

Indian Opinion

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Indian Opinion

SATURDAY, JUNE 13TH, 1908.

Indians in Rhodesia

THE handful of British Indians in Rhodesia are to have a very hard time of it with the Legislative Council. The legislators of Southern Rhodesia have been infected with anti-Asiatic prejudice. Two Draft Ordinances have already been published, one, in connection with licences, which practically sounds the death-knell of the Asiatic trader, and the other, in connection with Asiatic immigration. Both measures are reactionary, un-British, and tyrannical. The Immigration Bill, however, is by far the worst. It is almost an exact reproduction of the Transvaal Asiatic Law Amendment Act. What is new in it makes the proposed legislation far more objectionable; for instance, the definition of "Asiatic" includes females, and, of course, distinguishes against Turkish Mahomedans. Registration is confined only to Indians who may be found in the Colony on the promulgation of the Ordinance, and who may come to the Colony within six months from the date of the promulgation and prove to the satisfaction of the Registrar that they were in the Colony previous to the promulgation for a continuous period of three years. Education is not to be the test, but only race; and the jurisdiction of the ordinary Courts of that Colony is to be replaced by the administrative orders of the Registrar of Asiatics, a new official. The Rhodesian legislators

have, therefore, succeeded in out Heroding the Transvaal Herod, and they have sprung these Bills upon the community at a time when the few Indians in Rhodesia are hardly in a position even to make themselves heard. We understand that the Asiatic population of Southern Rhodesia does not exceed 500 at the outside. It will be, therefore, entirely for the Imperial Government, the Indian Government, and the South Africa British Indian Committee, as trustees for British Indian immigrants, and for the sake of the Empire, to take up the cudgels on behalf of the Asiatics in Southern Rhodesia.

The Creative Spirit

ONE of the greatest joys and privileges of life must lie in the exercise of the creative spirit. To originate, to see a new thing grow under one's hands, to feel the thrill of pride in setting by the ears the centuries to come—these are delights granted to the very few. Something of all this, though but in a mild degree, must have moved the hearts of those gentlemen who, in the cause of their country's union, for the sake of the land of their birth or adoption, came together a twelve-month ago, and initiated a course of study and investigation, that has culminated in the issue of a publication which will leave its mark upon the present generation of South Africans, and will furnish a basis and foundation for the closer union of the South African nation that is to become the matrix of the genius and inspiration of the sub-continent in the coming years.

Twelve months and more ago, Lord Selborne gathered round him a number of brilliant, able, thoughtful men, who co-operated with him in the preparation of his now famous Memorandum of Federation. These colleagues of his, apparently, were so fired with the idea of a great South African nationality, that they persisted in their investigations, imbued other brilliant, able, and thoughtful men throughout South Africa with their own enthusiasm and, by dint of galvanising into life the dry bones of official facts and figures, have succeeded in laying before the public, in the first two instalments of a work entitled "The Government of South Africa," a production so full of suggestive thought, so packed with useful matter, so alive with practical ideals, that the reader, unless he be a clodhopper of unalterable dulness, must perforce assume the arms and armour of the political knight-errant, and ride out upon the quest of the dragon of disunion, with the object of slaying the

monster wheresoever he shall be found.

We are shown the chaotic state of the present eleven-fold discord, and are bidden to contrast this with the harmony and peace and symmetry of the future, whereof we are permitted an occasional glimpse, as though the authors of this wonderful revelation, like the wise masters of old, were afraid lest, the whole truth being suddenly discovered, the seeker should become dazzled by the unaccustomed brightness, lose his foothold upon the reality of things as he had hitherto perceived them, pitched head-foremost into the abyss of the unknown, and dashed out his soul upon the sharp rocks of unexpected experience.

Ah, this wonderful art of Nation-building! It has a glamour of its own, a peculiar technique; and the Nation-Builders, what a wonderful, imaginative, comprehensive, intuitive race they are! Whence do they derive their inspiration, their originality, their vast hope, their marvellous courage? World-history would be very different without them—and how dreary, commonplace, and uninteresting! Perhaps, also, how bloodless and tranquil! It is difficult to say exactly what their function is. But we may be allowed to warn them with regard to the materials they use. As the foundation is, so is the superstructure. Build the foundations well and of good sound material, and the superstructure will stand many a blast, outlive many a shock and storm. But if the materials are chosen without a proper understanding of them, unless the builder and the materials co-operate, both foundation and superstructure will be rotten, and will crumble and fall to ruin by reason of their own rottenness. In South Africa, the foundation has to be built of many peoples and races. Let the builders understand and deal sympathetically with these fundamental factors, and the State will build almost of itself. But let any one people or race feel that it is scornfully or spitefully used, that its sentiments are ignored and its susceptibilities ridden over roughshod—and the building will fall like a pack of cards.

A CORRESPONDENT OF THE *Natal Mercury* states that

Shearing Indian Women an Indian woman, who was imprisoned for not having paid the £3 poll-tax, had her head shaved. Now an Indian woman has her hair removed only when she becomes a widow. In every country claiming to be civilized, certain sacred susceptibilities are respected. Has it remained for a Natal prison official

wantonly to wound them? The circumstances under which the poor woman had to go to gaol are also most pathetic. She did not or could not pay the £3 tax, which the Natal Legislature has thought fit to put on free Indian industry. Lo long as Indians are not treated as human beings, so long will such treatment continue, in spite of otherwise good intentions.

The *Pretoria News* ADMIRABLY

The Transvaal Local Government Bill

undefines the objectionable features of the new Transvaal Local Government Bill, from the point of view of the non-white. There are the archaic provisions forbidding coloured persons (undefined) from walking on municipal footpaths—a significant resurrection, pointing to a reactionary anti-colour policy. There are the licensing provisions, empowering Municipalities to rob Indians of their licences without the right of appeal. We seem to be in the position of scratching a Transvaaler and finding a Natalian, the flavour of confiscation is so strong. Then there is the question of location without benefit, in the matter of the tram prohibition. Ah, we discern the cloven hoof in the all-white policy of employment in butcher's and baker's work. These are a few of the restrictions contemplated, and they do not make us easy in our minds as to the aptitude of the Transvaal governing authority to learn the lesson of passing events. The blindness of those in power has been a by-word the ages through. Our friends in the Transvaal may yet have to suffer for the follies of their rulers.

LEGISLATORS MOOR AND WINTER

have been expounding **On with His** their political beliefs at **Head** that centre of political intelligence, Estcourt, and they have delivered themselves of the mature opinion that the Government has made a profound mistake in regard to the essential provision of its second licensing Bill. We agree with these sapient advisers, but not for the same reason. They, from the profundity of their wisdom, hold that the last Indian licence should be expropriated in five years' time, instead of the decade suggested by the Government. We are astonished at the moderation of Messrs. Moor and Winter. They deserve encouragement. They are brave men. They are evidently bent on seeing how far a State can be governed without the mainsprings of justice and mercy. It is an interesting experiment that these worthy men have set themselves to undertake, and we sincerely hope that their intelligent investigations will show results of a satisfactory nature.

We will, for the moment leave them, with something of regret, and turn to the grave politicians of Estcourt. What did they have to say to this remarkable revelation of the workings of the human mind? How did they greet this effort of imagination, this new aspect of applied ethics? We have no reason to suppose that they expressed anything but gratified surprise at the broadness of the views enunciated, and no doubt marvelled that Messrs. Moor and Winter had not pronounced for outright abolition. We recollect that the King, in "Alice in Wonderland," had one certain panacea for all the ills his subjects were heir to. "Off with his head," was his inevitable prescription when his advice was sought by a subject in the matter of a suitable remedy. We recommend the prescription to our Indian readers, that they may be thankful for small mercies, and realise something of the moderation and tolerance that must be credited to the two gentlemen whom their electorate has delighted to honour.

A PERUSAL OF THE NEW CAPE

Legislation reproduce in this issue, by should make thoughtful

Proclamation readers rub their eyes

with amazement. They will observe that, in a British Colony, under a democratic government, with a legislature representing popular opinion, it is possible for permanent officials to entirely alter the spirit and tenor of an Act of Parliament by arbitrary proclamations, merely by ensuring publication in the *Government Gazette* of the Colony. Such are the enormous powers given by the Cape Immigration Act to its administrators. The stupid error committed by the immigration officials in the matter of the Feinstein case is now to be retrieved by a provision ensuring that, even if a prohibited immigrant be brought ashore for police purposes and against his will, he can afterwards be treated as a prohibited immigrant who has entered the Colony illegally, an amazing distortion of logic. But more extraordinary still is the further regulation treating a prohibited immigrant, who has outstayed his time of residence granted by a duly authorised temporary permit to enter, as one who has entered the Colony without a permit. The present Cape Government seems to have a very perverted sense of humour. "When is a man who has entered the Colony with a permit not a man who has entered the Colony with a permit?" we can hear the Colonial Secretary amiably asking himself. And pat comes the reply—"When I say so by Proclamation!" *Africa semper aliquid novum affert* is an old and trite saying. We wonder if anything more novel than this can be found even in this land of wonders!

MR. JOHN X. MERRIMAN, THE CAPE

Premier, deserves the **An Aristocracy of Labour** thanks of every right-thinking man in South

Africa for his straight answer to the labour deputation that waited on him last week. The three tailors of Tooley Street have evidently their counterpart in South Africa, as elsewhere. "We the labourers of South Africa"! That is the claim of the white overseer. But Mr. Merriman has characteristically regarded the matter in a proper perspective, and has straightway said "You white workers don't represent labour at all. You represent no-one but yourselves, an infinitesimal minority. You are the aristocracy of labour here, the few who owe your positions as such to the existence of a whole, huge, democratic proletariat, who don't talk a great deal about work, but who do it according to their understanding and ability—the coloured people of South Africa. These are the real workers. Don't forget that!" And Mr. Merriman might have gone on to draw analogies from history, showing how the plebeian has inevitably taken the place of the patrician, the democrat that of the aristocrat, the ruled that of the ruler, the slave that of the master, when the latter has remained content to owe his position to the labours of the former and has not sought to maintain and strengthen it by demonstrating beyond doubt his own continued and increased efficiency, adaptability, and originality. The sham aristocracy of make-believe, of necessity, disappears. The true aristocracy of character is bound to persist. These remarks, no doubt, partake of the nature of triteness, but they seem to have all the merit of newness in this amazing country, where everything is upside down, right is wrong, and wrong is right. A dozen Merriman's would make a clean sweep of much of our over-growth of rank morality, and would offer Mother Earth a chance to breathe freely and give birth to a new generation imbued with just desires and merciful attributes.

CAPE INDIANS: We understand that, on the invitation of the South African Indian Association of Capetown, delegates from the several Indian centres of the Cape Colony will meet in conference at Capetown from the 25th to the 28th instant inclusive in order to discuss various matters of importance to the community, notably the Dealers' Licences Act, and the Immigration Act. A Reception Committee, we are informed, has been appointed to meet the delegates and make the necessary arrangements for the conference. All delegates must arrive by the morning of the 24th instant.

Seeds of Disruption

[SPECIALLY CONTRIBUTED BY AN ENGLISH CORRESPONDENT]

The seeds of epoch-marking events would, in the wisdom of the gods, of times seem to be sown in most remote and least likely soil. To the Anglo-Saxon lodged in a small isle in the North Atlantic it was given to take up the thread of human progress and to keep alight the torch at which the slumbering genius of the East should in time to come once again be kindled. It would seem as if that hour had already struck. Once again we witness the birth, or perhaps rather, the re-birth of an island nation that has already manifested the attributes of a great and intensely vital people. With the rising of the sun of Japan there undoubtedly began a new chapter in the world's history, and ere that chapter be closed, many a modification in the bearing of West towards East will have been found necessary and, it is to be hoped, will have been freely adopted. To no people is this matter so important and so momentous as to us who have the honour to be members of the British Empire; an Empire embracing peoples in almost every stage of evolution, peoples differing in religion, ideals and physical complexion. However slowly the mills of God grind, grind they do, and our knowledge of the causes that lie at the back of the phenomena that present themselves to us is so painfully small that he would be a bold man who denied that Providence may indeed have brought together such heterogeneous elements as are contained within the fold of our Empire so that out of their interaction—not necessarily physiological in character—might be born a species combining the best qualities of both.

In the penetration into India of the Englishman and his remarkable zeal for colonisation of the past five centuries it is perhaps not unreasonable to see the action of forces of a truly missionary character. To have carried the light of a new and virile civilisation into quarters of the globe whose peoples were sunk in the torpor of degeneracy, to have stirred into life the smouldering embers of self-consciousness, to have re-directed the halting steps of those to whom the way was forgotten is truly to have performed no ignoble service. That such motives have, in the past, inspired Englishmen who were privileged to strike the key of the nation's action, there can be little doubt. The missionary spirit is the spirit of sacrifice, the spirit of giving, of leavening the lump, and irrespective of more or less faulty execution, this irreproachable ideal has, in the main, been the dominant one hitherto. The conduct of pioneers towards the subject races in remote lands may not always have been consonant with this ideal, but the forces at the heart

of the Empire have been sufficiently powerful to operate in healthy restraint of excesses and to nurse the slow upward tendency of the new foster children. More recent years, however, would seem to have brought with them a change of tone, due, doubtless, to the robust growth of what it is now the fashion to call no longer colonies, but sister states. The tendency, nay, the avowed determination on the part of the colonist, more especially of the colonial-born, is to maintain the lands over which he has dominion as a "White man's country" which term, in its true nakedness, means that he, the white man, shall alone be privileged to exercise the fullest ownership rights in respect of them. Much may be forgiven a people actuated by unselfish motives however rudely their work be carried out. But once the canker of racial exploitation usurps the place of true government the whole character of that purpose is changed, the knell of that people's doom is sounded, the seeds of disruption have been sown. That such a policy of racial selfishness in our colonial communities has arisen shortly upon the granting to them of Responsible Government—a policy in face of which the Mother State, once powerful to check, now stands confessedly impotent, is being evidenced on every hand, but in no case more remarkably than in South Africa.

In Canada and Australasia we witness the spectacle of a handful of "whites" monopolising continents which they, themselves, are unable to develop, but which from motives of "self protection" they declare shall not be available to contain subjects of the Empire who in many cases are naturally better adapted to their development. The rights of property so applied can scarce amount to less than a *reductio ad absurdum*. The maxim *sic utere tuo ut alienum non laedas* has herein special significance. Moreover, such an attitude amounts to a challenge which must some day find an acceptor.

In South Africa the situation is complicated by the fact of a large and growing indigenous population, plus a considerable number of settled immigrants from Asia. There the "White man's-country" doctrine would appear to be particularly iniquitous. The Bantu races of the sub-continent are virile and admittedly amenable to the influences of European civilisation. Long association with European settlers has had the effect of quickening their evolution and to-day a goodly proportion have been so far awakened to their own possibilities as to call out, with no little persistence, for a larger measure of education and recognition. Towards this spirit the attitude of the European colonist can scarcely be said to be sympathetic. The doctrine that the native should furnish the unskilled labour for the industries pre-

sided over by white men, would seem to have taken firm root almost throughout South Africa. With the exception of the Cape Colony, whose example is looked at askance by her neighbours, the native is wholly unrepresented politically, and legislation when it touches him or affects him at all, almost invariably, contemplates him as helot, and a convenience to his white overlord. His education, it is felt, should be limited to that degree which would just qualify him for menial service. Any tendency to rise beyond that should be firmly discouraged, as it is said in his own interests. One hears much of the dangers of Ethiopianism and of the unwisdom of "pouring old wine in new bottles." Examples of superficiality are pointed to as proof of the general incapacity of the black man to truly assimilate white civilisation, forgetful of the fact that the 'hobbledehoy' stage is invariably unlovely. How this concept of a "White man's country, artificially produced by the permanent helotage of a ten-to-one majority of virile and awakening aboriginals is to be translated into practical politics and maintained, is not so easy to perceive. That it likewise contains the elements of racial collision and conflict can hardly be doubted. The conduct of the Transvaal and of Natal towards their settled Asiatic population is all of a piece with the native policy. Indeed it is almost certain that the Anti-Asiatic attitude is, to a great extent, a corollary of that policy. The South African politician regards with disfavour the introduction of an alien coloured element largely on the ground of his dangerous influence upon the quickening self-consciousness of the native. During the recent struggle there were not wanting frank admissions that the disinclination on the part of the Asiatics to submit unquestioningly to the dictation of the 'whites' was calculated to react dangerously upon the native mind. The question of colour is thus seen to occupy pride of place. Curious as it may appear to those whom distance enables to see in truer perspective, the fact of prejudice, deep and unshakable based upon colour, excites no surprise in the Africander. The Grondwet of the Transvaal Republic laid down as a fundamental Article of its Constitution "that there should be no equality between white and coloured." Trade jealousy and an ignorant intolerance of unfamiliar customs and manners have contributed largely towards the anti-Asiatic antagonism. The presence of indentured labour—Chinese in the Transvaal and Indian in Natal—has likewise contributed much fuel to the racial fire. White labour, if not presently assailed, feels itself potentially threatened. The recent success of the Asiatic passive resistance against the Transvaal Registration Law, while it undoubtedly raised the com-

munity in the opinion of a section of the Europeans, has seemingly but strengthened the determination of the several colonies to either rid themselves altogether of their Asiatics or else to reduce them to the dead level of the native. A party leader recently delivered himself of the view that coloured immigrants should be given no rights beyond those enjoyed by natives. It should be remembered that the disabilities imposed upon Asiatics by the late Transvaal Republic have never been removed, so that "taxation without representation" is still true of British Indians who are, moreover, incapable of owning fixed property save in locations set apart for them, to which they are, furthermore, liable to removal. The Indian opposition to the Registration Law was justified partly on the ground that there was reason to suspect that registration would, at no great interval, be followed by compulsory removal to locations. The experiences of the Indian community in 1903, when locations, in some instances miles away from the town, were marked out and the Indians ordered to remove to them, may have afforded reasonable excuse for some such suspicion. Like the Law itself, the locations still exist and latest telegraphic news is just to hand to the effect that the new draft Gold Law of the Transvaal embodies a clause which will operate to derive Indian merchants and other traders of their right to trade in Johannesburg and other towns in the mining area save in locations.

Natal confessedly owes her prosperity, nay her very existence, to the labours of the patient and poorly recompensed indentured Indian. For forty years Natal has drawn on India's manhood for her own physical upbuilding. To-day the Colony feels itself capable of dispensing with India's assistance; perhaps indentured labour with power to repatriate the used-up corpus might still be tolerated but public conscience in England, if not in the Colony itself, is still sufficiently sensitive to revolt against such a proposal which, however, has not infrequently been submitted for sanction to His Majesty's Government. The Indian trader must, however, be got rid of at any cost, and so news comes to hand that a Bill is to be introduced at the next Session of the Natal Parliament with the object of repatriating—or expatriating?—Asiatics during the next ten years, always allowing compensation where vested interests are disturbed. Far reaching as this decision may be, the blow to those immediately concerned might be tempered by the qualifying element of compensation were it not that the existence of a Law, the Dealers' Licences Act, virtually empowers Licensing Boards, established in the several districts of the Colony, to withhold in their absolute discretion, renewals of existing shop and other trading licences. These Boards are not inter-

quently composed of local European shop-keepers themselves, the bitterest opponents of Asiatic traders. When the fact is recalled that last year no less than thirty renewals of old established and reputable Indian shop-keepers were refused in one district alone, and that a similar policy has already been initiated this year, some idea may be gathered of the probable value of the compensation clause above referred to.

The disabilities herein specified by no means constitute a complete list; rather are they suggestive of the general attitude of the European Colonist towards the Asiatic. Whether such attitude can be maintained indefinitely, time alone will show. This at least is certain that it is a complete reversal of the principle which guided the original building of the Empire and that it is being maintained without any regard for the welfare of the Empire as a whole and in the narrowest and least Imperialistic spirit.

The Municipalities Bill

A Cutting Criticism

In criticising the provisions of the Transvaal Municipal Bill recently gazetted, the *Pretoria News* says:

The Bill is not perfect. Its attempt to deal with the unquestionably difficult problem of the municipal status of coloured men, natives and Asiatics, stands self-admitted and self-confessed a failure. For instance, although it legislates in two cases for the imposition of serious and most unfair disabilities upon coloured persons, it does not define a coloured person. Now it seems a little difficult to contemplate legislation for the indefinite. If, for instance, a coloured person is not to be allowed to walk upon the footpath, and if the Government considers the anachronistic regulation which forbids him to do so a desirable one—so desirable indeed that it resurveys it from the limbo of that legislative wastepaper basket into which Lord Milner so contemptuously and so properly flung so many of the laws of the late South African Republic—then it must surely be prepared to define a coloured person, or create a Gilbertian situation. The danger of reducing such legislation to the ludicrous is aptly illustrated by the perfectly true story of the Pretoria resident and ratepayer who was refused a municipal vote by the High Court on the plea that he was a coloured man, and was forbidden to marry the girl to whom he was engaged by a marriage officer, on the plea that he, a white man, should know better than to try to marry a coloured girl. This unfortunate person is now in the position of being voteless, because the High Court considered him coloured, and wifeless, because the marriage officer consid-

ed him white. Then again the clause which empowers municipalities to refuse certain licences upon the vague grounds of public policy and allows no appeal to any Court from the decision of the Council seems deliberately designed to provoke the exercise of the Imperial veto, exactly as does the clause which enables municipalities to prohibit the use of municipal trams by Asiatic and native ratepayers, who are nevertheless called upon to contribute towards, and to help pay for, the upkeep of those trams. It is a little anomalous, for instance, that the white unemployed who are at present in Pretoria should be allowed to object to the presence of a Chinaman upon a municipal tramcar, while they have no objections to accepting his charity in the shape of contributions of food and money. Then again it is surely inconsistent to prohibit a coloured man, however clean he may be, from working in a bakery or butchery simply on account of his colour, while no provision is made for the prohibition of the employment of dirty white men. The important point about such places is, of course, not that they should employ persons of a certain colour but persons who are cleanly in their work and habits. The Bill will deprive all municipalities of their right to issue native passes and of the revenue derivable therefrom. This is a very admirable proposal. The native pass system as existing at present in the Transvaal is a source of unending injustice, irritation and annoyance not only to natives but to their masters and employers, and since the municipalities studiously refrain from performing any services on behalf of the natives who thus contribute towards their revenue, they cannot complain of being deprived of these powers.

It is our hope that when the Bill has passed through Parliament and has assumed its final shape, as far as Transvaal is concerned, it will be a Bill of such a nature as to commend itself to the Imperial authorities, if only in order that it may become law without unnecessary delay. It would be a pity to have so admirable a work indefinitely hung up by the refusal of the Secretary of State for the Colonies to advise His Majesty to acquiesce in its provisions.

SWAMI SHANKRANAND. Mr. Mokamchand writes saying that the Swami, not having heard from him in time, left for London on the 12th March. Forty pounds having however been sent to him for his passage, Mr. Mokamchand states that the Swami will come to South Africa from London.

TO MADRASSE READERS. Mr. N. T. Chetty, of 1502, Grey Street Durban, has been appointed the local reporter of *The Swadesamitran*, a leading Tamil daily journal in Madras.

The Johannesburg Assault Case

Alleged Assailant and Accomplice Charged

Striking Evidence

(FROM OUR SPECIAL CORRESPONDENT)

On Thursday, the 4th instant, before Mr. H. H. Jordan, in the 'B' Court, Johannesburg, Mansook Madee, alias Maulla Bagas, was charged with assaulting Mr. Essop Mia, Chairman of the British Indian Association, and Mahomed Shah, alias Shahji, was charged with having incited to commit assaults on various persons. The assault was committed with a stick, produced in Court. Mr. D. J. Schuurman prosecuted and Mr. Van Diggelen defended.

Before the case for the prosecution was opened the Magistrate mentioned that he had received an anonymous letter in connection with the case. He did not read the letter, but it was most improper to write such a letter, and if he could find out who the writer was, he would know how to deal with him.

Mr. Essop Ismail Mia was then called. He said that he was a wholesale merchant, and a British Indian living in Johannesburg. At about 2 p.m. on Sunday, the 17th May, he was walking with some friends in the direction of the Malay Location from Fordsburg, across the open space leading by a viaduct to Locatie Street. In the distance he saw the accused, Mahomed Shah, conversing with another man. He himself had four companions. He walked with two of his companions until he came to the crossing under the railway line, and, on going through that crossing, he was struck on the shoulder, with a stick, by Mansook. He turned round, and Mansook then struck him a second time, on the nose, with a stick. He fell down and he remembered nothing more for some time, as he became unconscious at the time of the assault, he did not see Mahomed Shah. Mansook said nothing to him. He himself had been frequently threatened by Mahomed Shah before and, in consequence of these threats, he had written to the Commissioner of Police. On one occasion, Mahomed Shah had said to him in the Mosque "I will beat you and break you to pieces." The reason Mahomed Shah had specially threatened him was because he was the Chairman of the British Indian Association. As a result of the assault, the bridge of his nose was broken.

In cross-examination, he said that, prior to the assault, he had not known Mansook, nor could he swear that he was the man to whom he had seen Mahomed Shah speak. The two men vanished shortly after he observed them. It was not a fact that he made the statement only to drag

Mahomed Shah into the case. Mahomed Shah had often spread reports that he was going to lose his life. Mahomed Shah had told him that in the Mosque. Mansook did not speak to him. He did not ask what he (the accused) was going to do now that he had lost his billet after he had resisted the Law, nor did witness insult him by saying that he was only an ordinary coolie. He was one of the leaders who advised the Indians not to register, and he led them in passive resistance to the Law, afterwards the Government had come to a compromise with them. They had asked all the people if they were satisfied with the arrangement made by the Government, at a meeting held immediately after the compromise was arrived at. He knew that some of them had lost their jobs by not registering under the Law. All had suffered, even the merchants.

Here Mr. Jordan interrupted Mr. Van Diggelen, saying that, these questions had nothing to do with the assault. Mr. Van Diggelen justified his questions by saying that he wanted to show reason why the assault had taken place. This was the way the leaders of the Asiatics had treated their own people. Mr. Jordan said that that was no excuse for the assault.

Dr. Gilchrist, the District Surgeon, gave evidence as to the nature of the injuries received by the complainant. He described the injuries, and stated that the bridge of the nose was badly broken and that this particular injury was a bad one. He would still be in attendance upon the complainant for at least another week. As it happened, no serious results had ensued, but that was because he had been kept in doors. Had he gone out, he might have had erysipelas.

Moosa Ebrahim Patel stated that he accompanied the complainant on the day of the assault. He saw the accused Mansook strike complainant on the back and, afterwards, on the nose, knocking him down insensible. He afterwards struck him on the body. He himself endeavoured to intervene, but accused Mansook struck a blow at him, which, however, missed him. He afterwards, with others who ran up, seized the accused Mansook, and detained him until the arrival of the Constable. He did not see Mahomed Shah at the time.

Ebrahim Dawood was then called, but at first refused to give evidence, as he had been threatened by a man outside. Asked if he could point out the man, he pointed out Fazali Alahi, and stated that this man had asked him outside if he were a witness in the case and, upon his replying in the affirmative, he said "all-right, I will look after you," meaning that he would have him killed.

He said that he was a trolley-driver, residing at La Rochelle. He was returning on Sunday, the 17th May, from Fordsburg on his way to the Malay Location, and, near the

viaduct, he passed Mahomed Shah and Mansook Madee, who were conversing together. He observed Mahomed Shah point to a man who was going, along with some others, in the same direction as himself, telling him to look after the man with the shawl round his head. The man with the shawl was the complainant. He understood the words used to mean that Mansook should assault the complainant. He then went on to his destination in the Malay Location, but, a few minutes afterwards, was informed that the complainant had been assaulted, and, upon going to the viaduct, he found the complainant insensible on the ground, and the accused Mansook in the custody of the policeman.

In cross-examination, witness said that he had no business relations at all with the complainant, nor was he dependent upon the latter. He distinctly overheard this conversation. The reason that he had not informed the complainant thereof immediately was that he had no reason to believe that an assault was immediately intended. A. M. Cachalia was next called, and he gave similar evidence to that of Mahomed Ebrahim Patel. Moulvi Ahmed Mukhtiar said that he was Priest of the Hamidia Mosque, Newtown. About two weeks before the assault, the accused Mahomed Shah had conversed with him about the complainant, and said that the latter would have to account for being a witness in Mr. Gandhi's case against the Pathans. About a month before that, he had been at the Mosque in Kerk Street, and had there seen Mahomed Shah, who, in the presence of witnesses, had told him that he had told three or four Pathans to assault complainant, but that the men were not ready yet to do so, and that, therefore, his own stick would be used on complainant's head. Mahomed Shah had further warned him that he should not associate with the members of the Hamidia Islamic Society, nor with complainant and certain others. Otherwise, witness would be beaten. It was not a fact that Mahomed Shah was a priest. He was a dervish, and his following was chiefly that of loafing Pathans, whom he influenced. The good Pathans would have nothing to do with him.

In cross-examination, he denied that he was in any way dependent upon the complainant. His room was attached to the Mosque, which had been built by public subscription, and his salary was paid by the Trustees of the Mosque. The complainant held no official position in regard to the Mosque. He was not a Trustee. It was not a lie to say that Mahomed Shah was not a priest, nor could the accused give any proof that he was a priest. In proof that he himself was a priest, he claimed to be able to read and explain the Koran, but the accused could do neither. It was not a fact that Mahomed

Shah had a large following, and that witness was jealous. He had no quarrel with the accused previously to the assault. Mahomed Shah had no Mosque, nor did he preach. Sometimes he worked on a mine, but for a long time he had done nothing at all, so far as he knew. There was no disgrace in working on a mine, but it certainly was not priest's work. He did not represent the capitalists amongst the Mahomedans, nor did the accused Mahomed Shah represent the poor.

Superintendent J. J. Vernon of "A" Division gave evidence of the arrest of Mahomed Shah on a warrant. He had arrested him by a ruse, to the effect that accused's registration certificate was awaiting him at Von Brandis Square, and he had then conducted him to Marshall Square, where he had arrested him.

The constable gave evidence regarding the arrest of Mansook, whom he had found surrounded by a number of Indians, who were detaining him, and one of whom gave him the stick produced in Court, with which the alleged assault was committed. The complainant was then lying insensible on the ground.

At this stage the case was remanded to the 12th instant.

A Gross Insult

Cutting Indian Women's Hair

An Indian correspondent writes to the *Natal Mercury* as follows:—I have returned from Tongaat, where my business took me last week. While I was at the station the train from Stanger arrived, and among the passengers was one Indian woman, who had been released from the Stanger gaol, where she had been imprisoned for failing to pay the £3 yearly licence to reside in the colony. The sentence and imprisonment may be presumed to be according to law; but, sir, is there any law permitting the gaol authorities to crop the hair of women close, once they are within prison walls? This has been done in this case to my own knowledge; and I am informed that it is the rule of the Stanger gaol to have the hair of all Indian women who may be imprisoned there cut short. Now, sir, I know that, for an Indian woman to have her hair compulsorily cut in this way, is the greatest indignity that can be inflicted, and the generality of women would prefer lashes, or even death, to such a degradation. I have made inquiries here, and have been told that there is such regulation regarding Indian women in the Durban gaol. If such a course of action is not lawful, the Government should have the matter fully inquired into, so as to prevent the repetition of an injustice and a grave public scandal.

The Political Organization of Indian Moslems

A London Branch

The Times states that a meeting to inaugurate a London branch of the All-India Moslem League was held at the Caxton-hall, Westminster, on the 7th ulto., under the chairmanship of Mr SYED AMEER ALI, C.I.E., late Judge of the Calcutta High Court, the president of the branch. The meeting was largely attended by Indian Muslims resident in England, and three members of the India Council, Mr. Syed Hasain Bilgrami, C.S.I., Mr. Theodore Morison, and Mr. K. G. Gupta, were present.

In the course of his inaugural address the CHAIRMAN said the occasion was not without importance, for it was the first gathering of the King's Muslim subjects in the metropolis of the British Empire to ensure corporate action for their advancement. So far from being actuated by sectional or factious motives, their primary idea was to promote concord and harmony among the different nationalities of India, and to work in furtherance of the general interest of the country and the cause of good government, in co-operation with their fellow-countrymen of all classes and creeds. But for this purpose, as also for the purpose of safe-guarding and prosecuting their general interests, they felt the necessity of cohesion and solidarity among themselves. It was useless denying the fact that hitherto the Mahomedan community had in the administration of the country been regarded as a negligible quantity. Their inability so far to derive full benefit from the progressive movements of the time, or to exercise their legitimate influence on the counsels of Government, had been attributable to various causes, among them being their slowness in the first instance to take to English education, and their failure to recognize as a body the value of corporate and communal activity. The process of disintegration, assisted from outside, had gone on for nearly three-quarters of a century until Mahomedan society was composed only of cliques and factions with conflicting aims and ambitions. But in recent years great changes had occurred in India, and at last the Moslem community had awakened to the fact that the attainment of its ideals and the recognition of its rights rested upon its own collective exertions. The formation of the All-India Moslem League was the outcome of this recognition, and it existed to promote by all constitutional methods the welfare of the Mahomedan subjects of the British Crown, and to safeguard their interests without wantonly hurting the feelings or illegitimately encroaching on the rights of any other community. He adhered to a principle he had publicly expressed in London when a law student 37 years ago, that "United India

should be the watchword of our progress," which he had since consistently followed. The Mahomedans, equally with the other communities, were interested in the broadening of the foundation of Government on real liberal lines, in the broadening of the bases of sympathy between the official classes and the people, in the growth in India and in the colonies of better relations between Easterns and Westerns, in the development of representative institutions, and in the improvement of various departments of administration. But the Mahomedans had their own particular interests, and could not strive for the attainment of their ideals under the ægis of any organization other than their own. As examples of directions for definite communal effort, he mentioned the desirability of moving the Legislature to undo the mischief that had resulted from judicial pronouncement against family *wakfs* (endowments), or against the legitimacy of the children of a Moslem female convert; of asking for an adjustment of the political balance; and of founding a Moslem place of worship in London. It would also be an object of the organization to bring Mahomedans into touch with the leaders of thought in England. He concluded with an expression of horror and abhorrence, shared, he was certain, by all true friends of India, at the cruel outrage at Masuffapur. He wished he could hope that the deed was an act of isolated malice or individual vindictiveness; but he greatly feared the poison had been allowed to go too deep to justify such hope. He had endeavoured to represent to responsible people the necessity of dealing not merely with symptoms by palliatives, but of trying to eradicate the poison by reaching the heart—the inner feelings of the people.

It was announced that Sir Henry Seymour King, M.P., Sir Raymond West, Mr. Harold Cox, M.P., and Mr. C. A. Latit had become vice-presidents of the branch, with Mr. Ibni Ahmad as hon. secretary, and the appointment of a committee was also notified.

MAJOR SYED HASAN, late of the Indian Medical Service, who has accepted the secretaryship of the league in India, reviewed the circumstances of its formation and definite organization.

Mr. HAROLD COX, M.P., briefly congratulated his Mussulman friends on the creation of the league.

Mr. L. W. RITCH has been asked to join the Committee as an honorary member and has accepted the position.

A NEW ASSOCIATION. A meeting was held at Mr. K. Vengadasala Padayachy's residence, Maritzburg, on Sunday last, when it was decided to form an Association under the name of "The Vanuja Chathrya Association." The objects are to build a Hindu Temple, and to help the poor. About 50 members have joined the Association.

Asiatic Registration in Southern Rhodesia

A Draft "Ordinance to restrict the Immigration of Asiatics into Southern Rhodesia and to provide for the Registration of such Asiatics as are already resident therein," has just been published in the local *Gazette*. The provisions are practically on all fours with those of the original Draft Asiatic Ordinance of the Transvaal, with the exception of the following clauses:

2. In this Ordinance, unless inconsistent with the context, "Asiatic" shall mean any person belonging to any of the native races of Asia, including the so-called Coolies, Arabs, Malays and Mohammedan subjects of the Turkish dominions, not being a Malay born and resident in any British Colony or Possession in South Africa.

3. Every Asiatic not being the holder of a certificate of registration, or a person entitled to registration as hereinafter set out, is a prohibited immigrant, and, on entering or attempting to enter this Territory, shall be liable to any and every penalty imposed by law and to expulsion from this Territory.

4. Every Asiatic resident and actually in this Territory at the date of the promulgation of this Ordinance, and every Asiatic subsequently born in this Territory, shall, subject to the provisions hereinafter set out, be registered in the register of Asiatics, and shall thereupon be entitled to receive, free of charge, a certificate of registration.

6. Any Asiatic who is temporarily absent from this Territory, and who, immediately prior to his departure, resided in the Territory for a continuous period of or exceeding three years, and who shall return to this Territory within a period of six months from the date of the promulgation of this Ordinance, shall be entitled to apply for and receive a certificate of registration, which application shall be made within the time prescribed by Regulation or immediately upon his return, whichever date shall be the later. The fact of such previous residence shall be proved to the satisfaction of the Registrar. Any such Asiatic may, on such return, bring with him his lawful wife and children under the age of sixteen years.

21. Any Asiatic entering or attempting to enter this Territory not being registered or not entitled to registration, and any Asiatic refusing to register within the prescribed period without reasonable and sufficient cause, shall be subject to arrest, and upon such arrest shall be immediately brought before a Magistrate who may grant an order for expulsion from the Territory, which order shall prescribe the period within which the Asiatic is to leave. Should such Asiatic be found in the Territory after the expiry of such prescribed period he shall be liable on conviction to a fine of five hundred pounds, or in default of payment to imprisonment with hard labour for a period not exceeding six months, and, upon completion of any sentence passed, to expul-

sion from the Territory. Continued or repeated failure to comply with any expulsion order shall render the Asiatic liable to the above set out penalties until such order is complied with.

22. Any Asiatic feeling himself aggrieved by any order of expulsion may request that the proceedings and order be submitted to a Judge of the High Court for review, or may appeal from any such order to the High Court. Upon such request being made, or appeal noted, the Magistrate who has granted such order shall immediately forward the proceedings to the Registrar of the High Court. The rules governing and controlling the dealing with cases appealed from or submitted for review from a Magistrate's Court shall apply to any such review or appeal, and the said Judge or High Court may quash or confirm such proceedings or grant such other order as may be deemed expedient. In the event of an appeal being noted, or review requested, the order of the Magistrate for expulsion shall not be acted upon until the decision of the Judge of the High Court be made known.

New Rhodesian Licensing Law

Summary of Provisions

The following is a summary of the new Ordinance of Southern Rhodesia to regulate the trade of general Dealers and Hawkers, and to amend the law relating to Licences:

The provisions of the "Hawkers Licensing Ordinance, 1904" do not apply to any hawker's licence, the certificate for which is granted by any Municipality, Sanitary Board or Village Management Board.

No General Dealers' licence shall be issued or granted to any person who, at the time of the promulgation of the Ordinance was not already a licence holder, except upon the issue of a certificate under the Ordinance, nor shall any hawker's licence be issued except upon such a certificate.

Lists of existing general dealers' licences shall be kept in each district, and, within such district, the licence holder shall be exempt from the certificate provisions.

Any general dealer's or hawker's licence requiring the certificate for its issue is deemed to be a new licence.

Before a new licence is granted, application for a certificate of permission must be made to the Municipal Council, Sanitary Board, or Village Management Board of the particular area; a special meeting of such body shall be held for the purpose of considering the application, which shall be granted, unless at least two-thirds of those voting, being a clear majority of the members forming such body, are opposed to the issue of the certificate.

Where no such body exists, a special Licensing Board, presided

over by the local Magistrate, is seated. Fourteen days' notice of intention to apply for a new licence, giving full particulars of the premises sought to be licensed, must be given in a local journal. Upon refusal of such application, no further application by the same person respecting the same premises can be made within six months.

Monthly lists of certificates issued are to be forwarded to the district Magistrates, who, when licences are taken out in pursuance thereof, shall add the names of the licencees to the old list, the licencees being exempted as to the necessity of obtaining certificates in cases of renewals.

In the event of the death of a licencee, his legal representatives may carry on the business under the same licence.

Any person trading without obtaining a certificate where such is refused, shall be deemed to be trading without a licence.

Each shop or separate business shall be separately licensed. Any licencee, twice convicted of breach of the Sunday trading law or for selling spirituous liquors without a licence, may be additionally punished by the cancellation of his licence; in such a case, he cannot obtain a fresh licence for twelve months thereafter.

Any person, either by himself or his attorney, may appear before the aforementioned licensing bodies in support of or in opposition to any application for a licence. The licensing body may make suitable inquiries in regard to any application.

A hawker is defined as "any person other than the duly licensed agent of a foreign firm who goes from place to place carrying, for the purpose of sale barter or exchange, wares and merchandise not being the growth, produce, or manufacture of South Africa, but shall not include persons bartering or exchanging any goods or articles for any produce of Southern Rhodesia intended for consumption by themselves or their employees."

Except for existing hawkers' licences, no new hawkers' licence shall entitle the holder to trade outside the area in which it is taken out.

NEGRO QUESTION IN AMERICA.

Mr. R. S. Baker contributes to the *American Magazine* a very interesting paper, illustrated with portraits of Mr. Du Bois and Mr. Booker T. Washington, describing the conflict between the negro parties and negro leaders, and their methods of dealing with their own problem in America. Mr. Baker is much impressed by the extraordinary development of the negro race in the last forty years; the negro has developed remarkably rapidly, especially along racial lines. A negro theatre has come into existence, and there are two hundred negro newspapers and magazines, and there has been a real development of the negro spirit and self-consciousness.

Mr. Gandhi's Address Before the Y.M.C.A.

Full Text

"Are Asiatics and the Coloured Races a Menace to the Empire?"

(Concluded)

I have said that the African races have undoubtedly served the Empire, and I believe so have the Asiatic races, or, rather, British Indians. Have not the British Indians fought on many a battle-field? A people, moreover, who have religion as the basis of life cannot be a menace. And how can the African races be a menace? They are still in the history of the world's learners. Able-bodied and intelligent men as they are, they cannot but be an asset to the Empire. I believe with Mr. Creswell that they ought not to be protected. We do not want protection for them in any shape or form, but I do believe this—that they are entitled to justice, a fair field and no favour. Immediately you give that to them, you will find no difficulty. Whilst, therefore, Asiatics and other coloured people cannot be a menace, Asiatics at least have been made a menace in some colonies. We have been told that Natal and Mauritius are awful examples to every white man throughout the world. I do not know that they are such awful countries, but I, at the same time, believe that if what happened in Natal had not happened, it would have been different—whether better or worse we are not for the present discussing; but, if these countries have been ruined, they have been ruined purposely by white men, or, rather, by a few of them who were in a hurry to get rich. If they had only bided their time and opportunity, no such thing need, would, have happened. They did not hesitate to import indentured labour, which might be called semi-slave labour, from India. Posterity has to pay for it. If, therefore, Natal or Mauritius has suffered, it has suffered not from Asiatics as such, but from a system of labour of which Asiatics happened to form part. Had there been white indentured labour instead, the result would have been the same. It is not the free Indian population that can ever do any harm whatsoever to the Colonies.

But I do also admit that there are some reasonable complaints with reference to British Indians. I venture, however, to submit that these complaints have no real basis. It is complained that they live in dirty hovels. Yes, some of them do. They are said to live very cheaply. But if you were to examine these complaints, I think, you would come to the conclusion that they could be dealt with very easily and very effectively by municipal regulations. There are many complaints against the people living in the East End of London by

the people living in the West End, but no one has suggested that, therefore, the people in the East End should be swept away. Sweep away the rack rent and the conditions prevailing in the East End, and its inhabitants will be just as good as those in the West End. Similarly also, sweep away the conditions under which British Indians are called upon to live, sweep away the condition that they cannot own a patch of land which they can call their own, that they cannot live, and move, and have their being on God's earth in South Africa with any degree of freedom, self-respect, and manliness, and they will realise that in Rome they must live as the Romans do, and will respond to every real and reasonable call that can be made upon them by the white man; but I ask you to be patient with them just as you would be patient with any fellow-man. Treat him as a real, live human being, and you will have no such thing as the Indian question in the country. Please do not forget I do not advocate that there should be absolutely free immigration. On the contrary, I have always said, and British Indians admit, that there may be regulation of immigration, but never based on colour. Anyone who is accepted as an immigrant ought to be entitled to all the rights that a man who lives in the country should possess. Whether he should have political rights or not is another question. I am not here to-day to discuss the political question at all. But there should be no two opinions as to whether he may live freely without being restricted, move freely without being restricted, own land, or trade honestly. British Indians and Englishmen have come together by Divine Providence. I may add, and I believe it is true, that when the British occupied India, it was not owing to humanitarian grounds, but that the act was selfish and often tinged with dishonesty. But Nature's ways are inscrutable. She often unmakes what man makes and produces good out of evil. Such is, in my opinion, the case with the British connection with India. I believe that the two races, the British and the Indian, have been brought together, not only for their own mutual advantage, but to leave an impress on the history of the world. Believing that, I also believe that it is well for me to be a loyal subject of the Empire, but not I hope a member of a subject-race. I trust it is the mission of the English race, even where there are subject-races, to raise them to equality with themselves, to give them free institutions and make them absolutely free men. If that be the mission of the Empire, the mission of the British race, then is it not as well that the millions of human beings should be trained for self-government? If we look into the future, is it not a heritage we have to leave to posterity, that all the different races commingle and produce a civilisation that per-

haps the world has not yet seen? There are difficulties and misunderstandings, but I do believe, in the words of the sacred hymn, "We shall know each other better when the mists have rolled away."

Mr. Merriman on Labour

"The Coloured Man the Worker"

Press telegrams from Cape Town state that a deputation of workers, including delegates from the Trades Council, the Labour Representation Committee, and various Trade Unions, waited on Mr. Merriman, the Prime Minister, on the 4th inst., to urge the need of early legislation on matters affecting labour.

The delegates were accompanied by Dr. Hewat, M.L.A., Dr. Greer, M.L.A., Sir Pieter Bam, M.L.A., and were introduced by Mr. Fremantle M.L.A.

Speeches were delivered by Mr. Maginess, late Labour candidate, Mr. King, secretary of the Trades Council, Dr. Greer, Mr. Fremantle, etc. The points urged by the deputation were the need of factory legislation, a Wages Board, the abolition of contract labour, one member constituencies, combination for Civil Servants, etc.

Mr. Merriman delivered a characteristic reply. He took exception to Mr. Maginess's statement that the deputation represented the workers of the colony and said, "Now, gentlemen, you do not represent the workers of the colony. You represent a very small section. You do not represent the real workers of the colony who are very seldom heard at meetings of this kind. I refer to the coloured population. You represent the dominant caste in this country—the white people."

Proceeding, Mr. Merriman said there was no work which could not in time be done by black man as by white. They had, therefore, always to take into account when they talked about the minimum wage that the minimum was the wage which would be accepted by the black man.

"You are in this country really the aristocracy," said the Premier forcibly. He added that the democracy was the coloured people, and the latter outnumbered the white by four to one. We had a problem here which did not exist in any of the other colonies. The great bulk of the work of this country was done by the black man. Take, for example, the Rand. These things put enormous difficulties in the way when dealing with labour legislation.

TO BE EDUCATED IN ENGLAND. Mr. Hajeer Suleman Shah Mahomed, of Capetown, has sent his son Joosub to Cambridge, where he will study for matriculation.

Cape Immigration Law

Amending Proclamation

The Cape Proclamation, No. 80 of 1907, is amended, in the current number of the *Cape Government Gazette*, by a new Proclamation, No. 221 of 1908, in terms of the provisions of the Immigration Act of 1906.

The following amended regulations under the provisions of the 8th Section of the Immigration Act, 1906, replace Sections 10, 12, 17 and 22 of the old Regulations:

10. Every person arriving in any ship at any port in this Colony before being permitted to land as an prohibited immigrant shall be required to satisfy the Immigration Officer either (a) that he is not among those prohibited by the Act, or (b) that he is exempted from its provisions; and the Immigration Officer shall, for the purpose of this Regulation, require every passenger, not being a minor under sixteen, travelling with a parent or guardian, or a wife accompanying her husband, to fill in the Form set out in the Annexure I. hereto; and any person refusing to comply with such requirement, and any person who, notwithstanding his having complied with such requirement, is, in the opinion of the Immigration Officer, a prohibited immigrant, shall be liable to be detained, either on board the ship or on the order of the Chief Immigration Officer at such other place and under such conditions as the Minister may from time to time prescribe; provided that any person claiming, in spite of such opinion, to be entitled to land in the Colony shall be informed that he may apply to the Supreme Court for an order authorising his landing; and that reasonable facility shall be afforded him for so applying; and provided further that if any person admits that he is prohibited, or, claiming to be not prohibited, fails within a reasonable time, having regard to the period during which the ship is to remain in port, to appeal to the Court as aforesaid, he shall be deported and, pending deportation, be detained in such place, and in such manner, and under such conditions as the Minister may direct; and any person detained under this Regulation who escapes shall be apprehended and prosecuted for contravening Section 5 of the Act; and the Master of any ship in which any admitted or judicially found prohibited immigrant has arrived in the Colony, or the Master of any other ship of the same owners, and failing them the Master of any ship whatsoever, shall, on demand by the Immigration Officer, deposit such individual from the Colony.

Provided further that in the event of the arrest of a prohibited immigrant upon a criminal warrant, he may be brought into the Colony for the purposes of prosecution, but, upon the determination of the criminal proceedings consequent upon such arrest in the event of his acquittal, or the expiration of any term of imprisonment, or the satisfaction of any penalty imposed upon him, the said immigrant shall be handed over to the custody of the Immigration Officer, and shall thereafter be detained under and subject in all respects to the provisions of this Regulation.

12. It shall be lawful for the Chief Immigration Officer to issue or to authorise any Immigration Officer to issue to a prohibited immigrant on application a permit, in the form set forth in Annexure II. to these Regulations, to be known as a Temporary Permit, entitling the owner to enter the Colony in order to tranship to another vessel, or to pass through the Colony to some destination beyond, or to temporarily reside in the Colony for some reasonably necessary purpose approved by the Minister. For each such permit a fee of (£1) one pound shall be paid, and the immigrant shall further be required to deposit a reasonable sum as security for the observance by him of the conditions imposed under such permit. The deposit shall be refunded to the holder of the permit, on his fulfilling the conditions thereof, and on

his leaving the Colony within the period for which such permit is issued, but shall be forfeited to the Government should the holder fail to comply with any one or more of the said conditions; and if the holder fails to leave the Colony within the period allowed to him he shall thereafter be considered and deemed to have immigrated into this Colony in violation of the Immigration Act, 1906, and he shall be prosecuted for contravening Section 5 of that Act.

17. A permit under Regulation No. 12 shall be issued, without payment of any fee or deposit, to enable a person who is a prohibited immigrant to be brought, under proper escort, into this Colony, under the authority of the Government of any other British Colony in South Africa, in order to facilitate the passage of such person through this Colony en route to a sea-port for the purpose of leaving the Colony.

22. On the completion or the satisfaction of any sentence imposed for a contravention of Section 5 of the Act, it shall be lawful for the Chief Immigration Officer to order such convicted person to be detained in any gaol, or such other place, as the Minister may direct pending his deportation from the Colony; but no such deportation shall be effected except on an order signed by the Minister or the Permanent Head of the Department.

Declaration by Passenger

We take the following from the form of Declaration to be completed and signed by every Passenger from outside the Cape Colony bound for a Cape port, except a wife accompanying her husband, and a child under 16 years accompanying a parent or guardian:

Warning.—Any person knowingly giving false information, or making a false declaration, is liable to penalties of fine and imprisonment.

[The information required hereunder must be given in English.]

- (1) Name in full.
- (2) Port of Embarkation.
- (3) Port of intended Debarkation.
- (4) Age.
- (5) Sex.
- (6) Race.
- (7) Nationality.
- (8) If accompanied by wife, state her name.
- (9) If accompanied by children (or wards) under 16 years, state name and age of each.
- (10) Address at destination in full.
- (11) Period (if any) of previous residence in South Africa.
- (12) Occupation.
- (13) What means can you produce, your own *bona fide* property?
- (14) What European language can you write?
- (15) Have you ever been prohibited from entering the Cape Colony or expelled from it?
- (16) Have you been convicted of any crime in any country?

Temporary Permit

Fee:—One Pound (£1).
Sum Deposited.....Pounds (£....).
(To be refunded on production of this Permit when leaving the Colony, and on fulfilment of the other conditions imposed hereunder).

Subject to the conditions stated hereunder, the holder.....of.....is permitted to enter this Colony at.....for the purpose of.....

(Date Stamp.)
.....Chief-Immigration Officer.

CONDITIONS.

- 1. The Holder to leave this Colony withinfrom the date hereof, that is to say, on or before the.....day of.....190.....
 - 2. To report to the.....at.....at periods of.....and to keep that Officer duly advised of his whereabouts.
 - 3. To give at least 24 hours' notice of intended departure from this Colony.
- I,.....agree to the above conditions,

and I clearly understand that any breach of these will involve the forfeiture of the deposit I have made and will render me liable to be further dealt with under the provisions of the Immigration Act.

Signature of Holder.....
Witness.....
Place.....Date.....19...

Dates of Reports under Condition 2 (signed by the Officer to whom Holder is required to report).

Date.	Signature.	Date.	Signature.

I hereby acknowledge receipt of the sum ofPounds (£.....), being the refund of the Deposit made by me under this Permit.

Signed.....
Witness.....

Left Colony by.....
Date.....

Imperial Parliament

Indian Labour in Jamaica

In the House of Commons, on Thursday, May 7th, Mr. SUMMERBELL asked the Under-Secretary of State for the Colonies whether he had received from the Jamaica Baptist Union a communication protesting against the continued introduction of East Indian indentured coolies into Jamaica, and pointing out that the labouring and small settler classes were unable to obtain regular and paying employment on the sugar estates and fruit plantations, and were, therefore, under the necessity of emigration to seek work, and that thereby a great injustice was done to these classes and the island generally in taxing them to introduce East Indians to compete with the superabundant labour market of the country; and whether it was the intention of the Government to restrict the introduction of such coolies, and to place the entire cost of the same on the planters requiring such labour.

COLONEL SEELY: The petition has been received. The Secretary of State has had an opportunity of communicating with the Governor, and Lord Crewe is not prepared, at any rate, at the present, to disturb or vary an arrangement which recently received the approval of the Legislative Council by a vote of 20 to 2, and my hon. friend will, of course, understand that the Secretary of State is not prepared to admit the accuracy of all the statements in the memorial from the Jamaica Baptist Union.—*India.*

EASTERN DIGNITY. Whatever ambitions Japan may secretly cherish, or whatever ideas she may entertain regarding her destiny in the East, she has shown a scrupulous care to avoid giving offence to Western nations without sacrificing her dignity or self-respect.—*Herald*, Auckland, N.Z.

Correcting a Mis-statement

The following letter has been addressed to the South African Press by the Editor of this Journal:—

In the second instalment of "The Government of South Africa," the following sentences appears at Page 155: "There is nothing to restrain them (the Natal Indians) from crossing the northern border, and it was found that the Indian population of the Transvaal was steadily increasing. The Transvaal Government was therefore driven to the same expedient as that to which the Cape Colony resorted to escape a possible influx of Chinese. It passed a law requiring Asiatics lawfully resident in the Transvaal to register their names, and to take out a certificate bearing finger-impressions, by means of which the identity of the holder could be ascertained at any time. This scheme was very distasteful to the Asiatics, but experience has shown it to be the only means of effecting a necessary object. The action of the Transvaal in this respect is important, because it establishes a machinery which, however objectionable in itself, will enable the Government of United South Africa to limit the Asiatic population domiciled in Natal to that part of the country. Without it the difficulty of including Natal in the South African Union might have been insuperable."

In view of the fact that this publication is issued with the cachet of semi-officialism, it is a great pity that so controversial a statement should appear in a work of such value and importance. It is a well-known fact that immigration from Natal into the Transvaal proceeds almost entirely by rail, and that the number of immigrants coming by road is very small. All the roads of entry are, and have always been, under the close supervision of the constabulary. It has been the constant and emphatic statement of the Transvaal Indian community that no such organised illicit Indian immigration has occurred, or could possibly occur, and the repetition of the allegation, to which strong exception has all along been taken, and which presupposes guilty knowledge on the part of the resident Indian population, comes most inopportunistly when we know that that population, without any legal compulsion, and as an act of grace, has voluntarily identified, in a manner satisfactory to the Government, every single Indian in the Colony, so that the Government may indicate illegal entrants: that, of the 9,000 applicants, 7,500 have received their new certificates, the remainder being under consideration; and that the number of rejections is infinitesimal, thus completely supporting the Indian contention and proving beyond doubt the *bona fides* of the community. Had the Transvaal Government taken the Indian leaders into their confidence before embarking upon a disastrous policy,

no such measure as the Asiatic Law Amendment Act would have been necessary, and, as a matter of fact, without it, the Government has obtained complete identification of the whole community.

A Johannesburg Licensing Appeal

Important Decision

Appeal Upheld

Mr. L. L. Playford, Chief Magistrate of the Witwatersrand District, gave judgment on Saturday last in Johannesburg in the matter of the appeal of Lai Wing, a Chinaman, against the decision of the Johannesburg Municipality in refusing him a licence for a Kaffir Eating-House. In the course of his remarks, Mr. L. L. Playford said that the appeal raised a very important question. The licence had been refused to Lai Wing because the Committee of the Council which had considered the matter had decided that the issue of this licence would be against the public interest. As he read the sections of the Law, he considered that in an appeal against a decision of the Municipality in such a case, it was incumbent upon the Municipality to show reasonable cause for its refusal. Councillor Allan had been called in support of the refusal, as he had stated that it was the policy of the Council to refuse licences for Kaffir Eating-houses wherein a Chinaman was employed in any capacity whatsoever. So far as the record showed, there was nothing against the character of the applicant, nor had he been convicted three times for breach of the municipal by-laws as the Ordinance required. There were two sets of reasons why the licence might be refused. One was in respect of the person applying, and the other in respect of the premises sought to be licensed. It was only in regard to the premises that the question of public interest arose. In any case there was absolutely no reason given by the Municipality as to why the granting of this licence would be against the public interest, and he considered that some reason should certainly have been given. In fact, the only statement pointing to a reason was that of Councillor Allan. In these circumstances, he considered that the appeal should be upheld. The law made no provision with regard to costs.

Mr. Hoyle, who appeared on behalf of the Johannesburg Municipality, drew the Court's attention to the fact that there was nothing in the law indicating the method of procedure in regard to an appeal from the decision of the Chief Magistrate, but, in order to safeguard his clients, he then formally gave notice of appeal, which Mr. Playford noted, Mr. Hoyle adding

that he would notify the other side so soon as he learned whether his clients desired to proceed further in the matter.

Criticism of Lord Ampthill

The following letter and editorial appeared in the columns of the *Natal Mercury*:—

Sir,—Will you kindly find a small space for the following in your valuable columns? In your issue of the 21st inst., under the heading, "The Indian Legislation of Natal," your remarks about Lord Ampthill's inconsistency appear to be quite unfounded. As I understand from cablegrams published in your columns, there is nothing to prove that "Lord Ampthill contradicts himself." It is a fact, as you yourself acknowledge without the least hesitation, that the main policy of the Government is "to get as many Indians as possible out of the country." But the method that is adopted to carry out effectually the policy of eliminating the Indians is to reduce them by means of drastic class legislation, and thus to make them turn their backs on their adopted country, sacrificing all their vested-rights rather than undergo such intense hardships as have hitherto been unknown and unheard of in any part of the British Empire. To give an example. The time-expired Indian is compelled either to indenture himself for a further term of service—to give a prolonged opportunity to his master to prey upon his muscular energy, if anything of it is left, to hoard up wealth for himself—or to remain hypothetically free, on condition that he will pay up annually £4 for himself and £3 for his wife, amounting in all to more than what he can possibly save during a year, or to turn back homeward to tell the tale of his misfortune. When the Government thus indirectly demands that all his savings should be given up as a condition of his continuing to remain in this colony, and that he should live entirely for its own benefit, does it not amount to slavery, as Lord Ampthill himself has so plainly put it? I cannot understand where the inconsistency comes in when the two facts already alluded to are put together side by side and carefully weighed. The present proposals of the Government thoroughly endorse the view expressed by Lord Ampthill, and it will not be long before he becomes well grounded in the idea which he has so plainly stated, and exerts all his power to safeguard the interests of his unrepresented fellow-subjects. When there are as many Indians in this Colony as whites, is it not the utter loss of the last hope of one's own independence that he should not be allowed to trade amongst his own kith and kin? If this is not called slavery in its disguised form, what else is it? When the "main desire of the Colonists to

get as many Indians as possible out of the country" has no chance of being realised, the other alternative is to keep them here for all practical purposes as slaves, and this policy has been exposed to the public by Lord Amptbill.—I am, etc.,

D.K.

[Slavery is a very elastic term, as was shown in the anti-Chinese agitation, and in the frequent allusions to "white slaves" in England. We adhere to our view that Lord Amptbill was straining the meaning of the word when he said that the Natal Government wishes to reduce the coolie to a state of slavery.—Ed. N.M.]

British Guiana and its Development

Under the above title, Mr. Edward R. Davson read a paper before a meeting convened under the ægis of the Royal Colonial Institute, at the White Hall Rooms, Hôtel Metropole, London, on the 24th March. Sir Charles Bruce, G.C.M.G., presided.

We take from the paper printed in the *Journal of the Royal Colonial Institute* for April the following extracts from Mr. Davson's paper:—

Area and Population

British Guiana has an area, roughly, of 90,000 square miles, an area rather larger than that of Great Britain. Its population, according to last year's estimate, was 306,000 persons; therefore it has a population of a little over three persons to the square mile. Of this population about 120,000 are males over fifteen years of age. This gives a population of one and one-third adult males per square mile, and this simple statement, to my mind, establishes beyond question or argument the great and crying need for further population; this, however, I shall refer to later on when discussing the labour question.

Let us now analyse the present population. There are 15,000 Europeans, 129,000 East Indians, 117,000 native blacks, 35,000 mixed races, and 10,000 Chinese, Africans, and Aborigines. It will be seen, therefore, that the whites number only 5 per cent. of the population, while the East Indians are numerically the strongest race; but, on the other hand, a portion of those stated as "mixed races" may be considered as supplying the higher class of the coloured Creole community.

Of the coast lands 74,500 acres are under sugar-cane cultivation, this acreage being divided among forty-seven sugar estates; 30,000 acres are under rice; there are 18,000 acres in plantains and ground provisions, 7,000 acres in cocoanuts, 2,000 acres in cocoa, and 1,500 acres in coffee. That comprises the whole agricultural production of the Colony—74,500 acres of sugar-cane and 67,500 acres in other produce.

In the forest belt of the interior there is a small portion of the land held under timber-cutting licences; there are larger tracts held for the collecting of balata, a kind of gutta-percha, of which the annual export is about 400,000 lb.; 86,000 oz. of gold, of the value of £320,000, were exported in 1906; and 66,000 diamonds, weighing close on 5,000 carats were brought to the coast.

I have mentioned these items so that you may see that the present production of this vast country is very small when compared with what should be when the country is developed. For the coast line a seaboard of 300 miles and a depth of some twenty miles; and if the people were there to settle, there is scope for a vast extension of sugar and rice and for the introduction on a large scale of other products. With a population to settle on the river banks, there would be homesteads growing cocoa, cocoanuts, coffee, fibre, and citrus fruits; with the introduction of capital, railways should open up the interior, and there would be found timber tracts of undoubted value; there would be the opportunity of growing rubber in a congenial soil, and the greater and more lucrative prosecution of the gold and diamond industries. And behind the coast lands and the forests comes the third section of the Colony—the rolling savannahs of the plateaux, where there is opportunity for cotton and fibres, and room for flocks and herds, to supply neighbouring markets, and also to be in preparation for those markets of the future which will be found when the Panama Canal unites East and West.

Indian Labour

As already stated, there are forty-seven sugar estates in the Colony, and these produce an average crop of 100,000 tons of sugar, which, with the by-products of rum, molasses, and molascuit cattle food—a most promising addition to the Colony's exports—gives a value of, say, £1,212,000, as against a total export, including goods re-exported, of £1,843,000.

At present the planters bring over an annual supply of East Indian labourers under a five-year indenture. These men must reside in the Colony for a further five years, when they have the right to return to India, the planters paying half their back passage. Now, in the past a large proportion of those who became free have chosen to remain on the estates where they could continue to earn wages. So it has come about that, of an average number of seventy thousand East Indian coolies resident on the estates, about ten thousand, or 7 per cent., are indentured men.

It has paid the planters so far to pay the cost of bringing in this 7 per cent.—the cost being about £20 per man—in order to get the labour of the whole. But a new condition of things has arisen. These men have

found that the coast lands are admirably adapted for growing rice, and the free proportion are leaving the estates in rapidly increasing numbers in order to devote themselves to this new industry.

Scarcity of Labour

The planters find themselves faced with a greatly reduced supply of labour, and the question of the moment is, What are they to do? It is suggested, increase the yearly indenture requisition until the place of the free men is filled by indentured ones; but the cost of this makes the idea impracticable.

Again, it is said, adopt mechanical methods of cultivation. That is an extremely difficult problem in Guiana, where the land is intersected by open drains, trenches, and canals. I personally think that a good deal remains to be done in this way, and experiments are now being carried on in the Colony with this object. But this cannot be considered the economic solution, for the aim should be, as mechanical cultivation develops, to take in more and more land, so, as a portion of the labour is saved on the present lands (and at best it can only be a portion), that labour should be shifted on to further lands, thus increasing the crop and reducing the cost of production. There is a further solution. The planter now loses his free labour soon after he has acclimatised and trained it to agricultural work, and this is practically supplying the Colony with that agricultural population which it so much needs. If the Colony will not join with him in this importation, if it insists on pretending that the importation is solely for the planter's benefit, then he must ask that the indenture be made for a term of ten years instead of five, or at least that a five years' residence on the estates after completion of the indenture period should be compulsory. I am given to understand that this alteration would not in any way hinder the work of recruiting in India.

Yet this, again, is a solution which I should be reluctant to accept, for while it might remedy the planter's grievance it would, by restricting the only source from which the Colony at present draws its population, not further the development of other industries.

(To be continued.)

MR. GANDHI AND GENERAL SMUTS. Reuter telegraphed on the 6th inst. that Mr. Gandhi had an interview with Colonial Secretary Smuts this morning on the Asiatic question. Interviewed subsequently, Mr. Gandhi said that he had no statement to make on the subject at present. The Colonial Secretary, who was also seen later, stated that the position of affairs in regard to Asiatics remained unaltered, but any further statement was inopportune.

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" કે. કે. પટેલ,	બોક્સ. ૨૬૨	જરમીસ્ટન.

સત્યાગ્રહ (ઈનામી નિબંધ).

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