

# Indian Opinion

No. 41—Vol. XXV.

Friday, October 14th, 1927.

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

## THE STORY OF MY EXPERIMENTS WITH TRUTH

[ BY M. K. GANDHI ]

Part III.—Chapter XII.

### RETURN TO INDIA

ON my relief from war-duty I felt that my work was no longer in South Africa but in India.

Not that there was nothing to be done in South Africa, but I was afraid that my main business might be only money making.

Friends at home were also pressing me to return and I felt that I would be of more service in India. And for work in South Africa, Messrs. Khan and Mansukhlal Nazar were of course there. So I requested my co-workers to relieve me. After very great difficulty my request was conditionally accepted, the condition being that I should be ready to go back to South Africa if within a year the community needed me. I thought it was a difficult condition, but the love that bound me to the community made me accept it. 'The Lord has bound me with the cotton thread of love, and I am His bonds slave,' sang Mirabai. And for me too the cotton thread of love that bound me to the community was too strong to break. The voice of the people is the voice of God and here the voice of friends was too real to be rejected. I accepted the condition and got their permission to go.

At this time I was intimately connected only with Natal. The Natal Indians bathed me with the nectar of love. Farewell meetings were arranged at every place, and costly gifts were given me.

Such gifts had been given me in 1896 too, when I returned to India, but the farewell this time was overwhelming. The gifts contained gold and silver things of course, but there were articles of costly diamond too.

What right had I to accept all these gifts? Accepting them, how could I persuade myself that I was serving the community without remuneration? All the gifts, excepting a few from my clients, were purely for my service to the community, and I could make no difference between my clients and co-workers, for the clients also helped me in my public work.

One of the gifts was a gold necklace worth 50 guineas, meant for Mrs. Gandhi. But even that gift was given because of my public work and so it could not be separated from the rest.

The evening I was presented with the bulk of these gifts I had a restless and sleepless night. I walked up and down my room deeply agitated but could find no solution. It was difficult for me to forego gifts worth hundreds, it was more difficult to keep them.

And even if I could keep them, what about my children? What about my wife? They were being trained to a life of service, it was always brought home to them that service was its own reward. I had no costly ornaments in the house, we had been fast simplifying our life. How could we afford to have gold watches then? How could we afford to wear gold chains and diamond rings? Even then I

was exhorting people to conquer the infatuation for jewellery. What was I now to do with the jewellery that had come upon me?

I decided that I could not keep those things. I drafted the letter creating a trust of them in favour of the community and appointing Parsee Rustomjee and others trustees. In the morning I held a consultation with my wife and children and got rid of the heavy incubus.

I knew that I would have some difficulty in persuading my wife and I was sure that I would have none so far as the children were concerned. So I decided to constitute them my attorneys.

The children readily agreed to my proposal. "We do not need these costly presents, we must return them to the community, and should we ever need them, we could easily purchase them," they said.

I was delighted. 'Then you will plead with mother, won't you?' I asked them.

Certainly, said they. "That is our business. She does not need to wear the ornaments. She would want to keep them for us, and if we don't want them, why should she not agree to part with them?"

But it was easier said than done.

'Your may not need them,' said Mrs. Gandhi. 'Your children may not need them. Cajoled, they will dance to your tune. I can understand your not permitting me to wear them. But what about my daughters-in-law? They will surely need them. And who knows what will happen to-morrow? I would be the last person to part with gifts so lovingly given.'

And thus the torrent of argument went on, reinforced in the end by tears. But the children were adamant. And I of course was unmoved.

I mildly put in: 'The children have yet to get married. We do not want to see them married young. And when they are grown up, they can take care of themselves. And surely we will not have for our sons brides fond of ornaments. And if after all we need to make them ornaments I am here. You will ask me then.'

'Ask you? I have known you by this time. You deprived me of my ornaments, you would not leave me in peace with those ornaments. Fancy you offering to get ornaments for the daughters-in-law! You who are trying to make *Saithus* of my boys from to-day! No, the ornaments will not be returned. And pray what right have you on my necklace?'

'But,' I rejoined, 'is the necklace given you for your service or for my service?'

'I agree. But services rendered by you is as good as rendered by me. I have toiled and moiled for you day and night. Is that no service? You forced all and sundry on me and made me weep bitter tears and I slaved for them!'

These were pointed thrusts and some of them went home. But I was determined to return the ornaments. I somehow succeeded in extorting a consent from her. The gifts received in 1896 and

1901 were all returned. A trust-deed was prepared and they were deposited with a bank to be used for the service of the community according to my wishes or to those of the trustees. Often when I was in need of funds for public purposes and felt that I must draw upon the trust, I have been able to raise the requisite amount, leaving the trust money intact. The fund is still there being operated upon in times of need, and it has regularly accumulated.

I have never since regretted the step, and as the years rolled on, Mrs. Gandhi also saw the wisdom of it. It has saved us from many temptations.

I am definitely of opinion that a public worker should accept no costly gifts.

## The Taxation Enquiry Committee

### The Case of Indians

The following statement was submitted by the Natal Indian Congress before the Taxation Enquiry Committee of the Provincial Council of Natal :—

Sirs,—We, the undersigned officials of the Natal Indian Congress, representing the Indian community of Natal, beg to submit the following Memorandum in connection with your enquiry as to whether the existing taxation is fair and equitable and what alteration is desirable and also whether the Government grants now made to the Province are fair and equitable, and if not, what steps should be taken to secure grants commensurate with the reasonable requirements of the Province.

Our community is more concerned with the first part of your enquiry and we therefore beg to state that in all taxation levied by both the Union and Provincial Governments, our community has contributed its fair share, and in some cases more than any other community, although the corresponding benefit in return for such contribution, has been absolutely disproportionate.

In support of our contention we beg to submit herewith details of the various taxation and the approximate amount paid by our community either directly or indirectly to the Union and Provincial Exchequers. The following taxes are levied by the Union Government, viz :—

1. Income Tax.
2. Customs Duty.
3. Death Duties.
4. Transfer Duty

and the following are imposed by the Provincial Government, viz :—

1. Wheel Tax
2. Entertainment Tax
3. Licences
4. Personal Tax
5. Dog Tax.

We will now deal with each of these seratim.

**INCOME TAX :** A glance at the statistics given in Annexure "A" herewith, will show that Indians are in the main agriculturists and labourers, there being only according to the latest statistics available 5304 men and 406 women who have taken up commercial pursuits. In only a few cases farming is carried on on a very large scale, as most of the farmers are only petty market gardeners. In view of this fact, and in view of the low earning capacity of the Indians who are employed in trades and industries, there are not so many as there are among the European community, who are liable to pay this tax, but a fair amount is paid by the rich men among them who thus compensate to some extent for their poorer brethren in this respect.

**CUSTOMS DUTY :** None would deny the fact that Indians and particularly those born in the Union are becoming year by year anglicised in their habits and customs and mode of dress, consequently

they contribute indirectly towards taxation on English clothing and other articles used by them in their everyday life. Not only does the Indian pay in this manner on his European goods, his foodstuff and other commodities that come from India are taxed heavily as will be seen from the comparative table given below :—

ENGLISH	INDIAN
Textiles from U.K.	Indian Salaries
5 per cent. to 7½ per cent.	15 per cent.
Woollens	And other softer
5 per cent.	10 per cent.
Cereals 2/- per 100 lbs.	Curry seeds 2½ per lb.
Tinned Food	Tamarind
1½d per 100 lbs.	2½d per lb.
Flour 2/8d. per 100 lbs.	Brassware 20 per cent.
Confectionery 4d. per lb.	Ghee 4d. per lb.
Coffee ¼ per lb.	Brown Rice (staple food of Indians) 1/- per 100lbs.

A large amount of goods from India come into the Union through Delagoa Bay, but to give you an idea of the duty that was paid to the Collector of Customs, Durban, for the year 1926, on Indian foodstuff and other goods that come into this Port, we append the following :—

Rice	£32,852
Whole and split grains, dhol etc.	6,795
Ghee	6,570
Vegetable Oils (Mustard, Castor etc.)	3,820
Tamarind	4,110
Spices	900
Sarries and other soft goods	4,910
General merchandise	3,750
	£63,707

The above duty was paid on imports solely from India proper not including Burma from where a large quantity of rice is imported.

This amount is wholly borne by the Indians resident in Natal, as those who are in the Transvaal import their goods through Delagoa Bay and those who are in the Cape get their requirements through the Cape Ports.

**DEATH DUTIES :** In this respect unfortunately the Indian pays more than the average European. A good number of Indians and especially the Mahomedan section of the community are content with the form of marriage conducted according to the tenets of their religion, but for the purposes of the Estates Act these marriages are not recognised as legal, consequently on the death of a husband, his Estate is liable for the payment of a duty computed at 10 per cent. of the value of his Estate. Whereas in the case of the European whose marriage is legalised, his Estate is either exempt from duty if the Estate devolves upon his spouse or one or two per cent is paid if bequests are made to the children or other descendants.

**TRANSFER DUTY :** Indians contribute a fair share towards this imposition, as in Natal they are free to purchase and own immovable property. Although the amount of land held by Indians compared with the other communities is small, they are more inclined to invest their moneys in the purchase of land than in any other form of speculation.

We now propose to deal with the Provincial taxation, and in doing so, beg to remind you that the Wheel Tax was introduced for the purpose of meeting the expenditure of elementary education. The amount spent on European education is over a million pounds while the Indian community who contribute heavily in this respect only benefit to the extent of £15,750 per annum, as grants-in-aid apart from a sum about £5,000 :—spent on eight Government schools.

The following particulars based upon a very low estimate will bear out our remarks about :—

350 Spring Carts in Durban and District owned by Gardeners at 5s. per wheel	£175
250 Spring Carts in other parts of Natal	£125
100 Horse Trolleys at 5s. per wheel	£100
220 Motor Buses at £30 on Durban Ranks	£6,600
220 do on other parts of Natal	£6,600
1,250 motor cars and lorries for whole Province average £11-10-0.	£14,375
<b>TOTAL</b>	<b>£27,975</b>

**ENTERTAINMENT TAX :** Indians pay their share towards this tax. For instance, the only Indian bioscope in Durban paid the sum of £780 in tax last year and we estimate that a sum of not less than £500 per annum was paid through this bioscope hall by private Indian dramatic societies which conduct plays nearly every week in the year.

**LICENCES :** In annexure "B" attached herewith, we give a schedule of licences issued to Indians by the Inland Revenue Department during the year 1925-1926.

We estimate that the Indian community pay for their carrying of various trades a sum of approximately £35,000 per annum. This figure does not include the licence fees paid by Indians in the Municipalities in the townships of Natal. In proportion to Europeans, the Indians pay far more under this head as they are mostly petty traders doing a very small business which practically in every case carry more than one licence. For instance, a general dealer, say, carrying on stock of £1,000 pays £5 for his Dealer's Licence, £3 for his Licence to sell mineral waters, £2-10-0 for license to sell patent medicine, and £1 to sell fireworks, in all £11-10-0.

**PERSONAL TAX :** Notwithstanding the poverty that exists among the rank and file of the Indian community, very few took advantage of the exemption provided in this ordinance. The tax being well paid by the Indians was borne out by a statement made by the Receiver of Revenue, Durban, in the course of a Press interview. The present tax as amended would affect a large number of Indians who would be loyal in the payment of their due.

**DOG TAX :** It could not be denied that Natives and Indians are owners of a large number of dogs and consequently revenue in this direction is fairly heavy, the Indians contributing their share along with the others.

We beg to point out that a large quantity of food-stuffs that are manufactured in the Union are consumed by communities other than Indian and thus these communities escape the payment of custom duty as there is no excise tax on locally manufactured foodstuffs while the Indian to a large extent is dependent upon India for his food.

We also beg to point out that taxation should be imposed upon those who could bear it because of their wealth and prosperity and earning capacity and not upon a community merely because of its numerical strength.

In view of the facts and figures mentioned below and as contained in the annexures, we are of opinion that the Indian community do not enjoy their legitimate share in return for the amounts they pay towards the many taxes levied by the Union and Provincial authorities. Any change in the present situation should be either towards the reduction of the taxes or an increase in the education and other facilities afforded to the Indian community.

We therefore trust our representations will be given due consideration by your Committee.

We beg to remain,  
Yours very truly,  
V. S. C. PATHER,

SORABJEE RUSTOMJEE,  
Joint Hon. Secretaries, Natal Indian Congress.

## Notes and News

**T**HE Liquor Bill with which we deal in our leading article has naturally caused alarm to the Indian Hotel Employees who are the most concerned party and while going to Press we learn that they have decided to take direct action with Mr. P. S. Aiyar as their leader and adviser. We do not think this is a proper step to take. While the Bill affects a section of the community it is nevertheless a common question and as it violates the principle of the Agreement it is all the more reason why the community as a whole should take it up. We are glad to note that the South African Indian Congress has taken the matter in hand and we would advise the Hotel Employees' Union to make all their representations through that body, as that will be more effective and will carry more weight than direct action and representations through an individual. All matters of common interest should be dealt with through their representative body which exists for that very purpose. If everyone were to act individually there would be no discipline and no organisation and the cause they represent would consequently fail. We sincerely hope the Hotel Employees' Union will reconsider their step.

It was stated at the mass meeting held in Durban last Saturday to protest against the Liquor Bill that if the measure became law nearly 30,000 Indians and Natives would be thrown out of employment, and the meeting decided that a deputation chosen in conjunction with the Transvaal and the Cape should wait on the Minister of Justice to represent the views of the Indian community.

We have now the names of the two educational experts that are expected to come over to South Africa in November to assist the Natal Provincial Commission to inquire into Indian education in this Province. They are Mr. Kailas Prasad Kitchlew and Miss Gordon. Mr. Kitchlew has been the Acting Director of Public Instruction in the United Provinces of Agra and Oudh, a province which contains a population of over 46 millions. He has had vast administrative experience in education and is now engaged on special duty with the proposed University of Agra. Miss Gordon is lecturer in kindergarten at the Training College, Saidapet, Madras. The college is well equipped and provides the highest type of training for the teachers' degree of the Madras University.

Lord Birkenhead (Secretary for India), in the presence of Marshal Foch, the Maharajah of Kapurthala, Field-Marshal Sir Claud Jacob (Military Secretary of the India Office), Lieutenant-General Sir Charles Anderson, who commanded the Indian Army in France during the war, and many representatives of the Indian Army, unveiled a memorial at Neuve Chapelle in remembrance of the Indian Army in France, and on which is inscribed the names of 4,847 Indians whose graves are unknown. The memorial is a circular enclosure with a grass lawn, in the centre of which stands the Stone of Remembrance. A 50-ft. column stands in the foreground, surmounted by lotus capital and crown, flanked by two tigers. A solid wall extends half-way round, on which is carved all the names of the dead.

There were many friends present at the Point last Monday night to bid farewell to Mr. Sorabjee Rustomjee who sailed for India. Mr. Sorabjee was accompanied by Mr. A. I. Kajee to Delagoa Bay.

Mr. Sorabjee Rustomjee wishes through these columns to thank the many friends who have ex-

pressed their good wishes on the eve of his departure and also wishes to be excused by those on whom owing to the very short time at his disposal he has not been able to call personally to say goodbye.

In connection with the explosion in the Daunhauser Collieries on Oct. 8 of last year as a result of which several Europeans, Natives and Indians had lost their lives the Natal Indian Congress who visited the place of disaster and helped the Mine authorities in affording temporary relief to the Indian dependants has now received a cheque for £450-9-10 from the relief funds subscribed by the *Natal Witness* to be allocated to the Indian dependants of the victims of the disaster.

Dealing with the Indian question in the course of an address to his constituents at Maritzburg recently Mr. W. J. O'Brien, M.L.A., said that there was one aspect of the question which the people of Natal should take strong exception to. Indians were not permitted to go beyond the borders of Natal into other provinces. "This is grossly unfair," he said. "We have more Indians in Natal than whites, which is a menace; whereas if they were allowed to spread into the other parts of the Union such a menace would be greatly dispelled. Mr. C. W. Malan, Minister of Railways, on being remonstrated with for sending large numbers of poor whites into this province said truculently: 'They are South Africans, and I shall send them to any part of the Union I like.' Why then should Natal be compelled to retain the whole of her Indian population?"

The twenty-second anniversary celebration of the Maritzburg Hindu Young Men's Association will take place in the Association's Hall on Sunday Oct. 16 commencing at 10 a.m.

A note was published in our last week's issue in which it was stated was received "by the above Society." As the heading was missed out it was not clear as to what Society was referred to. It was the Indian Child Welfare Society which asked the public for financial help.

## ANOTHER BILL TO OUST THE INDIANS.

A new Liquor Bill has been published for general information in a *Gazette Extraordinary* dated September 24, which Mr. Tielman Roos, (Minister of Justice), is to re-introduce at the forthcoming session of Parliament. The first draft was introduced in 1926 and the Indian community had occasion to protest against it owing to some of its obnoxious clauses, the avowed object of which was to throw thousands of Indians and Natives employed in hotels out on the streets to starve. The draft was submitted to a Select Committee which, however, while amending the Bill in other ways did not alter the clauses affecting Asiatics. Now, instead of proceeding with the Committee stage of the amended Bill, the Minister of Justice has re-drafted the Bill which will have to pass *de novo* through all the stages.

The new Bill contains seventeen chapters and will require to be carefully studied by those who are in the liquor trade.

In so far as the prohibition clauses go, i.e. the restrictions as to the supply of liquor to Asiatics, we have nothing to object to. Those who are non-prohibitionists amongst us would, of course, like us to advocate their cause but we believe that those who are debarred from drinking are blessed. They will be able to remain more sane and sober than those who have full freedom to drink. We will bless the day when we see the last of the "Indian Bars" that we find in the streets and at the back of hotels in Durban and elsewhere standing to the disgrace of our community.

What is objectionable in the Bill is, therefore, not so much the restrictions as to the supply of liquor to Asiatics but those clauses that aim at the ultimate elimination of about 30,000 Asiatics and Natives at present employed as cooks and waiters in all the leading hotels in the Union. These Asiatics are descendants of those who were brought under indenture to this country and this is their only home. They have been in this occupation for nearly half a century and in the event of this Bill being passed in its present form these people will be thrown out of work and starvation will be their fate.

This Bill is totally against the spirit of the Capetown Agreement which was never understood to be to starve out the Indians. It was furthermore understood that the Agreement was to be given a chance to work and in the meantime we would be faced with no further class legislation directed against Asiatics. We find, however, that ere the Agreement is worked, we are faced with another calamitous class legislation.

We note that the South African Indian Congress is petitioning the Minister of Justice for the withdrawal of the obnoxious clauses included in the Bill.

It is most unfortunate that while all energies were being concentrated on working the Agreement we are having now to direct our attention to a step in direct conflict with the Agreement. The Government of India, we have no doubt, will make a timely move in this connection. Clauses of the Bill referred to in this article are reproduced elsewhere in this issue.

## MR. DICK RETIRING

**M**R. Godfrey W. Dick, Principal Immigration Officer at Durban will be retiring from the Union Public Service at the end of this month. His retirement, we understand, has been arranged owing to re-organisation of the work of the Immigration Department consequent on the recent appointment of a Commissioner of Asiatic Affairs, as an outcome of the Agreement entered into between the Union and Indian Governments. In Mr. Dick's retirement the Union Government will be losing one of its most faithful and efficient officials. We have been in close touch with Mr. Dick from August 1918 when he took charge of the Durban office and since then we have had many bitter complaints to make against the Department. But whilst we did so we had no fault to find with Mr. Dick personally for he was not to blame for the working of the Department. His business was to carry out the law, and within the four corners of the law, we found Mr. Dick to be easily approachable and willing to do the best he could. Immigration officers are like task masters to the Indian community. Some task masters are lenient, some are strict and some are harsh. We found Mr. Dick to be strict but that was not his fault, the law desired him to be so.

The Indian community have been so used to Mr. Dick and they have experienced so much less harassment during the fifteen years of Mr. Dick's office than they have during a single year of his predecessor that his presence will doubtless be sadly missed by them.

Mr. Dick who is several years on the right side of 50 has had a lengthy and brilliant career. In 1895 Mr. Dick entered the Natal Harbour Department and prior to his becoming the Principal Immigration Officer for Natal he was Chief Immigration Officer for the Cape Province. Mr. Dick was also specially engaged in discussing and drafting the Immigrants Regulation Bill. During war time he had a heavy task to perform and he was specially complimented by the Minister of Defence on the valuable work that he had rendered to the Department. His work as Secretary of the Port Reception Committee on the occasion of the visit of the Duke and Duchess of York in 1901, was specially commended. Since then he has been appointed to supervise the arrangements for the reception of many notable visitors, including the Prince of Wales, Lord Milner and a number of official visitors.

As an efficient official, Mr. Dick has received special expressions of appreciation from Prime Ministers, Cabinet Ministers, heads of many Government Departments, Administrators, Imperial and Union Naval Military Officers, the Australian Government, the shipping agencies and members of the public.

In the spheres of public affairs and sport, Mr. Dick showed the same enthusiasm and ability as has marked his official career. He is a Fellow and Life Member of the Royal Colonial Institute, a member of the Caledonian Lodge of Freemasons, and the Ancient Order of Foresters, in addition to holding membership in many local associations.

His future activities and interests, Mr. Dick states, are matters still on the knees of the gods. We wish Mr. Dick the best of everything that counts in his future life.

## The Liquor Bill

### Objectionable Clauses

The following are a few of the objectionable clauses contained in the new Liquor Bill referred to in our leading article:—

## CHAPTER X.

## PROHIBITED EMPLOYMENT

104. (1) No distiller, brewer or holder of a licence shall employ any native or Asiatic in connection with the manufacture, bottling, sale or delivery of liquor, and subject to the provisions of sub-sections (2), (3), and (4), no holder of a licence shall employ any native or Asiatic in any capacity whatever on any licensed premises.

(2) Where on the premises of any distiller or brewer, or on any licensed premises there were regularly employed during the year 1926 natives or Asiatics to the average monthly number of four or more, then there may be employed on such premises or on any portion of such licensed premises other than a restricted portion—

(a) for a period of four months after the commencement of this Act natives or Asiatics not exceeding seventy-five per cent., as near as may be, of such number;

(b) for the period from four to eight months after the commencement of this Act natives or Asiatics not exceeding fifty per cent., as near as may be, of such number; and

(c) for the period from eight to twelve months after the commencement of this Act natives or Asiatics not exceeding twenty-five per cent., as near as may be, of such number.

(3) A licensing board in the Province of Natal, in authorising the renewal of any licence, may authorise the continual employment by the licensee, on any part of his licensed premises other than a restricted portion of any Asiatics who were continuously employed on such premises throughout the year 1927.

In the event of the grant of any such authority, the amount ordinarily payable for the renewal of the licence in terms of sub-section (3) of section twelve and the Third Schedule of this Act shall be doubled.

(4) Nothing in this section contained shall be deemed to prohibit the employment of any native in the cleansing of any premises or any part thereof or of anything contained therein.

105. (1) No holder of an on-consumption licence shall employ in or in connection with the sale of liquor, or during the hours when liquor may be sold or supplied by him, in any restricted portion of his premises, any female or any person under the age of eighteen years.

(2) No holder of a bottle liquor licence or of an on-consumption licence shall employ in or in connection with the sale of liquor, or during the hours when liquor may be sold or supplied by him, in any bar or portion of his premises, in or from which liquor is supplied—

(a) any person to whom individually, or as a member of a class, the sale or supply of liquor is totally prohibited, whether such prohibition is general or imposed only in respect of the licence pertaining to the premises at which the employment takes place.

## S. A. I. Congress Moves

The following is a copy of a telegram sent to the Minister of Justice, Pretoria, by the South African Indian Congress Secretary:—

"Am directed by Executive South African Indian Congress to strongly protest against certain clauses proposed Liquor Bill which aims at total extinction of Asiatic employees in Hotels Bars other places

where liquor is sold or handled thus depriving thousands of Indians of their honest livelihood. Further requested to draw attention Minister of Settlement Indian question which implies Government agreeing introduce no further discriminating laws detrimental to Indians until fair trial given Capetown Agreement. Therefore respectfully urge upon Minister withdraw clauses affecting Asiatic employees. Petition following."

## Some Concessions On Immigration Matters Granted.

Following are the contents of a letter received from Mr. C. S. Schmidt, Secretary for the Interior by Mr. A. I. Kajeer, Secretary of the South African Indian Congress :

"With further reference to the memorandum submitted by you at the interview you had with the Honourable the Minister of the Interior on April 25 last and my letter to you on the subject, dated the 29th idem. I have to inform you, in regard to item 1 on page 3 of that memorandum, that, so far as forms D.I. 90 are concerned, once a form has been completed no objection is seen to the completion on subsequent occasions, of a supplementary form only. Instructions to this effect are being issued.

"In regard to item 2, it is understood that you refer to visiting permits. The Minister has discretion, in terms of the Regulations, to waive the deposit of £10, and this discretion will be exercised by Principal Immigration Officers in respect of the classes mentioned by you.

"As regards point 3, the matter of sittings of the Immigrants' Appeal Board in the Court House, I regret that I cannot accede to this request. Any person interested in the Appeal Board proceedings can subject to the approval of the Board, attend the sittings, but there is no necessity to provide facilities for members of the public who wish to attend out of mere curiosity. Publication of the proceedings can serve no useful purpose.

"In the matter of point 4, the procedure you suggest in regard to the records of Indians returning to the Union is at present being followed."

### The Indian Memorandum.

The following are the items 1, 2, 3, and 4, submitted in the Indian memorandum of April 25 referred to above:—

(1) When an immigrant has once filled in a D.I. 90 form, he should on subsequent occasions be only asked to fill in a supplementary form, giving such further particulars as are necessary.

(2) Since the proposed Bill makes it an offence to enter illegally another Province within the Union, the deposit of £10 should be dispensed with whenever the Immigration Officer is satisfied with the educational, commercial, professional or social standing of the applicant.

(3) That in view of the liberty of the subject involved in immigration cases, sittings of the Immigration Appeal Board should take place in the Court House, and every facility be given for the attendance of the public and for the publication of its proceedings.

(4) That in any cases hereafter where the record in the Immigration Office with regard to an Indian returning to or entering into the Union does not agree with the record sent over from India, a further reference should be made to the Appeal Board, and settled upon the evidence already in hand.

## South African Indian Congress

### Further Correspondence with the Government

The following are copies of further correspondence that has passed between the S. A. I. Congress and the Minister of the Interior:—

Ref. No. 22/74.B.  
Department of the Interior,  
Pretoria,  
18th Aug. 1927.

Sir,—During the interview between delegates of the Indian Congress and the Minister of the Interior held at Capetown on the 25th April last, you raised the question of admission of the wives and children of Indians domiciled in the Transkeian Territories (paragraph 2 of my letter C.T. 241 dated 29th April, 1927, refers).

The Department has been in communication with the Native Affairs Department enent the matter, and I regret to say that the Department has reluctantly come to the conclusion that the privilege cannot be granted.

The Native Territories have been specially reserved for the Native people and even Europeans are subject to certain restrictions when entering those Territories. It has been the policy of successive Governments since 1904 resolutely to oppose the entry of Asiatics into the Territories, and it is felt that a reversal of this policy is inadvisable.

In these circumstances I hope your Congress will appreciate the difficulty in which the Government is placed, and acquiesce in the decision.

I would add that in any case of special hardship this Department will be prepared to make special representations to the Native Affairs Department, and if the application of M. D. Barmania, referred to in your letter of the 11th instant, should be finally refused by the Magistrate, the matter will be considered by this Department if all the facts bearing thereon are submitted.

I have the honour to be, Sir,  
Your obedient servant,  
(Sgd.) O. J. SCHMIDT,  
Secretary for the Interior.

A. I. KAJEE ESQ.,  
Honorary General Secretary,  
South African Indian Congress,  
P. O. Box 1384,  
Durban.

16th Sept. 1927.

The Secretary for the Interior,  
Pretoria,  
Ref. No. 22/74 B.

Sir,—I have the honour to acknowledge receipt of your letter of the 18th ulto. with reference to matters introduced at an interview between the delegates of my Congress and the Minister of the Interior at Capetown on the 25th April last, and note that the Native Affairs Department is not prepared to grant the privilege of admitting wives and children of Indians domiciled in the Transkeian Territories.

While appreciating the difficulty in which your Department is placed, my Executive can quite understand the attitude of the Government if it were to restrict further entry of Asiatics into the Territories, but to refuse the admission of wives and minor children of the few Indians already resident there is beyond my Executive's comprehension.

In a recent action, *Rex vs. Barmania* which came before the Supreme Court sitting at Grahamstown, the Judge-President and Justice Gane said the following:—



GRAHAM J. P.: I cannot, however, refrain from expressing my opinion that it is to be regretted that the authorities did not grant a permit to the accused to enable her to reside with her husband and child in the Territories.....under the very special circumstances disclosed in the evidence. I think a permit should have been granted to her and a prosecution should have thus been avoided.

GANE A. J.: I confess, however, that it seems to me somewhat inhuman to deny the applicant, the wife of an Indian who since birth has resided peacefully and legally in Griqualand East, the right to join her husband at Umzimkulu with their child.....the parents of the Indian husband apparently acquired a domicile there quite legally, and it seems hard now to compel him to leave the Territory or to live in separation from his wife so long as he remains there.....I am prepared to join in the recommendation so far as this isolated instance is concerned that when applied for, the permit should be granted.

Moreover, the spirit of the recent Settlement on the Indian question at Capetown has been to allow Indians to lead a happy family life in accordance with the Reciprocity Resolution of the Imperial Conference of 1918, and the laws of the Union were amended to agree with this understanding. It is therefore inconceivable that the Government which favoured the changing of its policy as regards the Union should feel inadvisable to adopt that policy in regard to its Native Territories, especially in view of the fact that the privilege asked for is infinitesimal as the families seeking such privilege are only three in number, namely, Barmania, Goga and Adam.

I would therefore urge that further representations be made to the Native Affairs Department in order that the matter may be considered in a humane and sympathetic manner and such relief as asked for be afforded to the few who are now resident in the Transkeian Territories.

I beg to remain,  
Yours very truly,  
(Sgd.) A. I. KAJEE,  
Hon. General Secretary.

16th Sept. 1927.

The Secretary for the Interior,  
Capetown.

C.T. 241.

Sir.—I duly received your letter on the 29th June last which was placed before my Executive and I am now instructed to convey its thanks to the Minister for the alterations made by him to the Amending Act as suggested by my Congress.

In regard to hardships that may occur under circumstances mentioned in my letter of the 14th June last, although the Minister was not prepared to introduce amendments as suggested by my Congress, my Executive accepts the assurance of the Minister contained in your letter under reply that bona fide cases will be dealt with by the Minister under Section 25 of Act 22 of 1913.

Since the promulgation of Act 37 of 1927 members of my community have inquired of my Congress in regard to certain contingencies that might arise from the position created by the amendments to Act 22 of 1913, and to elucidate the points raised, may I ask you to be good enough to answer the following :—

1. In view of the term "domicile" being enlarged, is it necessary for a wife or child of an exempted person, on the first entry into the Union, to remain in the Union for three years

2. Has a minor child over the age of eight years who has obtained a Certificate of Registration in the Transvaal, to remain in the Transvaal for three years to acquire a domicile ?
3. Is it necessary for children under the age of sixteen years who have once entered the Union and now absent from the Union, and who are in possession of Certificates of Identity, to be accompanied by their mothers on their subsequent entry ?
4. Do children of parents having dual domiciliary rights also enjoy those rights under the Amending Act ?
5. Does a woman whether married or unmarried have a domicile of her own or is she dependent on her husband or parent as the case may be ?
6. Indians who came under indenture and who were subject to the payment of the £3 annual licence to remain in Natal and their descendants have been given by an administrative Act of the Smuts' Government, a discharge certificate by the Protector of Indian Immigrants.

Will this not be construed either by the Courts or by the Minister as *ultra vires* of the Act and thereby render thousands of Indians in Natal declared prohibited Indians as their residence in that case should be construed as of a conditional nature ?

(This question is being asked in view of the evidence tendered by the Protector of Indian Immigrants in a recent Wages Board action).

Awaiting the receipt of an early reply.

I beg to remain,  
Yours very truly,  
(Sgd.) A. I. KAJEE,  
Hon. General Secretary.

## Indians Protest Against Liquor Bill

### Hotel Employees' Meeting

A large and representative meeting of the Durban Hotel Employees' Association was held in the Queen's Tea Room on Saturday afternoon to protest against the Union Government's Revised Liquor Bill, which threatens to annihilate Indian waiters, cooks and barmen, including Natives who are employed in the liquor trade and which is to be introduced at the forthcoming session of the Union Legislative Assembly. Mr. Francis C. Pillay, president of the Association, presided, and was supported on the platform by members and officials of the above-mentioned organisation.

In the course of his speech on the evil effects of the measure, the Chairman observed that the Union Government had again introduced the Liquor Bill in a revised form, but containing the identical clauses as the previous Bill. When the Bill was first introduced last year, they raised a strong protest against it, and appealed to the Ministers to withdraw the Bill as it was intended to perpetrate gross injustice to Indians and Natives employed in the liquor trade; in response to the appeal made by the Hotel Employees' Association, the Bill was referred to a Select Committee, but the findings of that Committee, now presented through the oppressive legislation, appeared to be based on similar lines as that contained in the original measure. (Applause).

Proceeding, the Chairman said the present Liquor Bill contains not only drastic provisions, but the underlying principle is class legislation and exclusion of Indians and Natives from being employed in any capacity in places where liquor is used. It is well known that the large number of such establishments

men have been employed as cooks, waiters, barmen and so on in all the leading hosteleries in the Union, for more than half a century, and the moment this law comes into operation, our means of livelihood will be taken away and we shall be faced with starvation and repatriation. (Cries of "Shame.")

### Undeserving Injustice

"In view of the danger threatening our very existence in this country owing to the proposed introduction of this Bill," continued the speaker, "we have met to protest against the proposed unjust law, and if the meeting so desires, we propose to dispatch a representative delegation to the Minister in order to place before the Government the views of the Indian community and the undeserving injustice to which we shall be subjected by the passing of this Bill. In conclusion, I ask you to pay your immediate and earnest attention to the great danger threatening our very existence in this land, and take prompt steps and united action to safeguard our own and our children's rights to reside in this country as self-respecting citizens. After all, most of us were born in this country, to the development of which our forefathers did their share of work, and being South Africans, and this land being our only home, it is simply inconceivable how we can be shut out from our legitimate field of work." (Applause.)

### Resolutions

After some discussion the following resolutions were passed nem. con., and the meeting decided to dispatch them to the proper quarters:—

1. This mass meeting of the Indians held under the auspices of the Hotel Employees' Union hereby resolves to protest against the Liquor Bill introduced by the Government, and having regard to the fact that the policy underlying this Bill is discriminating racial legislation on the ground of colour and race, and as it is intended to inflict unmerited hardship and injustice to Indians and Natives, this meeting respectfully prays that the Government will be pleased to send abroad the Bill as to restore the inherent rights of the Indians and Natives to be employed in the liquor trade.

2. This mass meeting of the Indians held under the auspices of the Hotel Employees' Union hereby resolves to seek the co-operation of the Transvaal and the Cape Indians, whose rights also are threatened with extinction, in presenting a strong and united opposition to the Liquor Bill, and the Executive of the Union is authorised to correspond with, and if necessary to send representatives to the Transvaal and the Cape, in order to enlighten public opinion in those Provinces with a view to concerted action on the part of all the Provinces affected by this Bill.

3. This mass meeting of the Indians held under the auspices of the Hotel Employees' Union hereby resolves that a deputation to be selected by the Executive in conjunction with delegates from the Transvaal and the Cape shall wait on the Minister of Justice or any other duly constituted authorities under whose jurisdiction this Bill may go for final decision, and represent the views of the Indian community in respect of the Bill, and the meeting further authorises the aforesaid deputation to suggest such amendments to the Bill as it may afford sufficient safeguards for the rights of the Indians to be employed in the liquor trade.

4. This mass meeting of the Indians held under the auspices of the Hotel Employees' Union hereby resolves to appeal to the people of India and in general to Asia to extend their moral support to the Indians in their struggle for existence, and ventures to hope that the leaders and Press in India and Asia will bestow their earnest attention to the far-reaching principles contained in this Liquor Bill, and the danger threatening a law-abiding and industrious community for their right to live.—*Natal Mercury.*

### Notes by "Congressmen"

In the issue of the 80th ultimo, we gave a brief resume of the Indo-Union Agreement and the benefits that the Indian community will be deriving therefrom. That the future of the Indian community augurs well, is testified by the gesture of good faith on the part of the European community as evidenced in the appointment of an Education Commission by the Natal Provincial Council. And it is hardly twelve months ago that the Council moved against the Agreement. It grieves one to note that whilst on the one hand one perceives a complete change of front on the part of the avowed anti-Asiatics in the country, on the other hand, one notes the same handful of "irresponsibles"—we can find no other suitable term—from whom generates a tyrannous calumny of abuse and hatred on everything that is good.

So that the reading-public should know these men—to us this term is totally unsuitable to be applied in describing them—we shall in this week's notes lay aside the Agreement.

It is remarkable that those who attack the Congress and its work would sing its praises if only responsible posts could be found for them in the Congress. Their mentality can be judged from the action of a leading critic of the Congress. We shall, for the purposes of this article, call him Mr. X. In the early stages of the struggle against the Asiatic Bill and that was in the year 1925, Mr. X who then desired a little limelight at the expense of others, moved about with one of the Secretaries of the Congress interesting himself in the tremendous propaganda that was being carried on by one organisation against the Bill. He had a motive in moving about and identifying himself with the Congress. The Congress election was nearing and he naturally expected a post. But the members assembled at the Annual General Meeting will not have it. They contended, and very rightly, that those at the helm of affairs, should be men, whom they could trust, and in whose hands they could safely place the destiny of the Indian community. At this election our Mr. X. was not elected to any post. His name was not even mentioned let alone his election to any post. This action of the Congress members brought forth his ire. How could he tolerate it? On the following day, our "esteemed friend" joined forces with an organisation that had for its object the wrecking of the Congress. Evil be to him who evil thinks—that organisation is now on the verge of a complete wreck.

Now we shall analyse the characteristics of another leading contender to the title of the "Destructive Demon." We shall call him "Mr. Pisa." This person whilst resembling Dickens' "Martin Chuzzlewit" in features and in his apparel, is notorious for his contribution to destructive criticisms in the country. Since his arrival in Natal, he has always been a mystery and even to this date he has remained a mystery. News flashed through Natal that Mr. Pisa refused to believe the news for how could it be possible for Mr. Pisa who possessed a destructive mind, to join an organisation that was doing good work? In every human being there comes a moment when he or she sits and looks back upon the sin that he or she has committed and resolves to turn over a new leaf. In most cases, the turning of a new leaf sees the dawn of a brilliant future. But, in some cases, the turning of a new leaf temporarily puts him or her on the right path, then once again, the wrong path, the path of destruction, is taken. Well, Mr. Pisa was enlightened in one of those moments. He turned a new leaf. He joined the Congress. He did some good work. His mind turned again. He is now engaged in furthering his studies in the art of political treachery. Inconsistency, hypocrisy and cant constitute the badge of his—we nearly need the word treachery, for we are not unmindful of the fact that his tribe has produced some of the cleverest heads in the world—collaborers. Mr. Pisa characterised the Agreement as a political blunder. He accuses the



Congress of having sold the Indian community. A remarkable feature of his criticisms is that whilst condemning the Agreement, he will not tell us what he really wants. Hypocrisy prevents him from admitting that the dropping of the venomous Asiatic Bill is a boon to the Indian community and that the upliftment clause in the Agreement is a radical change in the policy of the Government which had hitherto directed its attention towards devising ways and means to annihilate the Indian community in South Africa. Enough said.

Such are the idiosyncrasies of these two gentry, the former a mere sonentity in the political life of South Africa and the latter a thorn in the side of progress.

In our next issue, we shall deal with a few others who inhabit the sparsely populated world of destruction.

### Farewell to Mr. Sorabjee -Rustomjee

A farewell meeting in honour of Mr. Sorabjee Rustomjee, the jr. hon. Secretary of the Natal Indian Congress was held last Sunday afternoon at the Parsee Rustomjee Hall, Durban, Mr. J. W. Godfrey presiding. Among those present were included the officials and members of the Committee of the Natal Indian Congress and also the officials of the South African Indian Congress. The Chairman after paying a glowing tribute to Mr. Sorabjee for the energy and enthusiasm he had shown during his office garlanded him on behalf of the Natal Indian Congress and presented him with a purse of £532-0-0 sterling which was collected at a very short time's notice as a small token of the appreciation of his services to the community.

Many other speakers followed the chairman in wishing Mr. Sorabjee a pleasant and a safe voyage and a speedy return.

Among the speakers were also young students of the Marine College who also wished Mr. Sorabjee a pleasant trip to the Motherland.

On rising to reply Mr. Sorabjee was greeted with applause. He thanked the meeting for the honour done him and said in doing what he had done for the community he did not think he had done anything more than his duty. He expressed his deep appreciation for the fat purse that was presented him but, a child of the old block as he was, he had inherited the generous spirit of his father and presented the purse back to the Natal Indian Congress whose welfare he had at heart. This magnificent gesture was received with acclamation and wonder by the audience.

To the Durban sportsmen Mr. Sorabjee presented a trophy known as the "Rustomjee Cup" for competition.

With three hearty cheers to Mr. Sorabjee the proceedings terminated.

Mr. Rughnath Singh of Ladysmith who was also leaving for India was presented with a bouquet on behalf of the Natal Indian Congress.

### Majmul Ahabab Club

The members of the above club entertained Mr. Sorabjee to a farewell lunch on Sunday. Mr. R. K. Khan who presided presented Mr. Sorabjee with a bouquet and wished him a pleasant voyage and a speedy return. Mr. Sorabjee in thanking the members of the Club paid a tribute to them for the good and timely services they had rendered especially when the Indian delegation had to go to India in connection with the Areas Reservation Bill.

### National Spirit in India

Lecture By Bishop of Calcutta

### Dyer's Atrocity Recalled

Lecturing at the Witwatersrand University recently on the development of the National party in India, the Rt. Rev. Dr. B. Foss Westcott, Bishop of Calcutta and Metropolitan of India, referred to the Amritsar affair in regard to which he said that, from his point of view, the action of General Dyer was wholly unjustified.

To order a number of military men to shoot for ten minutes into a solid mass of people, many of whom did not know for what purpose they had gathered, was not such conduct as one was accustomed to associate with British rule.

"I know nothing of recent years which has made a deeper impression upon the minds of the Indian people," the lecturer said. The dead were looked upon as martyrs. The event had the effect of further instilling the spirit of nationhood in the Indians while putting them in opposition. "It will be many years before the impressions of that tragic affair will fade from the minds of the Indians," said the Metropolitan.

ઓ. આર. પટેલ

ફેડરેશન વેલ્ફેર વર્કસ

ફેડરેશન વેલ્ફેર વર્કસ, લીડુ, ધેરી (ખાવડા જિલ્લો).

અને ફેડરેશન વેલ્ફેર વર્કસ, પાકે ડે, ગુજરાત.

અહમમદા આદરે પર પુસ્તકો, જ્ઞાન આપવામાં આવશે.

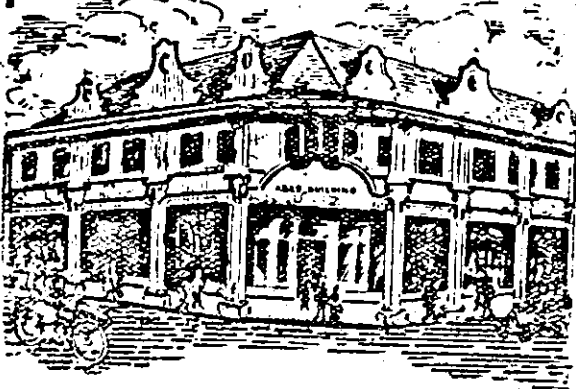
બંધો:

Telephone 1.

P. O. Box 1

Warmbaths, T'Vaal.

### KAPITAN'S BALCONY HOTEL



ફેડરેશન વેલ્ફેર વર્કસ બનાવનાર

વીસ વર્ષની જુની દુકાન

દિવાળીના તહેવાર માટે સ્પેશીયલ

મીઠાઈ મંગાવો

પુરાણોદ્ધાર ધોની મીઠાઈ હાથમાં તોઈ મળે છે.

જુનીયનના તમામ ભાગમાં એક રતલના આરદર પહેલે રવાની કરવામાં આવે છે.

દુગાળાની બીલકુલ ધાર્તી રહેતી નથી. અચાર પાપક વીગરે બહુઈ કીકારતે મળે છે.

ભાવો બાણવા માટે પ્રાઈસ લીસ્ટ મંગાવો.

Phone 3623 Central.

બંધો:

Manager, R. K. KAPITAN

Corner, Grey & Victoria Street Durban

