

# INDIAN OPINION

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## NOTES AND NEWS

### Is The Indian Hawker A Curse Or A Blessing?

THE action of the Randfontein Town Council in renewing the licences of Indian hawkers recently after such licences had been refused at the beginning of the year has set the backs up of certain Town Councillors. Mr. C. J. Klopper raised the question at the monthly meeting of the Randfontein Town Council. He said his objection to the granting of licences to Indian hawkers was not based on racial grounds, nor had it anything to do with creed or colour. These people, he contended, were living outside the town and were no asset to it. He considered that the decision to renew the licences was a mistake. Mr. J. B. Mackenzie, on the other hand, took the view that the Council had always been opposed to the granting of licences to people living outside the municipal area but some of the Indian hawkers whose licences had been refused had been trading in Randfontein for the past 25 years. The Indian hawkers were not allowed to own property in Randfontein; it was unjust, therefore, to penalise them on the ground that they lived outside the town. He said he felt that it was not right to cut off the living of any man who had been trading in the town for so long. He added that people living on the mines had been seriously inconvenienced by the elimination of the Indian hawker. Mr. D. Paterson declared that at the beginning of the year he had supported the policy of refusing licences to Indian hawkers because he had understood that there were a number of Europeans ready to start in the same class of business. After nearly six months' trial, he had become convinced that the scheme was a failure. The Mayor (Mr. W. R. May) in supporting the change of policy, mentioned the fact that he had been approached from time to time by residents of Randfontein and asked that Indian hawkers be permitted to resume their rounds. The men who had spoken to him were not of the class that owned motor cars, and in many instances lived a long way from the market. The Mayor mentioned the case of a man who had started as a hawker and gone his rounds for some

time, and then had decided to take a job. Meanwhile people who had depended on him for their requirements were left to do the best they could.

Of course it is very difficult for the thoughtless people living in distant places away from the town and market who are supplied with their fruits and vegetables every morning in and out of season and in every weather, to realise what strenuous and regular lives these Indians have to live. As is evident from the above report it is the absence, and not the presence, of these hawkers, who are supplying the most essential requirements of every household, that will make those who agitate against them realise their folly.

### Springfield Indian Tenants

A deputation of tenants on the Springfield Estate has approached the assistant estates manager of the Durban Corporation, Mr. H. G. Constantine, expressing concern for their future on the estate where a training track will be built by the Durban Turf Club. Mr. Constantine told the deputation that the rights of the Indians were to be safeguarded for 10 years, and the owners of gardens damaged would be compensated by the Turf Club to the satisfaction of the City Council.

It will be remembered, some time ago the existence of these Indian tenants, who are market gardeners, was threatened and strong representations from the Indian community supported by sympathetic Europeans had resulted in staying the hands of the Durban Corporation from giving the land to the Durban Turf Club. The latter have, however, succeeded now in getting the land for a training track and Indians are once again threatened with being deprived of their means of existence. We do not know to what extent the estates' manager's assurance will go to allay their fear.

### Inter-Departmental Committee

#### On Poor Relief

"Provincial poor relief should be granted before starvation point is reached. Thousands of poor Indians go with one meal a day. To them breakfast is unknown." These statements were made in a memorandum by the

Colonial Born and Settlers' Indian Association, which was submitted to the Inter-Departmental Committee on Poor Relief and Charitable Institution in Durban. "Owing to the small earnings of the Indians," states the memorandum, "they have no option but to live in very poor houses. They cannot afford to pay higher rent for better houses. The Durban Municipality, which provides housing for Europeans, has failed in its duty to the Indian community. Magazine Barracks which house hundreds of the City employees, are a standing disgrace to any municipality. Indians who earn between £2 and £2 10s. a month cannot be expected to live in decent houses, clothe their children and themselves adequately and educate their children."

### Result Of A Strike Of Native Labourers

The strike of Native labourers in the Acme Box Factory at Jacobs, which broke out on Monday, is reported to have been ended by paying off all the strikers and re-engaging those who wished to return to work. The demand for an increase in wages, which was the cause of the strike, has not been granted. About 33 men were still on strike on Monday afternoon, 10 others having returned to work. On Tuesday morning all these men were paid off, and 22 of them refused the offer of re-engagement. Half these vacancies have already been filled. Police were on duty at the factory again on Tuesday, but there was no disturbance. The only arrests were for non-payment of tax.

For going on strike for being refused an increase in wages, the reward the Natives get is to be paid off and replaced by other labourers. In other other it is a summary dismissal, and on top of that, harrassment from the police over their annual £1 tax. A European strike would never end in this manner. But isn't this one of the many examples of the White man's Trusteeship of the Natives?

## Indian Opinion

FRIDAY, JULY 2ND, 1937

### Agent-General On The Indian Question

**T**HE Agent-General, Sir Syed Raza Ali, uttered some home truths at the meeting of the Indo-European Joint Council last Tuesday when he said that while legislators in all countries aimed at securing the greatest good for the greatest number the trend of legislature in South Africa followed an entirely different direction. The overwhelming majority of the people of the Union was non-Europeans, but legislation invariably resulted in the improvement of the conditions of the minority group, namely the White people.

We had expected the Agent-General to say much more than he did with regard to the legislation affecting Indians passed during the 1937 session. We are sorry he did not clear the air in regard to some of the Acts such as the Immigration Amendment Act, the Marketing Act and Industrial Conciliation Act. The 1937 session, in so far as Indians are concerned, has, in our opinion, been the worst we have yet experienced. It is a blessing that some of the Private Members Bills were not allowed to pass, and yet, who knows that they may not be introduced in the next session. But those that have passed may, for all we know, result in sounding the death knell of Indians in South Africa. This might be considered an extreme view but are we not fully justified in expressing it after the bitter experience we are having of the working of the Slums Act? In the Marketing Act no representation has been given to the Indian farming community on the Marketing Board. It was in reply to representations made in this connection that Colonel Denys Reitz, Minister of Agriculture, told the Indian deputation

that the Indian community in South Africa would ever remain a tragic community owing to the temper and temperament of the White people who are determined to keep this a White man's country. It was also stated in Parliament when an amendment was proposed in the said Bill to give Indians representation that if that were done the object of the Bill would be killed. The Wage Bill, The Industrial Conciliation Bill are also going to detrimentally affect the Indian community owing to the wide powers having been granted to Industrial Councils on which again Indians have no representation. We will in the near future have a good deal to say about these Acts just as we are having to do in regard to the Slums Act.

As a remedy the Agent-General has suggested that Indians should be given some form of franchise. We do not know that Indians would be very much better off even if they were granted that though, no doubt it would certainly make some difference. We are, however, not inclined to agree with the Agent-General that partial franchise should be granted. Indians are no longer a backward race. They enjoy the franchise in their own country and therefore it is no new experiment in their case. If the franchise is to be granted to Indians in this country it should be granted on exactly the same qualifications as are necessary for Europeans.

But if Europeans still entertain the fear that Indians, if given political franchise, would deprive the Europeans of their political power, Indians can still afford to wait for that right to be granted until all such fear is wiped out. What Indians presently ask is bare justice and fairplay; adherence to the

principle of live and let live. If the White rulers of this country cannot show this much of tolerance to the Indian community in their midst, which forms not more than three per cent of the population of the Union, they cannot be complimented on being liberal.

What an immense lot of vain talk there was, when the Union Parliamentary Delegations went, on two occasions, to visit India, of the bonds of friendship between the two countries. There is certainly no evidence of it in the recent discriminatory legislation against Indians and the administration of the existing legislation. The following sentiments which appeared in some Indian papers when the last Union Parliamentary Delegation visited India, were expressed in lighter vein, but nevertheless how true they read:

"Mr. Hofmeyr assured his hearers that the bonds which united India with South Africa would be strengthened in the years that lay ahead. He chose rather an unfortunate expression. Had he in mind the bonds forged for the Indian settlers in his country?"

"YOU CAN HARDLY BELIEVE..... That the South Africans are so impressed with Indian hospitality and goodwill that they will return the compliment by a kick in the pants."

But after all said and done there can be no salvation for us unless we are ourselves ready to work and sacrifice for it in all earnestness. Mr. L. W. Ritch, whose interesting article we published in our last week's issue, told us: "A state divided against itself is easily overcome and enslaved." That is our unfortunate position and that is what is happening to us at present in this country, and no measure of political franchise or aught else will help us unless we get out of the mire of disunity.

# DANGERS FACING SOUTH AFRICA

## GENERAL SMUTS'S WARNING

THE dangers to which South Africa is exposed under modern conditions and the necessity for unity among the people of the country and for the preservation of our friendship with other nations of the British Commonwealth, were stressed by the Acting Prime Minister, General Smuts, in a speech on June 24 at a social given in his honour by the Brakpan branch of the United Party says a Reuter's message from Johannesburg.

"When you look at the world to-day you see how necessary it is for us to stand together in this country," said General Smuts.

"The hopes that followed the Great War have not been realised. On the contrary the world to-day is not only more dangerous than it was before the Great War, but it is far more dangerous.

"And we who are far away from the turmoil and strife of the Old World, and have always looked upon this distance as our protection, are finding out that distance is no protection at all. A few days ago three Russian flyers flew from the North Pole over Canada to the United States non-stop—a distance of 5,600 miles. We have just started with aviation.

"His flight that I am referring to is a flash in the night to show us what can happen. What has happened in this case will happen a thousand-fold tomorrow, and you will find airships, flying boats and aeroplanes covering distances of thousands of miles non-stop.

Do not imagine that our isolation exists any more. Within the next 10 or 20 years you will find that South Africa is the type of country the people of Europe want.

"You know that in the world to-day they do not want things they wanted years ago. I remember that many years ago you could export every form of agricultural produce at good profit from this country. To-day there is a superabundance of this all over the world.



GEN. SMUTS

The thing they want to-day is minerals. We have entered the mineral age, when great nations want minerals, and we are rich in minerals. We have just the types of minerals which the great nations of the world covet and long for, and would fight for if it became necessary.

"Draw two conclusions from this, and they are these: In the first place it is necessary for us to stand together. Let us not go into the future as separate tribes, one of Dutch descent, the other of English descent or of some other European descent. Let us go into the future as a united nation, sure that, if

ever we are confronted with a grave crisis, we shall stand as a united nation and be better able to protect ourselves than we would be able to if we were a divided state. We have taken that step and we are now on the march to that national unity.

"The other conclusion I draw is this. Do not let us speak lightly of friendships which we have to-day in the world. Some people think that isolation might be a source of strength for us. On the contrary, it is going to be a source of very great weakness. To-day among the most powerful nations there is a struggle for friends. Nobody wants to stand alone. Russia does not want to stand alone. She is working for allies. France does not want to stand alone. Germany does not want to stand alone. The whole struggle that is taking place in international politics to-day is an effort to secure allies and friends. He we are to-day in great friendship.

"I call our British commonwealth of nations a great friendship. We stood by each other in the Great War, and we may have to stand by each other again. South Africa is in a position of great danger in the world, and I say 'Keep your friends.' Do not speak lightly of secession. Do not speak lightly of cutting adrift from the group to which you belong, but be very sure that you value the friendships that you have, and stick to them. Many other nations would be only too glad to have friends such as we have in the world—friends we can rely upon in an hour of danger."

## LICENCE TO SELL PATENT MEDICINES

### IMPORTANT TEST CASE

AN action which Mr. Justice Feetham, Judge President of Natal, described as "not so much a test case as a specimen case" opened in the Supreme Court, Maritzburg, on June 25, before the Judge President, and Mr. Acting Justice Carlisle. Messrs. Cash Wholesalers, Ltd., Durban, appealed against the Natal Pharmaceutical Society because on objections raised by that Society, the Durban City Council had reversed the decision of the Durban Licensing Officer to allow the renewal of Cash Wholesalers' licence to sell patent medicines.

It appeared in the course of argument that the Court's only information regarding the Council's reasons for reversing the Licensing Officer's decision was a "certificate" from the Assistant Town Clerk, Durban. Council's reasons had not been given at the time its decision was made.

"This is the only town council," said Mr. Justice Hathorn, "that fails to give reasons. This particular Town Council does not want to tell the Court its reasons, and so it sends up a certificate of reasons made out by a person not properly authorised to do so."

"I agree," said the Judge President, "that it is desirable that this Court should have before it the reasons of the body from whom the appeal is brought. We propose to adjourn this matter in order that the Council may have an opportunity of furnishing reasons for its decision. These reasons, I think, should be approved by a majority of those who took part in the actual decision. This is a difficulty which I foresee may be met in complying with this intimation which we propose to forward to the Durban City Council. We propose to adjourn this case until August. We trust that the Council will be able to

furnish reasons for its decision not later than July 31. If the Council fails to furnish reasons we shall have to proceed with this case without the assistance of these reasons.

"I am not making an order against the Council. There is no longer a rule of Court that a tribunal from which an appeal is brought must furnish reasons for its decision, but the Durban City Council and other bodies from which licensing appeals may be brought should appreciate that this Court requires, in order to deal properly with cases before it, the reasons on which the decision appealed against is based. We trust that this body will in future see that we are supplied with such reasons."

Mr. A. Milne appeared for Messrs. Cash Wholesalers, and Mr. J. L. Sisson and Mr. C. Cooper for the Natal Pharmaceutical Society.

# CHILDREN OF MIXED MARRIAGES

## SUPREME COURT'S RULING

MR. JUSTICE HATHORN gave judgment on Thursday, June 24, in the Maritzburg Supreme Court in the case in which Louis Barbeau, who was born in Mauritius and is now living at Cato Manor, Durban, applied for a declaration that the 12 children of the union between himself and an Indian woman, Belgium Mathuray, were not Indian immigrants within the meaning of Section 118 of Law 25 of 1891, and for an order directing the Registrar of Births and Deaths to comply with an order of court dated November 11, 1935, relating to the registration of the children.

Barbeau averred that about 1900 he entered into what he described as a domestic union with an Indian woman. Her parents were then Indian immigrants and under indenture. They lived together as man and wife until they were married by the magistrate on October 15, 1935. He admitted that before the marriage his wife was an Indian immigrant within the meaning of the section, but he contended that upon their marriage she acquired his status and ceased to be an Indian immigrant.

Twelve children were born before the marriage, six of them now being majors. He contended that they had been legitimised by the marriage. Owing to his ignorance of requirements their births had never been registered, but the first 10 births were registered under order of court in November, 1935. He then applied to the District Registrar, Durban, to register the births of the eleventh and twelfth children.

The Registrar at Pretoria contended that the children were Indian immigrants and that accordingly their births should be registered by the Protector of Indian immigrants.

Mr. Justice Hathorn said that on November 11 an order of court was granted according to which the Registrar of Births and Marriages, Pretoria, was authorised to register the births of the children of Barbeau and his wife. The Registrar of Births and Marriages took the view that as the mother of the children was an Indian immigrant, the births could not be registered, and he requested the applicants to apply to court to set aside the order. He also indicated that the births should be registered by the Protector of Indian Immigrants.

### Action Of Registrar

"Before discussing the merits of the case," said Mr. Justice Hathorn, "I wish to make some comment on the action of the Registrar in declining to register the births on the authority of an order of court. It is clear in my opinion that

he was bound either to act upon the order without any question, or, if he had good grounds for not acting upon it, to bring the case—being, as it was, an *ex parte* application—to the notice of the Court, and if necessary, to move to set aside the order.

"It was not his function to decide that the children were Indian immigrants, and that their births should be registered by the Protector of Indian Immigrants. It is true that the order merely authorised him to register the births, but as it is his duty to register births and as the order of court provided him with the necessary authority, he was not in a position to refuse to register without reference to the Court."

Mr. Justice Hathorn said it was provided that if a person's parents who were not married to each other at the time of his birth, and married each other before the registration of his birth, then such birth should be registered as if they had been married to each other at the time of his birth.

"There can be no question, therefore, that but for the complication arising from the fact that the mother of the children was the daughter of Indian immigrants, the order of court was properly granted, and the births should have been registered by the Registrar."

"But Section 42 (1) of Act 17 of 1923 affected the situation. It was common cause that the word "Indians" in this section meant Indian immigrants.

"Although it is difficult to understand how the legitimate children of a Mauritian of European descent could possibly be Indian immigrants, it is arguable that they are because of Section 118 of the Indian Immigration Law, 1891, of Natal, which reads: 'The words "Indian immigrant" shall mean and include all Indians introduced from India into Natal under the provisions of laws regulating such introduction and those descendants of such Indians who may be resident in Natal. From the operation of this law are excluded those persons who are usually described in this colony as Asiatics, Arabs or Arab traders, being persons who had not been introduced into this colony under the laws providing for the introduction of emigrants from India to Natal.'

### Rejected Meaning

"It is clear, therefore, that those descendants of Indian immigrants who are residents in Natal are Indian immigrants, and it is common cause that a mother who was the child of two Indian immigrants was herself an Indian immigrant within the meaning of Section 118. There can be no doubt, too, that the ordinary meaning of "descendants" is children and their children in

any degree, and if the ordinary meaning has to be adopted the children in question are Indian immigrants. But undoubtedly that meaning must be rejected, for the result of adopting it would be absurd.

"For descent could be traced either from the male or the female line, and the consequence would be that persons who are *de facto* white or coloured or native, as the case might be, and whose descent could be traced in any degree to an Indian immigrant, would be Indian immigrants. It is not possible that the Legislature could have had that intention. As the ordinary meaning has to be discarded, it is clear that the meaning of the word must be limited in some way, and the difficulty of describing the limitation is so great that I do not propose to undertake it."

Mr. Justice Hathorn said that the marriage of the parents before the application was made to Court in 1935 had altered the position completely and the only question to be decided was whether the legitimate children of a Mauritian of European descent and an Indian woman who is an Indian immigrant were Indian immigrants.

### Not Indians

"Whatever the exact limitation may be which must be put upon the meaning of the word "descendants," it is quite clear in my opinion that it must go so far as to exclude children of such a marriage, because, to hold otherwise would lead to an absurdity.

"These children have nothing whatever in common with Indian immigrants. They are neither Indians nor Immigrants, and although the definition no doubt contemplates that some persons who are not immigrants should be regarded as immigrants, such as, for instance, the mother in the present case, the legislature must have intended that Indian immigrants should at least be persons who, judged by ordinary tests, are Indians. By no test that I know of, whether it be status, blood, habits of life or mixture of some or all of them, can these children be regarded as Indians.

"The case might have been different if the father of the children had been an Indian immigrant and the mother a Mauritian of European descent. I am concerned only with the facts as they were when the application was made. It makes no difference whatever that upon the assumption I have made they were Indian immigrants up to a few days before the application was made.

"It follows that the order of November 11, 1935, was properly granted and the Registrar should have acted upon it.

"The order will be that the Registrar of Births and Deaths is ordered to comply with that order.

"The bona fides of the Registrar is not in question, but as he should not have declined to act upon the order without reference to court, and as he received notice that if he did not so act a *mandamus* would be applied for, and

as he has proved to be wrong, he must pay the applicant's costs."

In a concurring judgment, Mr. Justice Carlisle said the Act, as a whole, dealt entirely with Indians. There was no mention in it of Aryan or Negro descent. The exclusion of such a person from the Act was obviously implied. If the descendant of the marriage bet-

ween an Arab and an Indian immigrant did not fall within the Act how much more should a descendant of the marriage between an Aryan or Negro father and an Indian immigrant mother also be excluded?

Mr. L. R. Caney appeared for Barbeau and Mr. E. S. Henochsberg for the Registrar of Births, Marriages and Deaths.

## TRANSVAAL INDIAN TEACHERS' ASSOCIATION DEPUTATION BEFORE EDUCATION COMMISSION

**A** PLEA that Indian principals and assistant teachers should be appointed in all the Indian schools throughout the Union was submitted to the Education Commission by a deputation from the Transvaal Indian Teachers' Association in Johannesburg on Friday, June 25.

The Rev. Mr. Sigamoney, president of the association and principal of the Doornfontein Indian and Coloured Government School, on behalf of the deputation, said that European assistant teachers should not prove a deterrent to qualified Indian teachers in appointments to the posts of principals. When vacancies occurred, the appointment of a suitable and qualified Indian teacher should be made and the European assistants transferred. European teachers might be appointed in a temporary capacity for a year or until such time as qualified Indian teachers were available.

Replying to Mr. J. Duthie, Mr. Sigamoney said there were about 4,000 Indian children attending school in the Transvaal. The Indian child population in the Province was about 18,000, and of these approximately 9,000 required education.

Have you any Indian girls who want

to be teachers?—We have two in training now.

Would it be preferable for Indian women teachers to teach Indian girls than European teachers?—It would be difficult to say. In Natal we have mixed schools and separate girls' schools.

Mr. A. Stephen: How many Indian teachers would be required in Indian schools in the province to-day?—One hundred and twenty.

How many each year?—About ten.

Would it be worth while to establish a separate training college to turn out 10, 15 or 20 teachers a year?—It might not be to meet immediate requirements, but it would take some time to train the teachers for the future. We want to have a regulation laid down so that the permanent Indian population of this province would have sufficient teachers when the time arrived.

To establish a separate training institution which is going to produce a small number of teachers would be a very expensive business?—It has been done in other centres.

Mr. Sigamoney referred to the Sastri Teachers' Training College for Indians in Natal, which was filled by 285 pupils studying to be teachers to be trained in this province who did not fit in with

the Transvaal educational code. If they could not get qualified Indian teachers as principals in the Transvaal they would be able to get them from Natal.

Answering Miss Meeser, the witness said that in Natal the varying religious convictions of the Indians had not created any educational difficulties.

The association strongly urged that education up to and including standard VI should be made compulsory for Indian children. It was not deemed desirable to educate Indian and coloured children under one roof, said Mr. Sigamoney, as there was nothing in common between the two communities.

The Indian community differed from the coloured section in culture and civilisation. There was also the language difficulty, as neither of the two official languages was the home language of the Indian child. The association requested that separate schools should be established for Indian children. The admission of coloured children to such schools should be left to the discretion of the principal. A secondary school should be established for Indian children accommodated in a separate building and not attached to any of the primary schools. Provision should be made for regular medical inspection of Indian schools.

## EMASCULATION OF SEX CRIMINALS

**T**HE following is the text of a resolution passed by the South African Women's Agricultural Union:

"That this congress, being sensible of the irreparable harm and life-long ruin done to children and young girls who are ravished by unscrupulous and brutal men, and feeling that the punishment at present applicable to such offence is wholly inadequate as a deterrent, and believing that the only punishment that is likely to have the desired effect would be emasculation, resolves to do everything in its power and to take all the necessary steps to secure the enactment of legislation, which would make it obligatory on any Court finding any man guilty of the offence of violating, or attempting thereto, a female under 12 years of age

to sentence the offender, apart from any other legal sentence it may pass upon him (except where the sentence is death), to be sexually rendered impotent by operation."

At a meeting of the Durban branch of the National Council of Women, which represents over 34 affiliated women's societies in Durban with over 4,000 members, the resolution was put forward and discussed. Various representatives of the 34 affiliated societies strongly supported the resolution, and stated that they would stand by the decision made by the Durban branch of the N.C.W. The following figures were given by Mrs. David Strachan, chairwoman of the Moral Welfare Committee, of the N.C.W.: In Great Britain in 1934, there were 2,071 cases of sexual offences

against children under 16 years of age, the highest figure since 1900. Of this total 666 were charged with indecent offences with children under 16, there were 84 cases of rape in which the offenders received from three to five years. In 570 cases the offenders were fined. One hundred and eighty were charged for indecent assault on boys under 16. In South Africa, from 1934-35, there were 2,619 prosecutions for indecency with children under 16 years of age. South Africa has a severe penalty for rape. In some cases the death sentence can be passed. Australia does exercise the death sentence. Germany is believed to be the only country where emasculation is the penalty for such offences.

# AGENT-GENERAL AT INDO-EUROPEAN COUNCIL MEETING

WHILE legislators in all countries aimed at securing the greatest good for the greatest number the trend of legislation in South Africa followed an entirely different direction, declared the Indian Agent-General, Syed Sir Raza Ali, when speaking on "Some aspects of legislation affecting Indians during the 1937 session" at the meeting of the Indo-European Joint Council in the M. K. Gandhi Library, on Tuesday night.

In the European countries, he said, there was the struggle between capital and labour, but on that score there was no such serious fear in South Africa for a long time to come. Though of a different nature, the problems here were such as to cause misgivings in the minds of serious thinkers. The overwhelming majority of the people of the Union was non-Europeans, but legislation invariably resulted in the improvement of the condition of the minority group.

The last session of the Union Parliament dealt with 10 Bills in which Indians as a community were interested. Three of these Bills were purely anti-Asiatic, or more purely speaking anti-Indian. They were the Mixed Marriages Bill, the Provincial Legislative Powers Extension Bill and the Transvaal Asiatic Land Bill. The remaining seven Bills were straight-forward, social measures calculated to improve the economic conditions of the people, namely, the Marketing Bill, the Unbeneficial Occupation of Farms Bill, the Children's Bill, the Immigration Bill, the Arms and Ammunition Bill, the Wages Bill and the Industrial Conciliation Bill.

## Administration

"I must make it quite clear," he added, "that in my opinion none of these Bills was intended to subject Indians to any hardship. But having regard

to their unhappy experience of the manner in which certain laws are administered, Indians have become apprehensive and suspicious of these measures."

A possible means of removing Indian suspicion, went on the Agent-General, in fact, to protect Indians, was that some form of franchise should be given to them.

There was now no fear that the Indians would disturb the ratio of the European population, even in a Province like Natal, for Indian immigration had been stopped.

"The net result of this review is that while it is not right on the part of my countrymen to suspect the motives of the Union Government with regard to every legislative measure brought forward by it, the fact remains that owing to their subjection to disabilities, straight-forward measures like the Marketing Bill or the Unbeneficial Occupation of Farms Bill unfortunately add to their disabilities unless special provision is made for safeguarding their rights.

"The tragedy in this country is that the Government do not rest contented with the subjection of Indians to political disabilities. Efforts are made in every social legislative measure to put various communities in the Union into water-tight compartments on the basis of colour.

## Intolerable

This may, in the eyes of those who believe in a colour bar, be justified in the case of political enactments. But life becomes intolerable when these racial disabilities are introduced in the social legislation.

"What justification, I ask, is there for dealing with the interests of farmers on a racial basis? Farmers are an

economic and not a racial unit and their interests should be safeguarded, irrespective of their colour. Political discrimination might be compared to classifying the South African population into divisions. If to these is added economic discrimination on the basis of colour the country will be having class divisions which would make the position hopeless. Yet it is not, and it will not be, possible for any Government in this country to prevent the demand for the colour bar being extended to social legislation unless the non-European in this country, especially the Indian, is given the vote. In less than a year the country will be in the grip of a general election. Already leaders of various political parties have started their election campaigns. What new avenues will be explored to demand further discriminatory legislation against non-Europeans remains to be seen.

## Only One Way

"Speaking for myself I must make it quite clear that there is one, and only one way of banishing the monster of the colour bar from South Africa, and that is to treat every man and woman politically, economically and socially according to the stage of civilisation attained by him or her. This means that adult municipal franchise need not necessarily be extended to Indians in Natal.

"But surely the resources of statesmanship should not refuse to consider the question of making the grant of the vote to the Indian conditional on the possession of satisfactory property, educational or other qualifications," said Syed Sir Raza Ali in conclusion.

Mr. Maurice Webb, Chairman of the Joint Council, presided.

## South African News In Brief

### Indians And Poor Relief

#### Commission

THE officials of the Maritzburg Branch of the Colonial Born and Settlers' Indian Association, on behalf of the Indian community of Maritzburg, will appear before the Poor Relief Commission appointed by the Union Government, during its session. A lengthy memorandum is being prepared, and evidence will also be tendered. The association will be pleased to receive any information from Indians, and they are earnestly requested to get in touch with the hon. secretaries at 143, Relief Street, Maritzburg, immediately, as the Commission is shortly expected to visit the City.

### Farewell To School Manager

Mr. A. Gray, ex-Inspector of schools and school manager of S.R.S. Government-Aided Indian School, Overport, Durban, who has now resigned, was given a very happy farewell at the above school on Friday, June 18, at 2.30 p.m. A Guard of Honour was formed for Mr. Gray by the guides and scouts of the school. Short sketches, songs and music, rendered by the pupils, provided the necessary entertainment. In his speech Mr. S. P. Singh, headmaster of the school, paid a very high tribute to Mr. Gray. As a token of valuable services rendered to the school, the manager was presented with a handsome walking

stick suitably engraved. Mr. Gray suitably responded. The proceedings terminated with the singing of the National Anthem.

### New Girls' School For Maritzburg

Tenders have been called by the Provincial Administration for a new Indian girls' school in Maritzburg, which, it is hoped, will be completed in time for the opening term next year. The school is to be situated with its front at 510, Boom Street, but the premises reach back to Grayling Street. It is to be a double storeyed building with four class-rooms and perhaps a domestic science room. It will accommodate nearly 200 pupils.

*Polchefstroom Government**Indian School*

On June 6, a sports day and prize distribution function was held at the above school. The sports were managed very successfully by the help of the teachers and some of the leading Indians of the town. The performances by some of the pupils were outstanding. The sports on the whole proved a real success. At two o'clock in the afternoon entertainment was given by the pupils of the school who staged an Oriental dramatic scene in both Afrikaans and English. A scene from "Alladin of die wonderlike Lamp" displayed an Eastern atmosphere with its Oriental glamour. Another play entitled "The Lost Camel" was very skilfully acted by the pupils. This play was in English. The costumes and dresses were designed by Mr. H. M. Majam. The stage scenes were arranged by Mr. S. Singaram and the plays were produced by the efforts of the teachers Messrs. S. Singaram and H. M. Majam. The secretary of the Indian school committee, Mr. Sayed Shahabodin, read the annual report of the committee's work. Prizes were distributed by Mr. H. N. Mahomed.

*New Postage Rates*

From July 1, as has been already announced, important postal changes have come into effect in connection with the inauguration of the Empire air mail scheme and the dispatch of first class mail matter by air. The principal factors to be borne in mind are that the previous air and surface mails have been abolished and all first class mail matter will now be accepted at flat rates of postage and dispatched by air so long as expedition results. It is pointed out that for the future the existing rate of 1d. an ounce for the dispatch of letters by surface mail in the Union will be abolished and that the unit weight will be 1d. for half an ounce in respect of all first class mail matter which, as a matter of course, will now go by air mail or by train, whichever is the more expeditious. It is stated that there is very little likelihood of any hardship resulting from this change. Statistics have established that on an average 55 to 65 letters do not weigh more than 1lb., it being found that the great majority of letters are under half an ounce in weight. In these circumstances, therefore, no increase in postage costs should result from the new rate, except possibly in exceptional cases.

*Leaves Estate Of £20,000*

An Indian storekeeper, Mr. Yusof Mahomed Asmall, of Bulwer, who died intestate on May 22, left an estate of more than £20,000, including land in Durban and Maritzburg. The estate comprised immovable property, £4,930 1s. 2d.; movable, £5,797 10s.; cash £2,266 7s. 1d.; claims in favour of the estate, £7,908 12s. 3d.; total £20,903 5s. 6d. The immovable property includes land in Moran's Lane, Durban, and Retief

Street, Maritzburg. The late Mr. Asmall left a widow and six minor children.

*Nizamia Muslim Society*

A committee meeting of the Nizamia Muslim Society will be held on Wednesday, July 14, at the secretary's office, 456, Greyling Street, Maritzburg at 7.30 p.m. Members are requested to kindly attend. Agenda: Minutes, correspondence and general.

*Indian Young Men's Association (Pentrich)*

The third annual general meeting of the Indian Young Men's Association (Pentrich) was held recently, Mr. R. Ragwan presiding. The secretaries' report, which covered the various activities of the association, was submitted. It reflected the success in the establishment of a child welfare clinic at Pentrich, which is to be opened in the near future,—being assisted by the Colonial Born and Settlers' Indian Association (Maritzburg Branch) who made all the necessary representations on behalf of the residents. The report also dealt with other social matters that received the attention of the association. The body also conducted concerts in and around

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Maritzburg, and its orchestra was in attendance at the Indian Sports Ground, Maritzburg, on the occasion of the Coronation of their Majesties, where the Indian community's celebrations took place, and also at the City Hall, when the Drama "Chandragantha" was staged in aid of the Laxhi Ward at Grey's Hospital. The association had the honour of inviting lecturers in the persons of Mrs. V. Veerasamy (Kimberley), Prof. S. D. Das, B.A. (India), and Mr. A. Nathamuniar (Durban), and their lectures were very inspiring and interesting. The report also referred to the difficulties experienced by the Association in not having a hall of its own to enable it to carry out its affairs conveniently, and it was stressed that the association should seriously concentrate in endeavouring to procure a hall, in order to have its rehearsals of concerts, debates and other indoor games to the satisfaction of members. The following officials were elected for the ensuing year: Patrons: Dr. M. R. Peters, Messrs. M. S. Williams, and V. K. Pillay; President: Mr. M. Koopasamy; vice-presidents: Messrs. K. Soobramoney, S. Rathanam, R. C. Jack, V. Kristy, A. G. Pillay, R. Ragwan, B. Poodhan, J. M. David and R. M. Johnson; trustees: Messrs. M. S. Williams and K. Soobramoney; hon. secretaries: Messrs. M. K.

Naidoo and M. M. Pillay; treasurer: Mr. Thurmalingam; manager: Mr. B. M. Naidoo; conductor: Mr. R. Ragwan; committee: Messrs. B. Sookaloo, K. Moothoo, K. N. Naidoo, B. M. Naidoo, R. Morgan, P. Chetty and V. Kista.

*Stella Hill Scouts Week-End Camp*

A contingent of 10 patrol-leaders and 10 scouts of Std. VI. of the Stella Hill Indian School, spent an enjoyable week-end camp at Stainbank under the leadership of scout masters, Messrs. M. M. Naicker and R. L. Naidoo. The camp was run from Friday evening to Sunday evening. On Saturday the scouts went for a hike, seeing all places of interest in Stainbank. That night a variety concert was given by the scouts. A few teachers and friends paid the camp a visit and thereby added to the success of such a camp. Thanks are due to Messrs. Stainbank Bros. for allowing the scouts to camp in their property. Mr. Chin Naidoo for furnishing with sails etc. and the teachers who forwarded donations to make the camp successful.

*Durban Indian Women's Association*

The Durban Indian Women's Association held their fourth annual meeting on Saturday June 26. The Mayoress, Mrs. Geo. Cyrus, presided. There was a very large gathering of members and friends. Among those present were Misses E. F. English, Sutton, Wood, F. S. Slatter, Couper, K. Mirza, Mrs. Floyd Williams, Mrs. Webster, Mrs. Regnier, Mrs. Keating (Sec. N.C.W.), Mrs. P. R. Pather, Mrs. Padayachee, Mrs. Karodia, Mrs. Coovadia, Mrs. E. H. Ismail, Mrs. Hajee Ismail Jhaveri, Mrs. I. Moosa, Mrs. S. Gandhi and Mrs. Mehta. The President, Councillor Mrs. E. A. Benson welcomed the Mayoress in a few well-chosen words. The secretary, Mrs. J. Lawrence read the annual report and financial statements. The Mayoress congratulated the women on the amount of work covered during the year under review. After the elections, Miss Sutton of the Y.W.O.A., spoke on the leading women workers of India; Mrs. E. Thomas on education and guiding, Mrs. Moodaly on child welfare work among Indians and Miss S. M. Lawrence on the Indian Detachment of the Red Cross. Dr. Goonam gave a stirring speech on the education of the Indian mother, and the draw-backs of Indian women, due to caste system, and religious and social customs. The President thanked the speakers and the Misses Lawrence and Padayachee, who rendered vocal and instrumental music during tea. The following officials were elected: President: Mrs. E. A. Benson; vice-president: Mesdames Moodaly, E. Thomas, Jhaveri, Seedat, Ginwalla and Miss F. S. Slatter; hon. secretary: Mrs. J. Lawrence; hon. treasurer: Miss S. M. Lawrence.

# India Letter

(EXTRACTS FROM A. I. C. O. FOREIGN LETTER)

## No Politics Without Truth

“TRUTH and Ahimsa are eternal things, ordinary politics is not. Given Truth and Ahimsa on one side and politics in the ordinary sense on the other, Mahatma Gandhi will not hesitate to choose between them,” said Dr. Pierre Ceresole of the International Voluntary Service, who is at present engaged in relief operations at Sanathi Centre (Muzaffarpore district) addressing the District Political Conference held at Dacca (Champan) recently. Continuing, he said that Mahatma Gandhi did not only belong to India but to the whole world. He was more than a great and beloved political leader. His person and life had been and will ever be a perennial source of inspiration for people all over the earth. He had no difficulty in choosing between Truth, Ahimsa and politics, because for him there could be no real and lasting politics, which did not respect the fundamental principle of real and lasting religion—Truth and Ahimsa, non-violence to the soul and body of another man, just as there could be no real and lasting religion which did not support real and lasting politics, that is, which was not fully aware of the needs of other people and intensely active to meet them. This capital lesson which the Mahatma preached was needed not only by India but by the entire world. In short, reduced to simple words it meant: “No real politics without truth and respect for other lives and persons and no real religion without active service and if the need be, sacrifice for improving the material situation of other men and other nations.” The speaker refuted the objection raised by certain people that the Congress was a political body and not an organisation for moral and religious propaganda by saying that one cannot have the outside of a spherical surface without having its inside too. Concluding Dr. Ceresole expressed a wish that the Congress may become more and more deeply and soundly religious—religious not in the sense of promoting communal riots but in creating mutual understanding, respect and affection.

## “New Constitution Not Worth The Paper It Is Written On”

Mr. T. J. Mardy Jones, M.P. (Labour), who is on tour in India, visited more than a dozen villages near Baroda to study rural conditions. At a public meeting arranged by the Praja Mandal of Baroda, at the Jubilee Gardens, Mr. Mardy Jones, speaking for over two hours, traced the growth of the British

Parliament from its very inception and showed how the Commons held real power. The new constitution, he said, had many shortcomings, and the Congress and Gandhiji had displayed great political genius by interpreting that constitution correctly. He expressed the opinion that it was not worth the paper on which it was written unless rightly used. He deplored that the great mass of India was ignorant. The Hindus and Muslims forget that they are Indians first and last and the only civic sense they should cultivate, he stressed, is liberty. He exhorted them to stand up against injustice. He emphasised the need for education and literacy and criticised the Government for its negligence in that respect.

## India And Burma

President Nehru, after finishing his Burma tour proceeded to Malaya. His stay in Burma was brief, but even that helped considerably to strengthen the bond between India and Burma and to undo the mischief wrought by the separation. He went to Burma as “a bearer of a message of goodwill from India” and he won for India enough of the goodwill of the Burmese population. Reports to hand go to show that everywhere Nehru received welcome from the native population which was as cordial, warm and spontaneous as any he received in the provinces of India. Municipalities vied with one another to present him civic addresses and in each one of them sentiments were expressed which belied the British assertions regarding anti-Indian feelings in Burma. His tour and its reactions makes one thing clear, namely, that Burma has already seen through the imperialist design at the back of her separation from India. At one of the public meetings in Rangoon Panditji pointed out that Burma was full of wealth such as minerals, oil, timber etc, which the foreigners wanted to reserve for their exploitation. That was the economic reason for the separation. The other reason was strategic. With the danger of India going out of the Empire constantly before her eyes, Britain wanted a close preserve for her in the East. Burma with her rich resources of the principal war material, oil, was selected as that preserve and the separation was affected with an eye to the needs of imperial defence in the future. The exposition has opened the eyes of many a Burman and it may now be said that, in spite of the separation, Burma has now come closer to India than in the years immediately preceding separation.

## Demoralisation In Non-Congress Ranks

Signs are evident everywhere that the Congress success has utterly demoralised them and they have hardly the courage to challenge the Congress in public. The reaction of the puppet ministers to the censure resolutions of the Congress members provides an interesting study for the psycho-analyst. The Ministers of U.P., C.P., and Bombay gave up their case when they expressed publicly their readiness to resign in favour of the Congress whenever called upon to do so, admitting thereby their unrepresentative character. But the utter demoralisation of the reactionaries is most palpably evident in connection with the bye-elections. In all the bye-elections so far, the Congress nominees have been returned unopposed. Mr. Rafi Ahmad Kidwadi, Congress candidate, had an uncontested return in U.P. where all the Congress Muslim candidates were defeated at the general elections. The next notable victory was in the Punjab which had proved a stronghold of the loyalists during the general elections. There Sardar Teja Singh Swatantra, an internee, was returned uncontested. The third uncontested return of the Congress candidate was reported from the Frontier Province and the fourth victory was won in Assam. A fifth uncontested return has just been reported from Madras. The significance of these returns is too patent to be explained.

## Imperial Institute Of Sugar Technology

A Press communique from Simla says:—

The first session of the Imperial Institute of Sugar Technology, which has been established at Cawnpore, will commence on July 10, 1937. The Institute provides facilities for the training of students in all branches of sugar technology; the principal courses are those for the Associateship and Fellowship in Sugar Technology and Sugar Engineering for men engaged in the industry.

Wife: “I’m afraid, Oliver, you do not love me any more; at least, not so much as you used to.”

Husband: “Why?”

“Because you always let me get up to light the fire now.”

“Nonsense, my dear! Your getting up to light the fire makes me love you all the more.”



# Things In General

## £10,000 Gift To The Tech

A GIFT of £10,000 for building and equipping a gymnasium for the Natal Technical College in Durban has been made by Mrs. S. F. Crookes, of Renishaw, Natal, in memory of her late husband, Mr. Samuel Frederick Crookes. Mr. Crookes lived at "Ellingham," Renishaw, and died on January 7, 1936. He was managing director of the firm of Crookes Bros., Ltd., and was long associated with his two brothers in building up the sugar industry on the South Coast of Natal. He was a director of Messrs. Reynolds Bros., Ltd., the Gledhow-Chaka's Kraal Sugar Co., Ltd., and Messrs. C. G. Smith and Company. He was born in 1876 at Ellingham, where his father, Mr. Samuel Crookes, first started growing cane and manufacturing sugar. Mr. George J. Crookes brother of Mr. S. F. Crookes and one of the managing directors of Crookes Bros., offered in August last year to pay the cost of building a hospital at Scottburgh to meet the needs of the whole of the European and non-European community in the Umzinto district. It will cost between £16,000 and £18,000.

## Indian Social Service Committee

Amidst a representative gathering of Indian residents of Clairwood, the Fourth Anniversary celebrations and Annual General meeting of the Indian Social Service Committee took place at the Clairwood Indian Boys' School, on Sunday June 27. The function was presided over by His Worship the Mayor, Councillor Fleming Johnston. The Mayoress, Mrs. C. Cyrus was also present. The Mayor praised the good work carried on

by the Committee. After the adoption of the secretary's report and financial statement the following officials were elected for the ensuing year: Mr. B. Ramobander (Chairman); R. A. Govender (Vice-Chairman); Mr. S. Gopal (Hon. Secretary, re-elected); Mr. R. R. Moodley (Hon. Treasurer, re-elected); Executive: Messrs. R. P. Das, N. P. Naidoo, M. E. Sigamoney and R. Budree.

## The Prime Minister To Arrive On Monday

General Hertzog, the Prime Minister of the Union, is due to arrive in Capetown on Monday by the *Dunnottar Castle* and is expected in Pretoria on Wednesday. He will travel by train through the Free State. Mr. Havenga, the Minister of Finance, is not expected to return from overseas until the end of July.

## Mr. Mohanlal Returns

Mr. Mohanlal Raghavjee, son of Mr. Raghavjee D. Parekh of Verulam, and partner in the firm of Messrs. Choonilal Brothers, has returned to Durban by the *Karanja* last Wednesday from his recent visit to India. While in the Motherland Mr. Mohanlal took the opportunity of visiting many of the historic places and also of paying respects to many of the leaders.

## Tanjore Indian School Sports

The annual sports of the above school was held on Sunday, June 27, before a large crowd of spectators. The function proved a very successful and an enjoyable one and some very keen racing and jumping was witnessed especially in the senior division. The longest jump for the day was accomplished by a lad of

fourteen, who leaped 13½ feet. The afternoon session of the day was the occasion of a farewell reception accorded to Mr. A. Gray, the school manager. The chairman, Mr. V. C. M. Naidoo, in his opening remarks, made a general survey of the activities of the school. He made reference to the excellent work that had been done in the upliftment of the school. He sincerely thanked Mr. Gray for his fine work and wished him every prosperity in the future. The head teacher, Mr. R. Perumal then gave a brief report of the school. Mr. Gray was then garlanded and presented with a beautiful writing set. Other speakers were Dr. K. Goonam, Messrs. W. Baboolal and S. P. Singh, who expressed their regrets on Mr. Gray's resignation and wished him a bon voyage and a happy future. The day's programme concluded with a vote of thanks by Mr. A. M. Khan, and the singing of the National Anthem by the school children.

## Indians In Belgian Congo

At a recently held meeting of the residents of Elizabethville, Belgian Congo, Central Africa, an Indian Association for the uplift of the local Indians was formed. The following office-bearers were elected for the year 1937: Mr. I. G. Master, president; Mr. Dayanandpuri, secretary and Mr. Naran Parbhoo treasurer. The following are members of the Association: Messrs. Pari Brothers, M. Laloo, Deva Laloo, Mubarakali Khan, Daya Morar (Nadodwala), Desai Brothers, I. G. Master, Naran Parbhoo (Kaphletawala), E. A. Owenis Hamy, G. G. Naik, Abdulla and John Katapa. The Association requests the Indian Associations of the Union of South Africa, Southern Rhodesia and Northern Rhodesia, who are their neighbours for their kind help and co-operation.

# The Sporting World

## Sam China Cup Tournament

THE South African Indian Football Association has set the venue of the Sam China Cup tournament at East London from September 4 to 11 inclusive. It will open to all affiliated units. The biennial general meeting is to be held on July 30, when Natal, Transvaal, Frontier, Eastern Provinces and Western Province are likely to be represented. It will be the first time in the history of the Frontier that a tournament of this nature is to take place.

## Soccer At Verulam

Two teams of the Colonial League of Durban, Rovers and Wanderers Football Clubs will visit Verulam, on Sunday, July 4, to play two matches against the Temple F.C., first match commencing at 2 p.m. and second at 3.30 p.m.

## Boxing Dates Clash

The boxing and wrestling tourney arranged by Mr. Nat Moodley for July 3 has unavoidably had to be postponed owing to the Sarron-Martin fight being billed for the same night. It appears that Moodley was granted permission by the Natal Boxing Board of Control to stage a show on July 3 but unknown to him the Sarron-Martin clash appeared in the Press. Having lodged his complaint with the governing body he has decided in the best interests of sportsmen to postpone his tourney to July 17 at the City Hall. Originally he had advertised his venue as the Indian Sports Grounds, Currie's Fountain, but on representations being made by patrons as to the unsuitability of the site in mid-winter he has agreed to meet their views. The full programme for his show is: Cecil Wolhuter (Capetown), v. Seaman Chetry (Durban), for the flyweight championship of South Africa 12 three minute rounds; Ranjit

Singh v. Kid Vengan; Kid Khan v. Joe Aron; Kid Remily v. M. Naidoo, all six three minute rounds. Apart from these boxing items he has arranged an all-in wrestling bout between the two well-known wrestlers: Raghbeer Maharaj and Sonny Moodley over six five minute rounds.

## Nightingale Sporting Club's Election

At an annual general meeting of the Nightingale Sporting Club held recently at the Hindu Sangatan Girls' School, Mayville, the following were elected: Hon. Life Patron: Mr. B. Mahabeer; Patrons: Messrs. R. Karpath and M. Chaithu; President: Mr. B. Soonder Singh; vice-presidents: Messrs. J. Hurdlow and D. Mohamed; secretary: Mr. R. Lutohman; assistant secretary: Mr. I. Sewnares; treasurer: Mr. S. Gyanath; record clerk: Mr. B. Jngernath; editor: Mr. G. Beepath; committee: Messrs. U. Sewjathan, Bobby Singh, R. Raghubeer, K. Gopie and B. Mudhan,

—સરપલસ—

# રેકોર્ડોનું ગંભવર સેલ

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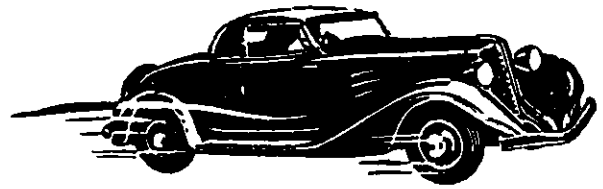
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