

Indian Opinion

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EDITORIAL NOTICES.

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CORRESPONDENCE.—Letters and other communications should be written on one side of the paper only. When articles or "Correspondence" are signed with the writer's name or initials, or with a pseudonym, or are marked "Communicated," the Editor must not necessarily be held in agreement with the views therein expressed. In such instances, insertion only means that the matter or point of view is considered of sufficient interest and importance to warrant publication. Space being a consideration, correspondents are requested to be brief and to the point. Letters should be addressed:—The Editor, "Indian Opinion," Phoenix, Natal.

Indian Opinion

SATURDAY, NOVEMBER 28TH, 1908.

A Word of Warning.

We wish to warn our readers against any undue optimism at the present time. There is every indication of a lengthy struggle, and it would be wrong if British Indians were to show a sudden access of courage merely because they thought that a settlement would be soon arrived at. It is perfectly true that the Government have been beaten at all points when they have come to grips with the community. The Supreme Court appeal case and the recent Volksrust thumb-print cases show that plainly enough.

It is manifest that, owing to hasty legislation, clumsy draftsmanship, and stupid administration, the Pretoria authorities have hopelessly muddled unmanageable Acts. They have endeavoured to browbeat the Indian community by a policy of bluff, blackmail, and wilful misinterpretation of the law. And it is the nature of things that, being temporarily, at least, baffled of their prey, they will become even more obstinate and vindictive than before.

Accordingly, British Indians, if they are real passive resisters, as we believe and hope they are, will not flinch from the coming renewal of the struggle, and will bravely meet their fate next Tuesday. Perhaps they are so far from the beginning of the end as to be but at the end of the beginning. In any case, they must continue to fight on as though this were so. Let them remember that their European friends and sympathisers, both here and in England, that their brethren elsewhere in South Africa and in India, build great hopes upon the doings of the Transvaal Indians. Great things are expected of them, and they must rise to the occasion

nobly and unselfishly. We believe they will. But deeds speak louder than words.

AT LAST WE HAVE THE REAL REASON for the anti-Asiatic legislation of the Transvaal. **Driving Them Out** This is a *Star* translation of what appears in a recent issue of the Pretoria Ministerial organ the *Volkstem*:

Perhaps the latest decline of justice is better for our population. It must not be so easy to be delivered from the Asiatics. What exertion did it not cost to be delivered from the Chinese! And did that exertion not make our people stronger? The same will have to be the case in connection with the Asiatics. That South Africa will free itself from this exotic element, there can be no doubt. But it will cost many a drop of perspiration. When at last the Asiatic has been driven out, South Africa shall be all the better and more robust for it!

It will be very difficult for Mr. Smuts now to try to bluff the Imperial Government into believing that he is anxious only for the well-being of the British Indians. Doubtless he must now be exclaiming "Save me from my friends!" He cannot have any very friendly feeling to-day for Dr. Engelenburg (with whom he travelled from Delagoa Bay last year). And, by the way, is not Dr. Engelenburg one of the educated men imported from Holland to help to develop the Boer people before the war, as mentioned by Mr. Dal'ow? Indians are to-day being charged in Ministerial quarters with "looking to India." The time is not long since when the Boers looked to Holland. They did so when they were threatened with extinction and they had nowhere else to look to. Britain has forsaken the Transvaal Indians to-day. What wonder, then, that the latter look to India for help and sympathy? Meanwhile, we know officially that British Indians are to be driven out of South Africa. What has Colonel Seely to say to that?

RECENTLY, MR. L. W. RITCH, THE indefatigable Secretary of the South Africa British Indian Committee, rapped Mr. Cecil Govey of Capetown, smartly over the knuckles in the columns of *The Times*, when the latter had the temerity to publish misleading figures relating to Cape Indian insolvents. In the Cape *Government Gazette* of the 3rd inst., appear two insolvency lists. The first gives the names of uncertificated insolvents whose estates have been placed under sequestration between the 1st April, 1908, and the 30th September, 1908, in whose estates the accounts and plans of distribution have not been confirmed. Out of a total of some

390 estates, there are only 13 Indian ones, or one-thirtieth of the total, slightly over 3 per cent. The second list is of those insolvent estates where, during the same period, the accounts and plans of distribution have been confirmed. The total number is 421, and there are only six Indian names. Evidently, then, insolvency is not an Indian vice, and creditors of Indian traders have nothing much to complain about on that score. The Indian debtor no doubt, prefers to arrive at a satisfactory compromise with his creditors. One can hardly say the same of the European debtor, in view of the above facts. The only remaining argument against the Indian, then, is that he sells below cost, and eventually defrauds his creditors by suddenly disappearing with the proceeds. And yet we have the word of the creditors themselves that the Indian trader is a safer customer than his European *confidère*. What then is the objection? Is it, after all, merely trade jealousy masquerading beneath race-prejudice? The latter may be due to ignorance; the former never is.

NATAL HAS GOT WHAT SHE ASKED FOR— a sad rebuff at the hands of the Imperial Government. She was warned of this by the more responsible section of the Colony's press, but she was deaf to all argument. The *Mercury* has pointed out, too, that such a result was not unforeseen by the Government, who had already received an advance intimation of the Imperial Government's views in the matter. But the gods first blind those whom they wish to destroy, and this may account, in a sense, for the wanton folly of the Natal Parliament in passing impossible measures. There is no doubt that the Transvaal has set an awful example to the rest of South Africa, and Natal is not altogether to blame, as the *Saturday Review* has remarked, if she thought she would be allowed, by the Imperial authorities, to "go and do likewise." Well, well! Who knows whether Natal will learn from her past failures, and come to a reasonable understanding with the Indian community in regard to Indian problems? Mr. Moor has urged the calling of an Imperial Conference on the Asiatic question, and has been generous enough not to object to the Indian Government's being represented thereat! If the Conference ever be held, and India be represented, possibly the most historic episode connected with it will be the fact that Mr. Moor did not object, an act of self-abnegation upon which the very safety of the Empire might have depended! Who knows?

"YOU PULL THE STRING AND THE figure works." It is an old legend, and we see it so often writ large over our public life. String-pulling has become a fine art, and it is now a common-place in politics. The Transvaal public has been entertained this week by a startling display of unanimity on the part of the Chambers of Commerce of the Colony in passing resolutions urging the Government not to give way an iota, but to stringently enforce the old Asiatic Act and the new Validation Act—more easily said than done. It is significant that the ball has been set rolling by the Klerksdorp Chamber, which circulated a model resolution. We wonder what connexion Mr. J. A. Nesor, M.L.A., had with the instigation of this striking display of originality! And we wonder what connexion Mr. Smuts had with Mr. Nesor prior to the sudden awakening of the Klerksdorp Chamber to the pressing need of the moment! It was all so easy, once the order went round. Immediately Mr. Facing-both-ways set his visage in the required direction, and Mr. Sit-on-the-fence climbed down quickly enough on the safe side. What simpler than to invoke the spirit of trade-jealousy, masquerading as anxiety for the welfare of the State? What simpler than to play upon colour-prejudice, race-hatred, and fear of the consequences of past evil deeds? Ah yes! We know those resolutions! They come from Sheffield.

Mr. Dadabhai Naoroji.

The G.O.M.'s Birthday Acknowledgment.

The British Indian Association of the Transvaal and the Natal Indian Congress have received the following acknowledgment from Mr. Dadabhai Naoroji, written from Vesava on the 8th September, regarding the cablegrams of congratulation on the occasion of his birthday. "I take this occasion to thank my countrymen and all my friends both in India and England with all my heart for their many proofs of kindness and regard which have deeply touched me throughout the year, and for their recent numerous references and messages of good wishes on my 84th birthday.

I take this opportunity to entreat that all resort to violence should be avoided. Our grievances are many, and they are just. Maintain the struggle for essential reforms with unceasing endeavour and self-sacrifice, peacefully, patiently, and perseveringly, and appeal without fear or faltering to the conscience and righteousness of the British Nation."

INDIAN MAILS. For Colombo, per *S.S. Umkusi*, until 9-30 a.m., Friday, December 4th. For Seychelles and Bombay, per *S.S. Kaiser*, until 3-30 p.m. December 8th.

Further Regulations under the Asiatic Act

The Transvaal *Government Gazette* of the 13th instant contains the following:—

No. 1130.]

[12th November, 1908.

It is hereby notified that His Excellency the Governor has been pleased to make the following further regulations under the powers in him vested by sub-section (5) of section *seventeen* of the Asiatics Registration Amendment Act, 1908.

Regulations.

PROCEDURE ON OR IN CONNECTION WITH APPEALS TO SPECIAL MAGISTRATE UNDER SECTION *six* OF THE ACT.

1. As soon as may be after the receipt by the Colonial Secretary of the notice of appeal mentioned in sub-section (2) of section *six* of the Act the Assistant Colonial Secretary shall notify to the appellant, at the address given by him in his notice of appeal, or at any other address which he may name in such notice as his future address, the name and address of the magistrate specially assigned to hear the appeal (hereinafter called the magistrate). The Assistant Colonial Secretary shall simultaneously transmit to the magistrate a copy of the appellant's notice of appeal.

2. (1) The appellant shall, within fourteen days after the date of the notification, transmit, in writing, to the magistrate and to the Registrar of Asiatics (hereinafter called the respondent) the grounds upon which he claims to be entitled to a certificate of registration, and shall specify the particular paragraph of section *three* or *four* of the Act upon which the claim is based.

(2) The appellant shall simultaneously inform the magistrate, in writing, of the address at which he desires any subsequent notice in connection with the appeal to be sent to him.

3. The magistrate shall fix a date and hour for the hearing of the appeal, and give notice of the same by registered letter to the appellant and to the respondent. Such date shall be not less than seven nor more than twenty-one days after the date of the posting of such notice; provided that the magistrate may reduce or extend the time for prosecuting the appeal for good cause shown.

4. The appellant and the respondent shall appear upon the date fixed, and, in default of appearance by the appellant, the magistrate may dismiss the appeal, and, in default of appearance by the respondent, the magistrate may proceed with the hearing in accordance with regulation *nine*.

5. The appellant or the respondent may appear at the hearing of the appeal—

- (a) in person; or
- (b) by an attorney of the Supreme Court or law agent duly enrolled in any court of resident magistrate in this Colony;
- (c) by an advocate duly instructed by any such attorney or law agent;

and the respondent may further appear by a person employed in his office delegated by him in writing.

6. (1) Every appeal shall be heard at such place as the magistrate may specially direct or in the absence of any special direction at the Magistrate's Court, Johannesburg.

(2) Every appeal shall be heard and every judgment or order thereon shall be pronounced in open court.

7. (1) The process for summoning a witness to attend the hearing of an appeal, either to give evidence or to produce any document in his possession, shall be by summons, issued by the magistrate and directed to any police constable. The summons shall be in Form I annexed hereto, and may be obtained by either party requiring the attendance of a witness, and shall be served and returned by such police constable in manner prescribed for service and return of summons by messengers of courts of resident magistrate.

(2) A defaulting witness may be dealt with in manner prescribed by the law for the time being relating to courts of resident magistrate.

8. Subject to the provisions of sections *five*, *six* and *seven* of the Law of Evidence Proclamation, 1902, or any amendment thereof, the oath to be taken by witnesses upon an appeal shall be as follows:—

"The evidence that you shall give upon this appeal touching the matter in question shall be the truth, the whole truth, and nothing but the truth. So help you God."

9. (1) At the hearing of the appeal the appellant shall first adduce his evidence in support of the grounds of his appeal, and if after hearing such evidence the magistrate is of opinion that the appellant has made out a sufficient case for the respondent to answer, the respondent shall adduce his evidence in opposition to such grounds.

(2) Either party may, with the leave of the magistrate, tender further evidence at any time before judgment; but such leave shall not be granted if it appear to the magistrate that such evidence was intentionally kept back at the time when it should have been tendered.

(3) The magistrate may, at any time before judgment on the application of either party or of his own motion, recall any witness for further examination.

(4) Any witness may be examined by the magistrate as well as by the parties.

(5) No evidence shall be adduced which is not relevant to any ground

of appeal of which notice has been given under regulation *two*, but the magistrate may in his discretion, with the consent of the respondent, or, if an adjournment be granted, without such consent, allow the appellant to vary or enlarge the grounds of his appeal.

10. After the evidence has been completed the appellant may first address the magistrate, and thereafter the respondent. If the respondent has called evidence the appellant may reply, but otherwise no reply shall be permitted except upon matters of law.

11. (1) The magistrate shall—

- (a) if the appellant proves his case, allow the appeal, and make an order in writing that the respondent enter the name of the appellant in the Register of Asiatics, and issue to the appellant a certificate of registration in accordance with the Act and regulations made thereunder;
- (b) if the appellant fails to prove his case, dismiss the appeal and make an order in writing directing the appellant to be removed from the Colony.

(2) An order under paragraph (a) of sub-section (1) shall be in Form II annexed hereto. An order under paragraph (b) of sub-section (1) shall be in Form III annexed hereto.

12. (1) The magistrate shall, on the hearing of an appeal, record—

- (a) the evidence taken thereon and any objections to such evidence; and
- (b) the fact that any evidence was tendered and rejected by him, the nature of such evidence, and the grounds of its rejection;
- (c) the terms of any order made by him.

(2) The magistrate may adjourn the hearing of an appeal from time to time or from place to place.

(3) The date and place of hearing an appeal or of any adjourned hearing shall appear on the record.

13. The magistrate may award to the successful party on any appeal costs upon the same scale as may be awarded in ordinary actions in courts of resident magistrate. Any order as to costs against the respondent shall be included in Form II hereto annexed. Any order as to costs against the appellant shall be in such form and shall be executed in such manner as the magistrate may determine in each case. Such costs shall be taxed by the clerk of the court of resident magistrate of the district in which the appeal was heard.

14. The magistrate shall cause to be kept a record book in Form IV annexed hereto, in which shall be entered at each successive stage short particulars of the appeal and the proceedings thereon, showing—

- (a) the number of the appeal;
- (b) the names of the parties and their respective representa-

tives, and the address of the appellant;

- (c) the date of receipt of the grounds of appeal;
- (d) the date or dates of the hearing;
- (e) the date of judgment;
- (f) the order made upon the appeal.

15. Any notice, order, or document to be served upon a party, shall be deemed to be effectually served if personally served, or if transmitted by registered post to the address given by such party, or, in the case of the respondent, to his official address. All personal service shall be by members of the Transvaal Police Force.

16. In so far as provision is not made in these regulations for any matters in connection with appeals under section *six* of the Act, the rules for the time being governing the procedure in civil cases in courts of resident magistrate shall *mutatis mutandis* be applied.

Johannesburg Locations

Compulsory Removal

The Works Committee of the Johannesburg town Council has reported as follows: The Committee at its meeting on 26th August last approved of the clearing of a portion of the Malay Location, 400 x 220 feet, at the corner of Kaffir and Seventeenth Streets, which the Government, in terms of the conditions of the Crown Grant, has selected as a site for a school for coloured children, and also approved of the funds allocated for new Cemeteries being used for this purpose. This Committee was authorised to take the necessary action to clear the site. The site in question comprises 32 stands, and it is necessary to compensate the owners for any buildings on such stands. The total valuation of the premises on the 32 stands is £4,425. With a view, if possible, to obviating arbitration proceedings, and as the Government is extremely anxious to get possession of the site with the least possible delay, we think that the Council should sanction an amount of £4,867 10s. as compensation to the evicted standholders. This amount is made up of the Municipal valuation of the buildings, plus an amount of 10 per cent. for compulsory removal. It does not follow that the whole amount will be expended, but it is desirable that a sufficient sum should be authorised to ensure that no undue delay occurs in handing over the unencumbered site to the Government. In order more fully to guide us in this matter we have instructed that a fresh valuation of the premises should be made, but the total of the new valuation has not yet been ascertained.

We have forwarded for the approval of the Colonial Secretary our

proposals for accommodating evicted standholders in terms of the Crown Grant of the ground. The total amount expended in compensation will be reported to the Council in due course.

Writing on the above subject, Mr. David Pollak, on the 14th inst., wrote to the *Transvaal Leader* as follows:

The Town Council are selling up and evicting, in circumstances of the utmost harshness, their tenants in the location, in order to find stands for people who are being expropriated from the ground required for a school.

I should like to add a few more facts to show what is going on.

I. A. owed £15 last August; paid on September 1, £1 2s. 6d.; September 16, £1 2s. 6d.; October 12, £1 2s. 6d.; October 26, £3 2s. 6d.; November 2, £5, leaving £3 10s. On the last date, being at the end of his resources, offered to pay £2 5s. a month until the whole was cleared. Offer refused, and house to be sold. Perhaps the official apologist will tell us if this is one of the cases in which the Municipality is "powerless to intervene."

A woman who has always paid sanitary fees, but owes £19 for stand rent, is to be sold up. Offered instalment of £5, which was refused. This is one of the tenants who was told after the war, when she tendered her money for stand licence, "not to bother about it." That was at the time when the Council were in uncertainty as to what was to be done about the location. They refused to accept the money for stand licences. It is surprising that these people, living from hand to mouth, to whom savings are unknown, should fall into arrears? But here again the Municipality is "powerless to intervene!"

Another tenant has a notice dated October 16 demanding payment of £18 before November 16. He made an offer of £4 a month, but asked for an assurance that his house would not be sold while he kept up his instalments. Offer refused. The Municipal champion assures us that "in all cases the dues were remitted for the war period." It is an unfortunate reflection on his accuracy that this £18 includes £7 10s. for stand licences for that period, during which we are told that all dues were remitted.

Another instance. Blanketed £30. Offered £3 down and £3 monthly; refused. House sold on October 15; fetched £1 15s. Some sentimental folks might call this inhuman. But it is worse. It is bad business. Now the man is homeless. He had had the assurance to get laid up with illness, and then he could not get work. No wonder the Municipality was powerless in a case like that.

Here is an interesting document:—
"October 28, 1908. Mr. ———, Stand ———, Street, Vrededorp, Johannesburg. Sir, Re Stands in Malay Location. With reference

to your letter of the 14th inst., I have the honour to inform you that the Parks and Estates Committee purposes to allow stand holders whose premises have been expropriated either to use building sites on Klipspruit Farm or to occupy stands in other parts of the Malay Location, subject to an indemnity being signed by the expropriated standholder relieving the Council from the payment of compensation for any premises which may be erected on those other stands in the event of the ground being required at any time by the Council. I shall be glad if you will submit your claim for compensation without delay. I have the honour to be, Sir, your obedient servant—D.B. Pattison, Acting Town Clerk."

Mark the condition on which compensation is to be paid! In the event of further eviction (which the City Fathers appear to contemplate as a not remote contingency) the Council may seize the ground and send its tenants forth homeless. And when, it does happen, no doubt the Municipal apologist will rise to the occasion and issue his comforting formula, that the Municipality is "powerless to intervene."

Speaking of compensation, we learn that "a neutral body will assess the compensation which the Council is to pay, if the people are not content with what is offered." Pausing for a moment to compliment the Town Council on their discovery (outside of the Supreme Court presumably) of a "neutral" body where colour is concerned, one may hazard a guess that the coloured people, after their experience of the Council, are unlikely to be satisfied with "what is offered." It would be better to face the position honestly and invite the coloured people to send a representative to meet the Council's representative, the two to appoint a third, whose decision, in the event of disagreement, should be final.

As for a school site, the site selected is as unsuitable as a school site could be. It seems a queer idea to put a school down between rows of small houses in a stuffy atmosphere, and far from wholesome environment, when there is a beautiful site on the ridge a few hundred yards away to the south-west of the new cemetery. If it is not too late, the site should be reconsidered in the interests—which must be paramount—of the children, for whose use the school is intended.

Finally, let me ask the Municipal apologist to answer

Three Questions

(1) Why do the coloured people in the Malay Location have to pay 7s. 6d. a month rent, while the European Vrededorpers adjoining pay only 2s. 6d.?

(2) Is it true that, while the coloured people in the Malay Location pay 7s. 6d. a month for sanitary service, the adjoining white Vrededorp residents pay only 5s.?

(3) Why is it that the coloured people, seeing that they live in a location, and that the so-called stand-licence is a hut tax, have to pay sanitary fees at all?

In other locations—e.g., the Johannesburg Kafir Location, Boksburg Location, etc.—sanitary service is included in the hut tax or "stand-licence." I can only quote the concluding sentence of your editorial comment: "One thing seems plain, and that is that, unless the determination is to drive these people away on account of their colour, the benefits of the townships Act should be extended to them." If that cannot be done, God help them!

The Natal Bills.

"Foredoomed to the Veto."

The "Mercury's" Comments.

On the 17th inst., the *Natal Mercury* made the following editorial comments:—

Through the Home papers last to hand we obtain a new light upon the position regarding the Asiatic Bills which occupied the attention of the Natal Parliament last session. Three weeks ago we published a cable message which was read as foreshadowing the refusal of the Royal sanction to the two Bills that were passed.

When the two Licensing Bills were passing through the Legislature, we repeatedly expressed the conviction that they could not receive the assent of the Crown. It now appears that the Government had a direct warning, even before the Bills were passed, that the Imperial Government disapproved of them. In spite of that warning, our Government wasted the time of Parliament, and allowed Parliament to stultify itself, in passing measures which they knew were foredoomed to the veto.

It seems to us that the members of our Parliament have clear cause to resent having been misguided and deluded by the Government, as appears to have been the case in regard to the Asiatic Trading Bills. The special correspondent of *The Times*, recently at Durban, appears to have endeavoured to find out why the Bills were passed, and confesses that the reason is "not obvious," unless it were that the Natal Government adopted this method of "drawing Imperial attention to the difficulties in Natal." We should have thought that the Government could find some more dignified way of dealing with the matter. *The Times* correspondent is represented by Mr. Moor, as authorising him to state that, "in his opinion, it would be beneficial to hold a Conference between representatives of the Imperial Government and of Natal, in order to discuss thoroughly the question of Asiatic immigration." The only one of their three Bills which the Govern-

ment dropped was that which proposed that further Asiatic immigration should be prohibited. In proceeding with the foredoomed Licensing Bills, it would rather appear as if the Government wanted to tide over the session by making Parliament believe that they were in earnest about anti-Asiatic legislation. All the time they were keeping to themselves the fact that the Imperial Government had condemned the Bills in advance.

The following is the *Times* correspondent's telegram above referred to:—

The news that the King is unlikely to assent to the Natal Bill forbidding the granting of trading licences to Indian immigrants and depriving the existing Indian traders of them after a period of ten years has not evoked indignation or surprise. Indeed, before the news was received most people assumed that the measure would not be ratified by the home Government. Hence the object of passing the Bill here was not obvious. Most people recognised the improbability of the King agreeing to unfair discrimination against his Indian subjects in Natal, and the only reasonable explanation that I have heard is that the Bill was passed for drawing Imperial attention to the difficulties in Natal. Mr. Moor, the Premier, tells me that the Government means to continue its attempts to restrict Indian traders, who now number over a thousand, but he is not clear how this can be done. He is personally anxious to stop indentured labour, from which the trading class is not recruited, but which brings traders in its train. The tea and sugar planters are, however, greatly opposed to the idea, and hence Natal is in a peculiarly illogical position. Opinion in the other colonies is largely to the effect that, even though coolies are indispensable to the tea and sugar planters, their influx must not jeopardise the determination of the rest of South Africa to exclude Asiatics. Natal is faced with the further complication that Indians landing in Durban were recently detained on board a hulk at the request of the Transvaal. The question whether it is permissible to refuse a transit-permit is shortly to come before the High Court at Pietermaritzburg. Discussing the matter Mr. Moor to-day authorised me to state that in his opinion it would be beneficial to hold a conference between representatives of the Imperial Government and of Natal in order to discuss thoroughly the question of Asiatic immigration. He said that he would not object to representatives of the Indian Government also, though he himself would not suggest it. This course has long been advocated by the *Times*, but the Imperial Government has found the colonies previously indisposed to adopt it. It is to be hoped that the chance will not be missed. If the Transvaal also accepted the scheme, the value of the conference would be enhanced.

A Misleading Letter

Mr. Ritch Replies

Mr. Cecil Govey, writing to the *Times* on the 12th ulto., on the subject of Asiatic Traders in South Africa, says:—

I have perused with great interest the correspondence lately appearing in *The Times* upon this subject. I observe that a recent correspondent has suggested that the Boers are in favour, and even prefer, dealing with Indian to white (?) traders. I must strongly refute this and assert without fear of contradiction that the Boers of the Transvaal and other States do not in any way favour or encourage the Asiatic traders or hawkers; on the other hand, the Boers have the greatest repugnance to them. By the term "Boers," of course, I mean the farming community, as it is quite possible that some of the poor white classes in and around Johannesburg may prefer to deal with Asiatics, as, owing to their mode of life and peculiar methods of dealing, they may sell, or appear to these ignorant people to do so, certain goods at lower prices than it would be possible for Europeans to do.

I have been engaged in commerce in Cape Colony for the past 15 years, am a committee member of the Cape Town Chamber of Commerce, and am well qualified to speak of the curse which these people are to commerce in Cape Colony, particularly in the Cape Peninsula and Western Province, which they are over-running almost to the total extinction of the smaller European traders; and I do not think your readers who champion their cause are aware of the extremely low caste and character of these people. The large majority of them are of Semitic-Arabic descent and Indians by adoption or third descendants, and are quite a distinct race and class to those Indians who met us in warfare or have since helped us with our battles and the extension of the Empire, and who are entitled to our sympathy.

These Asiatics do no work nor engage in any industry, but squat down and trade beside the European traders and dealers. Formerly European grocers, general dealers, & c., were a happy and prosperous class in our districts, but now they and also our Cape coloured traders are being rapidly driven out and ruined by this Asiatic competition, which no honest British or European trader can face. This state of affairs cannot possibly be justified by the survival of the fittest theory, as it is impossible for any European to compete with these Asiatics, who have no home to keep up, as they live under their counters or horde together; they have no children to clothe or educate, pay no taxes, and have no interest in the country whatever, and all the money they make or may obtain by their im-

moral methods of trading is sent away to India.

The bad effect of Asiatic trading in the Cape Colony and the extent it has grown can be shown by the following record of insolvencies among, and licences issued to, Asiatics in the past three years:—

Year	No. of Insolvencies	Liabilities
1905.		
Cape Colony	21	£26,814
Cape Division supplied	14	with 23,702
1906.		
Cape Colony	44	51,493
Cape Division supplied	33	with 37,977
1907.		
Cape Colony	38	30,948
Cape Division supplied	32	with 21,423

Thus this period shows 103 insolvencies with liabilities £109,255, of which the Cape Division supplied 79 with liabilities £83,102.

It must be remembered that the bulk of this was not lost through depression or competition, but mainly disappeared together with the traders, although a few of them may have lost heavily in property. (*Vide* Cape insolvencies' reports.)

The number of general dealers' and hawkers' licences issued to Asiatics in 1907 in the centres Cape Town, Port Elizabeth, East London, Kimberley, King Williams Town were 1,231 and 142 respectively, of which 750 dealers' and 62 hawkers' licences were issued in the Cape Division, and in this same district the total of all general dealers' licences issued in 1907, apart from importers' licences, was 3,470, and of these 750; or say 22½ per cent. of the whole issue, were held by Asiatics exclusive of hawkers.

To which Mr. Ritch furnishes the following reply:

I do not propose to intervene in regard to those statements in Mr. Cecil Govey's letter that deal with the contentions put forward in the letter of Mr. Stuart Helps published in your issue of the 18th ultimo.

I am mainly concerned with Mr. Govey's statistics dealing with Asiatic insolvencies in the Cape Colony for 1907 and by which he demands that the desirability of the Indian trader shall be judged. On perusing his figures, I wondered why Mr. Govey had not in order to drive home his case against the Asiatics completed his table by showing the number of "white" insolvencies and the total value of their liabilities.

Will you, Sir, permit me to repair Mr. Govey's omission?

According to the report of the Master of the Supreme Court, Cape Town, for 1907, there were 777 Sequestrations in the Cape district with a total liabilities of £1,093,542. The report does not differentiate between the classes of insolvents but accepting Mr. Govey's figures, which I have no means of checking, the table of comparisons would stand thus:—

Insolvencies	
Asiatics	103
Europeans	674

Liabilities

Asiatics	109,255
Europeans	953,339

Surely the line of argument that Mr. Govey adopts to convince you of the "immoral methods of trading" of the Indian as compared with his white competitor, is a little unhappily chosen:

Some Striking Telegrams

For General Botha to Read.

In connection with the Hamidia Islamic Society's meeting to protest against General Botha's statement that "many Mahomedans have, so far, declined to join in this (the passive resistance) movement," telegrams were received from all parts of the Transvaal, the following being a few extracts:—

From Heidelberg—"Supporting emphatic protest against allegations regarding us in General Botha's dispatch and part played by His Majesty's representative the High Commissioner in utterly misrepresenting our just claims to Imperial Government which is most deplorable. Emphasize the fact again that we Mahomedans are back-bone to passive resistance struggle until grievances are redressed."

From Standerton—"All heartily support in your protestations and your resolutions."

From Pretoria Anjuman—"Heartily sympathise with objects of meeting. Indignantly repudiate allegations."

From Pretoria—"We of Pretoria Mahomedan community are with your Society. Protest strongly. Must continue passive resistance to bitter end."

From Middelburg—"All Mahomedans unite supporting resistance."

From Rustenburg—"All Mahomedans Rustenburg district are against General Botha's recent Blue-book dispatch and support passive resistance struggle."

From Krugersdorp—"More than thirty delegates will attend Mass Meeting to-morrow to protest against allegations General Botha's. All Mahomedans have joined in passive resistance struggle, would remain to end."

From Pietersburg—"General Botha's dispatch Mahomedans not joining passive resistance struggle is not correct."

From Heidelberg—"General Botha's dispatch incorrect. Mahomedans have always been and are still united until relief obtained."

From Volksrust—"All Mahomedans join your protest against allegation General Botha about Mahomedans not joining struggle national honour. We consider Mahomedans specially concerned because old Act insults Turkish Mahomedans, and Mahomedan interests larger in South Africa. We remind General Botha that Volksrust Gaol holds some of best Mahomedans South Africa."

The Real Issue

"Level up the Asiatics"

"Transvaal Leader's" Suggestions

We give below the leading article from the *Transvaal Leader* of the 12th inst:—

A great deal has been said and written about the danger of conceding anything to the Asiatics because the natives might at some future time adopt passive resistance. If statesmen refrain from doing something sensible to-day because next year but one somebody may resent action which there is no present intention to take, they will not make much progress. We wish those who profess fears of passive resistance would show us one case where it has been applied successfully against "the commonsense of most." Passive resistance in the East is as old as history; but we should like to learn of a case where it has been a terror except to the evil ruler. Depend upon it, when a race is sufficiently intelligent to understand the meaning and significance of passive resistance, nothing anybody can say to it will prevent its resort to it, if its sense of grievance be sufficiently strong. And until a race is developed to that point it would be futile for any outsider to propose passive resistance to it. We need not fear passive resistance on the part of the subject-races, if we are just to them. Instead of troubling about imaginary dangers, it behoves us all to do some serious thinking on the whole Asiatic question (especially as, given unification, there may be new difficulties should any of the unindentured Indians, the traders of Natal, desire to remove to and commence business in the Transvaal).

We are as little willing as the most anti-Asiatic of our readers to see this splendid heritage of High Veld and life-giving climate fall to any race but our own—the European race. We only hesitate to support the suggestion to buy out all Asiatics who will sell and depart, because we know a large number are born South Africans, and still more because we foresee only too plainly precisely the same trouble with the African coloured races in a comparatively brief period, and therefore fail to see what benefit the taxpayer would derive by adding 10 or 20 millions to his burdens by buying out one coloured race, only to have another spring up. What often fills us with as much surprise as exasperation, however, is to find how completely our Governments ignore the true interests of the white traders whom they profess to be anxious to help. There are three courses we can take with Asiatics. We can bar all of them out. Even the Government does not propose this. General Smuts's telegram invites educated Indians to apply for admission. Secondly, we can, even though we insist

on their living in a separate part of the town, make their part as clean, their streets as broad, their houses and shops as roomy and substantial and airy (and expensive) as those of white citizens (a mere matter of municipal regulation); we can compel them to educate their children as we have to educate ours; and we can enforce fixed hours of trading upon them; in a word, we can level them up, into fair competition. What we do is to follow a third course, which makes them absolutely the most injurious competitors our white citizens could have. We dump them into some vile hole like a Johannesburg location; we deny them all share in citizenship except paying rates; the natural result follows, they sink to one low level, they send their money to India, and they set to work all their cunning, of which they have plenty, to circumvent our laws. We make of them uitlanders in the worst and most degraded sense, and then are grieved that they do not behave like patriots!

We are delighted that the Barberton Chamber of Commerce has brought forward the question of increasing the hawkers' licences. That is a practical and just way of dealing with Asiatic competition, and one which we can all support with a clear conscience, because the conditions would be equally onerous to all, and not to British Indians alone. It is true, as the Barberton Chamber says, that our permanent inhabitants have to bear their country's burdens, and therefore we hope that other communities will join with Barberton and urge the Government to increase hawkers' licences—geometrically if need be. Again, we notice from the *Commercial Times* that in the Cape there is a law which says that any trader becoming insolvent, having kept no proper record of his dealings, can be prosecuted criminally. The Capetown Chamber of Commerce has given evidence that this law is not applied, as regards Indians! Why should we not even do with regard to licences to trade what the Stock Exchange does regarding licences to speculate—namely, require a cash deposit, or a guarantee? Could it not, in the case of a trader (European or Asiatic) of good repute and standing be met by a system of inexpensive insurance? The insurance companies would refuse to guarantee the trader who had shady antecedents, or was a bird of passage. What we need most, so as to equalise competition between Europeans and Asiatics, are certain alterations in the scale of licences, and a municipal statesman who will have the wit to see that, paradoxical as it sounds, the true way to fight the Asiatic is to treat him municipally as well as, if not better than, all others—and make him pay accordingly. It is because we conscientiously believe that the way to help the European race is to level up the Asiatics that we are in favour of

allowing in these half-dozen intellectuals, the effect of whose work must be to raise the tone and the wants of their compatriots, and thus to make competition fairer. And we are confident that if Transvaalers will think the thing out they will not dissent from our view.

A Colonial's View

A correspondent writes on November 12th to the *Transvaal Leader*:—

"Your leading article of to-day's date, 'The Real Issue,' should give Colonials 'furiously to think.' Does not our method of treating the Asiatic create the evils of Asiatic competition which we so much decry? Can we complain of an Asiatic trader selling goods at a lower price than the white if we do not allow the Asiatic to have the expenses of the white and if we ourselves insist upon his having a preponderating economic advantage over the white? Experience with the native in South Africa has shown that the coloured man does not live 'on the smell of an oil-rag' and house himself in a hovel from choice. In the frontier towns of the Cape there are many native clerks, artisans and traders. In the most of these towns—I speak from experience—natives are permitted to live in the towns if they can afford to do so, and not compelled to herd in the native locations, and the natives readily take advantage of the privilege. They frequently live in nice cottages with European furniture, dress well, and approximate as closely to a high European standard of living as their means will allow. They live fully up to their incomes, and miserliness, or even thrift, is certainly not one of their attributes. The native never lives cheaply because he wishes to. Give him the opportunity of adopting a better standard of living, and he will readily do so. It is true that the newcomer likes 'the' native, but not 'a' native; the old Colonial 'a' native but not 'the' native. Close association with members of a coloured race shows that their aspirations, their objects, and their desires do not differ widely from our own. We are prone to assume that they are of so vastly different a habit of mind from ourselves that they adopt an environment of discomfort from choice, and not as it appears to me, because we ourselves will allow them no other. I may add that I am a Colonial by birth."

HONEST MEN NOT REQUIRED. At the Grahamstown Court last week an application from John Ready, a Hindu, through Messrs. Roberts and Whiteside, for a certificate to enable him to obtain a general dealer's licence was refused by the Town Council. Mr. Whiteside wrote stating that he had known the applicant for six years, that he was respectable, of good character, straightforward and honest.

Imperial Parliament

HOUSE OF COMMONS;

Thursday, 22nd October.

Dr. RUTHERFORD asked the Under Secretary of State for the Colonies whether, seeing that whereas immigration of our Indian fellow-subjects into the late Transvaal Republic was unrestricted save for the payment of a £3 entrance fee, the Government of the Transvaal Colony had refused to modify recently enacted legislation even to the extent of allowing a maximum of six highly-educated professional Indians in any one year; and whether, in order to renew wastage among the domiciled Indian community and to maintain their healthy existence as a community, His Majesty's Government would make friendly representations to the Government of the Transvaal recommending them to make this small concession.

COLONEL SEELY: The Act recently passed, the full text of which with the correspondence leading up to it will be found in Blue Book Cd. 4327, has received the assent of the Crown and the Secretary of State is not prepared to press the Transvaal Government to amend it. Various questions, however, have arisen with regard to the administration of the Act and the Secretary of State is in friendly communication with the Transvaal Government on the subject.

Monday, 26th October.

Mr. J. M. ROBERTSON asked the Under Secretary of State for the Colonies whether, in view of the expressions of popular indignation in India at the recent treatment of British-Indians in the Transvaal, His Majesty's Government have taken any steps towards remedying the grievances in question.

COLONEL SEELY: His Majesty's Government are well aware of the sympathy which has been excited by allegations of ill-treatment of British Indians in the Transvaal, and they are in communication on the subject with the Colonial Government, who they feel assured, have no desire to take legislative or administrative measures involving unnecessary harshness. The Secretary of State has been in friendly communication with the Transvaal Government on this subject, and a considerable number of concessions have already been made. The principal remaining grievance of the Indians is, as I understand, their fear that they may not secure a supply of professional men to attend to their wants, and the Secretary of State is in communication with the Transvaal Government with a view to ascertain whether it is not possible to secure what is wanted by means of administrative action. I have hopes that the representations of the Secretary of State may not be without effect.—*India.*

[FROM OUR OWN CORRESPONDENT]
Thursday, 25th October.

In reply to Mr. ROBERTSON, asking the Under Secretary of State for the Colonies, whether British Indians resident in the Transvaal have taken the step of becoming naturalised as Portuguese subjects in Portuguese territory, and have thereafter been able to enter the Transvaal freely; and whether the Secretary of State for the Colonies recommends British Indians to follow this procedure in order to live in the Transvaal.

COLONEL SEELY said:—I have no information as to any such incidents as are referred to by my Honourable Friend.

Mr. ROBERTSON: Can the Honourable gentleman state whether in his opinion British Indians could obtain free access to the Transvaal by this means?

COLONEL SEELY asked for notice of the question.

Mr. JOHN ROBERTSON asked the Under Secretary of State for the Colonies, whether he was aware that a number of British Indians domiciled in the Transvaal, upon returning from India by Delagoa Bay without having registered under the Asiatic Law Amendment Act, had been arrested at the Transvaal frontier; whether, among these arrested, there were an aged woman, a paralytic, and a number of infants, who were exposed for a day and night in the open air; whether for two days they were offered only religiously unclean food and prevented from receiving other food; whether a number of the women and children were separated from their male protectors and sent to Johannesburg in trucks; and whether His Majesty's Government will appeal to the Government of the Transvaal to adopt other methods in dealing with such cases.

COLONEL SEELY said:—The Secretary of State on his attention being drawn to allegations of ill-treatment of Indians telegraphed on 13th October to enquire. The following reply was yesterday received from the Governor:—"Your telegram of 13th October No. 1. on 29th September 59 adult and 17 minor Asiatics entered Colony without necessary certificates of registration. They were removed from train at Komatiapoort where the accommodation provided them was sufficient and clean. Ample food including rice was provided them but they preferred to obtain their own from outside lockup which they were allowed to do. Usual lockup regulations considerably relaxed in their favour. They were subsequently taken to Barberton for trial 58 adults convicted and sentenced to fine of £25 each or in default to two months' imprisonment despatch follows by mail. Ministers promise further report on subject of diet of Indian prisoners."

I have not at present any further information.

At Volksrust

An Amazing Situation

[SPECIAL TO INDIAN OPINION]

At Volksrust, on Tuesday last, eight Indians, who, on the 13th inst., were deported from Volksrust Gaol and subsequently re-entered and were re-arrested, were charged under section 9 of the Regulations framed under the Validation Act, No. 36 of 1908, for refusing to give a thumb-print on demand. Mr. Polak defended, and all the accused pleaded "not guilty."

After formal evidence of refusal had been led by the Crown, Sgt. McDougall admitted that he had intended to charge the accused as prohibited immigrants, but the Supreme Court judgment had intervened.

Mr. Polak pointed out to the Court that it was not competent for the police to arrest on such a charge before the 30th inst., as the Notice authorising demand of registration certificates did not come into force until the 1st pr. xo. and, the section under which the accused were charged contemplated a prior demand for a registration certificate, before the demand for a thumb-print could be made. Moreover, the accused, having declined to avail themselves of the new Act should be dealt with under the old Act.

The Magistrate reserved judgment until the afternoon, when he upheld Mr. Polak's contention, saying that the prosecution was premature. He accordingly discharged the accused.

On the same day a boy was charged, after deportation and re-entering, with being a prohibited immigrant. He, however proved that he was a minor, produced a medical certificate, and his father gave evidence on his behalf. As the father was a resident of the Transvaal and the Magistrate was not satisfied that the boy was over 16, the boy was discharged.

The result of the Volksrust thumb-print cases indicates that a gross miscarriage of justice has taken place, and that Imam Abdool Cadir Bawazeer, Mr. Gandhi and the other men who are now in gaol for a similar "offence" are guiltless. Mr. Dawood Khan, a Konkni, was, only on Monday, sentenced for this "offence" to the full penalty of the Law, namely, three months' imprisonment with hard labour.

AMERICA'S CONTRIBUTION TO EUROPE. In the first August number of *La Revue* L. Chevalier states that there are about fifteen millions of foreigners in the United States, and that the majority of them have left relatives in Europe to whom they send of their savings. It is calculated that nearly fifty millions sterling is the sum sent annually from America to Europe. Italy receives 70 million dollars, Austria 65, Great Britain 25, Russia 25, Germany 15.

Indians and the Liquor Laws

A Repudiation

On the 23rd instant, the following letter was addressed to the Secretary of the Liquor Commission, Johannesburg:—

Sir,—The attention of my Association has been drawn to certain statements made by Dr. William Godfrey last Friday, in his evidence before the Commission, wherein he claimed to represent all the coloured people. In so far as Dr. Godfrey's statement referred to my Association, I have the honour to inform you that he, in no way, represents the views of my Association, nor does he speak for the body of British Indians resident in the Transvaal.

I have the honour to be, Sir,
Your obedient servant,
A. M. CACHALIA,
Chairman, British Indian Association.

The following is a newspaper report of the matter above referred to:—

Dr. William Godfrey, an Indian medical practitioner, accompanied by a deputation of coloured persons, said he spoke for all coloured persons except aborigines—all those who did not come under the native Pass Law. He advocated relaxation of the liquor laws for the communities he represented. There were many self-restrained coloured persons who were entitled to claim that they should be placed on a better footing so far as the obtaining of liquor was concerned. These people had to resort to the illicit liquor dealer and to consume dirty, poisonous stuff, disastrous to health. He also pointed to the awkward position of coloured members of certain lodges on installation nights and said that this might ultimately lead to the breaking up of these lodges. Removal of the restrictions would to a great degree effectually crush the illicit liquor trade among the people he represented. Ninety per cent. of the Indian population on the Rand, excluding the Mahomedans, drank intoxicating liquor, so that probably half the Indian community would take advantage of the relaxation if they could get it. It was perhaps only a small portion of the illicit liquor trade which would be done away with if this relaxation were exercised, since the illicit trade among natives would still remain. The lodges to which he had referred had white and coloured members, but the white members were those whose admittance to other lodges were barred on account of marriage with coloured women. In order to carry on their religious ceremonies, the Chinese community had to rely on the illicit trade for the supply of the necessary spirit. As a medical man, he was of opinion that spirits were necessary to mankind.

Colonel Seely and Oriental Immigration.

At a dinner of the Liberal Colonial Club, held on the 28th ulto., Colonel Seely opened a discussion, on "Oriental Immigration." He said he chose the topic of Asiatic immigration into the British Empire because it was the most difficult of any, and because he believed that the more they discussed the problem the easier it would become. Many things were necessary to the greatness of the British Empire. Among other things there must be some interchange of human beings. He believed that there was a possibility for such interchange provided they once realized on what lines that interchange must exist. He conceived that if interchange was possible, and if there was some measure of sanity in our administration, and also a predominant Navy, the British Empire might last indefinitely, not only for the good of those who dwell within the Empire, but for the general good of the whole of humanity. If there must be some interchange, on what lines must that interchange take place? Let them encourage immigration in every way they could along the lines of latitude, but let that immigration be free. Let them for ever abandon the idea that any one might be used as a machine for a certain piece of labour and then go away. In the problem of Oriental immigration in any part of the British Empire they should lay down the principle that all who came in should come in as potential citizens. If they came in at all they should come in free. There was the difficult question of the Indians in the Transvaal; there was the still more difficult question of the Indians in Natal. If they agreed that all parts of the English dominions should be permitted by their Governments, with the full approval of the Government here in England, to exclude whom they would in the interests of humanity, at least let them agree on this proposition—that those who had already come in with the expectation of being allowed to live there should be treated not only with fairness, but with generosity. A strange thing had happened in South Africa. Tens of thousands of Indians had gone there; many of them, in the case of Natal, encouraged and urged to come, believing that it was to be their permanent home. But the people in South Africa had come to the conclusion that they could not have the white problem complicated with the yellow problem. Speaking for himself personally, he entirely agreed with them. He thought he might go on to say that the present rulers of South Africa fully appreciated that point of view, and he had reason to believe that both General Botha and Mr. Smuts would agree with what he had so far said. But there was an immense problem to be faced, for the Asiatic population of the Colony now actually exceeded its white population.

The solution could not be foretold today; but some of the principles which it undoubtedly would embody were the same as in the Transvaal—fair treatment for the Asiatics who had come, satisfaction for the legitimate expectations with which they came, perhaps compensation, adequate and liberal, for the disappointment of some of those expectations. There were also difficulties of a converse kind to be faced. He instanced the case of Australia. It was primarily a white man's country, but its territory stretched far up into the tropical zone. And Australian opinion clung so earnestly to the ideal of a white Australia that it had said:—"We will make the experiment of peopling even tropical territory solely with the white race." Whether that experiment would be successful remained to be seen. It was at bottom a question of population. The future of Australia would depend on the possibility of having an increased white immigration, and a higher white birth-rate. Another case they might take was that of East Africa, which had a high table-land with a climate more or less like that of the temperate zone. Like South Africa, it could never be purely a white man's country, for it had a great indigenous coloured population. In East Africa they must simply wait and see whether the ideal of a mainly white country was going to be realized. If it was, they must do nothing to thwart it.—*The Times*.

Cape British Indian League

Strong Resolution

At a meeting of members of the British Indian League of Capetown on the 5th inst., Mr. A. H. G. Mahomed, the Chairman, spoke in terms of deep indignation of the unjust treatment to which the Transvaal Indians were being subjected. Indians in any country in which they settled had invariably proved peace-loving, law-abiding citizens. It was always their earnest wish that they should by rendering implicit obedience to the laws of their country of adoption, enjoy these advantages and privileges which led to their happiness and prosperity. In British colonies they had always expected to be treated with that scrupulous fairness and impartiality which they had been so often told were the characteristics of British rule. Their disposition was not to challenge authority. Peace, not strife, they sought after continually, but that the Indians throughout South Africa, and, in fact, throughout the King's vast dominions, were being forced to believe that British justice was at times synonymous with class oppression, and permitted of unjust and cruel legislation. With pride every Indian recalled the earnestness with which the late Queen Victoria in 1858 had proclaimed that

justice was to characterise British rule in India, that freedom was to be the birthright of all her Indian subjects, no matter in what part of her dominions they might reside, and that the religious beliefs and customs of the vast population of her Eastern Empire were to be respected. That Proclamation was the Indian's Charter, and no less direct and unequivocal was the promise made by His Majesty King Edward as conveyed to his three hundred million subjects at the great historic Durbar at Delhi.

It was the duty of every colonist and of every Colonial Government to carry out and forward the expressed political principles and the earnest desire of their Sovereign, the King. The Transvaal Government was not doing so. It had enacted iniquitous class legislation against the Indian residents in that colony—legislation which was offensive to their national pride, insulting to their religious convictions, and repugnant to their cherished customs. Those who had been subjected to prosecutions and imprisonment for failure to comply with the requirements of the unjust statutes were acting from a deep sense of duty. They could not act otherwise, if they had any regard for their manliness, any respect for their conscientious convictions. Their friends in the Transvaal, including many Europeans, had held a mass meeting in Johannesburg on Wednesday last, and the chairman had forwarded to the leaders a telegram of sympathy and encouragement. He concluded by expressing the hope that the King's Birthday might see the release of those who were suffering imprisonment, so that it might be a day in which His Majesty's Indian subjects everywhere might rejoice with others, and which they might have cause to remember as a day on which some attempt was made to restore Indian belief in the power and beneficence of His Majesty's rule.

Mr. A. Cader moved the following resolution:

"That this meeting of Indians resident in Cape Town and suburbs places on record an expression of deep sympathy with their countrymen, who are suffering so bitterly under the iniquitous class legislation recently enacted by the Transvaal Government, and desires that the Transvaal Government will endeavour to modify the legislation in such a way as to remove the well-grounded patriotic and religious objections felt by the Indians towards its requirements, and, further, that a copy of this resolution be forwarded to the Transvaal Colonial Secretary, and to the President of the British Indian Association of the Transvaal."

The resolution was seconded by Mr. P. A. Josie, and supported by Mr. C. P. Luchiram, and carried unanimously.

The Discharged Prisoners

Strong European Protests

The Rev. Joseph J. Doke has addressed the following letter, dated the 20th inst., to the Johannesburg Press:—

About one hundred and twenty-five British subjects have just been released from gaol, where they have been detained by Government illegally. Some of these—gentlemen like Mr. Parsee Rustomjee and Mr. Dawad Mahomed, acknowledged leaders of the Indians in South Africa, have been kept in prison illegally, doing hard labour for ten weeks. The utter incapacity of the officials in charge of this department, and the absurdity of an attempt to administer two conflicting laws, both of which are on our Statute Book, have brought all this discredit on the Government. One hundred and twenty-five innocent men have been confined in prison, most of them after the long voyage from India, and have been threatened as felons under the British flag! This is shameful. I do not remember a case of the miscarriage of justice under our rule so flagrant as this. If these men had been white men the whole of our community would have been aroused. But who cares for an Asiatic? A few of us have known how things were going for a long time. We have known that criminal injustice was being done to a people who have no vote in Parliament and few friends in the country, and that is why we have dared to stand by them. This is not only a political question, it is chiefly a matter of justice, and this fact ought to sting the conscience of Johannesburg into activity. One hundred and twenty-five men have been suffering as felons wrongfully under the shadow of the Christian Church. Over two hundred are in prison to-day in our city, who according to General Smuts, are only "conscientious objectors"—not criminals. Mr. Gandhi, whose character is stainless, whose talents are far above the talents of those who are opposed to him—the outstanding man of the day, is working as a convict. And all this because justice is refused to a helpless people.

The Rev. John Howard writes to the *Star* under date the 21st instant:—

In Saturday's papers appears a letter from the Rev. J. J. Doke calling attention to the gross miscarriage of justice by which some 125 British subjects have been detained in Transvaal gaols, herded with criminals, treated as felons and sentenced to hard labour, when all the while they had broken no law, and were guilty of no offence.

This at last the Government officials themselves admit, in a blundering, shuffling fashion, by liberating their prisoners in the middle of their sentences.

But if any-one will take the trouble to look over his file of newspapers he will find that this is exactly on a par with the previous actions of those officials who are supposed to be in charge of this business. Take, for instance, the deplorable bungles at Delagoa Bay and Durban. Certain persons arrived at the Bay by the *President* who, as it now transpires, had a perfect right to enter this Colony. But they were not allowed to land, save under conditions no person had any legal right to impose. They went to Durban and were there illegally detained. In each case this was by arrangement of the Transvaal with the local authorities. The Natal and Transvaal Supreme Courts have now decided that all this was illegal.

What respect is anyone likely to have for laws which the judges themselves pronounce obscure, and the administrators manifestly do not understand? Can we wonder that these intolerable bungles, petty persecutions, and unjust imprisonments, have confirmed the Indians in their distrust of our Administration?

Some of us have been silent for long in the proud confidence that if we waited justice would surely be meted out in a British Colony, even to people who had no votes, but it seems as if these honourable traditions were for the moment forgotten. It, therefore, behoves all who believe in "doing justly" to say nothing of "loving mercy," or "walking humbly before God," to speak out on this subject.

If the Indians who have at present the right to be in this country, are to remain—and that is not in dispute—they cannot be governed by laws in which nobody can have confidence.

It is too much to ask that the Government should re-consider the whole situation with a view to meeting these long suffering people on the two points they consider vital?

They ask for the repeal of a law General Smuts says he has no intention of enforcing, but which they regard as a menace and an insult; and secondly, they ask for the possible entrance, by right, not favour, of six highly-educated people each year. These may be required to assist in that higher development of the community which all right thinking people must heartily desire. It is indeed necessary, not only for them but for the white people by whose side they must live.

Trusting that something may yet be done to save our good name.

WANTED, MEN! One of the heaviest brakes on the wheels of Australian development is the scarcity of labour of the right kind. The high rate of wages is a drawback, but still not nearly so great a one as the low standard of labour, and the lack of men who will offer a good day's work for a good day's pay.—*Pastoralists Review*, Melbourne.

Who are the Law-Breakers?

The Transvaal Government

Mr. H. S. L. Polak writes as follows to the Transvaal Press under date the 21st instant:—

Mr. Latieb Noor Mahomed left India about three and a half months ago for Delagoa Bay. He is an old Transvaal resident, and held authority to enter the Transvaal. On arrival at Delagoa Bay, however, he was refused permission to land, unless he consented to apply for registration under the new Act in Delagoa Bay. This he refused to do, and was obliged to go back to Beira. He then returned to Delagoa Bay, but was once more refused permission to land, and this time had to return to Chinde. Friends there offered guarantees to the Portuguese Authorities to enable him to land at Delagoa Bay. On his return, he was requested by the Transvaal-Immigration Officer stationed there to register under the new Act. He refused once more, and he was, accordingly, prevented from landing, and remained on the steamer for about four days. He, however, held a Portuguese authority to land and, upon the strength of this, after further representations, he was allowed to land at Delagoa Bay on a temporary permit available for one month. On the 8th instant he landed, and left for the Transvaal on the 12th. The same night he was detained at Komatiapoort. There he was informed by the Police that he should cross the border again and apply from outside the Colony for registration under the new Act. He refused to do this and was, accordingly, detained. He was kept under detention for four days, after which he was informed by the Police Sergeant that he should again leave the Colony and apply from outside. He was released and put on board the Delagoa Bay train. He went to Ressano Garcia, but returned by the next train, and was thereafter allowed to go free. This man has apparently been driven from pillar to post, because he would not do the very thing that the Supreme Court has stated it was unnecessary for him to do. He was never a prohibited immigrant at all, and, but for the fact that he held an old Portuguese authority to enter Portuguese territory, he might still be travelling between Beira and Delagoa Bay. But, then, he is only an Asiatic, and nobody cares for him!

Last week, at Rustenburg, certain Indian traders were fined for trading without licences, and an order was made for the recovery of the amount of the fines by way of distraint upon the traders' goods. I have to-day learnt that, in the case of one man, who was fined 1/6, the Messenger of the Court has attached £36 worth of goods, in order to recover that sum. This man, too is an Asiatic. Per-

haps that is the reason for this wholesale robbery.

On Thursday, some 60 British Indians were released from Volksrust gaol, including the Natal leaders and a number of educated men, who had previously claimed the right of entry into the Colony. They were released before their term of imprisonment had expired, the Government having apparently come to the conclusion that their incarceration had been illegal, a statement which has been made again and again by the British Indian community. These are the men who have been called law-breakers by the very people who have now been convicted in the Supreme Court of themselves breaking the law. They were released on Thursday, and just as they were about to entrain for Johannesburg on Thursday evening, the Police Sergeant at the Station demanded their thumb-impressions, and, when these were refused, re-arrested them, and the 60 men returned to gaol, which they had left only that moment. The next morning, however, without being brought before the Magistrate, they were discharged. Apparently, the Sergeant had acted entirely independently, and it is difficult to understand what his object was, if it were not to harass those whose release, after unlawful imprisonment, had been ordered by the Law Department. They arrived in Johannesburg this morning. But, strangely enough, there are four men still in Gaol, including the Chairman of the Hamidia Islamic Society, who are just as innocent as all those who have been released, having been sentenced as prohibited immigrants when all along they had been registered residents of the Transvaal, holding voluntary registration certificates. They, too, are Asiatics. Has nobody a word to say for them? By another curious coincidence, there are eight men at Volksrust to-day awaiting trial for refusing to give thumb-impressions. Why should the Government proceed against these men, when no proceedings had been taken against the 60 who deliberately refused their thumb-impressions at Volksrust Station on Thursday evening. These eight men are also Asiatics. Has no one a good word to say for them?

This week, about 260 men have gone to gaol, and to-day I learn that 70 more have been arrested at Pretoria. This, I think, constitutes a record for any one week. The passive resistance movement does not seem to show signs of breaking down, notwithstanding prophetic utterances in high quarters. The people are just as resolute to secure their just rights as ever they were, and they are strengthened to-day by the knowledge that, in their efforts to ruthlessly crush down passive resistance, the Government have stultified the whole Colony, seeing that the alleged law-breakers were law-abiding people and that the law-makers themselves were the law-breakers.

I see that the Johannesburg Chamber of Commerce will be asked on Tuesday next to pass a resolution urging upon the Government to strictly enforce the Asiatic Law Amendment Act of 1907 and the Validation Act of 1908. This is a simple thing to ask, no doubt, but perhaps not quite so easy to perform. Mr. Smuts has publicly admitted his inability to enforce the Asiatic Law Amendment Act of 1907; the Supreme Court has endeavoured to show that Mr. Smuts is equally incapable of enforcing his new Act. If the Johannesburg Chamber will show the Government how to do the impossible, I have no doubt whatever of the gratitude of the Government to the Chamber. The one thing that seem to have been missed in the whole struggle is that, with a little give and take, the whole of this miserable business might have been avoided. If the Government had realised that they were dealing with a community of honourable people, there would never have been a whisper of passive resistance in the Transvaal. To-day, for all the Acts that are on the Statute Book, it is possible to flood the country with unauthorised Asiatics. The Government knows perfectly well also that the reason why it is not being done is that the Transvaal Asiatics have set their face resolutely against any such thing, for the reason that they are an honourable community. The men who have entered the Transvaal already, and who are in gaol, or have been in gaol, have rights in the Transvaal, and have claimed those rights. The community does not demand new rights. Before the Johannesburg Chamber of Commerce proceeds to pass this provocative resolution, I would ask it seriously to consider what it is doing, and to remember that it is dealing with a community whose honourable performance of public pledges is admitted on all hands, and who are capable of carrying out what they have publicly pledged themselves to perform.

A Dangerous Locality

"BHUSSMASOOR" writes from Sydenham, near Durban:

"How terrified we are in this district is beyond description. One cannot but hear at every door and from every lip the robberies and in many cases murders of the worst kind. Some say the culprits are natives, others think they are Indians, few believe they are led by Europeans to perform these outrages on poor, helpless, unrepresented Indians. Be whom they may, one thing is very important: why are we not protected with a sufficient number of policemen and a few detectives who may guard these various terrorised districts in an efficient manner? I for one could not sleep comfortably for thinking of these robberies and dreaming of it in the short naps that I have."

Notes on the Transvaal Struggle

(FROM OUR OWN CORRESPONDENT)

WELCOMING THE GUESTS. On Saturday morning, Messrs. Dawad Mahomed, Parsee Rustomjee, and M. C. Anglia, together with about 47 others, arrived at Johannesburg by the Kaffir mail from Volksrust. They were met by a crowd of two or three hundred enthusiastic admirers, who filled the station with hurrahs and expressed, in innumerable ways, their joy at meeting the released men again. All those who could be got hold of in the big crowd were presented with bouquets. The crowd eventually went in procession to the Hamidia Mosque at Fordsburg, where Mr. Cachalia, the Chairman of the British Indian Association, briefly welcomed the new arrivals. He was followed by Messrs. Godfrey and Polak, and, on behalf of the guests, Mr. Dawad replied in a few telling words. They were afterwards entertained to breakfast by Mr. Cachalia. Later in the day, the three leaders paid visits in town to various European friends.

BIG JOHANNESBURG MEETING. On Sunday afternoon, at the Hamidia Mosque, an assembly of at least 1,500 Indians congregated to welcome the gentlemen who have been released from Volksrust gaol. The platform was tastefully decorated, and was occupied by the principal ex-prisoners. Mr. Cachalia opened the proceedings by offering a formal welcome to them, and immediately afterwards proceeded, amidst deafening applause, to garland Messrs. Dawad Mahomed, Parsee Rustomjee, M. C. Anglia, and Sorabji. Mr. Dawad Mahomed shortly afterwards took the opportunity of similarly honouring Mr. Cachalia. The speakers who followed were Messrs. G. V. Godfrey, Omerji Sale, Moulvi Hajee Ahmed Mukhtar, Mulji Patel, and Thambi Naidoo. Messrs. Dawad Mahomed, Parsee Rustomjee, Sorabji and Shelat therefore replied on behalf of the guests. An interesting episode occurred when Mr. Dawad placed his own garland round Mr. Thambi Naidoo's neck. The example was followed by Mr. Rustomjee. In a few modest words, Mr. Naidoo repudiated the honour, and eventually returned the garlands to their original owners. The tenour of the speeches was that the released gentlemen promised that they would be prepared to remain in gaol for as long as the present struggle was not concluded.

PUBLIC THEFT AT RUSTENBURG. Five Indians who were fined at Rustenburg recently have been the victims of organised robbery on the part of the Government. They were fined amounts varying from 1/- to £5, the amounts to be recovered by way of

distrain upon their goods. The Messenger called upon them last week, and, in regard to the gentleman who was fined 1/-, the Messenger seized £36 worth of goods, and he took £50 worth of goods in the other cases. I understand that the Rustenburg Indians are not allowing the matter to drop.

KRUGERSDORP AND MIDDELBURG. At Krugersdorp, an Indian hawker was fined £1, or sentenced to ten days' imprisonment for hawking without a licence. He went to gaol on Saturday. At Middelburg, Mr. A. E. Bhabha, went to gaol for one month rather than pay his fine. He is a well-known trader, and his example will be catching.

THE INDEFATIGABLE LEADERS. The indefatigable gentlemen who had just been released from gaol are making hay while the sun shines, as they anticipate re-arrest early next month. They are going about the country collecting funds for the British Indian Association, and are making an excellent success.

A CABLE FROM CALCUTTA. The British Indian Association and the Hamidia Islamic Society of the Transvaal have received the following cable from Calcutta:—"Monster meeting, Calcutta 22 November. Leading Hindus, Mussulmans spoke. Resolutions condemned racial legislation, illtreatment; expressed sympathy your sufferings." Abdul Jubbat, President.

TIME FOR REGISTRATION EXPIRES. The Colonial Secretary has appointed November 30, 1908, as the date after which any adult Asiatic who is found within the Colony and fails upon such demand as is mentioned in section 9 of the Asiatic Registration Amendment Act to produce a certificate of registration, of which he is the lawful holder, may be arrested and dealt with as provided under the Act.

BOKSBURG LICENCES. At a recent meeting of the Boksburg Municipality, the Finance Committee, having referred in its report to the question of Municipal licences, Mr. Owen Jones desired the chairman of that committee to inform the Council how it was that the Municipality was not instituting proceedings against Asiatics trading without licences, as was being done in neighbouring municipalities.

Mr. Innes said that the police had instituted several prosecutions, but the Municipality had only taken action in one instance, as the Finance Committee was of opinion that the matter should not be pushed until the period allowed the Asiatics for registration had expired.

Mr. Owen Jones moved that the matter be pushed forward at once, but his motion found no seconder, and the matter dropped.

RETAIL MERCHANTS' RESOLUTION. At a meeting of the Johannesburg Retail Merchant's Association, the following resolution was passed:—"That this association desires to place on record its appreciation of the firmness of the Government in dealing with the Asiatic question; and, while it approves of the past conciliatory attitude the Government have adopted in their desire to meet every reasonable claim of the Indians, it would record its protest against any further concessions of any kind, and especially concessions whereby so-called educated Indians shall have right of entry into this Colony, believing, as this association does, that the admission of more educated agitators will tend towards injury of the present Indian population who are desirous of obeying the law and following their ordinary avocations if left alone. Further, this association is of opinion that the few representative men who are encouraging the present agitation by their speeches and presence on Indian platforms represent no elective opinion but their own. That a copy of this resolution be transmitted to the Colonial Secretary."

PRETORIA HAWKERS. Another batch of 50 passive resisters appeared before Major Dixon, A.R.M., on Tuesday morning, charged with hawking without a licence, and were each fined £5 or one month's imprisonment. They all went to gaol.

FURTHER IMPRISONMENTS. On Tuesday, at Benoni, six men were sent to gaol for 14 days with hard labour, for hawking without a licence, they refusing to pay the fine of £2, which was imposed as an alternative. In Johannesburg, since Friday last, 36 hawkers have gone to gaol.

SUCCESSFUL APPEAL. In the Supreme Court on Monday, before Mr. Justice Wessels and Mr. Justice Bristowe, the case of *Moosa Ismail and others v. Rex* was considered. The appellants, eleven in number, were charged with contravening subsection 2 of section 5 of Ordinance No. 23 of 1905, in that they carried on the business of general dealers without the licence required by the Ordinance. They were also charged with a contravention of section 14 of the same Ordinance, in that they refused to produce their licences on demand. This was an appeal against a conviction by the A.R.M., Boksburg.

Mr. Justice Wessels, in giving judgment, said that the whole matter turned upon the interpretation of section 5 of Ordinance 23 of 1905. The Court must interpret that section reasonably. That section made it an offence to trade unless the person was in possession of a licence to do so. The policy of the Ordinance was that persons carrying on trade should pay a certain sum of money to the State for that privilege. If that sum of

money had been paid then the trader had done all that the law required of him. The words "shall be in possession of a licence" must be interpreted to mean shall have paid the necessary sum of money prescribed by the Ordinance. In the present case all but one of the appellants had paid the licence moneys, and therefore they could not be convicted of not being in possession of licences to trade, and that being so the appeal must be upheld as regards those accused, and the conviction and sentence set aside.

A Pathetic Letter

We have received the following letter addressed by Mr. Hoosen Dawad, son of Mr. Dawad Mahomed, to a friend:—

Our hero Mr. Ritch is, indeed, very busy. Parliament will re-assemble on the 12th inst. Tears came into my eyes, when I read that my father and Mr. Rustonjee are building roads and breaking stones. As I write tears are flowing from the eyes. Do not misapprehend me here, for the tears are not on account of my father's incarceration, but I am crying over the fate of my Indians. Our earthly King has forsaken us, and therefore there is no other way than to stand humbly before the King of kings and ask for help. Day and night I pray: O! God what have we done that to-day we are suffering? If we have committed a sin, then, O! Forgiver, forgive us, forgive us and protect us from the "usurpers." O! Righteous God, are we to suffer because You have created us black? O! Almighty, we have come because You have said in the Holy Book "O! people, those who are disheartened, aggrieved, and suffering, come unto thy God for He shall crush the tyrants and free you from tyranny. He loves those who are humble, and crushes those who are haughty and arrogant." O! Creator, give those sufferers courage and strength. When Mary I. had commanded Latimer and Ridley to be burnt as heretics, then Latimer was heard to say these brave words "Be of good cheer, Master Ridley, we shall this day light such a candle, that by God's power shall never be put out." Likewise, I pray O! God, preserve the roads my Indians are building, and guard the roads by means of the stones they are breaking in Gaol." Indeed, the Indians are making such a road this day that by God's grace shall never be destroyed, because it is the road of truth—self-respect—and conscience.

It makes my blood boil when I pass the India and Colonial Offices. I cannot write any longer—the more I write, the more wet the paper gets.

A Success. We are glad to learn that Mr. Hoosen Dawad, the son of Mr. Dawad Mahomed, President of the Natal Indian Congress, has successfully passed his entrance examination in his studies for the B.A.

A Warning to the Jews

Rev. Howard's Advice

The following letter from the pen of the Rev. John Howard, appears in the *Fordsburg Sentinel* of the 14th instant:—

In your last issue there were two letters taking me to task for speaking at the mass meeting of Indians, held in this township last week. The first is characterized by that courtesy one might expect from Mr. Lane, and the second by that impertinence one might expect from Mr. Zeffertt, and both by that fathomless ignorance of the whole question, so common among our townsmen.

Mr. Zeffertt is apparently greatly distressed that I should associate with "the famous dynamite magnate" Mr. Hosken. Allow me to inform him that I am always willing to associate with anybody in good work. Why, I have been associated with Mr. Zeffertt himself before now. Is it possible to say more? To me it is wholly a matter of indifference whether I associate myself with magnate "publicans" or auctioneer sinners, so that good work is done.

May it not clear the air a little if we once more state the questions at issue. The Transvaal Government, the Imperial Government and the Indians themselves are agreed on two things, first, that the Indians now in the country are to stay, and second, that the stream of Asiatic immigration must be stopped at once. On these two points all parties are, agreed.

But the Indians claim that those who stay in this country must be allowed to retain their personal and communal self-respect, so manifestly assailed by the Registration Act, and that a few highly educated Asiatics—never exceeding six in any one year—may enter the country for the purpose of ministering to their physical, intellectual and spiritual needs, as doctors, teachers, priests, etc. It is difficult to understand how any man in his senses can object to requests so moderate. It is more difficult to understand how the Government can refuse to withdraw an Act, the purpose of which has been admittedly met by voluntary registration, which is of no use to the white people and which, if words mean anything, General Smuts was willing to withdraw if the Indians voluntarily registered. It is still more difficult to understand how any Government can refuse to allow half-a-dozen highly educated men to enter the country for the purpose of ministering to the higher needs of their countrymen save under conditions which no self-respecting man can accept.

What would Mr. Zeffertt say if that great community he so unworthily represents were forbidden to import Rabbis to guide and direct the higher life of their people. If I am rightly informed every Rabbi on the Rand has been imported from another

country.

Let Mr. Zeffertt have a care. He is playing with fire. There is a clamorous and unthinking section of white people in this country, who feel almost as strongly about a section of his own people as they do about the Asiatics. Who knows whether the Anti-Asiatic cry may not yet be drowned by an equally wicked and stupid Anti-Semitic cry. Is he so ignorant of the age-long sufferings of his own people that he would thrust these poor people into outer darkness and forbid them even a doctor of their own race to minister to their needs?

Of one thing, however, Mr. Zeffertt may be assured. If in some moment of moral blindness, "mis-guided" men endeavour to prevent Jewish Rabbis from coming to this country, save under conditions no self-respecting man can accept, I will assist him with all my might to resist such a monstrous proposal. And if, at such a time Mr. Zeffertt count his faith and his manhood worth suffering for, he will, I hope, find me by his side either in mass meeting or the gaol itself.

Mr. Zeffertt calls attention to my long work in the slums of London, and undertakes to instruct me in my duty "as a Christian clergyman" towards the slums of Fordsburg. Allow me to assure him that his impertinent "instruction" is wholly unnecessary. The poor of Fordsburg know me quite well and I know them. To these personal jibes I should not refer if it were not for the fact that they touch the very ground on which I support the Asiatics in their just contention. It is *because* I have lived in slums all my ministerial life, and *because* I am determined to do everything that lies in my power to prevent the making of slums in the future, that I take the action to which your correspondents object. When, from the horrible Ghettos of Russia and Poland suffering, crushed, down-trodden people came to England, what did my enlightened countrymen do? It is true they found it necessary to stop the overwhelming immigration; but they said and said rightly, that those who were in the country must be made into good citizens, and, after many weary struggles, every facility has now been given them to rise to the height of their capacity. With what result? Many of them have become a credit to themselves and the State that gave them a chance.

I should like to have said much more with regard to your other correspondent's letter but my space is more than gone.

I will close by saying that many of us are saying with all our might that if the Indians are to stay—and that has been settled—then they must not be allowed to sink down in moral and physical filth and squalor and ignorance until they became a peril and menace to the state; they must have those opportunities given them by which they may become worthy of

themselves and that Empire of which they and we are proud to serve ourselves heirs.

Opinion in India

On the Transvaal Struggle

Sir Prodoyat Coomar Tagore, son of the late Maharaja Jotendra Mohan Tagore, as Honorary Secretary of the British Indian Association, Calcutta, has despatched the following wire to the Imperial Government and to the Government of India:—"British Indian Association greatly deplore the treatment of Indians by the Transvaal Government, and Indian people in a body keenly feel the insult and indignity. His Imperial Majesty's subjects ardently pray for protection from Imperial Government and earnestly solicit His Excellency the Viceroy's kind intervention."

The *Modern Review* for October reproduces the supplements from INDIAN OPINION containing the portraits of Messrs. Imam Abdul Kadir Bawazeer, Dawad Mahomed, Parsee Rustomjee, M. C. Anglia, Sorabji Shapurji, and Thambi Naidoo and comments as follows:—

The indignities and persecution to which Indians are being subjected in South Africa, Canada and other foreign lands, are enough to goad a nation to desperation.—But our brethren abroad are facing their trials like men, without recourse to violence, though with indomitable pluck. And our sisters are proving quite worthy helpmeets to them. Surely such men and such women were not born to live the degraded life of slaves! When the mind is not subdued, that is true victory. What does it matter, whether the body is imprisoned or suspended from the gallows? A free honorable life alone is worth living.

These soldiers of a bloodless fight are worthy of all honour for their heroism and for fighting together in a patriotic struggle, though belonging to different sects.

The *Indian Patriot* (Madras) says:

The important thing which the Colonies have to remember, but which they now forget, is that they are open to attacks from which the mother country alone can save them. There is Australia; there is Canada; there is South Africa. The handful of colonists who now dominate them cannot hope to maintain their position undisturbed, without the material support of Britain. The colonists in their present mood think that Britain is bound, and will continue, to give every support which they require, irrespective of their own denial of imperial authority over them. They are children of the mother; but there is just a chance of their fast becoming adult children under the perfectly easy con-

fidence which they now entertain of the responsibility of the mother towards her children, irrespective of the duties of obedience on their part. How long this easy confidence will be encouraged we cannot say; but seeing that there are people, and responsible people too, in England, who think that Colonies as members of the Empire enjoy advantages which involve corresponding duties, it is possible to anticipate a growing development of this line of thought among the English people. If this comes, then it will not be long before the Colonies realise their true position in the Empire, and acknowledge their obligations in a spirit of prudence and practical wisdom.

The *Times of India* (Bombay) writes as under:—

Hardly a day passes without our publishing a telegram about the condition and treatment of Indians in South Africa, but as the situation changes with such rapidity it is impossible to follow with certainty the course of affairs in the different colonies. In the Transvaal indignation is great because General Smuts now denies that he promised to repeal the Asiatic Act: he may have been misreported in February but that is no reason why he should wait for six months to correct the impression which has spread abroad. In his correspondence with Mr. Gandhi he has always, up till recently, evaded the question of repeal. On the whole there seems adequate ground for the strong expression uttered by the Natal paper INDIAN OPINION. "The question of licences," it says in a recent issue, "of immigration, and all the other questions that arise out of the Asiatic problem can be calmly discussed and settled. But there cannot be any difference of opinion as to whether any policy that may be laid down is to be based on honesty or dishonesty. If the Transvaal Government is strong enough to carry out its anti-Asiatic policy General Smuts had no need to resort to subterfuge, strained interpretation and dishonesty."

In Natal the Bills dealing with immigration and trading of Indians were introduced into the Legislative Assembly. We are glad to see that the Bills met with some opposition. The Bill, dealing with licences, is intended apparently to supplement a law of 1897 which many members considered to be quite adequate already. We gather from the debate on the Bill that the imperially-minded gentlemen of Natal prefer Polish and Peruvian Jews as traders rather than British subjects from this country, and that they do not see that the keen competition introduced by Indian traders has its advantages. This decay of the Imperial spirit in Natal appears to us to be deplorable.

At a meeting held on the 7th Oct., the inhabitants of the town of Dabhel and the surrounding districts

passed a resolution condemning the conduct of the Transvaal Government in imprisoning the Indian residents of Natal who desired to assert their rights as subjects of His Imperial Majesty as unjust, illegal and subversive of international laws. An earnest appeal made to the British Government to intercede.

It was resolved that copies of the Resolution be submitted to the Secretary of State for India, to the Right Honourable the Viceroy, and to His Excellency the Governor of Bombay-in-Council, with a humble request that proper redress may be given.

A Farewell Gathering.

The members of the S.A. Indian Association, Capetown, met together on the 8th inst., on the eve of the departure for India of their respected President, Mr. Ebrahim Norodien, who will attend the Indian National Congress to be held at Madras in the last week of December.

Mr. A. J. Ghansar occupied the chair in his capacity as Acting President. In a few graceful words, he made the presentation of both address and medal. Mr. J. M. H. Gool, Mr. S. Cassim Alie and quite a host of others added appreciative words, the general purport of which was admirably voiced by Dr. Nundy. The doctor testified to the great strides in advance the association had made during even the six months in which he had known it, and this he attributed to the tact and untiring energy of Mr. Norodien. He was sure they all wished Mr. Norodien a very pleasant journey, a happy sojourn in India and a safe return to these shores, with renewed health.

Mr. Norodien made a feeling and very appropriate reply. He should ever value that testimony of their goodwill and good wishes, and in return would hope that they would all experience more prosperous times in the future than had fallen to their lot, in common with the rest of the community in the near past.

The address was signed by Messrs. A. Ghansar, Acting President; S. Cassim Alie and H. M. Soorti, Joint Secretaries; A. Abdulla and E. A. Patel, Joint Treasurers.

The addresses and gift (a handsome medal in gold) were privately subscribed for by the members. Whatever balance there was over and above the cost of the presentation would be forwarded to the Somerset Hospital.

INDIAN EDUCATION IN NATAL. London, November 16th.—Colonel Seely, replying to a question in the House of Commons, stated that inquiries had been instituted regarding the education of Indian children in Natal.—Reuter.

Supporting the Government

Commercial Representations

A special meeting of the Johannesburg Chamber of Commerce was held on Tuesday afternoon for the purpose of considering the advisability of making representations to the Government in regard to the position assumed by the Asiatic community. Mr. A. A. Noble, president of the Chamber, occupied the chair, and there was a representative attendance.

The Chairman read a summary of what the Chamber had done in the past in connection with the Asiatic question, reviewing the whole situation, and also two letters from the Chambers of Commerce of Madras and Bombay, the Chamber of Commerce, Madras, suggesting that the Chamber should use its influence to effect a compromise, and stating that European opinion in Madras deprecated the treatment meted out to educated Indians in the Transvaal, and that in their opinion there was no good reason why the compromise of January last should not be revived, or that a similar *modus vivendi* should be evolved.

The letter from the Chamber of Commerce of Bombay contained two cables from South Africa on the question, and asking, before taking any steps or expressing any opinion, for first hand information. Bombay wanted to know the true cause of the present trouble. Any suggestion the Chamber could make to ameliorate the state of affairs would be appreciated by the Bombay Committee.

Mr. John Forrest moved:—

That this Chamber respectfully trusts that the Government will not be swayed by the great pressure which is being brought to bear upon it by the Indian community and their supporters in England and elsewhere, but that the Asiatic Law Amendment Act of 1907 and the Asiatic Registration Amendment Act of 1908 will be strictly enforced.

Mr. Forrest, in concluding his speech, said that the Indians had been allowed a period of grace up to the end of this month during which they could put themselves right with the Government and the people in whose midst they desired to live. He trusted wiser counsels would prevail with them, but if they continued to resist, then he contended it was the bounden duty of every lover of law and order to support and co-operate with the Government in enforcing the laws of the country. (Applause.)

The Chairman caused much amusement by referring to the resolution as one submitted by Mr. Hosken, who was present.

Major Pickburn seconded the resolution.

Mr. Hosken said that prior to the war he frequently used the position of British Indians in the Transvaal for

political purposes, and the position that had arisen appealed to him in a personal manner. When he found that similar legislation was again brought forward and made possible under the British Government that was not possible under the South African Republic, he found himself unable to approve of such legislation. He considered there was no call for the drastic legislation that had been introduced.—*Star*.

No Better than Sheep

An Indian's Ear Cut Off by His Master

Claim for £250 Damages

In the City Court, on Tuesday, the 17th instant, says the *Times of Natal*, before Mr. B. C. Clarence, Chief Magistrate, the hearing of an action in which an Indian, Manawar, claimed from John L. Armitage, residing at 510, Burger-street, £250 as damages sustained by him "by reason of the malicious assault and injury committed on him by defendant on or about September 11th, 1908, when defendant cut off a portion of plaintiff's right ear, causing him great pain and a permanent disfigurement of his person."

Judgment for £10

After counsel for the plaintiff and the defendant had addressed, his Worship gave judgment. He said, *inter alia*, that the defendant's wife had been assaulted by the plaintiff, and he had been punished for it. He received six months' imprisonment with hard labour, and was sentenced to receive a flogging of twenty lashes. Defendant seemed very anxious to have the boy whipped, and made application to several persons to be allowed to see the flogging administered. When the Indian returned to the defendant's house Mr. Armitage seemed to have been fully prepared to do what he did. He deliberately and most decidedly put the boy on the ground and sliced off a portion of his right ear. He then attended to it, and bandaged it up with linen. The man had been maimed for life. Defendant admitted all these acts, and tried to prove justification by saying that he did it so that if plaintiff deserted again he could have him arrested easily. Provocation had to be considered, but he (his Worship) could not find that there had been any. It was something that the defendant had intended to do, and he had marked the man for life. By what he could see it was vindictive retaliation. The plaintiff had been injured, but not to a very great extent, and the pain had not been very severe. Plaintiff was entitled to compensation, and his Worship thought that £10 would be ample.

Judgment was accordingly entered for plaintiff with costs.

Latest Telegrams from the Transvaal

Volkstust, Thursday.

Two Indians, named Meni and Motala respectively, were detained here yesterday for refusing to give thumb-prints. They were discharged to-day and are proceeding to Johannesburg. Messrs Halim and Moosajee were allowed to pass through by giving their signatures. The prisoners in the Gaol are well and hearty.

Johannesburg, Friday.

Replying to private representations regarding the unlawful imprisonment of Imam Abdul Cadir Bawazeer (Chairman of the Hamidia Islamic Society) Mr. Gandhi and others at Volkstust and Barberton, the Attorney General refuses to order their release, saying that the Chairman and Mr. Gandhi having registered, Section 9 applies to them, but not to unregistered Asiatics. Section 9 is in force to-day.

British Indians repudiate the interpretation, urging that section seven declares when means of identification may be asked by the Government, whilst Section 9 explains what particulars of identification may be demanded; and furthermore, they hold that Section 9 applies to all alike, whether registered or unregistered, and is not enforceable until the first December.

The Association is not asking for the release of the prisoners, but simply points out that the imprisonment is unlawful consequent on the Volkstust Magistrate's decision on Tuesday last.

On Wednesday evening a banquet was given to the Natal leaders and the other ex-prisoners when enthusiastic speeches were delivered. A splendid spirit is being shown by the Natal leaders who are now collecting funds for the Association.

A Mass Meeting will be held next Sunday to protest further against the Validation Act, and to express determination to fight to the bitter end.

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