

Indian Opinion

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Indian Opinion

SATURDAY, MARCH 7th, 1908.

The House of Lords Debate

It is difficult, indeed, to read the published reports of the debate initiated by Lord Amphill last month, in the House of Lords, without feeling that Imperial ministers have escaped from a very bad business by the skin of their teeth. Anything more deplorably weak than the reference made by Lords Elgin and Ripon can scarcely be imagined. It is amazing, too, to find that Lord Elgin needed to be corrected by Lord Lansdowne on the question of the removal of pre-war grievances. For Lord Elgin to say that these had all been removed is a contempt for facts that we should not have looked for in a responsible Minister of State.

Lord Roberts and Lord Curzon bore splendid testimony to the excellence of the cause that they so eloquently advocated. The former was especially keenly concerned, as was natural, with the ex-military men who refused to sully their honour at the bidding of those who did not seem to realise to the full the Imperial obligations imposed upon them. Lord Curzon's speech showed him at his best. There can be no doubt that he has proved himself, in this matter, a most doughty champion of the weak and oppressed. But the laurels go to Lord Amphill. Without his supreme efforts, a magnificent opportunity of concentrating attack upon a glaring injustice would have been irretrievably lost. British Indians in South Africa should indeed revere Lord Amphill's name. He has,

in addition to his Indian experience, where he acted as Viceroy during Lord Curzon's lengthy absence, passed several years as the Governor of a self-governing colony, in a "white man's" country, preceded by a term of office as private secretary to that arch-Imperialist, Mr. Chamberlain. In these circumstances, it would be a display of ignorance to accuse him of one-sidedness or prejudice. His is essentially a mind to see both sides of the problem, and, indeed, he has proved himself to be so moderate in his vision of Imperial domestic politics as to evoke the protest of that large-hearted patriot Mr. Harold Cox, M.P.

Lord Amphill's address was a model of restrained, irrefutable argument. His logic was merciless, his language eloquent, his thought lofty. We can well conceive that rarely has such a nobly-inspired effort been excelled in the Upper House.

MUCH HAS BEEN SAID AND WRITTEN about the Indian struggle, in England, India and in South Africa. Indians have often been credited with victory in the struggle. We think that often it is a mistake to judge by results. But if it were permissible to consider good work in itself a victory, Indians may fairly lay claim to it. Attention has been devoted to the struggle not because the goal was the repeal of an Act, but it was the suffering that commanded attention. May not one then say that whenever a man has done his best in a cause he has secured victory irrespective of results?

"EDUCATIONAL NEWS," THE ORGAN OF the Transvaal Teachers' Association, publishes some startling facts about the progress in education that is being made by the native races in this sub-continent. They have already collected £23,000 among themselves and expect to have £50,000 in all to start with. The collections include contributions from European friends also. With this very decent sum of money they propose to establish a college. The same journal gives instance of brilliant progress made by individual natives in acquiring education. No lover of South Africa can help welcoming this sign of the times. It is only those who live for the present and for themselves only can be alarmed at such healthy growth. A little thought must show that if the natives have a right to remain and prosper in South Africa, it can only contribute to its general advance-

ment, if the natives are well equipped for the battle of life. What, then, are we doing? The natives have decided to educate themselves, whether with or without Government help. Will passive resisters please note that, if they are true to their professions, they must take up this difficult question of education without a moment's delay? Passive resistance presupposes refinement, culture, and discrimination. There is no more powerful instrument for acquiring these than education. And it cannot be gainsaid that Indians throughout South Africa have to make up for much leeway in this direction.

IF THE IMPERIAL GOVERNMENT AP-
pears to be unable
to appreciate the
merits of British In-
dians in British col-
onies, it would seem

that the German Government is undoubtedly glad to welcome British Indians into German colonies. Herr Dernburg, the German Colonial Secretary, during a debate on the Colonial Estimates in the Reichstag on Tuesday, the 26th ulto., is reported to have declared that the Indians were absolutely necessary for the prosperity of the colony of German East Africa. They carried on business in a small way and, therefore, did not compete unfairly with the storekeepers, whilst they were industrious and thrifty and gave the authorities little or no trouble. On a previous occasion, Herr Dernburg had denied that British Indians are usurious towards the natives. It is biting irony to find that the good points of British subjects are recognised so boldly and their presence advocated so warmly by a leading Minister of a Foreign Power, whilst these same British subjects are regarded as a plague and a nuisance in colonies belonging to the very Empire whose name depends upon its inclusion of India. Perhaps this is a variant of the old saying that no-one is a prophet in his own country, but variants of that sort tend to create a very great amount of friction between the Imperial Government, the colonies, and the people of India. We say the people of India advisedly, for it would seem that the people of India have better gauged their own indignant feelings than the Government of India which was presumed to speak for them. It is devoutly to be hoped that the lesson taught by Herr Dernburg will be well-considered by responsible British Ministers, and especially by those who have had the advantage and the privilege of serving for a term of years in the capacity of Viceroy of India.

My Gaol Experiences

By M. K. Gandhi

[SPECIAL TO INDIAN OPINION]

Many friends have asked me to reduce to writing my experiences of the gaol life, all too brief though it was. There were certain things that came under my observation which might be of advantage if they were put in a more or less permanent form. Believing as I do firmly that incarceration may often be the means of opening the gateway to freedom, liberty, and reform, the experiences I am about to relate may not be profitless to those who do not mind, for the sake of a principle, suffering some inconvenience, or, at any rate, restraint on their personal liberty.

It was on the 10th of January, 1908, in the afternoon of a Friday, that Messrs. P. K. Naidoo, C. M. Pillay, Karwa, Easton, and Fortoen (the latter two Chinese) and I were sentenced to be imprisoned for two months, without hard labour, for the crime of not having taken out our registration certificates under the Asiatic Law Amendment Act. I was the first to be tried at Johannesburg, and, after receiving my sentence, and after having been detained for a few minutes at the prisoners' yard attached to the Magistrate's Court, I was asked to get into a cab, to which I was stealthily taken in order to evade the enormous crowd that was waiting outside the Court-house, and was quickly driven to the Fort. Many were the thoughts that came surging through my mind as I was being driven. Was I to be specially treated as a purely political prisoner? Was I to be separated from my fellow-prisoners? Was I to be taken to the Johannesburg gaol at all? To my very great relief I was soon disillusioned. I was not to be separated from Mr. Naidoo and others who were tried with me, nor were we to receive any special treatment. At the same time I was a little unprepared for what followed. We were all first taken to the reception room, as the room which is used for measuring and dressing prisoners is called. There we were weighed and totally undressed. We were given non-labour clothes to wear, consisting of trousers, shirt, jumper, cap, socks, and a pair of closed sandals. We were all required to give our digit impressions, and at about four o'clock marched to our cell with eight ounces of bread for our evening meal.

Classification of Asiatics with Natives

The cell was situated in the native quarters, and we were housed in one that was labelled "For Coloured Debtors." It was this experience for which we were perhaps all unprepared. We had fondly imagined that we would have suitable quarters apart from the natives. As it was, perhaps, it was as well that we were classed with the natives. We would now be

able to study the life of native prisoners, their customs and manners. I felt, too, that passive resistance had not been undertaken too soon by the Indian community. Degradation underlay the classing of Indians with natives. The Asiatic Act seemed to me to be the summit of our degradation. It did appear to me, as I think it would appear to any unprejudiced reader, that it would have been simple humanity if we were given special quarters. The fault did not lie with the gaol authorities. It was the fault of the law that has made no provision for the special treatment of Asiatic prisoners. Indeed, the Governor of the Gaol tried to make us as comfortable as he could within the regulations. The chief warder, as also the head warder, who was in immediate charge of us, completely fell in with the spirit that actuated the Governor. But he was powerless to accommodate us beyond the horrible din and the yells of the native prisoners throughout the day and partly at night also. Many of the native prisoners are only one degree removed from the animal and often created rows and fought among themselves in their cells. The Governor could not separate the very few Indian prisoners (It speaks volumes for Indians that among several hundred there were hardly half a dozen Indian prisoners) from the cells occupied by the Native prisoners. And yet it is quite clear that separation is a physical necessity. So much was the classification of Indians and other Asiatics with the Natives insisted upon that our jumpers, which being new were not fully marked, had to be labelled "N," meaning Natives. How this thoughtless classification has resulted in the Indians being partly starved will be clearer when we come to consider the question of food.

Description of the Cell

The cell in which we were placed was legally capable of holding thirteen prisoners, so that there was, naturally, sufficient accommodation to start with. It was a novel sensation to be locked up at half-past five. The cell was a galvanised-iron construction, fairly strong, though none too strong for prisoners bent on escaping. There was, perhaps, fair ventilation. But two small windows at the top, half open, and apertures in the opposite wall hardly reach modern requirements, though I was assured that these cells were the best ventilated of all the prisons in the Transvaal. There was electric light in the cell, but the only lamp in it was not strong enough to do any reading with any degree of comfort. The light was switched off at eight o'clock in the evening and was spasmodically switched on and off during the night. A bucket of water and a tin tumbler was our ration of water for the night. For natural convenience a bucket in a tray with disinfectant fluid in it was placed in a corner. Our bedding consisted of wooden planks fixed to

three-inch legs, two blankets, an apology for a pillow, and matting. At our request, the Governor ordered a table and two benches to be placed in the room for writing purposes.

The Meals

The cell was opened at six o'clock, and with the day began our first meal. For the first week we were served with twelve ounces of "mealie pap." Most of us had more of the spoon than of the porridge for the first breakfast. Neither the Chinese nor the Indians were at all in the habit of taking mealie porridge, especially as it was without any milk or sugar. The following is the scale for non-labour native prisoners for the first week: breakfast daily, twelve ounces of mealie porridge; dinner, Monday, Wednesday and Friday, twelve ounces of beans; Tuesday, Thursday, Saturday and Sunday, one quart of mealie porridge; supper daily, four ounces of crushed mealies and one ounce of fat. Indian prisoners, however, get instead of crushed mealies, four ounces of rice and one ounce of ghee (clarified butter). This diet was hardly satisfactory, not because it was not palatable but because it was not a diet at all suitable for the Asiatic constitution. The Chinese fared worse because they had the entire native scale and therefore no rice. For the first few days, for most of us, it meant practically starvation. Even when we got over the natural repugnance, it was a diet that constipated some of us and gave diarrhoea to the others; but we were determined to go through it and not to ask for any favours or concessions. We felt that it was for the Governor to move and see that a more suitable diet was issued to us. When, therefore, the Governor enquired whether we had anything to say regarding diet, we simply stated that we did not wish to ask for any concessions, though the diet was not suitable. For the second week the scale was a little relieved by the addition of eight ounces of potatoes or vegetables to the dinner when it consisted of mealie porridge, and on Sunday twelve ounces of meat were also added; but, as most of us were either vegetarians or could not take the meat as it was not religiously cut, we had one pound of vegetables. This diet, however, did not last long.

(To be continued.)

RULING BY KINDNESS. The average Englishman in India has not yet realised that it is easier to rule by kindness than by harsh measures, writes "Verb Sap" in the *Ceylon Independent*. If England is anxious to hold her Indian Empire, she must introduce a regime of kindness and sympathy, otherwise India, sooner or later, will rise again. There are unmistakeable signs of the coming cataclysm in the great unrest all over the land. Sympathy will dispel this unrest for ever; tyranny and harshness will only kindle it into flame.

The All-India Conference

Speech by Mr. Omar Haji
Amod Johari

At the All-India Conference held at Surat, Mr. Omar Haji Amod Johari, addressing the Conference, said:—

Worthy President, Ladies & Gentlemen:—

Taking advantage of a golden opportunity afforded to me, I stand here before you to present a real picture of all the sufferings that our Indian brethren are undergoing in Transvaal by the recently passed Act. You all are aware, Ladies and Gentlemen, that our Indian brothers have been residing in Transvaal from the year 1881. Severe restrictions were imposed upon the Indians by an Act passed by the Dutch Government in 1885, but the Act was not enforced because of the fear of the British Government. Self Government being granted to the people thereof, the Indians expected that their condition would be improved. But the first Act of the Transvaal Parliament resulted in augmenting their grievances. The very Act, rejected by Lord Elgin, the Secretary of State for the Colonies, has been passed into a Law by the Transvaal Parliament in so short a time as 24 hours. When the Supreme Government had prevented the Ordinance Act being put into force, the Indians hoped that the conditions would be improved, but when it was sanctioned our sufferings knew no bounds. In a short speech in London, General Botha had expressed the hope that the new Act would not be rigidly enforced; but his words were not acted upon. By this Asiatic Act, every Indian above the age of 8 years, whether he be our Grand Old Man Mr. Dadabhai or any other leader of the Congress, has to get a certificate bearing the marks of 10 fingers. Even a policeman is empowered to stop an Indian on the way and ask for a certificate. This act is equally enforced even on the rich Indian merchants whose simple word or bare signature is a sufficient proof of their credit in the transactions of thousands of pounds. One of the rules of the Act applies to the Muslims of Turkey while exempting at the same time the Jews and the Christians thereof. What a noble piece of justice! Such an attitude from the Dutch may be explained away somehow or other; but the Indian must enjoy full protection under the banner of the British Government. In spite of the Indians paying a large amount of taxes; they are prohibited from a seat in the municipal trams and in certain railways. By the addition of the Immigration Restriction Act other insults are laid upon the already overburdened poor Indians. One of the clauses gives the Transvaal Government power to deport a person who does not get himself registered accord-

ing to the Asiatic Registration Act or who advises others to do the same. Indians do not ask for a municipal vote or such other political rights, in order that they may not injure the feelings of the British Colonists. The only thing they want is mere justice. Every sort of rights is granted to a European of whatever country or creed, no sooner he enters the Transvaal territory. While the loyal Asiatics are in no way cared for by any. The saying that the Indians and the British are alike is not observed in the least in these colonies. The Anglo-Indians here get soon irritated at the boycott movement of ours; but the treatment meted out by the Englishmen to the loyal, poor, and helpless Indians, is in no way inferior to the boycott. Because the Asiatics are industrious and economical, they are counted upon as dangerous rivals, and severe regulations are enacted against them. Some of the Europeans have resolved upon stopping all business with those Indian merchants who do not get themselves registered. They have no right to possess land or any other immovable property though the natives thereof are allowed to do so. It is totally groundless to say that the Transvaal commerce has suffered through the Indian merchants because even the state of commerce in Orange River Colony, where there are no Indian merchants, is worse than that of the Transvaal. Such compulsory registrations as are imposed on the Asiatics in the Transvaal are only meant in other countries for thieves and suspected persons. Their feelings have been so much injured by this new Act that they have resolved upon undergoing any sort of punishment, such as fine, imprisonment or deportation, rather than endure such a bondage at the expense of their honour and position. It has been notified in the Transvaal Government *Gazette* that those Indians who would not get themselves registered according to the new Act would not be granted new trade licences from the month of January. Just a few days ago, it was published in a paper, that a Chinese, after getting his name registered according to the new Act, so much repented of his folly that he committed suicide. Ladies and Gentlemen,—if this new Act be enforced, many respectable Indians will have to bid farewell to that land, even at a great loss. Thirteen thousand Indians had permits when they first began to protest against this Act in September, 1906. Seven or eight thousand Indians have preferred leaving that country to bearing such a slavery. By this Act the honour and wealth of Indians are at stake. What a gross injustice it is to imprison or deport men who have neither injured anybody nor acted against the law! To please the Government, the Indians asked for voluntary Registration, but the request was rejected. We do not ask the Government to admit Indians in large numbers, but what we want is justice

for those who have settled there already. The Indians have asked in a constitutional manner, when they applied for justice, by sending petitions and holding large meetings. When these means have proved useless they have resolved to go to gaol or to leave the country by undergoing great loss. The Europeans have begun these persecutions even though there are not more than 13,000 Indians. We, therefore, fear what would be our plight if the Europeans in Natal, where the number of Indians amounts to a hundred thousand, follow the Transvaal Government. The chief reason why we fight against this law is that the Indians are put on the same level with the uncivilized, culprits, liars, and vagabonds. The Indians deserve the credit of converting such a desert land into a prosperous and thriving country. The Indians who have undertaken to vindicate their rights, have resolved to fight to the last. Some four hundred weak-minded, avaricious and timid Indians have signed this bond of slavery while the rest have preferred to leave that country for the sake of their national honour. Mr. Gandhi deserves every credit for the great trouble he takes to save the Indians from such a bondage. Now, I appeal to you, Indian leaders, to try your best to get this new Asiatic Act repealed by applying to the Supreme Government. I have not the least doubt that these few facts have produced in you feelings of sympathy towards your Indian brethren in the Transvaal. But that would be true sympathy which would make you try your utmost to free your brethren from these grievances.

A Resolution

The following resolution was adopted:

"This Conference places on record its deep indignation at the indignities to which the Asiatic Registration Law of the Transvaal subjects the Indian residents of that Colony and it expresses its keen disappointment that His Majesty's Government did not disallow the enactment in spite of the express reservation of such powers in the constitution granted to the Transvaal. The Conference deeply sympathises with the Transvaal Indians in the unequal struggle which they are bravely carrying on to vindicate their self-respect and the honour of their country and it expresses its warm approval of the course they have taken as the only honourable one open to them in the circumstances. This Conference earnestly presses upon the Government of India the urgent necessity of adopting effective measures of retaliation against South Africa in general and the Transvaal in particular."

"CONTEMPORARY REVIEW." The *Contemporary* for January has an article over the signature "Benjamin Aitken," on "The Coming Famine in India," in which gruesome details are given of the unscrupulous pilfering and heartless carelessness which take place in famine camps, and for which Indian camp servants are blamed.

Registration Notes

[SPECIAL TO INDIAN OPINION]

Up to Saturday last, over 3,100 applications for registration had been received. On Monday, the receiving of applications from the Chinese was completed, a total of 946 applications having been made. This has considerably relieved the congestion at the Von Brandis Square Office by releasing registration officials for work there. Registration Certificates have been coming to Johannesburg in much larger numbers than heretofore. I understand that a large extra staff has been engaged to investigate the claims for registration, in Pretoria, with the pleasing result above referred to. On Monday, also, a new record was created, 356 applications being received, including 156 Chinese. Altogether, up to Monday, not less than 3,801 applications had been received. On Monday, too, after many interviews with Mr. Papenfus, the Commissioner of Police, the last of which took place on Sunday afternoon, the Pathans and Panjabis who were entitled to register decided to make application. About 30 of them appeared at the Von Brandis Square Office, each giving one thumb-impression with the necessary particulars on the application form. This has cleared away the last difficulty, and there is no longer any section of the Chinese or the Indian community standing out of the arrangement agreed to between the communities and General Smuts. Mr. Papenfus has been indefatigable in his efforts to induce the recalcitrants to come into the fold. They did not come exactly like lambs led to the slaughter, but they did what was required of them, nevertheless, as circumstances permitted. There was very little friction. The applications received on Tuesday amounted to another 175, including two Chinese and several Pathans. The pressure in Johannesburg seems to be increasing now that all the Chinese applications have been cleared off and, in all probability, by the end of the present week the large bulk of applications will have been received. In that event, it is proposed to open a registration office in Pretoria on Monday or Tuesday next, and simultaneously in the other parts of the Transvaal. A couple of officials will be left in Johannesburg to deal with the stragglers and to issue registration certificates to those who have applied for them. The work is going on very smoothly, and there have been no untoward incidents. Every possible assistance is being given by the officials of the British Indian Association.

The number of applications on Wednesday totalled 160, of which three were Chinese.

The rumor circulated that some 600 applications had been refused is absolutely untrue. The facts are that some application forms, being incomplete, have been returned to Johannesburg for completion.

The Transvaal Delegates to the National Congress

Text of Statement

The following is the statement of the Delegates appointed by the British Indian Association to represent the British Indians of the Transvaal at the last Session of the National Congress:—

The question that, among many others, the Congress has to consider as affecting British Indians in the Transvaal is, in the humble opinion of the Transvaal Delegates, perhaps one of the most important that can engage the attention of the National Assembly.

Hitherto, resolutions have been passed, year after year, in connection with the position of British Indians in South Africa for which they have felt very grateful, but it will be seen that this time, instead of discussing the whole South African question, the Delegates have confined their attention to the problem in the Transvaal. A resolution regarding South Africa as a whole should, undoubtedly, be passed, but specially prominent consideration should be given to the Transvaal. It is there that the future fate of Indians who may desire to migrate out of India must be decided.

The Delegates refrain from entering into the details of the Asiatic Registration Act, ghastly though they undoubtedly are. Much has been said about finger-prints and other humiliating incidents of this legislation, but the pivot upon which the whole Asiatic position has turned is the underlying motive of the Act. Read as a whole, the Act is calculated to assign to British Indians a status lower than that which they hitherto occupied in the Transvaal, lower, indeed, even than that of the Natives of South Africa. It is not registration that British Indians have objected to, but it is the manner of it. This Act will reduce even little children to utter impotence, will take away every spark of courage and self-respect from them. The only reason why children of eight years and over are subjected under the Act to humiliating identification and registration is because every Indian, under the Act, is presumed to be guilty, unless he can prove himself to be innocent. It brushes aside all past promises of British Administrators, from Lord Milner downwards. In a word, it reduces Indians to a state bordering on slavery and it is a test legislation. If it is accepted by British Indians in the Transvaal, it will form a basis for similar legislation, not only in South Africa, but throughout British Colonies and Foreign Territories. Indeed, the other day it was suggested that as the Transvaal Government had passed the Asiatic Registration Act, there was no reason why German West Africa should not follow suit.

The Delegates hold that, if migration from India is to continue and is

to be encouraged, and if the emigrants are to become what emigrants belonging to other nationalities have become, the first condition is that they should be treated as men, and that they insist on such treatment. Otherwise, every such Indian going out of India is, in the opinion of the Delegates, so much loss to the Mother country.

The Imperial Government, although they recognise the entire justice of the British Indian cause in the Transvaal, have deliberately abandoned it to the tender mercy of the Local Government, simply because the Indian community represents the weaker party. That being so, Indians have decided not to submit to the Act and to suffer all the consequences of its breach, that is to say, they have been trying the experiment of helping themselves. It has, so far, proved successful. Out of thirteen thousand Indians, less than four hundred have accepted the Act, and that, too, under illegitimate pressure exercised either by the white employers or by white suppliers of goods. Of the others, many who were not strong enough to risk imprisonment and similar hardships have come back to India, suffering very great pecuniary loss. Over six thousand are carrying on the struggle against enormous odds. An Indian priest has already suffered imprisonment for the sake of his nationality and his religion. The case excited the sympathy of many prominent Europeans, as also of the Court that tried it. Sober, industrious and docile Indian merchants have led the agitation, which includes hawkers, domestic servants, and such others, so that the very fact of such unexampled unanimity shows how hard must be the lot of Indians who have been offering opposition to the Act. Hindus, Mahomedans, Parsis, and Christians, Tamils, Hindustanis, Gujaratis, and Panjabis have made common cause, because all are equally served, and all come under the category of the term "coolie."

It is, therefore, hoped that the Congress will take up the subject very seriously and actively. Indians in the Transvaal have appealed to all parties and all sections. Theirs is not a political struggle, but a struggle for mere existence in a manly way. Our appeal has hitherto found response from men representing all shades of opinion and from all parties, and the Delegates trust that the same measure of support will be continued.

The Delegates will be glad to give information to all who may care to study the question.

OMAR HAJI AMOD JOHARI,

AMMEEROODEEN MAHOMED

HOUSEN FAGANDAR,

HAJI EBRAHIM HAJI AHMED

DINDAR,

AHMED SULEMAN COOVADIA,

SULIMAN MAMOOJI CASMOD,

Delegates from the Transvaal.

67 Deacons St., (A. 241),

Johannesburg, 24th December, 1907.

"An Imperial Crisis"

Sir W. Wedderburn and Sir M. Bhow-naggee at the New Reform Club

Under the above heading, *India* of the 31st January, publishes the following special report:—

At the New Reform Club on Tuesday evening a discussion on the position of British Indians in the Transvaal was opened by Sir Mancherjee Bhow-naggee, K.C.I.E. The audience included members of the Club and a considerable number of Indians. In the absence of Lord Monkswell, who was unable to be present, Sir William Wedderburn took the chair.

SIR WILLIAM WEDDERBURN said that the matter had already been before the political committee of the Club, who had expressed themselves as favourable to the Indians and had addressed a letter to the Colonial Secretary asking for his serious consideration of the question. As chairman he would endeavour to maintain an impartial position and would leave to Sir Mancherjee Bhow-naggee the task of presenting the case for the Indians in the Transvaal. Sir Mancherjee had made the subject quite his own and had continued with great ability and diligence to urge upon the British public and the Government the rights of his fellow countrymen in South Africa. The relations existing between the self-governing colonies and the United Kingdom appeared to him to be of a confusing and unsatisfactory character. He was one of those who had highly approved of self-government being given to the Transvaal, but he thought the duty of the Transvaal was to govern the colony in such a way as not to damage the Empire. In the present case the allegation was that they were damaging the interests of the Empire and causing extreme dissatisfaction among the great population of India. In his view we had good reason to ask the colonies to treat our feelings with consideration. We maintained in South Africa for their defence a force of 20,000 men at an annual cost of three millions. We incurred all the responsibilities and risks involved in the defence of the colonies and the colonists themselves contributed very little. According to the wisdom of our forefathers, he that paid the piper should have the right to call the tune; but in this case the colonists were calling the tune. He could not help feeling that the present method of treating Indian residents in the Transvaal was very much out of harmony with the traditions and principles of the British Empire. To belong to the British Empire was the very highest privilege, and if the colonies desired to preserve their membership of the Empire they must abide by the principles upon which it had been established.

SIR MANCHERJEE BHOWNAGGEE said that the invitation to him to address the New Reform Club was a proof that when the real interests of the Indian people were concerned no political differences were allowed to prevent them from joining hands. The treatment of Indians under the Boer Government began as far back as the early eighties to be of an oppressive character. They were aware that it was assigned as a prominent reason for the war. Lord Landsdowne, speaking as Foreign Minister for the Government of the day, had asserted that nothing in the misdeeds of the Boers had produced in him greater indignation than their treatment of British Indians. He (the speaker), unlike the chairman, had given his vote in favour of the war. The one impelling motive that had induced him to do so was his impression of the tyranny of the Boer Government in its treatment of Indians. Therefore he of all people had the greatest right to complain that the redress promised by the British Government had been unjustifiably withheld. After the war Mr. Lyttelton, then Colonial Secretary, had reminded Lord Milner of the British complaints. Lord Milner had given a distinct pledge when the Registration Act was enforced that the tax then imposed would be exacted once only and that the Indians in the colony would not be required to register again. When the Indian deputation, led by Mr. Gandhi and Mr. Ali, came to England to present their case against the Ordinance, he (the speaker) raised a doubt whether the Imperial Government would be able to bring the new colonial Government into line on this question. But Mr. Gandhi, who was now suffering for his leadership of the agitation, had expressed his conviction that the Transvaal would never dare to oppose the Imperial Government. This faith had been belied. The very first Act placed by the Transvaal Legislature upon the statute book—a statute book begun in dishonour thereby—was this anti-Asiatic law, divested of all modifications and imposing humiliating conditions upon the Indian subjects of His Majesty. He advised that the great claim for equality to all subjects under the British flag should be put aside for the present in order to concentrate effort in preventing the outrageous legislation of the Transvaal Government from coming into final operation. In the concluding part of his address the speaker dealt severely with the recent speech of General Smuts on the question and referred to Lord Elgin's statement that the Government of India had been consulted before the Transvaal legislation had been sanctioned. On this point he hoped that there had been some mistake, for the Government of India was the custodian of the Indian people's rights. The matter had reached the stage of an Imperial crisis: if allowed to continue, it would become an Imperial danger.

Our Indian fellow subjects could no longer feel any confidence in the pledges of the Imperial Government to protect them. The Colonial Secretary's plea that the Imperial Government could not interfere with the legislation of a self-governing Colony was flimsy. If Lord Elgin was correct, the Indian Government had, after a pious expression of unwillingness and hesitation, sanctioned hideous legislation against the very people whose rights and privileges they were supposed to protect. With their implicit faith in the Imperial Government the people of India had remained silent, but they were beginning to be distrustful of the promises that were always being made, and this distrust was not a work of mere agitators. The crux of the whole question was whether or not the Indian was to be denied the rights and privileges of the white man and be put on an inferior plane. It would be a serious thing for the Government if, in a matter of such vital importance, it expressed either its helplessness or unwillingness to protect him.

Mr. RITCH, Secretary of the South Africa British Indian Committee, stated that the opposition of the colonists to Asiatics was based upon colour prejudice and the fear of trade rivalry from a frugal and intelligent race. The legislation with its degrading conditions was intended not merely to restrict immigration, but to drive all Indians out of the colony.

Mr. J. M. PARIKH moved and Mr. S. K. RATCLIFFE seconded the following resolution:—

"That this meeting, having considered the legislative measures of the Transvaal Parliament directed against our British Indian fellow-subjects lawfully resident there, considers them to be highly oppressive and degrading, inconsistent with the spirit of the British Constitution, and violating the repeated pledges given to them for justice and fair play, and therefore resolves to represent to the Prime Minister that the Imperial Government should intervene in regard to the same."

Mr. MAHOMED ALI JINNAH (Bombay), speaking especially on behalf of the Moslem community, said that Indians of all classes were united in their protest against the humiliating treatment of their countrymen in the Transvaal. At Surat a great meeting composed of delegates and visitors from all parts of the country had passed an emphatic resolution, and since then protest meetings had been held at Lahore and other places.

After other brief speeches the resolution was put and carried unanimously.

"THE ORIENT REVIEW." A new quarterly has appeared entitled *The Orient Review*; it is devoted to matters of Oriental interest and the first number contains, among other useful contributions, an article by Haidi Haidi, of the young Turkish party, on reforms in the Ottoman Empire.

Indians in German East Africa

A Word of Praise

The *Rand Daily Mail's* London correspondent, telegraphing on the 19th ulto., states:

During a debate in the Reichstag last night, Herr Dernburg, the Colonial Minister, made an important statement with reference to the future of German East Africa.

In the course of his speech, he declared that the colony would become a source of considerable wealth to the Fatherland. Its resources had hitherto been merely scratched, but as soon as the necessary capital had been obtained to enable development to proceed the trade of the colony would steadily increase.

Proceeding, Herr Dernburg said that the Government's object was not merely to make money out of the colony, but it desired to develop civilisation there. It would endeavour to win the confidence of the natives, and show them the advantages they enjoyed through being under German protection.

It would be the duty of the Government to put a stop to the ill-treatment of natives by the farmers. If the right of the farmers to flog their black servants were maintained the natives would be driven into British territory, where the labour conditions were more favourable.

Herr Dernburg then dealt with the Asiatic question. He said he had nothing but praise to bestow upon the British Indians who had settled in German East Africa. These men were sober, law-abiding, industrious and thrifty, and had proved themselves most useful members of the community. The allegation that the Indians impoverished the natives by lending them money at usurious rates of interest was absolutely untrue. The speaker assured the House that if the Indians were expelled from the colony the result would be a general decline of trade.

A Suggested Solution

Commenting upon the attitude of the Transvaal Government before the settlement *The Beharce* (Bankipore) says:

About the best solution of the problem in so far as it relates to the Transvaal, that has been hitherto offered, seems to contain in the suggestion that the Transvaal should be included within the Indian Empire, so as to place the Government of India in a position to look after the rights and welfare of its own subjects. The suggestion taken as a whole may be impracticable, but it indicates a way to rearrange the Colonial policy in a more satisfactory manner. What is needed is that in Colonies where a

large number of Indian emigrants have settled for life and are carrying on trades, etc., the Government of India should have a voice in the Colonial administration so far as it concerns the settlers. The Colonial Government and the Colonial Secretary have proved themselves almost hopelessly unable to properly deal with the question, and consequently it would be risky to let the burden remain on their shoulders. We remind the Government of England that the British Colonies are carrying the colour problem to the farthest limits of endurance on the part of the coloured races.

At the Heart of the Empire

A Monthly Survey

London, February 1, 1908.

(Concluded)

A Journalistic Sensation

We are getting used to surprises now-a-days, but the news, made public early in January, that the venerable and venerated *Times* had fallen into the hands of the Yellow Press, and that "the greatest hustler I have ever known," as Mr. Chamberlain described Mr. C. Arthur Pearson, was to be its controlling spirit, absolutely made one gasp. No greater contrast could be imagined than the manner in which the news of the day is presented by the *Times* and by, say, the *Daily Express*. To think of both journals being under the same control seemed impossible. "How are the mighty fallen!" we exclaimed, for though from time to time we all like to find fault with the *Times* in its policy or opinion, we none the less respect it as an honourable British institution—with the virtues and failings of a British institution—and value its news service as unapproached in excellence. There is no doubt that the *Times* holds the foremost position in the world of newspapers, and to see it fall from its high estate will be a matter of extreme regret. However, the negotiations are not yet completed, and, as an old friend of mine who is familiar with the inner workings of the paper observed to me the other day, "one or two awkward shareholders can prove serious obstructions."

The paper was first published in 1785 by a John Walter, now known as "the First," under the title of the *Daily Universal Register*. The same John Walter the First found himself not only in pillory but in prison when, in 1789, the year after the title of the paper had been changed to *The Times*, he censured the Duke of York, son of King George III., and was very independent and vigorous in the expression of his opinions. A further term of imprisonment was also suffered by this intrepid journalist. Under

his lineal descendants the paper grew in power and influence. It espoused the cause of Queen Caroline against George IV., helped largely in the repeal of the Corn Laws, brought truth to light about mismanagement during the Crimean war, and rendered many public services. It now looks as if the "national institution," which once aided Liberal reforms, is now to be given over into the hands of the Protectionists.

The Attorney-General

Last month I recorded the notable fact of the marriage of the Lord Chancellor during his term of office. Sir John Lawson Walton had a connection with South Africa, for his father, the Rev. John Walton, M.A., of Grahamstown, was President of the Wesleyan Conference for Great Britain and South Africa. His success at the Bar was both rapid and great, and he entered Parliament, as a Liberal member for South Leeds, in 1894. When Sir Henry Campbell-Bannerman was forming his Ministry in December, 1905, Mr. Lawson Walton was appointed Attorney-General and knighted. He has always been remarkable for his keen, logical mind, and under a gentle exterior there was hidden a very strong personality. To everyone with whom he came in contact, high or low, rich or poor, Sir John always showed that courtesy of manner for which he was noted; he had a smile and a cheery word for all; little wonder that he was a favourite wherever he went. The tributes paid to his memory and the sorrow felt over his sudden death, both in legal and political circles, have been extremely touching; he is a great loss both to the Bench and to the Government. A story of his skill in cross-examination has become one of the traditions of the Bar; it was in connection with his last great case, the West Ham Guardians. He was examining a dealer in condensed milk. "I believe you sell milk," said Lawson Walton, quietly. "I do," was the reply. "Then, of course, you know something about agriculture?" "No," replied the witness. "I——" "Oh," chimed in the barrister, "I see; you are one of those dealers who don't get their milk from agricultural sources." The Court was convulsed, and the unfortunate witness was reduced to a state of chaos.

OBSERVER.

A COLONY FOR INDIANS. Mr. Winston Churchill, speaking at a dinner of the British East African Association on the 25th ulto., said he hoped it would be possible to propose to Parliament to extend the Uganda Railway to Lake Albert. He dwelt upon the openings for colonising and for the enterprise of Indians, but declared that racial complexities such as existed in South Africa must be avoided. —REUTER.

House of Lords Debate

On the Transvaal Situation

The following is the *Times* report of the Debate in the House of Lords on the 4th of February:—

LORD AMPHILL said he had given notice "to call attention to the treatment of British Indians in the Transvaal, and to move for papers," and he thought that, in spite of the altered circumstances of the case, it was desirable that the compromise arrived at should not pass unnoticed in Parliament. He was sure the House would be willing to congratulate the Transvaal Government on their courageous and statesmanlike action. It was courageous because the concession was offered at a time when it required the highest courage to make it. It was statesmanlike because by it the statesmen of the young colony had demonstrated their appreciation of the cause of Imperial unity, and had recognised that Imperial considerations were paramount above the local interests of the colony. He thought they might also congratulate the Indian natives in the Transvaal, because the courage, unity, and consistency with which they had pursued their end were not less admirable than the moderation and modesty with which they had put forward their demands. They might also congratulate his Majesty's Government on having escaped a great danger, the danger of having the heavy responsibility for a vital injury to the Empire at large and a mortal affront to its loyal subjects in India. The issue of the Blue-book at the beginning of Parliament was, he held, an invitation to criticize the Government's policy. Was it inevitable that the Government should have allowed such a situation to have arisen as that which existed in the Transvaal Colony a week ago? Briefly, the situation was this—200 British Indians were in gaol, 30 had been ordered to leave the colony, 20 more had been warned, 3 were in the Chinese gaol, and 13,000 of His Majesty's loyal Indian subjects were prepared to sacrifice everything that a man held valuable in life, personal prospects and worldly possessions, and to face even exile and actual starvation, rather than sacrifice their individual and communal self-respect and submit to a law which they regarded as humiliating and oppressive. No one who had made himself acquainted with the subject could doubt that the Indians were reasonable in their objections to these regulations. They had, moreover, the declarations of successive Ministers of the Crown in this country that the disabilities which were imposed on the Indians were such as could not be regarded as fair and just in this country. The growing feeling of indignation in India culminated in the great meeting at Bombay where the unusual spectacle was presented of Hindus, Mahomedans, and Parsees all united in a common object and protest, and headed by such a man as His Highness the Agha Khan. He was not going to blame the colonists—he appreciated to the full the local difficulties of the situation; but he blamed His Majesty's Government for having allowed the situation to reach such an alarming pitch, and his object was to ascertain from the Secretary of State for the Colonies whether he could adduce any proofs, by the publication of further papers or otherwise, that he was not justified in holding the Government responsible. Thus far the only explanation they had received from members of the Government was that it was impossible to interfere with a self-governing colony. He protested against the misuse of the word interfere; for if by interference was meant the insistence by the Mother Country on the rights of individual citizens of the Empire, we were as much justified in interfering with a self-governing colony as we were in interfering with foreign nations in such case, as we often did. He challenged Lord Elgin to say whether, if the Transvaal Government decided tomorrow that the registration of Coloured natives had to cease, His Majesty's Government

would not interfere. Self-government should not have been given to the Transvaal colony until the question of the position of British Indians had been settled. The matter was at that time ripe for decision, it had come to a head, and it would seem to have been impossible to ignore it. What manner of statesmanship was that which did ignore it? The belief of many people in this country was that self-government was granted in order that Chinese slavery might cease; why, then, was Indian slavery ignored? He used the term advisedly, for members of the Government and their supporters had defined as marks of slavery identification by finger prints, inability to hold fixed property, and relegation to compounds. Had the cry of Indian slavery been raised in this country, it would not have been one devised by mountebank politicians and party wire-pullers, but a spontaneous cry from the hearts of the people. Nobody denied the right of the colonists to manage their own affairs, but they must remember that they were partners in a great Empire, and that their interests must not be pursued in such a manner as to injure the other partners.

We had a right to insist that the Imperial point of view should be considered; and the Imperial point of view required that for the safety and honour of the Empire British citizens, whatever their colour, should be treated as such. British citizens ought not to be oppressed and degraded. (Hear, hear.) They ought to receive fair and even generous treatment wherever the British flag flew. (Cheers.) The pledges given by the Sovereign and the British Government should not be disregarded by British citizens in any part of the British Empire. This Imperial point of view was not based upon humanitarian or sentimental grounds, but on very practical considerations—namely, the peace and contentment of all the peoples united under the British Crown. (Hear, hear.) If the Colonies were inadvertently to get us into trouble with India, they would do us as much, or even more, harm than if they got us into trouble with foreign nations. Our colonial statesmen could not be so familiar with all the great emergencies that arose as the Ministers of the Imperial Government, because they had not the same information and were not brought into the same relation with all the other parts of the Empire and with foreign nations. Therefore, it was the business of Imperial statesmanship to explain these considerations to the Colonies. Why was this not done at the Imperial Conference last summer, when all the Colonial Premiers were here? (Hear, hear.) Was there anything in the Blue-book just issued to show that any attempt was made to explain to the Transvaal authorities the principle and the details of the question to which objection had been taken? The Blue-book showed that a very negative part was played by His Majesty's Government. As to the registration of finger prints, why did not His Majesty's Government refer to the Indian Government and ask what system was adopted there? Instead of that, they allowed the Transvaal Government to tell them what they thought the practice was in India; and the Transvaal Government told them wrong. (Hear, hear.) In India the thumb and forefinger of the left hand only were registered; the ten-finger system was confined in India to criminals alone. When His Majesty's Government gave the Transvaal a Constitution, why did not they make a bargain? What was the object in Clause 39 of the reservation to the Imperial Government of questions relating to Asiatics? The extraordinary spectacle was disclosed by this Blue-book of this young colony holding a pistol at the head of His Majesty's Government. The attitude of His Majesty's Government was, first, timorous protest, and then reluctant assent to all that the Colonies did. We should not quarrel with the Colonies if we said what we thought and what we wanted. Why had not the Government adopted a frank and open attitude? He hoped that, if the papers for which he asked were produced, they would show whether there was any intention of redeeming a loan by registering the whole population

to the consideration of the Imperial Conference, and whether negotiations were proceeding with regard to the removal of other disabilities. The civilised world would judge by the action of the Government in this matter how far we valued our national honour, and how far we had the courage of our expressed opinions. (Hear.)

EARL ROBERTS.—It is a great relief to me to learn that the trouble between our Indian subjects in the Transvaal and the Government in that colony had been settled, and in a manner which, it is hoped, will be successful. I agree it is a trouble which ought never to have arisen, if we may judge by the case with which a compromise was arrived at as soon as public opinion was drawn to the matter. In my opinion it is much to be regretted that some person intimately acquainted with the habits and customs of the natives of India was not deputed in the first instance to confer with the Transvaal Government when the Asiatic Law Amendment Act, 1907 was being drawn up. If that had been done, it is scarcely possible to believe that it would have been drawn up in a manner which gave such offence to our Indian subjects. No one who knows the difficulties which the white men have to contend against in South Africa in earning a livelihood can for a moment doubt that the Transvaal Government is justified in making such laws as may be necessary to prohibit the future immigration of Asiatics into that colony, and also to arrange for the deportation of those who have obtained admission by fraudulent means. But on perusal of the Blue-book which has recently been issued I gather that it was not so much the Act that was resented by our Indian subjects as the measures which were adopted to give effect to that Act, chiefly the registration by finger-prints and the insistence upon the names of the relatives being noted in certain cases. These were in my opinion, grievous errors which could not fail to cause the deepest offence to Indians, and they were undoubtedly justified in opposing the law. I rejoice that this question of registration has been settled, and that henceforth the finger-print system is not to be enforced in the case of Indians of whose respectability there can be no doubt; and I would earnestly express my hope that in that class may be included all Indians who have had the honour of wearing the King's uniform, and have served loyally and faithfully in the native army. (Cheers.) The origin of the finger-print system was the detection of criminals. Its use may since then have come into general practice; but still the system smacks of criminality; and I think we can all readily understand that its application, especially in a foreign land and to only one section of the community, must necessarily be felt as a degradation by any self-respecting Indian. I hope, too, that in the form of registration the mention of the female relatives will not be insisted upon. It may be a matter of small moment in this country, but I can assure your lordships that it is a matter of the greatest importance to Indians. In their country, even amongst the most intimate friends, no allusion is ever made to a native's female relatives. So strong is this customary reticence that it is a sufficient reason for their objection to this law. When Indians elect to travel over the world they must of course, abide by the laws of the country where they may be dwelling. At the same time it is clearly our duty to watch as carefully over the interests of our Indian subjects as it is to watch over the interests of our own subjects. And while the various Governments of South Africa are at liberty to make such laws as they may think necessary for the protection of those who are under their rule, we cannot expect that we shall escape obloquy, and perhaps something much more serious, if we do not do our best at all times to save our Indian subjects, wherever they may be, from being treated without due consideration. (Cheers.)

LORD CURZON, on rising to address the House for the first time, said:—I do not like to remain altogether silent while this subject is being discussed. It is a subject which came very much to the front while I was in India. It is one in which I would like

warmest personal interest, and in which the Government of which I was the head played a somewhat prominent part.

Proposals of the Indian Government

The question came before us in India in a twofold aspect in relation both to Natal and the Transvaal. The Government of Natal, where the same difficulties have long existed in a much greater and more acute degree than in the Transvaal, sent a deputation to India to ask us to agree to the repatriation of the labourers we had sent to them at the end of their term of engagement. We were willing to make this great concession to them—a concession somewhat unpopular with the coolies themselves—provided we could make terms to secure the relaxation of the hardships and disabilities under which the free and unindentured Indian population of Natal then laboured. We found not much difficulty in coming to terms with the deputation, but the Natal Government declined to accept our proposals. Then there came the question of the Transvaal. Your lordships are all aware of the cruel and disabling restrictions that were placed upon the Indian population in that country. They were one of the contributory causes of the war. As soon as the war was over we felt it our duty, as the trustees of the Indian people, to address the then Secretary of State upon the subject. We put, I think, a very strong plea before him. A little later Lord Milner came to us with a request that we would provide him with a number of coolies—he first asked for 10,000 and afterwards for 20,000—to inaugurate railway labour in the new possessions, the Transvaal and the Orange River Colony. I have sometimes seen it stated that we declined that offer. That was not the case. We agreed to find these men, and once again we used the position to endeavour to get better terms for the free Indians in the Transvaal. I am sorry to say that we failed.

The Settlement

Since then matters have come to a head, and they have culminated in the crisis which has only just been dispelled during the past few days. I desire to join with my noble friend who has made such a powerful statement of the case and with Lord Roberts in their congratulations upon the compromise that has been reached. It is one that seems to me to be honourable to both parties. At the same time, the Blue-book seems to me to be rather unpleasant reading. To me it leaves a rather disagreeable taste in the mouth. There seems to have been some lack of consideration exhibited by the Government of the Transvaal. In the first place they rushed through their anti-Indian legislation with uncompromising and unnecessary and, as it seems to me, almost indecent speed. Secondly, there was a failure or apparent failure on the part of General Botha to act up to the undertaking which he appears to have given to endeavour to find some method of identification superior to that of finger-impresions and less liable to the objections that were raised against that system by Indians. (Hear, hear.) Then as regards the finger-print system, as the noble lord who has just spoken has pointed out, the analogy which was attempted to be drawn between it and the Indian practice was an unfair analogy, or at any rate it was unfairly used by the Boer Government. Still, the system and method of finger-impresions that were proposed in the Transvaal were undoubtedly humiliating and wounding to the susceptibilities of our Indian fellow-subjects in that country. Then I think there was a failure on the part of the Transvaal Government to distinguish, at any rate up to the latest stage, between those Indians of good social status and refined education and the Indians of lower class and occupation—petty traders and artisans, whose competition really had to be feared. That is the charge—I do not state it in stronger terms than that—which we are justified in bringing against the authorities in the Transvaal. Then, as regards the Government, I confess I think that the noble lord listened a little too readily to the pleas which were ad-

vanced to him by the Boer Government. I think he showed an excessive deference to their presentation of the case, that his protest in favour of our own fellow-subjects might have been couched in a rather more heroic form; and that, considering the great experience that the noble lord had in India itself, where he left such an excellent reputation as an administrator, he might have foreseen a little more clearly in the early stage the dimensions which this problem would assume in India and the intense feeling which would arise there. The fact is, if I may put it in a sentence, that there would seem to me to have been a strange lack of imagination on both sides in this controversy, both in the Transvaal and here: and without imagination certainly it is my experience that any Oriental policy is certain to break down. Well, we have now arrived at a settlement of the question; but I imagine that His Majesty's Government will be the last to argue that that temporary settlement is a final settlement of the question. I am sure that your lordships realize that this question is in reality about the most momentous and the most far-reaching which could possibly confront any body of statesmen.

The Indian Point of View

Let me from my residence and service in India state to your lordships, if you will permit me, what I conceive to be the Indian point of view. It may be stated in a narrower and in a wider aspect. In the first place, as regards South Africa itself, the Indian coolie, or, at any rate, the educated man who is behind the Indian coolie and who has conducted this agitation, sees that the coolie or the artisan is invited and even encouraged by our Government to emigrate from India. We send him to a colony which he enriches by his labour, and then society there appears to turn round upon him and treat him as if he were a pariah dog. He is penalised there, not for his vices, but for his virtues. It is because he is a sober, industrious, frugal, and saving man that he is such a formidable economic danger in the situation. (Hear, hear.) And then the Indian remembers that, at any rate in a large number of cases, he has fought for the British Empire in South Africa, and that it was largely owing to his efforts that Natal was saved. I do not know if your lordships have seen in this Blue-book a petition which emanates from a number of Indian soldiers who served the Empire, not only in India, but in South Africa, and who complain there in language of great pathos and almost of bitterness of the treatment which they were about to receive. That is an appeal which, I venture to say, no man can read in this House without compunction and even without a certain sense of remorse. Now if I may follow the Indian on to a wider field of argument, he claims the full rights of citizenship of the British Empire. I do not think it is for us to blame him for that. We have taught it him. We have inspired him with these ideas. It is the result of our speeches, our writings, our text-books, which he studies in India, our principles of administration and of education. Feeling has been growing up in India in recent years, and it arises from the value which is attached by the educated Indian to the principles of freedom and equality which he has been taught to regard as the birthright of the British citizen. That is a very valuable, and, in my judgment, a very sacred, feeling. I do not think we ought to say anything or do anything to depreciate or to deride it in the smallest degree; because it is, after all, the only basis upon which you will expect the loyalty of an Asiatic population to an alien rule to be permanently developed or maintained. So much for the Indian point of view, in so far as I know it.

The Colonial Aspect

Now no one can possibly give an opinion upon this question who looks at it merely from one side or the other. The Indian point of view is so opposite and, if one may say so, so irreconcilable to the colonial point of view, that I should be the last to contend that this question should be regarded exclu-

sively through Indian spectacles or decided in Indian interests. The colonial point of view is entirely different. I, perhaps, have more sympathy with the Indian aspect myself, but, still, I endeavour to understand the colonial point of view. I realize that it is a natural one, and that, in a way, it is quite unanswerable. You cannot expect the colonist to be an altruist in these matters. He is, if you like so to describe him, selfish; but if he is selfish it is only in the pursuit of a principle which is the guiding law of all life, and even of all civilisation, and that is the instinct of self-preservation. He desires to keep the colonies for the white man which the white man has won and in which the white man can live. I do not believe, from a careful study of the evidence, that the English Colonist in South Africa, or elsewhere is in the least degree inspired by a feeling of racial superiority or class antagonism. He says to himself, "That which has been won by British money and British blood let the British keep." He declines to acquiesce in any system which will mean a sensible and permanent lowering of the standard of life, and he feels, perhaps more than anything else, the danger of being confronted with an enormous black problem, which hangs like a cloud on the horizon of his existence, and of having superadded to that problem the danger and menace of a great brown problem as well. Well, if this be a fair diagnosis of the case, it appears that you have two forces, both of great potency and of great vitality, pulling in opposite directions within the framework of the same Empire. If that be so, we may well realize that it is one of the most difficult problems with which any Government can be confronted.

The Duty of Government

In these circumstances what is the duty of the Government, or of any Government? No rough and ready solution of this question is possible. No laws can be laid down, no principles devised by his Majesty's Ministers or anyone else, which will solve this question. But what they can do is this. They can endeavour as far as possible to reconcile these opposing factors and principles, and anyhow endeavour so to work that there should be, as far as possible, no clash and no collision between them. And the methods by which they can proceed in that direction are, I think, this. In the first place they can see, or their representatives in India as far as India is concerned can see, that fair terms are invariably secured for the labourer or the emigrant when he goes out, both for his labour and for his residence in the country to which he goes, and, should his return be desired, for his return when it is to come about. It is for the Government to see that a good bargain is made for its own subjects in all our Colonies, and perhaps still more, the bargain once made, to see that the terms are not hastily or rashly altered at a later date to the detriment of the man who staked his all in his acceptance of the terms which he understood his Government to offer him. Then I think that the Government ought to see that the restrictions imposed upon Asiatics are made as little vexatious as possible, as little injurious as may be to religious and social susceptibilities which we may, perhaps, not fully understand, but which are embedded almost as if they were sacred principles in the groundwork of the Indian nature. Then I think they ought to see that nowhere shall occur the painful situation of Indian Gentlemen or native gentlemen, from wherever they may come, of character, respectability, and education, being treated as if they were common coolies and labourers, and herded together, so to speak, in a pen with men of very much lower status and occupation than themselves. (Cheers.) In fact, I think it ought to be the object of the Government to show to Colonial Governments that just treatment of our Colonial fellow-subjects is quite compatible with the best interests of the colony itself. There is another suggestion which has been made—namely, that the Government should try to discover and to open, perhaps in some other part of Africa or of the world, some other field of emigration to which our Indian fellow-subjects may go, free from the dis-

abilities and restrictions to which I have alluded. I will not pursue that suggestion this evening, although, for my own part, it is one which I do not look upon with quite so much favour as some of the authorities who have taken it up. In any case I hope that the recent proceedings which have culminated in the victory on the whole for our Indian fellow-subjects, which I think they have deserved by their dignity and their patience, may read a lesson, not, perhaps, altogether unneeded, both to the Government of the colony and to the Government which sits on the bench—a lesson to the Government of the colony that it cannot afford to treat without the utmost consideration the rights of these immigrants, its British fellow-subjects, in any part of the Empire; a lesson to his Majesty's Government that they owe a duty just as great to the dusky millions of India as they owe to the white people of their own race in any colony of the British Crown. (Cheers.)

The EARL OF ELGIN.—I do not think that the noble lord who has just sat down will doubt that I am as sensible as he is of our responsibilities to the dusky millions of India. Although I welcome and am grateful for the congratulations tendered by the noble lords, I think the debate at this particular moment is not well timed or so considerate as the action taken in another place where an amendment to the Address which would have raised this subject was withdrawn. But as this debate has taken place, may I say that I concur with what was said by the noble lord who last spoke, and also by the noble lord who initiated the discussion, that on the whole this settlement may be accepted as one which is satisfactory to both sides; and I rejoice exceedingly that in a matter where feeling has become so acute as in this case a settlement has been arrived at which can be so described. It is my duty to the Transvaal Government, which, if I may venture to say so to the noble lord opposite (Lord Curzon) is not "the Boer Government," to acknowledge the readiness which they have shown to listen to any suggestions which we have sent from here to them, and to consider any proposals which have been laid before them. The noble lord spoke of a conversation—for it was a conversation only—which I had with General Botha, and the undertaking General Botha then gave to consider how far it was possible to abandon proposals to take digit impressions, I believe, in fact I am sure, that that was a promise most carefully carried out—that full consideration was given to that question. If the noble lord will turn to the second of the telegrams which have been published to complete the series, he will find that the Transvaal Ministers said that they never expected any objection to finger-prints seeing that 100,000 Indians had given ten finger-prints in Natal without raising any objection. I quote that, not to show that they were right in that deduction, but only to show that, as I am sure is the case, the Transvaal Ministers did have every wish to deal with this matter in a reasonable and sympathetic spirit. The noble lord who opened the discussion seems, however, to think that there had been too much delay in coming to a settlement. I do not know how any one took any action to delay that settlement; but, if anybody did, I should entirely agree with him in condemning that action. All that I can say for myself is that this goes back to the objections I have taken to the initiation of this debate to-night—namely that we really cannot discuss this matter until we receive further information. It is a very difficult thing to say when persistence in an opinion firmly entertained becomes obstructive and unjustifiable; and in this case, where all we have at present at the concluding stages of the story is by telegraph, I do not think it is a profitable occupation for this House to weigh the different sides of this question; and I venture to hope that, when we are able to speak with full acquaintance with the evidence, we may find it to be quite unnecessary to discuss the respective responsibility of the various parties to this controversy. As I understand it, the noble

lord opposite admits the right of a colony to exclude even British subjects.

LORD AMPHILL.—To restrict immigration.

The EARL OF ELGIN.—Very well, if he puts it in that way. I was not quite certain whether the noble lord who spoke last did go as far as that.

LORD CURZON.—Oh, yes.

The EARL OF ELGIN.—I say at once that that is a very large question which, if it were to be discussed in detail, would require a great deal more consideration than we are able to give it this evening. But we have given self-government to these Colonies in various parts of the world, and self-government means a devolution of responsibility and especially the responsibility for law and order.

Black and White in South Africa

I think the noble lord who spoke last said that one influence with the Colonies was the view that what was won by the whites should be kept for the whites. But if I may put it in this way, I should like to ask how small white communities can undertake to perform the duties that fall upon them in virtue of undertaking self-government if they are not allowed to have within their bounds an adequate number of white inhabitants. If that is conceded to me, I proceed to say that in the competition between the East and West the economic forces would inevitably turn the scale and prevent free competition; and, therefore, it is that we find the British Indians excluded from our Colonies, not, as the noble lord said, because of any bad qualities, but because of the possession by them of good qualities. It is their patient industry, their frugal and temperate habits that make them such formidable competitors to the white man. The noble lord said, in arguing as to the allowance one ought to make for our Indian fellow-subjects (and I only mention this in order to rectify what I am sure was a slip), that we ought to remember that Indians had fought in the South African war.

LORD CURZON said he was well aware that the expedition he sent out was not an Indian expedition, but attached to it were a number of Indians who, in smaller capacities, comported themselves with infinite gallantry in the field.

The EARL OF ELGIN.—But not in the fighting line?

LORD CURZON.—Oh, no.

The EARL OF ELGIN.—I thought it better to make it quite clear what the noble lord really meant. Surely it will be evident that if there was an influx of Asiatics, that would, on account of the economic forces to which I have alluded, tend to destroy the political equilibrium which is necessary for the development of the Colonies themselves.

Restricted Immigration.

But to return to the dispute happily now closed, I would point out that it was not in any way connected with the restriction of immigration. This policy of the restriction of immigration has been in unbroken existence for something like 20 years. It was approved originally by Lord Derby in 1835. It was strongly professed by Lord Milner; and Lord Selborne introduced into the Crown Colony Government the same Bill, or practically the same Bill, which was introduced afterwards by the new Government, and which has passed into law. If noble lords ask for reasonings on this subject they may look up the despatch of May 21, 1906, where they will find that Lord Selborne gave very full reasons for his advocacy of this policy; and if they wish to see the position I took up they may look up my reply of November 25 in the same year. They will see whether it was desirable at that time to oppose assent to that Bill. Shortly speaking, it was that there were certain alterations which I thought desirable in the measure which had not been introduced before the initiation of the new form of government. In these circumstances I thought it better simply not to sanction the Bill and to let it then be introduced again, if it were so advised, in the new Parliament. It was introduced in the new Parliament and passed immediately.

as the first measure in its existence, by a unanimous vote in both Houses. I really do not quite see how the noble lord can blame me for non-interference in a matter of that kind. The noble lord seemed to think I did not consult the India Office in this matter. I gave it the most careful consideration, and, after consultation with my colleagues, I came to the conclusion that it was my duty to advise his Majesty not to disallow the Bill. There are two points on which the noble lord spoke with some feeling and on which I should like to say a word or two. In the first place, I wish to say that I do not think it has ever been the intention of the Transvaal to attempt or to wish to degrade or to humiliate, or impose fresh restrictions upon the British Indians within their boundaries. In the second place, I have to say that I believe it to be a fact that every one of the disqualifications which were the subject of specific exception by the British Government before the war have ceased to operate. (Cheers.) I may say I make that statement on the authority of a letter which, curiously enough, I received only yesterday from the Governor and High Commissioner, who, writing, of course, while this dispute was in progress, was good enough to go through the whole matter and inform me upon these and other points. Perhaps I ought to add, in order that there may be no misunderstanding, that there are other disqualifications still in existence, disqualifications in regard to the tenure of land, the franchise, and mining. But these disqualifications, I am informed, were never taken exception to in the same manner as the others.

The Method of Registration

It comes really to this, that what raised this contest was the method of registration, not less because it was compulsory as because it was by finger prints. For myself I do not think it is necessary or desirable to enter into these differences, which now, fortunately, have come to an end. But I am inclined to deprecate the association of criminality in any form or kind with this valuable manner of identification. My own feeling is that the impression of the thumb by itself would in this case have been sufficient because all that was required was ordinary identification, and ordinary identification would have been secured, in my opinion, by thumb impression. But impressions of the fingers have really nothing criminal about them. They were introduced into the system simply for the purpose of further identification; and though, of course, they apply more particularly to criminals, still I do not think they should be set aside for that reason. At any rate, the statement has been accepted, I believe, as an honourable settlement by both sides, and therefore it gives hope for renewed and continued good feeling between them. (Hear, hear.) If so, good will come out of evil; and I rejoice to think that, in place of being subjected to disabilities which, no doubt, were irksome, the Indian colony in the Transvaal—though, of course, it must be limited in numbers—will in future be maintained in a definite and honourable position. (Hear, hear.)

The MARQUIS OF LANSDOWNE.—May I, in passing, express the satisfaction, which, I feel sure, is not confined to this side of the House, with which we have listened to Lord Curzon speaking for the first time in this House? (Cheers.) There are several admissions which, I think, we are all ready to make in the consideration of this question of the treatment of British Indians in the Transvaal. In the first place, I admit unreservedly the right of a self-governing colony to decide whether its territory shall in future be the home of a British rather than of an Asiatic race. There is no difference of opinion as to that. If you concede that, you must also concede to the colony effectual means of excluding the entrance of persons belonging to Asiatic races; and, if there to be effectual exclusion, there must be some effective means of registering those Asiatics already in the country. These three propositions seem to me incontrovertible. I go further. I think that in the case of the Transvaal particular weight is due to these

considerations for this reason, that the colonists of the Transvaal have a native question of their own, and a very serious one, already on their hands, and it is entirely reasonable of them to ask that they should not have a second native question further complicating the situation. And not only that, but, considering the geographical position of the Transvaal, we must all of us realize that owing to its proximity to Natal, where a large Asiatic population is already established, it is very necessary that there should be effectual means of preventing the gradual influx of Asiatics across the frontier. Yet while yielding these propositions, we may feel, as I certainly do feel, that we have a right to demand that these Asiatic British subjects who have already acquired a *status* in the colony should be treated with the utmost fairness and consideration. The question we really have to ask is whether they have been treated with that fairness and consideration? I am bound to say that my study of the Blue-book lead me to a different conclusion. I was very much interested in the statement of the Secretary of State to the effect that the whole of the disabilities of which those British Indians complained had ceased to operate.

The EARL of ELGIN.—I said, of which the British Government had complained before the war.

The MARQUIS of LANSDOWNE.—I am much obliged for the correction. What are the grievances? We have heard of the finger prints. I am not going to lose myself in the details of that intricate question. But it is evident from the papers that the system of finger-print identification resorted to by the Transvaal Government was one which was repugnant to those British Indians. If it were not so, why was it that they were ready to go to prison rather than submit to it? The Secretary of State admitted that in his opinion the thumb mark alone would have been a sufficient means of identification. If so, it is a pity that that view was not pressed very strongly on the Transvaal Government. But there is also the question of requiring those persons who had already been registered, and who had received assurances that their registration was sufficient, to undergo a second registration. Then there is another grievance which seems to me to be a very genuine one indeed. I understand that these British Indians are not allowed to own property, even within the limits of what are known as the Indian locations.

The EARL of ELGIN.—I believe they cannot own land.

The MARQUIS of LANSDOWNE.—That, to my mind, is a tremendous disability to put upon British subjects.

The EARL of ELGIN.—I mentioned that, but made the reservation that that requirement was one which was not taken exception to by the British Government.

The MARQUIS of LANSDOWNE.—I do not know how that was, but I do remember that one of the main grounds of complaint against President Kruger's Government was that these British Indians were herded together and compelled to live in a very insanitary and out-of-the-way part of the towns where they resided, and that they were denied proper opportunities of doing their business. It seems to me that closely connected with that is the question whether they should be absolutely denied the right of owning a single acre of ground in a colony under British auspices.

The EARL of ELGIN.—There was a disability to trade outside the locations which was a great grievance; that is removed. But the disability in regard to the holding of land was not mentioned by the British Government at the time, and has not been removed.

The MARQUIS of LANSDOWNE.—I do not know whether it has been raised, but it seems to me a real genuine grievance, and as long as it is not removed, they have a natural cause for complaint. Then there is the question of passing. Is it not the case that these Indians, on matters where their position is, are compelled to go to the houses of a Dutch policeman to show their passes?

That seems to me to be a slight on any Indian. There still remains the power of arbitrary compulsion under which an Indian even of good position may receive very short shrift indeed if the local authorities desire to drive him out of the country. I do not in the least complain of the colonial Government for taking stringent measures to relieve themselves of the presence of undesirable Asiatics, but what I do venture to suggest to the House is that in dealing with these people it is necessary above all to discriminate between one class and another. There is no country in the world where class distinctions count for so much as they do in India; and, when you render a respectable merchant, domiciled in the country as a man of business, liable to treatment in no way differing from that which can be accorded to a common coolie, you do create a very great grievance which is felt not only amongst the British Indians in South Africa, but amongst his Majesty's Indian subjects in all parts of the Empire. All these things have really been admitted by his Majesty's Government themselves. We find in the Blue-book a very vigorous protest from the Secretary of State for India against the proposed treatment of the British Indians; we find similar protests from the Secretary of State for Foreign Affairs and the noble earl himself. What we desire to draw attention to, and what we regret, is that this illustrious triumvirate should not have had a little more courage (cheers), and, having raised their objection, should not have stood to it a little more manfully. What exactly happened was that they raised their objection, and then allowed themselves to be put off by assurances, not of very great importance, in regard to the treatment of distinguished Asiatic visitors when they arrived in South Africa, and there was a rather vague promise of future legislation. I cannot help thinking that his Majesty's Government might have taken advantage of the series of opportunities which were offered to them for bargaining and making better terms for these people. It seems to me that they knew what it was desirable to do, but that they missed the opportunity of doing it. Now we have a satisfactory compromise, and let us hope that that will afford a solution of the difficulty. But what has happened in the meantime has been of the gravest importance. There has been very great excitement in India at a time when it was not at all desirable that there should be public excitement. There have been meetings attended by native gentlemen and chiefs of the highest position, and the whole country has been stirred by these events. In our view these are events which need never have occurred if earlier in the day his Majesty's Government had had the courage of their opinions, and pressed rather more strongly the very sound views which we know they all had. The noble earl took exception to Lord Curzon's observation that there were British Indians in the Transvaal who had been under fire with our troops. I think his statement was absolutely correct. I find in the document numbered 53 in the Blue-book the petition of more than 100 Indian ex-soldiers, who recite that they are British subjects and were most of them brought to the colony in connexion with the Transport Corps raised at the time of the late war:—"When your petitioners came to South Africa they were told by their officers that it would be possible for them at the end of the war to settle in any part of South Africa and to receive honourable employment." Those men would naturally feel a sense of very rankling injustice when they were treated in the manner I have described. I do not think this discussion can have done any harm, and I earnestly hope it may be of some use in calling attention to what is, after all, a very momentous question, the necessity of doing what we can to secure the King's subjects, no matter of what race or colour, just and considerate treatment in whatever part of the British Empire they may happen to find themselves. (Cheers.)

The MARQUIS of RIPON said this was a subject on which he felt very strongly, for ever since his appointment with the people of India he had had the most earnest desire to

advance whatever would be to their good. But he was not only an ex-Viceroy, being a member of the Government he was bound to consider the question in all its aspects, not only as it related to the natives of India, but also in relation to the general principles of Colonial government. When he looked at the question from that point of view he was encountered by this difficulty. Not only did he believe that as a general principle our self-governing Colonies ought to be left to manage their own internal affairs, but he thought also that it was impossible to take any other course. He did not think it was in the power of any Secretary of State or any British Government effectually to control the management of the internal affairs of the Colonies. A discussion arose, he believed in 1899, which afforded him a peg on which to hang some remarks on that question; and he had then ventured to point out that the Government at home could not and ought not to be held responsible for the management of natives questions within the borders of self-governing Colonies, because they had no means of enforcing their views, and that to attempt to do so beyond the expression of opinion and the proffering of advice was both a hopeless and an unwise proceeding. When they entered into negotiations with a person over whom they had no means of ultimate control it was impossible to enforce their views beyond a certain point. His noble friend had made it perfectly clear that an arrangement had now been accepted by both sides. His only fear was, knowing how little their proceedings in Parliament were really understood in India, or very often in the self-governing Colonies, that this discussion might tend, though he hoped it would not, to shake the arrangement which had been arrived at, and possibly to make those who had accepted it on both sides discontented with it.

He had listened with the deepest interest to the remarks of his noble friend Lord Curzon, and he heartily joined with his noble friend the noble Marquis in expressing great satisfaction that Lord Curzon had been able to give them his views. (Hear, Hear.) In answer to Lord Curzon, he would say that, when they desired to approach, not the Transvaal Government only, but any self-governing colony, they must do so with the feeling that they could not force their view upon that colony, and that it would be only weakening the authority of the Imperial Government if they attempt to go beyond a certain point. His noble friend who had just sat down referred to the meetings which had taken place, and to the discussions in the public Press and said there had been much dissatisfaction caused in India. It was earnestly to be hoped that nothing would now tend to weaken the arrangement which had been arrived at, or to render its ultimate success less probable. (Hear, hear.) It was very natural there should be an objection on the part of the white population of any colony when there had been a great influx of persons of a totally different race and habits into their colony. He could remember when he was Secretary for the Colonies that Natal raised a difficulty in consequence of the great influx of Asiatics into that colony, and there was then actually a probability of their getting a majority for electoral purposes. His noble friend would remember, however, that from beginning to the end of the Transvaal war it was a principle that natives, and persons of another race should not be allowed to take part, and Asiatics and natives were not allowed to take any part in the active operations of the war.

LORD CURZON.—I was responsible for sending from India from 10,000 to 20,000 men. They acted as transport corps, ambulance carriers, and in other capacities, and they were under fire on most battlefields of the campaign. (Hear, Hear.)

The MARQUIS of RIPON.—They are not active soldiers.

LORD CURZON.—Many of them were killed. The MARQUIS of RIPON said he trusted very earnestly, now that this discussion was over and a settlement reached at which they could rejoice that no misunderstanding would arise. He did not blame Lord Curzon for

Lord Curzon for the part they had taken in the matter, or for defending the natives of India against the unfair treatment to which at one time it was intended to subject them; but he hoped nothing would now be said to weaken the settlement, and that the question might be considered as closed. (Hear, hear.)

LORD AMPHILL reminded the noble earl the Secretary for the Colonies that his motion was one for papers. The noble earl had not given him an answer on that point, but possibly his remarks had not been audible to the noble earl owing to the private conversation which was going on on the benches. There was one important letter which the noble earl referred to in his speech which was of vital importance.

The EARL OF ELGIN said he had merely given some facts out of the letter, but it was a private letter from Lord Selborne, and he did not propose to publish it. So far as he knew, he had published all the papers up-to-date.

The subject was then allowed to drop. The House rose at a quarter to 7 o'clock.

The Transvaal Asiatic Blue Book

This Blue-book with which we dealt in our leading columns last week is a bulky volume containing 88 pages, foolscap size and commences with correspondence between the Foreign Office and the Chinese Minister as early as the 26th of March, 1907. We do not propose to give anything from the very weighty representations made by the South Africa British Indian Committee or from the petitions and resolutions passed at the different meetings of British Indians held during the past sixteen months throughout South Africa. The Blue-book, read after the settlement, shows how little credit was given to the Asiatic communities for their fight more against the spirit of the Asiatic Act itself than against finger-prints themselves or other details. It betrays also great want of sympathy and knowledge on the part of Lord Elgin that, in spite of Indian protestations, he should throughout have asked the Transvaal Government to relax the regulations formed under the Act so as to substitute finger-prints by some other mode of identification. Even as late as the 25th of January Lord Elgin sent the following cablegram:

Identification by finger prints in Indian army is secured by impressions of bulb of thumb and all the fingers of the left hand. Single thumb impressions or ten finger impressions not used in Indian army. Ten finger impression is confined to criminals. Impression of left hand thumb in case of registration of documents and impression of thumb and four fingers of left hand in case of pensioners. It is difficult to say how much importance is attached to these distinctions in India but they do carry some weight.

To this Lord Selborne returned on the 28th of January the following effective reply:

My Ministers thank your Lordship for information contained in your telegram of 25th January, No. 1,* and would gladly make use of it if they thought a settlement on lines of the Indian practice possible. They never anticipated any objection to finger prints seeing that 100,000 Indians had given ten

finger prints in Natal without ever raising any objection. Similarly all the indentured Chinese labourers gave their ten finger prints both in China and Transvaal without any objection. Ministers anticipate that Indians will raise same objections to five finger prints as to ten finger prints, as their objection is more to spirit of the law than its details. Attempt is being made now (to) find out whether they will not register if merely signatures of educated and well-known Indians are taken and finger prints of the rest.

It took even Lord Selborne sixteen months to find out that the crux of the objection was against the Act itself. On the 29th of January the following letter was addressed by Messrs. Gandhi, Quinn, and Naidoo, which has been accepted and which specifically states that the Act is not to apply to those who register voluntarily.

"Sir,—As representatives of the Indian and the Chinese communities who have taken a prominent part in the opposition to the Asiatic Registration Amendment Act we have the honour to lay the following considerations before you.

"Our opposition has never been directed so much against the finger print requirements Regulations under the Act, in as far as such finger prints were deemed necessary for the identification of Asiatics who could not very well be otherwise identified, as against the element of compulsion contained in the Act itself. On that ground we have repeatedly offered to undergo voluntary registration if the Act were repealed. And even now at this late hour we would urge on the Government the adoption as far as possible of the course more than once proposed by us. We recognise that it is not possible during the Parliamentary recess to repeal the Act, and we have noted your repeated public declaration that there is no likelihood of the Act being repealed. We would, however, point out that the periods fixed for registration under the Act by the various Government notices have expired and that therefore any registration at present would necessarily have to be of that voluntary nature which we originally prayed the Government to concede. Under these circumstances we would once more respectfully suggest to the Government that all Asiatics over the age of 16 years should be allowed within a certain limited period, say, three months, to register themselves, and that to all who so register the Act be not applied, and that Government take whatever steps they deem advisable to legalise such registration. Such mode of registration should apply to those also who being out of Colony may return and otherwise possess right of re-entry. In taking registration of Asiatics we do not object that the requirements of Act and the Regulations be as nearly as possible complied with, provided registration officials do not press for any information which offends religious sense of the applicants and receive discretion to dispense with finger print requirements in case of those applicants who, by reason of their education or property or public character, are well known or can be easily identified otherwise. In those cases we urge that officials should have discretion to accept signature of applicant as a sufficient identification. Should Government agree to these suggestions and accept registration on these terms we assume that all further prosecutions or punishments under the Act will be suspended during the period set aside for registration. We, on our part, again would undertake to use all our influence to induce our compatriots to register and withdraw all countenance from those

who refuse to register or are not legally entitled to register. We put forward above suggestions because we are sincerely anxious to prove to Government that we are loyal and law-abiding, and that we are willing to adopt any course which will lead out of present difficulty without violating our conscience, inflicting any dignity, or casting any stigma on us."

The above cablegrams and the letter are published in supplementary correspondence in continuation of the Blue-book under review.

The Immigration Act

Lord Selborne's ministers showed feverish anxiety to have the Immigrants Restriction Act sanctioned with the view to meeting passive resisters; he, therefore, in a cablegram dated the 11th of July, after giving the summary of the Act, states:

To avoid delay which would result from insertion of clause suspending operation of Act till His Majesty's pleasure is signified I have to recommend that you issue telegraphic instructions under clause 39.

To this Lord Elgin, having been often bitten, returned the following reply:

Experience elsewhere has shown very great importance of this subject, which affects relations of various parts of Empire and of Empire to foreign States and difficulties involved in it. It does not appear to be possible to deal with it by telegraph and I feel that I should have full text of measure as passed by Parliament before advising His Majesty with regard to it.

In sending the Bill to Lord Elgin for sanction, the Attorney-General, Mr. Jacob De Villiers, sent the note which is at once frank and luminous, if at the same time heartless and one-sided. We give the note below *in toto*.

Pretoria, Sept. 6th.

This Act, which is entitled the Immigrants Restriction Act, 1907, received the assent of the Governor on the 15th August. Certain clauses specifically and certain other clauses indirectly impose special disabilities on persons of non-European birth. The operation of the Act has, therefore, by section sixteen, been suspended for the signification thereon of His Majesty's pleasure.

The reasons for legislation are as follows:—During the existence of Crown Colony Government such restrictions as were placed upon the entrance of undesirable persons into this Colony were carried out by means of the permit system of the Peace Preservation Ordinance, 1903; and by the Inter-Colonial Council Order-in-Council, 1903, the administration of the Permit Office was specially assigned to the Inter-Colonial Council. That body recently decided to make no further provision for carrying on a Permit Office after the 30th June, 1907, and the carrying out of the Peace Preservation Ordinance would, therefore, from that date fall upon the Colonial Government. The terms of the Ordinance were no longer suited to the existing conditions of the Colony, and it was felt that its provisions should give place to an Immigration Act based on the lines of the Acts of the two coast colonies—Natal and Cape Colony—over whose sea-border the large majority of immigrants come to this Colony.

In framing the definitions of the classes of persons included in and excluded from the definition of "prohibited immigrant," the Government has been careful to follow, as far as local circum-

stances admit, the provisions and language of the Cape and Natal Immigration Acts, as it contemplates that the provisions of the new Act will largely be carried out in Cape Colony or Natal by the officers of the Governments of those Colonies under agreements made under section four.

The Government also in drafting the Act had regard to the provisions of the Immigration Restriction Act, 1901, of the Commonwealth of Australia as amended in 1905.

There are certain provisions of the Act which call for special explanation, as their meaning does not appear on their face or without special knowledge of Transvaal Statute Law.

1. Sub-section (4) of the definition of "prohibited immigrant" in section two. The intention is to bring within the definition of "prohibited immigrant" Asiatic newcomers who are not eligible for registration under the Asiatic Law Amendment Act, 1907 (No. 2 of 1907), and who have hitherto been kept out by the refusal of permits under the Peace Preservation Ordinance, as also Asiatics who have temporarily left the Colony in order to evade compliance with that Act may afterwards attempt to re-enter the Colony. The sub-section is further designed to include amongst prohibited immigrants those persons of the criminal classes who have been removed from the Colony or might, if they entered, be removed from the Colony under the powers of section three and five of the Prevention of Crimes Ordinance (No. 20 of 1905).

On the other hand the Asiatic who is eligible for or has obtained a registration certificate under the Asiatic Law Amendment Act, 1907, is excluded from the definition of prohibited immigrant provided he is not otherwise an undesirable for the reasons set forth in all the sub-sections of the definition of "prohibited immigrant"—the "education" and "means of support" sub-sections (1) and (2) being excepted.

2. The next provision calling for special attention is section six. This section confers on the Government through the responsible Minister the power of removing from the Colony certain persons who are not prohibited immigrants, but are in the Colony after the Act takes effect. Section ten of the Peace Preservation Ordinance, 1903, gave the Governor the power to order any person who was deemed on reasonable grounds to be dangerous to the peace, order, and good government of the Colony to leave the Colony, and if he failed to do so within a specified time, he was guilty of an offence. The Government did not consider it desirable to leave that one clause of the Peace Preservation Ordinance standing; while the remainder was repealed, and if the whole Ordinance was repealed it was obviously necessary that some power should be given to the Government to deal with existing undesirables.

The first class of undesirable person whom it is very necessary to have power to deal with is the prostitute, pimp, and procurer of foreign origin. Such persons are already in the Colony in large numbers chiefly, of course, in the more populated centres of the Witwatersrand District. Where any such person has been actually convicted after the Act under certain provisions of the Immorality Law, the Government felt that it should have a discretionary power of removing him from the Colony.

The second class of undesirable is the politically dangerous person who may be already in the Colony; and for the purpose of dealing with this class of person sub-section (b) of section six follows the language of the Peace Preservation Ordinance.

The third class is the Asiatic who in defiance of the law refuses or neglects to

obtain or is unable to legally obtain a certificate of registration under the Asiatic Law Amendment Act.

In view of the fact that the Asiatic population have continued to publicly express their intention of not complying with the registration provisions of that Act by ordering the ringleaders of the agitation, at any rate, to leave the Colony, and should they fail to comply with that order, the Government, it was felt, should have power to summarily remove them, and so avoid the expense and inconvenience incurred by maintaining them in the prisons of the Colony.

The power conferred will in each of the three classes of cases be used with great discretion.

The other clauses of the Act call for no special mention. They are ancillary to the general objects of the measure, which are, first, to prevent certain defined classes of persons who are generally considered undesirable citizens, from entering the Colony; secondly, to render the evasion of the provisions of the Act easy of detection; and thirdly, to penalize such evasions.

I am of opinion that it is in an Act as to which it should be His Majesty's pleasure not to exercise his powers of disallowance.

On the receipt of the Bill, with the note, Lord Elgin addressed to Mr. Morley the communication of the 10th October and another on the same date to the Foreign Office. In asking Mr. Morley to give his views on Sec. 2 (4) and Sec. 6 (c) of the Act, Lord Elgin says:

3. The practical effect of Section 2 (4) will be to prevent the further immigration into the Transvaal of British Indians or other Asiatics. As Mr. Morley is aware, throughout the correspondence which has passed on this subject, His Majesty's Government have practically limited themselves to endeavouring to secure more favourable treatment for those Asiatics who have already acquired a right to reside in the Colony, and the competence of the Colonial Legislature and Government to restrict further immigration by means of legislation similar to that already adopted in other self-governing Colonies has not been disputed. In this connection I am to draw attention to Mr. Lyttelton's despatch, printed at page 44 of [Cd. 2239]. Moreover, in the interests of British Indians themselves, it is probably desirable, in view of the state of Colonial feeling, that further immigration should be restricted. Lord Elgin does not, therefore, propose to raise any objection to his provision.

4. Section 6 (c) must be considered in connection with the recent Asiatic Law Amendment Act. Under that Act, Asiatics failing to register may be ordered to leave the Colony; and failure to comply with such an order is punishable by imprisonment. The object of this section, as explained by the Attorney-General in his report is to enable the Government to deport, in lieu of imprisoning, Asiatics who fail to register under the Asiatic Law Amendment Act. While Lord Elgin feels that the free exercise of so drastic a power would be greatly to be deprecated, he doubts whether His Majesty's Government can consistently object to a provision the object of which is to enable the Colonial Government to enforce the observance of the Asiatic Law Amendment Act, which His Majesty's Government have allowed to become law, and to which the British Indian community appears at present to be disposed to offer an organised resistance. He therefore proposes, subject to any representation which Mr. Morley may wish to make, to accept this provision also.

5. Section 2 (f) is identical with a provision in the Cape Immigration Act, 1906, to which exception was taken by His Majesty's Government on account of the restriction of the benefits of the provision to "European persons." Inasmuch, however, as His Majesty's Government ultimately acquiesced in this provision in the Cape law, it does not seem possible to object to its insertion in the Transvaal Act.

6. I am to add that it seems probable that it will be necessary to press for some amendment of Section 6 (b) of the Act (which does not especially concern British Indian subjects) and that Lord Elgin is communicating with the Foreign Office with regard to this.

And to Sir Edward Grey, Lord Elgin says:

3. It will be seen that this sub-section empowers the Colonial Government to remove from the Colony any person who "is deemed by the Minister on reasonable grounds to be dangerous to the peace, order, and good government of the Colony. It appears to Lord Elgin that by this provision, which extends in its operation to British subjects as well as to aliens, a dangerously wide power is given to the Executive Government of the Colony. It is true that, in some Protectorates, power to expel dangerous persons has been taken e.g., in the Bechuanaland Protectorate Proclamation No. 15 of 1907, a copy of which is enclosed, and special powers were taken in the Transvaal and Orange River Colony Peace Preservation Ordinances, copies of which are also enclosed. But these Ordinances were passed soon after the end of a long war, when the country was not in a normal condition, and it is believed that no precedent exists for such legislation in a responsibly-governed Colony. In this connection I am to refer to the general remarks on the objections to such legislation in the judgment of the Privy Council in the case of Sigcau Appeals, 1897, pp. 246-8. I am further to point out that the Peace Preservation Ordinances did not give the Executive power summarily to expel anyone, but only to issue an order to leave the country, and in the event of the person in question being found within the Colony, to bring him before a Magistrate and, on conviction, to inflict a fine or imprisonment. Reference should also be made to the protest made by His Majesty's Government against the Aliens Expulsion Law, passed by the late South African Republic in 1896 (see page 67, C. 8423) in consequence of which the Volksraad resolved that no one should be banished without having been found guilty by the Courts (see page 16, C. 8721). Lord Elgin is therefore disposed, as at present advised, to make the non-disallowance of the Act conditional upon an undertaking by the Transvaal Government to introduce amending legislation limiting this power to the cases of persons convicted of some offences before the Courts of the Colony, or, at any rate, providing some means by which any such order of removal may be brought before the Courts for confirmation or discharge.

On the 16th of September, in sending the British Indian petition, General Smuts says: "The ministers do not wish to be understood as in any way agreeing in the allegations contained in the petition, many of which are demonstrably incorrect." On the 17th of October, therefore, Lord Elgin thus tackles General Smuts: "It would be of material assistance to His Majesty's Government if your ministers would be good enough to send full report by mail pointing out particulars in which petition is inaccurate."

To this request General Botha returned the following reply :

Ministers have the honour to recommend that the Secretary of State be informed that the Petition is inaccurate where it states that the Asiatic Law Amendment Act, No. 2, of 1907, is insulting and injurious to the self-respect of the Indian community, and that the requirement that educated Indians must comply with its provisions is a wanton insult and an indirect mode of depriving Indians of the benefit of the education clause of the Bill. Neither the Asiatic Law Amendment Act nor the Immigration Restriction Bill is intended, as alleged by the petitioners, to inflict harsh and degrading conditions on Indians lawfully resident in the Transvaal and it is only when Indians set existing legislation at defiance, and refuse to comply with its provisions, that they become subject to serious disabilities.

Further correspondence will appear in our next issue.

A Disorderly Meeting

A meeting of the Natal Indian Congress was held last evening at the Indian Theatre. The meeting was advertised by circulars issued and signed by the Secretaries. It was convened in order to hear Mr. Gandhi on the recent Asiatic compromise in the Transvaal. Mr. Dawad Mahomed presided at the meeting which must have been attended by fully two thousand Indians. After Mr. Gandhi had explained the compromise and the reasons given by him for the Transvaal Indians having generally accepted voluntary registration on a basis of ten finger-print impressions, several speakers followed who delivered somewhat fiery speeches. The chairman had announced that the speakers who followed Mr. Gandhi should confine themselves to questions only and to two minutes as to time. Latitude, however, was given to those who wished to say more and to speak longer. One speaker got up and insisted on the chairman giving him fifteen minutes. This the chairman declined to give. Then followed a rush towards the platform by men armed with "lathies," the evident intention being to harm Mr. Gandhi. The rush was evidently made by the same type of men as those who committed the assault at Johannesburg. Several Indians promptly surrounded and guarded Mr. Gandhi. The leaders tried to quell the disturbance that was fast rising, and, some kind of order being restored, the would-be assailants fell back. The chairman declared the proceedings closed, but as there still remained a crowd in and about the theatre, the officials of the Congress considered it prudent to send for police assistance, which arrived in time and Mr. Gandhi was driven in Mr. Dawad Mahomed's carriage to Mr. Parsee Rustomjee's house. Mr. Gandhi, it may be stated, is staying at Phoenix in order to recuperate, as his health is by no means restored and he goes to Durban only on

special occasions. The Police authorities deserve credit for the prompt and efficient assistance.

The Estcourt Appeals

Just as we go to press, a lengthy report of the Estcourt Appeal cases has come to hand. The appeals were heard by the Estcourt Local Board, on the 2nd and 3rd inst.

Mr. A. M. Patel's appeal was dismissed for the alleged reason that his books were not properly kept in English. He was allowed six months from the 1st January, 1908, to close his business.

Mr. M. H. Vowda's appeal was allowed, and a licence was to be granted to Mr. Vowda personally and not to the partners in the firm.

Mr. Amod Haffjee's appeal was dismissed, and he was allowed until the 30th November next to realise his stock.

The same decision was given in the case of Mr. Suliman Hoosen.

The appeal of Mr. Jilabhay was allowed, but the licence was to be issued in the name of Vowda.

The Country Licences

On Wednesday, the 4th instant, the Licensing Board for the Division of Estcourt gave judgment in the cases of eight storekeepers of the Division, all of which were successful.

We shall give a full report of the proceedings, both in the town and country appeals, in our next issue.

Facts and Comments

A CELEBRATED TAMIL SCHOLAR. The English mail papers bring the news of the death of Dr. G. V. Pope, the celebrated Tamil scholar.

A PRESENTATION. The Boksburg Indians have presented a very beautiful, illuminated address to Capt. Pomeroy Colley, A.R.M., upon the occasion of his transfer to Johannesburg.

INDIAN MAILS. For Bombay, per *S.S. Kanster*, until 3-30 p.m. Tuesday, the 7th instant. For Ceylon, India and Far East, per *S.S. Umkuzi*, until 11 a.m. Thursday, the 12th instant.

ETHICAL SOCIETY'S CONGRATULATIONS. The following is a copy of a Resolution passed at the Annual Meeting of the West London Ethical Society held on Wednesday February 5th: "The West London Ethical Society congratulates the British Indians of the Transvaal upon the successful issue of their heroic struggle, carried through in order to vindicate their claim to consideration as civilised citizens of the Empire and to resist the attempt to undermine their self-respect and dignity."

A POPULAR MAGISTRATE. Those Indian hawkers in Johannesburg who had the good fortune to receive sentence, from Mr. Graham Cross, A.R.M. of 14 days' imprisonment without hard labour or to pay a fine of £2, during the recent crisis, for trading without licences that had been refused to them under the Registration Act, will be glad to learn that Mr. Cross entered the bonds of matrimony, on Tuesday last, with Miss Hilda Blackwell, also of Johannesburg. We are sure that all readers of INDIAN OPINION wish the happy couple every good thing in the new life they have entered.

LOOKING AHEAD. The *Ceylon Independent* observes:

That the *London Times* has struck the right note in discussing the relations between the White and the coloured races.

That it admits it would be distinctly unfair to the latter for the former to bang the door against them.

That the Asiatic peoples are progressing and expanding, and they must go somewhere.

That if Indians are shut out from the rest of the Empire, it will not be surprising if they politely ask their white rulers to leave India to themselves.

That some such climax as this is bound to occur in the course of the present century.

Late News

[SPECIAL TELEGRAMS]

સોલોસબરી (સોડેશીઆ)થી એક લખ નાર એક વિચિત્ર અણુસમજીપણાને દાખલો લખે છે—દેખરવારીના પહેલા અડવાડીઆમાં અન્ને...એ નામના ત્રણ હીંદીઓ પોલીસ સ્ટેશને ગયા અને કહ્યું કે અમને રજીસ્ટર કરો. સારજીટે કહ્યું કે 'તમે શું કહે છે તે હું કાંઈ સમજી શકતો નથી; માટે માછલેટ પાસે જાઓ' માછલેટ આગળ જઈ મજકુર હીંદીઓએ ફરીથી ઉપર મુજબ અરજ કરી તેના જવાબમાં માછલેટે કહ્યું કે સોલોસીટર પાસે જાઓ. સોલોસીટર આગળ જઈ મજકુર ત્રણ જણાએ ઉપર મુજબ અન્નુ હતું તે કહ્યું. જવાબમાં સોલોસીટરે કહ્યું કે 'તમે ત્રણ મુરખાઓ આવા છો. જ્યારે સોડેશીઆને કાઉન્સિલને સોંપાયું ત્યારે વડી સરકારે જણાવ્યું હતું કે હીંદી ઓ અને ગોરાઓને સરખી રીતે રાખવાના છે. આ વાતનું તમને લાન નથી!' આ પ્રમાણે ત્રણ મુરખા હીંદીને નામોથી નો હાર પહેરીને ધક્કા ખાઈ પાછા ફરવું પડ્યું હતું!

સ્ટોમરોની હિલવાલ.

[નાતાલ ડાઇરેક્ટ લાઇન.]

અમરુખી—તા. ૭મી મારચના મુજબ જવા ઉપડશે.

અમલાઝી—તા. ૨૩ મી ફેબ્રુઆરીએ કલકત્તાથી ઉપડી છે.

અમકુઝી—તા. ૧૨ મીએ કલકત્તા જવા ઉપડશે.

અમલાઝી—તા. ૨૧ મીએ કલકત્તા જવા ઉપડશે.

[જરમન લાઇન]

કેનઝલર—તા. ૧૦ મી મારચે મુજબ જવા ઉપડશે.

ગવરનર—તા. ૩૧ મી મારચે મુજબ જવા ઉપડશે.

[ઇન્ડિઅન આફરિકન લાઇન]

ખોખો—તા. ૨૨મીએ કલકત્તાથી સીધી ડરબન માટે ઉપડી છે.

ડનેરીક—મારચમાં કલકત્તાથી ઉપડશે.

ડીન્હાઉ—મારચમાં કલકત્તાથી ઉપડશે.

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