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IMMIGRANTS REGULATION ACT

WE give below, in parallel columns, corresponding clauses from the original draft Bill and the Act as gazetted, showing, at a glance, the amendments made.

The Bill as Introduced

3. No court of law in the Union shall, except upon a question of domicile in the Union or any Province, have any jurisdiction to review, quash, reverse, interdict or otherwise interfere with any proceeding, act, order, or warrant of the Minister, a board, an immigration officer or a master, if such proceeding, act, order, or warrant purports to be had, done, or issued, under this Act and relates to the detention, or to the removal from the Union or any Province, of a person who is being dealt with as a prohibited immigrant.

4. (1) Any such person as is described in any paragraph of this sub-section who enters or is found within the Union, or who, though lawfully resident in the Province, enters or is found in another Province in which he is not lawfully resident, shall be a prohibited immigrant in respect of the Union or of that other Province (as the case may be), that is to say—

The Act as Gazetted

3. (1) No court of law in the Union shall, except upon a question of law reserved by a board as in this section provided, have any jurisdiction to review, quash, reverse, interdict or otherwise interfere with any proceeding, act, order, or warrant of the Minister, a board, an immigration officer or a master, had, done, or issued under this Act, and relating to the restriction or detention, or to the removal from the Union or any Province, of a person who is being dealt with as a prohibited immigrant.

(2) A board may, of its own motion, and shall, at the request of the appellant or of an immigration officer, reserve for the decision of a superior court having jurisdiction, any question of law which arises upon an appeal heard before such board under the last preceding section, and shall state such question in the form of a special case for the opinion of such court by transmitting such special case to the registrar thereof. The question so stated may be argued before such court which may call for further information to be supplied by the board if the court shall deem such information necessary and may give such answer on such case, supplemented by such information, if any, and may make such order as to the costs of the proceedings, as it may think right.

(3) For the purposes of this section—

“a question of law” shall, among other questions, include a question of domicile; and “a superior court having jurisdiction” shall mean the provincial division of the Supreme Court which has jurisdiction where the board was sitting, or any judge of such division, or the Eastern Districts Local Division having such jurisdiction or any judge thereof, and “appellant” shall not include an alien.

(4) If the special case aforesaid is stated at the request of the appellant he shall, if he is a person seeking to enter the Union for the first time lodge with the said registrar security, to such amount as the registrar may determine, for any costs that the Court may order the appellant to pay.

4. (1) Any such person as is described in any paragraph of this sub-section who enters or is found within the Union, or who, though lawfully resident in one Province, enters or is found in another Province in which he is not lawfully resident, shall be a prohibited immigrant in respect of the Union or of that other Province (as the case may be), that is to say—

- (a) 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;
- (b) any person who is unable, by reason of deficient education, to read and write any European language to the satisfaction of an immigration officer; and for the purpose of this paragraph Yiddish shall be regarded as an European language;
- (c) any person who is likely, if he entered the Union, to become a public charge, by reason of infirmity of mind or body, or because he is not in possession for his own use of sufficient means to support himself and his dependants;
- (d) any person who from information received from any Government (whether British or Foreign) through official or diplomatic channels, is deemed by the Minister to be an undesirable inhabitant or visitor to the Union;

[Paragraphs (e) to (h) omitted.]

Subject to the provisions of section two and three, an immigration officer shall cause a prohibited immigrant so entering or found within the Union or within any Province into which his entry, or in which his presence, is unlawful, to be removed therefrom.

(2) A list of all persons who have been declared under this Act to be prohibited immigrants in respect of the Union or any Province, and who have been removed therefrom or whose entry into the Union or any Province has been restricted, shall be laid by the Minister upon the tables of both Houses of Parliament within fourteen days after the commencement of each session thereof. Such list shall be framed in respect of a period ending one month before the session commences, and shall contain the name, sex, and nationality of each such person and the reason for his removal or restriction.

(3) The Minister may from time to time by notice in the *Gazette* declare that persons described in paragraph (a) of sub-section (1) of this section when permitted under this Act to enter or return to the Union or any province, shall enter or return at a port or ports specified in the notice and not at any other port, and thereupon it shall be unlawful for any such person to enter or return at any other port.

5. The following person or classes of persons shall not be prohibited immigrants for the purposes of this Act, namely—

[Paragraph (a) (b) (c) and (d) omitted.]

(e) any person born in any part of South Africa included in the Union;

(f) any person domiciled in any Province;

(g) any person who is proved to the satisfaction

- (a) 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;
- (b) any person who is unable, by reason of deficient education, to read and write any European language to the satisfaction of an immigration officer or, in case of an appeal, to the satisfaction of the board; and for the purpose of this paragraph Yiddish shall be regarded as an European language;

[Paragraph (c) to (h) omitted.]

Whenever the Minister exercises any power conferred upon him by this sub-section, he shall transmit written notice of that fact to the immigration officer concerned and to every board. Subject to the provisions of sections two and three, an immigration officer shall cause a prohibited immigrant so entering or found within the Union or within any Province into which his entry, or in which his presence, is unlawful, to be removed therefrom.

(2) Nothing in sub-section (1) (a) contained shall be construed—

- (a) as enabling a person to be deemed a prohibited immigrant in the Cape of Good Hope or Natal if, being at the commencement of this Act lawfully entitled to reside in any Province, he shows or has shown that he is able to comply with the requirements described in section three (a) of Act No. 30 of 1906 of the Cape of Good Hope, or of section five (a) of Act No. 30 of 1903 of Natal; or
- (b) as abrogating or affecting any right conferred by Act No. 36 of 1908 of the Transvaal upon the lawful holder of a certificate of registration defined in that Act.

(3) A list of all persons who have been declared under this Act to be prohibited immigrants in respect of the Union or any province, and who have been removed therefrom or whose entry into the Union or any Province has been restricted, shall be laid by the Minister upon the tables of both Houses of Parliament within fourteen days after the commencement of each session thereof. Such list shall be framed in respect of a period ending one month before the session commences, and shall contain the name, sex, and nationality of each such person and the reason for his removal or restriction.

(4) The Minister may from time to time, by notice in the *Gazette*, declare that persons belonging to classes described in paragraph (a) of sub-section (1) of this section when permitted under this Act to enter or return to the Union or any Province, shall enter or return at a port or ports specified in the notice and not at any other port and thereupon it shall be unlawful for any such person to enter or return at any other port.

5. The following persons or classes of persons shall not be prohibited immigrants for the purposes of this Act, namely—

[Paragraph (a) to (d) omitted.]

(e) any person born before the commencement of this Act in any part of South Africa included in the Union whose parents were lawfully resident therein and were not at that time restricted to temporary or conditional residence by any law then in force, and any person born in any place after the commencement of this Act whose parents were at the time of his birth domiciled in any part of South Africa included in the Union;

(f) any person domiciled in any Province who is not such a person as is described in paragraph (e) or (f) of sub-section (1) of the preceding section, or who has not been removed under section twenty-two of this Act;

(g) any person who is proved to the satisfaction of

of an immigration officer to be the wife, or the child under the age of sixteen years, of any person described in paragraph (f) of this section, provided that the wife or the child (as the case may be) is not such a person as is described in sub-section (1) (d), (e), (f), (g) or (h) of the last preceding section;

[Paragraph (h) omitted.]

Provided that nothing in this section contained shall be construed as entitling a person to whom the provisions of sub-section (1) (a) of the last preceding section apply, to enter and reside in a Province in which he has not previously been lawfully resident: provided further that if any person, having been absent for a period of three years continuously from a Province in which he was previously lawfully resident, or for a longer period than the duration of a permit issued under the authority of any law hereby repealed, claims to enter, enters or is found in that Province, he shall not be deemed to fall within the exemptions contained in this section.

7. Any such person as is described in Chapter XXXIII of the Orange Free State Law Book shall, notwithstanding that he is lawfully resident in a particular Province or that he has been permitted to enter the Union, continue to be subject in all respects to the provisions of sections seven and eight of the said Chapter XXXIII, and if he acts in contravention of those provisions, he may be dealt with under this Act as a prohibited immigrant in respect of the Orange Free State.

8. (1) No prohibited immigrant shall be entitled to obtain a licence to carry on any trade or calling in the Union or (as the case may be) in any Province wherein his residence is unlawful or to acquire therein any interest in land, whether leasehold or freehold, or in any other immovable property.

(2) Any such licence (if obtained by a prohibited immigrant) or any contract, deed or other document by which any such interest is acquired in contravention of this section, shall, as from the date that the holder of the licence or interest is dealt with as a prohibited immigrant under this Act, be null and void.

9. (1) Every person who is suspected on reasonable grounds of being a prohibited immigrant may be arrested without warrant by an immigration officer or police officer, and shall be dealt with in accordance with this Act.

(2) Any magistrate may, if information on oath be laid before him that there is upon any premises a person reasonably suspected of being a prohibited immigrant, issue a warrant empowering a police officer of or above the rank of sergeant to enter those premises and search for such person and arrest him.

25. (1) Anything to the contrary notwithstanding in this Act contained, the Minister may in his discretion exempt any person from the provisions of section four or, subject to the provisions of section seven, may authorize the issue of a temporary permit to any prohibited immigrant to enter and reside in the Union or any particular Province upon such conditions as to the period of residence or the calling or occupation which he may follow therein or otherwise, as may in the permit be specified.

(2) The Minister may also in his discretion authorize the issue of a certificate of identity to any person who is lawfully resident in the Union or in any Province and who, desiring to proceed thereout with the intention of returning thereto, is for any reason apprehensive that he will be unable to prove on his return that he is not a prohibited immigrant.

an immigration officer or in case of an appeal, to the satisfaction of the board, to be the wife, or the child under the age of sixteen years, of any person exempted by paragraph (f) of this section, including the wife or child of a lawful and monogamous marriage duly celebrated according to the rites of any religious faith outside the Union, provided that the wife or the child (as the case may be) is not such a person as is described in sub-section (1) (d), (e), (f), (g) or (h) of the last preceding section;

[Paragraph (h) omitted.]

Provided that nothing in this section contained shall be construed as entitling a person to whom the provisions of sub-section (1) (a) of the last preceding section apply, to enter and reside in a Province in which he has not previously been lawfully resident.

7. Any such person as is described in Chapter XXXIII of the Orange Free State Law Book shall, notwithstanding that he is lawfully resident in a particular Province or that he has been permitted to enter the Union, continue to be subject in all respects to the provisions of sections seven and eight of the said Chapter XXXIII, and if he acts in contravention of those provisions, he may be dealt with under this Act as a prohibited immigrant in respect of the Orange Free State.

8. (1) No prohibited immigrant shall be entitled to obtain a licence to carry on any trade or calling in the Union or (as the case may be) in any Province wherein his residence is unlawful or to acquire therein any interest in land, whether leasehold or freehold, or in any other immovable property.

(2) Any such licence (if obtained by a prohibited immigrant) or any contract, deed or other document by which any such interest is acquired in contravention of this section, shall, as from the date that the holder of the licence or interest is dealt with as a prohibited immigrant under this Act, be null and void.

9. (1) Every person who is suspected on reasonable grounds of being a prohibited immigrant may, if there is reason to believe that the delay occasioned by obtaining a warrant would enable such person to evade the provisions of this Act, be arrested without warrant by an immigration officer or police officer, and shall be dealt with in accordance with this Act.

(2) Any magistrate may, if information on oath be laid before him that there is upon any premises a named or described person reasonably suspected of being a prohibited immigrant, issue a warrant empowering a police officer of or above the rank of sergeant to enter those premises and search for the person named or described in that warrant and arrest him.

25. (1) Anything to the contrary notwithstanding in this Act contained, the Minister may, in his discretion, exempt any person from the provisions of paragraphs (a), (b), (c), (d) of sub-section (1) of section four or, subject to the provisions of section seven, may authorize the issue of a temporary permit to any prohibited immigrant to enter and reside in the Union or any particular Province upon such conditions as may be lawfully imposed by regulation.

(2) The Minister may also in his discretion authorize the issue of a certificate of identity to any person who is lawfully resident in the Union and who, desiring to proceed thereout with the intention of returning thereto, is for any reason apprehensive that he will be unable to prove on his return that he is not a prohibited immigrant.

(3) The Minister may authorize persons outside the Union to issue to any intending immigrant a certificate that he is exempt from the provisions of sub-section (1) (a) of section four, but no such

28. Anything to the contrary notwithstanding in Act No. 36 of 1908 of the Transvaal, a person who has been exempted from the provisions of section *four* of this Act or, on the authority of a temporary permit issued under sub-section (1) of section *twenty-five* of this Act, has been permitted to enter and reside in any part of the Union, shall not be deemed to be subject to registration under the provisions of the said Act of the Transvaal.

certificate shall be recognized in the Union unless the holder thereof furnish to the immigration officer such proof as is prescribed by regulation of his identity with the immigrant to whom the certificate was originally issued.

28. Anything to the contrary notwithstanding in Act No. 36 of 1908 of the Transvaal, a person who has been exempted from the provisions of paragraphs (a), (b), (c), (d) of sub-section (1) of section *four* of this Act or, on the authority of a temporary permit issued under sub-section (1) of section *twenty-five* of this Act, has been permitted to enter and reside in any part of the Union, shall not be deemed to be subject to registration under the provisions of the said Act of the Transvaal.

30. In this Act, and in the regulations made thereunder, unless inconsistent with the context,—

“domicile” shall mean the place in which a person has his present home or in which he resides or to which he returns as his place of present permanent abode and not for a mere special or temporary purpose; and a person shall not be deemed to have a domicile within the Union or any Province (as the case may be) for the purposes of this Act unless he has resided therein for at least three years, otherwise than under terms of conditional or temporary residence permitted by this Act or any other law or as a person under detention in a prison, gaol, reformatory or lunatic asylum; and a person shall be deemed for the purposes of this Act to have lost his domicile within the Union or any Province (as the case may be) if he voluntarily go and reside outside the Union or that Province (except for a special or temporary purpose) with the intention of making his home outside the Union or that Province (as the case may be.)

[This is a new definition.]

The Gold Law

In the Transvaal Provincial Division of the Supreme Court, before Judges Wessels, Mason and Bristowe, the case of *Donje v Rex* was heard.

The appellant was charged with contravening Section 131 of Act 35 of 1908, in that on or about December 20th 1912, and at or near Johannesburg, he being a coloured person did wrongfully and unlawfully reside on proclaimed land in a district comprised in Class “A,” viz., on a stand in Prospect Township, the said stand not being a bazaar, location or mining compound, and he having no permission from the Mining Commissioner to reside there. He was found guilty and sentenced to one hour’s imprisonment. Against this judgment he appealed.

Mr. Manfred Nathan appeared for the appellant; Mr. Barclay Lloyd for the Crown.

Arguments were heard on April 21st, before the Judge-President, Mr. Justice Wessels, and Mr. Justice Curlewis, when judgment was reserved.

Judgment was delivered on the 27th May.

In the course of his judgment, the Judge-President said that Mr. Nathan had raised three points: (1) That under Sections 36 to 42 of the Townships Amendment Act (34 of 1908) Prospect Township was proclaimed a township, and there is no prohibition against the residence of coloured persons in that township; (2) that there was no evidence against the accused of “residence” in Prospect Township; (3) he relied upon the exemption contained in Sub-section 3 of Section 131 in favour of persons who at the date of the commencement of the Act were lawfully in occupation of premises, contending that the onus lay upon the Crown to prove that the accused was not one of such persons. The second point may be briefly disposed of. The

evidence is to the effect that the accused was resident on Stand 164, Prospect Township, and no cross-examination was directed to the point, nor is there any evidence to the contrary. We must therefore take it that the fact is established that the accused was resident on the stand in question. In regard to the first point, his Lordship examined the sections of the law dealing with the matter, and came to the conclusion that except as provided in Section 131 itself no coloured person may reside on proclaimed ground in the mining districts of Johannesburg, Boksburg and Krugersdorp. The case of stands in stand townships on proclaimed land within this area no doubt presents some difficulty in this connection. These townships are also situated on unproclaimed land within this area, and provision was made for all, whether situated on proclaimed or unproclaimed land, by Section 3 and 60 *et seq.* of the Townships Amendment Act. It is unnecessary in the present case to express any definite opinion on the matter, although I have to point out that Justice Rose-Innes, in *Ritch and Bhyat v. The Union Government*, expressed the opinion that the provisions of the previous Gold Law relating to such stands were expressly amended by Sections 130 and 131 of Act 35 of 1908, and also that the conclusion he arrived at in the above-mentioned case cannot affect the question of any further proceedings which may be taken under the Gold Law. It would, indeed, be difficult to hold that when such stands have been converted into freehold under Section 50 of the Precious and Base Metals Act, coloured persons may reside there (if there be no prohibition in the grant), but not if the land be originally sold in freehold lots. With regard to the third point, it was for the accused to have proved that he was a person lawfully in occupation of the premises at the commencement of the Act. The Legislature had laid it down by Sub-section 1 of section

131 that no coloured person should be entitled to reside on certain proclaimed land, and *prima facie* the offence is committed by a coloured person who resides on such land. But if a coloured person can prove that he resided there at the date of the commencement of the Act, that will constitute a defence to the charge. As no such proof was adduced in the present case on behalf of the accused, the appeal must be dismissed.

A concurring judgment of Mr. Justice Wessels was read.

Mr. Justice Curlewis concurred.—*Transvaal Leader.*

From the Editor's Chair

THE NEW LAW

We give on the front page, in parallel columns, the amendments made in the Immigrants Regulation Act, as it is called, and the corresponding clauses in the original Bill as it was introduced by Mr. Fischer. We have reproduced only those clauses and their amendments which bear on the Indian question. We must admit that the measure reads, thanks to the general opposition offered to it in the Assembly and by Senator W. P. Schreiner, much better than the newspapers had led us to expect. The amendments show that Mr. Fischer, in spite of his telegrams to the contrary, and in spite of, as he would have us believe, the opposition of the Cape section of the House, on one of the amendments, has made two material amendments which render a settlement of the dispute between the Government and the Indian community still possible. Mr. Fischer has amended the clause entitling wives of domiciled persons to enter the Union, in a manner that almost removes the marriage difficulty. Registration in India is now to be no longer required and a monogamous marriage performed in India according to religious custom is to be recognised in the Union. But the flaw in the amendment is that a similar marriage performed in South Africa will not be recognised. And, apart from civil registration, there appears in the Union Laws to be no facility for legalising such marriages. Thus the wives of hundreds of Indians, who have been married in South Africa, will still be considered concubines and their offspring illegitimate children. This is a situation that, we are sure, the Government do not desire. A slight alteration in the Act can easily obviate the difficulty. Then there is, in this connection, the vexed question of polygamous unions. It is, perhaps, not to be expected that the law of the State should recognise such marriages. The administrators are bound, as representing the British form of Government and in accordance with General Smuts' promise, to admit, in all cases, the wife of a domiciled Indian, if she is his only wife in South Africa, irrespective of the question whether the marriage in India was polygamous or not, and they are bound, in special cases, to specially admit more than one wife to the same person. This was the practice followed before and this is what General Smuts committed himself to only last year.

Another amendment which Mr. Fischer had definitely declined to accept is that in connection with the right of South Africa-born Indians to enter the Cape as a matter of right. But the amendment accepted by Mr. Fischer would certainly entitle all South Africa-born children of non-indentured domiciled Indians and those born in South Africa of ex-indentured Indians, if they were indentured before the amendment of 1895 in the Indian Immigration Law of Natal. Thus only a few South Africa-born children are now adversely affected by the new Law. That makes it easier for the Government to set the matter right. But the partial relief does not in any way lessen the responsibility of passive resisters and the community in general to the

few Indian youths who would be declared prohibited by law. We cannot calmly contemplate the spectacle of children of Indians indentured before 1895 being preferred to those born of Indians indentured after 1895.

Curiously, now, the foregoing disability arises from another unacceptable and new disability which we read into the definition given to the term "domicile" in this measure. The term was not defined in the original draft at all. And, but for Mr. Meyler's action, on the Bill returning from the Senate for ratification, we should perhaps not read the meaning into it which we do now. It seems that it is this definition which makes prohibited immigrants not, as we had feared, of all ex-indentured Indians, but of those only who were indentured after 1895. This, as we have already pointed out, is a totally untenable position. But, here again, it becomes easier for the Government to grant relief if they wish to settle the Indian question in an amicable and honest spirit.

There remains, then, the Free State difficulty. It should occasion not the slightest trouble, if the Government have any firmness of mind. All that the Free Staters want is that a new Indian Immigrant shall remain subject to Statutory disability to own land, to farm and to trade. Let the law say so by all means. But if, as they are now doing, they wish superstitiously to cling to the very form of doing it which is at once humiliating and purposeless, except for the insult implied in it, their objection ought to be set aside. They must be made to recognise that the whole struggle was based upon the manner of doing it.

There are many other points in the new measure which are objectionable. But they are not root objections. The limitation of period of absence is now gone, but we observe that the manner in which it has been removed is such that it still makes it possible for the Government almost to compel an Indian leaving his Province to return within a certain period if he does not wish to be treated as a prohibited immigrant. This illustration only serves to show that we shall have to closely watch the Regulations that will be framed under the new Bill. But if there can be some settlement arrived at on the main points, the other difficulties can be easily met. They need not revive passive resistance.

The Fordsburg Stands

Mr. Justice Ward gave judgment on the 19th instant, in the matter of *Witwatersrand Township Estate and Financial Corporation v. Lewis Walter Ritch*, as follows:—

Plaintiffs claimed they were entitled to forfeit the lease of Stand 876, Fordsburg, of which defendant was the legal holder, and of which the beneficial owners were a syndicate of Indians known as the Surati Estate, on the ground that Clause 9 of the lease had been broken in two respects. Clause 9 provided that "the lessee shall have no right to open or allow or cause to be opened upon this stand any store or any place containing explosives . . . nor allow coloured persons other than domestic servants to live or dwell on the stand."

It was alleged (1) that defendant had opened a store on the premises, and (2) that he allowed coloured persons to dwell thereon. It was admitted that from 1904 to 1907 the defendant, and also the beneficial holders, allowed a tinware factory and business to be carried on on the stand; and that from 1908 and since they had allowed a wholesale and general retail business to be conducted thereon without plaintiffs' consent. It was quite clear that Cachalia, one of the syndicate, had opened a store there; but the point to be decided was whether the word "store" in the above provision was governed by the words "containing explosives." If it was the plaintiffs must fail, and if it was not they must succeed. His Lordship, after reviewing the arguments, came to the conclusion that the clause merely forbade certain

dangerous trades, such as the selling or storing of explosives, and the sale of intoxicating liquors. He was therefore of opinion that the plaintiffs failed on the first point. The second question was whether the defendant or the lessee allowed coloured persons to live or dwell on the stand. His Lordship said that was a matter of grave difficulty. He found as a fact that certain Indians did sleep on the premises at the bidding of their master, in order to protect his property. His Lordship went on to say that the fact of sleeping upon premises was *prima facie* evidence of residence, which it was for the lessee to rebut by showing that the persons in question actually lived elsewhere. The fact that they did not live elsewhere showed conclusively that they lived where they slept. But living elsewhere was not conclusive, because a person may live in more places than one; at the same time if it is shown that a person has a home of his own, and only sleeps on particular premises for the purpose of taking care of them or for the purpose of his business, His Lordship did not think it could be said that he lived where he slept. His Lordship came to the conclusion, "though with some doubt," that the Indians in question did not live on the stand, but that the evidence showed that their homes were elsewhere. Judgment was therefore given for the defendant with costs.

News in Brief

Mr. Gandhi has received a cable from Rajkot informing him that his second brother 47 years old died on Sunday last leaving a widow and a large family. Mr. Gandhi had hoped to go to India about this time and meet his relatives but owing to the imminence of the passive resistance struggle the departure has been for the time being indefinitely postponed.

A correspondent calls our attention to a slight error in the Census Return published in our last issue. The total number of Natal Indians, born in South Africa, is 59,277 and not 59,946 as stated.

The Retail Dealers' Licence Amendment Draft Ordinance was read a third time. On the 19th instant, without, so far as we have able to ascertain, further amendment in the Committee Stage.

Last week, Mr. H. A. Oliver, M.L.A., addressed the Kimberley Indian electors on the Immigrant Regulation Act.

A Reuter cablegram from London on the 20th inst. states that Lord Amphil, in a letter to the press, says that the Union Immigrants' Restriction Bill, even as amended, will not satisfy Indians. He concludes by saying that they must await the text of the Bill as amended, but meanwhile he hopes that it will not be submitted for Royal assent till Parliament has had an opportunity of discussing it, and he trusts that the Press will not allow the public to remain in ignorance of what is going on in South Africa, and its bearings on India and Imperial relations.

Miss Florence Winterbottom, who always takes a lively interest in this journal and its ideals, has kindly sent us the following interesting cutting from *The Times*:-

"'Captain' Mary Booth, the daughter of the 'General of the Salvation Army, discovered a burglar in a bedroom of her house at Clapham, at 2 o'clock in the morning. Instead of calling in the police, she talked seriously to him about his wickedness, and, upon learning that he was driven to crime by hunger, took him to the kitchen and gave him a good meal. While he ate the food, she continued to talk to him. When the meal was over, she knelt down and prayed with him, and insisted that he should pray for himself. Promising to be his friend if he would live a better life, she then saw him off the premises."

Mr. A. M. Paruk, writing to the *Natal Advertiser*, says:—"I landed, for the sake of convenience, at Delagoa Bay. A number of fellow-passengers, British Indians, had Transvaal rights, and were accompanied by their wives and children. They were detained at Lourenço Marques for weeks before they were allowed to proceed, whilst some Japanese immigrants were allowed to proceed at once. Mr. Gokhale did not exaggerate in the least when he told South Africa that no single subject had united all classes in India so much as the treatment accorded to Indians here. If anything were calculated to add to the intensity of that feeling and increase the perils of the situation, it is surely supplied by the breach of faith on the part of the Union Government in the matter of the Immigration Bill and the £3 tax. Not the least evil of the present session of Parliament is its renewed provocation of Passive Resistance and its betrayal of thousands of poor, honest people, who have been led to believe that they would shortly be relieved of a burdensome, unjust and inhuman tax upon their freedom and morality."

In the course of a leaderette the *Natal Mercury* says:—"Mr. Harcourt's statement upon the tropical natives question was, we should like to add, substantially more sympathetic and reliably advised than that which he made to the House of Commons last week on the subject of the Immigration Bill. The Colonial Secretary referred to the concessions to Indian feeling in South Africa which the Bill represented, and expressed his approval of the removal of the racial inequality upon Indians under the measure. This is so far from being the case, however, that the Asiatics are even now planning a campaign of organised passive resistance against the Bill unless the Union Government undertakes to promise that they will grant next session what Mr. Harcourt declares the Indians are already assured of. Legislative equality with administrative differentiation is the minimum demand of the South African Asiatics, and that is what the Union Government promised the Imperial authorities and Mr. Gokhale they should receive. Neither this nor the safeguarding of their existing rights is given them under the Bill, and it is remarkable how Mr. Harcourt could be so mistaken, or so misinformed, as to hold the contrary belief."

Writing on the Searle judgment the *Tribune* says:—"It is not merely a question of deportation and physical suffering that is involved in this case. Every Hindu or Mahomedan woman married according to one's own custom and law is denied the legal and moral status of a wedded wife; and that amounts to unmitigated cruelty and insult to respectable women. We think the Government of India ought to interfere and secure justice for these unfortunate women who cannot remain with their husbands on their own right."

Indian Women's Bazaar

This Bazaar will be held at the Ebenezer Church Hall, c/o. Main and Wolhuter Streets, Johannesburg, on the 2nd and 3rd July. The opening ceremony, which takes place at 3 o'clock on each day, will be performed on the first day by the Mayoress (Mrs. Boustred), and on the second day by Mrs. Chaplin. The Bazaar will be open from 3 to 8.30 p.m., and the price of admission will be 1s.

The following further contributions have been received Mr. G. Proshon, on behalf of the Kingwilliamstown Indian Association, £1; Mrs. Charles Maude (Kingwilliamstown) £1; Mr. D. Vassan, on behalf of the Vedic Society, Cradock £3/3/-; Messrs. V. R. Vartak £3/0/6, E. Shabodien, 13/-, A. Khan, 10/6, Malik 10/6, Rahim 10/-, Ramdas 5/-, Vally Mesia 5/-, A. Ismail 2/6, M. Suleman 1/6 (per Mr. V. R. Vartak, Secretary Awakened India Society, Capetown); Messrs. A. F. Camay & Co., 12 doz. Pastries.