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SOME ASPECTS OF THE KOMAGATA MARU AFFAIR, 1914

By ERIC W. MORSE

The relations between Canada and India, two of the most important parts of the Empire, have not always been of the happiest. They have pertained very largely, either to immigration (where Canada has felt it necessary to make certain demands of India), or to the status of East Indians in Canada (where the reverse order of demands was made). The most advertised and spectacular incident in Indo-Canadian relations, in fact, probably the most dramatic occurrence in the history of Canadian immigration, was the attempt, in 1914, to land a party of some four hundred East Indians on board the *Komagata Maru*, at Vancouver, in the face of Canadian immigration regulations that made their admission illegal. What followed might almost be described as Gilbertian, but there was underneath an element of seriousness, even of danger. The vessel was in the harbour of Vancouver for eight weeks, by the end of which time three riots had occurred, there had been several broken bones, Hindu lives had been very nearly lost, half the Canadian navy (consisting of H.M.C.S. *Rainbow*) had been called out, together with several detachments of the militia and permanent force, so that, altogether, everyone was very much relieved when finally the *Komagata Maru* steamed away.

Immigration of East Indians to Canada began shortly after the turn of the century, and, in the years 1905-07, over 5000 entered. Nothing up to this point had been done to restrict their entry, since it was felt that they were, after all, British subjects and were not entering in any great numbers. In 1907, as a result of the increasing numbers of orientals entering the coast province, the Asiatic Exclusion League was formed in Vancouver, and in September an anti-Asiatic riot occurred that caused \$36,000 worth of damage to Chinese and Japanese property. It was realized then that barriers would have to be put up against Hindu immigration. The difficulty was that there was a growing measure of unrest in India; discrimination against East Indians in other parts of the Empire had already been sharply resented there; somehow, therefore, for the sake of imperial relations, restriction would have to be effected in Canada without allowing the words "Hindu" or "East Indian" to appear in the statute books.

This difficulty was rather ingeniously overcome. An Indian statute (of 1883), it was discovered, already made emigration of indentured labour to Canada illegal. To take care of other classes the Laurier government passed two orders in council,¹ the one requiring all Asiatic immigrants to have \$200 (instead of \$25 as heretofore) in their possession on landing, and the other order stipulating that all immigrants must henceforth have come by "continuous journey and on through tickets from the country of their birth or citizenship". No outward cause for offence was contained in these provisions, yet they succeeded in restricting fairly effectively the further immigration of Indians to Canada. Such was especially true of the second order, the effectiveness of which rested on

¹P.C. 1255 and P.C. 27, 1908.

the fortuitous absence of direct steamship communication between India and Canada.

During 1913 a small party of East Indians arrived and made a test case of the validity of these orders, and, having won their case on a legal technicality, paved the way for the entry of some ninety of their countrymen in that year. The orders, however, were soon re-issued in a legal form,² and at the same time, to strengthen the restrictions, the government passed another order, which, "in view of the present overcrowded condition of the labour market" in British Columbia, made it illegal for "artisans or labourers, skilled or unskilled" to land at any port of entry in that province.³

In 1914, therefore, three different orders in council stood in the way of Indians entering Canada.

Leaving, for the moment, the matter of immigration, it is necessary to examine the effect which these and similar regulations had upon certain East Indians along the Pacific coast of North America.

It can readily be imagined that restriction of Hindu immigration by such measures met with no popular favour among the Hindu colony in British Columbia, very few of whom failed to see through the *de facto* discrimination that had been imposed upon their countrymen. They felt they had, too, other grounds for complaint. There existed in Canada at the time a virtual prohibition on their bringing in their wives and families. Not even Indian students, merchants or tourists were admitted freely for temporary visits. Added to this, the peculiar dress and customs of most of the Indians had drawn upon them much derision and ill-treatment in British Columbia. Petitions to Ottawa, over a period of six years, had seemed to fall on deaf ears; and they had received little more satisfaction from the India office. East Indians, therefore, on the coast in 1914 laboured under a sense of grievance and frustration.

Many East Indians had crossed from British Columbia into California, Oregon, and Washington, and others had gone there direct. These states became a fertile field for unrest. Not long before this time there had gone to San Francisco from India a prominent agitator by the name of Hardayal. Bitterly opposed to everything British, he and his colleagues had succeeded in organizing associations among the Indians along the whole Pacific coast with the object of inciting a revolution in India and upsetting the British Raj. A Hindustani newspaper called the *Ghadr* (mutiny) was established, which poured forth pamphlets breathing murder and revolt; and the *Ghadr* movement, as it became known, urged Indians from such parts overseas as United States, Canada, the Philippines, and the Far East to prepare themselves for returning to the Punjab to participate in a second Indian mutiny and drive the British out of India.⁴

It is not difficult to understand that, due to the sense of grievance which Canadian immigration requirements had aroused, Hardayal's doctrines found a ready acceptance among most of the Hindus in British Columbia. Thus, even before 1914, the Indian community there was seething with sedition.

²P.C.'s 23 and 24, 1914.

³P.C. 2642, 1913.

⁴For a full description of this conspiracy cf. India Sedition Committee ("Rowlett Commission") Report, 1918. (Cmd. 9190, 1918), 62 *et seq.*

It is against such a background that the *Komagata Maru* affair must be studied.

The *Komagata Maru* was a Japanese vessel that had been chartered at Hong Kong. On board were three hundred and seventy-six East Indians that had been picked up at Hong Kong, Shanghai, and Yokohama. It arrived at Vancouver on May 23, 1914. The real motives behind the expedition were not understood for some time. Though they are most interesting to examine, there is time here to give them in only the briefest outline. Gurdit Singh, the leader of the enterprise, was an agitator in the Punjab; he was a man of considerable wealth, who had made his money in the lumber trade. He appears to have been associated with the Ghadr movement in America, and before a royal commission it was brought out later that his prime motive in bringing over the passengers was to add to the political unrest in India.⁵ He was fully aware of the illegal nature of the enterprise, and probably guessed what the outcome would be, a guess which proved to be a shrewd one in view of subsequent developments. On the other hand, the expedition was in the nature of a major test case⁶ for the Canadian immigration restrictions against Hindus, and if they were broken down, Gurdit Singh would no doubt have been quite satisfied, and would have inaugurated a regular service from India to Canada.⁷ A good deal was said, after the War broke out, hinting at German complicity, but (though the vessel had been chartered through an agent of German nationality at Hong Kong) such charges appear to be quite groundless.⁸

In this paper, it is not the motives behind the incident that are intended to be dealt with, but the way in which the affair was handled at Vancouver, more particularly as regards the cause of the vessel's eight weeks' delay in harbour and the final negotiations that made its peaceable departure possible.

Ottawa had been notified about seven weeks previously of the *Komagata Maru's* coming, and when the boat arrived at Vancouver the immigration authorities had been instructed not to allow it to dock, in view of the existence of the three orders in council noted above. The vessel was, therefore, moored out in the harbour and immigration officials went on board to proceed with their long work of examining the passengers. First there was a medical examination, and ninety were declared medically unfit to land. Then a number of the passengers claimed to have Canadian domicile; to be quite legal, it was necessary for the board of inquiry to sit on each case separately, which made progress very slow. Finally, however, twenty of them substantiated their claim and were allowed to land. The rest were ordered to be deported, and the incident should have closed there, with the *Komagata Maru* sailing back to Hong Kong. An explanation is needed as to why the vessel remained in Vancouver harbour for a total of eight weeks.

⁵*Ibid.*, 62. Also cf. Enquiry Commission Report, 1915, as quoted in *Ottawa Citizen*, Jan. 16, 1915.

⁶Cf. Statement of Gurdit Singh in *Pioneer Mail*, Allahabad, India, June 12, 1914.

⁷*Ibid.* Also statement in *Montreal Star*, April 16, 1914.

⁸I have investigated this fairly thoroughly, both at Ottawa and London. The evidence on this and several other points touching the *Komagata Maru* affair, I hope, will be published before long in more complete form in a book on Immigration and Status of British East Indians in Canada. E.W.M.

The first delay was perhaps unavoidable, for it would have been high-handed indeed to have refused them a medical examination or a chance to prove their Canadian domicile. From this point, however, the delay in harbour was due in part to the obstinacy of the immigrants, in part to the activity of their countrymen on shore, and in part to poor handling by the immigration authorities concerned.

The deportation order that was served on Gurdit Singh when the work of examination had been completed, instead of being heeded, was resolutely resisted by him, and a writ of habeas corpus was demanded for each of his passengers on the ground that the order in council barring the landing of artisans and labourers in B.C. was *ultra vires*. It took a great deal of unnecessary time to settle this point, since, instead of at once facing the issue and making a single test case, each case was allowed to be brought up separately.

The Indians possibly had grounds for believing that at first there was obstruction of justice. During all the time that the cases were being tried the immigration authorities took the greatest care that no communication should take place between the passengers and either their solicitors or their countrymen on shore. Mr. Bird, their solicitor, wired to the prime minister on June 23: "Was refused right to go on board Komagata Maru this morning to take instructions for test case."⁹ As late as July 8 Gurdit Singh wired the governor-general: "Reid disallows my landing; unable to sue for damages amounting to \$150,000."¹⁰ The board of inquiry, moreover, failed to give a decision at the end of each case, so that the Indians were prevented from approaching the courts to make an appeal. Some of the local politicians and immigration officials urged the government to take strong action—such as ignoring the *mandamus* and avoiding appeal to the courts, if possible. The prime minister, however, when the matter came to his attention, would not hear of such procedure. The board, he said, should hasten to complete its inquiry, and give its decision. To Inspector Reid, Sir Robert Borden wired (June 25): "You should take no step which in any way admits the jurisdiction of the Court to *interfere*, but if the immigrants initiate proceedings, it is important to secure a hearing before the Court which will give a reasonable construction to the Act and regulations."¹¹

All this while the passengers were on very short rations, since the charterers of the boat, though clearly liable, refused to supply food or water. The immigration authorities, though under no responsibility, provided a certain amount, but from messages of the passengers to the governor-general this could hardly have been adequate. In the meantime, the situation was growing tenser.

The Indian community in B.C. sent messages of protest to the government against the treatment of their countrymen, describing it as "a lot to which even cattle would not be subjected", and urging the government to save the immigrants from the high-handedness of the immigration depart-

⁹Borden Papers (private collection), Bird to Sir Robert Borden, June 23, 1914 (telegram).

¹⁰Borden Papers, Gurdit Singh to Governor-General, July 8, 1914 (telegram).

¹¹Borden Papers, Sir Robert Borden to Malcolm Reid, June 25, 1914 (telegram).

ment.¹² At the same time urgent cables were sent to the secretary of state for India and the viceroy. The India office wired Ottawa making a plea for the admission of the passengers. Cables of protest arrived, too, from Indians all over the world.

The Canadian Government, however, was in a position to show no leniency, even had they been so disposed, since—quite apart from the danger of establishing a precedent that might flood the country with East Indians—public feeling on the coast was charged to fever-point. Together with the cables of protest that were arriving at Ottawa from all over the world, wires were arriving from every sort of public body in British Columbia—labour organizations, boards of trade, city councils, political associations, Orange Lodges, and the provincial government itself—petitioning the government to stem the threatened invasion.

It was not till July 9, six weeks after the arrival of the *Komagata Maru*, that the matter of the validity of P.C. 897, 1914, (the artisans and labourers regulation) was settled. The board of inquiry had finally made a test case, "In re the Immigration Act and Munshi Singh, 1914,"¹³ and the Victoria court of appeal sustained the validity of the order in question. Why this was not done earlier, it is hard to understand. For some time, diplomatic handling of the situation had been growing increasingly difficult. When there was no longer any doubt as to the legal admissibility of the immigrants, deportation orders were forthwith re-issued. Nevertheless, it was not until a fortnight later that the vessel finally got away. For an explanation of this later delay, we must turn to another cause, collusion between the Hindus on board and those on shore to prevent the vessel's departure.

The subversive and revolutionary character of the whole enterprise is recalled. When it became apparent, soon after its arrival, that the boat was not even going to be docked, but moored out in the harbour and patrolled by immigration launches, a committee of fifteen of the local Hindus, under the leadership of two of the most notorious of the Ghadr agitators, H. Rahim and Bhag Singh, was formed; the committee discussed ways and means of getting the passengers landed. It was decided to raise sufficient money to take over the charter of the *Komagata Maru* from Gurdit Singh, for, with the charter in the hands of persons on shore, legal action would be greatly facilitated, and there would be a better chance of having the vessel brought to dock. A meeting was, therefore, held at the Sikh temple at which a large number of Indians were present. Inflammatory speeches were made, urging those present to raise enough money to take over the charter and secure the release of their countrymen. About \$5,000 was collected at once and about \$17,000 more was raised at a number of subsequent meetings. The charter now fell into the hands of the "Temple Committee".¹⁴

Rahim and Bhag Singh announced to the authorities that the charter had been taken over with a view to obtaining possession of the cargo of coal on board, by the sale of which (plus an outward cargo for the return voyage), they said they hoped to make a substantial profit for the sub-

¹²Borden Papers, Khalsa Diwan, Vancouver, to Prime Minister, June 22, 1914.

¹³Western Weekly Reports (1914), Vol. VI, 1347.

¹⁴For details of this meeting and the work of the "Temple Committee", cf. Burrell Papers, H. C. Clogstoun Report (No. 1), November 5, 1914.

scribers. It was, they explained, merely a commercial transaction. Such motives were, however, disproved at a subsequent inquiry, where it came out that the real reason for taking over the charter was to land the passengers, whose escape from the *Komagata Maru* would be made much easier if the vessel could be brought to dock. Rahim actually admitted later on that, "After the Order (P.C. 897) had been declared invalid, we no longer thought of the passengers; we wanted our money back."¹⁵ The transaction, thus, was not a commercial, but a political one, and the subscribers, though in a sense they had been exploited by the committee, were fully aware of the subversive nature of what they were doing.

The action taken by the committee explains the final trouble and delay. When, after July 9, the court decision made it apparent that the prospect of landing the immigrants was pretty well hopeless, the Indians became desperate. Those on board were faced with frustration of all their efforts and their plans; many had put all their money into the venture and all of them resented bitterly the treatment they had received. Those on shore were faced with the loss of their money, and some had given amounts as high as \$500. At all costs they felt the *Komagata Maru* must be prevented from departing, at least until they had got their money back.

And so it was that when the time came, July 17, for carrying into effect the deportation order, a riot broke out on board and the passengers seized control of the ship from the Japanese crew and prevented the captain from weighing anchor. A party of 150 immigration officials and police attempted to board the ship and restore control to the captain, but was repelled. Fortunately, though several of the officials were injured, no bloodshed occurred among the Hindus as the immigration officials had been cautioned not to use force. On shore, at the same time, the Hindus there threatened to join in the disturbance, and when some of their number were arrested, five hundred rounds of ammunition were found on their persons.

Negotiations were now carried on between the authorities and the immigrants as to the conditions on which the latter would consent to leave peaceably. Supplies of food and medicine were demanded, and when these were promised all seemed to have been satisfactorily settled. July 21, the second date set for departure arrived, however, and found the Hindus still unprepared to give up control of the ship to the captain, and to sail away from the land to which they had come so far to seek entry, while those on shore were still unprepared to relinquish claim to their \$22,000.

The situation had by now grown to be charged with very grave danger. On the same day, July 21, there arrived at Vancouver the Hon. Mr. Martin Burrell, (at that time minister of agriculture) who had been commissioned by Sir Robert Borden to proceed from his home in B.C. to the scene of action and take charge of affairs. He found the immigration and other officials and the public generally, very worked up. The militia had been ordered out by the magistrates and also certain detachments of the permanent force. It was known that the Hindus on shore had been attempting to smuggle in arms from across the border. After the riot of July 17 on board, it had been decided to send for the cruiser *Rainbow*, at the time undergoing repairs at Victoria. The assistant-superintendent of immigration had issued a press notice that had appeared only the previous day

¹⁵*Ibid.*

saying that the *Rainbow* had been authorized, "to effect a landing, when, if necessary, in order to secure and maintain control, the full number of Hindus will be handcuffed, a proceeding which in view of their violent actions last night, is fully justifiable."¹⁶ After the second unsuccessful attempt to have the vessel get away, on the 21st, Inspector Reid, the local immigration officer in charge, wired the department at Ottawa: "We urge immediate action owing to danger of anti-Oriental outbreaks in Vancouver when facts are made public. The men aboard are undoubtedly in a desperate and fanatical condition. It is utterly impossible to reason with them or to handle them in the ordinary manner. The peculiar situation of this riot occurring on board a ship anchored in the stream makes ordinary police methods utterly useless, as police and guards do not wish to use firearms to retaliate, and can do no effective service without."¹⁷

Mr. Burrell, arriving fresh on the scene, sensed the need for conciliation, which neither the immigration nor the local authorities were by that time probably in a physical condition to do. He got into immediate touch with Mr. MacNeill, counsel for the Hindus on shore, and ascertained that the cause of the trouble was perhaps as much on shore as on board, and he then wrote to Mr. MacNeill a letter which proved to be not only the crisis in negotiations but the focal point of a controversy that continued for two years after the *Komagata Maru* had sailed away. It, therefore, deserves to be quoted in full.

Vancouver, B.C., July 21/14.

A. H. MacNeill, Esq.,

Dear Mr. MacNeill:

I understand from you that one of the difficulties in the way of the *Komagata Maru* at once leaving this port is that the assignees (of the charter) and others believe they are entitled to a repayment of the money advanced by them in good faith to the owners in the belief that they would be repaid by the value of the cargoes. As a member of the Government, I shall wire to the Prime Minister asking that these claims should be thoroughly looked into by an impartial Commissioner, and will urge that full and sympathetic consideration be given to those who deserve generous treatment. I must point out, however, that this is conditional on the passengers now on the *Komagata Maru* adopting a peaceable attitude, refraining from violence, and conforming to the law by giving to the captain control of his ship immediately, and agreeing to peaceably return to the port whence they came. May I add that it is necessary that a decision should be reached *at once*."

Yours truly,

M. Burrell,
(Min. of Agriculture)¹⁸

It is to be observed that Mr. Burrell merely said he would ask for an inquiry to investigate claims, *and urge sympathetic consideration for those who deserved it*. Probably Mr. MacNeill in his negotiations with the committee had to go rather farther than that verbally. At any rate the

¹⁶Borden Papers, E. Blake Robertson Memo for Press, July 20, 1914.

¹⁷Borden Papers, Malcolm Reid to E. Blake Robertson (description of riot, July 21).

¹⁸Burrell Papers [In possession of the Dept. of Immigration], M. Burrell to A. H. MacNeill, July 21, 1914. (Also attached to P.C. 1263, 1915).

committee agreed to the proposals and left at once for the *Komagata Maru* to persuade the passengers to yield control of the ship. Provisions were to be loaded during the next two days, and the departure was to take place the next afternoon.

The boat, as a matter of fact, did not leave until the morning of the day after, the 23rd. In the meantime H.M.C.S. *Rainbow* had arrived all prepared with broad gang planks and fire-hose to "capture" the *Komagata Maru*, if necessary. The passengers realized the force that was at the disposal of the authorities, and, conciliated with \$4,000 worth of provisions that the Canadian government had placed on board for the return trip, and with Mr. Burrell's promise of an inquiry with a view to reimbursement of deserving Indians on shore, they had agreed to allow the vessel to definitely take to sea the following morning.

At five o'clock on the morning of July 23, just two months after the *Komagata Maru* had arrived, the shore and the house tops of Vancouver were crowded with thousands of citizens who, despite the earliness of the hour, had come to view the spectacle of the vessel's departure. The wharves were lined with troops, and, as the *Komagata Maru* weighed anchor and drew off, the *Rainbow* fell in behind to escort her out to sea. Ironically enough (as Dr. Skelton, in his "Laurier"¹⁹ has suggested), the nucleus of the new Canadian navy, intended as an imperial gesture, had first been used to prevent the landing of British subjects on British soil.

There were two factors that contributed to the final persuasion of the Hindus to depart peaceably. One was the presence of the *Rainbow*, which the immigration authorities had sent for; the other was the conciliatory handling of the situation by the Hon. Mr. Burrell. It is difficult to place one of these in importance before the other. Probably without the show of strength their departure might have been delayed indefinitely; on the other hand, conciliation showed a way out. Both the passengers and those on shore were in a sufficiently fanatical state of mind to cause serious trouble, had force alone been used. In this respect it is possible to see the value of Mr. Burrell's presence at the critical moment, and of his final negotiations. Up till the time of his arrival, the affair had been badly handled by the local authorities, backed up as they were by public opinion on the coast. Their attitude, in the words of Mr. MacNeill, solicitor for the Hindus, "was such as not to admit of any negotiations or settlement on any terms". "I can assure you," he wrote to Sir Robert Borden, "that, were it not for Mr. Burrell's presence here, no settlement could possibly have been arrived at."²⁰ As a single illustration of the hysterical condition which the immigration and local political authorities had reached, we have Inspector Reid's statement to the immigration department that, when the provisions were shown to the committee on the wharf, "in order to reach same they [i.e., fifteen unarmed men] were paraded between the troops with fixed bayonets."²¹

Mr. Burrell, with the war within a week of breaking out in Europe, with the settlement of a heated race problem on his hands involving two parts of the Empire, and with the law to enforce, had been faced with a

¹⁹O. D. Skelton, *Life and Letters of Sir Wilfred Laurier* (Toronto, 1921), II, 352, fn.

²⁰Borden Papers, A. H. MacNeill to Sir Robert Borden, July 22, 1914.

²¹Borden Papers, M. J. Reid to Dept. of Immigration, July 22, 1914.

delicate task. Had bloodshed occurred among the Hindu passengers (which was not without the bounds of possibility, while the situation remained in the hands of the local authorities), repercussions might have resulted that would have rocked the Empire; and, with Japanese sailors' lives involved, the complications might have been endless. If the bringing up of the *Rainbow* was indispensable to the satisfactory settlement that was arrived at, no less so was Mr. Burrell's diplomatic handling of the affair, which proved to be the turning point in negotiations. He was in a position to, and did, deal with the situation on broad lines, which saved the day.

There were two aftermaths of the *Komagata Maru* affair, one in Canada and one in India.

In Canada, the special commissioner appointed to investigate the matter of the transfer of the charter advised that very few persons could come within the intention of Mr. Burrell's letter, as most of the Hindus had been actuated by dishonest and seditious motives in attempting to secure the escape of the passengers. The Hindu leaders showed they felt they had been duped by the government, from whom they had expected to be fully recouped for the money paid for the charter. They seem to have felt that a *bona fide* assurance was given by Mr. Burrell, and relying upon this they had yielded at a most critical moment and allowed the *Komagata Maru* to leave.²² Whatever may have been communicated verbally to them by their solicitor, Mr. MacNeill, however, it seems quite obvious from reading Mr. Burrell's letter that they had no grounds for believing they had been dishonestly dealt with. After two years and a further expense of about \$3,000 to the government, the affair was wound up. Legal proceedings against the committee (with government assistance where needed) were instituted by certain of the subscribers, and were won. The committee by this means was discredited in the eyes of the Hindu public.²³

In India, the aftermath was more serious and more unfortunate. When the *Komagata Maru* docked at the mouth of the Hooghli on September 27, the passengers (who were stepping off the boat for the first time in six months) were in a dangerous frame of mind. They refused to board a special train that had been sent down for them, and when force had to be used, there ensued the celebrated Budge-Budge riot, which caused loss of life on both sides. When the passengers were finally released from prison they committed several crimes, such as mail robbery and removal of rails in the Punjab. They became centres of infection, spreading germs of disaffection among the troops and villages, wherever they went. A subsequent royal commission²⁴ disclosed that not a little of the Indian war-time conspiracies, particularly in the Punjab, and the difficulties that the Indian government encountered in preserving order there, could be traced directly to dissatisfaction roused over the *Komagata Maru* affair in British Columbia.

Fortunately, however, the comradeship of the war served to improve relations between Canada and India, and there has been no recurrence of such feeling on the same scale since.

²²Burrell Papers, H. C. Clogstoun Report (No. II), November, 1915.

²³*Ibid.*

²⁴India Sedition Committee, 1918 (Cmd. 9190).