

Indian Opinion

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THE INDIAN NATIONAL CONGRESS

THE 28th Indian National Congress, which sat, under the presidency of the Hon. Nawab Syed Mahomed, of Madras, on the 26th December, placed the South African Indian question, by reason of its paramount importance, in the forefront of its proceedings. From the reports that have now come to hand, it is clear that the Congress realised the seriousness of the situation as it has never before been realised by that national body. We publish hereunder that part of the proceedings of special interest to the South African Indian public. The Presidential address contains the following references to the Indian problem in this country:—

The foremost question that is just now agitating the public mind in this country is the question of our brethren in South Africa. The tale of woe that has been-reaching us from there, since the Boer country became part of the British Empire, is really heart-rending and that the responsible British statesmen should have been so far unable to do anything by way of attempting a settlement fills us with profound sorrow, almost with despair.

The war with the Transvaal was undertaken mainly, if not solely, on the ground of ill-treatment accorded to the British Indian subjects and it is to be greatly deplored that their position should have become much worse after the incorporation of the country into the world-renowned British Empire than it was ever before. May I ask in your name that, when the object with which that costly war was undertaken is not gained, where is the justification for it?

We cannot be too thankful to Lord Amptill who has taken up our cause in South Africa in right earnest. His sympathy for the people of this country which he uniformly manifested during his term of Governorship in Madras has endeared him to all of us. And as a very large number of immigrants go from the Southern Presidency it is but fitting that his Lordship should raise his voice in defence of the right of those whom he had governed with sympathy and benevolence. Lord Amptill referring to the speech of Lord Lansdowne aptly observes: "Those were far-sighted and prophetic words, for at that time India was quite unconscious of the indignity, and it is only after the lapse of a decade that we have seen the effect produced in India."

But what could our sympathy and indignation do in this situation? We can send, as indeed we are already sending so liberally, pecuniary relief to the oppressed, but we cannot restrain the hand that oppresses. It is for the Imperial Government to step in and alter the course of things in favour of our brethren. We have had any amount of expressions of sympathy, of encouragement and of hope, but no prospect of action is yet within our sight. The spectacle of a world-wide Empire embracing about 500 millions of people as its subjects, being powerless to restrain an irresponsible Colony is not only unedifying in the extreme but is incomprehensible and causes dismay to

the Indian mind. The position is now vastly worse than before, not merely from the point of view of the increasing disabilities and the intensity of suffering, but from the point of view of their moral effect. In the days of the Boer Government the Indian settlers had the feeling that their wrongs were due to an unjust and unsympathetic foreign State which only needed to be brought to the notice of their own Government to be remedied. But to-day they find the Imperial Government standing by while blow after blow is deliberately aimed at them with terrible precision and effect. This indifference has aggravated the situation and has roused bitter feelings between two countries of the Empire and is certainly derogatory to the high character of British statesmanship. Not only that, it leads one to think that this indifference in effect encourages the South African Union in the belief that their mistaken policy has the support of the Government at Home. . .

It has been suggested in some quarters that a friendly conference of the representatives of India, England and South Africa might be held in London in order to discuss the situation and arrive at a satisfactory solution of this problem. But I have no faith in such a conference. I believe the time has come when we have to ignore the South African Union and look up to the British Government and appeal to them for intercession on our behalf. I have more faith, I confess, in retaliatory measures such as the placing of an embargo on the importation of coal from Natal into this country, and the closing of the doors of competition for the Civil Service against the South African Whites. It seems to me that these are the only weapons at present available and the Government of India should lose no time in making use of them. I am aware that these measures have the disadvantage of being merely irritating without being directly effective or inflicting any real disability on the Colonies. But their moral effect would, I am convinced, be very great on our people and will not be altogether lost on the Union Government.

At a time when the Indian sky was overcast with the darkest clouds of anxiety and grief for the sufferings of our countrymen in South Africa, H.E. the Viceroy made a pronouncement at Madras which has given immense satisfaction to the people of this country. . . . We are extremely grateful to our popular Viceroy who has gauged the feeling in the right manner and has given expression to his own sympathy with the sufferers who are engaged in the present struggle. . . .

What has now been done by the Union Government shows how little regard they have for the feelings of Indians and of those who stand by them in this matter. A domestic court of enquiry composed purely of South African settlers has been constituted to enquire into Indian grievances. I do not wish to say anything against the gentlemen who compose this tribunal. They are no doubt estimable men, but they do not and cannot understand our point of view; they are bred

up in traditions which lead them to think that we have no rights and consequently can have no grievances. It is impossible to understand how the Home Government can have consented to the appointment of such a committee. Mr. Harcourt spoke of gentle persuasion. If this is all that can be achieved by such a procedure, it is time that other measures are adopted. I believe I am voicing your sentiments when I say that this committee inspires the people of this country with no hope and its conclusions will leave the situation unchanged. We trust that the British Cabinet will realise that the situation is becoming graver every day.

South African Indian Resolution

The first important resolution was that on the South African Indian question. As was only to be expected it was moved by Mr. Govindraghava Iyer of Madras, who said that the resolution related to what might be called the question of the day and without referring to the conditions of Indians in South Africa the speaker turned to the question of principle. Those who did not sympathise with them urged that the Imperial Government could not interfere with the self-governing Colonies. It was no argument at all. Indians were striving to get self-Government within the Empire. Indians were only questioning the action of the Colonies in respect of not allowing Indians to live there as citizens. After refuting the other arguments of those who were not sympathetic with them the speaker referred to the six points mentioned in the statement made by Mr. Gokhale. They wanted that the racial bar should be removed. South African Indians should have the right to enter Cape Colony, the right of a domicile should be restored, the three-pound tax abolished, Indian marriages should be recognised in South Africa and South African laws should be sympathetically administered. After explaining in detail the above six points he concluded by saying that there was yet hope for they were fortunate in having a sympathetic Viceroy in Lord Hardinge. His Excellency as a responsible administrator considered it his duty to dissociate himself from the policy of the Union Government. It had been said in some quarters that it was mere diplomacy on his part only to please the Indians. The speaker however thought that in it lay a principle which was higher than diplomacy. For the courageous and statesmanlike declarations of the Viceroy they, the Congress and the whole of India were grateful to His Excellency.

Lala Lajpatrai (Punjab) in an eloquent Urdu speech seconded the South African resolution. He said that they were only demanding citizenship of the Empire. The question was whether they were entitled to it or not and if they were not he would call upon those who had assumed the guardianship of India to be true to this guardianship and trust, otherwise Indians would charge them with criminal breach of trust before a tribunal before which they all had to stand one day. The only way in which that trust could be exercised was the way taken by Lord Hardinge. The Viceroy felt the weight of injustice and threw off the reserve and rose equal to the occasion as the responsible head of India. The speaker asked Indians to shield the Viceroy against the vituperations of his opponents. After briefly referring to the disabilities of Indians in South Africa, Lala Lajpatrai made a stirring appeal for funds.

Mr. J. Chaudhuri (Bengal) in supporting said they formed a component part of the Empire and the self-consciousness that pervaded the world, had also found place in their hearts and that being so, they were legitimately asking the same position which the Colonies got without effort. Indians had sacrificed their life-blood for the Empire and what had the Boers done yet? The Boers had been given the privilege of self-governing Colonies and Indians had been persistently denied citizenship. In conclusion he said their demand was justice and their firm determination was to get justice from the Imperial Government.

Mr. M. T. Kaderbhoj (Bombay) in supporting, said so long as the idea remained with the white races that they were superior to Indians, so long the trouble was bound to continue. They could get rid of it by bringing about a complete regeneration in India in social, physical and intellectual matters. To achieve this they all must combine and co-operate. The salvation of India lay in the true union of the people and her onward march of progress depended upon constitutional and constructive methods. In conclusion the speaker appealed to Hindus and Mahomedans to combine for the common good of the country.

Mr. Hafez a Sindhi Mahomedan, Lala Goverdhandas, of the Punjab, and Mr. Sahai, of Behar, supported the resolution. Before the resolution was adopted the President announced that he had got a message from Japan which said that the Indian community in that country had contributed five thousand five hundred rupees and that they desired the President to remit that amount to Mr. Gokhale to be sent to South Africa. The President further announced that funds in aid of South African Indians would be collected after the day's sitting was over.

The following is the text of the resolution:—

(a) That this Congress enters an emphatic protest against the provisions of the Immigration Act in that they violate the promises made by Ministers of the South African Union and respectfully urge the Crown to veto the Act and requests the Imperial and Indian Governments to adopt such measures as would ensure to Indians in South Africa just and honourable treatment.

(b) That this Congress expresses its abhorrence of the cruel treatment to which Indians were subjected in Natal in the recent strikes, and entirely disapproves of the personnel of the Committee appointed by the South African Union to enquire into the matter as two of its members are already known to be biassed against Indians and as it does not include persons who command the confidence of Indians in South Africa and here the Congress tenders its most respectful thanks to His Excellency the Viceroy for the statesmanlike pronouncement of policy of the Government of India on the South African question. The Congress requests the Imperial and Indian Governments to take steps needed to redress the grievances relating to the questions of the £3 tax, indentured labour, domicile, the educational test, the validity of Indian marriages and other questions bearing on the status of Indians in South Africa.

(c) That this Congress expresses its warm and grateful appreciation of the heroic struggle carried on by Mr. Gandhi and his co-workers and calls upon the people of this country, of all classes and creeds to continue to supply them with funds.

Canadian Indians

Sardar Nand Singh Sihra moved the resolution protesting against the prohibition of Indian emigration resulting from the Continuous Journey Clause, into Canada and urging upon the Imperial Government the necessity of securing the repeal of that regulation. The speaker said that instead of bringing glad tidings, Christmas week had brought deplorable tales from Canada and other Colonies. In this matter the Sikhs were feeling that injustice had been done to India; that the treatment accorded to Indians by Colonists was unjust and cruel. After citing instances of troubles to which Indians were subjected in Canada the speaker prayed the intervention of the Government of India.

Babu Krishna Kumar Mittar (Bengal) in seconding said the world was God's, and all men had right of free access to all parts of the world. This elementary principle had been forgotten by many races and countries and this was the root cause of troubles of Indians in colonies. That insincere and cowardly law of Continuous Journey regulation was passed because Indians were sober, industrious and frugal.

Sir Benjamin Robertson and Staff

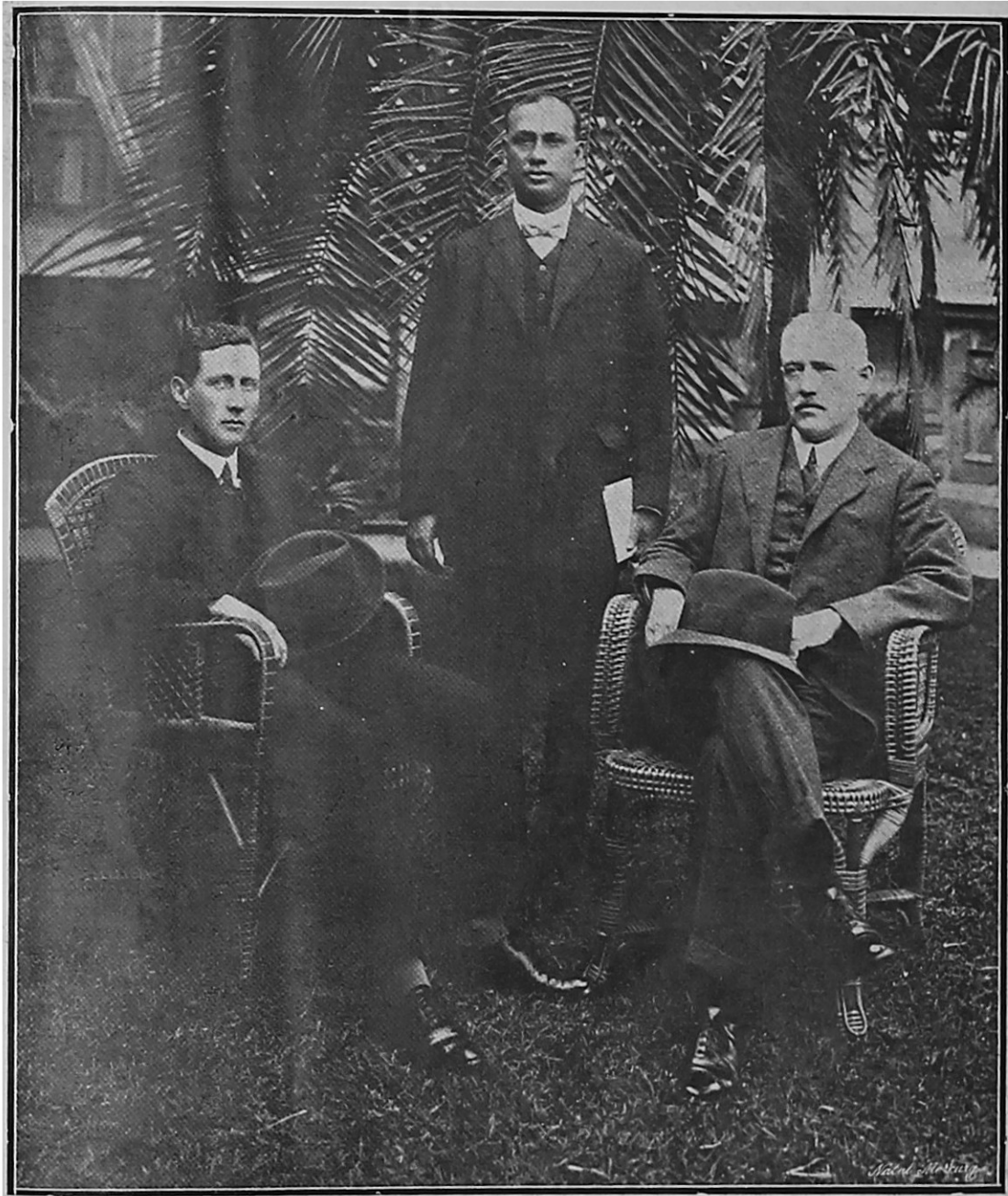


Photo by
Mr. Slater, Private Secretary:

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Rai Saheb Sircar.

રાઈ સાહેબ સરકાર

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Sir Benjamin Robertson.

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Mahomedan Sympathy

Mir Ayub Khan, a prominent leader of the Mahomedan community, supported the resolution in a forcible speech. He appealed to the people to contribute to South African and Canadian funds.

Pundit Rambhuj Dutt also supported the resolution which was carried.

Indentured Labour

A resolution was passed urging the total prohibition of recruitment of labour under indenture, either for work in India or elsewhere.

A resolution was also passed authorising the All-India Congress Committee to arrange for a deputation to England, to represent, amongst other matters, the Indian view on the South African Indian question.

From the Editor's Chair

A LICENSING CASE

MR. RAMCHARAN is a storekeeper, according to a report received by us, of nearly fifteen years' standing in Glendale. He desired to sell his business and applied for a transfer of his licence to the proposed purchaser. The Indian storekeepers thereupon opposed the transfer, contending that Mr. Ramcharan, being an indifferent business man and the new comer being a clever one, he would interfere with their trade. This plea the Licensing Officer accepted and rejected Mr. Ramcharan's application. It was discreditable to the Indians who opposed the transfer but we could understand the action of men whose moral faculty is blunted by selfishness. But the action of the Licensing Officer, in listening to the opposition, was disgraceful. Mr. Ramcharan, thus disappointed, employed an assistant. Upon his application for a renewal, the selfish Indians above referred to opposed the renewal on the ground that the assistant was, in reality, a partner, and that he, being a capable man, the effect of the renewal would be the same as they had feared when the transfer was proposed. The Licensing Officer disbelieved the allegation of secret partnership but found out a new ground for refusal. It was to the effect that the books were not kept in a proper manner. We are informed that they were kept exactly as on previous occasions. We refrain from further comment upon these proceedings which appear, so far, to savour of persecution. Mr. Ramcharan has, we are glad to hear, appealed. We shall await the inferior Court's decision with some anxiety.

HOME TO ROOST

SEVEN years ago it was that Mr. W. Wybergh, from his seat in the late Transvaal House of Assembly, in the course of the debate on the Immigrants Restriction Bill, conferring upon the Government the powers of deportation of undesirables that were lacking in the then operative Peace Preservation Ordinance, delivered himself of the pious opinion that "the clause was one of the most necessary parts of a very necessary law, and the Government should be careful to adhere to it. There was a certain class of person whom fine or imprisonment immediately made martyrs of." He proceeded to adduce "the present case of Indians in this country being incited to resist the law." This clause, he thought, would give them the means for dealing with such persons. We well remember the moral castigation delivered for his behoof by the doughty Mr. Hosken. And now, seven years later, Mr. Wybergh, labour leader, finds that these tremendous and reactionary powers have been invoked by the Union Government, who have been "very careful" to adhere to them, against a number of his colleagues, without trial or the opportunity of seeking the pro-

tection that the law yet affords in normal circumstances. We remember when Indian passive resisters were similarly illegally spirited out of South Africa, and deported to India—where some of them had never been in their lives, without a penny in their pockets, and leaving their families totally unprovided for—unlike these recent deportees, who were provided with first-class passages, pocket-money, and, we understand, like provision for their dependents—but we do not recollect that Mr. Wybergh, who had evidently anticipated some such possibility, then offered any suitable protest. At the time that he made his historic appeal to the Government—with so much success, it would appear—we wrote, prophetically: "Little does Mr. Wybergh know how arbitrary powers undertaken to repress a certain class of people recoil on those who are not even dreamt of." If, as we then hoped, he repented of his indiscretion at leisure, how much more sincerely must he have done so last week upon hearing how tellingly Mr. Chaplin—with whose remarks on this subject, with all respect, we beg to differ entirely—turned the tables upon Mr. Wybergh's colleagues and himself. There is an ancient saying that "the mills of God grind slowly, but they grind exceeding small." In so short a time as seven years, however, Mr. Wybergh's chickens have come home to roost. We venture to offer this tragic instance to illustrate a profound truth and to warn Indians, in their turn, against the folly, the short-sighted immorality, of doing others an injury to gain a present advantage. The law of cause and effect prevails for ever. As we sow, so shall we reap.

WOMEN VOTERS

It is rather surprising that the various European Women's Associations in Natal have not strongly protested against the action taken by the Natal Provincial Council, endorsed by the Natal Municipal Association, in refusing to grant the Municipal franchise to women, on the plea that by so doing it might include a few Indian widows. This Municipal franchise Indian men already possess but one so seldom hears anything about it that it really seems almost a dead letter; yet, because of the fear that a few Indian women might begin to think about exercising the right to vote, supposing they possessed it, the whole of the women of Natal are to be still kept in the background. The pretext for refusal seems very flimsy, and somewhat in the nature of an insult, but, if the women of Natal do not mind, and accept it without a protest, certainly the time for them to work for, and on, municipal bodies, is a long way ahead.

A Correction

The Protector of Indian Immigrants points out some mistakes in the paragraph of his evidence published in our last issue dealing with comparisons, and gives the following corrected statement:—

	Number returned to India	Per cent.
Introduced from 1874 to 1896	34,604	4.813
Introduced under Act 17/1895	54,052	12,230
Still under Indenture and entitled to return	22,326	41.30
		63.92

The Associated Press of India is informed that in writing to the Natal Government in 1894 concerning the measures designed to secure the repatriation of indentured labourers from Natal, the Government of India did not suggest the imposition of a £3 tax on those who failed to return to India.

Johannesburg Indian School

A visit was made to the Government Indian School, Johannesburg, on the 9th instant, Mr. W. W. Pearson, accompanied by Mr. H. Kalleubach and Mr. Cachalia, calling to see the school recently granted by the Government. The excellent spirit of the Principal of the School and his staff made a great impression on the visitors. As they passed through the school whilst the ordinary routine work was in progress, they expressed themselves much pleased at the thoroughness of the work and the enthusiasm prevailing both amongst teachers and scholars. The physical exercises pleased Mr. Pearson so much that he handed the principal a substantial donation towards the purchase of clubs, etc. Mr. Pearson, who has had large experience in educational matters, being an M.A. and B. Sc. of Oxford, and late Professor of Botany and English at L.M.S. College, Calcutta, told the boys that he had seen a very large number of schools in India, but the smartness of the boys of this school in physical drill beat them all. This was the first visit of Mr. Kalleubach to the school, and he expressed to the Secretary of the School Committee that he thought the school was the best thing that had been done for the Indians, and advised that the work be persevered with, the proposed new building erected, and the work thoroughly established. Mr. Pearson expressed his regret that the school was not supported by all classes of Indians owing to the fact that Tamil was not taught in the school. He hoped, however, that the offer recently made by the Government to supply a Tamil teacher, if an attendance of 60 Tamil boys were guaranteed, would be accepted.

Mr. Andrews' Farewell to Natal

The following letter was addressed by the Rev. C. F. Andrews to the *Natal Mercury* :—

On the eve of my departure from Natal, may I encroach upon your columns to express the gratitude I feel for the kindness which my fellow-countrymen have shown me since I landed at Durban on January 1st. In spite of a very natural misunderstanding which arose, owing to my adopting an Indian custom of reverence and respect for Mr. Gandhi when I greeted him on the wharf, I have not felt (except, occasionally) that hostility which I had feared; while on the other hand, I have been met by the sincerest expressions of goodwill from those who were ready to believe that I had one object in view—the object of peace.

Fortunately, that peace (at least in the form of a truce) has now been reached; and I would like to say that the correspondence which was published between Mr. Smuts and Mr. Gandhi is really (as all such correspondence must be) a very poor and inadequate symbol of the actual change of spirit which has taken place. It is on the general improvement of the latter that I base any hopes I have of a settlement—not on the formal terms of an official correspondence. If bitter and provocative words can be avoided on both sides, there is now, I trust, a reasonable chance that the painful troubles which so disturbed and distressed the whole Colony a short while ago will not re-appear. With the present condition of unsettlement throughout South Africa, the removal of one source of danger by an honourable and generous settlement of long-standing grievances is surely an object for which all alike may strive.

I carefully refrained while in Natal from offering any public opinion on the Indian grievances themselves, for I understand, even more clearly than when I landed a month ago, the great complexity of the Natal situation; especially I feel the difficulty of the native question and its vital importance. And if I am tempted to write anything at all, when I return, concerning what I have seen, I shall make it quite

clear that I write as a theorist and student of history, not as a man of affairs. I have already expressed in England and India, through Reuter, how deeply I have been touched by the kindly hospitality of Natal. I shall try to say this more personally, both in England and in India, on my return journey.

I may perhaps be allowed to write briefly on two points, with regard to which I may claim to be heard on account of my long Indian experience. I trust that what I have to say will be read with care, as it may help to make things clear.

The first point is the impossibility of Indians going back as a community on a solemn oath once taken. From an intimate knowledge of Indian sentiment, I can assure the Europeans in Natal that the present attitude towards the Commission is not one of contumacy, much less one of fear; it is simply a question of religious honour. The Indians are the most religious people in the world; to me it would be inconceivable that they could play fast and loose as a community with a religious vow once taken. As sensible, practical men, of another religion and another race, we should not argue the point or impute wrong motives, but honour their tenacity of conscience, and meet it as far as possible. I am glad to see that this is, on the whole, what Mr. Smuts has done.

The second point is concerning what was understood in India about the £3 tax. Mr. Gokhale has been for many years my close personal friend. I have talked this whole question many times over with him. I saw with my own eyes all that happened on his return in 1911. I can, therefore, speak with authority. Mr. Gokhale fully and wholly believed that a mutual settlement had been reached. On the Indian side, he considered that he had made great momentous concessions. He agreed not to ask in South Africa for the political franchise for British Indians, and also not to ask for free immigration. These two things had been a part of his own political creed in the past. After what he saw in South Africa he deliberately abandoned them, and he asked in return for the abolition of the tax. He regarded the pledge as a pledge of honour on both sides, all the more binding because not given in writing. How faithfully Mr. Gokhale has kept his own word in this matter I myself can bear full witness. He had to face a storm of opposition at first because of the points he conceded, and he faced it. He was called a traitor for giving up political franchise; but he stood firm to his promise. He never once went back on his pledged word to the Union Government, and by his own intense sincerity he has won the majority of thinking Indians round to his own opinions. The National Congress, it is true, has passed an academic resolution contrary to his wishes; Sir M. Bhowagree and Sir P. Metha still remain conservative and reactionary. But on these two points of the franchise and immigration in Natal the bulk of educated Indians have been converted to sound and reasonable opinions by Mr. Gokhale alone.

I would not appeal to my fellow-countrymen in Natal by the argument of expediency, and urge that such a growth of sound and reasonable opinion in India should not be flouted and driven back again to its old intractable position. I would rather appeal to honour and fair play. Indians still trust the Englishman to be true to his word. It is worse than the loss of a kingdom when that word comes to be doubted. It appears to me, therefore, quite apart from the questionable advantage of the tax itself, that the direct honour of the Union Government and of Natal should be considered. At least, when Mr. Gokhale has done so much, and incurred such odium, on account of his own part of the implied agreement, we on our part should do our best to meet his attitude as generously as we can.

In conclusion, may I thank through your columns those who have so kindly expressed sympathy with me

on the sudden death of my mother, whom I hoped to have seen in England on my way back to India. I trust that, through all the suffering that has occurred, in which I may now claim a part, a settlement will be reached honourable to Europeans and Indians alike.

All-India Moslem League

At the session of the All-India Moslem League, at Agra, on December 29-30, the South African Indian question was again in the forefront of the discussions. Speaking on the subject in his Presidential Address, the Hon. Sir Ebrahim Rahimtoola said:—

The feeling of indignation and horror which has spread throughout this country in regard to the treatment meted out to our fellow countrymen and women in South Africa has led to the use of language which under the circumstances could hardly be controlled. But in the face of the grave provocation to Indian feelings and Indian sentiments I cannot help expressing my sense of deep gratification at the masterly pronouncement which H. E. the Viceroy made in Madras. I know that the expression of the sincere feeling of sympathy with the people of this country has laid him open to severe criticism in some quarters. It is a curious anomaly that these very critics, who never forget to preach to us Indians the doctrine of submitting to the views of the man on the spot, who never fail to resent interpellations and criticism in the House of Commons on the plea that men on the spot must be considered to understand the position best, that strictures levelled in England against Indian Officials should be treated with contempt as unknowing and ignorant, are the very persons who have come forward to condemn the views and the suggestions of the man on the spot occupying the highest executive position in this Continent. How far-reaching the effect for good which Lord Hardinge's speech at Madras has been instrumental in bringing about can only be known to the people in India. Lord Hardinge, whose great merit is to keep himself in close touch with the people of this land, who manages to secure first-hand information of the extent of the feeling of indignation and horror that had permeated this country, has done by this pronouncement the greatest service to the Crown of England. Well, gentlemen, in spite of this criticism the Boer Government has been obliged to announce the appointment of a commission of enquiry. You all know the constitution of this Commission and the South African Indian opinion of the men chosen to sit upon it. Our demand was that the commission should be so constituted as to ensure not only that the men chosen in South Africa should be such as would command the confidence of the people but that the representatives of this country should find seats upon it. This has not been complied with and although the suggestion for such representation has been supported both by the official and non-official opinion in India, it has been ignored. Is it any wonder that the Indians feel under the circumstances that the enquiry will prove a white-washing one and that the sore will remain unhealed?

But the question that is facing us to-day is not merely the treatment that our fellow-countrymen are receiving at the hands of the South African Government. It cannot be narrowed down to the present residents in the South African Union. That question is undoubtedly emergent and requires to be dealt with forthwith, but the wider question can no longer be postponed but must now be faced and that question is "What is the position of the people of India in the British Empire." Australia is practically barred against us. Canada is contemplating legislation to prohibit Asiatic immigration. The attitude of South Africa is patent to you. The time is therefore ripe to ask whether we are common subjects of His Imperial Majesty the King, occupying identically the same

position as the other subjects of His Majesty, or are we so in theory only?

Retaliation is a bad word but it has been freely used in this connection and I do not think any one would venture to assert that the use of the word is uncalled-for. Our esteemed citizen the Hon'ble Mr Gokhale, who has made the cause of the Indians in South Africa his own, considers that retaliation should be applied in the direction of a prohibition to all the South Africans from any employment under the Government of India and the restriction against the purchase of South African coal by the railways in India. I am afraid that retaliatory measures confined to these two things would hardly be successful in attaining the object we have at heart in enforcing the recognition of our rights of British citizenship by the Colonies of Great Britain. We will have to consider and devise means which while being perfectly constitutional, may prove really effective. The intellectual capacity of the Indians is not so meagre as to despair of finding such an effective remedy, but the time for such measures has yet to come. We have thankfully to remember that the Indian Officials are supporting our cause and that many Englishmen in South Africa appear to be in our favour. A majority of the powerful English press is sufficiently outspoken. We have therefore to wait for the final result of the present contretemps before concerting and pressing effective measures in this behalf. There is no Indian who does not regret the necessity of being obliged to start a war of retaliation against component parts of the mighty British Empire, but the fault entirely lies with the British Cabinet. If the British Cabinet is absolutely powerless to secure the rights of British citizenship to the Indian subjects of the Crown, the whole responsibility of the consequences which such a policy will lead to, will be on their heads. I need hardly tell them that the result of such a course from the Imperial standpoint will be deplorable.

This leads me to ask a question which under existing conditions is of paramount importance. I should like to know who were the victors in the Boer War? Whether England came out victorious and succeeded in conquering the Boer republic or whether it was the Boers who successfully defeated Great Britain. If Great Britain was in reality the victorious party, it should not be powerless to enforce its wishes upon the Boers. But from recent pronouncements it seems obvious that the British Cabinet is in reality absolutely helpless in the matter. The plea put forward is that in self-governing Colonies, the British Government can merely use persuasion and nothing else. If this argument is carried to its logical conclusion, it means that any legislation affecting the people in South Africa by the Union Parliament shall be accepted irrespective of how it affects the different sections of the population.

We are told that it is an economic question which is at the root of the trouble. The Indians are thrifty; they can live more cheaply than the white settlers and they can successfully compete with them in trade and commerce. The doctrine of the survival of the fittest does not presumably apply to South Africa. When the Indians demand legislative and executive measures for the protection of India's economic and industrial interests, the same school which is preaching economic considerations, in British Colonies trot out the principle of the survival of the fittest. They want to have it both ways. May I tell them such a policy can lead to no good?

The South African Resolution

The second resolution on the programme dealt with the South African Indian trouble. It was moved by Nawab Gullikar Ali Khan, and expressed the indignation of Indians at the treatment of their countrymen in South Africa and tendered respectful thanks to Lord Hardinge for his pronouncement in Madras. The speaker in the course of his speech reiterated the demand for the repeal of the £3 tax and removal of other disabilities under which Indians were suffer-

ing. He said the personnel of the Commission appointed by the South African Government had given satisfaction to none in India, as it had not the confidence of Mr. Gandhi and his colleagues, who were immediately affected by it.

He eulogised the services rendered by Mr. Gokhale in this connection—a disinterested patriot whom all sections in India claimed as belonging to them. He said Indians in South Africa demanded nothing that was not due to them. Their other demand was that they should be recognised as subjects of His Majesty the King Emperor and not be treated as so many helots. If the British Government had taken up the matter seriously the affair would have been settled long ago. That public opinion in England could exercise adequate influence on the affairs of the Colonial Governments was evident from the fact that, after the storm of indignation raised in India and England, the Union Government lost no time in appointing a Commission. He appealed to all sections to demand justice until justice was done. The speaker, in conclusion, expressed the obligation of all India to Lord Hardinge for his most generous pronouncement in Madras and thanked him for deputation Sir Benjamin Robertson in laying the Indian side of the case before the Commission.

Mr. Abdur Raof of Allahabad, in supporting the resolution, delivered a most feeling speech which moved the audience. He detailed the grievances of the Indians in South Africa and said that the time had come when the promises which were made by the rulers, that Indians would be treated as British subjects and that no difference would be made on account of race, religion or colour, should be fulfilled.

Mr. Abdul Wadud, Secretary, Moslem Association, Boreilly, said he had been commissioned by Nawab Vikarumulk to support the resolution on his behalf. The Nawab was too old to attend the League. The resolution was then duly passed.

Union Parliament

HOUSE OF ASSEMBLY,

February 10.

Whipping of Indian Lads

Mr. Meyler (Weenen) asked the Minister of Justice: (1) If it had been brought to his notice that on November 7th R. D. Lyle, Acting Assistant Magistrate at Newcastle, sentenced two indentured Indians to seven strokes for refusing or neglecting their stipulated work, which sentence was afterwards quashed as illegal by the Supreme Court of Natal. (2) What steps had been taken to deal with the official who imposed this illegal sentence.

The Minister replied: (1) He had had the matter enquired into, and found that on the date mentioned the Acting Assistant Magistrate sentenced two Indian boys of 12 and 11 years to whipping of seven strokes for contravening Section 3 of Ordinance 2 of 1850, Natal. The sentence was imposed in their own interests to avoid imprisonment with hardened old offenders. The Magistrate acted under Section 25 of Act 22 of 1896, and Act 23 of 1909, Natal, which allowed of such punishment; but the Supreme Court held, on appeal, that the Act of 1909 did not operate, because the Natal Ordinance, No. 2 of 1850, did not provide for an alternative punishment to a fine. (2) It was not proposed to take any steps against the Acting Assistant Magistrate.

In the debate on the Indemnity and Deportations Bill, Mr. Drummond Chaplin said he was not going into the state of affairs which existed before the war; but this was not the first time that this question of deportation had been discussed in a South African Parliament. It was discussed in the Transvaal, when the Immigration Bill was before that House. That Bill contained a fairly stringent clause, authorising de-

portation in certain circumstances; and he remembered a case for deportation was put very forcibly by a certain member who said the experience of other countries had shown that there were several classes of people whom it was impossible to deal with by fine or imprisonment, and that there were certain classes of people who, if fined or imprisoned, would be made martyrs of, and the danger it was specially desired to prevent would be encouraged.

Mr. Merriman (Victoria West); "What freeborn citizen was it who said that?"

Mr. Drummond Chaplin: "Mr. Wybergh." (Laughter.)

Indian Women's Sabha.

The inaugural meeting of the Indian Women's Sabha was held at 9 Victoria Street, Durban, on the 7th inst. The chair was occupied by Mrs. Polak, and a number of Hindu ladies were present. The line of work was ably put forward by various speakers, it being unanimously decided that the basis of the Society's work should be the study of the Hindu religion and Social Progress. The election of officers for the ensuing year then took place as follows:—Patrons: Mrs. M. K. Gandhi and Mrs. H. S. L. Polak; President: Mrs. A. M. Pather; Vice-President: Mrs. A. Pillay; Hon. Secretary: Mrs. T. C. Moodley; Treasurer: Mrs. R. K. Naidoo; Committee: Mrs. V. N. Pather, Mrs. R. Bhugwan, Mrs. A. N. Padayachy, Mrs. P. G. Nicker, Mrs. Moonsamy Pillay, Mrs. Manickum Pather, Mrs. Ranga Pather and Mrs. G. Pather.

Mr. Pearson at Newcastle.

The Rev. Mr. Andrews and Mr. Pearson were due at Newcastle on the 3rd instant, and the local Passive Resistance Committee organised a reception in their honour. Some 150 of the residents assembled at the station to meet the guests and there were also gathered here the children of St. Oswald's School under their headmaster, Mr. Ephraim. On the arrival of the train it was found that Mr. Andrews, having learnt that the Commission was about to conclude its sittings and being, moreover, unwell, had felt that he should proceed directly to Capetown.

Mr. Pearson and Mr. Kallenbach, who had accompanied him from Durban, were escorted to the place of reception, where were present, among many others, Messrs. Vawda, Joshie, Ballaram and Dwarkasingh, Mrs. S. Ephraim and Mrs. D. Lazarus. Here the guests were garlanded in time-honoured fashion.

Mr. K. D. Joshie, in welcoming the visitors, expressed his very high appreciation of the noble work undertaken by them. It was a work in which self-sacrifice was involved and he asked those present to follow the good example laid before them.

Mr. D. Lazarus (Chairman) referred to the Rev. Mr. Andrews' indisposition and expressed great sympathy on behalf of the Newcastle citizens, asking Mr. Pearson to convey the message to him. Both gentlemen had come on their own initiative and they appreciated their noble action.

The visitors were each presented with a dhoti and a beautiful Indian shawl.

Mr. Kallenbach, in his speech, said that he had great pleasure in being once more in the midst of the citizens of Newcastle. He hoped the settlement that would be arrived at after the sitting of the Commission and during the sitting of Parliament would prove satisfactory. In conclusion, he referred to the generous help that he had received from both Europeans and Indians during the time the strike was in full swing at Newcastle.

Mr. Pearson, on behalf of Mr. Andrews, thanked the citizens for the message of sympathy sent him. Proceeding, he said he had full confidence that the settlement that would be arrived at would be of a satisfactory nature. The fight was one for self-respect, for which

they must fight to the bitter end. The action taken up by Christians, Hindoos, Mahomedans and Parsees in this struggle had revealed in India that the bond of unity out here was strong. By his experience, he had found that a good many had sacrificed their personal interests to the welfare of the public cause. As a result of this struggle he had come in contact with great personalities such as the Hon. Mr. Gokhale and Mr. Gandhi. This he reckoned to be the greatest privilege. He said that he would never forget the impression made upon him during his tour in Natal. In conclusion, he thanked the community for their kind presents.

Mr. A. M. Ephraim (Hon. Secretary) also spoke and the meeting terminated with cheers for Mr. Gandhi, Mr. Andrews, Mr. Pearson and Mr. Kallenbach.

The Release of the Prisoners.

From the official schedules we gather that sixty passive resistance prisoners were released from the Maritzburg Gaol, according to the understanding between General Smuts and Mr. Gandhi, ten from the Durban, thirty-four from the Point, eight from the Newcastle, and eleven from the Port Elizabeth Gaol. All except the prisoners in the Durban and Point Gaols were released on the 10th instant. But the Superintendent of the Durban Gaols evidently considered it more dignified to keep his prisoners until 10.30 the following morning. Mr. Gabriel Isaacs was not released until noon on the 13th instant. Altogether, one hundred and twenty-four prisoners were so released.

Maritzburg Reception

At Maritzburg, the prisoners, who included Mrs. V. S. Pillay, Mrs. R. Moonsamy, Miss V. Moonsamy, Mrs. Bismith, Mrs. Shivaprasad, Mrs. Kabuthar, Mrs. Peter Moonlight Mudaliar and Mrs. Govindsamy Naidoo, were met at the gaol-gates by a number of Indians and by Mr. P. K. Naidoo, and were conducted to the hall of the Young Men's Hindu Association, where refreshments were offered them and speeches of welcome were subsequently delivered. The ladies and a number of the men proceeded, next morning, to Durban.

Durban Festivities

From early morning the premises of Mr. Parsee Rustomjee wore a festive appearance. A large number of people congregated there, and then went off in a body to the local Gaols to welcome the Passive Resisters. About ten o'clock, shouts of great cheering were heard, and the ex-prisoners with their escort arrived at the reception place. They partook of refreshments and then scattered about in groups until nearly one o'clock, when another journey was made, to Durban Station, to greet and welcome the ex-prisoners from Maritzburg. The usual garlands were presented, and then the ladies were driven to Field Street, those present following them in procession. Lunch was served, and the proceedings following lunch were opened by Mrs. Henry Polak, who, in a brief speech, welcomed the guests. Speeches were also made by Imamsalib A. K. Bawazir, Mr. Parsee Rustomjee, Mrs. Polak (on behalf of the Hindu Women's Sabha), Mr. P. K. Naidoo (on behalf of the "Sisters from Gaol"), and Mr. B. Lalbahadursing. Miss Moodley read an address on behalf of the Indian Women's Association.

A reception was given to the ladies on Thursday afternoon by the Durban Hindu Women's Sabha, who also presented to the infants who had been in gaol silver cups.

On Sunday, a reception was given to the ex-prisoners by the Tamil Mahajana Sabha, at which they were generously entertained and speeches were delivered.

Mr. Gabriel Isaac, who was convicted, as a passive resister, on the 26th ulto., was released on Friday upon special instructions from Pretoria, after the attention of the authorities had been drawn to the omission.

Port Elizabeth

At Port Elizabeth the Passive Resisters received an enthusiastic welcome from the local Indians, a reception being arranged by the Mauritian and Colonial-born Hindu Benefit Society, at the Mauritian Hall.

Mr. Pillay, on behalf of the Society, congratulated the men on their bravery, and said that, in future, if any trouble should arise, the members would be at their disposal. After other members had spoken, Mr. Jamnadas Gandhi thanked the members for their kind hospitality. Mr. Desaj, another ex-prisoner, also spoke.

The following resolution was passed:—"That this meeting of the Mauritian and Colonial-born Hindu Benefit Society hereby congratulates the released prisoners from the local gaol, and admires their bravery for incurring imprisonment for the welfare of their fellow-countrymen; and further, this meeting pledges itself to be faithful to their leaders, Messrs. Gandhi, Kallenbach and Polak."

Indians and the Commission.

A meeting of the British Indians of Stanger and the surrounding district was held on the 8th instant. A Resolution was passed authorising the Chairman to cable to the Hon. Mr. Gokhale repudiating the action of the Natal Indian Congress in giving evidence before the Commission in the community's name, and supporting the provisional agreement arrived at between the Government and Mr. Gandhi.

The Gujarati Hindus of Stanger also held a meeting when a resolution in similar terms was adopted.

The following telegraphic communications were exchanged between the Secretary of the Indian Commission and Mr. D. Lazarus of Newcastle, on the 3rd instant: "From Secretary Indian Commission to D. Lazarus: 'S. B. Sooker giving evidence to-day stated Anamajay, Khadoo Maharaj, Mahadoo, Jinala, Valengerie, Rajiah, Kotiah, Sheik Mahomed, Balack, Bodbee, Dabysingh, Mahomed Alley, Sompiah, Sevnarayan, Ramlal are prepared give evidence of acts of cruelty committed by Government officials and Sooker refers me to you for their addresses. Can you say if these men will give evidence and if so please furnish me with their addresses.'"

"From D. Lazarus to Secretary Indian Commission: 'Indian Community at recent large mass meeting held Newcastle declined give evidence not having confidence in Commission. Cannot speak for individuals.'"

The Ways of the Asiatic Office

The Pretoria Correspondent of the *Rand Daily Mail* writes to his paper, on the 10th instant, as follows:—

"The delays of the law and those concerned with it are such that minors may become of age and additional troubles arise in connection with the administration of the Asiatic Laws. Major Dixon, A.R.M., was in such a quandary to-day when Dr. Reitz, Mr. Wagner and Mr. Ritch made applications on behalf of five Indian youths whom Mr. Chamney, Chief Immigration Officer, had refused to register. The matter has been hanging on for over a year, with the result that some of the lads were over sixteen years.

Major Dixon pointed out that under the new Immigration Act his jurisdiction was confined to minors—under sixteen years of age—and, as the boys were no longer minors, he had to rule that they did not come within his jurisdiction. He suggested that a test case be taken to the Supreme Court.

Mr. Wagner asked if the fact that his client was now over age would prejudice him.

Major Dixon said not, as the application had been made whilst he was a minor.

Mr. Wagner suggested that Mr. Chamney might make a test case of one of the applications. His client was a poor boy.

Mr. Chamney said he proposed to take no action with regard to the boys at the moment, as he thought it would be unfair if an attempt were made to force these people to the Supreme Court. If there were considerable delay in the matter, he would have to reconsider his position and probably take some action.

The solicitors said they would consult their clients as to further action."

News in Brief

We present with this issue a portrait supplement of Sir Benjamin Robertson and Staff, the photograph being specially taken for the purpose by Mr. Bryan Gabriel.

Mr. Andrews desires to thank all those persons who sent him messages of congratulation upon his birthday. He has been doing yeoman service to the cause in Capetown. Mr. Pearson returned to Durban on Friday.

Our readers will be glad to hear that a cablegram has been received from Mr. Devadhar, of the Servants of India Society, stating that Mr. Gokhale's health has much improved and that he is leaving for England on the 17th prox.

Mr. Pearson's stay in Johannesburg was marked by several social functions. On the 8th instant, the Tamil Benefit Society held a reception in his honour, at Mr. Morgan's Bioscope Hall in Vrededorp. There was a large attendance, among those present being some sixty ladies. The Society presented Mr. Pearson with a beautiful silver ink-stand. Mr. Pearson was also the recipient of a handsome pair of silver-backed brushes from the Transvaal Indian Women's Association, and a coin artistically mounted from the United Patidar Society.

The *Union Gazette* contains the following notice:—"It is notified for general information that the western side of the Indian Compound, Ballengeich Collieries, situated in the District of Newcastle, Natal, which was established as an out-station to the Newcastle Gaol by Government Notice No. 1753, dated November 12, 1913, has been disestablished.

Mr. Merriman in the course of a speech in the House of Assembly pointed out that Mr. Smuts had, in the last six months, contrived, doubtless unintentionally, to deal the British Empire two of the heaviest blows in its history. His handling of the British Indian question was one of these blows struck at the Empire in a peculiarly vital and delicate spot; the deportations as embarrassing the Liberal Government by inflaming the passion of the working masses was the other. "This," exclaimed Mr. Merriman, "was unpatriotic conduct." And his reproachful tone evoked sympathetic murmur throughout the House, says the Parliamentary correspondent of the *Natal Mercury*.

The Natal Municipal Association discussed the subject of the enfranchisement of women, regarding which motions had been moved by Mr. Holmes and Mr. Hollander, Durban. The objection to the granting of the franchise was based on the ground that it would mean the enfranchisement of Indian widows, one delegate remarking that the Indian would use his women folk for the purpose of increasing his electoral power. Ultimately a motion that the Association oppose the introduction of any measure having for its object the extension of the municipal franchise to women was carried.

Mr. A. O'Callum Scott, Liberal member for Bridgeton, we are informed by Reuter, was to have moved on Friday last in the House of Commons an amendment to the Address deploring the condition of the Indian subjects in South Africa. This, however, did not take place.

London, Feb. 12.—At question-time in the House of Commons to-day Mr. Lewis Harcourt (Secretary of State for the Colonies) explained to Mr. Wedgwood the circumstances which necessitated a number of Natal Indians being sent back to the mines to work instead of to prison, and said that the procedure appeared to be legal, but, fortunately, it was not normal. Reuter,

At the Supreme Court, before Mr. Justice Hathorn, in Chambers, on 3rd instant a decision of the Assistant Magistrate of Newcastle, Mr. R. D. Lyle, was reviewed, at the instance of Sooker, a free Indian. Mr. Crook appeared for the appellant; who was found guilty by the Magistrate of contravening By-law 48 of the Borough of Newcastle, by being abroad after 9 p.m. Mr. Crook argued that the appellant was not a coloured person within the meaning of the by-law and of the Vagrancy Law. His Lordship set aside the conviction, with costs, on the ground advanced by Mr. Crook. The decision of Mr. Justice Hathorn is an important one, as far as the Indian community is concerned, exempting some of them from the operation of the Vagrancy Law in the respect mentioned.

Lieut-Colonel Bhola Nath, Hon. Treasurer, South African Indian Relief Fund, has sent to Mr. Gandhi a draft for £80 for the Passive Resistance Fund.

The United States House of Representatives recently brought forward an Immigration Bill and adopted an amendment excluding Asiatics and others. After a statement had been issued by President Wilson and further discussion had taken place, the amendment was dropped. The Bill now provides that all immigrants entering the United States shall undergo a literary test.

Mr. A. D. Pillay has sent us a report from which we take the following:—A well attended third meeting of the Indian residents of New Germany, Seacow Valley and neighbourhood, convened by Mr. Anthony D. Pillay, was recently held at the New Germany Indian School, with Mr. E. Moonsamy Naicker in the chair. An Indian School Committee was formed as follows:—Mr. C. M. Naicker (Chairman), Mr. R. Pillay (Secretary), Mr. N. C. Pillay (Treasurer), Messrs. K. Moodliar, M. Chetty, Ajodha, C. Moodliar, Doolee, M. Gounder, C. P. Reddy, E. Naidoo, Narian, and Padayachi as Committee. A petition addressed to the Education Department pointing out the necessity of a school for Indians, and asking for a grant in aid, was submitted to the meeting, and the convenor was authorised to forward the same to the Superintendent of Education, Province of Natal. Mr. N. C. Pillay on behalf of the meeting proposed a vote of thanks to Messrs Anthony D. Pillay for creating the school, B. Woodteeth for his ability in teaching the children, and C. M. Naicker for his generosity in granting his building free of rent for the purpose of school.

Miss A. A. Smith, writing from London on the 2nd instant to the *Amrita Basaar Patrika*, Calcutta, says:—Perhaps it is a sign that "moderation" on the side of the Union Government is being recognised as essential, that the Attorney-General has refused to prosecute Mr. West. Those who have read the account in *INDIAN OPINION* of the sudden descent of the police on Phoenix, the stealthy arrest of Mr. West before the rest of the inhabitants had an inkling of it, the rough treatment meted out to him; and his account of the brutal way in which Indian prisoners were treated by irate European officials, will find it in their hearts to respect the Attorney-General for declining to continue so ridiculous and disgraceful a case. Will he go further, and see that inhumanity is not added to imprisonment where non-criminal Indians are concerned? To no prisoner should deliberate cruelty be added to a sentence, and the least the authorities can do is to make sure that the food given to Indian prisoners is fit for consumption without offending their susceptibilities. To be as rude as possible to inquirers seems to be the plan of the prison officials; while inside it appears that not only hunger-striking but forcible feeding take place.

Dr. Abdurahman (says Reuter's Capetown Correspondence) has announced that he will stand as a candidate for Woodstock in the forth-coming Provincial Council election.

SIR BENJAMIN ROBERTSON'S EVIDENCE.

(Continued.)

That disposes of the £3 tax. What is the next question?—The next question to be taken up is the very difficult one in regard to Indian marriages. That has created a great deal of commotion in India. The situation, as you are aware, sir, has arisen from what is known as the Searle judgment, which has declared that a single wife, married according to a system which recognises polygamy, cannot be recognised by law. That is, there cannot be a monogamous union under a polygamous system. The Indians have asked for the redress of this disability. The Government of India are anxious that practical means should be found for the validation of de facto monogamous marriages amongst the Indian community in South Africa. I may state that in the case of Indians introduced into Natal under the various laws for indentured immigration, such provision already exists in the laws of the Colony, at any rate, in as far as Natal itself is concerned.

That, of course, would apply to the large majority of Indians in this country?—Yes, to the large majority of Indians. It is understood that no further provision is required in respect of these Indians introduced under the indenture system.

They are the lowest class?—Yes, they are the lowest class.

So on this point they are in a better position than the superior class?—Yes, they have got their own laws. The superior class who have come in by free immigration are left out in the cold, and it is in connection with them that the community have asked for some legislation to validate what they call de facto monogamous marriages. The position taken up on the question is set out in certain letters which I have here. The chief letter is Mr. Gandhi's letter to Mr. Gorges, in the published correspondence, dated Sept. 22, 1913. I should like to read what he says (letter read). The Community regard it as of a vast practical importance that the legalisation of these marriages should take place. He goes on in his letter of September 22, to express what he means by the term "monogamous marriage." The meaning the community place upon it is that a marriage is monogamous if a man is married to one woman, no matter under what religion, and no matter whether that religion in any circumstances sanctions polygamy or not. This is his statement of what he and the members of his community who are his followers ask for.

He wishes some legislation introduced to validate all marriages as long as there is only one wife?—Yes, as long as there is only one wife. That marriage has been held by the Courts of Law to be a polygamous marriage, and Mr. Gandhi asks that, although celebrated under a polygamous system, it should be transformed into a monogamous marriage.

Whether the people themselves wish it or not, because many of them may not, and if it is converted into a monogamous marriage that, of course, means they cannot marry another wife?—Yes.

It may be they prefer to remain as they are?—That is a difficulty which I foresee.

How would it do if some declaration could be obtained from them, or some system of registration introduced under which they declared that they intended to have only the one wife, so that they would then be bound for the future by that declaration?—

I think that is the solution which appears to be the only reasonable one.

Some overt act to show they accept the position that the marriage is no longer polygamous?—Yes, I think some such system will be essential. I do not, of course, know the law here, but it seems to me that some such practical method will be absolutely necessary.

You would see no objection to that yourself?—I see none. It would practically come to this, that a law is passed requiring them to declare their marriage as monogamous. Take the case of future marriages. A law is passed which would lay down that when a marriage takes place according to Hindu or Mahomedan rites, if these people wish to come under the statutory law legalising the position of the wife, a system of registration must take place there and then. Those people who take advantage of this law will then abandon their personal law and come under the law of the country where they reside. I see no escape from that.

The greater difficulty is in regard to past marriages. With future marriages I do not think the difficulty will arise?—Yes, I do not see there need be much difficulty about the future. In regard to past marriages I have been thinking about the subject. My ideas may not be very clear, but I think it would probably be sufficient if people who are already married come before the Registrar and make a declaration that they are man and wife: "This is my only wife, and I have been married to her for so many years." Let them make a declaration which should be recorded and registered—that is, a declaration of the fact of the marriage. It is not a fresh marriage contract, because that would be objected to by the community. It is merely a declaration of the fact.

Or even if they asked for the registration of a marriage, it being understood that the fact of registration would convert it into a monogamous marriage?—That is why I mean. They come forward and make a declaration, which is registered. The community would object to anything being done which would in any way resemble a fresh ceremony of marriage.

From Mr. Gandhi's letter they wish any marriage in the past recognised as long as a man has only one wife, and made valid without any further act on their part?—I understand so. I gather it is to be considered as valid until the contrary is proved. If a question of marriage arose in a Court of Law the burden of the proof would be on the person alleging the marriage.

Under the law registration is considered essential, and it is necessary marriages should be registered. They want these marriages recognised without any system of registration at all. Is there any registration in India?—There is no registration in India.

No registration at all?—No, none at all.

And if a marriage is questioned witnesses have to be called to prove the marriage?—Yes, to prove that the marriage took place.

Is that the only method of proof?—Yes, that is the only method of proof.

Then is there any religious ceremony?—Yes, there is a religious ceremony in all these marriages. The religions of India are very varied, but there is a ceremony. There is always something which can be called ceremonial. Even amongst the lowest and wildest tribes, there is something ceremonial which is recognised.

They all recognise their right to polygamy, and to marry another woman?—Yes, but it is not practised. It can be called a most exceptional case for a man to have more than one wife.

Amongst all classes?—Yes, all classes are enabled to have a second wife, but it is most exceptional.

Amongst the poorer class, it would be a very rare exception?—Yes, amongst the poorer class, a very rare exception.

I suppose for economic reasons?—Yes, for economic reasons. People who have risen in the world and become rich sometimes indulge in a second wife, but monogamy is practically the rule, though plural wives are permitted.

You say there is no form of registration there?—None whatever.

Supposing a man wants to get a divorce from his wife, how is that effected?—I cannot say that I am versed in the customs and manifold institutions of all the different castes and conditions of the people. The Mahomedan law of divorce is quite simple in theory, at any rate. The husband has to make three times the pronouncement of divorce and putting aside of his wife. As a matter of fact, it is a solemn declaration.

Before an official?—No, not before an official.

Before witnesses?—Yes, before witnesses, and I think practically in every case a great deal of what you may call subsidiary arrangement is necessary. The matter of divorce includes the question of dower, and a document is drawn up: it is a serious undertaking.

If there is no cause to be proved, he can divorce his wife if he wishes to?—Yes, he can divorce his wife, but as a matter of practical business there is a good deal of formality to be gone through.

What about other Indians, those who are not Mahomedans?—I do not know what the system of divorce is amongst them. I know that some of the lower castes have a very simple way of ending a marriage. In my part of the country, the breaking of a woman's bangles is one way of separation, and the woman is free and can re-marry. Of course, it varies amongst the different classes and conditions of people. The bangles are broken in the presence of her caste people. It is solemnly done, and not merely in a fit of temper, and she is then free.

And can either the husband or the wife bring about the divorce?—I think either of them could arrange a separation in that way, but the custom, of course, varies.

To recognise such marriages as valid is asking for a good deal?—I should consider so.

Of course, they would know that if their marriages are to be regarded as valid, all that comes to an end. A man cannot get rid of his wife simply by breaking her bangles, and cause must be shown?—Yes, what I have told you is only the custom of some of the lower castes in the part of the country where I live. I hold to the view that some statutory law of registration, by which people could come under the law if they wished to do so, would meet the case, and if they do not, then they must stay outside. If they do, then they abandon their custom, and come under the statutory law. Their wives are recognised as wives according to the law of South Africa. If they did not want to come under it they would have to stop out.

Do you think, if some system of that nature might be devised, it would meet the case?—I think it would meet the difficulty, and it seems to me to be the only practical way of meeting it.

Is there any other point in regard to marriages?—There is the past marriage, the difficulty about which I have already mentioned, whether that would be made valid by a declaration made before the special Registration Officer, and registered by him to enable the parties to come under the law. And then

there is the question of the marriage celebrated in India, the bona-fide single marriage which has been contracted in India. A young man goes across from Durban to India, and marries a wife, and brings her back here, which may be a very common practice. He makes a valid marriage in India, and comes over here with a single wife, and there is validation of his marriage here.

Could it not be done in the same way?—Yes, that is what I say. By a declaration of the fact of his marriage he puts himself under the statutory law.

And if he does not wish to?—Then he does not.

That is the difficulty of a system of registration?—Yes, those who do not wish to come under the system keep their own law.

As regards marriages in the future in South Africa, the suggestion has been made in the correspondence that marriage officers should be appointed amongst the priests?—Yes.

I suppose there are persons who can be appointed?—I understand that there are persons who can be so appointed.

I know there are marriage officers appointed for the Mahomedans. There is provision made for that both in the Cape Colony and in Natal?—I am unaware of the Natal law. I have heard of the Cape law.

I do not know whether much use is made of it. I am told that they object to it?—Probably the Mahomedans would. I think myself that few of the Mahomedans would take advantage of the new provision of law which has been suggested, but it is a practical means of getting over the difficulty which has been raised.

Apparently the indentured Indians have no objection to entering into a civil marriage before a magistrate or the Protector of Indians. The Protector of Indians tells us that last year over 1,000 marriages were celebrated in that way?—Yes.

They did not insist upon a religious ceremony?—They are married first according to their own rites, of course, then they go before the Magistrate or the Protector. That would be exactly the same as would happen with the other classes we have been speaking of, but the priest would be the registering officer.

Of course, their own rites would be required?—Yes, they would follow their own rites. I think there is nothing further to be said, so far as I am concerned, about the validation of the monogamous marriage, which has been raised by the judgment of Mr. Justice Searle.

You say that has caused a great deal of feeling in India?—Yes, it has caused a great deal of feeling that their wives should be considered not their wives.

Do they not realise that they would be in the same position if they went to England?—I do not think they do. There are so many of them here that the matter has come home to them. It never has come home to them in regard to England.

Of course, not many of them settle in England?—No. Then a further question arises in connection with this marriage subject, and that is about the admission of wives under the new Immigrants Regulation Act. If we had a marriage law, such as has been proposed, it would be quite sufficient to leave the main definition as simply "the wife and child" of the Indian accepting the statutory law. That is, as regards Indians; I am speaking of the laws as affecting the Indian community.

Yes, this is the clause which reads, "Any person who is proved to the satisfaction of the Immigration Officer or the Board to be the wife or child of any person." If registration in this Colony is necessary, the time of entry would not be the time of registration?—Wives frequently go across to India and come back again. In the case of wives married

here in South Africa, and who go to India and come back again, they will be covered by the first part of the Section as it stands, if they have adopted the statutory law. Then there is the question of the new wife, who is coming from India, and who, of course, has not yet been registered under statutory law, and also the wife according to Indian law and custom of the man who has not adopted the statutory law.

Clearly this Sub-Section (g) would require to be amended?—That is so.

At present they are all prohibited?—Yes.

That clearly was not the intention of the Legislature?—Yes, that is so.

I think that is clear from the discussions in Parliament. The intention was to admit a single wife?—Yes, the intention was to admit a single wife. The question is whether we can get this into the law. There is the case of the new wife coming from India who has not been registered, or the wife of a man who has not adopted the statutory law, and there is the question mentioned in the correspondence of the admission of one or several plural wives. These three cases have to be provided for outside of the direct meaning to be given to the word "wife" in the first part of the section.

Take the case of the man with more than one wife. Would they be satisfied with the practice existing at present, which is, I understand, to admit only one of such wives?—I understand they have got to be satisfied.

Is any point made of that?—No, I understand that is accepted. Only one wife can be admitted, with her children. Say that wife A comes here, and brings her children, and goes back to India; then wife B might come in as being the sole wife in South Africa. I understand it to be quite clear that wife A is the only wife that is to be recognised.

There is no trouble about that?—I understand there is not. The arrangement is that one wife only is to be admitted, with her children, in future. But a further question has been raised in this correspondence between Mr. Gandhi and Mr. Gorges about the admission of plural wives of certain Indians who have long been resident in South Africa. I understand the point made is this, that some of these Indians when they arrived in this Colony had more than one wife. These wives have been accustomed for several years past to go to India and come back without being restricted in any way, and I believe the Indian community wish that the practice should be continued for the lifetime of those specified persons only residents of long standing who have been enjoying the right of going back to India and coming in again. For these people a special concession should be made. I am told there are not more than 40 of them, and they could be easily ascertained and a list made of them. If these people who have exercised this long-standing privilege, could have it extended merely by an administrative order, they would regard it as a graceful concession.

This is a point upon which it would have been very important to have had the evidence of Mr. Gandhi and others who could have given us some information?—Most important. I have only been able to go into this matter in the last three days. It is entirely new matter to me. There may be some witnesses later on who will be able to give information about this.

We may get some information from the Immigration Officer?—Yes, I merely put the matter forward as one of the points alluded to in the correspondence.

It is only in the case of those people that they wish plural wives to be mentioned?—Yes, only those. The number mentioned to me in the course of conversation was 40 to 50. They are people of long standing, who have always possessed this privilege, and this concession they ask should be allowed to be continued.

I would like to get some evidence on that point?—I shall try to find out, but it is very difficult for me to obtain information on the subject.

I suppose Mr. Gandhi persistently refuses to appear before us?—Yes, I believe so.

He might assist his countrymen much more by coming forward?—It has complicated this inquiry greatly. We do not know exactly what they want. Over this marriage question there are merely three or four sentences in the letters, and it is very difficult to grasp the real intention. That is all I have got to say about the marriage question, namely, the validation of monogamous marriages by a statutory law in South Africa. Everybody who wishes to can come under that law, and give up his own personal law as regards marriage. Then there is the question of the admission of wives, whether a wife, according to South African law or the wife who is not according to South African law. If both can be brought into the Act, it would be so much better, as it is very desirable that, as far as possible, these things should be put in the law, if it is possible to do so, and not left to administrative action.

The age of the majority amongst Indian girls, I understand, is 15; that is recognised in the Natal law?—Eighteen is the Indian law for civil status.

Eighteen?—Yes.

Do you think it would be a good thing to amend our law, to bring it into conformity with the Indian law?—I do not know.

Does the Natal law fix the age at 13?—Yes, under the Natal law the age is fixed at 13, and the girl can marry at that age.

Is that under the Natal law?

Under the Natal law the age of majority for a girl is fixed at 13, and the age of majority for a boy at 16?—I do not know that. Marriages may take place in India in infancy, as is well known.

Lieut.-Col. Wylie: There is just one question I want to put on this point. You recognise, Sir Benjamin, I think, that there is provision in the law for all those Indians who have come in under the Immigration Laws and their descendants?—And their descendants.

These questions of marriage that you raise are only for those who have voluntarily come into this country?—Yes, for those who have come here voluntarily.

And you now ask on their behalf that some alteration should be made in the law to have the recognition of a marriage which is not already recognised by law in this country?—Yes, that is practically the point?

And the marriage laws should be altered to suit those people as far as applicable to them?—That there should be a marriage law for those residents, men who have entered and been allowed residence.

Have you any idea of the number of those people who would be affected or what proportion they bear to the whole of the Indian population?—I have not got my papers here showing the census figures.

Mr. Polkinghorne: It is in the statement I gave you.

Lieut.-Col. Wylie: It is about 21,000?—No, there are more in the whole of South Africa than 21,000 free Indians.

Mr. Polkinghorne: That is in Natal.

Mr. Polkinghorne: No, it does not.

The Chairman: The number is 21,739.

Mr. Polkinghorne: That is the population of Natal only.

Lieut.-Col. Wylie: These are not men that have come under indenture or the descendants of them.

Mr. Polkinghorne: No, they are outside of our list.

Lieut.-Col. Wylie: Outside the Immigration Laws?

Mr. Polkinghorne: Yes, outside of them. Then the Transvaal and the Cape also have free residents.

The Chairman: In the Transvaal and the Cape there are no indentures?—No, you have to add to these figures the residents in the Cape and the Transvaal. I believe the number is about 60,000 of the free resident population.

Then what is the next subject?—The next question that has been raised is the admission of the South African-born Indians into the Cape. You may be aware, sir, that the law of 1913 contains a provision, Section 4 (2) (a) limiting the right of entry to the Cape of Good Hope (Section read). In the old Cape law which was passed in 1906, the provision was that all persons South African born would be admitted freely into the Cape. The Indians, who are very tenacious of their existing rights—and that is quite a feature of Indian character—have raised an objection to this right being restricted in the manner prescribed in the new Act.

The Chairman: They also claim that it was a term of the settlement of 1911 that their existing rights should be maintained?—Yes, they also claim that was a term of the settlement of 1911. In any event they are most tenacious of what they consider to be their rights, and they urge these should not be whittled down by fresh legislation depriving them of their existing rights. That is the question that has arisen. I believe the matter is one which is not one of great importance from the practical standpoint; that is what I am told.

Not for the present, at any rate?—Yes, I am told so.

It may in the future?—Yes, possibly it may in the future. If this right that existed has been taken away, as it has been, they ask that it should be restored to them. I believe a question has been raised as to what was meant by South African-born. I find among the papers I have got here a dispatch sent by the Cape Government to the Colonial Office, and it states that it was intended to include all persons born in South Africa.

What is that you are referring to; what is the document?—It reads: "The Bill admits persons domiciled in South Africa as distinct from the Cape Colony and men who served during the war." But I see that it refers to the 1902 Act, which mentions persons domiciled in South Africa. Perhaps that had better go out.

Was there a previous Act in 1902?—Yes. The first Immigration Act said "Persons domiciled in South Africa," and the second Act of 1906 said "Persons born in South Africa." The quotation I was referring to had reference to the first Act and not the second. It had better not be referred to.

The words are clear enough, and there can be no question about the meaning of them?—That is what the Indians contend.

What is the contention of the other side?—It was, I believe, contended that it was only Cape-born people who could be allowed in.

Who raises that question?—It has been raised in the debates of Parliament. That construction was attempted to be raised.

A debate on the Act of 1913?—Yes, the contention was that the provision in the 1906 Act was not intended to apply to anybody outside the Cape.

This precise point was raised in the discussion?—Yes, in the discussion in Parliament.

Was it pointed out then that it was an interference with the existing rights?—Yes, Mr. Schreiner, I believe, was the one who said so.

Was that in the Senate?—Yes. He fought to get the existing right maintained. He moved an amendment on the subject in respect to the Cape Province.

What are you reading from?—I have a copy of the debate, sir.

I suppose we could get that; could you supply us with it?—I could give you a spare copy. Mr. Schreiner moved two amendments in order to preserve this right, but these were not accepted by Mr. Fischer, and the Indians now object. They say this was part of the settlement, and it has been broken.

Was anything said by Mr. Fischer about the undertaking to preserve existing rights?—I do not think so, as far as I remember.

I understand that is their point, that a settlement was arrived at in 1911 under which an undertaking was given to them that if they ceased passive resistance their existing rights would be maintained?—Yes, I understand so.

That was one of the provision on which they agreed to put an end to passive resistance?—Yes.

I do not think that Hansard contains the debates in the Senate, but only the Assembly?—I do not know. I shall supply the abstract to you. That is all I have got to say about this matter.

Is much point made about this by the Indian community?—It is very difficult to say. They have put it forward as one of the causes of passive resistance, and they say that unless the contract made in 1911 is strictly adhered to, they would not be satisfied. Mr. Gandhi, I understand, has made proposals to General Smuts that it might be done without amendment of the law by administrative action. Speaking from the point of view of the Government of India, they do not consider that a satisfactory way of settling the question, but if legislation is considered objectionable, the Government of India will be satisfied with some such arrangement.

Mr. Esselen: You want to satisfy both parties and to remove the cause of misunderstanding?—Yes, that is the main point.

The Chairman: Does the Government of India raise this point, too?—The Government of India have asked me, as far as possible, to put before the Commission that they specially desire that the existing rights of these people who are now here should be maintained, and that they should be reasonably treated. That is their main contention. One other point arises, to which I might call the attention of the Commission. The Section runs: "At the commencement of the Act."

Which section are you referring to?—It is the particular Section in regard to the Cape entry. It says, "Lawfully entitled to reside at the commencement of this Act." It seems as if persons who are hereafter lawfully entitled to reside would never be able to get into the Cape at all. It is a question of construction, and I hardly think it is intended.

I do not think that was intended?—It means that no one who is not now lawfully resident could ever get in whether he passes the examination or not. It was probably not intended, and I merely call attention to the fact. The next question raised I think it is hardly necessary to mention, namely, the question of the Orange Free State law declaration. I believe that has been settled, and it is not necessary for me to go into it.

That refers to educated Indians, who will be allowed in future?—Yes, to go into the Union.

The objection is that they should not be asked to make this declaration?—Yes.

That has been arranged?—Yes, that has been arranged, I believe. The only other matter I should like to mention to the Commission is the further question of the administration of the laws, as they

affect Indians. That has been put forward, and was certainly referred to me before I left India. In the correspondence I then saw there was an assurance asked for that the laws affecting Indians should be administered sympathetically, with due regard to vested rights. That was mentioned to me as one of the causes of dissatisfaction when I left India. I believe you, sir, have doubted how far the question arises from the published correspondence.

It seems to me the correspondence shows very clearly what the causes were that led up to the strike?—I have been asked to explain to the Commission the view taken by the Indians in this matter. Their view is that a notice of passive resistance was sent to the Minister in a letter dated Sept. 15, signed by M. Cachalia, chairman of the British Indian Association. He sent this letter saying that unless certain specific grievances were removed passive resistance would be begun. I understand he is the chairman of the Association, and Mr. Gandhi is secretary. The correspondence that has been published has reference more to Mr. Gandhi's attempt to settle the matter before this ultimatum was sent. That, I am told, is the situation.

What are the contents of this letter of Sept. 15? Did they make any reference there to this?—The contents of this letter said that the Cape Licensing Act and the Natal Licensing Act and the Gold and Township Law of the Transvaal, and the existing immigration laws had come to be administered as they had never been administered before. That is the only reference I find to the question of the administration of existing laws.

It is not the laws that are objected to, but the way in which they are administered?—Yes, I believe so.

In what respect? What is the complaint?—In the time at my disposal I have not been able to go into it yet.

This is a matter if we are to go into it where we certainly should have information from the Indians who complained?—It was taken as one of the foundations of passive resistance. "Passive resistance shall be continued generally so long as a spirit of generosity and justice does not prevail in the administration of the laws above referred to."

That is very vague?—Yes, it is vague. I know the Indians have objected to the administration of the Licensing Acts. We have had correspondence in the Government of India on that subject.

Is it that they complain against the law itself?—Yes, they complain against the law itself.

Or the way it is administered?—And also the way it is administered, but here the point taken is that it is the way in which the law is administered; with regard to the law itself, it does not come within the ground they have made grievance of. On that subject, however, I am not at present prepared to speak.

Unless we have some information as to the manner in which these laws have been administered, it is difficult to judge?—I merely bring the matter forward before the Commission, as it has been put in the statement of grievances. I have only been here a very short time, and I have not been able to get any evidence connected with this subject to find what the exact objections are, but I think probably witnesses will come forward.

You can give us no information on that?—Not at present. According to the protest which was made it is not the law that is objected to, but the manner of administration. That, I think, is clear from reading the protest. I am not at present prepared to go into these complaints.

Is that all?—That is all I have got to put forward

There is nothing else you want to say on this subject?—Generally, I should like to add, as I have stated already, the Indians are most conservative of what they consider their rights. I think every man who goes to India knows that one of the very first words he hears about is "hukk," which is a very sacred word to the Indians.

What does it mean?—It means "right." Every person, from the poorest coolie upwards, will fight to the bitter end for his "hukk." That is really, I think, to a great extent the point at issue in connection with these grievances, viz., the maintenance of what they consider to be their "kukk"—their right. I mention that as a general matter.

It would not apply to the £3 tax?—No, it would not apply to the £3 tax, nor perhaps to the marriage question, but to the remaining points it certainly would apply. The £3 tax was admittedly put in after the correspondence between Mr. Gandhi and the Minister of the Interior. It had been talked of a great deal before, but it was put in after a settlement had failed, and passive resistance all along the line was decided on.

And I suppose that was a thing that would appeal to the large majority, as some of the other points they would not know about?—They would know nothing about them and would not understand them. Some of them are hard to understand, even with the papers before one.

Probably without the £3 tax there might have been great difficulty in getting up a strike?—Perhaps that is so, and it was put in at the end.

Mr. Esselen: Do you know whether they have any conception of the difference between a strike and passive resistance? What do they call passive resistance?—Simply that we are not going to obey the law. We use no violence, but we break the law.

Threatening people?—No, that is particularly forbidden. I understand, by Mr. Gandhi. I understand his personal feelings on that subject are very strong: "I merely break the law." In some of his correspondence you will find that he himself is particularly anxious that nothing forcible should be done, and no violence of any kind should be used. That is entirely against his principles. He merely breaks the law on purpose to bring his grievance to notice. That is what he has publicly declared in this correspondence to be his line of action. And that, I understand, is passive resistance.

The witness thereafter withdrew.

SIR EBRAHIM RAHINTOOLA ON INDIA'S FUTURE.

In the course of his presidential address to the All-Indian Moslem League, the Hon. Sir Ebrahim Rahintoola, speaking of India's future, said:—

"I think we should not be true to our Motherland if we did not strive to attain a high standard of progress on democratic lines. I am one of those dreamers who firmly believe that given a sufficiently long spell of British rule in India, we are bound to become united as a nation in the real sense of the term. When that time arrives (as it is sure to do) we shall have qualified to rule the country ourselves, and self-government will be absolutely assured to us. It will be the proudest day in the history of

England when, having accepted the guardianship of a people over 300 millions in number, belonging to an alien race, divided into innumerable sects and creeds, it has guided their evolution and has successfully carried out a far-sighted policy enabling them to reach a pitch of consolidation and solidarity, making them perfectly qualified to govern themselves. No country, such as India is, can remain for ever under foreign rule, however beneficent that rule may be, and though British rule is undoubtedly based on beneficence and righteousness, it cannot last for ever."

ALL-INDIA SOCIAL CONFERENCE AND SOUTH AFRICA.

In his presidential address to the All-India Social Conference, Sir Narayan Chandavarker said:—

"What is it that makes Mr. Gandhi the sole object of our admiration at this moment? It is as Lord Crewe, the Secretary of State, put it, the fact that he is not fighting for anything mundane, but his ends are spiritual. His aims are those of a man who reveres God. He stands before the world and says: 'I will suffer for my countrymen, because I wish to vindicate on their behalf the rights of our countrymen as the real children of God.' But look at the social aspect of the South African problem. Those men and women who have left their country, travelled to Mleccha land and settled there. What is their position? We admire them; we weep for them; we are raising subscriptions for their relief; but when they come back to this country on the principle that they have gone and travelled to a Mleccha country they will be excommunicated, and who are these and what are these men and women? They are those who have come forward and stand fast in a right battle."

Commenting on the above, the "Bombay Chronicle" says:—"In this universal sympathy with their countrymen in South Africa at this juncture it is clear that there is no trace of caste influence, and we have the remarkable spectacle of all communities; orthodox as well as heterodox, Brahmins and Sudras, standing solid with their countrymen against unjust social restraints placed upon them by an anti-Indian Government, thus showing that social conduct which Indians under caste influences would hardly tolerate in their own vicinity they are eager to uphold when an appeal is made to their patriotism. This is the lesson of the situation in South Africa in its social aspect, that, without the modification of the caste system and the elevation of womanhood, Indians cannot hope to stand before the world as a self-respecting, and, therefore, respected people."

MADRAS MOSLEM LEAGUE.

At the annual meeting of the Madras Presidency Moslem League, held last December, the Prince of Ascot presiding, the following was moved by Yakub Hasan Sait Sahib Bahadur: "That the Madras Presidency Moslem League notes with deep regret that as yet no satisfactory solution of the South African Indian question has been arrived at. That the grievances and wrongs to which the Indian community in South Africa is being subjected are causing growing discontent to the Mahomedan community and the League, while thanking the Viceroy for his bold and sympathetic pronouncement, earnestly requests him to urge the Imperial Government to take effective measures to put a stop to the present state of affairs, which has already become a great scandal.

"The League further desires to protest against the composition of the Commission appointed by the South African Government of inquiry into the cause of the recent disturbance, and is emphatically of opinion that unless Indian interests are properly represented justice cannot be done to them."

LADIES' CONFERENCE AND SOUTH AFRICA.

The Ladies' Conference at Karachi, which was held on Dec. 31, and attended by about 200 ladies of the different communities, was presided over by Mrs. Haraderibai, an appeal for funds in aid of South Africa elicited ready and whole-hearted response.

AHMEDABAD LADIES' MEETING.

A public meeting of the ladies of Ahmedabad was held in the Premabhai Hall recently to express sympathy towards the sufferings of South African Indians, and to show disapproval of cruel and unjust laws of the Union Government. Dr. Miss Dhanbai Wadia was voted to the chair.

Resolutions were passed expressing sympathy towards the sufferings of Indians in South Africa, strongly disapproving the cruel and unjust laws of the Union Government, strongly objecting to the personnel of the Commission, recommending the nomination of a representative Indian in the Commission, praying her Gracious Majesty the Queen Empress and her Excellency Lady Hardinge to use their influence to get the obnoxious £3 tax repealed and to get Indian marriages recognised, and thanking his Excellency Lord Hardinge for his kindly sympathy with the popular cause of the Indians.

The resolution were communicated by wire to her Gracious Majesty the Queen-Empress, his Majesty the King-Emperor, her Excellency Lady Hardinge, his Excellency Lord Hardinge, Mr. Mohandas Gandhi, and Mrs. Kasturbai Gandhi.

A representative committee of ladies was appointed to collect funds.

BENARES SOUTH AFRICA MEETING.

The Association Press of India reports that, on Dec. 30, a mass meeting of the citizens of Benares was held in the Vesheshwar Theatre Hall, presided over by Mrs. Besant, in connection with the South African troubles. The gathering was unprecedented in the history of Benares meetings. Thousands had to go back for want of accommodation, and it is stated that two persons fainted on account of suffocation.

Resolutions were passed expressing deep dissatisfaction at the composition of the Commission of Inquiry; deep sympathy with Mr. Gandhi and others in their present condition, and asking the Government to do all it can to ameliorate the present condition of the Indians. Eloquent speeches were made by different speakers, notably by Messrs. Eshwar Saran and Hirindra Duta. The speakers came from different parts of the Provinces.

After the resolutions, the president, with her fervid eloquence, dwelt on the situation, and encouraged the Indian public to go on agitating until the grievances were redressed. The meeting expressed very strongly its opinion to the effect that either an Indian or a sympathetic European should form one of the Committee, and also to the effect that the Government of India should take retaliatory measures.

NOTES.

Sir William Wedderburn, writing to a Home contemporary in connection with the British garrison in South Africa and the Indian question, points out that a British force of 6,888 men is located in South Africa at a yearly cost of £633,500, and asks why there should be this charge on the British taxpayer for the benefit of a self-governing Colony, when a force of British troops approaching 80,000 men is located in India, and India is called upon to pay the bill, amounting to many millions sterling. In his opinion South Africa should be called upon to show on what grounds it is entitled to greater favour than India from the British taxpayer, as the treatment accorded to British Indians is not now promoting the interests of the Empire.

Miss Krishnabai Bhau Thakur is the first Hindu lady in Western India to pass the M.A. Examination of the Bombay University.

MR. RAMSAY MACDONALD'S VIEWS.

Mr. Ramsay Macdonald, M.P., who has recently been in India again as a member of the Public Services Commission, said, in an interview with a representative of the "Bombay Chronicle," speaking on the South African Indian question:—

"The fundamental proposition is this, if the people are to be admitted into the country they must not be treated as though they were substantially slaves, which is the position in Natal now. If they come in at all they must be treated as citizens. Therefore the £3 tax should go, and their marriage ceremonies, which do not violate the moral standards of South Africa, and which are in accordance with their own religion, must be recognised. The great weakness in our Imperial machinery is that the British House of Commons and the British Ministers have no real authority in the self-government of the Colonies, and nothing would do the Indians in South Africa more damage at the present moment than anything in the nature of an ultimatum addressed to the Union Government of South Africa from Downing Street. The situation requires handling in a demi-official way, and a Blue-book which has just reached me this morning by the mail, which I have not yet had time to study fully, seems to indicate that the matter has been handled in this manner. . . . When the present disturbance has been settled, however, the whole matter of India's place in the Empire, and the citizen rights of Indians throughout the Empire, will have to be the subject of a more fundamental settlement, preferably by the next Imperial Conference. This is all the more necessary because attempts are being made to get India to subscribe, either in the form of annual grants or in the shape of Dreadnoughts, towards Imperial defence."

At a public meeting of the inhabitants of Sambarkoil and adjoining villages of the Mayavaram Taluk, Mayavaram, on the 15th December last, the following resolutions were passed unaniously:—

"That this meeting of the inhabitants of Sambarkoil and adjoining villages abhors the treatment accorded to the Indians in South Africa and deeply sympathises with them in their heroic struggle against powerful odds to preserve their self-respect and uphold their national honour."

"This meeting thanks his Excellency the Viceroy for his deep sympathy with the Indians in South Africa in their struggle, as evinced by his statesman-like utterances at Madras, and urges upon the Government of India the necessity of taking such measures as would vindicate the honour of the Indians as citizens of the British Empire."

MEETING AT WELLINGTON.

A largely attended meeting of Indians was held at Joubert Street, Wellington, on Sunday, November 2, for the purpose of supporting Mr. Cachalia in his letters to the Union Government.

Mr. K. M. Naidoo, president of the Madras Indian Association, occupied the chair. On opening the meeting he said that the object of this meeting of Indians and Mohamedans was to support Mr. Cachalia in his letter to the Government and also to congratulate those of their brothers and sisters who were already in gaol. He said: "We may well be proud of them, as they are suffering in defence of our national honour. We are British subjects of a great dependency of over three hundred million people, and demand to be treated with justice and liberty. We have been praying the Union Government to repeal the £3 tax imposed on the Natal Indians and to give us the rights throughout the Union which we are entitled to as British subjects. It behoves this meeting to be unanimous in their support to those who are bearing our burden and suffering for the benefit of all our fellow-countrymen throughout the Union."

Mr. V. Naidoo (vice-president) then explained thoroughly the causes which have led up to the critical position now existing. He also explained fully the marriage laws and urged that immediate steps should be taken to remedy the existing state of affairs.

Mr. Suliman Dawood spoke strongly on the subject of the marriage laws, and condemned the attitude of General Smuts and advocated that urgent steps should be taken to put a stop to such uncivilised laws.

Messrs. A. M. Benjamin, J. Maharej, and Mahomet Adam also spoke.

Mr. R. Moody proposed, and Mr. K. Lola seconded, the following resolution: "That this meeting of Indians of Wellington and Paarl, Cape Colony, held at Wellington, on November 2, 1913, fully supports Mr. Cachalia's letter to the Government, and pledges itself to encourage passive resistance in every way. This meeting also congratulates all their fellow-countrymen who are now suffering for conscience sake. This meeting also requests the Government to grant the demands of the community, which have been universally recognised to be just and fair, and respectively urges the Imperial and Indian Governments to use their good offices to secure relief for their oppressed fellow-subjects. Furthermore, that copies of this resolution be forwarded to the Imperial Government, the Government of India, and to the Minister of the Interior, Union of South Africa."

This resolution, on being put to the meeting, was carried unanimously.

A letter was read from L. W. Ritch, Esq., and telegrams from Indwe, Dordrecht, Queenstown, Kimberley, Malmesbury, Laingsburg, Prince Albert Road, Kuils River, and Cradock expressing sympathy with the movement and supporting the resolution.

The meeting then closed with a vote of thanks to the chair.

A passive resistance fund was opened, and over £40 subscribed.

ENGLISH PRESS COMMENTS

The main point, which is beyond dispute (says the "Daily Graphic") is the fact that the South African Government has refused to give Indians settled in South Africa the rights of British citizenship. That fact alone constitutes a violation of the principle of equal liberty maintained throughout the British Empire until quite recent years, and it is perfectly natural that Indian pride should revolt at the implied racial insult. The ultimate origin of the trouble is the reluctance of the white Colonist, who is by no means always an Englishman, to face the competition of Indian traders, who are willing to work harder and to live upon less than himself. Assuming that it was necessary to make a concession to this combination of economic jealousy and racial antipathy, the proper way of dealing with the matter was to limit the immigration of Indians. That has been done very rigidly, but not content with this, the South African Government insists on denying full civil rights to the Indians already in the country, though many of them were born in South Africa, and not a few are highly educated and refined. There is no question which has excited such widespread indignation in India, and it is impossible not to admit that a large part of the blame for the present grave situation attaches to the Imperial Government for failing to realise at an earlier period the importance of the issues at stake.

"Reynold's" says:—The Indians are welcomed as indentured labourers to be confined to the most menial tasks. If they venture to compete in the superior occupations which the white man has marked out for himself, they are persecuted and driven out of the country. It is a selfish and short-sighted policy.

The presence of 123,000 Indians in South Africa renders the problem of considerable importance on the spot (says the "Evening Standard"). But this is outweighed by the possible influence that may be exerted in the minds of their fellow-countrymen in India by any hasty or injudicious action of the Union Government.

As might have been expected (remarks the "Yorkshire Post"), Mr. Harcourt's reply to representations on the marriage question, is regarded by all Indians as a mere shirking of the points at issue. No one asks for the legal recognition of polygamy, or for interference with the general marriage law of the Union. What Indians desire is an amendment of the marriage law so as to recognise the legality of monogamous Indian marriages celebrated according to the rites prescribed by the Hindu and Mohammedan religions. Although both of these religions countenance polygamy, statistics show that only 1 per cent. of Indian marriages are polygamous.

It becomes easy to imagine that there will be cases of abuse and oppression, that there will be bullies and harsh taskmasters among the whites who, lacking the moral force to preserve their position and authority, or for greed of gain, will resort to cruelty and tyranny. We have had many stories of floggings retailed here during the last few days, and while it is a significant fact that in the one important case where a judicial inquiry was held, the charges were entirely disproved, there is little doubt that here and there abuses do occur, says the "Birmingham Daily Post."

A correspondent, in a special article to the "Sheffield Daily Independent," says, of the Indian agitation in South Africa:—It is an outcome of the Union which had inevitably to cause friction in levelling up or down the regulations in force in the different States. The Union authorities have chosen to level down to the worst rather than up to the best, viz., that of showing the Indian community the consideration they deserve as a peaceable, law-abiding community, the members of which in the first instance entered South Africa to the rescue of a staple industry, and were thereafter permitted to settle as much for the good of South Africa as for that of the Indian immigrants.

In a letter to the "Scotsman," Sir Charles Bruce says:—The claims of the British Indians in Africa are based on the fact that the Imperial Government is the sole trustee of their extra-territorial and international rights, and has the sole control of the power to have those rights respected. Either our claim to hold India in trust is an impudent act of self-assertion, or it is, to adopt a phrase of Mr. Gladstone's, the highest trust and function that Providence has ever assigned to any family of the human race. The terms of the trust are written in Queen Victoria's Proclamation of 1858, and declare that no native of India shall, by reason only of his religion, place of birth, descent, colour, or any of these things be disabled from holding any place, office, or employment under the Government. And the Proclamation gives this pledge:—"We hold ourselves bound to the natives of our Indian territories by the same obligations of duty which bind us to all our other subjects, and these obligations, by the blessing of Almighty God, we shall faithfully and conscientiously fulfil." I submit with confidence the proposition that to exclude from the "obligation of duty" protection from injustice and wrong outside the limits of the administrative unit which constitutes the country of origin of any group of British subjects, whether it be India, or a self-governing colony or a Crown colony is the direct negation of Empire. But the care of the British Indians in Africa does not depend only on the acceptance of this general proposition. It is supported by vested rights and specific promises and pledges.