

# Indian Opinion

No. 15—Vol. XXVIII.

Friday, April 11th, 1930.

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

## NOTES AND NEWS

**S**IR KURMA REDDI, Agent-General for India, who had expected to be back in South Africa this week, has had to delay his departure from India owing to a slight recurrence of the trouble which made it necessary for him to take sick leave. According to present arrangements, he will arrive in South Africa on May 14.

The Pretoria correspondent of the *Natal Mercury* writes:—

Transvaal and Free State districts were represented at the first meeting of the new Reunion Party in Pretoria on last Saturday afternoon. Preliminary arrangements for the Conference on April 12 were considered. At the Conference the attitude of General Hertzog and General Smuts towards national reunion will be discussed and it is hoped that both Leaders will clearly indicate their opinion of the movement by the time the Conference meets.

It is understood that there is a possibility of Southern Rhodesia being raised from colony to dominion status whereby its delegates may attend the forthcoming Imperial Conference on an equal footing with the Dominions. The British Government apparently regards Southern Rhodesia's case as on the borderline and if it is decided not to admit it to dominion status for the 1930 Conference, it will certainly attend next year's conference as a fully fledged dominion.—*The Star*.

It is proposed, in future, to deal with Johannesburg flower sellers under the hawkers' and pedlars' by-laws, and this necessitates amendments to the street trading by-laws. The amendments were submitted to the special meeting of the Johannesburg City Council which was held on the 4th instant.

The Calcutta correspondent of the *Rand Daily Mail* writes:—

Pundit Malaviya's letter to the Viceroy resigning from the Legislative Assembly has now been released for publication. It is a remarkable document which shows the tactics that Indian politicians are adopting. There are already strong forces in Britain and the Empire critical of the Viceroy, of the Government of India, and of the anticipated proposals of the Simon Commission. Questions are growing in volume and they are swelled less by Gandhi's manoeuvres than by the fact that even those Indians who pose as moderates or more responsible Swarajists are raising their demands and endeavouring to exact higher terms by resignation and other demonstrations. Malaviya rather curtly and arrogantly informs the Viceroy: "I can no longer continue to work with a system of government under which atrocious wrongs can be perpetrated upon the people."

Replying to a question by Mr. Baldwin in the House of Commons, Mr. Ramsay MacDonald said that the British Government would continue to administer Palestine in accordance with the terms of the mandate as approved by the Council of the League of Nations. That was an international obligation, he said, from which there could be no question of receding. Mr. MacDonald emphasised that the mandate involved a double undertaking—to the Jewish people on the one hand, and to the non-Jewish population in Palestine on the other—and His Majesty's Government had firmly resolved to give effect in equal measure to both parts of the declaration and to do equal justice to all sections of the population in Palestine. "This is a duty from which they will not shrink, and to the discharge of which they will apply all the resources at their command," he declared. The Prime Minister added that the Government was now studying the recommendations of the Palestine Commission of inquiry, with a view to dealing with the immediate causes of the outbreak and preventing their recurrence, and was consulting the interests concerned. This involved, he declared, immediate provision for the police forces required to secure civil peace in existing circumstances. Mr. Baldwin and Lloyd George expressed satisfaction at the Premier's statement.—*The Star*.

## THE INDIAN HAWKERS

**C**ONTRARY to our expectations the Council-in-Committee, despite the protestations of the Natal Indian Congress, has approved of the Bye-laws framed by the Chief Constable. These Bye-laws, as we pointed out in our last issue, restrict the Indian hawkers from trading in certain portions of West, Gardiner and Pine Streets. The Town Council has also approved of the Bye-laws. Seemingly the appeal of two or three European shopkeepers has received greater consideration than the appeal of over forty-five Indians whose livelihood is threatened by these Bye-laws. There is not the shadow of doubt that they have been framed at the instance of a few European shopkeepers who feared that the presence of the Indian hawkers will be a factor in a reduction of their daily sales. That their fear is unfounded is evidenced by the fact that the average sale effected by an Indian hawker

is not more than fifteen shillings a day. In the case of the Indian woman it is much less. And the number of hawkers who trade anywhere near the European shops is very small. But these facts have evidently not weighed with the Durban Town Council. But then the voice of one who has a vote is equivalent to the voice of hundreds who have not the votes. Although Indians possess Municipal votes, the number is not sufficiently large as to impress upon the Town Councillors that an appeal from an Indian must receive just as much consideration as that from a European.

It is a remarkable coincidence that the confirmation of the Bye-laws should take place immediately the Chief Constable had retired from service. They were framed by Captain Alexander and history will record that the framing of the Bye-laws was one of his last acts during his term of office. To the Chief Constable it would be an irony that the passage of these Bye-laws should synchronise with his retiring from service. But there it is. We had nearly forgotten our Lady Councillors. In our last issue we remarked that of the Indian hawkers trading in the streets mentioned above a large number comprise Indian women. We are not aware how these Lady Councillors voted, but it cannot be denied that if they had raised their voice of protest, if only for the sake of the women hawkers, the Bye-laws would never have been confirmed.

We are informed that the Natal Indian Congress has sent its protest to the Administrator. We shall await His Honour's decision.

## Sastri College

### Lecturers From India

The six lecturers from India arrive at Durban on the 16th instant. The Natal Indian Congress at a meeting of its Committee held on Thursday, has decided to accord a Public Reception to them at the Royal Picture Palace, Durban, on Wednesday, 16th April, at 5-15 p.m. Invitations will be extended to a number of Europeans. In view of the interest that is being taken in these lecturers, it is expected that the Hall will be insufficient to cope with the crowd.

## Mr. Gandhi Breaks Salt Laws

Dandi, Sunday.

Mahatma Gandhi, in strict accordance with his civil disobedience threat, began "Independence Week" early this morning by breaking the Salt Laws. So far no attempt has been made to arrest Mahatma Gandhi.

After prayers, Mahatma Gandhi, with 84 volunteers, proceeded at 6 a.m. for a bathe in the sea. A large crowd accompanied the party, Mr. Gandhi walking at a slow pace and with grave solemnity. They entered the sea amid loud cries of "Mahatma Gandhi Kijai." Then Mahatma Gandhi and his volunteers proceeded to break the Salt Laws by picking up salt lying on the shore. No police were present when Mahatma Gandhi and his volunteers broke the Salt Laws.

Mr. Gandhi has issued a statement to the Press advising workers everywhere to manufacture salt. The war against the Salt Tax, he says, should be continued during National Week, up to April 13. "Those engaged in this sacred work should devote themselves to vigorous propaganda for the boycott of foreign cloth and the prohibition of liquor."

Mr. Gandhi said he was preparing a message for the women of India, who, he was becoming more and more convinced, could make a larger contribution than the men towards the attainment of independence.

Calcutta, Sunday.

When interviewed, Mahatma Gandhi referred to the Government's non-interference throughout his march towards the sea coast. It remained to be seen whether the authorities would tolerate the actual violation of the Salt Laws. "I am not so foolish as to imagine that the Government have suddenly lost their proved capacity for provoking popular resentment and then punishing it with frightfulness. The only interpretation I can put on this non-interference is that the British Government is sensitive to world opinion, which will not tolerate the repression of the extreme political agitation which civil disobedience undoubtedly is, so long as the disobedience remains civil, and therefore not necessarily non-violent.

"God be thanked for what may be termed a happy ending of the first stage in what is to prove at least the final struggle for freedom. For me there is no returning to my Ashram at Sabarmati. I have burnt my boats. Even if everybody deserts me I shall carry on the fight singly."

### 500 Armed Police In Readiness

Jalalpur, Sunday.

Four hundred armed police have arrived here, and 100 more have gone to Dandi in readiness for any eventualities.

Mahatma Gandhi has announced that if he is arrested, Abbastyahji, a retired High Court judge from Baroda, will take his place. Renter.

### No Justification For Gandhi's Arrest

The *Rand Daily Mail's* London correspondent says: The police have informed a *Daily Telegraph* correspondent that Mahatma Gandhi, the prophet, has not yet committed any overt act justifying his arrest.

### Mr. Gandhi's Advice To Volunteers

A Renter's message from Bombay dated April 7 states:—

Mr. Gandhi, in the course of a statement, says it will pain him deeply if the students in Government or Government-controlled schools and colleges do not respond to the campaign of civil disobedience by relinquishing their studies.

Addressing a meeting, Mr. Gandhi complimented the police officer who confiscated the salt collected

illegally at Aat on the courtesy shown to the volunteers. He added that he congratulated the Government, and would bow down before the Viceroy if the salt tax was abolished.

Two of Mr. Gandhi's volunteers were slightly injured and one was arrested as the result of a scuffle on the Beach at Aat when volunteers refused to hand over the salt. A written statement by Mr. Gandhi, who is observing his usual Monday silence, was read out, saying he was leaving for Aat tomorrow to collect salt, and exhorting the villagers to do likewise, clad in loin-cloths, as they are unable to afford to have their clothes torn. He urged them not to surrender the salt, though the police broke their hands.

### Sentence On Chief Lieutenant

Bombay, Sunday.

Mamlal Kothari, one of the chief lieutenants of Mahatma Gandhi, arrived at Virangam, 40 miles from Ahmedabad, this afternoon, with a party of 55 volunteers, each carrying five pounds of salt. The Superintendent of Police of Ahmedabad arrested the party and seized the salt. Kothari was fined 500 rupees (approx. £37 10s.), or six weeks' simple imprisonment.

### Mr. Gandhi's Son Sent To Gaol

A message from Surat states:—

Ramdas Gandhi, the son of Mahatma Gandhi, and four other volunteers, whose arrest at the village of Bhimrad followed the breaking of the Salt Laws by 300 volunteers, and all of whom refused bail, have been sentenced to six months' rigorous imprisonment.

### Brother Takes Over

Mr. Manilal, another of Mr. Gandhi's sons, has taken over charge of the volunteers who were led by his brother, Mr. Ramdas Gandhi.

### Strike Leader Sent To Prison

A message from Bombay states:—

Mr. Kandalkar, president of the Red Flag Union and leader of the strikers at Kuria station, who was arrested for making speeches in defiance of police orders, has been sentenced to three months' rigorous imprisonment.

Mrs. Gokhale and Miss Kamaladevi Chattopadhyaya, a prominent young worker, were the first two women to break the salt law among a party of 10 volunteers, headed by the well-known Swarajist, Mr. K. F. Nariman, who offered civil disobedience at Mahaluxmi, a seaside place near Bombay. The police did not interfere.

### Swarajist Leader Sent To Prison

A Reuter's message from Bombay dated April 8 reports:—

The most severe sentences so far imposed in connection with the present civil disobedience campaign were passed on a number of persons at Borsad, who were convicted of infringing the Salt Law. They were sentenced to two years' imprisonment and a fine of 500 rupees.

The convicted persons include Darbargo Paldam, formerly a wealthy landowner, whose lands the Government confiscated in the days of non-co-operation.

The Swarajist leader, Mr. K. F. Nariman, who was arrested yesterday for breaking the Salt Law, has been sentenced to a month's simple imprisonment. Two railway strikers were injured in a collision between police and strikers. Ten strikers were arrested.

Hindu and Parsi shops have closed as a protest against the arrest of the Swarajist leader, Nariman.

A similar message from Jalalpur states:—

Mr. Gandhi has collected salt at Aat. There were no police present.

His volunteers are disgruntled at the special diet ordered by Mr. Gandhi, but he has urged them to continue on this diet for a week as an experiment.

Two volunteers, who have been making salt, one of whom is a professor of Mr. Gandhi's university and who was arrested at Aat, have been sentenced to a year's rigorous imprisonment each.

A New Delhi message reports that seven volunteers, who were making salt, were injured in a collision with the police at Sahadara, near New Delhi.

### Many Volunteers Arrested

A Reuter's message from New Delhi dated April 9 states:—

The police have arrested 25 of Mr. Gandhi's volunteers, who were making salt at Saleempur, including Mr. Gandhi's son Davidas.

Thirteen of those arrested have been detained, while others have been discharged. Davidas Gandhi is charged with sedition and others with violation of the Salt Law.

A similar message from Madras states:—

A strong contingent of reserve police has left for Palamcottah, to act as a guard at the salt pans at Tuticorin. The leader of the "non-co-operationists" in Andhra has ordered civil disobedience to begin to-day.

A message from Surat states:—

The Salt Law was broken at Bhimrod by Mr. Gandhi in the sight of enthusiastic men and women, who followed suit. Mr. Gandhi was glad to find them in festive mood and hoped they would keep it up "even when wounded and dead."

Mr. Gandhi exhorted the women to picket liquor and foreign cloth shops. He exhorted the volunteers at Aat not to abandon the salt they had manufactured. In a message to the people at Rattuawa, he accused the police of "sheer vulgarity."

## British Press Comment

London, April 7.—Mr. Gandhi's breaking the law of British India on British Indian soil while the police ignore the queer happenings on Dandi beach is the chief topic of the newspapers, most of which urge the Government of India to be firm.

"Eventually," says the *Daily Mirror*, "we shall have to command or go."

The *Daily News* in an editorial states: "The primary duty of the Government of India is to maintain order, and all history goes to show that subsequent difficulties in that direction are almost always due to early weakness. The arrest of Mr. Gandhi's son seems to indicate that this lesson has not been lost on the Viceroy."

The *Morning Post* says: "It must always be dangerous to abrogate the law and suspend the course of justice for political considerations."

The *Daily Herald* says: "The essence of the problem is to keep steadfastly before the Indian people the British determination to take them as speedily as possible along the path to Dominion status. That is the real and finally effective answer to Mr. Gandhi and his followers."—Reuter,

## Mr. Gandhi's Letter To The Viceroy

The following is the full text of Mr. Gandhi's letter to the Viceroy:—

Satyagrahashram, Sabarmati,  
2nd March, 1930.

"Dear friend,—Before embarking on civil disobedience and taking a risk I have dreaded to take all these years, I would fain approach you and find a way out. My personal faith is absolutely clear. I cannot intentionally hurt anything that lives, much less fellow human-beings, even though they may do the greatest wrong to me and mine. While, therefore, I hold British rule to be a curse, I do not intend to harm a single Englishman or any legitimate interest he may have in India. I must not be misunderstood. Though I hold British rule in India to be a curse, I do not, therefore, consider Englishmen in general to be worse than any other people on earth. I have the privilege of claiming many Englishmen as my dearest friends. Indeed much that I have learnt of the evil of British rule is due to the writing of frank and courageous Englishmen who have not hesitated to tell the unpalatable truth about that rule.

"And why do I regard British rule as a curse? It has impoverished the dumb millions by a system of progressive exploitation and by the ruinously expensive military and civil administration which the country never can afford. It has reduced us politically to serfdom. It has sapped the foundations of our culture and by the policy of disarmament it has degraded us spiritually. Lacking inward strength, we have been reduced by all but universal disarmament to a state bordering on cowardly helplessness.

### Dominion Status

"In common with many of my countrymen I had hugged the fond hope that the proposed Round Table Conference might furnish a solution but when you said plainly that you could not give any assurance that you or the British Cabinet would pledge yourselves to support a scheme of full dominion status, the Round Table Conference could not possibly furnish the solution for which vocal India is consciously, and the dumb millions unconsciously thirsting. Needless to say, there never was any question of Parliament's verdict being anticipated. Instances are not wanting of the British Cabinet in anticipation of a Parliamentary verdict having pledged itself to a particular policy. The Delhi interview having miscarried, there was no option for Pandit Motilal Nehru and me but to take steps to carry out the solemn resolution of the Congress arrived at in Calcutta at its session of 1928.

"But the resolution of independence should cause no alarm if the word "dominion status" mentioned in your announcement has been used in its accepted sense; for, has it not been admitted by responsible British statesmen that dominion status is virtual independence? What, however, I fear, is that there never has been any intention of granting such dominion status to India in the immediate future. But this is all past history. Since the announcement many events have happened which show unmistakably the trend of British policy. It seems as clear as daylight that responsible British statesmen do not contemplate any alteration in British policy that might adversely affect Britain's commerce with India or require impartial and close scrutiny of Britain's transactions with India.

### The Rupee Ratio

"If nothing is done to end the process of exploitation, India must be bled with ever increasing speed. The Finance Member regards as a settled

fact the 1s. 6d. ratio which by a stroke of the pen drains India of a few crores, and when a serious attempt is being made, through a civil form of direct action to unsettle this fact, among many others, even you cannot help appealing to the wealthy landed classes to help you to crush that attempt in the name of the order that grinds India to atoms. Unless those who work in the name of the nation understand and keep before all concerned the motive that lies behind the craving for independence, there is every danger of independence itself coming to us so charged as to be of no value to those toiling, voiceless millions for whom it is sought, and for whom it is worth taking. It is for that reason that I have been recently telling the public what Independence should really mean. Let me put before you some of the salient points.

### Land Revenue And Salt Tax

"The terrific pressure of land revenue which furnishes a large part of the total revenue, must undergo considerable modification in Independent India. Even the much-vaunted permanent settlement benefits a few rich Zemindars, not ryots. The ryot has remained as helpless as ever. He is a mere tenant at will. Not only, then, has land revenue to be considerably reduced, but the whole revenue system has to be so revised as to make the ryot's good its primary concern. But the British system seems to be designed to crush the very life out of him. Even the salt he must use to live, is so taxed as to make the burden fall heaviest on him, if only because of the heartless impartiality of its incidence. The tax shows itself still more burdensome on the poor man when it is remembered that salt is the one thing he must eat more than the rich man both individually and collectively. The drink and drug revenue, too, is derived from the poor. It saps the foundations both of their health and their morals. It is defended under the false plea of individual freedom. But in reality it is maintained for its own sake. The ingenuity of the authors of the Reforms of 1919 transferred this revenue to the so-called responsible part of dyarchy so as to throw the burden of prohibition on it, thus from the beginning rendering it powerless for good.

"If the unhappy Minister wipes out this revenue, he might starve education since in the existing circumstances he has no new source of replacing that revenue.

"If the weight of taxation has crushed the poor from above, the destruction of the central supplementary industry, i.e., hand-spinning, has undermined their capacity for producing wealth.

### Expensive Administration

"The tale of India's ruination is not complete without a reference to the liabilities incurred in her name. Sufficient has been recently said about these in the public press. It must be the duty of a free India to subject all liabilities to the strictest investigation and repudiate those that may be adjudged by an impartial tribunal to be unjust and unfair. The iniquities sampled above are maintained in order to carry on a foreign administration, demonstrably the most expensive in the world. Take your own salary. It is over Rs. 21,000 per month, besides many other indirect additions. The British Prime Minister gets £5,000 per year, i.e., a little over Rs. 5,400 per month at the present rate of exchange. You are getting over Rs. 700 per day against India's average income of less than two annas per day. The Prime Minister gets Rs. 180 per day against Great Britain's average income of nearly two rupees per day. Thus you are getting much over five thousand times India's average income. The British Prime Minister is getting only ninety times Britain's average income. On bended knee I ask you to

ponder over this phenomenon. I have taken a personal illustration to drive home the painful truth. I have too great a regard for you as a man to wish to hurt your feelings. I know that you do not need the salary you get. Probably the whole of your salary goes for charity. But a system that provides for such an arrangement deserves to be summarily scrapped. What is true of the Viceregal salary is true generally of the whole administration. A radical cutting down of revenue, therefore, depends upon an equally radical reduction in the expenses of administration. This means a transformation of the scheme of Government. This transformation is impossible without independence. Hence in my opinion the spontaneous demonstration of January 26 in which hundreds of thousands of villagers instinctively participated. To them independence means deliverance from a killing weight.

### A Remedy Must Be Found

"Not one of the great British political parties, it seems to me, is prepared to give up the Indian spoils to which Great Britain helps herself from day to day often in spite of the unanimous opposition of Indian opinion. Nevertheless if India is to live as a nation, if slow death by starvation of her people is to stop, some remedy must be found for immediate relief. The proposed conference is certainly not the remedy. It is not a matter of carrying conviction by argument. The matter resolves itself into one of matching of forces. Conviction or no conviction Great Britain would defend her Indian commerce and interests by all the forces at her command. India must consequently evolve force enough to free herself from that embrace of death.

### Violence Or Non-Violence?

"It is common knowledge that, however disorganised and for the time being insignificant it may be, the party of violence is gaining ground and making itself felt. Its end is the same as mine, but I am convinced that it cannot bring the desired relief to the dumb millions, and the conviction is growing deeper and deeper in me that nothing but unadulterated non-violence can check the organised violence of the British Government. Many think non-violence is not an active force. My experience, limited though it undoubtedly is, shows that non-violence can be an intensely active force. It is my purpose to set in motion that force as well against the organised violent force of British rule as against the unorganised violent force of the growing party of violence. To sit still would be to give rein to both the forces above mentioned. Having unquestioning and immovable faith in the efficacy of non-violence as I know it, it would be sinful on my part to wait any longer. This non-violence will be expressed through civil disobedience, for the moment confined to the inmates of the Satyagraha Ashram, but ultimately designed to cover all those who choose to join the movement with its obvious limitations. I know in embarking on non-violence I shall be running what might fairly be termed a mad risk, but the victories of truth have never been won without risks, often of the gravest character. The conversion of a nation that has consciously or unconsciously preyed upon another far more numerous, far more ancient, and no less cultured than itself, is worth any amount of risk. I have deliberately used the word conversion. For my ambition is no less than to convert the British people, through non-violence, and thus make them see the wrong they have done to India. I do not seek to harm your people. I want to serve them even as I

want to serve my own. I believe I have always served them—served them up to 1919 blindly. But when my eyes were opened and I conceived non-co-operation my object still was to serve them. I employed the same weapon that I have in all humility successfully used against the dearest members of my family. If I have an equal love for your people with mine it will not long remain hidden. It will be acknowledged by them even as the members of my family acknowledged it after they had tried me for several years. If people join me as I expect they will, the sufferings they will undergo unless the British nation sooner retraces its steps, will be enough to melt the stoniest hearts. The plan through civil disobedience will be to combat such evils as I have sampled out. If we want to sever the British connection, it is because of such evils. When they are removed the path becomes easy. Then the way to friendly negotiation will be open. If British commerce with India is purified of greed, you will have no difficulty in recognising our independence.

"I respectfully invite you, then, to pave the way for the immediate removal of those evils and thus open the way for a real conference between equals interested only in promoting the common good of mankind through voluntary fellowship and in arranging the terms of mutual help and commerce equally suited to both.

"You have unnecessarily laid stress upon the communal problems that unhappily affect this land. Important though they undoubtedly are for the consideration of any scheme of government, they have little bearing on the greater problems which are above communities and which affect them all equally. But, if you cannot see your way to deal with these evils and my letter makes no appeal to your heart, on the 11th day of this month, I shall proceed with such co-workers of the Ashram as I can take to disregard the provisions of the Salt Law. I regard this tax to be the most iniquitous of all from the poor man's standpoint. As the independence movement is essentially for the poorest in the land, a beginning will be made with this evil. The wonder is that we have submitted to the cruel monopoly for so long. It is, I know, open to you to frustrate my design by arresting me. I hope there will be tens of thousands ready in a disciplined manner to take up the work after me and in the act of disobeying the Salt Act, lay themselves open to the penalties of the law that should never have disfigured the statute book.

"I have no desire to cause you unnecessary embarrassment or any at all so far as I can help. If you think there is any substance in my letter, and if you will care to discuss matters with me and if to that end you would like me to postpone the publication of this letter I shall gladly refrain on receipt of a telegram to that effect, soon after this reaches you. You will, however, do me the favour not to deflect me from my course unless you can see your way to conform to the substance of this letter. This letter is not in any way intended as a threat, but is a simple and sacred duty peremptory on the civil resister. Therefore, I am having it specially delivered by a young English friend who believes in the Indian cause and is a full believer in non-violence and whom Providence seems to have sent me as it were for the very purpose."

I remain,

Your sincere friend,

M. K. GANDHI

## City Slum Plans Opposed

### The Malay Location At Vrededorp

#### Indians Against Segregation

*The Star* (Johannesburg) writes:—

The Johannesburg City Council will meet strong opposition from the Indian community if it accepts the scheme of the Parks and Estates Committee with regard to slum areas in the Malay location at Vrededorp.

The Public Health Committee of the Johannesburg City Council is to be asked to recommend the Council to exercise the power with which it is invested by section 74 of the Local Government Ordinance, No. 11 of 1926, in respect of premises in the Malay location. The Parks and Estates Committee has also agreed to recommend to the Native Affairs Committee that immediate steps be taken to remove natives who are illegally residing in the Malay location. Township owners are to be approached with a view to the Council acquiring stands 28 to 39 and 46 to 48, Mayfair, so that the southern portion of the location may be separated from the township of Mayfair.

#### The Council's Power

It is evident that the Council is going to have considerable difficulty in arriving at a solution to the Malay location problem, for one of the largest property owners in the location informed *The Star* that the Indian community would do their utmost to prevent the coloured people being moved from that area.

Section 74 gives the Council power whenever an idea is in a state dangerous or injurious to health as to be unfit for human habitation, or to constitute a danger to the health of the inhabitants of any neighbouring premises, to apply to the magistrate's court for an order closing those premises. It is necessary, however, that the Council give seven days' notice in writing of its intentions to the owners of the premises and the occupying tenants. When the closing order has remained operative for three months the Council may apply to the magistrate's court for an order authorising the demolition of such premises.

#### Opposed To Segregation

"So far as we are concerned, we are opposed to the removal of the location, and the segregation of the coloured people," said Mr. Amod Jajbhay, who is one of the biggest property owners in the Malay location. "We feel that it is wrong in principle to say that Indians should live segregated in a location. The Indian Government and the South African Government decided at the last conference that the Class Areas Bill be dropped, in view of the fact that Indians could not be put in locations because it would mean a racial stigma to the nation itself. If the segregation policy is to be adopted in this case we shall strongly oppose it. The Indian deputation on their arrival in South Africa strongly advised us not to agree to any segregation policy, and so we shall oppose the removal of any coloured people from the location, because their removal would have the effect of turning that area into a location for Indians.

"In regard to improvements, the Medical Officer of Health, in consultation with standholders, agreed that if standholders made the necessary improvements in time he would not apply the closing

orders. The result is that considerable improvement has taken place. If the closing orders are enforced immediately the coloured people and the natives will be driven to other parts of the town and will create more slums. We are doing all in our power to improve the conditions."

#### Complaint Justified

Mr. J. C. Fick, who is a member of the Parks and Estates Committee, also gave his view on the subject to *The Star*.

"I do feel that the inhabitants of Vrededorp and the surrounding townships are perfectly justified in complaining of the existing state of affairs in the Malay location. If the location is to remain, then I suggest that an open space be created between the location and Vrededorp, on one side, and Mayfair on the other. I suggest that this be done to define the Malay location. If necessary a wall or fence should be built to mark the area in which Indians are allowed to reside.

"If the natives and coloured people are moved, the Malay location would be left for Indians, and the Council, in attempting to find a solution to their difficulties, would find that the position would remedy itself."

#### Since May, 1895

It is gathered from the report on the Malay location presented to the City Council that Stands 321 to 789 were allotted by the Republican Government for the purpose of a Malay location by the Mining Commissioner, and the arrangement was approved of by the Government on May 9, 1895. A regulation was passed fixing the hut tax in the location at 7s. 6d. per month per stand, and when the Town Council was established after the war the Council continued to collect the hut tax of 7s. 6d., this tax being increased to £1 in the case of trading stands. The Government collected the ground rent.

When the Executive Council resolution was passed in 1906, the Government had in view the removal of the location. The Municipal Council, however, is not vested with power to bring the location to an end, nor can it compel Asiatics to live in any other location which may be established. Assuming that the Council had the power to abolish the location, it is clear that it could not be brought to an end without compensating the standholders for their interests and without providing other similarly suitable ground for the new location. The provision of money, it is stated in the report, for such compensation is a very serious matter, and it is practically impossible to find other suitable ground.

"If any attempt were made to disturb the inhabitants they would probably spread themselves throughout the municipal area, and the position from a sanitary point of view would not be improved."

#### Land Valued At £23,175

It is estimated that the value of land in the Malay location is £23,175 and the value of the buildings £114,280. Since 1926 some £4,783 has been spent on roads in the location, and another £3,100 is still required to complete unmade roads. The revenue derived from the location between July, 1926, and June, 1929, was £27,998.

It is shown in the report that as early as 1910 the Council's difficulties with regard to the Malay location became pronounced. Because of the uncertainty as to the future of the location, due to the failure of the Government to confer any powers on the municipality with regard to the control of Asiatics and coloured persons, and due to the failure

of the Railway Administration to indicate when it would require the ground claimed by it for railway purposes, the Malay location sunk into a very unsanitary condition. So bad was the state of affairs that the Medical Officer of Health repudiated all responsibility for the sanitary conditions of the location. For a long time the Council refused to introduce water and lay sewers, preferring to wait for the Railway Administration to make up its mind. But with the outbreak of smallpox in Johannesburg they decided to go on with this work. The Council advances money to standholders to make sewerage connections, but on account of the uncertainty of their tenure standholders still are slow to improve the buildings.

### The Real Problem

The real trouble in the location is the presence of natives, insanitary buildings, bad roads and absence of street lighting which are amenable to treatment. The solution of the Malay location, the report points out, lies, first, in removing all natives; secondly, in securing the demolition or alteration of all insanitary buildings by obtaining closing orders; thirdly, in granting a leasehold title, say, for 33 years, which will permit standholders to raise money on their properties to enable them to make necessary improvements; and, fourthly, to provide decent roads and street lighting, the cost of which would to some extent be recouped from assessment rates which could be levied on the lessees if a 33-year lease were granted.

It is realised that the provision of housing accommodation for natives now living in the location would probably take a year or two, but in the meantime if the Council acted on the proposal outlined it would not take long to effect considerable improvement to the area concerned and at little cost, except for the housing of the natives, which is an obligation the Council is bound to face in terms of the Urban Areas Act of 1923. The approximate cost of kerbing and lighting the streets in the location is £7,448.

"Whatever decision is arrived at in the meantime," states the report, "it is advisable that further powers should be obtained by the Council to deal with the slum problem, particularly in regard to Asiatics and coloured people."

## Incorporation Turned Down

### Proposals Rejected Without Discussion

It took exactly 40 minutes for Mayville ratepayers to decide what they thought of the Durban Town Council's incorporation proposals at a crowded meeting held in the Congregational Church Hall on Tuesday night.

Their view, expressed in the most unequivocal terms, is summed up in the following resolution, which was carried at the close of the meeting by an overwhelming majority:—

"That this meeting of ratepayers and electorate of the Mayville Local Administration and Health Board refuses to consider the conditions of incorporation offered by the Durban Town Council and turns them down without discussion; but that, at the same time, the ratepayers wish to give the Health Board a mandate requiring it, if and when more reasonable incorporation terms are offered by the Town Council, to resume negotiations.

### Malvern's Strong Opposition

By 65 votes to one, a meeting of the ratepayers

in the area of the Malvern Local Administration and Health Board, held on Tuesday night at Malvern, adopted a resolution to the effect that at present, incorporation was undesirable.

There was a good attendance and the incorporation proposals submitted by the Durban Town Council's special committee were discussed in full. The view was expressed that incorporation would come at some time in the future, but was inopportune at present.

The Rev. F. E. Long, Chairman of the Local Board, presided over the meeting.

### South Coast Junction Also

Last Tuesday's representative meeting of ratepayers in the South Coast Junction area, held at the Assembly Hall, Jacobs, definitely decided against incorporation.

The text of the resolution carried was as follows: "That there shall be no incorporation on the terms laid before us in the final report of the Durban Corporation's Special Committee, and that this meeting of ratepayers affirms the principle that there shall be no incorporation unless and until the referendum in terms of Ordinance 19 of 1924 be first held."

Mr. W. E. Langton, Deputy Chairman of the Local Board, presided, and there was a full discussion of the position.—*Natal Mercury*.

## A Fresh Crisis In South Africa

In a leading article under the above heading, *The Hindu* (Madras) writes as follows in its issue dated Feb. 8:—

When Mr. Sastri left South Africa for India at the beginning of last year, the question of trading licences and ownership of land in the Transvaal had already assumed a serious, though not ugly shape. At the meeting of the South African Indian Congress held in January 1929, the President said that, following the Norwood and Bloemfontein cases, the Johannesburg Town Council had held up the renewal of licences to trade in half the number of cases in which Indians had established a claim, and as regards ownership of landed property, he pointed out that "as long as human beings are prevented by unjust artificial laws from using land for their existence, they are bound to seek ways and means of obtaining what is as much a necessity to them as air and water," referring, of course, to the practice of buying and owning property in the name of companies, corporations or white people, so as to evade the racial discrimination frankly and openly embodied in law. Representations against the injustice involved in refusal of licences and in the enforcing of land laws strictly were made by the retiring Agent, since renewed by Sir K. V. Reddi, but the trouble which, it was hoped, would not be allowed to develop has, however, thanks to trade jealousy and racial prejudice on the part of whites in the Transvaal, begun to put on an aspect which is causing the gravest concern to the Indian community, whose very existence is threatened.

The Transvaal Indian Congress, in cabling to the Imperial Indian Citizenship Association for assistance in this crisis, says that the Union Parliament has, at the instance of Dr. Malan, appointed a select committee to inquire into and recommend legislation to close up effectively the loopholes in the Gold Laws and "remove fears of the European community arising from the recent judgment favouring Indians." We believe that the Government of

India have received news about this move and we hope that they will soon take the Indian public into their confidence regarding the steps which they propose to take in order to save Transvaal Indians from the disaster which threatens to ruin them. The Gold Law and the Township Law prevent any Asiatic or coloured person from owning or leasing any land in the Rand, which is the most flourishing part of the Transvaal; further, no Asiatic or Indian can live in this "gold area" unless as a domestic servant of a European. In the Norwood case, Indians had, owing to the hardship of the law, registered the lands as belonging to a company, treating themselves as servants, but the Courts held that they were real shareholders with the result that Indians were forced out of their land with as much as they could scrape. Licences for trade can under the law be issued only to those who possess what is called the certificate of lawful residence, and as the effect of the judgment is to declare Indians resident in the prohibited area as unlawful residents, the municipal councils which are the licensing authorities are now withholding licences to Indians because they are not lawfully resident. Some of the richest and most influential Indians are residents of and do business in these areas and Indian traders are doing very flourishing business. Any violent interference with their vested rights, which were saved by the Smuts-Gandhi Agreement, would amount to a wholesale expropriation of property for which there can be no justification whatsoever. Moreover, the Capetown Agreement specifically said, as regards licences, that the Government would, when the laws were revised, see that the grounds on which a licence may be refused are laid down in the statute, that the reasons for which a licence is refused are recorded and that a right of appeal is provided to an impartial tribunal in respect of first applications and transfers as well as renewals. It will be remembered that in the recent case in which the City Council of Johannesburg refused a licence to the Turf Stores, Ltd., whose share-holders were Asiatics, the Supreme Court, Pretoria, stated in unequivocal terms:

The committee seemed to think, no matter what class of business the Asiatic carried on, the result would be to cause a congregation of Natives, but on the evidence no reasonable man could come to the conclusion. There are businesses which would not have that effect. The committee treated the applicants as members of a class and came to the conclusion that because they were members of that class any business carried on by them would have that result. They did not enquire into the nature of the business proposed to be carried on.

It is just this play of sheer prejudice and unreason which the Union Government had undertaken to provide against by the Cape Town Agreement, but their reported setting up of an inquiry in order to "remove the fears of Europeans" cuts right across that solemn promise and constitutes an act which is against natural justice. It is difficult to explain the reasons why Dr. Malan should refuse to consent to postpone the sitting of the Select Committee till Sir K. V. Reddi's return to South Africa except on the ground that the Union Government do not want to be persuaded out of their determination to reduce Indians to a condition of poverty and drive them out of the Transvaal. We can only hope that better counsels will prevail and that the Government of India will not only take speedy steps to intervene but publish a statement on the situation which has arisen.

## Indians In Transvaal

### Mr. Tyson's Mission

*The Hindu* (Madras) writes as follows in its issue dated Feb. 12:—

The immediate work awaiting Mr. Tyson in South Africa, as Acting Agent for the Government of India, is to press the Indian case before the Select Committee which, according to the Transvaal Indian Congress, has been set up "to remove the fears of the European community, arising out of the recent Supreme Court judgment in favour of Indians trading in the Transvaal."

The Indians in South Africa seek the help of the Select Committee for different reasons which were explained in an interview by Mr. P. Kodanda Rao, of the Servants of India Society, who worked in South Africa with Mr. Sastri.

Mr. Kodanda Rao said that under the Gold Law of 1908, Indians were prohibited from owning land or occupying premises in commercial areas in the Transvaal. A Supreme Court judgment recently held that the law of 1908 had no retrospective effect and did not apply to townships created prior to its enactment, which means that Indians can own and occupy fixed property in towns created before 1908. The Europeans are alarmed at this threat to their long-cherished policy of preventing Indians from acquiring fixed property in the Transvaal. They, therefore, desire that this loophole which the Supreme Court judgment has discovered should be stopped.

Indians, on the other hand, seek the help of the Select Committee to resolve the impasse created over trade licences in the Transvaal.

The Johannesburg Municipality refused to renew licences of several hundred Indians on the ground that their occupation of business premises was illegal under the Gold Law, and by issuing licences they would be party to the illegality. Pending the discovery of some way out, the Municipality have allowed Indian traders to trade without licences. Indians desire that notwithstanding the technical illegality of their occupation of prohibited business premises, the Municipalities should be deprived of the power to refuse licences to them. They would like to go further and regulate the issue of trade licences by law rather than leave it to the discretion of the Municipalities as is the case now.

Indians naturally rely on the spirit of the Capetown Agreement to secure a reversal of the policy of exclusion and repression in the Transvaal and substitute a policy of uplift, and make it possible and profitable for Indian traders to be within the law.

In view of the technical illegalities committed by the Indian trader and the anti-Asiatic feeling of the Whites in the Transvaal, the problem becomes very difficult and requires delicate handling.

Mr. Kodanda Rao paid a tribute to Mr. Tyson and said: "I have known Mr. Tyson during the time he was working under Mr. Sastri in South Africa and I can say confidently that Mr. Tyson was not only loyal to Mr. Sastri and the cause he represented in South Africa, but was also an enthusiastic supporter of Mr. Sastri's policies. As such, I believe the Indian case which is to come before the Select Committee, will not suffer in his hand. Mr. Tyson is going on a difficult mission, and needs all the help and support the people of India can give him.