

Indian Opinion

No. 51—Vol. XXVIII.

Friday, December 19th, 1930.

Registered at the G.P.O. as a Newspaper.
PRICE FOUR PENCE.

GOVERNMENT OF INDIA'S STATEMENT

THE following statement on the position of Indians in Africa was made on the 12th November 1930, by the Hon'ble Sir Fazle Hussein, Member in charge of the Department of Education, Health and Lands (Overseas) to Mr. S. A. Waiz, representative of the Imperial Indian Citizenship Association, Bombay:—

I am glad to have had this opportunity of meeting you as a representative of the Imperial Indian Citizenship Association you have referred to the situation created in South Africa by the introduction in the Union Assembly of the Transvaal Asiatic Tenure Amendment Bill, and have emphasised that this measure, if passed, will spell the ruin of the Indian traders in that territory. You have also pointed out that the Indian community feels very strongly on the proposal contained in the Bill to set apart certain definite areas for the residence or commercial activities of Indians in the future, and for the transfer within five years of such interests as have grown up in contravention of the provisions of the existing law. You say that this provision is regarded as a stigma of racial inferiority not only by such Indians as are immediately concerned, but by every section of Indian opinion, whether in South Africa, India or elsewhere. This is but natural. I need hardly remind you of the history of this problem. The laws of the Transvaal have unfortunately been restrictive in their application to Asiatics. Law 3 of 1885 prohibited Asiatics from acquiring or owning landed property except in special streets, wards and locations that might be assigned to by Government to live in for purposes of sanitation. Then there is the Gold Law of 1908 which prohibited the acquisition of rights by coloured persons in certain areas. In the case of private land in townships on the Rand, the conditions of freehold contain a restrictive clause prohibiting the transfer or subletting of any portion of the land to a coloured person, except as a *bona fide* servant. I understand that as no anxiety was shown to administer the statutory provisions strictly, Indians continued to acquire land on lease for trading in the mining areas. They had acquired fixed property through European trustee and also by forming joint stock companies. Act 37 of 1919 was aimed at closing both these avenues and preventing further evasions of the Gold Law. Existing rights were, however, protected. Its provisions do not appear to have been strictly enforced and new interests sprang up. Recently some agitation appears to have been set up against this, and it was urged that the spirit of the law was being constantly defeated.

2. Early in February 1930, the Union Government, as a result of a number of recent judicial pronouncements, set up a Select Committee of the House of Assembly to enquire into these questions and to propose such legislation as it might deem fit. The Government of India have always been conscious of the importance of Indian interests involved, and it was for this reason that they deputed Mr. J. D. Tyson, who was at time Secretary to their first Agent—the Right Hon'ble V. S. Sastri—in South


Africa, to make suitable representations to the Committee in regard to the safeguarding of legitimate interests of the Indian population and to give the Indian community such assistance as it might need for placing its views before the Committee. As you know, the Committee's report, together with its conclusions, which were embodied in a Bill, were placed on the Table of the Legislative Assembly of the Union on the 13th May and the Bill was read for the first time on the 14th of that month. As soon as the Select Committee's report and draft Bill reached the Government of India, they represented to the Union Government that they should be allowed adequate time to examine carefully the far reaching provisions of this measure. Our representations met with a favourable response and it was decided to postpone further consideration of the Bill until the following session of the Union Parliament which in all probability will commence in January next. The spirit in which our request was met was but another indication of the friendly relations that had been established by the Cape Town Conference. Our Agent in South Africa has been and is hard at work—discussing the Bill with Indians and others, formulating views and reporting us the situation as it develops from time to time. We sought last July the advice of the Standing Emigration Committee of both Houses of the Indian Legislature on the provisions of the Bill. The advice given by them has been found most valuable and every endeavour is being made to prepare the Indian case as thoroughly as possible.

3. Newspapers reports also show that the delegates of India at the Imperial Conference have availed themselves of the opportunity to discuss the situation informally with General Hertzog in London. We hope friendly negotiations will bring about a satisfactory settlement honourable and equitable to the Indians in the Transvaal. They are, as you say, apprehensive that their interests are in great danger and that they stand to suffer very serious losses if the Bill is passed in its present form. The resolution passed by the South African Indian Congress at an Emergency Conference held in the beginning of October show the extent of the *mental agitation* from which the Indian community is at present suffering, and which it is easy to understand when the interests affected are so large and vital.

4. You have referred to the pride felt by the Indian community in the Transvaal in their racial origin and in the civilisation of their ancestors which is several centuries old. This feeling is only natural, and I can assure you that I yield to no one in the anxiety that no harm will come to India's national self-respect or racial pride. The question of the danger threatened to the economic interests of Indians in the Transvaal is engaging our earnest attention, and we have, as I have said, lost no opportunity of making representations to the Union Government in regard to it. Those representations, you may rest satisfied, we shall continue. For we believe that the question is capable of solution only

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SIR FAZLI HUSSEIN'S STATEMENT

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ment to bring about a satisfactory solution. The Indian community has a right to know the official viewpoint of the Indian Government. The community stands to lose everything by this measure including its national self-respect and racial pride about which Sir Fazli Hussein said that "I can assure you I yield to none in the anxiety that no harm will come to India's national self-respect or racial pride." It is certain that the Indian community cannot be a party in the settlement that can be arrived at between the Indian and the Union Governments, if that settlement robs the community of their existing rights and accepts the degrading principle of segregation. No one has a right to barter away the birthrights of the future generation of the Indian community in this country. If the Indian community in the Transvaal is compelled to live in segregated areas, if its right to reside and trade anywhere in the Transvaal is attacked, we remind Sir Fazli Hussein that the Indian community in the Transvaal will naturally regard it as an insult to India's national self-respect and its racial pride. We hope that Sir Fazli Hussein will see that the dominion of South Africa will not dare to insult the national self-respect of India. Mr. Sastri the other day at the Indian Round Table Conference in London said "We should be failing in our duty to the Crown if we knowingly tolerated anywhere under the British flag conditions that produced injustice, inequality or undue restrictions on the growth of communities." If such a condition really and truly prevails with regard to our countrymen it is here in the dominion of South Africa. Our position and our status is no better than a slave in this dominion. Many Europeans in this country enjoy full citizenship rights although they are not the subjects of the British Empire. Indians are the subjects of the British Empire, their civilisation, literature, history, art, music and culture are no less inferior than those of any other nations of the world and yet they are treated merely as slaves in this dominion. May we ask Sir Fazli Hussein whether such a condition of his countrymen here does harm the national self-respect and racial pride of India or not?

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in an atmosphere of reasonableness from all sides with due regard to the circumstances of the past. As I have already stated, we have had the benefit of the advice of the Standing Emigration Committee and you may rest assured that we will do all in our power to press for the recognition of legitimate demands.

5. As regards East Africa, it is generally admitted that the conclusions of His Majesty's Government, which are set forth in the White Paper issued in June last, represent a considerable advance on the former position. The Indian community has always attached great importance to the principle of a common electoral roll, and the Government of India have always lent their full support to this view. We still adhere to the opinions expressed in this regard on former occasions and, therefore, naturally welcome the declaration that the establishment of a common roll is the object to be aimed at and attained, with an equal franchise of a civilisation or education character open to all races. The proposal to leave the constitution of the Kenya Legislative Council substantially unaltered is also satisfactory. As regards the scheme of Closer Union, I am aware that apprehensions are entertained in certain quarters that if the three territories of Kenya, Uganda and Tanganyika are brought together for purposes of administration, the spirit of Kenya White settlers, which is one of the political domination, might prevail on account of their number and influence and that in particular the interests of Indians in Tanganyika, which is administered under a Mandate, might be affected prejudicially. We shall arrange to apprise the Joint Select Committee of Parliament, when it is constituted, of the views of the Indian community on all these matters. We are told that it will be for the Committee itself to decide what procedure it should adopt in regard to the fulfilment of the task to be entrusted to it. When that procedure has been decided, we shall take steps to see that our views are placed before the Committee in the most suitable manner.

6. You have referred to certain speeches which are reported to have been made recently in South Africa and also in London and you may say that the general tenor of these speeches and the sentiments expressed therein have made the Indians in the Transvaal and here more apprehensive than ever before. I can very well understand that the reports (as they appeared in the press) of the speeches to which you have referred having caused great dismay to Indians. I myself felt astonished and, to be frank, horrified at some of the sentiment as reported in the Press, and only hope that the full speeches will show that the effect produced in the minds of the readers was due to certain passages having been divorced from their context. I am reluctant to believe that in view of the great world movements of thought on those subjects, any of the great Dominions would be prepared to sanction what would seem from the telegraphed reports to be so serious a departure from the principles of British Justice and fairplay that have been more than once enunciated by His Majesty's Government. I trust that the two questions of native policy in East Africa and of Indians in South Africa will be kept entirely apart and distinct and that each issue will be considered separately only in the light of circumstances germane to it. It is almost an axiomatic truth that the maintenance of friendly and harmonious relations between the various elements that go to compose the population of any country is essential for the progressive development and economic prosperity of that country. South Africa and East Africa are no exceptions to this rule. I have no doubt they realise the necessity for a feeling of good relationship and racial concord

as much as any other country. A clash of interests between the different components of a country's population may sometimes be inevitable, but in the adjustment of such differences a spirit of reasonableness is the only means by which we may hope to smooth away our difficulties.


7. Though our task of safeguarding the interests of Indians overseas is one of very great difficulty and delicacy, it is one on which as a rule not only Indian Opinion is united, but on which Indian public opinion is reflected in the views the Government of India formulate. Your Association may rest assured of our continued vigilance and of our determination to do all we can to promote the interests of Indians overseas. We know the righteousness of our cause and feel confident that when this is brought to the notice of the statesmen on whom rests responsibility for these matters, they will recognise its justice.

Indian's Press Comments

The Leader of Allahabad writes editorially:—
Uplifting Indians!

Our London correspondent reports that 'very important private conversations were held in final week between Sir Muhammad Shafi on behalf of the Government of India, and Mr. Sastri and Gen. Hertzog and Mr. Havenga, on the subject of the pending legislation that so vitally affects the welfare of the Indian community of the Transvaal; that the representations made to the Union Ministers have been received in a very friendly spirit by them, and that 'there is some hope now that as a result thereof the tension that at present exists in South Africa may be relaxed.' This is welcome news, and we would like to have an announcement at an early date that a settlement of the questions at issue has been arrived at. Indians in no part of the Empire are in such a helpless position as in the Union of South Africa. From time to time the Indian Government have accepted restrictions of the nature or other on Indians in order to allay the fears of the European settlers and in order to ensure better treatment for at least those Indians who are already settled there. It was with this object that they accepted, for instance, the Immigrants Restriction Act of 1913 when it was believed that at last a solution had been found of what had been called the Indian problem of South Africa. No less a person than Gen. Smuts said with reference to this Act at the Imperial War Conference of 1917: 'This fear which formerly obsessed the settlers there has been removed; the great principle of restricting immigration for which they have contended is in our Statute Book with the consent of the Indian population in South Africa and the Indian authorities in India, and, that being so, I think that the door is open now for a peaceful and statesmanlike solution of all the minor administrative troubles which occurred and will occur from time to time.' These troubles mentioned by Gen. Smuts, however, did continue to occur until at last another agreement was arrived at in 1927, when it was once again believed that an end had been put to all causes of troubles. But these last three years have been nothing too plain sailing for the Indian community. More than once trouble raised its head. But thanks to the forbearance and tact displayed by the Government of India's Agent and the Indian community and the commonsense which eventually prevailed in South African official circles, more than one crisis was averted. But during all this post-Agreement period we have not come across a more objectionable measure of legislation than the Transvaal Asiatic Tenure (Amendment) Bill. It is in fact a virtual revival of the Class Areas Bill which was dropped

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in view of the Agreement arrived at at Capetown. By this Agreement the Union Government accepted the principle that 'it is the duty of every civilized Government to devise ways and means, and to take all possible steps for the uplifting of every section of their permanent population to the full extent of their capacity and opportunities', and recognized 'that Indians domiciled in the Union who are prepared to conform to western standards of life should be enabled to do so.' It is beyond our comprehension how by evicting them from their places of business, by restricting them in their facilities for trade and by sending them to segregated areas far removed from the white population, in fact by ruining their prosperity, the Union Government would enable the Indian community to 'conform to western standards of life' and to uplift them.

In a leading article in one of its issues *The Bombay Chronicle* writes:—

The Menace In South Africa

The grave peril to the self-respecting existence of the Indian community in South Africa has not been averted by the persistent representations, Sir Fazli Hussain says, the Government of India have been making to the Union Government. In a lengthy statement reviewing the efforts and attitude of the Government of India regarding this matter, which he made to Mr. Waiz of the Imperial Indian Citizenship Association of Bombay, Sir Fazli Hussain assures the public that the Government of India had made "adequate representations" to the Union Government and that they will do "all in their power" to press further recognition of all "legitimate demands" of the Indian community, who, he has discovered, "have cause for great mental agitation."

How unavailing these "adequate representations" have been is disclosed in a cable to the Associated Press by the South African Indian Congress. A deputation of the Congress met Dr. Malan on the 7th instant and handed to him the resolution passed at a special conference of the Congress, protesting against the Transvaal Asiatic Bill. Dr. Malan's reply was ominous. It showed that the united protest of the Indian community, a protest which is backed up by public opinion in this country and also, as we learn at long last, by the Government of India, had failed to influence him in the least. On the contrary he indicated by his reply that the anti-Asiatic Bill would be introduced unmodified at the next session of the Union Parliament, that he is anxious to implement by legislation the threat he held out to the Indian community in his recent speeches. Dr. Malan, as the champion of the views of the anti-Asiatics who desire Indians to be hounded out from South Africa, is keen on tearing up the Capetown Agreement. The poignant protest of the South African Indian Congress on receipt of Dr. Malan's reply contained in their cable: "Grave hardship is created and the community's rights are attacked; situation is serious and the Minister's attitude is disastrous"—will strike a chord of sympathy in the hearts of the Indian people.

But what are the Government of India doing? Why is it that in this matter which hurts Indian self-respect they persistently adopt a policy of hush-hush? It is tragic to notice that the conduct of negotiations relating to this vital issue is in the hands of an Indian member of the Viceroy's Executive Council and yet it was after repeated demand in the Indian Press for some enlightenment of the position and activities of the Government of India regarding this grave issue that he considered it necessary to make the statement that he has at last elected to make to Mr. Waiz. The efforts and the friendly negotiations, it refers to, the credit the Government of India take for securing a "favourable response" from the Union Government for the sug-

gestion of postponement of the anti-Asiatic Bill and the soothing syrup offered of "informal discussion" with General Hertzog in London are in distressing contrast with the truculent reply of Dr. Malan to the deputation from the South African Indian Congress. The menace to our countrymen in South Africa is very grave. Why should not the Government of India take the Indian public in confidence regarding the efforts they now propose to make to avert the menace and fight it in full consultation with the public, instead of still pursuing a secretive policy?

The Bombay Chronicle writes in another leading article:—

Tearing It Up

Dr. Malan, who is acting as Premier of the Union Government of South Africa in the absence in London of General Hertzog, desires to tear up the Capetown Agreement, backed up by the surging volume of anti-Asiatic opinion which finds most rabid expression in the Transvaal and in Natal. It will be recalled that when an abridged report of Dr. Malan's speech was available in this country, the special correspondent in Simla of our Anglo-Indian contemporary ladled out a lot of soothing syrup to quieten Indian apprehensions in a message which we hope was not inspired. He declared that Dr. Malan perhaps did not mean what he said and waved sarcastic over the protests of Indian legislators against the policy of indifferentism pursued in this matter by the Government of India from the "protected floor" of the Assembly. Further details of Dr. Malan's notorious speech are now to hand and it is significant that his chief complaint against the Capetown Agreement, the "Gentlemen's Agreement", is that its repatriation clauses have not worked satisfactorily. Therefore the Agreement must be scrapped.

It appears Indians in South Africa have not been "gentlemen" enough to leave the country to the economic prosperity of which they have contributed in handsome measure, in numbers large enough to satisfy South African Nationalist sentiment, and to make it feel safe against the Indian "peril". Mr. Srinivasa Sastri said that the Agreement was so satisfactory that "it contained everything but the franchise." At a post-prandial oration General Hertzog assured him, after the Agreement had been ratified, that the Union Government would take up earnestly the problem of Indian "uplift". Within a couple of years our countrymen in South Africa noticed with growing apprehension and resentment how all ideas of "uplift" have been given up by the Hertzog Government. Influenced by the repeated protests of their political supporters against the "ineffectiveness" of the repatriation policy under which only a few thousand Indians elected to return to this country, they have been devising measures to make self-respecting existence in South Africa impossible for the Indian community. The Asiatic Land Tenure Bill is only the most notorious amongst these measures. Before its introduction in the Union Parliament, which has been postponed now "to early next year", owing to the strong representations of Sir Kurma Reddi various restrictive measures operating through the municipalities and Town Councils have been put in force against Indians. But the Asiatic Land Tenure Bill which means complete segregation and abolition of trading and occupational rights for the Indian community is the final direct attack upon its very existence in South Africa. The passage of the Bill spells disaster to the Capetown Agreement. This document is to be torn up by the vote of the anti-Asiatic majority in the Union Parliament, although nominally the Agreement is to continue for two years more.

But Dr. Malan's move, highly enlogised by the anti-Asiatic press in the Union as giving a chance for existence to the "poor whites", is very wide in the ambit of its intended operations. The Bill will not only succeed in bounding the Indians out of South Africa, it will affect the people called the "Cape coloured". Section 1 of the Asiatic Land Tenure Bill affects them and at a recent protest meeting at Johannesburg they passed the following resolution:—

"The Cape coloured people are born part of the South African nation, and as such they claim the unrestricted right to purchase land on the same basis as Europeans, and we appeal to the Minister of the Interior to eliminate the clause referred to because it is objectionable and unjust to alienate us in our own country."

The emphatic protest sent up to Dr. Malan by the Executive of the South African Indian Congress indicates that our countrymen in South Africa are deeply conscious of the grave peril of their position. The Indian public will be with them wholeheartedly in their struggle, but what about the Government of India? Does Sir Fazlī Hussain think that Dr. Malan "does not mean what he says"?

Indians And Asiatic Tenure Bill

Johannesburg, Dec. 15.—At a meeting of the Transvaal Indian Congress held yesterday, delegates were appointed to attend the South African Indian Congress, which opens in Capetown on Dec. 29.

Speaking on the Asiatic Tenure Bill, the President, Joosub Ebrahim Gardee, said the South African Indian Congress to which their body was affiliated had spared no effort to find a solution to the whole question, but all attempts at conciliation had been futile. The Minister was adamant, and had made no secret of the fact that there could be no modification whatever of the proposed Bill.

The Indian, the President said, must be sacrificed to appease the desires of the anti-Asiatic element in South Africa, which knew neither reason nor justice in dealing with the non-European population. They were determined not to allow the stigma of inferiority to be placed upon them by accepting the principles embodied in the Asiatic Tenure Bill.

[We will publish the full report of the meeting in our next issue.—Ed. I. O.]

Rev. C. F. Andrews's Impending Visit To S. A.

London, Friday.

The Rev. C. F. Andrews, interviewed, said he was going to South Africa at the unanimous request of the Indian community to help them in the difficulties confronting them in respect of Indian legislation which would be submitted to the Union Parliament early in February.

He had returned from a lecturing tour in America specially to make the journey to South Africa. He had only been a few days in London, but appeared to him that the attitude of the Princes in expressing their readiness wholeheartedly to join at once in full federation might be of immense importance, if only satisfactory terms for a settlement could be reached; but it would be necessary in any settlement to see that the claims of subjects were recognised in the Federal Assembly and not merely those of the Princes themselves.—Reuter.

Transvaal Indian Congress Honours H.E. Governor-General

The Transvaal Indian Congress took the opportunity of wishing God-speed to His Excellency the Earl of Athlone and Princess Alice when His Excellency's special train passed through Park Station.

Before boarding the train His Excellency received members of the Indian community, and both he and Princess Alice were garlanded by Mr. Joosub Ebrahim Gardee, President of the Transvaal Indian Congress. Other members of the Congress presented were Messrs. Cassim Adam, I. B. Patel, S. B. Medh and the Rev. B. L. E. Sigamoney.

Indian Technical Classes

A meeting of Indians was held last week in the Parsee Rustomjee Hall to celebrate the opening of the Technical and Commercial Classes for Indian students. Dr. C. T. Loram, who spoke, commented favourably on the progress made in the institution of these classes, and assured the committee of his support and the interest of the Government in their work.

The Mayor, the Rev. A. Lamont, congratulated the originators of the scheme and teachers on the work they had done, and announced that the negotiation for the land of the Sastri College had almost come to a satisfactory conclusion and some four acres of land would shortly, he hoped, become the property of the College.

The Chairman of the Indian Technical Education Committee, Mr. B. M. Narbeth, heartily congratulated all connected with the classes on the successful inauguration of the lessons and the good month's work that had been put in before the College broke up. Various members of the Committee spoke, and paid high tribute to the work of the Indian teachers, who had devoted their time willingly and free of all remuneration, and often did not reach their homes until nearly midnight each day of the week.

Bishop Ferguson Davie's Complaint

TO THE EDITOR,

"INDIAN OPINION,"

Sir,—There is a matter which I should like to bring before the notice of the Indian community in Durban, namely the great inconvenience caused by the prevailing habit of sending invitations to important gatherings at very short notice. A busy man is bound to have many engagements; and when he receives an invitation to be present at some function within possibly only 30 hours of its start, it is impossible for him to alter his arrangements which concern others as well as himself.

This has already happened to me in nearly every case when I have received invitations to Indian functions in this country, with the result that I have been unable to attend many gatherings at which I should have liked to be present. I know it has also happened to other people, and I was recently told of an invitation sent officially to the Secretary of an important charitable organisation which only reached the guest (who would have liked to attend) two

days after the function had been held. That may easily happen when, as in this case, a person's work necessitates travelling.

Would it not be possible to send out invitations to important functions at least two, if not three, weeks ahead? Or would you not be able to have a paragraph in **INDIAN OPINION** each week, giving some time ahead the date and time of coming events which were of interest to the Indian community and their friends?

Fair Breeze Indian School

The Thirty-fifth Annual Prize Distribution and entertainment of the above school took place on Saturday, December 13th 1930, in the school.

A very large gathering of parents, friends and over 300 children were present. The prizes were distributed by the Rev. J. Metcalf, Manager of the school. He, in a very pleasing speech, remarked upon the very good results attained by the Head Master and his hard-working staff. He likewise congratulated the prize-winners upon the good work done by them. Sixty-eight boys received books and the others, toys and dolls.

The evening programme was a very long one which commenced at 8-30 p.m. under the chairmanship of Mr. T. R. Singh and ended at about 12 p.m.

The following is the Head Master's report:

Ladies and Gentlemen,—With heartfelt pleasure, I, on behalf of my staff and children, welcome you this evening. Many are not here. I do regret their absence. It is very kind of you and of those who are not here this evening, in helping us with your kind and valued donations which helped us to purchase suitable prizes and the many necessary things which were required to successfully carry out this function. I heartily express my thanks and appreciations to you and as well as to them.

I must thank my School Manager the Rev. J. Metcalf who takes the keenest interest in us, and always tries to help us.

During this year, 417 children have been admitted in the school, but 113 have left and dismissed, and now leaves a net total of 304 children of which there are 272 boys and 32 girls. You will be pleased to hear that 3 of my scholars have passed their P.S.C. Examination last year. No boys during this year have been trained for such examination owing to the inconvenience the Malaria had caused. Under the basis of the new Departmental Regulations governing the Government Aided Schools, Fair Breeze is a Second Grade School in which 2 First Class, 3 Second Class and 3 Third Class Teachers are allowed.

All the teachers of this school are old scholars whose willingness, loyalty, respect and energetic support given to me is beyond my power of praise and thankfulness.

The management of refreshments was solely in the hands of Messrs. S. M. Khan, M. H. Saib, C. R. Naidoo, C. M. Naidoo, S. Mahraj, R. Mahraj, E. H. Saib, A. K. H. Saib, I. M. Khan, R. Jeewanon, S. Pather, Gopachand, A. Aziz, M. G. Razak, S. Adam, S. Mohideen and A. M. Khan. I think you will all agree with me that they have carefully and keenly managed the work.

The Fair Breeze School mourns for one of the most generous persons of this district, the late Mr. Raj Mahomed who passed away last year. During his days of life he had been always prepared to lend every possible help towards the betterment of the school. He has been also very generous in presenting a beautiful piece of land about 2½ acres in

extent to the Fair Breeze Government Indian School Committee for the erection of a school. We owe him our greatest thanks and appreciation.

The Head Master and staff do kindly and humbly ask the above gentlemen to give their assistance whenever required.

In conclusion, I, on behalf of the staff and children tender you my humble and respectful thanks for your generosity and assistance and hope you may join us whenever such occasion may occur.
—Contributed.

Pretoria Asiatic Bazaar Regulations

(Under Section 10 of the Municipal Amending Ordinance No. 17 of 1905 (Transvaal) and Section 10 of the Municipal Amending Ordinance No. 25 of 1906 (Transvaal))

(Continued from last week)

SITE PERMITS

9. Every person over the age of twenty one years desirous of residing in a Bazaar and of erecting and occupying a dwelling therein shall apply in person to the Superintendent for a permit to do so and if the Superintendent is satisfied that the applicant is a fit and proper person to reside in a Bazaar and if a lot for such proposed dwelling is available therein he may grant such applicant a site permit accordingly and assign a lot upon which such applicant shall erect his dwelling, provided that if a bona fide commencement to erect his dwelling is not made by the holder of a site permit within three months from the date of such permit then such permit may be withdrawn and cancelled by the Superintendent. Every person over the age of twenty one years desirous of residing in a Bazaar and of occupying an existing building situate in a lot in such Bazaar of which building the applicant is the owner shall apply in person to the Superintendent for a permit so to do and if the Superintendent is satisfied that such person is a fit and proper person to reside in a Bazaar and that the applicant is the bona fide owner of such building the Superintendent shall grant such applicant a site permit accordingly. Provided only that no site permit shall be issued to more than one person in respect of any one lot and that if at the commencement of these Regulations more than one person applies for the issue of a site permit in respect of one and the same lot the Superintendent shall submit the applications for such permit to the Registrar of Asiatics who shall decide to which applicant the permit shall be issued and whose decision shall be final and provided further that the Council may at any time by resolution decide that no further Site Permits shall be granted under these Regulations in any Bazaar or in any specified portion of any Bazaar.

RESIDENTIAL PERMITS

10. Every person over the age of twenty one years desirous of taking up his residence in a Bazaar and of occupying a dwelling erected by or belonging to the Council shall apply in person to the Superintendent who may if he is satisfied that the applicant is a fit and proper person to reside in a Bazaar allow such applicant to occupy such building or allot to him a dwelling of the class for which application is made if the same is available (as the case may be) and shall issue to the applicant a Residential Permit authorising him to reside therein.

LODGERS PERMITS

11. No person other than the holder of a Site Permit who is the owner or lawful occupier of a dwelling in a Bazaar or the holder of a Residential Permit together with their wives and families being children under the age of twenty one years or unmarried daughters or bona fide domestic employees being Asiatics shall reside in a Bazaar unless he shall have first obtained a Lodgers Permit which may be granted by the Superintendent if he is satisfied that the applicant therefor is a fit and proper person and that such applicant has found suitable and fit and proper accommodation in a Bazaar.

VISITORS PERMITS

12. Any visitor to a Bazaar desiring to temporarily reside therein shall report himself to the Superintendent who may on his being satisfied that applicant is a fit and proper person issue to such applicant a temporary Lodgers Permit available for a specified and limited time according to circumstances.

PARTICULARS ON LODGERS PERMITS

13. All Lodgers Permits granted under the two preceding Regulations numbered 11 and 12 of these Regulations shall be signed by the Superintendent or an officer authorised by him and shall specify the dwelling with the name of the occupier thereof in which the lodger shall alone reside and no such Permit shall be transferable.

HOSTELS

14. The Council may by resolution and with the consent of the Minister reserve certain specified lots in a Bazaar and erect thereon suitable buildings with rooms to accommodate one or more persons each with the necessary sanitary conveniences and if thought fit, kitchen accommodation for the purpose of lodging Asiatics and for the accommodation of travelling Asiatics and all persons desiring accommodation therein shall apply to the Superintendent who may allot each applicant the whole or portion of a room as the case may be the charges for which shall be payable in advance according to a tariff to be from time to time fixed by the Council by resolution and approved by the Minister. The Superintendent shall have the right to refuse accommodation to any person he may deem undesirable and any person found occupying any room or portion thereof without permission from the Superintendent shown by the current receipt for his rent may be summarily ejected by the Superintendent.

RELIGIOUS AND EDUCATIONAL SITES

15. The Council may by resolution and with the approval of the Minister grant under lease or otherwise on such conditions as it shall think fit the right to occupy and use for a period not exceeding thirty three years any lot or lots in a Bazaar to any recognised religious or educational body for religious and educational purposes and may exempt such lot or lots from any of the provisions of these Regulations.

BUSINESS AND TRADING SITE PERMITS

16. No shop, business, factory, warehouse, or trading station shall be allowed within a Bazaar except with the approval and during the pleasure of the Council who may from time to time set apart a lot or lots in a Bazaar to be used for trading business or other purposes and may let such lot or lots either on a lease not to exceed a period of thirty three years or otherwise to such Asiatics for such periods and on such terms and conditions as the Council shall think fit; and no person shall trade or carry on any business within a Bazaar in any other

place than upon a lot or lots so set apart by the Council for such purposes; provided that nothing contained in this Regulation shall be deemed to exempt any person so trading or carrying on business from obtaining the necessary licences to do so required by Law or by the Council's by-laws, or from complying with any other provisions of any other Law or the Council's by-laws regulating trading or the carrying on of business and provided further that any such licence to trade shall *ipso facto* be cancelled and be null and void upon the termination through effluxion of time or from any other cause whatsoever of any lease or tenancy granted by the Council in respect of any lot or lots set apart as aforesaid.

(To be Continued)

News In Brief

The following Indian students arrived at Durban from Lovedale Missionary Institution on the 7th December by the *R.M.S. Walmer*:—R. D. Naidoo, I. M. Moosa, E. Dinshaw, I. M. Badat.

The following arrived at Durban on the 14th December by the *R.M.S. Windsor*:—A. Lazarus, G. Singh, J. Ramfakir, R. Parbhoo, R. Jugadoo, M. T. Padiachee, C. Gabriel, S. Soobiah, T. Soobiah.

The following boys will sit for their Junior Certificate Examination next year:—R. D. Naidoo, E. Dinshaw, I. M. Moosa, R. Jugadoo, T. Soobiah, I. M. Badat.

Estcourt Notes And News

[BY JAMES AUGUSTINE]

Ladysmith S.A.R.'s easy win against Estcourt.

The Ladysmith S.A.R. played the Estcourt C.C. on Sunday the 7th Dec. 1930, under glorious weather conditions. Estcourt batted and were out for a small score of 41 runs through the effective bowling of A. M. Samuel and Victor G. Naidoo, whose averages were Nine Overs - Five Wickets - Thirty runs and Eight overs Five wickets - Eleven runs respectively.

The S.A.R. batted and were the losses of one of their best wickets for a duck. V. A. Pillay was just digging in but was unfortunate in being caught out. A. M. Samuel who played a classical game of cricket and was good all round the wicket scored 26 runs, Estcourt's bowling was lacking and the S.A.R. had the better of it. The S.A.R. were all out after three o' clock for Sixty Six runs. Estcourt in their second inings scored Sixty Five runs. S.A.R. batted and passed the Estcourt score by three runs and declared with ten wickets and three runs.

LECTURE

AT THE

PARSEE RUSTOMJEE HALL

140 QUEEN STREET, DURBAN.

"TRAVELS IN INDIA"

By The Rev. R. CHOONOO

on Tuesday, 23rd December 1930, at 8 p.m.

South African Indian Congress

AGENDA of business to be discussed at the 11th session of the Conference to be held in Capetown on the 29th, 30th and 31st December 1930:—

1. Finance
2. Immigration
3. Transvaal Asiatic Tenure Bill
4. Condonation
5. Repatriation
6. Education
7. Licences
8. Railways
9. Labour
10. Firearms
11. Trust Deed for South African Indian Congress
12. Housing and Sanitation
13. Educated Entrants
14. Postal Services
15. Old Age Pension
16. Other Motions
17. Election
18. General.

S. R. NAIDOO & E. M. MALL,
Joint Hon. Gen. Secretaries,
South African Indian Congress.

P.O. Box 272,
Pietermaritzburg.

NOTICE

To The Indian Public

The attention of the Indian public is invited to the fact that any persons having complaints or grievances in regard to any of the following matters, namely:—

1. Railway and postal services,
2. Immigration matters,
3. License,
4. Education,
5. Firearms,

are requested to communicate in writing to their respective Provincial bodies:—

(1) Natal Indian Congress, 175 Grey Street, Durban.

(2) Transvaal Indian Congress, 6 Kort Street, Johannesburg.

(3) Cape Indian Congress, 80 Hanover Street, Capetown, or to the undersigned:

S. R. NAIDOO & E. M. MALL,
Joint Hon. General Secretaries,
South African Indian Congress,
P. O. Box 272,
Pietermaritzburg.

NEWS...

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