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MASS MEETING at JOHANNESBURG

A MASS Meeting of British Indians was held on Sunday last at the Hamidia Islamic Society's Hall, Vrededorp, to consider the position arising out of Justice Searle's pronouncement in the recent case of Bai Mariam. Delegates attended from Roodepoort, Klerksdorp, Warmbaths, Vereeniging, Zeerust, Pretoria, Benoni, Nylstroom, Newclare, Boksburg, Rustenburg, and Krugersdorp, and messages of support were received from Zeerust and Lichtenberg. At half-past three, Mr. A. M. Cachalia, the Chairman of the British Indian Association, opened the proceedings. The following is the text of his speech, which was rendered into English by Mr. S. B. Medh, and into Tamil by Mr. P. K. Naidoo.

Chairman's Speech

Gentlemen,—At the very hour when the British Indians of South Africa are expecting the translation of the provisional settlement, entered into between the Government and Mr. Gandhi, into law, comes the startling news that the law of this country as it stands, and as it may stand unless the Government take heed, pronounces the wives of Indians, married according to the immemorial Hindu, Mahomedan and Parsee custom to be unmarried women, and the children of such marriages to be illegitimate.

The effect of this is two-fold. Firstly, it strikes a blow at our religious and national self-respect. It announces, in effect, that our religions and customs occupy a position of such inferiority as to be unworthy of recognition in South Africa. Gentlemen, we decline to accept that position, and demand, once and for all, the recognition of the equal sacredness of our marriage-tie with the marriage-tie as consummated among Western peoples. I wish to draw no invidious comparisons, but I need hardly assure my hearers and those who know anything of the domestic life in the East that the marital relationship in the Orient is in every way as sacred as in the West. We are accredited with the possession of a certain measure of sentiment. I can conceive of no attitude that could be adopted towards us more calculated to affront Indian sentiment than an attitude holding up to contempt the religious sanction under which our marriage ties are formed and which regards our status as husbands and wives and parents with disrespect. The Government of India has ever been most careful to recognise such Indian sentiment, and to give the fullest possible play and recognition to Indian customary law. This brings me to the second point.

If the judgment of Mr. Justice Searle in Bai Mariam's case is to stand good and to be held as applicable to the whole of the Union of South Africa, the Transvaal Immigration Law of 1907 will require amending in other respects than those contemplated under the provisional settlement. At present the terms "prohibit-

ed immigrant" does not include the wife or minor child of any person who is not a prohibited immigrant. The term "wife" in this sub-section 8 (e) has hitherto been construed to include our understanding of the word "wife" and Mahomedans, Hindus and Parsees, married as our marriages are consecrated in India, have, under the law, been allowed to introduce their respective wives into this Province. The term "wife" as now defined by Mr. Justice Searle's judgment will mean that our wives are no longer wives in the eye of the law, that those who are already here may possibly be treated as prohibited immigrants, and that those of us who have not yet brought our wives here may be precluded from doing so on the ground that they are not married to us at all.

It will, I think, be admitted by those of us who have had experience in the matter that sufficient obstacles and difficulties are already placed in the way of Indians endeavouring to take advantage of this section under the existing Immigration Law. Not infrequently, all manner of impossible proofs affecting our wives and our children are demanded of us, and now, as if to make our task absolutely impossible, such of us as propose to bring our wives to South Africa are told that we must prove them to be married to us in a manner that marriages never take place among us, and that, unless we do this, our wives will not be recognised as such, and, consequently, may not join us in South Africa. I need hardly point out the consequences inseparable from a position such as this. Apart from the enforced separation between husband and wife, such an interpretation of the law makes our children illegitimate with most serious consequences to those of us who have any property in this country which would, in the ordinary course, devolve upon our children. Indeed, the results of this judgment are so far-reaching, that it is a little difficult at the moment to fully appreciate its seriousness. One thing is, however, certain that the law, if Mr. Justice Searle's judgment correctly states it, must with the least possible delay be altered. We cannot consent to our wives and children having a bar sinister registered against them. We cannot acquiesce in the view that our marriages are not marriages because they do not comply with the particular formula adopted in South Africa. We refuse to have our children branded as illegitimates, and we respectfully call upon the Government to immediately take steps to secure to us our natural as well as our legal rights to bring our wives and minor children into this country and, for that purpose, to correct any defect or to make good any omission or ambiguity in the law of this Province and in those of the other Provinces of the Union of South Africa.

Gentlemen, I had hoped that our conflict with the Government was over. Our people have fought and suffered for what some were pleased to regard as mere

sentiment. Few people rejoice in suffering, and we are not anxious to again raise the standard of Passive Resistance. But we have still some regard for our honour, and if, as personally I cannot consider possible, the Government should refuse or fail to meet us in this most vital matter, then I fear that we may yet have to consider how far the days of fighting are over and whether we may not again have to adopt the one means at our disposal, the one means we consider legitimate, to bring about a remedy.

To this effect, resolutions will be put to you, for which I request your careful consideration.

The Resolutions

The following resolutions were submitted:—

"This mass meeting of British Indians, held under the auspices of the British Indian Association, expresses deep distress and disappointment at the decision of the Cape Provincial Division of the Supreme Court, whereby non-Christian Indian marriages, celebrated according to the tenets of the great faiths prevailing in India, and which marriages are recognised by law in India, are invalidated; and respectfully and earnestly requests the Government to introduce remedial legislation recognising the validity of such marriages throughout the Union."

"This meeting is of opinion that the decision referred to in the foregoing resolution is calculated, if logically carried out, to disturb Indian domestic relations, to break up established homes, to put husband and wife asunder, to deprive lawful children of their inheritance, or of the advantages, in some parts of the Union, of the law of inheritance as to succession and transfer duty, and to prevent the entry into South Africa of the lawful wives and children of Indians entitled to reside within the Union."

"This meeting is further of opinion that the questions arising out of the decision are of such vital importance to the British Indian population of South Africa that, unless the relief requested is granted, it will become the bounden duty of the community, for the protection of its womanhood and its honour, to adopt Passive Resistance."

"This Meeting of British Indians authorises the Chairman to forward copies of the foregoing resolutions to the Union Government, the Imperial Government and the Indian Government."

Mr. Ebrahim S. Coovadia moved the first resolution. Mr. S. Padiachy, Chairman of the Pretoria Tamil Society, in seconding, said that, although they suffered so bitterly for the last six years, he did not think that what they had suffered was anything at all in comparison with the disgrace which they were now called upon to suffer, and he hoped that, in order to maintain the honour of their religion and the honour of their Motherland, all Hindus, Mahomedans and Parsees would unite to secure relief. Mr. D. Kalianjee supported the resolution. The resolution was carried unanimously. Mr. Ritch then explained the legal position.

Mr. Ritch said he supposed that most of them who had wives and children in this country thought that they were married and were legitimate fathers. They were quite wrong. According to the law of this country they were not married. Their wives were not wives and their children were illegitimate, and the sooner they realised that fact and the sooner they insisted upon the Government putting that straight, the sooner, he thought, they would respect themselves and other people would respect them. The whole question was what constituted a wife. According to South African law, a wife was a woman who was married according to the custom of this country, that is who was married before a Marriage Officer. India was a continent, India was a land in which there was a whole multitude of customs. Well, he did not know much of India, but he was sure that the law-makers of this country knew very much less than he did, and they knew very very much less than the most

ignorant man in the Indian community in this country. Now they had made a law, and they ought to have known, they must have known, that the laws of the Transvaal and the laws of South Africa must be made to fit Indians just as well as Europeans. They knew how to make laws to fit Indians, laws that would send them to gaol. They knew how to make laws that fitted Indians, demanding of them thumb and finger impressions, demanding all sorts of indignities, but they did not know how to make a law that allowed for and recognised Indian marriages, that allowed for the legitimacy of children born of Indian marriages. Those of them who had wives in South Africa married either according to the Mahomedan religion and custom or to the Hindu religion and custom, or to the Parsee religion and custom, were in danger now that their wives might be found to be prohibited immigrants. They should remember that there was not an Indian woman who was admitted there and whose husband had not had to fight to get there. There was scarcely one little child admitted to this Province, the child of a lawfully resident British Indian, whose father had not had to fight a hard fight to get him there, and he did not suppose that anybody knew more about that than he did. Nobody had been concerned with more of those fights than he had. Nobody could tell him how many obstructions and obstacles could be placed in the way of lawfully resident Indians getting their little ones here to live with them, nobody could tell him of the tricks and dodges that had to be met, what tricks and dodges were placed in the road by the Immigration Officer and the Immigration Department in order to keep out women and children entitled to come there. But to-day they were face to face with much more than tricks and dodges, they were face to face with the fact that they had the law dead against them. The law said to-day that their wives were not wives, and, if they were not their wives, they were prohibited immigrants, and he thought the law would say equally that, seeing that their wives were not wives, even the children were prohibited immigrants, and they might yet be face to face with this: that their wives might be arrested as prohibited immigrants and that their minor children, too, might be arrested as such.

When certificates had been brought in regard to their wives and children, they had been flung aside as not worth the paper on which they were written. They had had to bring witnesses at great expense to Barberton and Volksrust to swear that they knew such and such a woman and such and such a man and that they had been married according to the Hindu or Mahomedan religion and custom in India. In future, although five hundred witnesses came forward to prove that they knew that a certain man and a certain woman were lawfully married according to religious custom, it would be of no avail, because the woman would not be regarded as a wife. The Immigration Law and the Registration Law which were intended to kill out the Indian population there and were intended to absolutely prevent any more Indians coming there, had proved, in the opinion of the Government, a dead failure. The Government felt that, although the grown-ups were not coming, the children were coming; and, if the wives could come, well after the wives came the children. That was the reason why the authorities had made that further move, it was a further step in the direction of limiting and killing out the Indian population in South Africa. He had put to them the legal position. He had put to them the possibilities, and now what they had to consider was this: What were they going to do? Were they going to sit down quietly under an insult which made them contemptible in the eyes of the people, among whom they lived. Were they going to sit down quietly and have their sacred religious customs trampled under foot, because a few people in South Africa were so ignorant that they did not understand the sacredness of Eastern married life and Eastern custom. Were they going to have their wives, when they wanted them, separated forcibly from them and

turned out of the country? Again, the law of succession in this country was a very curious law. Indians might not hold fixed property in this country, but they could hold what was called personal or movable property. Now if a man died in South Africa without having made a will, his property devolved on his wife if he had one, and to his legitimate children, if he had any. Otherwise, if he had not got a wife or legitimate children, very serious consequences followed, consequences in regard to his property in which the Government took a very great interest. Now, if they had no wife there, if the law of the land did not recognise their womenkind to be their wives and their children to be their children, there were very serious consequences possible with regard to their property, if they died without having made a will. These were things with which he did not wish to trouble them in detail, but he wished to point out how very far-reaching in its consequences might be the Cape decision. In his opinion, their honour demanded, their worldly interests demanded, that they should leave no stone unturned, that they should waste no time in turning the stone, that they should never rest until the law was so altered that their status among the people in whose midst they lived, should be fairly and securely established, and the only way in which that could be done was by their never resting until their demand was granted. This demand should be that the Government shall, without any delay at all, bring in some amendment or alteration of the law, that it shall no longer place a bar sinister against Indian ladies and their children. The mark that was against their wives to-day was the mark that was against unmarried women in this country who had children. He wanted to drive that home to them. He wanted them to realise where they stood. If they realised that, he believed that there was not a single Indian, possessed of a grain of self-respect, who would sit still or sleep at night and know that his wife was regarded as a common woman and his children as illegitimate. He asked them to consider and to act.

The second resolution was proposed by Mr. Jeevanjee Tavaria, seconded by Mr. H. D. Mall, supported by Messrs. M. S. Coovadia and Peter Moonlight, and carried.

The third resolution was moved by Mr. Muthuranga Padiachy, who said that they must fight to the bitter end and see that some recognition was given to their religion in this country. The resolution was seconded by Mr. M. E. Nagdee, (Warmbaths), supported by Messrs. Imam A. K. Bawazeer (Chairman of the Hamidia Islamic Society) Molvi Saheb Mahomed Jan, Thambi Naidoo (Chairman of the Tamil Benefit Society), P. N. Pillay, Pragji K. Desai, M. D. Desai, P. K. Naidoo, S. B. Medh, and Ranchhod Patel, and carried with acclamation. Mr. P. N. Pillay said it was well-known that the Hindu religion and the Mahomedan religion were not religions of yesterday, and he was sure that the Union Government and all other Governments were aware what Indian religious customs were, and if they did not respect them or give heed to what they said, it was their duty at all costs, even if they were sent out of the country, to maintain the honour of their religion. Their religion had been assailed, and they could not sit still under the insult. It was their duty to move, for in that way only could they hope to succeed.

An Inspired Explanation

Capetown, April 25 (Reuter).—The immigration case referred to in the Johannesburg telegram, with regard to the mass meeting of Indians, was heard in the Cape Division of the Supreme Court on March 20th.

It appears that Esop, an Indian living at Port Elizabeth since 1902, obtained a permit to go to India, where he contracted a marriage, under Mohammedan rites, with one Bai Mariam, who sought admission into South Africa. The marriage was admitted by the applicant to be polygamous.

Mr. Justice Searle, in the course of his judgment, said that the Courts of this country had always set their faces against the recognition of these so-called Mohammedan marriages as legal unions, although by Act 16 of 1860 of Cape Colony provision was made whereby marriage officers could solemnise such marriages, and thus give them validity. Until so solemnised they remained out of the pale of legal unions, and the application was refused.

[NOTE: We deal with the above in our leading columns.—Ed. I.O.]

From the Editor's Chair

THE STORM-SIGNAL

JOHANNESBURG, as was quite proper, has given the storm signal. The mass meeting, called by the British Indian Association, was a thorough success. Mr. Cachalia has given a respectful but firm warning that there are some Indians in South Africa who are prepared to give their all for the sake of their and their country's honour. The meeting passed resolutions which we doubt not would receive the Government's earnest attention.

Indeed, it would appear that the meeting has already produced some effect on the mind of the Government. Reuter's report of the Johannesburg meeting is quickly followed up by an inspired explanation of the Searle judgment. The wire, which we publish in full, is a lame and poor attempt to whittle down the full effect of Justice Searle's judgment. The *bona fides* of Bai Mariam is questioned. The question of polygamy has been quite gratuitously introduced. But the Searle judgment is too clear and too precise to need any explanation. The learned Judge himself said that it was a test case. It was treated as such by both the parties, and the only issue before him was whether marriages, solemnized according to the tenets of Islam, could be recognized by the Cape Courts for the purposes of the Immigration Law. His Lordship's decision on the point is unequivocal and emphatic. Such marriages are invalid. It is on this that the protest of the Johannesburg meeting is based. The Government may not, they dare not, follow up the case to its logical extent. But the legal possibilities are there. They were clearly brought out by Mr. Ritch, in his speech before the meeting. There are some things which we may not worry over until the actuality stares us in the face; but there are some other things whose possible happening, too, must be avoided at all cost. No Indian husband can rest under the possibility of his wife's status being questioned and all the consequences of the possibility becoming an actuality.

It was, therefore, we consider, a most proper thing for Mr. Cachalia to convene the meeting, whose demand cannot be abated by reason of the so-called explanation. It was fitting, too, that, in point of time, the Tamil meeting should have been the first. The Tamils were the greatest sufferers during the late struggle. They are now in the forefront. We hope that the other towns of South Africa will follow Johannesburg's lead and support its action. Above all, we sincerely hope that the Government will not miss the golden opportunity they have, during the passage of their bill, of conceding the very just request of the mass meeting.

His Highness the Aga Khan and the Hon. Mr. Lalubhai Samaldas, in giving evidence before the Indian Public Services Commission, suggested that Europeans coming from colonies whose treatment of Indians is unsatisfactory (South Africa, for instance), should be debarred from entering the public services of India.

The Latest Licensing Scandal

We publish below the objections lodged by the opponents of Mr. Khamissa Ebrahim, who was recently refused the transfer of his licence by the Estcourt Licensing Board, and the reasons of the Provincial Licensing Officer for the issue of the licence. The documents show still more clearly the gross nature of the injustice to Mr. Khamissa Ebrahim and the scandalous bias displayed by the Board :—

Statement of Objections

1.—That the Residents of the District view with great concern the probability of an Arab being allowed to open a store in it, having been to no little trouble and expense in the past to keep the District free of Indian storekeepers and hawkers. They consider that it is against the best interests of the district to have them, as it would probably be the means of outlet for stolen goods, especially farm produce, such as poultry, eggs, potatoes, etc., and would put a premium upon petty thefts by the native population.

2.—Situating as it is upon a main road, there is very little doubt that waggons passing to and fro would be used as a means of transport for goods without the owner being any the wiser.

3.—That it might attract bad characters about, and would to a certain extent have a demoralising influence upon the neighbourhood.

4.—That the gentleman, upon whose farm the store is being erected was the most strenuous opponent of a licence granted for the same purpose, some three years ago, upon a neighbouring farm; therefore we consider it only fair that it should be disallowed in this instance also.

The Licensing Officer's Reasons

1.—The Applicant, Khamissa Ebrahim, has had a retail store at Ennersdale for the past seven years, and during that time he has carried on his business in terms of and according to the requirements of Act 18 of 1897.

2.—In 1912 the farm upon which Khamissa Ebrahim's store is situate was sold to Mr. A. Carter, who, on the 31st May, 1912, gave the Applicant notice to quit the farm and remove his store building by June 30th, 1912.

3.—On 15th July, 1912, K. Ebrahim submitted an application for transfer from Ennersdale to new premises situate on J. Van der Merwe's farm "Craig", Tabamhlope. The application was opposed, and I refused it. An appeal was noted but withdrawn.

4.—On 16th September, 1912, a third notice to quit was served on K. Ebrahim requiring him to remove all store buildings and vacate his premises by October 31st, 1912, and warning him of his liability to damages in the event of his not leaving in terms of the notice. (Letter from Mr. Attorney Heller, dated 16th September, 1912.)

5.—On September 30th, 1912, a second application for transfer was submitted by K. Ebrahim to new premises situated on the Emangweni Mission Station. This application was also opposed and refused.

6.—On December 2nd, 1912, K. Ebrahim submitted a third application, being the subject of the present appeal. This application was opposed and approved of on 28th December, 1912. Mr. A. Carter granted a further, but final, tenancy to K. Ebrahim till March 31st, 1913 (agreement dated 25th January 1913). The applicant, K. Ebrahim, by reason of the various notices to quit his premises at Ennersdale, coupled with threats of legal proceedings, has been compelled to seek transfer of his licence to other premises, and was entitled to consideration.

7.—Petitions "A" and "B" in favour of the Applicant were put in, and supported by the sworn evidence of several of the European signatories.

8.—The three first grounds of objection by Mr. Francis C. Robinson and others contained serious allegations against K. Ebrahim's character and his

method of conducting his business, but the Objector's evidence entirely failed to substantiate them. One objector, Mr. Lycett Glass, failed to put in an appearance, or notify me that he did not intend to appear and oppose the application.

9.—The applicant, by reason of the position into which he was forced, and by the fact that, for the past seven years, he has conducted his business in a fair and honest manner and complied with the requirements of Act 18 of 1897, was entitled to receive fair and equitable treatment.

10.—I exercised the discretion vested in me under Section 5, Act 18 of 1897, and granted the transfer in terms of Sub-section "A," Section 15, Act 43 of 1898.

Some Legal Effects of the Cape Judgment

(SPECIAL TO INDIAN OPINION)

It is necessary that readers of INDIAN OPINION should realise how far-reaching is the judgment delivered by Mr. Justice Searle, in the Cape Provincial Division of the Supreme Court, in the matter of Bai Mariam. In effect, the judgment declares that all non-Christian Indian marriages, unless legalised before a civil marriage officer or, in Natal, registered with the Protector of Indian Immigrants, whether contracted within or outside South Africa, and solemnised according to the religious custom of the contracting parties, are invalid. The natural consequence of the decision is to illegitimise the children of such marriages and to brand the wives as concubines. There is, therefore, nothing to prevent immigration officers from refusing to admit, in future, any Indian women and children into South Africa, on the ground that they are not "wives" or "children" of domiciled, resident, registered, or otherwise protected Indians within the meaning of the law. The alleged need for the infamous "wives" circular and the demand for birth-certificates in the case of Indian minor boys seeking to rejoin their parents in South Africa, disappear. Beyond this, it is competent for immigration officers to procure the deportation of every Indian woman and child at present in the Union, save those specially protected as above, on the ground that they are prohibited immigrants. Thus, the supposed safeguards of the Provincial immigration laws, protecting the families of lawfully resident Indians, are automatically destroyed. The decision, too, cuts directly at the root of the provisional settlement now awaiting legalisation. The essence of that settlement, apart from the removal of the racial bar, was the preservation of existing rights as they were then recognised. If the wording of the new Bill is the same as that of the earlier abortive measures, no protection is now conferred upon the families of lawfully resident Indians or of those who may be allowed, in future, to enter the Union under the education test.

Finally, serious problems of inheritance are involved. Under the system of Roman-Dutch law that prevails in South Africa, unless there exists an ante-nuptial or, in Natal, a post-nuptial contract, the property of the marriage belongs jointly to the two contracting parties. In the event of the intestate death of either of them, the surviving spouse is the sole owner of one half of the joint property, the other half going to the next heirs of the deceased. In ordinary circumstances, these are the lawful children. The Searle judgment however, robs the wife and children of their rights of ownership and inheritance where the husband and father dies intestate, the estate going to other heirs, where these are to be found, or to the State, the widow being deprived of her half-share.

In Natal, where succession duty is chargeable on the estates of deceased persons, the surviving spouse is altogether exempt from payment, and the children paying one per centum, as against five per centum

payable by other persons. The Searle judgment compels all surviving spouses and children to pay the full duty. Similarly, the surviving spouse and the children are exempt from transfer duty upon immovable property transferred from the estate of a deceased person. In future, Indians, in these circumstances, must pay the full duty.

A CHESSEL PIQUET.

Modern Civilisation

The cases of "depersonalisation" in which Dr. Dagnan-Bouveret, of Paris, interested himself, as described in *The Standard*, have served to draw attention to the fact that if this curious form of nervous disease is not entirely new it is, at any rate, becoming more common. Though it is one of the many forms of maladies of the nerves, it is remarkable that Eastern nations do not suffer to the extent that Western nations do from "nerves."

Enfeebled will, one of the main symptoms of a person's drift towards "depersonalisation," was described by a West-end doctor to a representative recently as one of the outcomes of our civilisation. "Depersonalisation," he said, "is a new disease, in the sense that ordinary people knew nothing of it until within recent years. It is the stress of modern life which has caused this state of things, and the fact that men and women are more apt nowadays to take artificial stimulants to brace themselves up. Drugs such as morphine, opium, and cocaine, are responsible for quite as much enfeebled wills as any constitutional defect.

"But at the same time there is the terrible fact that at present we actually encourage the multiplication of persons of feeble mind. The birth-rate among the feeble-minded is over 7 per cent., while among the healthy working classes it is barely above 4 per cent. An ordinary sum in arithmetic will show that the day is not far distant when this problem must be faced. Feeble-minded persons are the result, not the beginning, of the malady of which Dr. Dagnan-Bouveret writes.

"Not only is the modern stress and scramble responsible for many of these diseases of the mind and nerves, but our civilisation is largely responsible for the fact that there is now no class of society who give themselves up to scholarly meditation. In India civilisation has completely changed the mode of life of the whole nation, and not long ago a Buddhist priest of high standing told me that he did not think that there were a dozen priests out of the many hundreds in India who could give themselves up to concentrated meditation. Modern civilisation in the East has taken away the inclination of these men for scholarly attainments. They find it impossible to give up their lives to philosophy. Even the people who used to be content to work two hours a day now toil for six hours in the race for commercial supremacy. In that instance we see civilisation begin its work of devastating the race; in this country we see a race of nerve-ridden people whose civilisation is developing nervous maladies hitherto unknown. It is the law of compensation."

Major Leonard Darwin, in his opening address to the International Eugenics Congress, did not take a very rosy view of the outcome of modern civilization. "The history of the past," he said, "afforded them no right whatever to prophesy a continued improvement in the immediate future in the lot of their race—no, not even in the right to deny the possibility of the decadence of any nation. In fact, pride in their past achievements must not make them turn a deaf ear to the warnings which come from a study of the laws of heredity. Indeed, many circumstances brought to light in recent investigations ought to force them to consider whether the progress of Western Civilization was not now at a standstill, and indeed whether they were not in danger of an actual retrograde movement."

News in Brief

Mr. Polak, who intends to open a solicitor's office in Durban, had to undergo an examination in the Natal Statutes and the case law. Our readers will be glad to learn that Mr. Polak has passed his examination creditably, scoring 171 out of 220 marks, i.e., nearly 78 per cent.

In the Durban Circuit Court, on the 27th ultimo, Mr. Ahmed Saheb, on behalf of his son Adool Gafoor, was granted a three-months' extension of time as regards the interdict upon the Immigration Officer, restraining him from deporting Gafoor, in order that plaintiff might procure evidence to satisfy the officer, and thereby enable him to allow the boy to land.

Mr. Ameeroodeen, on behalf of his son Jahiruddin, secured an order similar to that granted in the matter of Gafoor. The Restriction Officer was represented by Mr. D. Calder in both cases.

An article entitled "Indian Passive Resistance in South Africa," by Mr. M. K. Gandhi, appears in the March issue of the *South African Friend*, a quarterly magazine representing the views of the Quaker community, which, as is well-known, pre-eminently devotes its energies to the promotion of peace and goodwill.

Dr. Hewat, in the House of Assembly, said that, as the conditions of life become more strenuous in this country, we must expect lunacy to increase. He also said that it is in the power of any two medical men, by simply filling up a short and simple form, to get any person placed in confinement for a year or two years, and without involving themselves in serious responsibility.

The Whole Council Committee of the Durban Town Council reports that Mr. O. H. A. Jhaveri wrote inquiring what provision, if any, the Corporation was prepared to make to enable the Indian public to enjoy sea bathing facilities. The Committee recommended reply that the Council was not prepared at this juncture to consider the provision of bathing facilities for Indians.

In reply to Sir Thos. Smartt, the Prime Minister said that a Bill would be introduced dealing with immigration into South Africa at a very early date, and it was the Government's intention to have this measure passed into law during the present session. As a matter of fact, if it had not been for the illness of the Minister of the Interior, this Bill would have been introduced much sooner.

The Rev. James Whittle, in the course of a sermon delivered at St. Saviour's Cathedral, Maritzburg, dwelt on interior quietness, and said, among the foes destructive of it were life without an ideal, and a surrender to modern materialism. Mr. Whittle urged the duty of the simplification of life.

In his book, entitled "The Empire of India," Sir Bampfylde Fuller says: "The India Office in London costs £600,000 a year, the whole of which is charged to the Indian revenues. To the cost of the Colonial Office, the Dominions and Colonies have not been expected to contribute." He remarks that the army and police absorb 42 per cent. of India's net income, and he points out that "home charges" are expensive.

One can hardly believe it, (said Mr. Maurice Evans, the other evening, in the course of a lecture), but we are told by authority that 1,500 European men and women were in gaol in Johannesburg at one time for illicit liquor selling. The profits are enormous, and a large class are attracted to the Rand because of this opportunity to make money without labour.

Continuing, he said: In this matter of what is called the black peril, we act in a fatuous fashion. Instead of dealing with causes, we only consider effects, and then our one remedy is the drastic punishment of the individual offender. By this we hope to terrorise those who may feel any temptation to commit this crime. Not only will reflection show this to be an unlikely result, but experience proves that it is not a deterrent.

The special correspondent of *The Engineer*, describing the buildings of Bombay, says "one could have wished they had presented a more Oriental appearance. It is the West come to the East and endeavouring to enforce character and tone entirely foreign and incongruous to the situation."

The Montenegrin Minister in London says that for the loss of 15,000 killed and wounded, and six months' economic paralysis they are given a tiny, valueless strip of land. So it seems, after all, that the object of going to war was to gain a *big* piece of land.

Only about one-fifth of the British wheat supply is grown by the British farmer, the rest all coming from abroad. The total imported was, nearly, 27½ million quarters, which came most from India, next from Canada, followed by the United States, Argentine, and Australia, and least (among the principal countries) from Russia. One of the most remarkable developments has been the Indian supply. So recently as 1908-9 India came rather a bad fourth on the list of wheat-supplying countries, Canada third, and the Argentine and the United States respectively first and second. But the Indian export made a big jump up in 1909-10, and a further one in 1910-11, and it maintained this new high level in 1911-12.

Speaking on the Naval Estimates, in the House of Commons, last week, the First Lord of the Admiralty said: "The evil and insensate folly of what is now taking place, here and all over the world, is so patent to the meanest intelligence that a concerted effort to arrest it should surely be the first of international objects. . . . We see the ship types of every naval Power superseding those of the previous year with remorseless persistency, and scores of millions being absolutely squandered, while every year all the naval Powers are making not only the fleets of their rivals, but their own fleets obsolete, without adding to their relative strength or actual security. Could any process be more stupid?" And yet he maintained that Britain was forced to go on building ships because other nations were doing the same.

Writing in the *Christian Commonwealth*, the Rev. E. W. Lewis, of the King's Weigh House church, London, says:—"I am sure that ministers of religion ought to be poor. I would eliminate the minister's stipend altogether; I would have him dependent upon charity, and, if he must marry, would make him ply a trade or practise a profession. Most ministers live long enough to know that they are hampered in their handling of the Word of Life by their stipend. Usually we find it out too late, when we have already accepted encumbrances and responsibilities which we cannot repudiate; but most of us do find out that we should be ten times stronger if we were poor; ten times more independent, too, and correspondingly more effective."

A well attended meeting of the Tamil Benefit Society was held in Johannesburg, on the 26th ultimo, for the purpose of considering the judgment of Mr. Justice Searle delivered at Capetown on the 14th ultimo, in which the wife of Mr. Hassan Essop, a lawful resident of the Cape Province, was prevented from landing, owing to the couple being married according to Mahomedan rites, and not in accordance with the requirements of the Cape marriage law, *i.e.*, according

to Christian rites or by registration. The meeting throughout was fervent. The learned Judge's pronouncement that non-Christian marriages have no status in the Union gave rise to a heated discussion. Every speaker strongly urged that the national and religious honour must be maintained, at all cost, and that strong representations should immediately be made to the authorities to remedy the law, which is an intolerable insult to the Indian nation. Mr. S. S. Supa Moodaliar, in a brief but touching speech, outlined the sanctity of the Vedic Religion, and proposed that if the authorities fail to rectify this most humiliating law and assure Indians that all Indian marriages, irrespective of creed, will be recognised, and pay heed to their humble request, every Indian should make it his duty to take up such measures as may be necessary to preserve the honour of the Motherland. This was seconded and supported by the following gentlemen:—Messrs. M. P. Naidoo, S. Cooponsamy Padiachey, Peter Moonsamy, and R. S. Naidoo, and was unanimously carried.

Education in India

An important resolution on the educational policy of India has been officially issued. It opens by quoting the King-Emperor's speech at Calcutta University, and the promises of Imperial grants for education. The resolution lays down a general policy, but recognises the varying conditions requiring varying treatment existing in different parts of India, and deprecates uniformity.

The resolution covers the whole ground of the question, surveying technical, industrial, agricultural, veterinary, forestry, medical, legal, and commercial education, schools of art, museums, chiefs of colleges, etc. It states that India urgently needs to be well equipped with an ethnographic museum, and lays special stress on the formation of character through direct religious and moral instruction and indirect agencies, such as the monitorial system, social life traditions, discipline, betterment of environment, hygiene, physical culture, and organised recreation. It invites local governments to appoint expert committees to examine school and college hygiene. It insists that the steady raising of the standard should not be postponed to increasing the number of institutions, when new institutions cannot be efficient without a better trained and better paid staff. The resolution recommends that primary and secondary education should be more practical, and that provision be made in India for higher studies and research.

91,000 Primary Schools

Free compulsory education for the masses is, it declares, not practicable for decisive reasons, financial and administrative, but the Government hopes to add 91,000 primary schools in the near future and to double the number of pupils, now amounting to 4½ millions, while free education is to be extended to those who cannot afford fees. A great effort is to be made to improve the education of girls in practical directions, untrammelled by the domination of examinations, special attention being paid to hygiene.

Special attention is given in the resolution to the education of the domiciled community and Mahomedans, the training of teachers, the establishment of an Oriental research institute on Western lines, and the encouragement at the same time of ancient indigenous learning. It foreshadows a large increase of the inspectorate and teaching staff, and indicates the need of better prospects for the educational services and of having expert guidance at every turn.

The resolution concludes with an appeal to the wealthy citizens of India to exercise on modern lines that charity and benevolence for which India has been renowned from ancient times.