can be no question that the coolie is the best fitted under existing local conditions for the field labour required in connection with the agriculture of the Colony. Such work can never be undertaken in this climate by white men; our natives show little disposition or aptitude for it. This being so, who is ousted by the presence of the Coolie as an agricultural labourer? No one. The work had either to be done by him or left undone altogether. Again the coolie is largely employed by Government especially on the railway. What is the objection to him there? It may be said he is taking the place of the white man there; but is he? There may be a few isolated cases in which this contention holds good, but it cannot for a moment be supposed that the Colony could afford to replace all the Indians employed in the Government service by white men. Further, the towns in Natal are almost entirely dependent for their supply of vegetables upon the coolies, who farm plots of ground in the vicinity. With whom does the coolie interfere in this direction? Certainly not with the white man. Our farmers, as a body have not yet acquired a taste for kitchen gardening sufficient to keep the market fully supplied. Neither does he interfere with the native, who, being the incarnation of indolence, does not as a rule trouble about the cultivation of anything except mealies for himself. Our own natives ought to have been our labouring class, but the fact has to be faced that in this respect they are almost a dead failure. Consequently coloured labour of a more active and reliable kind had to be procured from some other source, and India has offered the necessary supply. The debt which the white man owes to these coloured labourers is this that they by occupying the lowest stratum of society in those mixed communities of which they form a part, raise the white man one stratum higher right through the social scale than he otherwise would have occupied had the menial offices been discharged by a European class. For instance, the white man who is "boss" over a gang of coolies would have had himself to form one of the gang of labourers, had there been no black labourer. Again, the man who in Europe,

would have been that man's foreman, in this country develops into a master tradesman. And as in every other direction, by the presence of a black labouring class, the whites are set free to throw their efforts into higher planes than they could have done, had the majority of them had to devote their lives to the arduous labours of toilers of the lowest order. It will, therefore, probably yet be found that the removal of the drawbacks at present incidental to the immigration of Indians into British Colonies is not to be effected so much by the adoption of an obsolete policy of exclusion as by an enlightened and progressive application of ameliorating laws to those Indians who settle in them. One of the chief objections to Indians is that they do not live in accordance with European rules. The remedy for this is to gradually raise their mode of life by compelling them to live in better dwellings and by creating among them new wants. It will probably be found easier, because more in accord with the great onward movements of mankind, to demand of such settlers that they shall rise to their new conditions, than to endeavour to maintain the status quo ante by their entire exclusion."

Such articles (and they can be quoted by the dozen from the various newspapers) shew that application of sufficient pressure from the Home Government can bring about a healthy change in the Indian policy of the colonies and that even in worst places British love of Justice and fair play can be roused. These two are the sheet anchor of our hope. No amount of spreading information about India on our part can do any good without the much needed application of the pressure.

The following article from the pen of a veteran journalist in South Africa, shews also that there are men in South Africa who would rise above their surroundings and disclose the true British character:—

"It sometimes happens in life that men are called upon to decide decisively between the claims of justice and the claims of self. With men of honourable inclination, the task is of course a far heavier one than with men whose natures have long ago cast overboard any conscientious scruples with which they may have been endowed at the outset of their unlovely existence. From men who will puff rotten companies at the very moment they are selling out, and individuals of a like character it is, of course, perfectly absurd to expect any other result than that self will predominate but with the average commercial man

justice is more often the victor in the ethical conflict. Amongst the causes of these conflicts as they affect South Africans generally and British Transvaalers in particular is the question of the "coolie traders" as our Indian and Arab fellow citizens are designated. It is the position of these merchants, for so they really are, which has aroused so much attention and which is still productive of no little interest and hostility to this day. And it is in considering their position that their rivals in trade have sought to inflict upon them through the medium of the state what looks, on the face of it, something very like an injustice for the benefit of self.

The outcry which was raised in the capital of the Transvaal against the coolie trader some little time ago is brought to the mind by occasional paragraphs in the morning papers regarding the doings of the Indian and Arab dealers.

In the face of such reminders as these one may reasonably expect to be pardoned for referring for a few moments to a body of respectable hard working men whose position is so misunderstood that their very nationality is overlooked, and a name labelled to them which tends to place them in an exceedingly low level in the estimation of their fellow creatures. In the face, too, of financial operations, the success of which many of their detractors would envy, one fails to understand the agitation which would place the operators in the same category as the half heathen native and confine him to locations and subject him to the harsher laws by which the Transvaal Kafir is governed. The impression, which is but too prevalent both in the Transvaal and this colony, that the quiet and altogether inoffensive "Arab" shopkeeper, and the equally harmless Indian who carries his pack of dainty wares from house to house is a "coolie" is due largely to an indolent ignorance as to the race whence they sprang. When one reflects that the conception of Brahminism with its poetic and mysterious mythology, took its rise, in the land of the "coolie trader," that in that land twenty four centuries ago, the almost divine Buddha taught and practised the glorious doctrine of self sacrifice and that it was from the plains and mountains of that weird old country that are derived the fundamental truths of the very language we speak. One can not but help regretting that the children of such a race should be treated as the equals of the children of black heathendom and outer darkness. Those who for a few moments have stayed to converse with the Indian trader, have been, perhaps, surprised to find they are speaking to a scholar and

a gentleman. In the schools of Bombay Madras, and even from under the very shadows of the Himalayas and from the plains of Punjab, these unassuming individuals have drunk deep of the springs of knowledge. It may be, unsuited to our requirements foreign to our state, and savouring too much of the mythical to be of use in our practical lives but, nevertheless a knowledge the acquisition of which requires as much application, as much literary application and a far more sensitive and poetic nature than is required in the highest schools of Oxford or Cambridge. The philosophy of India obscured by the dust of ages and the traditions of generations was taught with delight, when the ancestors of the Superior Boer and the Superior Englishman were content to find their highest pleasures in the pursuit of the bear and the wolf over the marshes and through the forests of their native lands. When these same ancestors had had no thought of a higher life when self preservation was their first law, and the destruction of their neighbour's village and the capture of his wife and infant their keenest enjoyment, the philosophers of India had grown weary with a thousand years' conflict with the problems of existence. And it is the sons of this land of light who are despised as coolies and treated as Kafirs.

It is about time that those who cry out against the Indian Merchant should have pointed out to them who and what he is. Many of his worst detractors are British subjects enjoying all the privileges and rights of membership in a glorious community. To them the hatred of injustice and the love of fair play is inherent, and when it affects themselves, they have a method of insisting upon their rights and liberties, whether under a foreign government or under their own. Possibly it has never struck them that the Indian merchant is also a British subject and claims the same liberties and rights with equal justice. To say the very least of it, if we may be permitted to employ a phrase of Palmerston's days, it is very un-English to claim rights one would not allow to others. The right of trade as an equal privilege has, since the abolition of the *Elizabetan* monopolies, become almost a part of the English constitution, and were any one to interfere with that right the privilege of British citizenship would very suddenly come to the front. Because the Indian is more successful in competition and lives on less than the English merchant, is the unfairest and weakest of arguments. The very foundation of English commerce lies in the fact of our being able to compete more successfully with other nations. Surely it is Protection running to madness when English traders wish the state to intervene to protect

them against the more successful operations of their rivals. The injustice to the Indians is so glaring that one is almost ashamed of one's countrymen in wishing to have these men treated as natives simply because of their success in trade. The very reason that they have been so successful against the dominant race, is sufficient to raise them above that degrading level." (Cape Times 13/4/89).

The question resolves itself into this. May the British Indians when they leave India, in the words of the "London Times" "have the same status before the law as other British subjects enjoy. May they or may they not go freely from one British possession to another and claim the rights of British subjects in allied states" says the same journal again:—

"The Indian Government and the Indians themselves believe that it is in Southern Africa that this question of their status must be determined. If they secure the position of British subjects in South Africa, it will be almost impossible to deny it to them elsewhere. If they fail to secure that position in South Africa, it will be extremely difficult for them to attain it elsewhere."

Thus then the decision of the question will affect not only the Indians at present settled in South Africa but the whole future emigration of Indians and also the position of Indian immigrants in other parts of Her Majesty's dominions and allied states. In Australia they are endeavouring to pass laws to restrict the influx of Indians in those parts. Temporary and local relief while absolutely necessary for the cases now before the two governments for consideration, will be of no avail unless the whole question is decided once for all, for "the whole body is rotten and not parts only." Mr Bhowuggree has questioned Mr Chamberlain "whether he will take immediate steps to arrest legislation of this description by the Government of Natal and other parts of Her Majesty's Dominions in Africa. There may yet be laws and regulations besides what have been alluded to herein and which may not be known to us. Unless therefore all such past legislation is declared illegal and further legislation stopped we have a very dismal out-look before us, for the struggle is unequal and how long are we to go on troubling the colonial office and the Indian Government? The Times of India has been our Advocate when we were almost without any. The British Committee of the Congress has always worked in our behalf. The powerful aid of the London Times has by itself raised us a step higher in the estimation of the South Africans. Mr Bhowuggree has been

incessant in his efforts on our behalf ever since he entered Parliament. We know we have the sympathy of the public bodies in India but our object in laying our grievances specially before the Indian public is to enlist the very active sympathy of all the public bodies in India. That is my commission and our cause is so great and just that I have no doubt I shall return to Natal with a satisfactory result.

14th August 1896

Rajkot.

Kathiawar.

M. K. GANDHI.

P. S. If any gentleman is anxious to study further the Indian question in South Africa and requires the various memorials referred to herein, an effort will be made to supply him with copies of the same.

M. K. G.

With the undersigned representing the Indian Community in South Africa here by appoint M. K. Gandhi Esq. of Durban. Advocate, to represent the grievances the Indians are labouring under in South Africa before the authorities and public men and public bodies in India.

Dated at Durban Natal this 26th day of May 1896.

Abdool Carim Haji Aden.	M. E. Kathrada
(Dada Abdoola & Co.)	D. M. Timol.
Abdul Cader.	દાવજી મહમદ સેદાત.
(Mahomed Cassim Jamroodeen).	Davajee M. Sedat.
P. Dawajee Mahomed.	Ismail Timol.
Hoosen Cassim.	Shaik Fareed & Co.
A. C. Pillay.	શાઈખજી અમોદ.
Persee Rustomji.	મહમદ કાસમ આફિઝ.
A. M. Tilly.	Mahomed Caasim.
Hajee Mahomed H. Dada.	Haffiji.
Amod Mahomed Paruk	Amod Hoosen.
Adamji Miankhan	Mahomad Amod Bassa
Peeru Mahomed	V. A. Essop.
A. N. Saloojee	મહમદ સુલેમાન.
Dow Mahomed.	Mahomed Suleman
Amod Jeewa Hoosen Meerum	Dawjee Mamad Mutala
K. Pillay & Co.	Suleman Voraji.
સુનિલ અહમદજી દાવજી.	Ebrahim Noor Mahomed
દાવજી દોવજી મોગ્રારી.	મહમદ સુલેમાન ખોટા સહી.
Mr. sa Hajee Cassim	Choochurmal Lucheram
G. A. Bassa	Narayan Pather
anilal Chaturbhai	Vijaya Ragavaloo
	Suliman Dawjee.

3415
Madras Malayan Talla office

Mount Road 21 November 1896.

From

Honble Rai Bah. Ch. Anantachari, Esq.

To
The Chief Secretary to the Government
of Madras.

Sir,
I have the honor to forward
the accompanying three Memorials in
triplicate, addressed respectively to the
Excellencies the Governor of Madras & the
Viceroy of India, and His Lordship the
Secretary of State for India, under

my signature, as resolved by the
Public Meeting, held under the
auspices of the Madras Mahajana
Sabha in the Pachappa's Hall, on
Monday the 16th October last, in con-
nection with the grievances of the
Contractors in South Africa; and
respectfully request that they may
be transmitted to their res-

pective destinations.

I have the honor to be,
Sir

Yr. Obedient Servant.

P. Annamalai-
Chairman

Public Meeting held on 16th Oct 1876.

Public (189 6) Department.

CURRENT No. 117

From *The Secretaries of the
Chadras Mahajana
Sabha.*

Order

No. 162.

Dated	10	} 12-96
Received	11	
Registered	12.	

Enclosures . — 6 and 2 in triplicate
Spare copies —

SUBJECT.

*Forwarding with refce to
Memo No. 2548, the memoranda
3-12-96 re the grievances of
British Indians in South
Africa.*

BACK PAPERS

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

The Madras Mahajana Sabha office
No 162 Mount Road 10th December 96
From

The Secretaries of the
Madras Mahajana Sabha.

To

The Chief Secretary to the
Government of Madras.
Fort St. George.
Sir.

With reference to your
Memorandum No 2548 dated the
3rd Instant we have been de-
sired by the honorable Mr
Ananthachari to forward
the memorials with encls-
-sures for your kind dispo-
-sal and we beg to inform
you

C.No. 3955-24/55

you that the instructions con-
tained therein have been
attended to.

The memorials and encls-
-sures are sent by packet
post.

As the honorable Mr. Aman-
-thacharloo is leaving for bal-
-cutta soon he has asked us
to request you to be so good as
to send further communications
if any in the matter direct
to us.

We beg to remain
Sir

Your most obedient
servants
J. Subramanian.
J. N. S. -
Secretaries

H. E. THE GOVERNOR.

THE HON'BLE MR. BLISS, C.T.E.

THE HON'BLE MR. GROSE, C.T.E.

SUBJECT.

Grievances of British Indians in South Africa

FOR ORDERS.

The memorials should be
sent on.

My own opinion is that, unless
the people of Natal will accord
equal treatment to Indian
immigrants, which it is pretty
clear they will not, all facilities
on this side to emigration to
Natal should be stopped. This
is the only way of bringing these
people to their bearings.

BS

7/1/97

The view taken by the Govt of the
effect of the Indian Immigration Act
of 1894 (4509 17.9.94 Reg 7) was
borne out & I do not think unduly
*vide A & B Immigration Act stopped
because it has been passed. But the
social grievances of the Indian
community (and the recent telegram
about the refusal to allow Indians

The Hon'ble Rai Bahadur P. Anand
Chakraborty, President of a meeting
held in Madras on the 26th October
last, under the auspices of the
Madras Mahajana Sabha,
forwards, in accordance with
a resolution of that meeting,
three memorials addressed
respectively to H.E. the Governor,
the Viceroy and the Secy of
State, in connection with the
grievances of his countrymen
in South Africa.

The action of the Home and the
Indian Govts, has intimated, in regard
to that they assented to the Indian Im-
-migration Law Amendment Act
passed by the Natal Parliament last year
and it is requested that, if the re-

that Act cannot be brought about
by the "foot" indentured emigration
to the colony of Natal should
be suspended.

Para 5 of the Memorial con-
tains a specific prayer that steps
should be taken towards bringing
this about.

Attention is solicited to
the papers put up, especially
to those flagged A and D -

B contains correspondence
between India and the Secy
of State on the matter, and

C records the copy of the Memorial
from the Indians in Natal to the

Secy received from M. K. Gandhi Esq.
which forms one of the
enclosures to the present
Memorial and contains

It is not apparent what
action can be taken by this
body in the matter and
it is therefore ^{submitted} for consideration
that the memorials to India
& the Secy of State may be ^{submitted} forwarded.

Under Memorial Rules B.
set III - 1 - an expression of

any objection Mr. Gandhi is believed to
be one, to land there as he is now
one to our use, but if they are true,
we had not had any objection to
the going of Indians to Natal, whilst
they continue. However we have a

They also state that the prisoners
were proved for popular in practice
may be ameliorated

only the one-sided statement of
the Memorialists about these
prisoners. I think the Natal
authorities should be asked whether
they are well founded, & if so told
that indentured emigration must
cease.

89
6/1/97

We should come nothing for the people of this
country in relation to the matter. In the meantime we
I mean them to try to get by going there. The
to the Secy of State. When this is noted, in June

1897. The present movement against the indentured
emigration. There is a motion
to put on a debate on the matter. The
to be in favour of the indentured
emigration. The motion is
in India and in England were opposed to
them either one step, mostly now in the majority.
If we stop emigration to Natal, we shall play
into the hands of those people and give them

Hon. Mr. Bliss. C. J. E.
Hon. Mr. Grose. C. J. E.
Resubmitted with ref.
to H. G. note supra.

89
13/1/97

and for the redress of
prisoners who are proved
from the popular view of
Indians as an inferior race
or "coolies".
89. May 2.

I remain of opinion that it would
be well to withdraw all facilities
on this side to emigration to
Natal. If people like to go there
on their own account let them - that
is a different question. It
is not necessary to
take any steps
of the Natal Govt. - The facts as
to the treatment of natives of India
in S. Africa generally are notorious.
89/1/97

The opinion of this Govt
in the matter should be
concordant to India

Please see the papers
with G.D. 215 of 3.4.94

The Memorials are
very brief and the subject
cannot be considered
without wading through
the printed pamphlets.
The necessary points
might well have been
embodied in the Memorial

89B
14/12/16.

The Memorial is directed against
the Indian Immigration Amendment
Act of 1895 (Natal). That Act
provides that after the expiry
of the 5 yrs. for which indentured
coolies go to the colony the
coolies must either return home
or be fresh indentured under
the two years under contract
set forth in the Act. (See
Free Passages in previous
who wish to return to India
after the expiry of 5 years
of indenture. It is coolies who
are in Natal - all under
contract - he is practically
a slave for 3 years. He is
not free to leave until he has
paid for his passage home.

2. 18
2. 16
2. 12

21, 11/11

of (3) that their grievances may
be redressed.

As to the second prayer the memorialists
would impose a further ~~exigency~~ hardship

Submt^d that the memorial
may be forwarded to the
Govt^y of India with an expression
of opinion to this effect.

At 78.72 g

Telegram

Def. dated
2/12
Defer

To

Secy to the G. & S.

Rev. & Agri dept.

15. Kindly intimate
by wire whether India
has been asked by
Natal to stop emigration

3013
11/2/17

from Natal
12
2.2.17

Public (1897) Department.

H. 9. and circ.

CURRENT No.

Submitted with refce
to His Excellency's note
of the 30th ult.

JDB
5.2.97

5.2.97

Telegram.

From Govt. of India
Rev. Dept-

Order

1. Sum.

Note
this
JDB
10/2/97

2. Should be done, the papers furnished by
the Govt. of India

No. 159

Apparently the memorials
have not yet been sent on.
This should now be done

HA

8/2/97

Dated 4 Feb 97

Received 5-2-97

Registered 5-2-97

Enclosures

Spare copies

SUBJECT.

Re. The prohibition of
immigration, by Natal.

Re submitted to the Honble Mr. Blair C. 18

1898 the Governor with reference to the

note of the Hon Mr. Gore No 1.8 dated

9th Dec. It is presumed that notwithstanding

the note he asked H in the file it is the intention

of the Hon Mr. that the question should be asked of the

Eq. 2.

12/2/97

Drop from the Hon Mr. Gore's office.
Desire that the Hon Mr. Gore should
be asked by a through, the 3. of 2
immigration with the Hon Mr. Gore
to this - Will comply with the
of the Hon Mr. as an independent case
of the Hon Mr. with the Hon Mr. Gore
of the Hon Mr. with the Hon Mr. Gore
of the Hon Mr. with the Hon Mr. Gore

G.O.	No.	Department.	Date.

G.O.	No.	Department.	Date.

To *[Signature]*
(Office)
Words Day Hour Minute Official Instructions
34-10 4 17 10
To *[Signature]*
(Person)
From *[Signature]*
CHIEF SECRETARY
5-FEB 1897
GOVERNMENT OF MADRAS

84 Word Form.

F.C.2.

34 Word Form.

70

Received from

L.N.

Sent to

L.N.

At

Mrs.

Mrs. by

Telegraph Master.

Papers to be read in proceedings:--

Again G.O., dated

189 , No.

Again G.O., dated

189 , No.

Current No. 3955

of 1896, dated 21/11

, from

the Hon. Rai Bahadur P. Ananta Charlu, President Public Meeting &c.

" " 4155

" 1896, " 10/12

"

the Secretaries, Madras Mahajana Sabha.

" 189 , "

"

H.E. the Governor

ORDER.

Nº 165 of 19-2-97

This Govt. is not in a position to take any action in the matters referred to above. The memorials addressed to the Govt. of India and the Secretary of State will be forwarded.

To The Secretaries

Madras Mahajana Sabha (both)

MC 18/12/97

Nº 166

LETTER:-

To The Secretary to the Govt. of India,
Rev. and Agri. Dept.

SIR,

I am directed to forward two memorials received from the Hon'ble Rai Bahadur P. Ananta Charlu, Chairman of a Public Meeting held in Madras on the 26th October last under the auspices of the Madras Mahajana Sabha, and addressed respectively to H.E. the Governor in Council and to the Right

448 2-97

hon'ble the Secretary of State for India.

2. I am directed to report that enquiries may be made of the Govt. of Natal as to whether the complaints made by the memorialists ^{in regard} to their social grievances are well founded, and to state the opinion of H.E. the Governor in Council that if this turns out to be the case, existing facilities for indentured emigration to Natal should be withdrawn.

5013
16.2.97

2. H.E. the Governor in Council is of opinion that, if the complaints made by the memorialists as to their social grievances are well founded, existing facilities for indentured emigration to Natal should be withdrawn. I am therefore to report that the Gov't of India may be asked to make enquiries of the Natal authorities on this point, & to communicate the result to this Government.

18 1.2.57

3-3-97

NOTE FOR THE CHIEF SECRETARY.

It is proposed to issue the letter to India & thereafter to submit it together with the linked file to H. Sec.

Shalini 5013
18/2/97
H. Sec. to Govt.
of India
18/2/97