

No. 18—Vol XI.

SATURDAY, MAY 3RD, 1913.

Registered at the G.P.O. as a Newspaper  
PRICE THREEPENCE

## READY FOR PASSIVE RESISTANCE

**A** GREAT Mass Meeting of British Indians was held at Johannesburg on the 28th ultimo under the auspices of the British Indian Association, to consider the Immigration Bill. Before the advertised time, the Hamidia Hall was crowded to excess and it became necessary to adjourn to the space opposite the Hall, and to hold the meeting in the open-air. Fully 700 Indians must have been present at the meeting. Mr. Kallanbach, Mr. Ritch and Miss Schlesin also attended. Delegates were present, or letters and telegrams supporting the meeting were received, from Krugersdorp, Pretoria, Newclare, Warmbaths, Nylstroom, Zearust, Germiston, Boksburg, Roodepoort, Potchefstroom, Lichtenburg, Bloemhof, Paardekop, Louistrichardt, Pietersburg, Klerksdorp, and Vereeniging.

### The Chairman's Speech

Mr. Cachalia, who presided, delivered the following address:—

It has become necessary again to convene a mass meeting in order that you may consider the long-expected Immigration Bill, which has been just published. A respectful protest has already been wired to the Government on behalf of the Association, embodying our objections to the Bill, and a reply has been received saying that the objections are receiving the careful consideration of the Government. We may reasonably hope, therefore, that the Bill will be amended in accordance with our objections. It was, however, considered advisable, regard being had to the very great importance of the occasion, to obtain the opinion of the whole Indian community in the Transvaal, as also to consider what steps we should take in the event of the Government declining or being unable to meet us.

The Bill, if it becomes law in its present form, will make our position worse than it was before the struggle was commenced in 1906, a position which we, as a self-respecting community, can never endorse. You will notice, moreover, that it seriously affects the rights hitherto enjoyed not by grown-up men but by women and children also. It affects equally the rich and the poor. It takes away the rights of those who are domiciled in South Africa, notwithstanding the declarations made by General Botha that it is not the intention of the Government to molest the resident Indian community. A Bill which cuts at the very root of existence must be resisted by those affected by it at any cost.

We, who are unrepresented in Parliament, although we contribute to the expense of keeping it, have only one effective mode of securing redress, and that is Passive Resistance. Having had considerable experience of Passive Resistance, we are in a position to measure our strength as well as our weakness, and to measure also the value of Passive Resistance as a remedy. It will not be denied that, during the first campaign,

our sufferings were little compared with the sufferings that the community had to undergo during the second campaign; but we found, too, that, during that long period of four years over which the second campaign spread, in the last stages of it, the number of those who could stand what then appeared to be almost endless imprisonment was undoubtedly small in comparison; but it was a band mostly of earnest and indomitable spirits, and it was due to their sufferings alone that we were able to reach what is known as the provisional settlement. It was called "provisional" because, whilst it conceded all that we had been fighting for, it had not the force of law. The present Bill is supposed to embody that settlement, but, as you have seen from the objections drawn up by your Committee, it has done nothing of the kind. We are now pleading with the Government, and we shall continue to do so, so long as there is hope, but, in the last resort, it is perfectly clear that the same means that brought about the provisional settlement must be adopted now to secure legislative sanction for the promises contained in the settlement.

If, in spite of all our efforts to the contrary, the community has to engage in a third campaign, it must necessarily be bitter and painful, and involve much greater suffering than before. It is evident that thousands will not be ready to engage in such a strenuous fight, but all who, having understood the spirit of the Bill, are opposed to it, can endorse the action of those who have the will and the ability to go through the hardships entailed by imprisonment or any other and further penalty that the Government may devise. Because they cannot come to gaol, they need not stand out. They can look after those who may be left behind by the sufferers. They can inform the Government that they are at one with them in making the demand for redress, and that they are heart and soul with the movement. I take it that this meeting is composed of two such classes and that it is actuated by only one impulse. Every one of its members is affected equally by the Bill under consideration. I am hoping that the Government will give heed to the telegram I have referred to in my opening remarks, but, if unfortunately it cannot see its way to do so, I hope that this meeting will carry out the resolution that will be submitted to it.

Mr. Gandhi, who had come specially from Phoenix, after explaining the nature of the Bill, said that he hoped that the Government would grant their humble request. But, if they did not, they were bound, after exhausting all their resources by way of petition, etc., to take up the well-tried weapon of passive resistance. This would be the third campaign and he had no doubt that it would be the most brilliant of all, though it would involve much greater suffering and would be a protracted ordeal. But, as self-respect-

ing men, they could not shirk it. They must be prepared to risk all for the honour of their womanhood, for the sake of their religions and for the good name of the country of their birth. They wished to deceive neither themselves nor the Government. It was plain to the speaker that, in the impending struggle, they could not count upon hundreds going to gaol, but he knew that what they might lack in numbers would be made up for by the earnestness and the unconquerable will of the few. Those who could not suffer the hardships of a gaol life might still take their share in the campaign. They could hold meetings, they could collect subscriptions, they could sacrifice their time and look after the families of those who might be imprisoned. Such work, too, was necessary. No country in the world could afford to place all its children at the same time on the field. Theirs was an army of peace. Although they used military terms, they agreed with the soldier only in so far as the latter was a sufferer in his own person. A true passive resister could never be party to injuring others. His motive power was, not vengeance. It was hardly possible to expect the whole community to become soldiers in such an army. But, whether they had five hundred or fifty, or five, or even one true passive resister on the field, victory was theirs.

### The Resolution

The following resolution was then proposed and carried unanimously :—

"This mass meeting of British Indians hereby endorses the action of the Committee of the British Indian Association in forwarding to the Government its objections against the Immigration Bill and, inasmuch as it affects the honour, the religious sentiment and the very existence of the Indian community in South Africa, solemnly resolves that, in the event of the Government not conceding the request, Passive Resistance, which has remained under suspense since 1911, be revived and continued, until the sufferings of the Passive Resisters shall have proved to the Government and the Europeans of South Africa the earnestness of the community and, therefore, the necessity of granting relief."

The proposer was Mr. Joseph Royeppeu, B.A., L.L.B., Barrister-at-law. The seconder was Imam Sahab Abdul Cadir Bawazeer, (Chairman, Hamidia Islamic Society) and the supporters were Messrs. P. K. Naidoo (Secretary Tamil Benefit Society), Dadoo (Krugersdorp), Dharman Naicker, E. Koovadia, (Treasurer, Hamidia Islamic Society), Bhikhabhai Patel (Secretary, Patidar's Association), M. P. Fancy (Secretary, Hamidia Islamic Society), Jeevan Premji (Chairman Patidar's Association), Tekchand, E. M. Salooji and Kalikasing (Germiston).

After the passing of the resolution, Mr. Ritch spoke, by invitation, and said that he knew that, if he, as an Englishman, were subjected to the disabilities that the British Indians were to be subjected to under the proposed Bill, he would fight against them, might and main, and he would use every power at his disposal to frustrate any design upon his liberty. "He had studied the Bill carefully and he agreed that, in its present form, it was totally unacceptable. The Searle judgment reduced Indians' wives to the status of concubines and their children to that of bastards. If he knew his Indian brethren, he knew that they would present a united front against such a condition of things.

Mr. Kallanbach spoke next, by invitation. He said if the struggle were revived, he would be sorry that he could not share their sufferings in gaol, but he would certainly endeavour to visit them in gaol; he would try to enlist European sympathy for their cause, which he knew to be just. He had reserved a portion of Tolstoy Farm for such a contingency. It would be, as before, at the disposal of the passive resisters' families.

He would deem it a privilege to look after them and to contribute towards their maintenance. Lastly, he would not hesitate to go about begging from door to door for food, clothing or money, for the sake of such families. The speaker, however, sincerely hoped that the Government would grant their just demands, carry out the terms of the settlement, and thus render a revival of the struggle quite unnecessary.

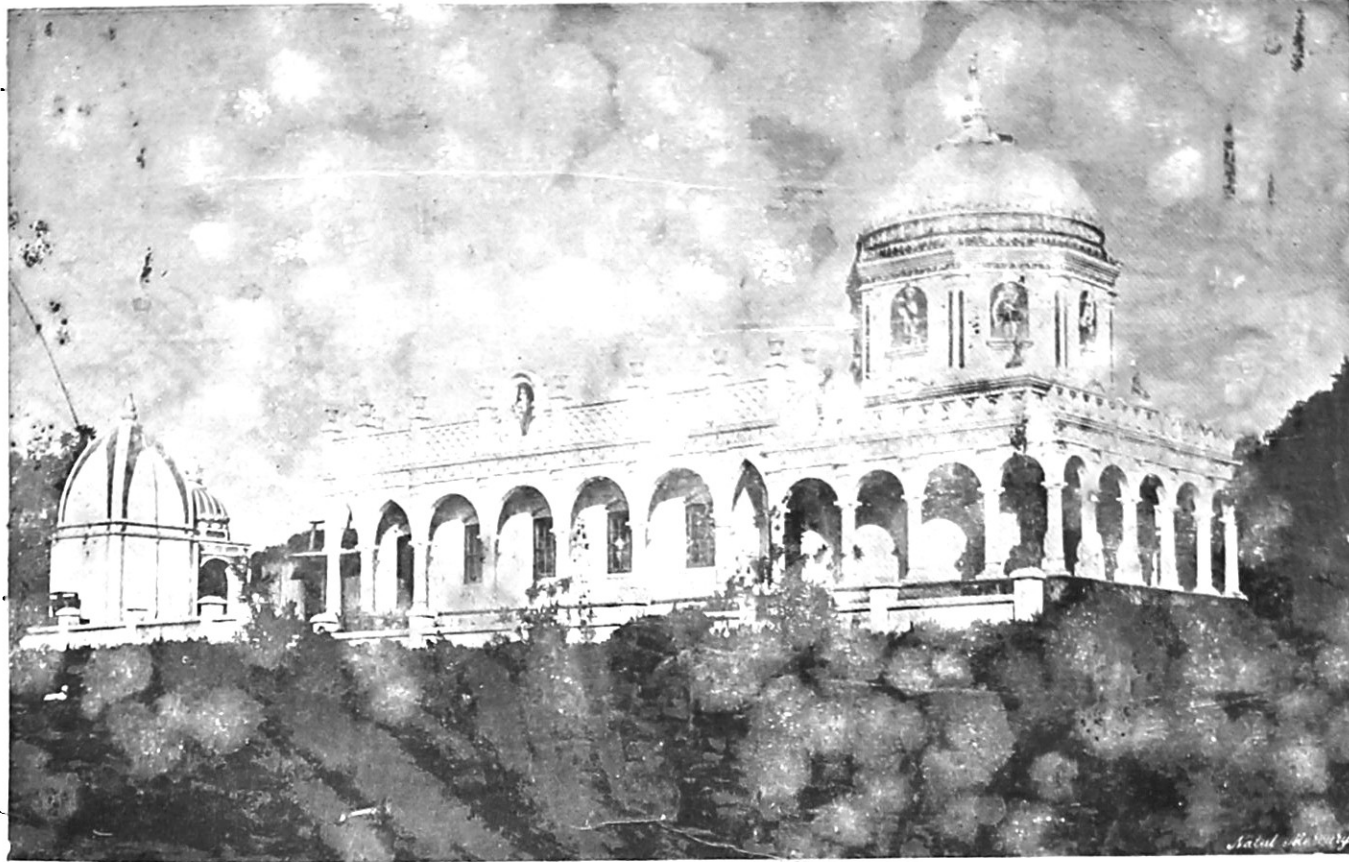
## Indians in the Malay States

A correspondent to the *Amrita Basar Patrika* describes the condition of Indian immigrants recruited under a so-called "free" system, but which, if the correspondent is to be believed, is nothing less than a form of slavery. The Government of the States, he says, display attractive placards in the railway stations in India describing "the race courses, which may not be seen by the coolie at all, the Mariammon Temple within the radius of 50 miles the coolie may not even tread, the Government Office in Kuala Lumpur with which the coolies have no connection whatsoever except that laws are framed to make slaves of them, the ever-flowing river in Perak which contains water saltier than that of the sea and breeds myriads of crocodiles which make the river unbathable, and other representative and unrepresentative scenes.

"According to the enactment in the States there are no statutory immigrants. Every one is a free coolie. He can leave the estate by giving one month's notice to the employer. It is all in theory. A coolie's notice is not generally accepted by the manager. In 99 estates out of 100, no coolie is allowed to see and speak to the manager. The coolie should give notice to the manager through the Kangany who, if he discharged a coolie from the estate, would lose two cents a day as he is given a head money (in addition to his wages) of two cents per coolie per working day. And naturally the Kangany informs the coolies that their indenture is not terminated. Again a coolie who thinks that he can find work elsewhere on better wages cannot get his discharge if he speaks the truth to his employer who is neither willing to relieve the coolie nor to give him an increase of wages. There are many estates the managers of which do not accept notice from the coolies unless the latter allow their employers to send them back to India, and the managers themselves see that the coolies do go back to India and not work elsewhere. "The Office of the Superintendent of Immigrants and his Assistants are situated in places which are not easily accessible to all the coolies of all parts of the Straits and the Federated Malay States. And most of the complaints are from the estates adjoining the offices. It does not mean that other coolies have no complaints. But they are placed in such a position that they cannot go and make complaints to the Superintendent of Immigrants. Recently a batch of twenty coolies from an estate in Kuala (Selanger District) went to lay their grievances before the Magistrate of the District. They told him that the Manager, who was given notice by all of them, refused to allow them to leave the estate and they requested the Magistrate, who was also, Hon. Assistant Supdt. of Immigrants, to settle their accounts and discharge them. The Magistrate recorded their complaints in the information book and asked them to wait till the next day. The Assistant Manager of the estate next day went to the Magistrate and told him that the coolies in question had absconded from the estate, and laid information against the coolies. The Magistrate disregarded the complaint made by the coolies on the previous day, made an inquiry into the Manager's case, and sentenced the twenty of them to 15 days' rigorous imprisonment. The officers of the Immigration Department have got the knack of believing that all the

# वीरलम्का श्री गोपाल लालका मंदीर

संवत् १९६९ वैशाख शुद्ध २५ मने १९१३ मे ता. ८ को दिन खोलनेका है.



*Photo by*

*B Gabriel*

**Shri Gopal Lal Hindu Temple**  
To be opened at Verulam on the 8th May, 1913.

complaints made by the South Indian coolies are false, and all that the planters say is true.

" . . . . . If an estate Manager has got complaints against the coolies, he goes direct to the Magistrate, takes out summonses or warrants against the coolies, and gets those coolies punished. If the coolie has got complaints against his Manager, he goes to the Assistant Superintendent, who sides more with the coolie's employer than with complainant coolie himself.

## From the Editor's Chair

### THE BILL

THE Johannesburg mass meeting was held none too soon. Its resolution is most timely. The composition of the meeting, the number of delegates who attended from most parts of the Transvaal, and the messages sent to Mr. Fischer, must have shown the Minister that he could not hope to satisfy British Indians unless he was prepared to accede to their request for amendment of the Bill in the direction pointed out in Mr. Cachalia's telegram. It is difficult therefore to understand Mr. Fischer when he says, at the second reading of his precious measure, that the Bill would pacify the Indian community. Mr. Chaplin, who contributed to the debate in an excellent speech, uttered reasonable warning when he said that the Bill was useless and unacceptable to the Unionist party unless Mr. Fischer could give a definite assurance that the Indians were satisfied. In spite of the Bill being pushed forward a stage further, we imagine that it will never reach the third reading stage. But it is well for passive resisters to keep themselves in readiness. It is to be hoped that, if the struggle is revived, the impending third campaign will be the purest, the last and the most brilliant of all. We share the belief, with Thoreau, that One True Passive Resister is Enough to Win a Victory for Right. Right is on our side. It could not be on the side of a Government that has no regard for its sacred pledges. And we have many true passive resisters. We would all fail to satisfy the definition of an ideal passive resister, but we feel sure that the community contains many who would approach the ideal as nearly as is possible for mortals to do. On such rests a great duty.

## The Immigration Bill

The *Natal Mercury's* Parliamentary correspondent telegraphed from Capetown on Friday night as follows:

Another Bill which is extremely likely not to go through, if the Government can get their money first, is the Immigrants Restriction Bill. The Imperial Government, I believe, are again getting very anxious. Mr. Smuts would doubtless be perfectly willing to meet the difficulties of the Imperial Government, so far as his own feelings go. He is also devoid of colour-bitterness, and takes no pleasure in the flogging of passive resisters. But he has got the obstinate prejudice of the Free Staters to deal with, and I should doubt if the last member from the Free State (excepting, of course, the Unionist member) would not go over to Mr. Hertzog if there is any compromise about the Asiatics.

The Free Staters are not asked to concede very much—merely to allow a small number of highly educated Asiatics to reside in their Province. The concession is trifling, because no educated Asiatic could make a living in the Free State; the law against Asiatic traders in that Province is not to be relaxed, and the working-class Asiatics, upon whom the professional Asiatic might live, are not there, and will not be allowed to come there. But the refusal of the concession may create serious difficulty for the Imperial Govern-

ment in India; for that very reason some of the Free Staters would be all the more inclined to refuse. The Natal members, to whom the Asiatic menace is a real thing, have patriotically waived objection, and the Cape and Transvaal members are also agreeable; but General Botha, though thankful if he can get done with Mr. Hertzog, seems anxious to be supported by Mr. Hertzog's friends. Those members who want faith to be kept with the Imperial Government, and the Asiatic question settled finally on reasonable lines, will need to watch that the Government here do not get too far with Supply before the Immigrants Bill is got safely through both Houses.

## Our Relations with the Government

The latest attempt of the Government, despite negotiations with the Imperial Government, promises and understandings, to settle the vexed Indian question appears (says the *Star*, Johannesburg) to be even less satisfactory than the measures that were introduced and dropped in 1911 and 1912. The Immigration Bill that now stands in the name of Mr. Abram Fischer as Minister of the Interior, makes no attempt to solve the vital point of the racial bar in the Free State, which proved the stumbling block to the last measure introduced by General Smuts; and in addition, according to representations that have been made, infringes the rights of Indians, that have been recognised under the Provincial laws. The Indians have considered the new measure, and have formulated their objections which were sent to Mr. Fischer in the following telegraphic message from the British Indian Association of the Transvaal:

"Association has read Immigration Bill and respectfully submits same open grave objections. Indian standpoint is that the Bill disturbs the rights presently possessed. Section three takes away Court's jurisdiction hitherto exercised. Clause (a) sub-section one, section four appears to take away the rights of educated Indians who may have entered the Cape or Natal by reason of education; also contemplates the prohibition of entry to the Free State, notwithstanding the passing of the educational test: further it is not clear that no declaration is required by educated entrants to the Free State. Sub-section three, section four restricts the rights possessed by Natal and Cape Indians to re-enter at any port. Sub-section (1) section five deprives Natal Indians not strictly domiciled, but of long residence therein of rights hitherto possessed. Sub-section five, does not recognise the rights of wives or minor children of educated immigrants to enter Union with them.

"Proviso section five restricts the legal effect of Transvaal registration certificates, Natal residential certificates, and also restricts the rights of Cape and Transvaal Indians to enter Natal by passing Natal's present educational test and of Natal and Transvaal Indians to enter the Cape by passing its present education test: also takes away the rights of South African born Indians to enter the Cape under the existing Cape laws.

"The Bill further requires amendment correcting the defect discovered by the Searle judgment in existing South African laws as to Indian marriages and minor children of such. Association earnestly requests the Government's sympathetic consideration to above objections.—A. M. Cachalia, British Indian Association."

"To that protest the following telegram was received in reply: 'Your telegram of the 15th inst. is having the Minister's careful consideration in connection with similar representations from Mr. Gandhi and Minister hopes to be able shortly to say what the Government's decision is on the points raised.'

## Objectionable Features.

Mr. Gandhi visited Johannesburg a few days ago for the purpose of consulting with the European Committee and the Executive of the British Indian Associa-

tion. Interviewed by a representative of *The Star* he said the Bill would be totally unacceptable to the Indian community unless it carried out the fundamental principle of the compromise in respect of existing rights and the removal of the racial bar. It is perfectly true that there are no local wants of the Indian community in the Free State, and it is also true that no Indian is likely to enter the Free State, but we want the theoretical right of entry preserved in a general way. The reason why the first Bill did not pass was because the Government wanted to introduce legislation to meet those points; last year's Bill provided for it, and we quite recognised that Indians who entered the Free State would be subject to local disabilities, such as the prohibition to hold landed property, to farm and to trade. If we accepted the present Bill the position of Indians would be infinitely worse than it was even before passive resistance began.

The Government, continued Mr. Gandhi, appears to be desirous of consolidating the worst features of the Provincial legislation; for instance, in the Cape the term "domicile" has a stricter meaning, and that is the meaning they want to apply to Natal, a contingency which would not have been possible five or six years ago. They want to level down the conditions in Natal to those of the Cape, instead of levelling up the Cape practice to that of Natal.

### Suggested Solution

Mr. Gandhi evidently considers it is almost hopeless to expect a general Immigration Bill that would meet the views of Indian communities in the different Provinces, and in reply to a question as to the most ready way to settle the problem, he expressed himself in favour of amending Provincial legislation, and suggested, as far as the Transvaal was concerned that the Immigration Law should have the racial bar removed, which would not arouse any hostility, and that the offending Asiatic Act of 1907 should be repealed.

It is clear that the Indians are resolved to resist the provisions of Mr. Fischer's Bill in the event of it becoming law, and already they have communicated with Mr. Gokhale, who happens to be in London, with the object of placing the position before the Imperial Government.

The strained relations between the Indians and the Government began soon after the grant of Responsible Government, and the passive resistance movement continued from 1906, to 1910, when the compromise with General Smuts was reached.

### A Discussion in Parliament

In the House of Assembly, on the 24th ultimo, the day on which the Immigrants Restriction Bill should have been brought up on the second reading, the first order of the day was for the House to go into Committee on the Financial Relations Bill. Upon this being read by the Clerk,

Mr. JAGGER (Capetown Central) said that before Mr. Speaker left the chair he would like to protest against the sudden placing of this measure on the paper as the first order of the day. Up to now the Immigration Bill had been the first order, and he had come prepared to speak upon it, and did not for a moment dream that the Financial Relations Bill, which was sixteenth or seventeenth on the list up to yesterday, would be taken. The result was that most of them found themselves at a disadvantage.

Mr. J. X. MERRIMAN (Victoria West) also strongly protested.

GENERAL SMUTS (Minister of Finance) pleaded the urgency of the Financial Relations Bill.

Mr. MERRIMAN: "Like your Public Health Bill last year." (Laughter).

GENERAL SMUTS: The difference between this Bill and the Health Bill is that the urgency of the Health Bill was solved by the disappearance of the plague—(renewed laughter)—whereas this Bill has been before the

House since the 1st of April. (More Laughter). The Minister added that he believed that the Chief Whip gave notice to the other side on the previous afternoon that the Financial Relations Bill would be taken.

Sir THOMAS SMARTT (Leader of the Opposition) "I didn't know it." Sir Thomas added that this was the usual attitude of the Government. It seemed as if the Government put upon the paper from day to day what business was thought best according to the daily developments of the Parliamentary situation. Was it not a fact, he asked, that Parliamentary differences were the cause of the Immigration Bill being moved down? (General Smuts and Mr. Fischer both interjected denials.) Proceeding, Sir Thomas said he was afraid that so long as the Finance Minister could depend upon the placid majority of the solid phalanx behind him no warnings from the Opposition side of the House would have any effect. There had been rumbling lately, however, to show there was not now that extraordinary unanimity of opinion behind the Minister which one would have been led at the beginning of the session to expect.

Sir E. WALTON (Port Elizabeth) said he acquitted the Minister of Finance of any slowness in the matter.

On the question that the Speaker leave the chair being put, the ayes were declared to have it. A division was challenged by Mr. Jagger, and resulted: Ayes, 57; Noes 41. Mr. Haggart voted with the Government, and Messrs. Fremantle, Wilcocks and Fichardt with the Opposition. Mr. Merriman, General Hertzog and Mr. Van Niekerk left the House.—Reuter.

### Further Criticism of the "Witness"

The *Natal Witness* returned to the consideration of the Immigration Bill, on the 14th ultimo. Referring to the question of excluding the jurisdiction of the Law Courts, our contemporary says:—

It is not only a question of rights of aliens; the clause does not apply only to aliens, it affects everybody, British or aliens, who comes under the application of the law, and it is for that reason that the deprivation of the right of appeal to the duly constituted courts of justice should be strenuously opposed. And we should hold the same view if the clause applied exclusively to aliens. It would be a deplorable thing if the courts of justice were by law closed to the stranger within our gates, even if that stranger should happen to be only an Indian. But there are other features of the Bill which call for comment, and are scarcely less objectionable. For instance, there is far too much discretionary power granted to the Minister in the interpretation of the exclusory clauses. In framing this Bill it seems to have been forgotten that, however necessary it may be to legislate for the exercise of some measure of supervision over immigrants coming into the country, such legislation is in itself a limitation of human liberty and we should therefore be specially careful not to infringe on personal rights more than is absolutely necessary. Far from taking this view, the authors of this Bill appear to have gone on the principle that human liberty is quite a secondary consideration, and that the main object is to establish as rigorous, drastic and comprehensive limitations as they could, and further, that in the application of these limitations the officials of the Government should have practically absolute and unfettered discretion.

Take for instance, the first definition of prohibited immigrants, which reads as follows: "Any person or class of persons, deemed by the Minister on economic grounds or on account of standard or habits of life to be unsuited to the requirements of the Union or to any particular Province thereof." What does this mean precisely? We defy any lawyer to give to this definition anything like a clear, intelligible meaning which would be capable of uniform application. Under this clause the Minister could, in point of fact, exclude anybody he liked. He, and he alone, is to be the judge since the Immigration Boards which are to be consti-



tuted under the Bill are subject to his direction and instructions. A clause so loosely worded could be made to apply to anybody, and as we have shown, there is no appeal to the courts of justice against any strained or arbitrary interpretation. It would scarcely be possible to draft a clause so open to abuse, and yet it is coolly put forward as a proper and reasonable thing to embody in our Statute Book.

## The Second Reading

At eight o'clock, on Wednesday evening, the Hon. Mr. FISCHER (Minister of the Interior) moved the second reading of the Immigrants' Restriction Bill. He said he thought the House would agree that this was not one of the least of the measures introduced into that House. It was admitted almost in every country, he went on to say, that those responsible for the rule of the country, and the welfare of the people of that country should have the right to say who should be permitted to come into the country. And that right included the privilege of precluding those whom it might not be deemed good for the country to admit. It was admitted that Governments had the right to exclude from their country and prevent the entry of persons either mentally, morally, or physically unfit, and, on account of their unfitness, not likely to be of use to the country, but likely to be a trouble or charge. Over and above this there were also other classes with whom it was frequently necessary to deal. In this country they had already in regard to their own population the need to say that what they did import should not complicate questions that they had already in their midst. It was undoubtedly a fact that in dealing with matters in South Africa they could not afford that liberality which perhaps would be no danger to other countries. They had a native population in excess of the European population. Complications had arisen through the coloured population in their midst, and thus they had, perhaps, to be more careful in regard to those who would come in who were not of that civilisation which they had in the country, and not best fitted to promote the best interests of South Africa. They, therefore, thought that the time had come to lay down some definite principles on which to act, and to notify those principles. They recognised there were complications which they had got, and must remember. But also, they must remember, that, as part of the British Empire, they should do everything in their power not to embarrass the central Government; and remember that in other parts of the Empire there were problems with which they in South Africa had not to deal, and not to make it more difficult, (Hear, hear.) They found it was the policy of the British Empire not to have legislation naming anyone on account of race or colour. If they could possibly meet them by avoiding to do that they should do so. At the same time, it was felt that they should be masters in their own house. To put it plainly, he believed it was the intention of South Africa

### To Exclude Asiatics.

it being held that this was necessary for the maintaining of the standard of white civilisation. The problem was to legislate along such lines while avoiding offence to the people it was desired to exclude. It had been admitted by the Imperial Government that a self-governing Dominion had an inherent right to determine the elements of which it should be composed. Two years ago the Imperial Government had called attention to the Australian dictation test as a means for excluding undesirable immigrants. That test was embodied in last year's abortive Bill. Put bluntly, the Australian education test meant setting as a test for people they did not wish to land in the country a language in which they knew beforehand they would be unable to pass. Since last year's Bill,

however, it had been considered whether something less objectionable could be introduced, and it was thought that something on the lines of the Canadian legislation would be better. Hence they would find in the Bill now before the House a provision to the effect that prohibited immigrants should be any person or class of persons deemed by the Minister on economic grounds, or on account of standard or habits of life to be unsuited to the requirements of the Union or any particular Province thereof. The Australian dictation test was abolished in this Bill, but, instead of that, they had a mild education test for Europeans. The test would be put in a language which the candidate applying to be admitted would know. There would be no attempt to try to find out what he did not know. Yiddish would be recognised as a language. A Board of Appeal was also provided for. In the first place, the matter would rest with the immigration officer. There had in the past, however, been many complaints, most of which, he was pleased to say, had proved unfounded. In regard to the discretion of the immigration officer, therefore, it was decided that, instead of having Advisory Boards for the Minister, it would be best to have a Board of Appeal to consider appeals against the decision of the immigration officer. The decision of the Board of Appeal would be final. That was to say, of course, that people who in ordinary circumstances would have a right to appeal to the Courts on qualifications of domicile, &c., would still have the right to do so; but the question with which the immigration officer and the Board of Appeal would have to deal would be in regard to the policy laid down by Parliament. They should not place any judge in the position of deciding or making that policy. (Opposition interruption of "Oh!") There had been a tendency, the Minister proceeded, not only to say what the meaning of the law was, but also what the policy ought to be. (Voice: "That is not so.") He thought that questions in regard to the policy laid down by Parliament could better be dealt with by

### A Board of Appeal

sitting as jury than by a Court. A similar provision had been distinctly laid down in the Canadian Acts, and in the United States Acts. In regard to other points, it would be found that, although the language of some clauses of this Bill was somewhat different from the language used in other Acts, there was no great difference in the meaning. The Bill also dealt with persons who should be allowed to enter the country in limited numbers. A great deal of difficulty and controversy had been experienced on the subject of allowing a certain number of persons to enter for the purpose of being of aid and assistance to those of their countrymen already in South Africa. The right hon. gentleman went on to refer to the trouble which had been experienced in the Transvaal in regard to the question of a number of educated Indians who would be allowed to enter that Province. Well, the same privileges which had been allowed the Indian community in the Transvaal would be allowed them in the Union. The next matter which had required the attention of the Government was the question of the inter-Provincial movements of the Indians already in South Africa. So far as practicable it was the intention of the Government by regulations under the law not to interfere more than necessary with the rights granted them in the past: to give the right of entry to all Indians would manifestly be unfair to white and black alike. (Voice "Why?") There were, however, some who had come in, and were known as Arab traders, and the policy since Union had been to reduce the number of these in Natal.

(To be continued)

## News in Brief

Telegrams were sent to the Government by the Anjuman Islam, the Zoroastrian Anjuman, and the Mastic Society, of Durban, and from the Patidar Association and the Tamil Benefit Society, both of Johannesburg supporting the Johannesburg mass meeting.

The *Natal Mercury*, yesterday, devoted a column and a half of its leading columns to a criticism of the Immigration Bill which, it said, is doomed to failure. We hope to give extracts from the article in our next issue.

Mr. Polak was admitted an Attorney of the Supreme Court, on Monday last, and received the good wishes of the Bench for success in his career. Mr. Anderson applied, and Mr. Birdsey appeared as representing the Law Society.

Mr. Gandhi went up to Johannesburg last week to confer with Mr. Hosken's Committee regarding the Immigration Bill. The Committee has decided to support the Indian demands and press the Government to carry out the settlement.

In the course of his speech in the House of Assembly on the "No Confidence" motion, General Botha said that one of the first principles of his party was the encouraging of desirable European immigrants and the exclusion of Asiatics.

Proceeding, General Botha said that Mr. Hertzog had made use of some strong language that evening with reference to Downing Street. Downing Street was an unknown thing in South Africa since they had self-government. Were they to be told that they were run by Downing Street, when they had their free Constitution to-day? We held a position of absolute equality with the Empire, though we were a part of that Empire. At the Imperial Conference they were like sister States. Now, the hon member came to him about Downing Street. The rights of Downing Street had ceased to exist in South Africa, and it was an unjust fable to talk of Downing Street here.

The Public Works Committee of the Durban Town Council has recommended that four months' notice be served on the whole of the tenants of the Brickhill Road lots, formerly leased, but which have now expired. We have described this district as a "plague-spot." It appears from the above, that the Council intend, at last, to make some improvement.

Special reference is made in the March *Review of Reviews* to Mr. Polak's article in the January number of the *Indian Review* describing the Hon. Mr. Gokhale's tour in South Africa.

The following about the Hon. Mr. Gokhale, which the *Bombay Gazette* prints, is decidedly interesting:—

We know the Hon. Mr. G. K. Gokhale in many aspects. We know him grave, we know him smiling; know him the serious debater, ready with either foil or sword for his opponent; we also know him blithely humorous in congenial company; but how many of us know him as sportsman—sea sportsman? On his recent voyage from England to South Africa he passed, no doubt, hours, even days, in anxious thought how best to serve his countrymen and the empire in the new mission he had undertaken. Yet his responsibilities did not affect his recreation, and on the authority of a lady, whose word cannot be doubted—Miss Violet Markham—she became known on board as 'a specialist in deck quotes.'

A petition, signed by the leading Indians of Fiji, has been presented to the Governor, calling attention to the small proportion of Indian women amongst the indentured Indians imported. This is the cause of numerous murders through jealousy, and the petition prays that the death sentence should not be carried out in such cases. Many Europeans have signed a document in support of the Indian petition and the *Fiji Times* comments favourably upon it. Mr. Manilal Doctor presented the petition.

In his evidence before the Public Services Commission at Rangoon, Mr. Ahmed Moolla Dawood, President of the Moslem Association, in reply to Lord Ronaldshay, said that he would shut out Colonials from competitive examinations in England because the Colonies did not give any facilities to Indians, and Colonials had no right to any service in India.

The following cablegram has been sent by the Navasari District Indian subjects of His Highness the Gaekwar of Baroda, resident in the Transvaal, on the occasion of the celebration of His Highness's 50th year of administration of his State:—  
"Wish your Highness long life, prosperity and happiness on the occasion of your Golden Jubilee and pray that you may be preserved to govern your people in the past exemplary manner in the interests of the Motherland: Indians throughout the world admire and venerate Baroda administration for its independence, uprightness and purity, and example calculated to elevate the whole Motherland from the present degradation to esteem and respect in the eyes of the whole of the civilised world."

Two young Portuguese were charged at Johannesburg with contravening the immigration laws by entering the Transvaal without having a permit. The defence was put up by an official of the Ferreira Deep, who said that the youths were employed at the mine, and that he would be glad to give them work again. It was proved that the youths were illiterate, and they were each sentenced to fourteen days' without hard labour and to be deported. It was stated that one had paid £25 10s., and the other about £23 at Lourenco Marques to be allowed to enter the Transvaal.—  
*Natal Advertiser.*

In a review of Sir Charles Lucas's "Greater Rome and Greater Britain," H. E. Egerton, in *United Empire*, says:—The limit of paradox is reached where we find that the position of British subjects, when coloured, is no better in British Dominions than is the position of other races whom the people of those Dominions may find it expedient to exclude. . . . Still there remains the fact that Great Britain stands to the peoples of India in the relation of trustee, and that the position of a trustee is very solemn and responsible. In the long run there seems but one way of meeting the difficulty—that the burden of trusteeship, should be shared by the Dominions. "Every citizen," Sir C. Lucas says, "from the sphere of settlement, who serves the Empire in the sphere of rule, is a missionary in the case of holding the Empire together; and the more openings are found in the Imperial services for the white sons of the Empire beyond the seas the greater will the number of such missionaries be." The sense of responsibility begets the sense of duty, and then only will the Dominions solve successfully the problem of their relations with the coloured subjects of the Crown, when they have themselves voluntarily assumed, along with the Mother Country, the stress and the strain of the white man's burden.

"If a farmer could or would not live on his land, then he (General Botha) would go so far as to advocate that his ground should be expropriated so that other people could be settled on it."