[Confidential.]

SIMLA RECORDS 1.

1915

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

POLITICAL—A

Proceedings, March 1915, Nos. 1—13.

Report of the Committee appointed to enquire into circumstances connected with the voyage of the "Komagata Maru" to British Columbia, its return to British India, the riot at Budge Budge and the subsequent arrest of those concerned.

Publication of the above report with the Government of India's Resolution thereon.

False evidence given by two Railway officials. Matter brought to the notice of the Railway Department.

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No. 4465-A.

No. 1

FROM

THE HON'BLE SIR WILLIAM VINCENT, KT., I.C.S.,
CHAIRMAN, AND THE MEMBERS OF THE "KOMAGATA MARU" COMMITTEE OF ENQUIRY,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
HOME DEPARTMENT.

Dated the 3rd December 1914.

SIR,

Poll. A Nov. 1914, Nos. 97-177.

IN compliance with the instructions contained in your letter No. 1893, dated the 15th October 1914, we have the honour to submit the following report on the circumstances connected with the voyage of the steamship *Komagata Maru* to British Columbia, its return to British India, the riot at Budge Budge on the 29th September 1914 and the subsequent arrest of those concerned.

2. In order to obtain the evidence on which this report is based we have held meetings at Calcutta and Budge Budge and also at Jullunder in the Punjab, in which province a number of the witnesses examined reside. We have held 27 sittings and examined 201 witnesses. Many of these witnesses had been examined by responsible authorities prior to our investigation, and where this was the case we have admitted the statements so made in evidence before us, but before doing so, we have in each case, where such a course was possible, caused the statement previously made to be read over to the witness and given him an opportunity of correcting it or adding to it. We have also visited the steamship *Komagata Maru* and the scene of the actual occurrence near Budge Budge station and have scrutinized a number of documents which throw much light on the questions under examination.

3. In order to trace the history of the events which culminated in this riot it is desirable in the first place to ascertain the reasons which led to this unfortunate attempt on the part of the passengers of this steamship to evade the immigration law of Canada. This law so far as we have been able to ascertain it, is contained in the Canadian Immigration Act, 1910, as amended in 1911 and in certain Orders in Council issued under the provisions of that Act. Under sections 37 and 38 of the Act the Governor-General in Council of Canada is authorised to impose certain restrictions on immigration into Canada. In accordance with these provisions of the law the Orders in Council contained in Appendix I of this report were issued on the 9th May 1910. These orders were subsequently superseded by the later orders contained in Appendix II, which were issued on the 7th of January 1914. An examination of the law and of these later orders makes it clear that, in addition to the general restrictions imposed upon all immigrants into the Dominion, every Asiatic immigrant before he is allowed to enter Canada has to satisfy the authorities, save in particular cases, that he is in possession of 200 Canadian dollars and has travelled by continuous journey from his native country to Canada on a through ticket.

4. We are informed that there are at present in Canada about three or four thousand Indians, chiefly inhabitants of the Punjab, and it is a matter of common knowledge that, tempted by prospects of high wages, a large number of Indians both in British India and in China and Japan have for some years been very anxious to secure admission to that country. These efforts have, to a great extent, been unsuccessful recently owing to the provisions of the law to which reference has already been made. Towards the end of the year 1913, however, a rumour

was started and became very prevalent in Hong Kong, Shanghai, Singapore, Japan, Manilla, and possibly to some extent also in India, that the restrictions on immigration into Canada had been removed or rendered of no effect; and efforts were in consequence renewed by many Indians resident in the Far East to obtain passages to the Dominion, and numbers of Indians collected at various ports with a view to proceed there. From the evidence on record it is also clear that for some reason which is not very apparent these emigrants were particularly anxious to reach Vancouver before the 25th of March. It is probable that they believed that on that date the law on the subject of immigration was likely to be made more stringent.

5. On the 5th of January 1914, Gurdit Singh, the leader of the *Komagata Maru* expedition, came to Hong Kong. The only information we have regarding his previous career is that he was a native of the Amritsar district and a man of no great social status there, though he owned a few acres of land. He emigrated from India some 25 or 30 years ago, and for some years carried on business as a contractor in Singapore and the Malay States. We are informed that in 1909 he returned to British India and was in 1912 before the Criminal Courts when he was bound down to keep the peace, but we have not been able to verify this statement. In 1913 he returned to Singapore. No satisfactory evidence has been produced before us as to his pecuniary position, but it does not appear that when he went to Hong Kong in January 1914, he was possessed of any considerable wealth. He was, however, a person of strong character and succeeded in a short time in acquiring great influence over his fellow countrymen in Hong Kong. Shortly after his arrival at that port he began to take a keen interest in this emigration movement, and it is in evidence that he discussed the matter of chartering a vessel to convey a number of Indians to Canada with intending emigrants at Hong Kong on various occasions. It may be observed that by this time about 150 Sikhs had collected at the Gurdwara or Sikh Temple at that place with the intention of emigrating to Vancouver. Towards the end of January, Gurdit Singh left Hong Kong for Singapore promising to make every effort to procure a vessel to convey these emigrants to the desired destination. It is not clear whether it was then intended to charter a vessel from Hong Kong or to take passengers in the first instance from Calcutta; but on the departure of Gurdit Singh from the former place, a difference of opinion arose among the intending emigrants as to the best method of obtaining the object in view. Gurdit Singh himself proposed, as far as can be seen, to charter a vessel in Calcutta for the voyage to Vancouver, and to arrange that this vessel should touch at Penang, Singapore, Hong Kong, Shanghai and Japon *en route*, and this proposal was accepted by some of the intending passengers at Hong Kong. Others were apparently of a different opinion, for on the 29th January a wire was sent from the Committee of the Gurdwara at Hong Kong to Gurdit Singh urging him not to go to Calcutta at all, but to charter a vessel to proceed to Vancouver direct. On receipt of this telegram Gurdit Singh addressed his fellow countrymen at Hong Kong pointing out the difficulties which faced them in respect of this proposal and the advantages of starting the voyage from Calcutta. In the letter he asked the Committee to deposit £10,000 in cash to meet the expenses of chartering a vessel and referred definitely to the legal obstacles which would probably be encountered by them in Vancouver. In consequence of these difficulties it appears that Gurdit Singh continued his attempts to charter a vessel to proceed from Calcutta, and with this object in view, he published on the 13th of February an advertisement for intending emigrants explaining in some detail what his proposals were. From the statements in this advertisement it is clear that he was well aware of the restrictions imposed by the Canadian law on the immigration of Asiatics into that country. But he added that this law had been declared to be invalid by a decision of Chief Justice Hunter's dated the 24th November 1913. Nevertheless he proposed to avoid the effect of these restrictions, by chartering a Chinese steamer to proceed from Calcutta to Vancouver and by raising subscriptions to provide indigent emigrants with the 200 dollars which the law required every immigrant to have in his possession on landing.

6. We have not been able to obtain an authenticated copy of the decision referred to above, but we gather from the information before us regarding it that

the effect of the judgment was to decide that the notifications of the 9th May 1910 referred to in paragraph 3 of this report were for certain legal reasons invalid and *ultra vires*. We doubt, however, if Gurdit Singh can have believed that the judgment had the effect alleged by him or that he was unaware of the actual state of the law, for in another advertisement issued by him on the 21st of February he again referred to the existing restrictions and the manner in which he proposed to meet the legal difficulties, and state specifically that he has just received a wire from Ottawa saying that intending immigrants must travel direct from India and produce 200 dollars on landing. His efforts to secure a vessel at Calcutta and to obtain subscriptions of £10,000 were unsuccessful; and Gurdit Singh, who had apparently already entered into negotiations to obtain a charter of the steamship *Komagata Maru*, continued his efforts in this direction. Indeed, before the issue of the advertisement of the 21st of February, in which he refers to an arrangement with a Chinese Company to charter a vessel to sail from Calcutta, he had in a previous advertisement of the 13th of February made an incorrect allegation to the effect that he had already chartered the *Komagata Maru*, and on the strength of this allegation he actually in the latter part of March issued a number of tickets to passengers who were desirous of proceeding to Vancouver and received payment for the same. Finally on the 24th of March he succeeded in obtaining the charter of the S. S. *Komagata Maru* from Mr. Bune, a German shipping agent at Hong Kong. This vessel is owned by a small Japanese Company, the Shinei Kishen Go Shi Kaisha, which consists, as far as the evidence shows, of 4 or 5 persons of Japanese nationality and owns only one ship, the vessel in question. Mr. Bune acted as agent for the Company under telegraphic authority and nothing is known of his antecedents, except that he is a German. From the information before us it appears that the owners of the ship were ignorant of the purpose for which she was chartered. The vessel was chartered for six months from the 27th of March 1914 for 11,000 Hong Kong dollars per month, the charterer contracting to pay in addition all charges for coal, water, pilotage and port charges. 11,000 dollars due for the first month's hire were payable when the charter was signed and 11,000 dollars within a week of the date of the commencement of the charter, *viz.*, the 27th March; of the balance, two months' hire was to be paid within 14 days of the date of the commencement of the charter and before the ship left Japan for Canada, the remainder being payable at Hong Kong within two months. Having chartered this vessel, Gurdit Singh issued tickets to a large number of intending emigrants; and finally the vessel started with 165 passengers, all Indian emigrants who had come originally from the Punjab, for Shanghai *en route* for Vancouver. The departure of the ship was delayed until the 4th of April by the Hong Kong Government, and it was only after threatening that Government with a suit for damages and after personal interviews with the local authorities that Gurdit Singh finally obtained permission to leave Hong Kong. The reason for this action on the part of the Hong Kong Government was that they desired to prevent the vessel from starting as the authorities were aware that the passengers would not be admitted into Canada. Indeed, if such a course had been possible under the law, the Colonial Government would have absolutely prohibited the vessel from leaving Hong Kong. The *Komagata Maru* arrived at Shanghai on the 8th of April and left that port with 111 new passengers for Moji on the 14th of the same month. It should here be noted that before the ship started from Hong Kong there had been some discussion as to whether she should call at Manilla or not, and advance agents had been sent to Shanghai, Manilla and other places to secure passengers from ports to be touched *en route* for Vancouver. Before the commencement of the voyage, however, it was decided to call only at Shanghai, Moji and Yokohama. From Shanghai the ship proceeded to Moji, where 86 new passengers were taken on board, and thence to Yokohama, where 14 passengers embarked. From there the vessel departed for Vancouver with 376 passengers on board, all being Panjabis and, excepting 25 Mahammadans, Sikhs.

7. It will be convenient here to stop to examine various questions which arise for consideration in regard to this part of the journey. In the first place, it is important to ascertain the motives which led these emigrants to

attempt to secure admission into Canada in apparent defiance of the law. On an examination of all the circumstances and the evidence which has been placed before us we think that the great majority of these emigrants, probably, acted *boná fide* in this matter when they left Hong Kong, and that they were at that time under the belief that there was no legal objection to their immigration into the Dominion. They were anxious to get to Canada as they had been led to believe that very high wages were paid to labourers there. Indians already resident in Vancouver had written frequent letters to them advising them to emigrate and pointing out the pecuniary advantages which they could secure in Canada, and it is in evidence that some of them were informed by Gurdit Singh that they could earn as much as Rs. 10, *i.e.*, 13*s*. 4*d*. a day there. At this time there was a very general belief that owing to this decision of Chief Justice Hunter to which reference has been made, the restrictions on Asiatic immigration into Canada had been removed, and it is stated by many of these men that they were also informed by Gurdit Singh that he had obtained authority from the Government of Hong Kong to take passengers by the *Komagata Maru* into Canada, and that there would be no difficulty in securing admission there In fact, this argument was used to demonstrate the advantage of taking a passage by this particular ship. It may seem impossible to conceive that any intelligent man would accept this last story, but it is well-known that the average Indian makes no distinction between the Government of the United Kingdom, that of Canada, that of British India or that of any colony. To him these authorities are all one and the same. So much so is this the case, that many of these unfortunate people are at the present moment under the impression that the Government of India is responsible for the misfortunes which they have suffered. More than one of the prisoners stated that the Sirkar (the Government) allowed the vessel to depart, promised them that they should be allowed to land in Canada, then refused to allow them to enter that country and sent them back to British India and caused them to be arrested there. It is possible, also, that the action of the Hong Kong authorities in first refusing to allow the *Komagata Maru* to proceed on her voyage and subsequently granting permission to the Captain to depart had something to do with this impression, as the fact that permission was at first withheld and subsequently granted was taken as evidence of the allegations made by Gurdit Singh that the Government of Hong Kong had at last given the passengers permission to enter Canada. It is true that Gurdit Singh was informed by the Hong Kong authorities that the passengers would not be allowed to enter Canada, but we are not satisfied that this information was communicated to all the passengers, and even if it was communicated it was apparently not accepted by them as correct, in view of the allegations of Gurdit Singh. It further appears from the statements of some witnesses, that the friendly manner in which (as alleged) the authorities in Hong Kong treated Gurdit Singh, gave colour to his allegation that he had used his influence with them to procure the necessary permission to enter Canada. It is also proved that each passenger, in addition to a blue passenger ticket, received from Gurdit Singh a white ticket signed by one G. Grimble, a passage broker of Hong Kong. This white ticket was, according to the evidence before us, represented by Gurdit Singh to be a ticket issued by Government, authorising the recipient to enter Canada. These tickets, which are really contract passage tickets intended for the use of indentured Chinese emigrants to Vancouver, were signed in blank by Mr. Grimble, and contain a clause to be signed by an emigration officer certifying to the fact that the contract has been explained (presumably to the emigrant) and registered. This certificate clause is not signed by any Government officer in any of the tickets we have seen, but we are inclined to believe that many of the passengers were deceived by Gurdit Singh into the belief that the tickets referred to contained a permit from the Government of Hong Kong authorising them to land at Vancouver. We think, however, that it is only fair to Gurdit Singh to observe that this and the other opinions expressed here and elsewhere on this point are based on *ex parte* evidence, and that we have not had the opportunity of hearing his version of the facts.

8. It must also be remembered that according to the evidence a number of Indian emigrants had been allowed to enter Canada about this time, and that

information had reached Hong Kong, Shanghai and Japan of the judgment of Chief Justice Hunter. In these circumstances it is not surprising that the intending immigrants were easily misled into the belief that their immigration into Canada would not be objected to; indeed we are of opinion that if they had been aware of the actual facts many of the passengers would never have started on this journey; for the majority of them were poor men who had saved but little, and many had sacrified all they had in the way of savings to pay the expenditure incurred by this voyage. There is also evidence to prove that many gave up regular service and appointments in which they were receiving good pay in Hong Kong, Shanghai and elsewhere to embark on this disastrous voyage.

9. The conduct of Gurdit Singh and his immediate following stands, however, on a different footing. It has been freely suggested in the course of the enquiry that they were well aware that the emigrants would not be allowed to enter Vancouver and that Gurdit Singh took money from the passengers with the deliberate intention of defrauding them, that he dishonestly misappropriated the money paid for fares and in this way made a large profit out of the present venture. For the first of these suggestions there is much support in the fact that Gurdit Singh did, as we believe, make a number of false allegations as to his having procured authority for their admission into Canada. It is clear from the statements of a large number of the passengers (many of whom are even now not in any way hostile to Gurdit Singh) that he stated to them that he had secured permission from the Government of Hong Kong for the unrestricted entry of the passengers by the *Komagata Maru* into Canada, and that he deceived many of them into believing that the white tickets already referred to were permits from the Colonial Government issued for this purpose. There is documentary evidence also to prove that before the ship left Hong Kong, Gurdit Singh cabled to Manilla stating that he had obtained permission for the passengers to land at Vancouver; and to this extent he certainly did, in our opinion, deceive the passengers. It is also very difficult having regard to the internal evidence on record to believe that he, or the more intelligent of his immediate following who were men of some education and could read and write English, were ignorant of the real state of the law. In a letter addressed from Hong Kong on the 5th of February to Thaman Singh, the leader of the committee at the Gurdwara there, Gurdit Singh wrote as follows :—

" Hence it is necessary to get answers to the following questions :—

* * * * * *

(2) Whether we can land there (at Vancouver)? If we are not allowed to land whether we can fight out a case or not ?

(3) Is it a fact that no Hindustani can go to Vancouver, as mentioned in the " Khalsa Sewak " till a new law is passed ? If this is a fact, what should we do now ?"

Again in a notice purporting to be issued by Gurdit Singh and dated Calcutta, the 21st February 1914, there is the following sentence :

"We have just received a telegram from Ottawa saying that intending immigrants should book directly from India and show $200 on landing ; so we have arranged for both of these things"

Finally in a notice which is undated, but which from the contents was probably written between the end of March and the 4th April, and which purported to be issued by Gurdit Singh, the following statement occurs :

" What led me to do this work is that when I came to Hong Kong in January 1914 I could not bear the trouble of those who were in the Gurdwara waiting to go to Vancouver. They were waiting there for years and living at their own expense ; how tyrannical and hard was this on our brothers :

" This affected my mind with the result that I resolved to take them to Vancouver under any circumstances. I promised the passengers that if no company will issue tickets to them and they wrote to me, I would do the needful and fight out the case in the Supreme Courts of Vancouver to get the

matter settled for ever. If the Canadian Government will prevent us from landing I will ask many questions from our Government and will not return until the matter is finally settled and will notify the full details of these proceedings to the people of India."

These extracts indicate that Gurdit Singh was aware of the state of the law and that many of his promises made to the passengers were entirely untrue. In fact the last extract shows that he intended to force a way into Canada for these immigrants by an appeal to the Courts At the same time we think that it is quite possible and even probable that he was under the impression that there was some defect in the law which he would be able to overcome by such an appeal or that he would be able to bring such political pressure to bear on the Canadian Government that they would be unable to keep the intending immigrants out of the country. We doubt if he would have had the courage to deceive all these passengers and induce them to embark upon this desperate venture unless he had had some genuine hope that he would be able to secure their admission into Canada. We also think that in embarking on the voyage Gurdit Singh was much influnced by the advice and encouragement which he received from Indians resident in Vancouver.

10. The second suggestion is that Gurdit Singh conceived the whole of this scheme purely for his own pecuniary benefit and that he started proceedings by systematically misappropriating the money paid by the passengers, but we find no sufficient evidence to support this allegation. There is no doubt that Gurdit Singh hoped to obtain considerable pecuniary advantage out of the venture, and if he had succeeded in effecting the entry of these immigrants into Canada within reasonable time, he would probably have made a very large profit. The ordinary fare from Hong Kong to Vancouver is, as we are informed, £10, and Gurdit Singh charged £20 per passenger. He hoped to book 500 passengers, the full complement of the ship being 533; if this number of tickets had been sold he would have realised 100,000 dollars out of the fares, against which he would have had to pay the cost of chartering the vessel for a couple of months, 22,000 dollars, *plus* the cost of coal, say 10,000 dollars, and of feeding the emigrants on the outward journey, say 10,000 dollars more. Moreover, if the venture had succeeded, the number of passengers on subsequent voyages would have largely increased and the profits would have been proportionately greater. It is clear from the evidence that if he had been successful in the first voyage Gurdit Singh intended to return to Calcutta, and if he had done so he would certainly have been able to get a fresh complement of passengers there without difficulty. We are also inclined to the view that Gurdit Singh was largely actuated by the desire to pose as a political hero who had obtained for Indians the free right to enter Canada, which is now denied them, and if he had succeeded in securing the admission of the passengers by the *Komagata Maru* into Canada it appears that he would have been successful in both of his main objects. In the result, however, his efforts to carry this difficult commercial enterprise to a successful termination were a complete failure, and we think in the circumstances that this was to be expected. For it appears that Gurdit Singh started on his venture with no capital and no knowledge of business methods or of accounts and book-keeping. Several books of account have been filed before us, and we have had them examined and have caused a complete translation to be made of one which purported to be the daily cash book. It is, however, utterly unintelligible and kept in such a manner that it is impossible to get from it any accurate information as to the financial details of this enterprise. It also appears that the number of passengers was smaller than Gurdit Singh anticipated, and if the promissory notes found on board are accepted as genuine documents they indicate that many of the intending immigrants were not able to pay the full amount of their fares in cash, as we find notes for nearly 24,000 dollars executed by various passengers for their dues on this account. Owing to the fact that Gurdit Singh engaged upon this undertaking without any capital it further appears that from the commencement of the voyage there was a want of requisite funds to pay for the hire

of the steamer and other urgent charges. We have already stated that the second month's hire was to be paid within one week of the date of the charter; but this payment, which was really due before the ship left Hong Kong, Gurdit Singh was unable to make in full until he reached Shanghai, whence out of the new fares realised he cabled a remittance to the bank at Hong Kong to meet the demand. Similarly, when the vessel reached Moji, Gurdit Singh's finances were in a very bad state. He had promised a great many of the passengers who came to Moji from Manilla that he would make good to them the cost of their journey to Moji, as the ship did not call at Manilla. These promises he was unable to fulfil. He had also to find at Moji two months' hire for the vessel, *plus* the price of the coal for the journey to Vancouver. At Hong Kong he had bought 350 tons of coal only at a price of 3,500 dollars. The average consumption of the *Komagata Maru* was 26 tons per day. A large additional supply of coal was therefore necessary. Moreover, the vessel was so light in the water that it was advisable to load some cargo to steady her; to effect this it was decided to purchase coal in excess of the quantity needed for the voyage, the intention being to sell the surplus at Vancouver. To meet these demands Gurdit Singh had as he said 17,000 dollars, which was 5,000 short of what was necessary for the hire of the ship alone; and to obtain funds for the rest of the money due from him he had to raise a subscription among the passengers, out of which he paid part of the balance of the two months' hire and part of the price of the coal purchased. The actual amount of coal bought was 2,000 or 2,500 tons according to various witnesses, the price being 15,000 yen, out of which 7,000 yen only, or 7,700 dollars was paid in cash. According to the evidence of the Japanese officers, the agent of the Steam Ship Company guaranteed that the balance of the price should be paid later, it being arranged that the captain of the *Komagata Maru* was to hold any balance of the coal on arrival at Vancouver as security for the unpaid purchase money. It is difficult to ascertain the actual amount raised from the passengers at Moji, but we think that it was at least 10,000 dollars, and we are satisfied that in the case of those who were unwilling to subscribe voluntarily considerable pressure was used to induce them to comply with Gurdit Singh's demands. Receipts were, however, generally given, so far as we can ascertain, for the amounts received, and there is nothing to indicate that Gurdit Singh did not intend to repay his creditors if, as he hoped, his voyage ended successfully. It has been snggested, as already stated, that the raising of this subscription and the manner in which the accounts were kept, indicate a fraudulent intention on the part of Gurdit Singh and that they are evidence of the fact that he systematically misappropriated the money of the passengers. We think, however, that his conduct is capable of explanation without any suggestion of fraud, if it is once understood that a man of some cunning but little real intelligence and with no experience of shipping business or accounts was attempting to carry out a difficult undertaking without any capital and without any expert assistance. At the same time it cannot be denied that Gurdit Singh's conduct was characterized by a reckless disregard both of his promises to the passengers and of his obligations to the owners, while it should be borne in mind that the so-called Sri Guru Nanak Steamship Company, which he freely advertised, styling himself manager or director, was a bogus concern, in which the solitary shareholder was Gurdit Singh himself, and which possessed only one vessel, the *Komagata Maru*, and that a hired one. In connection with this point it may be desirable to refer to the opinions expressed in Canada that the voyage of the *Komagata Maru* was deliberately promoted and financed by political agitators in Vancouver in order that they might have an opportunity of rousing public feeling in India against the Government, when the immigrants were refused admission. There is reason to believe that the Vancouver Indians encouraged the passengers to embark on this enterprise and they must have been well aware of what the final result must be, and it is difficult to see what object they could have had in view except to excite political feeling. As to financial assistance it is proved that at Vancouver the Indian residents did assist the

passengers, but there is no evidence of any pecuniary aid before the arrival of the ship at that port except that Gurdit Singh promised those persons who advanced money to pay the expenses of the voyage that the Khalsa Dewan at Vancouver would make good the amounts and the passengers engaged *per contra* that Gurdit Singh was only to be called on to do so in the event of the Khalsa Dewan failing to meet this obligation. This undertaking on the part of Gurdit Singh lends some support to the view that before the *Komagata Maru* started on her voyage the Vancouver Indians in addition to encouraging the emigrants to proceed had made some promises of financial assistance. Nevertheless we retain the view that Gurdit Singh when he started on this enterprise hoped that he would be able to obtain admission for himself and his fellow passengers into Canada, though very possibly those who were encouraging him to undertake the voyage were well aware that the enterprise would not be sucessful.

11 In connection with this journey from Hong Kong, we have also had to consider how far the undertaking might have been engineered at the instigation of Germany. We are aware of the fact that it is generally believed that German influence has for some time been at work in various parts of the British Empire to create disaffection to Government, but beyond the fact that this ship was chartered from a German agent at Hong Kong we have not been able to secure any evidence of German influence in respect of this voyage. There are, however, suspicious circumstances in connection with the undertaking, and it is quite possible that even if German influence had been at work we should be unable to secure direct evidence of it. Thus it is worthy of note that until Gurdit Singh met Mr. Bune he was entirely unable to hire any vessel to convey these emigrants to Canada; and this is not surprising in view of the provisions of the Canadian law regarding the duty of companies to re-convey rejected immigrants to the country of their birth and the penalties to which such companies are subject if these provisions of the law are not complied with. It is also possible that Bune in aiding Gurdit Singh to secure the charter of the *Komagata Maru* acted with the intention of causing embarrassment to the Canadian authorities and indirectly to the British Government, as he was aware that the passengers would not be allowed to land at Vancouver, but of this there is no direct evidence. It is also noteworthy that the *Komagata Maru* was owned by a German Company before she became the property of Shinei Kishen Go Shi Kaisha, and that the first intimation as to her departure from Hong Kong reached London through Germany, the news being published in the Berlin papers eleven days after the vessel left that port. That the Indians resident in Vancouver were intimately connected with the venture of the *Komagata Maru* is clear, and it is also believed that the Indian Revolutionary Societies in America are in close connection with certain societies in Germany. It is only fair, on the other hand, to state that some of the passengers allege that Bune attempted to dissuade Gurdit Singh from starting on this venture and there is no trace in the accounts of Gurdit Singh's having received any pecuniary assistance from Germany or from Bune. Indeed, the accounts filed show on the other hand that Bune received a sum of $2,500 as commission for his services in connection with the charter of this vessel. We observe that it has been stated in the Press that the Canadian Government has direct proof to show that the *Komagata Maru* enterprise was engineered by Germany, but no evidence to this effect has been placed before us.

12. The only other matter in which attention need be invited at this stage of the voyage of the *Komagata Maru* is in respect of the attemps made to promote sedition and disloyalty to the British Government at various ports at which the ship touched. There is some evidence that on the outward voyage Gurdit Singh delivered lectures in which disloyal and seditious language was used, and according to other witnesses Gurdit Singh met with considerable sympathy in Japan for the cause which he advocated. We are not, however, prepared to accept these statements as entirely trustworthy. We have more credible testimony that consignments of the *Ghadr* newspaper were received on board at Shanghai, Moji and

of the steamer and other urgent charges. We have already stated that the second month's hire was to be paid within one week of the date of the charter; but this payment, which was really due before the ship left Hong Kong, Gurdit Singh was unable to make in full until he reached Shanghai, whence out of the new fares realised he cabled a remittance to the bank at Hong Kong to meet the demand. Similarly, when the vessel reached Moji, Gurdit Singh's finances were in a very bad state. He had promised a great many of the passengers who came to Moji from Manilla that he would make good to them the cost of their journey to Moji, as the ship did not call at Manilla. These promises he was unable to fulfil. He had also to find at Moji two months' hire for the vessel, *plus* the price of the coal for the journey to Vancouver. At Hong Kong he had bought 350 tons of coal only at a price of 3,500 dollars. The average consumption of the *Komagata Maru* was 26 tons per day. A large additional supply of coal was therefore necessary. Moreover, the vessel was so light in the water that it was advisable to load some cargo to steady her; to effect this it was decided to purchase coal in excess of the quantity needed for the voyage, the intention being to sell the surplus at Vancouver. To meet these demands Gurdit Singh had as he said 17,000 dollars, which was 5,000 short of what was necessary for the hire of the ship alone; and to obtain funds for the rest of the money due from him he had to raise a subscription among the passengers, out of which he paid part of the balance of the two months' hire and part of the price of the coal purchased. The actual amount of coal bought was 2,000 or 2,500 tons according to various witnesses, the price being 15,000 yen, out of which 7,000 yen only, or 7,700 dollars was paid in cash. According to the evidence of the Japanese officers, the agent of the Steam Ship Company guaranteed that the balance of the price should be paid later, it being arranged that the captain of the *Komagata Maru* was to hold any balance of the coal on arrival at Vancouver as security for the unpaid purchase money. It is difficult to ascertain the actual amount raised from the passengers at Moji, but we think that it was at least 10,000 dollars, and we are satisfied that in the case of those who were unwilling to subscribe voluntarily considerable pressure was used to induce them to comply with Gurdit Singh's demands. Receipts were, however, generally given, so far as we can ascertain, for the amounts received, and there is nothing to indicate that Gurdit Singh did not intend to repay his creditors if, as he hoped, his voyage ended successfully. It has been snggested, as already stated, that the raising of this subscription and the manner in which the accounts were kept, indicate a fraudulent intention on the part of Gurdit Singh and that they are evidence of the fact that he systematically misappropriated the money of the passengers. We think, however, that his conduct is capable of explanation without any suggestion of fraud, if it is once understood that a man of some cunning but little real intelligence and with no experience of shipping business or accounts was attempting to carry out a difficult undertaking without any capital and without any expert assistance. At the same time it cannot be denied that Gurdit Singh's conduct was characterized by a reckless disregard both of his promises to the passengers and of his obligations to the owners, while it should be borne in mind that the so-called Sri Guru Nanak Steamship Company, which he freely advertised, styling himself manager or director, was a bogus concern, in which the solitary shareholder was Gurdit Singh himself, and which possessed only one vessel, the *Komagata Maru*, and that a hired one. In connection with this point it may be desirable to refer to the opinions expressed in Canada that the voyage of the *Komagata Maru* was deliberately promoted and financed by political agitators in Vancouver in order that they might have an opportunity of rousing public feeling in India against the Government, when the immigrants were refused admission. There is reason to believe that the Vancouver Indians encouraged the passengers to embark on this enterprise and they must have been well aware of what the final result must be, and it is difficult to see what object they could have had in view except to excite political feeling. As to financial assistance it is proved that at Vancouver the Indian residents did assist the

passengers, but there is no evidence of any pecuniary aid before the arrival of the ship at that port except that Gurdit Singh promised those persons who advanced money to pay the expenses of the voyage that the Khalsa Dewan at Vancouver would make good the amounts and the passengers engaged *per contra* that Gurdit Singh was only to be called on to do so in the event of the Khalsa Dewan failing to meet this obligation. This undertaking on the part of Gurdit Singh lends some support to the view that before the *Komagata Maru* started on her voyage the Vancouver Indians in addition to encouraging the emigrants to proceed had made some promises of financial assistance. Nevertheless we retain the view that Gurdit Singh when he started on this enterprise hoped that he would be able to obtain admission for himself and his fellow passengers into Canada, though very possibly those who were encouraging him to undertake the voyage were well aware that the enterprise would not be sucessful.

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Yokohama. This paper, specimen copies of which we have seen and had translated, is published by a revolutionary organization in America and openly advocates mutiny against the British Government in India; it appears that it circulates freely in the Far East and in America, and we think that it was introduced into the *Komagata Maru* though the agency of these revolutionary societies in order to promote disloyalty and disaffection among those on board. It is also in evidence that at Yokohama two reputed revolutionaries, Bhagwan Singh and Barkatulla, visited the ship, and that Bhagwan Singh, the deported priest of the Sikh Temple at Vancouver, delivered a spirited lecture to the passengers in which he instigated them to rise against the British Government in India. It is difficult to believe that Gurdit Singh would have allowed newspapers like the *Ghadr* to be introduced on board and lectures of this kind to be delivered if he had not even at that time had considerable sympathy with the American revolutionary movement.

13. From Yokohama to Vancouver no incident of any great importance occurred on the vessel, except that there were some quarrels at to the quality of the food provided by Gurdit Singh for the use of the passengers. Some attempt has been made to magnify the importance of these differences, but on the whole, having regard to the subsequent facts and conduct of the passengers and the evidence before us, we are not inclined to accept the view that these differences were more than disputes of a temporary and trifling character. It appears, however, that during this part of the voyage, the passengers divided into two factions or parties, one of them headed by Gurdit Singh and his following, and the other by the medical officer of the ship, Dr. Raghunath Singh, and that feeling between the two factions was at times very bitter.

14. On the 21st May the *Komagata Maru* arrived at Victoria Quarantine Station and from thence she proceeded to Vancouver, on the 23rd May. The authorities at that port refused to allow the immigrants, with certain exceptions, to land as they had failed to comply with the requirements of the Canadian law. Permission to disembark was, however, granted to some of the passengers, including Dr. Raghunath Singh, and as alleged Bhan Singh who represented himself to be a student. Of these two, Dr. Raghunath Singh was able to land, but Bhan Singh was prevented by his fellow passengers from taking advantage of the permission granted to him by the Canadian Government.

15. The action of the Canadian Government in refusing to admit the immigrants was keenly resented both by the passengers and by their fellow countrymen on shore, and it is in evidence that meetings were held both on the ship and in Vancouver to protest against the action of the Canadian authorities, and that very violent language against the British and Canadian Governments was indulged in at these meetings. The immigration officers, however, remained firm and refused to allow the passengers to land in spite of these protests and of repeated communications from Gurdit Singh and his Secretary Daljit Singh. On the other hand, the passengers refused to depart and adopted various devices in order to get permission to land. Failing to secure their object by any of these means Gurdit Singh and his associates decided to bring a test case in the courts in the name of one of the passengers named Mansa Singh in the hope of obtaining an order of the court which would override the decision of the executive authorities; the application of this immigrant to be allowed to land was, however, rejected by the courts. It is interesting to note that, in instructing his lawyer at Vancouver and in addressing the local officers of the Canadian Government, Gurdit Singh attempted to make out that by their conduct the Canadian Goveanment had led him to believe the passengers would be allowed to enter Canada, and also produced a written opinion of a Hong Kong lawyer which he alleged supported his contention that they were entitled to land. On examination, this letter, which has been filed before us, proved to be nothing more than an expression of opinion that the Hong Kong Government had no right to prevent the *Komagata Maru* from sailing from Hong Kong. There is little doubt, however, that this letter, though it was useless

for the purpose of influencing the Canadian authorities, was used by Gurdit Singh more successfully in deluding the unfortunate passengers.

16 In the meantime, while negotiations were pending between the Canadian Immigration Office and the passengers, the Agent of the owners of the *Komagata Maru* made a demand for 22,000 dollars still due for the hire of the ship, and at the same time called upon Gurdit Singh to pay the balance of the price of coal bought at Moji. These demands Gurdit Singh resisted on the ground that he was unable to pay, as he was not allowed to land, a plea which was utterly irrevelant as the owners were in no way concerned with the question whether the immigrants were permitted to enter Canada or not. It appears, ~~however~~, that the Indian residents in Vancouver came to the assistance of Gurdit Singh in this matter and that they raised the amount of 22,000 dollars for the payment of the charter money, and on payment of this amount the charter was, with the consent of Gurdit Singh and of the Agents of the owners at Vancouver, transferred the two leading Indian residents in Vancouver, Bhag Sing and Rahim. The former of these men is the priest of the Sikh Temple at Vancouver, is believed to be a leader of the disaffected Indian party in Vancouver, and has as we are informed recently been murdered by some of his fellow countrymen there. Rahim is stated to be the Editor of the *Hindusthanee*, a proscribed paper.

17. After the decision of the courts in the case of Mansa Singh, matters reached a deadlock. The authorities refused to allow the Indians to land and directed the Captain to remove the vessel from the port, and the passengers refused to allow the Captain and crew to weigh anchor or get up steam. A body of police was sent to enforce the orders of Government, but they were resisted by the passengers and a serious affray ensued, in which 22 police officers were injured and the captain of the police launch had two ribs broken. It may here be noticed that in a description of this incident in a history of the voyage, compiled on board the *Komagata Maru* and found amongst the papers of Gurdit Singh, this affray is referred to as a defeat inflicted on a man-of-war and army by unarmed Indians who only used coal to repel their assailants. On the other hand, it is proved by the Japanese officers and by documentary evidence that the passengers used fire-arms in resisting the police. After the failure on the part of the police to enforce the orders to depart, a Government vessel, *The Rainbow*, was requisitioned with an armed force to compel compliance with these orders; the passengers saw that it was impossible for them to resist this force, and came to terms, and finally on the 23rd of July the *Komagata Maru* departed from Vancouver, but not until Gurdit Singh had obtained from the Canadian Government a very ample supply of provisions for the return journey. There can be no doubt that these supplies were granted out of charity and as the result of repeated allegations made by Gurdit Singh and his adherents that the passengers were starving. Indeed, from the evidence before us, there is little doubt that there was a great want of provisions on board at this time and the vessel could not have sailed without some supplies. It is, however, difficult to believe that the articles demanded and supplied were not in some cases in excess of what was necessary, as it is in evidence that a large quantity of these stores were left on board the ship unconsumed when the vessel arrived at Calcutta. The actual articles supplied were :—

800 sacks of flour.
600 pounds of curry powder.
5,400 pounds of pulse.
6,000 pounds of sugar.
5,000 pounds of potatoes.
20 sacks of onions.
10 sacks of carrots.
360 pounds of Cayenne pepper.
6,000 pounds of butter.
2,000 pounds of rice.
500 pounds of salt.
7,000 pounds of Ceylon tea.

10 boxes of Sunlight soap.
240 cases of canned milk.
600 pounds of ginger.
500 pounds of pickles.
1,000 bottles of hair oil.
200 bottles of vinegar.
20 tons of wood for fuel.
1 box (case ?) of matches.
200 pounds of tobacco
200 quarts of molasses.
Toilet paper.
Kerosene oil.
Toilet soap,

The supply of 200 pounds of tobacco in view the of fact that all the passengers except 25 Muhammadans were Sikhs, seems somewhat generous, and to those who are familiar with conditions of life in India, some of the other articles supplied may appear to be unnecessary. It has already been stated that these supplies were given from charitable motives by the Canadian Government, but that this was not the view of the passengers, or at any rate of their leaders, is evidenced by the following extract taken from the history of the voyage found among Gurdit Singh's papers on board the vessel :—

"24,000 dollars worth of provisions were supplied to us. To copy the example of the avaricious and deceitful *faringhees*, we said we would not sail until a hundred goats, fowls and eggs had been supplied. We began to have faith in our own strength. We got 24,000 dollars worth of provisions by shoe-beating a few. More threatenings would surely produce goats, eggs and fowls"

18. At this point it is convenient to pause to consider in greater detail the part played by the revolutionary party in Canada in respect of these passengers at Vancouver. There is reason to believe that there are, both in America and Canada, certain associations of a revolutionary character composed mainly of Indian residents. The avowed object of many of these associations is to secure the overthrow of British rule in India, and, with this aim, persistent efforts are made to seduce Indians, both in and out of British India, from their loyalty to the Crown, and to induce them to join in a movement for an armed rising against the Government. China and Japan afford an excellent field for the operations of these associations, as large numbers of Indians reside there, and persistent efforts are, therefore, made to promote disloyalty and disaffection amongst them by the means of seditious literature and in other ways. One of the most important publications of this party is the *Ghadr* newspaper, to which reference has already been made. Attempts had been made by emissaries of this party, as already described, to create disaffection towards Government among the passengers, both at Moji, Yokohama, and elsewhere, and these efforts were renewed, and apparently with more success at Vancouver. By this time the passengers were in a desperate condition and many were ready to listen to incitements to disaffection. The large majority were poor men who had staked all their possessions on this enterprise, and, on an average, they had probably spent 400 or 500 rupees each on the voyage. They had started in the belief that their admission to Canada was assured and guaranteed by the Government, and now, after suffering the hardships of nearly four months' detention in very insanitary surroundings on the *Komagata Maru*, they were ordered to return to the ports from which they had started. It is not unreasonable to suppose that in these circumstances they entertained the most violent feelings of irritation against the Canadian Government, and that they were in such a state of discontent as to be peculiarly open to evil influences. It is not surprising, therefore, that incitement to sedition were readily listened to by many, and that efforts to render the passengers actively disaffected to the Government were more or less successful. At this period of the voyage, moreover, we think that Gurdit Singh, whatever his previous sentiments had been, found it necessary to join wholeheartedly in

the attempts to promote disaffection in order to divert attention from his own misdeeds and to cast the odium for the failure of the venture upon the Government. Revolutionary literature of a violent character was introduced and circulated on board, and during the stay of the vessel at Vancouver and on the return voyage systematic efforts were made to excite the passengers against the authorities and to promote a rising against Government. There is also evidence to prove that attempts were made at Vancouver by members of the revolutionary party on shore to smuggle arms on board, and one man was convicted for the unlawful possession of arms which were procured for the use of these passengers. It has already been stated that the passengers had successfully resisted the police at Vancouver; they had succeeded in intimidating the Master and crew of the ship and had also, as they believed, forced the Government of Canada to provide them with a quantity of valuable supplies. They were, therefore, at this time in a very dangerous frame of mind, many of them being obsessed with an exaggerated idea of their own power, full of the disloyal and seditious theories inculcated by revolutionary leaders, intensely irritated at the treatment meted out to them, and ready for any mischief. So dangerous indeed had they become, that the Captain of the ship was advised by the Canadian authorities to purchase firearms to enable the officers and crew to protect themselves against possible attacks from the passengers.

19. In this mood the passengers started on their return journey to Yokohama, which was the first port of call. Here a few persons disembarked. It is not very clear what the final port of destination was intended to be when the *Komagata Maru* left Vancouver, but, apparently, up to the time of her arrival at Yokohama, it was intended that she should, at any rate, touch at Hong Kong, so that passengers who might be desirous of landing there should have an opportunity of doing so. At Yokohama a letter was received by Gurdit Singh from the Colonial Secretary of Hong Kong informing him that the Government of that Dependency considered it undesirable that any of the passengers should land at Hong Kong and threatening to enforce a local Vagrancy Ordinance against any who might attempt to land at that port. Gurdit Singh replied in a letter addsessed to the Consul at Yokahama stating that the passengers were perfectly willing to go to any port in India if provisions were supplied. It does not appear that he had any authority for this statement as many of the passengers say that they were in fact anxious to return to China to earn money and repair their shattered fortunes. It is probable that in refusing to allow the passengers to land the Hong Kong Government was influenced by information received of their conduct at Vancouver. Whatever the reasons for the orders were, they were the cause of considerable inconvenience and loss to many of the passengers. The views of Gurdit Singh and his immediate following, as contained in the history already referred to, were that the Government at Hong Kong was afraid to allow the passengers to land as they apprehended that they might cause a mutiny among the Sikh regiments stationed at that place; we do not know if there is any foundation for this statement which was, as alleged, based on information received at Kobe; but if it is true, it explains the conduct of the Hong Kong authorities in this matter.

20. Returning from these considerations to the actual history of the voyage, the Consul at Yokohama firmly declined to meet Gurdit Singh's requests for additional supplies, observing at the same time that the demands made seemed most exorbitant. From a letter of Gurdit Singh addressed subsequently to the Consul-General at Kobe we learn that at this period of the voyage the Captain of the *Komagata Maru* received telegraphic orders from the owners of the ship to proceed to Kobe, and accordingly the vessel left Yokohama for that port on the 18th of August, arriving at Kobe on the 21st. At Kobe about 15 passengers disembarked. The remainder under the leadership of Gurdit Singh again attempted to secure further supplies from the British Consul-General there. They landed in large bodies of 100 and 150men, repeatedly besieging the Consulate, and were so importunate in their demands that they appear to have caused very great inconvenience to the Consul-General and almost to have intimidated him They represented that they were entirely destitute and demanded large sums of money for the purchase of provisions and for payment of the balance of the cost of coal purchasad on the outward journey at Moji.

On receipt of this deputation the Consul-General wired to His Majesty's Ambassador at Tokio that he could arrange for the passage of the returned emigrants to Hong Kong if 8,000 yen were paid for the price of coal, *plus* 1,700 yen for provisions. If, however, the passengers were not allowed to land at Hong Kong, he said that they could be sent to Calcutta at a cost of 13,000 yen, *plus* 6,000 yen for the cost of returning the vessel to Hong Kong. He added that it was of the greatest importance that these Indians should be removed as soon as possible and that provisions would in any case have to be supplied shortly to them. As to the amount payable for supplies, we find from a subsequent letter addressed to the Government of India that the Consul-General understood at first that 200 Hong Kong dollars was the estimate of the daily cost of provisioning the ship. At a later interview the passengers alleged that this estimate of expenditure was in gold dollars, thus doubling the cost. The Consul-General accepted the suggestion that this change in the estimate was due to a mistake on his part, but, having regard to the circumstances, it appears to us that possibly this was not the case. The ordinary currency of Hong Kong is, as we understand, the silver dollar, and the passengers were well aware of this fact; and in the circumstances we suspect that the allegation that gold dollars had originally been demanded was untrue. There were on the ship at this time very considerable stores of provisions, and a very small amount of additional supplies was really necessary, for the purchase of which neither 4,500 gold dollars nor 4,500 silver dollars were necessary. There are also grounds for believing that Gurdit Singh had ample funds in his possession to meet any urgent expenditure. We incline to the view therefore that when the leaders of the passengers found that the Consul was willing to accept their statements as correct, apparently without any detailed enquiry into the facts, they thought that the opportunity was too good to be lost and at once doubled their original demands. It is impossible, however, to be definite on this point as we have not had the advantage of hearing the statement of the Consul-General. Whether our opinion on this point is correct or not, it is certain that the allegation of the passengers that they were entirely destitute was untrue.

21. Under instructions from His Majesty's Ambassador at Tokio, the Consul-General at Kobe then entered into negotiations with the Government of India, soliciting sanction to the expenditure of 19,000 yen for the repatriation of 350 destitute Indians on the *Komagata Maru*, and his request was acceded to. The telegram of the Consul-General runs as follows:—

"Urgent. 350 Indians *Komagata* alleged to be completely destitute. Only possible solution present, sending to India, requesting you will sanction expenditure not exceed 19,000 yen repatriation."

The reply of the Government of India is reproduced below:—

"Your telegrams of 27th and 30th instant. *Komagata Maru* Indians. Government of India agree to pay expenses of repatriation up to 19,000 yen and would like to know immediately arrangements proposed. Very desirable they should return in one ship and land Madras; also that immediate intimation be given to allow officers to be sent to meet them in Singapore and travel rest of journey on board. Presumed you contemplate payment of passage and messing fares to those otherwise destitute only. If names of any specially undesirable or any other particulars likely to be of assistance known, would you kindly telegraph."

22. On receipt of this telegram the Consul decided, after discussing the question with Gurdit Singh, to send the passengers to Calcutta, and accordingly on the 3rd of September the *Komagata Maru* left Kobe for Calcutta, 9,000 yen having been paid in cash to Gurdit Singh for the purchase of provisions. Of this amount he expended, as far as the evidence indicates, about 435 yen only in the purchase of food, retaining the balance of approximately £856 and promising to divide it among the passengers on their arrival at Calcutta. The account of the proceedings of the *Komagata Maru* passengers at Kobe in the history of the voyage compiled on board states that the passengers besieged the Consulate, surrounded the Consul and openly accused him of fraud and treachery, and that it was only by a show of

force and by threats that they were able to secure compliance with their demands. To the Captain of the *Komagata Maru* the Consual entrusted a letter addressed to the Government of India, to be delivered after arrival at Calcutta, in which he said that he left the question of diverting the *Komagata Maru* to Madras for settlement by the Government of India when the vessel arrived at Singapore and added that the Captain of the ship had asked him to telegraph to Calcutta to request that a strong guard should be sent down to him on board the boat bringing the pilot He at the same time wired to the Government of India stating that the ship had started and that one of the passengers, Jawahir Mul, was a dangerous character. It is to be observed that in the wire no reference was made to any change in the ship's destination being arranged at Singapore, or to the request of the Captain for an armed guard

23. The practical utility of communicating this suggestion as to diverting the destination of the vessel and the request of the Captain in a letter which could not be delivered until the ship had actually arrived at Calcutta is not very apparent, and it is, in our opinion, a matter for some regret that the Consul did not cable to India more accurate information regarding these passengers and the request of the Captain for armed assistance on arrival. We also are of opinion that, if the real facts had been ascertained, it would not have been necessary to advance this large sum of £900 to Gurdit Singh The allegation in the cable to the Government of India that the only possible solution of the difficulty was to send the men to India is also open to question. Many of the passengers did in fact not want to return to India at all, and they are at present much aggrieved at having been sent back here. It is not very clear from the information before us why many might not have returned to the places from which they had come, and the net result of the action taken by the Consul-General at Kobe was that the Government of India has been put to a large amount of unnecessary expenditure in repatriating a number of Indians, many of whom did not wish to return to India, and whose return to this country was in no degree necessary or desirable from the point of view of the Government The passenger Jawahir Mul, to whom reference was made in the telegram to the Government of India, was one of two passengers who joined the *Komagata Maru* at Kobe ; the other new passenger being his brother Narain Das. Various opinions have been expressed as to the character of these two men, and the question is discussed in a later portion of this report.

24. On the 16th September the *Komagata Maru* arrived at Singapore, and the authorities at that port refused to allow any one to land, as this was not considered desirable owing to the state of war. It is probable that this decision was also in some degree due to the fact that the character and previous conduct of these passengers were known to the local authorities. Gurdit Singh attempted to get special permission to go on shore to purchase stores, but the request was refused. It also appears that at one time preparations were made to resist the Singapore police if they attempted to board the vessel. After a few days, however, all attempts to land were given up and the vessel resumed her voyage to Calcutta. It may here be noted that, according to the Japanese officers, the Singapore police were the only police for whom Gurdit Singh had any respect, and it was possibly for this reason that he desisted so quickly from his attempts to land there.

25 On 26th of September the *Komagata Maru* arrived at the mouth of the Hughli. In the meantime information had reached the Government of India as to the probable date of the ship's arrival, and measures were taken in order to assist indigent passengers to their homes in the Punjab and to prevent any undesirable agitation and disturbance in Calcutta upon their arrival. With this object in view the Bengal Government, in consultation with the Government of the Punjab, decided to utilise the provisions of the Ingress into India Ordinance, 1914. This Ordinance, which has been enacted since the commencement of the present war, empowers the Government of India to restrict the liberty of any person entering into India after the 5th September, if such action is necessary in order to protect the State from the prosecution of some purpose prejudicial to its safety, interest or tranquillity. By Notification

No. 1374, published in the *Gazette of India* on 16th September 1914, the powers conferred by this Ordinance on the Government of India have been delegated to Local Governments. This Ordinance, therefore, with the Notification issued under it, gave the Local Government ample power to restrict the liberty of the passengers by the *Komagata Maru*, if such a course appeared to be necessary, and, having regard to the information before it, the Local Government of Bengal decided to utilize the provisions of the new law. After some discussion as to the best manner of dealing with the passengers, it was finally decided that they should be landed at Budge Budge, some 14 miles south of Calcutta, and there put into a special train and conveyed to their homes in the Punjab. From the information before Government, however, there was reason to believe that there were among the passengers a certain number of men whom it was unsafe to allow to remain at large in India in the present condition of affairs, and the intention was to detain these men in custody for such period as might be necessary or to take such other measures in respect of them as might be requisite to ensure the public safety and tranquillity.

26. In accordance with these arrangements a number of European and Indian officers, including Mr. Donald, District Magistrate of the 24-Parganas, within which district Kalpi and Budge Budge are situate, Mr. Humphreys, a Deputy Commissioner of the Punjab, Mr. Slocock of the Criminal Intelligence Department, Messrs. Petrie and Anley of the Police Department and Sirdar Sukha Singh, a Deputy Superintendent of the Punjab Police, met the *Komagata Maru* on the 27th September at Kalpi, some miles down the river Hughli below Calcutta. They interviewed the passengers and explained the intentions of Government. The luggage of the passengers was also examined for arms and seditious literature, and it appears that the persons of some of the returning Indians were also searched. Although, however, the general intentions of Government in respect of these emigrants were explained, they were not then told that they were to travel to the Punjab from Budge Budge or that any of them were to be subjected to restraint either in Bengal or on arrival in the Punjab. On the 29th the ship arrived at Budge Budge and was moored to the jetty there about 11 A.M., and the passengers were directed to disembark and to proceed to the special train which was in readiness to convey them to the Punjab. It may here be noted that on arrival at Budge Budge the *Komagata Maru* was also met by Sir F. Halliday, the Commissioner of Police, Calcutta. At this period serious differences with the passengers began. There were in all 321 passengers on board, the very great majority being Sikhs. Amongst them were, however, 17 Muhammadans from the Shahpur districts in the Punjab. These 17 Muhammadans managed to elude the efforts of their fellow passengers to detain them and entered the special train not only willingly but gladly, as they alleged that they had been subjected to great ill-treatment by Gurdit Singh on the voyage. The remainder of the passengers steadily refused to disembark, in spite of the efforts of the various officers to induce them to do so. Finally, after a considerable delay, they were induced to take their luggage off the vessel, and disembarked. They then proceeded in a procession, headed by the Granth Sahib, the holy scripture of the Sikhs, which was carried by some of the passengers, up to a level-crossing close to the railway station. Here they again halted and refused to proceed to the station, alleging that they did not believe that the train provided for them was going to the Punjab, that they were being deceived and would be sent to Assam and that in any case they wished to go first to Howrah to deposit the Granth Sahib in the Gurdhwara or Sikh temple there. The officers present, who had been joined on the arrival of the ship at Budge Budge by a force of 27 Punjab police constables, attempted to induce the Sikhs to enter the train, but their efforts were fruitless in respect of the great majority of the passengers. Mr. Donald explained the effect of the Ordinance to them and pointed out that they would have to comply with the orders, but in vain. So serious had the position then become that Mr Donald telephoned to Calcutta for military assistance; Sir William Duke, the only Member of the Executive Council of Bengal then in Calcutta, however, directed him to make further efforts to induce the men to entrain without the assistance of

troops. Finally, at about 3 or 4 o'clock, there was an apparent change in the attitude of the passengers and all the officers present thought that they had at last agreed to go to the station. The Sikhs, who had previously been seated round the Granth Sahib, rose to their feet and prepared apparently to move to the train. It is clear, however, that by this time they had decided to adopt different tactics and intended to force their way to Calcutta; for instead of taking the path which leads to the station, they marched in a body across the line on to the Calcutta road. The officers present attempted to stop them and pointed out the folly of the course they were adopting and succeeded in inducing a few persons to return and enter the special train; but the majority persisted in proceeding on their way, accompanied by a body of Punjab police. This party under command of Deputy Superintendent Sukha Singh was directed to follow the Sikhs quietly but not to attempt to interfere with them. Indeed at this period the police force on the spot was utterly inadequate for any attempt to restrain them by force. Seeing that if the orders of the Government were to be carried out it was necessary to invoke military aid, Mr. Donald again telephoned to Calcutta for troops to be sent out to his assistance, and between 4 and 5 P.M., 150 of the Royal Fusiliers, under command of Captain Moore, and accompanied by the Hon'ble Sir William Duke, and the Hon'ble Mr. Cumming, Chief Secretary to the Bengal Government, proceeded from Fort William in motors to Budge Budge. Sir Frederick Halliday, the Commissioner of Police, Calcutta, also telegraphed to headquarters for a European police force to be sent out without delay, and about 30 European police armed with bamboo sticks started for Budge Budge by motor. The officer in command of this police force was Superintendent Eastwood, and the evidence indicates that he took four revolvers with him. It may also be noted that one other European police sergeant had with him an automatic pistol of his own. In the meantime it was ascertained at Budge Budge that 59 of the passengers of the *Komagata Maru* were ready to start in the special train and it was decided to despatch them without delay to their destination.

27. The European police met the main body of the Sikhs on their journey to Calcutta some 4 or 5 miles from Budge Budge and were able to arrest their progress for a short time until the troops arrived in spite of one or two endeavours to break through. On the arrival of Sir William Duke with the troops, the passengers were told that they would have to comply with the orders of Government and return to Budge Budge, and under compulsion they did so escorted by the European police and also by the Punjab police who had accompanied them on their way from Budge Budge. The troops followed at some distance behind. The Sikhs appear to have proceeded peaceably to the level-crossing near the station, already referred to, and the only difficulty was that, on the way, various individual members of the crowd with a view to escaping attempted to stray into shops on the roadside and elsewhere, alleging that they wanted to get water; but these attempts at escape were ineffectual and the stragglers were made to return to Budge Budge with the main body of the passengers.

28. On arrival at the level crossing there was a halt and some discussion took place as to the arrangements to be made in respect of the passengers for the night. It was then 6-30 or 7 P.M. and getting dark, though there was a rising moon. There was some uncertainty as to whether a second special train could be provided to convey the passengers to the Punjab immediately or whether it would be necessary to detain them on the ship under guard for the night, and the passengers were not allowed to go to the station until the matter was decided. During this halt a number of the passengers sat down and a cordon of police was formed round them. It was shortly after this that the serious riot occurred in which so many lives were lost.

29. In order to understand the position at this time it is necessary to refer to the plan annexed to this report and marked Appendix III. This plan is a sketch not prepared to scale, but it illustrates the actual position with sufficient accuracy and is readily intelligible. An examination of it shows the position of the passengers and the police when the riot began. The passengers were in a more or less compact body north-west of the level-crossing on a small

road or path leading to the station, which is about 40 yards away from the level-crossing. The northern end of this crowd was guarded by the European police, the Punjab police being at the southern end. The European officers in attendance were scattered from the level-crossing to the station, some talking to the passengers and others making arrangements for their conveyance to the Punjab. While Sir William Duke was in the station arranging for the second special train Mr Donald came up to the crowd and called for Gurdit Singh and asked him to come forward in order that the exact position of affairs might be explained to him. Gurdit Singh refused to come out of the crowd and asked Mr. Donald to address him where he was. An European police sergeant went in among the Sikhs to bring Gurdit Singh out but was ordered to desist from any attempt to do so. At this moment Superintendent Eastwood who was standing among the European police stepped forward into the crowd. His own statement, before he died, was to the effect that he went to get back a stick which one of the Sikhs had snatched away from a police officer, but it seems to us more probable that he really went in order to call out Gurdit Singh; and, whether this was the case or not, we are clearly of opinion that this is what all the Sikhs believed Directly he went in among the Sikhs they closed round him and assaulted him, and one of them fired a shot which probably was the cause of the injury which resulted in the death of Mr Eastwood. As soon as this shot was fired there was a general attack on the police and a large number of shots were fired at them by the Sikhs Those police who had firearms used them against their assailants, and a *melée* ensued in which the Sikhs used any weapons they had, the police using their sticks to protect themselves and, in the case of the Punjab constables, apparently their swords also. The majority of the troops at this moment were some distance in the rear on the Calcutta road, that is, to the east of the scene of the riot. Two platoons of 40 or 50 men had, however, been brought up to the railway line and took up the position marked "Troops" in the plan, but for a short space of time they were unable to use their rifles as the attacking Sikhs and the police were so mixed up that it would have been dangerous to fire. In a short time the police managed to extricate themselves from the crowd and took refuge, some near the level-crossing and behind the troops, and others in the direction of the station. In the meantime the Sikhs continued firing at them and Captain Moore asked Sir Frederick Halliday, who was standing near the level-crossing, if he was to order his men to fire. Receiving a reply in the affirmative, he at once opened fire and the Sikhs after a short time broke and fled in various directions. A number, however, continued to use their firearms, particularly from the direction of three shops to the west of the level-crossing. The troops returned this fire with considerable effect and also according to the evidence fired at individual Sikhs who were using firearms from other places of shelter. In a few minutes the firing ceased and shortly afterwards the wounded were collected and sent to Calcutta. Superintendent Eastwood, who had been fatally injured in the early part of the riot, was, it should be noted, removed to a place of safety while the firing yet continued. Captain Moore put out a number of pickets round the station and collected all the European women and children living in the vicinity in a house which was guarded by some of the troops. It is alleged that there were some shots fired later on, but save as described in a subsequent paragraph of the report the only satisfactory evidence we have of this is that a picket used its rifles on a Sikh who had opened fire upon it, and that during the night one soldier fired at some unknown person who did not answer when challenged; it is very doubtful whether anyone was injured by this shot, as the private who fired believes that he did not hit the man aimed at. The following morning the dead bodies of those killed in the riot were collected and examined by Colonel Newman, Civil Surgeon of the 24-Pargannas, and arrangements which had been commenced at night for the arrest of fugitive rioters were completed.

30. Our enquiries have shown that, in all, this riot resulted in the loss of 26 lives. These include 20 Sikhs, 2 Europeans, 2 Punjab police officers, and 2 Indian residents of Budge-Budge. The two Europeans killed were Superintendent Eastwood of the Calcutta police and Mr. Lomax, District Loco.

Superintendent of the Eastern Bengal State Railway. The former was the first man attacked by the Sikhs and was fatally injured early in the riot. He was removed without delay to a place of safety and then conveyed to the General Hospital, but died a few days later in consequence of the injuries which he had received. Mr Lomax had gone to Budge-Budge, to assist in making the railway arrangements, and whilst standing on the railway line close to the scene of occurrence was wounded by a shot from a ·38 revolver which must have been fired by one of the Sikhs. He was also conveyed without delay to hospital, but died before he arrived there.

The two Indian police officers killed were Mal Singh, Head Constable, Ludhiana Police, and Sawan Singh, a constable of the same force, both of whom had come to Calcutta to assist in the arrangements for conveying the passengers by the *Komagata Maru* to the Punjab. The manner in which these officers met their death is discussed in a later portion of this report. For the present, it is sufficient to say that Mal Singh died at Budge-Budge and Sawan Singh died while he was being conveyed to Calcutta.

The two spectators who were killed were Rukmini Kanta Majumdar, a relative of the compounder of the local hospital, and Dinabandhu Pande, the Uriya servant of a shopkeeper who trades close to the level-crossing. The first of these men was, we believe, killed by the troops, as the bullet wound from which he died is described as having probably been caused by a ·303 rifle. There is no evidence to explain his presence at the scene of this occurrence except that it is said that he was coming up from the river at the time of the riot, and we have no doubt that he must have been accidently shot at that time. In view of the circumstances and of the fact that the riot took place at night, we are satisfied that no blame attaches to the troops for the death of this unfortunate man.

Dinabandhu Pande, or Patak, the remaining outsider killed, was found dead on the morning following the riot in the shop of his master, just west of the level-crossing. Adhar Dwari, in whose service this man was, alleges that the deceased died from the effects of a gunshot wound; but the medical evidence indicates that his death was, in fact, the result of wounds in the abdomen received from some pointed weapon. It appears that the deceased also had a serious injury on his arm caused by some cutting weapon. There is no evidence as to how he came by these wounds, but there is some evidence that the shop and its vicinity were the scene of a *melée* between the Sikhs on the one hand and the Punjab police officers on the other. Some of the former had knives and axes with them and the latter had swords, some of which were snatched away from them by the Sikhs in the course of the riot. It is probable, therefore, that the deceased was mistaken for an enemy in the dark and killed either by one of the Sikhs or by a constable; but of this there is no definite evidence.

31. Of these twenty Sikhs, eighteen died from the effects of gunshot wounds; one was accidentally drowned apparently in an attempt to escape by swimming across the Hughli, and one who was injured died of cholera while in hospital. Of the Sikhs who died from the effects of gunshot wounds, all but one were killed by bullets from ·303 rifles, service revolvers, or ·32 pistols, according to the medical evidence, but one man, Narain Singh, was killed by a bullet from a ·38 revolver. It is in evidence that the only weapons used by the police and troops were service revolvers of ·450 bore, 303 rifles and two automatic pistols of ·32 bore. There is ample evidence, on the other hand, to show that many of the Sikhs were armed with American revolvers of ·38 calibre. It is therefore in our opinion clear that this man Narain Singh was killed by one of his own companions, probably by accident.

32. The information before us as to the number of persons injured in the course of the riot is not very definite so far as the passengers by the *Komagata Maru* are concerned. This appears to be due partly to the frequent recurrence in different reports of unfamiliar names and partly also to the fact that certain of the rioters with marks of wounds on them were not arrested until several days had elapsed after the riot. Collating, as far as possible, the material available, it appears that of the passengers, 23 including

one Muhammadan, were more or less seriously wounded in the riot. In addition to this, 6 European and 5 Punjab police officers were injured, together with an Indian who was in the vicinity of the riot but did not take any part in it. The total number of persons injured was thus 35. The European officers were Mr. R Humphreys, I.C.S., of the Punjab Commission, whose forehead was grazed by a bullet and who was also wounded by a blow from a stick; Mr. D. Petrie of the Punjab Police who received bullet wounds in the arm and thigh; Sir Frederick Halliday, Commissioner of Police, Calcutta, who was similarly injured in the left foot; and Sergeants Quinlan, Boyd and Edwards of the Calcutta Police who sustained more or less serious injuries. Of the five Indian Punjab Police officers, Sub-Inspector Nanak Chand had his left arm broken by a blow from a stick, while Constable Hari Singh received five wounds inflicted by a cutting instrument, of which one severed the bone of his left forearm, and another on the head, which is 6 inches long, cut into and exposed the brain. The latter wound was of a most dangerous character, but the patient has made a most unexpected recovery. The evidence proves that all the persons above referred to were wounded by some of the Punjab passengers of the *Komagata Maru*. Constable Allah Baksh received two bullet wounds from one of which, after the lapse of more than a month, a man-stopping bullet from a revolver of ·455 or possibly ·450 bore was extracted Ammunition of this kind is not ordinarily issued either to the military or to the police, so that it may be inferred that the revolver with which the wound was inflicted was used by one of the rioters. The bullet extracted from the second wound of Allah Baksh was one from a ·38 revolver and it is obvious that the wound was caused by one of the Sikhs. Of the *Komagata Maru* passengers, Pir Baksh, a Muhammadan, was shot through the chest. From the size of the bullet extracted from the patient which was one from a ·33 bore revolver it is clear that it must have been fired by one of the rioters and this is in agreement with the evidence of Pir Baksh himself Mangal Singh, one of the Sikhs, was severely wounded, sustaining an extensive fracture of the head of the left humerus. Another serious case was that Rulla Singh whose lower jaw was completely shot away probably by a ·303 military bullet. Another man Badal Singh received no less than 6 bullet wounds, all apparently caused by a small bore weapon. The spectator, Naba Kumar Hazra, who was injured, received a dangerous wound through the chest from a bullet, fired apparently from a ·38 revolver; the shot which caused this wound must therefore have been fired by one of the Sikhs. According to his own account he was standing some 120 yards from the scene of the riot at a place which was not in the line of fire from the troops.

33. It will be convenient here to deal with the question of the two Punjab police officers who were killed in the course of this riot, namely, Head Constable Mal Singh, and Constable Sawan Singh. Two of the Indian railway officials at Budge Budge state that these 2 police officers were shot without any justification by a body of Fusiliers on the railway platform close to the booking office. The witnesses state that the 2 deceased were standing in the station guarding 3 Sikhs who had been arrested, when 10 or 15 Fusiliers advanced to the edge of the platform and that 4 or 5 shots were then fired at the constables or at the Sikh prisoners whom they were guarding by some of these Fusiliers with the result that Head Constable Mal Singh was wounded so severely that he died almost immediately and that Sawan Singh received injuries which subsequently proved fatal. On the other hand, the Punjab police constables who were at Budge Budge give an entirely different account of the manner in which these 2 men met their deaths. In these circumstances we had to make somewhat detailed inquiries into the matter, and as a result of them, we are satisfied that the whole of the story as told by these two Indian railway officials is false. In the first place we find that Mal Singh and Sawan Singh were not shot at the same time or place, and that neither of them was shot in the railway station. As to Sawan Singh it appears from the evidence given before us, that he died from the effects of a gunshot wound received on the road in which the Sikhs assembled after their return to Budge Budge somewhere near the level crossing He was removed after the riot to the station and was subsequently sent in for treatment

in Calcutta. He died before he reached hospital, and his body was examined by the Police Surgeon. It was then ascertained that death was the result of a gunshot wound, but at the time there was no one present to identify the body of this man. This was also the case in respect of two other Sikhs who were sent in at the same time, although all these three deceased were subsequently identified by means of photographs taken after their decease. It is proved that all these three unknown deceased persons died from the effects of gunshot wounds. Major Moses, the Police Surgeon, who held the post mortem, inclines to the view that the wounds of all these unknown deceased were probably caused by a firearm of 32 bore but the bullets were not recovered and he is not certain of the correctness of this opinion. It has also been proved by the constables who picked up Sawan Singh that it was never suggested at the time that he had been shot by the Fusiliers, and, indeed, one man states that Sawan Singh himself said he had been killed by the Sikhs If he was shot by the Fusiliers or the Police there is no evidence how it was done and it must have been an accident, but in the circumstances we think it probable that he was killed as stated by him by one of the Sikh rioters. The evidence indicates that the Sikhs had in addition to revolvers of ·38 bore at least one pistol of ·32 bore, and that two pistols of the latter bore were used by two police officers, Mr. Petrie and Sergeant Borgen.

34. The case of Mal Singh is more important. North of the station building there is a fence which divides the platform from a plot of ground at the back of the station. It appears from the deposition of an European police officer, who states that he was an eye-witness of this occurrence, that about half an hour after the riot had been quelled, 10 or 12 of the Fusiliers came up to this fencing and that some of them saw through the fence a man moving in this plot of ground behind the station with a sword in his hand. Two soldiers, as it is stated, fired at this man and injured him very severely. The person wounded proved to be Mal Singh, a Head Constable of police, and it is probable that he was really searching for fugitive Sikhs when he was shot, having his sword in his hand to protect himself and also using it to search for persons concealed in jungle growth. The wounded man was according to the evidence of this police officer shortly afterwards brought into the station and placed on a table in the booking-office; and in consequence of the want of vigilance of two Punjabi constables who were supposed to be watching him, he rolled on to the floor and shortly afterwards died from the effects of the injuries received. It was freely stated at the time that he had been killed by some of the troops and this story appears to be correct. The medical evidence as to the weapon which caused this Head Constable's death is not very clear and no bullet was found on his body. At one time Colonel Newman stated that he thought the wound was probably caused by a bullet from a ·303 rifle but he modified this opinion later and stated that it might have been caused by a small bore pistol. We think that the opinion first expressed was probably correct. We are further of opinion that the testimony of the police officer referred to is worthy of credit and if this is accepted we think the conduct of the soldiers who shot this head constable cannot be justified. If they had taken reasonable precautions to ascertain who the man was, the accident would not have happened.

35. With the exception referred to in the previous paragraph, and subject to the result of enquiries in regard to an incident to which reference will be made later, we think on the evidence before us that the conduct of the troops was satisfactory. They did not fire until it was absolutely necessary to do so, and there was, as far as we have been able to ascertain, no wild or unnecessary firing in the suppression of this riot. The death of Mazumdar, to which reference has already been made, was an accident which was we think unavoidable in the circumstances, in the confusion of a serious riot of this nature at night. The evidence as to the number of cartridges used shows that 177 cartridges were fired by the troops.

36. It has been suggested that the number of Sikhs actually killed in this riot was larger than has been reported, that many innocent men and women were also shot by the troops, and that a number of Sikhs were killed after the

riot was over and thrown into the river. These allegations have no foundation in fact. No single witness has stated before us that he either saw or heard of any outsider being killed or injured other than those who have already been referred to; and as to the story of men being shot and thrown into the river, or that more Sikhs were killed than was stated in the Government report, there is equal lack of evidence. Indeed the only person who makes any statement on this point is Amir Mahomed Khan, a leader of the disaffected party on board the ship and a man of such character that his statements are unworthy of credit.

The suggestion that any of the rioters were killed by bayonet wounds is also, in our opinion, untrue. In fact the only person who is known to have been wounded with a bayonet was injured very slightly, and though we are sceptical as to some of the details of the story told to us of the manner in which he received his injuries, we do not think that any blame attaches to the Fusiliers in connection with the incident, and in any case the injury inflicted was very trifling.

37. Having now concluded the general account of the main facts connected with the voyage of the *Komagata Maru* and the riot at Budge Budge, it is necessary to deal with a number of important questions which require separate and careful examination. In the first place, it is desirable that we should place on record our views as to the necessity of taking action under the Ingress into India Ordinance in respect of these passengers. We consider that, in the circumstances, the Government of Bengal was justified in having recourse to the provisions of this law. We believe that in deciding to provide a special train for these passengers, this Government was to a great extent actuated by charitable motives, as the information before it was to the effect that these returned emigrants were in a destitute condition, and it was therefore very desirable, in the interests of the passengers themselves, that they should be assisted in their journey to the Punjab. But independently of this, the character of many of these passengers and their violent conduct at Vancouver, Kobe and Singapore, and subsequently at Budge Budge, indicates that many of them were men of a dangerous character: most of them were by this time under the influence of Gurdit Singh and his followers, many were actually disaffected towards Government and ready for any mischief. If they had been allowed at large in Calcutta they would have endangered the public peace, and we think that the Government of Bengal acted wisely in deciding to send them direct to the Punjab and to give them no opportunity of disturbing the public tranquillity during the present state of war.

38. As to the methods adopted for enforcing these measures, there is perhaps more room for criticism, but it is always easy to be wise after the event; and it appears to us that the Government decided to adopt the measures actually taken partly owing to a lack of information and more particularly from a misapprehension as to the real position of affairs on the ship. From information received at the time the vessel arrived at Vancouver the Government had been led to believe that there were two factions on board the ship, that the party opposed to Gurdit Singh was considerably stronger than that of his adherents. It was also believed that the sufferings on the voyage, the disputes as to food and the discovery of the worthless nature of the promises made by Gurdit Singh had engendered very bitter feelings against him. The facts, however, were that whatever the feelings of the passengers towards Gurdit Singh were when they first arrived at Vancouver, he had subsequently regained the whole of his influence over them. The real leader of the faction opposed to him, Dr. Raghunath Singh, landed at Vancouver and another leader, Bhan Singh, also tried to disembark. Both these men were therefore regarded by their fellow-passengers as deserters and traitors. Gurdit Singh and his adherents on the other hand remained on boardship, supported the passengers in all their endeavours to secure admission into Canada, and if they were not successful in these attempts at least obtained from the Government of Canada a quantity of provisions, for the return journey. Their statements, that these articles had been extorted by force out of the Canadian Government were accepted, and their power on the *Komagata Maru* proportionately increased. This influence was further strengthened by

Gurdit Singh's successful endeavours to obtain a large sum of money out of the British Consul at Kobe. There is also evidence to prove that Gurdit Singh told the passengers that, on his return to India, he would similarly secure compensation for them from the Government of India on account of their pecuniary losses. Finally the evidence indicates that the attempts on the part of the revolutionary party in Canada and of the disloyal party on the vessel to excite disaffection against the Government had been remarkably successful on the return journey among many of the passengers, all of whom were smarting under a sense of injustice and injury. Gurdit Singh, throughout the return voyage posed as a revolutionary leader on board the steamer, and this also tended to bring many of the passengers on to his side. When the *Komagata Maru* arrived at Calcutta, therefore, the Government officers, who had expected to find a large number of destitute passengers on board, the majority of whom were violently hostile to Gurdit Singh, found instead that he had at this time most of the passengers completely under his control; that many of them had been excited to a state of serious disaffection towards the Government, and as it turned out that a considerable number of them were armed and prepared to go to almost any length in their opposition to the authorities. The question of the number of firearms on this vessel is discussed later, but for the present it is sufficient to state that there were in fact a number of firearms on board of which the authorities had no information. It seems to us probable that if the real facts had been before the Government, the measures taken would have been of a different character, but in the circumstances and having regard to the information of the Local Government as to the position of affairs on the ship, we do not think we should be justified in coming to the conclusion that the measures taken were, save in one respect, unsuitable. It was very desirable for obvious reasons to avoid the use of force as far as possible, and the Government had every reason to hope and believe that, with a small body of police to assist, there would be no difficulty in inducing the emigrants to accept the arrangements made for them.

39. There is one point, however, regarding which we are not satisfied that the measures adopted by the Government were either appropriate or adequate and that is the measures taken for searching the passengers. We think that, if it was considered necessary to search these passengers at all, it would have been better to have had effective searches made. As it was, the luggage of these men was searched on more than one occasion and the persons of some were examined, and there can be no doubt that the passengers were irritated at these prolonged examinations. Both the evidence and the actual results indicate, moreover, that these searches were entirely ineffective. Some of the witnesses inform us that the seraches were undertaken mainly in the hope of preventing seditious literature from being introduced into India; but it is, we think, clear from the evidence that the officers who carried out the searches were also on the look out for firearms. If it was necessary to search for arms, we think that each individual passenger and his luggage should have been examined as he left the ship, and that if it was apprehended that the passengers would openly defy the authorities in such a search it would have been wise to have had an armed force in attendance to overawe any resistance. We admit, however, that there is considerable force in the arguments against such a procedure, and as before said, we feel and recognise how easy it is to criticise the action taken after the whole affair is over.

40. In regard to the arrangements made for meeting the ship we have mentioned that Mr. Donald, the local District Magistrate, Sir Frederick Halliday, the Commissioner of the Calcutta Police, Mr. Humphreys, a Deputy Commissioner of the Punjab, Mr. Slocock of the Criminal Intelligence Department, and Mr. Petrie of the Punjab Police were all present at Budge Budge when the ship arrived. The presence of all these officers might suggest that there was some confusion as to who was ultimately responsible for the orders given, but Mr. Donald's evidence proves that he was in charge of the arrangements and that the others attended only to advise him, and we do not think that there was in fact any division of authority.

41. As to Sir Frederick Halliday giving the order to fire, it appears that the troops were not within his jurisdiction as Commissioner of Police when he gave this order ; the boundaries of the Calcutta police jurisdiction and those of the District and Railway police are, however, very complicated and confused in that vicinity. We think that in any case the order to fire would have come more properly from Mr. Donald, but the officer commanding the troops was, in our opinion, justified in opening fire when he did, as the circumstances were such that this course was necessary to save the lives of those present. Captain Moore was also not aware of the fact that Mr. Donald was the senior Magistrate present, and there was no time for him to make enquiries as to who was " the Magistrate of the highest rank." He appealed to Sir Frederick Halliday as the chief civil authority known to him on the spot. And it should be noted that Sir Frederick Halliday is a Magistrate vested with first class powers, exerciseable as he states throughout the district of the 24-Parganas.

42. The question of arms has already been referred to more than once in this report, but in view of the importance of this question some more detailed discussion of the point seems desirable. It is in evidence that, on the voyage out to Vancouver, there were at first only three or four pistols on board, and it is clear that, when the riot took place at Budge Budge, the passengers had in their possession a considerable number of firearms in excess of this number. Some of the officers present estimate that the number of revolvers used by the rioters was 30 or 40. The evidence of other witnesses indicate that a much smaller number was used, one officer indeed mentions six as the number of firearms used by the Sikhs. We think that the actual number was probably between these two extremes and that these Sikhs had at least 20 revolvers. Six of these were recovered after the riot, some being picked up at the scene of the occurrence and others being taken from the persons of the rioters after arrest. It is noteworthy that these weapons are all American revolvers of the same pattern S. & W. ·38 Calibre, the serial numbers of five of them being 112357, 112377, 112388, 112390, 112429. The numbers indicate that, probably, these five revolvers were purchased at one and at the same time. It is stated, and we believe the statement to be true, that they were distributed among the passengers by Gurdit Singh on the morning on which this riot occurred. From the evidence and circumstances, we infer that Gurdit Singh or one of his adherents procured these arms for use in case of need and that the general body of the passengers had nothing to do with them until the day on which the ship arrived at Budge Budge. It is difficult to state definitely when and where these arms were procured, or the object for which they were purchased. There is evidence to prove that at Vancouver efforts were made by Gurdit Singh to obtain arms from the disaffected Indians on shore through the Captain and Steward of the *Komagatu Maru*, but there is nothing to show that these efforts were successful. The Captain of the ship speaks of 200 pistols being smuggled on board at Yokohama, but his evidence is very vague, and we think that the figure is probably exaggerated. There is again a suggestion that part of the money advanced by the Consul at Kobe was used for the purchase of firearms there : we cannot say that this is satisfactorily proved, but we think it is probable that a number of these firearms were obtained in Japan. In any case it is certain that when the vessel left Singapore on the return journey there were a large number of revolvers on board. There is evidence that some of these were thrown overboard between Singapore and Calcutta, and this story was accepted both by the Captain of the ship and by the officers who met the ship at Kalpi, but the depositions on this point are to some extent conflicting and also vague and unconvincing. Indeed this story that firearms were thrown overboard is chiefly important in that it was believed by the officers who met the vessel, and was one of the causes which led them to hope even after the ship arrived that they would not meet with serious resistance from the passengers. There is no direct evidence as to the purpose for which these arms were purchased. It has been suggested that they were procured in order to overawe the passengers who were hostile to Gurdit Singh, and also to enable his adherents to meet the crew on equal terms in case of necessity, but we incline to the view that the arms were really obtained

with the intention of using them against the authorities if occasion should arise, and that, in purchasing them, Gurdit Singh was influenced by the consideration prevalent amongst all those who take part in revolutionary movements that they should be possessed of firearms. As to the distribution of the arms on the 29th of September by Gurdit Singh, we think it is clear that, by this time, Gurdit Singh was eminently suspicious of the intentions of Government regarding him, and that he distributed the pistols amongst his adherents with the deliberate intention of using them, if necessary, to resist the Government officers in any action they might take against him. In any case it is certain that these weapons were loaded and ready for use at the moment the riot began, and that the use of them was foreseen and was part of a definite plan.

43. A discussion of the question of firearms naturally leads to two other important points in this enquiry, namely, the question of who began the firing at Budge Budge and whether any of the Punjabis who used firearms were identified. As to the first point there is abundant evidence to show that it was the Sikhs who opened fire, that the police used their revolvers to defend themselves against their assailants, and that the troops only opened fire at a subsequent period when it was absolutely necessary to do so and after the Sikhs had fired about 20 or 30 shots. An attempt has been made by many of the Sikh prisoners and some persons residents at Budge Budge as also by one Indian railway official to make out that the Sikhs on their return to Budge Budge were ordered to halt near the level crossing and that the troops then opened fire on them for no reason whatever. This story is in itself inherently improbable and there is ample evidence of the most trustworthy character to prove that it is false ; this fact is so clear indeed that it would, in our opinion, be a waste of time to discuss it at any length. The Sikhs who made the statement have obvious reasons for inventing such a story and couple with it an allegation that they had no firearms with them, a statement which is certainly untrue. The only railway officer who makes this allegation does not give the same evidence before us on this point that he gave on previous occasion, and has also given us an incorrect version of two other incidents in this occurrence to which reference will be made later. The villagers who deposed to the fact that the troops began the firing did not, we believe, really see how the riot began, as the actual affray began after dark and at some little distance from their shops. We think also that directly there was any apprehension of a disturbance most of those residing in the vicinity fled from the scene of the occurrence in fear of injury. We apprehend that they may have been influenced in their evidence by the fact that a large number of Sikhs have been killed, by the stories which have been circulated of the ill-treatment of one Mangal Singh who was arrested on the 30th September, and by a feeling of sympathy with the passengers on account of the refusal of the Canadian authorities to admit them into Canada.

44. Although, however, we find that it is proved that the firing was begun by the Sikhs who were as the evidence indicates the only persons who had firearms ready for use at that moment, there is, in our opinion, no satisfactory evidence to indicate which of the Sikhs actually used revolvers. The man who fired at Superintendent Eastwood has not been identified, but from the statements of some of the witnesses it seems probable that he was killed in the riot, and in the confusion which followed it was impossible to identify any of the other passengers who used firearms. There is satisfactory evidence, however, to prove that weapons were found on the person of one man who was arrested after the riot, and that in the case of another absconder arrested some days after the occurrence a revolver was found lying under a tree where he had been seen just before he was arrested. But beyond this there is no satisfactory evidence to connect any individual Sikh with the possession of arms. The one man who was found armed on arrest, Surain Singh, has been prosecuted for possession of a revolver without a license under the Arms Act. Allegations have been made that another Sikh was arrested on the morning of the 30th with a revolver which he was about to fire at the Fusilier who arrested him, but for a variety of reasons we are rather sceptical as to this evidence.

45. We have already stated that, in our opinion, the immediate cause of this attack by the Sikhs upon the police was the action taken by Superintendent Eastwood to bring Gurdit Singh out of the crowd for an interview with Mr. Donald. But in the circumstances it is necessary to discuss this important question in greater detail. There is no evidence to indicate that Superintendent Eastwood deliberately provoked the attack on him, that he behaved improperly or used any violence to any of the Sikhs, and in these circumstances there was, in our opinion, no justification whatever for the violent attack of the Sikhs or for the use of firearms. Indeed, we think that, in ordinary circumstances, the action of Superintendent Eastwood would have had no harmful result and that it was the peculiar conditions and circumstances of the case which caused this action to be so keenly resented on this occasion. It must be remembered that the Sikhs are, generally speaking, both courageous and excitable, and the passengers on board the *Komagata Maru* were by this time in a state of acute discontent and irritation. Many of them were, we believe, full of the seditious doctrines which they had been taught on the journey, and had been led by Gurdit Singh to believe that their ends could only be gained by force. The conduct of the colonial authorities in refusing to allow them to land at Hong Kong or Singapore had rendered them more bitter than ever, and by the time they arrived in British India, they had come to believe that Gurdit Singh was the only man who would be able to secure some compensation for their losses and sufferings. They were therefore prepared to take any risk in protecting him from arrest. At the time of this outbreak, moreover, their tempers were not improved by a march of 8 or 10 miles in the heat of a September day, or by the treatment they had received from some of the European police sergeants on the way back to Budge Budge. As to this last point, it is in evidence that on the way back to Budge Budge, many of the passengers attempted to stray from time to time into shops and bye-ways, probably with a view to escape, but ostensibly to get water to drink, and they were forcibly brought back to the road and made to rejoin the main body of the passengers. Some of the passengers state indeed that during this part of their journey, the police officers repeatedly kicked them. We do not find any satisfactory evidence of this, but there is credible testimony that some of the police were rough to persistent stragglers and used more force than was necessary in preventing attempts to stray. We do not think that the violence used can have been very great or it would have led to immediate reprisals and also would have attracted the attention of some of the superior officers in attendance. All these circumstances, in our opinion, stimulated and accentuated the irritation which prevailed among the passengers. Under these conditions very little was needed to cause a breach of the peace. The advance of Superintendent Eastwood towards Gurdit Singh with the possible intention of arresting him was quite sufficient to cause the passengers to break out into open violence, and when a single shot was fired by some mischievous adherent of Gurdit Singh, those of the passengers who were in possession of firearms were ready enough to follow the example. It is probable also that the Sikhs were at the time when the riot began in ignorance of the presence of the troops at Budge Budge. The occurrence took place at night, the troops were some distance in the rear, and even if it is accepted that the troops had been seen when the passengers were turned back on the Calcutta road, it is quite possible that they were not aware that the troops had followed them as far as Budge Budge. It is difficult to believe indeed that men of ordinary prudence would have attempted to use firearms on the police if they had been aware that a large body of troops was in the immediate vicinity ready to assist the authorities if called on.

46. Another matter of some interest which we have investigated with considerable care is the reason which led the passengers by the S.S. *Komagata Maru* to refuse to proceed to the Punjab from Budge Budge. We are of opinion that in this matter, as in other matters of importance throughout the voyage, the majority of the passengers acted under the influence of Gurdit Singh and his immediate adherents. At the time Gurdit Singh was very anxious to get to Calcutta to pose as a martyr and inaugurate an agitation against the British Government in respect of this voyage of the *Komagata Maru*.

He had failed in his desire to secure admission for the emigrants into Vancouver and all he could hope for was that he might be able to inflame the minds of the public against the British authorities and in particular the Canadian Government; this object was likely to be frustrated if he and his fellow passengers were not allowed to go to Calcutta. Many of the emigrants did not, however, share this view; they were anxious to take advantage of the assistance offered to them by the Government, and for this reason about 60 of them did proceed in the special train provided for them at Budge Budge. It is stated that some of these men, notably the 17 Mahomedans from Shahpur, were the more ready to go as they owed Gurdit Singh money but they deny owing him anything. In any case it is not alleged that the rest of those who went off by the train were debtors of Gurdit Singh, and we do not doubt that a large number of the passengers would have consented to enter this train but for the mispresentations of Gurdit Singh. To some of the passengers he alleged that the train was not being sent to the Punjab at all, that all trains for the Punjab started from Howrah, and that no train could go there from Budge Budge which is not on the Howrah side of the Hughli. This incorrect statement was the more readily believed, because in the ordinary course of events trains do not proceed direct from Budge Budge to the Punjab and the passengers had not apparently been warned that they would be landed there. To other passengers, to whom he owed money on account of the advances made to him at Moji, Gurdit Singh stated that he was unable to pay his dues at the time but would do so if he was given an opportunity of going to the Sikh temple at Howrah; and many of the Sikhs who were owed money by Gurdit Singh were unwilling to leave him until he had satisfied their demands. He had also promised to distribute among the passengers when they arrived in British India, the balance of the 9,000 yen given to him at Kobe. This too he refused to do until he had reached the Gurdwara at Howrah. Finally, it is in evidence that he promised many of these unfortunate people that if they accompanied him to Calcutta he would bring a suit against the Government to secure repayment of the money spent by them on the voyage to Canada, and many appear to have followed him on his march to Calcutta in the hope that he would be able to secure for them compensation from the Government for the losses which they had suffered. We are of opinion that the majority of the emigrants who refused to comply with the orders of Government to entrain at Budge Budge did so owing to their belief in these and other similar allegations made by Gurdit Singh. We believe also that if many of these men had been left to themselves they would have made no attempt to force their way to Calcutta and have proceeded quietly to the Punjab.

47. In the course of this report we have frequently referred to Gurdit Singh and his close adherents, and it may be useful therefore if we state our views as to who these adherents were, as they really constituted the leaders of the *Komagata Maru* venture, and are responsible in great measure for the misfortunes of the passengers The list we give below does not purport to be complete, as there is a great lack of information regarding many of the emigrants; but of those whose names have been brought prominently to our notice, we think that the following were intimately connected with Gurdit Singh in this venture:—

1. Daljit Singh, Secretary to Gurdit Singh.
2. Amir Mahommed Khan, Joint Secretary.
3. Bir Singh, Joint Secretary.
4. Amar Singh Nihang, of Lahore District.
5. Sucha Singh, son of Ala Singh, of Lahore District.
6. Kehar Singh, son of Jhanda Singh, of Khemoana, Faridkot State.
7. Harnam Singh, son of Rur Singh, of Khabra, Lahore District.
8. Surain Singh, son of Jowala Singh, of Sirhali, Amritsar District.
9. Tehal Singh, son of Gonda Singh, of Rambala, Sirhali, Amritsar District.
10. Indar Singh *alias* Trilochan Singh, son of Partab Singh, of Chirik Kalsia Singh.

11 Sundar Singh, son of Wariyam Singh, of Ajitwal, Ferozepore.

12. Tara Singh, son of Kahn Singh, of Aluni Meani, Ludhiana.

13. Nabkaul Singh, son of Albel Singh, of Maharajbheri, Nabha State.

Of these Gurdit Singh and Daljit Singh have not been accounted for. Bir Singh left the ship in Japan on the return voyage; Tehal Singh and Khar Singh are, it is believed, dead; the rest are prisoners in the Kalighat Jail. Most of these men appear to be violent and dangerous characters and ready to go to great length in support of Gurdit Singh. On the other hand, we think that the majority of the rest of the passengers are in themselves harmless. We do not seek to justify their conduct at Budge Budge, as it is clear that a large number of them must have joined in this lawless and violent attack upon the police and we do not desire to minimize their guilt in this respect. At the same time we think that they are in many ways much to be pitied. They had waited many months at various ports in the East with the intention of proceeding to Canada, a land represented to them as flowing with milk and honey, and when they did start on this voyage, they were fully impressed with the idea that they would be allowed to land on arrival without objection. They suffered considerable hardships on the voyage out, and those who had any money with them were made to subscribe considerable sums over and above their fares for this venture. On arrival at Vancouver they were refused admission and waited there for a period of two months, making fruitless efforts to secure permission to land. During this period they suffered great hardships, and were for a time in actual want of food. Finally they were directed to return, having spent about a lakh and a half of rupees on the voyage. Throughout the voyage they were subjected to seditious influences, particularly at Vancouver and on the return journey, and in the circumstances were peculiarly susceptible to the advice of disaffected and seditious leaders. Their discontent was accentuated by the fact that they were refused admission to Hong Kong where many of them had lived before, and because they were not allowed to land at Singapore. Finally, when they arrived in the Hughli, their resentment was aggravated by prolonged searches of their luggage, and by the fact that they were denied access to Calcutta where they hoped to obtain some compensation for the losses which they had suffered. The ship was taken to Budge Budge, a place with which they were not familiar, and they were suddenly directed to proceed from there direct to the Punjab. Apart from any considerations of the propriety of the various measures to which we have referred, it is clear that they were likely to cause, and in fact did cause, active feelings of discontent and irritation among the passengers. Having regard to these facts, we think that, if the conduct of these men calls for very severe censure in many respects, they are also entitled to commiseration.

48. The case of Jawahir Mull and his brother Narain Das requires separate consideration. Jawahir Mull is a young man of 23 years of age and a graduate in Arts; Narain Das is a youth of 17 and well educated for his age. The evidence regarding them is very divergent. The Consul-General at Kobe described Jawahir Mull as a dangerous character, and the same opinion is expressed in more decided language regarding both brothers by all the Japanese officers. The passengers on the other hand speak of them as being perfectly inoffensive travellers. They certainly did not take any part in the movement to emigrate to Canada, as they did not join the ship until the return was nearly completed. We are not in complete agreement as to the character of these two passengers, and we find it very difficult to decide this question on the evidence before us. We consider, however, that it would be impossible to frame any definite opinion in respect of them until further inquiries have been made both in Kobe and in their native province.

49. We may now consider the incident referred to in paragraph 35, which is the subject of a police enquiry. It is in evidence that when the *Komagata Maru* came to Budge Budge there were in Gurdit Singh's safe on board the vessel considerable sums of money, including about £300 in gold, some Rs. 2,000 in Indian currency and a large roll of Japanese notes. The exact amount was unfortunately not ascertained, but the evidence of Mr. Petrie who saw the money in the safe is to the effect stated

above. There is reason to believe that before disembarking Gurdit Singh distributed part of this money to some associates, including one man called Tehal Singh, and that Tehal Singh handed over a part or the whole of the sum so received to a Sikh named Nand Singh, who was subsequently arrested in Bhowanipore in the suburbs of Calcutta. A large sum of money was found on the person of this prisoner when arrested, including Rs. 1,025 in cash and a number of notes, among which were 8 notes of a hundred yen each. The money given to Gurdit Singh by the Consul-General at Kobe was, it is believed, paid by the Hong Kong and Shanghai Bank in yen notes. On the 1st, 5th and 10th of October a Bombardier of the Royal Garrison Artillery, at present attached to the wireless station in Fort William, where the Fusiliers are also stationed, cashed 29 hundred-yen notes of the approximate value of £290 at the Calcutta branch of the Hong Kong and Shanghai Bank, receiving in exchange rupee-notes of various denominations, including a certain number of 100-rupee notes, the numbers of which are known. Five of these 100-rupee notes have been traced to a *poddar* or money changer in the Fort, who deposes that he received them from four soldiers in the Royal Fusiliers. The soldiers who changed these notes signed their names in the note register of the *poddar*, but of the signatures, all except one, are denied by the persons whose names purport to be signed, and on a comparison of the actual signatures of these men with the signatures in the book we think that the signatures are probably forgeries. The signature in the register relating to the remaining note is admitted. This note was, as alleged, received by a private in the Fusiliers from an European dressed in mufti at the regimental coffee shop in exchange for small notes. It is impossible at present to arrive at any definite decision as to the proper inferences to be drawn from this evidence, and the matter is still under police investigation. We are informed that this police investigation will not be concluded for some time as efforts are being made to trace other notes issued by the bank in exchange for the 100-yen notes and to ascertain who actually changed the notes already traced with the *poddar*. It has been suggested that some of the soldiers on duty at Budge Budge looted the hundred-yen notes referred to from some of the Sikhs. There is, however, no evidence of this, and it is possible that the possession of the notes by the Bombardier may be accounted for in some satisfactory manner or that the notes were never the property of the Sikhs. We think, however, that the matter calls for most searching enquiry by the police, and that the facts referred to above should be brought to the notice of Government. The only other mention of any attempt to loot is a statement by one witness that a European not in uniform was seen on the night of the occurrence putting his hand into a haversack lying on a bench near the level-crossing ; but this man has not been identified, and the story does not seem to us to be entirely above suspicion.

50. In regard to the conduct of the police who were present at Budge Budge on the occasion of the riot, we find that there is nothing which leads us to suspect that they used any unnecessary violence in the performance of their duty save at one particular period which has already been referred to, namely, when they were escorting the passengers back by the Calcutta road to Budge Budge. We think that at that time some of the European Police Sergeants were somewhat rough and, in the circumstances, this perhaps is not surprising. When, however, the riot began they were inferior in numbers to the Sikhs, and, with the exception of five men, had no firearms. They were very severely assaulted by a body of men superior to them in number, many of whom were armed with revolvers, without any chance of being able to defend themselves effectively.

51. As to the other officers, both European and Indian, it is proved by the evidence of nearly all the witnesses, including a great majority of the passengers on board the ship, that they treated the passengers with the greatest courtesy and consideration ; on the other hand, there is convincing testimony to prove that many of these returning Punjabi emigrants, after the arrival of the ship at Budge Budge, behaved in a very insolent and discourteous manner. In the circumstances we consider that the conduct of these officers was most praiseworthy and that they showed great tact and forbearance in dealing with a troublesome body of men.

52. Regarding the subsequent arrest of the fugitives, there is little, so far as the arrests at Budge Budge are concerned, of importance to report. When the rioters had dispersed, it was apprehended that a large number of them might try to escape or force their way to Calcutta, and to prevent this, adequate measures were taken to guard the main routes to the city. These precautions were continued for some days, during which period the police were assisted by detachments of troops and also by two squadrons of the Calcutta Light Horse, to whose services the Inspector General of Police specially refers in his report on the steps taken to arrest the fugitives.

The rioters arrested after the occurrence were not ill-treated and every care was taken to ensure prompt medical attendance in the case of any of them that were injured. It has, however, been alleged before us by the same two Indian railway officers, to whose evidence a reference has already been made, that one of the Sikhs, Mangal Singh by name, was seriously ill-treated on arrest at Budge Budge, and that he was suspended to a lamp post by a chain which was tied round his neck and drawn so tight that he was almost lifted off his feet. On enquiry we have ascertained that though this man was treated with considerable severity, this story is an exaggerated statement of the facts. The prisoner referred to, Mangal Singh, who is extremely eccentric, as we found on examination of him, made no complaint of any ill-treatment himself. From the evidence on record it is established that he was discovered hiding in a boat near Budge Budge on the morning of the 30th and that he attacked two European officers who attempted to arrest him with great violence. After arrest he was sent to the station in charge of two soldiers. On the way he escaped from their custody and ran into the river, and when arrested again he refused to move at all and again resisted those who had been deputed to remove him to the station. He was then tied to a bamboo and carried to the station, and in view of his dangerous character was tied to a lamp post by a chain which was passed first round his waist and then round his neck. The chain was not drawn tight, nor was he in any way suspended. The station master, however, pointed out that he was exposed to the sun in this position, and the prisoner himself told us that directly he began to suffer inconvenience from the treatment he was receiving, and promised to sit down quietly with the other prisoners, he was placed with them. It is clear from these facts that the statements of the railway officer already referred to in respect of this prisoner cannot be accepted in their entirety, but there is some evidence to show that Mangal Singh was treated with considerable harshness, and while we must admit that he provoked such treatment by his conduct, we think that it is a matter for regret that this was allowed. Incidentally it may be stated that we believe that the treatment received by this man excited considerable resentment against the troops among the residents at Budge Budge.

53. As to the arrest of the Sikhs who escaped to outlying districts the points of importance are noted below. Many of the fugitives appear to have escaped after the riot across the river into the districts of Howrah and Midnapore, some straying to Burdwan, Hughli and Bankura and a number were arrested in these districts. One of these men, Surain Singh, a name already mentioned, was arrested in the Midnapur district with a ·38 Smith and Wesson revolver in his possession. A large body of men, some of whom must have been in possession of arms immediately before they were captured, were also arrested in Champadanga in the Howrah district. The evidence shows that information was received on 1st October that 25 armed Sikhs had been seen near a place called Jagatballabpur in the Howrah district and a body of troops and police proceeded in search of them. The fugitives were found in the middle of the night asleep close to the road near Champadanga, which is not very far from Jagatballabpur, and attempts were made to surround them. These attempts were discovered by the Sikhs, who at once made efforts to escape, and a shot was then fired into the air by one of the officers present as a signal that the police and troops engaged in the pursuit of these men were to close with the fugitives and arrest them. Immediately this shot was fired, the Sikhs, several of whom were armed, opened fire in return and the police and troops retaliated but with little effect, as no person was injured either on the

side of the Sikhs or the police. After a short time the order to cease fire was given and the absconders were called on to surrender and a certain number did so ; of this body of fugitives 17 were arrested though no arms were recovered and eight men escaped. It may be noted that Amar Singh and Surain Singh, referred to in para. 47, were among this party of twenty-five men. The fact that the Sikhs again used firearms on this occasion is of some importance as it indicates that they were prepared to resist any attempts to arrest them ; but we think they probably were also under the impression, when the signal shot was fired into the air, that they were being attached with firearms and for this reason returned the fire. If some other more suitable signal had been selected to indicate to the police when to close, it is possible that the Sikhs would never have opened fire at all. The matter is however of no great importance as no one was injured on either side. In all 211 of the rioters have been arrested up to date. For convenience of reference we have caused a list to be prepared of these men. The list is contained in Appendix IV, which also shows the names of the rioters killed and those believed to be at large.

54. The preceding paragraph concludes our findings on the questions referred to us for inquiry. It will be noted that we have deliberately abstained from citing the evidence recorded in support of each of these findings. It appears to us that any such reference is unnecessary in a report of this nature. Moreover, any attempt to refer in detail to all the evidence which covers nearly a thousand printed pages would render our report undesirably long and complicated. Finally, in many cases it would be most undesirable, both in the interests of Government and in the interests of the persons concerned, to publish the names of those from whom we have received information in the course of this inquiry. We also desire to make it clear that in respect of many of the points that have arisen for consideration in our investigation the evidence before us has necessarily been very meagre. Indeed, many of these points could not be fully elucidated without prolonged enquiries in China, Japan and Vancouver, and the opinions expressed in this report on such points are only tentative and based on such information as we have been able to obtain.

55. In conclusion we desire to thank the Government of Bengal and the various officers whom we have had occasion to call before us for the assistance rendered to us in the course of this long and complicated inquiry. We also desire in particular to place on record our appreciation of the manner in which Mr. Twynam has performed his duties as Secretary to this Committee. His services were placed at our disposal by the Bengal Government and the assistance he has rendered to us in our investigations has been invaluable.

We have the honour to be,

SIR,

Your most obedient servants,

W. H. VINCENT.

DALJIT SINGH.

P. J. FAGAN.

BIJAY CHAND MAHTAB (BURDWAN).

H. WALMSLEY.