

Indian Opinion

PUBLISHED WEEKLY IN ENGLISH AND GUJARATI

No. 6—Vol. XIII. WEDNESDAY, FEBRUARY 10TH, 1915. Registered at the G.P.O. as a Newspaper
PRICE THREEPENCE

INDIAN NATIONAL CONGRESS

THE 29th Session of the Indian National Congress was held at Madras on the 28th, 29th, and 30th December last, under the Presidentship of Babu Bhupendranath Basu, Sir Subramania Aiyer being the Chairman of the Reception Committee.

In the course of the latter's address of welcome, he said, speaking of the South African Indian passive resistance movement :

For what can conduce more materially towards the arising of the confidence just mentioned than the attitude of our countrymen, the sterling value of which was so strikingly illustrated by that incident—an attitude of perfect amity and friendliness buoyed up by an invincible faith in the ultimate triumph of justice. It was their attitude which, to be sure, made it possible for our gracious Viceroy to raise his sympathetic voice at the hour of the greatest peril to our cause. And it was this same conduct that made it impossible even for the obdurate Colonial autocracy to allow the situation to remain the scandal to the boasted civilization of the west that it had been for months and months. Another phase of the moral to be drawn from the incident, I have been commenting on, refers to the quantitative power of the will, if I may so express it. Amplified a little, it is this : if the will of a handful of resolute men, exerted without overt acts of violence or injury, has enabled them successfully to resist gigantic tyranny and wrong, by compelling an unwilling public opinion, as it were throughout the civilized world, to cast its vote in favour of the oppressed passive resisters, what cannot the will of hundreds of millions of our people accomplish by its own sheer force, without the least resort to any militancy, if organized and turned towards the attainment of our legitimate national aims and aspirations? It is only when that is a fact and an actuality that our adolescence will be reached and the ills to which infancy exposes us cease. Try then to hasten the advent of this worthy adolescence. Try it by forgetting differences, and dropping every trait which will tend to divide. In a word, unite and unify. Though this trouble began and was at first confined to a part of one of the Colonies, yet it has managed to spread all round, and has even found its way to some extent into the very heart of the Empire. Its effect naturally on the temper of our people has been such as to make one apprehend that unless the prejudice is kept in check by rightful means, it will, as time goes on, result in much racial disharmony here and elsewhere. We must however not be wanting in discrimination as regards the responsibility of the Central Government in the matter. However clear and unquestionable from the point of mere theory and abstract justice our right of emigration into the Colonies and equal treatment there may be, yet it is idle to expect the mother nation to attempt to enforce such right of ours except by suasion. That this method will be most willingly made use of whenever

necessary in future, may be taken for granted having regard to the settlement arrived at in South Africa at last. The recent utterances of his Excellency the Viceroy as to the advisability of the introduction of 'Reciprocity' in the matter of emigration constitute a further ground of hope of a reasonably favourable settlement of this subject. And in responding to the kind call for opinion which his Excellency has been pleased to make, it is our imperative duty to strengthen his hands to the utmost of our power so as to enable him to secure a solution honourable to us in the matter.

In the course of his presidential address, Mr. Basu said :—

The war has come to us as a trumpet call—it has roused enthusiasm in England for India, it has moved the heart of Anglo-India and has even drawn the British colonies out of their exclusiveness. Our Viceroy has been telling us of the formation of a new policy of reciprocity between India and the Colonies. No reciprocity except on terms of equality would be acceptable in India. Would the Colonies give it? Not in the past, but now there is hope of a settlement consistent with our position in the Empire for this is what a leading organ of public opinion in South Australia says :—

'It was only ignorance that thought of the Indians as an inferior race. They are the equals, fully the equals, of the proudest European nation, and they claim, in their own land, to be free citizens, governing themselves, and shaping their own national destiny, within the many-nationed "Empire of the Free." Who shall say them nay?

RESOLUTIONS

Among the resolutions were the following :—

India and the Dominions

This Congress begs to convey to H. E. the Viceroy the profound gratitude of the people of India for the sympathetic manner in which he has handled the questions connected with the emigration of Indians abroad. And while welcoming his Excellency's suggestion of reciprocity as the underlying basis of negotiations with the colonies, this Congress desires to record its conviction that any policy of reciprocity which can be acceptable to the people of India must proceed on the basis that the Government of India should possess and exercise the same power of dealing with the colonies as they have in regard to India.

[Proposed by Mrs. Annie Besant (Madras), seconded by the hon. Rao Bahadur P. Kesava Pillae (Madras), supported by Mr. H. N. Kunzru (Allahabad), and carried unanimously.]

The Status of Indians

That in view of the profound and assured loyalty of the people of India, as manifested in the present crisis, this Congress appeals to the Government to deepen and perpetuate it, and make it an enduring and valuable asset of the Empire by removing all invidious distinctions here and abroad between his Majesty's Indian and other subjects, by redeeming the pledge of provincial autonomy contained in the Dispatch of the 25th August, 1911, and by taking similar measures as may be necessary for the recognition of India as a component part of a federated Empire in the full and free enjoyment of all the rights belonging to that status.

[Proposed by the hon. Bubu Surendranath Banerjee (Calcutta), seconded by Mrs. Annie Besant (Madras), supported by Mr. D. C. Ghose (Bengal), and carried unanimously.]

Indians in South Africa

This Congress begs to offer to H. E. the Viceroy its respectful thanks for the noble and courageous stand made by him in the cause of our people in South Africa. And, while expressing its grateful appreciation of the efforts of the Government of India in obtaining relief in respect of some of the most pressing grievances of our Indian fellow-subjects and of the firm advocacy in the cause of Indians of Sir Benjamin Robertson, this Congress begs to place on record that no settlement can be wholly satisfactory or be deemed final which does not secure equality of treatment between his Majesty's Indian and other subjects in South Africa, and respectfully urges on the Government of India that steps may be taken as early as circumstances will permit to bring about such equality of treatment. And this Congress places on record its warm appreciation of and admiration for the heroic endeavours of Mr. Gandhi and his followers, and their unparalleled sacrifice in their struggle for the maintenance of the self-respect of India and the redress of Indian grievances. And this Congress further expresses its gratitude to Messrs. Polak and Kallenbach for their voluntary sacrifice and suffering in the cause of India, and the Rev. C. F. Andrews for his help under circumstances of great difficulty. And lastly this Congress records its appreciation of the invaluable services of the hon. Mr. Gokhale throughout the struggle in bringing about the present settlement.

[Proposed by Mr. G. A. Natesan (Madras), seconded by Babu Sachindra Prasad Basu, (Bengal), supported by Mr. C. Lakshmi Narasimham (Madras), and Pandit Rama Kant Malaviya (Allahabad), and carried unanimously.]

Indentured Labour

Owing to the scarcity of labour in India, and the grave consequences resulting from the system of indentured labour, which reduces the labourers, during the period of their indenture, practically to the position of slaves, this Congress strongly urges the total prohibition of recruitment of labour under indenture, either for work in India or elsewhere.

[Proposed by Mr. F. G. Natesan (Madras), seconded by Mr. Totaram Senadhyia (formerly of Fiji), and carried unanimously.]

In speaking to the South African resolution, Mr. Natesan said that it was not the time to refer to the memory of the past year when the struggle was at its height. He was sure a satisfactory settlement of the whole question was in view. He regretted Mr. Gokhale was, owing to ill-health, unable to be present. He would have imported a force all his own to the demand for a speedy settlement of the question.

Mr. R. K. Malaviya in supporting, dwelt on the many disabilities under which Indians had to suffer in South Africa and in view of these disabilities no settle-

ment which did not guarantee the fullest equality of treatment to Indians could be regarded as final. No word of his was needed to commend the services of Mr. Gandhi and others who had given their all to the cause.)

(To be continued)

South African Theosophist on the Indian Question

The Seeker for January publishes the following report of an interview of Mrs. Wybergh with Mrs. Besant on the subject of the Indian question in South Africa and the South African Theosophical Society:—

"It will be in the recollection of the members that at the last Convention Mrs. Wybergh was deputed to interview Mrs. Besant and lay before her the position of the T.S. in South Africa in relation to the Indian question. Owing to various circumstances, Mrs. Wybergh was unable to see Mrs. Besant until July, after she had delivered her address in Queen's Hall on "India," and subsequent to the passing in this country of the Indians' Relief Bill, which materially altered the whole question.

"At the interview, Mrs. Wybergh pointed out that we in South Africa thought that we had not been fairly used in the columns of the *Theosophist*, and she placed before her the case as it was summed up in our talks at Convention. She emphasised the fact that while we Theosophists in South Africa would give way to no-one in our belief and desire for the practice of the general principles of brotherhood, yet we felt it only right and reasonable to assert that the precise moment and method of its special application were likely to be best appraised by local persons, who were not only Theosophists actuated by this ideal, but who were also acquainted with local conditions and had a grasp of public events and their relations to each other over a considerable period of time. Mrs. Besant listened most courteously and attentively to all that our representative had to say and remarked that the position had entirely changed since the controversy, but did not show any disposition to take any action in the way of giving credit to South African Theosophists for the desire to carry out their duties in a difficult situation. Nothing is now to be gained by making any further attempt to right ourselves in the eyes of others; each has acted in the matter in the way which seemed to be the best under the circumstances, and it would be well to let the matter drop altogether, especially as there is more important work in front of us."

[NOTE: When we heard that Mrs. Wybergh had been delegated to interview Mrs. Besant on the South African Indian question, we felt, at the time, that, with every respect for her great abilities, she was almost least of all fitted, of the members of the South African Theosophical Society, to make representations to Mrs. Besant on the South African Indian question. Both Mrs. Wybergh and her husband have so closely associated themselves with the policy of racial segregation, which we have always felt to be opposed to the very principles of Theosophy, that, if they could be held fairly to represent the Theosophical Society, we could only say with regret that the Society had abdicated its functions. On the other hand, if the Society in South Africa desires to carry out the very first of its fundamental principles, in our opinion it is bound to repudiate Mr. and Mrs. Wybergh, and what we regard as their anti-Theosophical propaganda. It is a matter of satisfaction to note that Mrs. Besant naturally, as head of the Theosophical Society, and with her wide knowledge of India and its problems, declined to associate herself with the doctrines for which they

stand. It is quite true that a number of prominent Theosophists in South Africa are closely attached to or intimately associated with the Indian movement. We venture to hope that, in course of time, their numbers will be increased, and that the South African Society may rightly take to itself the credit of being mainly responsible for improved relations between the Indian and European communities. To-day, we fear, it is congratulating itself upon the efforts of individual members, who in this respect, do not receive from it the support to which they are entitled.—Ed. I.O.]

From the Editor's Chair

INDIAN NATIONAL CONGRESS

From the Indian exchanges to hand by this mail it will seem that the Madras Session of the Indian National Congress was a great success. The presence of Sir Subramania Aiyer, the distinguished ex-judge and vice-president of the Theosophical Society, as Chairman of the Reception Committee, would alone have sufficed to render the session memorable. His address of welcome was couched in spiritual language such as few men in India can to-day command, and the tone of his remarks raised the Congress from the ordinary platform of politics to the much higher one of spiritual nationalism. Rabu Bhupendranath Basu's presidential address, too, was remarkable for its eloquence and its fervour. The occasion, moreover, was rendered remarkable by the presence, for the first time, of a Presidency Governor, and Lord Pentland will have earned general commendation for the courage with which he has rejected bad past precedents and has created a good one of his own. There were four resolutions in which South African Indians are specially interested. The first had reference to Lord Hardinge's recent plea for the acceptance of the principle of reciprocity, and Mrs. Besant's splendid advocacy of the Indian case did credit to her political sagacity, whilst it must have inspired all who listened to the pregnant address that she delivered with characteristic forcefulness. It was her reply to the representations made by Mrs. Wybergh and those who follow her. Naturally, this year, with the settlement of the Passive Resistance Struggle, and with the memory of the Vancouver troubles still unsettled, and their unhappy aftermath at Budge-Budge, Canada took the place that has hitherto been allotted to South Africa, and Pundit Hirday Nath Kunaru, the distinguished son of the late Pundit Ayodhya Nath, and the head of the United Provinces Branch of the Servants of India Society, naturally laid special stress upon the position in British Columbia. The second resolution very properly dealt with the status of Indians in the Empire. The third of these resolutions had particular reference to the settlement in South Africa, and the thanks of the Congress was given to all who had taken part in the struggle. We need not say more of this than that the Passive Resisters, whether Indian or European, but performed a simple duty to the best of their ability.

The fourth resolution called for the stoppage of the system of indentured labour, and appropriately enough it was spoken to by a delegate who had come from Fiji, where the system is in force perhaps at its worst. It is significant, however, that, since 1911, neither the Social Conference nor the Industrial Conference has repeated a similar resolution passed in that year, by those bodies, and this is a matter of great regret, first, in view of the moral harm that the indenture system creates and maintains in India, impeding the forces of social reform, and secondly, because of the economic disadvantage to the country. We earnestly hope that, now that Mr. Gandhi is in India, both of these Conferences will do their part of the work on this question, and thereby strengthen the hands of the Congress itself and of the Indian members of the Imperial Legislative Council.

The Principle of Consultation

On the 28th ultimo, in the Y.M.C.A. Building, Durban, Mr. Maurice S. Evans, C.M.G., presided over a gathering of ladies and gentlemen interested in native affairs. The meeting was convened under the auspices of the Natal Native Affairs Association, to meet Mr. J. H. Harris, organising secretary of the Aborigines Protection Society, of London, and there was a good attendance.

Mr. Harris, in his address, said that the Committee felt its first duty was that of watching native affairs in British territories; secondly, in those territories for which Britain has treaty responsibilities; and, thirdly, for the welfare of natives employed in foreign territory under British capital and control. The Society also assisted to the best of its ability committees in foreign countries working for similar objects. Within recent years the chief efforts of the Society had been devoted to the exposure of the peonage system in Central and South America; to the reform of contract labour, and the abuses arising from forced labour. Peonage, Mr. Harris declared, had been proved to be slave-owning and slave-trading of the worst type. It had produced, he said, atrocities of the most barbarous kind. The capture and sale of Indians was a daily occurrence, whilst the death-roll from torture and abuse had been appalling. To the Earl of Lytton had been committed the task of guiding a representative sub-committee in its work of pushing an abolition of this modern form of slavery.

Mr. Harris paid a tribute to Mr. St. Loe Strachey, the editor of the *Spectator*, who was chairman of another sub-committee, and whose task was that of securing an abolition of the slave conditions attendant upon the Portuguese system of contract labour in West Africa. The Committee had been able, by the pressure of public opinion, to secure the liberation of nearly 8,000 slaves, but they would not be satisfied until the remaining 30,000 had been liberated—a demand which Britain's treaty obligations gave her a clear right and duty to make upon the Portuguese Government. Mr. Harris proceeded to outline some of the reforms which the Society is pressing upon the Government with reference to British Indian coolie labour, which include a shortening of the contract to five and then three years; the abolition of criminal punishments for breaches of civil contracts; the appointment of Indian Civil Servants as protectors; that all charges connected with the transportation of such labour should fall upon the employers, and not, as in certain Colonies, upon the revenues and coolies. And, finally, that the explicit political condi-

tion upon which coolies enter a Colony should be strictly observed. This has been laid down by the Indian Government, and gives to the Indian at the expiration of his contract a position "no whit inferior to that of any other subject of his Majesty."

The Chairman called attention to the speeches lately delivered by the Archbishop of Capetown and the Bishop of Pretoria, and expressed himself as extremely pleased that they took such a broad view of the position, and, instead of dealing with phases of the question, went down to fundamentals. Mr. Evans was of opinion that all those who desired better race relations and a more hopeful social future in South Africa should concentrate on:—

(1) Framing some method by which native opinion could be expressed;

(2) Establishing some council or other body in which that opinion should be considered and co-ordinated, and brought to the notice of Government;

(3) Formulating some plan by which native opinion and interests should be represented in Parliament.

He moved the following resolution, which was seconded by the Rev. F. B. Bridgman, and carried unanimously: "That this meeting of the Native Affairs Reform Association wishes to identify itself with the opinion expressed by you on the native question, believing that the points on which you laid stress are of fundamental importance, and hope when the time is ripe to assist in putting same into actual operation." The wish was expressed that a copy of the above resolution be sent to the Archbishop of Capetown and the Bishop of Pretoria.

After a hearty vote of thanks to Mr. Harris the meeting concluded.—*Natal Mercury*.

President Wilson and Negroes

Outlining his attitude toward the negro, President Wilson at Washington recently told the University Commission on Southern Race Questions, made up of representatives of 11 Southern Colleges, that "our object is to know the needs of the negro and sympathetically help him in every way that is possible for his good and our good." Dr. C. H. Brough, of the University of Arkansas, chairman of the Commission, told the President the Commission was organised to make an impartial study of the race question from the standpoint of the negroes' economic, hygienic, civic and moral betterment. He said that a very deep investigation of the subject was being made with the good of the negro always in mind.

"I am very glad to express my sincere interest in this work and sympathise with it," said the President, in reply to Dr. Brough. "I think that men like yourselves can be trusted to see this great question at every angle. There isn't any question, it seems to me, into which more candour needs to be put or more thorough human good feeling, than this. I know myself as a Southern man, how sincerely the heart of the South desires the good of the negro, and the advancement of his race on all sound and sensible lines, and everything that can be done in that direction is of the highest value. It is a matter of common understanding.

"There is a charming story told about Charles Lamb. The conversation in his little circle turned upon some men who were not present, and Lamb, who, you know, stuttered, said: 'I hate that fellow.' His friend said: 'Charles, I didn't know you knew him.' Lamb said: 'I don't; I can't hate a fellow I know.'

"I think that is a very profound human fact. You cannot hate a man you know. And our object is to know the need of the negro and sympathetically help him in every way that is possible for his good and for our good. I can only bid you Godspeed in what is a very necessary and great undertaking."

Indians and the War

It is understood that steps are to be taken to convey to the people of India some token of the King's appreciation of their splendid patriotism and self-sacrifice in connection with the war. The matter has been under the consideration of the Viceroy and his Council and the Imperial Government, and there is ground for stating that during His Majesty's visit to France the King-Emperor took counsel on the subject with some of the ruling chiefs serving with the forces.—Special correspondent of *The Star*.

The Indian Soldiers Fund

Gratifying progress continues to be made with the Indian Soldiers Fund (says *India* of the 1st ultimo). The total now amounts to £111,403.

The latest subscriptions include £1,002 17s. 6d. from the members of the East India United Service Club; £115 4s. 6d. from the Bath Centre of the St. John Ambulance Association, being its fourth contribution; £52 10s. from Messrs. C. M. and C. Woodhouse, Ltd., £30 from the Misses Seton-Wightman; £25 each from Mr. Humphrey Crum-Ewing and the City Corporation Guildhall Staff War Fund; £20 2s. 6d. from the Clarence House School at Fife; and £20 from the Beggal United Tea Company, and the Cachar and Dooars Tea Company, respectively.

The motor ambulance convoy which the St. John Committee of the Indian Soldiers Fund has been forming for the Indian troops is now complete, and will leave very shortly for the front. It consists of forty-six ambulances, lorries, and workshops, fourteen of which have been contributed by the British Red Cross Society and the Order of St. John of Jerusalem, the remainder, together with the necessary motor-cycles, and spare parts, having been either presented or collected for by a sub-committee of the Indian Soldiers Fund, consisting of Lord Norreys, Sir John Hewett, Sir Trevredyn Wynne, Sir James Dunlop Smith, Mrs. Harington Stuart, Mr. Oswald Partington, I.C.C., and Mr. and Mrs. Arthur du Cros.

Comforts for Indian Soldiers

"The Eastern League," composed of Indian and English ladies, has been formed (says *India*) under the patronage of Queen Alexandra, and in connexion with the Committee of the Indian Soldiers Fund, for the purpose of making warm clothes and providing comforts for the Indian troops at the front. The Oriental Circle of the Lyceum Club is co-operating with the League.

The list of requisites include Balaclava sleeping caps, bandages, flannel bed-jackets, woollen bed-socks, flannel belts, covers for hot-water bottles, dressing-gowns, gloves, jerseys and sweaters, mittens, mufflers, pneumonia jackets, pyjama suits, woollen shirts, help-less case shirts, nightshirts, slippers, socks, undervests, wadded waistcoats, and woven pants. Gifts of cinnamon, cloves, cardamon, beetle-nut, cigarettes, Indian tobacco, sugar candy, cocoanut ice, and Turkish delight, are also asked for.

A room, known as the "Indian Room," has been placed at the disposal of the League by Messrs. William-Whiteley, Ltd., at their premises in Queen's Road, Bayswater. Meetings are held here every Tuesday and Thursday, from 3 to 6 p.m., for friendly intercourse and work. All donations should be sent to Mrs. H. Beverley, Nascot Lodge, Watford, and enrolment fees to Mr. Bholu Nauth, 15, Glazbury Road, W.

Parcels of warm underclothing, condiments, medicines, and Red Cross necessities, should be marked "For the Eastern League," and sent to the Indian Room, Wm. Whiteley, Ltd., or to the following ladies: Lady Hayes

Sadler (the President), Bailey's Hotel, Gloucester Road, S. W.; Mrs. E. B. Havell, 7, St. Edmund's Terrace, Regent's Park, N.W.; Miss Bonnerjee, 43, Hamilton Road, Haling, W.; Mrs. N. C. Sen, 69, Harcourt Terrace, Earl's Court, S.W.; Mrs. Woodroffe, 7, Queen Elm Square, Church Street, Chelsea.

Indians in British Guiana

The following extract is taken from the *Demerara Argosy* :—

During the past fortnight or so, writes our East Coast correspondent, upwards of six hundred free and indentured immigrants (from East India) of Cane Grove and Virginia villages approached Corporal Campbell, in charge of the Cane Grove Police Station, with a view to having their names enrolled for service in the war.

Some of them went so far in their loyalty as to bring their bank-books and other securities to the corporal, with the request that they be sent to his Excellency the Governor to be safely kept during their absence, and in case of their death to be handed over to the Government of the Colony.

While their countrymen in France and Belgium are rendering such gallant service to the Empire, it is gratifying to see such sincere and simple loyalty existing among the East Indian people of the Colony. Although the possibility of their services being required is very remote, they may rest assured that their expression of loyalty is fully appreciated.

The Volunteer Ambulance Corps

The following semi-official statement on the work of the Indian Volunteer Field Ambulance Corps has appeared in the *Times* :—

The devotion and generosity of India's princes, the loyalty of her peoples, and the bravery of her fighting races are features of the war which have deeply impressed themselves on the public mind. But there has been a tendency to overlook the fact that the young Indians pursuing their studies here have eagerly served the common cause, a large proportion having donned military uniform in a non-combatant capacity.

The suggestion made by Mr. M. K. Gandhi, on arriving in England at the outbreak of war, that Indians should offer their services to the Government, met with a ready response, and before the close of August the numerous volunteers were formed, at the suggestion of Lord Crewe, into a voluntary aid contingent, which was trained in the first instance by Dr. James Cantlie. This constituted the nucleus of the Indian Field Ambulance Corps, duly recognised by the War Office, with Colonel R. J. Baker, late of the Indian Medical Service, in command. Week-end camps were held at Eastcote, near Pinner, and by the time wounded Indians began to arrive in this country the corps was able to supply the *personnel* for their hospitals. This was most fortunate, for owing to the abandonment of the original intention to send wounded Indians to Egypt, the hospital establishments from India had not arrived, and no other trained men with knowledge of Indian languages were available here. The corps was thus able to fill what would otherwise have been a serious gap.

The total strength of the corps is now 235, and apart from a few resident Indians of standing, it is made up almost entirely of young men who are in this country for educational purposes. The total number of Indian students in the United Kingdom at present probably does not exceed 1,500 or 1,600.

Some members of the corps are still under training, but 175 have been employed on active service, of whom only 11 have left on account of ill-health or other reasons. They are employed at Netley, Brighton, Brocken-

hurst, New Milton, and Bournemouth, as well as on hospital ships, at the Indian hospital at Calais, and in the ambulance trains between that base and the French and Belgian front. Most satisfactory accounts of the good conduct and efficiency of the men are given by the various officers commanding hospitals where they are employed.

A long letter from Mr. Ameer Ali appeared in the Press, the gist of which is that he has received so generous a response to the appeal made by him on December 12th that he is undertaking the duty of forwarding to various regiments the gifts that have been sent to him. He proposes with the money donations which stand in his name, to the credit of "The Indian Troops' Comforts Account" at Messrs. H. S. King and Co.'s, 9, Pall Mall, S.W., to purchase further supplies of drugs and clothing required.

The Grand Duke Michael's Fund for the supply of gloves and mittens to the troops does not forget the Indian soldier. Sir James Willcocks, writing on December 26, through Major Robinson, acknowledges the receipt on December 20 of ten bales of mittens, and assures the donors that the gifts are warmly appreciated by the men. Further help is needed by the Fund. £11,380 only has been subscribed out of the £25,000 needed to supply the 500,000 pairs of gloves and mittens that are required. All letters or parcels should be addressed to the Grand Duke Michael at 39, Portland Place, W., and cheques should be made payable to His Imperial Highness.

A handsome tribute is paid in the Paris *Temps* to the valour and efficiency of the Indian soldiers. The writer, a French military man, says that the experiment of employing them has given decisive results and firmly established the Sikhs, Gurkhas and Pathans as equal to any European troops.

Repatriating Indians

We believe (says the *Natal Mercury* of the 2nd inst. in a leaderette) that some interesting figures will shortly come before public notice with regard to the repatriation of Indians from the Union. The situation created under the stoppage of indenture three-and-a-half years ago, together with the enactment of the Relief Act of 1913, appears to have been accompanied by some substantial effects with regard to the returning of Asiatics from the country to India. In 1913 there were some 1,700 time-expired coolies repatriated; last year the number increased to over 3,600, or more than double. The statistics of the matter will probably be rendered in full to the Indian Immigration Board at its annual meeting next month, but of the total repatriations, it is interesting to note that 178 took place under the Indian Relief Act of last year, which grants to an Indian otherwise not entitled to the privilege a free passage to his own country at the Government's expense, on his notifying his desire to return. The average value of the belongings, reckoned only in cash and jewellery, taken out of the Union by these individuals, averaged over £40 "per capita." We believe that the total amount in wealth, represented by actual money or readily realisable possessions, conveyed oversea by the Indians who accepted repatriation from Natal during 1914, has been reckoned at considerably more than £43,000. Apparently there is no sign of a general movement of Indians out of any Province but Natal, and here what might be under different circumstances a somewhat active tendency appears to be a good deal checked by the better economic conditions which the Indians are enjoying

especially upon the estates. Since the suspension of the indenture system wages to the field labourers are estimated to have been increased by 14 or 15 per cent., while the provision of other advantages has occurred in correspondence with the increased demand for labour. The tendency among the Indians to return, however, seems to be largely assisted by the inducement of the free passage allowed them under the provisions of the Relief Act. It is understood that the authorities continue to receive applications of this nature, and that, in view of the fact that the emigrant surrenders all right of re-entry into the Union, the authorities are not showing any disposition to refuse any.)

Strictures on a Magistrate

The Judge-President (Mr. Justice Dove Wilson), in the Natal Provincial Division of the Supreme Court, passed strictures yesterday morning (writes the Maritzburg correspondent of the *Natal Mercury* of the 3rd instant) on the action of the New Hanover Magistrate, Mr. Boast. The matter arose from the case in which a native named Nkantolo was sentenced to two months' imprisonment, with spare diet, for alleged breach of the Masters and Servants Act, the master in this instance being Mr. H. H. Schroeder.

The respondent called by the Judge-President, deposed that the native in question gave a great deal of trouble, and said he would refuse to do anything the Magistrate ordered him to do.

The Judge-President: The whole trouble seems to be because the Magistrate has not paid sufficient attention to the judgments of this Court.

Mr. Justice Carter: The Magistrate apparently does not agree with the regulations.

Mr. Stalker: Nor your Lordships' judgments either.

The Judge-President, in giving judgment, dealt with the decision of the Supreme Court in recent similar cases emanating from the same Magistrate, in which it was held that, in the absence of any evidence, a plea of guilty was not sufficient to warrant conviction. In the appeals in these cases the Court expressed some very strong criticism on the action of the Magistrate in question. The present appeal, said his Lordship, was from the judgment of the same Magistrate, who had followed exactly the same course which had been condemned in two recent cases, to which he referred. On this occasion the Magistrate had given no reason for the course which he had taken. He (the Judge-President) could not think the Magistrate was unaware of the decisions of the Court, because he (the Judge-President) had reason to know that the decision of the Court were directly sent to him. It seemed to him almost incredible that in the short space of time which had elapsed he should have forgotten, under circumstances which rendered such forgetfulness, to say the least, most extraordinary—or that he should have made up his mind to deliberately set the decision of the Court at naught. He (the Judge-President) had already expressed himself, and could not do any more than say that he could only take the course of bringing the matter to the notice of the Minister of Justice, because they could not for a moment allow a magistrate to adopt such a course. The Magistrate had not only taken the course which he ought to have known was not right, but had proceeded to inflict a sentence which was beyond his jurisdiction under the statute. The appellant was dealt with contraventions under Section 21, of the Masters' and Servants' Act. By that section the Magistrate was in a position to inflict a sentence not exceeding one month. By Section 27 of that Act imprisonment might be increased to six weeks in the event of there being proved against the accused previous contraventions of Section 26, within a period of six months previously. In the present case if those

previous convictions were taken, the most recent of them was 14 months old, and in spite of that the Magistrate had inflicted a sentence of two months' imprisonment, being in excess of what he could have imposed, even if those previous convictions could properly have been taken into account, and he had apparently proceeded under power conferred upon him by Section 29 of the Act in question, which only dealt with contravention under Section 28, and not with contraventions with which the accused was charged. He had sentenced the accused, the appellant to 14 days' solitary confinement, and spare diet in face of the remarks which fell from this Court in previous cases. It was difficult to imagine how the Magistrate could have acted as he had done in face of these decisions. The only result was that the conviction must be quashed, but he was bound to say he was sorry that Schroeder should be placed in this position, and if his case was a good one—he did not know whether it was or not—he regretted that he should be put to all this expense and yet not be in a position to obtain any redress. If his case was a good one he had been placed in this position because the Magistrate had absolutely disregarded the decisions of this Court. There could be no other result than the quashing of the conviction.

Mr. Justice Broome concurred, and said he was disposed to think that the Magistrate was suffering from a defective memory. The only other inference was that the Magistrate had set up his decision in defiance of this Court.

Mr. Justice Carter agreed. He said it seemed to be a matter of the Magistrate declining to do his manifest duty.

Mr. Stalker raised the question of costs.

The Judge President, in reply, said it was a most extraordinary attitude for the Magistrate to take, and it was an attitude which the complainant was entitled to assume he would not have taken up. The circumstances were unprecedented, and he thought that there should be no order as to costs. His only regret was that there could be no order of costs against the Magistrate personally.

Judgment was entered accordingly for the appellant no order being made as to costs.

[NOTE: The previous case referred to above was reported in our issue of the 16th September last. In giving judgment the Judge-President said:—"It may be, although it is difficult to understand how it can be, that the Magistrate on the 23rd of December was unaware of the decision given by this Court in an appeal from himself upon the 3rd of December. It may be that he had not at that time seen a report of the decision. At any rate I will give him the benefit of the doubt. But in stating his reasons for his judgment, which he did on April 15th, 1914, he says:—'I may say here, in this Province, it is not obligatory for evidence to be led when a plea of guilty is tendered.' I cannot take it that at this later date he was unaware of the decision of the Court; I could only do so by ascribing to him a degree of neglect or indolence in informing himself which I will not readily impute. But he must understand for the future that it is his duty to accept and apply the decisions of this Court; and when a point has been directly decided, more especially in the case of an appeal from himself, it is altogether improper for him to set his own view against that of this Court and say that that is not obligatory which the Court has declared to be necessary. The conviction must be quashed, and I shall expect in future that the Magistrate will see the propriety and necessity of conforming to the decisions of this Court; and I must express my regret that he should have made it necessary to tell him so."—Ed. I. O.]