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THE HINDU CASE



Issued By
**THE CANADA INDIA
COMMITTEE**
**TORONTO
CANADA**
1915
Price 5 Cents

7104
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INTRODUCTION.

It is a point of British law that evidence must be produced before the accused can be found guilty. Charges without proof are not sufficient to condemn, yet the most atrocious and wicked accusations have been made against the Hindustanis in Canada by certain unscrupulous politicians and writers, who seem anxious to force the Canadian public to swallow all their ridiculous statements without proof. It is even evident to the Canada India Committee that there is an organized effort to prevent the truth from becoming known.

Our object in writing the East Indians' case is to give the facts in readable form and in as few words as possible. The Canada India Committee are able and ready to prove every statement they make. The facts are being carefully investigated, and many astounding circumstances and irregularities are already thoroughly well known to them, all of which we hope will be made public in due time. That there should be discrimination in peopling this great land is evident, but let our discrimination be based on facts, not libels; on justice, not prejudice.

We appeal to the thoughtful people of Canada not to ignore the cry of fellow British subjects for simple human rights. A new national life based on the loftiest political ideals yet expressed, is pulsating through our Eastern Empire. The greatest minds of Britain are eagerly watching its birth throes. Canada, the land of opportunity, has everything to gain and nothing to lose by being kind to her elder sister-land—old in wisdom, but young in nationhood.

Have we not all one Father? Hath not one God created us? Why do we deal treacherously every man against his brother?—Malachi 2, verse 10.

STRANGERS IN A STRANGE LAND.

In the fall of 1905 a group of 20 men dressed in full flowing white garments and wearing colored turbans, set foot on Canadian soil.

It was a cold reception they received. Leaving the land of warmth and sunshine, where hospitality is a part of its very life and creed, they naturally looked for the sympathetic hand of welcome, but were disappointed.

Long centuries of striving after good had, however, developed a courage which is hard to equal, go where you will, outside of India. They were brothers, and, as brothers should, they held together. What else could they do? Only two of the number could speak the language of this new country. They did not come as beggars, but sought what every man seeks and has a right to receive—honest employment, for which he would receive a sustaining wage. These Hindus came not to destroy, but to build; not as wage smashers, but as brothers working together for the good of the common brotherhood of man.

Their difficulties were increased by their inability to get even a place to lay their heads, but this was not different to the Great Master, Jesus Christ, who said: "Foxes have holes and the birds of the air have their nests, but the Son of Man hath not where to lay his head." They must have experienced many aching heads before they finally overcame the cold indifference and what is worse, the cruel intolerance that they encountered. One day the employer of a sawmill in Vancouver, B.C., gave employment to five of their number. So well pleased was he that he took others on, and set rolling his good opinion of these hard-working and thirfty East Indians. Farmers also tried them, and found them excellent men for handling cattle, chicken raising, and mixed farming.

In course of time they were able to save enough money to buy some land in Fairview, Vancouver, B.C. and build a Meeting House, where they could gather for intercourse and instruction after their day's work was done. In the meantime they had written home to India, speaking in glowing terms of this fair land of ours, telling the folk at home that here was liberty for the subject and a land where

a man who was willing to work and gave honest labor received full recognition and a fair competence. As a result many more followed, and by 1908 there were approximately about 5,000 Hindus in Canada, living the life of respectable citizens.

STORMS AHEAD.

At the end of 1907 the financial cloud burst over the United States and also touched Canada. Many will remember the financial panics brought about by the bank failures, and British Columbia perhaps more so than any other part of Canada felt the pinch.

About this time the Japanese question loomed large on the horizon, and thousands of Japanese were brought from the Hawaiian Islands to Canada. This sudden influx produced racial riots in Vancouver, necessitating the intervention of the Japanese and Chinese Governments, who demanded reparations for damages done, and the matter was therefore removed to Ottawa and thus became a Federal question.

A Government enquiry was set on foot, with the result that damages were awarded to the Japanese and Chinese.

The Hindus, however, being British subjects, had no representative at Ottawa to plead their cause, so that while the Japanese and Chinese received fair and moderate treatment, great hardships resulted for the Hindus, due principally to the operation of the "continuous journey laws."

PROSPERITY.

The years 1909 and 1910 were prosperous ones for British Columbia. Big demands were made for labor of all kinds to cope with the rapid development of British Columbia in particular and Canada in general. The Hindus, attracted by the various inducements made, scattered throughout the province. Some remained in Vancouver and New Westminster, working in the mills, while others went to Victoria and Vancouver Island to do the work of land clearing and stump removing, a task none but the hardest would attempt. A few went inland to Kamloops to work in the sawmills and mines, while others settled in Revelstoke and places in or near the Rockies. The lumber camps and farms monopolized them, and everywhere they went they proved themselves intelligent and hard-working.

Bit by bit the stories of refusal to admit the Hindus into Canada began to reveal the discrimination that the "continuous journey laws" were working against them. Consequently an appeal was made to the Government at Ottawa.

It was early in 1911 when some of the men who were comfortably settled and making good citizens, wished to bring their wives and families to share with them their adopted country. The awful revelation of discrimination only dawned upon the Hindus in Canada when in 1911 one of their number, who had returned to India to fetch his wife and child, was refused admittance for them, while he himself, as a citizen, was allowed to enter. The case was taken to the local courts, but in the meantime the Hindus had to put up a heavy bail to secure a landing for his wife and child. Before, however, a favorable decision could be secured, it was necessary to incur costly litigation. Finally an appeal was made to Sir Wilfrid Laurier, then Prime Minister of Canada, who as a "special act of grace," removed the disability and allowed the lady (and child) to join her husband. It took two months to bring about the reunion.

This case was watched with special interest by the Hindus in India and Canada. Foreseeing many similar cases in the future, they took steps to rectify what they believed to be a grave error on the part of the Canadian authorities in erecting an insurmountable barrier against the admission of Hindu men and women into Canada. Their task, however, proved a difficult and costly one. Furthermore, the change of Government at Ottawa about this time did not make matters any better.

APPEAL TO CÆSAR.

About this time our King was crowned Emperor at Delhi with great rejoicing amongst the Hindus in India and abroad. This gave the Hindus the idea that if their case was taken to the highest Canadian authorities, full justice would be meted out to them. Accordingly in the fall of 1911 they sent a deputation to Ottawa, comprising three Sikhs and a Canadian who was very much interested in the Hindu cause.

The petition presented by the deputation requested two things:—

1. Removing the unjust discrimination against British Subjects and their wives produced by the "Continuous Journey Laws."

2. To adopt a policy that would prove a satisfactory basis for regulating Hindu immigration.

Many interviews were arranged with the Minister of the Interior, and through him with the Prime Minister, who, after due consideration, gave the pledge of the Government to accede to the first point:—the admittance of wives and children of the Sikhs domiciled in Canada, and promised consideration of the second point:—standardization of Hindu immigration.

PROMISES FAIL.

Early in 1912 the wives of two prominent Sikhs in Canada came to Vancouver and were refused admission, but were subsequently released on the payment of heavy bail. This was followed by more litigation, and after three months of anxious waiting, the case was dropped by the Dominion Government, and the two ladies were allowed to join their husbands. The physical and mental strain proved too much for one of them, resulting in an untimely death.

It would look as though the Government's attitude in causing the case to be suddenly dropped was due to political expediency and their desire to prevent the Judge from making a final decision on the whole question, which would naturally have given the Hindu in Canada the status of a British subject with all the privileges of the same.

At the end of 1912 further petitions were addressed by the Hindus to the Government at Ottawa, urging them to keep their pledge, but without avail.

MORE DIFFICULTIES.

In the spring of 1913 a Japanese shipping company operating between Hong Kong and Victoria sold transportation to a few of the Sikhs desirous of bringing their families from India to Canada. They were allowed to land without any disturbing features.

Later a second Japanese shipping company entered the field and sold transportation to quite a few Sikhs for the same purpose, but in this case they were not allowed to land on arrival at Victoria, B.C. Once more legal proceedings were necessary, and the Judge decided they could land.

In the meantime another steamer belonging to the latter company arrived at Victoria, and the Immigration Department (notwithstanding the decision given by the Judge of His Majesty's Court) refused admission to the Hindu passengers. At this stage Chief Justice Hunter of the British Columbia Supreme Court was appealed to, and judgment was secured in favor of the Hindus.

All this happened in the fall of 1913, and the early spring of 1914.

THE AUTHORITIES AT WORK.

Following up the incidents mentioned in the previous chapter, the Government evidently made arrangements with the Japanese and other steamship companies and interests not to carry any more Hindu passengers. At least this is the reason given by the steamship companies for their unexpected refusal to book passages to Canada, to certain Sikhs who had arrived at Hong Kong on their way back to Canada, after a brief visit to their native land.

These men were stranded in Hong Kong without any previous notification, or even a thought that they would find it impossible to return to their interests in Canada. Here we get the almost unbelievable and unthinkable condition whereby a citizen is refused the right of returning to his domicile.

The incidents related above combined with the fair judgment given by Chief Justice Hunter inspired these Sikhs with the hope that finally British justice and fair play would predominate. But they were doomed to further disappointment as the following chapters will reveal.

THE "KOMAGATA MARU" INCIDENT

Stranded at Hong Kong—Canadian citizens and British subjects* at that—they conceived the idea of chartering a steamer which happened to be a Japanese tramp steamer now so well known as the "Komagata Maru."

To any thinking person it will be very evident that a mere handful of returning Sikhs (about twenty) could not afford to launch on such a big venture demanding much courage and business foresight of an extraordinary character. The scheme would have been impossible if there had not been quite a number

of their countrymen located in Hong Kong and its neighborhood, to whom they very naturally appealed. The outcome of their energy and business ability resulted in transportation being purchased by some 390 souls for passage to Canada on board the "Komagata Maru."

The story of their refusal to land and the many complications which followed is so well known that we need not dilate upon them here. We may say, however, in vindication of the Hindus, and to give the lie direct to certain evil stories circulated from time to time, that every cent of the money required to charter the "Komagata Maru," including the heavy expenses involved, legal and otherwise, were subscribed and paid by the Hindus themselves. They have nobly and bravely fought their battles, despising the weapons of untruth and calumny hurled against them, believing that time will vindicate them, and that justice will prevail. We believe that time has come, and we appeal to our fellow-citizens to join hands with us in helping our Hindu brethren to secure at least the home life that we claim is necessary to promote true citizenship and maintain the morality of the nation. In other words, the wife of each Hindu should be allowed to share with him his Canadian home.

WILL YOU HELP ?

We have given the story of the Hindus in Canada as briefly as we know how, because we want every lover of justice to get an intelligent grasp of the Hindus' side of the question. The Canada India Committee are composed of men and women who feel that the plea of our fellow-citizens for common justice and fair play should not go unheeded.

Much has been said that is not true, and little incidents have been magnified by those who should know better, until they appear as mountains. The object of this Committee is to enquire into all such, and find the truth, believing that the people of Canada are a fair-minded and liberal people, and are unwilling to be branded by the rest of the world, and India in particular, as an unreasonable people. We know this is not so, but before we can convince others we must prove ourselves by our works.

You may desire more information, but the following questions and statements are well worth noting, and will give you much food for reflection:—

1. Are we as a people working in our best interests from the standpoint of morality and Christianity by refusing that which is very dear to the British people—family and domestic life?
2. At least 90 per cent. of the Hindus in Canada are Sikhs. They believe in one God—the same God as we do. The Sikh has one wife only, and is opposed to child marriage.
3. These people belong to the noble warrior class of India, who have always fought side by side with the British soldier and for all that is British. At present they are fighting side by side with Canadians in the Great European War.
4. Do you know that the "continuous journey laws" of 1908 have practically stopped Hindu immigration, while the Japanese and Chinese have entered Canada in large numbers? Read the Government's official figures:—
Chinese entered Canada since 1908. 29,783
Japanese entered Canada since 1908. 4,240
Hindus entered Canada since 1908. 117
Does this not suggest that there is something radically wrong? Are you willing to allow discrimination against citizens of the Empire in favor of alien races, without making a protest?
5. Are you willing to have it said of us that we allowed the life blood of these men to be spilled to save us, and refused to give them a place, or allow them at least the same privileges extended to the Japanese and Chinese?
6. Do you know that an immigrant from China or Japan can enter Canada with comparative ease, while educated Hindus travelling as tourists are absolutely refused admittance? The following story of Ram Chandra, residing at Berkley, Calif., U.S.A., will doubtless surprise you, and make you wonder what has happened to British justice.

RAM CHANDRA'S STATEMENT.

In the "Indian Emigrant," dated August, 1915, under the heading of "Indians Are Not Allowed in Canada," appears the following:—

"Much has been said and written about the ill-treatment accorded to Hindustanees in the self-governing Colonies of England, but the justice of the situation cannot be really un-

derstood until personally experienced. I had such an experience, and I know now the psychology of the man who has been spurned away from the gates of Canada or South Africa, as a political heretic. It was about two years ago, when I left Japan with my wife for the United States. The Japanese steamer bound for Seattle, an American port, touched en route the Canadian port of Victoria, B.C.

"After the long and rough voyage across the Pacific, came the gladdening chance of going on land. My wife had been very sick on sea. As soon as the steamer came into port, all passengers went ashore, but we were detained. I was an East Indian, they could not permit me "to set foot on Canadian soil." The captain of the steamer wrote out for us a special permit. It was not sufficient. The next in command to the captain went to plead for us personally. He said we were first-class passengers; the captain and his staff would hold themselves personally responsible for our behaviour when on land, etc. The Immigration Officer curtly said 'No Hindu (East Indian) can step out on the soil of British Columbia.'"

"My cabin boy (the attending servant) had also gone to spend a few hours on land after that sickening voyage of fourteen days and nights."

"We were left alone to brood over our dismay. No, we were not alone. They had appointed a negro over us. My wife took it very badly. Believe me, they kept a close watch. Some of my countrymen had come to see us; they were refused permission to come aboard our ship. Our fit of blues was nearly dispelled by an event which happened in the evening. Next to our cabin was a Filipino. He had, of course, permission to go about as he pleased. My negro guard mistook him in the dubious glow of the twilight for me. The victim protested that he was a pure-blooded Filipino, a citizen of the United States. But my guard would not let go his hold on him. He was quite sure it was a ruse I had put up. Finally I had called out from inside the cabin that the Filipino was a Filipino and not a Hindustanee. He was the one person who thanked us that night."

"The moral of the story is this:—All welcome to Canada—Japanese, Chinese, Negroes, Filipinos—all, but not the people of India."

"A British subject domiciled in Canada for three years is recognized as a Canadian citizen. (See Immigration Act.)"

CANADA INDIA COMMITTEE.

The objects are:—

- (a) To promote a wider appreciation of Canada's relation to India.
- (b) To secure its equitable adjustment.

The first is of a general educational character, designed to remove certain prejudices on the part of the citizens of both India and Canada. The second will remove certain injustices imposed on the people of India resident in Canada.

Principles—

The Committee's motives are based on the fundamental **Rights of Man and the principles of Christianity** professed by all the Western peoples, without regard to political, sectarian or personal aims.

The Committee—

- (1) **Accepts**, as involving a high moral obligation, the great pledge given the people of India by Queen Victoria, which is:—
"We hold ourselves bound to the natives of our Indian territories by the same obligatives of duty which bind us to all our other subjects."
- (2) **Declares**, in consequence, the need of laws, which will prevent discrimination against East Indians, whilst maintaining the established economic policy of Canada.
- (3) **Invites** the aid of all persons actuated by the above motives.

By becoming an associate of the Canada India Committee, you can assist in its efforts to give publicity to this important question. Apply to the Secretary for further information as to membership, etc. **Address Dr. L. A. Davis, 68 Tranby Avenue, Toronto, Canada.**

He sees indeed who sees in all alike the Living, Supreme Lord; the Soul Supreme, Imperishable amid the Perishing.—Bhagavad-Gitā.

182230

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