

Indian Opinion

VOL. VI.

PHENIX, NATAL, SATURDAY, APRIL 25TH, 1908

No. 17

Contents

EDITORIAL COLUMNS:—	Page
The Great World Problem ...	181
Indian Immigration at the Cape ...	181
Customs Commission Report ...	182
The Late Sir Henry Campbell-Bannerman ...	182
OTHER ARTICLES:—	
British Indians in Canada ...	182
Asiatic Immigration at the Cape ...	183
Lord Amptill's Activity ...	184
The Draft Gold Law of the Transvaal ...	185
Imperial Parliament ...	185
Lobito Bay Indians ...	185
Parsee Function in London ...	186
Asiatic Passive Resistance ...	186
Indian Patriotic Union ...	186
The Transvaal Controversy ...	187
Shall Europeans be Excluded from Asiatic Countries? ...	187
White and Coloured in the Transvaal ...	187
The Asiatic Problem in the Colonies ...	187
Japanese Trade in China ...	187
Roodepoort on the Warpath ...	188
Facts and Comments ...	188

Indian Opinion

SATURDAY, APRIL 25th, 1908.

The Great World-Problem

It is difficult to conceive of a problem of such overwhelming importance as that which is commonly regarded as the conflict of races and civilisations. In its largest aspect, we are, as a rule, unable adequately to grasp the conception. Like the climber of peaks and mountain ranges, like the Hunter in the "Story of a South African Farm," as we ascend, and imagine we have arrived at something like finality, that we can now obtain a clear outlook upon the universe around us, so do we discover mountain-mass upon mountain-mass towering above us, promising infinite toil, menacing appalling danger. Accordingly, lest we lose our reason in contemplation of the enormity of our surroundings, we descend to breathe a less rarified atmosphere, and confine our outlook to that small section of the problem whose potentialities we can gauge approximately, or, at least, whose tendencies we are in a position to realise. That, perhaps, is why most publicists, who have discussed the phenomena of this "conflict," have usually confined their analyses thereof to a discussion of the relations between East and West, and the circumstances that, in the aggregate, have gone to make East East and West West.

There are two schools of thought amongst these critics and observers. The one professes to believe that the conflict is real and essential, and

asserts its permanency as an article of belief. This school might be called the orthodox. Its theoretical creed is the doctrine of the "survival of the fittest," meaning thereby the survival of those who, apparently, are physically the strongest and, accordingly, the best suited to their environment, capable of rising superior to it, and creating a new one. It postulates a cat-and-dog, possibly, even, a dog-in-the-manger, kind of existence, wherein every man's hand is against his brother, where might alone is right, where ethics and spiritual aspiration have no recognised place, where even expediency has no meaning, and compromise is impossible.

The other school, the heterodox, believes in the heresy of co-operation, mutuality, fundamental identity of interests, human brotherhood, non-existence of racial barriers, the common ultimate basis, meaning and tendency of all civilisations and faiths. Its followers do not regard the world as a place of eternal racial strife, as an ethnic battleground. Their conception of nature is the gradual disappearance of lower types to make way for higher types that other circumstances have called into being owing to mutual aid and universal co-operative effort. The mental development of the one school has been arrested after reading Darwin's "Origin of Species;" that of the other has gone on to Kropotkin, and realised the esoteric truths of the theory of evolution. The one school has cognised striving as the activity resulting from the condition of antagonism, the end being the advancement of the individual at the expense of the mass; the other, as the acme of emulation, the end being the creation of conditions that enable the mass to advance to the degree of development attained by the individual that has reached a higher plane of existence. The one is conservative, reactionary; the other, liberal, progressive. The one cleaves to the prejudices and passions of the lower self; the other stretches out to the greater self that is constantly expanding to embrace all others.

In between these two schools, which include only the extremists on either side, of whom there are comparatively few, is the great mass of those who, fearing the one only slightly less than the other, hover, so to speak, in mid-air, unable to rise, unwilling to fall, conscious only of their uncertainty, anxious only to be relieved of the necessity of assuming the full burden of their responsibilities, careless of the disasters attendant upon their present dubious position. They have not even the wit or wisdom to adopt Mark Twain's simple advice: "When in doubt, tell the Truth," for, when

put to the test, they almost invariably choose expediency rather than principle.

The great world-problem, then, is, whither are these unattached multitudes drifting? Does the current flow towards the first school, the school of physical force, or towards the second school, the school of moral development? Whether of the twain will prove the more powerful magnet? Shall we witness an Armageddon or are we on the verge of a crisis in the world's history whose outcome is to usher in the Golden Age? Upon the answer to these questions depends the peace of mind of many earnest thinkers of every nation on the face of the globe. It is *the* world-problem, for it is, in its ultimate analysis, an inquiry into the degree of moral consciousness, of ethical ideal, of spiritual realisation, to which the highest races of the world have attained.

Indian Immigration at the Cape

We gave last week a special telegram from the Cape reporting a test case under the Cape Immigration Act. We give the full text of the judgment in this issue. Moreover, we give at the same time a considered judgment of the Supreme Court on another point arising out of the same Act.

The first case turns largely upon facts rather than upon interpretation of the Law. The one legal point raised by counsel for the Indian applicants regarding the question of twenty-one years constituting the common law majority was left undecided by the learned judge, because he was in a position to give the desired relief without having to decide the legal point. The painful value of the case consists in the fact that, in order to make good their right of entry, the boys, or rather their parents, had to go to the expense of producing the testimony of seven medical men. Justice they undoubtedly got at last. But at what cost! Can many Indians afford the necessary expenses involved in such cases? How many poor men who are rightly entitled to enter, or rather re-enter, the Cape, must be continually shut out—of which fact the world knows nothing?

The second case is far more important. It shows the chaotic state of the law. The interpretation put by the Court upon Act 30 of 1906 and Act 47 of 1902 shows that what rights, acquired under Act 47 of 1902, the Act of 1906 reserved under one section, it in effect took away under another section. Indians and others domiciled in South Africa previous to

the passing of the Act of 1902 were free to enter the Cape. The later Act of 1906 took away such rights for the future, retaining them only for the Europeans. But the Act of 1906 reserved all rights acquired under the Act of 1902. One would, therefore, imagine that Indians who had entered the Cape before 1902 would be fully protected. Nothing of the kind has, however, happened. These Indians, if in ignorance of the Act of 1906, failed to take with them a permit enabling them to leave the Colony for a period and return on the expiry thereof, could not claim re-entry. Mr. Justice Maasdorp noticed the manifest hardship occasioned by the requirement and expressed the hope that the Government would deal with such cases leniently. What, however, is required is not leniency under an unjust and absurd enactment, but a just law. There will then be no question of wanting manufactured leniency. If the rights acquired under the law of 1902 are really reserved, then they should be carefully and absolutely safeguarded. In order to prevent fraud, the Government can secure the co-operation of the leaders of the Indian community and find out within a given period as to which and how many Indians are entitled to protection.

THE CUSTOMS UNION TARIFF COMMISSION, of which Mr. C. G. Smith was the Chairman, and of whose Report we gave a *resumé* the other day, has

shown most clearly to what an enormous extent the Natal industries are dependent on coloured labour. Twenty-four industries were represented before the Commissioners. Not one of these is entirely carried on by white labour and the most important could not be carried on without coloured labour. Moreover, coloured labour here means almost entirely Asiatic labour. If the Commissioners' finding be true and if most of the Natal industries must either be abandoned or carried on with the assistance of Asiatics, it opens up a most difficult question for the Colony to handle. It, moreover, complicates very materially the Government's position as regards the gradual elimination of Asiatic labour. Natal politicians have, therefore, two courses open to them—either to continue the policy of drift or, with the Commissioners, see that, "however lamentable it may be, Natal is suffering from a legacy in the shape of Natal-born Asiatics" and to "recognise that she cannot ultimately avoid the consequences of that legacy." "For anyone," adds the Commissioners, "to ignore that legacy and its consequences would only be to act the part of the proverbial hunted ostrich, and to cajole himself into believing that the dangerous situation does not exist, because he preferred not to see the obvious."

THE EMPIRE MOURNS OVER THE death of Sir Henry Campbell-Bannerman. And yet it is not the Empire alone that mourns. Sir Henry had a heart large enough to feel for people suffering in any part of the world. His was imperialism of a true type. And if at times he could not carry out his wishes or even his promises, it was because he could not carry his colleagues or the Parliament with him. It is a matter of common knowledge that Sir Henry took a great deal of interest in the doings of the Indian Deputation that went to England in 1906 from the Transvaal, and that he exercised his powerful influence on behalf of Indians. We tender our respectful sympathy to the family of the distinguished servant of the Crown and his nation.

British Indians in Canada

English Press Comments

With the best will in the world to recognise the gravity of the Asiatic problem in a country like Canada, we cannot hear without regret of the manner in which the Government of the Dominion has ordered the deportation of a large number of British Indians from Vancouver. With a few exceptions these Indians seem to have complied fully with the regulations, and purely technical objections—such as that a number of them had to remain for a month in Hong Kong because there was no steamer to take them forward—have been seized upon to justify the drastic act of deportation. That is not the right way to deal with a matter which affects the Empire. It may be inevitable in Canada, as in South Africa, that the immigration of Asiatics, whether Japanese or Indians, should be restricted, but there is a high obligation upon the colonial authorities to proceed with the utmost circumspection, to show kindness to their dusky fellow-subjects, and to take counsel with the Imperial Government so that friction and bitterness may be avoided. No man can answer for the stability of our rule in India if the minds of the people are inflamed by well-founded stories of harsh treatment dealt out to their compatriots in British colonies.—*Pall Mall Gazette*.

Canada is as bad as the Transvaal, or worse, deporting Indians who are something more than British subjects; many of them, as the medals they wore proclaimed, having actually fought British battles. At the instance of the Asiatic Exclusion League the Dominion Government are adopting a wholly indefensible attitude. Local convenience is of more account than imperial citizenship. When the Indians cannot be kept out on one plea, another is found. Some who waited at

Hong Kong for a steamer are refused admission because they did not come direct from India; others who came direct from India are asked to provide impossible proof that they were the original purchasers of their tickets. Small wonder these luckless Indians are puzzled and ask whether they are not subjects of the King. What they might ask with more point would be: Are not the people of Canada subjects of the King?—*Saturday Review*.

The Canadian Government is working desperately hard to evolve a compromise which on the one hand shall satisfy Japan and on the other make some concessions to the deep prejudice in British Columbia against the immigration of Asiatic labour; the basis of the compromise seems to be the sacrifice of our own Indian subjects. The "Natal" Act passed by the British Columbia Legislature has been pronounced unconstitutional, and the Japanese who were sentenced under it have been released; on the other hand, a number of Indians have been deported by the Dominion Government, under a recent Order in Council, on the ground that having transhipped at Hong Kong they had not travelled direct from their native land. The Order in Council might equally well have been applied to the Japanese immigrants; it was not, because in their case an Imperial treaty and therefore an Imperial interest is involved, and the other party to that treaty is a foreign and allied Government powerful enough to make its protests felt. It cannot be denied, however, that discrimination against Indians is at least as Imperial a matter as discrimination against Japanese. The fact that Japanese have been admitted while Indian subjects of the King have been excluded will be widely circulated throughout India, and the deduction will be drawn that it is precisely because they are fellow-subjects and thus unprotected by a foreign Government that the Indians have been excluded. The moral basis of our rule in India, violently assailed already, will not be fortified if such a conviction takes root; nor is it clear that what the Empire loses Canada gains in political appeasement. The Indians are disliked in British Columbia, but they are not accounted anything like as considerable an economic and political peril as the Japanese.—*Manchester Guardian*.

EMPIRE EDITORS. An Imperial Press Conference is being organised, and in connection with it a committee is being formed for the purpose of inviting to England the editors of the principal newspapers in the Empire. Lord Burnham has consented to act as president, and among those who have joined the committee are Lord Northcliffe, Mr. Harry W. Lawson, Sir George Newnes, M.P., Mr. C. Arthur Pearson, Mr. Frank Newnes, M. P., and Mr. W. Hugh Spottiswoode.

Asiatic Immigration at the Cape

Two Test Cases

Question of Age

Former Domicile

Act of 1902 and 1906 Compared

The following is the full text of the judgment referred to in our special cable in our last issue. The case was *Baba and others v. Colonial Government*.

Mr. Justice Maasdorp delivered reserved judgment as follows: On the 11th of February last the four young Indians on whose behalf this application is made arrived in Table Bay by ship from India, and the Immigration Officer, being of opinion that they came under the category of "prohibited immigrants," in terms of section 3 of Act D. 30 of 1906, granted them only a temporary permit to land, on condition that they leave the Colony again within one month. It is quite clear that, in the event of this Act being applicable to the persons mentioned, they are "prohibited immigrants," by reason of their disqualifications under sub-section (a) and (b) of section 3 of the Act. But they claim to be exempt from these provisions of the Act, by virtue of the provisions of section 4, which enacts that section 3 shall not apply to "the child under the age of 16 years of any person who is permitted to immigrate into the Colony under the provisions of this Act." It is admitted by the respondent that the sons of the applicant are the children of persons permitted to immigrate into the Colony, but it is denied that they are under 16 years of age. It was also contended, on behalf of the applicant, that in case it was found that the boys were over 16 years, but under 21 years, they would be entitled, in terms of section 1 of this Act, to the exemptions allowed under sub-section (e), section 3, of Act 47 of 1902. But in the view I take of the facts in this case, it will be unnecessary to go into that question. The issue of fact raised in this case is whether the boys are under 16 years of age. The applicants, who are their respective fathers, represented to the immigration officer, and have now stated on oath, that the boys are under 16 years of age. But judging by their appearance and physique, the immigration officer felt doubtful of the truth of the representations made to him, and came to the conclusion that the boys were over 16 years of age. Having seen the boys in court, I can quite appreciate the doubts entertained by the immigration officer. But, although I must say that they are very well developed for their age, if they are under 16 years, still it cannot be said that they are obviously and beyond a doubt over 16 years. Under these circumstances both the applicants and the

respondent had recourse to the only other evidence that could throw light upon the question. Medical men have examined the boys, and four of them who did so at the request of the respondent have expressed the opinion that they are over 16 years of age. Seven medical men who gave evidence on behalf of the applicants are of opinion that the boys are under 16 years. Under the circumstances it cannot be said that there is any positive evidence to negative the sworn testimony given by the applicants. The doubts entertained by the immigration officer were certainly reasonable doubts, but I think they should be considered as satisfied by the information given in Dr. Currey's affidavit, where he states that he has had personal acquaintance with that part of India from where the applicants come, and he knows the Mahomedans of that district to be well developed in physique, sturdy, and somewhat tall in stature. He is confident that under similar requirements in India these boys would be qualified and accepted as under 16 years of age. I therefore come to the conclusion that they are, in terms of sub-section (e) of section 4 of Act 30 of 1906, exempt from the provisions of section 3 of the Act, and cannot be treated as prohibited immigrants.

The Second Test Case

In *Bapu v. Colonial Government*, Mr. Justice Maasdorp delivered reserved judgment as follows: The applicant in this matter arrived at Cape Town on the 10th of February last, from India, and he was found by the Chief Immigration Officer to be unable to meet the requirements of section 3, sub-sections (a) and (b), of the Immigration Act No. 30 of 1906. The applicant was duly informed that he was prohibited from entering the Colony; but he was admitted on a temporary permit for a period of one month to facilitate transhipment by the next returning steamer, and to permit of his completing certain necessary business. The applicant now contends that he does not come under the description of "prohibited immigrant" on the following grounds. He states that before the passing of Act 30 of 1906 he was domiciled in this colony, and under sub-section (f), section 3, of Act 47 of 1902, the provision of that Act relating to prohibited immigrants did not apply to him. It does not appear that, before the passing of the latter Act, any person domiciled in the Colony could after a temporary absence have claimed the right to re-enter the country notwithstanding the provisions of the earlier Act relating to prohibited immigrants. But the respondent contends that, however that may be, the right of Asiatics in the position of the applicant are now regulated by sub-section (g), section 4, of Act 30 of 1906. This is disputed by the applicant, on whose behalf it was argued that the privileges he acquired before the passing of this Act are secured to him by

the provisions of the 1st section of the Act. It seems to me there is sufficient proof that the applicant was domiciled here at the time this Act was passed. The allegations of the applicant and his adoptive father or guardian to that effect may be somewhat meagre, but they are uncontradicted. I am of opinion that by reason of such domicile the applicant, by virtue of sub-section (f), section 3 of Act 47 of 1902, enjoyed certain privileges which were reserved to him under section 1 of the later Act. Under the former section all persons domiciled in South Africa were exempt from the provisions of the Act, but under the later Act, although such exemption was retained as far as persons of European birth were concerned, the following special provision was introduced in the case of Asiatics. Under section 4, sub-section (g), "Any Asiatic who, having, when lawfully resident within the Colony, obtained from the Minister a permit issued under such regulations as shall be proclaimed thereof by the Governor, authorising him to temporarily absent himself from the Colony, returns in accordance with the terms and conditions of such permit," is a person to whom the designation of prohibited immigrant shall not apply. Now it seems to me that this section refers to all Asiatics, whether they were domiciled here when the Act was passed, or became domiciled since. And while holding that view of the construction of this section, I can see nothing inconsistent between it and the first section, wherein the existing privileges are reserved. It seems to me quite reasonable to secure a person domiciled in the country in the enjoyment of privileges possessed by him, before the passing of Act 30 of 1906, and then to proceed to make special provisions in the same Act as to mode in which such privileges may be preserved or forfeited. The Act provides the means whereby a domiciled Asiatic, upon leaving the Colony for a time, may insure himself against being regarded as a prohibited immigrant on his return. The applicant failed to avail himself of these means, and upon his arrival in the Colony after an absence of twelve months he was unable to produce the requisite permit which would have exempted him from the prohibitive provisions of the Act. The result is that he has been proved disqualified under sub-section (a) of section 3 of the Act, and he is not in a position to claim the benefits of section 4. His application must, therefore, be refused. But this seems to be a case in which the Minister might well consider whether some indulgence might not be granted, on the ground of misunderstanding, or negligence through illness, on the part of the applicant. In saying this, I do not by any means imply that an inquiry on the part of the Minister must necessarily lead to a result favourable to the applicant.—*Cape Times*.

Lord Amphill's Activity

Lord Amphill, President of the South Africa British Indian Committee, writes as follows to the *Morning Post* (London):—

Sir,—I beg that you will do me the honour of publishing the enclosed letter which I have received from Mr. T. J. Bennett, the proprietor and formerly the editor of that prominent and influential journal, the *Times of India*.

In making this request I trust that I shall not seem to you to have any intention of reviving a controversy which is for the moment happily allayed. Nothing is further from my intention, which is, on the contrary, to prevent some of the possible misconceptions which might cause a revival of the controversy. The compromise in regard to the question of re-registration which was affected between the Transvaal Government and the leaders of the Indian community in that Colony was concluded only just in time to prevent a very widespread manifestation of resentment in India which would have gravely affected the prestige and influence of the British Government. It has, therefore, not been brought home to the general public how strong and how general is the feeling excited among Indians by the Anti-Asiatic legislation in the Colonies; and they have consequently not been able to appreciate fully the dangers to Imperial unity and security which are involved. Mr. Bennett is as well able as any man to describe accurately what that feeling is, and I consider it a duty towards all those who are interested in this question to communicate to them the information which he has imparted to me as President of the South Africa British Indian Committee.

It is highly important that all should understand that this question has not yet been settled either in South Africa or elsewhere. In South Africa the grievances of the British Indian community remain the same as they were before the new grievance in regard to re-registration was created by the Asiatic Law Amendment Act of 1907. We may hope, however, that the mutual respect which must have been engendered by the courageous and dignified attitude of our Indian fellow-subjects and the conciliatory action of the Transvaal Government will lead to a satisfactory solution of the remaining difficulties. The point to be borne in mind is that there are such difficulties still remaining and that the compromise over the methods to be employed for the registration of "Asiatics" only settled that one part of the question which had reached a critical stage.

The newspapers afford daily evidence that the question is far from settled in Canada. Lord Elgin has refused to invite the Colonial Government to discuss the whole question

from the Imperial standpoint by conference or otherwise, but has promised to try the effect of "diplomacy." Public interference is always undesirable when diplomatic negotiations are proceeding, and it is for other reasons to be deprecated at this stage. There is, however, no time when it is inopportune for those who are concerned in public affairs to learn about and appreciate the forces which make for discontent, and consequent insecurity, in the Empire as a whole. This is my reason, and my sole reason, for asking you to publish Mr. Bennett's letter, together with my own, at the present moment, and I hope that if you are good enough to do so, the well-weighed opinion of so competent an observer as that gentleman will be valuable to all who desire to study this question without prejudice of any kind and with the single-minded desire that British honour should be upheld in every part of the Empire—Yours, &c.,

AMPHILL,

79, Cadogan-Gardens, March 24.

Harwarton House, Speldhurst,
Tunbridge Wells,

March 21.

The President, South Africa British Indian Committee.

Dear Lord Amphill.—You asked me to put into writing the remarks which I made at our recent committee meeting in regard to the impressions which I formed during my recent visit to Bombay of the opinion prevailing in India concerning the treatment of British Indians in the Transvaal. The accounts which have already reached you of the great meeting in the Bombay Town Hall last month will have satisfied the committee that the feeling on the subject was both deep and widespread. I left shortly before the meeting took place, but the requisition to the Sheriff to convene the meeting was already in circulation, and I noticed that this was of a remarkably representative character, for not only were the leaders of the great Indian communities amongst the requisitionists, but the European mercantile community and many high officials readily signed, and they attended the meeting in large numbers. I mention this because I have noted that efforts have been made in England to cause it to appear that only a few agitators in India were interested in the question.

That is as far from the truth as it would be possible for any statement on the subject to be. I have been in India during the discussion of many eagerly-discussed questions, but in none that I have known of has there been so manifest a display of deep and real resentment. The predominant characteristic of the agitation that had begun was that it was moving men of all races and grades of life, and of every school of thought. At one end were the dissident party

at the National Congress, who found in the failure of the British Government to protect Indians under the British flag a powerful argument for the reinforcement of their revolutionary pretensions. At the other end were men essentially conservative in temperament and usually indifferent to politics of any kind, men of the commercial class who ask little of the Government save that they shall be allowed to pursue their callings in peace. They had no commercial interest in the question, but they spoke with a bitterness that I had never met before in conversation with men of this class of the failure, as they called it, of the British Government to secure the common rights of citizenship to its own subjects. One wealthy trader, whose loyalty to British rule it would be preposterous to question, told me that he feared one result of recent events in Africa would be to consolidate Asiatic feeling and to lead Indians to turn away from England and to seek for support among their Asiatic brethren. Outside of Bombay I found the same feeling as strong amongst moderate men and men usually neutral in political questions as amongst habitual critics of the British Government. I may instance the chief Minister of a progressive native State, a level-headed, practical administrator, who assured me that while he took little interest in questions of current political controversy he felt intensely upon this matter, as it involved the flagrant and cruel oppression of his countrymen. "It is the one subject of my time," he told me, "on which we Indians must all think alike, and that is why the Government will suffer if this injustice is allowed to continue."

One needs to have had personal knowledge of the intense feeling which the anomalous treatment of our Indian fellow-subjects in Africa aroused in India to fully appreciate the high Imperial advantage that has been secured by the *concordat* happily concluded between the Indian leaders and the Transvaal Government. I was assured by Indian correspondents, on whose judgments I can rely, that the settlement was brought about only just in time to prevent an outbreak of feeling that would have constituted a grave political danger. Perhaps the least serious consequence would have been that large numbers of moderate men would have joined the extreme party, who, while I was in Bombay, had begun to make vigorous use of the argument that it was no use looking to the British Government for the redress of Indian grievances, inasmuch as in South Africa that Government had shown itself powerless to protect its Indian subjects against oppression. I need not enlarge upon that aspect of the question, but its significance will be obvious to the committee.—

Yours, &c.,

T. J. BENNETT.

The Draft Gold Law of the Transvaal

An Important Letter of Protest

The following letter has been sent by Mr. Essop Ismail Mia, Chairman of the British Indian Association, Johannesburg, to the Honourable the Colonial Secretary, Pretoria:—

Sir,—I have been desired by the Committee of my Association to approach the Government regarding the Draft Gold Law which the Government intend to introduce during the forthcoming session of Parliament.

In the humble opinion of my Committee, the Draft imposes on British Indians disabilities graver than those found in the existing law. My Committee had hoped, as it still hopes, that the legal disabilities of the community represented by it would be lightened by the Government instead of their being increased.

My Committee desires me specifically to draw the attention of the Government to the following:

1. The Draft retains in the definition of the term "coloured person" the word "coolie" which as applied to the present Indian population of the Colony is an offensive term, there being in the Transvaal very few if any coolies in the proper sense of the term. Moreover, the bracketing together African natives and Asiatics, British subjects and non-British subjects is to ignore the peculiar position occupied by British Indians.

The retention of the original law as to dealing in unwrought gold in so far as it specially affects coloured people besides their coming under the general prohibitions of the law, assumes that coloured people are the greater offenders in respect of dealing in unwrought gold, whereas in the opinion of my Association the contrary is the fact in so far as British Indians are concerned.

Moreover, the definition of unwrought gold probably prevents Indian goldsmiths from carrying on their business of manufacturing jewellery even out of gold bars prepared in and imported from England. This it will be readily admitted is a grievous hardship for the goldsmiths in question.

Section 127 of the draft law is, it is submitted, rather vague and seems to contemplate entire prohibition of acquisition by coloured people of any rights under it. The prohibition under the same section, to holders of rights acquired previous to the draft law, to transfer or sub-let such right to a coloured person makes the law retrospective in its effect.

Finally section 128 which contemplates the compulsory segregation of coloured people residing within proclaimed areas, would if carried make it impossible for a large majority of British Indians even to remain in the country.

In this connection my Committee begs respectfully to remind the Government that my Association represents a people who claim to belong to a cultured stock in the human family, and trading and other interests which are sufficiently large to warrant the statement that the segregation of the Indian community means utter ruin to it from sheer inability to protect those interests in Bazaars, Locations or Compounds.

My committee further reminds the Government that the majority of British Indians domiciled in the Transvaal live within the mining areas.

My committee therefore respectfully trusts that the clauses complained of will be withdrawn by the Government or will be so amended as to give the desired relief to the British Indian community residing in the Transvaal.

Imperial Parliament

HOUSE OF COMMONS,

Wednesday, March 25th.

Canada and Indian Immigrants

Mr. WEDGWOOD asked the Under Secretary for the Colonies whether he had yet any information which would explain on what grounds the Indians landing at Vancouver from the "Monteagle" were ordered to be deported by the Canadian Federal Authority; whether opposition to their landing came from the Federal Authority and not from the Provincial Government; and if he had information on these points would he give it to the House, and say whether the decision of the Federal authority had the approval of His Majesty's Government.

Mr. CHURCHILL: No, sir. I am afraid I have no further information to give.

Mr. WEDGWOOD asked whether the right hon. gentleman would make inquiries as to the reason which actuated the Federal Government in deporting these Indians.

Mr. Churchill was understood to say that inquiries were proceeding.

At the conclusion of questions, Mr. MORLEY said: With your permission, Mr. Speaker, and the leave of the House, I should like to be allowed to correct a misreport, in a rather important matter, of some words that fell from me yesterday in answer to a question put by my right hon. friend the member for the Forest of Dean. As this report, I understand, occurs in most of the public prints, probably the fault was mine. I am made to say that we had decided to send out an envoy to Canada to consider the case of the Indians now in Vancouver. What I meant to say, and what, I think, I did say was this—that I had the matter of these Indians under my very careful supervision, and that I am discus-

sing it both with the Government of India and, in concert with the Colonial Office here, with an envoy deputed to this country by the Dominion Government, with the hope of ending, if possible, this extremely difficult and possibly dangerous situation. (Hear, hear).

Language Tests for Immigrants in Natal

Mr. HAROLD COX asked the Secretary of State for India whether his attention had been called to the report of Mr. Harry Smith, Principal Immigration Restriction Officer of Natal, for the year 1907, proposing among other things that the Immigration Department should have power to nominate the European language which was to be used to test the fitness of Indians wishing to enter the Colony as free men; and whether the effect of giving such power to the Immigration Department would be to enable that Department to exclude from a British Colony British Indians who were perfectly conversant with the English language but who failed to pass a test in German, Russian, or Yiddish.

Mr. MORLEY: The report has not been seen either by myself or by my noble friend the Secretary of State for the Colonies. It has not been received at either office.—*India*.

Lobito Bay Indians

And the Natal Indian Congress

[SPECIAL TO INDIAN OPINION]

On reading the reports of the condition of the returned Indians from Lobito Bay in the papers, the Natal Indian Congress leaders decided on visiting them. Consequently they, through Mr. Dick, the acting Principal Restriction Officer, obtained permission to visit them at the Bluff.

The Congress leaders, headed by Mr. Dawad Mahomed, paid these unfortunate men a visit on Easter Monday. They were given full information by the authorities. The men, who seemed to have suffered much, were well cared for. They were being properly fed and clothed by the Government and they had proper medical attendance. The men complained bitterly that although many of them were of over ten years' standing in the Colony, they were being sent to India against their will. They are said to have stated that they will have to starve in India. They had little or no cash with them. They knew Natal more than they knew India. There were at the Camp over 390 Indians. Of these 373 embarked for either Calcutta or Madras per *S.S. Congella*. It is to be hoped that the men's worst fears will not be realised and that they will find some occupation on reaching India.

Parsee Function in London

Compliment to the S. A. British Indian Committee

[SPECIAL TO INDIAN OPINION]

On the 21st ulto., the Parsee community resident in England, through the medium of its representative body, the Zoroastrian Fund of Europe, celebrated the Jamshedi-Nouroz Festival—the Parsee New Year—by a Banquet at the Criterion Restaurant, London.

It has been the happy custom of this Association to invite to this annual function, two European guests who they feel have, during the previous twelve months, shown especial interest in matters touching the community, their motherland and fellow-countrymen. This year the gentlemen it was their delight to honour were Lord Ampthill, G.C.S.I., G.C.I.E., and Mr. Harold Cox, M.P. In the company, numbering about one hundred, these two gentlemen occupied seats to the right and left of Sir Mancherjee Bhownagree who, as leader of the Parsee community in this country, filled the chair at the head of the Banquet. Several other European guests, who are more or less identified with matters Indian, were favoured with an invitation.

The Toasts which followed a most excellent menu included H.M. The King, Emperor of India, H.M. The Queen, T.R.H. Prince and Princess of Wales and other members of the Royal Family, by the Chairman; the Guests of the evening, The Rt. Hon. Lord Ampthill, G.C.S.I., G.C.I.E., Mr. Harold Cox M.P., in which Sir Mancherjee Bhownagree spoke in laudatory terms of the Imperialistic services rendered during the past year by the gentlemen referred to, especially in connection with the recent struggle of the British Indians in the Transvaal against the Registration Law. Happy references were made by the speaker to Lord Ampthill's Governorship of Madras as also Mr. Harold Cox's residence in India. Responding, Lord Ampthill said that his presence there that evening was not in order to receive compliments for the performance of what had always in his eyes, constituted a simple duty. He always gladly welcomed any opportunity of being in the society of Indians. His sojourn in India had implanted the deepest affection for India and her peoples. He greatly appreciated the honour done to him in being invited as their guest that evening. Mr. Harold Cox likewise expressed his appreciation. Speaking of the solidarity of the Parsees as a community, he referred to the racial struggle recently compromised in the Transvaal but which was assuming much more serious proportions elsewhere within the Empire. He pointed out that the instinct of race, deep rooted in the human breast, was far

from being understood in all its meanings; that while great advantages accrued from its being rightly fostered, it was otherwise capable of leading to exaggerated selfishness and extravagance.

Other Toasts were the Parsee Community and Jamshedi-Nouroz—Lord Ampthill; The Indian Empire—Mr. Terrapore; The Visitors—Mr. Moolla; The Zoroastrian Fund of Europe—Mr. L. W. Ritch, and lastly, The Chairman.

Asiatic Passive Resistance

On the above subject, Mr. H. S. L. POLAK has commenced to write a book on the recent Asiatic struggle in the Transvaal.

The Book will aim at giving a complete and authentic summary of the (to the Asiatics at any rate) stirring events of the past sixteen months.

The Book will contain a bird's eye view of the whole position in South Africa with copious statistics.

The Book will contain copies of important laws and memorials.

The Book will contain photographs of the principal Passive Resisters, Sympathisers, principal Members of the South Africa British Indian Committee and others.

The Book will contain a reproduction of the historical cartoons from the pens of Mr. Holland and Mr. Lloyd as published in the Rand papers.

The Book will, therefore, be one of reference to all Indian publicists and Indian workers both in South Africa and India.

To every lover of the Empire it will be a record of events showing how the weaker members of the Empire can command justice.

To every ethically-minded man, the Book will be a demonstration of the Efficacy and Supremacy of Ethics in the political world.

To every Indian who can afford a small sum, it will be a memento or a suitable present to send to friends and sympathisers of Indians.

It is not possible for us to publish the Book, as we have not the means, unless a portion of the cost is paid in advance. We therefore ask our readers and workers in the Indian cause to send us subscriptions with the names and addresses of Subscribers on or before the 15th day of May next.

The price of the Book will be five shillings (5/-) nett.

We propose to publish the Book within six months of the date of this Notice. And should we for any reason whatsoever fail to publish the book within that time, we undertake to refund the subscription paid to us without any deduction whatsoever.

Subscriptions may be sent to the Managers, INDIAN OPINION, either at Phoenix, Natal, or P.O. Box 6522, Johannesburg.

Note.—Collectors and Subscribers are requested to send money orders or stamps only, or else cheques covering commission. In the event of stamps being sent *one penny* should be added when the stamps are not the Transvaal or the Natal Stamps. Subscribers should be careful to obtain the official printed receipt, as no other will be recognised.

Indian Patriotic Union

A representative gathering of the Indians residing at Springfield and Clare Estate took place at Baboohal's store on the 12th inst., Mr. Khandai Maharaj presiding.

The Chairman, in the course of his address, extended a hearty welcome to the delegates who had come there, walking about 10 miles to attend the meeting. Continuing, he stated that the Indian Patriotic Union was an institution of which every Indian should be proud, for its purpose was to foster a healthy feeling of responsibility and true citizenship.

Messrs. P. S. Aiyar, Lugunpathy, Buthroo, Roop Narayansingh, Gareeb, and Hoosen Mia delivered speeches further explaining the objects of the Union.

Mr. Baboohal proposed that a branch of the Union be formed.

Mr. Buthroo seconded, and it was carried unanimously.

Mr. Khandai Maharaj was unanimously elected Chairman of the branch and Messrs. Washington, Gopal, and Thomas Honorary Secretaries.

The branch of the Union at Isipingo held its first meeting at the Hindoo Temple, Mr. R. Dehaloo presiding. There was an exceedingly large attendance, due to the Indian employes having been informed that the proceedings would be conducted in their own language, and that the promoters were local men, willing to gather information from them and impart to them that which was necessary for the betterment of their condition.

The Chairman said that the Indians were loyal British subjects, and that their home was this Colony. The Union was founded with a view not only to ameliorate the present distressed condition of their fellow-men, but also to assist them in every possible way to a better condition in life. The Union had been making efforts to educate public opinion in all parts of this Colony, and they were holding meetings week after week, at very great personal sacrifice, in order to rouse the public to a sense of responsibility to themselves, their children, and the land they lived in.

Messrs. Ramasamy Naidoo, Roopram Postmu, Matheu, and Katidin Pundit delivered lengthy discourses.

Messrs. A. Roopram Postmu and R. Matheu were elected joint secretaries, and a committee was also elected.

The Transvaal Controversy

A British Protest

The following letter appears in *The Times of India*:

Sir,—I write to say I trust the natives of India do not attribute the scurvy treatment their friends are receiving in the Transvaal to any definite act of the Britishers resident in the Transvaal. The English have practically no power here now and the Government is in the hands of the Dutch party, and many Englishmen feel very indignant at the way in which the Indians are being treated.

The Indians are most useful in the country districts, always civil and well behaved, and help to check the exorbitant prices the few storekeepers try to charge; they are mostly Mahomedans from Surat, and nearly everyone in the country districts has a kind word for them.

AN ENGLISH FARMER IN THE
TRANSVAAL

Feb. 7th.

Shall Europeans be Excluded from Asiatic Countries?

An Indian View

We wonder that one question of principle has not yet been raised in regard to the reluctance of the Transvaal Government to admit natives of India, and of the United States Government to admit even such advanced Asiatics as the Japanese. If those Governments have the right to exclude Asiatics at their pleasure, why should not His Golden-Footed Majesty of China be at liberty to exclude white men at his pleasure? And why was war declared against him to make a forcible entry into his country? Why should not Persia be at liberty to exclude Russian, Englishman and German? What right had Lord Curzon forcibly to enter Tibet on pretence of opening commercial relations? When the East India Company obtained a charter to trade to the East Indies, could the Great Mogul have refused them admission? If he could, where would have been the Indian Empire to-day? The simple question is, has any nation the right to exclude foreigners? If it has, the right ought to be universally recognised. If the United States may keep out the Japanese, Australia the Chinese and the Transvaal the Indians, why should not any Asiatic country have the right to keep out any class of Europeans? Or are we to understand that the white races may keep out the brown and the yellow, but that all must admit the white? If it is so, is this a way of recognizing the brotherhood of man? We want to raise this question at the bar of reason, at the

bar of Christianity. Why must Indians register themselves and give their thumb-marks when they enter the Transvaal? Why must there be a limit to the number admitted? Would any European nation admit the application of such a principle or practice to their own case if any country sought to enforce it on them? We are supposed to live in days of Free Trade. And yet Australia would not admit Chinese workmen for fear of competition with their cheap labour. Why then must we Indians admit all races into our own country and allow our rice to be freely exported? We are glad to see that for the first time in the history of the agitation about the Transvaal Indians, Lord Curzon insisted on the rights of British citizenship being fully recognised in natives of India; but even he does not appear to have gone far enough in discussing the question of principle we have raised. Are all countries to be open to all people? If not, why not? And what are the conditions and limitations?—*Indian Nation*.

White and Coloured in Transvaal

A Progressive View

Speaking at Pretoria, last week, SIR PERCY FITZPATRICK, M.L.A., said:

Let them talk about the foundations. How they were first of all to admit the white people in federation or unification, how they were going to be recognised. The white people of all classes had first of all to be recognised. As he had said, there was no bar in law to the coloured man coming into the working sphere of the white man. They were taking great pains to educate them so that they would be better able to compete with the whites. He did think they might adopt a policy of helping poor white people, regardless of race or political convictions, by giving them opportunities for the fullest development of the minerals of this country and giving them an equal chance to get on the land. The position of South Africa to-day, which was of value to the native, and was coveted by the Asiatic, was the work of the white man. It was impossible in those circumstances to admit on equal terms people who had not the same capacity for devising, the same ability to maintain and the same willingness to defend. (Cheers.)

RECEIVED FOR REVIEW: The Annual Report of the Principal Immigration Officer for Natal; The Report of the South African Temperance Alliance; "Oriselda or the Patient Wife" (in Tamil) by C. Sundaram Aiyar, B.A., Madras; The General Supplies Co. Price Rs. 3.

The Asiatic Problem in the Colonies

A Home View

Clearly a uniform policy is needed, one which will, so far as possible, harmonise Imperial interests with those of the several communities mainly affected. To establish the basis of such a policy is not easy; but, difficult as the task is, it should be faced while the Asiatic immigration can still be kept within bounds, and before it swells and grows to unmanageable proportions. It is for the Imperial Government to initiate the necessary measures without delay. Why should not a competent commission be appointed to investigate the actual facts in Asia, Africa, and the Colonies, and ascertain precisely what the emigration is, what it is likely to become, and what available areas and facilities exist for disposing of it safely and even advantageously? Let us know what countries do not want the coloured immigrants at all, and what countries can and will take them under certain conditions? When this material has been collected, an Imperial Conference should be called, *ad hoc*, to discuss the whole question, and to frame, by mutual consent, a programme under which the entire process can be controlled and regulated on the broad lines of economic and international expediency. In justice alike to our own kindred and to the coloured populations themselves the haphazard attitude should be abandoned before it leads to danger, and, perhaps, to disaster.—*Standard*.

Japanese Trade In China

A Drastic Boycott

Pekin correspondents state that China is deeply incensed at the high-handed action of Japan in connection with the Manchurian railway and Tatsu Maru incidents, and is thirsting for revenge.

A movement has been started in Peking with the object of killing Japanese trade in China. It takes the form of a drastic boycott of Japanese goods, and is likely to prove more costly to the people of Nippon than an ordinary war.

Instructions are being sent to the Viceroys and Governors throughout China to discourage in every possible way the purchase of goods manufactured or produced in Japan. Traders from that country will be persistently harassed with the object of compelling them to quit the country. All this, of course, is to be done secretly, for China has no desire, neither can she afford at present, to openly defy her neighbour.

The correspondents state that the boycott will be maintained until Japanese trade has been damaged to the extent of thirty millions sterling. *Rand Daily Mail*.

Roodepoort on the War-path

The following letter, says the *Mail*, has been sent by the secretary of the Roodepoort and District Commerce Chamber to the Municipal Council at Roodepoort-Maraiburg. It will be considered at the Council meeting on Wednesday April 22:—

The Town Clerk, Roodepoort.

ASIATIC MATTERS

Dear Sir,—By direction of my Chamber I enclose herewith a list of resolutions adopted at the general meeting held on April 19, for the information of your Council.

I am to draw the special attention of your Council to resolution No. 3 dealing with the matter of Crown lands for Asiatic Bazaars and other municipal requirements. And my Chamber trusts that the Council will take early steps to approach Government with a view to provisions being made in the new Gold Law for the setting apart of claims adjacent to this township for municipal purposes.

Kindly place this important matter before the next meeting of your Council.—I am, etc.,

(Signed) F. PICCIONE,
Secretary.

RESOLUTIONS ADOPTED BY THE ROODE- POORT AND DISTRICT CHAMBER OF COMMERCE.

1. That it has been brought to the notice of this Chamber that many Asiatics who are exempted from holding land by law, are actually holding and occupying land under cover of mortgage bonds and of the names of Europeans. As an example and proof of this, in Roodepoort Township, stands Nos. 464, 467, 471, 296, 412 469 were purchased by and are owned by Asiatics (Indian British subjects), but the transfer deeds are registered in the names of (first four) H. S. L. Polak (of Mr. Gandhi's office), J. M. van Wyk (hawker, of Roodepoort), and Jan. S. van Graan (an insolvent of Roodepoort). In the case of stands 412 and 469, both registered owners, in cross-examination before the A.R.M., Roodepoort, swore that they held these stands in trust for certain Indians. These Europeans have merely lent their names to these Indians. In the case of stand 469, it is secured by a mortgage bond of £700; and other of the stands mentioned are, or it is believed will be, secured in a similar way as against the said Europeans.

This Chamber is, therefore, of the opinion that by such means a loophole is found in the law which is practically set at naught, and a Bill should be introduced making it illegal for any European to lend his name in such cases, and prohibiting all Asiatics from holding mortgage bonds either in their own or European names over landed property.

2. This Chamber would urge upon the Government to bring in Legislation to compel all Asiatics to reside and trade in bazaars or areas specially set apart for that purpose, and that no Asiatic shall be permitted to hawk or trade outside of these limits.

3. That Government take into early consideration the cases of such townships as Roodepoort, which are without any Crown or Municipal lands other than those in present use, and provide land by way of acquiring and handing over the Municipalities lapsed or other claims adjacent to such townships for the purposes of Asiatic bazaars, and other Government and Municipal use.

4. That in view of the decision to permit the Asiatics to register voluntarily, this Chamber would respectfully draw the attention of the Government to a matter which it considers to be of the greatest importance to the country. With the settlement of the Asiatic question, and the legal standing that the Asiatics will obtain, it is inevitable that an enormous increase of trading licences will be applied for, and this Chamber submits that, instead of minimising the dangers which have menaced the commercial communities, they will be greatly accentuated and competition will be still further increased. This Chamber notes with satisfaction the assurance of the Hon. the Colonial Secretary that no licences will be granted or renewed until Parliament meets, and it trusts that simultaneously with the consent of Parliament being obtained to the altered conditions of applying the Registration Act, a law will be introduced, to take immediate effect, similar to those obtaining in the Cape Colony and Natal, whereby the granting of trading licences for all classes of the community shall be vested in the various local authorities throughout the colony. That these local authorities have the same powers vested in them as the liquor Licensing Boards possess under the Liquor Laws. If such a law be not passed before further licences are granted, it is absolutely certain that a large number of European stores will close down in the immediate future, and numbers of assistants, both Dutch and English, will be thrown out of employment and traders practically ruined.

5. In view of the fact that the Asiatics may for the time being trade without licences, this Chamber would strongly urge the Shop Hours Regulations being enforced without delay, as under present conditions some of the Asiatics and other stores keep open thirty hours longer per week than the hours recognised by the Chamber of Commerce.

6. That the Chamber is further of the opinion that legislation should be introduced compelling all firms and individual traders to keep their business books and accounts properly and correctly in the commercial languages of the country.

7. That this Chamber trusts that the Director of Immigration will be instructed to exercise the utmost vigilance to ensure that none but those who previously held legal permits shall receive permits to remain in this Colony.

That copies of the foregoing resolutions be forwarded to the Hon. the Prime Minister, the Hon. the Colonial Secretary, the Members, for Roodepoort, the Roodepoort-Maraiburg Town Council.

Facts and Comments

INDIAN MAIL. For Bombay, per S.S. *Umstinga*, until 4 p.m., Monday, April 27th.

HAMIDIA ISLAMIC SOCIETY. At the weekly meeting of the Hamidia Islamic Society of Johannesburg, held on Sunday, the 12th instant, a resolution of condolence was passed with the family and relatives of the late Mustapha Kamel Pasha. A resolution of congratulation was passed at the same time, congratulating Mr. H.S.L. Polak on the occasion of his admission as an Attorney of the Transvaal Supreme Court.

A NEW MAGAZINE. *The South African Bulletin* is the title of a magazine issued at Pretoria for the benefit of the Theosophical movement in South Africa. Mr. Dijkman, who is its moving spirit, has been appointed the Presidential Agent of the Society for South Africa. With Mr. Dijkman the editing and publishing of the magazine is a labour of love. We wish the venture all success. All contributions and communications should be addressed to the Editor, *S. A. Bulletin*, P.O. Box 644, Pretoria (Telegraphic address: "Dijkman," Pretoria.)

A CONFERENCE WANTED. The mere suspension of the operations of the revolting laws of registration may effect the gulf to be bridged over for a time; but it cannot solve satisfactorily for all time the difficult and intricate question of Indian immigration within the Empire. To effect this, a thorough reconsideration of the general policy pursued in the British colonies against the Indians is urgently required for the good of both. The Indians have proved to the world by their bold stand and spirit of self-sacrifice that they are of a race which stands very high in the scale of nations. The British people have seen to their advantage what a storm of protest and indignation could be raised in newly-awakened India by the oppression of her immigrant sons. It is for their statesmen now to steer clear of the rock ahead—*Telegraph* (Calcutta).