

Indian Opinion

PUBLISHED WEEKLY IN ENGLISH AND GUJARATI

No. 12—VOL. XIII.

WEDNESDAY, MARCH 24TH, 1915.

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

ASSAULTED IN THE MARKET

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The complainant stated that he was a produce dealer and his business took him regularly to the Borough Market. On the 21st January he was in the market looking at some potatoes, and standing on the side where Indians were accustomed to stand when the accused came on the Indian side and pushed him with his elbow. He turned to him and said: "Why do you push me; I am on the right side?" Thereupon the accused hit him on the mouth, causing it to bleed. He reported the occurrence to the Market Master. He did not attempt to strike the accused. He simply spoke loudly but did not raise his hands.

Cross-examined by Mr. Cowley, witness stated that a deputation had recently waited upon the Chairman of the Market Committee and the question of the arrangement by which Indians and Europeans stood on opposite sides of the rows of bags of potatoes was amongst the matters mentioned.

Two Indian witnesses corroborated the statements made by the complainant.

The accused, giving evidence on oath on his own behalf, said that he went to the market on the day in question to buy potatoes. As he was going round the end of one of the rows of bags he felt someone put his foot in front of his. He could not say who it was. He uttered an angry ejaculation, stumbled forward, and saved himself by taking hold of the bags of potatoes. Thereupon he looked round and said: "Who the H—did that?" He saw the complainant in an attitude of offence with his hands up. He (the accused) then leaned over the bags and said: "If you want anything, take that," or words to that effect. He distinctly heard the complainant say, "Come on, come on."

Mr. Mallinson: "Do you say that it was a deliberate attempt to trip you up?" "Yes."

"And why should complainant want to trip you up?"

"Simply because I objected to Indians coming on the European side."

"Were you in any danger?" "No; I was never in danger myself; I simply retaliated."

"You were on the other side of the potatoes?"

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"So, Mr. Frank, you are guilty of assault?" "I quite admit the assault under provocation. If I were in the same place again, I think I should do the same thing again. I had to reach so far that the complainant did not get the full force of the blow."

Isidore Kahn, a European produce merchant, said that he was present on the occasion. He felt someone

bump against him and, on looking round, he found it was Mr. Frank. He heard him say: "What the D— are you doing?" The Indian said something about if he wanted something, he could have it. Witness asked the accused why he did not hit him harder. The market was not run upon a proper basis. There was ill-feeling between Indians and Europeans. The Indians wanted to come on the European side.

Mr. Mallinson, in his address, said that, on a point of law, the accused must be found guilty. The accused had retaliated when there was no danger, as he himself admitted. He asked the Court to imagine the indignity of having one's mouth burst open in the manner described, in a public place like the market.

Mr. Cowley read some extracts on the right of self-defence. The Indians, he said, had certain grievances and there was a section that would prevent those grievances being solved. They would keep the sore open. It was recognised that, in public places, separate accommodation was provided for Indians. The thing could be seen in that Court. He need not point out the natural aptitude of Indians to exaggerate. He maintained that his client only acted in justifiable self-defence or retaliation.

The Magistrate, in sentencing the accused to pay a fine of ten shillings, said that it was admitted by the accused that he struck the complainant, that he was in no danger at any time, and that a row of sacks was between them. Mr. Kahn had said that he saw the complainant in a fighting attitude and heard him using strong language, but there was nothing to show why. There appeared to be great feeling on the question whether the races should be separated, and there was also a question of trade jealousy.

[NOTE: The arrangement by which Indians and Europeans are asked to stand on opposite sides of the lines of bags or tables is purely administrative. It is admitted by the Market Master that he has no power to compel anyone to stand in a certain place in the market, and we know also that Indians observe the arrangement better than Europeans do. It is a pity that the Market Master was not called to confirm what we state.—Ed. I.O.]

In the Germiston Magistrate's Court recently a Native solicitor was cross-examining a European lady witness against whom a claim was being made for refusing to pay wages to her Native servant. She declined to answer the solicitor's questions on the ground that he was a Native and she objected to be questioned by a Native; whereupon Mr. James Young, the Magistrate, told her that he would not have any of that nonsense in his Court: she was bound to answer the solicitor's questions, he being an officer of the Court, and if she declined to do so, he would commit her for contempt of Court. She answered the questions.

material prosperity as in the undying spiritual ideals of love and service and sacrifice that inspire and sustain the mothers of the race.

I pray that the men of India may learn to realize in an increasing measure that it is through the worthiness of their lives and the nobility of their character alone that we women can hope to find the opportunity and inspiration to adequately fulfil the finest possibilities of our womanhood even as Mrs. Gandhi has fulfilled hers.

Indentured Emigration to the Colonies

In spite of official statements made from time to time that the system of indentured labour which is in force in India cannot be abolished, though steps may be taken to mitigate the hardships which it may entail, we believe (says the *Hindu*, Madras) that it is possible to induce the Government to realise the essentially unmoral nature of the practice which is, after all, a modified form of slavery. It is a system which involves loss of freedom, human degradation and degeneration of women, utterly out of place in an Empire which is under the sway of a nation that has just put forth noble efforts to secure personal liberty to the individual. It has, therefore, seemed strange to Indians that such a practice should be officially countenanced by the Government in India, even after its inherent evils have been brought to notice time after time. The public, however, cannot in the interests of humanity allow the matter to drop, and must persistently refuse to be satisfied with half remedies.

Looked at from this point of view, it is difficult to say whether the able report presented by Mr. J. McNeil and Mr. Chimmam Lal on the condition of indentured Indian labour in British Colonies can be considered altogether satisfactory. It must be stated that these officers were asked to report, not on the desirability or otherwise of ending the system altogether, but upon the conditions of life of the Indian immigrants in the Colonies, and submit recommendations as to any arrangements which may be considered desirable to promote their welfare. Within the limit fixed for their enquiry, the officers have, to judge from the report which they have made of their work, done their business ably and conscientiously; but what will chiefly interest the general public is the wealth of material that is available for the case for the abolition of indentured labour. The deputation left England on the New Year's Day of last year, and spent altogether eleven months in visiting various estates and places in the four British Colonies of Trinidad, British Guiana or Demerara, Jamaica and Fiji and in the Dutch Colony of Surinam. In each of the places visited, enquiries were made into the sanitary, medical and labour arrangements made for the labourers, the wages paid, the penalties and restrictions imposed, the facilities afforded for religious observances by the employers, the sufficiency of the control vested in the Protector of emigrants and the position of free Indians.

It is difficult to say whether the Commissioners had the moral aspects of the system in view when they took up the task of making general observations on it, as they found it working in the various Colonies which they visited. But their detailed report contains sufficient condemnation to prove the essential unwholesomeness of indentured emigration. One of the outstanding blots of the system is the way in which women recruits are obtained, and it is an admitted fact that the majority of women in the Colonies are not married to the men with whom they live on the estates, and the fact is taken as undisputed that the morality of an estate population compares very unfavourably with that of an Indian village. The Commissioners say, however, that the advantages of the system far outweigh its disadvantages, and proceed to mention some of the

circumstances from which they infer that such emigrants live under very much better conditions than their relatives in India. Their views are summarised in the following concluding sentences:—

They are as a body more conscious of the far-reaching legal protection which they enjoy than of the legal liabilities to which they are exposed. Our proposals involve the recognition of further rights and the reduction of liabilities, and we venture to claim that their adoption will justify the system being fairly described as one of protected immigration, in which the protection ceases when no longer required. We do not regard the system as solely or mainly concerned with securing fair wages and fair treatment for Indian labourers who are content to emigrate for a few years, save a few hundred rupees and return to their homes. Following the example of the great majority of the emigrants themselves and their descendants we regard it rather as a system of colonisation under which poor but industrious Indians, whether landless labourers or the sons of poor cultivating landowners, who are content to be trained and acclimatised under private employers in need of a steady supply of labour, are offered prospects much more favourable than they could hope to realise at home. . . . We are conscious that the acceptance of our proposals will increase the cost of indentured Indian labourers to their employers and may in consequence lessen the demand, but it may also have the effect of raising the standard of capacity expected from employees.

The general remedies suggested propose that unsuitable emigrants shall be excluded, that the agreements shall state clearly how misconduct will be punished, and that the proportion of female to male emigrants shall be increased from 40 to 50 per cent., the present minimum age-limit being abolished. It is recommended further that the vigorous restrictive provisions in the ordinance shall be expunged, and that punishments shall be reduced. Proposals are also advanced that labourers shall be entitled at any time to commute their indenture by payment of a graduated redemption fee, and that facilities shall be promised for the registration of marriages and for meeting the special need of Indian children in the matter of primary education.

A European produce merchant, named Phillip Frank, was convicted in the First Criminal Court, Durban, on Monday last on the charge of assaulting T. G. Desai in the Borough Market. The case is of considerable interest and will be fully reported in our next issue.

Another case of public interest which came before the same Court on the 11th instant was the case of an Indian charged with being drunk on the Durban station platform. His defence was that he was refused a seat in the train and remonstrated. We shall give a report of this case also.

One of Mr. C. Henwood's Indian employees appeared in the First Criminal Court on the 15th instant charged with refusing to return to his employer when ordered to do so by the Protector. The man stated that he was quite prepared to return if the Magistrate would guarantee that his wages would be paid. He had failed to get his wages and so refused to return to work. The Magistrate (Mr. B. Hodson) requested the interpreter to write to Mr. Henwood, stating the reason why the man refused to return. A sentence of seven days' hard labour was imposed.

Punsamy, an Indian employed at the Point, was charged with being drunk which he admitted. Mr. Mallinson, who prosecuted, rose and said: "As the policeman who arrested the accused has not deemed fit to come to Court, I withdraw the charge." Discharged!

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All About a Badge

The Municipality of the City of East London has issued the following Regulations relating to Vendors of Fruit, Vegetables, etc. (framed under the Provisions of Ordinance No. 10 of 1912):—

(1) Within one month from the date of promulgation of these Regulations, and annually thereafter, no person shall carry on or assist in carrying on within the limits of the Municipality the trade, business or profession of an itinerant vendor, pedlar or hawker of fruit, vegetables, flowers, plants, firewood, fish, food-stuffs, poultry or their products, whether the product of his own industry or otherwise, unless he shall have been registered in the manner hereinafter prescribed, and have procured the badge to be worn as required by these regulations.

(2) Every person applying for such registration shall do so upon the form to be provided by the Council, giving his full name, age and address, birthplace, nationality and the address of the person (if any) by whom he is employed, and shall further state the class of articles he proposes to sell and whether the same are the product of his own industry.

(3) Every person registered in the terms of these regulations shall on or before the 31st day of January in each and every year renew his application at the office of the Council, and shall produce his badge and deliver up his certificate of registration in exchange for a certificate for the current year. Every registered person shall give immediate notice during the currency of his certificate, and shall be required to have such officially endorsed thereon.

(4) Every itinerant vendor registered under these Regulations shall, when plying his calling, wear in a conspicuous position on his left breast a badge to be furnished by the Council upon payment of the sum of two shillings and sixpence; such badge shall bear the inscription "Registered Vendor" and also a number corresponding to the number of the certificate of registration. Such certificate shall be produced by the holder when called upon by any member of the police force, or any householder and shall bear the registered vendor's photograph and signature.

(5) Every application for registration shall be accompanied by a certificate signed by the chief officer of the Police District in which the applicant resides, and such registration shall not be made except upon the production of a certificate to the effect that the applicant is a fit and proper person to be registered as an itinerant vendor.

(6) Every registered person who loses his badge or certificate shall give notice thereof forthwith to the Council, and shall obtain a new badge or certificate on payment of the prescribed fee, and the former badge or certificate shall thereupon be cancelled and upon such cancellation shall be deemed not to have been issued, and every person found thereafter in possession of and using such badge or certificate shall be liable to prosecution for a breach of these regulations. No registered person shall transfer, lend or hire his badge or certificate, and registration certificate, to any person unless with the approval of the Police.

(7) No itinerant vendor shall use or employ for the purpose of plying his profession or calling any wagon, cart, handcart, barrow, or other conveyance for the carrying of his goods, wares or merchandise of such itinerant vendor unless the name, address and registered number of such itinerant vendor shall have been painted on both sides thereof in some conspicuous place in legible characters of not less than two inches in length and of proportionate width and of a colour clearly distinguishable from the ground whereon the same are painted. No one except a registered vendor or his registered assistant shall be allowed to accompany him when carrying on his trade.

(8) Any person desiring to vend foodstuffs, whether the product of his own industry or otherwise, shall not

store such foodstuffs in premises which have not been approved of by the Medical Officer of Health of the City.

(9) Every person found guilty of a contravention of any of the foregoing Regulations shall be liable to a penalty not exceeding Twenty Pounds Sterling (£20).

Fetters of Gold

A reception was recently given to Mr. and Mrs. Gandhi at Ghatkoper, near Bombay, at which Mr. Gandhi was presented with an address enclosed in a silver casket with fetters made of gold. In acknowledging the gifts Mr. Gandhi made a speech wholly unlike the usual run of speeches on similar occasions and wholly worthy of himself (says the *Punjab*). He described the silver casket and the fetters as somewhat unsuitable to a person who had neither a roof over his head nor locked doors to his house. Fetters whether of gold or of iron were the same to him, as they were fetters after all. A function like the one they held, he added, was most uncongenial to him and the temptation it involved would tend to spoil a person like him whose only thought was to serve his Motherland, irrespective of praise or blame, with no expectation of any reward whatever. The only idea behind his work was duty. He had only been able to do so far one anna of it and he had returned to his country after all these years to try his best to do what he could of the other fifteen annas in the years that were left to him. He hoped for nothing and wished for nothing beyond being able to fulfil the duty that lay before him. He entreated them all to accept whatever service he could give and not to give him costly presents which he could not use and which could be put to far better uses. From anybody else, certainly from most persons in his position, words like these would have sounded as affectation pure and simple. They were the most natural words in the mouth of Mr. Gandhi, who is a more or less complete embodiment of the Hindu ideal of *niskama dharma*, who has no feeling except one and no thoughts except for his country and the realisation of the good.

In showing our appreciation of the services of such a man (adds our contemporary) we must enlarge the vocabulary beyond the formulas used in public addresses and must dispense with some at least of the forms that are in vogue at the present day. Mr. Gandhi may have found himself in the position of the undisputed leader of a great agitation, and surely there never was a man whose title to leadership was greater than his, but he has nothing in common with the demagogue. He is not even a democrat in the ordinary acceptance of that term; for, of few democrats in these days can it be said that they have placed before themselves the ideal of service to their Motherland, irrespective of praise or blame. Mr. Gandhi is a patriot, because he is a lover of humanity; he is a lover of humanity because he has active faith in divinity and is filled with a burning zeal to realise the divine in man. His description of what others call passive resistance as soul-force is in beautiful harmony with this ideal. We can only hope with Mr. Gandhi that the more unthinking among his people will not spoil him, even if he is capable of being spoiled, and that he will be allowed to serve his country according to his lights. We have not a word to say against leadership of the western pattern, but surely there is room for leaders in India of the distinctly Indian pattern, leaders who will build their private as well as public life on the ideal of *dharma*, as distinguished from the notion of rights pure and simple. It was on the last that the French Revolutionaries took their stand, and in spite of the emphatic protests that have from time to time been uttered against the one-sidedness of this notion, among others by Mazzini, the notion of right as distinguished from duty is still the predominating notion in the West. It is in the fitness of things that if India is ever to

become great, and she is destined to become great, her greatness should be built not on the notion of rights alone, on which so many nations in the West have built their greatness, nor of duty divorced from right, which under modern conditions can only lead to a mechanical, sterile, and soulless existence, but of duty impregnated with the sense of right. This is Mr. Gandhi's idea and it is the only idea which can find permanent acceptance in India.

From the Editor's Chair

MARTYRS TO DUTY

DURING the last few days two men prominently associated with various aspects of life in South Africa have died the death of martyrs to the cause that they have made their own. One of these was Mr. Tom Matthews, the leader of the Transvaal miners, and a prominent labour leader in South Africa. He died of miner's phthisis, to which he fell a victim in the course of his daily work as a miner, and whose ravages he for years endeavoured to diminish. His efforts met with considerable success, as is evidenced from the Miner's Phthisis Acts that have recently been passed. The late Mr. Matthews's politics differed in many respects from ours, but he was a man of honest conviction and devoted to the cause of the workers, and we offer this tribute to his memory and our sympathy to his bereaved relatives.

The other case was that of the late Sir George Turner, who, during the period of Crown Colony Government in the Transvaal, was the Colonial Medical Officer for Health. He was a man of sturdy independence, who brooked no control of his conscience even by his employers. He will be remembered by the Indian community with feelings of sorrow and regret at his demise as a victim of leprosy, the study of the cure of which he had made his own, if only by reason of an incident that occurred in the Legislative Council on one occasion, when a non-official member was inveighing against the pig-like habits of Indians in the Locations. Dr. Turner, as he then was, roundly reminded the speaker that if he were obliged to live in a pig-sty he would also live like a pig. There are too few men of independence in this country, fewer still who will make martyrs of themselves for the cause of the suffering. What Tom Matthews did for the miners suffering from a dread disease, and Sir George Turner for others in this country suffering from leprosy, we earnestly hope that at least some Indians will be found capable of doing for their countryman wherever the demand may be and as occasion may offer.

A HARSH DECISION

We much regret that the Minister of the Interior has recently reached a decision which will result in arousing strong ill-feeling in the Indian community and grave hardship in a particular case. We have private information that one Nagamoothoo arrived in the Cape Province towards the end of 1902 and proceeded immediately to Kimberley, where he remained as a trader until March, 1912, when he proceeded to India on a year's permit. Owing to ill-health he outstayed the period of his permit, and it was only in the year 1914 that he began to get better. He then learnt that a settlement had been reached in South Africa, and understanding that it covered his case, he returned to East London at the beginning of the current month, just before the expiry of three years from the date of his permit, believing that he was protected by the correspondence between the Minister and the Cape British Indian Union, wherein it was stated that instructions had been given to Immigration Officers throughout the Union that Certificates of Identity or Certificates of Identification then outstanding should

be regarded as if for a full period of three years. On arrival at East London, however, the man was declared to be a prohibited immigrant. He offered to go before the Board at Cape Town, but it would appear that the decision of the Board was reached in his absence and that his appeal was rejected. Meanwhile, however, representations had been made to the Minister calling his attention to the facts. Days of delay ensued and eventually a reply was received that the Minister regretted being unable to interfere with the decision of the Appeal Board. It was pointed out to him, in reply, that the case should never have been allowed to be decided by the Appeal Board before he investigated the matter thoroughly, and that it was unfair to make the decision of the Board a ground for refusing to do justice to this man, but, apparently, all appeals to him have fallen on deaf ears. It would seem that the association of Mr. Cousins, the Cape Immigration Officer, and Sir Thomas Watt, the new Minister of the Interior, will prove fertile with injustice to Cape Indians. We do not know that it can definitely be declared that this case comes within the terms of the Minister's letter to the Cape British Indian Union, but it undoubtedly is a border-line case and one which should have been dealt with in a sympathetic spirit of administration by the Minister. When the hide-bound bureaucracy of the Cape Immigration Officer is associated with lack of imagination and sympathy on the part of the Minister, grave hardship is bound to ensue, and this, together with other recent administrative actions, will give rise to the suspicion in the Indian community that the spirit of last year's settlement is being departed from by the Government. We trust that the various Cape Associations will take immediate steps to protest against the Minister's decision, and that the matter will be brought to the notice of Parliament at an early date.

DEGRADING REGULATIONS

THE Municipality of the City of East London, Cape Province, has issued some new regulations regarding hawkers which are certainly unique. "Every itinerant vendor registered under these Regulations shall, when plying his calling, wear in a conspicuous position on his left breast a badge to be furnished by the Council upon payment of the sum of two shillings and sixpence; such badge shall bear the inscription 'Registered Vendor' and also a number corresponding to the number of the certificate of registration. Such certificate shall be produced by the holder when called upon by any member of the police force, or any householder and shall bear the registered vendor's photograph and signature." We wonder whether the householders of East London are sufficiently safeguarded by the above clause. Would it not be advisable to have a brand upon the forehead of each itinerant vendor? One never knows that the photograph is not faked or the signature forged. Perhaps a ring through the nose, to which a strong cord could be attached, would be something really protective, and, in case of escape, which, of course, they would always be attempting, it would be exceedingly handy. There is, however, a further safeguard in the next clause which provides that every application for registration shall be accompanied by a certificate signed by the Chief Officer of the Police District, certifying that the applicant is a fit and proper person to be registered. We can picture the busy housewife, before making her purchases, demanding the production of the certificate and comparing the photograph with the original standing before her. She might then demand a specimen of the hawker's handwriting to compare with the signature upon the certificate. How all this might be simplified by the addition of a brand mark or a nose-ring! If it was not such a serious reflection upon the honesty, and an insult to the self-respect, of a large body of useful traders, the majority of whom are Indians, we could go on finding amusement out of these extraordinary regulations. But when we recollect that they are to be enforced and that

a penalty of a fine of Twenty Pounds may be imposed for refusing to conform in every particular, it is very serious. East London evidently wants what Johannesburg or Durban never found to be necessary. We understand that a strong protest is being lodged by the East London British Indian Association against the regulations.

The Tramway Fight

On the 7th instant the Johannesburg Town Council discussed the subject of coloured people and the tram-cars. The discussion arose (says the *Transvaal Leader*) out of a report of the Tramway and Lighting Committee which, amongst other matters, recommended the adoption of the following clause:—

Domestic servants in charge of children may travel and occupy any seat that may be allotted to them by the conductor upon any carriage, or portion of a carriage, set apart for the use of the class of passenger to which such children belong.

Mr. Treu had a grave objection to offer to this clause, which meant that a coloured servant in charge of a white child might sit next to white people in the cars. This was going to break down the barrier between white and black, and if it were passed there would be mixed passengers. The clause did not specify male or female servants, so that a male Kaffir would have the right to sit anywhere on a car. Mr. Treu spoke of the sufferings of the voortrekkers, and said he wanted to prevent any unpleasantness, such as was taking place in Capetown, where the burghers were chucking the coloured people off the tram-cars. It was force majeure and illegal, but it was being done. Did the Council want to experience another Wolmaran's case? If this clause became law, he (Mr. Treu) would probably be one of the first to be convicted under it. He appealed to Councillors, as men, to avert the trouble that he saw ahead. He was agreeable to giving coloured people certain conveniences on the tramways, but he did not agree that they should have the right, when accompanied by white children, to be able to demand a seat in any part of a tram. He moved that the clause be sent back.

Prejudice and Cant

Mr. Young was very glad that Mr. Treu had raised the point. In Durban he was astonished to see how the Kaffirs took possession of the back seats, but in Capetown the coloured people sat all over a car. The person who drafted the by-law must have overlooked a good deal. This was a very serious matter.

Mr. O'Hara pointed out that the by-law had been in force always, and had never caused any trouble.

Mr. Smith supported Mr. Treu. If they wanted white people to be respected they should not pass the by-law.

Mr. Clark opposed the amendment, which he said was so much colour prejudice and cant. It was clear that coloured domestics could ride only on the outside of the trams. But was it fair to ask a coloured servant to sit outside a tram with a white baby on a cold night?

Mr. Jackson spoke in similar terms.

Mr. Partridge was sure that the white population of Johannesburg would never allow coloured people to mix with whites on trams. But some accommodation must be provided, and he wanted to avert a general boycott of the trams by Europeans by giving limited accommodation to natives. The best thing was to allow the by-law to go through. If the coloured people did not use the room provided for them, it would be shown that the Council had at least done its duty.

Mr. T. F. Allen said the Courts had told them that they must provide reasonable provision, and not adopt an arbitrary attitude.

The amendment was negatived, and the report was adopted, Messrs. Treu, Smith, Young, and Cubitt voting in the minority.

Interview with the Mayor

"It is a very controversial point," said the Mayor of Johannesburg, Mr. Norman Anstey, to a *Sunday Times* representative, "but it had to be faced. Up to now the problem at the back of our heads has been to provide for the intelligent, educated, decently dressed coloured people so long as they are well behaved, and to protect the travelling public from any abuses that might arise. The method adopted has been to exclude all coloured people, a method which I have always admitted has its disadvantages, and as that is no longer possible we have to make a change along the lines set forth in the by-laws."

"The position is," added Mr. Anstey, "that we are bound by the Supreme Court judgment to make provision, and these by-laws seem to be the fairest solution we can arrive at. We cannot leave it to the discretion of the conductors, because that would lead to varied methods of endeavouring to interpret the wishes of the public. Under these by-laws a specific portion of the car may be set aside for Cape coloured people, another specific portion for natives. The questions to be settled are what portions of the cars are to be so set aside, and the number of seats required by each section on given routes. The Council still has that phase of the question under consideration, and any decision arrived at must be necessarily of an experimental nature. It is only possible to ascertain the patronage by such experiments, and the same argument applies to the problem of where to find the accommodation. With regard to children in the care of coloured servants, and coloured servants accompanied by masters or mistresses, it is impossible to lay down a hard and fast rule. The by-law provides that seats shall be allotted to them by the conductor, and as this custom has served admirably in the past there is no reason to anticipate trouble."

Experiments that Failed

"In every other part of the country natives and coloured people are allowed to ride on the cars. In Durban they have certain seats reserved for them, and there the thing is controlled without any difficulty. Yet Natal is the place where there is the greatest proportion of coloured people. We have followed the example of Durban because we have proved the only other alternative—special cars or trolleys—impossible. Experiments in that direction have been made from time to time, but each time it was found that the coloured people would not patronise these trolleys. The latest experiment was on the Rosebank line on Sunday afternoons, and it was found that the amount taken did not cover half the wages of the motorman and conductor. It costs us approximately 2s. per mile to run a car, and every attempt to cater for the coloured people has resulted in loss."

On the question of how the provision is to be made under the new by-laws, the pressman gathered unofficially that the first experiment would be the allocation of the outside front top seats to the coloured and Asiatics. On the other hand it was suggested by one of our foremost citizens that a portion of the top of each car should be partitioned off, and that entrance for the coloured people should be from the front. This would avoid the objections which would be raised to their passing right through the cars, among the Europeans to get to the front.

[NOTE: When the Mayor of Johannesburg is represented as stating that, in Durban, they have certain seats reserved for coloured people, he is either misinformed or incorrectly reported. There are no reserved seats on the Durban trams. The conductors have power to allot seats and the practice is for Indians and Natives usually to take the back seats.—Ed. I.O.]

Charged With Drunkenness

Johnnie Peters, an Indian of respectable appearance, was charged before Mr. Bernard Hodson in the First Criminal Court on the 11th instant, with being drunk and noisy, and trespassing on the railway platform on March 3rd at 11 p.m. He pleaded not guilty.

Mr. Mallinson prosecuted on behalf of the Crown. Mr. A. De Charmoy appearing for the defence.

A Railway Police constable said that he arrested the accused, who was drunk and noisy on the station, and handed him over to the Borough Police.

Cross examined: He did not know that the accused had a first-class ticket and remonstrated because he was not allowed to travel by the class for which he had purchased the ticket. He knew nothing beyond the fact that the prisoner was drunk and noisy. He could not say whether the accused had a family with him, or that he was carrying a baby. The accused made no complaint that he had a first-class ticket and was being compelled to enter a second-class carriage with people stretched out on the seats as though the worse for liquor. He was not aware that on two previous occasions the accused had complained to the authorities that he could not secure suitable accommodation on the train. Witness was on duty on the platform all that night and arrested the accused after the 11 o'clock train left for Verulam. Witness was positive that accused was not carrying a two-year-old baby. He did not tell prisoner to get to H—, nor did he use disgusting language. Prisoner was loudly demanding to have a train, a special train. He said he meant to have a train to Avoca at any cost, and he defied the police to arrest him. He was not so drunk that he could not walk to the train or to the police station.

A clerk, employed on night duty at the Borough Police Station, stated that the accused was very drunk. Mrs. Davis, the employer of the accused, had rung up on the telephone. Witness answered the telephone. In reply to her enquiries, he told her that the accused was too drunk to be bailed out. She therefore requested him to keep the accused locked up as he was always difficult to control when under the influence of drink.

A ticket examiner, named Wright, said that he was on duty on the 3rd instant. He saw the accused who was drunk and unfit to travel by rail.

Cross examined: He clipped the tickets—two first-class. Accused travelled second-class the night previous. He heard him argue. The Inspector told accused to purchase second-class tickets as there was no first-class carriage on that train beyond Avoca. He heard him complain of the accommodation the day before. He said he had to stand. He was not aware that he had lodged a complaint regarding previous occasions. He refused to find him a seat. The train was not by any means full. He clipped the tickets to passify him as he was worrying him. Then he refused to allow him to travel.

A guard on the train corroborated the statement as to drunkenness.

Mr. De Charmoy: "You have been in Court whilst the other witnesses have been giving their evidence?" "Yes."

"And you heard them say that the accused was drunk?" "Yes."

Mr. Mallinson remarked that, in his precognition of the witnesses for the prosecution, he had found that they were all agreed on this point and there seemed no need for them to be outside.

Mr. De Charmoy said that it was a pity that it had been overlooked.

Mrs. Peters, wife of the accused, stated that her husband was not drunk. He never drank. She accompanied her husband on the 3rd March. On the platform, ready to enter the train, were her mother, sister, husband, three children and herself. Her husband, who was carrying the two-year old boy, asked the

ticket examiner for seats. He was told to find them. When her husband insisted, the examiner wanted to put them into a second-class compartment occupied by Natives and Indians lying on the seats. Whilst they were arguing, the train left.

Mrs. Davies, wife of Mr. T. B. Davies, contractor for the Beach chairs, said that the accused was in charge of the Indians employed by her husband. He did not drink, never had drunk, and had been many years in her husband's employ. When she saw the accused on the night in question at about 7.30, he was quite sober.

F. Woodroffe, a clerk in the booking office at the railway station, said that he remembered an Indian buying two first-class tickets for Verulam. He had complained that he could not get accommodation in the second-class carriage.

Antonio Maning, a Mauritian, employed with the accused, said that he was with him on the night in question, and they went together to the station. He gave particulars of the journey, and what happened on their arrival. Accused was carrying a two years old child. He had known accused about three years, and had never seen him drunk. He was not drunk on the night at the railway station.

Johnnie Peters, the accused, gave evidence on his own behalf on oath, and stated that he had been in the service of T. B. Davies for many years, and was head man.

The case was concluded on the 13th instant, when the accused was found guilty and sentenced to pay a fine of ten shillings, or, in default, to go to prison for seven days.

We understand that an appeal has been noted.

An Echo of the Strike

Ten men, employed by the South African Railways at Durban, left work, along with others, during the strike of 1913. They were sentenced to pay a fine of £2 each. They refused to pay but intimated their willingness, like true passive resisters, to go to gaol. They were told by some person in authority that, should they return to work, the fines would be remitted. They did not immediately return but did so later when the others resumed work and have been working ever since. About the commencement of the present month, however, these men were served with writs of execution and it is expected that, failing payment of the fines, their goods will be attached and sold.

The following letter has been addressed by the Natal Indian Association to the Acting Prime Minister, Pretoria:—

"We have the honour to submit to you the following matter for your favourable consideration.

"On the 19th of November, 1913, during the Indian Strike demonstration, Yeramally, Gulla Gowenden, Chinnia Pillay, Poonsamy, Singella Gowenden, Sammi Reddy, Goorana, Raja Reddy, Govind Gowenden, and Mohideen, employees of the South African Railways, were, on the complaint of the Railways, charged with contravening Section 3, Chapter 4 of Ordinance 2 of 1850, tried and fined the sum of £2 each. Since that date this is the first time we are informed that demand has been made for payment.

"As this is a matter that arose out of the strike, during the time the strike was on, and in view of the fact that the belief of the community is that the settlement of the questions raised during the strike and the incidents connected therewith are things of the past, we pray that you may be pleased to direct that the people affected, who are of the labouring class and poor, be released from payment."

The above letter is dated the 6th instant, and up to the time of going to press we have not heard that any reply has been received.

The Late Mr. Gokhale

The Veda Dharma Sabha of Port Elizabeth passed resolutions of condolence and sympathy in the death of the late Mr. Gokhale, to be forwarded, through the Viceroy, to the bereaved family.

A public meeting of Indians of Cato Manor and Tinnescowles was held in the Stella Hill Government-Aided Indian School-room, under the auspices of the Stella Hill Indian Young Men's Progressive Society, to tender their heartfelt sympathy to the bereaved family of the late Mr. Gokhale.

Mr. Swami Naidoo presided. Mr. A. G. Naidoo briefly explained to the meeting in Telugu and Tamil the life history of the deceased gentleman.

After referring to the good services rendered by Mr. Gokhale during his life time both to his mother-country and the British Empire, he said it was an essential duty of every young man of the locality to follow Mr. Gokhale's example of public service.

The following cable: "Cato Manor and Tinnescowles Indians mourn death Gokhale. Tender condolence family and Motherland," was resolved upon and forwarded, the cost of it being collected at the meeting.

News in Brief

Mr. Polak is lecturing on "The New Spirit in India," at the Unitarian Hall, Johannesburg, on Sunday, April 11th.

The Indian Grievances Commission cost the country £2,923. How much it would have cost the country had the Indian community decided to give evidence before the Commission is another question.

In a lecture on accidents due to explosives, delivered at the Rose Deep Recreation Hall, Germiston, on the 11th instant, by Mr. Marquard, the lecturer remarked that the Native miners, even though they have black skins, loved life as well as the whites. They had confidence of the white baas and deserved some consideration.

At the recent meeting of the Durban Town Council manufacturers' licences were granted to two Indians, although both were objected to (says the *Natal Mercury*) by the Licensing Officer. The latter, giving his reason for objecting, said it was entirely due to the desire to keep the number of Indian manufacturers' licences down. The Council did not consider this sufficient ground for refusing the licences.

On the 2nd instant, Mr. Emile Nathan, M.L.A., presented a petition from Mr. N. A. Cama, an official in the Department of Posts and Telegraphs, praying for a condonation of a break in his service due to his participation in the Passive Resistance Struggle, and for leave to contribute certain arrears to the Pension Fund, or for other relief.

In regard to the new Johannesburg Tramway by-laws the *Rand Daily Mail* says that, upon one point, the public mind has been made up. It will not tolerate here the conditions which obtain in Capetown. There must be no indiscriminate mixing of coloured and white. Whether all classes of coloured people should have separate tramcars, or whether certain classes should be allowed to use portions of the ordinary cars set aside for them, is a matter upon which opinions will be expressed when the details of the plans are made known. The wording of the amended Ordinance is immaterial. The whole thing depends upon its administration. But if the Tramway Committee desires to secure anything at all, it must be

careful not to go too far. Methods which are tolerated in the Cape and Natal will never be accepted by the people of Johannesburg.

The Joint Hon. Secretaries of the Natal Indian Association have addressed the following letter to Mrs. Sasojini Naidoo, Hyderabad, India:—

"Dear Madam,—We are desired by our Association to convey to you the regret of our Community at the sad news of the death of your father, Dr. Aghorenath Chattopadhyaya, and to tell you how much we, Indians in Natal, sympathise with you in your sorrow.

"We pray that God may grant you grace and strength to bear your loss, and *shants* in the thought of the hereafter."

In an article in *The Times* by the correspondent of that journal at Toronto, we find the following:—

It may be that in British Columbia there is no enthusiasm for the alliance with Japan. But such feeling as exists has been wholly submerged in devotion to the Empire. It may be added that the participation of Japan in the war as an ally of Great Britain will not affect the attitude of British Columbia towards Asiatic immigration, although undoubtedly feeling for the Hindus has greatly softened, and there will be a far stronger desire to conciliate India and devise some system of control over immigration that will be less repugnant to the Indian peoples. This is not to say that unregulated admission even of Hindus will be tolerated or the determination to maintain British Columbia as a white Province seriously relaxed. But for the time these problems are not considered. There is no fear of the future.

Indians and the War

London, March 6.—Reuter's Delhi correspondent states that the Indian war relief funds have reached a total of 90 lakhs of rupees, excluding 24 lakhs collected in Madras and 25 in Bombay. The largest sum previously collected in India was for the relief of the acute famine in 1900, and amounted to 39 lakhs.

The Indian chiefs and noblemen continue to make valuable gifts of every description. The last month's contributions include those from the Maharaja of Datia and his sirdars, 25,000 rupees; and an annual contribution from the Nizam of Hyderabad, a hospital of 50 beds; from the Nizam of Gaheb of Limdi, a motor ambulance for Bombay; from the Nawab of Dujana, 50 camels; from the Maharaja of Jind, a gift for the upkeep of horses; from the Chief Dharampur, a million pounds of hay; from the Rajah of Bilaphur, remission of land revenue to all soldiers from his estate; from the Prime Minister of Nepal, a large number of blankets.—Reuter.

Health of the Troops

London, March 6.—Reuter's special correspondent, who has been visiting the British headquarters, says:—Doleful speculation in England as to the awful suffering Indian troops must be enduring from the rain, cold, and misery amongst them caused by the outrageous winter are belied by the facts. The health of the Indians is better than when in India. We saw several thousand Indians yesterday and to-day on the march and in billets, and all were in perfect physical condition.

To-day there was a route march of the Indian cavalry division, with field transport, and finer and more martial-looking soldiers cannot be imagined. Their erect, resolute bearing, master of their mounts, and perfect acoutrement told their own tale. The horses are a joy to the eye, and fitter than when landed.—Reuter.