

Indian Opinion

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INDIAN PRESS AND THE LAND TENURE BILL

WE have great pleasure in reproducing the comments offered by the Indian Press in their leading articles on the notorious Transvaal Asiatic Land Tenure (Amendment) Bill which Dr. Malan emphasised to the S.A.I.C. deputation that he will introduce in the next session of Parliament without any modification:—

The Servant, which is the organ of the Servants of India Society (Poona), writes:—

Indians In The Transvaal

The South African Indian Congress at an emergency session held in Johannesburg recently considered the situation created by the Union Government's Transvaal Asiatic Land Tenure Bill. This Bill was introduced in the Union Assembly last May and was meant to be rushed through in that session. But the Government was ultimately persuaded to postpone it to the next session and give time for a careful consideration of its provisions. The Bill creates a crisis not less grave than the one created by the Segregation Bill of 1925 which, as a result of the Round Table Conference, was dropped. The terms and the spirit of the Cape Town Agreement require that the status of Indians should be ameliorated, that disabilities now attaching to them should be lifted and that Indians should be helped to attain the European standard of life. The Agreement took note of the fact that these reforms might not be possible at once; it was reconciled to some delay. If there was a move, it should be in the direction of amelioration, certainly not in the reverse direction. The Bill now on the legislative anvil is of a retrograde character. It seeks to reimpose disabilities which were forged decades ago and which have been observed more in the breach and which in consequence deserve to be eliminated from the Statute Book altogether. The chief achievement of the Cape Town Agreement was that it led to the abandonment of the principle of segregation. The Bill seeks to re-introduce it. It compels Indian merchants long established in certain quarters to sell out and clear out to other segregated locations. The Congress, therefore, demanded that the Union Government should withdraw the Bill and introduce another to safeguard Indian rights. Failing it, it proposed that another Round Table Conference should be called together to review the situation. If the Union Government refused the request, the Congress desired the Government of India should break off diplomatic relations with South Africa and withdraw its Agent. The seriousness of the situation is indicated by the drastic steps that the Congress proposed.

We share the hope of the *Natal Witness* that the situation will improve and the Bill will be withdrawn. It is gratifying that the *Star* of Johannesburg, a very influential journal, is convinced of the justice of the Indian case. It realises that the Bill is a matter of life and death to the Indians in the Transvaal. It realises also the far-reaching effects of the measure on the solidarity of the British Commonwealth of Nations. "Persistence in new anti-Indian legislation in South Africa will seriously

complicate the already enormously difficult task of the Indian Government and the Secretary of State for India. If Empire solidarity means anything at all, it means that one part of the King's Dominions ought to be able to rely on exemption from gratuitous embarrassments of this kind at the hands of the other parts, especially at moments of crisis." When the Liquor Bill, which proposed to throw out of employment some three thousand Indian waiters for the sole reason that they are Indians, was under consideration a couple of years ago, the press in South Africa stood out for fairplay and justice. We trust that on this occasion also the Press in South Africa will give a correct lead and shield the voteless Indians from the impending tyranny and disaster.

Gen. Hertzog is in England for the Imperial Conference and is sure to meet many of the Indians who are there for the Round Table Conference. He will realise from them, as from His Majesty's Government, of the depth of resentment in India over the treatment of Indians in his country and the grave complications that his Government's policy has caused India and the Commonwealth.

The Bombay Chronicle writes:—

Hounding Them Out

The process of hounding the Transvaal Indians out of the Colony by tightening the grip of legislative restrictions round them so that out of sheer helplessness they should be compelled to leave a territory to the development of which they have contributed a great deal continues vigorously. The Transvaal Land Tenure Bill which will soon come up before the Union Parliament is sure, if allowed to pass, to restrict Asiatic trade and residence in certain defined areas in such a manner that any local authority in the Transvaal can, under pressure of anti-Indian agitation, make self-respecting existence impossible for the Indians within its administrative limits. The South African Indian Congress at a recent special conference at Johannesburg advocated in a resolution the urgency of prompt action in the matter by the Government of India. They are asked to press for a Round Table Conference with the Union Government, if the latter do not withdraw the measure and, failing this, to sever diplomatic relations with them. But will they?

Opportune Protest

The South African Indian Congress makes an opportune protest at the emergency conference it held at Johannesburg early this week against the impending peril to the very existence of Indians in the Transvaal if the Transvaal Asiatic Tenure Amendment Bill is passed by the Union Parliament. The resolution the S. A. I. Congress passed declared that the measure was "wholly unacceptable" to the Indian community and stated the reasons why it was unacceptable. Not one of these reasons can be proved to be unjust or untenable by the anti-

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UPLIFT OR DOWNTHRUST?

THE mental acrobatics of which the political contortionist seems capable are calculated to leave the plain man, who permits himself occasionally to lapse into a "terminological inexactitude, agape with wonder. Evasions, dodges, perversions, juggling with phrases and their interpretations, any and every trick of chicanery is seemingly permissible when the needs of political expediency call them into play for the purposes of side stepping an inconvenient promise, agreement or obligation. The excuse advanced for the "no equality in Church or State" slogan, viz, its necessity for the maintenance of a white civilisation and white ideal, unconvincing as it is in its widest sense, was of course too transparently thin to be seriously sustained in regard to the Indian population of the Union, wherefore, with a fine show of difference to the voice of conscience there was included in the Gentlemen's Agreement the clause conceding the justice of the claim to the so-called "upliftment" of our people. It was a gesture at once impressive and disarming. It was in substance a denial of the imputation of racial or colour prejudice, of trade jealousy; a refutation of the contention that the so-called Indian menace was but a re-enactment of the Naboth's Vine-yard drama. The morally irresistible claim, the logically unanswerable plea, was admitted and virtue and logic both seemingly satisfied. With what aftermath? The Indian we are now assured, with a show of pained surprise at the mere suggestion, must not expect to be afforded opportunities of "uplift" to white standards, but only to the standards permitted to the other non-white communities! The abandoned Asiatic "segregation" bill has been substantially reincarnated as the Transvaal Asiatic Amendment Bill. Indians who have been absent from the Union for over 3 years find that they must re-establish their domicile by a renewed stay for another 3 consecutive years before they are permitted to bring their wives and families to South Africa. Meanwhile, they, like the wretched condonation certificate holders, have perforce to remain celibates or—do the other thing. Such are but a few of the more glaring examples of "uplift" as applied. Yet, we still find ourselves confronted with the accusation that it is the

Indian who is the double-dealer, that it is guileful Oriental who is always taking advantage of the trusting simplicity of his beneficent white rulers. Bearing, as we do, the marks of thirty years of humiliating legislative effort to make our stay in South Africa intolerable; faced as we are with an adamant resolve to put us once and for all "in our place," the place of impotent helotage wherein we shall have ceased for all time to be a "menace," it is perhaps not surprising that we have learned to look askance at any further professions of goodwill or at any gifts that may be preferred, expecting as questionable offerings from Greek givers. The promised "uplift" has savoured too unpleasantly of down-thrust for us to want any more of the same brand. We are once again learning the old old lesson "Within yourselves deliverance must be sought." Freedom is not a gift, it must be won! For this our mentors do deserve our gratitude.

[Continued From Front Page]

Asiatics in the Transvaal who are conducting a systematic campaign ever since the Hertzog Government came into power, for the hounding out of the Indian community not only from the Transvaal but also from Natal. The Natal anti-Asiatics are in league with the irascible Dutch element in the Transvaal in this matter and if the measure does pass, the Union Government will be turning the Cape Town Agreement into a scrap of paper.

Help From India

Faced with the disastrous prospect of loss of trading, residential and occupational rights and the arbitrary exclusion as a community from participating in the development of a territory whose present economic prosperity owes much to Indian labour and enterprise, the Transvaal Indians rightly look to the people of this country and its Government to help them in their present plight. Their countrymen here have always stood by them. The first "Agent" from India to South Africa, Mr. Sastri, laboured hard to make the anti-Asiatics realise the necessity of respecting the sanctity of the Capetown Agreement. General Hertzog showered upon him sympathetic assurances. But the "acid test" has come now. Will the Government of India take up a strong attitude and listening promptly to the request of the S. A. I. Congress, press for the withdrawal of the obnoxious measure, and, if they fail in their efforts, threaten to withdraw the present "Agent"? The threat must, of course, be carried out, if the Union Government develop an obstreperous attitude.

The *Leader* of Allahabad writes :

The Anti-Indian Bill

When in May last the Union Government decided to postpone till the next session of Parliament the Bill to regulate the tenure of fixed property by Asiatics in the Transvaal, there was naturally much satisfaction in Indian circles both here and in South Africa, and a hope was expressed that it might be possible during this interval for the South African Government to appreciate the Indian point of view

and realise the unjust nature of the measure. It will be remembered that the Viceroy himself said, 'This delay which we warmly welcome permits the hope that the provisions of this measure which has caused considerable alarm among Indians in the Transvaal, may ultimately be adjusted to satisfy the legitimate claims of the Indian community.' So far, however, as will have appeared from the resolutions of the South African Indian Congress published in Thursday's *Leader*, the Union Government have not thought fit to withdraw the anti-Asiatic Bill, and the Indian community view the prospect with apprehension and alarm. The Bill which seeks to tighten up the law against Indians owning and occupying fixed property in the Transvaal and is virtually a revival of the Class Areas Bill is certainly in violation of the provisions of the Cape Town Agreement according to which the Union Government undertook to see that in the matters of educational and other facilities Indians were not allowed to lag behind other members of the South African community and to take steps for their uplift. For we do not know how a measure which seeks to segregate and to ruin the entire prosperity of a community can uplift them to the level of other communities. In the city of Johannesburg alone there are about 36 wholesale merchants who represent an aggregate capital of £3,000,000, and there about 800 retail dealers in the city and suburbs who represent an aggregate capital of £320,000. It was stated before the Select Committee that 80 per cent. of these Indian businessmen would be affected by the provisions of the Bill. It passes one's comprehension how any government which does not regard its pledges as mere scraps of paper can thus seek to annihilate the prosperity of a community after having once promised to uplift them. It may be mentioned that Dr. Malan who is the author of the present Bill on one occasion in the course of a speech on the Cape Town Agreement said: 'I sincerely hope that the agreement will be an abiding one and that the relations of mutual goodwill and friendship which have so happily been established between the two countries, will not only be maintained, but will be increased and widened out in the not too distant future.' May it be hoped that the Government of India will make it clear to Dr. Malan and other Ministers that the introduction of the present anti-Asiatic Bill is not at all likely to bring about that happy result and that they will impress on the Union Government the advisability of withdrawing the Bill not only in the interests of the Indian community but also in the interests of South Africa itself and the Empire as a whole? It has never paid a Government to ill-treat its people.

Judgment In Ali Sheik's Case

In terms of section 3 (2) of Act 22 of 1913, the Immigration Board reserved the following question of Law, inter alia, for the decision of this Court, viz:—Whether on facts found, Ali Sheik was entitled to be registered when application was made in terms of section 5 (1) of Act 2 of 1907, or Section (c) of Act 36 of 1908, and if so, whether the Board was justified in holding that a certificate was obtained by fraudulent misrepresentation within the meaning of section 5 of Act 37 of 1927.

The facts set out in the stated case relating to this question are:—

1. Ali Sheik an Asiatic, the Appellant, came to the Transvaal in or about March 1908, and was in the Transvaal on 21st September 1908.
2. He came on the representation that he was the son of one Sheik Hussain, who was then an adult Asiatic registered under Act 36 of 1908.
3. On the 29th May 1911, Sheik Hussain applied under section 4 (2) (b) of Act 2, 1907, on behalf of

Alli Sheik for a Transvaal Asiatic Registration and stated that he was the father of appellant, and a Transvaal Asiatic Registration 11668, was issued to Alli Sheik on these representations.

4. From the evidence supplied by the Magistrate (Annexure C) and from the admission of the appellant's counsel, the Board is satisfied that Alli Sheik is not the son of Sheik Hussain and is further satisfied that Alli Sheik was looked after during his minority after his father's death by Sheik Hussain. Annexure C, referred to in paragraph 4 of the stated case, contains this statement: "It also appears from the inquiry that Alli Sheik was looked after during his minority by his uncle Sheik Hussain, and that Alli Sheik's father at his death asked his brother who had no son of his own at the time to treat Alli as his own son."

The answer to the question depends on the interpretation to be given to section 3 (c) of Act 36 of 1908. It was admitted by Mr. Nesor for the Respondent that if the word "resident" in Section 3 (c) does not mean "lawfully resident" but refers merely to the facts-de facto residence, then on the true facts the appellant would have been entitled as of right to registration. It was also admitted that if appellant on the true facts was entitled to registration it could not be said that he had obtained his certificate by fraudulent misrepresentations within the meaning of section 5 of Act 37 of 1927.

Mr. Nesor, in support of his contention that "resident" means "lawfully resident" drew attention to the fact that section 2 (e) of Act 15 of 1907 does not refer to a ward and that appellant was therefore a prohibited immigrant, liable to removal at any time; he argued that it would therefore be anomalous if he were subject to removal under Act 15 of 1907, but entitled to a certificate under Act 36 of 1908, which made his residence lawful. Furthermore, that under section 4 (3) (a), of Act 36 of 1908, an adult who fraudulently got a permit to enter the Transvaal would not be entitled, notwithstanding residence since his entry, to a certificate, but a minor in appellant's position would be so entitled. But section 5 (1) of Act 2 of 1907, gave the Registrar the right to register Asiatics who were not lawfully resident in the Transvaal, which is an anomaly similar to the contrast between Act 15 of 1907 and section 3 (c) of Act 36 of 1908, read as referring to *de facto* and not lawful residence. And in relation to the second objection, it does not seem to me unlikely that the legislature took a more lenient view of the position of a minor who was brought in under a misrepresentation by a guardian who was a registered Asiatic than of an adult who was himself responsible for misrepresentation, and who moreover was resident outside the Transvaal at the time of the commencement of the Act. Moreover, I think it is clear in sections 4 (1), (2) and (3) of the 1908 Act, the word "resident" means *de facto* and not lawfully resident, and if this is correct, one would not expect to find the word used in a different sense in the immediately preceding section. Lastly, sections 3 and 4 of Act 2 of 1907, draw a clear distinction between "resident" and "lawfully resident"; from the history of the relationship of these two Acts (see *Aswat V. Registrar of Asiatics*, 1908 T.S. 568) and from the heading of the 1908 Act there can be no doubt that the legislature passed the later Act with its eye on the earlier Act and it seems very improbable, in view of the terms of sections 3 and 4 of the earlier Act, that the legislature would have used "resident" in section 3 (c) of the 1908 Act if it had meant "lawfully resident." I disagree, therefore, with the respondent's contention on this point. In my opinion there was no evidence before the Board on which a reasonable man might hold that the certificate was obtained by fraudulent misrepresentation within the meaning of section 5 of Act 37 of 1927, and it follows that the question must be

answered in favour of the appellant i.e., that the Board was not justified in holding that the certificate was obtained by fraudulent misrepresentation within the meaning of section 5 of Act 37 of 1927. For the same reason as in Essa Osman's case, this view makes it necessary to deal with the other questions. The appellant is entitled to his costs against respondent.

(Signed) LEO. GREENBERG,
Judge of the Supreme Court.

Pretoria,
15th October 1930.

Mr. Justice De Waal and Mr. Justice Krause concurred.

The M. K. Gandhi Library

(By G. L. SINHA B.Sc., B.E.D., — SASRI COLLEGE)

A perusal of the Catalogue of the Library will indicate that the important sections of it are Philosophy, Literature, Sociology, History and Religion. It is not possible for me to tell exactly what proportion of the books on these subjects appertain to 'Indian literature,' but it can rightly be said that if we care to read the books which have been made available for our use we are sure to become much better Indians than what we are at present.

The books on Theosophical Literature although only a few in number will give a good general survey of the technicalities of the ancient Indian Philosophy and its relation with the modern science. The Upanishads may be read by those of us who are anxious to make deeper study. The Sacred Books of the East show the historical growth of the ancient Indian wisdom in Philosophy, Religion, Metaphysics and Sociology. The greatness of our ancients may well be discovered in the books on ancient Indian history and I shall specially recommend those written by R. C. Dutt, Dr. Mukerji, Benoy Kumar Sarkar, Prof. Radhakrishna and V. Smith.

The books of Prof. Jadunath Sarkar give the glories of the Mogal rule in India and if properly read will remove many misconceptions which I have very often found people harbouring in their mind regarding Mogal Administration in India which was efficient and prosperous. Books on Rulers of India Series are also very instructive and may be read with profit.

The recent additions to the Library give detailed information about the Sociology of India and more useful books are expected very soon.

I may give a suggestion to those who are interested in religion. There cannot be a religion without its associated philosophy and the only right way of understanding the former is to read it along with the latter. The incongruity which we discover between the various religions is not due to any fundamental differences in the first principles, but have their origin in the difference in the expression of a common ideal. There cannot be disagreement when it is said that to be good and to do good is the primary duty of man but when this ideal is put to practical life we forget that there cannot be, and there has never been, one way of the expression of right conduct. And here lies the cause of dissatisfactions, dissensions and failures. I would, therefore, request the readers of the books on Religion to discover always the Truth that is buried behind the words.

It is, in my opinion, the duty of all of us to keep ourselves in touch with all the rapid progress which we are making in India in the various lines of secular sciences. Our educational efforts finding expression in the shape of big universities having mostly Indian professors of outstanding merits, the activities of our scholars which are making valuable contributions to the knowledge of the world in several important ways, our social advancements and deep concern for the welfare of those who are poor and neglected, our economic potentialities and position in the world's trade and general awakening, are some of the topics which should be widely read. Good

books on these subjects are also available under the section of Sociology.

Yes, I do admit that the Library is lacking in books on science, economics and other subjects but taking into account the deep interest which the Secretary takes in collecting books I can say with full amount of certainty that we shall have them soon.

Evening Commercial Classes For Indian Students

The Evening Commercial Classes are intended for Indian students who are already in business and who require a knowledge of the various commercial subjects.

Subjects Of Instruction

The following is a list of the subjects to be taught in the Evening Classes and from it a selection suitable to the needs of the intending student can be made.

Bookkeeping, Business Methods, Commercial Arithmetic, English, Afrikaans, Commercial Correspondence, Commercial Geography, Shorthand, Typewriting, Salesmanship.

Courses Of Study

Junior Students, that is, those between 15 and 18 years of age, should take a regular course leading to the Preliminary Certificate in Commerce. This course includes English, Arithmetic, Bookkeeping, Business Methods and Geography, and will require two years' study in Evening Classes.

Senior Students, that is those who are over 18 years of age and whose general education is satisfactory, may take separate subjects as desired.

Fees

Students taking one or two subjects pay 10/- monthly. For three or four subjects the fee is 15/- monthly. All fees must be in advance at the beginning of the month.

Admission

The Classes are intended for those who are already in employment. No student who is attending a day school and no pupil under 14 years of age can be admitted. The Committee reserves the right to refuse admission on any grounds whatever.

General Rules

Any class may be discontinued if the number of students in attendance is considered insufficient.

Classes may be started in subjects other than those in the Prospectus.

Every student must fill in an Application Form and obtain a Class Ticket.

All students must provide themselves with the necessary text-books and note-books. No student will be allowed to continue in any class unless he has the requisite materials for carrying out his work properly.

All students are required to conduct themselves in a quiet and orderly manner. Loitering in the corridors and in front of the building is prohibited. Students should arrive at the College a few minutes before their classes commence, and leave after the classes are over in an orderly manner.

Smoking is prohibited in the College.

Every student is expected to attend his classes regularly and punctually. In cases of unavoidable absence he is requested to inform the teacher of the class or to send word if possible beforehand.

Students who attend irregularly cannot make satisfactory progress. They may also hinder the progress of other students and prove an undue burden to the teachers. While due allowance will be made for absence caused by illness, students whose attendance is unsatisfactory will have their

names removed from the class register, after which they may be re-admitted only by special arrangement.

First Year Course

ARITHMETIC

Mental arithmetic and long and cross tots (these are obligatory). Vulgar and decimal fractions. Ratio. Decimalization of money. Averages. Percentages. Profit and loss on buying and selling prices. Simple interest. Commission and brokerage. Elements of the metric system. Calculations required in preparing invoices. Simple mensuration of areas.

Attention to be given to short methods of working. Answers should not contain fractions which cannot be utilized or taken into account in business transactions.

Book-Keeping

The general theory of book-keeping. The working of a series of transactions involving knowledge and use of the ledger, cash book, sales and purchases books, returns and allowances books, the journal.

The preparation of simple trading accounts, profit and loss accounts, and balance sheets from given transactions or from a trial balance.

Business Methods

COMMERCE.—A brief explanation of its position in industry. The business man and his methods; qualities required in persons engaged in commerce. The student entering commercial life. What he may expect and what is expected from him.

ELEMENTS OF OFFICE ROUTINE—

(a) Correspondence.—Treatment of incoming and outgoing mails, correspondence registers, methods of copying, filing and indexing.

(b) Principal postal facilities, keeping of postage and pretty cash books.

BUYING AND SELLING.—The principles underlying these; acquaintance with the principal documents used, e.g., price lists, quotations, order forms, invoices, debit and credit notes, statements of account.

ELEMENTS OF TRANSPORTATION (briefly).—The railway system and its functions for commercial purposes.

FINANCE.—Banks and their use to business men, elementary knowledge of cheques and postal money.

ACCOUNTS.—How accounts are charged and discharged.

Geography

South Africa, i.e., Africa south of the Congo-Zambesi divide, its industrial, commercial, and political geography on a regional basis.

Railway routes and the chief towns thereon.

The trade relations of the Union of South Africa with the other British Dominions, Africa, Europe, North and South America and Asia.

A more detailed treatment of the above, with special attention to map work.

The products of South Africa that can be utilized in building up South African industries.

The distribution over the globe of the chief raw material of importance to industry: Iron, copper, coal, cotton, wool, timber, rubber, oil.

Principal sea, land, and air routes from and to the Union of South Africa.

Languages

Correct writing from Dictation.

A study of any one book from a select list. Candidates will be required to answer questions on the subject-matter. Writing a short letter or composition.

The following books are prescribed:—

ENGLISH

1930-1931.—“The Vicar of Wakefield.” Goldsmith.

1930-1931.—“King Solomon’s Mines.” Rider Haggard.

AFRIKAANS

1930-1931.—“Fanie.” Hofmeyr.

1930-1931.—“Ghwennie Barneveld.” von Wielligh.

Shorthand

Gregg’s System of Shorthand will be taught

Typewriting

Touch typewriting, correct fingering, five-finger method, tabulating, manifold, duplicating, paragraphing, punctuation, business correspondence, balance sheets, specifications, legal work, general copying. Copying tests and dictation practice. Cleaning, care and adjustment of the machine.

Salesmanship

The Elements of Marketing. Stores and their origin. What salesmanship is. Opportunities and rewards. Objects of salesmanship. Accurate, rapid and economical satisfaction of human wants. Salesmanship as a career. Basic considerations affecting the salesman and saleswoman. Personal efficiency. Importance of health, physical fitness, cleanliness. Cultivation of good habits, self-control, concentration, truthfulness, cheerfulness, etc. Attitude to customers. Courtesy, tact, promptness, punctuality, etc.

Errors to be avoided. Shyness, pertness, indifference, disrespect.

The giving of a broadened outlook.

The instilling of pride into the salesman’s vocation. Store routine, method and disciplines. The spirit of loyalty and co-operation. Team work.

A complete working knowledge of sales, particularly the obtaining of and supervision of sales.

The use of various documents: Sales notes, invoices, debit notes, statements.

Advances Courses

More advanced courses will be arranged as required.

Part-time Technical Classes For Indian Students

1.—FURNITURE TRADES COURSE

The Committee expects to start courses next year for apprentices who are required to attend technical classes under the Apprenticeship Act.

2.—AGRICULTURE

The Committee are considering the question of starting courses of instruction in agriculture and horticulture to meet the needs of a large number of Indians who are engaged in farming, market gardening, etc.

The classes are held at the Sastri College. Write for particulars to Messrs. S. M. Moodley and P. R. Pather, Joint Secretaries, Box 670, Durban.

Durban Hindu Temple

An interesting lecture on Hindu Dharma and Modern Civilization will be delivered by G. L. Sinha, Esqr., B.Sc., B.Ed., (one of the Lecturers at the Sastri College) at the Temple School, Somtseu Road, Durban, on Sunday, 23rd November 1930, at 2.30 p.m. All are earnestly requested to attend.

ASWINI P. CHOUDREE.

Hon. Secretary, Durban Hindu Temple.

Mr. Tyson Married In India

In the presence of the Governor of Bengal and Lady Jackson, the Bishop of Calcutta solemnised the marriage in the Cathedral, of Capt. John Dawson Tyson, private secretary to the Governor of Bengal, and Miss Dorrice Yuill, of Durban.

The bride was given away by the Hon. Alexandra Marr, Finance Member for Bengal. The reception was held at Government House, where the Governor toasted the couple.

Miss Yuill is the daughter of Mr. and Mrs. A. D. Yuill, of Sixth Avenue, and left Durban recently for Calcutta. Capt. Tyson is the son of the late Rev. Henry Tyson.

The mother of the bridegroom travelled from England to be present at the ceremony.

Miss Yuill was formerly a teacher at the Carlisle Street Government Indian School, Durban, and was a pupil at the Durban Girls' High School. She did a great deal for the Indian community in Durban and had made a wide circle of friends here. Several functions were held prior to her sailing for Calcutta, and she was the recipient of numerous gifts.

[We heartily congratulate the married couple on behalf of the South African Indians and wish them a happy and prosperous life.—Ed. I.O.]

Registration Of Asiatics

Demand For Permit

Johannesburg, Thursday.

That an incident at Marshall Square on Saturday afternoon, November 1, had led to international complications was a revelation made by Mr. C. S. Benson in the Johannesburg Magistrate's Court to-day.

The case was one in which Ting Woon, a Chinese shopkeeper, was charged with "being an Asiatic within the Transvaal Province, failed, upon demand, to produce his registration certificate or permit." Ting Woon was found not guilty and discharged. He was defended by Mr. C. S. Benson and Mr. O'Brien appeared for the Crown.

Detective Sergeant W. B. Joyner of the C.I.D., Marshall Square, said on November 1, accompanied by another detective constable, he went to accused's shop in Vrededorp, and asked to see accused's registration certificate, or permit, but accused replied "I haven't got one, but even if I had, I wouldn't show it to you."

All Right, I'll Go

Witness told him if he could not see the permit, accused would have to go with him (witness) to Marshall Square. Accused, said witness, said "All right, I'll go."

"I told accused that he was causing himself a lot of trouble, but he refused to show me the permit," continued Joyner. "I arrested another Chinaman a little while after and the two of them were taken to Marshall Square in a Government car."

Joyner said at the Charge Office in Marshall Square, he again (for the fourth time) asked accused for his registration certificate, but again he refused to show it. Thereupon witness ordered that accused be searched, when his permit was found in his trousers pocket. Accused was detained and subsequently charged with the offence.

Mr. Benson: What did you go to the shop for?

Joyner: For the purpose of demanding a certificate.

Mr. Benson: How long have you been in force?—Eight years.

"Only A Child"

Mr. Benson: Oh, of course, you are only a child. You don't know that it is an unlawful act?

Mr. Backeberg: To demand a permit?

Mr. Benson: To go into a shop to demand it.

Mr. Benson: You went into the shop without a warrant to ask the accused for his permit?—I was acting on instructions.

Mr. Benson: I did not ask you that. You went to the shop to make the man commit a crime? Is that the policy of the police?—No. To prevent crime.

Mr. Benson: Well, I am not going to cross-examine you here as I would like to, because it has already led to international complications.

Mr. Benson: I have a medical certificate here to show that the man was manhandled.

Detective Joyner: I did not touch him.

High Court Ruling

Mr. Benson, applying for discharge of accused, said he would stand or fall by the ruling of Sir James Rose Innes in the case of Ho Si versus Vernon, "I dare Joyner or Colonel de Villiers himself to walk into this man's room and ask for the registration certificate without a "warrant."

Mr. Backeberg, in discharging the accused, said "I think that the law lays down what is necessary."

Fearlessness And The Conquest Of The Self

"Fearlessness" is the subject of sermon by Mahatma Gandhi from jail. He writes:—

Every reader of Gita is aware that Fearlessness heads the list of the divine attributes enumerated in the 16th chapter. Whether this is merely due to the exigencies of metre, or whether the pride of place has been elaborately yielded to fearlessness is more than I can say. In my opinion, however, fearlessness richly deserves the first rank assigned to it, there, perhaps, by accident.

Fearlessness is a *sine qua non* for the growth of the other noble qualities. How can one seek Truth or cherish Love without fearlessness? As Pritam has it, "the path of Hari (the Lord) is the path of the brave not of cowards." Hari here means Truth, and the brave are those armed with fearlessness, not with the sword, the rifle and other carnal weapons, which are affected only by cowards.

External Fear

Fearlessness connotes freedom from all external fear, fear of disease, bodily injury and death, of dispossession, of losing one's nearest and dearest, of losing reputation or giving offence, and so on. One who overcomes the fear of death does not surmount all other fears, as is commonly but erroneously supposed.

Some of us do not fear death but flee from the minor ills of life. Some are ready to die themselves, but cannot bear their loved ones to be taken away from them. Some misers will put up with all this, will part even with their lives but not their property, others will do any number of black deeds in order to uphold their supposed prestige. Some will swerve from the straight and narrow path which lies clear before them, simply because they are afraid of incurring the world's odium.

The seeker after Truth must conquer all these fears. He should be ready to sacrifice his all in the quest of Truth even as Harischandra did. The story of Harischandra may be only a parable; but

every seeker will bear witness to its truth from his personal experience and therefore that story is infinitely more-precious than any historical fact whatever, and we would do well to ponder over its moral.

Perfect fearlessness can be attained only by him who has realised the Supreme as it implies the height of freedom from delusions. But one can always progress towards this goal by determined and constant endeavour and by increasing confidence in oneself.

As I have stated at the very outset, we must give up all external fear.

Internal Foes

As for the internal foes, we must ever walk in their fear. We are rightly afraid of animal passion, anger, and the like. External fears cease of their own accord, when once we have conquered these traitors within the camp. All fears revolve round the body as the centre, and would therefore disappear as soon as one got rid of the attachment for the body.

We thus find that all fear is the baseless fabric of our own vision. Fear has no place in our hearts when we have shaken off the attachment for wealth, for family and for the body. "Tena tyaktva bhunjith" is a noble commandment. The wealth, the family and the body will be there, just the same; we have only to change our attitude to them. All these are not ours but God's.

Nothing whatever in this world is ours. Even we ourselves are His. Why then should we entertain any fears?

The Upandishad, therefore, directs us "to give up attachment for things while we enjoy them." That is to say, we must be interested in them not as proprietors but as only trustees. He on whose behalf we hold them will give us the strength and the weapons requisite for defending them against all comers. When we thus cease to be masters and reduce ourselves to the rank of servants humbler than the very dust under our feet, all fears will roll away like mists; we shall attain ineffable peace and see Satyanarayan (the God of Truth) face to face.

Speeches On India At The Round Table Conference

London, Nov. 18.—An emphatic and dramatically worded pronouncement in favour of a United States of India within the British Empire was made at the Round Table Conference in St. James's Palace to-day by the Maharajah of Alwar. The Maharajah was followed by the Moslem leader, Sir Muhammad Shafi, who spoke for his co-religionists.

The Maharajah of Alwar visualised a United States of India within the Empire, and said that the Indian States sought no new territories or powers, but practical application of their treaties and alliances, and that extra rights outside the treaties should be frankly and openly discussed, and decided only by mutual consent.

Sir Muhammad Shafi declared that the position of the Moslems was very simple. They wanted India to attain Dominion Status as an equal partner in the British Commonwealth, and believed that a federal system would alone suit the circumstances. He therefore appealed to the British delegation to take their courage in both hands and do what they had done in South Africa shortly after the conclusion of the South African War.

Dominion Status

Sir Tej Bahadur Sapru emphasised the change in

India during the past decade and the gravity of the civil disobedience movement. He expressed the opinion that Parliamentary sovereignty really meant sovereignty of half a dozen men in England and half a dozen in India. Indians, therefore, naturally sought freedom as an integral part of the British Commonwealth.

Sir Tej Sapru declared that the average Englishman asked what it meant when Indians used the "forbidden phrase" of Dominion Status. Did the average Englishman ask that question in 1865 as regards Canada, in 1900 as regards Australia and in 1909 as regards South Africa? The speaker asserted that India was determined to achieve a status of equality with the other members of the Commonwealth.

Sir Tej Sapru pointed out that India's central Government must be made responsible to the Legislature. He strongly urged an all-India federation, which the Indians considered a "real, live issue now."

Defence Problems

The speaker admitted that there were difficulties in connection with defence. He said that the Indians merely asked for an opportunity to train their own men. "By all means keep the British Army in the hands of the Viceroy. We on our part are willing to provide funds and agree to statutory charges in respect of the army."

Sir Tej Sapru repudiated the suggestion that no British officer was willing to serve under Indian fellow subjects. "There would not be a feeling of superiority or inferiority, otherwise India would never be contented," he said.

The Maharaja of Bikaner, on behalf of the Indian princes, reaffirmed their unflinching loyalty to the Throne in the person of the King-Emperor, linked with which was unfaltering adherence to the British Commonwealth of Nations.

The Maharaja of Bikaner recommended the federal system of Government, composed of the States and British India.

The Maharaja of Rewa said that all the Princes sympathised with the legitimate aspirations of the leaders of thought in British India. He emphasised the Princes' devotion to the Crown, and declared that they did not desire federation, if that would involve the gradual disappearance of all that the States stood for.

Lord Peel (Conservative) said that the Viceroy's words had been misinterpreted in some political circles in India. There was no promise in them of immediate translation into fact of full Dominion status.

Lord Peel said that British Conservatives were anxious that, if the Round Table Conference agreed upon some form of constitution, there was a strong party in India which would merely use the powers granted to further their own separatist and independent ends.

Sir Hubert Carr, speaking for the Europeans of British India, said that they thoroughly sympathised with Indian aspirations, but warned the Conference of the danger of too rapid changes.

Rapid Progress

An indication of how the work of the Round Table Conference is gathering momentum is found in the proposal that a committee should be appointed to consider the structure of the federal system in India, with Captain Wedgwood Benn, Secretary of State for India, as Chairman, and 22 members, including six representatives of the British delegation, 10 of the Indian States and 16 of the British Indian delegation.—*Natal Mercury*.

Mr. Tyson's Statement To The Select Committee

(Continued from page 384)

In Johannesburg it does appear from the figures Mr. Venn has quoted that a lot of people in Johannesburg may have applied for licences and not exercised them in 1920. The figures of general dealers in his list dropped in 1920 to nearly one-half what they were in 1919. To that extent the figure 1,430 in paragraph 17 of my statement has some doubt thrown upon it, but I understand the Select Committee are having full figures put up from the year 1918 onwards, and I welcome the collection of statistics which will throw a true light on the matter. We have been unable in the time available to get them ourselves. It takes a long time to collect these figures from the Revenue Department. I hope the figures will also show how European licences have fluctuated, and that there will be a differentiation between general dealers and others. If it is furnished only in respect of general dealers I would call attention to the state of affairs described by the Asiatic Enquiry Commission as existing in Potchefstroom in 1920, namely, that there were 36 Indian general dealers' licences and only 16 European general dealers' licences, but that there were only 45 Indian businesses as against 107 European businesses. Then again, general dealers' licences do not necessarily mean a corresponding number of shops. Another point was raised—about British Indians. Act 37 of 1919 refers to "British Indians." "British Indians" in India, I think, would apply to Indians who were subjects of the Government of India direct and not subjects of Indian States. But outside India, the subjects of Indian States are regarded as British protected, and, as a matter of fact, in all Dominions and Colonies, so far as we have been able to discover, equality is accorded to them in practice along with people who may be correctly described as British Indians. The Government of India regulate foreign and imperial relations for the whole of India, and Indian States have no separate international status; their subjects, therefore, cannot be treated on any separate international basis. Members will be aware that the Government of India Delegations to Geneva have on more than one occasion been led by rulers of Indian States. I think that very clearly shows how the States are connected with British India. My information is that, judgment or no judgment, the Department has never in the past differentiated—and we would very much deprecate any differentiation in the future—between Indians who happen to be subjects of an Indian State and those directly under the Government of India.

The last point I want to make is with regard to the question of Indian traders being forced into other spheres of life. I do not know whether members realise the extent to which in India, even among Mahomedans, occupations are hereditary. You get hereditary potters, hereditary water carriers, and these hereditary traders. When I was in Delhi recently I saw people who were hereditary well-jumpers! For 300 hundred years it has been from father to son, the practice of these people to jump down a very deep well. The Mogul Emperors used to sit in Court at the side of the well and watch these men flash down into the water. The skill lay in the man dropping straight down into the well. I merely mention that as an example to show that the people we are dealing with cannot easily be driven from their particular trades into other avoca-

tions. Not only does this apply to Hindus only, even Mohamedans are traders by birth and descent. These people have come to this country to trade and they have a special aptitude for it; if any intervened in other fields of industry it would be equally resented. In some cases they cannot enter into other trades because they are debarred from getting technical education. In any case why should the Government dictate to them what they should do. Surely some choice should be allowed to these people. I think that a lawyer would be much aggrieved if the Government or some municipal authority stepped in and informed him that he would in future have to be a bricklayer.

(Concluded)

Estcourt Notes And News

[BY JAMES AUGUSTINE]

AT ESTCOURT

The Ladysmith Schools travelled to play the Estcourt C.O. on Sunday, at the Murray Park Ground. The Estcourt C.O. won the toss and batted. The opening pair being N. Singh and A. S. Lalla. N. Singh was cheaply dismissed for two runs, the score board reading two for one. Gundyall and Lalla got going and in quick time Gundyall scored twenty-one, Govindraj beating him with a nice bowl. Lalla's bad luck befell him and was out for twenty-one. Joe Augustine got set in well and in ten minutes he was caught out by the wicket keeper for eighteen runs. J. David scoring sixteen. At lunch interval Estcourt were all out for 102. After lunch Schools batted and were dismissed cheaply before tea time for 56.

Estcourt started their second innings and the Score Board reads 52 for two wickets. A. S. Lalla was in wonderful form, he scored 82 runs, he was bowled by Govindraj. Joe Augustine who went out for tapping and saving his wicket scored 44 not out, these batsmen killed the bowling and the score was increasing fast. Estcourt declared with 154 for four. Ladysmith batted and were out for a small score. Estcourt winning by 131 runs and six wickets.

South African Indian Congress

ELEVENTH SESSION OF CONFERENCE

The eleventh session of the South African Indian Congress in Conference will be held at Cape Town on the 29th, 30th and 31st December 1930.

AGENDA

1. Presidential Speech.
2. Minutes.
3. Gen. Secretaries' Report.
4. Treasurers' Statement.
5. Notices of motion.
6. Revision of Constitution and Standing Orders.
7. Election of Officials.
8. General.

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