

Indian Opinion

No. 26—VOL. XVIII.

FRIDAY, JUNE 25TH, 1920.

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

NOTES AND NEWS

REUETER, Capetown, in a message dated June 10, reports:—The Minister of Finance (Mr. Burton) to-day received a deputation from the Indian community of Natal in connection with the shortage of rice and other foodstuffs in Natal. Mr. Aiyar explained the hardships the Indian community were suffering owing to the embargo on export from India of these food-stuffs, and requested Government to take control of such stocks as were coming in and fix prices. The Minister said steps would be taken as soon as the Anti-Profitteering Bill was passed. Mr. Aiyar stated that a deputation was to proceed to India to interview the authorities, and urge that the embargo be removed, whereupon the Minister promised to do what he could for the deputation in the way of letters of introduction, etc. Mr. Merriman and Sir Thomas Smartt, who were present, spoke in support of the deputation.

At an emergency meeting of the Cape British Indian Council recently held in Capetown, a resolution is reported to have been passed authorising the above mentioned deputation to interview the Minister of the Interior with a view to dispensing with the taking of finger-prints in connection with permits for the deputation to visit India in case of those who were men of standing and could sign their names in the official language of the Union, the giving of finger-prints being regarded as humiliating to the Indian community.

The deputation subsequently had an interview with the Minister, who agreed to waive the question of finger-prints in the case of those who could sign their names in accordance with the terms of the resolution.

General Dyer in the course of an interview with a representative of the *Daily Mail*, London, is reported to have stated that every Englishman in India approved of his act—the act of cold-blooded massacre of innocents at Jalianwalla!

What amount of truth there is in the General's statement could be judged by the comment thereon of the *Times of India*, the Premier organ of British public opinion in India. Under the heading "A LIBEL," the paper writes:—

Brigadier, General Dyer is reported to have declared that every Englishman in India approved his act. This is a lie. We have met no Englishman in India, official or non-official, who approved of his act; on the contrary wherever this tragedy has been discussed, in whatever society, we have heard nothing but loathing of the horrible circumstance which has linked the slaughter of the Jhallianwallah Bagh with the name of an Englishman. We have not met a single Englishman or a single English woman who does not feel a sense of irremovable shame both at the tragedy of the Jhallianwallah Bagh and at the excesses which were committed under the martial law regime in the Punjab. Brigadier General Dyer says he should have been given an opportunity to defend himself: nothing

said in condemnation of his action surpasses, or could surpass, that which he has said himself. We ardently wish that the Punjab disturbances could have been considered as a whole, with all the facts, so far as they can be gleaned, before us. But Brigadier-General Dyer himself has made that impossible by his attempt to mislead the British public in anticipation of the publication of the report. To allow his statement to stand without immediate repudiation might be to associate ourselves inferentially with it; that we will not do, particularly in justice to the large circle of Englishmen and Englishwomen who equally reject his declaration with scorn and anger.

Another Indian paper, *The Indian Daily News* questions General Dyer's statement that Europeans in India approved of his action.

KRUGERSDORP ASIATIC LICENCES

MAGISTRATE'S IMPORTANT JUDGMENT

COUNCIL DEFEATED

The Resident Magistrate of Krugersdorp (Mr. L. Bangley) delivered an important judgment last Saturday when he dealt with the last five out of thirteen Asiatic appeal cases brought against the Krugersdorp Municipal Council on account of its refusal to grant general grocers' licences. He had previously ordered the Council to grant licences in the case of eight Indians.

Three of the present cases, he said, related to Chinese traders on proclaimed ground, and the remaining two to Chinese traders in the township of Burgershoop, which was Crown land transferred to the Council. In the title deeds was a restrictive clause as to occupation by coloured persons. Each of the appellants held a general dealer's licence and therefore had a right to trade. They were not protected by Act 37 of 1919, and they were not British subjects. In each case appellant was refused a grocer's licence by the Council, its resolution stating that "the applicant is not a desirable person to hold such a licence." There were, however, no grounds for that opinion.

In one case certain remarks had been made which might be taken as governing all the applications, and briefly, they were as follows: "Applicants are not legalised by Act 37 of 1919. They are not entitled by law to hold licences. The law prohibited the occupation of proclaimed areas by coloured people. Applicants are in illegal occupation, and therefore they certainly are not fit and proper persons to hold municipal licences." Each applicant has been treated not as an individual, but as a member of a certain class.

THE COUNCIL'S ARGUMENT

For the Council it was argued that it was a wrongful act on the part of the Government to issue licences to those persons after the framing of Act 37 of 1919, and that they must occupy in order to trade. The Council, if those licences were granted to-day, could cancel them tomorrow at considerable cost. The Coun-

cil had successfully proceeded against an Asiatic in illegal occupation, and had a right to say that a person was not desirable if it had to spend a considerable sum of money to compel him to obey the law.

The magistrate pointed out that the grant of a grocer's licence would not cause the Council any extra expense. A grocer's licence was attached to the general dealer's licence, which was held by each appellant, and therefore the Council's right of action in respect of illegal occupation existed before the appeals were brought.

He was further requested to differentiate between the failure of the Government to administer its laws and the duty of the municipality to proceed against persons in illegal occupation. He considered that Act 37 of 1919 would have the effect of stopping illegal occupation by Asiatics, and, in consequence, trading on the ground so occupied. During Asiatic appeals held recently it had come out that the grant of trading licences to Asiatics, including protected Indians, was in the early part of the year refused by the Receiver of Revenue, who afterwards received instructions to issue the licences.

THE POTCHEFSTROOM CASE

The case against the magistrate of Potchefstroom, decided in the Transvaal Provincial Division of the Supreme Court on June 8, dealt with the considerations which should weigh with municipal councils in applications similar to those made by appellants. It was held: "The question is whether each applicant is a desirable person, yes or no? The Council is not entitled to have regard to the fact that the applicant is an Asiatic, and, without considering any personal grounds, treat him as a member of a class and refuse a licence."

In each of the cases before the Court, the magistrate concluded, the respondents had not considered the application on personal grounds. There was nothing in the minutes or in the reasons adduced to warrant the conclusion that in the opinion of the Council the applicant was not a desirable person. The considerations that had weighed were that each applicant was (1) an Asiatic, and (2) in illegal occupation of the premises where he was trading. The Council was not entitled to decide an application on those grounds, and in consequence the Council did not exercise its discretion on proper lines. The appeals would be upheld, and the Council would be ordered to grant a grocer's licence to each of the appellants.—*Rand Daily Mail*.

BOLSHEVISM IN INDIA

Thus the *Natal Mercury* :—

It has been known for months past that there has been considerable unrest in India, and the years of the war disturbances engineered by German agents were frequent. It was to be expected that Lenin and Trotsky would turn to this fruitful soil to spread the pernicious doctrines of Bolshevism, and they have made special plans and established special seminaries to inculcate their creed in India. It afforded them a fine opportunity to get in a back-handed blow at Great Britain, which seems to be the *hôte* of the Moscow Government. Fortunately the Indian Government has been well posted with regard to all these machinations, and has taken time by the forelock and countered them by diffusing the truth of the whole propaganda among the immense population. It is now able to state that the condition of affairs is much more hopeful than it was. It may be assumed that the Bolshevist ideals would appeal only to the extremists of the Moslem and National Congresses, and they themselves would also discover that if these socialist schemes were imported into India there could be only one result—a gigantic revolution. India is less unfitted than Russia—if such could be pos-

sible—for the dissemination of these anarchical ideas since the great majority of her people are more ignorant of political institutions than the Russian moujik who is familiar with a kind of local government in the Yemstovs. Suddenly to flood India with a creed that all men are equal would break up the very foundations on which India rests. The caste system would be destroyed at one blow, and the semi-patriarchal government of the Rajahs would be abolished—changes for which the Indian population is entirely unfitted and unprepared. Though the communication from the India Office is reassuring to a certain degree there is underlying the statement an apprehension that the trouble is not yet over. The Bolsheviki are proposing to invade Afghanistan, and have made an incursion into Persia, which is all directed to setting the East aflame. Why Lenin and his colleagues should be so determined to destroy the British Empire it is somewhat difficult to imagine, but they perhaps consider they have received some encouragement from Mr. Gandhi and the Moslem Congress' resolutions about the Turkish settlement, and consider the hour opportune for a great expansion of Bolshevist rule. It is noteworthy, however, that in the last few weeks the Indian leaders have been less aggressive with regard to the Turkish Sultanate, and it may be that they have realised the danger. It is hoped that the Indian delegation that is proceeding to India on the rice question will be careful about their political pronouncements, for the Indians in Natal, as a whole, do not want Bolshevism in their Mother Country, and do not want the British Government to be eliminated.

A LADY PASSIVE RESISTER

EMPHATIC PROTEST AGAINST SIGNING SHOP REGISTER

A case of considerable interest is reported to have come before the Borough Court last Friday in which Ruth Fullam, a European young lady was charged with failing to sign the shop assistants' register. A fine of 10s. was imposed on accused—which she refused to pay and said she would appeal against the Magistrate's decision.

The lady, who is employed by Messrs Williams, Hunt & Co., as a book-keeper, made a most amazing statement before the Court in which she said, she was not a shop assistant. Book-keepers did not come within the meaning of the Act under which she was charged. Had it been so book-keepers could have been specially mentioned. She could not see why book-keepers in a "selling merchant's" office should register, while book-keepers employed by a solicitor should not. This was one-sided, and one section of book-keepers would be handicapped by the time limits.

"The term 'shop assistant' is known all over the world to apply to those actually engaged in shop work—that is, the promotion of sales in a retail business. In any other country in the world other than South Africa the idea of calling book-keepers assistants would never have occurred. It is like calling a magistrate a policeman on the contention that the former is to a certain extent connected with the police force, and has work to do in connection therewith. I have never given an account of my actions to anyone. I injure no one, and cause no breach of the peace by not signing the register, nor by working over-time, if it is my desire to do so. I consider it an encroachment on private rights for a municipality to try and compell one to sign a register, and more than an encroachment on private rights to expect any man or woman to give reasons for absencing himself or herself from work, and to have the veracity of their statements checked by a municipal Inspector. I cannot sign anything to my detriment. I am not an hour-paid worker, nor do I belong to a union. My preferments are therefore only gained by a record of my work. My books are my record, and if I cannot keep them un-

to date and in a proper manner within working hours, then it is up to me, if I am desirous of preferment, to work after hours, either in the office or at home. While my work is left entirely to my charge, a shop assistant has someone to supervise his actions during the day. I consider it a form of slavery. Those who agree to sign a register have a continued menace over them. In the event of their forgetting to sign, they run the risk of having to pay a fine. Because I know I shall often forget to sign the register, and I am not prepared to go on paying fines *ad infinitum*, I refuse to sign the register. A register cannot be truthfully kept. I should need a diary to keep a proper record of my working hours. I feel it is a degradation to sign a book like that. It is not a thing for any intelligent, educated, or progressive person to do. Records of attendance are only suitable for the ignorant worker, the slacker who on account of his bad work is unable to hold his own with his employer, and the worker desirous of being spoon-fed. My whole being rises against such a register. I have had ample time to consider the matter in all its bearings. I have been warned of all the dire calamities which will be meted out to me, consequent on my not signing the register, but I cannot go against my principles. I cannot conscientiously do so."

HOW NATAL HAS BENEFITTED BY ASIATICS

(By "TANGLEY LANE" IN THE "NATAL MERCURY")

I.

A good deal has been said, and has yet to be said, concerning Asiatic penetration into commercial circles in the Transvaal and other Provinces of South Africa. One is bound to admit that the Baniya or Arab trader does not—on the evidence so far adduced, and taking one's own observations as a guide—improve any neighbourhood where he settles and thrives. Whether he would do so if treated on an equality with other subjects of the realm—whether he would then regard himself as a South African instead of an Eastern adventurer in search of wealth—whether he would invest his capital in his own neighbourhood, and keep his gold in circulation at home instead of exporting it—these are aspects of the question which, I venture to think, have not been argued to conclusion. But when the question is that of the Indian or "coolie," the Asiatic labourer and producer, who has settled in Natal, then the contention of the anti Asiatic agitators that the coolie is a curse becomes an outrage on fact. What was it that made Natal the Garden Colony? Asiatic labour. What made it possible to produce sugar, tea and bananas in Natal in marketable quantities? Asiatic labour. I would ask the Natalians who only see the bad side of the Asiatic question to draw comparisons between their own Province and that of the Cape, and especially to let their minds go back over the past thirty years. That period covers most of the present writer's South African experience. My first cup of Natal tea was drunk at Messrs. Hullet's stall at the Kimberley Exhibition (was that 1892 or 1893?), and I am convinced that had it not been for Asiatic labour that first cup would have been the last, or, at any rate, that the tea industry would have died out like many other enterprises started about the same time in other parts of South Africa, but which gradually dwindled away because, without a cheap and abundant supply of labour, the difficulties of carrying them on were too great.

I wonder how many thousands of white men have been helped to competence in Natal by means of the banana industry, and the money it brought to Durban and Maritzburg in years when there was not much money coming from anywhere else? Certainly the living conditions of Europeans all over Natal were greatly ameliorated owing to the abundance of this

wholesome food. Let people who have lived in the Karoo or the Transvaal, or even the Eastern Province of the Cape, say if the plentitude of bananas in Natal since about 1895 has not caused a feeling of envy amongst householders in less favoured parts of this country. And it is a great mistake to suppose that the Natal climate or the Natal soil deserve the credit for the bananas—it is Asiatic labour. The finest part of the country, naturally, for bananas, is the coast belt from St. John's to Grahamstown. Better, bigger, and nicer bananas are grown along there even to-day than Durban can boast of. Why, then, did not the Cape Province develop the banana industry? Because it had no Asiatic labour.

The same remark applies to pines. I have not seen anywhere in Natal pineapples to equal for flavour and size those grown in Peddie and Albany districts. Of late years pines from that neighbourhood have found their way to the inland markets; but for at least fifteen years Natal enjoyed practically a monopoly of the supply of pines to the rest of South Africa. Many a hundred nice cheques from fruit dealers in Capetown, Kimberly and the Transvaal found their way to Natal—because Natal had the labour wherewith to grow the pines. I well remember in the "Grahamstown Journal," edited by Mr. Josiah Slater, B.A., a series of articles nearly thirty years ago, contending that Bathurst and other coast districts—then at a very, very low ebb—would become the most flourishing and productive if only they had the cheap semi-skilled, reliable labour which the coolie furnishes. Mr. Slater was right; but he had to endure the mortification of seeing the districts populated by the descendants of the British Settlers remain in comparative poverty, neglect, and almost total unproductiveness so far as the fruits of the soil were concerned, while Natal forged steadily ahead. Asiatic labour did it—nothing else.

And so with cotton. People talk to-day of Harding and Port Shepstone and the South Coast, and the possibilities of that region for growing cotton; and they are right. But as fine cotton country as has yet been discovered in the Union is that from Salem to Port St. John's. Cotton grows wild at Bathurst; you can alight from the Kowic train and gather it. The possibilities of the Eastern Coast of the Cape in this capacity have been affirmed for forty years, and known positively for the past twenty years. But it is Natal that will grow cotton, and harvest it, and export it, and wax rich upon it—because Natal has Asiatic labour.

I have called Asiatic labour "cheap, semi-skilled and reliable." That term "semi-skilled" is a concession to white prejudice. When you contrast the labour of the Asiatic with that of the Native, that of the former deserves to rank as "skilled" in a high degree. Does anyone suppose that Natives could gather tea without spilling it, or pack fruit without bruising it, or cut sugar cane without getting tired? If he does suppose so, let him travel the country and peer into those districts and those factories where Colonial industries flourish. From leather to candles, from wagon and wine making to curry and confectionary, they depend upon "coloured" labour—not Native.

Genoa, June 16.—An International Shipping Conference has been inaugurated as a section of the League of Nations. Twenty-five countries are represented, including Canada, India, and Australia. The delegates also comprise a number of shipowners and representatives of seamen's unions.—Reuter.

A Reuter telegram from Budapest reports that, the Minister of Justice has introduced a Bill in the National Assembly providing for corporal punishment for male profiteers, with a maximum of 25 strokes with the birch.

INDIANS ON TRAM CARS

The difficulties of Indians travelling in Tramcars, in Durban, seem never to end. Only last week another case has been reported in which a respectable Indian Mr. Amod Mamoojee was charged with failing to occupy the seat pointed out to him by the Tram conductor.

Mr. R. L. Goulding appeared for the defence. He said the Tramway By-laws were published by the Corporation under powers granted to them by Section 26 of Ordinance 37 of 1905. The charge against the accused was that he refused to move from one seat to another, as instructed by the conductor, thereby contravening a by-law which read: "All persons shall occupy such seats as the conductor in his discretion may allot to them." Mr. Goulding maintained that the Council had no power to make that by-law, as no such right was granted it by Ordinance 37 of 1905.

The Prosecutor, Inspector Alexander, stated that the Ordinance in question empowered the Council to make by-laws regulating those travelling on the tram car, and he contended that that also empowered them to regulate the seating of travellers.

Mr. Goulding was not of the same opinion, and stated that the by-law under which the accused was charged was *ultra vires*.

Mr. E. W. Baxter said that the powers given to the Council were in very general terms, but he did not think the by-law under which the accused was charged was *ultra vires*. The case was then adjourned.

INDIANS IN BRITISH EAST AFRICA

CLAIM TO EQUAL TREATMENT

The following memorandum was submitted in April to the Secretary of State for the Colonies by a deputation under the auspices of the Indian Overseas Association, and including Indian delegates from East Africa:—

In the year 1920 it might seem a work of supererogation to insist upon the fact of the ancient association of India with the Eastern Territories of the African Continent. The local Administration of the British East Africa Protectorate and His Majesty's Government should be fully aware of all the facts relating to that association, but that they are in danger of being forgotten is clear from Part 1 of the final Report of the Economic Commission issued last year by the Government of the East Africa Protectorate. That Commission was appointed by the Governor of the Protectorate and was presided over by a high officer of the Administration. The Report was signed by him in common with the other members of the Commission. In Chapter 2 a historical survey of East Africa is given. It is incredible that the signatories of this Report were ignorant of India's historical connection with these territories, yet the astonishing fact remains that this chapter contains not a single reference to India or her people, and the only conclusion that can properly be come to by a perusal of this chapter, together with Chapter 7, is that the omission of any such reference was deliberate. It will be necessary at a later stage to revert to the allegations contained in Chapter 7.

HISTORICAL

Indian trade connection with Zanzibar and the East African Territories is almost pre-historic. It is at any rate, upwards of three centuries old, and it is notorious that since the middle of last century, from the time of Lord Canning, British Indians and the Government of India have taken a very active part in extending British influence in East Africa. It was admitted before the Sanderson Committee, in 1910, by Sir John Kirk, with probably an unequalled knowledge of the Protectorate, that "but for the Indians we (the British) should not be there now. It was en-

tirely through being in possession of the influence of these Indian merchants that we were enabled to build-up the influence that eventually resulted in our position." One of the main grounds stated for granting the Royal Charter to the Imperial British East Africa Company in 1888 by Queen Victoria was that it was calculated to be advantageous to the "commercial and other interests" of the British Indians and that "the possession by a company of the East Coast line" would protect British Indian subjects from "being compelled to reside and trade under the Government and protection of Alien Powers." In the early days of the conquest and pacification of the Protectorate, Indian soldiers bore a very honourable part, and the history of events in Natal at the outbreak of the Boer War was repeated when, at the beginning of the late World War, the timely help given by India in men, money, and material to East Africa saved the country from complete destruction and its occupation by the German forces. The earliest transport facilities in the Protectorate were provided by Indian contractors and labour. The main factor in opening up the interior of the country was the construction of the Uganda railway, entirely by Indian labour and subordinate staff, under the most trying conditions and with considerable loss of life. Since then very large numbers of Indian traders, merchants, agriculturists, artisans, and labourers have emigrated to the country at the express invitation of the local Government, and relying on justice and equal treatment under British rule. This enterprising loyal, simple-living, and law-abiding Indian population has rendered invaluable service to the country in its industrial and commercial development, and has introduced into and has invested in it very large sums of money in the erection of large numbers of substantial and permanent buildings, comprising several streets and bazaars entirely owned by Indians, in the chief towns of the Protectorate and also in Uganda. In his book, "My African Journey" (a journey undertaken by him as Under-Secretary of State for the Colonies), the Rt. Hon. Winston Churchill, at present the Secretary of State for War, wrote: "It is the Indian trader, who penetrating and maintaining himself in all sorts of places to which no white man could go, or in which no white man could earn a living, has, more than anyone else, developed the early beginnings of trade, and opened up the first slender means of communication."

THE PRESENT POSITION

By far the greater proportion of the clerical and mechanical staff on the Uganda railway and in its workshops consists of Indians, and large numbers of Indian clerks are employed in the Government offices and commercial houses. The erection of buildings throughout the country is carried on by Indian contractors and artisans, and about 80 per cent of the trade and commerce of the Protectorate is carried on by Indians. The present European population of the Protectorate is said to be approximately six thousand, and includes a considerable proportion of officials, military, and missionaries. In 1911 slightly more than one-half of the European population was actually engaged in the development of the country. The proportion to-day so engaged is believed to be not very much greater. The present Indian population of the Protectorate is certainly not less than 25 thousand, and it is estimated that it is between 30 to 35 thousand.

It is thus clear that, apart from the pioneer character of Indian enterprise in East Africa, the Indian population of the Protectorate is considerably greater than the European. Its invested capital is far greater, its hold upon the trade and commerce of the Protectorate is four-fifths of the whole, and it pays a very much larger proportion of the taxation of the country than does the European population. No impartial observer could fail to come to the conclusion that in all essentials, including those of climate, the Protectorate is, in fact, apart from the native population, an Indian

and got a European Colony. Indeed, Indian law is, and was as a matter of course, administered in East Africa. So distinguished and disinterested a traveller as Dr. P. Chalmers Mitchell, in a despatch appearing in *The Times* of March 16, 1920, says: "The retail trade is almost wholly in the hands of the Greeks, as far as the Sudan, and to the South, of Indians. Indians and Japanese products are ousting British.... The goods are adapted for local European and native requirements.....Indians are rapidly gaining control of the ivory, rides, and other markets. There are branches of Indian banks in every centre." Dr. Mitchell, being a stranger, could not have known the Indian trade existed in the Protectorate generations before any British goods were introduced.

EUROPEAN AND INDIAN RELATIONS

In spite, however, of their prior claims to consideration at the hands of the authorities, due to their pioneer work in the carrying of the products of modern civilisation to the barbarous and semi-barbarous peoples of the country, and the vital and trading risks incidental thereto, and notwithstanding their numerical preponderance and the immensely superior proportion of private Indian capital invested in the country, the Indian settlers did not adopt a dog-in-the-manger policy. They did not demand preferential treatment. They did not demand European exclusion, nor did they agitate for the imposition of disabilities upon such Europeans as were already settled or might be allowed to settle in the Protectorate. On the contrary, they were not afraid of competition, and welcomed and were willing to co-operate on a basis of equality with all new comers, whether Indian or European. Some prominent members of the Indian Community even went out of their way to recommend the country for European settlement as well as Indian. In the early days of the British administration of the Protectorate, the relations between the Indian Community and the administration were of a very friendly character. The Foreign Office, which at that time controlled the Administration, fully recognised the invaluable and indispensable services rendered by India and the Indian settlers. Shortly after the Boer War, a number of malcontent Dutch settlers from South Africa, dissatisfied with the conditions in the neighbouring German Territory, migrated to the Protectorate, and eventually settled in the area known as the "Highlands." These settlers brought with them the bitter South African racial prejudice directed against coloured people and together with other white settlers, with experience of conditions in South Africa and other self-governing portions of his Majesty's Dominions, but entirely ignorant of Indian traditions and customs and of the earlier history of the Protectorate, commenced an agitation against the Indian settlers with the object eventually of reducing them to the same position of inferiority as has been the unhappy fate of their countrymen in South Africa. At first these efforts met with no success, to the great chagrin of the white settlers, who pressed for the transfer and the control of the administration from the Foreign Office to the Colonial Office. His Majesty's Indian subjects in East Africa date their principal trouble from the beginning of Colonial Office administration in East Africa. Without endeavouring to determine how far the Colonial Office was responsible for the change, they nevertheless believe that a deliberate attempt was made at that time to alter the whole character of the Administration—which, before then, had been equitable and even-handed to all sections of the Community, but which there after, under the growing influence of the South African immigrants or other settlers having similar experience in European-controlled British Colonies, so as to give advantages and preferential treatment to the white settlers under the pretext that the Protectorate should come more and more under European influences in the interests of the native population. In August

1907 the Land Board of the Protectorate recommended that Government land in certain specified areas should not be allotted to Indians, but should be reserved for European settlement. In transmitting the resolution to the then Secretary of State, Lord Elgin, the Commissioner of Lands reminded him that the claims of the Indian community could not be lightly disregarded, seeing that they were in the country long before Europeans had settled there, that but for Indian labour the Uganda railway would never have been constructed, that most of the trading wealth of the country was in the hands of the Indians, and, finally, that Indians were British subjects. Unfortunately, as had happened some months earlier in the case of Indians in South Africa, his Lordship did not give to these powerful considerations the importance that they merited. In a despatch to the Governor, dated March 18, 1908, Lord Elgin said: "With regard to the granting of land to Indians, it is not consonant with views of his Majesty's Government to impose legal restrictions on any section of the Indian community, but, as a matter of administrative convenience, grants should not be made to Indians in the upland areas." It is submitted, in the first place, that the rights and the well-being of his Majesty's Indian subjects ought never in a territory such as British East Africa to have been subordinated to mere "administrative convenience;" but, beyond that, it is common knowledge that no question of "administrative convenience" was at issue at that time. The European settlers wished to reserve the whole of the uplands area, one of the healthiest and best parts of the Protectorate, for themselves. Not that they wished themselves to develop the country. They relied and still rely entirely upon native labour for that purpose; but they wished to live a life apart from and out of contact with the Indian community, and to reserve for themselves the most favourably situated areas, access to which has been made possible only by Indian enterprise and labour. The departure from principle on the flimsy grounds advanced by his Majesty's Government was disastrous, and from that time the Indian position has gradually gone from bad to worse. And whereas, in contrast with the reservation of the upland area for exclusive white settlement, it was generally understood that the lowlands were to be reserved for Indian settlement, it is significant and characteristic of the unfairness of the white settler that they are to-day engaged in an endeavour to secure the assent of the Colonial Office an encroachment upon the Lowland areas.

When the war broke out the Indian community was specially requested and loyally consented to abstain from controversial agitation. Their consent was obtained on the understanding that such abstention was to be reciprocal. Unfortunately, neither the Government nor the European settlers abided by the agreement. Racial differentiations of an administrative, as well as of a legislative, character have followed fast, until to-day the situation is such as to agitate the people of India, who are asking with the utmost anxiety whether the tragic history of the Indian population of South Africa, for which, to very large extent, they hold his Majesty's Government responsible, is to be repeated in East Africa, with far less possibility of justification, and where the administration is not as in South Africa, that of a self-governing Dominion enjoying responsible government, but of a Protectorate directly controlled by his Majesty's Government, who must bear the full responsibility for all the consequences of the adoption and continuance of the present racial policy which they have initiated or permitted.

THE ECONOMIC COMMISSION

A reference was made above to Chapter of the Report of the Economic Commission. The Commission appointed by the local Government did not include a single Indian representative, and by way of protest

no Indian evidence was tendered, and practically no evidence bearing upon the Indian situation was produced before the Commission. Yet in that chapter the Commission, without supporting testimony of any kind, delivered an attack upon the commercial methods and the private morality of the Indian community of such character as it is impossible for any self-respecting and high-spirited people for one moment to tolerate. These allegations, of most offensive type, have been made with the very clear object of creating an atmosphere of prejudice against the Indian section of the population. European and Christian civilisation has been deliberately invoked and contrasted with Eastern and non-Christian civilisation to the detriment of the latter and in the alleged interests of the native population, and recommendations have been made that the Protectorate should be treated, together with the adjacent territories, as a quasi-Dominion, and that power should be handed over to the small oligarchy of white settlers, whose views need no elucidation in the light of the declaration on the Indian question of the Convention of Associations of East Africa (the most important non official body of Europeans in the country, which is often known as "The White Man's Parliament"), that their object was to change the whole character of the country and its population by the stoppage of Indian immigration and the gradual elimination of the Indian population. The Indian community has felt that such campaign, undertaken ostensibly on behalf of the native population, by the white settlers, is hypocritical in the extreme. Those who are best acquainted with local conditions and who can read between the lines of the proceedings of the Convention of Associations and the Report of the Economic Commission, are under no illusion as to the altruism of the motives of the European settlers.

(To be continued)

THE HON. MR. PATEL ON THE HUNTER REPORT

Interviewed by a representative of *India*, the Hon. Mr. Patel, General Secretary of the Indian National Congress and member of the Supreme Legislative Council, who is in England on special deputation, said the Majority Report of the Hunter Committee had gravely failed to do justice to the terrible disclosures contained in the evidence. "When the public realise that the Report of the Committee appointed by the National Congress to investigate the affair contains disclosures of a still more terrible and incredible nature, they will appreciate the grave effect that such a failure of justice will have upon the people of India.

"The Committee's findings," said Mr. Patel, "show General Dyer to have been guilty of willful murder. And we know that Sir Michael O'Dwyer as head of the Government expressly approved of what he did, yet we are to be concerned with a mild censure of Dyer and his removal from his command, while Sir Michael O'Dwyer is given a handsome testimonial by the Government of India. If this is to be the end of it, then you may say good-bye to all prospect of reconciliation in India. This sort of thing will turn India into a second Ireland.

Let the public here reflect upon what the people of India have suffered after their magnificent aid to the Empire in the War. Four years of severe repression is followed by the passing of the Rowlatt Act, after which comes this terrible episode of Martial Law, with its massacres, its aeroplanes and bombs, armoured trains and machine-guns turned wholesale on innocent and guilty alike; to say nothing of the floggings, tortures, and innumerable cruelties inflicted on a whole population by a gang of militarists out to terrorise the people. As readers of *India* know, the Committee appointed by the Congress heard 1,700

non-official witnesses who were shut out by the Hunter Committee, which heard only official evidence. The Congress Committee have considered also the official evidence and written a calm and judicial report. But their disclosures of cruelty and torture inflicted upon men, women and children are appalling. All this cannot be ignored. The British people must take notice of it if there is to be peace and reconciliation in India. These things have burnt deep into the hearts of the Indian people.

The findings of the Majority Report of the Hunter Committee are in most cases weak and inconclusive. Their censure for what they do condemn is lamentably weak and they actually approve of the aeroplane bombings and the armoured train incidents. But, since the Committee was the creature of the Government of India, whose own guilt and responsibility was in question, and this Majority Report is the production of only the European members, two of whom represented the civil and military authorities, respectively, who are interested parties, what more could be expected?

It is the duty of Parliament to over-ride these regrettably weak decisions. When the Government of India condemns such of the excesses as it does, it condemns itself, for it was responsible for them all. It knew what was going on and in spite of repeated appeals refused to intervene. It gave Sir Michael O'Dwyer a blank cheque and put in his hands every weapon of repression it could find, with the fullest licence to use them. And when appealed to stop some of the very things it now condemns, it definitely declined and, on the contrary, strengthened the hands of those who were doing them.

Sir Michael O'Dwyer's terrible responsibility is ignored by the Majority Report. He not only expressly approved of the Amritsar massacre but he initiated and instigated and aided and abetted most of these horrors. He was responsible for handing over control to the Military even before Martial Law was declared. He sent the aeroplanes to Gujranwalla; he was responsible for the horrible armoured train episode. He was in Lahore all the time directing and consulting with the Martial Law officers. He selected and appointed the Martial Law judges, whose proceedings were a travesty of justice recalling the days of Jeffreys. He moved the Government of India for all the special powers to do all these things, including the unheard-of step of making Martial Law retrospective and thus trying people by Martial Law for things said and done long before the disturbances took place. Sir Michael O'Dwyer must be held responsible and dealt with accordingly. The civil authorities are seeking to make a scapegoat of Dyer. But they too were culpable.

Lord Chelmsford must be recalled. That is the first demand of the Congress and it has been endorsed by meetings all over India. The Rowlatt Act must be repealed. The guilty must be adequately censured and properly punished. There must be reparation for the sufferers. The rights of Indians must be guaranteed for the future by Statute and the power of the Viceroy to set up Martial Courts for the trial of civil offences and to make Martial Law retrospective so as to include things said or done prior to any outbreak of disorder must be taken away.

If Parliament is not prepared to do this straight away, it must reopen the whole matter and have an impartial investigation by a Royal Commission, or a Parliamentary Committee, which will take into consideration the damning reports of the Congress Committee and the Hunter Committee Minority to be judged along with the Hunter Majority Report.

The situation in India to-day is most critical. Any failure to do adequate justice in this terrible matter, to repair the wrongs and sufferings inflicted on the Indian people, so far as it can be humanly done, will have the most deplorable consequences."

DISTURBANCES IN INDIA

HUNTER COMMITTEE'S REPORT

MAIN FEATURES OF MAJORITY REPORT

India dated May 28, publishes the main features of the Hunter Committee's Report on the recent disturbances in India, which are as follows :—

1. THE OUTBREAK WAS NOT A REVOLUTION

"Nothing to show that the outbreak in the Punjab was a part of a pre-arranged conspiracy to overthrow the British Government." But the Satyagraha Movement amounted to an illegal conspiracy against the Government."

2. OUTBREAK NOT TREASONABLY CONNECTED WITH AFGHAN WAR

"We do not claim.....anything more than that the Amir took advantage of the troubles in India and that he had certain emissaries in India."

3. DYER'S MASSACRE MILDLY CENSURED

"If the notice had been disregarded General Dyer would have been justified in firing on the crowd to compel it to disperse. In continuing to fire for so long, as he did, it appears to us that General Dyer committed a grave error."

4. THE CRAWLING ORDER CRITICISED

"An Act of humiliation, it has continued to be a source of bitterness and racial ill-feeling long after it was recalled."

5. JOHNSON'S TREATMENT OF LAHORE STUDENTS

"Unnecessarily severe."

6. MARTIAL LAW

"The Authorities were justified in declaring Martial Law. The length of time it remained operative is open to criticism. We find no reason for holding, or even thinking, that undue harshness was adopted as a matter of policy."

7. GUJRANWALA

"Bombs invaluable."

8. ARMOURED TRAIN AT SANGLA

Sri Ram Sud "acted with promptitude and decision."

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