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FURTHER CORRESPONDENCE

RELATING TO

LABOUR IN THE TRANSVAAL MINES.

(In continuation of [Cd. 2819] February, 1906.)

Presented to both Houses of Parliament by Command of His Majesty,
July, 1906.



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[Cd. 3025.] *Price 1s. 11d.*

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77	Ditto	Telegram 1.	May 8	Approves proposals in No. 62, but requests further information as to persons on mines by whom arrests are made.	55

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Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1903.		
102	Governor the Earl of Selborne.	—	May 7 (Rec. May 26.)	Forwards report on the charges of maltreatment of coolies at the new Kleinfontein Compound.	91
103	To Governor the Earl of Selborne.	—	May 26	Acknowledges receipt of No. 88, and awaits a further communication on the subject of persons authorised to effect arrests on mine premises.	95
104	Ditto	Telegram 1.	May 26	Enquires when information may be expected as to the extent to which the Government propose to carry out the recommendations of the Committee of Enquiry into the control of coolies and when it is proposed to publish the report.	95
105	Governor the Earl of Selborne.	Telegram 2.	May 28 (Rec. May 28.)	States number of unexpired licences for coolies and that the date of cessation of recruiting depends on progress made in recruiting in China and interior arrangements of Mining Companies.	95
106	Ditto	Telegram 3.	May 28 (Rec. May 28.)	States that as a result of posting of repatriation notices, 12 coolies have applied to be repatriated; submits views of the Superintendent of Foreign Labour Department as to the cause of the small number, and reports on his (the Governor's) visit to three of the largest mines on 27th May with a view to ascertaining that the coolies thoroughly understood the offer of His Majesty's Government.	95
107	Ditto	—	May 12 (Rec. June 2.)	Forwards copy of a telegram from employees of the Van Dyk Proprietary Mines, Limited, protesting against the action of His Majesty's Government in connection with repatriation.	97
108	Ditto	—	May 14 (Rec. June 2.)	States that the report of the Committee on the question of desertions and outrages by Chinese contains a recommendation that mine premises should be fenced; presumes that the Secretary of State will not object, if it is a necessary precaution to prevent desertion.	98
109	Ditto	—	May 14 (Rec. June 2.)	Forwards resolutions passed by employees of the French Rand Gold Mining Company, and the Rose Deep Mine, protesting against the steps taken for repatriation of Chinese.	99
110	Ditto	—	May 14 (Rec. June 2.)	Encloses a return of convictions and sentences on Chinese labourers during March.	101
111	Ditto	—	May 14 (Rec. June 2.)	Submits, in reply to No. 24, report by the Medical Officer of Health, Witwatersrand, as to the relative cost of food supplied to natives on mines in the proclaimed districts of the Transvaal during 1903 and 1904.	103

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1906.		
112	Governor the Earl of Selborne.	—	May 14 (Rec. June 2.)	Forwards return of unskilled whites on the Witwatersrand Mines on June 20th, 1904, the date of the arrival of the first batch of Chinese, and January 31st, 1906.	104
113	Ditto	—	May 14 (Rec. June 2.)	Forwards Resolutions passed by the Boksburg Town Council, Glen Deep Gold Mining Company, Executive Committee of the Rand Pioneers, Roodepoort and District Chamber of Commerce, and at Public Meetings at Boksburg and on the East Rand, protesting against the action of His Majesty's Government in connection with repatriation.	105
114	Ditto	—	May 14 (Rec. June 2.)	Transmits Resolutions passed at a meeting at the Simmer and Jack Gold Mine appealing to His Majesty's Government to reconsider their proposals for the repatriation of Chinese.	108
115	Ditto	—	May 14 (Rec. June 2.)	Forwards copy of a Resolution passed at a Public Meeting at Nigel appealing to His Majesty's Government to defer action in the matter of the repatriation of coolies pending the grant of Responsible Government.	109
116	Ditto	—	May 14 (Rec. June 2.)	Transmits resolutions passed at a meeting of the Transvaal Independent Labour Party supporting the policy of His Majesty's Government in the matter of repatriation and conveying thanks for the appointment of a Committee of Enquiry into constitutional matters.	110
117	Ditto	Telegram 1.	June 5 (Rec. June 5.)	States, in reply to No. 104, that the Report of the Commission of Enquiry into the treatment of coolies has been published; trusts that fencing may be allowed in the cases specified; states action which will be taken, and considers that the area of the Witwatersrand district in paragraph 2 of Section 19 of Ordinance No. 17 of 1904 should be restricted.	111
118	To Governor the Earl of Selborne.	—	June 8	Acknowledges receipt of No. 90, and requests a report on the exact measures being taken to place the Allotment system on a satisfactory basis.	111
119	Governor the Earl of Selborne.	—	May 21 (Rec. June 9.)	Replies to questions in No. 44 as to the working of the Premier Mine.	111
120	Ditto	—	May 21 (Rec. June 9.)	Forwards, with remarks, copy of a letter from General Botha calling attention to the increase in outrages committed by Chinese.	113

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1906. —		
121	Governor the Earl of Selborne.	—	May 21 (Rec. June 9.)	Acknowledges receipt of No. 45, and states difficulties in inducing coolies to give evidence against coolies. Mr. Jamieson has been reminded of his duty to make all Chinese aware of their right to recover damages in cases of assault.	114
122	Ditto	—	May 21 (Rec. June 9.)	Forwards a report by the Secretary for Native Affairs on the decrease of native labour supply on the Witwatersrand during May to December, 1905, and January and February, 1906.	115
123	To Governor the Earl of Selborne.	Telegram 1.	June 11	Points out, in reply to No. 117, that further restrictions cannot be sanctioned pending the formation of Responsible Government; approves certain recommendations in the report of the Committee; and observes that the cost of any extra police should be charged on those who have imported the disorderly element.	124
124	Ditto	—	June 16	Replies to the various expressions of opinion against the policy of posting the repatriation notices.	125
125	Ditto	—	June 16	Acknowledges receipt of No. 102, and states that it is unnecessary that the evidence taken by Mr. Buckle should be forwarded.	125
126	Governor the Earl of Selborne.	Telegram H. C., 6.	June 16 (Rec. June 16.)	Reports thirty-one more applications for repatriation, making forty-three in all.	126
127	To Governor the Earl of Selborne.	Telegram 1.	June 18	Enquires number of coolies in prison in the Transvaal on May 31st, 1906.	126
128	Commissioner Sir A. Sharpe (British Central Africa.)	Telegram 24.	June 19 (Rec. June 20.)	Asks whether recruiting of labour for the Transvaal is to continue or not, as necessary preparations are being made to recommence on 1st July; states that if supervised emigration is stopped, natives will doubtless go on their own account.	126
129	To Governor the Earl of Selborne.	Telegram 1.	June 21	Requests a report on a statement in the "Daily News" as to the record of crimes by Chinese committed during one week.	126
130	Ditto	—	June 22	Acknowledges receipt of No. 126, and states that a reply was given to a question in the House of Commons to the effect that no limit would be placed on the operation of the Repatriation Notice during such time as His Majesty's Government retained responsibility for the conduct of Transvaal affairs.	127
131	Ditto	—	June 4 (Rec. June 23.)	Forwards a comparative statement of mortality for the period ended 30th April, among natives employed on mines in labour districts.	127

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1906.		
132	Governor the Earl of Selborne.	—	June 4 (Rec. June 23.)	Reports, in reply to No. 34, amount of opium imported and the countries whence received.	129
133	Ditto	—	June 4 (Rec. June 23.)	Transmits statistics of the Transvaal Mines Department for April, 1906.	129
134	Ditto	—	June 4 (Rec. June 23.)	Transmits petition referred to in No. 106, presented by the indentured coolies on the Jumpers Deep Mine, asking that their wages may be paid, in the event of repatriation, for the unexpired term of their contracts.	134
135	Ditto	—	June 4 (Rec. June 23.)	Forwards statement of convictions and sentences on Chinese labourers for the month of April 1906.	134
136	To Governor the Earl of Selborne.	—	June 23	Acknowledges receipt of No. 66 and points out misapprehension by the Transvaal Chamber of Mines of the view taken by His Majesty's Government.	136
137	To Commissioner Sir A. Sharpe (British Central Africa).	Telegram 13.	June 25	States, in reply to No. 128, that recruiting is not to continue unless mortality returns of British Central Africa natives on the mines for the year ending 30th June show a material decrease, and that no recruiting should take place until returns are ready.	137
138	Governor the Earl of Selborne.	Telegram 1.	June 26 (Rec. June 26.)	Reports total number of persons employed in gold mines of Transvaal on 31st May.	137
139	Ditto	Telegram 2.	June 26 (Rec. June 26.)	States that official returns of white workmen in Witwatersrand mines in May show an increase of 258.	137
140	To Governor the Earl of Selborne.	—	June 26	Acknowledges receipt of No. 120, relative to outrages committed by Chinese, and states terms of the reply to be made to General Botha's letter.	137
141	Ditto	Telegram 1.	June 26	Asks whether sufficient evidence has been obtained to support prosecution of Witthauer.	138
142	Ditto	Telegram 1.	June 28	Asks whether he is satisfied that contents of repatriation notice are generally known to, and understood by, the Chinese coolies.	138
143	Ditto	Telegram 2.	June 28	Directs the amendment of the repatriation notice enclosed in No. 67 in the manner indicated.	138

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1906.		
			—		
144	To Governor the Earl of Selborne.	Telegram 8.	June 28	Requests report on prosecution of Manager of Cason Mining Company for alleged cruelty to a Chinese coolie.	139
145	Governor the Earl of Selborne.	—	June 11 (Rec. June 30.)	Reports, in reply to No. 35, repatriation of Li Chang Yueh and Wang Wang Chang, and that no further enquiry is being made into their cases; explains the term "policeman" as understood by the coolies.	139
146	Ditto	—	June 11 (Rec. June 30.)	Forwards copy of a further communication from the Secretary of the Transvaal Chamber of Mines pointing out with reference to a statement in the House of Commons that the cost of importing Chinese labourers exceeded the sum of £17 10s. per head.	139
147	Ditto	Telegram 1.	June 30 (Rec. June 30.)	States that the prosecution of Wittbauer is in the hands of the Public Prosecutor, Johannesburg, who is issuing summons for July 2.	140
148	Ditto	Telegram 3.	July 2 (Rec. July 2.)	States that 1,311 Chinese coolies were in prison in the Transvaal on May 31.	140
149	Ditto	Telegram 2.	July 2 (Rec. July 2.)	Reports, in reply to No. 129, particulars of recent outrages.	141
150	Ditto	Telegram 1.	July 3 (Rec. July 3.)	Reports, in reply to No. 142, that Mr. Jamieson is of opinion that the notice is universally understood.	141
151	To Governor the Earl of Selborne.	Telegram 2.	July 5	Transmits answer given to a question in the House of Commons with a view to removing all doubt as to the intentions of His Majesty's Government with respect to repatriation, and stating that November 30 has now been fixed as the date on which the issue of recruiting licences will be discontinued.	141
152	Governor the Earl of Selborne.	Telegram 2.	July 7 (Rec. July 7.)	Reports, in reply to No. 144, that the charge of assault against Jimson, Compound Manager of the Cason Mining Company, was dismissed by the magistrate, and that Radcliffe, on whose affidavit proceedings were instituted, is being prosecuted for perjury.	142
153	Ditto	Telegram 1.	July 8 (Rec. July 8.)	Refers to Nos. 110 and 135 for returns of convictions of coolies during March and April and summarizes convictions for May.	142

APPENDICES.

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TRANSVAAL.

FURTHER CORRESPONDENCE

RELATING TO

LABOUR IN THE TRANSVAAL MINES.

No. 1.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 6.10 p.m., February 14, 1906.)

TELEGRAM.

[*Answered by No. 8A.*]

February 14. No. 1. Referring to my predecessor's telegram, 19th July, No. 1,* in which he approved summary jurisdiction of Superintendent and Inspectors on the understanding that the proceedings are public, are the public admitted to trials at the mines on the same footing as in other magisterial Courts?

No. 2.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 12 midnight, February 15, 1906.)

TELEGRAM.

[*Answered by No. 13.*]

February 15. No. 1. Your despatch 20th November.† Is Pless a British subject and is his offence punishable with twelve months' imprisonment with hard labour? What evidence besides McCarthy's affidavit is there of truth of allegations against Pless?

No. 3.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 12 midnight, February 15, 1906.)

TELEGRAM.

[*Answered by No. 4.*]

February 15. No. 2. Referring to my telegram of 27th December, No. 2, ‡

* Not printed.

† No. 14 in [Cd. 2819].

‡ No. 13 in [Cd. 2788].

in which I said I should need full information as to circumstances in which so large an additional number were agreed to in November, I have received no details beyond what is contained in your telegrams of 30th December, No. 1, and 31st December, No. 1.* As matter will certainly be raised in Parliament I should desire to be in a position to justify fully your action.

No. 4.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 8.5 p.m., February 16, 1906.)

TELEGRAM.

[*Answered by No. 21.*]

February 16. No. 2. Your telegram of 15th February, No. 2.† I am very sorry if you think I have not sufficiently dealt with the point in question, but my belief was that I had already furnished you with all the information not previously in possession of Colonial Office. The Attorney-General has always advised that by the Foreign Labour Importation Ordinance the responsibility for dealing with applications to import Chinese coolies is cast exclusively on the Lieutenant-Governor.

The history of the case is as follows: The licenses issued in November were with respect to coolies' prospective demand for whom had been notified by the various mining companies to the Labour Importation Association at various dates, in many cases long before 26th October. These applications were submitted to the Superintendent of Foreign Labour on 25th October, on which day he promised to support the applications. Your predecessor's telegram, dated 27th October,‡ to which reference is made in your telegram of 20th December, No. 3,§ was sent to Lieutenant-Governor on 28th October.

I presume that Lieutenant-Governor, acting on his statutory responsibility, did not think that the expression of opinion of your predecessor of what would be a prudent policy for the mine-owners voluntarily to adopt, absolved him from the duty of arriving at the best decision he could under all the circumstances before him on applications previously received and supported by the Superintendent of Foreign Labour. I presume that he did not consider that there was sufficient cause, under the provisions of the Ordinance by which discretion was given to him and under the circumstances of the case, for refusing those licences.

I say I presume, because I knew nothing of the matter, either of the applications or the grant of licenses until December as the Lieutenant-Governor did not consult me in the matter. Under the Ordinance there was no reason why he should consult me, but I have no doubt that if he had done so I should have agreed with him.

No. 5.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

[*Answered by No. 90.*]

MY LORD,

Downing Street, February 17, 1906.

I HAVE the honour to acknowledge the receipt of your despatch of the 18th of December,|| relative to certain charges, made by Mr. Eugenio Bianchini, of improper treatment of Chinese coolies employed by the Witwatersrand Gold Mining Company.

2. If the statements made by Mr. Bianchini are well founded they show that there is considerable ground for dissatisfaction among the coolies employed on the mines, and I have no doubt that the Superintendent of Foreign Labour will spare no effort to secure the faithful fulfilment of the contracts on the part of the employers. It will no doubt be borne in mind that the primary duty of the Inspectors is to secure the fair treatment of the coolies, and that their judicial duties are only ancillary to this end.

* Nos. 11 and 12 in [Cd. 2788].

† No. 3.

‡ Not printed.

§ Not printed: see No. 1 in [Cd. 2788].

|| No. 29 in [Cd. 2819].

3. It appears to me of the highest importance that the provisions of Clause 6 of the contract should be strictly observed, and I shall be glad to learn that the assurances given that the under-payments made on the mines would be rectified have been duly carried out. Mr. Bianchini's view that the system of bonuses renders it difficult for the ordinary coolie to receive the increased pay after six months which was intended to be secured appears to be correct, and I should be glad to learn whether steps could not be taken to remedy the defects to which he alludes.

4. The arrangement by which a minimum of twenty-four inches' drilling is required before any pay is allowed appears to call for consideration. In each case all that the coolie can be asked to do is a fair day's work, and this must depend so much on the nature of the drilling and the state of health and physical strength of the coolie that the adoption of any fixed minimum must inevitably be unfair. If the facts as to "dry holes" are as stated by Mr. Bianchini, it appears to me that steps must be taken to protect coolies against a refusal to pay for less than twenty-four inches' drilling. I shall be glad if you will call upon the Superintendent for a report on this point.

5. I desire also to call your attention to the alleged device of compelling coolies to drill stones when they did less than thirty-six inches in the mine. It is clear that such a practice cannot be defended.

6. The allotment system in its present form appears not to confer any substantial benefit on the allottees, and to be open to serious abuse. This matter will no doubt receive your careful and early consideration.

7. I trust the Inspectors are careful to enforce the right of the coolies to be given work on every day except holidays, and to be paid the correct amount earned by them.

8. I am unable to understand the reasons why the coolies at the enquiry held on the 21st of September, 1905, were compelled to kneel when being questioned. Even if the practice is in accordance with Chinese law, as to which I have no information, it should not have been followed in the case of an enquiry by the Superintendent. I shall be glad to receive a report on this matter, which I observe is not referred to in the answer to Sir Somers Vine.

9. I observe that there appears to have been no doubt that a coolie was struck by a Chinese policeman for placing a petition in the petition-box. I regret that it should not have been found possible to punish the offender, so as to make it clear that the coolies cannot be assaulted with impunity.

I have, &c.,
ELGIN.

No. 6.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 5.10 p.m., February 17, 1906.)

TELEGRAM.

February 17. No. 1. Your telegram, 16th February, No. 2.* The points you make are of great importance and interest. I have on every possible occasion urged the immense value of labour-saving appliances, and have every reason to believe that the mine managements are constantly alive to urgency of matter. I have, of course, no technical knowledge on subject, but what I most hope is, that labour-saving appliances where applicable would at one and the same time reduce the demand for unskilled coloured labour, and maintain demand for skilled white labour. I will put point officially to mine managements without delay.

* No. 68 in [Cd. 2819.]

No. 7.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 11.15 p.m., February 18, 1906.)

TELEGRAM.

[Answered by No. 14.]

February 18. No. 3. You are aware that my predecessor felt it necessary in his telegram, of the 23rd October,* to enjoin special caution in regard to certain of the penalties enacted by the Labour Importation Amendment Ordinance, and that in my telegram, of 28th December last,† I expressed my hope that it would be possible to dispense either wholly or to a large extent with these exceptional powers.

I received on 27th January a despatch‡ from you showing that these penalties were practically unused. His Majesty's Government since then have come to the conclusion that they cannot approve certain judicial and punitive methods to which legal sanction is given by the Ordinance. These will not be allowed to remain in force, and His Majesty's Government will decide without delay upon the best and most prompt way of procuring their withdrawal. A statement to this effect will be made in Parliament on Monday.

No. 8.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 11.15 p.m., February 18, 1906.)

TELEGRAM.

February 18. No. 4. Referring to my telegram of 5th January, No. 4,§ and to subsequent correspondence, His Majesty's Government feel it their duty to secure, as far as possible, so long as any responsibility rests with them for the administration of the Labour Importation Ordinance, that no Chinese labourer who honestly and genuinely desires under Clause 14 to return permanently to his home shall be detained in the Transvaal against his will by reason merely of want of money. They think it right that where the desire of the labourer to be permanently repatriated can be proved to be genuine by reasonable length of notice or by such other tests as a full consideration of the matter may show to be necessary, the expenditure that may be required should be met out of Imperial Funds.

A statement to the above effect will be made in Parliament on Monday.

No. 8A.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 11.40 p.m., February 20, 1906.)

TELEGRAM.

(Extract.)

February 20. No. 6. In reply to your telegram, No. 1, of 14th February, || I am informed by the Attorney-General that he has no reason to think that there has been any lack of publicity in the Courts in which the Inspectors try Chinese coolies. He engages to ensure that every special Magisterial Court for the trial of Chinese shall enjoy fullest publicity.

* No. 35 in [Cd. 2786].

† No. 22 in [Cd. 2819].

‡ No. 53 in [Cd. 2819].

§ No. 28 in [Cd. 2819].

|| No. 1.

No. 9.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 3.55 p.m., February 23, 1906.)

TELEGRAM.

February 23. No. 1. Referring to my telegram, No. 1, 24th January,* official returns of white workmen in mines of Witwatersrand district in month of January show increase of 448.

No. 10.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 3.55 p.m., February 23, 1906.)

TELEGRAM.

February 23. No. 2. Referring to my telegram 24th January, No. 2,† total number of persons employed in gold mines of whole Transvaal on 31st January: White 18,582, Coloured 93,933, Chinese 47,166.

No. 11.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received February 24, 1906.)

MY LORD,

Governor's Office, Johannesburg, February 5, 1906.

WITH reference to my despatch of the 29th January,‡ I have the honour to forward, for Your Lordship's information, a copy of the comparative Statement of mortality amongst natives employed on mines in labour districts for the year ended 31st December, 1905.

I have, &c.,
SELBORNE.
Governor.

* No. 46 in [Cd. 2819].

† No. 47 in [Cd. 2819].

‡ No. 69 in [Cd. 2819].

Enclosure in No. 11.

COMPARATIVE STATEMENT OF MORTALITY AMONGST NATIVES EMPLOYED ON MINES IN LABOUR DISTRICTS.
JANUARY TO DECEMBER, 1904 and 1905.

Month.	No. of Natives employed.		No. of Deaths from Disease.		Death Rate per 1,000 per Annum from Disease.		No. of Deaths from Accident.		Death Rate per 1,000 per Annum from Accident.		Total No. of Deaths.		Total Death Rate per 1,000 per Annum.	
	1904.	1905.	1904.	1905.	1904.	1905.	1904.	1905.	1904.	1905.	1904.	1905.	1904.	1905.
January ...	79,161	94,905	370	334	56.09	42.23	19	43	2.88	5.44	389	377	58.96	47.67
February ...	80,365	102,039	223	312	33.30	36.69	22	47	3.29	5.53	245	359	36.58	42.22
March ...	83,904	109,651	223	333	31.89	36.44	31	52	4.43	5.69	254	385	36.33	42.13
April ...	85,400	113,789	168	316	23.61	33.32	59	44	8.29	4.64	227	360	31.90	37.97
May ...	85,994	113,286	289	397	40.33	42.05	24	40	3.35	4.24	313	437	43.68	46.29
June ...	83,536	112,788	231	488	33.18	51.92	25	32	3.59	3.40	256	520	36.77	55.33
July ...	74,479	110,712	202	460	32.55	49.86	36	26	5.80	2.82	238	486	38.35	52.68
August ...	78,514	108,488	226	393	34.54	43.47	20	36	3.06	3.98	246	429	37.60	47.45
September ...	79,416	105,987	242	318	36.57	36.00	27	34	4.08	5.85	269	352	40.65	39.85
October ...	83,606	103,807	336	339	48.23	39.19	21	44	3.01	5.09	357	383	51.24	44.27
November ...	86,812	103,645	378	432	52.25	50.02	31	113	4.29	13.08	409	545	56.54	63.10
December ...	89,894	102,366	372	430	49.66	50.41	30	35	4.00	4.10	402	465	53.66	54.51
Average ...	82,590	106,789	272	379	39.52	42.59	29	46	4.21	5.17	301	425	43.73	47.76

No. 12.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received February 24, 1906.)

[Answered by No. 35.]

MY LORD,

Governor's Office, Johannesburg, February 5, 1906.

WITH reference to my despatch of the 29th January,* I have the honour to enclose, for your information, a copy of a report by the Attorney-General on the subject of the treatment of Chinese labourers employed on the Witwatersrand Gold Mines.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 12.

REPORT by the Attorney-General on the new system of magisterial jurisdiction of the Superintendent and Inspectors of Foreign Labour.

The High Commissioner and Governor,
Johannesburg,

Before the passing of Ordinance, No. 27, of 1905,† Chinese labourers who committed offences including offences against the Labour Importation Ordinance, 1904, were amenable to the ordinary Courts of the country. It was found that Magistrates' Courts were scarcely able to cope satisfactorily with the work of trying labourers on the numerous charges laid against them. These charges were chiefly in regard to contraventions of the Labour Importation Ordinance itself, and the regulations made thereunder. Resident Magistrates have no knowledge of the Chinese language, and consequently an interpreter was always necessary in every case, and considerable difficulty was experienced in providing a sufficient number of competent and reliable interpreters. It is manifestly a great inconvenience to take labourers from the mines on which they are employed to Courts of Resident Magistrates to be tried for minor offences with the probability of having their cases remanded in view of the pressure of work in such Court.

Ordinance, No. 27, of 1905, conferred on the Superintendent and Inspectors of the Foreign Labour Department jurisdiction to try offences committed by labourers within the Witwatersrand District against the Labour Importation Ordinance or any regulations made thereunder, and also jurisdiction to try any offence summarily triable by a Court of Resident Magistrate committed by a labourer on the premises on which he is employed, and these officers were empowered to hold a Court at any mine where labourers are employed or at such other place as the Lieutenant-Governor may appoint. They are not men who have had any legal training or previous experience in trying cases, but were chosen on account of their knowledge of the Chinese and their language. They do not require interpreters, and are able to deal expeditiously with the work of their Courts.

It was to be expected that men who had had no previous experience in a judicial capacity would at first make mistakes in the conduct of cases tried by them, and for this reason it was provided by Ordinance No. 27 of 1905 that all sentences of a fine exceeding £25 or imprisonment for a period exceeding six weeks should be reviewed by a Judge of the Supreme Court, and that all sentences of imprisonment for a period of six weeks or less should be reviewed by the Attorney-General. Sentences of a fine of £25 or less without imprisonment are not subject to review at all, but they are, nevertheless, reviewed by the Attorney-General in order to enable him to make such recommendations to the Lieutenant-Governor in regard thereto as he may deem advisable. On review sentences which are illegal or excessive are quashed or reduced, and in this way care is taken to see that substantial justice is done. Moreover, all mistakes which are made are pointed out and explained for future guidance, and it can safely be said that the Inspectors have profited considerably by the instructions

* No. 70 in [Cd. 2819].

† Printed at page 57 of [Cd. 2786].

given them. Shortly after the passing of the Ordinance a memorandum* explaining their judicial functions was issued. This has been considerably amplified, and is being issued in pamphlet form, a copy of which is forwarded herewith.

The total number of cases tried by the Inspectors and reviewed by Judges of the Supreme Court up to January 31st, 1906, is 135. The sentences in only nine of these cases have been quashed though the sentences in several others have been reduced. The total number of cases reviewed by the Attorney-General up to the same date is 1,286, and the sentences in 28 of these have been quashed.

The majority of the sentences quashed were quashed during the first two months after the establishment of the Courts of Inspectors. Since then comparatively few mistakes have been made. When a sentence is quashed care is taken that the labourer is released from gaol without delay, and, in cases where a fine has been paid, that such fine is returned to the labourer.

The employment of large numbers of Chinese labourers in the Witwatersrand District rendered the establishment of the Courts of Inspectors absolutely necessary. The work done in these Courts has improved considerably during the short period of their existence.

RICHARD SOLOMON.

No. 13.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 4.37 p.m., February 24, 1906.)

TELEGRAM.

February 24. No. 1. Your telegram, 15th February, No. 1.† Pless is an American and is now in China. His offence is a common law one and the punishment is therefore in the discretion of the Court, which may impose imprisonment for twelve months' hard labour, or more or less. The only evidence in support MacCarthy's affidavit is that of coolie alleged to have been assaulted.

No. 14.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 9.43 p.m., February 28, 1906.)

TELEGRAM.

[*Answered by No. 41.*]

February 28. No. 2. Your telegram of 18th February, No. 3.‡ I have received following report from Attorney-General with regard to His Majesty's Government's announcement that they could not approve of certain judicial and punitive methods to which legal sanction is given by the Labour Importation Amendment Ordinance, and that they have decided that these cannot be allowed to remain in force.

Attorney-General observes that judicial methods referred to are not specifically mentioned and that they may include the whole of judicial powers given to Superintendent and Inspectors under the Labour Importation Amendment Ordinance. He does not however think that it is the intention of His Majesty's Government to take away these powers, which, in his opinion, are at the present time carefully exercised.

From the previous correspondence referred to in your telegram he concludes that the punitive methods referred to are (1) the deduction of fines imposed by Superintendent or Inspectors from the wages of the labourers fined under Section 1 (3) of the Ordinance; (2) the imposition of a collective fine on all members of a gang where an offence has been committed by one or the other of them and not

* Not printed.

† No. 2.

‡ No. 7.

reported to Superintendent under Section 6 (2) of the Ordinance; (3) the imposition of the penalties provided by Section 8 of the Ordinance in respect of the purchase or possession of gum opium by a labourer.

With regard to (1) Attorney-General observes that the object of empowering an Inspector to deduct a fine from the wages of any labourer on whom the fine is imposed was to prevent the labourer being sent to prison for every petty offence where the fine imposed was only nominal and where of course the alternative of imprisonment must be given in case the fine is not paid. Attorney-General does not himself attach any great importance to this provision, the power conferred by which has only been exercised in very few cases. He is prepared to direct Superintendent to instruct the Inspectors in future not to deduct fines from the wages of any labourer but in every case where a fine is imposed to give the alternative of imprisonment in case of non-payment.

With regard to (2) Superintendent has in no single case imposed a collective fine. His instructions from Attorney-General were not to impose a collective fine unless satisfied that there was a concerted arrangement amongst the labourers on whom the fine was imposed to conceal the commission of the offence. Attorney-General is prepared to ask Superintendent to allow his powers in this respect to be dormant.

With regard to (3) Attorney-General hardly thinks that you intend that the provisions of the Articles with regard to the purchase and possession of opium by labourers should be suspended. He adds that these are absolutely necessary provisions and that the penalties which can be imposed on a labourer convicted of contravening them are not nearly so severe as the penalties imposed for the possession of opium by persons other than labourers under Ordinance 36 of 1905, Section 3. It is proposed therefore to give no directions with regard to these provisions.

Will you telegraph whether you agree?

No. 15.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 6.25 p.m., March 1, 1906.)

TELEGRAM.

March 1. No. 3. In reply to your telegram, 5th February, No. 1,* Attorney-General is equally confident that his reading of the clause is correct (? but) sees no reason why in future contracts the words "or any Ordinance amending the same" should not be inserted in both the principal clause and Clause 4 of the contracts.

No. 16.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received March 3, 1906.)

MY LORD,

Governor's Office, Johannesburg, February 12, 1906.

I HAVE the honour to enclose, for your information, a copy of a letter from the Secretary, Johannesburg Chamber of Commerce, on the subject of the importation of Chinese labourers.

I have, &c.,
SELBORNE,
Governor.

* No. 60 in [Cd. 2819].

Enclosure in No. 16.

JOHANNESBURG CHAMBER OF COMMERCE to the GOVERNOR'S PRIVATE SECRETARY.

Johannesburg Chamber of Commerce (Incorporated),
Johannesburg, February 7, 1906.

Supply of Labour for the Mines.

SIR,

I HAVE the honour, by direction, to ask you to bring under the notice of His Excellency the following resolutions adopted by my Chamber at a General Meeting of members held yesterday, viz. :—

- (1) "That this Chamber approves of the decision of His Majesty's Government to refer the question of Chinese labour to the Transvaal Legislative Council about to be elected, for final settlement, and would urge that the arrangements for the establishment of such Legislative Council should be expedited as much as possible."
- (2) "That this Chamber would deprecate any interruption of the arrangements for the supply of labour or any interference with the working of the Labour Ordinance in the meantime."

The first resolution was unanimously agreed to, and the second was adopted with but three dissentients.

I am further to ask that, if such a course meets with the approval of His Excellency, the views of this Chamber may be communicated to the Secretary of State for the Colonies.

I have, &c.,
W. SMALE ADAMS,
Secretary.

The Private Secretary to
His Excellency the High Commissioner,
Johannesburg.

No. 17.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 1.30 p.m., March 3, 1906.)

TELEGRAM.

[Answered by No. 33.]

March 3. No. 1. Question asked in Parliament as to whether Chinese coolies are not permitted to do any gardening for themselves and if so whether this is a correct reading of terms of Ordinance. See Lord Harris's speech in Lords, Hansard, page 1287, 1905.

No. 18.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 5.20 p.m., March 8, 1906.)

TELEGRAM.

[Answered by Nos. 23 and 38.]

March 8. With reference to the repatriation of any Chinese coolies who may wish to return to China, but have not the necessary funds to purchase their discharge under Clause 14 of the contract, His Majesty's Government are anxious to avoid anything in the nature of an incitement to the coolies to terminate in large numbers their contracts and thereby cause a heavy charge to Imperial funds and an industrial collapse on the Witwatersrand. They desire that no man who earnestly and repeatedly avows his wish to return to China and can prove that he does not possess the necessary funds shall be detained in South Africa against his will.

The method of giving effect to the policy of His Majesty's Government which seems to me to be most desirable is that the Mining Inspectors should notify at an early date all the Chinese coolies in each mine of the opportunity which is now afforded to them. You will best be able to judge of the manner in which this can most conveniently be done, in such a way as to bring it clearly to the notice of all the coolies. The coolies should be permitted, the announcement having been made, to petition for repatriation through the usual channel of their petition boxes. The Inspector will proceed forthwith to investigate individually the case of each coolie so petitioning, and to satisfy himself that the petitioner is not in possession of the money required under Clause 14. The Inspector, when satisfied on this point, will direct the petitioning coolie to apply again on that day month. Should he apply a second time, he should at once be placed on the repatriation list.

A condition of repatriation will be the voluntary contribution by the coolie to the cost of his repatriation of one-half of the pay he actually receives each month, and, having continued these payments regularly for two successive months, he should be deported to China without more delay than is necessary to procure him shipment. His Majesty's Government will defray whatever funds are required to make the contribution of the coolie up to the sum of £17 10s., prescribed under Clause 14.

Special vigilance will be required from the Mining Inspectors to ensure that no coolie who is under application to be repatriated or who is paying the necessary instalments from his monthly wages should, during the three months of his probation, be exposed to any improper pressure or ill-usage to dissuade him from his intention. If he should incur any sentence of imprisonment, it must necessarily interrupt, but it should neither impair nor prolong the period of probation, and that process should be resumed at the expiry of the sentence exactly at the point where it was interrupted.

Any coolie who has been repatriated wholly or partly at Imperial expense and who fraudulently re-engages himself to return to South Africa without having previously refunded the sum disbursed on his account from public funds should, in the opinion of His Majesty's Government, be punished by a sentence not exceeding one year's imprisonment with hard labour.

I should be most glad to learn your views on all these matters, and particularly to receive any suggestion of a constructive character which may occur to you in furtherance of the objects His Majesty's Government have in mind.

No. 19.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

[*Answered by No. 112*].

MY LORD,

Downing Street, March 9, 1906.

I HAVE the honour to transmit to you copy of a notice given by Mr. Mond of a motion for a return of the unskilled white men employed underground in the Witwatersrand Mines at the date of the first introduction of Chinese coolies, and on the 31st of January, 1906.

2. I shall be glad if you will furnish me with the information desired.

I have, &c.,
ELGIN.

Enclosure in No. 19.

Mr. MOND,—Witwatersrand Mines (Unskilled White Labour),—Address for Return of the number of unskilled white men employed underground in the Witwatersrand mines at the time the Chinese coolies were first introduced, and the number of such unskilled white men employed on the 31st day of January, 1906. (Thursday, 22nd February.)

In reply to Mr. Mond, Mr. Churchill said :—

The information is not available in this country, but Lord Selborne will be asked to supply it, and if the Honourable Member desires it, the enquiry shall be made by telegraph.

No. 20.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 5.55 p.m., March 10, 1906.)

TELEGRAM.

March 10. I forward as requested following telegram received from Transvaal Chambers of Commerce and Trade :—

Begins: Johannesburg, 9th March. At joint first meeting of members of Johannesburg Chamber of Commerce and Trade, and Chambers of Commerce of Boksburg, Germiston, Krugersdorp, Roodeport, following resolution was adopted without a single dissentient, viz. :—

That the recent pronouncement of His Majesty's Government with reference to indentured unskilled labour and the uncertainty and suspense caused thereby are having most serious effect on the commercial interests of the Transvaal, and will inevitably lead to economic collapse unless such uncertainty and suspense are removed. This meeting would, therefore, respectfully urge on His Majesty's Government that the whole question should be referred for final settlement of the question to the legislature to be established in this Colony, and that the arrangements for the establishment of such legislature should be expedited as much as possible.

Further, that in the meantime there should not be any interruption of the arrangements for supply labour nor any interference with working of Labour Importation Ordinance. *Resolution ends.*

It was further unanimously resolved that foregoing resolution should be forwarded to High Commissioner with a request that it should be transmitted to His Majesty's Government by cable.

No. 21.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

MY LORD,

Downing Street, March 10, 1906.

I HAVE the honour to acknowledge the receipt of your telegram, No. 2, of the 16th of February,* with reference to the circumstances in which the licenses to import Chinese coolies were issued in November last, and to thank you for the information which it conveys.

I had occasion to deal with this matter in a debate on 26th February, and the enclosed extract from my speech will show the view which I took of the circumstances.

I have, &c.,
ELGIN.

Enclosure in No. 21.

"THE TIMES," February 27, 1906.

THE EARL OF ELGIN * * * * * If this experiment was a reality, if Mr. Lyttelton's understanding of it was real, it appears to me there were two alternatives open to the Government at that time. In the first place they might have defined the limits distinctly and instructed the Lieutenant-Governor to regulate the licences accordingly ; or, if they did not choose to do that, they should themselves have assumed some control over the issue of licences and secured arrangements to

enable them to do so. They did neither of these things. The only thing that was done at that time was that at the end of a telegram on other matters a pious opinion was expressed to the effect that it would be good policy for the mineowners voluntarily to suspend the importation for six months. But it unfortunately happened that at that precise moment a large number of licences were issued, as many as 16,000. I maintain that, although it might have been more prudent for the authorities in South Africa to have communicated with His Majesty's Government when they found this large number of licences wanted, still the real responsibility of this matter rested with the Government at home, because they did not adopt one of the alternatives of which I have spoken. It does not seem to me to be fair treatment of your representatives at a distance if, when you come to a point at which an experiment you have been making reaches its limit, you should not distinctly instruct these agents how they are to act.

No. 22.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

[*Answered by No. 98.*]

MY LORD,

Downing Street, March 10, 1906.

I HAVE the honour to transmit to you copy of a question asked by the Duke of Marlborough relative to Chinese labour.

2. I shall be glad to receive the information for which His Grace has asked.

I have, &c.,
ELGIN.

Enclosure in No. 22.

House of Lords, Monday, March 5, 1906.

The DUKE OF MARLBOROUGH asked the Secretary of State for the Colonies if he will grant a return showing (1) the number of Chinese labourers who have in each month since 1st January, 1905, been removed from one mine to another; (2) the number sent back to China; (3) the number who have returned to the Transvaal after repatriation; and (4) the total cost of these movements, and upon whom the charge has fallen.

No. 23.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 3.36 p.m., March 12, 1906.)

TELEGRAM.

March 12. No. 3. Your telegram, 8th March.* I will at once take steps to carry out instructions of His Majesty's Government and, after consulting with Lieutenant-Governor, Transvaal, and Superintendent, Foreign Labour Department, will send you any suggestions which occur to us.

No. 24.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

[*Answered by No. 111.*]

MY LORD,

Downing Street, March 16, 1906.

I OBSERVE from the statement of labour and wages for the year 1904-1905, furnished by the Government Mining Engineer (page 153 of [Cd. 2819]) that the total cost of food supplied to natives employed on mines and works in the Transvaal averaged 6s. 9⁴d. per man per month, as against 10s. 1²d. for the year 1903-1904.

2. It appears from the report on the health of the natives in 1903-4, furnished by Dr. C. L. Sansom, and printed at page 95 of [Cd. 2104] that in his opinion the

average diet in the mines then showed a slight deficiency in proteids, and a considerable deficiency in fats and salts. I shall accordingly be glad to receive a report from the Native Affairs Department as to how it has been possible to reduce so considerably the cost of food for the natives in 1904-5.

I have, &c.,
ELGIN.

No. 25.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 3.25 p.m., March 22, 1906.)

TELEGRAM.

[*Answered by No. 39.*]

March 22. No. 1. Question asked in Parliament as to approximate number of Chinese coolies illegally flogged under sanction given by Lord Milner. Please report by telegraph.

No. 26.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 4.10 p.m., March 22, 1906.)

TELEGRAM.

[*Answered by No. 50.*]

March 22. No. 2. Please telegraph number of unskilled white workmen employed on Witwatersrand mines before arrival of Chinese and at present time.

No. 27.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

[*Answered by Nos. 82 and 108.*]

MY LORD,

Downing Street, March 23, 1906.

I HAVE the honour to transmit to you a copy of a question asked in the House of Commons as to outrages committed by Chinese coolies and of the reply.

2. I shall be glad to learn whether any further steps can be taken to prevent these outrages.

I have, &c.,
ELGIN.

Enclosure in No. 27.

House of Commons, Wednesday, March 14, 1906.

Mr. MACKARNES asked the First Lord of the Treasury "whether his attention has been called to the fact that during the last six months the Chinese labourers, who have escaped from the Transvaal mines, have committed upwards of 50 serious crimes upon the peaceable inhabitants of the Colony, including at least eight murders and many cases of housebreaking and assault; and what steps the Government intend to take to prevent the continuance of this evil."

In reply, Sir H. CAMPBELL-BANNERMAN said:—

"The Secretary of State for the Colonies informs me that he has not yet received the return of the crimes, moved for by the Honourable Member on the 21st ultimo, and he is, therefore, not aware whether the numbers stated in the question are correct.

“He is asking Lord Selborne to indicate his views as to what further steps are possible to prevent crimes of this nature. I am satisfied that the Transvaal Government are fully alive to the necessity of effectually checking such outrages.”

No. 28.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 6 p.m., March 23, 1906.)

TELEGRAM.

March 23. No. 1. Referring to my telegram, No. 2, 23rd February,* total number persons employed in gold mines of whole Transvaal on 28th February:— White, 18,529; coloured, 93,843; Chinese, 50,000.

No. 29.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 5.15 p.m., March 23, 1906.)

TELEGRAM.

March 23. No. 2. Referring to my telegram, No. 1, 23rd February,† official returns white workmen in mines of Witwatersrand district, end of February, show decrease of 26.

No. 30.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received March 24, 1906.)

MY LORD,

Governor's Office, Johannesburg, March 5, 1906.

I HAVE the honour to acknowledge the receipt of your predecessor's despatch of the 10th November,‡ enquiring as to the value of the mining machinery imported into the Transvaal from Great Britain since the arrival of the first batch of Chinese coolies, compared with that of the machinery imported in the period immediately preceding.

2. In reply, I have the honour to attach a statement showing the monthly importations for the 12 months immediately following the arrival of the first batch (July, 1904) as compared with those of the preceding 12 months.

3. I would point out that the number of stamps erected on the Witwatersrand on 30th June, 1903, was 7,145, and that in December last only 6,910 of these were running, the balance remaining idle mainly through the shortage of unskilled labour.

4. It was, of course, natural that the mining companies should refrain from any great extension of operations until their requirements for unskilled labour on existing works had been satisfied, but you will have learnt from the Chamber of Mines' memorandum that accompanied my despatch of the 22nd January,§ that it was proposed to proceed almost immediately with the erection of an additional 3,740 stamps, involving a capital expenditure on plant of some £10,000,000. The greater proportion (probably some 65 per cent.) of the amount expended from this sum on the purchase of machinery would have been expended in Great Britain, but the programme of development is not now being proceeded with and will not be undertaken until the mining companies know definitely in what position they stand with regard to the future supply of unskilled labour.

5. I would add that, during the financial year 1902-3, when large works of

* No. 10.

† No. 9.

‡ Not printed.

§ No. 63 in [Cd. 2819].

reconstruction had to be undertaken in order to make good damage done and depreciation suffered during the war, the importation of machinery reached the figure of £1,766,357, of which £1,148,000 represented the share of this trade obtained by Great Britain.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 30.

VALUE OF MINING MACHINERY IMPORTED INTO THE 'TRANSVAAL FROM GREAT BRITAIN.

—			For 12 months before arrival of Chinese.	—			For 12 months following first arrival of Chinese.
1903.			£	1904.			£
July	...	...	66,038	July	...	...	60,969
August	...	...	84,905	August	...	...	16,413
September	...	...	38,862	September	...	...	31,137
October	...	...	52,200	October	...	...	22,469
November	...	...	27,036	November	...	...	20,694
December	...	...	32,390	December	...	...	45,818
1904.				1905.			
January	...	...	41,847	January	...	...	31,781
February	...	...	58,594	February	...	...	41,321
March	...	...	40,943	March	...	...	19,222
April	...	...	16,349	April	...	...	51,436
May	...	...	85,781	May	...	...	34,657
June	...	...	34,624	June	...	...	45,318
Total	...	...	579,569	Total	...	...	421,235

No. 31.

THE EARL OF ELGIN TO GOVERNOR THE EARL OF SELBORNE.

(Sent 5.50 p.m., March 24, 1906.)

TELEGRAM.

[Answered by No. 32.]

March 24. No. 2. Matter most urgent. Following received signed Hutchinson, Russell, and Bowen, Solicitors, Johannesburg:—

Begins: Li Kui Yu, Chinese police sergeant, arrested here yesterday. Detained by Jamieson, Superintendent Foreign Labour Department. 1,000 Chinamen at Croesus Mine petition us defend. We have applied Jamieson, who refuses allow anyone see Chinaman and refuses him legal assistance. No charge has been made. Chinamen here claim your immediate assistance and right to legal protection. Reply earnestly requested. *Ends.*

Please telegraph facts.

No. 32.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 2.51 p.m., March 29, 1906.)

TELEGRAM.

[*Answered by No. 43.*]

March 29. No. 1. Your telegram 24th March, No. 2.* Superintendent informs me Li Kuei Yu was ordered by him to be repatriated under Section 7 of Ordinance 27 of 1905 on the strongest possible grounds. He was detained from the 21st to 24th March until arrangements were completed under Sections 27 and 28 of Ordinance 17 of 1904 for his repatriation. On 24th March he was escorted to Durban to embark there for China. No criminal charge was laid against Li Kuei Yu and no defence therefore required. Solicitors who have addressed you were informed it was under order for repatriation by Superintendent under section quoted above.

Full report† will be sent to you by mail whole case.

No. 33.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 8.29 p.m., March 29, 1906.)

TELEGRAM.

March 29. No. 2. Your telegram of 3rd March, No. 1.‡ It would be contrary to terms of Ordinance for a Chinese labourer to carry on gardening as a business either by himself or by others. It would be impossible for him to acquire land for such purpose. It would not be contrary to terms of Ordinance for a Chinese labourer, if he can do so consistently with the fulfilment of his contract with his employer, to garden for his own pleasure on land his employer may allot to him for such purpose. As a matter of fact coolies do decorate their compounds with small flower gardens where space permits and mining companies have no objection this being done. So far as I am aware no coolie has applied for permission to cultivate vegetables, nor are any likely to do so, as they are supplied by their employers with all the fresh vegetables they require.

No. 34.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

[*Answered by No. 132.*]

MY LORD,

Downing Street, March 30, 1906.

I HAVE the honour to transmit to you copy of a question asked in the House of Commons as to the importation of opium for the use of Chinese coolies and of the reply.

2. I shall be glad to learn whence comes the opium which is used in the Transvaal.

I have, &c.,
ELGIN.

Enclosure in No. 34.

House of Commons, Monday, March 12, 1906.

Mr. SMEATON asked the Under Secretary of State for the Colonies "whether opium is imported into the Transvaal for the consumption of the Chinese coolies;

* No. 31.

† See No. 52.

‡ No. 17.

if so, whence it comes; the quantity and value annually imported since the arrival of the first batch of Chinese coolies; at whose expense the drug is imported; what duty, if any, is imposed on the drug at the ports; whether the value of the opium supplied to the coolies is deducted from their wages; and through what agency the drug is distributed among the coolies."

Mr. CHURCHILL in reply, said :—

"Under Section 8 of the Ordinance of 1905, amending the Labour Importation Ordinance of 1904, published at page 59 of [Cd. 2786], the possession by, and supply to, labourers of opium is penalised. The Ordinance came into operation on 19th September, and opium is, therefore, not now legally imported for their consumption. I am not able to give the amount imported annually, but the amount imported for the quarter ended 30th September, 1905, is given as of the value of £5,381; the duty imposed at the ports under the Customs Convention is 10 per cent. *ad valorem*. The Chinese police are said by Lord Selborne to have been guilty of selling opium to the coolies, but every effort is no doubt made to put an effectual stop to any such practice."

No. 35.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

[Answered by No. 145.]

MY LORD,

Downing Street, March 30, 1906.

I HAVE the honour to acknowledge the receipt of your despatch of the 5th of February,* on the subject of the treatment of Chinese coolies.

2. I am fully satisfied that both you yourself and your officers are sparing no effort to secure the humane treatment of the coolies, and I do not desire that your labours in that direction should be hampered by fruitless investigation of past events, but I presume that enquiry has been made into the cases of Li Chang Yueh and Wang Wang Chang, referred to in the enclosure to my despatch of the 13th of January.† If so, I should be glad to know the result.

3. I should also be glad to know whether there is any reason to suppose that the term "policemen," as applied to the Chinese watchmen and translated into Chinese, leads the coolies to suppose that they are endowed with legal authority, and, if so, whether another term cannot be substituted.

4. I presume that arrests are made on the mines by officers duly appointed for that purpose, and that the Inspectors are taking precautions to avoid illegal arrest by Chinese "policemen."

I have, &c.,
ELGIN.

No. 36.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received March 31, 1906.)

MY LORD,

Governor's Office, Johannesburg, March 12, 1906.

WITH reference to my despatch of the 4th January,‡ I have the honour to enclose, for your information, a copy of a statement for the month of December, 1905, of convictions and sentences on Chinese labourers.

I have, &c.,
SELBORNE,
Governor.

* No. 12.

† Not printed.

‡ No. 50 in [Cd. 2819].

Enclosure in No. 36.

CONVICTIONS AND SENTENCES IMPOSED ON CHINESE LABOURERS FOR THE MONTH OF
DECEMBER, 1905.

Crime or Offence.	Total No. of Labourers Sentenced.	Summary of Sentences.	Remarks
Assault (common)	74	From seven days' hard labour to £5 or one months' hard labour.	Fines paid in nine cases.
Assault (indecent)	Nil.		
Assault (with intent)	7	From six weeks' hard labour to five months' hard labour.	
Assault (other kinds)	Nil.		
Culpable homicide	Nil.		
Murder	4	(Three) seven years' hard labour, (one) "death."	
Riot	Nil.		
Other Offences under Common Law—			
Forgery and fraud	56	From 10s. or 10 days' hard labour to three months' hard labour.	Fines paid in 18 cases.
Attempting to escape from custody	2	One month's hard labour on expiry of present sentence.	
Public violence	10	From £2 or 14 days' hard labour to three months' hard labour.	
Malicious injury to property ...	2	Six weeks' hard labour.	
Housebreaking by night	1	Three months' hard labour and 10 lashes.	
Housebreaking and theft	27	From six weeks to five years and 15 lashes.	
Theft	22	From seven days' hard labour to six months' hard labour.	
Contravention Regulations, Section 9, Ordinance 20 of 1905 (possession of dangerous weapons).	Nil.		
Contravention Regulation 84, Ordinance 54 of 1903 (mining regulations).	3	From one month's hard labour to six months' hard labour.	
Offences under Labour Importation Ordinance or its Regulations—			
Contravention Section 19, Ordinance 17, 1904 (absence without permit).	71	From 5s. or seven days to £4 or six weeks' hard labour.	Fines paid in 45 cases; deducted from wages in 30 cases.
Contravention Section 31, Sub-Section 11, Ordinance 17, 1904 (desertion).	656	From 10s. or seven days' hard labour to £7 or six weeks' hard labour.	Fines paid in 109 cases; deducted from wages in 25 cases.
Contravention Section 8, Sub-Section 15, Ordinance 27, 1905 (illegal possession of opium).	39	From £2 or 14 days to two months' hard labour.	Fines paid in nine cases; deducted from wages in one case.
Contravention Section 20, Sub-Section 2, Ordinance 17, 1904 (unlawful absence).	102	From 5s. or one week's hard labour to £4 or one month.	Fines paid in 15 cases.
Contravention Section 8, Sub-Section 17, Ordinance 27, 1905 (fraud in the performance of work).	25	From 5s. or 14 days' hard labour to £3 or one month.	Fines paid in three cases; deducted from wages in 14 cases.
Contravention Regulation 44 of 1905.	18	10s. or seven days' hard labour.	Fines paid in eight cases.
	1,119		

No. 37.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN

(Received March 31, 1906.)

[See No. 49.]

MY LORD,

Governor's Office, Johannesburg, March 12, 1906.

WITH reference to my despatch of the 12th March,* I have the honour to enclose, for your information, a copy of a statement for the month of January, 1906, of convictions and sentences on Chinese labourers.

I have, &c.,

SELBORNE,
Governor.

Enclosure in No. 37.

CONVICTIONS AND SENTENCES IMPOSED ON CHINESE LABOURERS FOR THE MONTH OF
JANUARY, 1906.

Crime or Offence.	Total No. of Labourers Sentenced.	Summary of Sentences.	Remarks.
Assault (common) ...	44	From 10s. or 10 days' to two months' hard labour.	Fine paid in two cases.
Assault (with intent) ...	7	From two months and 10 lashes to four years and 20 lashes.	
Murder ...	Nil		
Riot ...	1	21 days' hard labour.	
Other Offences under Common Law—			
Forgery and fraud ...	56	From £1 or seven days to three months.	Fine paid in five cases.
Attempting escape from custody ...	1	One month's hard labour.	
Public violence ...	Nil		
Housebreaking by night ...	10	3½ years and 20 lashes to four years and 20 lashes.	
Housebreaking and theft ...	Nil		
Theft ...	18	From £1 or 14 days to £7 or six weeks.	
Possession dangerous weapons (contravention Regulations, Section 9, Ordinance 20, 1905).	7	£7 or six weeks' hard labour.	Fine paid in two cases.
Possession of explosives (contravention Section 7, Sub-Section 1, Ordinance 4, 1905).	1	£25 or two months.	
Contravention Regulation 84, Ordinance 54, 1903 (mining regulations).	7	From £2 or one month to £5 or one month.	Fine paid in one case.
Offences under Labour Importation Ordinance or its Regulations—			
Absence without permit (contravention Section 19, Ordinance 17, 1904).	101	From 5s. or 10 days to £2 or six weeks.	Fine paid five cases; in 46 cases fines were deducted from pay.
Desertion (contravention Section 31, Sub-Section 11, Ordinance 17, 1904).	809	From 5s. fine to £25 or two months.	Fine paid 152 cases; 18 from pay.
Carried forward ...	1062		

* No. 36.

Crime or Offence.	Total No. of Labourers Sentenced.	Summary of Sentences.	Remarks.
Brought forward...	1,062		
Offences under Labour Importation Ordinance or its Regulations— <i>cont.</i> —			
Fraud in performance of work (contravention Section 8, Sub-Section 17, Ordinance 27, 1905).	8	From £1 or seven days to £18 or six weeks.	Fine paid one case; in three cases deducted from pay.
Illegal possession of opium (contravention Section 8, Sub-Section 15, Ordinance 27, 1905).	70	From 10s. or 14 days to £20 or three months.	Fine paid in seven cases.
Unlawful absence (contravention Section 20, Sub-Section 2, Ordinance 17, 1904).	441	From 5s. or one week to £4 or one month.	Fine paid in 17 cases.
Absence from roll-call (contravention Regulation 44, 1905).	25	From £1 or seven days	Fine paid in six cases.
	1,606		

No. 38.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 12.20 a.m., March 31, 1906.)

TELEGRAM.

[Answered by No. 40.]

March 30. No. 2. Your telegram of 8th March.* It is indeed a hard task that you have given me. My first duty must be to point out the great difficulties there are in carrying out your scheme of repatriation of Chinese coolies on the lines proposed in your telegram.

I am informed by the Superintendent of Foreign Labour that to explain the motive of His Majesty's Government to the Chinese coolies will be a hopeless task. It will be incomprehensible to them. They have very strict ideas as to the sacredness of contracts; and the action of His Majesty's Government will be attributed by them, one and all, to an attempt to upset the existing contracts to their disadvantage. He says that they will either suspend all work for a week or two while they discuss this, to them, inexplicable proposition, or they will determine to leave the country in a body before the Government can deprive them of the savings which they have accumulated. As an instance of the working of their minds he cites that a scheme, in which I myself took great interest, for the establishment of Government Savings Banks in connection with the mines where coolies could bank their savings, was, after great deliberation, pronounced by the coolies to be an undoubted attempt on the part of the Government to appropriate their savings. The sole object of His Majesty's Government, I understand, is to enable coolies who are really discontented with their lot or who had misunderstood the nature of their work to return to China, but to do so while avoiding anything in the nature of an inducement to coolies to terminate their contracts in large numbers, and thereby cause a heavy charge to Imperial funds and an industrial collapse on the Rand. This being so, I am convinced that you would not desire to run such risks as the Superintendent of Foreign Labour foresees in the plan as suggested.

Again, he is confident that under the plan suggested no coolies will disclose the fact that they have any money saved up with which to purchase their discharges. He is, in fact, confident that the plan would result in the repatriation of a great number of coolies who did not desire to be repatriated, and of a great number who could, if they wished to do so, very well afford to purchase their discharges.

No. 18.

Again, both the Lieutenant-Governor and the Superintendent of Foreign Labour think that it would be much better to send a man who was to be repatriated at the expense of His Majesty's Government (? away at once as he) would take care to do no more work than he could possibly help in the interval, and they believe that he would be a very disturbing influence among the rest of the labourers.

It is clear that legislation would be required in order to make effective the penalty of twelve months' imprisonment for coolies who return to the Transvaal after being repatriated by His Majesty's Government. Do you approve? It could not be done by regulations.

So far this telegram has been destructive. I now put forward some constructive proposals on the lines of which I will endeavour to work out the problem if His Majesty's Government approve of them. I would not give any coolie an opportunity of being repatriated at expense of His Majesty's Government unless he has been six months on the Rand. He cannot really tell till then whether he likes or dislikes his position.

I should propose that the Superintendent of Foreign Labour should put up in each compound a notice setting forth:—

1. That it has been represented to the Government that there are labourers who are dissatisfied with the nature of their work, or who did not understand when they left China what were to be the conditions under which they were to work in the mines.
2. That there is no desire on the part of the employers to retain the services of men who are dissatisfied, or who have just cause to complain of the conditions under which they work.
3. That under Clause 14 of their Contracts all such persons can terminate their service and return to China, if they pay expenses incurred in bringing them here and sending them back.
4. That the Government are anxious to know from the coolies described in 1 what are the reasons why they do not avail themselves of Clause 14 of their Contracts.
5. Inviting all such persons as are described in 1 to send in petition to the Superintendent, giving the reasons why they are dissatisfied and why they do not take advantage of Clause 14 of their Contracts, and if such reason be that they have not the money to purchase their discharges, to state how much money they can contribute to purchase their discharges, but that it must be remembered by all petitioners that if they are allowed to return to China without paying the full purchase money for their discharges, they will not be allowed to return to South Africa under any pretence, and that if they do so they will be liable to imprisonment for a period of twelve months.

The Superintendent and Inspectors would then examine petitions, see the petitioners personally, and ascertain all those who are genuinely anxious to return to their country, and exactly what amount they can contribute towards the expenses incurred in sending them back. These would then be listed for repatriation.

As soon as the list of persons to be repatriated was complete steps should be taken to carry out repatriation. Until such steps were complete, persons to be repatriated would continue to serve under their contracts, and they would be told that in addition to what they had declared they could contribute towards the expenses of repatriation, half what they earned while waiting to be repatriated would be added to such contribution.

Also it should be explained to them that unless their conduct during the period of waiting to be repatriated was good their repatriation might be cancelled. The sole judge of conduct to be the Lieutenant-Governor.

Do you authorize me to proceed on these lines? If you do I must work it out in further detail with the Lieutenant-Governor, Superintendent of Foreign Labour,

and Chamber of Mines. I might have to vary details, but I assume that I shall have authority to do so so long as full effect is given to intention of His Majesty's Government, viz., that every coolie who really and earnestly desires to return to China should be enabled to do so, and should realize that it is possible for him to do so.

No. 39.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 4.40 p.m., March 31, 1906.)

TELEGRAM.

March 31. No. 2. Your telegram 22nd March, No. 1.* Jamieson reports as follows: I understand position to have been this. Mine Managers complain of loss of time and expense of taking coolies guilty of trivial offences and minor breaches of regulations, together with escorts and witnesses, before the Magistrates' Courts where, owing to pressure of work, cases were often remanded. Coolies themselves objected to economic waste of time wherein they could be earning money, and in some instances asked that offenders be dealt with summarily by means of slight corporal punishment inflicted on the mine. Late Superintendent appears to have concurred in principle and it is supposed he mentioned having done so to Lord Milner. There is, however, absolutely nothing on record of latter's sanction, official or unofficial, nor of sanction by Lawley or Evans, nor does late Private Secretary remember question ever having been brought up. That on certain mines undue advantage was taken of Superintendent's assent actually given, or tacitly taken for granted, is undoubted, but principally by the Compound Police who have instructions see that order was maintained and mine discipline enforced. Government had at that time no regular system of Inspectors nor of check, and naturally no records were kept. It is therefore impossible even approximately to state numbers.

No. 40.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 5.25 p.m., March 31, 1906.)

TELEGRAM.

March 31. Your telegram, No. 2, 30th March.† I think your constructive proposals repatriation would be fair fulfilment of pledges given to Parliament and would command much acceptance here. But protracted delay in announcing definite action may provoke suspicions and complaint. Question will be asked Commons, Monday, and I propose in reply to give the substance of your suggestions, and to add that they appear here to give full effect to the intention of His Majesty's Government, viz., that every coolie who really and earnestly desires to return to China should be enabled to do so and should realize that it is possible for him to do so. Do you concur?

As regards detailed regulations I am anxious to impress upon you the necessity of framing them with the least possible delay.

No. 41.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 6.20 p.m., April 4, 1906.)

TELEGRAM.

[*Answered by No. 47.*]

April 4. No. 1. My telegram, 18th February, No. 3,‡ your telegram, 28th February, No. 2.§ Judicial and punitive methods to which exception is taken by

* No. 25.

† No. 38.

‡ No. 7.

§ No. 14.

His Majesty's Government were enumerated by Under-Secretary for the Colonies in the House of Commons on 22nd February. You will observe that the judicial methods referred to were trials within the mine premises and that it is not the intention of His Majesty's Government to withdraw the judicial powers of the Superintendent and Inspectors which were conferred upon them largely on the assumption that this was in the interests of the Chinese labourers for the purpose of securing a more speedy and satisfactory administration of justice through Chinese-speaking Magistrates. The objectionable provisions are (a) holding of trials within the mine premises; (b) deduction of fine from wages; (c) fining of head boy for not reporting offences; (d) collective punishment.

It is necessary to consider how effect can be given to these objections.

With regard to (a) His Majesty's Government desire that Courts should be held at places outside the mines and with full publicity. This apparently can be done by order of the Lieutenant-Governor under Sections 1 (1) and 13 of the Ordinance of 1905. His Majesty's Government also consider that the provision of a lock-up on the mines by the employer is objectionable and that in any case the confinement in any lock-up on the mines should be limited to a few hours by Regulation. This also can apparently be done by Regulation under Section 13. It has not yet been fully explained by what process legal arrests are effected on the mines.

With regard to (b) while accepting for the time being the Attorney-General's proposal to issue instructions to the Superintendent and Inspectors, His Majesty's Government would observe that it is unusual to limit the discretion of a judicial officer by instructions, and they desire that the matter should be dealt with by an amendment of the Ordinance, which will in any case be necessary.

(c) appears to call for an amendment of the Ordinance.

With regard to (d) it will apparently be sufficient for the Lieutenant-Governor to notify that he will refuse his approval of collective fines.

His Majesty's Government are prepared to waive objection to the penalties in the Ordinance upon the labourer for the purchase or possession of opium on the ground that the penalties are a practical necessity.

I desire to learn from you that practical effect can be given at once to these required alterations, either by Regulation or by the issue of instructions pending any absolutely necessary amendment of the law at the next meeting of the Legislative Council. In my opinion it is clearly preferable that any amendment of the law should take place by Ordinance rather than by Order in Council.

No. 42.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 7.30 p.m., April 5, 1906.)

TELEGRAM.

[Answered by No. 46.]

April 5. No. 2. Your telegram, 29th March, No. 1.* Questions asked in Parliament as to whether Li Kui punished coolies by tying them up by thumbs and whipping them, and what steps have been taken to prevent continuance of torture and flogging and as to order made by Judge Mason against Jamieson. Telegraph facts.

No. 43.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 2.30 p.m., April 6, 1906.)

TELEGRAM.

April 6. No. 1. Your telegram, 29th March, No. 1.* Communicate following to Hutchinson, Russell, and Bowen:—

Begins: Have telegraphed to Governor who replies that you have been informed of the provision of the Ordinance under which repatriation has taken place.

No. 44.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

[Answered by No. 119.]

MY LORD,

Downing Street, April 7, 1906.

I HAVE the honour to transmit to you copy of a question asked in the House of Commons as to the Premier Diamond Mine, and of the reply.

2. I shall be glad to receive a report on the question asked by Mr. Markham, and more particularly a report as to whether the mine could be worked at a profit with white labour.

I have, &c.,
ELGIN.

Enclosure in No. 44.

House of Commons, Thursday, April 5, 1906.

MR. MARKHAM asked the Secretary of State for the Colonies whether "Kaffirs working on the Premier Diamond Mine are strictly confined to compounds, and, if so, whether this is the only mine in the Transvaal where the compound system is enforced; whether, in view of the declaration of Ministers relating to the compound system in South Africa, and that the Transvaal Government hold six-tenths of the claims, and are entitled to 60 per cent. of the profits of this mine, he will instruct Lord Selborne to abolish the compound system, and work the mine for the future entirely with white labour; whether he is aware that the chairman of this company, at the annual meeting held in Johannesburg on 27th February, 1906, stated the working costs per load were 3s. 9d. and the profit 10s. per load, and that the net profit for the mine for the year 1905 was £622,633, and that additional profit was anticipated when the new washing plant was completed in June next; and whether he will instruct Lord Selborne to obtain from the State Mining Engineer a report of what diminution of profit, if any, would be lost to the Government if the mine was worked entirely with white labour."

MR. CHURCHILL, in reply, said: "Kaffirs working on the Premier Mine are, I understand, confined to compounds under the Ordinance of 1903, which enacts, *inter alia*, that no coloured person shall be kept in any compound except under a contract voluntarily entered into by him, and not running for a period exceeding three months at a time. I am not aware whether this system exists on the other diamond mines. The Secretary of State is not prepared to give the instructions suggested. I have not received any official report on the financial working of the Premier Mine, but I have seen the report in the local press of the annual meeting. The Secretary of State will ask Lord Selborne to obtain from the Mining Engineer the report which the Honourable Member desires."

* No. 32.

No. 45.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

[Answered by No. 121.]

MY LORD,

Downing Street, April 7, 1906.

I HAVE the honour to transmit to you copies of two questions asked in the House of Commons relative to the flogging of Chinese coolies and of the answers.

2. I shall be glad to receive a report as to the question asked by Mr. H. Cox on the 5th instant.

I have, &c.,
ELGIN.

Enclosure 1 in No. 45.

House of Commons, Wednesday, March 21.

MR. HAROLD COX asked the Under-Secretary of State for the Colonies whether coolies who have been illegally flogged in South Africa are entitled to recover damages for assault from any person or persons; and, if so, whether the Secretary of State will undertake that they shall be informed of the nature of their remedy and furnished with the necessary facilities for prosecuting it.

In reply, Mr. CHURCHILL said: "A coolie is entitled to recover damages for illegal assault. Under the Labour Importation Ordinance of 1904, it is part of the duty of the superintendent and inspectors to inquire into any complaint which a coolie may have to make. In inquiring into any complaint, no doubt the superintendent or inspector would inform the coolie of any civil remedy open to him. The Secretary of State considers that in these circumstances it is not necessary to make any special notification to the coolies on the subject."

Enclosure 2 in No. 45.

House of Commons, Thursday, April 5.

MR. HAROLD COX to ask the Under-Secretary of State for the Colonies, in how many cases Chinese coolies who have been illegally flogged in the Transvaal were subsequently informed by the Superintendent of Foreign Labour, or by the inspectors, that they had a right to recover damages for assault.

In reply, Mr. CHURCHILL said: "I am not able to say, but the Secretary of State will make inquiry."

No. 46.

ACTING LIEUTENANT-GOVERNOR SIR R. SOLOMON to THE EARL OF ELGIN.

(Received 8.55 p.m., April 10, 1906.)

TELEGRAM.

[Answered by No. 60.]

April 10. No. 1. Your telegram to Governor, 5th April, No. 2.* A full statement of case of Li was sent to you by mail of 2nd April.† It was reported to Superintendent that Li was in the habit of flogging coolies and in one case tied a coolie up by thumbs. Jamieson had good reason to believe report and caused Li to be repatriated. It was difficult to get coolies to give evidence, as they were afraid of Li and of Chinese Controller under whose directions believe Li was acting. Controller dismissed. Superintendent now hopes he will be able to get evidence against Controller with a view to prosecution. It is believed that with Li repatriated and Chinese Controller dismissed alleged flogging and torture in compound in question will cease.

* No. 42.

† See No. 52.

Order made against Jamieson by Judge Mason was to return body of Li alleged to have been illegally detained by him pending his return to China and to show cause why he should not be committed for contempt of court for sending Li to Durban to be there placed on board ship for China in pursuance of repatriation order, but after receiving letter from solicitors threatening that if information not given them as to charge against Li court would be moved Jamieson informed solicitors no charge against Li but under orders for repatriation and naturally thought no further action would be taken. To-day Jamieson showed cause and was found guilty of contempt and fined £10 but Judge stated Jamieson had acted quite *bonâ fide* though illegally and without intention to show disrespect to court and that the coolie left voluntarily for China. Appeal has been noted.

No. 47.

ACTING LIEUTENANT-GOVERNOR SIR R. SOLOMON to THE EARL OF ELGIN.

(Received 6.2 p.m., April 11, 1906.)

TELEGRAM.

[*Answered by No. 57.*]

April 11. No. 1. Your telegram to Governor, 4th April, No. 1.* At present some of the Courts held by Inspectors are within the mining compounds, but notice is affixed to the door of every such compound that any person wishing to attend the proceedings of the Court may do so. I am now in communication with Superintendent with a view to having only a sufficient number of Inspectors' Courts erected and these must all be erected outside the compounds. I shall urge that this be done as promptly as possible.

With regard to lockups on the mines, I have given instructions that these should be under the charge of some person not in the service of the mineowners. My own opinion is that such person should be a police officer and that he should be paid by the owners of the mine on which the lockup is situated. He must keep a register similar to that which is usually kept at a charge office. I shall publish a regulation to the effect that no person can be detained in such a lockup for a period exceeding 24 hours without a charge being brought against him, and that no more persons should be detained at any one time than the number fixed by the Medical Officer of Health as the maximum which the cell can contain with due regard to health.

I agree that (? it is not) satisfactory to limit the discretion of a judicial officer by instructions, and propose, therefore, to introduce an Ordinance during the next session of Legislative Council respecting the section of Labour Importation Ordinance to which you refer in your telegram as objectionable. Meanwhile, Superintendent and Inspectors have instructions to treat them as if already repealed.

I fully agree that it is preferable that any amendment of the law should be by Ordinance rather than by Order in Council.

No. 48.

ACTING LIEUTENANT-GOVERNOR SIR R. SOLOMON to THE EARL OF ELGIN.

(Received 9.57 p.m., April 11, 1906.)

TELEGRAM.

[*Answered by No. 53.*]

April 11. No. 2. With reference to Lord Selborne's telegram to you, No. 2. of (? 30th March), † I have had two long consultations with the Chamber of Mines

* No. 41.

† No. 38.

with the view of obtaining information on which the details for carrying out repatriation scheme could be framed. The Chamber have sent me an important memorandum upon the whole subject, and they trust action will be postponed until you have seen it. I am sending it by next mail, but I can cable it to you if you think that this will cause undue delay. It is very long, but I think that it is most desirable that you should see it.

The Chamber point out that any kind of putting up in the compounds would have disturbing effect, and that one-third of labourers probably would petition to return to China. These would include not only those His Majesty's Government are anxious to assist but a great many others who are well able to buy their discharges if they were dissatisfied with their conditions, and would seize the opportunity of free passages to China, and take with them what they have saved here. The Chamber think that any notification would be an inducement to coolies to terminate their contracts in large numbers and thereby cause heavy charge to Imperial funds, and industrial collapse here which will throw hundreds of white men out of employment.

I have also consulted a Chinese writer in the Government employment who thoroughly understands the labourers, as to the effect of any notice in compound on lines suggested, and he says that a very large number of coolies would apply to go home at the expense of Government, only a percentage of whom would be of the class which His Majesty's Government desire to assist; that the others would include gamblers who have lost heavily and are anxious to get out of the country so as to avoid paying their debts, and men who through sickness or opium are unable to work hard. This Chinese writer is also clear that, from his knowledge of his countrymen, any notice such as that suggested would arouse suspicion in the minds of labourers as to the motives of the contemplated action.

I would recommend the following method of carrying out the object of His Majesty's Government for your consideration. The superintendent and Inspectors should, without posting up any notice in the compound, quietly, by moving among the labourers, ascertain on each mine what labourers are dissatisfied with their conditions, and are genuinely anxious to return. This would soon become known among the labourers, and those anxious to return to China would not hesitate to communicate their desire to the Superintendent and Inspectors. They should report to Lieutenant-Governor the case of every such labourer, finding out at the same time from each such labourer how much he is willing to contribute towards the expenses of returning him to China. Mr. Jamieson informs me that he believes that in this way all genuine cases would be ascertained, and I have every reason to believe that there would be no difficulty in getting the companies themselves to pay for the return of such labourers.

This process would no doubt be a slower one than that of calling for applications by notices in compounds, but I am assured it would have the effect of getting hold of the men whom it is desired to assist, and would not incur risk of industrial collapse, the result of which would be far-reaching. The Superintendent would also freely exercise his powers, under Section 7 of the Labour Amendment Ordinance, 1905, and repatriate all whom he has power to repatriate under that section, so that there may be no risk of throwing on Imperial Government the cost of repatriating those who ought to be repatriated at cost of the employers. Mr. Jamieson says he could at once repatriate 200, under section referred to. My object is to ascertain with certainty, as far as possible, the labourers His Majesty's Government are desirous of assisting, and I think it can be done by the process I have suggested. At all events, I would recommend that it be tried as an experiment to start with and at once without delay.

If this be agreed to I would personally see the Superintendent and each Inspector and urge that each should endeavour to attain the object His Majesty's Government have in view.

No. 49.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 4 p.m., April 12, 1906.)

TELEGRAM.

[Answered by No. 63.]

April 12. No. 1. Your despatch, 12th March.* Is there any definite reason for large increase in cases of desertion in January return, over the average previously reported?

No. 50.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 7.35 p.m., April 12, 1906.)

TELEGRAM.

April 12. No. 1. Your telegram, of 22nd March, No. 2.† Number of unskilled whites employed on Witwatersrand Mines on 30th April, 1904, total, 1,003; on 28th February, 1906, total, 707. Despatch‡ will follow by mail.

No. 51.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received April 21, 1906.)

MY LORD,

Governor's Office, Johannesburg, April 2, 1906.

WITH reference to my despatch of the 12th March,* I have the honour to enclose, for your information, a copy of a statement for the month of February, 1906, of convictions and sentences on Chinese labourers.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 51.

CONVICTIONS and Sentences imposed on Chinese Labourers for the Month of February, 1906.

Crime or Offence.	Total No. of Labourers Convicted.	Summary of Sentences.	Remarks.
Arms Ordinance	1	£8 or one month ...	Sentence served.
Possession of dangerous weapons ...	7	From £3 or 14 days' hard labour to one month's hard labour.	Sentence served.
Contravention of Mines, Works and Machinery Regulations.	15	From one month's hard labour to nine months' hard labour.	Sentence served.
Gold law	1	Six months' hard labour and five lashes.	Sentence served.
Escaping from custody	1	Two months' hard labour	Sentence served.
Assault	60	From 5s. or one week to four months' hard labour.	In seven cases fine was paid.
Carried forward ...	85		

* No. 37.

† No. 26.

‡ See No. 113.

Crime or Offence.	Total No. of Labourers Convicted.	Summary of Sentences.	Remarks.
Brought forward ...	85		
Assault with intent	6	From 14 days' hard labour to 12 months' hard labour.	
Theft	16	From seven days' hard labour to three months' hard labour.	
Forgery	35	From 14 days' to one month's hard labour and from 14 days to £9 or three weeks.	Fine paid in one case.
Fraud	9	From £1 or seven days to £4 or one month's hard labour.	Fine paid in six cases.
Housebreaking and theft	9	From one month's hard labour to five years' hard labour.	
Trespass or intrusion	2	Two months' hard labour	
Malicious injury to property ...	1	Seven days' hard labour	
Murder	4	Death.	
Offences under the Labour Importation Ordinance or its Regulations—			
(a) Desertion, contravention of Section 31, Sub-section 11, Ordinance 17 of 1904.	787	From £1 or seven days to £25 or two months' hard labour.	Fine paid in 97 cases; in four cases fine deducted from pay.
(b) Absence from roll call, Regulation 44, Sub-section 5, Ordinance 17 of 1904.	17	From £1 or seven days' hard labour.	Fine paid in one case.
(c) Contravention Section 8, Sub-section 17, Ordinance 27 of 1905.	7	From £2 or one month's hard labour to £5 or one month's hard labour.	In three cases fine was deducted from pay.
(d) Contravention Section 6, paragraph 1, Ordinance 27 of 1905	3	Fined £2 each	Fine paid in two cases; in one case fine deducted from pay.
(e) Absence without permit, contravention Section 19, Ordinance 17 of 1904.	61	From 10s. or ten days' hard labour to £10 or one month.	Fine paid in six cases; in 11 cases fine deducted from pay.
(f) Unlawful absence, Section 20, Sub-section 2, Ordinance 17 of 1904.	310	From 5s. or one week's hard labour to £4 or one month.	Fine paid in six cases.
(g) Illegal possession of opium, Section 8, Sub-section 15, Ordinance 17 of 1904.	28	From £2 or one month to £50 or six weeks' hard labour.	Fine paid in eight cases.
(h) Trading by labourers, Section 31 Sub-section 13, Ordinance 17 of 1904.	2	From £20 fine to £25 or six weeks' hard labour.	Fine paid in one case.
Total	1,382		

No. 52.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received April 21, 1906.)

[See No. 60.]

MY LORD,

Governor's Office, Johannesburg, April 2, 1906.

WITH reference to my telegram of the 29th March, No. 1,* I have the honour

* No. 32.

to transmit to you the accompanying copy of a statement with which I have been furnished by the Superintendent of Foreign Labour setting forth the facts with regard to the repatriation of a Chinese coolie named Li Kuei-yü.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 52.

STATEMENT regarding repatriation of Li Kuei-yü, Chinese indentured labourer No 29011, employed on the Consolidated Langlaagte Mine.

In terms of Section 7 of Ordinance No. 27 of 1905, the Superintendent may, with the consent of the importer, order the return to the country of origin, and may cancel the contract of employment and take all necessary steps for such return at the expense of the importer of any labourer who he has reasonable grounds for believing is a danger to the exercise of the proper control of labourers on any mine, and in the exercise of the powers of this section the provisions of Section twenty-eight, Sub-sections (4) and (5) of the said Ordinance shall apply.

On the 20th of March Mr. J. Harry Johns, Consulting Engineer of the Johannesburg Consolidated Investment Co., Limited, the representative of the management of the Consolidated Langlaagte Mine, came to consult me with reference to the state of things on the mine in question, and, after hearing what certain coolies, who had come into town to complain to me of oppressive treatment, had to say, asked me to have Li Kuei-yü repatriated under Section 7, above cited. This was confirmed in writing by a letter of the same date. I accordingly gave an order that Li be brought into this office from the mine, and detained here, pending the making of arrangements for sending him down to Durban, to await the sailing of a steamer to China, as it would have been highly inexpedient, in the interests of the public peace, to have kept him on the mine premises.

This order was executed by Captain Cruddas, the Department's Inspector for that district, and Li was brought in on the evening of Wednesday, the 21st instant, he having been informed that he was to be repatriated for misconduct. This statement was again repeated to him the next morning by Captain Fairfax, the inspector on duty at the Head Court, to whom he addressed a request that he might see me. This request was, of course, acceded to, and, when he was brought before me, I told him quite plainly the grounds on which I was taking action. He denied all charges: said he was traduced, and demanded to be confronted with his traducers. I pointed out to him one or two instances of deliberate falsehood he was then committing, to which I shall refer later on, and he was again told that he would have to go back to China. He was somewhat disconcerted at discovering how much I knew, and asked if he might send for his kit. He was given pen and ink and, after he had written a letter to a friend in the compound, I sent an orderly to fetch his things.

Certain money he had deposited in Post Office Savings Bank was also withdrawn and handed to him, and he left for Durban, in charge of a police constable, on Saturday, the 24th.

He never expressed a refusal to be repatriated, nor did he apply for legal assistance. His one desire was to get in touch with those who had laid complaints against him or furnished me with information, and for various reasons, which appeared to me sound, I declined to give him such opportunity.

His repatriation order, which at the same time determined his contract, was signed on March 22, and in the course of that day Mr. Witthauer, the Compound Manager of the Consolidated Langlaagte came to see me. He asked that Li be allowed to sign a Power of Attorney to enable solicitors to act for him. I replied that there was absolutely no necessity for such a course being taken, as Li himself had made no application of that nature, and, under any circumstances, he was not going to be tried. I at the same time informed him of my reasons for removing Li. He then produced a letter from Messrs. Hutchinson, Russell and Bowen, stating

that they were acting as representatives of the coolies in the compound, and asking on what charge Li had been arrested. I told him to inform the firm in question that Li was being repatriated under Section 7 of Ordinance 27 of 1905, and that I declined to recognise them in the matter.

Witthauer, who was excited, in the course of argument admitted, in the presence of witnesses, that he himself had flogged coolies, in order to maintain discipline, and that Li was not to blame.

I intimated to him that, if I could obtain proof thereof, I should prosecute him, and he withdrew. It is to be presumed that thereafter the telegram to Lord Elgin was despatched. The statement therein that no charge has been made is false. I distinctly told Witthauer to inform Hutchinson, Russell and Bowen that Li was being repatriated in terms of Section 7, and gave him my grounds for considering Li an undesirable character. These grounds I shall now proceed to rehearse.

Li Kuei-yü is an ex-soldier of the Weihaiwei regiment, and of known bad character. During the incumbency of Mr. C. D. Stewart as Compound Manager he was degraded from his post as policeman for misconduct. On Witthauer's assuming charge, he reinstated him and made him his right-hand man.

Witthauer is, I understand, an ex-petty officer of the German navy of very excitable temperament, addicted to intemperance, imperfectly acquainted with the Chinese language and commanding but little respect from his coolies, amongst whom he is universally known as Ta tu Tzu, or Big Belly. By force of circumstances, therefore, he was compelled to find someone to assist him, and the person selected was Li. Like all Orientals, placed in a position of unfettered authority, he developed into a tyrannical bully, as of personal courage he has no lack, and adopted an insolent demeanour towards everyone placed over him. He has treated my inspectors with scant courtesy, and has stated to them that he has given orders for coolies to be flogged, a statement he was prudent enough to withdraw when charged with assault. I am informed incidentally that the medical officer on the mine has had occasion to treat cases of men suffering from beating.

The mine manager will certainly acknowledge that in the past he took little personal interest in his compound, and, consequently, Witthauer and Li had a free hand given them.

I have at times asked coolies from that compound why they have not complained to their compound or mine managers in the first instance, before coming to this Department, and the reply has been "What is the use? Unless you can get round the head policeman you are never listened to:"

Although aware that this very unsatisfactory state of things has been going on for some months, I have never been able to secure sufficient evidence to sustain a successful prosecution. I tried once, by ordering an investigation, with a view to establishing a *primâ facie* case, but Witthauer got Hutchinson, Russell and Bowen to defend Li, and the evidence broke down. It is not in human nature to expect coolies, who are well aware that they will have to go back to their mine and work under the same compound manager and head policeman as before, to repeat in Court the evidence against these individuals, which they give in statements to me or my inspectors. It was a realisation of how much harm an unsuccessful prosecution would create that induced me, with the consent of his employers, to repatriate Li, under Ordinance 27, and to press for Witthauer's dismissal, rather than to institute proceedings. Once have them removed from the mine, there will be some chance of collecting evidence, given without fear of reprisals.

It is due to the very persistent endeavours made by my inspector, to get at the bottom of things in this compound, that of late coolies have overcome their fears, have approached him at night at his private residence with complaints and addressed to him petitions.

I give extracts at random from statements on oath:—

"About two months ago two of the men in my gang were not able to work, owing to blisters on their hands. Li Kuei-yü beat me, saying it was my fault that these two could not work."

“Li sells opium at 10s. per small tin, gin at 16s. per bottle.”

“Li compelled me to buy flour, which I did not want, under penalties of being beaten.”

“I bought 5s. worth of flour from Li Hung Chang, which Li Kuen-yü took from me and flung away.”

“He had me hung up by the thumbs and beat me with a whip. This was about two months ago. I wrote a letter to put in the box but was not allowed to put it in.”

“One day, about 8 days ago (deposition dated March 16), head policeman was drunk and wanted to go for me with a large knife. He also struck me with a jumper on the left leg.”

“Head policeman sells opium, and the compound manager knows thereof and benefits by the sale.”

These statements are corroborated by a petition signed by the representatives of 230 men, which accuses Li of having formed a society (others tell me in conjunction with an interpreter named Kuo), for trading in opium and gin, compelling coolies to join a theatrical company and starting a gambling hell, wherein coolies are forced after every payday to gamble away their wages, with the result that suicides by opium poisoning are frequent. In corroboration hereof, *vide* attached affidavit from mine medical officer. Granted that these charges may not all prove to be absolutely accurate, the fact of their having been brought at all constitutes sufficient evidence of very lax compound control, and furnishes a very comprehensive indictment against Li Kuei-yü.

For reasons above given, I might not be able to have them fully substantiated, but they afford me ample justification for considering Li an undesirable character, and for repatriating him under Section 7 of Ordinance 27 of 1905.

As an instance of the system of terrorism in force on this mine, I may cite the case of an indentured labourer named Han Wen Jung, 32008, who came to lay a complaint before Captain Cruddas and myself, and was one of the men whom Mr. Harry Johns interviewed in my office, was on his return to the compound handcuffed and placed in custody with the knowledge of Witthauer.

He was brought before Captain Cruddas on Friday, the 23rd, and was charged by Witthauer with sedition. This charge Captain Cruddas refused to entertain, and directed Witthauer to lay it before the police at Langlaagte.

No charge was laid until Monday, the 26th, at 8.30 p.m., when Witthauer wished to charge him with enticing other coolies to refuse to work.

In the interval Han was detained in custody in handcuffs.

J. W. JAMIESON,
Superintendent.

I, CHARLES EDWARD LIGERTWOOD, Medical Officer of the Consolidated Langlaagte Mines, Limited, do make oath and say, as follows:—

I am the medical officer in charge of the compound hospital of the Consolidated Langlaagte Mines, Limited. Since July, 1905, the undermentioned Chinese labourers have died in hospital on the dates specified against their numbers, of opium poisoning:—

No. 32061.	8th July, 1905.
„ 29201.	6th September, 1905.
„ 32045.	25th October, 1905.
„ 28979.	5th December, 1905.
„ 29375.	12th February, 1906.
„ 29923.	18th March, 1906.

The following were found dead on the property, their deaths being due to opium poisoning :—

No. 28694. 14th November, 1905.
 „ 28906. 25th January, 1906.
 „ 28542. 2nd February, 1906.

The following are men who have recovered, under my treatment, from the effects of acute opium poisoning :—

Mine No. 1717.	Government	Passport No. 32069.	August 28th, 1905.
„ 624	„	„ 29181.	September 8th, 1905.
„ 1681	„	„ 32033.	September 15th, 1905.
„ 1582	„	„ 31934.	October 4th, 1905.
„ 1672	„	„ 32024.	November 9th, 1905.
„ 418	„	„ 28967.	March 5th, 1906.

This list of recoveries is not complete.

C. E. LIGERTWOOD.

Sworn before me at the Consolidated Langlaagte Mines, Limited, this twenty-seventh day of March, 1906.

H. W. CRUDDAS,
 Justice of the Peace.

No. 53.

THE EARL OF ELGIN to ACTING LIEUTENANT-GOVERNOR SIR R. SOLOMON.

(Sent 6.50 p.m., April 23, 1906.)

TELEGRAM.

[*Answered by No. 56.*]

I have carefully considered your telegram, No. 2, 11th April,* and the opinion of the Chamber of Mines therein reported. It is impossible to await documents by mail. If you consider it necessary please telegraph fuller summary of these views with Mr. Jamieson's comments on them. We cannot, however, abandon the putting up of notice in compounds, definitely accepted in Lord Selborne's telegram (No. 2), 30th March,† presumably with Jamieson's concurrence, and announced to Parliament. I must ask you to proceed on general lines of proposals in Lord Selborne's telegram, as only thus can pledges to Parliament be redeemed.

You seem to apprehend a sudden demand for repatriation from coolies not of the class which His Majesty's Government desire to assist. It has, however, always been intended—see my telegram, 8th March‡—that scheme should be fully controlled and that sufficient time should elapse after the application of any coolie was lodged for full investigation of his case, and only genuine applications granted. Further, any contribution to cost of repatriation should be strictly in supplement of money in hand or earned during probationary period.

I trust all officers concerned will co-operate to carry into effect without delay policy which His Majesty's Government has adopted.

No. 54.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 3.37 p.m., April 24, 1906.)

TELEGRAM.

April 24. No. 1. Referring to my telegram 23rd March, No. 1,§ total number of persons employed in gold mines of the whole Transvaal on 31st March :—White 18,617; coloured 94,277; Chinese 49,922.

* No. 48.

† No. 38.

‡ No. 18.

§ No. 28.

No. 55.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 3.37 p.m., April 24, 1906.)

TELEGRAM.

April 24. No. 2. Referring to my telegram 23rd March, No. 2,* official returns of white workmen in mines of the Witwatersrand district in month of March show increase of 98.

No. 56.

ACTING LIEUTENANT-GOVERNOR SIR R. SOLOMON to THE EARL OF ELGIN.

(Received 3.45 p.m., April 25, 1906.)

TELEGRAM.

April 24. No. 1. Your telegram 23rd April.† The memorandum from Chamber of Mines will reach London by mail of 4th May. Its importance justifies me in telegraphing its most important statements in full to you in separate telegram.‡

I shall proceed at once in conjunction with Jamieson to frame notice on general lines indicated in Governor's telegram of 30th March, No. 2,§ and will telegraph to you its terms for approval. I shall see that the cases of applicants are investigated carefully so that only genuine applications may be granted. You may rely on all officers concerned co-operating to carry into effect policy which His Majesty's Government have adopted, without delay.

No. 57.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 6.18 p.m., April 25, 1906.)

TELEGRAM.

[Answered by No. 62.]

April 25. No. 1. Your telegram of 11th April, No. 1.|| I observe that you speak of erecting courts outside the compounds, and I gather that they may still be within the mining premises. This may be unavoidable consistently with one of the objects for which I understand these courts were established, viz., the speedy and satisfactory administration of justice, but if so, I shall be glad to have a statement of the circumstances.

I approve of your instructions and concur in your views as to the custody of lock-ups, but it appears to me that detention in lock-ups without any charge being brought is contrary to Section 5 of the Ordinance, and I do not think that any person should be detained in lock-up beyond 24 hours after charge is preferred but if not tried within that period should be removed to ordinary gaol.

Please inform me by whom and by what process arrests are made on the mines.

I think it desirable, though not absolutely necessary, that amending Ordinance should deal with collective fines, as well as with deduction of fines from wages and fining of head boys for not reporting offences.

* No. 29.

† No. 53.

‡ No. 58.

§ No. 38.

|| No. 47.

ACTING LIEUTENANT-GOVERNOR SIR R. SOLOMON to THE EARL OF ELGIN.

(Received 11.20 p.m., April 26, 1906.)

TELEGRAM.

April 26. No. 2. The important statements in the Memorandum from the Chamber of Mines referred to in my telegram, No. 1, of 24th April,* are as follows :—

The offer to repatriate coolies who repeatedly and earnestly express their wish to return to China before the expiration of their contracts and who, moreover, in most cases would be asked to contribute towards the cost, would appear likely on the face of it to be accepted by a small number actually and sincerely anxious to avail themselves of it. According to Western ideas the offer would be considered upon its merits, but the suspicious Oriental mind may approach the matter from quite another standpoint, and it is conceivable that a large proportion of the coolies, in the belief that refusal upon their part might entail serious consequences to them, may imagine themselves bound to accept an offer made at the instance of His Majesty's Government. It has apparently escaped the attention of His Majesty's Government that a scheme of repatriation has been in successful operation since the coolies first arrived. Under this system 310 coolies have availed themselves of the right to terminate their agreements under Clause 14 of the contract of service and have returned to China. In addition to these the employers have voluntarily, and at their own expense, repatriated 2,619 coolies suffering from physical ills or diseases and 247 as undesirables. Contracts have been entered into by the Chinese labourers with full knowledge of the terms of service and they are legal instruments between them and their employers which His Majesty's Government have sanctioned. The conditions and stipulations which are contained in the contracts received the approval of His Majesty's Government after full discussion and deliberation.

The labourers are fully alive to the terms of their agreements and to the responsibilities involved. They will therefore not be able to understand how the Government can, and why the Government should, interfere in the matter. The offer of repatriation may not only produce disastrous and unexpected effects in the Transvaal, but it may also cause prejudicial consequences in China.

The offer which His Majesty's Government apparently contemplate making, by which any coolie who repeatedly expresses desire for repatriation and who has neither in whole nor in part available funds to defray the cost should proceed to China at the cost of the Imperial Exchequer, may be interpreted by the labourers as an inducement to evade their responsibility, and in view of the astute intelligence of the Chinese will undoubtedly result in none of them being prepared to contribute any material portion of the cost. It must be evident to His Majesty's Government that during the period of probation neither the Government nor the employer will have any practical power to enforce fair and reasonable effort to provide a share of the contemplated outlay on the part of the coolie.

Apart from the question of disturbing the labour position it is evident that it would be too sanguine to assume that any scheme of repatriation on the lines suggested can be carried out without very great cost.

A further danger which must not be overlooked is that the proposals as outlined in the Secretary of State's despatch will probably place the industrious and well-conducted workman at a disadvantage as compared with the habitual loafer.

It has been assumed that the total cost will not exceed £17 10s. per head. Though this sum has been provisionally fixed as the amount repayable by any coolie who desires to terminate his indenture under Clause 14 of the contract of service, it by no means represents the total cost to the industry of each labourer introduced when the capital outlay incurred both in China and in South Africa, losses inseparable from initiation of large enterprise, travelling expenses to and fro, charges for recruiting, and a number of other items, such as cost of outfit, advances, unpaid

* No. 56.

balances of allotments of wages, &c., incurred by him, are taken into account. It would require careful investigation to arrive at an accurate statement of cost; but it would undoubtedly greatly exceed the sum referred to.

The Executive Committee of the Chamber think it proper to point out that after the Labour Importation Ordinance was passed the Mining Companies expended large sums of money and undertook heavy commitments, and that important vested interests have been created thereby.

The expressed desire of His Majesty's Government not to take any action which may have the effect of bringing about an industrial collapse upon the Rand is noted with grateful satisfaction; and that being the case the Committee are emboldened to lay stress upon the deplorable consequences that may result from any general offer of repatriation. There is no reason to believe that the Chinese are dissatisfied with the conditions of their employment or with the manner in which they are treated, but an offer of any such description as that contemplated must prove to many a temptation to repudiate their agreements.

If, notwithstanding the recommendations of this memorandum, His Majesty's Government see fit to direct that some communication should be made to the Chinese upon their behalf, the Executive Committee venture to point out that it would be necessary to stipulate when any proposal that may be made shall come into force and for what period its acceptance shall be open to the labourers. Also it may be observed that as it would be the natural inclination of the coolie to contribute as small a proportion as possible towards the cost of his repatriation, any sum fixed by His Majesty's Government as fair should be actually collected before he becomes entitled to repatriation. An entire evasion on the part of coolies might be prevented by a provision of this description.

The Executive Council trust that their deliberations upon the question submitted to them may prove of assistance to His Majesty's Government in their consideration of this most serious subject, and in conclusion they beg with the greatest respect to urge upon His Majesty's Government that any step hastily taken without the most searching investigation as to its probable results may be fraught with the gravest danger to the industry and commercial interests of the Transvaal.

No. 59.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 7 p.m., April 27, 1906.)

TELEGRAM.

[*Answered by No. 68.*]

April 27. No. 1. Question in Parliament on 1st May whether any official information regarding truth of charges of torture and cruelty to Chinese coolies, publicly made against Wilson and Sutherland, compound manager and police officer respectively, on New Kleinfontein Mine. Please telegraph any information you have. I have received letter from F. W. Johnson offering to give evidence, who says that he has communicated with you and that Attorney-General is making inquiry into his allegations.

No. 60.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 7 p.m., April 27, 1906.)

TELEGRAM.

[*Answered by No. 69.*]

April 27. No. 2. Referring to your telegram 10th April, No. 1.* Question

* No. 46.

in Parliament 30th April as to case of Li Kni Yu. May I reply that he has been repatriated, and Witthauer will be prosecuted, and that abuses at Langlaagte have entirely ceased? I think it very desirable that, if possible, proceedings should be taken against Witthauer.

No. 61.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 7.30 p.m., April 27, 1906.)

TELEGRAM.

April 27. No. 1. The Lieutenant-Governor and I were interviewed to-day by Committee of Chamber of Mines. I am very glad that he transmitted their views to you as he did before taking action or they would have considered themselves unfairly treated. They are very nervous as to the effects of what they consider leap in the dark, and they have asked me to ask His Majesty's Government whether His Majesty's Government will give white employes, miners, and others, who will lose their employment if many Chinese chose to be repatriated, assistance to return to England. The white employes have been to them to ask this question.

I informed the Committee that my orders were to post a notice on the subject in the compounds at once and that I should do so next week.

I will send you, for your approval, the final draft of the proposed notice tomorrow or Sunday. It will be signed by the Superintendent of Foreign Labour.

No. 62.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 11.20 p.m., April 27, 1906.)

TELEGRAM.

[*Answered by No. 77.*]

April 27. No. 2. Your telegram of 25th April.* For the speedy and satisfactory administration of justice it is necessary that courts be on the mine premises, which always cover a large area of ground and often comprise villages and are always as open to public as the streets of Johannesburg.

With regard to lock-ups, under new regulations, which will be issued next week, no person can be received by officer in charge of lock-up except on a definite charge which will be entered on the register. On such charge accused will be brought before Inspector with all convenient speed—it may be within a few hours but in some cases in view of number of mines Inspectors have to inspect, it may be more than twenty-four hours but never more than forty-eight hours. If he were sent to an ordinary gaol his period of detention before being brought before a magistrate would certainly not be shorter and in many cases considerably longer.

With regard to arrests under the Criminal Procedure Ordinance, 1903, the owner of premises on which an offence is committed may arrest offender without warrant or may authorize another to do so.

In cases of offences committed on the mine premises the compound manager representing owner authorises an arrest without warrant. These arrests will not be made by Chinese police. For an offence committed off the mine premises only peace officers can arrest with or without warrant as the law directs.

No. 63.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 10 p.m., April 27, 1906.)

TELEGRAM.

April 27. No. 3. Your telegram of 12th April, No. 1.* The large increase in cases of desertion and absentees in January was due to the Chinese New Year holidays which commenced on 25th January. Many coolies left their mines without permission in order to attend festivities held on other mines and in accordance with the national custom to settle outstanding obligations of the past year.

As regards February returns no appreciable reduction is presumably due to the fact that several deserters in latter period of January still not apprehended; this leakage is included in returns for succeeding month and consequently helps to swell absentees for February.

 No. 64.

HIGH COMMISSIONER THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received April 28, 1906.)

MY LORD,

High Commissioner's Office, Johannesburg, April 9, 1906.

WITH reference to my despatch of December 11th last,† I have the honour to enclose, for your information, a copy of a return for the period October 1st to December 31st, 1905, on the subject of mortality in the South African Mines.

I have, &c.,
 SELBORNE,
 High Commissioner.

* No. 49.

† No. 25 in [Cd. 2819]

Enclosure in No. 64.

MORTALITY RETURN OF MINES, QUARTER ENDING DECEMBER 31ST, 1905.

	Cape Colony.				Natal.				Orange River Colony.				Transvaal.				Southern Rhodesia.				
	White.	Yellow.	Black.	Total.	White.	Yellow.	Black.	Total.	White.	Yellow.	Black.	Total.	White.	Yellow.	Black.	Total.	White.	Yellow.	Black.	Total.	
	Number of deaths from accidents, including homicide and suicide. Rate per 1,000 per annum ...	1	—	16	17	Nil.	—	9	9	—	—	2	2	25	89	202	316	2	—	—	14
Number of deaths from disease, &c. Rate per 1,000 per annum ...	124	—	289	268	—	—	6305	5996	—	—	134	118	511	769	727	714	7544	—	—	3064	3352
Total number of deaths from all causes. Rate per 1,000 per annum ...	374	—	162	165	1	—	20	21	—	—	27	27	69	132	1,240	1,441	3	—	—	244	247
Average number of employees ...	3,212	—	22,142	26,354	294	—	5,710	6,004	788	—	5,951	6,739	19,556	46,307	111,217	177,081	1,060	—	—	15,633	16,633

No. 65.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received April 28, 1906.)

MY LORD.

Kimberley, April 9, 1906.

I HAVE the honour to acknowledge the receipt of your despatch dated the 5th January, 1906.*

2. With regard to the question of the decrease of 234 in the number of white labourers employed since the 31st October last, referred to in your despatch, I beg to inform you that this includes decreases of 188 on the Witwatersrand Mines and of 47 in the outside districts, made up as follows:—

Witwatersrand Mines:—

(a) Decrease at the New Kleinfontein Company's mine	161
(b) Balance of fluctuations on individual mines	27

Outside Districts:—

(c) Decrease at the Klerksdorp Gold and Diamond Company's mine	34
(d) Decrease at the Hex River Gold Mining Company's mine ...	12
Total	234

3. With regard to (a), I would refer you to my despatch of the 6th January.†

4. With regard to (c), the Klerksdorp Gold and Diamond Mining Company dismissed these men on the completion of the battery and buildings, the construction work on which they had been engaged.

5. With regard to (d), the Hex River Gold Mining Company have for the present abandoned work, with the result that they ceased to require the services of 12 men.

6. With reference to the question raised in paragraph 3 of your despatch,* it has been found to be difficult to obtain reliable figures from which accurate deductions can be drawn as to the amount of supervision required by Chinese coolies after six months' experience compared with that required by Kaffir labourers.

Enquiries made by the Mines Department go to show that in regard to surface employment there is little appreciable difference between the supervision required by Chinese and that necessary for Kaffirs, though the compound and time-keeping staff is larger in the case of Chinese than in the case of Kaffirs. The staff referred to includes interpreters, compound managers, time-keepers, &c., and it is estimated by some managers that this staff is about three times as large in the case of Chinese. The reason for this appears to be largely due to the fact that as soon as a Chinaman has been in the country long enough to realise his position under the law and the terms of his contract, he displays a considerable amount of ingenuity in endeavouring to do as little work as possible.

The extra supervision required for a given number of Chinese under this head will probably amount to about .5 per cent. more white labour.

7. As regards underground work, the inclination of the Chinaman to evade working also necessitates a slightly larger staff of white men for the purpose of supervision than in the case of Kaffirs. This is estimated by some managers to be an increase from 65 white men per thousand natives to 68 whites required for the same number of Chinese coolies.

* No. 27 in [Cd. 2819].

† No. 51 in [Cd. 2819].

8. It will thus be seen that on the whole the difference in the amount of supervision required is inconsiderable, although in the case of Chinese there is a slight increase, especially in regard to the compound and time-keeping work.

I have, &c.,
SELBORNE,
Governor.

No. 66.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received April 28, 1906.)

[*Answered by No. 136.*]

MY LORD,

Governor's Office, Johannesburg, April 9, 1906.

WITH reference to my telegram of the 17th February, No. 1,* I have the honour to transmit to you the accompanying copies of letters received from the Secretary of the Transvaal Chamber of Mines, giving the views of the Chamber upon your telegram of the 16th February, No. 2.†

I have, &c.,
SELBORNE,
Governor.

Enclosure 1 in No. 66.

TRANSVAAL CHAMBER OF MINES to PRIVATE SECRETARY TO GOVERNOR.

SIR,

Transvaal Chamber of Mines, Johannesburg, March 3, 1906.

I AM directed by the Executive Committee of the Transvaal Chamber of Mines to acknowledge the receipt of a copy of telegram from His Majesty's Secretary of State for the Colonies, No. 2, dated the 16th February, in reference to the despatch of the 22nd January, and forwarded to me on the 19th ultimo. This telegram has received the careful attention of the Executive Committee, and I have been instructed to reply as follows:—

1. The telegram in question is apparently based on two assumptions, namely:—

(a) That there is an inconsistency in the figures furnished by the Consulting Engineers in their statement on the gold mining industry presented to Mr. Chamberlain in January, 1903; in the estimates given in the Majority Report of the Transvaal Labour Commission, 19th November, 1903; and in the figures supplied by the Chamber in its Memorandum of 15th January, 1906.

(b) That those in control of the mining industry have not made sufficient effort to introduce labour-saving appliances into the working of the mines so as in part to make good the deficiency in unskilled labour.

2. In reference to the first point, a fuller examination of the documents submitted and referred to, and of the papers put before the Labour Commission, will show that though the Chamber did not bind itself to any definite standard of labour requirement per stamp, the totals arrived at in regard to present and future requirements were based on the expectation of a continuous period of five years of work under the most favourable conditions.

3. This period has not yet arrived, but, on the contrary, since the papers in question were prepared and submitted, various questions have arisen tending to keep the mining industry in a condition of incomplete organization.

From a comparison of the figures supplied in the various documents, it will be seen that the Chamber's memorandum of 15th January last dealt with only

* No. 6.

† No. 68 in [Cd. 2819].

3,740 stamps, which the mining companies had definitely decided to order; but the memorandum does not take into consideration any possible further extension of stamping power, the limit of which is sketched in the Consulting Engineers' estimate of 11,120 stamps at the end of a period of five years.

4. The papers referred to assumed a total requirement of approximately 20 unskilled labourers per stamp erected, due allowance being made for the requirements of companies in the developing stage. On this basis the total of 225,000 for 11,120 stamps running was arrived at.

5. I am directed to point out that though there is a scarcity of unskilled labour at present on these fields, and the total number employed is considerably below the actual requirements, the number per stamp to-day is very nearly 19, inclusive of labourers on developing mines.

6. With regard to the statement that no sufficient effort has been made to introduce labour-saving appliances to the working of the mines, I am directed to state that those responsible for the management of the mines have every interest to work to the best advantage economically. To this end they have devoted, and are still devoting, all their energies. They are supported by the services of some of the most highly-qualified mining and mechanical engineers. These engineers have given, and are continuing to give, close attention to the question of mechanical appliances, and they are assisted in their efforts by the various scientific societies here, such as the South African Association of Engineers, the Transvaal Institute of Mechanical Engineers, and the Chemical, Metallurgical and Mining Society of South Africa. These bodies and the public generally have repeatedly been informed that the Mining Industry welcomes any improvement in labour-saving appliances and their application wherever practicable. These statements have been made not only in this Chamber, but at meetings of companies and elsewhere. The mining companies are naturally compelled to adopt every possible labour-saving appliance, even if in some cases the appliances and expedients would not be economical under normal labour conditions. This is obvious, inasmuch as owing to the circumstances attendant upon the unskilled labour supply, the number of labourers obtainable has, with the exception of very short periods, been continuously below requirements ever since the establishment of the industry.

I have, &c.,
J. COWIE,
Secretary.

To the Private Secretary
to His Excellency
the Governor of the Transvaal.

Enclosure 2 in No. 66.

SIR, Transvaal Chamber of Mines, Johannesburg, April 2, 1906.
WITH reference to the Chamber's letter of the 3rd March, I have the honour to transmit, for His Excellency's information, a Memorandum in amplification of the statements contained in the Chamber's communication, bearing upon the use of labour-saving appliances on the mines of the Witwatersrand.

I have, &c.,
J. COWIE,
Secretary.

The Private Secretary
to His Excellency the Governor,
Johannesburg.

MEMORANDUM on points raised in Secretary of State's telegram of February 16th, 1906, to the Governor of the Transvaal, on the subject of Labour-Saving Appliances used in the Mines of the Witwatersrand.

The Chamber begs to point out that the mining industry has for many years attracted to its service a large number of admittedly the most capable mining and

mechanical engineers of Europe and America, and that the abilities of these men, working with full knowledge of the local conditions, have been constantly directed to the improvement and invention of labour-saving appliances.

It seems as if His Majesty's Government are unaware either of the extent to which labour-saving appliances are actually used on the mines of the Witwatersrand or of the local factors and conditions which limit the usefulness of such appliances. A statement on these points is therefore subjoined. The Chamber does not assert that no further extension of labour-saving appliances is contemplated or is possible—on the contrary some small improvement or other is constantly being made. But such improvements may be only applicable to one or to a few mines, as the conditions vary in each mine. In any case, they are not of a nature greatly to alter the demand for unskilled labour. To be effective in diminishing the demand for unskilled labour, a labour-saving invention must have at least two qualities—it must be applicable to all, or, at any rate, to a considerable number of the mines, and it must enable a small number of men with machinery to do what was previously done by a large number of unskilled manual labourers. Fortune awaits the inventor of such a contrivance, but the Chamber sees no certain or immediate prospect of it.

The following is a brief statement, divested as far as possible of technical language, of the extent to which labour-saving devices are now in general use on the mines of the Witwatersrand.

The work on the mines may be divided into: (1) Surface work; and (2) Underground work. As the latter absorbs by far the greater proportion of unskilled labour required, it is dealt with first.

UNDERGROUND WORK.

The bulk of the work underground, apart from attending to machinery, blasting, and other skilled work, consists of—

- (a) Drilling;
- (b) Shovelling;
- (c) Trimming;

and it is estimated that about 90 per cent. of the whole of the unskilled labour underground is employed on one or other of these occupations.

(a) *Drilling*.—This consists in driving into the hard rock of the reef holes (which should be three feet or over in depth) to receive the charges of dynamite which are used to blast the reef out of the surrounding country rock. This is the most important work done by unskilled labourers on the Rand.

On the group of mines known as the Rand Mines, Limited, just over 50 per cent. of the unskilled labour underground is employed on drilling.

The only way in which labour can be saved in drilling, is by drilling the holes in the rock by machines, instead of by hand. Machines for that purpose, called machine-drills, have been in use on these fields for many years.

A machine-drill, apart from white supervision, requires two or three natives per shift to attend to it, or, say, five per day and night. It requires about twenty-five natives drilling by hand to break the same amount of rock as is broken by a machine-drill in that time.

The possibility of replacing hand drillers by machine-drills, however, is governed by the conditions of the particular mine in question, and chiefly by the thickness of the gold-bearing reef. The practice of many years, and frequent experiments, have shown that under the local conditions prevailing, the most suitable and economic machine-drill is that which has a piston about $3\frac{1}{4}$ inches in diameter, and which, for economical working, must be allowed to drill holes at least 6 feet in depth. These drills are worked by means of compressed air. If these drills are to be used on an economical basis, the least width of the section of rock carried away by blasting may be put at about 4 feet, except in special circumstances. To remove a lesser width, hand drilling is generally necessary. So long as the gold-bearing reef is 4 feet wide, or wider, machine drills may be used with advantage. They save labour, and are little, if at all, more costly than hand

drilling. But in the greater part of the mines now working on the Rand, the gold-bearing reef is narrower than this, running from 3 feet down to a few inches. Now, if, in order to extract the gold-bearing reef, say, 2 feet wide, it is necessary to blast out 4 feet of rock, it is obvious that the work to be done in getting out a given quantity of gold is, if not doubled, at any rate greatly increased. The 2-foot section of gold-bearing rock is taken out, but a 2-foot section of absolutely barren rock has to be taken out at the same time. In the process of blasting, the barren is mixed with the gold-bearing rock. All alike has to be shovelled, trammed, and hauled to the surface. Except so far as it is possible to throw out the barren rock by sorting—and it must be remembered that this again causes an increase in the amount of manual labour required—there is also a double quantity of rock to be milled and otherwise treated, in order to obtain the same quantity of gold as might have been obtained by treating the 2-foot section of gold-bearing reef alone.

It is apparent from the above description that (below a certain width of gold-bearing reef) the narrower the reef the greater the cost of working it by machine-drills instead of by hand-drills. For the least width of section which can be broken by machine drills may be taken, generally speaking, as 4 feet, whereas by hand drilling no more than 2 feet or 2 feet 6 inches need be broken. Generally speaking it may be laid down that it does not pay to use machine drills in any mine or part of a mine where the gold-bearing reef is less than 4 feet wide, and as the reef becomes narrower, a point is soon reached where the use of machine-drills will cause the working of the mines under present conditions to be absolutely unprofitable, because it will involve the working of too great a proportion of the barren rock.

As narrow reefs prevail on the Rand formation much more generally than wide ones, there is an obvious limitation to the use of machine-drills. As a matter of fact, machine-drills are at this moment actually used on the Rand, not only in wide reefs where their use is economically justified, and almost universally in drives and other development work, but also in a number of places which are really too narrow for machine-drills, and which would be more economically worked by hand-drills. This is owing to the shortage of unskilled labour available for hand drilling, which has prevailed almost constantly since the start of the industry. But beyond a certain point, this uneconomical use of machine drills cannot be extended. It may pay to use machine-drills if the value of the gold-bearing reef justifies carrying a stope 4 feet wide. Machine-drills may be used, though with a result of greater working costs, if the stoping width is between 3 feet and 4 feet wide. But if it is below this width, the use of machine-drills is impracticable. The tendency of a great many mines on the Rand is to thin reefs and narrower stoping sections.

The total number of machine-drills working in the Transvaal on the 31st January last was 1,970. As each drill was stated to be equivalent to 25 unskilled labourers, this number of drills represents 49,250 men. At 5 natives per drill it required 9,850 natives to assist in tending these day and night. There was, therefore, a saving of 39,400 unskilled labourers effected by the use of machine-drills.

(b) *Shovelling*.—After the section of rock to be taken out is broken by the blast, it has to be got into the trucks which convey it to the bottom of the shaft, whence it is hauled to the surface. This work requires a large quantity of manual labour. Taking the group of mines known as the Rand Mines, approximately 32 per cent. of the total underground unskilled labour of the past year was employed in this way. The material to be dealt with is a mass of fragments of broken and powdered rock lying on the uneven floor of the stopes. To shovel it up by hand is the first necessary step, and no machine has yet been invented which will take the place of manual labour in this respect. Labour-saving devices, however, may be, and are, used, to diminish as far as possible the amount of shovelling to be done. These generally take the form of metal chutes or conveyors, which are raised above the floors, or suspended from the roofs of the stopes. The broken rock is shovelled direct into these, and thence conveyed by gravitation or mechanical agitation to the boxes, which feed it into the trucks. Owing to the great variation in the width, angle and lie of the stopes, and in the points at which trucks are accessible, it is impossible to find a general form of conveyor suitable to all mines. It may be

stated that mechanical aids of this kind for the conveyance of broken rock are much more advanced on the Witwatersrand than in any other mining region in the world, where it is a question of dealing with narrow stopes. Improvements are no doubt possible in this direction, and are constantly being made. But nothing has yet been invented to eliminate the necessity of shovelling the broken rock by hand in the first place on to the chutes or conveyors, and so long as this is the case, this work must continue to absorb a quantity of unskilled labour.

(c) *Tramming*.—This term is used for the conveyance of the broken rock in trucks from the numerous stopes of the mine to a point in the shaft whence it can be hauled to the surface. On account of the peculiar conditions which prevail in nearly all the mines of the Witwatersrand, namely, the great number of stopes which must be operated at once in any one mine, the comparatively small quantity of rock which it is possible to take from each at one time, and above all, the irregularities of the underground tracks by which the trucks are enabled to reach the shaft, it is practically impossible to introduce mechanical traction for this work, except in very few cases. Consequently the trucks have, for the most part, to be pushed by hand along rails laid on the ground (in some cases a mono-rail suspended from the roof is being adopted). This requires a certain amount of unskilled labour: on the Rand Mines group, for instance, 12 per cent. of the unskilled labour working underground, in the past year, was employed in tramming.

Comparison cannot be made in this matter with mines like the diamond mines in this country, or with coal mines, where mechanical traction underground can be more extensively used. In such cases, owing to the more regular plans on which the workings can be carried out, a large tonnage can be concentrated at one point, which enables mechanical traction to be introduced. This will also be possible to some extent in the very deep mines now being contemplated, where the reef horizon penetrated by the shaft will form a communicating line along the length of the property, the ore traffic on which will be served by mechanical means. But the tramming in such mines below this level, that is, that of the feeding levels, will most probably have to be done, except in special cases, in the same way as it is at present.

With regard to bringing the ore to the surface after it has reached the shaft, no more perfect automatic devices are used anywhere than on these fields. From this part of the work manual labour is practically entirely eliminated, except so far as is necessary for the management and tending of machinery.

SURFACE WORK.

As regards the handling of ore on the surface, where the peculiar conditions of working which prevail underground, and which to so large an extent prohibit the employment of mechanical devices do not apply, it can be said that in no other mining region has money been spent more lavishly on labour-saving devices than on the Rand. Many new forms of machinery for this purpose have been invented and developed here, and any new methods which have been invented abroad are not long allowed to remain untried on these fields.

In other parts of the world, for instance, sorting stations are, with a few exceptions, of the flat-sheet type, in which the ore is shovelled by hand, and the sorting is done on the floor. Here, however, few such stations are to be found, nearly all being supplied with mechanical means for handling the various products, and the only manual work being that which is absolutely unavoidable, namely, that of picking up the pieces of barren rock and dropping them into the waste bin.

The ore, as it comes from the mine, is fed by machinery on to the revolving tables or travelling belts, which pass by the sorters at a convenient height, and the manual labour which they have to perform cannot be made less.

Again, in many mines elsewhere, the rock going to the mill is transported in trucks pushed by men, or drawn by locomotives or animals. Here, with the belt conveyor systems, which have been installed in all recent plants, and the automatic haulages of the older ones, the amount of manual labour required is much smaller, and cannot be materially reduced. In fact, in many mines on these fields, the only human labour which can be said to be used for the purpose of helping the ore along

in its course to the cyanide plant, is that small portion of unskilled labour represented by the hooking on and taking off of ore trucks from the haulages. This is less than in any colliery in England, even if all the rock on the mines were handled in this way. But in every modern mine on the Witwatersrand, the reduction works are located close to one of the shafts for the express purpose of reducing even this portion of the labour, and, it can be said of such mines, that the ore from them is not helped forward in its course to the cyanide plant by the extent of one foot-pound of human, or other animal effort. In such cases nothing remains for the mechanical engineer to do but to improve the various machines in the sense of lessening their wear and tear, and thereby reducing the amount of labour necessary to keep them in repair.

Again, in the cyanide plants, very large sums have been expended to lessen the amount of unskilled labour required. In the first plants, the sands were shovelled from the settling tanks into trucks, and then trammed to the treatment tanks. In order to save a large portion of this labour, the collecting tanks were placed over the treatment tanks, so that the tramping between the settling and the treatment tanks could be done away with. There still remained the shovelling from the top to the bottom tank, and thence into the trucks taking the sands to the dump. But, in order to lessen even this small portion of labour, very costly excavating machines, which have only recently been developed in America, are at present being installed on several mines.

To sum up, it may be said that on the surface works where there are no irremovable natural obstacles in the way of mechanical labour-saving devices, these have already on all recently-equipped mines, been adopted to the fullest extent. In the case of some of the older mines, which were equipped many years ago, the labour-saving appliances are less perfect, many of them not having been invented at the time the mine was equipped, and, in considering the introduction of fresh machinery on such mines, it is, of course, necessary to take into account the further life of the mine. If the mine has only a few more years before it will be worked out, it can hardly be expected to discard its existing machinery and instal a new plant at the cost of some tens of thousands of pounds, merely in order to be able to dispense with a few score surface labourers.

It is, therefore, only in the underground workings that any field remains for labour-saving devices. Here their adoption is at present limited, and, to all appearances, must be so to a great extent permanently, by the peculiar character of the work to be done. Nevertheless, it can be said that to the full extent which is possible, considering the character and conditions of the work, such devices have been adopted in the past, and are constantly being experimented with in the present. They have, indeed, under the pressure of the shortage of labour, been introduced, as in the case of machine-drills, to a much greater extent perhaps than could be justified on purely economical grounds.

Transvaal Chamber of Mines,
Johannesburg,
April 2, 1906.

No. 67.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 10.25 p.m., April 28, 1906.)

TELEGRAM.

[*Answered by No. 70.*]

April 28, A. Following is text of proposed notice. Please inform me whether you approve and for what period you think notice should be open to acceptance of Chinese coolies:—

Begins:

Notification addressed to Chinese Indentured Labourers on the
Witwatersrand Gold Mines.

Although when you enlisted in China for the Transvaal you were informed that you were engaging yourselves to work on gold mines and you

entered into a Contract to that effect, it has come to my ears that certain amongst you, not appreciating the conditions under which mining is carried on in this country, are discontented in spirit. There may also be others who, unaccustomed to strenuous manual labour, find themselves on arrival in a position of difficulty. Cases such as these give rise to feelings of compassion. Now you all know that in terms of Clause 14 of your contract any labourer may at any time terminate the contract without assigning any reason on tendering to his employer the expenses incurred in introducing him into the Transvaal together with a sum sufficient to defray the expenditure necessary in returning him. This is a provision (? you) can all avail yourselves (? of) and it cannot be said that you are detained here against your will. Perhaps, however, some of you who are anxious to return may not have earned the wherewithal to enable you to do so. If this be the case, I am willing to receive any statements you may have to make and, after a review of circumstances, to consider whether or not I would be prepared to recommend Government to be generous to you and not to insist on the full payment required from you by your contract. An exceptional act of benevolence of this kind ought to command your gratitude. In sending in your petitions, however, you must clearly inform me of the motives which influenced you in the first instance to enlist and now influence you in wishing to return to China, of the amount of monthly wages you earn, of the class of work on which you are engaged, and of the money you have saved. If circumstances appear to me to warrant it, I will take note of and register the application, but the applicant will thereafter have to make an honest effort, by working on his mine, to earn a contribution towards his expenses. Of such honest effort I will constitute myself the judge and should any fail in this respect his application will be cancelled. On receipt of the applications from the various mines I will carefully weigh each individual case and decide which of them are deserving of the generous consideration of the Government and entitled to this favoured treatment. It must be understood that no one who has not served in the Transvaal for at least six months need apply. For you all know that beginnings are not easy (?) and anyone undertaking work partaking of a novel character cannot be in a position to judge whether or not he is fit for it until he has given it a fair trial. The obvious duty of all who desire to return to China is to save money and avail themselves of the provisions of the 14th clause in their contract of service. Still force of circumstances may be against some of you, and as you really wish to leave the Transvaal I am willing to consider genuine applications with a view to rendering assistance. I solemnly warn you that any attempt to deceive me by misrepresentations which are punishable by the law of the Transvaal will be dealt with accordingly. And it must further be distinctly borne in mind by all who make application as a result of this notice that if allowed to return to China they will never under any circumstances be allowed to re-enter the Transvaal and that steps will be taken severely to punish anyone who attempts to do so.

No. 68.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 1.20 p.m., April 30, 1906.)

TELEGRAM.

[*Answered by No. 125.*]

April 30, A. Matter most urgent. Your telegram, No. 1, 27th April.* An enquiry was, at request of the Acting Lieutenant-Governor, held last month by

* No. 59.

Buckle, First Civil Magistrate, Johannesburg, into certain charges of flogging coolies of the New Kleinfontein mine. The enquiry was held on the mine and lasted three days. Johnson was given every opportunity of supporting his charges. All the Chinese coolies were marched past him so that he might identify those he says were flogged. He selected eight. He gave the names of twelve European witnesses to Buckle, who, he said, could corroborate his statements. Eight of these were examined; the other four could not be traced. The eight examined flatly contradicted Johnson's statements. Of the coolies identified by Johnson as having been beaten five entirely denied having been beaten or having either seen or heard of anyone else being beaten; the other three contradicted one another. Wilson and Sutherland were also examined and stoutly denied the charges against them; other white employees on the mine were examined and denied that any flogging had taken place. Mr. Buckle in his report says that there is no corroboration worth considering of Johnson's charges of assault, while there is a considerable body of evidence contradicting them. He also says that from the demeanour of the coolies who gave evidence before him he is satisfied that they are not terrorised into silence by fear of the compound authorities, and, further, that in his judgment Wilson is not a man likely to be guilty of brutality. Mr. Buckle expressed his opinion, however, that at times too many coolies are put into a lock-up. This, however, is being dealt with by regulation.

I am sending you Buckle's full report by mail, and can send you copies of the evidence he took, which is voluminous, if you wish to have it.

No. 69.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 8 p.m., April 30, 1906.)

TELEGRAM.

[*Answered by No. 76.*]

April 30, A, No. 2. Your telegram of 27th April, No. 2.* Li Kui Yu was, under order of repatriation, sent to Natal but, by Order of Court, brought back in application against Jamieson of which you have already been advised. He has instituted action against Jamieson for damages for false imprisonment and, of course, cannot be repatriated pending that action.

Legal advisers repeat that it will be difficult to obtain sufficient evidence on which to prosecute Witthauer, who has been dismissed. Another Controller has been appointed in his place.

Jamieson reports that in consequence state of things at one mine more satisfactory.

No. 70.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 3 p.m., May 1, 1906.)

TELEGRAM.

May 1. No. 1. Your telegram 28th April, A.† I approve terms of notice, and House of Commons has been informed that statement will be made on the subject on Thursday next. In coming to the conclusion not to postpone further this announcement and the issue of notice I have not failed carefully to weigh the views of the Chamber of Mines, of which the important statements were communicated to me in Lieutenant-Governor's telegram, No. 2, 26th April.‡ As regards period during which notice should be open to acceptance, I think that it will be best to name no date at present, but to be guided by our experience of the effect which notice has.

* No. 60.

† No. 67.

‡ No. 58.

No. 71.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 7.25 p.m., May 4, 1906.)

TELEGRAM.

May 4. A. The following bodies have entered serious and earnest protest against action of His Majesty's Government in offering to provide funds for repatriation of Chinese who wish to avail themselves of facilities offered: Transvaal Chamber of Mines, Johannesburg Chamber of Commerce, Johannesburg Chamber of Trade.

I have forwarded resolution of Chamber of Mines by last mail and am forwarding by this mail resolutions of Johannesburg Chamber of Commerce, and the Johannesburg Chamber of Trade.

Association of Mine Managers of Johannesburg are sending deputation to me next week when they will, I understand, hand me resolution in the same sense.

No. 72.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received May 5, 1906.)

MY LORD,

Governor's Office, Johannesburg, April 16, 1906.

WITH reference to the Acting Lieutenant-Governor's telegram to you of the 11th April, No. 2,* I have the honour to enclose, for your information, a copy of the Chamber of Mines' memorandum on the subject of the detail regulations for carrying out the repatriation of those Chinese labourers who are genuinely desirous of returning to their homes.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 72.

Transvaal Chamber of Mines,

YOUR EXCELLENCY,

Johannesburg, April 4, 1906.

I HAVE the honour, by direction of the Executive Committee of the Transvaal Chamber of Mines, to submit herewith a memorandum upon certain proposals regarding the suggested repatriation of Chinese labourers at the entire or partial expense of His Majesty's Government, made in the telegraphic despatch from His Majesty's Secretary of State for the Colonies, under date of March 8th, 1906,† the subject matter of which was discussed at a recent interview between His Excellency Sir Richard Solomon, Acting Lieutenant-Governor, and a deputation from this Chamber.

In framing the memorandum the Executive Committee of the Chamber have been actuated by a sincere desire to offer every assistance in their power to His Majesty's Government, but they feel that they would be remiss in their duty if they did not explicitly state that they entertain grave apprehensions as to the consequences of any such proposals as those suggested that may be made to the coolies at the instance and on behalf of His Majesty's Government.

While the Committee have no reason for thinking that the coolies as a body are in any sense dissatisfied with the conditions of their employment or their treatment, they feel bound to say that any offer to take them back to their native land before the termination of their agreements, either free of expense or at a very modest proportion of the cost to themselves, must in the nature of things present to them a very strong temptation.

* No. 48.

† No. 18.

The Executive Committee are of opinion that any offer made to the Chinese for their repatriation, no matter in what form it may be presented, or what conditions may be attached to it, may possibly result in a very considerable exodus of the unskilled labourers, and a consequent serious interference with the mining industry, involving loss and damage to a very large proportion of the inhabitants of the Transvaal, the extent of which it is impossible to gauge.

The Committee therefore respectfully desire to record their solemn protest against any proposal of this nature being made to the coolies on behalf of His Majesty's Government, which proposal would in their opinion constitute an interference with private rights, for which there is no justification.

I have, &c.,
 J. N. DE JONGH,
 President.

His Excellency
 The Earl of Selborne, G.C.M.G., P.C.,
 Governor of the Transvaal,
 Johannesburg.

MEMORANDUM BY THE TRANSVAAL CHAMBER OF MINES ON THE REPATRIATION
 PROPOSALS OF HIS MAJESTY'S GOVERNMENT.

1. The telegraphic despatch from the Secretary of State for the Colonies, dated the 8th March, 1906, states that His Majesty's Government are anxious to avoid anything in the nature of an inducement to the coolies to terminate their contracts in large numbers, and thereby cause a heavy charge to the Imperial funds and an industrial collapse on the Witwatersrand, but they desire that no man who earnestly avows his wish to return to China and can prove that he does not possess the necessary funds shall be detained in South Africa against his will.

2. The Transvaal Chamber of Mines has been requested to make certain proposals of a constructive character, to enable the suggested repatriation to be carried out in such a manner as to avert any serious dislocation of the industry. This suggestion has been very fully and carefully considered by the Executive Committee of the Chamber of Mines, but, as result of their deliberations, they have come to the conclusion that it is impossible to make proposals of a constructive character, for the very cogent reason that there is no means of gauging the effect upon the minds of the Chinese which any proposal made at the instance of His Majesty's Government may produce. The offer to repatriate coolies who earnestly and repeatedly express their wish to return to China before the expiration of their contracts, and who, moreover, would in most cases be asked to contribute towards the cost would, on the face of it, appear likely to be accepted by a small number actually and sincerely anxious to avail themselves of it. According to Western ideas the offer would be considered upon its merits, but the suspicious Oriental mind may approach the matter from quite another standpoint, and it is conceivable that a large proportion of the coolies may imagine themselves bound to accept an offer made at the instance of His Majesty's Government, in the belief that a refusal upon their part might entail serious consequences to them.

At this stage, therefore, the Executive Committee feel that their best course is to examine the proposals made by His Majesty's Government, and to point out the possible results which might arise from carrying them out, and they do so in no spirit of opposition, but with a respectful desire to consider the question dispassionately, and to render any assistance in their power.

3. It has apparently escaped the attention of His Majesty's Government that a scheme of repatriation has been in successful operation since the coolies first arrived. Under this system 310 coolies have availed themselves of the right to terminate their agreements under Clause 14 of the Contract of Service and have returned to China. In addition to these the employers have voluntarily and at their own expense repatriated 2,619 coolies suffering from physical infirmities or diseases and 247 as undesirables.

4. To carry out the aims expressed in Clause (1) it will be necessary to make known to the Chinese labourers the wishes of His Majesty's Government, and it appears that this can only be carried out in one of the following ways, namely:—

- (A) By publication of notices in the compounds and elsewhere.
- (B) By holding meetings of the labourers and laying the offer before them.
- (C) By sending emissaries among them to convey the necessary notification.
- (D) By personal notice to each individual labourer.

The adoption of any one of these courses must have a disturbing and disquieting effect, which is bound in itself to lead to a condition of unrest, if not of disorganization.

5. The contracts have been entered into by the Chinese labourers with full knowledge of the terms of service, and they are legal instruments between them and their employers, which have been sanctioned by His Majesty's Government. The conditions and stipulations which are contained in the contracts were approved by His Majesty's Government after full discussion and deliberation.

6. The labourers are fully alive to the terms of their agreements, and the responsibilities involved. They will, therefore, not be able to understand how the Government can, and why the Government should, interfere in the matter. Not only may the offer of repatriation produce disastrous and unexpected effects in the Transvaal, but it may also cause prejudicial consequences in China.

7. Apart from the question as to the number of coolies in general likely to avail themselves of the offer of His Majesty's Government, it would seem probable, if not certain, that many of the labourers who have only been a few months in this country, and who are therefore probably still somewhat homesick, would express themselves desirous of being repatriated. More particularly might this be the case as they would not have yet become accustomed to their new and strange surroundings, nor to the work on the mines, which they are at first bound to find somewhat trying. The coolies, upon arrival, after the enforced idleness of a sea voyage of several weeks' duration, are naturally in a soft physical condition.

8. The offer which His Majesty's Government apparently contemplate making, by which any coolie who repeatedly expresses a desire for repatriation and who has, neither in whole nor in part, the available funds to defray the cost, should proceed to China at the cost of the Imperial Exchequer, may be interpreted by the labourers as an inducement to evade their responsibility, and in view of the astute intelligence of the Chinese will undoubtedly result in none of them being prepared to contribute any material portion. It must be evident to His Majesty's Government that during the period of probation neither the Government nor the employer will have any practical power to enforce fair and reasonable effort on the part of the coolie to provide a share of the contemplated outlay.

It is evident that, apart from the question of disturbing the labour position, it would be too sanguine to assume that any scheme of repatriation on the lines proposed can be carried out without very great cost.

A further danger, which must not be overlooked, is that the proposals as outlined in the Secretary of State's despatch, will probably place the well conducted and industrious worker at a disadvantage as compared with the habitual loafer.

9. It has been assumed that the total cost of repatriation will not exceed £17 10s. sterling per head. Though this sum has been provisionally fixed as the amount repayable by any coolie who desires to terminate his indenture, under Clause 14 of the Contract of Service, it by no means represents the total cost to the industry of each labourer introduced, taking into account the capital outlay incurred both in South Africa and in China, losses inseparable from the initiation of a large enterprise, travelling expenses to and fro, charges for recruiting, and a number of other items, such as cost of outfit, advances, unpaid balances of allotments of wages, &c., &c., incurred by him. To arrive at an accurate statement of the cost would require careful investigation, but undoubtedly it would greatly exceed the £17 10s. referred to.

10. The Executive Committee of the Chamber think it proper to point out that after the Labour Importation Ordinance was passed, the Mining Companies

expended large sums of money, and undertook heavy commitments, and that thereby important vested interests have been created.

11. The expressed desire of His Majesty's Government not to take any action which may have the effect of bringing about an industrial collapse upon the Witwatersrand is noted with grateful satisfaction; and that being the case, the Committee are emboldened to lay stress upon the deplorable consequences that may result from any general offer of repatriation. There is no reason to believe that the Chinese are dissatisfied either with the conditions of their employment or with the manner in which they are treated; but an offer of any such description as that contemplated must prove a temptation to many to repudiate their agreements.

12. It may be stated, for the information of His Majesty's Government, that the labourers themselves are generous in cases where one of their countrymen desires for any good reason to return to China, and in some instances have voluntarily contributed towards the cost.

13. It is suggested that in the event of a coolie accepting repatriation under any plan which may be brought into operation, he should not be permitted to return to the Transvaal, and that disobedience of this provision should be rendered a penal offence. The Chamber is of opinion that no useful purpose would be served by going into details upon this question, but would point out that in the event of legislation being passed with that object it would be extremely difficult to carry out in practice. Already many coolies who had returned to China have re-enlisted and are at work on the mines. It would, in the opinion of the Executive Committee, be impossible to convince the coolies that—having accepted any offer which might be made to them and having enjoyed what they would regard as a holiday in China—they would be unable to return to the Transvaal and succeed in evading repayment or punishment.

14. If notwithstanding the recommendations of this memorandum His Majesty's Government see fit to direct that some communication upon their behalf should be made to the Chinese, the Executive Committee venture to point out that it would be necessary to stipulate when any proposal that may be made shall come into force, and for what period its acceptance shall be open to the labourers. It may also be observed that as the natural inclination of the coolie would be to contribute as small a proportion as possible towards the cost of his repatriation, any sum fixed by His Majesty's Government as fair should be actually collected before he becomes entitled to repatriation. A provision of this description might prevent, if only to a limited degree, an entire evasion on the part of the coolies.

15. The Executive Committee trust that the result of their deliberations upon the question submitted to them may prove of assistance to His Majesty's Government in their consideration of this most serious subject, and in conclusion they beg to urge upon His Majesty's Government, with the greatest respect, that as they have endeavoured to show in this memorandum, any step hastily taken without the most searching investigation as to its probable results may be fraught with the gravest danger to the industrial and commercial interests of the Transvaal.

J. N. DE JONGH,
President.

Transvaal Chamber of Mines, Johannesburg,
April 4, 1906.

No. 73.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 2.59 p.m., May 5, 1906.)

TELEGRAM.

May 5. No. 1. Following Resolution received from Pretoria Chamber of Commerce:—

Begins: "That this Chamber views with serious apprehension the announcement that His Majesty's Government are about to offer financial assistance to indentured Chinese labourers who desire to return to

China, and this Chamber, therefore, earnestly appeal to His Majesty's Government to reconsider its decision and to defer any action in connection with the Labour Importation Ordinance pending grant of Responsible Government to the Transvaal." *Ends.*

No. 74.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 1.23 p.m., May 7, 1906.)

TELEGRAM.

May 7. No. 1. My telegram of 5th May, No. 1.* Following Resolution received from Town Council, Johannesburg:—

Begins: That this Council views with the gravest apprehension announcement that His Majesty's Government propose to offer financial assistance to indentured Chinese labourers to terminate their contracts and return to China, and records its opinion that the conditions under which Chinese labourers are employed do not justify such action, and that by facilitating the sudden exodus from this country of a large number of such labourers, His Majesty's Government incur risk of producing an economic collapse which will have the most disastrous consequence to the town of Johannesburg and the whole of South Africa. *Ends.*

No. 75.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 8.55 p.m., May 7, 1906.)

TELEGRAM.

May 7. A. Matter most urgent. Application has been made to Supreme Court, injunction against posting repatriation notices in Chinese compounds. After hearing arguments, Chief Justice said the Court would take a day or two to consider its decision, and, meanwhile, he desired the counsel for the Crown to give an undertaking that the notices would not be posted. The counsel for the Crown gave that undertaking. If it had not been for this the notices would have been posted to-morrow morning.

No. 76.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 2.40 p.m., May 5, 1906.)

TELEGRAM.

[*Answered by No. 81.*]

May 5. No. 1. Your telegram, 30th April, A. No. 2.† I attach great importance to prosecution, Witthauer, and rely on you to do all you possibly can in the matter. Prosecution should not be abandoned without every effort being made to obtain sufficient evidence. It has been repeatedly stated on behalf of the Government that those guilty of assaults upon Chinese coolies would be proceeded against by law, and this case, in which person concerned is said to have admitted his guilt in the presence of witnesses, cannot, it appears to me, be passed over.

* No. 73.

† No. 69.

No. 77.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 12.55 p.m., May 8, 1906.)

TELEGRAM.

[Answered by No. 88.]

May 8. No. 1. Your telegram, 27th April, No. 2.* Proposals approved, but I should like further information as to the persons by whom arrests are made on the mines. Would it not be desirable to make these persons peace officers for this specific purpose?

No. 78.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 3.56 p.m., May 8, 1906.)

TELEGRAM.

May 8. A. My attention has been called to a newspaper telegram, dated 16th April, stating that the "Tribune" has been publishing statements to the effect that Chinese coolies have attacked five Boer families, fearfully wounding men and ravishing the women. There has not been a single case of rape committed by a Chinese coolie on any white women. May I ask that allegations published in "Tribune" may be contradicted?

No. 79.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 3.45 p.m., May 9, 1906.)

TELEGRAM.

[Answered by No. 124.]

May 9. A. I received a deputation from the Association of Mine Managers, who are in no sense mine owners but the heads of the mining profession, all men of high class, with a considerable mixture of Americans. They came to protest against the repatriation notices but the language in which they did so was unexceptionable. They particularly desired to impress upon His Majesty's Government the disastrous effect which a sudden exodus of coolies would have on white miners and tradesmen. I have already informed you of the steady departure of the white population of the Witwatersrand. This deputation informed me they knew of 750 first-class tradesmen who have just left or are on the point of leaving for San Francisco and of 600 other families of miners and tradesmen who had booked passages for the United Kingdom. I cannot, of course, vouch for these figures but I have no doubt the deputation believed them to be genuine.

I have also received a very strong remonstrance from meeting of miners and other employés on the Vandyk Mine but I regret to say that I have had to take exception to the language used. They request me to make a definite claim on His Majesty's Government either if action of His Majesty's Government causes them to lose their employment or that they may be repatriated at the expense of His Majesty's Government.

As I have reason to believe that the miners are beginning to be seriously alarmed and that I shall have similar representations I thought it right to give you by telegram substance of first which has been addressed to me.

Similar remonstrances from the miners and other employés on the French Rand and on the Rose Deep Mines have just come in, also a letter signed by a number of carpenters asking to be repatriated as they have been thrown out of employment and are resourceless. The wholly undeserved distress caused to the British working men and their families by the creation of this period of depression and the depletion of that population which is rapidly proceeding are alike heartrending.

No. 80.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 1.40 p.m., May 9, 1906.)

TELEGRAM.

May 9. A. 2. Referring to my telegram of 7th May, A.* Court has given judgment (? that) there is no legal objection to posting of notices. Notices are being posted at once.

No. 81.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 5.20 p.m., May 9, 1906.)

TELEGRAM.

[See No. 141.]

May 9. No. 1. Your telegram, 5th May, No. 1.† You cannot be more anxious for the prosecution of Witthauer than I am. Every effort is still being made to obtain sufficient evidence on which to prosecute.

No. 82.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 9.48 p.m., May 12, 1906.)

TELEGRAM.

[Answered by No. 84.]

May 12 A. Matter most urgent. Your despatch 23rd March.‡ Committee appointed by the Acting Lieutenant-Governor to enquire into control over Chinese coolies on mines with a view to preventing desertions and consequent outrages has reported. Copies of report are on their way to you.

One recommendation of majority of Committee is that each of the mine premises on which coolies are employed should be fenced. Acting Lieutenant-Governor will discuss this recommendation with Chamber of Mines next week. I understand that if it is agreed that fencing is a necessary precaution against desertion you will not object to it. In Labour Importation Ordinance, 1904, it is an offence for any coolie to go beyond mine premises without a permit. Boundaries of these premises, which, as you know, cover large areas, are ill-defined, and some coolies go beyond them, thus committing an offence under the Ordinance through ignorance of the boundaries. Effect of fencing will, therefore, only be to prevent breaches of the law as it stands. Sufficient number of gates will be made in fences to provide all reasonable facilities for egress of coolies lawfully leaving premises with permits, while existence of fence should check movements of the small number of bad characters who at present sometimes leave mine premises in the night without permits, and return undetected the same night after committing acts of robbery or violence. These men are not men who are desiring to escape from the conditions of their service on the mine, but, according to the report of Committee, nine-tenths of the so-called deserters who commit these outrages are gamblers who have lost money and seek to pay their debts by the proceeds of burglary. The present difficulty arises not from any restrictions on the movements of the coolies, but from the almost total absence of such restrictions, owing to the unfenced condition of the mining properties. If coolies can only pass through gates where watchmen are posted it will be easy to ascertain in every case whether they have or have not permits, and consequently the right to leave the mine premises.

I presume that you agree. Please reply by telegraph as soon as possible.

* No. 75

† No. 76.

‡ No. 27.

No. 83.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 9 p.m., May 13, 1906.)

TELEGRAM.

[Answered by No. 124.]

May 13. A. Have just received a deputation exclusively composed of working men from the mines delegated to come to Pretoria to see me from a mass meeting of 3,000 miners held at Boksburg on the 11th May; also a deputation from meeting of miners held on the Simmer and Jack and Glen Deep Mines. Other bodies of miners were also represented.

They expressed great alarm at the possible results of the posters now placarded in Chinese on the mines. They spoke with great moderation but they showed the intense anxiety lest the industry should be dislocated and many of them lose their employment. They were all married men and spoke with the most obviously genuine feeling of the possible consequences to their wives and children.

I did not, in my reply, deal with the general question of the labour supply on the Witwatersrand but I assured them that the last thing which His Majesty's Government desired in giving effect to the policy which they believed to be right was to cause a dislocation of the industry or to jeopardise the employment of thousands of their fellow countrymen.

I am sending reports of the speeches and full copies of the resolution by mail.* The purport of the resolution was as follows: Boksburg resolution protesting against notices as being likely to cause discontent and unrest among Chinese and loss of faith in white men's pledges and (?) all alike anticipate widespread distress to South Africa and especially to miners, artisans, and labouring classes from removal of Chinese. Boksburg resolution further asks that question of repatriation or interference with unskilled labour supply may stand over. People themselves who are vitally interested in it can express their wishes through their own representatives.

I have received only one resolution in a contrary sense, viz., from the meeting at Pretoria of the Transvaal Independent Labour Party at which 120 members were present. This resolution I am also sending to you by mail.† The delegates who formed the miners' deputation referred to above stated that Independent Labour Party was a body of very few members, hardly any of whom were miners and consequently directly dependent for their living on unskilled labour supply for the mines. They absolutely repudiated right of Independent Labour Party to speak for the white miners as a class.

No. 84.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 5.45 p.m., May 16, 1906.)

TELEGRAM.

[Answered by No. 86.]

May 16. No. 1. Your telegram, 12th May A.‡ The proposal for fencing mines as a means of controlling Chinese coolies, with a view to preventing desertions and consequent outrages, is one which His Majesty's Government cannot accept. No form of fence can, it appears to His Majesty's Government, effectually prevent egress at night of bad characters in manner described in your telegram, and more efficient police control and supervision is the proper remedy. The report not having reached me yet, His Majesty's Government are ignorant of any alternative suggested by the minority of the Commission, or of the reasons on which the majority based their recommendation, as well as of other recommendations in the report; but they are convinced that those in this country who object to the conditions in the contract

* See Nos. 114 and 115 and report of deputation in Appendix No. VIII. † See No. 116. ‡ No. 82.

which are considered unduly to restrict the liberty of the coolies will strongly oppose the fencing of the premises. His Majesty's Government therefore hope that you will be able to secure by other means the suppression of outrage and disorder, and to abandon that part of the proposals.

No. 85.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 2 p.m., May 17, 1906.)

TELEGRAM.

May 17. A. Referring to my telegram A., 13th May.* Resolution similar to that adopted Transvaal Independent Labour Party has been received from the Pretoria Lodge of the South African Operative Masons' Society. Number of persons present at meeting not stated.

No. 86.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 4.17 p.m., May 18, 1906.)

TELEGRAM.

May 18. A. Your telegram of 16th May† in reply to my telegram of 12th May, A.‡ In deference to views of His Majesty's Government, the recommendation of the Committee for the fencing of mine properties will not be adopted. Trust that His Majesty's Government will recognise that when I have represented to them that those Chinese coolies enjoy very wide liberty of movement and are subjected to the minimum of restriction, I have accurately stated the case.

I propose to report fully to His Majesty's Government in respect of the working of the repatriation notices on Monday, 28th May, when the notices will have been posted just over a fortnight.

No. 87.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 6.15 p.m., May 18, 1906.)

TELEGRAM.

[*Answered by No. 92.*]

May 18. No. 1. Your telegram of 12th April, No. 1.§ When may I expect your despatch?

No. 88.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 7.53 p.m., May 18, 1906.)

TELEGRAM.

[*Answered by No. 103.*]

May 18. No. 1. Your telegram of 8th May, No. 1.|| Compound Manager, as representative of owner, can authorise anyone to arrest a person committing an

* No. 83

† No. 84.

‡ No. 82.

§ No. 50.

|| No. 77.

offence on the mine premises, but he has strict instructions not to give such authority in any case to a Chinese policeman.

I do not see any necessity for making every person authorised by Compound Manager to make an arrest a peace officer. It could not be done under the present definition of a police officer in the Criminal Procedure Ordinance, 1903.* I am ascertaining from the Superintendent whether all the arrests on the mine premises could not be made by the police officers who will be in charge of the lock-up, and if so, instructions will be given to this effect.

No. 89.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 7.53 p.m., May 18, 1906.)

TELEGRAM.

[Answered by No. 93.]

May 18. A. 3. I have been asked by General Botha to send to you the following telegram from him:—

Begins: In view of continuation of Chinese crimes, despite Government efforts to check them, and inflamed feelings and possible disturbance of peace, Delegates from rural population desire to send deputation to Imperial Government to demand protection and repatriation. I respectfully urge Imperial Government to adopt drastic measures to end present intolerable situation, and reassure public so as to render deputation unnecessary.—LOUIS BOTHA. *Ends.*

I am in no way surprised at the terms of this telegram. I have the greatest sympathy with the isolated inhabitants of the Witwatersrand area in this matter, and the present position is an intolerable one for them. The first outbreak of Chinese crime directed against isolated houses was successfully dealt with. The present outbreak, entirely caused by ruined gamblers, is more serious. Owing to the assistance of the Commission, which has reported so fully on the subject, the Superintendent of Foreign Labour, the Lieutenant-Governor, and myself hope to be able to apply a complete cure to this evil also.

No. 90.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received May 19, 1906.)

[Answered by No. 118.]

MY LORD,

Governor's Office, Johannesburg, April 30, 1906.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, dated February 17th, † commenting on my remarks with reference to Mr. Eugenio Bianchini's allegations regarding improper treatment of Chinese labourers on the Witwatersrand Gold Mining Company, Limited, and in reply to state that I have received the fullest assurances from the Company concerned of their willingness to adjust the wages of any coolies aggrieved, in whatever manner the Superintendent of Foreign Labour may direct. The officer, however, finds difficulty in interpreting properly Clause 6 of the Contract of Service, a difficulty which is shared with him by the Law Officers of the Crown. The proper legal interpretation of this clause being a matter of the utmost importance, I propose to deal with the conflicting questions it raises in a separate despatch.

2. I am, of course, aware that it is the primary duty of the Inspectors to secure the fair treatment of coolies, and to show that this has been duly realised I would refer your Lordship to Mr. Jamieson's circular letter of instructions to these officers, of which I enclosed a copy in my despatch, of the 4th December, 1905.‡

* The Ordinance is printed in [Cd. 1555.]

† No. 5.

‡ No. 20 in [Cd. 2819].

3. The stipulation, whereby a minimum of 24 inches drilled is required before any pay is allowed, is one which does not appear in all piece-work contracts, and I am given to understand that, in cases where coolies have accepted it, consideration is invariably had for the nature of the rock drilled. For instance, should a coolie drill 18 inches, a beneficial addition of 6 inches is inserted on his work-ticket, and so on proportionately. Coolies, in whose piece-work agreement there is no such stipulation, are paid in the usual way according to the actual inchage drilled.

4. On the subject of what constitutes a fair day's work, I would refer your Lordship to Enclosure No. 4 in my despatch of June 12th, 1905,* which places on record the ruling of the Acting Superintendent on this point.

5. The disciplinary measure, introduced on certain mines, whereunder confirmed malingerers in the shaft were made to drill rock on the surface, in return for their daily rations, has, I am informed, been withdrawn.

6. Every effort is being made to place the allotment system on a satisfactory footing. I should prefer to see it done away with entirely, but, inasmuch as the Chinese Government, in the person of the Governor-General of Chihli, His Excellency Yuan Shih-k'ai, makes its continuance a *sine qua non* of further recruiting, I do not see my way to taking action in the matter.

7. As I have repeatedly pointed out, coolies have every opportunity afforded them of approaching the officers of the Foreign Labour Department, and, should they not be given work, or not be paid the correct amount earned by them, it is the duty of the Inspectors to institute searching enquiry.

8. Your Lordship calls for a report as to why coolies at the enquiry held on the 21st September, 1905, were made to kneel down. Mr. Jamieson tenders the following explanation:—

“The Right Honourable the Secretary of State must be aware that, when dealing with Orientals not versed in European methods of procedure, care must be exercised to see that they conform with the conventional etiquette to which they are accustomed, and a failure to comply with the canons of which, would be construed as an insult, or at least a grave dereliction of respect. No native of India would be allowed to appear before a Court with shoes on, nor a Sikh without his turban, and in the case of the native of Burma the formalities to be observed are even more exacting. Similarly with the Chinese. Witnesses in Chinese Courts are not made to kneel; if they were made to do so at the enquiry in question the officer presiding committed an error of judgment. But every person against whom a charge is brought must do so, and generally does so of his own accord, in order to show becoming respect to the majesty of the law. It has to be borne in mind that a Court, held by an Inspector on a mine, is completely devoid of anything to differentiate it from an ordinary room, and, as the proceedings are conducted in Chinese it is essential that the prisoners should be made to adhere to the customary Chinese forms, in order to bring home to their minds the fact that they are appearing before a regularly constituted judicial tribunal. Were this not insisted on, a situation would be created analogous to that of a prisoner in a British Court being allowed to sit down and to smoke a pipe in the presence of the presiding Judge.”

9. I regret equally with your Lordship that the coolie who was struck by the policeman did not obtain redress. The reason for this, as you are already aware, is that the evidence with regard to the case was conflicting.

I have, &c.,
SELBORNE,
Governor.

* See Annexure to this Despatch.

Annexure to No. 90.

ACTING SUPERINTENDENT, Foreign Labour Department, to GENERAL MANAGER, Labour Importation Agency, Limited, Johannesburg.

SIR,

May 1, 1905.

I HAVE the honour to acknowledge the receipt of your Circular 504 of the 28th ultimo, and I beg to inform you that whilst I am unable to accept a minimum amount for certain classes of work as a definition of a fair day's work, I am prepared to accept the drilling of thirty-six inches as a guidance in determining whether a drill-boy has done a fair day's work or not.

In giving effect to the ruling laid down in Circular 504, mine owners must take the circumstances of each particular case into consideration, and the determination as to what is a fair day's work must depend upon a variety of circumstances such as the skill, experience, health, strength, &c., of the individual labourer.

I have, &c.,

GEORGE WOLFE MURRAY,
Acting Superintendent.

The General Manager,
C/M Labour Importation Agency, Limited,
Johannesburg.

No. 91.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received May 19, 1906.)

MY LORD,

Governor's Office, Johannesburg, April 30, 1906.

I HAVE the honour to transmit to you, for your information, the accompanying copy of a report by the Acting Inspector of Mines for the Barberton District on the work done by the five white labourers sent out by Mr. Mond, M.P., to do the work ordinarily done by native labourers on the gold mines and under the same conditions as those which native labourers work under.

2. It is, I think, a matter for regret that these five labourers should have done nothing but surface work at Barberton. Mr. Mond's experiment, the object of which, of course, was to ascertain whether white men can do the work ordinarily done by native labourers on the mines at a cost which would make their employment possible, would, I think, have been a more interesting one if the five labourers sent out by him had done underground work in one of the mines on the Witwatersrand under ordinary conditions. It is, of course, on such underground work that the majority of native labourers in the service of the Transvaal Gold Mining Companies are employed, and it is the lack of sufficient natives for this work which has caused the labour difficulties which have beset the Transvaal.

I have, &c.,

SELBORNE,
Governor.

Enclosure in No. 91.

The Government Mining Engineer (Acting),
Johannesburg.

Re Mr. Mond's Experiment with White Labour on the Globe Block, at Avoca, Barberton.

1. In my monthly report for October, 1905—Section IX., paragraph 12—I reported on this matter as follows:—

“An interesting experiment which is worth describing officially—as it is the subject of much misrepresentation—is being carried on at the Globe Block, near Barberton. The story of the experiment and its results to date are as follows:—

“In consequence of an argument at a political meeting at Chester in the early part of the year, a certain Mr. A. Mond backed himself to send out to Africa certain men who volunteered at the meeting to come out and to do native work under native conditions in order to demonstrate that white men could do such work in this country equally well as elsewhere.

“The ‘Globe Block’ is a block of claims held in London, which it was wanted to prospect. The block lies on the De Kaap River by Avoca Bridge in probably the hottest and most unhealthy spot in Barberton District.

“On July 28th Mr. J. Wilkins came out, as representing the ‘Globe Block,’ with five men, who were to demonstrate Mr. Mond’s contention by doing all the native work of trenching, shaft sinking, &c.

“On October the 7th I visited the ground and would report on the experiment as follows:—

- “(1) The five men engaged were physically able-bodied, but otherwise a very ‘scratch lot’ and not professional miners. One was an acrobat; one had been, I think, a confectioner; and two were old soldiers; the fifth at one time had been a fitter.
- “(2) They had no natives of any sort on the property and did all their own cooking, water drawing, tool sharpening for themselves.
- “(3) They had erected their own shelters and generally established themselves without assistance.
- “(4) They were each receiving £1 a week mess money and £8 per month pay, equal to £12 per month total cost.
- “(5) Up to the time of my visit they had been engaged in surface trenching, each man was doing his own section.
- “(6) The trenching had been done in a workman-like way, and in order to compare the work done with native work I measured up that done by one of the men, who seemed to have done about best—he was an old soldier.
- “(7) The ground was a tough steatite schist on edge, such as one can only drive a pick into a couple of inches at a stroke. The top six inches were, however, covered with a wash of broken gravel.
- “(8) The trench cut was 2 feet 6 inches wide, from 3 feet 6 inches to 5 feet deep, and 44 yards long. I estimate the ground excavated as 56 cubic yards.
- “(9) This man had started work on August 7th and had, therefore, been two months or 49·5 working days on the job, giving an average excavated per day of 1·1 cubic yards.
- “(10) In similar ground to the above, I should expect any native to do a yard a day, and a good native would probably do two yards.
- “(11) To do the above work by native labour at, say, £2 10s. per month, inclusive of food, wages, and supervision, would, therefore, have cost not more than £5. By white labour, as has been demonstrated, it has cost £25.
- “(12) If this experiment can be said to have proved anything, it is therefore:—
 - “(a) That white men can do the same work as natives on the surface.
 - “(b) That raw white men are no better than—if as good as—raw natives at this class of work.
 - “(c) That to get such work done by white men costs five times as much as by natives.
- “(13) The contract ends in January and the men are then returning home. Before they go I hope to have an opportunity of measuring up their total work.”

2. I had no opportunity of again visiting the work before the men left, but, in accordance with your instructions, visited the ground on the 26th instant and measured the total work done. Mr. Finch, the nearest white resident, kindly accompanied me and pointed out the different items of work. Beyond those pointed out by Mr. Finch and here enumerated, neither I nor my assistant, Mr. Maxwell, could find any trace of recent work on the property. The property is an old one—it was first known as the Macedonia—then as the Globe, and it has now been re-named

the Sheba Crown. At various times work has been done on it, so there are, apart from the works executed in the period in question, several "old" workings.

3. The men left the ground on February 11th. Work was practically closed down, however, on the day when they received news of Mr. Mond's election to the new Parliament.

4. The conditions under which the men worked remained to the end exactly as described in my first report, only the fever season coming on, some of the men suffered from slight attacks of fever, and that, from October 1st to the end, a Mr. A. Lewis, who is a local miner, was engaged to superintend the mining and to sharpen the tools.

5. I may mention that Mr. J. Wilkins, who was foreman to the gang, applied to me for a blasting certificate, but, failing to pass my examination, was therefore rejected.

6. The total work done was as follows:—

A.— <i>Trenches</i> :—	Cubic Yards.
A. One trench 156 feet long × 5 feet 6 inches deep × 4 feet wide	116
B. One trench 75 feet long × 3 feet deep × 4 feet wide	33
C. One trench 300 feet long × 2 feet deep × 4 feet wide	89
D. One trench 300 feet long × 2 feet 6 inches deep × 4 feet wide	111
E. One trench 141 feet long × 2 feet deep × 4 feet wide	42
	391

In all, approximately 391 cubic yards of trenching excavated. The nature of this ground varied, but was on the average ordinary hard picking surface ground, such as natives would make over two yards a day in, and which should cost about 10d. per yard to excavate. The cost of this work under ordinary local conditions would therefore have been approximately £16 5s. 10d.

B.—*Shafts*:—

A. One shaft 37 feet deep × 7 feet × 6 feet.

Cross-cut 12 feet long × 6 feet × 5 feet.

B. One shaft 45 feet deep × 7 feet × 4 feet.

N.B.—The top 10 feet of "B" appeared to be old work, but nevertheless I have credited it to the work of the party.

The ground in these shafts is banded quartzite considerably decomposed, not hard to drill, and breaking well under explosives. The local contract price for such work would not be more than £2 per foot. The cross-cut would cost about 35s. per foot.

The total cost of the shaft work would, under ordinary local conditions, therefore be £74 + £21 + £90 = £185.

The total mining work—trenching and shaft sinking—done on the block by the party in question would therefore have cost, in ordinary conditions, approximately £200.

7. The labour employed with Mr. Mond's gang and its cost was approximately as follows:—

Five white men, 6 months at £12	£360
Mr. J. Wilkins, 6 months at (unknown) say	90
Mr. Lewis, 4 months at £25	100
	£550

The cost of tools, dynamite, charcoal, &c., would probably not be under £50. The total cost of the work done by the method employed was therefore probably about £600, or approximately three times as much as it would have cost under the ordinary conditions of labour or by contract.

8. The result of the whole experiment is therefore in accordance with the conclusions arrived at in my report, though the comparative cost of the white labour is not quite so excessive.

9. It is, however, only fair to state that, in my opinion, ordinary white men working for themselves or on contract could easily have done twice as much as the gang in question in the same time.

Barberton,
March 27, 1906.

TUDOR G. TREVOR,
Inspector of Mines (Acting).

No. 92.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 6.8 p.m., May 19, 1906.)

TELEGRAM.

May 19. No. 4. Your telegram of 18th May, No. 1.* Despatch† left here by last mail. Delay due to fact that your despatch, 9th March,‡ to which it replies, asked for number of unskilled whites employed underground; whereas figures given in my telegram of 12th April, No. 1,§ represent total number employed on Witwatersrand. This distinction necessitated a request to mines to furnish an entirely new return.

No. 93.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 6.20 p.m., May 21, 1906.)

TELEGRAM.

May 21. No. 2. Your telegram of 18th May, A. 3|| Please reply to General Botha in sense of latter half of your telegram. I share your sympathy with isolated inhabitants and your hope of complete success in coping with the difficulty.

No. 94.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 7.55 p.m., May 21, 1906.)

TELEGRAM.

May 21. No. 4. Resolution protesting against repatriation notices Chinese passed by public meeting resident[s] in Benoni and district and goes to you by to-night's mail.

No. 95.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 7.55 p.m., May 21, 1906.)

TELEGRAM.

May 21. No. 6. Referring to my telegram, No. 1, 24th April¶ total number of persons employed by gold mines of the whole Transvaal on the 30th April: white 18,635; coloured 93,739; Chinese 49,832.

No. 96.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 7.55 p.m., May 21, 1906.)

TELEGRAM.

May 21. No. 7. Referring to my telegram, No. 2, 24th April,** official returns of white workmen in mines of the Witwatersrand district in month of April show decrease of 535.

* No. 87. † See No. 112. ‡ No. 19. § No. 50. || No. 89. ¶ No. 54. ** No. 55.

No. 97.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 2 p.m., May 24, 1906.)

TELEGRAM.

[Answered by No. 105.]

May 24. No. 1. Question in Parliament on Monday whether total number of unexpired licences for coolies can be stated, and at what date it is expected that all further importation under unexpired licences will have ceased.

No. 98.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received May 26, 1906.)

MY LORD,

Governor's Office, Johannesburg, May 7, 1906.

I HAVE the honour to forward an answer to the question asked by His Grace the Duke of Marlborough relative to Chinese labour, and forwarded under cover of your Lordship's despatch of March 10th, 1906.*

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 98.

	January, 1905.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	January, 1906.	February.
1. (a.) Temporarily removed under Section 12, Ordinance 17 of 1904, with approval of Superintendent.	Nil.	Nil.	Nil.	1	Nil.	Nil.	50	Nil.	Nil.	5	3	Nil.	25	Nil.
(b.) Transferred under Section 11, Ordinance 17 of 1904.	Nil.	Nil.	42	Nil.	2	20	13	10	9	203	377	271	12	264

2. Total number sent back to China, 2639.

3. Total number who returned to the Transvaal after repatriation—(a.) Identified, 51 ; (b) Unidentified (estimate only) 100.

4. Total cost of above movements and by whom defrayed.

The cost of the above movements was defrayed by the Chamber of Mines Labour Importation Agency, Limited, and the employers concerned. Government has no means of ascertaining the total cost of the same.

No. 99.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received May 26, 1906.)

MY LORD,

Governor's Office, Johannesburg, May 7, 1906.

I HAVE the honour, at the request of the Transvaal Chamber of Mines, to forward to you the accompanying copies of two resolutions passed unanimously at a special general meeting of the Chamber held on the 30th April.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 99.

SIR,

Transvaal Chamber of Mines, Johannesburg, April 30, 1906.

I HAVE the honour, by direction of my Executive Committee, to send you the

* No. 22.

following copies of resolutions passed unanimously at a special general meeting of the Transvaal Chamber of Mines, held this afternoon:—

(1.) Proposed by Mr. Lionel Phillips, and seconded by Comte de Ferrieres:—

“That this meeting, having been informed that, under instructions from His Majesty’s Government, notices are to be posted up at the mines employing Chinese labourers, containing proposals to them which would constitute an offer of repatriation, wholly or in part at the expense of His Majesty’s Government, thereby, in the opinion of this Chamber, violating the rights of private contract, desires to place on record its protest against such action.”

(2.) Proposed by Mr. A. Brakhan and seconded by Mr. J. G. Hamilton:—

“That a copy of the foregoing resolution be sent to His Excellency the Governor of the Transvaal, with a request to transmit it to the Secretary of State for the Colonies.”

I have, &c.,
J. COWIE,
Secretary.

The Private Secretary to
His Excellency Earl Selborne, G.C.M.G., P.C.,
Governor of the Transvaal, Johannesburg.

No. 100.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received May 26, 1906.)

MY LORD,

Governor’s Office, Johannesburg, May 7, 1906.

I HAVE the honour to transmit to you the accompanying copies of correspondence with the Transvaal Farmers’ Association on the subject of certain resolutions adopted at a Congress of that body, with regard to the Chinese labourers employed on the Witwatersrand gold mines.

I have, &c.,
SELBORNE,
Governor.

Enclosure 1 in No. 100.

SECRETARY, Farmers’ Association, Krugersdorp, to HIGH COMMISSIONER,
Johannesburg.

TELEGRAM.

May 1. Instructed to forward the following resolution of Congress: “That this Congress of the Transvaal Farmers’ Association now sitting at Krugersdorp unanimously resolves to immediately telegraph to the High Commissioner requesting to give full and proper protection against the Chinese, inasmuch as our lives and properties are daily becoming more jeopardised, and that His Excellency be further respectfully requested to carry out the instructions with the least possible delay of the Secretary for the Colonies with reference to the repatriation of the Chinese; further, that the employers of Chinese labour be held responsible for any damage done by the Chinese, and lastly, that this Congress request His Excellency the High Commissioner to transmit a copy of this telegram by cable to the Secretary for the Colonies.

Enclosure 2 in No. 100.

SIR,

Government House, Pretoria, May 2, 1906.

I AM desired by Lord Selborne to acknowledge the receipt of your telegram of the 1st instant, forwarding certain resolutions adopted at a Congress of the Transvaal Farmers’ Association held at Krugersdorp, on matters connected with the employment of Chinese labourers on the Witwatersrand gold mines.

Lord Selborne will have an opportunity of expressing his views on these matters on Friday, the 4th instant, when he proposes to receive certain deputations to discuss them.

Copies of the resolutions contained in your telegram will be forwarded to the Secretary of State for the Colonies, together with a copy of this reply.

Yours, &c.,
D. O. MALCOLM,
Private Secretary.

The Secretary,
Transvaal Farmers' Association,
Krugersdorp.

No. 101.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received May 26, 1906.)

[*Answered by No. 104.*]

MY LORD, Governor's Office, Johannesburg, May 7, 1906.

I HAVE the honour to inform you that on the 4th instant I received, together with the Acting Lieutenant-Governor, a deputation introduced by the Head Committee of Het Volk and representative of the Boer population living in the neighbourhood of the Witwatersrand. The object of the deputation was to call my attention to the outrages which have been committed by Chinese deserters, or stragglers, from the mines, and to ask for increased protection against the danger which they apprehend from them. I enclose copies of the resolutions presented to me, together with a newspaper report of the speeches made on this occasion, and of my reply to the deputation.

2. I also enclose an advance copy—the only copy so far available*—of the report of the Committee appointed to enquire into the present conditions in regard to the control of Chinese indentured coolies on the mine premises on which they are employed, and to report whether any other arrangements than now existing should be made for arresting deserters from the mines by the police authorities. You will observe that I have referred to this report in my reply to the deputation: it should for the present be treated as confidential.

I have, &c.,
SELBORNE,
Governor.

P.S.—I would draw your special attention to the expression of opinion of the Committee that nine-tenths of the absentees, or so-called deserters, are absentees or deserters because they are ruined gamblers; that is, they have not absented themselves or deserted from any cause connected with their employment or treatment on the mines.

Enclosure 1 in No. 101.

The following Resolution by the Mass Meeting at Heidelberg on the 18th April, 1906.

MAYOR, Heidelberg, to MILITARY SECRETARY, Johannesburg.

TELEGRAM.

April 18, 1906. Mass meeting, Heidelberg and District, Market Square, to-day, 400 present. This resolution, carried unanimously, that this mass meeting of the

* *Colonial Office Note.*—The Report is printed here as received in its final form.

residents of Heidelberg and District view with alarm and indignation the fact that roving bands of Chinese have almost daily been seen in the hills surrounding Heidelberg and have even been on boundaries of the municipality. That murderous outrages have been committed in the district; that neither lives nor property of those in the district are adequately protected by Government and this meeting therefore respectfully requests Government to afford better protection to its subjects. *End.*

Second resolution that a copy of resolution be forwarded to His Excellency the High Commissioner with request to transmit same by cable to Secretary of State for Colonies.

Enclosure 2 in No. 101.

HEIDELBERG.

Copy of Resolution of Public Meeting held on April 12, 1906.

1. That this meeting views with alarm and indignation the fact that parties of roving Chinamen have almost daily been seen about the district, and at times murderously attacking unprotected and peaceable inhabitants, both male and female, and request that the Government be asked to find more protection for the inhabitants for the prevention of such outrages.

This meeting further desires to bring to the notice of the Government the intense feeling of irritation and uneasiness existing in this district in consequence of the outrages committed by Chinamen, and there is a fear, in consequence of such outrages, that unless stringent measures are taken for the protection of the people, the feeling may result in the determination of the people to defend their hearths and homes, and which might lead to serious results.

2. It was resolved unanimously that this resolution be transmitted to His Excellency the High Commissioner, and that a deputation interview His Excellency on the subject.

The following gentlemen were appointed a deputation:—His Worship the Mayor, Messrs. Ohlsen, Blyth, de Jager, and F. J. Bezuidenhout.

Enclosure 3 in No. 101.

Resolution passed at a meeting held at Pretoria on Friday, May 4, 1906.

1. In view of the roaming of Chinese from the mines and the disturbance of the peace, and outrages committed by them on the peaceful country population, and the condition of unrest and terror caused thereby, on account of which some farms have already been vacated, and on others agriculture has been interfered with and life has been made unbearable, this meeting urges the Government with all seriousness to adopt stronger measures to prevent desertion of Chinese from the mines and to capture those roaming about.

2. Seeing that the Chinese are imported exclusively for the benefit of the mines and the country population suffers heavily under the conditions caused by these importations, this meeting is of opinion that all costs in connection with the administrative as well as police measures required for the better protection of the population should be borne by the mines and not by the State Treasury.

3. This meeting considers it imperative that steps should be taken for immediate legislation, so that the mines could be held responsible in the Law Courts for damage caused to individuals by Chinese deserters belonging to such mines, and that the mines shall be compelled immediately to repatriate at their own expense such captured Chinese deserters.

4. This meeting is of opinion that it has been sufficiently proved that Chinese labour is detrimental to the interests of the Transvaal, and that no further importation of Chinese should be allowed, and that all hitherto imported Chinese should

be repatriated on the expiration of their at present existing contracts. It further expresses its appreciation of the steps taken by the Imperial Government to enable Chinese labourers to be repatriated at once.

5. As this meeting is of opinion that the interests of the country demand that the mining industry shall be developed with all vigour on a sound basis, and as many complaints have been made regarding the present methods of acquiring native labour, it deems it desirable that the Government shall take steps to enquire how the system of recruiting can be improved upon and how the conditions of native labour on the mines can be bettered.

6. With a view to the great interest which the Transvaal has in the increase of the white population, and with a view further to the sad fact that there are to-day hundreds and thousands of whites in this country without means of existence and without employment, and as this state of affairs is becoming more and more serious, this meeting considers it desirable that genuine attempts ought to be made in order to give white labour on the mines a better chance, and thus solve the question of poor whites as well as strengthening the position of the white population. This meeting cannot accept that white labour for the mines is an economic impossibility, and desires to draw the serious attention of the Government to this question.

7. This meeting further resolves to submit the above resolutions to His Excellency Lord Selborne with a request to forward them to the Secretary of State for the Colonies.

LOUIS BOTHA, Chairman.
IQU. S. FERREIRA, Secretary.

Enclosure 4 in No. 101.

“THE STAR,” Johannesburg, Transvaal, Saturday, May 5, 1906.

CHINESE LABOUR.

“HET VOLK” DEPUTATION

TO LORD SELBORNE.

Pretoria, Friday (Special).—This morning a meeting of delegates from “Het Volk” branches in the towns along the Reef met the Head Committee of “Het Volk” and discussed the Chinese question. The proceedings were private.

As a result of the Conference the following resolutions were framed for submission to Lord Selborne this afternoon:—

[See Enclosure 3.]

THE INTERVIEW.

The interview with Lord Selborne took place in a committee-room in the Government Buildings at half-past two. The deputation was composed of the following:—

Witwatersrand: Messrs. D. E. Erasmus, D. J. E. Opperman, and Jan Jacobsz.

Heidelberg: Messrs. F. Bezuidenhout and J. de Jager.

Klipriver (Krugersdorp): Messrs. C. L. Neethling, J. van Wyk, E. Du Plessis.

Klipriver (Heidelberg): Messrs. J. Meyer, P. Du Preez, and G. Meyer.

Standerton: Messrs. Mash and W. Steyn.

Krugersdorp: Messrs. Dieperink, M. Edwards, and S. van Blommestein.

Witwatersrand (Germiston): Messrs. J. J. van Niekerk, C. D. Wentzel; (Elsburg) Messrs. C. H. Mulder and P. Venter; (Benoni) Messrs. J. H. Henning and H. J. van der Merwe.

Heidelberg (town): Messrs. A. van Driel, L. Ohlson, G. K. Bleyth and C. W. Schultz.

Heidelberg (High Veld): Messrs. H. A. Alberts and A. Stockenstroom.

Lord Selborne, who was accompanied by Sir Richard Solomon and Mr. Malcolm, received the deputation and shook hands with the members individually. The members of the Head Committee present were Messrs. Botha, Smuts, Wolmarans, and Esselen. Mr. Edward Rooth acted as interpreter.

Mr. LOUIS BOTHA, in introducing the deputation, said the state of affairs in this country to-day, owing to the wanderings of Chinese deserters, was the cause of that interview, the situation created being so bad that the public had requested the deputation from various parts to come forward and speak to His Excellency. The delegates were not exclusively representatives of “Het Volk.”

Mr. FERREIRA, secretary to “Het Volk,” then read the resolutions passed at the meeting of “Het Volk” this morning.

VIEWS OF THE DEPUTATION.

Mr. F. T. NEETHLING (Krugersdorp) expressed the pleasure it gave him to meet the Governor. He then went on to say that the reason he was there was principally because of the attack made

by Chinese marauders on the family of Mr. Smit. When that took place he called a meeting not only of members of "Het Volk," but of the public generally, and the decision came to then was that the Government should be asked to repatriate the Chinese as quickly as possible. No demand was made for the immediate repatriation of the Chinese, and the reason was that they desired earnestly to assist the mining industry as much as possible, and to help the Government as much as they possibly could. Referring to the particular outrage mentioned, Mr. Neethling said the victim of the outrage applied three times before he was attacked and three times afterwards for arms, but he had not got them yet. Since the Joubert murder there had been no improvement in the control of the Chinese. They were of opinion that sufficient labour for the mines could be obtained in South Africa if proper steps were taken for that purpose. That was why the people felt a particular grievance. These Chinese had been imported for the benefit of one particular section, and to the detriment of a large majority of the population, more especially those who lived in the country. He noted with pleasure that the British Government had taken steps to repatriate the Chinese. There was another serious thing. They did not know what the end of the Natal native troubles might be, but he feared a general rising. In such a case he did not fear that the Indian coolies would ally themselves to Kaffirs, but he feared that numerous Chinese coolies would join the natives. They would be satisfied if the Government would see that stronger measures were taken to control the Chinese. He had heard that even English mine managers in the vicinity of Johannesburg had sent away their wives and families on account of the Chinese danger. The contents of the resolutions were the honest truth. He hoped that not only good promises would be made to them to-day, but that the promises would also be carried out, so that when they had another national grievance they could come with confidence to His Excellency for redress.

Mr. VAN BLOMMESTEIN (Krugersdorp) next spoke in English, and said they had decided that the Head Committee should not submit these resolutions to His Excellency, but that the delegates should do so, as it had frequently been said that the Head Committee acted in a manner that was not at one with the views of the public. Continuing, he said that the Chinese question was a most difficult question, and it was not their intention to in any way embarrass the hands of the Government or His Excellency's hands. On the contrary, they wished to work in harmony with His Excellency and with the mining industry, but they wanted both His Excellency and the mining industry to understand that they were expected to work hand in hand with the farming population. He contended that the Chinese were robbers and thieves, although not all of them were. Some of them were as good as men of any other nationality on the face of the earth. He then referred to the fact that shopkeepers were not allowed to sell knives to the Chinese, and said that if the Chinese had not been here such laws restricting shopkeepers from selling anything would not have been passed. Such restrictions interfered with the liberty of the subject. The farmers could not leave their houses and their families alone for a single night, because of the Chinese. They themselves were poor and had to do everything to assist their families. They could not always remain at home every night, and the Government could not supply a policeman to every farmer on his farm, and that hindered the farmer doing his own duty. Perhaps His Excellency had noticed that during the meetings held throughout the country, strong speeches had been made and His Excellency might say that the speakers were not justified in doing so, but if His Excellency had been similarly accosted and insulted he would not live in peace and would let his voice be heard, and he hoped that His Excellency had not taken such speeches amiss. He hoped that as a result of the resolutions which they placed before His Excellency that he would find a way to assist the farming population and the mining industry, because they did not wish to ruin the mining industry by asking His Excellency or the Imperial Government to repatriate the Chinese at once, but both were subjects of His Majesty the King, and they needed protection and expected it from the Government, as much as any other subjects received. He hoped that His Excellency would be able to find a way open so that both the farming population and the mining industry could be carried on together without the one suffering through the actions of the employees of the other, and so that both could live in harmony and peace, and work here for the prosperity of the Transvaal.

MR. JAN MEYER.

Mr. JAN MEYER said the position he had put before His Excellency at Heidelberg had come true. From April, 1905, to March, 1906, he had captured and handed over to the police at Booyens 125 Chinese. One day he captured 40. He proceeded to give details of the assaults committed by Chinese in his neighbourhood. The general feeling of the public from Klipriversberg to Heidelberg was that they should be protected by their Government. The position had become intolerable and impossible. He knew that the mines had to be exploited, but they would not run the risk of injury to their families for all the gold in the mines. They could not stand it any longer, and they asked His Majesty's Government for adequate protection. Must they remain until they were all murdered.

Mr. OPPERMAN said he never felt so uncomfortable, notwithstanding all the wars he had been through, as he felt since the Chinese had come to the country. The Chinese were detrimental to white residents and to the native. He considered it would be better for the Government to look more for the welfare of the community in general, and he pointed out that what he had said to his people after peace had been concluded had not been fulfilled. He told his people to be obedient and true, that they were under a Government that would protect them. The Chinese must go out of the country as soon as possible. They must all work together for the purpose of getting labour for the mines. The Government need not fear the capitalist as they (the Dutch population) would stand by them.

Mr. A. VAN DRIEL (Heidelberg) presented a resolution passed at a meeting of the townspeople of Heidelberg on the 12th of April. He explained that he was not present as a repre-

sentative of "Het Volk" or any other organisation, but as the representative of the town and district. A very dangerous feeling had been created by the outrages, and the Government should do all they could to lessen that feeling. Every sensible man must agree that it were better that the output should be decreased than that an increase should be accomplished by violence and robbery and injury to innocent men. When the war was over they thought they could lay down their arms, but now they found that they had to arm themselves against people imported not by the advice of the majority.

MR. SMUTS.

General J. C. SMUTS next spoke. He said the resolutions were in much milder terms than the speeches made at the meeting in the morning. He referred to the desirability of employing white labour in the mines, and said the country was in a state of wretched poverty. Many whites were out of employment. They wished to see definite and serious efforts made to relieve the poor in the country. They wanted the mines to strengthen the position of the white population in the country, and make it a white man's country. He was sure that it was not true that the white people would not work in the mines. If yellow labour were abolished plenty of whites would be found willing to work in the mines, and the mines as well as the white population would prosper.

Mr. A. D. WOLMARANS said the Chinese had been imported in distinct violation of the will of the people. Their lives and property were to-day in greater danger than they were sixty years ago, when they were surrounded by hordes of savages. Sir Arthur Lawley had, on a previous occasion, denied the truth of this, but he (the speaker) believed that it had been proved correct. They considered they were fully entitled to urge the Government to promote immediate legislation remedying all the grievances as set out in the resolutions. The Government itself was responsible for every murder committed of unprotected people, and therefore should take the necessary steps to protect the people. The Chinese were here only for the benefit of the mines. If the Government gave effect to the resolutions, then it could rely on the strongest support of the people who were now suffering.

Advocate ESSELEN next spoke, and humorously referred to the position of the Chinese, saying, if he might quote the prophet of patience: "In nakedness they come and in nakedness they are going. The late Government has brought them and the present Government is taking them away. Blessed be the name of the present Government."

GENERAL BOTHA.

General BOTHA, who next spoke, said that His Excellency had undoubtedly noticed that their people were sore over the state of affairs, and he expressed the hope that such heart-burning would cease. He asked His Excellency to do all that was necessary to put an end to this feeling of grief and distress and excitement. The hearts of the people were sore. "Let," he concluded, "that heart-soreness leave and let it be turned into a glad and contented people."

LORD SELBORNE'S REPLY.

LORD SELBORNE said: I am very pleased to be here to-day with the Lieutenant-Governor to meet you. You have more than a right to come. The subject is of more than sufficient importance to warrant your coming. Now, a great many points have been made by the different speakers. If I do not deal with all these points, remember it is because I want to keep to the heart of the matter, and I want to deal with that alone. Now, two aspects of this question have been dealt with to-day. One is the question whether it was wise or unwise, right or wrong, to import Chinese labour at all. I do not propose to deal with that question to-day, because that question would have remained, even if there had never been a single outrage. What I want to deal with is the question of outrages. Before I come to that, I will only make two or three observations for the purpose of putting what I believe to be the facts on record. First I believe that the prosperity of the agricultural interests and of the mining interests are mutually dependent on each other. The prosperity of one is necessary to the prosperity of the other. The second thing is that there can be no more important question before the people of the Transvaal in the future than the question of the labour supply, and I hope that as soon as the elected Legislature comes into existence the representatives of the people will give their attention to the subject without delay.

AN INCORRECT ASSERTION.

The next point is that it has been stated by more than one speaker that the majority of the Chinese are murderers and thieves. Now, I know that even in your indignation you desire to be just, and, therefore, I want to state in the clearest manner that this is not true. You see and hear of those who do these things, but you do not see and hear of the men who are perfectly quiet and peaceable. We have quite enough anxiety and trouble with the small minority of scoundrels that are contained among the Chinese, and it is not necessary, however unintentionally, to libel a whole mass of perfectly innocent people.

A MISAPPREHENSION.

Then I want to correct a misapprehension about what are called deserters. The Chinese who are called deserters ought more properly to be called absentees. Very few of them, very few indeed, are men who are fleeing from the mines because they dislike the conditions under

which they work. They are stragglers. They are men who have outstayed their permit or pass. The great majority of them are ruined gamblers. At first sight you would not see exactly how that might be. I will explain to you. The Chinese as a nation are greatly addicted to gambling. Men gamble and lose their wages in advance. Men who have lost their wages in advance, if they are bad characters, do not see the fun of remaining to work in order that somebody else may get their wages, and therefore they endeavour to take to the hills, or even, more often, go out and commit a crime and come back again to the compound. Now, I only state this in order to put what I call the facts of the case on record. It does not matter from what cause these men leave the mine, the question we have to consider to-day is the condition of affairs which have been produced by their leaving the mines, and let me say at once, and I speak for myself and for the Lieutenant-Governor, and the Government, that we feel the deepest sympathy for the farmers whom you are representing to-day.

“QUITE NATURAL.”

I was asked not to mind the strong speaking. Not only do I not mind it, but I think it is quite natural under the circumstances. I ask you to believe that I have been deeply distressed at the burden and anxiety that I know this matter has been to the farmers, living on isolated farms, and storekeepers living at isolated stores, within a few miles of the Witwatersrand. I know, I can see and feel the terrible anxiety and apprehension to women and children, and I know how a man must feel for his women folk. I think the farmers have shown great consideration to the Government in this matter. I think they have recognised our difficulties, and do not mean to press us beyond what they believe to be reasonable. So you see that I do enter into your feelings, and I ask you to believe that this matter has caused me deep personal distress and anxiety. You have asked that there shall be no more importation of Chinese.

“UNDER ORDERS.”

On this subject I have only to say that I am acting under the orders of His Majesty's Government, of which you are all, I imagine, well aware. You have asked for more protection on your farms. Let me remind you first of all what the Government have done in this matter. Immediately after the murder of Mr. Joubert, General Botha, and, I think, Mr. Smuts and Mr. Esselen came to see Sir Arthur Lawley and me, and the suggestion made at that time in respect to better protection was that rifles should be served out to those who did not possess them. That suggestion was immediately adopted. I will refer to that again presently, but in addition to that I gave every personal attention I could to the distribution of the South African Constabulary and the Transvaal Police so as to afford protection to the districts in which danger existed.

WORK OF THE POLICE AND CONSTABULARY.

Now the only criticism I have to make on the speeches which I listened to to-day is that I do not think strict justice has been done in those speeches to the efforts of the Constabulary to help the farmers. But I do say most unhesitatingly that the Constabulary and the police have done their very utmost to assist the farmers in a situation in which they deeply felt for them. I think the word “picnic” was applied by one of the speakers to the observations of the police. If that word was meant to be applied to their life out on the veld during the last six months, then I say it is not a just application. And I am glad to acknowledge it that they have received from scores and scores and scores of farmers their warm and friendly thanks for what they have done. But I speak in the presence of many men who know that there are limits to the effective power of a cordon, and I can add my opinion that the Government have done all that can be done in the way of protection by police away from the mines. I wish to put on record my appreciation of the way in which the Constabulary and the police have done their work. You hear of a case where there were Chinese who were not apprehended, but you say nothing about, and very likely you know nothing about, the vast number of cases in which they have apprehended Chinese. I said I would revert to the question of the issue of rifles. I remember quite well when I discussed this with General Botha that although rifles were suggested in the first place, it was also agreed that shot guns were very useful, and it certainly was the belief of the Government that they had issued rifles to every man who required them.

MR. MEYER'S ALLEGATION.

Now I wish to allude particularly to the case to which Mr. Jan Meyer has referred, because if Mr. Meyer will allow me to say so, he put his case with great moderation and reasonableness; but he has not represented this case of the arming of Mr. Smit in the light in which it represents itself to me. At Heidelberg Mr. Meyer spoke to me of six cases for which he wanted arms. Mr. Meyer says that he meant shot guns. I did not so understand him. I thought he asked for rifles. I wrote immediately that night to the Resident Magistrate of the Witwatersrand, Mr. Playford, and begged him to supply these rifles immediately. According to my recollection he replied that Mr. Meyer had already been in communication with him on the subject, and at that moment the six rifles were leaning against the wall in his office, and were waiting to be called for every day, but nobody had been for them. I communicated this reply to Mr. Meyer, and then I learned for the first time that he did not for some reason think rifles were the proper weapons and that he wanted shotguns. I communicated with the Magistrate and he informed me that he had no shotguns to issue. I communicated immediately with Sir Richard Solomon, and 500 shotguns were ordered at once and were issued, and till Mr. Meyer spoke now I have always understood and believed that the men for whom he had spoken had received some of them. At the present moment Sir Richard Solomon has ordered

sufficient shotguns to give to every man who has not got arms and who cannot purchase a weapon himself. As a result, I understand there will not be a single case of an unarmed man within ten miles of the Witwatersrand. I am sure that if Mr. Meyer will communicate with the Magistrate he will at once get arms for the men for whom he asks. I am sure it is due to a misunderstanding between him and the Magistrate that they have not received arms; and although I agree with him that in certain cases a shotgun is a better weapon for this purpose than a rifle, I do not think he was wise in refusing rifles.

THE ROOT OF THE MATTER.

I have dealt with the question of protection off the mines. I have said that I think the Government have done all that it is in their power to do to give protection against the Chinese who have strayed and straggled into the country. The real evil of the matter lies in the proper control on the mine premises, and it is with that aspect of the subject that I propose to deal now. It is now some little time ago since the Government appointed a committee to go into the whole question of the control of Chinese labour on the mines and they appointed that committee with the cordial assent of the Chamber of Mines who have shown every desire to co-operate with the Government in this matter. This committee was composed as follows:— Mr. H. Rose Innes, the Resident Magistrate of Pretoria; Colonel Curtis, Inspector-General, South African Constabulary; Mr. E. M. Showers, Chief of the Transvaal Police; Mr. Jamieson, Superintendent of Chinese Labour; the Chinese Consul-General, and two members were put on to represent the mine owners, Major Bagot and Mr. Hamilton. That committee has only just reported. I have not even had time to read the report. I can only say that the Government will lose no time in giving this report, which appears to me from a cursory glance, as very complete, its immediate and most careful consideration, because, as I have said, this is the whole root of the whole question, how to keep under proper control that small percentage of the Chinese coolies that are murderous ruffians, or who, having become desperate from their gambling losses, are turned into such scoundrels.

AN IMPRESSION IN SOME QUARTERS.

Why, gentlemen, there has been an impression in some quarters that the Chinese have been too circumscribed in their liberty. The real truth is just the opposite. The real truth is they have not been sufficiently subjected on the mines to the reasonable supervision which in all civilised countries is found necessary for the preservation of order and the prevention of crime. Such measures in civilised countries are always found necessary when there are great aggregations of human beings. It has been the absence of this proper supervision which has given the bad characters their opportunity, and here I want carefully to differentiate and say that carelessness in supervision has only been in certain cases. When you are dealing with a great organisation such as the mining industry, of course there are great variations in the management and in the quality and capacity of the managers, and it would be most unjust for anybody to have the impression that this want of supervision has prevailed everywhere. But there has been, alas, enough of it to give the opportunity to the bad characters, with the results which we see before us. I said just now that the Chamber of Mines had co-operated in every way in the appointment of this committee. I know I shall not plead with them in vain to continue to give every co-operation to the Government in remedying this state of affairs. In those cases where responsibility has been fully realised the organisation and the management have been excellent. It must be realised what the effects are if any one mine or group of mines is careless or indifferent in the matter. And just as I have shown you, the Government sympathise with your complaint and are not indifferent to your appeal, so I know that I may rely on the Chamber of Mines to help me to remedy a state of things which ought never to have existed. For I recognise on behalf of the Government the absolute rights of the farmers to demand relief from their present and irksome anxiety. I admit that it is the duty of the Government to find a remedy. I have only one more observation to make. When the amending Ordinance was being passed in the Legislative Council last session a provision was inserted enabling the Government to repatriate any coolie of bad character at the expense of the industry. I certainly meant, and the Lieutenant-Governor certainly meant, that power to be freely used. It has not been used as freely as we had intended. I assure you that it will be used now with the utmost possible freedom. Gentlemen, I have nothing more to say. I have not attempted to deal at length with all the aspects of this question. I have endeavoured to deal with the whole of the matter and to show you that so far from our resenting your coming to us we feel deep sympathy for those who live in places where their wives and daughters and children are exposed to this danger, and I assure you, that no steps will be spared on our part to remedy the evil. Although I have no more right to speak for the mining industry than I have for you, gentlemen, yet I do know from what many members of the Chamber of Mines have said to me that they deeply grieve over these outrages. I will forward to the Secretary of State for His Majesty's Government the resolution which you have passed.

Mr. SMUTS expressed his deep appreciation to His Excellency for having accorded the deputation the interview, and said that he hoped that the steps His Excellency would take on their representations would remedy the evils of which they had complained that day.

The deputation then retired.

Enclosure 5 in No. 101.

REPORT OF THE SPECIAL COMMITTEE appointed to consider and report upon the present conditions in regard to the Control of Chinese Indentured Labourers on the Mine Premises of the Witwatersrand Area.

MEMBERS OF THE COMMITTEE.

H. ROSE-INNES, Esq. (Chairman), Resident Magistrate, Pretoria.
 Lieutenant-Colonel R. S. CURTIS, D.S.O., Inspector-General of the South African Constabulary.
 Major the Hon. WALTER L. BAGOT, D.S.O., General Manager, Chamber of Mines Labour Importation Agency, Limited.
 J. W. JAMIESON, Esq., Superintendent, Foreign Labour Department.
 E. M. SHOWERS, Esq., Commissioner of Police, Johannesburg.
 LEW YUK LIN, Chinese Consul-General.
 J. G. HAMILTON, Esq., M.V.O.

TERMS OF REFERENCE.

“To enquire into the Present Conditions in regard to the Control of Chinese Coolies on the Mine Premises on which they are employed, and whether any other Arrangements than now exist should be made for Arresting Deserters from the Mines by the Police Authorities.”

REPORT OF THE COMMITTEE TO HIS EXCELLENCY THE ACTING LIEUTENANT-GOVERNOR.

To His Excellency

Sir Richard Solomon, K.C.B., K.C.M.G.,

Acting Lieutenant-Governor of the Transvaal.

MAY IT PLEASE YOUR EXCELLENCY,—

WE, the undersigned, having been appointed a Special Committee, under the letter of Your Excellency to the Transvaal Chamber of Mines, dated the 2nd of April, 1906, for the purpose hereunder mentioned, have the honour to submit the following report:—

The terms of reference to your Committee were as follows:—

“To inquire into the present conditions in regard to the control of Chinese coolies on the mine premises on which they are employed, and whether any other arrangements than now exist should be made for arresting deserters from the mines by the police authorities.”

We have divided our Report into eight parts, and have attached thereto Minutes of Proceedings, Minutes of Evidence and an Appendix.

In Part I. we give a brief account of the proceedings taken to enable us to discharge the duties entrusted to us by Your Excellency.

In Part II. we investigate the systems in vogue at various mines for the control of Chinese Indentured Labourers.

In Part III. we deal with the functions of the Foreign Labour Department in relation to the discipline, administration and control of coolies on the mine premises.

In Part IV. we deal with the Police arrangements made by the Government for checking desertions and for the prevention of criminal offences by indentured Chinese labourers.

In Part V. we investigate complaints made by members of the rural population in the districts adjacent to the Witwatersrand Mining Area, and also set forth the views expressed by members of the mercantile community.

In Part VI. we deal with the causes of desertions of Chinese Indentured Labourers, and outrages committed by them.

In Part VII. we offer some general observations on matters arising out of the evidence as a whole.

In Part VIII. we state the conclusions we have come to in regard to the various points before us, and we submit recommendations as to the steps to be taken with a view to remedying in the future the defects that have been noted by us in the course of the inquiry.

PART I.—BRIEF ACCOUNT OF THE PROCEEDINGS TAKEN.

Your Committee held a preliminary sitting at the Government Buildings in Pretoria on the 10th of April for the purposes of arranging procedure, electing the Chairman and deciding upon the witnesses to be invited to give evidence. The second sitting was held in the building of the Transvaal Chamber of Mines in Johannesburg on the 11th April at which evidence was heard from officials of the Foreign Labour Department. Subsequent sittings took place at Johannesburg on the 12th and 17th of April at which evidence was heard from controllers of Chinese on mines employing indentured Chinese labourers.

In the afternoon of the 12th April the Chairman, with Colonel Curtis and Mr. Showers, visited the Simmer and Jack Proprietary Mines and inspected the Chinese compounds on the mine, and investigated the system under which leave permits were issued.

On the 18th April the Committee proceeded to the Witwatersrand Deep and the Witwatersrand Gold Mining Company, and took the evidence *in loco* of the managers of these companies. The members also visited the compound of the Witwatersrand Deep. Thereafter the Committee visited the Kleinfontein group of mines and heard the evidence of Mr. Way, the Consulting Engineer to the group, and of Mr. Mayers, one of the Inspectors of the Foreign

Labour Department. While at Kleinfontein the Committee took the opportunity of personally inspecting the mine premises of the New Kleinfontein Company, and investigating on the spot the system in use for checking numbers of coolies at work and off duty.

Your Committee sat at Johannesburg on the 19th, 20th, 24th, 25th and 26th April, and heard the evidence of a number of witnesses, including Consulting Engineers to mining groups, members of the rural districts in the vicinity of the Witwatersrand Mining Area and of representatives of the commercial community. Your Committee concluded its task of taking evidence on the 26th of April. Throughout these sittings your Committee took the evidence of 34 witnesses. A list of these witnesses is appended to this report.

PART II.—CONTROL ON MINE PREMISES.

We consider that the following are the main factors in the matter of control of labourers under the Labour Importation Ordinance of 1904, the Labour Importation Amendment Ordinance, 1905, and the Regulations issued thereunder:—(1) The provision, according to law, that labourers cannot be transferred from one importer to the other without the consent of the Lieutenant-Governor being first had and obtained; (2) the provision that every labourer should carry on his person the document known as "The Identification Passport" (metal ticket); (3) the provision that labourers should reside on the mine premises on which they are employed, and that they should not be allowed to trade, or to acquire, lease, or hold land; (4), the provision that the labourers must be provided with permits to be issued by the importer or his representative in case they be absent from the said mine premises; (5), policing; (6), mine supervision and control.

Of the above factors of control we consider that the provision for the issue of leave permits is most important, and, as a consequence, that the best and most efficient control can only be secured on the mine premises themselves.

Identification Passport.

The Identification Passport is commonly known as the "Government Passport" inasmuch as its issue is under the control of the Government. Its present form is that of a metal ticket on which the name of the mine and the registered number of the labourer is stamped.

From the evidence it would appear that there is a traffic carried on in these identification passports, and that the labourer very often parts with his passport to a fellow labourer and creditor, to enable the latter to draw his pay and also as a means of pledge. His work ticket is also, at the same time, passed over to the creditor. These passports are exchanged for the purpose of assisting in the traffic of leave permits to which we refer hereafter. We have considered the question as to whether this traffic in passports—which we think reprehensible—could be entirely prevented. Two suggestions have been made to us:—

- (a) That the labourer should, in addition to his metal passport, carry a stout card on which should be printed his registered number, his name and the name of his mine, and which should bear the impression of his left thumb.
- (b) That it should be made an offence for a labourer to be in possession of any passport not belonging to him.

We have considered these two suggestions, and with regard to (a), we think that the taking of the thumb impression, and making the labourer carry the card on his person, would undoubtedly be an effective method by which the traffic in these passports might be detected. We consider, however—and the weight of evidence is in consonance therewith—that as a means of checking this traffic this suggestion is not practicable, owing to the wear to which the ticket would be necessarily subjected by being carried on the person of the coolie and to the fact that it might be destroyed by the labourer himself—who would doubtless advance cogent reasons for the destruction or absence of the document.

With regard to (b), we consider that this is a suggestion which should be acted upon and that a regulation should be promulgated under the Ordinance, making it an offence for any labourer to be in possession of the identification passport of another labourer.

Leave Permits.

The rules in existence governing the issue of leave permits to individual labourers may be summarised as follows:—

Under Section 19 of the Labour Importation Ordinance, 1904, it is provided that no labourer shall leave the premises on which he is employed without a permit in the form prescribed by regulation, and such permit is not available outside the Witwatersrand District. The Witwatersrand District, under Section 1 of the abovenamed Ordinance, is defined as "the area within which the Witwatersrand High Court has jurisdiction." (See map attached to report Appendix IX.) Failure to comply with the above instructions is punishable by a fine of not exceeding £10, or, in default of payment, imprisonment not exceeding one month.

The Chamber of Mines Labour Importation Agency instituted, as from September 3rd last, a Sunday roll call, which has since been legalised by Government Regulation, and a revised system of leave permits, with the object of securing better control and of diminishing the number of absentees. The original rules have been modified in some respects, as the result of experience, and the following is the system now in force:—

There are two forms of leave permit in general use. Leave permit A is a white form, as prescribed by regulation (Government form 7). This form is used when leave of absence

over a night or for a period not exceeding 48 hours, is granted. Mining Companies have been instructed not to issue this permit for a period in excess of 24 hours, except in special cases.

Leave permit B is a red form, and is available till sundown on the date of issue only, and was designed to obviate the amount of clerical labour which leave permit A entails, especially in the case of the large number of permits issued on Saturdays and Sundays.

Neither of these two permits is allowed to be issued to comprise a period between sundown on Saturday evening and 9 a.m. on Sunday.

The following instructions have been issued by the Chamber of Mines Labour Importation Agency as regards leave permits:—

- (i.) No collective permits are to be issued; each coolie must have an individual permit.
- (ii.) In cases of coolies proceeding by train the station of destination is to be inserted in the permit.
- (iii.) All unissued leave permit forms are to be in charge of a responsible white man and to be kept under lock and key. On no account is any interpreter or other Chinese to have access to the permits or to issue them.
- (iv.) Each leave permit is to be stamped with the name of the mine from which it emanates, and the date of issue.
- (v.) Coolies found belonging to other mines, without leave permits in their possession, are to be handed over to the police, and are not to be given a permit to return to their own mine.

The following recommendations have also been made to the mines by the Agency:—

- (a.) That the date stamp used to stamp the leave permits should bear the name or initials of the issuer, and that each permit should have the telephone number of the mine printed on it.
- (b.) That coolies granted leave permits should be made to carry their monthly work ticket as well as the Government metal passport, and that the work ticket, as well as the leave permit, should be stamped on the back with the date stamp.
- (c.) When the Government metal passport is not stamped with the name of the mining company that it should be so stamped forthwith.

It has been pointed out to the mining companies that the granting of leave of absence, except in the cases of coolies desiring to lay complaints before the Superintendent or to obtain access to a Court of Law, is an indulgence and not a right.

In the case of the Kleinfontein Group, both A and B permits have been discarded, and a particular permit, with counterfoil, has been brought into use for all leave of absence; this permit has the name of the mine printed on it, and the following details are filled in in manuscript: Date, name of compound, hour of issue, and hour of expiry, destination and signature of issuer. The pass has also a space for the coolie's thumb impression. The above details are also filled in on the counterfoil.

The regulations governing the issue of railway tickets to indentured labourers will be found in the regulations issued by the General Manager, Central South African Railways, which are printed in Appendix IIA. In addition to the above-mentioned regulations, the General Manager, Central South African Railways, has issued instructions to deal with coolies boarding trains without railway tickets or leave permits.

Your Committee find that there is no uniform system on the mines controlling the issue of permits, and that these permits are largely trafficked in, one labourer passing his permit on to another labourer. The fact that this can be done has been the means of labourers obtaining permits from the management, who otherwise would have been refused the indulgence. The method, as a whole, administered as it is at present, has not proved effective in controlling the movement of labourers, and has not operated in the direction of checking desertions and incursions into the countryside. We can suggest no means of putting a stop to this traffic until the general principle on which permits are at present issued is altered. We further find that leave permits are signed at some mines only. The general practice appears to be to issue these permits, either under the dated stamp of the mine, or a stamp bearing the block signature of the Controller of the Compound, or both. It has been pointed out that it is difficult to have an absolutely uniform method under which leave permits are issued, owing to the varying conditions on different mines. We are not satisfied that this view is correct, and we fail to see how, in the matter of the issue of leave permits, the conditions can vary in such a manner that a uniform system cannot be enforced. On some mines leave permits are issued to labourers as a matter of right, when they have, for the time being, fulfilled their obligations to the management. On other mines, again, the grant of a leave permit is regarded as a matter of indulgence, and the management at such mines has restricted the issue of permits in some cases to a very considerable extent. It appears to be a matter of common knowledge and report that on some mines permits have been issued by the Chinese police or interpreters.

Roll Call.

The holding of a roll call every Sunday has now been provided for by Regulation 44, Sub-sections 1 to 5 inclusive. Apart from this regulation the following instructions have been issued to the mines by the Chamber of Mines Labour Importation Agency:—

- (i.) The roll call is to be held at or before 10 a.m.
- (ii.) Between sundown on Saturday evenings and 9 a.m. on Sunday mornings all coolies employed on each mine, who are not at work on the property, must be inside the compound gates.

- (iii.) During the calling of the roll all compound rooms and buildings are to be searched with a view to ascertaining whether any coolies are hidden there belonging to the Company or to other mines. Coolies found belonging to other mines are to be handed over to the police.

With regard to the Sunday roll call, when the proposal was first introduced, the Superintendent of the Foreign Labour Department gave expression to the opinion that he did not think it would prove to be a very effective check on desertions. The weight of evidence given before us has been in support of the view taken at the time by the Superintendent of the Foreign Labour Department. The evidence, however, is to the effect that it has, undoubtedly, had some effect and would probably have been more effective if it had been properly observed by all the mines. It has, however, been made to appear to us that although the Sunday roll call has been properly carried out on some of the mines, on other mines it has been carried out in a very perfunctory manner or shurred over. It is possible, however, that it may have some value as a measure of discipline. If a daily check of the labourers were enforced on all the mines the necessity for a Sunday roll call would disappear.

Daily Check on Number of Labourers.

We find that on several mines an effective daily check on labourers is kept, which enables the management to know within 24 hours how it stands in regard to each shift. There appears to be no reason why this system of daily check should not be carried out on every mine.

Compound or Inner Control.

We find that the real control exercised over the labourers takes place within the compound. As a rule the compounds have only one means of ingress and egress, and on some mines arrangements have been made to obviate coolies getting away from the compound except through the authorised exit, by the erection of barbed wire fences and strands of barbed wire hanging over the inner walls of the compound. It is, however, within our knowledge that on some of the mines these precautions are not adopted, while on others, again, though the compound itself is so constructed that labourers have only one authorised means of exit nevertheless irregular exits take place through the sanitary passages of the compound.

All leave permits are, as a rule, issued at the compound offices. As a disciplinary measure, and for the purpose of preserving order, labourers are kept in the compound at night. On one mine that we visited the labourers are confined to the compounds and can only enter and leave the same under permit from the management. Order is, as a general rule, kept in the compound by Chinese mine police. We have come across one exception to this general rule, and that is on the New Kleinfontein mine, where eleven European mine police are employed for the purpose. In some mines the police control is, to a certain extent, augmented by the addition of a few Europeans, who act as night watchmen and yardmen. The control and issue of passes is vested in a European Controller or Compound Manager, who, in some cases, has an assistant or assistants under him. Practically all the Controllers or Compound Managers have been recruited and brought from China, and are more or less conversant with the Chinese language. On some mines the compound management is dependent on the Chinese interpreters as a medium of communication with the labourers. So far as we can gather, it appears that a certain number of these Controllers are inefficient, and the opinion has been expressed that it would be better to have a good man recruited locally, who might not be conversant with the language, than to have a bad or indifferent Controller, who is in possession of that qualification. The opinion has also been pretty generally expressed that control by means of Europeans within the compounds should be strengthened, and that more Europeans should be employed in the work of supervision than are now so employed; and this opinion, we understand, is one which has been endorsed by the Chamber of Mines Labour Importation Agency. With regard to the Chinese mine police employed in keeping order within the compounds, the opinion appears to be that they are not only unreliable, but resort to all sorts of malpractices, such as trading in opium, fostering gambling, extortion, administration of illegal corporal punishment without the knowledge of the management, and illicit trading. It has been further suggested that they also tamper with leave permits and issue these to labourers without the leave and authority of the Compound Manager. With regard to the Chinese interpreters employed at the compounds, the universal opinion is to the effect that they are even more unreliable and untrustworthy than the Chinese police. It appears from the evidence that the Chinese police are selected from the ranks of the ordinary labourers, and that on one mine at least the bulk of them have been repatriated and European police partially substituted; while on another mine the only method of getting satisfactory service from these Chinese police was to constantly effect changes in their personnel.

Outer Control on Mine Premises.

As we have already stated, whatever system of real control is exercised on the mines, is carried out at and within the compound. With regard to the control on the mine premises outside of the compound, we find that it is practically non-existent, otherwise than under the shift bosses or white overseers whilst the labourers are working under them on the surface or underground. This statement we are, however, in a position to qualify. For instance, the Simmer and Jack Proprietary Mines have a patrol of their mine boundaries which is performed by eight European guards. On some of the other mines a system of patrol is also carried out, but not specially with a view to guarding the mine boundaries. On several mines a system of parading and marshalling the different shifts on going to work is carried out. We may

instance the cases of the Kleinfontein, the Witwatersrand, and the East Rand Proprietary Mines. The outside control just indicated is, however, in our opinion, insufficient. In no case does it appear to us that there is any check exercised on the coolies returning from underground or other work, and we are afraid it would be extremely difficult to institute any such method of check. The present system of outside control of the Chinese on the mines virtually follows the custom hitherto observed in connection with Kaffirs. On some mines notices have been put up in Chinese characters with a view to defining for the benefit of the labourers the boundaries of the mine premises.

System of Paying Wages.

With regard to the system of paying wages, the general practice appears to be to pay once a week for every 30 days' ticket completed, and the great bulk of evidence is in favour of this system as against that of having a general pay day once a month, inasmuch as the former system tends to keep up a continual circulation of money amongst the labourers on the mines.

Investigation of Complaints by Mine Managers.

A complaint has been laid before us by the managements of two of the mines that the present system, under which the Foreign Labour Department receives and attends to complaints, is calculated to undermine the authority of the management, and to impair its prestige. This view has not been supported by the other managements which have given evidence on this point before us. On the other hand it has been made to appear to us that on many of the mines the management has no system of receiving complaints or attending to the grievances of the labourers.

PART III.—FUNCTIONS OF THE FOREIGN LABOUR DEPARTMENT.

The Superintendent of the Department is responsible to the Lieutenant-Governor for the administration of the Ordinance, for the observance of the regulations issued thereunder and the instructions by the Lieutenant-Governor to the Transvaal Emigration Agents, as well as for the due fulfilment of the obligations of the Transvaal Government under the Articles of Convention between Great Britain and China.

The powers of the Inspectors are defined under the Ordinance. Their reports are submitted to the Superintendent, who issues instructions upon which the Inspectors act. Each Inspector submits to the Superintendent a weekly report on the affairs connected with his district, and is in telephonic communication with him in order to report on cases of urgency, and to obtain his assistance. It is the duty of each Inspector to visit every mine in his district at regular intervals, to inspect the accommodation, food, books prescribed, registers, &c., and to assist the employer and employed in every possible way. Under the Amending Ordinance of 1905, Inspectors can try cases, ordinarily triable by the Resident Magistrates, in the matter of offences committed by indentured labourers on the mines on which they are employed. An employer desiring to introduce Chinese coolies as unskilled labourers for work in the Witwatersrand area is required to lodge certain documents with the Superintendent before a licence from the Lieutenant-Governor can be applied for. These documents relate to the resolution by the Board of Directors of the Mining Company concerned, authorising the applicant to make an application for a licence to import the indentured labour, and plans of the accommodation to be provided for them are submitted. On the Superintendent satisfying himself that these documents are in order, he, in conjunction with the District Medical Officer of Health, passes the plans for the accommodation. He inspects the buildings when sufficiently advanced, and, if satisfied that they will be ready on the arrival of the labourers in the Transvaal, advises the Transvaal Emigration Agent in China of the agents authorised to sign the contracts and the number of labourers to be recruited.

System of Identification.

The finger prints taken by the Department at Durban form the sole basis for the identification of the coolie. The prints of the whole ten digits are taken on a special form. These forms are classified at Durban, and then forwarded to Johannesburg, where the classification is tested, indexed and filed for future reference by experts, who have also to carry out the work of identification when afterwards required. By means of this system, whenever an occasion arises, a coolie's identity is established beyond doubt.

Desertions.

Desertions are reported by the employer to the Department and the Chamber of Mines Labour Importation Agency, on forms for that purpose, and to the nearest police station by telephone. The Department thereupon informs:—

- (a) The Commissioner of Police.
- (b) The Chief Staff Officer, South African Constabulary; and
- (c) The Chief Secretary of Permits.

On the arrest of a deserter, steps are taken to have him identified at the office of the Foreign Labour Department before he appears before the Assistant Resident Magistrate for the Witwatersrand District, Johannesburg, appointed to try such cases. The employer is immediately notified of the arrest of the deserter, and of when and where he will appear before the Magistrate. The Commissioner of Police, the Chief Staff Officer, South African Constabulary, and the Chief Secretary of Permits are also advised. During the identification

of offenders, the Superintendent and Inspectors are enabled to gather information and to advise the authorities if the case is worthy of prosecution. An escort to conduct the labourer back to his mine, on his discharge, either by the Magistrate, or from prison on expiry of sentence, is always furnished by the Department.

Unlawful Absence from Work.

Under Section 24 of the Ordinance, a coolie must make good to his employer at the end of his contract of service all time he has been absent from work through his own fault, such as conviction for desertion or other offence. From the Magistrate's returns of convictions the official records of the Department are compiled of the extra time to be served by such offenders. There are occasions, however, when a coolie may unlawfully absent himself from work without appearing before a Magistrate, there being, consequently, no official record of such absence, and the Superintendent has been granted power, under the Ordinance, to certify to such absence.

Access of Labourer to Superintendent or Court of Law.

Under Regulation 41, every labourer is entitled to a permit under Section 19 of the Ordinance, to enable him to attend at the office of the Superintendent for the purpose of making a complaint against his employer, or to enable him to have access to a Court of Law. All complaints are carefully investigated by the Superintendent or an Inspector, and generally are promptly and amicably settled. Any labourer making a complaint which is, in the opinion of the Superintendent, frivolous, may be fined by the Superintendent, and the amount of the fine (not exceeding £2) may be deducted from his wages.

With regard to the functions of the department the Committee desire to call Your Excellency's attention to a letter written by Mr. Jamieson to the Chamber of Mines Labour Importation Agency, and Major Bagot's memorandum thereon, which are attached as addenda to the Report.

PART IV.—POLICE AND CONSTABULARY ARRANGEMENTS.

(A) *Ordinary System of Policing.*—We are informed by Mr. Showers that, having regard to the population, the requirements of the Witwatersrand District have been met by the permanent police force allocated for duty in that district by the Government. On July 1st, 1904, the strength of sergeants and constables of the Transvaal Town Police amounted to 924, and on April 1st, 1906, to 976, an increase of 52. During the same period the increase in unskilled coloured labour amounted to 70,258 on the gold and coal mines of the Witwatersrand District.

(B) *Special Measures in Force.*—Arising out of the condition which has been created by the desertion of Chinese labourers from the mines and the consequent outrages in the country side, a military force of 400 men of the South African Constabulary has been employed to arrest deserters and to prevent the excursions of predatory parties. We attach a map showing how this force has been allocated. (*Vide* Appendix IX.) It will be seen that a cordon system has been established for the purpose indicated. This cordon has certainly been effective in preventing deserters from penetrating any considerable distance into the country, but we consider that it has not been effectual in preventing outrages being committed in the area adjacent to the mines. One of the reasons why such a force has not been able to accomplish in its entirety the purposes for which it was created is the great extent of the area over which the labourer who is provided with a leave permit has freedom. The result has been that the cordon had to be established over a very large perimeter, which militated against its effectiveness. The opinion of all witnesses who gave evidence on this point has been to the effect that it is desirable that the area known as the Witwatersrand District under the terms of the Labour Importation Ordinance, 1904, should be contracted to the actual mining area and the towns on the reef. Such a measure, we consider, would in no way prejudice the position of the labourer or the trading community outside the contracted area. The labourer has no interest off his own mine, and does not require leave to be off the mine premises except for the purposes of making purchases and visiting his friends. The suggestion has been made in certain quarters that there has been a want of co-operation between the special force of the South African Constabulary and the Transvaal Town Police. This allegation we cannot accept as correct. Colonel Steele's evidence goes to show that the relationship between the two forces has been of the most cordial nature, that no friction has ever arisen between them. Measures have been taken to arm the population residing in the districts adjacent to the mining areas. In the Pretoria District this has been fully done, and in the other districts it is now being done. The great weight of evidence goes to show that the police engaged in this special duty have done their best. We have had evidence to the effect that owing to the fact of the members of the South African Constabulary employed on this duty having had to bring in prisoners to the different Courts, and having been detained for some time, and having suffered in pocket, they might not carry out their duties with such zeal as should be expected. This matter, however, we understand, has been rectified. The further suggestion has been made that, in the event of the special force being moved elsewhere for service, a burgher police locally recruited and temporarily associated with the South African Constabulary, should be put on duty, and that Zulu or other native police should in addition to such burgher police be also engaged to work in conjunction with them. The opinion has been generally expressed—and it is an opinion in which we concur—that even if the strength of the present force were doubled it would not be entirely effective in checking desertions and consequent incursions into the countryside and outrages by labourers.

PART V.—THE FARMING AND THE TRADING COMMUNITIES.

The following gentlemen, as representing the farming community, appeared and gave evidence before us, namely, Messrs. Jan P. Meyer, landowner, Klipriversberg; J. W. de Jager, landowner, Heidelberg; Frederick J. Bezuidenhout, landowner, Heidelberg; B. H. van K. Arnoldi, Heidelberg; and J. S. Joubert, Heidelberg. In addition to these gentlemen, the following were also invited to give evidence, but did not attend:—Messrs. C. N. Neethling, Klipriversberg; J. Dieperink, Krugersdorp; and D. J. E. Opperman, Tweefontein, District of Pretoria. According to the evidence, there appears to be no doubt that the members of the farming community residing close to the mining area of the Witwatersrand are at present living in a state of apprehension and anxiety. They claim that unless Government protection is given and closer control of the Chinese labourers at the mines is exercised, the position will become intolerable for them. According to Mr. Meyer, who is a leading farmer, living within the Witwatersrand District to the south of Johannesburg, there is no desire on the part of the farmers in his part of the country to see the Chinese repatriated. He voices the desire of the farming community to assist the mining industry, upon whose prosperity depends their own, but he states that unless measures are taken which will do away with the present unsatisfactory state of affairs, the Chinese labourers will require to be repatriated. The evidence of Messrs. Bezuidenhout and De Jager, with which the other two witnesses concurred, was to the same effect. We have it on record that at a meeting of farmers held in the Witwatersrand Ward of the Pretoria District, similar views were expressed. We therefore are of opinion that when once the cause of apprehension and unrest is removed any agitation which exists for the repatriation of the Chinese will disappear in the country adjacent to the Witwatersrand District. The attitude which the gentlemen mentioned have taken up we find to be a most reasonable one, but it appears to us at the same time that unless such control be exercised over the labourers as will obviate the recurrence of the outrages which have taken place in the past, the farming community will agitate for the repatriation of the Chinese labourers. The opinion expressed with regard to the effectiveness of the police cordon is unanimous, and is to the effect that it has not been effective in preventing deserters getting away into the countryside and committing outrages. Mr. Meyer has, however, pointed out the difficult conditions under which the police have to work owing to the fact that any coolie getting a leave permit has the freedom of the whole of the area known as the Witwatersrand District. He gives a specific instance in which he himself arrested certain labourers who had passes—leave permits—to go from the Jumpers Deep to the Rose Deep. These coolies were arrested to the south of Mr. Meyer's farm, Klipriversberg, but within the Witwatersrand District, and taken by him before the Magistrate. He was informed that no prosecution could be instituted for desertion, inasmuch as the permits which they carried gave them the freedom of the whole district. These farmers, therefore, are in agreement with the other witnesses in the opinion that the Witwatersrand District, within the meaning of the Labour Importation Ordinance of 1904, should be contracted to the actual mining area. The opinion has been expressed that the police labour in this work under the disadvantage of not being familiar with the country, and it is thought that the employment of men of the local farmer class, and of Zulus or other natives to co-operate with them, would prove more effective in arresting deserters and preventing them from getting away into the country. It has been stated by Mr. Meyer that no steps were taken by the Government to arm the rural population. In this connection we beg to append hereto, for Your Excellency's information, a copy of a letter received from the Chief Magistrate of the Witwatersrand District. It is claimed by Mr. Meyer and his friends that before the introduction of Chinese labour, these outrages were foreseen, but the evidence in this connection is vague and indefinite. Mr. Bezuidenhout gives a reason why these outrages were anticipated, namely, that when a large number of men are introduced to a country without their womenkind outrages probably would ensue. With regard to this statement, although it has been suggested that there have been outrages of this nature, no specific instance has been brought to our notice, and the police do not know of a single authenticated case. Indeed, it is well known to those members of this Committee who are intimately acquainted with the Chinese character that assaults upon European women have hitherto been unknown. With regard to the manner in which the police have carried out their duties, the evidence is to the effect that they have faithfully performed their task.

We thought it well, in dealing with the matter submitted for our consideration, that representatives of the mercantile community should be heard on certain questions arising out of this enquiry. The Chamber of Commerce, Johannesburg; the Chamber of Trade, Johannesburg; the Chamber of Commerce, Pretoria; the Chamber of Commerce, Germiston; and the Chamber of Commerce, Krugersdorp, were accordingly invited to give evidence before this Committee. The Chamber of Trade, Johannesburg, sent three representatives to give evidence on certain points, and Mr. E. F. Bourke also attended on behalf of the Chamber of Commerce, Pretoria. The Chamber of Commerce, Johannesburg, declined to give evidence, stating its objection on the grounds that this Committee was a private one, and that the interests of the public would best have been served by a public investigation, and, further, that the membership of the Committee was practically confined to representatives of Government Departments and of the Mines, it being considered that its personnel should have been of a more representative character. It may, however, be stated that Mr. Bourke, although he appeared as a representative of the Pretoria Chamber of Commerce, preferred to give expression to his own personal views. The Chambers of Commerce at Germiston and Krugersdorp were prepared to give evidence before the Committee, but did not feel in a position to do so owing to the short notice given to them, and the limited time at our disposal. The point on which members of the mercantile community who appeared before the Committee were examined was the question as to how any scheme for wiring or fencing in the mine premises would affect the mercantile

interest. On this point the evidence was unanimous that such action would not prejudice the trading community, provided the fencing did not disturb the existing communications for trading and other purposes. The opinion expressed was unanimous that the curtailment of the Witwatersrand District within the meaning of the Labour Importation Ordinance of 1904 would in no sense affect the interests of the trading community outside the area to be contracted.

PART VI.—CAUSES OF DESERTION AND OUTRAGES.

All the evidence we have had before us on the above point tends to show that where Chinese are employed in other parts of the world, the unsatisfactory conditions which have arisen here have not been felt. Colonel Steele tells us that 40,000 Chinese labourers were introduced into British Columbia for various purposes, and that during forty years of his experience with them fewer outrages occurred in that time than have taken place here in one week. We have investigated, as far as we possibly could in the short time at our disposal, into the causes. Questioned on the point, Colonel Steele gave his opinion that the causes of trouble here did not arise from the greater restrictions put upon the liberty of the labourers, but were to be attributed rather to the class of men brought to this country. Further evidence taken by us confirms the correctness of the view presented by Colonel Steele. There appears to be no doubt that the earlier shipments of coolies were hurriedly recruited, and that the selection of an inferior class of men resulted. From enquiries made, we have ascertained that since the beginning of 1905, recruiting, being more curtailed, has been more carefully done, and, as a consequence, the coolies introduced into the country from that time have been of a very much better stamp. In the earlier stages, when the coolies arrived here, a certain amount of discontent arose owing to the lack of mutual understanding, both of language and characteristics, between the coolies and their white co-workers. The latter were too apt to display impatience at their orders not being carried out as rapidly and as intelligently as they would have liked. Gradually, however, as time went on, a better feeling sprang up, and it may be said that the differences between the coolies and the white miners are now practically non-existent. Secondly, the Chinese Consul-General has given it as his opinion that much of the discontent which arose during the earlier stages, and which perhaps still exists to-day, is attributable to the fact that the labourer has never before been subjected to the discipline under which he has now to work, and which is essential for the purpose of proper work and control. Mr. Way, consulting engineer to the New Kleinfontein group, has expressed the opinion that a greater contentment would prevail if the labourer, instead of being fed, as he is now, in accordance with the terms of his contract, by the importer, were to receive an inclusive pay and had to find himself in food. This opinion expressed by Mr. Way has been endorsed by Mr. Lew. The difficulties of making any change in this respect have been pointed out, and are fully appreciated by us. We have been informed that any attempt to change the terms of the contract now would result in opposition on the part of the labourers themselves, inasmuch as any attempt at rearranging the terms of their contracts would create suspicion. It is, however, conceivable that such change might be effected on the expiry of the term of the existing indentures with beneficial results. From what we have been able to gather of the Chinese character, we cannot too strongly impress upon the importer the necessity of being most exact in his dealings with the labourer. We have been told also that when the labourers first arrived they wandered into the country out of a spirit of curiosity, and very frequently lost their way. This, we think, is one of the causes of desertion, especially in the earlier stages, and it is at present probably still a cause of desertion. Evidence was also adduced establishing the fact that at a certain mine one of the labourers set up in the calling of a "geographer," and, doubtless for a consideration, supplied maps to labourers showing in great detail the road to Thibet, by travelling which, these labourers were informed, they could reach that country in less than a couple of weeks. This has been one of the general causes of desertion. After enquiry into the matter, we have come to the conclusion that the following are the direct and immediate causes of desertion at the present time, and of the outrages which have occurred in the country.

Gambling.

This is undoubtedly the most fruitful cause of trouble. All the witnesses who have testified on this point have expressed the opinion that gambling and the pecuniary loss which it entails to a large number of coolies has been accountable for nine-tenths of the desertions. Gambling is carried on to an enormous extent on the mines. We are told that this practice has greatly increased. This is owing to the fact that there appears to be a considerable number of professional gamblers on the mines, who foster and encourage the practice amongst the younger and more inexperienced coolies. These gamblers are a great curse on the mines at the present time. They batten upon and absorb a large portion of the earnings of the coolies. Evidence has been given, which we believe to be true, that the Chinese mine police employed at and within the compounds not only lend their countenance to, but in a large measure participate in, the profits resulting from the evil practice. Many of the so-called loafers on the mines appear to belong to this class of professional gamblers. They rarely work themselves, but out of the gains which accrue to them from gambling they get other boys to do their work, and fill in their work tickets for them. This is done either by paying a substitute, or making him work off a gambling or other debt. Impersonation of the character suggested appears to be rife on the mines. Some of the managements have endeavoured to put a check to gambling, and it is claimed that in some instances a great deal has been done to lessen the evil. All are, however, agreed that it is a matter of impossibility to eradicate it altogether. We fully appreciate the great difficulty of saving these men from themselves. One of the mine managers has expressed it as his opinion that the reason why gambling has assumed such enormous dimensions is owing to lack of control generally in that respect on the

mines. It appears to us that gambling has been kept down, and to a great extent checked, on some mines, and we do not see why this condition cannot be created on all the mines. An instance has been quoted to us where a labourer has incurred a debt amounting to about £200 through gambling. This practically means that he has more than pledged the rest of his industrial existence in this country. Cases in which debts of this nature have reached amounts of £20 and £30 appear to be fairly numerous. The borrowing of money at usurious rates of interest is also a cause of desertion. The payment of a debt, whether it arises from gambling or from a legitimate cause, is a matter of honour with a Chinaman. The coolie who cannot pay his debts has collective pressure brought to bear upon him and is oppressed in the compound to such an extent that life becomes unbearable to him. When in this position three alternatives present themselves to him as a means of escape: (1) To put an end to his existence; (2) to desert for the purpose of robbing in order to get the wherewithal to liquidate his indebtedness; (3) to commit offences and go to prison. It, however, often happens that, in order to escape his creditors, he deserts and goes to work on another mine. The chances are, however, that in such case his whereabouts would be discovered, and that, as a result, his life would be endangered. Cases have been brought to our notice where the labourer who sought to evade his obligations in this manner has been murdered. The larger number of outrages, we consider, are perpetrated for the purpose of gain in order to put the author of the crime in a position to meet his creditors. In carrying out his objects he does not hesitate to murder and to maltreat in the manner with which the country has become familiar. "Murder is to them a lesser crime than failure to pay a debt," says Captain Mathias. This view appears to us to be entirely in accordance with fact.

Bad Characters.

We are satisfied from the evidence placed before us that there is a certain percentage of bad characters on the mines. The estimates of the percentage of bad characters vary very much. The lowest estimate given is three to five per cent., while some authorities put it as high as 20 per cent. We are satisfied that these bad characters form a considerable proportion of the labourers who are in the habit of deserting, and that they have been to a considerable extent concerned in the outrages which have followed upon these desertions. It is obvious that these bad characters exercise a malign influence on the labourers as a body. The mine managements appear to be anxious that these bad characters should be repatriated. We feel that to make this repatriation thoroughly effective the co-operation of the authorities in China is necessary in order to prevent such characters from being again recruited and sent back to this country. We find that there have been instances in which coolies who have been repatriated as undesirables have been re-recruited and re-imported. This means that the coolies in question have had a pleasant trip and holiday at the expense of the importer. These bad characters are often successful gamblers who get other boys to do their work for them in the manner we have already described. "The best coolie is often the worst scoundrel" has passed into a saying on the mines; the worth of the coolie of course being judged by the regularity with which his work ticket is filled.

The Opium Habit.

The evidence we have had on this matter has convinced us that not only is the opium habit very rife on the mines, but that it has been, and still is, on the increase. It has been suggested that it is also responsible for a certain proportion of the desertions and the resultant outrages. Excessive indulgence in the habit lessens the earning capacity of the coolie, and he has, on the other hand—since Section 8 of the Labour Importation Amendment Ordinance, 1905, became operative—to pay a very high price for the drug. In this way the coolie gets into debt with the result we have already indicated. The traffic in opium is a most difficult one to stop. Instances have been given in which doctors have furnished medical certificates enabling individuals to obtain a certain amount of opium. These individuals are then in a position to go round and buy the quantity prescribed by the doctor in a considerable number of chemists' shops along the Reef, and instances have been adduced in which this has actually been done. By this method then individuals are enabled to acquire sufficient quantity of the drug to do a big trade in opium amongst the labourers. The drug is smuggled into the compounds in many ingenious ways, and the evidence goes to show that this is done with the knowledge of the Chinese Mine Police, who, we are told, very often drive a trade in the article themselves. It has been suggested to us by some compound managements that the drug should be dispensed under Government or mine control.

PART VII.—GENERAL OBSERVATIONS.

Conditions of Life on the Mines.

We visited the following mines and inspected the compounds of the three first mentioned and observed the conditions under which the labourers live on the Simmer and Jack Proprietary Mines, Witwatersrand Deep, New Kleinfontein Company and the Witwatersrand Gold Mining Company. We found in each case that the compound is kept tidy and clean and that the food is of good quality. We were struck with the fact that the Chinese labourers cultivate a higher standard of comfort and living than the natives. At the Simmer and Jack Mine a special kitchen is set apart for the use of coolies, at which they can prepare any special article of diet which they may fancy. A special feature in connection with the feeding of the labourers is the large amount of vegetables they consume, as compared to what is used by the natives. We regret that in the short time at our disposal we have not been able to make our inspection

a more general one, but from what we have observed we feel sure that the treatment of the coolie on the mines, so far as his material comfort is concerned, cannot be any cause of discontent and consequent desertion. Gambling appears to be the standard form of recreation and amusement. Where Chinese theatres exist on the mines they provide recreation and amusement, but to a much more limited extent.

It has been made manifest to us that the labourers are to a large extent thriftless, and it has been suggested that if they could be induced to save their earnings by depositing same in the Post Office Savings Bank or other similar institution this would operate in the direction of checking gambling. It would appear, however, that this is a very difficult, if not impossible, matter. It will be, at any rate, a question of time. The labourer has not been here sufficiently long to thoroughly understand conditions, and he has not yet acquired that confidence which is only born out of closer mutual relations. As we have said before, money is lent in the compounds at enormous rates of interest, and one of the witnesses who was examined on this point stated that he did not consider that the coolie would invest his money at 3½ per cent. per annum when he could get 100 per cent. or more in the compound from his fellow-labourers, with the security which the ethical code observed by these people affords. We think, however, that something might be done in this direction if further encouragement and information were given by both the mine managements and the Foreign Labour Department.

Trading.

We are satisfied that a considerable amount of petty trading goes on within the compounds, and that this trade is driven chiefly by the Chinese Mine Police and head boys, who, owing to their *status* can obtain credit to an extent which is denied to the ordinary labourer. This at once puts them in the position of becoming petty traders. The trade is very often done with coolies that are short of cash and heavy prices are exacted. The trading appears to be carried on in such a manner that it is difficult either to detect or check it, but we have no doubt that with better control in the compounds the evil may be prevented to a great extent.

Administration of Justice.

The consensus of opinion both amongst European and Chinese witnesses is that the penalties inflicted for the commission of offences are inadequate. Some Chinese witnesses have expressed their opinion that crime can only be checked by the imposition of punishments which would be somewhat analogous to those inflicted under Chinese penal code. To give an instance. Mr. Fu Yu Ching thinks that the only way to suppress outrages is to make the crime of housebreaking a capital offence. The general impression appears to be that imprisonment is not much of a deterrent.

The Superintendent of the Foreign Labour Department states it as his opinion that owing to the peculiar conditions at present existing, the disability under which the Magistrate labours and—to the Chinaman—an entirely novel method of procedure, it sometimes happens that the Chinese labourer is placed at a disadvantage when his cause comes before the ordinary Courts of Law, and miscarriage of justice results. He suggests that assistance should be provided by his department for the Chinaman when he prosecutes or defends any cause before the Courts. He further says that the Chinese interpreters at present employed before the Courts are not men possessed of the desired integrity and the necessary qualifications. We attach, for the information of Your Excellency, a memorandum prepared by Mr. Jamieson on the subject.

PART VIII.—CONCLUSIONS AND RECOMMENDATIONS.

We summarise our conclusions as follows:—

That there is a considerable traffic both in identification passports and leave permits amongst the labourers, and that at the present time there is no efficient method employed to prevent such traffic, and that, as a consequence, the objects for which the system of passports and leave permits has been created are defeated.

That there is at present no uniformity in the manner in which the leave permits are issued on different mines.

That it is impossible, so long as the methods of issuing permits now in vogue are retained, either to check or prevent this traffic.

That the roll call under the regulations has not been properly carried out on all mines, and has not attained the object for which it was instituted.

That the present system of control at the compound is a necessary domestic measure.

That control on the mine premises outside the compound with a view to checking desertions is practically non-existent.

That there appears to have been laxity in the carrying out of the regulations under the Labour Importation Ordinance, and that the time has now arrived when it should be seen to that these regulations are strictly enforced and carried out, and that other and radical methods of control on mine premises be adopted and carried into effect on the mines.

That the only effective method of control that we can see for checking desertions from the mine premises is maintaining a system of guards on the mine boundaries and the erection

of physical barriers in the shape of wire fences as a police measure and to assist the management of the mines in maintaining proper control over the labourers.

That we find that the European control over the labourers on the mines needs strengthening generally and so as to act as a check upon the Chinese police and interpreters employed on the mines.

That the Witwatersrand District, within the meaning of the Labour Importation Ordinance, 1904, is unnecessarily large, and tends to impair the effectiveness of police measures.

That we find that on certain of the mines the Controllers or Compound Managers are not as efficient as could be desired.

That it would appear that on some of the mines the complaints and grievances of the labourers are not received and given heed to by the management.

That gambling amongst the labourers on the mines appears to have assumed excessive dimensions.

That the opium habit has increased, and appears to be still on the increase.

That a certain percentage of the labourers at present employed on the mines are bad characters, whose retention is not considered desirable.

That there is, at the present time, nothing in the general treatment of the labourers calculated to create any just cause of discontent.

That there is a certain amount of petty trading carried on on the mine premises, chiefly by headmen and Chinese police boys.

After full consideration of matters referred to us we beg to offer the following recommendations:—

(I.) That as a measure of police control, and to assist the management of the mines to exercise proper control of labourers on the mine premises, a system of guarding the mine boundaries and the erection of physical barriers on such boundaries in the shape of wire fences be instituted and that the issue and check of leave permits should take place at an authorised gate on the mine boundary.

[In this connection we beg to refer Your Excellency to three Minority Reports on this point in the shape of memoranda which Major Bagot, Mr. Jamieson, and Mr. Lew respectively have handed in and which are attached hereto.]

(II.) That a uniform system of issuing leave permits be enforced on all the mines, and that such system should be based on the Regulations Governing Travelling Passes for Natives, that a register should be kept of all such leave permits issued and returned, that all permits should be returned by the labourer to the management on his return to the mine premises, and that the traffic in identification passports and leave permits on the part of labourers should be made an offence.

(III.) That instead of the present system of roll-call it be made compulsory on the managements of the mines to institute some system whereby they can ascertain from day to day the number and identity of labourers absent from work. Such system we think could be arranged in consultation with a Committee of Mine Managers, whose names should be suggested by the Transvaal Chamber of Mines.

(IV.) That the system of making weekly payments on the 30 day ticket be enforced on all the mines.

(V.) That the European control on the mine premises be strengthened generally and in such a manner as to operate as a check on the Chinese mine police and interpreters, whose services we consider cannot entirely be dispensed with.

(VI.) That in order to ensure better and more effective police control the Witwatersrand area as defined by the Labour Importation Ordinance, 1904, be contracted on to the actual mining area and the towns situate on the line of Reef.

(VII.) That the Foreign Labour Department detail an officer whose duty it shall be to report to the Superintendent the failure on the part of any mine management to carry out the Regulations promulgated under the Labour Importation Ordinances.

(VIII.) That measures be taken to prevent, or as far as possible check, gambling amongst labourers on the mine premises, and with that end in view that the labourers be encouraged as much as possible to cultivate habits of thrift by depositing their savings in the Post Office Savings Bank or some similar Institution.

(IX.) That the known bad characters now employed on the mines be repatriated.

(X.) That efforts be made to prevent, or as far as possible check, the opium habit and in cases where the dispensing of opium may be considered necessary by the Medical Officers on the mines that the drug be dispensed under proper authority and control. If necessary further legislation should be introduced to control the traffic.

(XI.) That any labourer whose cause comes before the ordinary Courts of this Colony should when considered necessary receive the assistance of the Foreign Labour Department in the prosecution or defence of such cause.

(XII.) That until such time as proper measures shall have been established for the control of labourers on the mine premises with a view to checking desertions and in case of the services of the military branch of the South African Constabulary, now engaged on cordon duty, being required elsewhere, men recruited locally from the farming population, with Zulus or other natives to assist, be enlisted in the force for the purpose of carrying out these cordon duties.

Conclusion.

We beg to place on record our thanks and appreciation to the witnesses who have assisted us by giving evidence before this Committee, as also to the Secretary of the Committee, Mr. J. Cowie, who has rendered us most valuable assistance.

We have, &c.,

H. ROSE-INNES.
R. S. CURTIS.
WALTER L. BAGOT.
J. W. JAMIESON.
E. M. SHOWERS.
LEW YUK LIN.
J. G. HAMILTON.

2nd May, 1906.

ADDENDA TO REPORT.

Fencing Proposals.

My reasons for voting against the Chairman's motion are as follows:— The evidence given before the Committee goes to show that the utmost which can be claimed for this suggestion, which must be regarded as purely experimental, is that it would be an assistance in checking desertions. Every witness, whether belonging to the Police, Foreign Labour Department, or the Mines, and Mr. Jan Meyer, who has been asked whether, under the system of leave permits provided for by the Ordinance, any system of fencing the mine properties would be entirely effective in preventing labourers who intend to desert, from deserting, has answered in the negative. I, therefore, submit that the proposal to fence in the mining premises is a leap in the dark. It has been stated that fencing is effective and that it has been so proved on the diamond mines. My answer to this is that on the diamond mines no labourer is ever allowed out of the compound, and I venture to express the opinion that if a similar system were inaugurated for the Chinese coolies on the Rand, the coolies would cease working. On the other hand we have actual experience on five mining properties as to how desertions can be largely decreased by an effective control without fencing. I refer to the Witwatersrand Gold Mining Company, the East Rand Proprietary Mines, the New Kleinfontein Company, the Van Ryn Gold Mining Estate, and the Witwatersrand Deep.

The maximum number of absentees on these mines, as disclosed by the Sunday roll call, has been as follows: the figures for the roll call held on Sunday, April 22, and the percentage of absentees to total employed on each mine are shown immediately below:—

	New Kleinfontein.	Witwatersrand.	East Rand Prop. Mines.	Van Ryn.	Witwatersrand Deep.
Maximum	127	102	90	38	156
April 22nd	13	21	24	13	35
Percentage of total employed ...	0·34	0·75	0·37	0·71	1·18

Here I claim we have a system which has been evolved as the result of nearly two years' actual experience. The logical course is surely to attempt to perfect a system which has shown itself capable of achieving eminently satisfactory results rather than to initiate a fresh system, the results of which, according to the evidence given, are problematical.

WALTER L. BAGOT.

May 1st, 1906.

The reasons which have actuated me in voting against the motion, proposed by the Chairman and seconded by Mr. Hamilton, are as follows:—

While the fencing in of the mine premises will undoubtedly assist the management in controlling the movements of coolies, I do not consider that it will act as an effectual deterrent on desertion, so long as coolies are given passes. It will further tend to give colour to the theory that the coolies are being compounded. And I maintain that a similar end could be attained by an effective system of compound control, made compulsory by Government enactment, and an absolutely strict enforcement of any regulations which may be put in force, governing the issue of leave permits.

J. W. JAMIESON.

May 1st, 1906.

MEMORANDUM ON FENCING.—PROPOSAL BY CHINESE CONSUL-GENERAL.

My objections to the motion are that as long as labourers can obtain passes to leave the premises of the mines (to which they are entitled by custom) they can desert after the expiration of time of the permit. A wire fence is no hindrance to them when they make up their minds to desert. I am of the opinion that the good derived from a wire barrier is not commensurate with the evil which will ensue, inasmuch as it will cause discontent among the labourers, who might cut the wire fence and cause worse trouble. I believe (1) that the present compound should be closely guarded and stronger European supervision should be exercised—especially during the night; (2) the boundaries of the mines should be marked by posts, and such posts should be guarded; (3) that there should be a daily check system uniformly on all the mines.

By establishing the three remedies together, I think it will prove far more effective than any physical barrier.

LEW-YUK-LIN.

May 1st, 1906.

FUNCTIONS OF THE FOREIGN LABOUR DEPARTMENT.

The General Manager,
C./M. Labour Importation Agency, Limited,
Johannesburg.

Foreign Labour Department, Johannesburg,

SIR,

December 4, 1905.

IN reply to your letter of the 27th ultimo, bringing to my notice what you term certain anomalies, under the Labour Importation Amendment Ordinance, in respect of the functions of the Inspectors of this Department, I beg to state that the letter in question has received the careful consideration of Sir Richard Solomon and myself.

As I pointed out in a private conversation I had with you, prior to the initiation of correspondence, I fail to see any anomalies between the two Ordinances, and in this view the Attorney-General concurs.

He writes to me as follows:—

“I can see no anomalies under the amended Labour Importation Ordinance, as regards the functions of the Inspectors of the Foreign Labour Department.

“Both the principal Ordinance and the amending Ordinance clearly define these functions. The latter Ordinance deals with trials by Inspectors of offences committed by Chinese labourers; the former Ordinance, in the sections referred to by the Chamber, deals with enquiries by Inspectors into complaints made by or against Chinese labourers.

“It is quite clear to me that there is nothing in the amending Ordinance of 1905, which in any way qualifies the power of an Inspector to investigate any complaint made to him by a labourer against his employer or anyone placed in authority over him by such employer, or made to him by the employer against the labourer, and he may make such investigation in such manner as he thinks will best bring out the truth. If the Inspector thinks that he can make his enquiry better by hearing the complainant in private he can do so, but he would not, of course, institute any proceedings at law against the person complained against on the information which he has obtained by such enquiry without also hearing such person.”

Section 1 Sub-section 1 of the amending Ordinance of 1905 distinctly defines the jurisdiction conferred on the Inspectors. They are empowered to deal with all offences, committed by a labourer within the Witwatersrand District, against the principal Ordinance or any Regulation made thereunder, and also to try any offence, summarily triable by a Court of Resident Magistrate, committed by a labourer on the premises on which he is employed. They have thus limited jurisdiction to try labourers for offences against the common criminal codes, provided such have been committed on the premises on which they are employed. Offences against the Common Law, committed by a labourer, not on the premises on which he is employed, are dealt with by the regular Courts.

In the letter under acknowledgment you say that "it is by no means clear whether the Superintendent and Inspectors, having held an enquiry under Clauses 3 and 4 of the principal Ordinance, are competent to try cases in a magisterial capacity on evidence so adduced under the amending Ordinance."

In the opinion of the Attorney-General the reply to this remark is obvious. Neither the Superintendent nor Inspectors can try any charge whatever against any person, who is not a Chinese labourer, and therefore, if the result of an investigation into a complaint is to satisfy the Inspector that a criminal offence has been committed by a white person on a coloured labourer, his duty would be to cause criminal proceedings to be instituted against such white person in a Court of Resident Magistrate.

If, on the other hand, the result of such investigation is to satisfy the Inspector that an offence has been committed by a labourer, which is triable under the amending Ordinance by an Inspector, such labourer would be tried by some other Inspector than the one who made the investigation. Such, I may add, is the course which has been adopted since the Ordinance of 1905 came into force.

I will now take up the points you raise with reference to complaints addressed to my Inspectors or myself, either in person or by petition.

I regret to have to join issue with you on the contention that indentured labourers are, or can ever be, on the same footing *vis-a-vis* their employers, as are white and native employees on the mines.

The means of redress, of which a white employee can avail himself, need not form subject of discussion; they are those open to every subject of the Crown. The native employee likewise can have recourse to outside assistance in approaching the mine management. He is more or less cognizant of our methods of procedure, and can make himself understood to a far larger circle than can the Chinese labourer. The latter, on the other hand, is inarticulate to any but a Chinese speaking person, and under the existing system of Chinese compound management, I do not consider that he has adequate facilities for stating his case. On almost every mine the Controller works through his Chinese police or his head boys. If he does not speak Chinese, he is solely dependent on his Chinese interpreter, who belongs to a class which is to a great extent untrustworthy, and in which are included men who know neither Chinese nor English.

In addition to the obvious difficulty he is likely to encounter in endeavouring to get over the barriers separating him from his employer, the aggrieved coolie has to reckon with human nature, which is not such as to render an individual prone to entertain or put forward charges against himself.

I maintain, therefore, that the interests of justice would not be served, were his opportunities of obtaining redress, in the first instance, limited to an appeal to the Mine Manager.

It is quite conceivable that Mine Managers, who are out of sympathy with Chinese coolies, would reject any advances made to them, as an ultimate resort, direct, and would take but little pains to investigate causes of complaint. I would not wish to appear to cast aspersions on the *bonâ fides* of these gentlemen, for whom, as a body, I entertain the highest respect, but specific instances which have come to my notice drive me to the conclusion that the coolie with a legitimate grievance stands a poor chance of having his wrongs righted if he is confined to making his representations through the chain of individuals placed in authority over him. I may perhaps be allowed to cite one or two of such instances. One of my Inspectors discovers a case of a coolie who has been badly beaten. The assailant is a white miner, against whom the train of circumstantial evidence is practically complete. The Mine Manager is requested to hold this man *en disponibilité*, pending the formulation of a charge. So far from rendering assistance, he allows the accused to depart, and the ends of justice are thus, for the time being, defeated. If such a course is adopted, when the aid of the mine authorities is invoked by a responsible Government official, one feels inclined to ask what prospect there would have been of the coolie's obtaining an independent hearing.

Again, a most brutal assault is committed on a coolie by a white miner on another mine. A charge is laid by the Inspector concerned on behalf of the coolie, and the defendant is fined £25 or six weeks' imprisonment.

The mine authorities engage counsel to conduct the defence, and pay the fine imposed. It may be wrong to infer, as I do, that, had the plaintiff gone to the management direct, he would not have been listened to, but appearances strongly warrant the assumption.

It is beside the point to argue that the coolie may have deserved his "hammering." If there is a supposition that he has acted in a provocative manner, let the Inspector investigate the case and deal with him as circumstances may require. The dignity of authority will have been upheld, while, at the same time, the principle that no one can take the law into his own hands will remain inviolate.

Another fruitful source of grievance is the tyranny indulged in by Chinese police on certain mines. Assume that on a mine of this description the Controller speaks no Chinese, can anyone suggest to me how, in the absence of an Inspector, the misdeeds of the police would be brought to light? It is matter of common knowledge, although evidence to convict in a Court of Law was unfortunately not procurable, that a certain Controller was engaged in selling opium on a particular section of the Rand. Would this individual have brought

before his Manager any coolie, wishing to raise a protest against this iniquitous practice, or is it likely that had he done so his case would have been fairly represented?

I unhesitatingly reply in the negative, and it is instances such as these, and others I could adduce, which reluctantly compel me to differ from the Chamber of Mines in the view they take as to how the coolies should proceed in order to ventilate their grievances.

It is matter for regret that the system now being brought into force cannot be reconciled with other systems hitherto in vogue, but I venture to think that the essential spirit underlying the Labour Importation Ordinances is that a person who is presumed to be helpless shall obtain such measure of protection as Government can afford him. This may be a novel departure, in so far as Transvaal mines are concerned; it is not, however, without precedent. Indentured labour everywhere is under special restrictions, and hereof the best possible example is the British Merchant Shipping Act, under which the State controls in detail the relations between shipowners and their *white* employees.

It having been deemed necessary to introduce indentured labour, the inevitable consequences therefrom resulting have to be faced, but I would wish to give the Chamber a distinct assurance that there will be no reason to complain of officious interference, or of the introduction of methods of procedure calculated, even remotely, to subvert mine authority, so long as I am satisfied that the desired end can be arrived at by other means. No coolie will be allowed to believe that he can use the Government officials as a lever to make things unpleasant for the mine management, as, should his complaints have been framed in that spirit, he will be punished, and it may have reached your ears that anonymous petitions have been torn up in the faces of the coolies on the mines whence they emanated.

From what has been written above, you will gather that I do not see my way to adopting suggestion (a), with which your letter concludes. Suggestion (b) outlines the course the Inspectors were instructed to adopt prior to the receipt of your letter.

As regards suggestion (c), it will, wherever practicable, be acted upon, but I must reserve to myself and my Inspectors the right of cross-examining witnesses in camera with a view to eliciting any evidence which may help in bringing out the truth. Experience has demonstrated that Chinese witnesses—and not they alone—are averse to making statements in the presence of those who have the potential faculty of paying them out later on, whereas, if questioned privately, they are apt to speak more freely. It must surely be in the interests of all concerned that every complaint be impartially gone into, and that no means be neglected of collecting any evidence, good or bad, bearing on the case.

Under any circumstances will the Mine Manager be kept informed of what may have taken place.

I should like once more to emphasize the difference between an enquiry and a trial.

I receive a petition from a coolie, posted in a petition box. I go through the same, and, if I see sufficient reason for instituting an enquiry, I either send for the coolie himself, or depute an Inspector to hold an informal investigation on the mine. On the statements made, or on the report received, I decide whether or not an official enquiry should be held or judicial proceedings instituted, at either of which all persons concerned would of course be present. It would be unduly wasting time were the mine management or others called in to every petty enquiry an Inspector might have to hold, or were I to invite them to my office to listen to or to refute charges made. No dissatisfaction, so far as I can learn, was expressed at the method of procedure adopted in the case of the enquiry held at Witwatersrand Gold Mine, which was conducted strictly on these lines.

With reference to the procedure in the case of a judicial trial, nothing can be usefully added to the remarks of the Attorney-General, quoted above.

As I do not quite understand in what respect the matter under discussion concerns the Chief Magistrate, I have not consulted that official, but I am authorised by Sir Richard Solomon to say that, should members of the Chamber wish to confer with him personally on the subject, he will be glad to meet them.

I have, &c.,
J. W. JAMIESON,
Superintendent.

Johannesburg, May 1, 1906.

MEMORANDUM TO THE SPECIAL COMMITTEE ON THE CONTROL OF CHINESE LABOURERS.

The evidence given before the Committee by Mr. J. P. Gazzam, Mr. P. Cazalet, Mr. S. Jennings, Mr. A. W. Child, and Mr. Tismar has raised the important point as to whether the system of administration of the Foreign Labour Department is subversive to discipline among the Chinese coolies employed on the mines. Mr. J. Morris, Mr. Ottaway, Mr. W. M. Prout and Mr. E. J. Way gave evidence to the effect that they did not consider that the Foreign Labour Department had undermined the authority of the Mine Managers or Controllers.

It has been my business to carefully watch every detail in connection with Chinese labour since the first arrival of coolies in June, 1904. I am reluctantly compelled to admit as the result of experience, that, in general, I agree with the opinions expressed by Mr. Gazzam, Mr. Child, Mr. Jennings, Mr. Cazalet and Mr. Tismar.

Nobody is more ready than myself to admit the absolute necessity for the existence of a Government Department in connection with the Chinese labourers. In my opinion, however, the functions of the Government Department should be those of supervision, and not of executive control. There is a vast difference between efficient Governmental supervision and needless Governmental interference.

In this connection I desire to draw attention to Mr. Hay's evidence, in which he states that he had to tell the Inspector that instructions to the Chinese Police must be conveyed through the Compound Manager.

I am entirely in accord with the system instituted by Mr. J. W. Jamieson, the present Superintendent, by which certain powers of jurisdiction to try offences on the mines have been conferred on the Inspectors; and I recognise the necessity of inquiries being held in many cases by Government officials.

The principles which govern the maintenance of discipline in the armies and navies of the world, and to a lesser degree in the great civil departments of the State, have been the outcome of the experiences of centuries. This system is founded on two cardinal principles: (1) That subordinates having grievances and complaints shall exhaust the means of redress through the lower authority before submitting their case to the higher; (2) that in every grade the executive officer is granted certain powers by which authority can be maintained. The underlying principle is the chain of responsibility from lowest to highest. Any attempt to interfere with this natural principle of control will, in my opinion, prove a failure in any institution where the test may be applied.

I submit that the system adopted by the Foreign Labour Department is in direct opposition to the accepted principles of discipline outlined above. The coolie is encouraged to bring his grievances and complaints direct to the Foreign Labour Department, which is in his case the highest authority. What, may I ask, would be the state of affairs if every seaman or private soldier were allowed to approach the Admiral or the General without first approaching the executive officer under whose immediate control he is actually serving? Such a system, in my opinion, strikes at the very root of discipline.

Mr. Jamieson, in discussing this subject before the Committee, has taken up his stand on a letter written to myself as General Manager of the Labour Importation Agency, dated December 4th, 1905, attached to the Committee's Report, and adheres rigidly to the opinions expressed therein.

Among other matters, he lays stress on the language difficulties which may place the coolies under certain disabilities. My answer to this is that the Controllers on the mines, who have been recruited in China, have, taken as a body, certainly an equal, and in many cases a better knowledge of the Chinese language than a good proportion of the Inspectors of the Foreign Labour Department.

Mr. Jamieson adduces the instance of the British Merchant Shipping Act and the status of seamen who sign articles, as an argument for State control in the relations between employer and employed. It has, however, apparently escaped his attention that full legal powers are conferred on the master of every ship to enable him to maintain adequate control and discipline on board.

The evidence given before this Committee tends to show that the management, to be efficacious, must be conducted more or less on military lines.

The analogy between the system of a mining property and a regiment is very marked. In a regiment the private soldier brings his complaints before his Colour-Sergeant, thence to his Company Officer, thence to the Commanding Officer, and, finally, if necessary, to the General Officer Commanding. On the mines the coolies have Chinese headmen and police in the capacity of non-commissioned officers. I admit this material is poor and unsatisfactory; but it is the best to hand, and, it is generally admitted, cannot be entirely eliminated. The Controller or Compound Manager is in the position of the Company Officer, the Mine Manager in that of Commanding Officer. The General Officer is, or should be, represented by the Foreign Labour Department.

It is obvious that executive control must be exercised by the man on the spot, *i.e.*, the mine management. From the nature of things, the Inspector cannot be perpetually on any individual mining property, and is therefore not in a position to exercise effective control. To exert efficient control and to maintain discipline it is therefore essential that the authority of the mine official who is responsible on the mining property should be upheld, and this, I maintain, will never be the case so long as the labourers understand they can appeal direct to the Foreign Labour Department over the mine management's head.

The evidence given before this Committee goes to show that on some mines every attention is given to the coolies' complaints by the management, whilst on others the procedure in this respect is extremely lax. I submit that it is a simple matter to put legal compulsion on mine managers to ensure that the labourers' complaints are properly investigated, and in cases such as charges where a Controller's humanity or integrity is at stake, or where a labourer considers he has failed to obtain adequate redress, he can appeal to the visiting Inspector or to the Superintendent by means of the petition box, both of which are useful and necessary safeguards. I consider that the functions of the Foreign Labour Department and its Inspectors should be brought more into line with those exercised by the Native Affairs Department in respect of

natives, with the exception of the judicial functions exercised by the Inspectors on the mines, which I think should be retained.

The tendency of the discussions during this enquiry has doubtless been to insist on more effectual control being exercised on the mining premises. With this view I entirely concur; but I can at the same time plainly see that it is useless to insist on such measures if the power to exercise that control is withheld. I believe that if a system similar to that set out in Section 4 of the Mines, Works and Machinery Regulations Ordinance, 1903, by which mine managers might be empowered to make rules not inconsistent with the Labour Importation Ordinance or the Regulations issued thereunder for the maintenance of order and discipline which should be approved by the Superintendent, were adopted, a thoroughly workable system could be arrived at and friction between the mine management and the Foreign Labour Department would be avoided, as their respective functions would then be defined.

In conclusion, I venture to assert that the system of the Foreign Labour Department referred to is built up on principles which have no justification in precedent or experience, and, as such, must eventually result in failure.

WALTER L. BAGOT.

SUPPLY OF ARMS FOR PROTECTIVE PURPOSES.

The Secretary,
Transvaal Chamber of Mines,
Johannesburg.

SIR, Office of the Chief Magistrate, Johannesburg, May 1, 1906.

SPECIAL COMMISSION OF INQUIRY.—CONTROL CHINESE LABOURERS.

I HAVE to thank you for your favour of the 28th April forwarding copy of the evidence given by Mr. Jan P. Meyer.

The question of a supply of arms to Mr. Meyer's friends has already formed the subject of correspondence between His Excellency Lord Selborne and myself, and I may say that the evidence given, unless explained, creates quite a wrong impression. The history of this matter is as follows:—

Some time ago Mr. Meyer called and had a personal interview with me on the subject of the issue of certain rifles to farmers in his neighbourhood.

I informed Mr. Meyer that I was quite satisfied to accept his recommendation as to the persons in question but on Mr. Meyer and his friends inspecting the weapons at my disposal they one and all rejected same as being unfit for use.

Thereafter I made application to the Colonial Secretary for the issue of serviceable weapons, and, after considerable correspondence, in which I pointed out that Mr. Meyer was applying on behalf of certain six farmers, I received six Martini-Henry rifles from the Colonial Secretary, and on the 25th of November last advised Mr. Meyer through his agent of this fact and requested the farmers in question to call at my office and receive the weapons.

No application whatever was made by the farmers in question, and I heard no more of the matter until Mr. Meyer made his complaint to Lord Selborne at Heidelberg.

Mr. Meyer subsequently explained to Lord Selborne that he had applied for shot guns and not rifles, and, to quote his own words: "The letter to Mr. Dodds from the Resident Magistrate of the 25th of November was duly brought to my notice, but as rifles were not wanted and never asked for, I did not call for them. I have since been able to purchase half a dozen cheap shot guns for these burghers, so that the difficulty has been overcome."

The letter from which this extract is taken is dated the 29th December last.

I wish to point out further that Mr. Meyer applied for "guns" without specifying whether shot guns or rifles were preferred, and that since he did not intimate to me in any way on receipt of my letter of the 25th November that "shot guns" and not "rifles" were wanted, the whole fault of not obtaining assistance from the Government rests entirely with Mr. Meyer and his friends. I wish to state emphatically that I did everything in my power to afford assistance to these gentlemen, but I could not be supposed to know why they took no notice of my letter.

I have recently pointed out this to Mr. Meyer, who called upon me with his agent, Mr. Dodds, and I am surprised that Mr. Meyer, when giving evidence before your Commission, did not think fit to explain the whole of the facts.

I shall be perfectly ready to give evidence to this effect if required.

With regard to Mr. Meyer's reply to Question No. 2,537, I would point out that Mr. Meyer does not say which Magistrate it was, so I am not in a position to say whether this statement is correct or not. I would point out, however, that the form of permit issued to Chinese indentured labourers by employers under Section 19 of Ordinance No. 17 of 1904 is prescribed

by Regulation contained in Government Notice No. 777 of 1904 (Form 7). This permit is available within the limits of the District of the Witwatersrand.

I have, &c.,
LOUIS L. PLAYFORD,
Chief Magistrate.

LIST OF WITNESSES EXAMINED.

Arnoldi, B. H. V. K., Heidelberg.
Bezuidenhout, Frederick J., Landowner, Heidelberg.
Bourke, Edwin Francis, Merchant, Pretoria.
Cazalet, Lewis Percy, Manager, Nourse Mines, Limited.
Child, Alfred Walter, Chinese Adviser to the Chamber of Mines Labour Importation Agency.
Fairfax, Captain Bryan Charles, Inspector, Foreign Labour Department.
Fu Yü Ch'ing, Writer in the Service of the Foreign Labour Department.
Gazzam, Joseph Parker, General Manager, Simmer and Jack Proprietary Mines.
Hay, Henry, Manager, Witwatersrand Deep, Gold Mining Company, Limited.
Hellman, Hugo, Merchant, Johannesburg (representing the Johannesburg Chamber of Trade).
Hoy, William Wilson, Chief Traffic Manager, Central South African Railways.
Hutton, Charles Edward, Manager, Van Ryn Gold Mines Estate, Limited.
Jager, Johannes Wilhelmus de, Landowner, Heidelberg.
Jennings, Sidney Johnstone, Consulting Engineer to Messrs. H. Eckstein and Co.
Johns, John Harry, Consulting Engineer to the Johannesburg Consolidated Investment Co.
Joubert, J. S., Heidelberg.
Lenz, Otto, Merchant (representing the Johannesburg Chamber of Trade).
Mathias, Captain George, Assistant Police Commissioner for the West Rand.
Mayers, E., Inspector, Foreign Labour Department.
Morris, James, Manager, East Rand Proprietary Mines.
Meyer, Jan P., Landowner, Klipriversberg.
Ottaway, Henry Finch, Chinese Controller, Princess Estate and Gold Mining Co.
Pan, Hsi Hsien, Chinese Interpreter, Modderfontein Extension, Gold Mining Co.
Prout, William M., Manager, Witwatersrand Gold Mining Co.
Purdon, Richard Ireland, Chief Inspector, Foreign Labour Department.
Robinson, Alfred Falkland, Merchant (President, Johannesburg Chamber of Trade).
Samson, Captain Herbert, Assistant Police Commissioner for the East Rand.
Steele, Colonel Samuel Benfield, C.B., M.V.O., South African Constabulary.
Stubbs, James William Hill, Consulting Engineer, J. B. Robinson Group Companies.
Tismar, Ralph Martin, Chinese Controller, Simmer and Jack Proprietary Mines.
Way, Edward John, Consulting Engineer, Kleinfontein Group of Mines.
Webber, George Edward, General Manager, Rand Mines, Ltd.
Webb, Henry Howard, Consulting Engineer to the Consolidated Gold Fields of South Africa.
Wang Chung Ching, Dr., Chinese Interpreter, North Randfontein Gold Mining Co.

No. 102.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received May 26, 1906.)

[Answered by No. 125.]

MY LORD,

Governor's Office, Johannesburg, May 7, 1906.

WITH reference to my telegram of the 30th April, A,* on the subject of the charges brought by Mr. F. W. Johnson against certain officials of the New Kleinfontein Mine, I have the honour to enclose, for your information, a copy of the report on the matter by Mr. H. O. Buckle, First Civil Magistrate, Johannesburg, who was instructed to make full enquiry thereon.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 102.

REPORT on the Charges of Maltreatment of Coolies at the New Kleinfontein Compound.

1. In accordance with your letter of the 17th March last, I have enquired into the charges brought by Mr. F. W. Johnson against the management of the New Kleinfontein Compound.

2. The enquiry was held at the New Kleinfontein Mine on the 24th, 25th, and 26th March ultimo. There were present Mr. E. C. Mayers of the Foreign Labour Department (the value of whose advice and assistance in Chinese matters I desire gratefully to acknowledge); Mr. Advocate Feetham, who appeared (instructed by Mr. Rigg) on behalf of the New Kleinfontein Company and of Mr. Wilson, the Compound Manager; and Mr. Child, the Chinese Adviser to the Chamber of Mines. Mr. Way, Consulting Engineer to the New Kleinfontein Mine, Mr. Wilson, and Mr. F. W. Johnson were also present, as having a direct interest in the enquiry. The remaining witnesses were only admitted when their evidence was required.

3. The first evidence taken was that of Mr. F. W. Johnson, who had been, from 11th December, 1905, to 13th February, 1906, one of the Compound Police. He stated that Mr. Wilson, the Manager of the Chinese compound, assisted by Head Constable Sutherland, habitually sjamboked and punched with his fist coolies who were found loafing or committing other offences in the compound. He gave the following specific instances:—

No. 1. A coolie charged with loafing was struck four or five blows with a sjambok about five feet long by Mr. Wilson in the latter's office about the 20th December. In raising his arm in one of the blows Mr. Wilson broke the globe of the electric light.

No. 2. A day or two later a coolie was brought into Mr. Wilson's office charged with opium smoking. Mr. Wilson threw him on the floor and hit him several blows with the sjambok.

No. 3. A coolie charged with loafing was struck by Mr. Wilson in the stomach with his fist, the coolie's face was also slapped.

No. 4. A coolie just out of hospital was charged with loafing. Mr. Wilson threw him on the floor, beat him with a sjambok, and kicked him.

No. 5. A coolie from the Wit Deep was given 15 or 20 cuts with a sjambok by Mr. Wilson and was also kicked.

No. 6. A coolie showed Mr. Johnson a weal across his arm which he asserted was made by Mr. Wilson with a sjambok.

No. 7. A coolie who used to be a cook was beaten by Mr. Wilson. Mr. Johnson did not profess to have seen this himself, but was informed of it by another Chinaman, a head boy (hereinafter alluded to as No. 8).

No. 9. Mr. Wilson hit a coolie with the flat of his hand and bumped his head against the wall, making his nose bleed.

No. 10. A coolie was held with his head between Sutherland's knees while Wilson gave him 10 or 15 cuts with the sjambok.

No. 11. Mr. Johnson took a coolie to Mr. Wilson for smoking opium. Mr. Wilson struck the coolie on the head with his brass opium pipe so hard as to break the pipe.

No. 12. Mr. Mayers was telephoning from Mr. Wilson's office and complained of the noise a coolie was making. Mr. Wilson shut the door of the office in which Mr. Mayers was and struck the coolie two blows on the stomach; this was in the passage outside Mr. Wilson's office.

4. Mr. Johnson also asserted that the cell used during December and January for confining coolies who were awaiting trial before the Inspector of the Foreign Labour Department was habitually overcrowded. He stated that he had frequently seen 11 and 12 men in it and on one occasion (Christmas evening) as many as 17.

5. Mr. Johnson stated that the following witnesses could corroborate his assertions:—Messrs. Beckett, Campbell, McDowall, John, Clitheroc, and Stewart, now or formerly in the Compound Police; Mr. Bryant, Mr. Wilson's clerk; Mr. Harris, timekeeper; two painters (Horsfall and Finney) who had been employed in painting the compound offices; and Joseph Anthony, an Armenian.

6. Of these witnesses I have been unable to trace Clitheroc, Horsfall, Finney, and Anthony. Stewart is a convalescent in the Boksburg Hospital and Captain

Colley (the Assistant Resident Magistrate, Boksburg) has interviewed, at my request, and taken from him the affidavit annexed hereto and marked "A," in which Mr. Stewart entirely denies the truth of Mr. Johnson's statements.

7. The other witnesses named above I examined myself. They all agreed in denying Mr. Johnson's statements as to assaults on Chinamen, and also as to as many as 17 having been put into the cell. They varied, however, as to the number of the men who had been put into the cell at one time, some of them putting the number as high as 10.

8. Mr. Johnson also vouched as witnesses certain coolies whom he said he could pick out and who had either been beaten or had seen others beaten. I, therefore, attended at the compound with Mr. Johnson on Sunday morning. Between 3,000 and 4,000 coolies were marched past us in such a manner as to give Mr. Johnson a good view of each. Mr. Johnson identified about a dozen as his witnesses, but subsequently rejected some of these. I also selected a couple at random, choosing them from among those whom I noticed nodding and smiling at Mr. Johnson as they passed. I selected these in the expectation that they would, at any rate, not be prejudiced against him. Thereafter Mr. Child, at my request, addressed the remaining coolies asking those who had complaints of being assaulted to come forward, about a score did so. I lined up these complainants and through Mr. Child enquired of them what was wanted. Several of them had complaints to make about other matters and these I discarded; but any of them who professed to have been the victim or witness of an assault I added to the party already picked out by Mr. Johnson and myself.

9. The party thus selected consisted of 20 coolies, these I segregated and proceeded to examine separately.

10. Mr. Johnson was able to identify the coolies spoken of in paragraph 3 as 1, 2, 3, 4, 6, 7, and 8. He also produced one whom he thought at first was No. 11, but upon looking at him further he was doubtful.

11. Nos. 1, 2, 3, 4, and the possible 11 entirely denied having been beaten or having either seen or heard of any other coolie having been beaten.

12. No. 6 stated that he had on one occasion shown Johnson a weal on the arm, but asserted that it had been made by Johnson himself; that he had complained to Mr. Wilson and that the latter had told him it would be all right in a few days. Mr. Wilson corroborated this and added that he had let the boy off a shift on account of the matter and had spoken to Johnson about it.

13. No. 7 said that on the 24th of January he had been caught loafing, had been taken by Mr. Sutherland to Mr. Wilson's office and had there been held by the legs by Sutherland while Wilson gave him 10 blows with the lash of a whip and five with the handle. No. 8 was present. After the beating he was sent before Mr. Mayers and convicted, but he made no complaint to Mr. Mayers or to anyone else.

14. No. 8 was called and said that he and No. 7 had been arrested together by Sutherland. They were handcuffed together and Wilson struck No. 7 two slaps with the open hand on the face. No. 8 expressly denied that Wilson beat No. 7 with a whip or that Sutherland held him. He also denied that he had ever told Mr. Johnson about the matter.

15. Mr. Mayers happened to remember that he was in Mr. Wilson's office when these two were brought in, Mr. Wilson did not strike No. 7. After this it seems scarcely worth while to mention that, since the enquiry closed, Mr. Child has informed me by letter (Annexure "B") that No. 7 has told him that his accusation was untrue and that it was suggested by Mr. Johnson. I must point out that Mr. Johnson knows no Chinese and that No. 7 is likely to have misunderstood him. Certainly he has often misunderstood the coolies.

16. This disposes of Mr. Johnson's witnesses. The remainder were volunteers.

17. Chiang di shwe, No. 1892, said that Mr. Wilson had boxed his ears and given him 15 cuts with a whip. A white policeman, whom witness could not identify, and a Chinese policeman Hang were present; also some others, but witness

knew none of them. Witness made no complaint and Hang, being called, entirely denied the story.

18. Wand de chou, No. 2162, said that, because he has not drilled enough Mr. Wilson boxed his ears and kicked him. This was outside the office, an extremely public place, and the witness made various contradictory statements as to the number of persons present. Finally, he decided that only the Chinese ticketstamper was present. I called all the ticketstamper who denied the story.

19. Wang fu feng, No. 3959, said that, on 23rd March, Sutherland struck him with a whip four times, one blow falling across the temple and cutting open his ear (the witness's phrase was that the ear was "boken all up"). At the date of the enquiry (three days after the blow) there was no trace of an injury. The incident occurred in the presence of 10 of his room mates, but although witness had been living in that room for three months he knew none of them. He said, however, that Wong u lin, the police coolie who follows Sutherland round, saw the blow. Wong u lin, called, denied any knowledge of the matter; and it was shown that he never went round with Sutherland and had ceased to be a police boy, and, therefore, to go round with anyone, four days before the alleged assault.

20. Chao ying, No. 1730, said that his brother, Hsun ta hsi (No. 1753) was coming out of the compound gate, on a date established by the hospital register as 8th February, when Sutherland struck him with a stick and broke his collarbone. This was shortly after noon, in witness's presence, and witness accompanied the injured man to the hospital. Hsun ta hsi corroborated, but said that the hour was 11 p.m., and that the fracture was caused by Sutherland's holding him down and kicking him. He went to the hospital alone, Chao ying did not come. No one saw the assault. (At this point Chao ying, whom I had incautiously allowed to remain in the room, shouted "I was outside"; and Hsun ta hsi then remembered the fact.) Dr. Harris, who attended the patient, said that Hsun ta hsi had stated that the fracture was due to a fall of a rock and that he formed the opinion that it had probably been caused by Hsun ta hsi falling on his extended hand when running away from such a fall. There was no bruising which there would have been if the cause had been direct violence of any kind.

21. The other coolie, after a good deal of pressure, said that Mr. Wilson had once pushed him. This exhausted the evidence in support of the allegations.

22. Messrs. Sutherland and Wilson absolutely denied the allegations and several employees, who must have known if such things were going on, declared that any form of flogging was unknown. It is noteworthy that no coolie had ever heard of any assault other than that to which he deposed; each witness believed his case to be unique.

23. Mr. Mayers and Mr. Child gave evidence that the coolies were constantly complaining to them of all manner of grievances, but had never suggested that anyone in the compound mishandled them.

24. It will thus be seen that there is no corroboration worth considering of Mr. Johnson's charges of assault, while there is a considerable body of evidence contradicting them. A copy of the evidence is attached marked "C."

25. A piece of evidence which does not appear on the record, but to which I attach considerable importance, is the demeanour of the coolies. I am satisfied that they are not terrorised into silence by any fear of the compound authorities. I may add that, in my judgment, Mr. Wilson is not a man likely to be guilty of brutality.

26. With regard to the charges of imprisoning an excessive number of coolies in the police cell, I am of opinion that they are greatly exaggerated. But I think the evidence shows that too many prisoners were sometimes placed there. The cell is eight feet by six, sloping from about ten feet high on one side to about seven on the other. If there is any ventilation (I think there is none, but I am not sure) it is admittedly inadequate, as shown by the order in force that the door is to be opened every two hours—an absurd method of ventilating a prison. The instructions are that not more than eight prisoners are to be confined at once, but they

are not invariably obeyed, and (speaking, of course, without expert knowledge) I think eight too many. The matter is no longer so important as it was at the period with which the evidence deals, as a larger cell has been built since, but I think it would be desirable to get a medical opinion as to the extreme number of prisoners who should be confined in each cell and to lay down and enforce strictly a regulation based on that opinion. As I understand that these cells are of a standard pattern, not confined to the New Kleinfontein, but provided for every compound, such a regulation should apply to all cells.

I desire to add that the New Kleinfontein Company gave me every facility for conducting the enquiry.

H. O. BUCKLE,
First Civil Magistrate.

No. 103.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

MY LORD,

Downing Street, May 26, 1906.

I HAVE the honour to acknowledge the receipt of your telegram of the 18th instant, No. 1,* on the subject of the persons who are authorized to effect arrests on mine premises.

2. I shall, no doubt, receive a further communication from you on this subject.

I have, &c.,
ELGIN.

No. 104.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 4.50 p.m., May 26, 1906.)

TELEGRAM.

[Answered by No. 117.]

May 26. No. 1. Your despatch May 7th.† When may I expect to receive information as to extent to which Transvaal Government propose to carry out, or have taken steps to carry out, the recommendations of the Commission? When is it proposed to publish the report? Questions as to the tenour of the report of the Commission are expected to be raised in Parliament on Wednesday next week.

No. 105.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 2.55 p.m., May 28, 1906.)

TELEGRAM.

May 28. No. 2. Matter most urgent. Your telegram, 24th May, No. 1.‡ Actual number unexpired licenses is 10,252 of which 2,110 are on the water, leaving a balance of 8,142 to recruit.

Date of cessation of recruiting under licenses issued is uncertain and depends on progress made in recruiting in China and interior arrangements of Mining Companies as yet not definitely settled.

No. 106.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 10.45 p.m., May 28, 1906.)

TELEGRAM.

May 28. No. 3. Repatriation notices have now been posted in the compounds for more than a fortnight and 12 Chinese coolies have applied to be repatriated.

These cases will be dealt with immediately and shipment will be made by the first coolie ship leaving Durban.

I sent for Superintendent of Foreign Labour Department and two of the Inspectors and enquired of them how they accounted for the smallness of the number of applications. I asked whether it was possible that the coolies did not understand the offer made to them. They assured me most earnestly that the coolies fully understood the offer; they pointed out that nearly 4,000 coolies had actually been repatriated, and that this number included over 500 coolies who, disliking their conditions of service or who, having special reasons to wish to return to China, had purchased their discharge under Clause 14 of their contract of service, and about 3,000 who were physically unsuited to a mining life in the Transvaal. They pointed out that such numbers made up of these two classes might reasonably be expected to include at least the great majority of coolies who desired to return to China immediately. The balance of the number stated is made up of repatriated undesirables. They further point out, as illustrating their argument, that even amongst the sickly coolies, many were repatriated against their will, and that several cases had occurred where such men had deliberately deserted to avoid repatriation and had come back to their mines after the ship by which they were to have been repatriated had left Durban. They stated as the reasons why the coolies as a body did not desire to be repatriated now that they were satisfied with their lot; that they had come to the Transvaal with the deliberate purpose of earning more money than they could possibly earn in three years in China; that they did not wish to return to China until they had earned it and that they found it much easier to support their families by working here than by working in China.

I felt it my duty to take every step in my power to assure myself that there was no doubt in the mind of the coolies as to the nature of the offer made to them by His Majesty's Government. Accordingly I paid a formal visit to three mines on morning of Sunday 27th May. I went accompanied by my full staff in uniform and with a mounted escort in order that the coolies could be in no doubt that I was really the High Commissioner and Governor. I selected the Glen Deep, Simmer and Jack, and Jumpers Deep Mines because of the very large number of Chinese coolies employed there. I went on Sunday morning because then I could make certain of having all the coolies of every shift paraded before me. Altogether I saw nearly 8,000 Chinese coolies.

At each mine I proceeded in the same way. I first of all inspected all the coolies, after having had it explained to them who I was, and I satisfied myself that their general health was excellent. I then went into a room where I had all the foremen of Chinese, or boss-boys as they are called, brought before me. Mr. Purdon, one of the Government Inspectors, who is a perfect Chinese linguist, interpreted for me throughout. I then put the following:—Are you treated fairly by the officers of the Government and of the mine and by all the white people over you? Are you comfortable here? Do you earn more money here than you did in China? Do you understand the notice inviting you to deposit your savings in the Government Savings' Bank? Most particularly do you understand the notice recently issued explaining to you that you can be repatriated to China even if you have not the money with which to purchase your discharge under Clause No. 14 of your contract of service? The questions were asked and answered singly and with an ample pause between each. There was no possibility of any of these men having the least idea beforehand of what questions I was going to ask them or that I was going to ask them any questions at all. In each case the answer given without hesitation and spontaneously was in the affirmative.

I then proceeded to cross-question them as to the wages they had been earning in China and the wages they were earning in the Transvaal. I found the (? that) while some had been earning quite good wages in China and while some were earning as much per diem here the average wage they had been earning in China was 5d. to 6d. a day without food or lodging and that the average wage they are earning here is 1s. 9d. to 1s. 10d. a day with food and lodging.

I also spoke to them very seriously on the subject of the outrages and crimes committed by a small section of their number but which brought disgrace and a bad

reputation on the whole body. I told them that if they obeyed the legitimate orders of the officers of the Government and of the mine and behaved as peaceable and orderly men they might always rely upon my protection. I then ordered the boss-boys to go back to the coolies and tell them everything I had said and to repeat the questions I had asked them and the answers they had given me.

Although I was only able to visit these three mines yesterday the news of all that passed will most certainly penetrate to the Chinese coolies from end to end of the reef. The boss-boys showed great respect in my presence, but no signs of intimidation. They asked questions and at the Jumpers Deep presented me with a Petition.* This Petition on behalf of all the coolies employed on the mine had been drawn up with great care for presentation to the mine-manager but when the deputation of coolies heard of my visit to the mine they decided to present it to me instead. I will send you a full translation but the purport of it was to state that they had come to the Transvaal for the purpose of earning money wherewith to support their families in China; that they had heard they were going to be compelled to return to China and that if the Government compelled them to return to China without fault on their part before they had served their three years' contract they prayed that they might be paid the money they would otherwise have earned during the three years and on which they had been reckoning. I replied that no coolie would be compelled to return to China before the expiration of his three years' contract unless for cause of misconduct or of physical disability to work on the mines. I took the opportunity, however, of pointing out that if these intolerable outrages continued the misconduct of a few criminals might jeopardise the employment of the great mass of law-abiding coolies. I also took the opportunity of stating to them again that those whose views were not represented by the petitioners and who did wish to return to China at once could, as stated in the recently posted notice, so return to China, even although they did not possess the money necessary to purchase their discharge under Clause No. 14 of their contract of service.

No. 107.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 2, 1906.)

[*Answered by No. 124.*]

MY LORD,

Governor's Office, Johannesburg, May 12, 1906.

AT the request of the senders, I have the honour to transmit to you the accompanying copy of a telegram which I have received from a number of employés of the Van Dyk Proprietary Mines, Limited, protesting against the action of His Majesty's Government in connection with the repatriation of Chinese labourers who may wish to return to China.

2. I am aware that the telegram is not couched altogether in becoming language, but I have, nevertheless, thought it right to forward it to you as the senders request that their views may be brought to the notice of His Majesty's Government.

I have, &c.,
SELBORNE,
Governor.

Enclosure 1 in No. 107.

THE VAN DYK PROPRIETARY MINES, LIMITED, Boksburg, to GOVERNOR.

TELEGRAM.

YOUR EXCELLENCY,

May 5, 1906.

THE employees of this mine having met together to-day desire to express to His Majesty's Government their strong disapproval of what appears to them to be

* For text of the Petition, see No. 134.

the interference of the present Home Government regarding the aiding of the repatriation of the Chinese, as it is likely to deprive many of their fellows on these fields of employment. Since the arrival of the Chinese here many of the subscribers have been given work owing entirely to the advent of the Chinese, while they can conscientiously aver that no serious trouble has been experienced here owing to their treatment of the Chinese labourers all having worked harmoniously together. They wish to record their protest against one party of politicians (His Majesty's present Government) ruthlessly rescinding the law of a previous Government which caused the Chinese to be indentured, thinking that until this Colony becomes self-governing it would have been only just and right to have allowed the original "Labour Importation Ordinance of 1904" to stand. They would like to have the assurance of His Majesty's Government that in case the Chinese avail themselves of the Government's bribe, which may debar the subscribers of their earnest labours, will they who may be some of the first to be put out of work be given State-aid to get work or the necessary food to keep body and soul together of themselves or those dependent on them, or have they, many of them having fought to add the Transvaal more definitely to the Empire, the right to ask the Imperial Government to aid them to repatriation?

They desire that Your Excellency will bring this petition to the immediate notice of the Home Government.

ALEXR. LOWSON,
Chairman of Meeting,
together with 47 signatures.

Enclosure 2 in No. 107.

SIR,

Government House, Pretoria, May 8, 1906.

I AM desired by Lord Selborne to acknowledge the receipt of the telegram of the 5th May, sent by yourself and forty-seven other employes of the Van Dyk Proprietary Mines, Limited, conveying a resolution of protest against the action of His Majesty's Government in connection with the repatriation of Chinese labourers who may wish to return to China. A copy of your telegram is being forwarded to the Secretary of State for the Colonies by mail.

Lord Selborne fully recognises your right to lay your views on this matter before His Majesty's Government, though he regrets the language in which you have thought it necessary to express those views.

Yours, &c.,
D. O. MALCOLM,
Private Secretary.

Alex. Lowson, Esq.,
Van Dyk Proprietary Mines, Limited,
Boksburg.

No. 108.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 2, 1906.)

[See No. 123.]

MY LORD,

Governor's Office, Johannesburg, May 14, 1906.

WITH reference to your despatch of the 23rd March,* a Committee was appointed by the Acting Lieutenant-Governor to enquire into the control of coolies on the mines, with a view of preventing desertions and consequent outrages. The Committee has reported and I am sending you by mail copy of the report.†

2. Among other recommendations, the majority of the Committee strongly recommend that each of the mine premises on which coolies are employed should be fenced.

* No 27.

† See Enclosure 5 in No. 101.

As there is a difference of opinion on this recommendation the Acting Lieutenant-Governor will meet the Chamber of Mines and discuss it with them next week. I presume, if it is agreed that fencing is a necessary precaution against desertion, you will not object to it. Under the Labour Importation Ordinance, 1904, it is an offence for a coolie to go beyond the mine premises without a permit. The boundaries of these premises are ill-defined and some coolies go beyond them and so commit an offence through ignorance of the boundaries, while those who go out with felonious intent, having no gateway to pass through, escape all observation and find the absence of a permit no deterrent to their movements.

3. The outrages which from time to time, I regret to say, are still committed by coolies on the peaceable inhabitants of the Colony are causing me great anxiety and every effort must be made to put a stop to them. The Government have done all that they can do by police arrangements and otherwise to prevent desertions, and this was generally admitted by the witnesses who appeared before the Committee I have referred to who find that the organized control of the labourers by the employers on the mine premises has been inefficient, and, as I have already mentioned, the majority are of opinion that such control can only be made efficient by fencing the mine premises.

4. I wish to draw your particular attention to the following points:—

- (a) The vast majority of Chinese coolies are, as they always have been, law-abiding and orderly persons. The malefactors form a very small proportion of the whole body of indentured labourers.
- (b) The men who commit these outrages are not men who are seeking to escape from their employment; they are not deserters. In the early days of this difficulty the men who visited farmhouses in the night were stragglers seeking food. Now they are, I believe, almost always ruined gamblers who are seeking for an easier means of paying their gambling debts than systematic work. They have no intention whatever of deserting; they desire to steal money and to return at once to their compound.
- (c) The seriousness of this difficulty shows how complete a misconception it has been to suppose that the Chinese coolies have been unduly confined in their compounds or restricted in their movements out of wholesome measure. The whole of my present difficulties arise from the absence of reasonably organized supervision and control in the case of certain mines.

I have, &c.,
SELBORNE,
Governor.

No. 109.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 2, 1906.)

[*Answered by No. 124.*]

MY LORD,

Governor's Office, Johannesburg, May 14, 1906.

I HAVE the honour to enclose, for your information, a copy of the under-mentioned documents on the subject of the repatriation of Chinese labourers who desire to return to China.

I have, &c.,
SELBORNE,
Governor.

SCHEDULE OF ENCLOSURES.

1. Resolution passed at meeting of employés of French Rand Gold Mining Company, held on 3rd May.
 2. Resolution passed at meeting of employés of Rose Deep Mine, held on 6th May.
-

Enclosure 1 in No. 109.

French Rand Gold Mining Company, Limited,
P.O. Box 25, Luipaardsvlei, May 4, 1906.

Repatriation of Chinese Coolies.

To His Excellency
Lord Selborne, P.C., G.C.M.G.,
High Commissioner,
Johannesburg.

YOUR EXCELLENCY,

I HAVE the honour to enclose to you herewith a copy of a Resolution, unani-
mously passed at a meeting of the employés of this mine held last evening.

I have, &c.,
FRED. J. POLLARD,
Chairman.

T. Sullivan,
Secretary.

RESOLUTION.

May 3, 1906.

That this meeting, composed of mine employés, views with gravest apprehension that His Majesty's Government is about to take steps to repatriate the Chinese labourers, and beg to point out that this means wholesale ruination to working men and families dependent on them, as well as dislocation of business in general.

This meeting therefore earnestly appeals to His Majesty's Government to re-consider its decision and leave the matter in abeyance until Responsible Government is granted to the Transvaal.

Enclosure 2 in No. 109.

MY LORD, Rose Deep, Limited, Box 6, Germiston, May 6, 1906.

I HAVE the honour to inform you that a mass meeting of all the employés of the Rose Deep, Limited, at which a large number of employés, representative of all departments of the mine, were present, was held this morning.

The attached resolution was proposed by Mr. G. Ross, miner, seconded by Mr. R. Roberts, pattern-maker, and carried unanimously with cheers.

It was further resolved that a copy of the said resolution be transmitted to His Majesty's High Commissioner, with a request that same be communicated to His Majesty's Secretary of State for the Colonies.

I have, &c.,
T. JOHNSON.

To His Excellency
The Earl of Selborne, P.C., K.G., &c.,
His Majesty's High Commissioner for South Africa,
Johannesburg.

RESOLUTION submitted to a Meeting of Employés of the Rose Reep, Limited, and carried unanimously, on Sunday morning at 11 o'clock, on the 6th May, 1906.

"That this meeting of the employés of the Rose Deep, Limited, views with a great real of anxiety the proposal of the Home Government to permit such Chinese coolies as may desire to return to China at the expense, either wholly or partially, of the Imperial Government; they would point out that the carrying out of the above, would mean the throwing out of employment, and consequent ruin and starvation, of a very large number of mine workers.

“They beg that this matter, which affects them so vitally, be left open until such time as Responsible Government be granted to the Transvaal.”

No. 110.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 2, 1906.)

MY LORD,

Governor's Office, Johannesburg, May 14, 1906.

WITH reference to my despatch of the 2nd April,* I have the honour to enclose, for your Lordship's information, a copy of a statement for the month of March, 1906, of convictions and sentences on Chinese labourers.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 110.

FOREIGN LABOUR DEPARTMENT.

RETURN of Convictions and Sentences on Chinese Labourers for the month of March, 1906.

Crime or Offence.	Total No. of Labourers Sentenced.	Summary of Sentences.	Remarks.
State Offences—			
Arms ordinance	2	A fine of £5 or one month's hard labour.	Sentence served.
Contempt of court	Nil.		
Escaping from custody	Nil.		
Public violence	Nil.		
Resisting police	Nil.		
Possession of dangerous weapons	8	Three months' imprisonment with hard labour.	
Offences against the Person—			
Assault (common)	55	From 10s. or seven days' hard labour to four months' imprisonment with hard labour.	In nine cases fine was paid.
Assault (with intent)	12	From two months' hard labour to 12 months' hard labour.	
Assault (indecent)	Nil.		
Assault (other kinds)	Nil.		
Homicide	Nil.		
Murder	Nil.		
Murder (Attempted)	Nil.		
Rape	Nil.		
Sodomy	Nil.		
Carried forward	77		

* No. 51.

Crime or Offence.	Total No. of Labourers Sentenced.	Summary of Sentences.	Remarks.
Brought forward	77		
Offences against Property—			
Forgery	31	From £1 or seven days' hard labour to three months' imprisonment with hard labour.	In three cases fine was paid.
Malicious injury to property ...	16	From one month's hard labour to four months' hard labour.	
Theft (common)	31	From four days' imprisonment with hard labour to 18 weeks' imprisonment with hard labour.	
Theft by violence	Nil.		
Theft by housebreaking by day	8	From two months' hard labour to 12 months' and 15 lashes.	
Theft by housebreaking by night	1	12 months' hard labour.	
Theft by fraud or false pretences	1	Three weeks' hard labour.	
Other Laws—			
Mines, works and machinery regulations.	9	From 10s. or seven days' hard labour to three months' hard labour.	In two cases fine was paid.
Drunk and incapable	1	A fine of 20s. or seven days' imprisonment with hard labour.	Sentence served.
Gambling	4	A fine of £30 or three months' imprisonment with hard labour.	Sentence served.
Offences under the Labour Importation Ordinance or its Regulations—			
Contravention Section 19, Ordinance 17 of 1904 (absence without permit).	63	From 5s. or three days' hard labour to £10 or one month.	In 35 cases fine was paid.
Contravention Section 31, Sub-Section 11, Ordinance 17 of 1904 (desertion).	724	From 5s. or three days' hard labour to £25 or two months.	In 89 cases fine was paid.
Contravention Section 20, Sub-Section 2, Ordinance 17 of 1904 (unlawful absence).	382	From 5s. or seven days' hard labour to £10 or one month.	In 21 cases fine was paid.
Contravention Section 8, Sub-Section 15, Ordinance 27 of 1905 (illegal possession of opium).	83	From £1 or 14 days' hard labour to £10 or two months.	In 16 cases fine was paid.
Contravention Section 8, Sub-Section 17, Ordinance 27 of 1905 (fraud in the performance of work).	12	From £1 or 14 days' hard labour to £5 or one month.	
Contravention Regulation 44 of 1905 (issued under Ordinance 17 of 1904).	14	Fine of £1 or seven days' hard labour.	In three cases fine was paid.
Other offences under these ordinances.	1	Fine of £5 or one month's hard labour.	
Total	1,458		

NOTE.—In *no* cases were fines deducted from pay.

No. 111.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 2, 1906.)

MY LORD,

Governor's Office, Johannesburg, May 14, 1906.

WITH reference to your Lordship's despatch of the 16th March last,* I have the honour to submit, for your information, the enclosed copy of a report by the Medical Officer of Health for the District, Witwatersrand, as to the relative cost of food supplied to natives on the mines in the proclaimed districts of the Transvaal during the years 1903, 1904.

The information supplied by Dr. Sansom appears to offer satisfactory explanation of the difference in the cost of food per head during that period.

I have, &c.,

SELBORNE

Governor.

Enclosure in No. 111.

PUBLIC HEALTH DEPARTMENT.

SIR,

Johannesburg, May 4, 1906.

YOUR letter, dated the 17th April, was forwarded to me for reply from the Pass Commissioner. My answer has been delayed, but in order to ensure accuracy it has been necessary to examine books kept by the various mining houses, and also refer to the records at the Chamber of Commerce. The result of the careful enquiry I now have the honour to send you. I have had access to all records, and I find that on mines and works feeding approximately 90 per cent. of the total number of natives employed, the average cost of food per man per month for the year ending 30th June, 1904, is 10s. 8·371d., and for the year ending 30th June, 1905, is 7s. 10·343d.; but even if the cost was 10s. 1·2d. and 6s. 6·4d., as stated, the difference in outlay is quite accounted for by the fact that:—

	Year ending 30th June, 1904.		Year ending 30th June, 1905.	
	s.	d.	s.	d.
Average cost of mealies and mealie meal, per bag.	19	2·959	13	1·601
Average cost of meat per lb. ...	0	4·247	0	3·343

Had the quantities of mealies and meat used in the year ending June 30, 1904, been purchased at similar prices to those paid during the year June 30, 1905, the average cost of food per man per month would have compared thus: 8s. 7·689d., 7s. 10·343d.

The difference in the last comparison is partly due to a decrease in the cost of vegetables, and partly to the alteration in the method of including all food for the hospital in the first year's figures, while from the 1st January, 1905, it was charged to a separate account.

With regard to the second paragraph, referring to my report on the average diet in the mine compounds, and the deficiency in proteids, fats, and salts, I may say that since that report was written the average diet had been much more liberal. The quantity of mealies served out is practically the same, and is as much as a native can consume during the day. The quality of the grain has much improved. It has been my business to watch the character of the mealies supplied to native mine

* No. 24.

employees, and to obtain analyses. The results of the analyses of suspected samples are as follows:—

Period.	Number of Samples.		
	Good.	Medium.	Bad.
July, 1904, to December, 1904 ...	44	9	3
January, 1905, to June, 1905 ...	15	2	—
July, 1905, to December, 1905 ...	10	—	—

The meat ration is now pretty generally about 2 lbs. per man per week on each mine. Soup is also made regularly, fairly large quantities of vegetables are now available, and few mines fail to supply them, and coffee is also served out. I would like to add that when the regulations, now under discussion, are promulgated, every mine will be obliged to provide an ample diet according to schedule. I do not think it is necessary to refer to the saving effected by mine owners growing grain and vegetables on farms, as the figures already given more than explain the difference in cost during the years in question.

I have, &c.,
 CHARLES LANE SANSOM,
 District Medical Officer of Health, Witwatersrand.

To the Secretary,
 Native Affairs Department,
 Pretoria.

No. 112.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 2, 1906.)

MY LORD, Governor's Office, Johannesburg, May 14, 1906.

IN reply to your despatch of the 9th March,* I have the honour to enclose a return showing the number of unskilled white men employed underground in the Witwatersrand mines on the 20th June, 1904, the actual date of the arrival of the first batch of Chinese coolies at the mines, and on the 31st January, 1906.

2. The Witwatersrand mines were specially circularised on the subject by the Mines Department, and this return is compiled from the figures supplied by them.

3. It may be pointed out that many of the unskilled labourers become qualified in time as skilled miners, and eventually obtain employment as such among the various mines, although it is generally impossible to trace the individuals.

4. It must also be remembered that the total number of whites employed has increased during the period under review from 12,730 at the 30th June, 1904, to 17,696 on the 31st January, 1906, an increase of 4,966.

I have, &c.,
 SELBORNE,
 Governor.

* No. 19.

Enclosure in No. 112.

Unskilled whites employed underground by Witwatersrand Gold Mines at date of arrival at the mines on the 20th June, 1904, of first draft of Chinese, and at 31st January, 1906.

	20th June, 1904.	31st January, 1906.
British-born	295	159
Boers	448	267
Alien	17	53
Total	760	479

No. 113.

GOVERNOR THE EARL OF SELBORNE TO THE EARL OF ELGIN.

(Received June 2, 1906.)

[*Answered by No. 124.*]

MY LORD,

Governor's Office, Johannesburg, May 14, 1906.

I HAVE the honour to enclose, for your information, a copy of the under-mentioned documents on the subject of the repatriation of Chinese labourers.

I have, &c.,
SELBORNE,
Governor.

SCHEDULE OF ENCLOSURES.

1. Resolution passed at a special meeting of the Boksburg Town Council, held on the 5th May, 1906.
2. Resolution passed at a meeting of the employés of the Glen Deep Gold Mining Company, held on the 7th May, 1906.
3. Resolution passed at a meeting of the Executive Committee of the Rand Pioneers, held on the 8th May, 1906.
4. Resolution passed at a public meeting held at Boksburg on the 8th May, 1906, and at an overflow meeting held on the Market Square, Boksburg, on the same date.
5. Resolutions passed at a public meeting on the East Rand, on the 9th May, 1906.
6. Resolution passed at a special meeting of the Roodepoort and District Chamber of Commerce, held on the 10th May, 1906.

Enclosure 1 in No. 113.

MUNICIPALITY OF BOKSBURG.

YOUR EXCELLENCY,

Town Clerk's Office, May 7, 1906.

I HAVE the honour to inform Your Excellency that a special meeting of the Boksburg Town Council was held on Saturday last upon the subject of the proposal

of His Majesty's Government to assist indentured Chinese labourers to return to China prior to the expiration of their contracts, when the following resolution was unanimously agreed to:—

“That this Council views with the greatest alarm the announcement of His Majesty's Imperial Government of their intention to offer financial assistance in order to enable indentured Chinese labourers to terminate their contracts and be repatriated to China, and is of opinion that the offer may facilitate an exodus which would have ruinous effects on the development and administration of the mining industry, and also cause a paralysis of trade which, in its turn, will so re-act on the white community of this municipality as to cause the utmost distress among all classes of the inhabitants; and further, their repatriation on the terms offered cannot be regarded as recognition of any grievance, while the refusal of applicants may lead up to discontent and increase those depredations which it has been the care of the Transvaal Government to stop.”

The Council also resolved to request Your Excellency to be good enough to cable the above resolution to His Majesty's Secretary of State for the Colonies.

I have, &c.,
E. DAVIES,
Town Clerk.

His Excellency
The High Commissioner,
Johannesburg.

Enclosure 2 in No. 113.

GLEN DEEP GOLD MINING COMPANY.

Meeting held on Monday, the 7th day of May, 1906.

RESOLUTION.

That this meeting views with the gravest alarm the announcement of His Majesty's Government of their intention to offer financial assistance to the indentured Chinese labourer in order to enable him to terminate his contract and be repatriated to China, and is of the opinion that the offer may facilitate an exodus which would inevitably cause the utmost distress among all classes of the white inhabitants employed on the mines and surrounding districts.

This meeting, therefore, earnestly appeals to His Majesty's Government to re-consider their decision.

Enclosure 3 in No. 113.

RAND PIONEERS.*

SIR,

1-11, Cullinan Building, Johannesburg, May 8, 1906.

At a meeting of my Executive Committee held this afternoon the following resolution was unanimously adopted, and I was directed to ask you to be good enough to convey the same to His Excellency the High Commissioner:—

The representatives of the Rand Pioneers protest most emphatically against the proposed action of the Home Government in placarding the Chinese compounds with notices which are liable to unsettle indentured labourers. They consider that as the law for importing industrial labour has been sanctioned by the Imperial Government, and contracts have been entered into under this legal sanction, such contracts can only be varied or cancelled by the mutual consent of the contracting parties, and that action by the Imperial Government as above indicated is an interference in the domestic concerns of this Colony

which is calculated to cause great injury to the Colony's economic welfare, and is a most dangerous precedent.

I have, &c.,
 DAV. DALGETY,
 Secretary.

The Private Secretary
 to His Excellency the High Commissioner,
 Johannesburg.

Enclosure 4 in No. 113.

MUNICIPALITY OF BOKSBURG.

YOUR EXCELLENCY, Town Clerk's Office, May 9, 1906.

I HAVE the honour to inform Your Excellency that at a public meeting held last evening, convened by the Mayor at the request of the ratepayers of this municipality, which was attended by 800 people in the Assembly Hall, Boksburg, and 400 people at an overflow meeting held on the Market Square, the following resolution was adopted, with six dissentients:—

[In similar terms to resolution in Enclosure 1.]

The meetings unanimously resolved that Your Excellency be requested to be kind enough to cable the resolution to His Majesty's Secretary of State for the Colonies.

I have, &c.,
 E. DAVIES,
 Town Clerk.

His Excellency
 The High Commissioner,
 Johannesburg.

Enclosure 5 in No. 113.

YOUR EXCELLENCY, Post Office, East Rand, May 10, 1906.

As chairman of a great meeting held yesterday, attended by some 3,000 of the working men of this district, I have the honour to transmit to Your Excellency the following resolutions:—

"1. That this meeting of working men of Boksburg and district, being aware that it is the intention of the Home Government to placard the compounds on the Rand with notices offering to repatriate Chinese labourers, hereby condemns and protests against any such ill-advised action, for we are convinced:—

"(a) Great discontent and unrest amongst the Chinese employees will result, who will have no faith in the white man's pledges or laws.

"(b) General widespread distress to South Africa, and especially to miners, artisans, and the labouring classes.

"2. Seeing, therefore, that this is a vital question to us, we urge in the strongest possible manner that pending self-government the question of repatriation or interference with the unskilled labour supply stand over until the people themselves, who are the parties interested, are in a position to express their wishes through their own representatives.

"3. That this meeting resolves that His Excellency the High Commissioner be requested to cable these resolutions to the Right Honourable the Secretary of State for the Colonies."

Seven people voted against the first resolution, the others were agreed to unanimously.

I beg that Your Excellency will be pleased to cable these resolutions, passed by nearly 3,000 of the skilled artisans of this district.

I have, &c.,
E. J. MCKEW,
Chairman.

His Excellency
The High Commissioner,
Johannesburg.

Enclosure 6 in No. 113.

The following resolution was carried unanimously at a special meeting of the Roodepoort and District Chamber of Commerce held at Roodepoort, on the 10th day of May, 1906, at 8 p.m.

Resolved:—

“That this Chamber views with the gravest apprehension and indignation the announcement that the Imperial Government intends to grant financial assistance to those indentured Chinese who may be desirous of returning to China, and this Chamber is of the opinion, and verily believes, that this offer will be taken advantage of to such an extent that ruination will befall the commercial as well as the artisan community of this district and of all other townships along the reef which are dependent solely upon the mining industry, and would urge His Majesty’s Government to defer any action in connection with the Labour Importation Ordinance until the grant of Responsible Government to the Transvaal.”

ALEC. OSBORN, President.
F. PICCIONE, Secretary.

No. 114.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 2, 1906.)

[Answered by No. 124.]

MY LORD,

Governor’s Office, Johannesburg, May 14, 1906.

WITH reference to my despatch of to-day’s date,* I have the honour to transmit herewith, for your information, the accompanying copy of three resolutions, passed at a meeting, held at the Simmer and Jack Gold Mine, on the 10th instant, on the subject of the repatriation of the Chinese labourers.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 114.

SIMMER AND JACK GOLD MINE.

RESOLUTION No. 1.

That this meeting views with the gravest apprehension the fact that His Majesty’s Government have offered financial aid to the Chinese indentured labourers now employed under contract upon the mines of the Witwatersrand, in order to enable them to terminate such contract and return to their homes.

This meeting is of opinion that the offer of His Majesty’s Government will be the means of seriously reducing the supply of unskilled labour, and, consequently,

* No. 113.

inflicting very serious injury to the working man on these fields, besides causing widespread distress amongst all classes in this Colony.

This meeting, therefore, respectfully appeals, through His Excellency the High Commissioner, to His Majesty's Government, and urges them to reconsider their proposals regarding the repatriation of the Chinese labourers.

(Carried unanimously.)

May 10, 1906.

J. M. ANDERSON,
Chairman.

RESOLUTION No. 2.

That a copy of the resolution just passed by this meeting be forwarded to His Excellency the High Commissioner for earliest transmission to the Secretary of State for the Colonies.

(Carried unanimously.)

May 10, 1906.

J. M. ANDERSON,
Chairman.

RESOLUTION No. 3.

That a deputation of working men wait on His Excellency the High Commissioner, with the resolution, and point out to him the serious position of the working man on the Rand, particularly the working man with a family, if the Chinese take advantage of the repatriation proposals of the Home Government, and that this meeting proceed to appoint delegates for this purpose.

(Carried unanimously.)

May 10, 1906.

J. M. ANDERSON,
Chairman.

No. 115.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 2, 1906.)

[*Answered by No. 124.*]

MY LORD,

Governor's Office, Johannesburg, May 14, 1906.

WITH reference to my despatch of to-day,* I have the honour to enclose, for your information, a copy of a letter from the Chairman of a public meeting, held at Nigel on 8th May, 1906, on the subject of the repatriation of such Chinese labourers as desire to return to China.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 115.

His Excellency the EARL OF SELBORNE, Member of His Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, High Commissioner for South Africa.

YOUR EXCELLENCY,

I HAVE the honour to enclose herein, for Your Excellency's information, a copy of a resolution unanimously passed at a public meeting held at Nigel on the 8th instant.

Nigel,
May 9, 1906.

I have, &c.,
ROBT. CURNOW,
Chairman.

COPY OF RESOLUTION passed at a Public Meeting held at Nigel on the 8th of May, 1906.

That this community views with the strongest apprehension the announcement that His Majesty's Government is about to afford financial assistance in order

to enable indentured Chinese labourers to terminate their contract and be repatriated to China, and is of opinion that this offer, if accepted, will have ruinous effects on the mining industry, and will cause the utmost distress to the inhabitants of this country, and that this community earnestly appeals to His Majesty's Government to reconsider its offer and to defer any action in connection with the Labour Importation Ordinance pending the grant of Responsible Government to the Transvaal.

ROBT. CURNOW,
Chairman.

No. 116.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 2, 1906.)

MY LORD, Governor's Office, Johannesburg, May 14, 1906.

I HAVE the honour to enclose, for your information, a copy of resolutions passed at a meeting of the Transvaal Independent Labour Party, held on the 9th of May, 1906, on the subject of the repatriation of the Chinese labourers and the Constitution of the Transvaal.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 116.

TRANSVAAL INDEPENDENT LABOUR PARTY.

YOUR EXCELLENCY, Headquarters, Pretoria, May 10, 1906.

I HAVE the honour to inform you that at a meeting of the "Transvaal Independent Labour Party," held last evening (at which 120 members were present) the attached resolutions were unanimously carried. I have been instructed to forward a copy of these resolutions to Your Excellency with the request that they be cabled forthwith to the Secretary of State for the Colonies, as Your Excellency may have been pleased to do with other resolutions of a contrary character, passed by other associations upon the same subject.

I have, &c.,
J. T. BUXTON,
Honorary Secretary.

To His Excellency
The High Commissioner
for South Africa.

TRANSVAAL INDEPENDENT LABOUR PARTY.

Resolutions referred to in accompanying letter.

(1) This Meeting representing the "Transvaal Independent Labour Party" endorses the action of the Imperial Government with regard to Chinese repatriation, and further expresses the readiness of the "Transvaal Independent Labour Party" to face any consequences, artificial or otherwise, arising therefrom, rather than hand down an abominable legacy to their children.

(2) This meeting also takes this opportunity to thank His Majesty's Government for sending a commission to inquire into our political necessities, thereby giving all sections a voice in the framing of our Constitution, which had previously been withheld. By this Commission giving a fair hearing to all classes, the outcome will, we believe, be a fair and just Constitution. We also believe that the firm policy and strong hand adopted, will eventually relieve us of the oppression and destitution now existing, cement the union of the white races, give to Boer and Briton a bright future, and create in this portion of His Majesty's dominions an absolute loyalty to the Crown.

(3) That a copy of the foregoing resolutions be sent to His Excellency the High Commissioner with the request that they be forwarded by cable to His Majesty's Secretary of State for the Colonies.

J. T. BUXTON,
Honorary Secretary

No. 117.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 7.47 p.m., June 5, 1906.)

TELEGRAM.

[Answered by No. 123.]

June 5. No. 1. Your telegram of 26th May, No. 1.* Report of Committee has been published and a copy must by this time have reached you.

I have already informed you that in view of your objections fencing of mine premises has been abandoned, but I hope there will be no objection to allowing any Company which desires to do so to fence in shafts and surface works as well as a passage from compounds to shafts. Committee's recommendations 3, 4, 5, 7, 9, 10, 11, 12 will be carried out as far as possible. Regulations will be issued compelling every employer of Chinese labourers to employ at least five white men on each mine whose sole duty it will be to keep order among labourers and Chinese police, check gambling and sale of opium in the compounds. It is most desirable, however, to restrict the area of the Witwatersrand district in the second paragraph of Section 19 of Ordinance No. 17 of 1904. That district is about 1,600 square miles in extent and contains many farms to which no labourers would desire to go except with a felonious intent. The area should be restricted to one which contains all the mines and practically all the business part of Witwatersrand district. I trust you will see your way to consent to an amendment which will make police control more effective, give greater protection to isolated farms against outrages, and at the same time give labourers with permits permission to go to any place within an area which includes the mines and the business part of Witwatersrand district.

No. 118.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

MY LORD,

Downing Street, June 8, 1906.

I HAVE the honour to acknowledge the receipt of your despatch of the 30th of April,† in which you deal with various matters arising out of Mr. Eugenio Bianchini's statements with regard to the treatment of Chinese coolies on the Witwatersrand.

2. I should be glad to receive a report as to the exact measures which are being taken to place the allotment system on a satisfactory basis.

I have, &c.,
ELGIN.

No. 119.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 9, 1906.)

MY LORD,

Governor's Office, Johannesburg, May 21, 1906.

IN reply to your despatch of the 7th April,‡ enclosing copy of questions asked in the House of Commons as to the Premier Mine, I have the honour to reply as follows:—

1. In reply to Mr. Markham's first question, the Premier Mine is the only diamond mine in the Colony from which any appreciable output of diamonds is recorded at the present time, and it is the only mine in which the compound system is enforced.

* No. 104.

† No. 90.

‡ No. 44.

The system in question is permissible under the Precious Stones Ordinance of 1903, and is similar to that employed at Kimberley, in the Cape Colony.

2. In regard to Mr. Markham's third question, the figures quoted need some modification:—

(1.) The working costs, *i.e.*, the cost of production on the mine for the year ended the 31st October, 1905, were $3/3\frac{1}{2}$ per load.

(2.) To these must be added general costs, such as the London and Johannesburg office expenses, commissions and percentage on sale of diamonds, Director's fees, &c., which bring the total costs for the period named to $5/4\frac{1}{4}$.

(3.) The value during the same period per load won was $14/4$, leaving a profit of $8/11\frac{3}{4}$ per load.

(4.) The yield per load won during the Company's present year has shown a considerable falling off, and for the five months from October 31st, 1905, to March 31st, 1906, the average value per load washed has been $7/8\frac{1}{2}$, the total cost $5/0\frac{3}{4}$, thus leaving a profit of $2/7\frac{3}{4}$ per load.

(5.) In making an estimate of the future profits to be obtained from this mine, it will not be safe at the present time to depart from the following basis:—

Yield per load washed, $\frac{1}{4}$ carat.

Value per load washed, $7/6$.

Cost per load washed, $4/6$.

Profit per load washed, $3/$.

(6.) Of the total cost of $4/6$ per load washed, $1/4$ is due to wages paid to natives, who earn on the average £4 5s. per month, and find their own food, or a total of £51 per annum.

3. With regard to Mr. Markham's last question, and the question contained in your despatch under reply,* as to whether the mine could be worked at a profit with white labour, I have called for the report he asked for, and reply is that it may be noted that at the last annual meeting of the Rand Mines, Limited, the Chairman stated that from the experience of unskilled white labour on the mines of this group it was found—

(a.) That one white labourer was equal to 1·6 Kaffirs.

(b.) That allowing for a rate of wage at 5/ per day and food and lodging, the cost of the white labourer worked out at a little over 9/ per day, or at £10 10s. per month, or, at the rate of 280 days a year, at £126 per annum.

The report proceeds as follows:—

(2.) The open-air work at a mine like the Premier attracts a Kaffir of much better physique than the average Kaffir working underground on the Rand, and, although one white man may equal 1·6 Kaffirs on the Rand, it is considered that this proportion would not hold with the class of boys at present employed at the Premier, who are able to do an average day's work quite as good as that of the unskilled white labourer.

(3.) It is estimated that if white men were employed on the Premier Mine in place of Kaffirs, the cost per load washed would be brought up to $6/5$, thus leaving a profit on the present rate of yield of $1/1$ per load, a loss of 64 per cent. on that obtained with the present native labour.

(4.) At this rate the loss of profit through the employment of whites would amount to about £410,000 per annum, which would represent a direct loss to the Government of about £246,000.

(5.) Apart from the diminution of profits due to the increased wages, there would be other serious objections to the employment of white labourers on the Premier Mine. Diamond stealing and illicit disposal is a well-known evil on all diamond mines, and it is only possible to suppress it by careful supervision. Owing to the congenial nature of the work on the Premier Mine, consisting as it does entirely of surface labour, it appeals to the natives, and they come long distances and voluntarily make the necessary agreement for a definite number of weeks or months. This agreement includes entering the compound and submitting to being searched on leaving at the conclusion of the agreement. Although the health and recreation of the natives is

elaborately cared for, and the natives themselves willingly re-engage, such a system would be quite out of the question with white men.

(6.) Moreover, the attempt to use white labourers might attract a most undesirable class of man, intent rather on the opportunities afforded of making unlawful profit by the sale of valuable stones than on steady mining work, with a view to earning an honest livelihood. The loss of stones from this cause would inevitably be very great, and, while it cannot be accurately estimated, there is no doubt that illicit diamond dealing would become a constant practice, and would probably ruin all chance of profits from the mine.

(7.) It may further be pointed out that the wage of £10 10s. per month is barely sufficient in this country to enable a single white man to live respectably, and it would attract none but men of undesirable stamp, who are without a trade, and unfitted for any occupation but that of an unskilled labourer. Men of this class are not at present very numerous in the Transvaal, and it would probably be necessary to import them. The attempt to utilise the services of English navvies which was made in 1903 by the Railway Authorities was not so successful as to encourage a repetition of the experiment.

I have, &c.,
SELBORNE,
Governor.

No. 120.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 9, 1906.)

[Answered by No. 146.]

MY LORD,

Governor's Office, Johannesburg, May 21, 1906.

I HAVE been requested by General Botha to forward to you the enclosed letter. There can be no doubt but that the outrages committed by Chinese labourers within and in the neighbourhood of the Witwatersrand District have caused considerable anxiety among the farmers who live on isolated homesteads.

2. I have, on a previous occasion, informed you that a Committee was appointed to enquire into the control of Chinese labourers on the mine premises on which they are employed, and I have forwarded to you a copy of the report of that Committee.

3. I feel confident that the mining companies fully recognise the seriousness of these outrages, and how necessary it is for them so to control their labourers as to prevent their deserting and becoming a danger to the inhabitants of the country.

4. By the proper control of the labourers without any infringement on the liberty they enjoy by law, I am sure these outrages can be avoided, and I believe that in the future the mines will do all they can in that direction, for they must see that unless these outrages are stopped a situation will exist which cannot be tolerated.

5. I wish, however, again to point out that the outrages are, in the opinion of the Committee, as in mine, not due to deserters seeking to escape from a service which they dislike, but to gamblers who seek to pay their so-called "debts of honour" by robbery, and to return to the mine from which they came.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 120.

VEREENIGING "HET VOLK."

MY LORD,

Pretoria, May 16, 1906.

I HAVE the honour to approach His Majesty's Imperial Government on behalf of the rural population of the Transvaal on the question of Chinese labour in the Transvaal mines. This step has now become imperative because of the grave and menacing state of affairs existing among the rural population along, and in the vicinity of, the Witwatersrand area, and because repeated representations and remonstrances addressed on their behalf to His Majesty's Transvaal Government have so far been fruitless in checking the steadily growing volume of crimes and outrages

committed by the Chinese coolies. The Transvaal Government have made every effort to stamp out these outrages, but owing to a variety of causes, including the large amount of liberty allowed the coolies, and the remissness of many mine managements, they have so far failed to check the outrages or even to diminish the number of crimes perpetrated on the defenceless rural population. The result is a most lamentable state of unrest in the country, such as has not been known within the memory of man. Farms are being deserted, the people living on the isolated farms have at great inconvenience and loss to trek at night to one locality from the neighbouring farms for mutual protection, and to keep watch and ward as if a state of war existed; men seldom venture from their farms in order not to leave their women and children defenceless; and the coloured servants are trekking away and bringing farming operations to a standstill. The rural population have hitherto submitted with admirable forbearance to this intolerable state of affairs, but it is to be feared that unless a change takes place immediately a sense of self protection might force them to take the law into their own hands, and the consequences might be most lamentable.

It was the wish of a large and representative deputation which interviewed His Excellency Lord Selborne recently, and laid certain resolutions before him on this matter that a deputation should be sent to England in order to lay before His Majesty's Government the extreme gravity of the state of affairs, and to press for effective protection of the rural population and the repatriation of the Chinese labourers. As, however, I feel certain that His Majesty's Government are keenly anxious to end the present situation, I have taken it upon myself not to give effect to their wish, but first to address this communication to His Majesty's Government in the hope that the sending of a deputation will thereafter be found to be no longer necessary.

In making these representations I wish to assure His Majesty's Government that the rural population are not influenced by any motive of antagonism to the mining interests which they desire to be furthered as far as possible consistently with the interests and rights of the general population of the Transvaal. The employment of Chinese labour and its concomitant evils have, however, led to such a state of terror and unrest, and created such an intensity of feeling, that I should be failing in my duty if I did not point out the existing grievances and the consequences which might ensue upon continuance. Unless these outrages can be effectively stopped without further delay, the only alternative in the interests of public tranquillity will be the immediate repatriation of the Chinese labourer; and I hope that His Majesty's Government will be in a position to give such assurances on this point as to render a formal deputation on the matter unnecessary.

I have, &c.,

LOUIS BOTHA,
Chairman, Head Committee, Het Volk

The Right Honourable
the Earl of Elgin,
His Majesty's Secretary of State for the Colonies.

No. 121.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 9, 1906.)

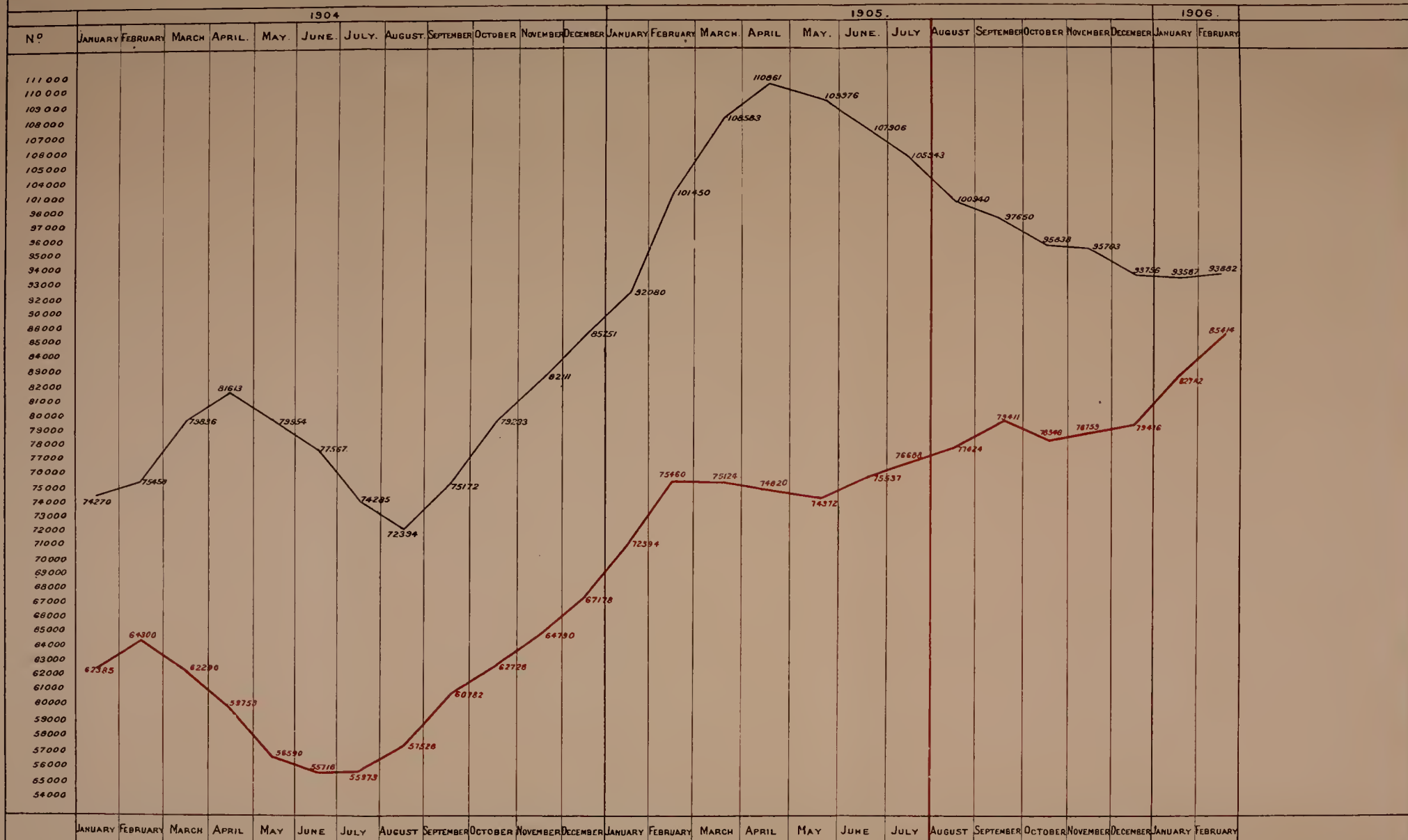
MY LORD,

Governor's Office, Johannesburg, May 21, 1906.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 7th April,* transmitting copies of two questions, asked by Mr. H. Cox in the House of Commons, on the subject of the flogging of Chinese coolies.

2. My difficulty in this matter throughout has been to induce the coolies to give the evidence necessary to secure a conviction. Public opinion among them seems to be opposed to a Chinese assisting in the prosecution of a Chinese, and the only cases of assault now are of Chinese on Chinese. The same public opinion would probably deter one coolie from bringing an action against another.

3. I have, however, reminded Mr. Jamieson that it is part of his duty to make sure that all Chinese who complain of having been assaulted are aware of their indefeasible right to recover damages.



——— MINES & WORKS
 ——— OTHER EMPLOYERS.

4. I may add that in certain aggravated instances, which came to the notice of Mine Managers, the latter have of their own accord granted the injured coolie monetary compensation.

I have, &c.,
SELBORNE,
Governor.

No. 122.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 9, 1906.)

MY LORD,

Governor's Office, Johannesburg, May 21, 1906.

WITH reference to your despatch of the 20th January,* I have the honour to forward, for your information, two reports by the Secretary for Native Affairs, together with their respective enclosures, dealing with the points that you raise.

2. It would seem that the reduction, during the past few months, in the number of natives employed on the mines has been accompanied by a large increase in the number of natives in private employ, so that, in point of fact, the total number of natives employed on the Witwatersrand to the end of February, 1906, had not suffered any appreciable reduction since the highwater mark recorded in April, 1905.

3. Mr. Windham, as you will observe, is, nevertheless, of the opinion that the extension of the periods for which natives were recruited, and the insistence upon underground work, did act as a deterrent to the inflow of labour; and it is satisfactory to note that this regulation has now been greatly relaxed.

4. In this connection I forward, for your information, a copy of a communication from the Secretary of the Transvaal Chamber of Mines showing the terms for which natives were engaged before the war, in 1903 and 1904, and at the present time.

I have, &c.,
SELBORNE,
Governor

Enclosure 1 in No. 122.

Pretoria, March 28, 1906.

With reference to your Minute of the 17th February, covering a despatch from the Secretary of State for the Colonies relative to the decrease of the native labour supply on the Witwatersrand Mines during the months of May to December, 1905, and January and February, 1906, the Commissioner for Native Affairs directs me to submit the following observations.

To illustrate the position, and to afford a view of the labour fluctuations, a chart is appended showing the total number of labourers at work on the mines, and in other employ in proclaimed labour districts month by month, from January, 1904, to February, 1906, according to the records which are kept by this Department.

In regard to the figures showing the number of natives working on mines and works, it should be pointed out that those prior to August, 1905, are based on the records of those shown in the Register of this Department as so employed, while the statistics for the succeeding months are those furnished by the various companies at the close of each month. These two sets of figures do not agree, the discrepancy being attributable to the following facts:—

Natives employed on mines and works are usually discharged on the last day of the month, and do not appear in their returns as employed on that date. But, until they present themselves at pass offices either for endorsement of their passports to return home, for transfer to another labour district, or to another employer other than a mine or works, or for other purpose, they appear in the Register of this Department as still in their original employment.

For these reasons, and also the fact that the accuracy of our Departmental records must be dependent upon strict compliance with the provisions of the Pass

* No. 42 in [Cd. 2819.]

Regulations both by the employers and natives, the statistics compiled by this Department of the territorial distribution of natives at the close of each month are always slightly in excess of the actual number employed.

For instance, the actual difference in the figures for the month of August, 1905, was as follows:—

Native Affairs Department	...	...	...	103,548
Mines and works	...	...	...	100,940
				2,608
Net excess	...	...	...	2,608

The alteration in the origin of the figures now published as representing the number of natives employed on mines and works has been effected in order that the returns of native labour furnished by this Department and by the Mines Department, Chamber of Mines, and Witwatersrand Native Labour Association should as far as is possible coincide.

No change has taken place in the source of the figures of natives in other employ, the statistics of this Department being the only figures available. In this case, however, the figures are again in excess of the actual number employed, and a margin should be allowed to provide for such unaccountable wastage as occurs each month through failure of individuals to comply with the Pass Regulations.

It is not possible to accurately estimate the actual excess, but it is not thought that it is higher than 7 per centum.

The most striking feature of the return is the marked rise which commenced to take place in September, 1904, when the aggregate number of labourers was:—

Mines	....	...	...	...	...	75,172
Other employ	...	...	...	...	...	60,782
						135,954

and culminated in April, 1905, when no less than 185,681 labourers were registered, which figure exceeded any previously recorded.

Full particulars with regard to this period will be found on pages A 7-10, B 49-50, and Appendices 30, 31 and 32 of the Annual Blue Book of this Department for the year ended the 30th June last, which was partly published in Parliamentary Papers, Cd. 2819, presented to Parliament in February, 1906.

For the purposes of this report it does not seem necessary to refer to any more of the facts revealed in that Blue Book than:—

(a.) That the sources of supply which showed the greatest increase were:—

	On Mines.	In Other Employ.
Cape Colony	30.0 %	33.6 %
Portuguese East Africa	24.8 %	1.5 %
Rhodesia	16.6 %	—
Transvaal	11.5 %	34.4 %
Natal and Zululand	—	14.4 %

(b.) That there was an increase in the labourers employed in 1903-4 over 1902-3 of 14 per cent., and of 36 per cent. in 1904-5 over 1903-4, each year being reckoned as from the 1st July to the 30th June following.

In the memorandum from this Department, which was published in Parliamentary Papers, Cd. 2401, pages 62-3, and to which the Secretary of State refers, certain reasons were given to account for ordinary variations in connection with native labour, and it is pertinent to note that one of those reasons was that when the food supply is scarce the natives are wont to seek work in the largest numbers.

The fact that the total number employed in April, 1904, rose from 141,366 to 185,681 in the corresponding month for 1905, shows an abnormal increase, which may partly be attributed to the failure of crops and scarcity of food in the three

Mines,
110,861,
Other
Employ,
74,820.

territories from which the increase was principally derived, *i.e.*, the Cape Colony, the Transvaal, and Portuguese East Africa.

Such an unusual increase was bound to be followed by a reaction, and this, no doubt, explains to some extent the decline which occurred from May, 1905, to the end of February, 1906.

The figures appearing in the chart, however, will show that while the number of labourers on the mines was on the decrease each month until February, 1906, the natives in private employ were steadily increasing. The actual position may be clearly seen from the statement "B" herewith.

It will be observed that though the labourers on the mines fell from 110,861 in April, 1905, to 93,882 in February, 1906, a decrease of 16,979, the natives in other employ rose during the same period from 74,820 to 85,414, an increase of 10,594.

The short fall, which is shown as having amounted to 6,385, but which, owing to the disparity between the two sets of statistics was in reality substantially less, is not, therefore, so marked as would appear to be the case if mining labourers alone were taken into account.

The inference to be drawn is that there has been a growing demand on the part of private employers for a class of labour which natives prefer, as a rule, to employment in the mines.

During the months of January, February, March, and April, 1905, the influx showed a regular increase, just as it had done in 1904, only in a more marked degree.

As in the previous year an exodus occurred from May to August, such as might have been expected under ordinary conditions.

From the month of September, 1905, to January, 1906, however, there was a noticeable and unusual decrease at a time when, under normal circumstances, the supply of labour should have been on the increase.

As already stated, however, such a decrease was partly to have been anticipated for the reason that many of the natives who had come to work in unusually large numbers during January, February, March and April, 1905, owing to the scarcity of food, had completed their terms of contract.

As labour for the mines is almost exclusively recruited by the Witwatersrand Native Labour Association, the Chairman of that organization was invited to express his views upon the labour fluctuation. Mr. Perry has been good enough to report upon it at some length in a letter, of which a copy is appended.

The Witwatersrand Native Labour Association is not, of course, concerned in the recruitment of natives for private employ, and consequently Mr. Perry's remarks do not apply to them.

Enquiries are being made as to the total output of labour from other territories during the period under review, with the object of ascertaining to what extent it was drawn upon for other than mining operations in this Colony.

A further report will be submitted upon the question raised by the Secretary of State as to whether the labour supply has been affected by the rule recently introduced to recruit labour in certain parts of South Africa for underground work, and for a longer period.

W. WINDHAM,
Secretary for Native Affairs

The Private Secretary to
His Excellency the Lieutenant-Governor.

RETURN showing Increase and Decrease in the Labour Supply of Mines and Works and in Other Employ in Proclaimed Labour Districts, in Comparison with the Record for April, 1905.

Month.	Number on Mines.	Number in Other Employ.	Total.	Increase.		Total In-crease.	Decrease.		Total De-crease.	Nett Results.		
				Mines.	Other Employ.		Mines.	Other Employ.		In-crease.	De-crease.	
1905.												
April ...	110,861	74,820	185,681	—	—	—	—	—	—	—	—	
May ...	109,976	74,372	184,348	—	—	—	885	448	1,333	—	1,333	
June ...	107,906	75,537	183,443	—	717	717	2,955	—	2,955	—	2,238	
July ...	105,943	76,688	182,631	—	1,868	1,868	4,918	—	4,918	—	3,050	
August ...	100,940	77,624	178,564	—	2,804	2,804	9,921	—	9,921	—	7,117	
September	97,650	79,411	177,061	—	4,591	4,591	13,211	—	13,211	—	8,620	
October ...	95,838	78,346	174,184	—	3,526	3,526	15,023	—	15,023	—	11,497	
November	95,703	78,759	174,462	—	3,939	3,939	15,158	—	15,158	—	11,219	
December	93,756	79,216	172,972	—	4,396	4,396	17,105	—	17,105	—	12,709	
1906.												
January ...	93,587	82,782	176,369	—	7,962	7,962	17,274	—	17,274	—	9,312	
February	93,882	85,414	179,296	—	10,594	10,594	16,979	—	16,979	—	6,385	

WITWATERSRAND NATIVE LABOUR ASSOCIATION, LIMITED.

SIR,

March 8, 1906.

I BEG to acknowledge receipt of your letter of the 2nd March, in which you ask if I can give any explanation of the decrease in the native labour supply on the mines, between the months of May, 1905, and January, 1906.

Any general explanation will be of little value. It is necessary to take each territory, which is a source of labour supply to the mines, separately, seeing that the conditions vary. I will, therefore, mention the principal sources of supply, one by one, and will give you in each case the conclusions which are based on the information available.

You will understand that the figures which I am using are in all cases the figures of natives in the direct employment of mines, members of the Association.

(1.) *East Coast*, that is *Portuguese territory south of Latitude 22°*. In the case of this, the main source of the supply of mine labour, it is not necessary to account for any decrease in the number employed during the period referred to, since there has been no decrease. The total number of east coast natives employed by members of the Witwatersrand Native Labour Association, Limited, on the 30th April, 1905, was 51,413, whereas on the 31st January last it was 56,104. This makes an increase in the number employed of 4,691. I anticipate that there will be a decrease in the course of the present year. But it is unnecessary to enter upon that subject now, as it is rather outside the scope of the enquiry contained in your letter.

(2.) *Northern Portuguese Territories*.—The number of natives from these districts (which are semi-tropical), employed by members of the Association on the 30th April, 1905, was 3,763. The number employed on the 31st January last was 3,240. These districts have only been opened in the last three or four years as a

source of labour supply, and the numbers coming out are still comparatively small, as natives take time to get into the way of leaving home for long periods. The actual decrease of 500 is more than accounted for by the fact that during the past year recruiting has been limited to the summer months, *i.e.*, to five months out of the 12. These being the months in which the natives have most occupation at home in agriculture, the number recruited has actually been much less than it would have been had recruiting been carried on in the winter.

(3.) *British Central Africa*.—The number of these natives employed by the members of the Association on the 30th April, 1905, was 2,017. The number employed on the 31st January last was 3,004 (this includes North-Eastern Rhodesia). The same remarks apply to these districts as to that last mentioned. This source of labour is only beginning to be developed, and the increase of a thousand would have been much greater had not recruiting to be stopped during the winter.

(4.) *Southern Rhodesia*.—The number employed on the 30th April, 1905, was 3,154, and on the 31st January last was 2,937. I may add that the number of these natives in the employment of the mines increased up to the 31st August, 1905, when it reached 4,952. Shortly after that date, owing to the shortage of labour becoming felt in Southern Rhodesia itself, the emigration of these natives to the Rand was stopped, and the number employed has naturally decreased as the contracts of the natives already on these fields have expired, and no more were coming forward. This decrease will, of course, go on, and in the course of a year from the present date, these natives will disappear from the Witwatersrand, as I understand that there is no probability of the Rhodesian Authorities allowing the emigration to be resumed.

(5.) *Transvaal*.—The number of Transvaal natives employed by members of the Association on the 30th April, 1905, was 9,779, and the number employed on the 31st January last, was 4,195, showing a decrease of 5,584. The explanation of the decrease in the number of these natives on the gold mines is partly to be found in the larger number of them who are employed in other industrial work. The number of Transvaal natives employed industrially, or in domestic service, in labour districts was 24,026, on the 30th April, 1905, and 28,151 on the 31st January last, showing an increase of 4,125. In addition to these, the labour requirements of the Premier Diamond mine, which are almost entirely supplied from Transvaal natives has increased considerably during the same period. I understand that, whereas that mine was employing about 3,000 natives nine months ago, it is to-day employing considerably over 4,000. This increase accounts for another 1,000 Transvaal natives, who, together with the 4,000 just referred to, are nearly equivalent to the total decrease in the number employed by members of the Association. As you are aware, all these natives naturally prefer employment in the towns, or highly paid surface employment like that of the diamond mines, to underground work on gold mines, and, therefore, the latter only obtain the labour which cannot get employment in either of these ways.

It should be added that the total number of Transvaal natives employed in labour districts has decreased between 30th April, 1905, and the 31st January last, from 41,353 to 37,188, a decrease of 4,165—allowing for the increase in the number employed industrially on other work than mining, and for an increase of 1,000 in the case of the Premier mine, and, on the other hand, for the decrease of 5,584 in the number of Transvaal natives employed in mining and similar work by employers who are not members of the Association.

I am inclined to think that the nett decrease of 4,165, which will appear from the above statement to have taken place in the total number of Transvaal natives at work in labour districts during the period under discussion, is to be explained by the working of the principle of alternating supply which I shall refer to at the end of this letter.

The total number of Transvaal natives at work in labour districts at the end of April, 1905, was considerably greater than at any previous period, and this would naturally lead, on the principle mentioned, to a subsequent decrease in the supply.

NOTE.—With reference to the above paragraph, and to its bearing on the labour supply afforded by the Transvaal itself, a point to be noticed is the shortage which actually exists at present with large Transvaal employers other than the mines of these fields, *e.g.*, the Johannesburg Municipality—though its work is surface

work—is stated to be over 500 boys short of its requirements at this moment. Glynn's Lydenburg and the Transvaal Gold Mining Estates, which are mines working in the heart of the native districts, are also suffering from shortage of labour, and have been so for some time.

(6.) *Cape Colony*.—The number of these natives employed by members of the Association on the 30th April, 1905, was 15,376, and on the 31st January last 4,853, showing a decrease of approximately 10,500. This decrease is accounted for by the fact that Cape Colony natives have never come to work on the gold mines if they could obtain a sufficiency of other employment to meet their requirements. The number at work in April, 1905, was quite exceptional, and was due to the following reasons:—(a) The industrial and commercial depression in the Cape Colony itself in the latter part of 1904 and the beginning of 1905, which threw many thousands of natives temporarily out of employment: (b) the occurrence at the same time of an exceptionally bad harvest in the native districts of the Cape Colony, which made it necessary for a larger number of natives than usual to leave home in order to earn a little money.

These two reasons were only temporary ones. Recently there have been more openings for these natives to obtain employment in the Cape Colony itself, and also in the Orange River Colony and Natal. The incompleteness of the labour statistics in that Colony—a matter in which, as you know, we are now endeavouring to effect some improvement—makes it difficult to quote actual figures in support of this view. But there is no doubt about the fact, in view of the numerous reports which we have received from the Transkeian territories. During the past six or seven months, several advertisements have been circulated in these territories, asking for large numbers of natives for various kinds of industrial employment other than gold mining, and it is clear from this that the ordinary field of employment for Cape Colony natives has again widened. One particular instance came to my notice the other day. A labour agent in a large way of business in the Cape Colony, informed me that he himself had during the past year engaged no fewer than 5,000 Cape Colony natives, on behalf of the German Government, for transport work in South-West Africa, and to his knowledge at least double this number had been engaged altogether for the same work, the rate of pay being £5 per month. This, of course, would have a similar effect to the large employment of natives by the British Army during the War.

Not only is a large number of natives withdrawn from other employment, but the high pay which they receive enables them to accumulate enough money to supply the pecuniary wants of themselves and their kraals for some time, so that the number of men going out to work is reduced, until the money is spent.

The effect of the bad harvest has, of course, passed off, and the very fact that an unusually large number of Cape Colony natives came up to the Transvaal to work about a year ago, also in part accounts for the small number coming up at present. The result was that an exceptionally large sum in cash has been going back to the kraals, as the natives completed their contracts and returned with their savings. This means that the kraals will not be pressed for money for some time. Unless the conditions which prevailed at the end of 1904 and the beginning of 1905 recur—that is, the contraction of other fields of employment accompanied by a poor harvest—it is not probable that the mines can look for an increase in the labour supply from the Cape Colony, and even if such increase took place, owing to the recurrence of similar conditions, it would only last as long as the conditions themselves lasted. It must always be remembered that mining work is not the primary occupation of the Cape Colony native (or, indeed, of any native at all). That is agriculture. Nor in the case of the Cape Colony native is it even a secondary occupation, to which he turns from time to time to supply the needs of his community for a certain amount of ready money. This is employment in the towns or on public works and other surface labour. Gold mining is the last kind of labour which he undertakes when he needs money and can obtain no other kind of employment.

(7.) *Basutoland, Orange River Colony and Bechuanaland*.—The number of these natives employed by members of the Association at the 30th April, 1905, was 6,388, and on the 31st January last was 2,486, showing a decrease of 3,902. The total number of these natives employed in labour districts of the Transvaal was, however, greater on the 31st January last than it was on the 30th April, 1905, being

16,922 at the former date, as against 16,642 at the latter. The decrease in the numbers employed by members of the Association has been more than balanced by an increase of 2,451 in the number employed in occupations other than mining, in Transvaal labour districts, and by an increase of 1,731 in the same districts on "outside mines and works," *i.e.*, in mining or similar works carried on by non-members of the Association. The total number of these natives employed in Transvaal labour districts has not, therefore, decreased, but a change has taken place in their distribution, owing to the increased requirements of employers other than gold mines.

(8.) *Natal and Zululand.*—The number of these natives employed by members of the Association on the 30th April, 1905, was 2,868, and on the 31st January last was 2,061, a decrease of 807. As you are aware, recruiting for employment in the Transvaal is prohibited by the Government of Natal, and the supply consists of boys who have found their own way here, and who, in many cases, have been a long time in the Transvaal. The slight decrease is again fully accounted for by the increased employment open to these natives in the Witwatersrand District itself in other employment than mining. 16,204 of these natives were so employed on the 30th April, 1905, and 17,536 on the 31st January last, an increase of 1,300, which is greater than the decrease on the mines.

(9.) *German South-West Africa.*—The number of these natives employed by members of the Association on the 30th April, 1905, was 643, and on the 31st January last was 460. The decrease is accounted for by a certain number of contracts having expired, and by the fact that further recruiting in that territory has for some time been prohibited by the German Government.

(10.) *Swaziland.*—The number of these natives employed by members of the Association on the 30th April, 1905, was 746, and on the 31st January last was 649. This decrease again is more than balanced by the increase in the number of these natives employed in labour districts of the Transvaal, on other than mining work. The number so employed was 1,025 on the 30th April, 1905, and 1,644 on the 31st January last, an increase of 619.

The above statement deals with every source from which natives are obtained or obtainable, for the mines. The decrease, where it has taken place, has been due to one of two causes; (a) as in the case of the Transvaal natives, and in that of Basutoland and Bechuanaland natives, to the increased requirements in the Witwatersrand area itself and in other labour districts of the Transvaal, for labour for other than mining purposes. As I have said above, employment in the towns is preferred by natives, if they can get it, and, therefore, they do not come to the mines until other occupations are full; (b) as in the case of Cape Colony natives, to the increased openings for employment in the other parts of South Africa, as compared with a year ago, and to the disappearance of the temporary causes which at that time compelled an unusually large number of these natives to look for work on the gold mines.

There is one general consideration which, as far as can be judged from the statistics and other information available, affects the labour supply of the mines in all districts, though it is, of course, accompanied by other considerations peculiar to the several districts, which sometimes are of more importance. That consideration may be called the principle of alternating supply. It seems to depend upon the well-known fact that the native is not a permanent industrial labourer, but only leaves his home for a certain part of his working life, in order to obtain the ready money which he needs or desires in addition to the produce of his land. I may illustrate its working in the following way. Assume that in a certain territory there are 48,000 natives of working age, and that, in order to supply the money requirements of the kraals in that territory, half that number have constantly to be at work. The normal course, in order to keep 24,000 constantly at work, and assuming that the natives went for six months at a time, would be for 4,000 to go out to work every six months, say, to the mines—for the purpose of the illustration I will neglect other forms of employment.

As long as the normal state of things continued, the number at work on the mines would be fairly constant. But suppose that owing to the failure of the harvest, or for some other reason, a much larger number than the normal one of 24,000 went to work on the mines during one period of six months; say, that 36,000 went during

this period. It is plain that the labour supply on the mines for the following six months, *i.e.*, until the contracts expired, would be considerably increased. But when the contracts expired, the labour supply on the mines would not merely fall to its normal figure, but would sink as much below it, as it had been previously above it, as far as this district was concerned, for the following reason:—36,000 having gone out to work, only 12,000 would be left to go out in the following period, during which the 36,000 would be taking their usual holiday. Moreover, assuming that each native returning home takes with him £10 in cash, the sum taken into the territory in question during normal times is £240,000 in each period of six months. But in the six months following the period in which 36,000 have gone to work, £360,000 will be taken into the territory. The effect of this unusually large supply of money will probably be to remove any immediate apparent necessity for further money to be earned, and as the native does not look very far ahead, it is likely that even the 12,000 whose turn it is to go out, will not all of them do so, there being apparently plenty of money in the kraals already. The fluctuation once having begun, it will take a long time to re-establish equilibrium, and before this is done, further causes may arise to start the fluctuation afresh. The natural result of the above will be that the labour supply on the mines will not remain constant at or about the normal figure of 24,000, but will alternate between a larger and smaller number.

The above case is, of course, merely an abstract one, and in practice would always be modified by many other conditions. But it may serve to illustrate the principle which seems undoubtedly to have some effect on the native labour supply of South Africa, for industrial purposes, under present conditions.

The working of this principle can certainly be traced in the fluctuations of the native labour supply from the East Coast, which being practically confined to the mines, is less subject than that of other districts to the modifying conditions referred to above.

I have, &c.,
F. PERRY,
Chairman.

W. Windham, Esquire,
Secretary for Native Affairs,
Pretoria.

P.S.—You will notice that the figures given of the natives from the various districts differ to some extent from those given in my memorandum presented to the Board on the 23rd November, 1905 (of which I believe I sent you a copy at your request), being rather smaller in each case. The reason for this is that the figures in that memorandum were those of natives employed by the whole of the mines and works in the Transvaal labour districts, whereas the figures in this letter simply relate to the number of natives employed by members of the Witwatersrand Native Labour Association. I do not think that the conclusions of this letter are in any way affected by the omission of the outside mining works, which are in no case concerned with deep level gold mining, and which, for practical purposes, may be reckoned on the same footing as other industrial employers.

Enclosure 2 in No. 122.

Pretoria, April 24, 1906.

In the concluding paragraph of my Minute, of the 28th March, I stated that a further report would be submitted upon the question raised in the Secretary of State's despatch, No. 48, of the 20th January last, as to the effect upon the labour supply of the rule introduced for the recruitment of natives in certain parts of South Africa for underground work, and for a longer period of contract.

I am now directed to submit a statement for the period in question, *viz.*, the 30th April, 1905, to 28th February, 1906, from which it will be seen that the decrease in the labour supply on mines in the number of labourers from the Cape Colony was 9,711, from the Transvaal 7,724, from Natal and Zululand 775, from British Bechuanaland 511, and from Basutoland 1,211.

As was pointed out in my previous report the net decrease in the total labour supply of 6,385 (which, as explained, was actually substantially less) on the 28th

February, 1906, as compared with the total number of labourers employed on the 30th April, 1905, may partially be attributed in the first place to a natural reaction upon the abnormal increase caused by a scarcity of food, and secondly, to an expanding demand for labour for other industries and for domestic purposes.

As underground work on the gold mines is an uncongenial form of employment to natives, a steady demand for other work, such as there evidently has been, was sure to divert a certain amount of labour which would otherwise have found its way to the mines.

There can, nevertheless, be little doubt that the alterations adopted by the mines in the conditions of its labour recruitment, by insisting upon underground work and extending the periods of contract, did operate as a deterrent to the inflow from the Cape Colony, the Transvaal, and Basutoland, as the natives from those Colonies have always been accustomed to short contracts from three to six months.

I am to observe, however, that the Witwatersrand Native Labour Association has since altered its conditions by accepting labourers for service on the mines from certain districts of the Cape Colony, and from Basutoland on four months and monthly contracts respectively on condition that in the case of the former 25s., and, in the latter, 20s. is refunded by each recruit in repayment of expenses incurred in bringing them here.

In view of the many factors which at all times govern the demand and supply of labour, particularly in connection with an industry such as the Witwatersrand Gold Mines—it is difficult to ascertain sufficient facts to form a basis for any exact explanation as to its periodical variation.

W. WINDHAM,

Secretary for Native Affairs.

The Private Secretary to

His Excellency the Acting Lieutenant-Governor.

STATEMENT showing Decrease in the Native Labour Supply for the Transvaal Mines from Cape Colony, Transvaal, Natal, and Zululand, Basutoland, and Bechuana-land for the period 30th April, 1905, to 28th February, 1906.

Territory.	Period.	Employed in—		Total.	Increase.		Decrease.		Nett In-crease.	Nett De-crease.
		Mines.	Other Employ.		Mines.	Other Employ.	Mines.	Other Employ.		
Whole of Africa.	April 30, 1905	110,861	74,820	185,681	}	—	10,594	16,979	—	6,385
	February 28, 1906.	93,882	85,414	179,296						
Cape Colony	April 30, 1905	17,530	16,253	33,783	}	—	2,411	9,711	—	7,300
	February 28, 1906.	7,819	18,664	26,483						
Transvaal	April 30, 1905	17,327	24,026	41,353	}	—	6,072	7,724	—	1,652
	February 28, 1906.	9,603	30,098	39,701						
Natal and Zululand.	April 30, 1905	3,848	16,204	20,052	}	—	—	775	2,163	2,938
	February 28, 1906.	3,073	14,041	17,114						
Basutoland	April 30, 1905	4,676	5,093	9,769	}	—	1,378	1,211	—	167
	February 28, 1906.	3,465	6,471	9,936						
British Bechuana-land.	April 30, 1905	1,553	1,403	2,956	}	—	47	511	—	464
	February 28, 1906.	1,042	1,450	2,492						

NOTE.—The difference between the nett decrease for the whole of Africa (6,385) and the nett decrease from the particular areas of supply mentioned in this return (12,187) is made up by a nett increase from all other sources to the extent of 5,802.

Enclosure 3 in No. 122.

SIR,

Transvaal Chamber of Mines, Johannesburg, May 3, 1906.

IN reply to your letter of the 19th April, I have to inform you that:—

1. Before the war no legal contracts for a definite period were entered into with coloured labourers on the mines, there being no machinery for that purpose. The length of time which the natives stayed on the mines varied according to the district of origin. Natives from the Transvaal itself, and from British South Africa, appear to have stayed generally for about six or eight months. Natives from Portuguese territory generally stayed a much longer period—perhaps two or three years.

2. In 1903-4 natives were contracted for the following periods:—

Portuguese East Africa	...	...	...	...	12 months.
Transvaal, Cape Colony, Basutoland, Orange River Colony, Bechuanaland and Swaziland				6	„

NOTE.—During this period a certain number of four months contract natives were recruited in one or two of the districts.

3. At the present time the periods of contract are as follows:—

Portuguese East Africa	...	...	...	...	1 year
British Central Africa	...	...	...	...	1 „
Cape Colony	...	...	...	...	6 or 4 months
Northern Transvaal	...	...	...	...	6 or 2 months
Bechuanaland	...	...	...	...	6 months
Eastern Transvaal and Swaziland	...	...	...	...	8 or 4 months
Basutoland and Orange River Colony	...	...	...	...	8 or 2 months

NOTE.—In the case of natives coming up on two or four months contract, they undertake to refund a part of their travelling expenses.

The twelve months contracts, as far as British South African natives are concerned, were only insisted upon during the period March to June, 1905. During that time they applied to the Cape Colony, Basutoland, Orange River Colony and Bechuanaland, but not to the Northern or Eastern Transvaal, where the period of contract at the same period was eight months, which has since been reduced, as stated above.

I am, &c.,
J. COWIE,
Secretary.

The Secretary,
The Mines Department,
Johannesburg.

No. 123.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 2.15 p.m., June 11, 1906.)

TELEGRAM.

June 11. No. 1. Your telegram 5th June, No. 1.* The continuance of the system of Chinese labour has been allowed by His Majesty's Government pending the formation of Responsible Government, although they disapproved of many of its conditions, and it is impossible that further restrictions either by legal enactment or by physical barriers should now receive their sanction during this provisional period. The 3rd, 4th, 5th, 7th, 9th, 10th, 11th, and 12th Recommendations appear to me useful. Otherwise lawless conduct must be controlled by the police under the law as it stands, and if this means increased cost, the extra expense involved should be charged, as is commonly done in this country in the case of large contracts, on those who have imported the disorderly element.

No. 124.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

MY LORD,

Downing Street, June 16, 1906.

I HAVE the honour to acknowledge the receipt of your telegram of May 9th, A,* and of certain other communications† noted in the margin, in which you have conveyed to me expressions of opinion against the policy of posting in the mines the notices to the Chinese labourers informing them of the offer of assistance to those who desire to return to China and can give satisfactory evidence of the genuineness of their application.

Into the reasons for the policy of His Majesty's Government in this matter I will not now enter. They have been sufficiently explained in Parliament.

But I desire to take this opportunity of referring to the statements in your telegram of May 9th* as to large numbers of tradesmen and miners leaving the Transvaal at the present time.

Up to now there has been no shrinkage in the supply of unskilled labour and the mining industry continues in a position to equal and to exceed its previous record in the output of gold.

The policy of His Majesty's Government in regard to Chinese labour has been to suspend further importation, but not to cancel the licences already granted, and at the present moment there are over 8,000 Chinese labourers still due to arrive in the Transvaal.

In face of this fact, it is clear that the lack of unskilled labour is not the cause of diminution of employment in the Colony.

If causes are to be assigned to the want of confidence in rapid future expansion to which a depletion of the population bears testimony, one of the most important seems undoubtedly to be the lack of success in controlling the Chinese labourers, which has given rise to strong feeling and to agitation. The seriousness of the position and the necessity of coping with it without delay have been fully recognised by you in the reply you made to the deputations which waited on you on the 4th of May‡ and on the 11th of May.

As regards the claim for compensation and repatriation at the public expense, which has been put forward by a deputation of miners, it is possible that cases of hardship may arise in connection with a policy adopted in the interests of the community at large. In order, however, to entitle a claim for compensation to consideration, it would be necessary to prove that the hardship was the direct result of the policy, and of the policy alone, and I am not aware of any cases at all analogous to those anticipated by the deputation in which it has been held that grounds for granting compensation exist. It is, of course, unnecessary to dwell on the essential difference which exists between the cases of labourers to whom a locality has ceased to offer a field of employment and those of the Chinese coolies to whom, in quite exceptional circumstances, it has been deemed just and right to offer repatriation.

I have, &c.,
ELGIN.

No. 125.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

MY LORD,

Downing Street, June 16, 1906.

I HAVE the honour to acknowledge the receipt of your despatch, of the 7th of May,§ forwarding Mr. Buckle's report on his enquiry into Mr. F. W. Johnson's allegations as to the ill-treatment of Chinese coolies on the New Kleinfontein Mine.

* No. 79.

† Nos. 83, 107-109, 113, 114, and 115.

‡ See pp. 75-77.

§ No. 102.

2. Referring to your telegram A of 30th April,* I do not consider it necessary that the evidence taken by Mr. Buekle should be forwarded to me.

I have, &c.,
ELGIN.

No. 126.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 6.50 p.m., June 16, 1906.)

TELEGRAM.

[*Answered by No. 130.*]

June 16. H. C. No. 6. Thirty-one more applications for repatriation have been received, making 43 in all.

No. 127.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 4.37 p.m., June 18, 1906.)

TELEGRAM.

[*Answered by No. 148.*]

June 18. No. 1. Telegraph number of Chinese coolies in prison in Transvaal on 31st May. Monthly returns of convictions should in future give number in prison at the end of month.

No. 128.

COMMISSIONER SIR A. SHARPE (BRITISH CENTRAL AFRICA) to THE EARL OF ELGIN.

(Received 8.40 p.m., June 20, 1906.)

TELEGRAM.

[*Answered by No. 137.*]

June 19. No. 24. Please telegraph whether recruiting for Transvaal is to continue or not. It is due to re-commence 1st July, and recruiters are now making necessary preparations. Death-rate, which is undoubtedly high, is only objection I know of, but if supervised emigration is stopped, natives will without doubt continue to go by land on their own account to districts to the south of Zambesi.

No. 129.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 5.35 p.m., June 21, 1906.)

TELEGRAM.

[*Answered by No. 149.*]

June 21. No. 1. Telegram to following effect appears in "Daily News" of 18th June. Chinese record for week is two hanged for murder, two tried for keeping disorderly house in which white women resided, one shot dead while attempting to

break into house in Heidelberg district, and gang robbed house in Rossetenville, brutally maltreated owner and his wife, and threatened to murder their children if they raised an alarm.

Please report fully by telegram.

No. 130.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

MY LORD,

Downing Street, June 22, 1906.

I HAVE the honour to acknowledge the receipt of your telegram, No. 6, of the 16th instant,* reporting the receipt of 31 additional applications for repatriation from Chinese coolies.

2. I take this opportunity of informing you that in reply to a question asked in the House of Commons on the 30th of May last, it was stated by the Under-Secretary of State that no limit would be placed upon the operation of the Repatriation Notice during such time as His Majesty's Government may retain any direct responsibility for the conduct of Transvaal affairs.

I have, &c.,
ELGIN.

No. 131.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 23, 1906.)

MY LORD,

Governor's Office, Johannesburg, June 4, 1906.

WITH reference to my despatch, of the 30th April, 1906,† I have the honour to forward, for your Lordship's information, a copy of the comparative statement of mortality amongst natives employed on mines in labour districts for the period ended 30th April, 1906.

I have, &c.,
SELBORNE,
Governor.

* No. 126.

† Not printed but see No. 11.

Enclosure in No. 131.

COMPARATIVE STATEMENT OF MORTALITY AMONGST NATIVES EMPLOYED ON MINES AND WORKS IN LABOUR DISTRICTS, INCLUDING NATIVES EMPLOYED BY CONTRACTORS.

January to April, 1905 and 1906.

Month.	No. of Natives employed.		No. of Deaths from Disease.		Death Rate per 1,000 per Annum from Disease.		No. of Deaths from Accident.		Death Rate per 1,000 per Annum from Accident.		Total No. of Deaths.		Total Death Rate per 1,000 per Annum.	
	1905.	1906.	1905.	1906.	1905.	1906.	1905.	1906.	1905.	1906.	1905.	1906.	1905.	1906.
January	94,905	101,230	334	357	42.23	42.32	43	41	5.44	4.86	377	398	47.67	47.18
February	102,039	101,893	312	268	36.69	31.56	47	98	5.53	11.54	359	366	42.22	43.10
March	109,651	102,954	333	250	36.44	29.14	52	33	5.69	3.85	385	283	42.13	32.99
April	113,789	103,332	316	233	33.32	27.06	44	42	4.64	4.88	360	275	37.97	31.94
Average	105,096	102,352	324	277	37.00	32.48	46	53	5.25	6.21	370	330	42.25	38.69

Native Affairs Department, Pretoria

No. 132.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 23, 1906.)

MY LORD,

Governor's Office, Johannesburg, June 4, 1906.

I HAVE the honour to acknowledge the receipt of your despatch of the 30th March,* covering copy of a question asked in the House of Commons by Mr. Smeaton as to the importation of opium for the use of Chinese coolies.

In reply, I have the honour to inform you that the total amount of opium imported up to the 30th April last under Ordinance No. 36/1905, was 223 lbs., valued at £148.

The importations were from the following countries :—

Turkey, 45 lbs., value £17.
China, 11 lbs., value £6.
Persia, 167 lbs., value £125.

I have, &c.,
SELBORNE,
Governor.

No. 133.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 23, 1906.)

MY LORD,

Governor's Office, Johannesburg, June 4, 1906.

I HAVE the honour to forward, under separate cover, six copies of the statistics of the Transvaal Mines Department for the month of April, 1906.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 133.

ABSTRACT. APRIL, 1906.

The following are the principal items to be noted in connection with the Statistics for the month :—

LABOUR (Statement No. 5).

Gold Mines.	Whites.	Coloured.	Chinese.
Witwatersrand Area	17,233	84,451	49,832
Other Districts	802	9,288	—
Totals for the Transvaal ...	18,035	93,739	49,832

Percentage of Coloured Persons not at work on the last day of the month	{ Witwatersrand	7·05
	{ Whole Transvaal	7·55
Percentage of Chinese not at work on the last day of the month	... ..	9·81

Coal Mines.	Whites.	Coloured.
Totals for the Transvaal	491	10,233

Per cent.

Percentage of Coloured Persons not at work on the last day of the month ... 10.86

Diamond Mines.	Whites.	Coloured.
Totals for the Transvaal	683	6,301

Per cent.

Percentage of Coloured Persons not at work on the last day of the month ... 6.14

GOLD OUTPUT (Statement No. 1).

	Fine Gold, ozs.	Value, £.
Witwatersrand Area	421,988.720	1,792,496
Other Districts	18,486.547	78,522
Total for the Transvaal ...	440,475.267	1,871,018

COAL OUTPUT (Statement No. 3).

	Tons.	Value, £.
Total for the Transvaal	227,120	65,613

SILVER OUTPUT.

	Fine Silver, ozs.	Value, £.
Total for the Transvaal	47,896.619	5,829

DIAMOND OUTPUT (Statement No. 4).

	Weight, Carats.	Value, £.
Total for the Transvaal	89,999.56	123,994

NOTE.—Figures for Swaziland are not included in this Statement.

PROGRESSIVE TOTALS.—GOLD OUTPUT.

Statement No. 1.

MONTH.				Fine Gold, ozs.	Value, £.
Statistical Year, 1901-1902				891,999·196	3,788,968
Statistical Year, 1902-1903				2,372,075·928	10,075,926
Statistical Year, 1903-1904				3,475,311·225	14,762,184
Statistical Year, 1904-1905				4,322,577·226	18,361,144
1905.—April				403,057·340	1,712,071
May				416,090·319	1,767,438
June				414,349·104	1,760,044
July				418,603·867	1,778,112
August				432,268·368	1,836,172
September				415,271·373	1,763,973
October				416,406·361	1,768,798
November				423,658·196	1,799,595
December				432,658·901	1,837,809
1906.—January				429,639·106	1,824,983
February				406,786·231	1,727,907
March				446,687·437	1,897,405
April				440,475·267	*1,871,018

* Exclusive of 332·507 Fine Gold ozs., value £1,413, recovered in Swaziland Territory.

B.—PROGRESSIVE TOTALS OF PERSONS (WHITE AND COLOURED) IN THE EMPLOY OF COMPANIES AND COMPANIES' CONTRACTORS
ON THE LAST DAY OF EACH MONTH SINCE APRIL, 1905.

MONTH.	GOLD MINES.		COAL MINES.		DIAMOND MINES.		OTHER MINES.		METALLURGICAL AND CHEMICAL WORKS.		TAILINGS SYNDICATES.		ALLUVIAL WORKINGS, &c. (Gold).		LIME WORKS.		GRAND TOTALS.		
	Whites.	Coloured.	Whites.	Coloured.	Whites.	Coloured.	Whites.	Coloured.	Whites.	Coloured.	Whites.	Coloured.	Whites.	Coloured.	Whites.	Coloured.	Whites.	Coloured.	Chinese.
1905—April ..	16,285	107,787	415	9,412	671	4,568	82	873	29	202	4	53	17	2	34	762	17,487	123,289	35,575
May ..	16,676	106,864	411	9,068	620	4,011	82	921	32	177	4	65	5	4	30	532	17,800	121,642	38,111
June ..	16,889	101,902	462	9,567	601	3,665	109	1,441	28	20	6	70	7	12	34	574	18,236	120,131	41,340
July ..	17,170	103,623	503	9,335	582	2,999	107	988	31	207	4	34	9	3	33	620	18,439	117,809	43,191
August ..	17,429	100,081	501	9,554	563	3,536	112	929	30	145	8	54	8	6	34	639	18,715	114,944	44,609
September ..	17,794	97,721	510	9,950	645	4,132	121	915	36	138	7	53	2	4	33	620	19,146	113,253	44,538
October ..	18,359	96,392	503	9,574	633	4,240	136	1,132	31	159	5	38	9	13	32	571	19,708	112,119	45,956
November ..	18,125	96,283	517	9,381	569	4,252	149	1,192	32	174	7	41	10	27	28	555	19,437	111,905	45,856
December ..	18,150	93,831	522	9,609	609	4,089	166	1,416	34	181	5	54	13	64	19	405	19,527	109,649	47,297
1906—January ..	18,582	93,933	491	9,731	604	4,381	133	1,134	48	211	8	102	6	20	34	651	19,909	110,163	47,166
February ..	18,529	93,843	519	9,536	595	5,337	167	1,585	42	221	15	169	5	2	34	621	19,906	111,314	50,000
March ..	18,617	94,277	531	9,870	606	6,141	167	1,596	45	221	19	181	7	21	32	541	20,044	112,848	49,922
April ..	18,935	93,739	491	10,233	683	6,301	175	1,719	44	194	15	111	14	68	24	456	19,481	112,821	49,832

* These figures do not include 814 Coloured Convicts.
NOTE.—These figures do not include 43 Whites and 452 Coloured Persons employed by three Gold Mines, and 17 Whites and 339 Coloured Persons employed by one Tin Mine in Swaziland.

No. 134.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 23, 1906.)

MY LORD,

Governor's Office, Johannesburg, June 4, 1906.

I HAVE the honour to transmit to you the accompanying copy of the petition presented to me by the indentured coolies on the Jumpers Deep Mine, to which I referred in my telegram, No. 3, of May 28th.*

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 134.

Petitioners wish to point out with all respect that the Chinese labourers, who came to South Africa, were not all destitute, nor without previous occupation. On enlistment they were each handed a contract, in terms of which they clearly know that they have engaged for work on the mines for a period of three years, whereafter they are to return to their country of origin.

They are now given to understand that His Majesty the King of Great Britain wishes to send back the Chinese labourers in batches (or gradually).

It would appear not to be realised that, although they differ as to degrees of virtue and intelligence, petitioners have all avocations to pursue in China, and that until their indentures expire, their savings will be inappreciable in amount. If they are suddenly repatriated they will have fallen between two stools (*i.e.*, they will have lost their occupation in both countries).

They therefore pray that the manager will, as an act of grace, pay them the full amount of wages for the unexpired portion of their three years' contract, so that they may have the wherewithal to start life anew.

And petitioners will be filled with a spirit of infinite gratitude.

May 26, 1906.

Kuanghsu XXXII 4.4.

No. 135.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 23, 1906.)

MY LORD,

Governor's Office, Johannesburg, June 4, 1906.

WITH reference to my despatch of the 14th May,† I have the honour to enclose, for Your Lordship's information, a statement of convictions and sentences on Chinese labourers for the month of April, 1906.

I have, &c.,
SELBORNE,
Governor.

* No. 106.

† No. 110.

Enclosure in No. 135.

FOREIGN LABOUR DEPARTMENT.

RETURN of Convictions and Sentences on Chinese Labourers for the month of April, 1906.

Crime or Offence.	Total No. of Labourers Sentenced.	Summary of Sentences.	Remarks.
State Offences—			
Arms ordinance	Nil.		
Contempt of court	Nil.		
Escaping from custody	1	Two months' hard labour.	
Public violence	2	Three months' imprisonment with hard labour.	
Resisting police	Nil.		
Possession of dangerous weapons	Nil.		
Offences against the Person—			
Assault (common)	73	From 5s. fine or seven days' imprisonment with hard labour to four months and six lashes.	Fines paid in six cases.
Assault (with intent)	6	Three months' hard labour and six lashes to six months' imprisonment with hard labour.	
Assault (indecent)	Nil.		
Assault (other kinds)	Nil.		
Homicide	2	From 18 months' hard labour to 15 years' hard labour.	
Murder	11	Four sentenced to death others imprisonment for life.	
Murder (Attempted)	6	Ten years' hard labour and 15 lashes.	
Rape	Nil.		
Sodomy	Nil.		
Offences against Property—			
Forgery	9	From 10s. fine or seven days' imprisonment with hard labour to one months' imprisonment with hard labour.	Fines paid in five cases.
Malicious injury to property ...	4	Two months' imprisonment with hard labour.	
Theft (common)	22	From seven days' hard labour to three months' hard labour.	
Theft by violence	7	From three months to six months and ten lashes.	
Theft by housebreaking by day	27	From six weeks' hard labour to five years and 12 lashes.	
Theft by housebreaking by night	22	From three months' hard labour to three years' hard labour.	
Theft by fraud or false pretences	2	One month's imprisonment with hard labour.	
Carried forward	194		

Crime or Offence.	Total No. of Labourers Sentenced.	Summary of Sentences.	Remarks.
Brought forward	194		
Other Laws—			
Mines, works and machinery regulations.	6	From 10s. fine or seven days to two months' hard labour.	Fines paid in four cases.
Liquor Law, Section 48, Ordinance 32 of 1902.	2	From seven days' hard labour to one month.	
Offences under the Labour Importation Ordinance or its Regulations—			
Contravention Section 19, Ordinance 17 of 1904 (absence without permit).	21	From a fine of 2s. 6d. or three days to £10 or one month.	Fines paid in five cases.
Contravention Section 31, Sub-Section 11, Ordinance 17 of 1904 (desertion).	569	From 5s. fine or five days' hard labour to £20 fine or two months.	Fines paid in 90 cases.
Contravention Section 20, Sub-Section 2, Ordinance 17 of 1904 (unlawful absence).	231	From 10s. fine or seven days' hard labour to £4 or one month.	Fines paid in 15 cases.
Contravention Section 8, Sub-Section 15, Ordinance 27 of 1905 (illegal possession of opium).	72	From 10s. fine or seven days' hard labour to £20 or three months.	Fines paid in 12 cases.
Contravention Section 8, Sub-Section 17, Ordinance 27 of 1905 (fraud in the performance of work).	Nil.		
Contravention Regulation 44 of 1905 (issued under Ordinance 17 of 1904).	7	From 5s. fine or three days to £1 or seven days.	
Other offences under these Ordinances.	15	From 5s. fine or three days to one month's hard labour.	
Total	1,117		

In no case was a fine deducted from pay.

No. 136.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

MY LORD,

Downing Street, June 23, 1906.

I HAVE the honour to acknowledge the receipt of your despatch of the 9th of April,* forwarding copies of letters from the Transvaal Chamber of Mines, commenting upon my telegram of the 16th of February, No. 2,† on the subject of the supply of labour available for the mines.

2. I have read these letters with interest, and I am obliged for the information which they supply.

3. The Chamber of Mines apparently do not dispute the first point raised in my telegram,† viz., that the heads of the mining industry have themselves abated by two-thirds the estimate put forward in 1903 of the probable requirements of the mines in the way of labour.

4. With regard to the second point which I raised, I may observe that it does not appear to have been quite rightly apprehended. I wished it to be understood that His Majesty's Government were not prepared to take it for granted that one-third of the mines now working would lie idle if the Chinese coolies were repatriated at the termination of their engagement; but that they believed that the efforts of the industry in all directions would avert such a result in part, if not altogether.

* No. 66.

† No. 68 in [Cd. 2819].

I did not intend to convey the impression that this object could be expected to be achieved simply by a more extensive use of labour-saving appliances.

I have, &c.,
ELGIN.

No. 137.

THE EARL OF ELGIN to COMMISSIONER SIR A. SHARPE (BRITISH CENTRAL AFRICA).

(Sent 6.10 p.m., June 25, 1906.)

TELEGRAM.

June 25. No. 13. Your telegram, No. 24, 19th June.* Recruiting is not to be continued unless mortality returns of British Central Africa natives on the mines for the year ending 30th June show a material decrease. I am asking Governor, Transvaal, to telegraph these returns as soon as they are ready, and recruiters should not be allowed to recommence operations pending my decision.

No. 138.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 5.30 p.m., June 26, 1906.)

TELEGRAM.

June 26. No. 1. Referring to my telegram of 21st May, No. 6, † total number of persons employed in gold mines of the whole Transvaal on 31st May: white 18,309, coloured 92,576, Chinese 50,974.

No. 139.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 4.55 p.m., June 26, 1906.)

TELEGRAM.

June 26. No. 2. Referring to my telegram 21st May, No. 7, ‡ official return of white workmen in mines of the Witwatersrand district in the month of May show increase of 258.

No. 140.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

MY LORD,

Downing Street, June 26, 1906.

I HAVE the honour to acknowledge the receipt of your despatch of the 21st of May, § forwarding a letter addressed to me by General Louis Botha, on the subject of the outrages committed by Chinese labourers, within and in the neighbourhood of the Witwatersrand District.

2. You communicated to me representations on this subject from General Botha in your telegram A. 3 of the 18th ultimo, || and you have, no doubt, addressed a reply to him in the terms of my telegram, No. 2, of the 21st ultimo. ¶

3. I shall be glad if you will inform General Botha that I understand that the Transvaal Government are fully alive to the importance of putting an end to

* No. 128.

† No. 95.

‡ No. 96.

§ No. 120.

¶ No. 89.

¶ No. 93.

the outrages, and that the mine-owners recognize the seriousness of their responsibilities in the matter; that it is believed that by the proper control of the labourers, without any infringement of the liberty which they enjoy by law, it will be possible to prevent the recurrence of such outrages, and thereby put an end to a situation which would otherwise be intolerable; and that His Majesty's Government propose to await the result of the measures taken in pursuance of the Committee's recommendations.

I have, &c.,
ELGIN.

No. 141.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 11.45 a.m., June 26, 1906.)

TELEGRAM.

[*Answered by No. 147.*]

June 26. No. 1. Your telegram, 9th May, No. 1.* Have you succeeded in obtaining evidence sufficient to support prosecution? Report fully by telegraph.

No. 142.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 1.7 p.m., June 28, 1906.)

TELEGRAM.

[*Answered by No. 150.*]

June 28. No. 1. Are you satisfied that contents of repatriation notice are generally known to and understood by Chinese coolies? It has been suggested that difference in dialect or ignorance of literary language may leave many in ignorance of offer of His Majesty's Government.

No. 143.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 4.30 p.m., June 28, 1906.)

TELEGRAM.

June 28. No. 2. Issue of a fresh notice is proposed. Notice as contained in your telegram 28th April, A,† is to be amended as follows:—

(a) Fourth sentence beginning "this is a provision" ending "against your will" should be omitted.

(b) Seventh sentence beginning "an exceptional" ending "gratitude" should be omitted.

(c) For sentences 9, 10, 11 beginning "if circumstances" down to "favoured treatment" substitute following "I will take note of and register the application. It will then be your duty to work on your mine faithfully and honestly for one month. If at the end of this period, you are still of the same mind and will contribute half

* No. 81.

† No. 67.

the wages earned in the month towards your travelling expenses I will arrange for your return to China without unnecessary delay."

(d) Sentence 13 beginning "for you all" ending "fair trial" should be omitted.

(e) Sentence 16 beginning "I solemnly" ending "accordingly" should be omitted.

(f) Omit last words of last sentence beginning "and that steps will be taken."

(g) Formula at the end inviting coolies to tremblingly obey should be omitted.

Please let me have your observations upon issue of notice in this amended form.

No. 144.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 8.45 p.m., June 28, 1906.)

TELEGRAM.

[Answered by No. 152.]

June 28. No. 8. Send by first mail report on prosecution of Manager of Cason Mining Company for alleged cruelty to Chinese coolie. Press telegram alleges that at inquiry before Police Commissioner coolies stated that they signed untrue statement on instigation of Wilkinson, Inspector of Foreign Labour.

No. 145.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 30, 1906.)

MY LORD,

Governor's Office, Johannesburg, June 11, 1906.

I HAVE the honour to acknowledge the receipt of your despatch of the 30th March,* on the subject of the treatment of Chinese coolies.

2. Both Li Chang Yueh and Wang Wang Chang have been repatriated and no further enquiry is being made into their cases.

3. I am informed by the Foreign Labour Department that the term "policeman," as applied to Chinese watchmen and translated into Chinese, is understood by all the coolies on the mines in the general acceptance of the word "overseer," and that it does not lead them to suppose that they are endowed with legal authority.

4. The question of arrests made on mine premises was dealt with in my telegram, No. 2, of the 27th April.†

I have, &c.,
SELBORNE,
Governor.

No. 146.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received June 30, 1906.)

MY LORD,

Governor's Office, Johannesburg, June 11, 1906.

WITH reference to my despatch of the 16th April,‡ enclosing a copy of a memorandum by the Transvaal Chamber of Mines on the proposals of His

* No. 35.

† No. 62.

‡ No. 72.

§ See Appendix No. IX. for Notice as finally settled.

Majesty's Government for the repatriation of such Chinese labourers as wish to avail themselves of the facilities offered, I have the honour to enclose a copy of a further communication from the Secretary of the Transvaal Chamber of Mines with respect to a statement made in the House of Commons lately by the Under-Secretary of State for the Colonies, referring to the terms of repatriation.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 146.

TRANSVAAL CHAMBER OF MINES.

SIR,

Johannesburg, June 8, 1906.

It has been brought to the notice of my Executive Committee that a statement was made lately in the House of Commons by the Under-Secretary of State for the Colonies, to the effect that the cost of repatriating those coolies who avail themselves of the terms of the State-aided repatriation under the terms of the notice recently posted in the compounds would not exceed £17 10s. per head.

My Committee desires to draw the attention of His Excellency to Clause 9 of the Memorandum dated the 4th April last, forwarded to His Excellency, and desires to reiterate the fact that the sum of £17 10s. by no means represents the total cost of introducing and repatriating each Chinese indentured labourer.

I am directed respectfully to request that His Excellency convey this information to His Majesty's Government.

I have, &c.,
J. COWIE,
Secretary.

The Private Secretary to
His Excellency the Earl of Selborne,
G.C.M.G., P.C.,
Governor of the Transvaal.

No. 147.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 2.16 p.m., June 30, 1906.)

TELEGRAM.

June 30. No. 1. Your telegram 26th June, No. 1* Case in the hands of Public Prosecutor, Johannesburg, who is issuing summons for 2nd July; delay has been unavoidable.

No. 148.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 4.48 p.m., July 2, 1906.)

TELEGRAM.

July 2. No. 3. Your telegram of 18th June.† Total number of Chinese coolies in prison in Transvaal on 31st May was 1,311. Monthly returns of convictions will in future show number in prison at the end of months.

* No. 141.

† No. 127.

No. 149.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 6.20 p.m., July 2, 1906.)

TELEGRAM.

July 2. No. 2. Referring to your telegram of 21st June, No. 1.*

One Chinaman sentenced to death before High Court on 24th April, 1906, for murder of Louis Dison, a European storekeeper at Germiston on 27th November, 1905; sentence carried out 11th June, 1906. Another Chinese coolie sentenced to death before Supreme Court on 26th April, 1906, for murder of Mamatola, a native girl, on 1st February, 1906; sentence carried out 11th June, 1906.

Two Cantonese storekeepers, not mine coolies, now under preparatory examination for brothel keeping. Two white Dutch girls implicated.

At 11 night 12th June Cravett, farmer Heidelberg district, aroused by Kaffir boy in kitchen, seized his gun, saw Chinaman entering window back room, Cravett fired, shooting Chinaman knee and left side. Chinaman found next morning dead; has been identified by coolies from East Rand Proprietary Mines. Two iron bars found at back room window; from spoor estimated five others in gang with Chinaman who was killed.

House of Mr. Snashall, Rossettenville, entered at midnight on 15th June by two Chinese coolies; Snashall received slight bruise on hip; his wife struck over eye with piece iron piping, not serious; two watches and a brooch taken.

No. 150.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 11.15 p.m., July 3, 1906.)

TELEGRAM.

(Extract.)

July 3. No. 1. Your telegram of 28th June, No. 1.† Jamieson is of opinion that the notice is universally understood as applicants, now numbering 57, include many from illiterate coolies and if the terms of the offer are understood by them presumably they are by all. Care was taken only to employ phraseology intelligible to the ordinary coolie.

No. 151.

THE EARL OF ELGIN to GOVERNOR THE EARL OF SELBORNE.

(Sent 6.5 p.m., July 5, 1906.)

TELEGRAM.

July 5. No. 2. The following answer has been given in the House of Commons to-day:—

Begins: In order to remove all possible doubt or suspicion as to the intentions of His Majesty's Government from the minds of the Chinese coolies and others, the Secretary of State has given instructions for the issue and posting of an amended Proclamation which I will shortly lay upon

* No. 129.

† No. 142.

the Table of the House. All minatory and hortatory sentences contained in the original Proclamation will be omitted. And for the following words: "If circumstances appear to me to warrant it, I will take note of and register the application, but the applicant will thereafter have to make an honest effort by working on his mine to earn a contribution towards his expenses. Of such honest efforts I will constitute myself the judge and should any fail in this respect his application will be cancelled. On receipt of the applications from the various mines I will carefully weigh each individual case and decide which of them are deserving of the generous consideration of the Government and entitled to this favoured treatment" will be substituted the following: "I will take note of and register the application. It will then be your duty, if required, to work on your mine faithfully and honestly for one month. If at the end of this period you are still of the same mind and will contribute half of the wages earned in that month towards your travelling expenses, I will arrange for your return to China without unnecessary delay."

Further, upon the question of a time limit, in view of the evident public advantage to be gained by the certain and total arrest of all importations of coolies under outstanding licences before the establishment of a Transvaal Representative Assembly the Secretary of State will now name 30th November as a date after which His Majesty's Consular Representatives in China may be instructed to resume the functions now delegated by them to the Transvaal Emigration Agents in respect of recruiting, and to discontinue the issue of all licences to recruit. *Ends.*

No. 152.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 5.6 p.m., July 7, 1906.)

TELEGRAM.

July 7. No. 2. Your telegram 28th June, No. 8.* Charge of assault was preferred against Jimson, Compound Manager in question, and case heard at Boksburg on 25th June. Case was dismissed by Magistrate, who stated it was concocted charge on part of Radcliffe, on whose affidavit proceedings were instituted. Radcliffe was arrested and charged with perjury, preparatory examination being down for hearing 13th July. Despatch will be sent to you in due course giving report of prosecution of Radcliffe.

No. 153.

GOVERNOR THE EARL OF SELBORNE to THE EARL OF ELGIN.

(Received 6.17 p.m., July 8, 1906.)

TELEGRAM.

July 8. No. 1. See my despatches of 14th May and 4th June† for offences for which Chinese coolies were convicted in March and April. Similar returns for May, now on their way to you, show 6 coolies convicted of murder, 48 of common assault, 4 assault with intent, 1 housebreaking by night, and 20 housebreaking by day. Practically all the crimes mentioned, other than housebreaking, are cases of crimes committed by one coolie upon another. Returns for June are not yet available.

* No. 144.

† Nos. 110 and 135.

APPENDIX I.

COMPARISON OF PASSAGES IN THE "MANCHESTER GUARDIAN" TRANSLATION AND THE OFFICIAL TRANSLATION, WHERE THESE TRANSLATIONS APPEAR TO DIFFER IN MEANING.

NOTE.

(A.) Abbreviations.

"Manchester Guardian" translation = M.G.T.
Official translation = O.T.

(B.) References in the "Manchester Guardian" translation are given with the line or lines in which they appear of columns 1, 2, or 3 of the translation (*see* "Manchester Guardian," June 15, 1906). References in the official translation are given with the line or lines in which they appear in the telegram from Governor the Earl of Selborne to the Earl of Elgin.

(C.) Where the translations appear to differ in meaning the passages in the two translations are quoted for comparison.

I.—M.G.T. (column 1, lines 47-53) reads:—

"Kieh [*i.e.*, Chieh or ? Jamieson], Chinese Labour Administrator for South Africa, under the orders of His Britannic Majesty's Government:—

"In the matter of issuing a proclamation:—

"Now all you Chinese labourers, one and all, make yourselves acquainted with what follows."

O.T. (lines 1-2) reads:—

"Notification addressed to Chinese indentured labourers on the Witwatersrand Gold Mines."

There is no mention in the Chinese text of the words "indentured" or "Witwatersrand gold mines."

II.—M.G.T. (column 2, lines 10-12) reads:—

"who do not very well understand the clauses under which you go down into the mines of this place,"

O.T. (lines 5-6) reads:—

"not appreciating the conditions under which mining is carried on in this country,"

The general meaning of the two translations appears to be much the same, but the former seems to be the more concise.

III.—M.G.T. (column 2, lines 12-13) reads:—

"in such wise that not unnaturally you feel aggrieved in your hearts."

A more correct literal translation might be "cannot prevent yourselves from feeling aggrieved in your hearts."

O.T. (line 7) reads:—

"are discontented in spirit."

This is the meaning of the Chinese text.

IV.—M.G.T. (column 2, line 15) reads:—

"had never been used to hard work at all."

O.T. (line 8) reads:—

"unaccustomed to strenuous manual labour."

O.T. gives the meaning of the Chinese text.

V.—M.G.T. (column 2, lines 17-18) reads:—

"circumstances certainly meriting pity and compassion."

O.T. (line 9) reads:—

"Cases such as these give rise to feelings of compassion."

M.G.T. would make it appear that only those, to quote its own words, "who in China had never been used to hard work at all," merited compassion, whereas O.T. gives the correct meaning of the Chinese text in considering that the cases of the "discontented in spirit" and of those "unaccustomed to strenuous manual labour" alike "give rise to feelings of compassion."

VI.—M.G.T. (column 2, lines 29-31) reads:—

"without pressure, compulsion, or attempt to detain you."

O.T. (lines 14-15) reads:—

"it cannot be said that you are detained here against your will."

The Chinese text conveys the meaning that it cannot be said that the Chinese labourers are *forcibly* detained here [*i.e.*, in the Transvaal] against their will.

VII.—M.G.T. (column 2, lines 41-42) reads:—

"or perhaps not insisting upon the repayment,"

O.T. (line 19) reads:—

“and not to insist on the full payment.”

O.T. is correct.

VIII.—M.G.T. (column 2, lines 50-51) reads:—

“for purposes of checking and inquiry.”

The two Chinese ideographs in the Chinese text translated above by “checking and inquiry” mean “verification” in this context.

IX.—M.G.T. (column 3, lines 2-4) reads:—

“when the wages that you earn will be counted up as supplementary towards the reimbursement of expenses.”

O.T. (lines 27-28) reads:—

“to earn a contribution towards his expenses.”

O.T. presumably means that the labourer must hand over his earnings towards making up the sum due from him for travelling expenses, under Clause 14 of his contract.

“Expenses” in the Chinese text are defined as “travelling expenses.” The meaning conveyed in the Chinese text appears to be that the labourer’s earnings will be reckoned as a contribution towards the amount which would make up his travelling expenses.

X.—M.G.T. (column 3, line 11) reads:—

“from all the mines.”

O.T. (line 30) reads:—

“from the various mines.”

The Chinese ideograph “Ko” may mean either “all the” or “the various.” But, from the context of the Chinese proclamation, it is clear that the rendering given in O.T. is the correct one.

XI.—M.G.T. (column 3, lines 13-17) reads:—

“and if I find they can be granted, after division into the categories of those labourers entitled to or not entitled to compassionate indulgence, the granting or not granting of special favour will most certainly follow as stated.”

O.T. (lines 31-33) reads:—

“and decide which of them are deserving of the generous consideration of the Government and entitled to this favoured treatment.”

M.G.T. is somewhat obscure in meaning. The word “granted” in this translation refers to the petitions, but the meaning of the Chinese text is “allowed to be filed.” Allowing for this discrepancy, M.G.T. may perhaps be construed as meaning to convey the sense given by the correct rendering of O.T.

XII.—M.G.T. (column 3, lines 17-24) reads:—

“But new arrivals whose period of labour has not reached six months may not send in petitions.

“The fact is that in nearly all matters there are at the outset difficulties which disappear afterwards, and those who have not laboured for some time are naturally insufficiently acquainted with all the circumstances.”

O.T. (lines 33-37) reads:—

“It must be understood that no one who has not served in the Transvaal for at least six months need apply. For you all know that beginnings are not easy and anyone undertaking work partaking of a novel character cannot be in a position to judge whether or not he is fit for it until he has given it a fair trial.”

M.G.T. appears to have lost the correct meaning by splitting paragraphs.

The second sentence, as given in O.T., “For you all know . . . fair trial,” supplies the reason for the first sentence, “It must be understood . . . need apply,” and this is the meaning of the Chinese text.

The second sentence may be rendered literally thus—“Verily, in most matters the first are the difficult steps, and he who has not been long engaged on his task will be unfamiliar with its details [and so cannot say if he is fitted for it or not].”

XIII.—M.G.T. (column 3, lines 24-30) reads:—

“Hence all you labourers, if you really desire to return home, must go about your work in an orderly way, save up money, and, in accordance with the fourteenth article of your agreements, hand in the amount of your expenses, as is indeed your right and duty.”

O.T. (lines 37-39) reads:—

“The obvious duty of all who desire to return to China is to save money and avail themselves of the provisions of the 14th clause in their contract of service.”

The mistake made in M.G.T. of separating the two sentences in XII., referred to above, led the translator into the error of coupling this sentence with the second one in XII. There is no “hence” in the Chinese text, which may be literally rendered “it is, indeed, the duty of all who truly wish to return to China to mind their own business, do their work, save their money, and, under Clause 14 of their contract, hand in their travelling expenses.”

XIV.—M.G.T. (column 3, lines 38-41) reads:—

“Should there be shameless fellows who seek pretexts to deceive and hoodwink, so soon as ever detected they will be punished according to law.”

O.T. (lines 41-43) reads:—

“I solemnly warn you that any attempt to deceive me by misrepresentations which are punishable by the law of the Transvaal will be dealt with accordingly.”

The Chinese text of this passage may be translated literally as follows:—

“If any shameless fellows use this proclamation as a pretext to deceive me, they will on detection be dealt with according to the law [of the Transvaal].”

XV.—M.G.T. (column 3, lines 41-45) reads:—

“But you must all understand that none of those authorised to return home subsequent to the issue of this proclamation will ever be allowed to come back to this place.”

O.T. (lines 43-46) reads:—

“And it must further be distinctly borne in mind by all who make application as a result of this notice that if allowed to return to China they will never under any circumstances be allowed to re-enter the Transvaal.”

M.G.T. appears to convey the sense that all Chinese labourers returning to China, whether they have carried out Clause 14 of their contract or not, will be forbidden to come back to the Transvaal. The Chinese text says “after the issue of this proclamation those who are authorised to return to China are to take note that they will never be allowed to come back to this country.” The Chinese text does not appear to me to bar the return to the Transvaal of labourers who have fulfilled Clause 14 of their contract. I consider the correct sense of the Chinese text is given by O.T.

XVI.—M.G.T. (column 3, lines 47-57) reads:—

“Wherefore you Chinese labourers in the gold mines!”

O.T. omits these sentences. They are the usual formulæ of a Chinese official proclamation of this description, and it is generally the practice to omit them in translations into English.

XVII.—The “Manchester Guardian” calls its translation a “literal translation.” Now a strictly literal translation of a Chinese official document is apt in passages to become unavoidably obscure in language, and to lose the spirit of the original, and, in these ways, to mislead the reader unintentionally. The Chinese proclamation under consideration is in form and phraseology, to all intents and purposes, a Chinese official document. To render this into intelligible English, and, at the same time, to preserve the strict sense of the original, it is necessary to depart in some degree from a too literal translation.

I think the official translation is essentially correct and conveys the spirit of the Chinese text.

E. C. WILTON,
H.M. Consular Service in China.

ANNEXURE I.

“THE MANCHESTER GUARDIAN,” Friday, June 15, 1906.

THE REPATRIATION NOTICE: A LITERAL TRANSLATION.

Our copy of the Chinese Repatriation Notice recently posted up in the Rand mines is reproduced from the Johannesburg “Star” of May 12, with the difference that our copy is printed the right side up. The proclamation begins at the top of the column on the extreme right-hand side; the reader proceeds, in the case of each column, from the top to the bottom, and from the right-hand side of the notice to the left as he goes from column to column. Sometimes, as in the first column to the right and two columns near the centre, characters are raised above the line; this is a mark of honour, and usually signifies an allusion to Government, Majesty, Law, &c. The big dab towards the left, the line-dab, and two other dabs to the left again of that are in red ink, and signify that the official issuing the proclamation signs or “dabs” officially the essential words. The two columns to the left bearing an oblong seal give the dates (Chinese and Western) of the proclamation.

The official English version of the “repatriation notice” has been read by Mr. Churchill in the House of Commons. Contrary to the expectation of the Rand capitalist ring, only a few coolies have yet applied to be repatriated. It is not a convincing explanation to say that the coolies are satisfied with the conditions of their life and do not desire a free passage back, for, according to the Johannesburg “Star,” up to February 28th over 300 coolies paid their passage both to and from South Africa in order to be repatriated, and 210 have made the same offer since then. Probably a variety of reasons have induced the Chinese to look askance at the notice, including the qualifications and warnings which it contains. The “Star” weekly edition of May 19th publishes a photograph with the descriptive title “The ambiguity of the Poster gave rise to lengthy discussions.” In these circumstances we have submitted the Chinese text to an eminent Chinese scholar, who sends us the following literal translation:—

“Kieh [*i.e.*, Chieh, or ? Jamieson]. Chinese Labour Administrator for South Africa, superintendent under the orders of His Britannic Majesty’s Government:—

COLUMN 1.
Line 47.

“ In the matter of issuing a proclamation :—

“ Now all you Chinese labourers, one and all, make yourselves acquainted with what follows. All you Chinese labourers, when you started from China to proceed to Africa, were parties to an agreement made with you that you were to labour at the gold mines, and you are each and all provided with the original document of agreement signifying your willingness to act accordingly. Although this is so, I, the Superintendent, have recently heard it stated that amongst you Chinese labourers there are some who do not very well understand the clauses under which you go down into the mines of this place, in such wise that not unnaturally you feel aggrieved in your hearts. Then, again, there are certain amongst you who in China had never been used to hard work at all, and thus who on arrival at the mines find yourselves in an embarrassing situation, circumstances certainly meriting pity and compassion.

COLUMN 2.
Lines 10-13.

Line 15.
Lines 17-18.

“ Now, you must all know that under the 14th clause of the original agreement it is provided that ‘ any labourers who, before the expiry of their term, may desire to cancel their agreement, are quite at liberty to do so, only they must repay to their employers the expenses of their going and coming before permission can be granted.’ Any of you labourers are free under this stipulation to hand in the cost of your coming from and returning to the place of your origin without pressure, compulsion, or attempt to detain you. Moreover, if perchance there be any of you who are genuinely desirous of returning home, but, being short of money to hand, have insufficient for the repatriation expenses, such of you labourers who may be in this plight are authorised to hand in your own personal petition to me, the Superintendent, who, after looking into the facts, will take such steps as may seem desirable, praying the Government to consider whether it is a case for gracious favour, or perhaps not insisting upon the repayment, as stipulated in the agreement, of the whole repatriation expenses due. This is a matter of exceptional kindness, for which, of course, you ought to be duly grateful. However, in such petitions it must be clearly and exactly stated why, when at first you answered the call for labour, you desired to come to this place, and also why now you wish to go back to China; stating also, for purposes of checking and inquiry, the dates of your doing work at the mines, and setting forth clearly what work you did in what month, how much you earned, and what balance you have left. If the circumstances appear fit for some indulgence, then your petitions will at once be accepted and filed. After the filing of the petition, however, you must go on working zealously at the mines, when the wages that you earn will be counted up as supplementary towards the reimbursement of expenses. As to whether such labourers really do their work zealously, I, the Superintendent, shall have to satisfy myself by careful inquiry, and if the work is not properly done the petition of the labourer concerned will receive no further attention.

Lines 29-31.

Lines 41-42.

Lines 50-51.

COLUMN 3.
Lines 2-4.

Line 11.
Lines 13-17.

Lines 17-24.

“ After I, the Superintendent, shall have received the petitions from all the mines, it will be my instant care to scrutinise them closely, and if I find they can be granted, after division into the categories of those labourers entitled to or not entitled to compassionate indulgence, the granting or not granting of special favour will most certainly follow as stated. But new arrivals whose period of labour has not reached six months may not send in petitions.

Lines 24-30.

“ The fact is that in nearly all matters there are at the outset difficulties which disappear afterwards, and those who have not laboured for some time are naturally insufficiently acquainted with all the circumstances. Hence all you labourers, if you really desire to return home, must go about your work in an orderly way, save up money, and, in accordance with the fourteenth article of your agreements, hand in the amount of your expenses, as is indeed your right and duty. But if any of you are unduly hard pressed by circumstances and are unable to labour, but have an unmistakable yearning for home and yet no money, I, the Superintendent, will do all that it is possible to do in your exceptional relief after consideration of the facts, and devise some plan for repatriating you with assistance of funds.

Lines 38-41.
Lines 41-45.

“ Should there be any shameless fellows who seek pretexts to deceive and hoodwink, so soon as ever detected they will be punished according to law. But you must all understand that none of those authorised to return home subsequent to the issue of this proclamation will ever be allowed to come back to this place, and any persons found returning again will be severely punished.

Lines 47-57.

“ Wherefore you Chinese labourers are now one and all instructed by this proclamation, and each and all should tremble and obey. No disobedience! Urgent! Urgent! A special proclamation.

“ Commands to the right (*i.e.*, ‘ above ’) for general information.

“ Chinese date, 12th of 4th moon, 32nd year.

“ Western date, 5th of May, 1906.

“ A proclamation. Firmly post in the gold mines!”

ANNEXURE II.

"THE STAR," Weekly Edition, Johannesburg, Saturday, May 12, 1906.

NOTIFICATION ADDRESSED TO CHINESE INDENTURED LABOURERS ON THE WITWATERSRAND GOLD MINES.

Although, when you enlisted in China for the Transvaal, you were informed that you were engaging yourselves to work on gold mines, and you entered into a contract to that effect, it has come to my ears that certain amongst you, not appreciating the conditions under which mining is carried on in this country, are discontented in spirit. There may also be others, who, unaccustomed to strenuous manual labour, find themselves on arrival here in a position of difficulty. Cases such as these give rise to feelings of compassion.

Now you all know that, in terms of Clause XIV. of your contract, any labourer may at any time terminate the contract, without assigning any reason, on tendering to his employer the expenses incurred in introducing him into the Transvaal, together with a sum sufficient to defray the expenditure necessary in returning him. This is a provision of which you can all avail yourselves, and it cannot be said that you are detained here against your will.

Perhaps, however, some of you, who are anxious to return, may not have earned the wherewithal to enable you to do so. If this be the case, I am willing to receive any statements you, who really wish to leave the Transvaal, may have to make, and after a review of circumstances, to consider whether or not I would be prepared to recommend Government to be generous to you, and not to insist on the full payment required from you by your contract. An exceptional act of benevolence of this kind ought to command your gratitude.

In sending in your petitions, however, you must clearly inform me of the motives which influenced you, in the first instance, to enlist, and now influence you in wishing to return to China; of the amount of monthly wages you earn; of the class of work on which you are engaged, and of the money you have saved. If circumstances appear to me to warrant it, I will take note of and register the application, but the applicant will, thereafter, have to make an honest effort, by working on his mine, to earn a contribution towards his expenses. Of such honest effort I will constitute myself the judge, and, should any fail in this respect, his application will be cancelled.

On receipt of the applications from the various mines, I will carefully weigh each individual case, and decide which of them are deserving of the generous consideration of the Government and entitled to this favoured treatment.

It must be understood that no one who has not served in the Transvaal for at least six months need apply. For you all know that beginnings are not easy, and anyone undertaking work partaking of a novel character cannot be in a position to judge whether or not he is fitted for it until he has given it a fair trial.

The obvious duty of all who desire to return to China is to save money and avail themselves of the provisions of the 14th clause of their contract of service. Still, force of circumstances may be against some of you, and, as stated above, I am willing to consider genuine applications, with a view to rendering assistance.

I solemnly warn you that any attempts to deceive me by misrepresentations, which are punishable by the law of the Transvaal, will be dealt with accordingly. And it must further be distinctly borne in mind by all who make application as a result of this notice that, if allowed to return to China, they will never under any circumstances be allowed to re-enter the Transvaal, and that steps will be taken severely to punish anyone who attempts to do so.

APPENDIX II.

GOVERNMENT NOTICE No. 86 OF 1906.

LABOUR IMPORTATION ORDINANCE, 1904.

The following return is hereby published in terms of Section 21 of the Labour Importation Ordinance, 1904.

H. TENNANT,
Secretary to the Law Department.

Attorney-General's Office,
Pretoria, 18th January, 1906.

QUARTERLY RETURN under Section 21 of Ordinance 17 of 1904.—For the Quarter ending 31st December, 1905.

Number of licenses issued	15
Number of licenses cancelled	Nil.
Number of labourers introduced into this Colony	3,775
Number of labourers repatriated	815
Number of labourers died	221
Number of families introduced	Nil.
Number of families returned	1

Contravention of Ordinance—Section 31 (paragraph 11) :—

Desertions convicted	1,378
Refusals to work convicted	205

Foreign Labour Department,
Johannesburg, 15th January, 1906.

APPENDIX III.

GOVERNMENT NOTICE No. 432 OF 1906.

LABOUR IMPORTATION ORDINANCE, 1904.—QUARTERLY RETURN.

THE following return is published for general information in terms of Section 21 of the Labour Importation Ordinance, 1904.

W. H. MOOR,
Assistant Colonial Secretary.

Colonial Secretary's Office,
Pretoria, 4th May, 1906.

QUARTERLY RETURN, under Section 21 of Ordinance 17 of 1904, for the Quarter ending 31st March, 1906.

(a) Number and particulars of licenses issued	Nil.
Number and particulars of licenses cancelled	Nil.
(b) Number of labourers introduced into this Colony (country of origin, China)	3,503
(c) Number of labourers who have been returned to their country of origin and the causes of such return :—	
Disease and physical unfitness	411
Ex-convict repatriated under Section 26	1
Undesirables : Section 7, Ordinance 27, 1905	57
Labourers who purchased their discharge	112
	—
	581
(d) Number of labourers who have died	253
(e) Number and particulars of families introduced—	
Women	Nil.
Children	2
Number and particulars of families returned—	
Women	Nil.
Children	1
(f) Contraventions of Ordinance 17, 1904, Ordinance 27, 1905, and the regulations issued thereunder—	
Contravening Section 19, Ordinance 17, 1904	276
Contravening Section 31, Sub-Section 11, 1904	2,316
Contravening Section 8, Sub-Sections 15 and 16, Ordinance 27, 1905	181
Contravening Section 20, Sub-Section 2, Ordinance 27, 1905	1,084
Contravening Regulation 44 of 1905, Ordinance 17, 1904	60

Foreign Labour Department,
Johannesburg, 24th April, 1906.

APPENDIX IV.

FOREIGN LABOUR DEPARTMENT, JOHANNESBURG.

ANNUAL REPORT 1904-5.*

(Received in Colonial Office, April 21, 1906.)

The Foreign Labour Department was established in March, 1904, for the purpose of carrying out the provisions of the Labour Importation Ordinance (No. 17 of 1904), and the obligations of the Transvaal Government under the Articles of Convention between the Government of Great Britain and China. The Superintendent of the Department has also to see that the instructions of the Lieutenant-Governor to Transvaal Emigration Agents are duly complied with.

The services of Mr. William Evans, Protector of Chinese, Straits Settlements, were lent to the Transvaal Government for the purposes of organising the introduction of Chinese labour under the Ordinance and controlling the same, and he was appointed Superintendent of the Department.

The Ordinance was assented to on the 12th of March, 1904, and came into force on the 19th of May in the same year.

On the 2nd of June Regulations under the Ordinance were gazetted, and on the same day was published the text of the Convention (dated May 13th) concluded between the Government of Great Britain and China for regulating the importation of Chinese labour.

The work of the Department began at once, and on the 25th of May, six days after the Ordinance came into force, the first emigrant vessel (s.s. " Tweeddale ") left Hong Kong carrying 1,054 labourers for the East Rand Proprietary Mines, Ltd.

ORGANISATION OF THE FOREIGN LABOUR DEPARTMENT.

The Department consists of :—

1. The Head Offices at Johannesburg.
2. The Staff of the Department at Durban.
3. The offices of the Transvaal Emigration Agents in China.

By the end of the financial year (June 30th) the establishment of the staff of the Department was Appendix 1. as shewn in the attached table.

Provision is being made in the Estimates for the coming financial year for the following additions to the staff of the Department :—

1. Four inspectors ;
2. Chief Clerk to the Secretarial Branch ;
3. One Chinese writer ; and
4. Eight (Chinese) orderly clerks to be attached to the Inspectors. (See Appendix 2.)

DUTIES OF CERTAIN OFFICIALS OF THE FOREIGN LABOUR DEPARTMENT.

The Superintendent is responsible to the Lieutenant-Governor for the administration of the Ordinance, for the observance of the Regulations issued thereunder, and of the instructions by the Lieutenant-Governor to the Transvaal Emigration Agents, as well as for the due fulfilment of the obligations of the Transvaal Government under the Articles of Convention.

He is assisted in these matters by the Secretary.

From May 19th, 1904, to March 27th, 1905, Mr. William Evans was Superintendent of the Department. On his retirement Mr. George Wolfe Murray, the Secretary of the Department, was appointed Acting Superintendent pending the arrival on the 10th June of Mr. James William Jamieson, Commercial Attaché to His Majesty's Legation, Peking, who was seconded from service in China under the Foreign Office to succeed Mr. Evans.

The Inspectors spend the whole of their time inspecting mines. Their powers are defined under the Ordinance, and they act upon instructions issued to them from time to time by the Superintendent, to whom they submit their reports.

During the past year considerable difficulty has been experienced in obtaining the services of properly qualified officers for these posts, and the death of one of the Inspectors (the late Mr. G. B. W. Golding) on March 2nd further handicapped this branch of the Department, which has been somewhat undermanned in consequence.

Provision was made by the Government for the appointment of additional Inspectors as the introduction of labourers increased, and by the end of the year four officials had been appointed.

Four more are to be appointed in the immediate future, and a scheme is being drawn up whereunder each of the eight Inspectors will be charged with the supervision of a specified district in the Witwatersrand area.

Each Inspector will have a Chinese orderly clerk attached to him, and he will reside in the district for which he is responsible.

He will submit to the Superintendent a weekly report on the affairs connected with his district, and will be in telephonic communication with him in order to report on cases of urgency and to obtain his assistance.

* The Appendices to this Report are not printed.

It will be the duty of each Inspector to visit every mine in his district at regular intervals, to inspect the accommodation, food, books, prescribed registers, etc., etc., and to assist either the employer and employed in every possible way.

It is hoped that during the coming year powers will be conferred upon the Inspectors to deal summarily with minor offences committed by labourers. They will wear uniform in order that the labourers may recognise them as Government officials and may be able to distinguish them from the various mine authorities and others.

THE TRANSVAAL EMIGRATION AGENTS.

At each port of embarkation, at present three in number, viz., Hong Kong, Chinwangtao, and Chifu, the Transvaal Emigration Agent is responsible to the Superintendent for the fulfilment of all matters in China affecting the recruiting, registration, and embarkation of Chinese labourers for South Africa.

Their duties are laid down in the instructions issued by the Lieutenant-Governor. These instructions have been in force during the past year, but experience having shown them to be defective, they are now in process of amendment.

They are further responsible for the fulfilment of those provisions of the Ordinance and Articles of Convention which affect the work of the Department in China.

These posts have been filled during the past year by officials seconded from the service of the Hong Kong Government, the Government of the Federated Malay States, the Wei-Hai-Wei Civil Service, and the Wei-Hai-Wei Regiment.

Their most important duty is to ensure that every labourer signing a Contract of Service under the Ordinance does so of his own free will and after full explanation and thorough understanding of the terms of the Contract. This duty has been most conscientiously carried out, and no case has ever been discovered, on arrival of an emigrant vessel at Durban, of a labourer having been sent to this country under fraudulent representations.

It is also part of their duty to see that the emigrant vessels provided for the conveyance of labourers are in every way suitable and conform with the requirements of the Convention. This duty as a rule devolves upon the Transvaal Emigration Agent at Hong Kong, where the ships are fitted out and where any required alterations are made.

Appendix 3. A list of emigrant vessels engaged in transporting Chinese labourers to South Africa up to June 30th, 1905, is attached.

These vessels have always been fitted out in a satisfactory manner, and the charterers have always shown their readiness to make such alterations and improvements as have been required by this Department.

The Boarding Officer is the representative of the Department at Durban. His duties are to board each emigrant vessel on arrival to see that the master of the ship has complied with the requirements of the Ordinance, to supervise the landing and registration of the labourers as well as their entainment for the Rand.

He also reports to the Superintendent on all matters connected with the voyage and arrival of the labourers.

LICENSES TO INTRODUCE CHINESE LABOURERS INTO THE TRANSVAAL.

When an employer desires to introduce Chinese coolies for work in unskilled labour in the Witwatersrand area he is required to lodge the following documents with the Superintendent before a license from the Lieutenant-Governor is applied for :—

- (1) A copy of the Articles of Association of his company, or the necessary extracts therefrom ;
- (2) An application for a license on Form 2 of the Ordinance ;
- (3) A certified copy of a resolution by the Board of Directors authorising the applicant to make such application ;
- (4) A Power of Attorney signed by the Directors of his company authorising certain agents in China to sign the Contract of Service on behalf of the employer ;
- (5) A certified copy of a resolution by the Board of Directors authorising certain representatives of the company to sign the bond required under Section 22 of the Ordinance ; and
- (6) Plans of rooms, eating-houses, hospitals, washhouses, kitchens, latrines, &c., required to accommodate the numbers applied for.

The Superintendent satisfies himself that the documents are in order, and thereupon he and the District Medical Officer of Health pass the plans for the accommodation.

As soon as the buildings are sufficiently advanced he inspects them and, after satisfying himself that they will be ready on the arrival of the labourers in the Transvaal, a telegram is dispatched to the Transvaal Emigration Agent in China, notifying to him the names of the agents authorised to sign the contracts and the number of labourers the applicant is entitled to recruit.

The Bond under Section 22 of the Ordinance is then signed, the amount being £7 (seven pounds) per labourer, and the security is given by the Chamber of Mines Labour Importation Agency, when required.

The Superintendent then signs the Certificate required under Section 7 of the Ordinance, and the Lieutenant-Governor grants the license.

ACCOMMODATION.

In all compounds where the construction was either completed or commenced, with the sanction of the Superintendent, before February 1st, 1905, 250 cubic feet of air-space per coolie was required.

At the end of 1904 a Commission was, however, appointed to enquire into the amount of air-space required per head in coloured compounds on the Rand, and on February 1st, 1905, the Executive Council adopted the Majority Report.

The recommendations of the Commission are attached (*vide* Appendix 4) and steps are being taken to incorporate them in the Statutes of the Colony. Appendix 4

After February 1st no compound was passed which did not fulfil the requirements of the Commission, and those built before that date have had to remain upon a basis of 250 cubic feet of air-space per head, except in cases where they practically fulfilled the Commissioners' requirements, or where the employers converted them to the standard required by the Commission.

RECRUITING IN CHINA.

During the past year recruiting has taken place both in Southern and Northern China. Emigration Agencies have been established in the South at Hong Kong, and in the North at Chinwangtao and Chifu.

(a) Recruiting in Southern China has not been a success, and for various reasons it has been decided for the time being to abandon work in the South and devote attention to the North.

Only 1,741 labourers have been recruited from Southern China, amongst whom, owing in a great measure to a severe outbreak of "beri-beri," a large proportion proved unsatisfactory in their work and physique. Those who remained unaffected are doing good work and giving very little trouble.

The labourers were medically examined in China prior to embarkation; they were under the medical supervision of the ship's doctors during the voyage; were passed by the Port Health Officer at Durban, and finally examined on reaching their destination, in terms of Section 13 of the Ordinance.

The disease did not show itself to any great extent until they had arrived on the Rand, except in the case of some 60 men *ex* the s.s. "Lothian" (7th shipment), who developed symptoms on the train journey between Durban and the Rand.

Of the total numbers recruited in the South six died on the voyage to Durban, and 40 were rejected there, as they were either physically unsuited to work on the mines or had shown themselves on the voyage to be undesirable characters.

137 have died on the Rand and 537 have been repatriated under Section 26 of the Ordinance as being permanently incapacitated for work from physical infirmity or disease, leaving a total of 1,021 Southern labourers available for work on June 30th.

Under the circumstances it is not likely that the Chamber of Mines Labour Importation Agency, Ltd., will re-open negotiations for recruiting in Southern China unless and until the supply from the North shows a falling off.

(b) Recruiting in Northern China has, on the other hand, been attended with great success. All through the year labourers have been forthcoming in sufficient numbers to meet all demands. In fact, emigrants have shown a greater willingness to come forward than had been anticipated by those conversant with the conditions of emigration from Northern China. The closing of the usual outlet for emigration from Shantung—Manchuria—owing to the state of war existent there may in part account for this state of things.

Of a total of 43,296 who have left China for South Africa 10,195 have been obtained through Chifu and 31,360 through Chinwangtao.

The men are of much finer physique than the Southerners, and seem more amenable to discipline and to the change of conditions of life in South Africa. The climatic conditions on the Rand present a marked similarity to those of Northern China, whereas they differ *toto coeli* from those of Southern China.

No doubt when normal conditions have been restored in the North the stream of emigration may again be diverted.

METHOD OF RECRUITING, CONTRACTS, &C.

The Transvaal Emigration Agent, together with the Chinese Inspector, makes known by proclamation and by means of the native press the text of the Contract of Service, and any particulars in regard to which the Chinese Inspector considers it essential that the emigrant should be informed concerning the Transvaal and its laws.

Recruits are then licensed by the Transvaal Emigration Agent, who must satisfy himself that they are fit and proper persons, and that improper means of recruiting are not used.

Every assistance is given by the recruiter to the intending emigrants. An advance of money is often made at his risk to enable the coolie to pay any debts and to leave a small sum with his family, and travelling expenses to the port of embarkation are paid by him. When the coolie arrives at the

depot and signs the Contract of Service he receives an advance from the employer, the amount of which is certified to by the Transvaal Emigration Agent. Out of this advance he is able to repay the recruiter for any cash actually advanced to him, and to leave some further provision for his family or relatives.

Prior to admission into the depôt each coolie is medically examined and a certificate furnished to each intending emigrant. The Contract of Service is then roughly explained by the Transvaal Emigration Agent, and on his accepting the same the coolie is admitted to the depôt.

Every intending labourer must remain in the depôt for at least 48 hours (unless, of course, he expresses a desire not to sign the contract), during which he has every opportunity of studying the terms of the contract and discussing it. Copies in Chinese are freely distributed amongst the men in the depôt and posted in conspicuous places. They are then asked *individually* if they wish to proceed to South Africa. The contracts are thereupon prepared and carefully explained, in the presence of the Transvaal Emigration Agent, to each labourer, and signed by all who express their willingness to proceed. The Transvaal Emigration agent subsequently signs the certificate required under Section 8 of the Ordinance.

Before finally signing the Contract of Service and embarking, each labourer is again subjected to medical examination.

Each man is given a metal badge with his shipping or contract number imprinted thereon.

The contracts are signed in triplicate; one copy is handed to the employer's agent, and the other forwarded to the Superintendent, in charge of the Master of the ship in which the labourer sails. A copy is also kept by the Transvaal Emigration Agent. A copy of the contract in Chinese and English is also given to each labourer.

No person is allowed to sign a contract as agent for any employer in the Transvaal until the Superintendent has notified the Transvaal Emigration Agent of the execution of the necessary Power of Attorney.

When possible every labourer is vaccinated prior to embarkation, but if it is found impossible to do this before departure, vaccination is carried out during the voyage by the ship's doctor.

A photograph of each labourer, with full particulars as to marks, scars, &c., attached, is forwarded to the Superintendent by the same ship in which the labourer embarks. A duplicate copy is kept by the Transvaal Emigration Agent.

The names and addresses of the parents, wife, and children (if any) under ten years of age of each labourer are also recorded.

SHIPPING AND VOYAGE.

The Master of every ship in which labourers are to be carried to South Africa must hold a license from the Transvaal Emigration Agent.

Such licenses are only granted if :—

- (a) The ship and its appointments are in every way equal to the requirements of the Indian Emigration Act of 1883, with rules thereunder as far as made applicable by Schedule to the Convention concluded between the Government of the United Kingdom and China, of which the following is the text :—

TEXT OF SCHEDULE.

Ships employed in the transport of indentured emigrants from China under this Convention must be seaworthy, clean, and properly ventilated, and with regard to the following matters shall comply with conditions as far as possible equivalent to those in force in British India with reference to the emigration of natives from India.

Accommodation required on board, *vide* Section 57 of the Indian Immigration Act, 1883; sleeping accommodation, consisting of wooden sheathing to the decks or sleeping platforms, *vide* rule regarding iron decks as amended 16th August, 1902, in Schedule A to the Rules under the Indian Emigration Act, 1883.

Rules as to the space on board, *vide* Section 58 of the Indian Emigration Act, 1883.

Carriage of qualified surgeon with necessary medical stores.

Storage of drinking water, *vide* Rule 113, as amended 24th February, 1903, under the Indian Emigration Act, 1883.

Provision of adequate distilling apparatus, *vide* Schedule C to the Rules under the Indian Emigration Act, 1883.

The dietary for each indentured emigrant on board ship shall be as follows :—

Per day :—

Rice, not less than one and one-third pounds; or flour or breadstuffs, not less than one and one-half pounds.

Fish, dried or salt, or meat, fresh or preserved, not less than one-half pound.

Fresh vegetables of suitable kinds, not less than one and one-third pounds.

Salt, one ounce.

Sugar, one and one-half ounces.

Chinese tea, one-third ounces.

Chinese condiments in sufficient quantities.

Water for drinking and cooking—not less than one gallon.

Or such other articles of food as may be substituted for any of the articles enumerated in the foregoing scale as being, in the opinion of the doctor on board, equivalent thereto.

And (b) rats on board have been destroyed by means of suitable modern appliances.

A list of ships which have conveyed labourers to South Africa during the past year is attached (*vide* Appendix 3).

MEDICAL ATTENDANCE ON VOYAGE.

A ship's doctor (who must be a British subject and a qualified medical practitioner) accompanies the labourers on each ship.

His appointment has to be approved by the Transvaal Emigration Agent.

His duties are as follows :—

1. Before leaving Hong Kong or other port, where the ship fits out, to see that the hospital and dispensary are suitably fitted and equipped. Any deficiencies are pointed out to the Emigration Agent before leaving. A supply of medical stores as laid down in the Indian Emigration Act of 1883, or the Hong Kong Proclamation No. 7 of 1904, is carried on each vessel.
2. To be present, and assist if required, at the final examination of the labourers before embarkation.
3. To make a daily round of inspection of the emigrants in company with the medical assistants.
4. To vaccinate every emigrant on board who has not been previously vaccinated at the depot, or whose vaccination proved unsuccessful. Vaccine is supplied and a note has to be made of the date when the lymph was filled in the tubes, in the health report made to the Superintendent at the port of destination and accompanied by the required vaccination certificates.
5. Ships' doctors are required to give prompt attention when called to any individual case at no matter what hour, in order to prevent possible spread of disease through loss of time in taking necessary precautions of isolation, and especially in case of accidental injuries.
6. Immediate steps must be taken to isolate infection cases.
7. To furnish a report to the Superintendent on all matters affecting the health of the labourers on the voyage, the food supplied, sanitation, ventilation, sleeping accommodation, latrines, bathing arrangements, etc.

One ship's doctor, one qualified assistant (Chinese), and two hospital dressers (Chinese) have been provided for every thousand coolies.

The cost of the medical staff for each ship is as follows :—

1 Senior Surgeon at £500 per annum and £100 bonus	£600
1 Junior Surgeon at £400 per annum and £100 bonus	500
2 Qualified Medical Assistants (Chinese) at £144 per annum	288
2 Hospital Dressers (Chinese) at £48 per annum	96
	£1,484

The result of one year's experience has shown that the dimensions of the medical staff as originally insisted on by the Secretary of State, viz., 1 ship's doctor, 1 medical assistant, and 2 dressers per each 1,000 coolies, are excessive, and permission has been asked to reduce this to 1 medical officer, 2 (Chinese) medical assistants, and 2 (Chinese) hospital dressers per ship.

Such a staff is, in the opinion of those conversant with the conditions prevailing, quite sufficient for a voyage of 30 days.

The work of the ships' doctors has been most satisfactory, and there has only been one case of an outbreak of infectious disease, viz., small-pox on the s.s. "Cranley" (16th shipment). The ship was put into quarantine at Hong Kong, and such effective measures were taken there that no death occurred from this disease.

Out of a total number of 45,221 labourers embarked during the year only 59 have died of disease on the voyage.

An overseer in charge of the coolies has been carried on each emigrant vessel, and it has been his duty to look after their general welfare and to be responsible for the maintenance of discipline on board.

ARRIVAL AT DURBAN.

On arrival at Durban the vessel is boarded by—

- The Boarding Officer, Foreign Labour Department ;
- The Port Health Officer ;
- The Immigration Restriction Officer ; and
- An Officer from the Port Captain's Department.

If all is in order she is berthed alongside the Bluff Wharf, on the side of the bay opposite the town.

In terms of Regulation 15 (1) all the labourers are medically examined and the Port Health Officer gives a written permit to land them.

The Immigration Restriction Officer also gives the permit, required under the Transit Immigration Act (Natal) No. 7 of 1904.

The Boarding Officer examines the certificate, issued by the Transvaal Emigration Agent to the master of the ship and makes an inspection of the vessel. He receives the ship's doctor's report and forwards it to the Superintendent, together with his report on the ship's arrival. Copies of these are subsequently sent to the General Manager, Chamber of Mines Labour Importation Agency and to each Transvaal Emigration Agent, to whom instructions are at the same time issued on the various suggestions and remarks made.

A sample of rice and other foodstuffs is taken by the Boarding Officer when required, and analysed by the District Medical Officer of Health.

The labourers are at once disembarked, entrained at the ship's side, and taken to the Depot situated some five miles off at the head of the bay.

DURBAN DEPOT.

The depot, which has been erected by the Chamber of Mines Labour Importation Agency, consists of commodious blocks of buildings, containing large airy, well-lighted rooms, built round two big quadrangles, with accommodation for 4,000 men. Kitchens, with steam-cooking, latrines, bath, and wash-houses of excellent construction and ample accommodation, are provided for each quadrangle. Between the two quadrangles are offices for the work of this department, and outside the main gate is a hospital, with accommodation for 80 men, offices and quarters for the staff and the body of Natal Police on duty there. A large septic tank is in course of erection. The whole is fitted with electric light. The railway siding runs just in front of the gate.

Two meals of rice, meat, or fish and vegetables, with tea, are served at 7 a.m. and 5 p.m.; and rice congee is also served at noon. Tea is always procurable. A small shop is open for a short time each day for the sale of cigarettes, cakes, bread, etc., and is extensively patronised.

The arrangements made by the local manager of the Chamber of Mines Labour Importation Agency for the welfare of the coolies, during their sojourn in the depôt, are most satisfactory, and too great praise cannot be awarded him for the thorough manner in which everything is carried out.

Registration.—On arrival at the depôt the work of registration begins at once. The contracts, which come down with the men, are gone through: each man comes into the office in turn, gives his name, age, and such other details as may be necessary to establish his identity: is compared with his photograph, is asked if he is a willing emigrant, and if he has received the advance entered against his name.

If all is in order he is given his Government Passport, as required under Regulation 20, the number of which is entered on the Contract of Service. He then passes to the identification clerks where his finger impressions are taken according to the "Henry" system, and he goes back into the compound ready for the train up to the Witwatersrand.

SYSTEM OF IDENTIFICATION BY THE FOREIGN LABOUR DEPARTMENT.

The finger prints taken at Durban form the sole basis upon which the coolie is identified during his period of indenture.

It will therefore not be out of place to describe here the system in force for the identification of Chinese labourers.

The method of identification by means of finger prints is, broadly speaking, the same as laid down by Mr. E. Henry, C.S.I., now Chief Commissioner of the Metropolitan Police, London, whose system has proved so successful in India and in England. It has been found necessary, however, to modify Henry's system in one or two details in order to meet the peculiarities in the character of the Chinese finger impressions. The prints of the whole of the ten digits are taken on a special form, the bulb of the finger being previously rolled on a metal pad on which is spread a layer of prepared ink. The facility with which this can be done is so great that one operator is able to take the impressions of two coolies per minute. On the form alluded to the labourer's Government Passport Number is written. When the finger impressions of a shipload are completed, and the coolies despatched to the Rand, the staff utilise the time before the arrival of another ship in classifying the impressions, which is done by an arithmetical formula, depending principally on the number of lines or ridges between two or more fixed points in certain fingers. A specimen of an impression, as taken by this department, is attached. Each man is able to classify 100 of these forms daily. The forms are then sent to the head office in Johannesburg, where the classification is tested, indexed, and filed for future reference by a special staff of experts, who have also to carry out the work of identification. Great care and skill is required in this part of the work, as the collection of records is a large one, and a misplaced form would mean a great loss of time spent in searching for it.

On coolies being brought to the office for identification their finger prints are taken and classified in the same way as before, and the original found by a systematic search in the collection, which consists of 432 pigeon holes, each containing on an average over 100 records, so arranged that any given record may be instantly found.

For plan see
Appendix 6.

Vide
Appendix 7.

The system in use has met with complete success, there being no difficulty experienced in readily identifying the labourers, and has proved of great value and a most efficient check against impersonation.

Great praise is due to Mr. C. J. Tytherleigh, the chief clerk, for the efficient manner in which he has established this branch.

In order to form a true conception of the importance of the work of this branch, it must be borne in mind that, under Section 24 of the Ordinance, coolies must serve extra time for all periods during which they have been absent from work owing to imprisonment for any offence, desertion after conviction, and unlawful absence from work. All such extra time has to be registered by this department, and in doing so it is essential that it should be entered against the actual offenders and that there should be no cases of mistaken identity.

Coolies are therefore always identified on the following occasions:—

- (1) *On arrest*: in order to ascertain who has been arrested and to see that the correct offender is charged.
- (2) *On release from gaol*: in order to ascertain that the correct offender has been discharged and to see that he is returned to the right mine.
- (3) All coolies transferred under Section 11 or removed under Section 12 are identified in order to make sure that the correct men are so transferred or removed.
- (4) The finger prints of all dead coolies are identified by this department: in order to ensure that the estate of the correct man is wound up in China.
- (5) All coolies leaving this country for any cause whatsoever are identified prior to their departure, in order to make sure that the right men are struck off the Government Register and that the Transvaal Emigration Agents, at each port, may receive correct advice as to the returning coolies. On the expiration of indentures about 2,000 to 4,000 a month will have to be so identified.

In conclusion, whenever an occasion arises, when there might be the slightest doubt as to a labourer's identity, this Department identifies the man by means of his finger prints, which were taken on his arrival at Durban. On one occasion there was some doubt as to the correct number of a deceased labourer and an order was obtained from the Magistrate to disinter his body. Although he had been buried for fourteen days he was identified, and it was proved that the deceased was not the man originally reported by his employer as dead. It is only fair to add that it is almost impossible for employers to learn the registered numbers of their coolies, as so much interchanging of passports and tickets goes on.

The Chamber of Mines Labour Importation Agency pays the sum of £1,000 (one thousand pounds) per annum, through the Government of the Transvaal, to the Natal Government for medical and police services.

A force of Natal Police is stationed at the gates of the compound and accommodated in buildings erected by the Agency.

The Port Health Officer exercises a general supervision over the medical arrangements of the camp.

The Agency has engaged the services of a European medical assistant, and supplies all medical stores, appliances, and hospital fittings.

The Port Health Officer is also supplied with a motor car to enable him to come in from Durban, a distance of seven miles, as speedily as possible.

As soon as the labourers have been registered and their finger impressions taken they wait in the compound until the departure, on the following morning at 8.40 a.m., of the train which is to take them to the Witwatersrand.

These trains are made up of eight ordinary third class coaches with seven compartments in each. The centre compartment is fitted up as a sanitary compartment, and is available for the whole coach. Drinking water is laid on in each carriage, and they are lighted by electricity.

Each compartment is of the ordinary type, capable of accommodating ten persons, but as a rule not more than 50 labourers are allotted to each coach; thus each train accommodates from 400 to 480 labourers.

The train travels at the rate of the ordinary mail train, taking about 27 hours to do the journey.

Meals of rice, meat, vegetables, tea, and bread are served at Pietermaritzburg at 1.30 p.m.; Estcourt, 6 p.m.; and Standerton, 6 a.m. They are eaten in the train, being neatly and expeditiously served by the Railway Refreshment Contractor's men.

Accommodation is also provided on each train for conductors, a permanent staff being employed for this purpose by the mines, and for interpreters and Chinese medical assistants.

The conductor of every train conveying coolies to the Transvaal is furnished with a permit by the Secretary of Permits at Johannesburg, in order to allow of his train load entering the Transvaal at Volksrust.

In nearly every case the mine has a siding on to which the train is run, and the labourers are detained on the mine premises not infrequently within a few yards of the compound. On arrival at the mine they are marched off to the compound and told off to their rooms, where a light meal of tea and bread is served, followed by a substantial meal.

As soon as the contract is registered the importer deposits with the Superintendent the return required under Section 13, together with the necessary medical certificate.

Work is then started as soon as possible.

The labourers on each mine are looked after by a Chinese controller who, in most cases, speaks the language and to whom they look for assistance and advice.

The appointment of these controllers has to receive the sanction of the Superintendent in terms of Section 18 of the Ordinance.

On the 30th June licenses had been granted to the following twenty-eight gold mining companies, and coolies had either arrived at or were on the water consigned to those 32 companies marked 'a.'

The numbers of coolies actually employed on the 30th June, after deducting deaths and repatriations, is shown against each company :—

1. *The East Rand Proprietary Mines, Ltd.*, for work on—
The Driefontein Consolidated Gold Mining Co., Ltd.
a. The Angelo Gold Mines, Ltd. (2,169 coolies).
a. The New Comet Gold Mining Co., Ltd. (1,021 coolies).
The Cason Gold Mines, Ltd.
The Cinderella Gold Mining Co., Ltd.
The New Blue Sky Gold Mining Co., Ltd.
2. *The Geduld Proprietary Mines, Ltd.*, for work on—
North Geduld Gold Mining Co., Ltd.
Central Geduld Gold Mining Co., Ltd.
a. Geduld Proprietary Mines, Ltd. (479 coolies).
3. *The General Mining and Finance Corporation, Ltd. (Eastern Section)*, for work on—
a. Van Ryn Estate and Gold Mines, Ltd. (1,956 coolies).
Cinderella Deep, Ltd.
a. Rand Collieries, Ltd. (400 coolies).
4. *The Randfontein Estates Gold Mining Co., Ltd.*, for work on—
The Porges Randfontein Gold Mining Co., Ltd.
The South Randfontein Gold Mining Co., Ltd.
a. The North Randfontein Gold Mining Co., Ltd. (1,862 coolies).
The Robinson Randfontein Gold Mining Co., Ltd.
Block "A" Randfontein Gold Mining Co., Ltd.
The Mynpacht Randfontein Gold Mining Co., Ltd.
West Randfontein Gold Mining Co., Ltd.
The East Randfontein Gold Mining Co., Ltd.
Ferguson Randfontein Gold Mining Co., Ltd.
The Van Hulsteyn Randfontein Gold Mining Co., Ltd.
Johnstone Randfontein Gold Mining Co., Ltd.
Stubbs Randfontein Gold Mining Co., Ltd.
5. *The General Mining and Finance Corporation, Ltd. (Western Section)*, for work on—
West Rand Consolidated Mines, Ltd.
West Rand Mines, Ltd.
New Steyn Estate Gold Mines.
Roodepoort United Main Reef Gold Mining Co., Ltd.
a. Aurora West United Gold Mining Co., Ltd. (267 coolies).
Violet Consolidated Gold Mining Co., Ltd.
6. a. *The Glen Deep, Ltd.* (1,875 coolies).
7. a. *The Witwatersrand Deep, Ltd.* (3,157 coolies).
8. a. *South Nourse, Ltd.* (242 coolies).
9. a. *The Roodepoort Gold Mining Co., Ltd.* (400 coolies).
10. a. *The French Rand Gold Mining Co., Ltd.* (2,122 coolies).
11. a. *The Simmer & Jack Proprietary Mines, Ltd.* (4,402 coolies).
12. a. *The New Modderfontein Gold Mining Co., Ltd.* (1,206 coolies).
13. a. *The Witwatersrand Gold Mining Co., Ltd.* (2,962 coolies).
14. a. *The Princess Estate and Gold Mining Co., Ltd.* (1,360 coolies).
15. a. *The New Kleinfontein Co., Ltd.* (3,114 coolies), for work on—
Apex Mines, Ltd.
a. Benoni Gold Mines, Ltd.
Chimes West, Ltd.
a. Kleinfontein Deep, Ltd.
Van Ryn Deep, Ltd.
a. Rand Klipfontein Co., Ltd.
Klipfontein Estate and Gold Mining Co., Ltd.
16. a. *The Nourse Deep, Ltd.* (1,076 coolies).
17. a. *The Consolidated Langlaagte Mines, Ltd.* (1,834 coolies).
18. a. *The Henry Nourse Gold Mining Co., Ltd.* (1,258 coolies).
19. a. *Jumpers Deep, Ltd.* (1,377 coolies).
20. a. *Durban-Roodepoorte Deep, Ltd.* (816 coolies).

21. a. *Rose Deep, Ltd.* (1,464 coolies).
22. a. *Geldenhuis Deep, Ltd.* (1,499 coolies).
23. a. *Tudor Gold Mining Co., Ltd.* (234 coolies).
24. a. *The Simmer & Jack East, Ltd.* (1,165 coolies).
25. a. *The Lancaster Gold Mining Co., Ltd.* (1,040 coolies).
26. a. *The Jupiter Gold Mining Co., Ltd.* (544 coolies).
27. *The Village Deep, Ltd.*
28. *South Geldenhuis Deep, Ltd.*

TRANSFER OF LABOURERS.

No labourer can be transferred from the employ of one importer to that of another without a transfer of his contract, signed by the transferor, the transferee and the labourer, in the presence of the Superintendent who attests the transfer and explains the full meaning and effect of such agreement to the labourer.

REMOVAL OF LABOURERS.

No labourer can be removed from the premises of the importer where he is employed without the written permission of the Superintendent under Section 12 of the Ordinance.

PASSPORT FEES.

Under Regulation 20 a passport fee of two shillings per mensem is levied in respect of each labourer imported. It is paid by the importer in advance for six months on the 1st of January and the 1st of July in every year.

When a coolie dies or is repatriated a refund is made to the importer of the fees paid on his account in respect of the period during which the labourer has been unable to carry out his contract owing to such death or repatriation. No refund is made for any portion of a month.

Such refunds are made by means of credit notes, which are presented by the importer when the payment for the next half year falls due.

During the past year the sum of £25,980 has been collected in respect of such fees, and it is estimated that during the coming year the sum of £60,000 will be so collected,

WORK AND WAGES.

Under Section 9 of the Ordinance a labourer shall be employed only on unskilled labour in the exploitation of minerals within the Witwatersrand District, and in particular shall not be employed in any of the trades or occupations specified in Schedule I of the Ordinance except for unskilled labour therein.

This fact is made quite clear to the coolies in the first clause of their contract of service.

Section 1 of the Ordinance defines the meaning of "unskilled labour" to be such labour as is usually performed in mines in the Witwatersrand District by persons belonging to the aboriginal races or tribes of Africa south of the Equator.

Any person who employs labourers otherwise than on unskilled labour in the exploitation of minerals in the Witwatersrand District is liable to a fine not exceeding five hundred pounds, and in default of payment to imprisonment for a period not exceeding two years.

Roughly speaking about 40 per cent. of the Chinese labourers on the Rand are employed in hand-drilling, and the remainder in the occupations enumerated in the Second Schedule to the contract of service.

The importer is bound to give work to each labourer for six days in every week, except on Sundays, Christmas Days, Good Fridays, and on the following Chinese festivals:—

- Chinese New Moon (1st day of 1st moon), 3 days.
- Dragon Boat Festival (5th day of 5th moon), 1 day.
- Full Moon Festival (15th day of 8th moon), 1 day.
- Winter Solstice (26th day of 11th moon), 1 day.

Also on days when it is impossible for work to be done by reason of bad weather or other cause. If no work is given to a labourer, who is able and willing to work, on any day not included in the aforesaid exceptions he shall be entitled to his full day's working wages for every day so lost to him; provided always that by mutual consent one or more day's leave may be given and taken without wages.

Each labourer in the absence of any express agreement to the contrary, and except in the case of sickness or of such bad weather or other good cause beyond his control as prevents his working, is bound to work for ten hours in every twenty-four by day or night except on the occasions enumerated above.

FAIR DAY'S WORK.

It has been agreed that an employer is entitled to demand a fair day's work from a coolie under the contract of service and that he may deduct a portion of a labourer's pay for a day on which he has worked but has not performed a fair day's work.

It has been found impossible to lay down any hard and fast definition or series of definitions as to what constitutes a fair day's work, but it has been agreed that as far as drilling is concerned a hole of thirty-six inches may be accepted for the guidance of those concerned as the standard of what is a fair day's work for a normal coolie in normal circumstances. If he has done less than this, or if, being engaged on any other form of labour, he has done less than constitutes a fair day's work according to the usage of the mine, the whole matter is most carefully gone into, all the circumstances of the case, such as the difficulty of the work, the state of the health of the coolie and the like, being taken into account by the management, who, if satisfied that a fair day's work has not been done, may then proportionately reduce the coolie's pay for the day in question, noting the same in the pay-books kept at the mine and on the coolie's ticket. If the coolie is not satisfied he has his remedy in an action brought against his employer through the Superintendent under Section 3 of the Ordinance.

PIECE WORK AND WAGES THEREFOR.

Any labourer instead of working for day wages may, if desired both by himself and his employer, do piece work at such rate as may be mutually agreed upon between himself and his employer; but only the actual days employed on such piece work are reckoned in the period of service.

So far as hand-drilling is concerned, it has been agreed by the competent authorities who have examined the subject, that a hole of 36 inches in a day is an ordinary day's work for a drill-boy on the Rand, whereas a hole of under 24 inches in a day is, as a rule, of little use for mining operations. Coolies desiring piece work are offered the opportunity of accepting and signing a supplementary agreement, in terms of Clause 6 of the contract of service.

As the conditions on any two mines are never precisely identical, and the conditions in different portions of the same mine may also vary, the piece work agreements vary considerably. Agreements are made for various classes of work, such as hand-drilling, shovelling, tramping, lashing, etc., and in some cases the agreement is made with a whole gang and not with individuals. In the case of hand-drillers, the usual agreement is a fixed rate per inch, with bonuses fixed or progressive for every so many inches drilled above a certain footage; this, again, is dependent on the hardness or softness of the rock on different sections of the reef. All such agreements are open to the inspection of the Superintendent.

It is obviously to the advantage of the coolie to enter into a piece work agreement, as experience has proved that labourers can earn a higher rate of pay on piece work than they can on day wages under the terms of the Contract of Service.

WAGES AND AVERAGE PAY.

Labourers engaged on day pay are paid, to begin with, at the rate of one shilling for each working day of ten hours.

Those employed at labour to which piece work is not applicable are paid for the work on which they are employed, at the rates detailed in the Chamber of Mines Schedule of native pay, May, 1897, restored January, 1903, which is set forth in the second schedule to the contract.

If, however, within six months from the date of the labourer's arrival in the Witwatersrand District the average pay of the labourers does not equal fifty shillings for thirty working days the rate is increased from one shilling to one shilling and sixpence for each working day of ten hours.

In computing the average pay all the labourers are included, whether employed on piece work, day work, or working at the rates specified in the Second Schedule to the contract.

A labourer who has undertaken to do piece work under a duly executed agreement is only entitled to be paid under the terms of that agreement, and cannot claim to be paid at the same rate as labourers employed by the day, in the event of the sum earned by piece work being less than that rate.

ALLOTMENTS.

A system is at present in force whereunder a labourer can, if he so desires, allot a portion of his wages to his family in China. Such portion allotted is entered in the contract of service, is paid monthly in China, and deducted from his earnings here.

As soon as a labourer expresses the wish to make such an allotment he is given a pass-book containing, as a rule, thirty-four monthly coupons of ten shillings each. This he hands to his relations, or any other person to whom he desires to make the allotment, and the latter presents it every month at the office of the agent of the employer, who pays the designated amount. To prevent forgery, each pass-book is signed by the Transvaal Emigration Agent. The payments are made with great care in China, a special office with European and Chinese staff having been opened in Tientsin, and all necessary steps are taken in South Africa to stop payments on the death or repatriation of the allotter, and to suspend payment during such periods when he may be in gaol.

The experience of the past year has, however, shown that the system is cumbrous to work, and is open to fraud through the pass-books being lost or stolen, and steps are being taken to substitute the same by a simpler arrangement of remittances.

Deductions are made from a labourer's wages in respect of moneys paid to him as an advance of wages from the employer before embarkation, and set opposite his signature to his contract.

Any further advances, after arrival in South Africa, can only be made with the consent in writing of the Superintendent, and steps are being taken to limit the amount of the advance as much as possible.

FOOD.

The labourers are provided free of any charge with daily rations. The following tables show the scale originally fixed for Northern and Southern Chinese. Experience, however, has shown that the coolies cannot consume anything approaching $2\frac{1}{2}$ lbs. of rice per diem. The scale for the Southern Chinese has, therefore, been adopted throughout :—

<i>Southerners.</i>	<i>Northerners.</i>
$1\frac{1}{2}$ lbs. of rice,	$2\frac{1}{2}$ lbs. of rice or native grain,
$\frac{1}{2}$ lb. of dried or fresh fish or meat,	6 ozs. of dried or fresh fish or meat,
$\frac{1}{2}$ lb. of vegetables,	3 ozs. vegetables.
$\frac{1}{2}$ oz. of tea,	$\frac{1}{2}$ oz. of tea,
$\frac{1}{2}$ oz. of nut oil,	$\frac{1}{2}$ oz. of nut oil,
Salt,	Salt,

or approved substitutes at discretion of the Superintendent.

The quality of the food supplied and the cooking arrangements are excellent. A special staff of Chinese coolies have been engaged, and the food and cooking arrangements are periodically inspected by officials of this Department.

Many mines have erected large and spacious dining-rooms where the food is expeditiously served, but, on the whole, the coolies prefer to take their meals in their own rooms, and would, if it were practicable to introduce such a system, elect to do their own cooking.

In addition to the daily rations provided, hot tea is always obtainable, as also a loaf of white or brown bread when going on shift.

Stores exist near the gates of the majority of compounds, where the coolies can purchase any additional requirements and small luxuries.

RELIGIOUS MATTERS.

Amongst the Chinese labourers on the Rand are to be found not a few Christian converts—Roman Catholics as well as Protestants, and there is, of course, the usual sprinkling of Mahomedans.

Several religious bodies and missionaries in China have applied to the Transvaal Emigration Agents in China for permission to distribute Bibles and tracts amongst the labourers, in the depôt or ships prior to embarkation, and such permission has invariably been granted.

In South Africa the heads of all religious denominations have been informed that, in the event of labourers desiring the services of Christian ministers, the mining companies concerned have no objection to the ministrations of such on the days suggested by the Superintendent, viz., Sundays, Good Friday, and Christmas Day.

It is understood that the South African Compounds and Interior Mission, the Salvation Army, and the South African Baptist Missionary Society are organising plans for carrying on religious ministrations amongst the labourers.

CRIME.

The following table (*vide* Appendix 8) shows the actual number of convictions against labourers during the year and the various sentences imposed. Appendix 8.

From this it will be seen that the principal offence committed is that of “desertion.”

Under Section 19 of the Ordinance, no labourer may leave the premises on which he is employed without a permit in the form prescribed by Regulations.

Notices in Chinese are posted up along the boundary of every mine, stating that the board on which they are posted marks the boundary of the mine property, and informing coolies that if they pass it without a proper permit they will be arrested as deserters.

A certain number of coolies have deserted intentionally. In such cases they have taken their belongings with them, and have followed the railway lines in the hope of reaching the sea. Several have also been arrested to the north-east of Pretoria, at Zeerust, and a few had got as far as Swaziland before they have been arrested. The great majority, however, of the so-called deserters have had no wish to desert, but have been simply actuated by curiosity as to their surroundings, and frequently, when they have gone a little distance from the compound, have lost their way. A large number also have left the mine in order to visit friends on neighbouring mines or to make purchases and have neglected to obtain the necessary pass under Section 19. Consequently they have frequently been arrested.

When passing sentences upon deserters the Magistrates take the circumstances of each particular case into consideration. A qualified interpreter from this Department attends all trials.

In view of the fact that under Section 24 coolies have to serve extra time for all imprisonment after conviction of any offence it is essential that the identity of the offender be clearly established by means of the finger print system prior to trial. This has already been explained in this Report under the section relating to the Durban Depot; System of Identification by the Foreign Labour

Department; and, in order to effectually carry it out, the following procedure has, in addition, been laid down in cases of contravention of Section 19 of the Ordinance:—

DESERTION AND TRAVELLING WITHOUT A PERMIT.

1. As soon as the desertion is discovered the employer shall report it in writing to

(a) The Foreign Labour Department, and

(b) The Chamber of Mines Labour Importation Agency, on the form attached. The employer shall also inform the nearest police station.

F.L.D.
Form 23.1, 2
By Telephone

2. The Foreign Labour Department will thereupon inform

(a) The Commissioner of Police,

(b) The Chief Staff Officer, South African Constabulary, and

(c) The Chief Secretary of Permits.

F.L.D.
Form 14.

3. (a) The procedure after arrest will depend on whether the prisoner is arrested by warrant or without warrant. The majority of the arrests will undoubtedly be without warrant. In such cases the constable making the arrest, whether of the Transvaal Town Police or of the South African Constabulary, will proceed under Section 43 of Ordinance No. 1 of 1903, taking the prisoner before the nearest Magistrate within the district in which the arrest is made, who will at once remand him for trial at Johannesburg. The escort will then proceed with the prisoner to the office of the Foreign Labour Department at Jeppestown for identification; thence to the Charge Office at Marshall Square, and the deserter will be brought before the Assistant Resident Magistrate for the Witwatersrand District, sitting in Johannesburg, who has been specially deputed to try such cases.

(b) If the arrest is effected with warrant, the constable will proceed direct to the office of the Foreign Labour Department, Jeppestown, for the purpose of having the deserter identified, and thence before the Assistant Resident Magistrate for the Witwatersrand District, stationed at Johannesburg, appointed to try such cases.

F.L.D.
Form 31.

4. The Foreign Labour Department will immediately inform the employer of the arrest of the deserter, and of the place where and time when he will be brought before the Magistrate.

The Foreign Labour Department will also inform

(a) The Commissioner of Police.

(b) The Chief Staff Officer, South African Constabulary, and

(c) The Chief Secretary of Permits of the arrest of the deserter.

F.L.D.
Form 26.

5. (a) After appearance before the Magistrate in Johannesburg, if the prisoner is discharged, he will be handed over to an escort from the mine on which he is employed, which must be in attendance. If sentenced to imprisonment he will be sent to Johannesburg Prison, and his identification papers will at the same time be handed to the Governor of the Prison. The Foreign Labour Department will be informed by the Public Prosecutor of the sentence imposed.

(b) On receipt of such information from the Public Prosecutor, the Foreign Labour Department will inform the Chamber of Mines Labour Importation Agency and the mines concerned of the sentence imposed.

F.L.D.
Form 32.

6. Before the release, and ten days, when the sentence admits, before the release from any gaol of a deserter sentenced to a term of imprisonment, the officer in charge of the prisoner where he is confined will inform the Foreign Labour Department of the time fixed for release. The Foreign Labour Department then instructs the employer to send an escort to the Jeppestown Office of the Foreign Labour Department to take charge of the prisoner on release. The officer in charge of the prison in which Chinese prisoners are confined should also in all cases notify the Secretary of the Foreign Labour Department of any additional sentences imposed on such prisoners for gaol offences, in order that the records may be complete.

F.L.D.
Form 33.

7. When a prisoner is due for release, the Foreign Labour Department having been notified, such prisoner is detained on the morning of the release, the latter will then be taken by the escort to the office of the Foreign Labour Department, and then re-identified.

This escort is provided by the F.L.D. and not by the Mine.

NOTE.—The above procedure would appear to be applicable only to deserters, and not to labourers who, while deserters, commit some other crime for which several witnesses may be required.

During the identification of offenders in this Department the Superintendent and Inspectors are able to gather much useful information and to advise the authorities if the case is worthy of prosecution. When considered advisable an Inspector is also sent to the trial to assist either the employer or the coolie in the case.

UNLAWFUL ABSENCE FROM WORK.

Under Section 24 of the Ordinance a coolie has to serve his employer at the end of his contract of service for every day on which he has been absent from his work through his own fault. He must make good all time lost through a conviction for desertion or any other offence. For such offences he would be convicted by a Magistrate and the Magistrate's returns form the official record to this Department to enter such extra time against the offenders.

Occasions, however, arise when the coolie may be absent from his work through his own fault when he does not appear before a Magistrate and where there is no official record of such absence.

The Superintendent has therefore been granted the power under the Ordinance to certify to such absence, in order that the employer may claim the extra time at the end of the coolie's service.

The following are three common examples of such cases :—

- (a) A coolie loafs in the compound and is content to merely draw his rations. He refuses to go to work for, say, three days. His employer does not wish to go to the expense and trouble of prosecuting him for refusal to work.

The Superintendent can after enquiry certify to the coolie having been unlawfully absent from work for three days.

- (b) A coolie leaves the compound and returns after an absence of five days.

His employer does not wish to prosecute him for desertion. The Superintendent can after enquiry certify to five days' unlawful absence.

- (c) A coolie leaves the compound and at the end of, say, seven days' absence is brought up before a Magistrate, who discharges him with a caution.

His employer has lost seven days' work from this man, and the Superintendent can after enquiry certify to his having been unlawfully absent from work during that period.

All periods of unlawful absence must be entered every month on Form 6 and in the register, required to be kept by the importer under Section 16.

It will be observed from the foregoing table that the ordinary statutory offences are not very numerous, considering that, by the end of the year, over forty thousand labourers had arrived on the Rand.

RIOTS AND DISTURBANCES.

The accompanying list shows what disturbances have taken place during the past year, and briefly indicates the nature of each.

It is matter of surprise—one may say of congratulation—that the tale is not longer, and it furnishes high testimony to the general good conduct of the majority of the Chinese labourers on the Rand.

As a rule trouble breaks out owing to some slight misunderstanding or to some incident trivial in itself, and if the aggrieved parties once can command a following a serious situation may be created, as an angry mob of some two thousand men armed with crowbars and iron bedposts is not easy to parly with. Fortunately, however, after the first outburst the excitement gradually simmers down, and the men return to a reasonable frame of mind.

Ill-treatment and extortion on the part of the Chinese compound police are frequent grounds of complaint, and these sometimes pose as intermediaries and endeavour to stop access to any higher authority. The individual, finding no legitimate outlet for his grievances, real or fancied, harbours a feeling of sullen resentment and not infrequently takes the law into his own hands.

By means of regular visits to each compound on the part of the inspectors, who wear a distinctive uniform, it is anticipated that the coolies will soon get to know that they have always the opportunity and the right to appeal to Government, and a useful safety valve will thus be afforded them.

Another fruitful source of trouble is the rough handling men receive at the hands of some white miners, who do not maintain the honourable traditions of their class.

Non-acquaintance with each other's language naturally renders communication difficult, and with such men a blow or the application of a heavy boot are thought to be the most efficient means of conveying to a coolie an idea of what his white boss wants. Now no Chinese will stand such treatment, and it is very much to the interest of the white miner to abandon interpretorial methods of this description, and it is gratifying to be able to record that the mine authorities always act promptly in putting down practices of this kind. Fear of attacks on them by coolies whilst working underground has been expressed by white miners, but no instance has yet come to the notice of the Department which would justify such apprehensions, as invariably have the coolies waited until they got their man above ground before attempting to pay him out. The white miner's true and only safeguard is to behave as a white man, and he never need despair of earning the respect and willing service of those under him, because few appreciate just treatment more or are greater adepts at gauging the character of those with whom they are brought in contact than the Chinese.

The heavy gambling which goes on in some of the compounds is responsible for aggravated assaults and fights between the coolies themselves, and it is not easy to devise means of suppressing this evil.

It is hoped, however, that by the exercise of closer supervision and by legislation, conferring wider powers on the Foreign Labour Department, to eliminate many of the factors underlying past troubles, and to remove all reasonable causes of discontent.

Of racial antipathy between Chinese and Kaffirs there is no trace.

Quarrels have taken place, faults having been committed on both sides, but these are inevitable in large mining communities, and indeed in any large aggregation of human beings.

LIST OF RIOTS AND DISTURBANCES AMONGST CHINESE LABOURERS WHICH NECESSITATED THE CALLING IN OF POLICE ASSISTANCE DURING THE PERIOD JUNE 22ND, 1904, TO JUNE 30TH, 1905.

No.	MINE.	DATE.	REMARKS.
1	East Rand Proprietary Mines ...	22/7/04	Arose from the alarm caused by a mine explosion in which two men were killed.
2	Van Ryn G.M. and Estate ...	17/8/04	Quarrel and fight between some of the labourers and the cooks and Chinese police.
3	North Randfontein G.M. ...	29/8/04	Slight misunderstanding about the deductions made from the coolies' pay.
4	Glen Deep, Ltd.	16/9/04	Very trivial.
5	Van Ryn G.M. and Estate ...	17/9/04	Same cause as No. 2; one Chinese policeman had his leg broken and others were hurt. Several of the labourers were imprisoned for this fight, and one of them was heard to say that he would have his revenge when he came out.
6	North Randfontein G.M. ...	17/9/04	Began with a fight between a Chinese and a Kaffir, in which the former's friends eventually joined.
7	Glen Deep Ltd.	11/11/04	Very trivial.
8	Geduld Proprietary Mines ...	17/10/04	Started during the absence from the mine of the white overseer. The first disturbance in which a direct attack was made on Europeans. Coolies alleged that they were bullied.
9	Aurora West United	17/10/04	Small fight among the labourers. Very trivial.
10	French Rand G.M. Co.	24/10/04	Small fight among the labourers. Very trivial.
11	Van Ryn G.M. Estate	18/11/04	Same cause as Nos. 2 and 5. A few days after the release from prison of the labourers imprisoned for Riot No. 5, the two Chinese policemen who took the most active part in getting the rioters imprisoned were murdered in their room. A fracas then took place in the compound, one labourer being killed and another mortally wounded, these are alleged to have been killed by the police to avenge the death of their comrades.
12	New Kleinfontein	19/11/04	Due to something having gone wrong with the cooking apparatus and a makeshift dinner having to be substituted. Coolies imagined they were being cheated, attacked the kitchen and chased head policeman out of the compound. They had only arrived on the mine four days before.
13	French Rand G.M. Co.	19/11/04	Faction fight in the compound.
14	New Kleinfontein	23/11/04	Small dispute with some Kaffirs, the disturbance beginning with a fight between a Kaffir and a Chinese labourer.
15	Witwatersrand G.M. Co., Ltd. ...	11/12/04	Serious fight between Kaffirs and coolies, one of the latter and two of the former being killed. Actual cause of the affair not ascertained.
16	Princess Estate and G.M. Co. ...	28/3/05	Two detonators exploded, and the coolies imagined that some white men, who were passing by at the time, had fired shots at them.
17	North Randfontein G.M. ...	1/4/05	A serious strike arising from a misunderstanding by the coolies as to their wages after six months' work.
18	Durban-Roodepoort Deep, Ltd....	3/4/05	Very trivial.
19	Jumpers Deep, Ltd.	9/4/05	Unimportant. Coolies broke out of compound as a remonstrance against their leave being stopped.
20	French Rand	9/4/05	Due to a white miner (since dismissed) kicking over a pan containing a coolie's food.
21	Rand Collieries	13/4/05	Coolies refused to go to work owing to the rain.
22	Princess Estate	27-28/4/05	Caused by loafers being discontented at not receiving a full day's pay for little or no work done.
23	Rose Deep, Ltd.	5/5/05	A coolie who died of enteric fever had prior to death rubbed his thigh with iodine, and informed another inmate of the hospital that he had sustained severe injuries from being flogged. This report was soon spread among the other coolies in the compound and a disturbance ensued.
24	Angelo G.M. Co.	14/5/05	Dispute began between coolies and Kaffirs at a Jew's eating-house, and ended by several coolies joining in from the compound. One Indian hawker and one Kaffir killed.
25	Van Ryn G.M. Estate	14/5/05	Originated owing to some Kaffirs pulling a coolie's queue when bathing together in a dam below the compound. One Kaffir killed.
26	Consolidated Langlaagte Mines	7/6/05	Serious disturbance. One white miner killed; the result of a free fight between white miners, under the influence of liquor, and Chinese coolies.
27	Rose Deep, Ltd.	15/6/05	A dispute between Chinese policemen and coolies, which led to somewhat serious fighting and refusal to work.
28	Angelo G.M. Co.	26/6/05	A small fight in a Jew's eating-house.

ACCESS OF LABOURER TO THE SUPERINTENDENT OR COURT OF LAW.

Under Regulation No. 41 every labourer is entitled to a permit under Section 19 to enable him to come into the office of the Superintendent for the purpose of making a complaint against his employer or to enable him to have access to a Court of Law, in order to obtain redress for any injury to his person or property, or in order to attend as a party to or witness in any civil or criminal proceedings in such Court when duly summoned to do so.

This fact has been very clearly explained by the officers of the Department to the labourers, and many of them have availed themselves of the opportunity offered.

Allegations have been made that on occasions men have been deterred from coming forward. In the event of its being possible to prove such statements, action will be taken under Sub-section 3 of the above cited Regulation, which provides for the infliction of a fine not exceeding £10, and in default of payment liability to imprisonment for a period not exceeding one month.

All complaints are carefully investigated by the Superintendent or an Inspector, and generally they are promptly and amicably settled, and discontent is thereby prevented.

Any labourer making a complaint which, in the opinion of the Superintendent to whom it is made, is frivolous, is liable to be fined by the Superintendent to an amount not exceeding two pounds, which may be deducted from his wages.

CHINESE CONSUL-GENERAL.

Article 6 of the Convention between Governments of the United Kingdom and China provides for the appointment by the Emperor of China of a Consul or Vice-Consul to watch over the interests and well being of the emigrants.

On May 16th last Liu Ta-jen (Liu Yuk lin) presented his credentials as Consul-General for South Africa to His Excellency the High Commissioner.

Liu Ta-jen is an official of considerable experience in European affairs, having been stationed in London, Brussels, and Singapore.

POSTAL ARRANGEMENTS AND TRANSMISSION OF MONEY TO CHINA.

Article 10 of the Convention provides that during the sojourn of the emigrant in the Colony in which he is employed, all possible postal facilities shall be afforded him for communication with his native country and for making remittances to his family.

Postal Arrangements.—Arrangements have been made by the Chamber of Mines Labour Importation Agency whereunder coolies can send their letters free of charge to China. Address slips are also provided to be enclosed by the sender in his letter. They are gummed on the back, and can be pasted by the receiver on to his reply.

Should the coolies not desire to avail themselves of the opportunities offered by the Agency to send their letters through them free of charge, facilities are afforded for purchasing postage stamps at the mine offices. On receipt of application from this Department the Postmaster-General issues licenses to mine managers to sell postage stamps, and coolies are thereby enabled to send their letters independently.

Should a coolie desire to send a letter through this Department he forwards the same to the Superintendent, through his mine manager, properly stamped and addressed. The letter is then re-addressed to care of the Transvaal Emigration Agent at the port whence he embarked, and forwarded by him to the addressee.

Remittance of Money.—Owing to the fact that a large number of the labourers have made monthly allotments from their wages to their families in China and to their inclination to spend nearly all they earn, very few remittances have been made to China during the past year.

No doubt when an arrangement for replacing the allotment system by remittances comes into force, and when the coolies have been here some little time and have purchased all their requirements on their first arrival, more money will be remitted by the labourers than heretofore.

The money is collected by the compound manager and handed to an Inspector of this Department. It is then transmitted, by means of money order, to the Transvaal Emigration Agent in China, who takes steps to deliver it to the remittee, from whom he obtains a receipt, which is sent to this Department and handed by an Inspector to the remitter.

The Government charge for money orders in China is 1s. (one shilling) for every £4 (four pounds) or part thereof. If coolies, therefore, club together and send their money through the Emigration Agent the charges are greatly diminished.

Although the Transvaal Emigration Agents have been successful in eventually delivering the money to the remitees, they have not done so without considerable difficulty owing to the defective rural postal arrangements in China, the non-issue of money orders for places beyond the Treaty Ports, the refusal of the Chinese Post Offices to undertake the responsibility of paying remittances to remitees living in the interior, and to the insufficient addresses given by the remitters here in South Africa.

It has therefore been decided to endeavour to introduce some more satisfactory method of remittance.

HEALTH

The arrangements for the medical treatment and care of the labourers, when sick on the voyage and at the Durban depôt, have already been described in this report.

Under Regulation No. 21 every employer shall provide his labourers and their wives and children residing on his premises with medicine and medical attendance during illness, and he is liable to penalty not exceeding fifty pounds for every case of neglect to do so.

Excellent hospitals have been erected by employers at every mine where Chinese labourers are employed. When two mines of the same group are quite close together the use of a joint hospital has been sanctioned.

The plans for these hospitals are submitted to the Superintendent along with the other plans for the accommodation of labourers required before the Lieutenant-Governor issues a license under Section 7.

Every mine on the Rand employing Chinese labourers has a white doctor and Chinese medical assistants, and hospital dressers have also been engaged. The Chamber of Mines Labour Importation Agency has in addition engaged the services of a special medical adviser, and the Department pays to the District Medical Officer for the Witwatersrand Area a retaining fee in order that the services of a Government doctor may be available whenever required.

Inspections of the hospitals are periodically made by the officers of this Department, and the mine managers submit every month a detailed sick return. Until the end of the month of April last such returns were rendered weekly, but it has since been agreed that in future they be rendered monthly. Appendices 9 and 9a show the percentage of sick amongst the Chinese labourers for all causes for the periods of July, 1904, to December 31st, 1904, and January 1st to June 30th, 1905, respectively.

These returns have been compiled by the District Medical Officer of Health for the Witwatersrand Area from the sick returns furnished by employers.

It will be observed that the percentages for the two months of May and June are worked out on a monthly, whereas the remainder are on a weekly, scale.

In addition to furnishing the above return the employers of Chinese labour have of course to comply with the various Health Laws of the Colony and Municipal Regulations.

Labourers suffering from infectious diseases are moved under Section 12 to the Rietfontein Lazaretto.

The percentage of sickness amongst the labourers has been greatly increased by an outbreak of "beri-beri" amongst the Cantonese on their arrival in South Africa.

Out of the total number of 1,167 labourers who have been repatriated during the year owing to permanent incapacity for work by physical infirmity or disease, 600 were suffering from "beri-beri," and of the total number of deaths—541—in South Africa, 128 have to be ascribed to "beri-beri." The disease has been practically confined to the 1,741 labourers recruited from the South. Only 1,021 of these coolies were left on the Rand on June 30th, last. It is confidently hoped that after all "beri-beri" sufferers have been repatriated the disease will disappear entirely from the Rand and that the percentage of sickness will thereby be greatly reduced.

A certain proportion of the sickness amongst the labourers may be put down to the effects of opium smoking.

During the year 21 have died from opium poisoning, and 15 excessive smokers have been repatriated.

It is anticipated that legislation will shortly be introduced for the prohibition of the sale of opium to or the possession of opium by labourers on the same lines as Sections 46 and 48 of the Liquor Licensing Ordinance of 1902.

DEATHS.

Four hundred and sixty-nine deaths have occurred on the Rand during the year, of which the following is an analysis :—

Month.	Accidents.	Beri-beri.	Suicide.	Phtisis.	Opium Poisoning.	Heart Disease.	Pneumonia.	Enteric.	Septicæmia.	Murder.	Malaria.	Dysentery.	Diseases of Liver.	Congestion of Lungs.	Meningitis.	Colitis.	Pericarditis.	Purpura.	Empyema.	Nephritis.	Bronchitis.	Gastritis.	Drowned.	Unknown.	Other Natural Causes.	Total.
June, 1904	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1
July, "	2	—	—	—	—	—	2	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5
August, "	—	3	—	1	—	—	—	—	—	—	—	1	1	—	—	—	—	—	—	—	—	—	—	—	—	6
September, "	1	9	—	1	—	—	1	3	—	—	—	1	1	1	1	—	—	—	—	—	—	—	—	—	—	19
October, "	2	11	—	—	1	—	—	1	—	—	—	3	—	—	—	2	1	1	1	1	—	—	—	—	—	24
November, "	5	12	1	—	—	1	1	1	—	4	1	3	—	—	—	—	—	—	—	3	2	2	—	—	4	40
December, "	8	15	1	—	—	4	1	6	—	1	—	8	1	—	—	—	—	—	—	—	—	1	—	—	2	48
January, 1905	2	4	1	—	—	—	1	3	1	—	—	9	2	—	—	—	—	—	—	—	—	—	—	1	5	29
February, "	11	11	3	—	1	—	—	3	—	—	—	5	—	—	—	—	1	—	1	—	—	1	1	—	8	46
March, "	22	6	5	4	3	—	3	5	1	—	1	12	—	—	—	1	—	—	—	1	—	—	—	—	4	68
April, "	20	2	5	8	2	5	1	4	1	1	—	5	—	—	—	—	—	—	—	—	—	—	—	—	2	56
May, "	26	8	1	4	4	4	1	4	1	1	—	6	—	—	—	—	—	—	—	—	—	3	—	—	3	66
June, "	16	2	2	3	11	4	3	3	—	—	1	7	—	—	—	—	—	—	—	—	—	—	—	1	8	61
	115	84	19	21	22	18	14	33	4	7	4	60	5	1	1	3	2	1	2	5	5	4	1	2	36	469

The following tables compiled by the Medical Officer of Health for the Transvaal, and published in the *Government Gazette*, show the death rate per mille and the comparison between the death rate of white, yellow, and black miners.

Figures for the period from April to June 30th are not yet available.

The number of deaths from accidents has been 115; the rate per mille being shown on the following tables:—

PERIOD JULY TO SEPTEMBER, 1904.

CAUSE OF DEATH.	WHITE.		YELLOW.		BLACK.		TOTAL.	
	No.	per 1,000 p. a.	No.	per 1,000 p. a.	No.	per 1,000 p. a.	No.	per 1,000 p. a.
Accidents, including Homicide and Suicide.	22	5·869	3	2·345	84	3·933	109	4·131
Diseases	60	16·007	27	21·106	711	33·292	798	30·245
Total	82	21·876	30	23·451	795	37·225	907	34·376

OCTOBER TO DECEMBER, 1904.

Accidents, including Homicide and Suicide.	23	5·838	22	5·140	83	3·520	128	4·025
Diseases	62	15·738	92	21·497	1,120	47·504	1,274	40·068
Total	85	21·576	114	26·637	1,203	51·024	1,402	44·093

JANUARY TO MARCH, 1905.

Accidents, including Homicide and Suicide.	18	4·260	41	5·677	150	5·288	212	5·255
Diseases	64	15·147	99	12·773	970	31·198	1,133	28·086
Total	82	19·407	143	18·450	1,120	39·486	1,345	33·341
Average Monthly Population ...	16,901		31,002		113,456		161,359	

On the death of a labourer the employer is obliged, under Section 16, to forward a medical certificate as to the cause of death.

The finger prints of the deceased are taken from the dead body, and a statement of his account is furnished at the same time.

The finger prints are checked in order to make certain that the right coolie has been reported as dead, the accounts are thoroughly audited—special care being taken to see that all compensation due has been credited to the deceased's estate—and the coolie is then struck off the Government books.

The Transvaal Emigration Agent in China is informed, and immediate steps are taken to stop the allotment accounts, to wind up the estate, and to inform the deceased's next-of-kin.

A certified copy of the medical certificate or inquest as to the cause of death is also forwarded in case of enquiries by the Chinese Inspector.

The sum due to the deceased's estate is forwarded by the Department to the Emigration Agent, who finally audits the same with the representative of the Chamber of Mines Labour Importation Agency, who keeps the allotment accounts.

The sum finally due to the estate is then transmitted by the Emigration Agent to the deceased's next-of-kin, and any sum due to the employer is refunded through this Department.

Except in the case of deaths by accident the employer is allowed to charge the estate with the sum of £1 for burial expenses.

A list is attached showing the total number of deaths which have occurred during the year on all occasions:—

On the voyage from China to Durban	69
At Durban prior to despatch to Rand	23
On railway journey between Durban and Rand	1
On the Rand	469
At Durban prior to return to China	48
On the return voyage to China (so far advised) ..	53
Total	663

REPATRIATION OF LABOURERS.

Labourers have been sent back to China for the following reasons :—

(a) *From Durban, prior to registration.*

On rejection as (i.) medically unfit to proceed to the Rand, and (ii.) have proved themselves, on the voyage out, to be undesirable characters.

(b) *From the Rand, after registration.*

(i.) For refusal to work. By order of the Superintendent under Section 25. (ii.) After conviction of any offence and sentence to imprisonment without the option of a fine. By order of the Lieutenant-Governor under Section 26. (iii.) As permanently incapacitated for work by physical infirmity or disease. Under Section 26, by order of the Lieutenant-Governor. (iv.) On purchase of their discharge under Clause 14 of the Contract of Service.

The following table shows the number so repatriated :—

A. (i.) Rejected at Durban as medically unfit	...	...	...	...	97
(ii.) Rejected at Durban as undesirable	...	...	...	...	14
B. (i.) Under Section 25	...	...	...	...	1
(ii.) Under Section 26, after conviction	...	...	...	...	18
(iii.) Under Section 26, permanently incapacitated	...	...	...	...	1,167
(iv.) On purchase	...	...	...	...	20
Grand Total	...	...	...	...	1,317

In addition to the above, 37 coolies were rejected during the voyage as being medically unfit to proceed to South Africa, and 19 as undesirable characters. They were disembarked at a port of call and returned to the port at which they originally embarked.

One coolie managed to escape at Durban and was discovered as a stowaway on a returning vessel and 10 deserted from the ship at the various ports of call.

When an employer desires to repatriate a coolie, application must be made to the Superintendent, who takes the necessary steps to obtain the sanction of the Lieutenant-Governor. If the coolie is permanently incapacitated for work, a medical certificate has to be furnished by the Medical Adviser to the Agency, and, if necessary, a further medical examination is held by the Government doctor. Application is then made by the Superintendent to the Lieutenant-Governor for an order for return to China.

A statement of the coolie's account is then submitted to this Department, together with a cheque for any sum due to him. This account is carefully audited, and special care is taken to see that any sum due under Clause 13 of the contract is credited.

Lists are then made out giving the Transvaal Emigration Agent full particulars regarding the coolies returning to his port, and the accounts are transmitted to him, together with a cheque for the sum due to the coolies. At Durban, prior to departure, the returning labourers are re-identified in order to make sure that the right men are returning, and new tickets are given to each.

The following instructions, issued by this Department to Emigration Agents, describe the procedure adopted on the arrival in China of repatriated coolies :—

1. All Chinese labourers who are being returned from the Transvaal for any reason whatsoever will be thoroughly identified by the Foreign Labour Department prior to their departure.
2. Each man will be given a ticket showing his name, his original contract or shipping number, his Transvaal Government passport number, and the name of the port whence he embarked.
3. Full particulars of each labourer will be made by the Foreign Labour Department to the Transvaal Emigrant Agent at the port whence he embarked. This report will be given to the captain of the ship by which the men are returned, and the envelope will bear the distinguishing word "Repatriations."
4. This report should be one of the first matters to receive the attention of the Transvaal Emigration Agent on the arrival of the ship.
5. It will be the duty of the Transvaal Emigration Agent to receive the men and to make a full report to the Foreign Labour Department of their arrival.
6. One of the most important matters to be settled by the Transvaal Emigration Agent will be the final adjustment of the labourer's account.

In this connection a copy of an extract from a letter addressed by the Foreign Labour Department to the Chamber of Mines Labour Importation Agency, Limited, is attached. This extract explains fully the position of affairs in South Africa with regard to the accounts of repatriated labourers.

7. In winding up these accounts the duty of the Transvaal Emigration Agent will be to protect the interests of both the employer and the employed.
8. Whenever a labourer is repatriated with a credit standing to his account the Foreign Labour Department will transmit to the Transvaal Emigration Agent a draft or money order for the same, together with a separate statement of his account on F.L.D. Form 29.
9. The coolies to whom any sum is due must remain at the Emigration Agency until their account is finally adjusted by the Transvaal Emigration Agent.

10. The Transvaal Emigration Agent shall confer with the representative of the Chamber of Mines Labour Importation Agency, who is responsible for the allotment accounts, and, if there is any sum due by the labourer on account of such payments, the Transvaal Emigration Agent shall deduct such sum from the remittance made by the Foreign Labour Department on behalf of the labourer, and he shall hand over the balance to the labourer or to his next-of-kin if the labourer has died *en route*.
11. The sum which has been deducted by the Transvaal Emigration Agent from the labourer's remittance shall forthwith be sent to the Foreign Labour Department, who will refund it to his employer in South Africa.

EXTRACT OF LETTER REFERRED TO IN INSTRUCTION 6.

1. When the Lieutenant-Governor has ordered the return to China of a labourer for any cause his employer shall forthwith send to the Chamber of Mines Labour Importation Agency a statement of his accounts in South Africa on the attached form (F.L.D. Form 29). In terms of Clause 13 of the Contract of Service the sum of ten pounds must be credited to the labourer's account in cases of permanent total disablement, and the sum of five pounds in the case of permanent partial disablement.

2. A cheque for the balance due to the labourer shall accompany the statement of accounts. A small sum which in the opinion of the employer should be sufficient to meet the requirements of the labourer on the return voyage may, however, be deducted and debited against the labourer's account.

3. The Chamber of Mines Labour Importation Agency after verification of the account will forward the same, together with a cheque for the credit balance to the Foreign Labour Department who will remit it to the Transvaal Emigration Agent at the port whence the labourer embarked per the same steamship conveying him back.

N.B.—The Chamber of Mines Labour Importation Agency must therefore be good enough to see that the cheque reaches the Foreign Labour Department in time to accompany the labourer, otherwise he may be detained in Durban or in the *dépôt* in China.

4. On receipt of the remittance the Transvaal Emigration Agent shall confer with the representative of the Chamber of Mines Labour Importation Agency who is in charge of the allotment accounts, and he shall, with his assistance, finally balance the labourer's account.

(a) He shall then hand over to the labourer whatever may be due to him, or to his next-of-kin, if the labourer has died *en route*.

(b) He shall then remit to the Foreign Labour Department any deductions made from the remittance, together with a full and final statement of the labourer's account.

5. The Foreign Labour Department shall then refund the employer in South Africa through the Chamber of Mines Labour Importation Agency the sum thus due to him. Under Clause 3 of the Contract of Service the employer is bound to return the labourers to the port at which they embarked, and here legally the employer's liability terminates. The Chamber of Mines Labour Importation Agency has, however, consented, as an act of grace, to supply repatriated labourers, who arrive at their original port of embarkation in a destitute condition, with suits of clothes and with sums of money to assist them in reaching their homes.

This privilege, however, is not extended to labourers who have been repatriated on conviction to sentence of imprisonment without the option of a fine, nor to labourers who have availed themselves of the provisions of Clause 14 of the Contract of Service. The Agency also reserves to itself the right of the employer, under Section 27, to deduct the cost of repatriation from wages earned by a labourer who is repatriated as a misdemeanant.

RETURN ON PURCHASE.

Under Clause 14 of the Contract of Service any labourer may at any time terminate his contract without assigning any reason on tendering to his employer the expenses incurred in introducing him into the Transvaal, together with a sum sufficient to defray the expenditure necessary in returning him to the port at which he embarked.

Such sum amounts to approximately £17 10s., being made up as follows:—

Expenses incurred in introducing him into the Transvaal	...	...	...	£11 10 0
Sum sufficient to defray the expenditure necessary in returning him to his port of embarkation—				
Rail fare	...	...	...	1 0 0
Voyage	...	...	...	5 0 0

The coolie has, of course, to repay all sums which he owes his employer on account of advances made either in China or on the mine, as also any sum owing on his allotment account. Further, if he does not wish to work until the departure of the next available steamer he must pay for his food.

WOMEN AND CHILDREN.

Only 26 children and two women have accompanied the labourers to South Africa during the past year, although full opportunity has been afforded them by the importers to bring their wives and children out with them.

Even after arrival notices have been posted up in the compounds explaining the opportunities offered in this connection, and asking them if they desired to avail themselves of the same. Although

quite 22 per cent. have registered themselves as married no coolie has ever expressed a desire to have his wife brought out, and it would appear that they prefer to leave them in China during the short period of their contract of service.

The following list shows the number of Chinese recruited, the wastage from all causes, and the final distribution as on the 30th June last :—

COMPLETE TABLE SHOWING TOTAL NUMBER OF CHINESE WHO EMBARKED IN CHINA.									
WASTAGE FROM ALL CAUSES.									
LEAVING A TOTAL ON THE RAND ON 30TH JUNE, 1905, AS AT FOOT.									
<i>Number of Labourers leaving China for South Africa—</i>									
From	Hong Kong	...	...	...	...	...	1,741		
„	Chifu	...	...	...	...	...	10,195		
„	Chinwangtao	...	...	...	...	...	31,360		
							<u>43,296</u>	...	43,296
<i>Deductions on Voyage—</i>									
	Deaths	...	...	...	...	...	69		
	Desertions	...	...	...	...	...	10		
Rejections	{	Unfit	...	...	...	...	37		
		Undesirables	...	...	...	...	19		
							<u>135</u>	...	135
									<u>43,161</u>
<i>Leaves total arriving in Durban</i> 43,161									
<i>Deductions at Durban—</i>									
Rejections	{	Unfit	...	...	...	...	92		
		Undesirables	...	...	...	...	14		
Deaths	{	Repatriations	...	...	...	...	5		
		Unregistered	...	...	...	...	18		
		Registered...	...	...	...	...	5		
							<u>134</u>	...	134
									<u>43,027</u>
<i>Leaves total dispatched to Rand</i> 43,027									
<i>Deductions on journey to Rand—</i>									
	Deaths	...	...	...	...	...	1		
							<u>1</u>	...	1
									<u>43,026</u>
<i>Leaves total arriving on Rand</i> 43,026									
<i>Deductions on Rand—</i>									
	Deaths...	...	...	...	...	...	469	On Rand.	
	Deaths...	...	...	...	...	...	48	Pending repatriation.	
	Returns by purchase	...	...	...	...	...	20		
	Return on expiry of contract	...	...	...	...	...	Nil.		
	Repatriation under Section 25	...	...	...	...	...	1		
	Repatriation under Section 26	...	...	...	...	...	Nil.		
	Unfit for work	...	...	...	...	...	1,167	Actually sailed.	
	After imprisonment without option of fine	...	...	...	...	...	18		
	Lunatics	...	...	...	...	...	Nil.		
	Awaiting Repatriation at Durban	...	...	...	...	...	6		
							<u>1,729</u>	...	1,729
									<u>41,297</u>
<i>Leaves Grand Total on Rand, 30th June, 1905</i> 41,297									

On water, s.s. "Ikbal." of 1,923 coolies.

The actual work of making all arrangements for the introduction of Chinese labourers has been undertaken by the Chamber of Mines Labour Importation Agency, Ltd., and this Department is greatly indebted to the Chairman and the General Manager of that body, as also to the various mine managers, for their unfailing courtesy and their readiness at all times to co-operate with and assist the Department in any way that lay in their power.

J. W. JAMIESON,
Superintendent.

Foreign Labour Department.
Johannesburg, June 30th, 1905.

APPENDIX V.

GOVERNMENT NOTICE No. 569 OF 1906.

His Excellency the Acting Lieutenant-Governor has been pleased to approve of the following regulations made under Section *two* of the Coloured Labourers Health Regulations Ordinance, 1905 (No. 32 of 1905).*

Such regulations shall be in force in the under-mentioned areas which have been proclaimed Labour Districts in terms of Section *four* of the Native Passes Proclamation, 1901 :—

1. Johannesburg Labour District.
2. Germiston Labour District.
3. Boksburg Labour District.
4. Springs Labour District.
5. Krugersdorp Labour District.
6. Middelburg Labour District.
7. Pretoria Labour District.
8. Klerksdorp Labour District.
9. Heidelberg Labour District.
10. Vereeniging Labour District.

G. Y. LAGDEN,
Commissioner for Native Affairs.

Native Affairs Department,
Pretoria, 6th June, 1906.

COLOURED LABOURERS HEALTH REGULATIONS.

PART I.

1.—DEFINITIONS.

In these Regulations, unless the context otherwise requires :—

“Labourer” shall mean any native labourer recruited for labour on any mine or works in the Labour District, provided that any labourer who is engaged under contract to work on or about any mine or works in the Labour District shall be deemed to have been recruited for labour on such mine or works.

The term “the Medical Officer” as used in relation to any mine or works, or any recruiting depôt, shall mean any Medical Officer appointed by the Commissioner for Native Affairs, with the approval of the Lieutenant-Governor, for the purpose of carrying out these Regulations in the Labour District, or part of a Labour District, within which such mine or works, or recruiting depôt is situate.

“Commissioner” shall mean the Commissioner for Native Affairs.

“Officer” shall include the Commissioner and any person authorised in writing by the Commissioner to act as an Officer under these Regulations.

“Recruiting depôt” shall mean any place used for the accommodation of labourers by any person engaged in the recruiting of labourers, or in the distribution of labourers to employers.

The term “Manager” shall have the same meaning as is assigned to it from time to time by any Regulations made under the Mines Works Machinery Regulation Ordinance, 1903, or any amendment thereof.

“Premises” shall mean and include any building, room, hut, shed, or tent, and any yard or other land used or occupied in connection therewith.

“Owner” of a mine or works shall mean and include any person who is the immediate holder or lessee of a mine or works or part thereof and a tributor for the working of a mine or any part thereof, and in the case of a mine or works owned by a company or syndicate the term “owner” shall mean and include the chairman thereof or any director or member of such company or syndicate, and shall include in the case of a firm or partnership all or any one or more of the members of such firm or partnership, and in the case of a Company or body of persons not being a firm or partnership the Secretary or Manager of such Company or body, and if there be no Secretary or Manager resident within the Colony then any Director or Member of the Managing Board or Committee of such Company or body or any Manager in the employ of such Company or body. A person who owns only the soil on which a mine or works is situate shall not be deemed to be an owner for the purposes of these Regulations.

“Mine” shall mean and include all excavations for the purpose of searching for or winning minerals as well as all working of mineral deposits whether abandoned or actually being worked on the surface from the surface downwards and underground, together with all buildings, erections and appliances belonging or appertaining thereto above and below ground for the purpose of prospecting for or winning minerals or precious stones by excavating or dredging.

“Works” shall mean and include chemical works, metallurgical works, reduction works, ore-dressing works, petroleum works, salt works, brickmaking works, pottery works, lime works, and any places where machinery is erected or used, and all dams, reservoirs and other appliances for conserving water or for producing or transmitting energy or for transporting water or material for the same.

II.—NOTICES AND ORDERS.

(1) Every notice or order which may be served under these Regulations shall be in writing and signed by the person who causes the same to be served, provided that any such notices or orders signed on behalf of the Commissioner by any person whom the Commissioner may from time to time authorise in writing to sign such notices or orders on his behalf shall be deemed to have been signed by the Commissioner.

(2) Every notice, order or other document which may under these Regulations be required to be served upon an owner shall be served personally on such owner or left or sent by registered post to his last usual place of abode or business, and if such owner shall be absent from this Colony such notice, order or other document shall be served on any agent of his.

(3) Any person who shall fail to comply with any notice or order duly served under these Regulations shall be deemed to have contravened these Regulations, unless such notice or order shall have been suspended under the provisions as to appeal against any such notice or order hereinafter contained.

III.—PENALTIES.

Any person who is convicted of a contravention of any of these Regulations for the contravention of which no penalty is specially provided shall be liable to a fine not exceeding fifty pounds, and in default of payment to imprisonment for a period not exceeding six months.

IV.—POWERS OF INSPECTION.

The Medical Officer or any Officer may enter upon any part of any mine or works other than the underground workings of a mine and upon any premises on which labourers employed on any mine or works reside at any hour of the day or night for the purpose of inspecting the same, and may require the Manager of such mine or works or any person who may apparently be in charge of such mine, works or premises to conduct him over the same and to furnish him either verbally or in writing with any information relating to any matter dealt with under these Regulations, and may demand from such Manager or other person samples of any food or drinking water supplied to such labourers, and may remove any such samples for examination or analysis.

Any person who shall directly or indirectly wilfully hinder or obstruct any Medical Officer or Officer in making any inspection or in performing any other duty under these Regulations, or who shall refuse or neglect to furnish any information which may be required under this Regulation, or shall wilfully give to any such Medical Officer or Officer any false or misleading information, or neglect or refuse to comply with any lawful demand made under these Regulations shall be liable on conviction to a fine not exceeding £50, or in default of payment to imprisonment for a period not exceeding six months.

V.—CARE OF LABOURERS DURING ILLNESS.

Every owner of a mine or works shall provide for the proper care and treatment of the labourers employed by him thereon when sick or injured during the subsistence of their contracts of employment.

VI.—HOSPITALS.

Wherever there is no hospital accommodation available, whether in public or private hospitals, for the labourers employed on any mine or works, or where the hospital accommodation so available for such labourers is, in the opinion of the Medical Officer, insufficient or unsuitable, the Commissioner may, on the report of the Medical Officer, cause to be served on the owner of such mine or works an order requiring him to erect and equip a hospital, or to enlarge or alter any existing hospital belonging to him, so as to provide suitable hospital accommodation for such labourers within a reasonable time to be specified in such order, provided that no order served under this Regulation shall require the provision of hospital accommodation superior to that specified in the third Schedule to these Regulations, and if such owner fails to comply with such order he shall be liable to a fine not exceeding £100, and in default of payment, to imprisonment for a period not exceeding twelve months.

VII.—HOSPITAL MEDICAL OFFICER AND SUPERINTENDENT.

The owner or manager of any mine or works shall provide for the medical supervision of any hospital maintained by him for the accommodation of labourers employed on such mine or works by some medical practitioner, registered in the Transvaal (herein referred to as the "Hospital Medical Officer"), and shall employ as the Superintendent of such hospital a competent person, who shall be responsible for keeping such hospital, its furniture and equipment, in a cleanly condition, and for attending upon all persons who may from time to time be lodged in such hospital.

VIII.—CHANGE HOUSES.

(1) Where on any mine change houses are provided for the use of the labourers employed thereon the Manager of such mine shall, at the request of the Commissioner draw up rules as to the use of the change houses by such labourers, and shall submit such rules for the approval of the Commissioner who may approve the same with or without modification, and the Manager shall make known such rules as approved to the labourers employed on such mine by publishing the same in such manner as the Commissioner may direct.

(2) The labourers employed on any mine shall enter into any change houses provided for their use at such times as may be appointed under such rules as aforesaid, and shall use such change houses in accordance with such rules. Any labourer contravening this Regulation shall be liable on conviction to a fine not exceeding £1, and in default of payment to imprisonment for a period not exceeding seven days.

IX.—MEDICAL INSPECTION.

(1) The Medical Officer may, subject to the provisions as to notice contained in the succeeding Sub-Section, from time to time make a medical examination of any labourers lodged in any recruiting depôt or employed on any mine or works, and may for the purpose of such examination enter any recruiting depôt, mine or works or any premises on which the labourers employed on any mine or works reside.

(2) The Medical Officer may make a medical examination of any such labourer without notice either (a) with the consent of the manager, or (b) without such consent where he has reasonable ground for suspecting either

- (i.) that such labourer is suffering from the effects of illtreatment or personal violence to which he has been unlawfully subjected, or
- (ii.) that such labourer or the locality in which such labourer is lodged or is employed is threatened with or affected by any formidable, infectious or pestilential disease ;

but save in such excepted cases the Medical Officer shall before making a medical examination of any such labourer cause notice to be served on the person in charge of the recruiting depôt in which such labourer is lodged or on the owner or manager of the mine or works on which such labourer is employed of his intention to examine any or all of the labourers lodged in such depôt or employed on such mine or works at or about a time to be specified in such notice, not being less than 24 (twenty-four) hours subsequent to the time at which such notice is served.

(3) If the Medical Officer desires to make a general medical examination of the labourers lodged at any recruiting depôt or employed on any mine or works he may cause notice to be served on the person in charge of such recruiting depôt or on the owner or manager of such mine or works requiring him to muster and produce for examination all labourers lodged at such depôt or all labourers employed on such mine or works other than the labourers actually engaged on shift, at some convenient place thereon or adjacent thereto at a time to be specified in such notice, not being less than 48 (forty-eight) hours subsequent to the time at which such notice is served.

(4) Any notice served under Sub-Section (2) or (3) hereof shall contain a request that any Medical Officer having the medical supervision of the labourers to whom such notice relates, may be notified of the proposed examination.

X.—WASHING ARRANGEMENTS.

(1) Every owner of a mine or works shall provide adequate arrangements for washing, for the use of the labourers employed on such mine or works.

(2) Where the arrangements for washing provided for the use of the labourers employed on any mine or works are, in the opinion of the Medical Officer, insufficient or unsuitable, the Commissioner may, on the Report of the Medical Officer, cause an order to be served on the owner of such mine or works, requiring him to provide suitable arrangements for washing for the use of such labourers, within a reasonable time, to be specified in such order.

XI.—DRINKING WATER.

(1) Every owner of a mine or works shall make adequate provision for the supply of drinking water for the labourers employed thereon.

(2) Where, in the opinion of the Medical Officer, the arrangements for the supply of drinking water to the labourers employed on any mine or works are inadequate, the Commissioner may, on

the report of the Medical Officer, cause to be served on the owner of such mine or works an order requiring him to make suitable arrangements for the supply of drinking water to such labourers within a reasonable time, to be specified in such order.

XII.—RATIONS.

(1) Every owner or manager of a mine or works shall cause all labourers employed thereon to whom he is obliged to supply food under their contracts of employment, to be provided with rations of good quality, in accordance with the first Schedule to these Regulations.

(2) No employer shall supply or cause to be supplied, to any labourer in his employ, for the purpose of consumption by such labourer, any article of food or drink which is diseased, unsound or unwholesome, or unfit for the food of man.

PART II.

XIII.—HOUSING ACCOMMODATION.

(1) Every owner of a mine or works shall provide on or adjacent to such mine or works premises for the proper housing of any labourers employed on such mine or works for whom he is obliged to provide housing accommodation under their contracts of employment, and shall maintain any premises provided by him for housing such labourers in good repair.

(2) Where the Medical Officer is not satisfied that any labourers employed on any mine or works for whom the owner of such mine or works is, under their contracts of employment, obliged to provide housing accommodation are properly housed or where the premises provided by the owner of any mine or works for the housing of any such labourers employed thereon are, in the opinion of the Medical Officer, insufficient, defective, or in bad repair, the Commissioner may on the report of the Medical Officer cause to be served on the owner of such mine or works an order requiring him to provide suitable premises for the housing of such labourers or to remedy any defects in existing premises provided by him for such purpose, or to do any repairs to such premises within a reasonable time to be specified in such order, provided that no order served under this Regulation shall require the provision of housing accommodation superior to that specified in the second schedule to these Regulations.

(3) The owner of any mine or works shall cause all premises provided by him for housing labourers employed on such mine or works to be kept in a clean and sanitary condition.

XIV.—PROHIBITING THE USE OF DEFECTIVE PREMISES.

(1) Where any premises which are occupied by labourers are in the opinion of the Medical Officer by reason of defective or unsuitable construction or arrangement, bad condition, want of light or ventilation, or other sanitary defect, unfit for the occupation of such labourers, the Commissioner may, on receiving the report of the Medical Officer with regard to such premises, cause to be served on the owner thereof an order prohibiting him from using or allowing the same to be used for the occupation of labourers, after a date to be specified in such order, until such order is withdrawn.

(2) The Commissioner may thereafter withdraw such order on being satisfied on the report of the Medical Officer that the premises to which such order relates have been so altered or repaired as to render them fit for the occupation of labourers.

(3) The owner of any premises who fails to comply with an order served under this Regulation shall be liable to a fine not exceeding £10, and in default of payment to imprisonment for a period not exceeding one month for every day during which such default continues.

(4) Any labourer who occupies or remains in occupation of any premises in respect of which a prohibition order served under this Regulation is in force after he has been notified of the nature of such order shall be liable to a fine not exceeding £1, and in default of payment to imprisonment for a period not exceeding seven days for every day during which such occupation continues.

XV.—APPROVAL OF NEW BUILDINGS.

(1) The owner of any mine or works shall before commencing the erection of any new building which is intended to be used for housing labourers, or commencing any substantial structural alteration in any existing building which is so used or intended to be so used, submit to the Commissioner the plans of such new building or altered building, and obtain his written approval of such plans, which written approval shall be granted or refused within fourteen days of the receipt by him of such plans.

(2) The owner of any mine or works shall not allow any new building provided by him for housing labourers or any building so provided which has undergone substantial structural alteration to be used for housing labourers until written permission for the use of the same for such purpose has been given by the Commissioner.

(3) Notice shall be given to the Commissioner of the completion of any such new building and of any such alterations as aforesaid to any such existing building by the owner thereof, and the Commissioner shall, if the building has been erected or altered in all material respects in accordance with the plans approved by him, grant such permission in the case of a building situate in the Witwatersrand District within four days, and in the case of a building situate outside the said district, within seven days of the date of receiving such notice, and if the building has not been so erected or altered shall, within the same period, serve on the owner thereof notice of any deviations from the plans to which he objects.

(4) In reckoning the number of days for the purpose of this Regulation Sundays and public holidays shall be excluded.

XVI.—LATRINES AND URINALS.

(1) Every owner of a mine or works shall provide on such mine or works, and on any premises provided by him for the housing of labourers, sufficient and suitable latrines and urinals for the use of the labourers employed on such mine or works or residing on such premises, and shall maintain the same in proper sanitary condition.

(2) Where, in the opinion of the Medical Officer, the latrines or the urinals provided on any mine or works, or on any premises provided by the owner of any mine or works for the housing of labourers employed thereon, are inconvenient or insufficient, or are by reason of their situation or construction insanitary, the Commissioner may, on the report of the Medical Officer, cause an order to be served on the owner of such mine, works, or premises requiring him to provide suitable new latrines or urinals, or to remedy any defects in the existing latrines or urinals, within a reasonable time, to be specified in such order.

XVII.—REMOVAL OF REFUSE.

(1) Every owner of a mine or works shall make adequate arrangements for the regular removal and innocuous disposal of night soil and urine, and of solid and liquid refuse produced in such mine or works, provided that in the case of any mine or works situate within any Municipality the arrangements made for such removal and disposal shall be such as comply with the Bye-laws for the time being in force within such Municipality.

(2) Where there is on any mine or works an accumulation of refuse, liquid or solid, or where there is on land adjacent to any mine or works an accumulation of any such refuse which has been produced on such mine or works, and such accumulation is dangerous or injurious to the health of the labourers employed on such mine or works, the Medical Officer or any Officer may cause an order to be served on the owner of such mine or works requiring him to have such accumulation destroyed or removed and innocuously disposed of within a reasonable time to be specified in such order.

(3) Nothing contained in Sub-Sections (1) and (2) of this Regulation shall apply to mineral refuse produced by mining operations.

XVIII.—OBSERVANCE OF SANITARY PRECAUTIONS.

(1) The labourers employed on any mine or works shall obey all orders given by the Manager for the purpose of securing the observance by such labourers of sanitary precautions.

(2) Any labourer who fails to comply with any order so given or who performs the requirements of nature on any mine or works in such place or manner as to cause a nuisance shall be liable to a penalty not exceeding £1, and in default of payment to imprisonment for a period not exceeding seven days.

PART III.

XIX.—PARTICULARS WHICH ORDERS MAY CONTAIN.

It shall not be necessary for the Commissioner in any order which he may cause to be served under these Regulations to specify in detail particulars of the structure or appliance required by such order to be erected or provided, or the work required by such order to be executed, but such order shall state the general character of such structure, appliance or work, and shall contain such particulars with reference thereto as the Commissioner may consider expedient.

XX.—CONSIDERATION TO BE GIVEN TO PROBABLE LIFE OF MINE OR WORKS.

The Commissioner in drawing up any order to be served under these Regulations which requires the erection, provision or alteration of any building, washing appliance, latrine or urinal, shall give reasonable consideration to the probable length of life of the mine or works to which such order relates.

XXI.—APPEALS.

(1) The owner or manager of any mine, works, or premises on whom any order is served under these Regulations may at any time within a period of fourteen (14) days from the date of the service of such order lodge with the Commissioner written notice of appeal against such order, and any order against which notice of appeal is given within such period, shall be deemed to be suspended pending the decision of such appeal.

(2) The appellant shall in his notice of appeal nominate the person whom he appoints to sit on the Special Board, hereinafter mentioned, and shall at the time of lodging his notice of appeal deposit with the Commissioner the sum of £50.

(3) The appeal shall be heard by a Special Board consisting of three persons of whom one member shall be appointed by the appellant and one member by the Commissioner and the third member, who shall be Chairman, shall be the Resident Magistrate having jurisdiction in the area in which the mine or works is situate.

(4) The Special Board shall without delay enquire into the order against which the appeal is made and shall make any inspection which may be necessary for the purpose of such enquiry, and may either confirm or set aside the order or may amend the same provided that the Board shall only make such an amended order as the Commissioner has power to serve under the Regulation under which the order appealed against was served. Any order confirmed or amended by the Special Board shall be signed by the Chairman thereof and handed to the Commissioner, who shall also sign such order and shall cause the same to be served on the appellant, and such order shall be deemed to be substituted for the order appealed against, and shall not be subject to any further appeal under these Regulations.

(5) If the decision of the Special Board shall be in whole or in part against the appellant he shall be ordered to pay the costs of hearing the appeal or such proportion thereof as the Board may determine, including the fees and expenses of the members of the Board, and the deposit lodged with the Commissioner may be applied in whole or in part for such purpose.

(6) The members of any Special Board other than persons in the public service shall each receive a remuneration of £5 per day, with all reasonable travelling expenses, while engaged on their enquiry.

XXII.—ENFORCEMENT OF PART II. WITHIN MUNICIPAL AREAS.

The Commissioner shall not enforce Part II. of these Regulations (being Regulations 13 to 18 inclusive) within the area of any Municipality until he shall have published in two consecutive issues of the *Gazette* a notice of his intention to enforce the same within such area, and such notice shall only be given with reference to any Municipality if, after communication with the Council of such Municipality, the Commissioner shall be satisfied that such Council has failed to make an adequate exercise of its powers with regard to any of the matters dealt with in Part II. of these Regulations.

COLOURED LABOURERS HEALTH REGULATIONS.

SCHEDULE I.

RATIONS.

2 lbs. of mealie meal or $1\frac{1}{2}$ lbs. of army biscuit per day. (Such quantity of peas, beans, rice or other farinaceous or leguminous foods as is of equivalent nutritive value may be substituted for the whole or part of this ration.)

2 lbs. of bone-free meat or 2 lbs. of fish per week.

1 lb. of soup meat per week.

1 lb. of vegetables per week (such as pumpkins, beans, potatoes, &c.).

1 lb. of sugar or treacle per week.

$\frac{1}{2}$ oz. of salt per day.

SCHEDULE II.

HOUSING ACCOMMODATION.—MAXIMUM SCALE OF REQUIREMENTS.

1. *Air Space*.—200 cubic feet of air space for each labourer occupying the premises when the full complement for the accommodation of which the premises are provided is present. (In calculating cubic air space for the purpose of this requirement not more than twelve feet of the average height from the floor shall be taken into account in premises where there is only one tier of bunks and not more than fourteen feet of the average height from the floor in premises where there are two tiers of bunks).

2. *Arrangement of Bunks*.—Bunks arranged in one or two tiers.

3. *Type of Hut*.—The Rand Mines type of hut, as shown on the plan annexed to the Report of the Coloured Labour Compound Commission (Appendix D.), copy of which plan has been deposited in the Office of the Commissioner for Native Affairs and signed by the Commissioner under date 6th day of June, 1906. Walls of brick and iron roof.

4. *Ventilation*.—The system of ventilation adopted in the Rand Mines type of hut as shown on the plan, of which the essential points are:—

(1) Air spaces in walls 2 to 4 inches from the ground.

(2) Louvres in the roof as shown on the plan.

Ventilation space in the same proportion to size of hut as the ventilation shown on the plan of the Rand Mines type of hut.

5. *Stove*.—Stove with chimney and canopy.

6. *Windows*.—Glazed windows; window space equal to one-tenth of floor space.

7. *Floors*.—Impervious floors.

SCHEDULE III.

HOSPITAL ACCOMMODATION.

MAXIMUM SCALE OF REQUIREMENTS.

1. *Percentage Provision*.—Accommodation sufficient to accommodate at one time $2\frac{1}{2}$ per cent. of the total number of labourers employed on the mine or works.

2. *Air Space*.—800 cubic feet of air space for each labourer occupying the hospital when the full complement for the accommodation of which the hospital is provided is present.

3. *Sanitary Arrangements*.—Sufficient latrines and urinals for the exclusive use of hospital patients.

4. Other requirements as in Schedule II.

Note.—Schedules II. and III. specify the best accommodation which may be required, it being understood that accommodation of a less expensive character may be required in substitution for the accommodation described in these Schedules as may be considered suitable in the circumstances of each individual case.

APPENDIX VI.

GOVERNMENT NOTICE NO. 588 OF 1906.

IT IS HEREBY NOTIFIED for general information that His Excellency the Acting Lieutenant-Governor has been pleased to frame the following Regulations, by virtue of the power conferred on him by Section *twenty-nine* of the Labour Importation Ordinance, 1904, and section *thirteen* of the Labour Importation Amendment Ordinance, 1905.

It is further notified that these Regulations shall come into force on the 18th day of June, 1906.

H. F. BLAINE,
Acting Attorney-General.

Attorney-General's Office,
Pretoria, 7th June, 1906.

47. (1) Every lock-up established in terms of section *five* of Ordinance No. 27 of 1905 shall be placed under the superintendence of a person duly appointed thereto, and such person shall record in a register kept for that purpose the following particulars in regard to each person detained in such lock-up :—

- (a) The date and hour of the commencement of his detention ;
- (b) The charge on which he is detained ;
- (c) The names of the person or persons on whose information he is detained, together with their addresses ;
- (d) The date and hour of his discharge from detention ;
- (e) The articles found in his possession and the fact that these articles have been returned to him on discharge.

(2) Any person as aforesaid in superintendence of a lock-up shall within twenty-four hours of the commencement of such detention lodge with the Superintendent or an Inspector of the Foreign Labour Department a statement of the charge on which such labourer is detained and shall within the said period inform the said labourer of the purport of such statement.

(3) Any labourer detained in a lock-up, with regard to whom no such statement shall have been forwarded as aforesaid, or to whom the purport of any such statement has not been communicated as aforesaid, shall be entitled to demand that he be forthwith set at liberty, and any person detaining a labourer for more than twenty-four hours, without complying with Regulation *one* hereof, shall be deemed to hold such labourer in illegal custody and restraint.

48. On every mine on which labourers are employed there shall be at least five white men in the service of the employer, whose sole duty it shall be, under the instructions of the employer, to exercise efficient and continuous supervision in and about the compound over the labourers in regard to all instructions given by the employer for proper and adequate control and for the proper checking of all labourers having ingress to or egress from the compound as provided for under Regulations.

Any employer refusing or wilfully neglecting to employ such white men as aforesaid shall be liable to a penalty not exceeding twenty pounds for every day he is in default after notice of such default has been duly served upon him by the Superintendent.

APPENDIX VII.

REPORT OF THE GOVERNMENT MINING ENGINEER.

(Received in Colonial Office, July 7th, 1906.)

[COLONIAL OFFICE NOTE.—The numbered Tables and Appendices referred to in this Report are not printed here.]

Office of the Government Mining Engineer,
Johannesburg, 20th February, 1906.The Acting Commissioner of Mines,
Johannesburg.

SIR,

I HAVE the honour to submit statistics relating to Mines and Works in the Transvaal, for the six months ending the 31st December, 1905.

These statistics are presented under the following Sections :—

- I.—Labour.
- II.—Mineral Output.
- III.—Accidents and Prosecutions.
- IV.—Explosives and Stores.
- V.—Statistics of Capital.

SECTION I.

LABOUR.

As will be seen from the table below, there has been an increase in the average number of white and coloured employees on the mines of the Transvaal.

GOLD MINES.—TRANSVAAL.

AVERAGE NUMBER OF PERSONS EMPLOYED DURING THE HALF-YEAR.

Period.	Producing Mines.			Non-Producing Mines.		
	Whites.	Coloured.	Chinese.	Whites.	Coloured.	Chinese.
January-June, 1905	13,351	90,759	30,640	2,898	11,327	4,028
July-December, 1905	14,146	84,485	40,584	3,694	13,504	4,652
Increase	795	—	9,944	796	2,177	624
Decrease	—	6,274	—	—	—	—

RATIOS.

Period.	White Employees on		Coloured and Chinese on	
	Producing Mines.	Non-Producing Mines.	Producing Mines.	Non-Producing Mines.
January-June, 1905	4.61	1	7.91	1
July-December, 1905	3.83	1	6.89	1

The following comparative table shows the ratio of white to coloured persons employed in and about the gold mines of the Witwatersrand Area :—

July, 1899	1	:	8.578
June, 1902	1	:	4.343
June, 1903	1	:	5.383
June, 1904 (including Chinese) ...	1	:	5.434
December, 1904 (including Chinese)	1	:	6.838
June, 1905 (including Chinese) ...	1	:	8.457
December, 1905 (including Chinese)	1	:	7.025

Persons at Work.—The average total number of employees of all classes *at work* on the gold mines of the Transvaal was as follows:—

Period.	Whites.			Colonred.			Chinese.		
	Average Number.	Increase.	Per-centage Increase.	Average Number.	Increase.	Per-centage Increase.	Average Number.	Increase.	Per-centage Increase.
July-December, 1901	2,552	—	—	13,248	—	—	—	—	—
January-June, 1902	5,627	3,075	54·6	24,527	11,279	45·9	—	—	—
July-December, 1902	9,337	3,710	39·7	35,264	10,737	30·4	—	—	—
January-June, 1903	11,233	1,896	16·8	52,487	17,223	32·8	—	—	—
July-December, 1903	12,401	1,168	9·4	64,162	11,675	18·2	—	—	—
January-June, 1904	12,930	529	4·1	71,526	7,364	12·0	—	—	—
July-December, 1904	14,350	1,420	11·0	71,923	397	0·6	9,450	9,450	—
January-June, 1905	16,109	1,759	12·3	94,269	22,346	31·1	30,341	20,891	221·1
July-December, 1905	17,714	1,605	10·0	90,625	3,644*	—	39,978	9,367	31·8

* These figures represent the *decrease* in the number of coloured labourers employed.

Of these, the gold mines in the *Witwatersrand Area* alone employed:—

	Whites.			Coloured.		
	Percentage.	Percentage.	Percentage.	Percentage.	Percentage.	Percentage.
July-December, 1901	97·96	97·12				
January-June, 1902	98·19	97·48				
July-December, 1902	96·83	94·06				
January-June, 1903	95·23	90·10				
July-December, 1903	94·64	91·24				
January-June, 1904	94·59	90·52				
July-December, 1904	95·35	91·73				
January-June, 1905	95·51	91·22				
July-December, 1905	94·89	90·09				

and, in addition, all indentured Chinese are employed only by Witwatersrand gold mines.

OUTSIDE DISTRICTS.

Barberton.—It will be noticed from the following figures that, compared with the preceding half-year, there has been a decrease in the number of persons employed on producing mines, and a comparatively large increase for non-producing mines.

COMPARATIVE TABLE.

Period.	Producing Mines.		Non-Producing Mines.	
	Average No. Whites Employed.	Average No. Coloured Employed.	Average No. Whites Employed.	Average No. Coloured Employed.
January-June, 1905	372	4,989	78	816
July-December, 1905	361	4,573	179	1,369
Increase	—	—	101	553
Decrease	11	416	—	—

Heidelberg and Klerksdorp.—Figures for these districts will be found in Table No. 2. No appreciable alteration is to be noted with regard to labour on the mines in these areas.

GOLD MINES.—TRANSVAAL.

The following figures show the number of Whites, Coloured and Chinese employed for each of the six months under review :—

WHITES.

Month.	Witwatersrand.	Heidelberg.	Klerksdorp.	Pretoria (Barberton, Lydenburg, Pietersburg).	Total
1905—July	16,346	189	128	507	17,170
August	16,573	198	133	525	17,429
September	16,903	217	146	528	17,794
October	17,353	231	208	567	18,359
November	17,165	214	174	572	18,125
December	17,248	220	152	539	18,159
Average for Half-Year	16,931	212	157	540	17,840
Average for previous Half-Year	15,522	154	121	452	16,249

COLOURED AND CHINESE.

Month.	Number in the Employ.		Number Actually at Work.		Percentage Working.		Percentage Non-Efficient.	
	Coloured.	Chinese.	Coloured.	Chinese.	Coloured.	Chinese.	Coloured.	Chinese.
1905—July	103,623	43,191	94,584	38,362	91·28	88·82	8·72	11·18
August	100,081	44,609	93,111	39,834	93·04	89·30	6·96	10·70
September	97,721	44,538	90,608	39,397	92·72	88·46	7·28	11·54
October	96,392	45,956	89,752	40,018	93·11	87·08	6·89	12·92
November	96,283	45,856	89,295	40,059	92·74	87·36	7·26	12·64
December	93,831	47,267	86,403	42,199	92·08	89·28	7·92	10·72
Average for Half-Year	97,989	45,236	90,625	39,978	92·48	88·38	7·52	11·62
Average for previous Half-Year	102,086	34,668	94,269	30,341	92·34	87·52	7·66	12·48

The average percentage of non-efficients through sickness or other causes has been reduced in respect of Native and Chinese labour.

It will be noted that during the six months ended 31st December, 1905, the decrease in the number of natives employed by gold mines amounted to 9,792, an average monthly loss of 1,632. This shortage is severely felt by the industry.

Coloured Convicts.—Owing to the scarcity of free unskilled labour, a few mines in the Witwatersrand Area employ coloured convicts. In December, 1905, 783 were employed, as against 760 in July, 1905, and 745 in December, 1904.

COLLIERIES.—TRANSVAAL.

As shown in the following table, little alteration is to be noted in the labour conditions on Coal Mines :—

AVERAGE NUMBER OF PERSONS EMPLOYED.

Period.	Producing Mines.		Non-Producing Mines.	
	Whites.	Coloured.	Whites	Coloured.
January-June. 1905	419	9,272	15	114
July-December. 1905	418	9,051	92	467
Increase	—	—	77	353
Decrease	1	221	—	—

IMPORTANT COAL AREAS.

Period.	SPRINGS-BRAKPAN.		Middelburg.	
	Whites Employed.	Coloured Employed.	Whites Employed.	Coloured Employed.
January-June, 1905	163	3,593	182	4,548
July-December, 1905	179	3,694	247	4,542
Increase	16	101	65	—
Decrease	—	—	—	6

These figures are included in the preceding table.

The following table shows the number of Whites and Coloured employed for each of the six months under review :—

WHITES.

Month.	Springs-Brakpan.	Middelburg.	Other Districts.	Total.
1905—July	205	210	88	503
August	194	223	84	501
September	171	255	84	510
October	163	262	78	503
November	168	264	85	517
December	170	268	84	522
Average for Half-Year	179	247	84	510
Average for previous Half-Year	163	182	89	434

Number of coloured persons *in the employ* of collieries and colliery contractors on the last day of each month, compared with the number *actually at work* :—

Month.	Number in the employ.	Number actually at work.	Percentage working.	Percentage Non-efficient.
1905—July	9,335	8,542	91·51	8·49
August... ..	9,554	8,576	89·76	10·24
September	9,650	8,829	91·49	8·51
October... ..	9,574	8,833	92·26	7·74
November	9,381	8,594	91·61	8·39
December	9,609	8,498	88·44	11·56
Average for Half-Year	9,518	8,645	90·83	9·17
Average for previous Half-Year	9,386	8,392	89·41	10·59

DIAMOND MINES.—TRANSVAAL.

The following figures show the number of Whites and Coloured employed for each of the six months under review :—

WHITES.

Month.	Number in Employ.
1905—July	582
August	593
September	645
October	633
November	569
December	609
Average for Half-Year	605
Average for previous Half-Year	547

Coloured labour returns from the Diamond Mines of the Transvaal are as follows. The figures given do not include the small number of persons employed in the alluvial diggings at Christiana :—

Month.	Number in the employ.	Number actually at work.	Percentage working.	Percentage Non-efficient.
1905—July	2,999	2,875	95·87	4·13
August... ..	3,536	3,404	96·27	3·73
September	4,152	3,970	95·62	4·38
October... ..	4,240	3,955	93·28	6·72
November	4,252	4,006	94·21	5·79
December	4,089	3,881	94·91	5·09
Average for Half-Year	3,878	3,682	94·95	5·05
Average for previous Half-Year	4,364	4,081	93·52	6·48

The number of White and Coloured employees for the month of December, 1905, was 609 and 4,089 respectively, as against 601 and 3,665 for the month of June, 1905.

METALLURGICAL AND CHEMICAL WORKS.—TRANSVAAL.

The figures given in Table No. 14 indicate that very little work is now, comparatively speaking, being done by these works. In January, 1905, 26 whites and 202 coloured persons were employed, while for December, 1905, these figures were 34 and 181 respectively.

SUMMARY OF LABOUR.—TRANSVAAL.

The total number of persons *in the service* of the mining and allied industries of the Transvaal as at the 31st December, 1905, compared with the 30th June, 1905, was :—

Description.	31st December, 1905.			30th June, 1905.		
	Whites	Coloured.	Chinese.	Whites.	Coloured.	Chinese.
Gold Producing—						
Gold Mines	18,159	93,831	47,267	16,989	104,902	41,340
Metallurgical and Chemical Works ...	34	181	—	28	200	—
Tailings Syndicates	5	54	—	6	70	—
Alluvial Workings	13	64	—	7	12	—
Coal Mines	522	9,609	—	462	9,567	—
Diamond Mines	609	4,089	—	601	3,665	—
Paint and Cinnabar	7	36	—	—	—	—
Tin Mines	102	908	—	65	660	—
Lead Mines	16	133	—	17	124	—
Copper Mines	10	94	—	8	95	—
Magnesite Mines	28	235	—	19	262	—
Zinc and Silver Mines	3	10	—	—	—	—
Lime Works	19	405	—	34	574	—
Other Works	270	2,293	—	274	2,306	—
Grand Totals	19,797	111,942	47,267	18,510	122,437	41,340

SECTION II.

MINERAL AND PRECIOUS STONES OUTPUT.

The following is a summary of the total mineral output during the half-year ending December, 1905 :—

VALUE OF TOTAL MINERAL OUTPUT.—TRANSVAAL.

Period.	Gold.	Silver (contained in gold bullion).	Coal.	Diamonds.	Chemicals.	Stone, Lime, Bricks, &c.	Total.
1905.	£	£	£	£	£	£	£
January to June ...	10,075,682	30,748	421,394	537,581	14,412	211,854	11,291,671
July to December ...	10,778,758	33,025	424,878	384,749	16,018	214,878	11,852,306
Increase	703,076	2,277	3,484	152,832*	1,606	3,024	560,635

* Decrease.

GOLD.

The net total Gold Output from all sources in the Transvaal for the half-year ending December 31st, 1905, amounted to 2,537,523·370 fine ounces, of a value of £10,778,758, being an increase over the preceding half-year of 165,506·056 fine ounces, value £703,076.

The following comparative table shows the various districts and sources from which the above total output has been derived :—

Source.	January to June, 1905.		July to December, 1905.	
	Ounces Fine Gold.	Value £	Ounces Fine Gold.	Value £
Gold Mines, Witwatersrand	2,265,730·389	9,624,204	2,413,821·310	10,253,298
Gold Mines, Other Districts	72,648·333	308,590	96,108·737	408,253
Metallurgy and Chemical Works	27,979·475	118,849	20,636·432	87,656
Miscellaneous Contributors	5,659·117	24,039	6,956·891	29,551
Grand Total	2,372,017·314	10,075,682	2,537,523·370	10,778,758

Mines Crushing—Stamps.—During the Month of December, 1905 :—

66 Mines were crushing on the Witwatersrand with 6,910 Stamps :
3 Mines were crushing at Heidelberg with ... 80 Stamps ;
13 Mines were crushing at Barberton with ... 264 Stamps ;
3 Mines were crushing at Barberton ... (dry crushing) ;
2 Mines were crushing at Klerksdorp with ... 40 Stamps :

Total, 87 Mines crushing in the Transvaal.

The Average Number of Stamps running during the half-year was 6,567, as against 6,162 for the previous half-year.

NOTE.—In arriving at these figures, the number of "stamp hours" for the period is taken as a basis, and from this is calculated the *theoretical number of stamps* which ran continuously for 184 days (*i.e.*, the full Calendar Half-Year).

The Duty per Stamp per 24 hours averaged 5·032 tons, as against 4·965 tons for the preceding six months.

Labour per Stamp.—In December, 1905, the Producing Mines of the Witwatersrand were giving employment to 18·797 persons per stamp, as compared with 20·003 persons per stamp during June of the same year.

Comparisons.—The following figures show the *work done* by the gold mines of the Transvaal during December, 1905, as compared with August, 1899 :—

	August, 1899.	December, 1905.
Number of Stamps at work (Transvaal)!	6,070	7,294
Tons of Ore crushed (Transvaal)	856,233	1,041,092 tons.
Duty per stamp per diem (Witwatersrand only)	4·86	5·108
* Total Yield, inclusive (Transvaal)	410,965·05	430,985·804 ozs.
* Dwts., Fine Gold, per ton crushed (Transvaal)	9·599	8·279
* Yield from Mills only (Transvaal)	265,584·10	270,327·563
* Percentage of Yield from Mills to total (Transvaal)	64·624	62·723

* For purposes of comparison, these figures include the gold extracted from the ore crushed by Mines, whether that gold was extracted by the Companies themselves or by the Metallurgical and Chemical works, who buy concentrates, &c., for Treatment.

Yield per Ton.—During the half-year the yield per ton crushed by Gold Mines, based on the officially declared output, which does not include gold contained in bye-products not treated at the mines, was 8·220 dwts. or 34·914 shillings per ton. Including the gold estimated to be contained in products sold, the total yield per ton crushed is found to be 8·285 dwts., or 35·192 shillings.

Output.—The *Records of Gold Output* since the resumption of mining operations after the cessation of hostilities are as follows :—

	Value of Gold.
May to December, 1901	£1,097,219
January to December, 1902	7,301,501
January to December, 1903	12,628,057
January to December, 1904	16,028,883
January to December, 1905	20,854,440
Total since the War	£57,910,100

A list of Gold Producing Mines as at December 31st, 1905, will be found in Table No. 15.

MINE DEVELOPMENT.

As will be seen from the following table, the development work done by the gold mines during the half-year under review continues to increase as unskilled labour becomes available :—

Description.	Witwatersrand Area Only.		Transvaal.	
	Half-year to June, 1905.	Half-year to Dec., 1905.	Half-year to June, 1905.	Half-year to Dec., 1905.
Main shaft sinking	22,171	29,511	23,679	30,812
Main drives and cross-cuts	163,419	183,336	198,135	229,829
Other development	77,239	86,125	84,202	93,802

Prospecting work performed by persons and syndicates is not included in the foregoing table.

ROCK DRILLS.

The following statement shows the number of mines using rock drill machines, and the average number of drills in use since June, 1902 :—

Month.	Witwatersrand Area Only.		Transvaal.	
	Number of Mines using Rock Drills.	Average number of Rock Drills in use.	Number of Mines using Rock Drills.	Average number of Rock Drills in use.
1902—June	50	671·0	51	673·0
December	60	994·0	64	1,004·0
1903—June	68	1,313·7	72	1,339·7
December	72	1,561·2	76	1,577·2
1904—June	70	1,631·0	74	1,656·5
December	76	1,746·1	79	1,767·1
1905—June	78	1,647·4	81	1,667·9
December	79	1,898·1	83	1,930·6

Sorting.—The average percentage of waste sorted from rock hoisted during the half-year was 16·60, as against 17·62 per cent. for the preceding half-year.

METALLURGICAL AND CHEMICAL WORKS.

These works contributed 20,636·432 fine ounces, value £87,656, to the gold output, as compared with 27,979·475 fine ounces, value £118,849, for the preceding half-year; a decrease of 7,343·043 fine ounces, value £31,193.

In addition to this gold, these works produced or recovered :—

Chemicals of the value of	£13,813
Compound Chemical Products (manures and disinfectants) of the value of	1,962
Sundry Other Products	243
	£16,018

SILVER.

The estimated quantity of silver contained in the gold bullion declared for the half-year under review amounted to 278,082·302 fine ounces, value £33,025, as against 262,062·375 fine ounces, value £30,748, for the previous half-year.

The following are the monthly details for the half-year :—

Month.	Fine Silver.	Value.
	Ounces.	£
1905—July	45,440·073	4,992
August	45,932·854	5,125
September	44,617·707	5,002
October	45,123·686	5,078
November	46,038·631	5,272
December	47,890·655	5,511
Net total after allowing for differences in Account Sales	278,082·302	33,025

COAL MINES.

Development.—Table No. 16 shows that progress has been made in the development of Transvaal Collieries during the six months under consideration.

The Collieries of the Middelburg Area accounted for 77 per cent. of the footage driven and 28 per cent. of the total footage sunk. Collieries in the Springs-Brakpan Area accounted for 15 per cent. and 34 per cent. respectively, while those of Other Districts accounted for 8 per cent. and 38 per cent.

The following comparative table shows the relative output and value at the pit's mouth of the coal produced in the Transvaal during the present and past half-year :—

	Total Output.	Value at Pit's Mouth.
	Tons.	£
July—December, 1905	1,342,868	424,878
January—June, 1905	1,263,931	421,394
Increase	78,937	8,484

Details of the production are as under :—

	Tons.	Value.	Value per Ton.
		£	s. d.
Springs-Brakpan Area	561,165	184,029	6 6·71
Middelburg Area	664,350	198,766	5 11·81
Other Districts	117,353	42,083	7 2·06

Particulars of the various classes of coal are shown in Table No. 16.

The Middelburg Area contributes the largest coal output, the production of the Springs Brakpan Area being 103,185 tons less.

The annual sales by the Transvaal coal mines since the war are as follows :—

Year.	Tons.	Value at Pit's Mouth.	Value per Ton.
		£	s. d.
1901	797,144	329,113	8 3·087
1902	1,590,333	337,640	8 0·227
1903	2,253,677	877,976	7 9·498
1904	2,409,033	883,891	7 4·058
1905	2,606,799	846,272	6 5·914

The output for 1905 is the highest for any one year in the history of the Transvaal, but as shown above the value realised at the pit's mouth has considerably decreased.

A list of the coal mines producing in December, 1905, will be found in Table No. 15.

DIAMONDS.

The following figures show the Diamond output since July, 1902 :—

	Carats.	Value.
Half-Year to December, 1902	1,064·56	£ 2,402
Half-Year to June, 1903	32,708·07	43,956
Half-Year to December, 1903	142,468·37	195,796
Half-Year to June, 1904	355,448·77	489,924
Half-Year to December, 1904	528,881·94	660,949
Half-Year to June, 1905	466,120·57	537,581
Half-Year to December, 1905	336,051·57	384,749

The greater portion of the above came from the Premier Mine.

A small quantity of stones is being found at the Christiana Diggings, the total from that district being 1,131·00 carats, valued at £6,829, for the half-year.

A list of the names of the mines which contributed to the diamond output during the month of December, 1905, will be found in Table No. 15.

SECTION III.

ACCIDENTS AND PROSECUTIONS.

In all, 799 separate accidents were reported to this Department as having occurred on Mines and Works from July to December, 1905, inclusive, resulting in :—

423 persons being killed, and
645 persons being injured.

Total 1,068 Casualties.

Of these separate accidents, classified in Table No. 19 :—

742 occurred on Gold Mines	} compared with	} 555 on Gold Mines	} during the preceding six months.		
36 " Coal Mines				} 29 on Coal Mines	
8 " Diamond Mines					} 9 on Diamond Mines
13 " other Mines and Works					

The following table gives details of the killed and injured :—

Killed or Injured.	Gold Mines.			Coal Mines.		Diamond Mines.		Other Mines and Works.		Total.
	Whites.	Coloured.	Chinese.	Whites.	Coloured.	Whites.	Coloured.	Whites.	Coloured.	
Killed	40	238	125	—	13	—	2	2	3	423
Injured	87	285	229	2	27	1	5	2	7	615
Total Casualties	127	523	354	2	40	1	7	4	10	1,068

The ratios of persons killed to persons injured in mining during the past six months, together with comparisons, are as under :—

July to December, 1905	... ..	}	Whites	...	45·7	:	100
			Coloured	...	79·0	:	100
			Chinese	...	54·6	:	100
Statistical Year 1902-1903	... ..	}	Whites	...	28·3	:	100
			Coloured	...	58·2	:	100
Statistical Year 1903-1904	... ..	}	Whites	...	40·2	:	100
			Coloured	...	74·3	:	100
Statistical Year 1904-1905	... ..	}	Whites	...	46·1	:	100
			Coloured	...	70·8	:	100
			Chinese	...	52·1	:	100
Year 1898	... ..	}	Whites	...	42·2	:	100
			Coloured	...	90·7	:	100

On the 11th November, 1905, a serious mining disaster occurred at the Driefontein Deep Gold Mine.

At that time, sinking operations were being conducted at a depth of 800 feet.

A portion of the large pumping station on the east side of the shaft collapsed, causing a heavy fall of ground and debris on to the sinkers below, breaking the pumps and entirely filling up the lower portion of the shaft with rock and water.

One white fitter and 65 natives lost their lives, their bodies being recovered after a delay of several weeks.

A full account of the inquest held, together with the Coroner's verdict, will be found as an appendix to this Report.

ACCIDENT DEATH RATE.

For the half-year ended 31st December, 1905, the death rate per annum from accidents on all mines was as follows :—

Whites...	...	...	...	...	...	4·2254	per 1,000	per annum.
Coloured	...	...	...	...	...	4·9019	"	"
Chinese	...	...	...	...	...	6·2534	"	"

The total number of persons killed in mines only was 420, and the death rate was 5·1549 per 1,000 per annum.

Further details of the various death rates on mines will be found on Table No. 22.

PROSECUTIONS.

During the half-year, 48 prosecutions were entered by this Department for contraventions of the Mining Regulations and Explosives Law.

In 43 cases, fines totalling £360 5s. were imposed, and in one case, imprisonment without the option of a fine. Three persons were found not guilty.

Further particulars will be found on reference to Table No. 23.

SECTION IV.

EXPLOSIVES.

In the following figures, the details given in Tables Nos. 24 and 25 are summarised :—

	Cases.
Imports	100,626
Issued from Transvaal Factory	105,740
Total quantity issued	207,038
Total quantity exported	596

Of the total quantity issued, gold mines account for 190,113 cases or 91·83 per cent.

STORES.

On reference to Table No. 26, it will be seen that :—

Gold Mines consumed stores valued at	£	4,250,833
Coal Mines consumed stores valued at		141,057
Diamond Mines consumed stores valued at		225,733
Metallurgical and Chemical Works and Tailings Syndicates consumed stores valued at		11,875
Other Mines and Works consumed stores valued at		35,036
Total		4,664,534

Of this total the gold mines in the Witwatersrand Area alone account for stores to the value of £4,074,223, which includes £162,757 for foodstuffs, &c., for Chinese labourers, details of which will be found in the "Remarks" column of Table No. 26.

SECTION V.

CAPITAL STATISTICS.

SHOWING FUNDS INVESTED IN THE MINING INDUSTRY OF THE TRANSVAAL
AS AT 30TH JUNE, 1905.

The statistics given in Tables Nos. 27 and 28 at the end of this volume, bring the information obtainable up to the 30th June, 1905. Owing to the fact that a number of the offices of Companies are in Europe, it was not possible to have these statistics completed in time for inclusion in the Annual Report of this Department to the 30th June last.

In all, the figures for 394 companies are given, the issued capital of these being £114,656,127, made up as follows :—

311 Gold Mining Companies	£	88,112,818
26 Coal " "		5,021,283
13 Diamond,, " "		1,182,773
11 Tin " "		856,600
4 Other " "		492,720
29 Companies not classified		18,989,933

Premiums on Shares provided additional funds as under :—

Gold Mining Companies	£	20,091,321
Coal " "		454,338
Diamond,, " "		87,606
Tin " "		1,170
Other " "		18,845
Companies not classified		5,190,058
The nominal capital of the 394 Companies is		121,043,252

GOLD MINES.

Of the total of 311 Gold Mining Companies included in this statement, 33 paid dividends amounting to £3,905,409 during the twelve months ended the 30th June, 1905, these being accounted for as follows :—

Classification.	Number.	Issued Capital.	Dividends.	
			Amounts.	Rate per cent.
Outcrop	26	£ 12,834,148	£ 2,785,159	21·70
Deep Level	7	3,555,000	1,120,250	31·51
Total	33	16,389,148	3,905,409	23·83

COAL MINES.

The Issued Capital of 26 Coal Mines, £5,021,283, is made up as follows :—

Springs-Brakpan Area	7, Issued Capital, £1,600,776
Middelburg Area	17, Issued Capital, 2,626,427
Other Districts	2, Issued Capital, 794,080

In all, four Coal Companies paid dividends during the twelve months ended the 30th June, 1905, amounting to £122,036 on an issued capital of £1,043,931, equal to a rate of 11·69 per cent. Twelve additional companies were producing but not paying dividends, their issued capital being £2,994,102, and ten, with an issued capital of £983,250, were non-producing.

The nominal capital of the 26 Coal Mines is £5,563,743.

DIAMOND MINES.

The totals for 13 Diamond Mines are given, the issued capital being £1,182,773, and the reserve capital, £131,227.

TIN MINES.

Returns was issued from 11 Tin Mines ; these shewing an issued capital of £856,600, and a total nominal capital of £956,000. The amount received by way of premiums on shares was £1,170.

OTHER MINES.

Under this heading, the figures for Lead, Copper, Silver and Magnesite Mines are shown collectively. The total nominal capital amounts to £590,000, of which £492,720 was issued.

COMPANIES NOT CLASSIFIED.

Under this heading are included those companies which own property in this country but which have not commenced to carry on active mining operations.

I have the honour to be,

Sir,

Your obedient servant,

WM. MOSES

*Government Mining Engineer
(Acting).*

APPENDIX No. VIII.

Extract from EAST RAND EXPRESS, 12th May, 1906.

THE APPEAL TO CAESAR

LABOUR'S REAL ATTITUDE.

LORD SELBORNE INTENSELY ANXIOUS.

[BY OUR OWN REPRESENTATIVE.]

The idea of sending a deputation of working men thoroughly conversant with the facts to wait on the High Commissioner and state the case from the worker's standpoint emanated at the Simmer and Jack meeting on Thursday night. Yesterday morning Lord Selborne was communicated with, and he kindly promised to receive such a deputation, provided it was thoroughly representative. It was felt that the matter was too important to allow of delay, and accordingly the telephone was utilised pretty freely, and at the request of His Excellency the deputation was confined to six members, one of whom unfortunately missed the train. As it was, five gentlemen made the trip, and as will be conceded on perusing their names no quibble can be made that they do not understand the conditions thoroughly or are unrepresentative.

The deputation consisted of Mr. E. J. McKew (stonemason), chairman of mass meeting organised by workmen employed by mines in the Boksburg district ; Mr. J. M. Anderson (carpenter), chairman of public meeting at Simmer and Jack ; Mr. H. Blow (sawyer), proposer of the principal resolution at the Simmer and Jack meeting ; Mr. A. M. Cubitt (electrician), chairman of the Glen Deep public

meeting; Mr. R. Daly (miner), representing workmen at the Witwatersrand Deep and Witwatersrand Mines. The deputation represented approximately mines employing 6,000 whites and 16,000 Chinese.

Mr. McKew, who was the first speaker, said that as working men the deputation deeply deplored the outrages which had been committed by the Chinese, and sympathised with those who had suffered through them. The speaker then passed on to refer to the state of stagnation existing before the arrival of the Chinese, and after all attempts to procure sufficient native labour had failed. The advent of the Chinese had given employment to hundreds upon hundreds of skilled workmen, and now when many mines had become fully equipped with gigantic plants and everything was ready for steady progress a most drastic impediment was placed in their way. He referred to the posting of the repatriation notices in the compounds, and if the Chinese took advantage of these in any numbers, he asked what were the workers to do? The poorer the man the heavier would be his burden, and poverty and privation must prevail. He had been chairman of one of the largest meetings he had ever seen in the country, and it was composed entirely of working men and arranged by working men. The meeting with but five dissentients had declared its opposition to repatriation of the Chinese.

Mr. Anderson was the next speaker, and after relating the result of the unanimous meeting at the Simmer and Jack, said he wished it to be understood that the deputation did not represent

ANY LABOUR OR POLITICAL BODY.

They were simply workmen from mines employing Chinese. The so-called Labour Associations which had passed resolutions in favour of repatriation were of small importance indeed, and consisted of many other trades besides those engaged on the mines. On the other hand, the members of the deputation worked daily with the Chinese, and therefore could speak with some authority as to whether they were required or not. If the Chinese left, work for white men would be restricted, and there would be no alternative for those who could manage it

BUT TO LEAVE THE COUNTRY.

It was really a matter of bread and butter to them. It was absolutely necessary if they were not to be ruined that there should be ample unskilled labour, and as there were not sufficient Kaffirs, Chinese were the only available substitutes. With regard to the poster, so long as it remained up it would be a menace to the white worker. At present the Chinese recognised the white men as masters, but if the poster remained the position would be changed. The coolies could leave if they pleased, and the white men would always have a sword hanging over their heads, and would never know when their services would be dispensed with. Therefore he would ask His Excellency to use his endeavours to have the posters removed as soon as possible.

Mr. Blow quoted figures to prove that if the Chinese were repatriated the possibility was that over 7,000 mine workers alone would be thrown out of work, and those dependent upon them would suffer great distress. He reiterated that the deputation was unconnected with labour or political party.

Mr. Daly protested against the influence sought to be brought to bear against the employment of the Chinese by

THE SO-STYLED LABOUR PARTIES,

viz., the Transvaal Labour Council, the Miners' Association, and the Independent Labour Party. As far as he knew, and he had been in this country 11 years, none of these societies were representative of the workers on the mines. The Trades and Labour Council consisted of delegates who were said to represent 8,000 men, but a large number of these were not employed on the mines, and could not judge of the facts because they were not in touch with them. A mass meeting held in Johannesburg under the auspices of the Miners' Association passed a resolution in favour of the repatriation of the Chinese, but at this time the Association only numbered 500, and could not be said to represent the opinion of the 8,000 who were computed to be working on the mines. The policy of the Miners' Association had always been

AGAINST THE INTERESTS OF THE WORKING MAN.

Another instance when the opinion of the workers was misrepresented was when a cable was sent to Sir Henry Campbell-Bannerman congratulating him on cancelling the Chinese permits. That cable was sent by five delegates to the Miners' Association, four of whom were employed on Kaffir mines, and the Association they represented only had 500 members. The Independent Labour Party, which was said to have passed a resolution favouring repatriation, had, as far as the speaker knew, no real existence, and though it presumed to be a labour organisation, passed resolutions to take the bread out of the mouths of the workers. He trusted His Excellency would not accept resolutions of these labour associations as representative of the opinions of the workers.

Mr. Cubitt briefly reiterated the general arguments against repatriation.

LORD SELBORNE'S REPLY.

His Excellency, in reply, said it was a great pleasure to him to meet the deputation. It was his duty to forward to His Majesty's Government any representations he received, no matter from whatever side they come so long as they were in connection with matters of public interest. The deputation might be quite sure he would submit all that they had said and the resolutions they had presented. He confessed that this was to him a moment of intense anxiety, due to two causes. His Majesty's Government had directed him to have the notices put up in the compounds. The reason was that in the exercise of their responsibility they did not want any Chinese to remain here who through misunderstanding or other cause were dissatisfied with their lot and desired to return to China. The Government wished that those who did remain here should be contented. The last thing that His Majesty's Government desired was to do anything that would bring about such dislocation of the industry as would throw hundreds or thousands of fellow-countrymen out of work. He would not go into the question of the labour supply then, but that would be a question to be decided in the

future by our own Legislature and His Majesty's Government. The Government did not for one moment desire that the transition from the existing labour supply would take the form of

A SERIOUS DISLOCATION OF THE INDUSTRY,

which would interfere with the welfare of masses of their countrymen engaged in a very honourable employment. As he had said, his anxiety was two-fold: in the first place, lest any such dislocation should take place. He could not think of anything more heartrending than that the deputation now engaged in this honourable employment should be thrown out of work and hardship and suffering be inflicted on their families, for whom of course they had the first care. This was to him a matter of as great anxiety as it was to the deputation. Then he came to the second cause of his anxiety. One of the spokesmen had alluded to the outrages committed on farms and outlying dwellings, and had spoken in the feeling terms he would have expected. It was plain the deputation joined with him in sympathy for the sufferers, and in a desire to bring the malefactors to justice. Those present knew as well as he did that the malefactors were only a small proportion of the whole Chinese labourers, but the people living in outlying districts did not look at the proportion but to the fact that

THE OUTRAGES

did occur. As the loss of their employment meant to the deputation that they might see their children suffering, so to the men on the farms the prevalence of the outrages produced anxiety that their wives and children might be subjected to ill-treatment. This anxiety was so great that it was idle to hide the fact that it might become intolerable. It was therefore essential for the Government and mine proprietors to take all possible steps to grant security against the outrages. He felt sure the deputation and their fellow-workmen would assist the Government in every way they could in finding out who the malefactors were and stopping the outrages. Everyone could do something in this direction, and he knew he could apply with confidence to the deputation to assist Government. He repeated it was a moment of intense anxiety to him whether a dislocation of the mining industry would ensue and jeopardise the employment of the workers, or whether the continuance of outrages should

JEOPARDISE THE WHOLE LABOUR SUPPLY.

Opportunities such as the present of meeting representatives of the public were very useful to him, and whether working men belonged to associations or not it was always his duty to be at their service on all public matters, and he would always be ready to meet them, hear what they had to say, and assist them if he could. He would transmit to His Majesty's Government the point raised by the Association.

Mr. Anderson thanked Lord Selborne for receiving the deputation, and His Excellency in reply said he regretted in the past he had not had many opportunities of meeting the mining population, but he hoped he would have more in the future.

APPENDIX No. IX.

NOTIFICATION ADDRESSED TO CHINESE INDENTURED LABOURERS ON THE WITWATERSRAND GOLD MINES AS FINALLY SETTLED IN ACCORDANCE WITH THE LATER TELEGRAPHIC CORRESPONDENCE.

Although when you enlisted in China for the Transvaal you were informed that you were engaging yourselves to work on gold mines, and you entered into a Contract to that effect, it has come to my ears that certain amongst you, not appreciating the conditions under which mining is carried on in this country, are discontented in spirit. There may also be others who, unaccustomed to strenuous manual labour, find themselves, on arrival, in a position of difficulty. Cases such as these give rise to feelings of compassion. Now you all know that in terms of Clause 14 of your contract any labourer may at any time terminate the contract without assigning any reason on tendering to his employer the expenses incurred in introducing him into the Transvaal, together with a sum sufficient to defray the expenditure necessary in returning him. Perhaps, however, some of you who are anxious to return may not have earned the wherewithal to enable you to do so. If this be the case, I am willing to receive any statements you may have to make, and, after a review of circumstances, to consider whether or not I would be prepared to recommend Government to be generous to you, and not to insist on the full payment required from you by your contract. In sending in your petitions, however, you must clearly inform me of the motives which influenced you in the first instance to enlist, and now influence you in wishing to return to China, of the amount of monthly wages you earn, of the class of work on which you are engaged, and of the money you have saved. I will take note of and register the application. It will then be your duty, if required, to work on your mine faithfully and honestly for one month. If at the end of this period you are still of the same mind and will contribute half of the wages earned in that month towards your travelling expenses, I will arrange for your return to China without unnecessary delay. It must be understood that no one who has not served in the Transvaal for at least six months need apply. The obvious duty of all who desire to return to China is to save money and avail themselves of the provisions of the 14th clause in their contract of service. Still, force of circumstances may be against some of you, and, as you really wish to leave the Transvaal, I am willing to consider genuine applications with a view to rendering assistance. And it must further be distinctly borne in mind by all who make application as a result of this notice that if allowed to return to China they will never, under any circumstances, be allowed to re-enter the Transvaal.

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