

Indian Opinion

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NOTES AND NEWS

A TELEGRAM has been received from Beira, stating that Mr. Andrews stayed at Mombasa and would resume his journey to Durban by the next steamer. This is the *Karapara* which is due to arrive at Durban about the end of this month.

Messrs. G. H. Miankhan & Co., Field Street, have kindly undertaken to provide accommodation for Mr. Andrews during his stay in Durban. A large room will also be placed at the disposal of the public who desire interviews. Correspondence for Mr. Andrews may be sent to this address or care of Mr. Rustomjee, 110 Field Street, Durban.

The Natal Committee of the South African Indian Congress has the arrangements in hand for Mr. Andrews' reception. The officials and members will assist Mr. Andrews in collecting information in preparation for the Commission. Those in possession of facts bearing on the various difficulties regarding trading licences, ownership of land, etc., should communicate with the Secretary, 110 Field Street.

The Committee is anxious also to collect information on all matters concerning the welfare of the Indian community so that in any emergency the information obtained may be used to advantage. It is necessary that a central body in the Province should be in possession of the fullest information.

We would suggest also that the Committee form a library of official and other literature, correspondence, etc., on South African and Imperial affairs. In this way its members may educate themselves and greatly assist the public.

It is yet uncertain whether the terms of reference of the proposed commission will include any but trading and land questions. But it will be just as well to be well armed with information on all grievances under which Indians labour. We trust that all, without invitation, will come forward and assist the committee and Mr. Andrews during his stay amongst us.

A Reuter cable dated the 3rd instant, states that the House of Commons in Committee discussed the Government of India Bill. The Hon. S. Montagu (Secretary for India) in the course of the debate, said it was hoped to have the elections in India next November, and the first Legislative Assemblies would meet in January 1921.

The Government intended to ask Parliament gradually to surrender its trusteeship in favour of the Indian electorate, but that electorate had yet to be created. When once the Bill was passed the progress to India to complete self-government was irresistible, but the ship must not be over-loaded by doing this at once.

A Labourite amendment for the inclusion of Burma in the scope of the measure was withdrawn, after Mr.

Montagu had stated that he agreed that Burma must get self-government analogous to India, subject to the local differences.

Another amendment in favour of the enfranchisement of the women in India was rejected by 202 votes to 67.

A meeting of delegates representing the Indian farming community in the surrounding districts of Durban was held on Saturday last at the Hindu Tamil Institute, with the object of forming an Agricultural Association. Mr. V. Munisamy Naicker (Newlands) was voted to the chair, and, in the course of his remarks, he observed that, as the Indian farming community were in a backward state, it was necessary to make an organised effort to help them and inculcate in them the co-operative system of production. Moreover, the chairman added, it was necessary to have a representative organisation to represent the wants and wishes of the farming community to the authorities. He hoped that those present would form the organisation, and safeguard the interests of the Indian farming community.

Many speakers supported the chairman's remarks, and the following resolution was unanimously adopted: "This meeting of delegates, representing the districts surrounding Durban, hereby resolves to form an amalgamated body, styled the Indian Agricultural Association, the object of such body being to safeguard and promote the interests and well-being of the agricultural section of the Indian community."

The following officials were appointed: Mr. V. Munisamy Naicker (Newlands), president; Mr. Rajameer (Seacowlake), vice-president; Mr. Kara Govind (Malvern), vice-president; Mr. V. M. Pillay (Newlands) and Mr. P. M. Naicker (Sea View), hon. joint secretaries.

The "*Times of India*" commenting on the scope of the South African Commission reported to be confined to enquiry into the question of the issuing of trade licences to Indians urges that, in fulfilment of General Smuts' promise to Indians of fair treatment in all parts of the Union, questions of Indian right to hold land and the right of inter-provincial migration which it considers an absurd anomaly and the granting of full educational facilities must be settled now. As the terms of reference of the South African Commission are not yet finally settled, the paper urges the Government of India while there is time, to make representations without delay to Union Government pointing out the necessity and wisdom of including at least the three questions referred to above in the terms of reference and concludes—Ever since the Imperial Conference of 1919 Mr. Buxton, Mr. Masan and General Smuts have spoken fair words to Indians. It is well that they should realise that their sincerity will be tested by the scope, composition and powers of the Commission and it is the duty of the Indian Government to make out that issue clear to South Africa.

DENIAL

"And as Peter was beneath in the court, there cometh one of the maids of the high priest; and seeing Peter warming himself, she looked upon him, and saith, Thou also wast with the Nazarene, even Jesus. But he denied, saying, I neither know, nor understand what thou sayest; and he went out into the porch; and the cock crew. And the maid saw him, and began again to say to them that stood by, This is one of them. But he again denied it. And after a little again they that stood by said to Peter, Of a truth thou art one of them; for thou art a Galilean. But he began to curse, and to swear, I know not this man of whom ye speak. And straightway the second time the cock crew."—St. MARK, Chap. 14.

WE are reminded of the above historic incident by the report of General Smuts' speeches. When questioned regarding the Asiatic problem, he appears to have been severely criticised for his statements concerning Indians. The backveld farmers seemed particularly to object to what General Smuts said in reply to the Durban Indians when an address was presented to him in the Council Chamber a few months ago. He now denies what he said on that occasion. Like the strong, fearless Peter, who did not hesitate to defend his Lord even at the risk of his life, but failed to meet the curious questionings of some idle women of the court, so our Prime Minister, strong and brilliant politician that he is, quailed before the sinister questionings of the reactionary crowd. General Smuts, in reply to Durban Indians, on the 26th August last, said he was proud of the privilege of having under him in East Africa so large a number of Indians, who did great and glorious work in the war India had won for herself a place among the nations of the world. He was glad to do something for them in the War Cabinet in regard to Commissions in the Army. He said: "I strongly supported the proposals of granting commissions to Indians, and when it was pointed out that this might create an anomalous position and that there might be the possibility of Europeans being placed under Indians, I replied, *Why not? I would be proud to serve under an Indian officer if he were able!*" This verbatim report of his speech was submitted before publication to General Smuts' private secretary, who was present on the occasion, and he certified the report as correct. And yet General Smuts denies the statement. Another spontaneous remark coming from the Prime Minister was this: We have to live side by side in conciliation, and we must endeavour to understand each other's standpoint so that we may live and grow together. *We are members of the one family and belong to the same Empire.* General Smuts now denies this statement practically, although the word "blood" is used instead of family. It is a destruction, however, without a difference.

General Smuts need not have said what he did at Durban. Perhaps he went further than he meant to do. The glamour of the Peace Conference was upon him. He had met and associated with distinguished Indians in Europe and he had forgotten for the time being the backveldier with his crude, slavish ideas on the colour question. General Smuts can never be forgiven for breaking his promise given to Mr. Gandhi to repeal the Asiatic Act, which promise he afterwards repudiated in public. Is it that a promise given by a politician and statesman is to be regarded as sacred, if expedient; otherwise it can be broken? Does it mean that in public life, a minister can one day say a thing and deny it the next just because the interests of his political party are jeopardised? We are sorry that we have not

a full report of General Smuts' addresses in the Transvaal. Perhaps he modified his denials. But as the atmosphere was intense, we are afraid he did not. Can it be wondered at if the Indian community come to regard the public statements of responsible ministers of the Government as mere "eye-wash"?

THE "NATAL MERCURY" ON THE INDIAN QUESTION

There are good many indications that during the coming elections campaign candidates, whether they desire to do so or not, will be compelled to deal at considerable length with the Indian question (says the *Natal Mercury*). General Smuts during his tour of the country districts of the Transvaal has had to answer a fusillade of questions, for this matter has been almost as great a favourite with hecklers as has Republicanism. The same subject has been discussed locally with some acerbity, and a demand that further Indian encroachment shall be prevented has drawn the reply that Indians are not content to remain hewers of wood and drawers of water. The Government in its desire to effect a settlement of the matter which has caused a state of even more acute feeling in the Transvaal than in Natal, and which has led to no little trouble in India some time ago, promised the appointment of a Commission of Inquiry. Originally it was intended to deal only with the land and licence laws as affecting Indians in the Transvaal, but from recent indications we presume it is proposed to widen the terms of reference so that it may in effect permit evidence to be given on any aspect of the Indian question in South Africa, as it exists to-day. [From what we are able to gather that is not the case.—Ed. I.O.] But without awaiting this there is evidently a desire amongst a considerable section of the European public to bind candidates for Parliamentary honours to some definite line of action, and General Smuts, in reply to the questions we have already referred to, indicated that the policy of the Government was to restrict extension of Indian trading, but that it was impossible to consider any proposal for buying out their interests.

Actually the matter is not one that can well be settled in the heat of an election. It is not a clear-cut question. It has so many ramifications, so many interests are involved. The actual facts of the position have not been ascertained, or if ascertained are not clearly understood, and the voter in this matter is more likely to be swayed by sentiment or prejudice, and to give his support to some wholly impracticable proposition. A just and adequate settlement is much more likely to eventuate if no attempt is made to force a decision on the subject until the Commission, which we presume will be appointed so soon as the election has taken place, has investigated all the facts. We acknowledge that it is impossible to find a solution which will be satisfactory alike to the European and Indian. Indian claims have been ever growing wider and wider, [Question.—Ed. I.O.] whilst the tendency amongst a considerable section of the European population is to demand that the restrictions upon them must be made more and more rigid. In the Transvaal the chief demand is for the restriction of Indians' trading rights; in Natal, at the present time, the place which the Indian has taken in the trading community has been tacitly acknowledged. The number of such traders, especially in the larger towns, has not considerably increased in recent years, licence difficulties preventing extension, but in the Transvaal where a licence can be secured upon application, there has been a tremendous increase in Indian trading licences, over 2,000 new licences having been granted to Indians during the course of the first ten months of the present year. [Again question.—Ed. I.O.] In Natal, whilst the activities of Indian traders are being more and more directed toward the European

trade, they have not competed to the same extent for the trade now in the hands of European traders as in the Transvaal. Natal's chief complaint has been of the invasion of residential districts of the town by Indians, both as owners and occupiers, and of the competition of the Indians as an operative in trades not requiring a high degree of skill.

Indians are prone to take the line that the demands for restrictions upon their activities are due to race prejudice. Whilst it is impossible to deny that this racial prejudice does exist, it has not been brought about simply because the Indian successfully competes with the white. It has been brought about to our mind almost entirely because the European has found that in various walks of life he had to meet a competitor whose whole manner of life and outlook on life was so different that it was impossible to compete with him on equal terms. In those classes of trade, which the Indians have taken up, or in the industries in which Indians are sufficiently skilled to take part, European competition has all but disappeared. It is general knowledge that the various Shop Hours Acts of Natal have been demanded in order that the European storekeeper could give his assistants reasonable hours, and yet meet Indian competition. At the present time the local retailers have declined to fall into line in regard to "daylight saving," until an amendment of the law compels all traders to close at an earlier hour, because they were accused the Indians would not close voluntarily at an earlier hour. The large increase in the cost of living in recent years has still further affected the white trader, as the salaries of his staff have advanced in greater proportion than have those paid in Indian stores, whilst the pressure has been more acute upon Europeans who are employed in trades in which Indians also compete. Probably the most general cause of irritation has been the tendency of Indians, particularly during recent years, to purchase and occupy dwelling-houses in districts which up to the present have been inhabited entirely by Europeans. Whilst a certain number of Indians conform to European standards of living, in the great majority of instances their appearance in a residential district of a town has the effect of lowering the value of property in that district, partly or wholly, as the Indians would declare, because of colour prejudice, but also because they reduce its amenities and bring to that district a lower standard of life, which, to the mind of the European reduces the standard of the value of property in that district. It is entirely because of this fact that title deeds of many suburban blocks contain a restrictive covenant, preventing their sale to persons other than Europeans, and during recent years it has been seriously proposed by owners of house property in areas in the borough, who feared that Indians might desire to get a footing in their midst, that they should mutually agree to some such covenant being inscribed on their deeds.

We draw attention to these facts, not with the idea of increasing the antipathy which may be felt by Europeans against Indians, but to show that, whilst the Indians, especially those of the trading class, feel that they are unjustly treated, yet, on the other hand, the Europeans have deep and serious reasons for demanding a restriction of their activities. So far, the Indians have successfully resisted demands for restrictions, save, perhaps, in the matter of immigration. But Indians in South Africa, whilst in principle they have stood for unrestricted immigration into South Africa, have no real objection to it. As it is, owing to their standard of life, they can compete successfully in trade and in certain occupations with the European, but a large immigration from India would only result in largely increasing the competition that they have to meet, and whilst they still in principle demand an open door, they are not ill content that it shall be shut on later comers. No settlement of the vexed question will be arrived at whilst protagonists on the one side devote much of their attention to allegations that Indians of

South Africa are of low caste, and to demands for their expulsion from South Africa, or whilst the others demand equality in all respects. What is first required is that an endeavour shall be made to collect all the facts as to the extent of the increase in the Indian population, its ownership of property, and trading activities in recent years, and to the extent to which they have displaced the European in trade and in occupations. If these details are carefully collected it will offer a basis upon which the Commission can work to test the numerous proposals which will assuredly be submitted to them, and as their preparation will take some considerable time, we would urge that those who are in possession of the information should endeavour to collate such statistics, so that when they are required they may be speedily available. The question has to be faced in the near future, and if a settlement is to be secured which is to be in any way satisfactory, there should be no delay in taking the steps which we have indicated.

THE SOUTH AFRICANS' LEAGUE

THE "ASIATIC MENACE"

The following circular is being distributed in the Lydenburg district by the *Lydenburg News*—

A congress was held in Pretoria in the beginning of September last on the Asiatic question, and it was the most representative gathering ever held in South Africa. It consisted of appointed delegates, representing all political shades of opinions. Both parties, the N.A.F. and National, were strongly represented, also delegates from practically every Municipality in the Transvaal, including one from Lydenburg. Churches, Educational Institutions, School Boards, Trade Unions, Agricultural and Co-operative Societies were all represented, and an unanimous resolution was passed to form a League which should be called The South Africans' League—for the purpose of combating the Asiatic Menace which is facing the country.

Branches of the above League are being formed all over the country, and on Thursday, November the 27th a very successful meeting was held here, and a branch of the above League formed. We elected members of the Committee, appeal to you—as good and patriotic Afrikaners to join and give us your support. We want you to bear in mind the following facts:

1. The Asiatic question is not merely a matter affecting a few white traders. It is not commercial jealousy, it is a question of great national importance, it is affecting the very life and existence of our white civilisation. The great gathering which took place in Pretoria confirms our views.

2. Owing to the small white population, the field of employment is very limited. There are thousands of young boys growing up in the towns and villages every year, without any future or prospect in life. By supporting and buying from the Coolie, you are not only causing the ruin of many white traders, but you are throwing many young men and women out of their employment.

Take for example your own district village, there are between 30 and 40 men and women who are earning a living as assistants to white storekeepers, what will happen to them in another few years, when owing to the Coolie competition, the white storekeeper will be compelled to close down as happened in many other places? Your own children may not all be inclined to become farmers, they might prefer to take up a business career, but what hope have they against the Coolie whom you are supporting?

3. Every shilling spent at the Coolie store, means your country is so much poorer, he has no other interest here only to accumulate wealth and send it to India.

4. The presence of the Asiatic, prosperous and wealthy, and enjoying many more rights than the native,

is forming a dangerous element. It gives the latter good reason for complaint. After all why should a coloured man from another country have more rights and privileges than the real native of the country? We all know how delicate our own coloured question is, it is the greatest problem we have to face, do we want more from India?

5. The Asiatic is making petitions to the Government, clamouring for full political rights, he wants free access to our Educational Institutions. Are you prepared to grant them all this? If he is denied the above then he is and will become in time, still more the enemy of the white man here.

6. Your ancestors, the Voortrekkers, have made their name great in the history of the world as the pioneers of a white civilisation in this country, they fought their way through amongst millions of black savages, and made this country a safe home for every man to live in. By supporting the Asiatic you are working contrary to the ideal of the voortrekkers. The Asiatic is endangering the position of the white man every day more and more. Just look at your beautiful village, the centre, practically the heart of it, is occupied by the miserable looking Coolie. It gives the appearance more of an Indian Bazaar, than a dwelling place of the white man. Is that the ideal your forefathers fought for?

ANTI-ASIATIC AGITATION

The Johannesburg correspondent of the *Natal Advertiser* telegraphs on the 4th instant:—

A branch of the anti-Asiatic organisation, known as the South African League, was formed at a Boksburg public meeting last night, there being only one dissident.

The mover of the resolution said the Asiatics were trading among the white community in violation of the law and General Smuts had no right to make any compromise with the Asiatics as affecting the white community. The Indians had helped Great Britain in the war, but the South African Indians had not helped one iota.

The day the British Empire said the Asiatic had the right to trade with the white people of South Africa would see the greatest mistake ever made. It was not a question merely of trading. Did they realise that they might become a mixed race and that the identity of the white people might cease to exist. The white people must keep separate from the coloured races.

Dealing with the Asiatic menace, the Mayor of Volksrust (Mr. J. A. B. Joubert) pointed to the gravity of the position.

A man who for a decade and a half had fought this menace in the town, he said, was himself overwhelmed and the property formerly owned by him had been purchased by the Asiatics; and was now used by an Asiatic store. The Parliamentary election was near at hand and he strongly urged that the Asiatic question should be made a test question. Indeed so strongly he did feel on the subject that he was prepared to vote against his party if need be.

A REJOINDER

The same correspondent states that Mr. J. Royeppen, an Indian barrister, writes to the Press to deny the statement of Mr. J. D. Campbell at the Boksburg meeting that the South African Indian had not helped one iota in the war. In justice to a large number of Indians from South Africa who have served in the war, he says:—

"May I state that when things were going badly with us at the fronts, hundreds of Indians, as ambulance men and stretcher-bearers, came to the rescue and did yeoman service in East Africa. Two of their number too were awarded the D.C.M. The indictment would be unjust even as regards the trading class Indians if

perchance Mr. Campbell had only this in mind, for that class contributed large sums of money towards the various war funds. One meeting alone held in the Johannesburg Town Hall, yielded £1,100. May I appeal for some regard for the truth in this controversy?"

AT VOLKSRUST

The Mayor of Volksrust, speaking at a meeting, said:—We must continue to fight the growing Asiatic menace, which was becoming a question of life or death to the European community. The man who had fought the hardest to thwart the Asiatic encroachment himself went under, and the property which formerly was his was now a place of resort for coolies. In the coming Parliamentary election the speaker hoped Asiatic question would be a test question in every constituency. He himself was prepared to vote against his party, if need be.

GENERAL SMUTS ON ASIATIC POLICY

ELECTIONEERING QUESTIONS

The Prime Minister has been holding meetings recently in the towns of the Transvaal.

He was repeatedly questioned at Zeerust on the Asiatic policy of the Government. On the question of repatriation, General Smuts said that when he was young and impatient he had deported nine men, who, however, came back, which showed that this sort of policy did not pay. (Laughter.)

Further questions concerned Transvaal repatriation debts, 5s. per day to ex-burghers, and an alleged statement at Durban concerning the relationship with the Indians, which latter General Smuts again denied.

Questions on the Asiatic question continued to be put, in reply to which General Smuts said people need not deal with Indians unless they liked. He gave information regarding the future Commission's work, and said the Government did not favour further facilities for Indian trading.

In Lichtenburg, for an hour and a half questions were showered at General Smuts, most of them by Attorney Bosman, who said he spoke on behalf of the Nationalist Party.

He denied having said at Durban that we and the Indians were members of one blood; also that he said in Europe that he would serve under an Indian officer. —Reuter.

MRS. BESANT ON INDIAN REFORM

WHY INDIA WANTS HOME RULE

Under the auspices of the "Britain and India" movement, a public lecture was given at the Harrogate Technical School at which Mrs. Annie Besant was the principal speaker. Mr. W. Hodgson Smith presided over a large attendance, and the other speakers were Mr. B. P. Wadia, a Parsee, assistant editor of *New India*, a Madras Home Rule daily paper; Mr. P. K. Telang, a Mahratta Brahman, a well-known Indian educationist; and Mr. Jambadas Dwarkadas, a Kshatriya, one of the directors of the *Bombay Chronicle*.

Mr. Hodgson Smith said he had every sympathy with Home Rule for India, and what they wanted was a strong public opinion. They could not do much without the feeling of the people, and the speakers that night were going about the idea of getting that.

Mrs. Besant said her three Indian colleagues and herself were there to put the case for India before them. A Bill was now before Parliament in order to grant to India certain reforms. The Bill had been committed to a Joint Committee of both Houses, and various witnesses had stated their opinions of the reforms proposed. She would try to put before them the need that India felt for the right of Self-Government to manage her own affairs. By the desire for

Home Rule, India did not want to break the connection with Great Britain, or to sever herself from the great commonwealth of King George. The present Government in India were not representing what she believed to be the desire of Great Britain—to do justice in India for its good. They had destroyed the great autocracies of Europe, and the only one that remained in the world was the autocracy of Great Britain over the vast country of India. Such a position was inconsistent. It was irrational. India wanted the right to decide the various stages of transition, and that it should not be left to Great Britain to decide—for Great Britain could not judge the Indian capacity and power as well as Indians themselves. India sought certain changes in the Bill. She never said she would reject it if her demands were not granted, but she would not be satisfied or contented if they were not granted. There were three million people excluded from the franchise. There ought to be some representation of the working classes in India. They were an immense bulk of the population, and should not be shut out. The objection to it was that the machinery of the Government was not sufficient to deal with it, but where there was a will there was a way. The second point was the power of the purse. They demanded fiscal autonomy. They wanted Britain's own doctrine in India. (Applause.) They wanted power over customs, over excise duties, and over the whole of the tariffs. They had economic problems of their own, but it was not possible to deal with them unless they managed their own financial concern. They were ready to give a fixed sum for every province. The third thing they asked for was some amount of responsibility for the Central Government. There was an elective majority, but it was only a majority in a debating society—without power. That placed them in the hands of a new invention, a Council of State, where, with a Government majority, a measure could be passed through into law. In the Bill as drafted, women as they used to be in England, were classed with felons and lunatics for being unable to exercise the vote. (Laughter.) Women in India had never been classed like that before. They had never had the sex distinction like they had in this country. Indian women went to every university, and if they passed the degree examination they were granted the degree. They might ask why was India not content to go on as they had done during the past hundred years. It was because India has been reduced from the position of the richest country in the world to the condition of the poorest. Indian life was shortening because of the malnutrition of the people. A well-trained secretariat and plenty of red tape might be the ideal of a Government of a subject nation, but that nation had different ideals—of education, sanitation, encouragement of agriculture and industries. Those were the things that mattered. Mrs. Besant dealt at length with the question of the land tax, and remarked that the India had the most expensive Government, and yet was the poorest country. The way of reform was through Parliament or the way of revolution. They did not want the population made with hunger to break out in massacre.

Mr. Wadia said the textile workers in India were working twelve hours a day for six days a week, whereas in this country there was the demand for 48 hours a week against 72 in India. Because the Indian working classes were illiterate, it did not mean they were without political instinct. They had a culture of their own. The Indians had a point of view different from the British, and they wanted to express themselves after their own fashion.

Mr. Telang said they had been told that so long as the caste system existed it was not possible for Indians to make good use of the opportunities offered them, and that they could never be fit for Home Rule. Much that had been said of caste was due to ignorance, and it was not possible for people living under a different social order to understand thoroughly. So far as each caste was concerned there was perfect demo-

cracy, and no distinction of class as understood in this country. There might be a ruling prince in the same class as the peasant and they both had equal rights. The only things between the castes were inter-marriage and inter-dining, but it had been felt that those things were standing in the way of growth, and they were trying to get such restriction removed.

Mr. Jambadas Dwarkadas spoke of the financial question and sanitation. He said the country had given a hundred million sterling to the British Government for the War, and had sent millions of men to fight in the past War, and could have sent more, but the Arms Act of 1878 had precluded many Indian from using arms or receiving any military training.—*Bombay Chronicle.*

INDIANS IN THE SELF-GOVERNING COLONIES

It will be in the recollection of our readers (says the *Indian Social Reformer*) that Lord Sinha's memorandum on the position of Indians in the British Colonies, was referred to the several Governments of the self-governing colonies, with the general approval of the Imperial Conference last year. The despatches of these Governments with a statement of the course of action which they are prepared immediately to adopt with a view to give effect to the suggestions of the memorandum have been published. The largest number of complaints in the memorandum related to the Government of the South African Union, but the Governor General Lord Buxton, has nothing more to say in his despatch dated 30th August 1918 than that the subject of reciprocity received the consideration of his Ministers and was placed in the hands of Mr. Burton for discussion at the recent Imperial War Conference. There is no word of what has happened since. We know that since the last Imperial War Conference a drastic measure depriving Indians of rights not denied to them even under the Kruger regime in Pretoria has been passed by the South African Legislature. General Smuts' speech to the Natal Indian address, which we printed recently, gives some room for the hope that, as the result of the Commission of Enquiry on which India is to be represented, so we are told, by the hon. Mr. Srinivasa Sastry, this reactionary measure may be radically modified, if not altogether withdrawn. We would respectfully suggest to the Government of India and the Secretary of State the extreme desirability—not to say the necessity—of nominating Mr. Gandhi also as a member of the Commission in place of one of the two officials of the Government of India who are to be on it. In regard to this question, there is no difference of opinion between the Government and the people of India, and that being so, Mr. Gandhi will be a much more effective (and by long way a better informed) representative of the Government and the people than any official. Such an appointment, moreover, will go a long way to bridge the gulf between the Government and the people of India which certain recent events have unfortunately tended to deepen.

OWNERSHIP OF LAND

A KRUGERSDORP CASE

In the Transvaal Provincial Division of the Supreme Court on the 4th instant, an important considered judgment was delivered by Mr. Justice Wessels in the case of the Municipal Council of Krugersdorp vs. Dadoo, Ltd., and others, in which the Municipality sought an order setting aside the transfer to the respondents Dadoo, Ltd., of certain freehold stands Nos. 171 and 340, in the township of Krugersdorp.

Sir John Wessels, in the course of a lengthy judgment, said the first respondent, Dadoo, Ltd., was the

registered owner of the stands, which were transferred to them by the respondents Fouché and Howell. At the time of the purchase and transfer Dadoo Ltd., consisted of two Indians, Dadoo and Dindar. Stand 177 was occupied by Dadoo and his family when they were in South Africa, and when they were away by the manager of Dadoo Ltd., and another Indian. The Municipality contended that the stands were virtually owned by Dadoo, and were transferred into the name of Dadoo Ltd. to evade the provisions of the law prohibiting Asiatics from being owners of fixed property.

Having dealt at length with the legal arguments as to the *locus standi* of the Municipality to make the application, and the question whether the transfer to Dadoo Ltd. was in *fraudem legis*, His Lordship said the limited company, Dadoo Ltd., was manifestly formed to acquire what Dadoo himself could not hold. The Municipality was entitled to have the transfer set aside, both because Dadoo was a coloured person to whom no transfer could be made by virtue of the prohibition in the title of Fouché and Howell, and also because he was an Indian and therefore could not own a stand in the municipality. It was clear from section 139 of the Gold Law that it was the presence of coloured persons upon the stand, and the control of the stand by such persons, which the legislature intended to prevent; and it was in *fraudem legis* for a number of Indians to combine and form themselves into a limited liability company and so laugh at the legislature. The Court would therefore grant an order setting aside the transfers of both stands, respondents to pay costs of the application. — *Rand Daily Mail*.

Johannesburg Hindoo Crematorium

The public are hereby notified that the above Crematorium is open for all, irrespective of Caste or Creed. The Crematorium will be opened for cremation between 9 a.m. and 2 p.m.

THIS TIME WILL BE STRICTLY OBSERVED.

The fee sanctioned by the Crematorium Committee for Cremation is as follows:—

To defray expenses of Wood, Char, Camphore etc. Rs. 1 0
 Exp. for Personal Supervision 1 0

No Cremation will be allowed unless the above charges are paid in advance to the Secretary of the said Committee. Besides the above charges a further 10s. will have to be paid direct to the Municipality for registration purposes.

In every case the usual burial certificate should be produced.

For further particulars apply to:

The Hon. Secretary, P.O. Box 4111 or
 24 Diagonal Street, Johannesburg 20
 Phone 37 (Central).

શ્રી કૃષ્ણ પુસ્તકાલયમાં ગ્રામ્ય લાયક

અધીના બીજા પુસ્તકોની અને સવ્યામય વખતે

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