

Indian Opinion

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(MR. COUSINS' METHODS

WE publish below the text of a judgment given recently in the Cape Provincial Division of the Supreme Court, by Mr. Acting Justice De Villiers in the case of Mulla Nooroodien *versus* The Minister of the Interior, where an action was brought by the Plaintiff to recover the sum of £50.

On the 12th February last one Mulla Samsodien, who has for many years resided in Cape Town, was requested to attend before the Principal Immigration Officer in order to satisfy that officer that he was not a prohibited immigrant. When he attended at the office an inquiry was instituted under section 19 of the Immigrants Regulation Act, 1913, and under section 15 of the regulation under that Act. A question material to the inquiry was whether Samsodien was the son of one Mulla Ishmael, residing in India, and the Immigration Officer deferred decision until certain inquiries should have been made by cabling to India. Pending a reply to these enquires, Samsodien was not in any sense a prohibited immigrant. The Immigration Officer admits, quite rightly, that he was merely a person with regard to whom an enquiry was pending under section 19 of the Act, and who could be detained as such under section 15 of the regulations. This section of the regulations provides that such person "may, if necessary, be detained pending the completion of such inquiry." Instead of detaining Samsodien in custody pending the completion of the inquiry, the Immigration Officer allowed him to be at large in the interval under a "temporary permit" authorising him to remain in this Province "for the purpose of awaiting result of inquiries". The principal conditions of the permit are that Samsodien shall leave the Province within fourteen days, that he shall report to the Immigration Officer when required, and keep him advised of his whereabouts. The period of fourteen days was, according to the Immigration Officer's evidence, inserted because he anticipated that a reply would be received from India within that time. No reply, however, came, till some days after the expiration of the fortnight, and it was not till the 5th March that the Immigration Officer gave his decision by declaring Samsodien to be a prohibited immigrant. Samsodien on this date attended voluntarily at the office of the Immigration Officer, where he was formally arrested and thereafter kept in custody till the 22nd March. On the latter date he was again released under a second temporary permit which was extended until the 8th April, on which date the Immigration Board set aside the decision of the Immigration Officer of 5th March, and declared Samsodien to be not a prohibited immigrant. It is now alleged in the plea that Samsodien has been committed for trial on a charge of perjury in respect of the evidence given by him when he appealed to the Immigration Board, but the defence would not or could not affirm that the Immigration Board's decision is wrong or that it was obtained by fraud or perjury or that it is intended to attempt to obtain a

cancellation of the order. On the plea it may well be that the decision of the Board was not founded at all on the point on which Samsodien gave evidence, if he gave perjured evidence, which has not been either alleged or proved. I shall therefore take it as established that Samsodien is not and has not at any time material been a prohibited immigrant. The plaintiff made a deposit of £50 in respect of the temporary permit of the 13th February and now sues for a refund of this sum, but defendant claims that the deposit has been forfeited by the breach of the first and second conditions thereof.

Now, the first question is whether the permit of the 13th February was a valid document under the Act and Regulation and it seems to me that it was not. Such temporary permits, can, under the Act (section 25) and under the Regulations (section 20), be issued only to persons who are prohibited immigrants, but who are allowed, in spite of that fact, to remain in the Union for a special temporary purpose. These provisions seem to me to apply only to persons who are admittedly prohibited immigrants, or have been declared such by due authority (even though an appeal against such declaration be pending; section 19 (7) of the Regulations). Neither in the Act nor in the Regulations is provision made for issuing permits to persons who are merely being detained under Regulation 15, pending completion of an enquiry into the question whether they are or are not prohibited immigrants. The permit in question which was issued to Samsodien can therefore derive no validity from the Act or Regulation, and if its validity depends on this circumstance, it is a nullity and the money deposited under it can be recovered.

It was, however, argued that in any event the document is effective as a contract. Now, without deciding whether the Immigration Officer has a right to enter into contracts outside of the Act and Regulations, I incline to the view that if the document constitutes a contract it must have been entered into, subject to the condition precedent, that it should become of force and effect only if Samsodien were declared a prohibited immigrant. If the document is in force unconditionally, then it is clear by its term that the Plaintiff must forfeit his deposit if Samsodien does not leave this Province, even if it should be decided by the Immigration Officer himself, that Samsodien is not a prohibited immigrant. It seems to me impossible to suppose that the contracting parties could have intended to enter into so absurd an agreement, and the only way of making sense of the document is by considering that its operation is suspended by such a condition precedent as I have referred to. If so, the document has never come into operation and the deposit may be recovered by the Plaintiff.

But, even if the permit was validly issued under the Act and Regulations, or is binding as an unconditional contract between the parties, the Plaintiff would still be

entitled, in my opinion, to succeed. The plea relies on breaches of conditions (1) and (2) of the permit. Now as to the first condition (viz., that Samsodien was to leave this Province within fourteen days), this seems to me to be, if read literally, inconsistent with the operative part of the permit, which allows Samsodien to remain in this Province "for the purpose of awaiting result of enquiries". The meaning of this is clearly that he may remain until the enquiry has a result (or perhaps until it has become certain that the enquiries can have no result). It was expected that the enquiries would have a result in fourteen days, and this period was therefore inserted in the conditions, but, the paramount and governing permission is to remain until the result of the enquiries is known. If this is so, then the first condition must be held to mean that Samsodien must leave the Province within fourteen days, if within that period the result of enquiries becomes known and is notified to Samsodien (and also, it seems to me, if such result is to declare Samsodien a prohibited immigrant). On any other construction the monstrous result would follow that Samsodien must leave the Province even if he is declared to be not a prohibited immigrant, and that he must also forfeit his right of appealing to the Immigration Board. If this were the meaning of the condition it would be a serious question whether the condition would not be illegal and void or unenforceable.

Attaching the meaning, which I do, to the first condition, I am of opinion this condition has not been broken, for so far as Samsodien is concerned there was no result to the enquiries till the 5th March, when he was declared a prohibited immigrant and thenceforth kept in custody or under a second permit till his appeal was allowed by the Immigration Board. It was contended that on the 27th February, when the fourteen days expired, Samsodien was at any rate compelled to render himself into custody even if he was not compelled to leave the country. Whether this is a sound contention or not, Samsodien did in fact on the 27th February, present himself at the office of the Immigration Officer. As the latter, himself, states in his evidence; "Mr. Baxter appeared in the case that morning (27th February), and produced Samsodien. My reply was that I had not required him to report himself, and I referred him to the terms of his permit".

As to the second condition, the Immigration Officer complains that Samsodien did not notify him of a change of address, but it is clear that there was no change of address so that there was nothing to notify. It is also contended that Samsodien broke the second condition by failing to report to the Immigration Officer when required. Now, it seems that on Monday, the 1st March, Detective O'Hare left a verbal message at Samsodien's residence to the effect that: "Mr. Cousins wanted to see him." The same thing happened on the 2nd March, and on the 3rd or 4th March, and it is now contended that these messages were notices or directions to report to the Immigration Officer within the meaning of the second condition. I cannot, however, regard the messages in this light. It must be remembered that the messages were delivered in Samsodien's absence, and it is not at all clear in what form the messages were reproduced to him. Even if correctly repeated, an informal verbal message that Mr. Cousins wanted to see him could not fairly be expected to be understood by Samsodien as being a requisition or order to report under the conditions of the permit; especially so as he (Samsodien), had reported himself only two days before on the Saturday, and had then been in effect informed by the Immigration Officer that this was superfluous. I cannot understand how it was that no written notice was left at or posted to Samsodien's address requiring him to report in terms of the second condition, if it was really intended to require such a report. Still more, as a mere verbal message was left to be repeated to Samsodien, must clear proof be forthcoming that it was clearly announced and brought to his notice that he was

required to report in terms of the temporary permit. As a fact, at the time when the messages were left for Samsodien, the latter was already carrying on a correspondence, through his Attorney, with the Immigration Officer, and it is apparent from the letter of the 2nd March, that Samsodien never thought of regarding the messages as orders to report, but as mere expressions of a wish to communicate. On the Tuesday the detective was also referred to Samsodien's Attorney if he wished to see Samsodien, and on Friday, the 5th March, Samsodien voluntarily presented himself at the office of the Immigration Officer, which shows that he had not had any intention of failing to report himself, and that if he had known that he was required to report he would have done so. In my opinion, therefore, there has been no breach of the second condition. It remains only to refer briefly to an argument advanced by defendant's counsel, questioning the Court's jurisdiction in view of the provisions of sections 3 of the Act. This objection was not taken *in limine*, but at the end of counsel's argument. On its merits, it seems to me that the objection must fail, for section 3 does not apply to this case. The temporary permit, not having been issued under the Act (according to the view expressed above), is not a "proceeding, act, or order done under the Act," nor can it be said to "relate to the restriction or detention of a person who is being dealt with as a prohibited immigrant," for as already pointed out, the permit was not issued to Samsodien as a prohibited immigrant but as a person detained or detainable under Regulation 15. It seems to me accordingly that the plaintiff must succeed in his action and that judgment must be entered for the sum of £50 with interest *a tempore morae* and costs.

Mr. Alexander appeared for the Plaintiff and Mr. Sutton for the Defendant.)

The judgment in the case of Fazlodien Dawood, referred to in our leading columns, will be reproduced next week.

A Candidate and the Indian Question

Mr. Robert Dunlop, one of the candidates in the recent Municipal elections at Maritzburg, held a meeting at St. Anthony's Hall, Pietermaritz Street, on the 2nd instant. The Chairman said that the meeting was arranged to allow the Indian community to hear the views of the candidate.

Mr. Dunlop said that a good deal of misapprehension existed with regard to the segregation of the coloured community. This, as well as many other matters, could not be decided owing to many practical difficulties existing.

At question time, an Indian asked the candidate whether he would put Indians on a different basis from coloured people. In reply, Mr. Dunlop said that he had only referred to the segregation of natives. He was not in favour of the segregation of Indians as a people, but he was in favour of restricting Indian trade within certain areas. He did not think it was in the interests of the Indians themselves to continue the present policy. If these views were not in accord with those of the questioner, he was sorry, but he did not wish to get into the Council on promises which he did not intend to carry out.

In reply to another Indian question, Mr. Dunlop said that the reason why he would class coloured people and Indians differently was because both peoples held divergent views on many subjects, and they each had different ideals.

The chairman emphasised, for the benefit of the Indian community, that, as voters, Indians were on a footing of equality with Europeans.

Another Indian sought information as to whether Mr. Dunlop was in favour of skilled coloured artisans being

employed on the Corporation works. This question was explained by replying to another question. Mr. Dunlop said he was not opposed to coloured men being employed on Corporation works so long as they received the standard rate of wages.

After a very lengthy discussion on pros and cons affecting Asiatic trading, Mr. Wynne-Cole, Licensing Officer for the Colony, at the request of Mr. Dunlop, gave some interesting facts on the Town Council's policy in restricting Asiatic licences. He said that in the past much trouble had arisen over this matter, but every effort was put forth to give the utmost fairness to every man according to the law. He did not think any of those present would take any exception to the present policy, which the Courts had upheld. The Court had held that no man should be penalised on account of his colour, but at the same time had held that it was right for the Town Council to impose certain restrictions in certain areas.

Coming to the point of Mr. Dunlop's candidature, Mr. Wynne-Cole said that if Mr. Dunlop were elected it would be for the general welfare of the Town Council and the City.—Condensed from the *Times of Natal* report.

From the Editor's Chair

YET AGAIN

MR. COUSINS, the Principal Immigration Officer in the Cape Province, is making history, and he is doing it in a characteristically slippery way. We published recently a report of the case of Kana Gopal in which it was shown that, contrary to the intention of the law, Mr. Cousins had endeavoured to exclude from the Cape Province a man who had returned after the period for which his identification certificate was valid. The Cape Immigration Officer was perfectly well aware of two things. First, that the Minister, in terms of the settlement, had agreed to extend all permits and certificates made available for one year to three years. Secondly, that there is nothing in the law that requires a person leaving this country to arm himself with a Certificate of Identity, nor is there anything to show that if he returns after the expiry of the period for which the Certificate is granted, he has lost his domiciliary rights. All that he can be called upon to do on his return in such a case is to furnish evidence, if required, that he is still domiciled in the Province to which he is returning, or that he has other legal rights of residence which preclude his being prohibited from entering under the restriction clause of the Immigration Act. There is only one type of jack-in-office more dangerous than the man who knows nothing whatever of the law he is called upon to administer, and that is he who knows a great deal about it but abuses the confidence of the public, and by unworthy methods of administration does injustice to those who are victimised by his malevolent activities. Mr. Cousins seems to revel in victimising members of the Indian community on some trivial pretext or other. In many cases he succeeds, because of the inability of the victim to provide the funds for an appeal to the superior Courts. But there are other cases such as those of Kana Gopal and the other two that we are now publishing where the biter, in the person of Mr. Cousins, or, rather, the general public of South Africa, is badly bitten, by being mulct in heavy costs. The case of

Mulla Samsodien indicates a flagrant attempt to rob a poor man of a considerable sum of money on a technicality which the Cape Supreme Court had no difficulty in upsetting. In the case of Fazlodien Dawood, Mr. Cousins actually invited the Court to order the Immigration Appeal Board to set aside, on a trivial pretext, its own order allowing an appeal, where neither the Board nor the Court had the power to do so, and where the Board itself had already declined to do so as it was satisfied that there were no grounds for a reversal of its previous decision. Mr. Cousins would have been the very first to have raised the plea that the Supreme Court had no jurisdiction over a decision of the Appeal Board had an application been made to the superior Court by his victim, but he did not scruple to endeavour to twist the law against that victim and to try to involve the Board in his abominable action. In our opinion Mr. Cousins has shown in these, and in many other instances, his absolute unfitness to retain the position that he now holds. "Kaiserism" in the Immigration Department is intolerable, and we, for our part, will never rest until all possibility of this has been removed.)

A WOMAN TOWN COUNCILLOR

It is notified that Mrs. Theodore Woods has been elected a member of the Maritzburg Town Council—the first time in the history of Natal that a woman has been a member of a Town Council. Her platform, we are told, includes the municipal segregation of natives and Indians. We remember that, at the great Albert Hall meeting, in London, in 1911, following upon the wonderful women's procession through the Metropolis at the time of the Coronation, Mrs. Besant was the principal speaker, and in the course of her address she pointed out that, if women, in obtaining the vote, were going to commit the same mistakes as men had already done, it was not worth their while to possess it. This very wise saying may well be applied to the present case. We are among those who approve of the Municipal franchise being conferred upon qualified women, but if the franchise and the capacity to be elected as members of Town Councils are to be followed by ignorant errors of the kind of which Mrs. Woods has been guilty, we can only say that the position of this Province will be worse than it ever was before. By their training it may be supposed, or at least hoped, that the male voters and members of Town Councils have some knowledge of Imperial responsibility which, by reason of their lack of training is denied to most women now-a-days, and if the example set by Mrs. Woods is to be followed, it is evident that grave complications in Imperial relations are to be feared in the future.

LOSS UPON LOSS

It was our melancholy duty last week to record the untimely death of Dr. Satish Chandra Banerji. This week the sad news comes of the sudden demise of Mrs. K. Natarajan, the wife of Mr. K. Natarajan, the editor of *The Indian Social Reformer*, and one of the joint secretaries of the Indian South Africa League, Bombay. It was our great privilege to have been her guest on several occasions, and her warm sympathies were always readily given to South African Indians who were suffering during the Passive Resistance Struggle. She and her husband had undertaken the joint task of promoting to the utmost of their strength the cause of social reform in India, for they felt that until many of the reactionary customs in Indian society were removed, but little real national progress could be secured, and that many of India's great weaknesses were internal and were not due to outside causes at all. We tender our deepest sympathy and that of Indians in South Africa, to Mr. Natarajan and his family, in the overwhelming loss that has befallen them. We earnestly trust that the calamity will but nerve them to still further efforts in the cause of India's freedom and greatness.

The Indian South African League

A general meeting of the Indian South African League was held at the premises of Messrs. G. A. Natesan & Co., Madras, on Friday, the 7th May, 1915. The following gentlemen were present:—

Dewan Bahadur M. Audinarayana Iyah, Chairman, Mrs. Besant, Dewan Bahadur Govindoss Chathurbhuj Doss, Mr. S. Srinivasa Iyengar, Mr. G. A. Vaidyarama Iyer, Mr. P. Krishnaswami Chettiar, Mr. A. Ramasesha Iyer, Mr. G. A. Natesan, Mr. T. R. Venkatarama Sastri, Mr. T. V. Muthukrishna Iyer, and Mr. M. K. Gandhi.

Mr. P. Krishnaswamy Chettiar, the treasurer, then presented the statement of accounts up to 7th May 1915, showing a balance of Rs. 3,497-8-11 in the Indian Bank and Rs. 67-5-11 on hand. He also pointed out that the accounts of the Indian South African League from the date of its starting (the 25th Oct. 1909) down to 9th March, 1912, were audited by Mr. T. Ragavendra Rao, A.L.L.A., certified accountant and auditor. The accounts from 12th March, 1912 up to 31st March, 1914 had been audited by Mr. D. R. Balaji Rao of the Indian Bank, Ltd., certified to be correct, and approved of by the Committee.

Mr. G. A. Natesan, one of the joint secretaries, brought to the notice of the meeting that at a meeting of the executive committee held on 20th June 1914 it was resolved that £200 be remitted to South Africa. After the resolution was passed Mr. G. A. Natesan received intimation from Mr. Gokhale that Mr. Gandhi did not desire any more funds to be sent to South Africa, and he accordingly withheld payment and hence it was he had a balance of Rs. 3,000 and odd in the Indian Bank to the credit of the League. He also drew the attention of the meeting to the fact that as soon as intimation was received from Mr. Gandhi that he did not require any further funds from India, the executive committee resolved that 'Until there is a call from South Africa for funds, collection of subscriptions may be postponed.' He also wished to draw the attention of the meeting to the fact that though the League was able to collect on the whole over Rs. 75,000, the amount spent on establishment, that is clerks, etc., was only Rs. 356 and odd, including the wages of cooks and servants who had been engaged during the stay of Transvaal deportees in Madras at the close of the year 1909. The considerably small amount spent on establishment charges was due to the fact that the business was done as a labour of love by his own assistants and clerks and some of the members of the Servants of India Society. With reference to the balance of Rs. 3,497-8-11 he wished to bring to the notice of the meeting that Mr. Gandhi had cabled to him to make arrangements for the maintenance of the two helpless widows of two of the indentured Indians, who were shot in the riots that took place in one of the estates during the South African struggle. These had children to be looked after and their case deserved support. There were also the sons and relations, several of them young and well-known passive resisters, who are now in India and who needed protection at Mr. Gandhi's hands. Mr. Natesan also drew the attention of the meeting to the fact that he had received a letter from Mr. West in South Africa stating that one Palani who had received injury at the hands of the police at Blackburn estate was suspected of having received a bullet wound in the back near the base of the spine. The man was practically incapacitated and would like to have the bullet extracted if possible. Mr. West commended the case to the South African League for proper medical treatment. Mr. Natesan wound up by saying that as Mr. Gandhi had resolved to stay in India permanently and had undertaken to look after the needs of the boys and relations of a good number of the passive resisters, that the League might as well hand over the small balance it had in the Bank to Mr. Gandhi.

Mr. Gandhi's Statement

Mr. Gandhi, in the course of a brief statement, said that the passive resistance struggle started with the Asiatic struggle in the Transvaal in 1906. As it went on stage after stage, it, owing to the exigencies of the case and as a matter of course, expanded and embraced the following further points, viz., (1) the removal of racial disability in the Immigration legislation of the Union of South Africa; (2) the restoration of the status of Indian wives whether married in accordance with Hindu or Mahomedan religious rites as it originally existed before what was known in South Africa as the Searle judgment; (3) repeal of the annual £3 tax which was payable by every ex-indentured Indian, his wife and his children—male and female—males after reaching 16 years, females after reaching 12 if they decided to settle in the province of Natal as freemen; (4) just administration of existing laws specially affecting British Indians with due regard to vested rights. All these points were completely gained under the settlement of last year, and they have been embodied so far as legislation was necessary in what was known as the Indian Relief Act and otherwise in the correspondence that took place between General Smuts and himself immediately after the passing of the Act referred to. Such being the case and as the Indian South African League was formed solely for the purpose of assisting the struggle, it could well dissolve itself. Mr. Gandhi referred also to the administration of the funds that were sent to him from India and other parts of the Empire. He said that at every stage of the struggle a complete statement of income and expenditure was published. The first was sent to Mr. Gokhale accompanied with a public letter. The second statement was rendered to Mr. Ratan Tata also accompanied with a public letter. The third was ready and was to have been published after consultation with Mr. Gokhale and the general committee at Bombay. Such was Mr. Gokhale's desire. He (the speaker) was now waiting to see Mr. Mut, Mr. Petit, the secretary of the committee, and then publish the statement. Mr. Gandhi added that there were nearly 30 passive resisters including their families in India who were to be supported. These included the widows and children of the two men who were shot in the course of the struggle. He therefore suggested that the small balance which was still with the Indian South African League might well be devoted to their assistance. Mr. Gandhi desired to take the opportunity to express the thanks of the South African Indians for the great and valuable assistance it had rendered to them during the most critical times of the struggle. He was not going to mention any names but he felt it his duty to convey in person as the interpreter of the wishes of many Transvaal deportees, who were in Madras in 1909 of their heartfelt thanks to Mr. Natesan for the devotion which he displayed in looking after their interest during their exile in India. He was glad he was able to convey in person his grateful thanks to the chairman and the members of the League for the moral and material support they had rendered to their cause.

After hearing the statement Mr. S. Srinivasa Iyengar moved the following Resolution:—

'After hearing the statement by Mr. M. K. Gandhi, this meeting resolves that as the purpose for which the Indian South African League was started has been achieved in its entirety, this League is hereby declared dissolved.

'This meeting hereby authorises the chairman of the League, Dewan Bahadur M. Audinarayana, Mr. G. A. Natesan, joint secretary, and Mr. P. Krishnaswami Chettiar, the treasurer of the League, to prepare and issue a brief report of the origin and work of the League together with a statement of income and expenditure and the auditor's reports therein to all the subscribers to the fund and to the principal newspapers.

'That in view of the statement made by Mr. Gandhi regarding the financial needs of the passive resisters

and their families now residing in India, this meeting authorises the treasurer to hand over to Mr. Gandhi for supplying the needs above mentioned, the balance subject to the deduction of the charges incurred in connection with the printing, publishing and posting of the report and financial statement above referred to.

In doing so he pointed out that it was a matter of great gratification that the Indian South African League, which was started with the object of looking after the interests of the South African Indians who were in distress, had done its work successfully and that the league could safely be declared dissolved. He was also glad that the committee had been business-like in the management of funds, that the accounts had been audited by competent people and a report of income and expenditure would shortly be issued to the public. He added the whole country ought to be profoundly grateful to the greatest Indian of modern time, Mr. Gandhi, for the magnificent and heroic manner in which he had successfully brought a great struggle to a close.

Mrs. Annie Besant seconded the Resolution and was glad to note that only a very small amount of Rs. 300 was spent on establishment charges. The same may be handed over to Mr. Gandhi, and she was sorry they were not in a position to give more. She was sure that when the statement of the work of the League was published, the public would be glad to find that the Committee had done its best in the discharge of its responsibility.

The Resolution was passed unanimously.

Mrs. Besant, seconded by Mr. T. V. Muthukrishna Iyer, also brought forward the following resolution which was carried *nem con* :—

'That the League offers its grateful thanks to the chairman and the officials of the League for the devotion and skill with which they have carried through the work of the League.'

Dewan Bahadur Audinarayana made a touching speech recounting the great and memorable deeds of our countrymen in South Africa under the distinguished leadership of Mr. Gandhi in fighting for the honour and glory of our Motherland. It was a struggle which was of the deepest import to India, and its effects continued to make India look great in the eyes of the world. He could not find words to express his tribute of admiration for the singularly self-sacrificing and heroic devotion shown by Mr. and Mrs. Gandhi throughout the cause.

G. A. NATESAN,
Joint Secretary,
Indian South African League.

The late Mrs. K. Natarajan

In writing upon the death of his wife, Mr. K. Natarajan writes in the *Indian Social Reformer* as follows:—

"Why do I write these lines, and cite these references to her? First, because it is right that the world should know what it owes to the strong, silent, selfless women, who make smooth its path towards the good, the beautiful and the true. We, men, usually get the whole credit for any little done; whereas if the truth were known, but for the inspiration and the labours of the women in their homes, we would be powerless to do any good. Secondly, because, Sivakamasundari was truly a pioneer in the truest kind of social reform, which consists in the building up of a home life, compacted to all that is pure and lovely and enduring in our old traditions, and of all that is free, just and energising in the no less exalted traditions of the West. If, under the providence of God, we guide our lives so as to catch the full radiance of her nobly serviceable life, the dividing veil of Death will surely part, and the Seen and the Unseen appear, as they really are, to be but two rooms in the same great mansion of Life."

Women's Work in India

The marks of human greatness, according to the Bhagavad Gita, are to be found in 'exemption from fear, purity of heart, constant attention to self-discipline, charity, self-sacrifice, religion, study, penance, rectitude, veracity, resignation, temperance, universal compassion, mildness, modesty, discretion, dignity, patience, fortitude, chastity, unvengefulness, and freedom from vainglory.' There died in December last, (writes an Indian correspondent of *India*) a Hindu lady who, judged by this exacting standard, well deserved to be called great. Shrimati Maha Devjee modelled her life after this famous precept, and combined in herself many of the virtues which it enumerates. She is worthy of our gratitude and respect, not merely as a personal character, but also as one who employed her rare gifts and talents in ameliorating the perverted conditions of mankind, and more particularly of womankind, in India. In this respect she showed herself to be one of those chosen few who are sent upon earth to fulfil a sacred mission.

The sphere of her public activities lay primarily in the upliftment of her own sex. She had thoroughly studied the problems affecting the women of India, and she knew that a change for the better was most necessary. But she was in no way an advocate of sudden upheaval or of the disintegration of social ties. Still less did she favour an antagonistic attitude to the other sex. She fully realised that the root of all evil, in the case of Indian women, was ignorance; but she did not blame the men, for she was aware that their own condition was little better. With her keen insight she grasped the fact that under the circumstances women must not rely upon men but must themselves face every difficulty and make every sacrifice that the situation might demand.

Upon this great principle, therefore, of self-help and self-reliance, she laid the foundation of the four great institutions for women in Northern India. These are, the Kanya Pathshala at Dehra Dun, the first Hindu girls' school in Northern India to be conducted and supervised mainly by women; the Stri Unnati Sabha, an association for the betterment of women; the Laxmi Bhandar, a corporation of women for purely 'swadeshi' purposes; and the Stri Samaj, religious society for women.

Of the second and third of these a word or two may be said in further elucidation. Both the Stri Unnati Sabha and the Laxmi Bhandar are entirely managed by women, and are based on most liberal lines. The former is a sort of social club, where women, independent of any social pressure, can discuss the problems which affect their everyday life. The subscription is only a penny, and membership is open to all women, no matter what their caste, creed, or denomination may be. Members, on joining, take a vow to help each other in time of need, and lady teachers are sent out to instruct those women who are prevented by household duties from joining the public classes. The Laxmi Bhandar is likewise purely a women's institution, and was founded with the object of providing shopping facilities for parda ladies, and also of creating and stimulating a spirit of co-operation among women. Shares in the society are obtainable only by women, and payable only from their *stridhan* or property exclusively belonging to them under Hindu law.

These enterprises by no means exhaust the list of Shrimati Maha Devi's activities. She also guided and supported a Purda Club movement, and a servants' training class. In the former she was practically the right-hand of the late Lady Porter, whose husband, Sir Leslie Porter, officiated as Lieutenant-Governor of the United Provinces in 1910, and again in 1911. Official recognition of her devoted labours came in the form of the award of the 'Kaisar-i-Hind' medal.

The Late Dr. Banerji

The *Allahabad Law Journal* publishes a life sketch of the late Dr. Satish Chandra Banerji which shows what a remarkable man and great scholar he was. After recounting his many achievements as a student, lawyer, and author, the writer concludes:—

He took an active part in the public life of these provinces and his influence was of the most wholesome and elevating character. His country never made any call on his high talents or open purse to which he did not willingly and generously respond. Indeed his intimate friends alone knew how generous he was. Such high character and unalloyed patriotism could not go without recognition. He presided over a session of the Provincial Conference and a session of the Industrial Conference. Not only did he fill a large and honourable space in the public life of the province but he also enjoyed the affection of his countrymen such as falls to the lot of few public men. A new chapter of usefulness in his public life had just opened. He was elected only last month to the Legislative Council as a representative of the Allahabad University of which he had been a Fellow for many years and his countrymen had hoped that he would be a tower of strength to them in that assembly. But Fates have willed otherwise. His last appearance before the public was on the afternoon of the 30th of May when he spoke at the Special Provincial Conference held at the Mayo Hall. On the 1st of June he argued his last case before Mr. Justice Banerji and Mr. Justice Rafique and then he told the present writer that he was leaving within two or three days for Naini Tal. Before even many of his friends knew that he was seriously ill he passed away peacefully at his residence on the morning of the 8th of June.

If such was his career as a scholar, advocate and public man, he was even greater in private life. Spotlessly pure, of a meek and gentle disposition, ever ready to help the needy, with deep religious convictions, with unbounded courtesy for friends and strangers, a loyal friend and colleague, he was above everything else a gentleman. Such is the man whom we mourn to-day in common with his bereaved family. But though dead, his memory will live long, and his example will inspire the rising generation of his countrymen as that of a life of noble pursuit, high purpose, and great moral force.

The Indian and the Operation

An Army doctor describes in the columns of *The Star* how certain units of Indian regiments were assigned to his care. In looking over his patients to ascertain the nature of their wounds, he noticed that one of the Indians had had half his foot blown away by shrapnel. It was evident that the poor fellow was in great pain, and he decided to attend to him first. The preliminary arrangements for amputation were made, and nothing remained but to administer the anæsthetic. But the Indian, in spite of the fact that he spoke no English, showed in a very determined manner that he had no intention of taking it. An interpreter was fetched in the person of another man of the same regiment; and was put in possession of the facts. Without turning to the other man at all, he declared that the foot must be cut off as it was. This was accordingly done. The patient had a cigarette in his mouth, and made signs for a match. The doctor continues:—

"I lit the cigarette for him, and then proceeded. The operation did not take long, and before he had finished his cigarette I had completed the amputation. However, during that time he did not utter a sound, but from the beads of perspiration that stood upon his brow when I had finished, I could see that he had suffered very badly. His *jang-froid* surprised me completely. Truly, the stoicism of some of our Indian troops is wonderful."

An Immigration Case

The Maritzburg correspondent of the *Natal Mercury*, writing on the 3rd instant, reports as follows:—

Some years ago, a young Indian was smuggled into the country in a sack. The vigilance of the authorities was evaded, and for a considerable time the immigrant lived in the country. His method of entrance, however, eventually came to the ears of the Immigration officers who instituted proceedings against him and the Board ordered his repatriation. To-day, Mr. Janion appeared for the Indian in the Supreme Court and sought to upset the Board's decision. He argued that it did not matter how the man got here, it was sufficient that he was here, and that, being here, he was bound by the Act. Under the Act the man fulfilled all the required conditions, and all there was against him was his curious entry into the country. The Court listened with attention to the argument, but were unable to agree with counsel. They held that the Indian had no right in the country, having entered fraudulently and deceitfully. The Immigration Board was right in its decision and the man must be sent back to India.

[NOTE: We are obtaining the full text of the judgment in this case and we reserve our comments until then.—Ed. I.O.]

Science and Slaughter

The following contribution from the pen of Mr. Henry W. Nevins, appears in the June, 1915, issue of the *Atlantic Monthly*, Boston (Mass.), relating to the present war, or the butchery of the unknown by the unseen, as it has been so appropriately described. Mr. Nevins remarks: Without question, man has every reason to be grateful to science for her assistance in the favourite pursuit by which for the most part he reckons history. Nor is he remiss in taking advantage of her progress. This war is probably the greatest and most destructive, as well as the most scientific, since creation. Mr. Asquith tells us that 6,000,000 men are now trying to kill one another as fast as possible in Europe, and his is a low estimate. There they stand, in long opposing lines. On one front the battle line is said to extend nearly 400 miles; on the other nearly twice as far. In the West, sheer numbers and the accuracy of industrious science almost prevent movement. For nearly five months now these men, in their efforts to kill and escape death, have lived below the surface, like rabbits of primeval troglodytes. They have floundered in oozing mud—"the fifth element," as Napoleon called it. They have stood day and night in trenches, soaked to their middle by cold water, until their limbs swelled purple and threatened gangrene. The concussion of exploding shells has driven their eyes into their heads, so that they see no more; shock and horror have struck them speechless. Their reason is overturned; some weep without ceasing; some gibber like ghosts. Limbs are scattered over the countryside. Hot-smelling blood pours from their bodies in unexpected quantity. Caught in the entanglements of barbed wire—another industry of science—they hang like crows on a gamekeeper's gallows until they rot. The air stinks of filth and corpses. Colonel Repington of *The Times* calls this scientific war "the butchery of the unknown by the unseen."

Who led the Indians to believe that they were citizens of the Empire, and might mingle freely with other citizens? We did: look at Queen Victoria's Proclamation, King Edward's Proclamation, King George's Proclamation. Ours is the responsibility; and we cannot escape the consequences of it merely by suppressing the truth and trying to sit on the safety-valve.—*New Age*.

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