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Notes and News

Suspension Of Deportation Orders

IN reply to a question put to the Minister of the Interior, Mr. Hofmeyr, by Mr. O. R. Nel, member for Newcastle in the Union House of Assembly, Mr. Hofmeyr is reported to have stated that an Indian undergoing sentence was served with a deportation order and that the Departmental warrant was suspended in October, 1933, subject to good behaviour.

Mr. Nel: By whom was the suspension made and on what grounds?

Mr. Hofmeyr: By me, having regard to all the circumstances of the case and, inter alia, his length of residence in the Union, his previous record and the number of dependants who would have been rendered destitute in the event of his being deported.

Mr. Nel: What were the circumstances of his convictions and imprisonment?

The Minister: He was convicted of arson at Durban in 1932 and sentenced to serve a period of imprisonment for two years with hard labour, which is the only conviction recorded against him.

Mr. Hofmeyr admitted that an Indian insolvent at Port Elizabeth was served with a deportation order because he was deemed to be an undesirable inhabitant of the Union. This deportation order was suspended in October, 1933, for 18 months.

Mr. Nel: On what grounds?

The Minister: On humanitarian grounds.

Mr. Hofmeyr admitted that another Indian was convicted of theft and sentenced to six months' imprisonment. A deportation order was made out against him, but this was subsequently suspended pending good behaviour.

The New Market Congested

THE New Indian Market at the Warwick Avenue has been found too small. The congestion was so intense last Saturday morning, that the buying

public, as well as a section of the traders, were greatly inconvenienced, owing to the number of farmers' carts attending on that day being far in excess of the accommodation provided. These were crowded together near the traders' section, and considerable friction was thereby caused. The Market Master has suggested that a further space of approximately half an acre be allocated and enclosed on the South side of the market to provide for this overflow. This, Mr. Westgate, thinks, would be large enough to accommodate 100 carts, sufficient for the needs of the market for many years to come.

The New Market Refreshment Room

IN our last week's issue we referred to the refreshment room in the new Indian Market, over which the farmers and the squatters associations were quarrelling. Public tender was called for the refreshment room by the Corporation and out of six tenders Mr. M. Ramoutar's tender for £772 10 6 which was the highest was recommended by the Market's Committee for acceptance by the Town Council.

Union Flag and the Mayor

A protest against the flying of the Union Flag on the Town Hall at the present time has been made by the Umbilo, Point, Umlazi and Greyville localities of the New Guard and Imperialist organisation on the same lines as the Sons of England. The New Guard's resolution protests against the Mayor of Durban raising political questions in the administration of Municipal affairs, and states that it regards his actions as 'servility to political bosses' and calls upon him to resign.

Pandit Jawaharlal Nehru Arrested

Pandit Jawaharlal Nehru, the Nationalist leader of India, has been sentenced to two years' simple imprisonment on a charge of making seditious speeches.

Fountain Of Wisdom

We must be prepared to change our opinions, but our convictions must hold us.—ANON.

The highest form of happiness is love; its lowest form is revenge.—GEORGE BEEBOROUGH.

For our own part, our readers know well enough that the Natal Advertiser is not afraid to print its opponents' case as fully as it will state its own; and those people who are not our readers know that this reputation is not one merely of five minutes' standing.—ADVERTISER.

Indian Opinion

FRIDAY, FEBRUARY 23RD, 1934.

WHO IS THE MAYOR—MR. RUSTOMJEE OR MR OSBORN?

ELSEWHERE in this issue is published the correspondence between the Colonial Born and Settlers Indian Association and the Town Clerk, Durban in connection with the forthcoming visit to Durban, of Prince George. We have dealt with this matter before. The Colonial Born and Settlers Indian Association had made an application to the Mayor for the control of the Indian celebrations at the Albert Park. The Mayor promised to consider the application favourably if the Prime Minister, General Hertzog, was agreeable. But when a reply from the Prime Minister's Office came to the effect that the Mayor had full discretion the latter turned a cold shoulder and said that he had it from "persons in authority" that Natal Indian Congress "was representing every section of the community and that he could recognise no other body. Asked who the "persons in authority" were the Mayor refused to disclose who they were.

While this matter ended thus the Indian Teachers' Society wrote to the Mayor asking him what arrangements were being made for Indian School children participating in welcoming Prince George. A reply from the Mayor was to the effect that the Congress was in charge of the Indian celebrations with whom the Education Department was co-operating, and that the Teachers' Society should get in touch with the Congress. On inquiries being made to the headquarters it was found that the Education Department had not moved in the matter at all and was surprised to note that such a letter was received from the Mayor. The Teachers' Society was anxious to work independently in connection with the children's celebration and made this fact known to the Mayor. An interview with the Mayor in this connection was sought by members of the Teachers' Society last Tuesday when the Mayor called in representatives of the Congress and had a round table talk which resulted in new developments. It was stated by the Mayor, we are given to understand, that the celebrations in connection with Prince George's visit were in charge of the Durban Corporation in co-operation with the Natal Indian Congress and also the Indian Teachers' Society. The matter was left subsequently to be decided by the executive of the Indian Teachers' Society as to whether they would agree to this arrangement. It was felt that since the celebrations were under the aegis of the Durban Corporation in co-operation with the Congress and the Indian Teachers' Society the Mayor could also give representation to the Colonial Born and Settlers Indian Association. The teachers knew well that their success depended on the co-operation

of all the parents and that the Colonial Born and Settlers Indian Association represented a great number of them.

Messrs. A. Christopher and P. R. Pather on behalf of the Colonial Born and Settlers Indian Association interview Mr. O. K. Winterton, inspector of Schools, on Wednesday and he was very sympathetic when the whole position was explained to him. As a result of the interview Mr. Winterton wrote to the secretary of the Teacher's Society suggesting that in order to secure the co-operation of the C. B. and S. I. A. the Committee of the Society and that of the Natal Indian Congress should invite the former to send one or two representatives to their joint Committee. On learning this, we understand, Mr. Sorabjee Rustomjee, who is evidently appointed the dictator of the Congress, holding no official post, told Mr. Winterton in effect that the Congress would do nothing of the sort. Now the above method to have the celebrations under the aegis of the Corporation and the Corporation to appoint sub-committees was originally suggested as a way out of this difficulty. But guided by "persons in authority" he refused even to listen to any such suggestion. The matter now lies in the hands entirely of the Mayor who we are sure is willing to see that no section of the burghers is left dissatisfied in celebrating the occasion of Prince George's visit and in expressing its loyalty to His Majesty the King. It now all depends as to who is the Mayor—Mr. Sorabjee Rustomjee or Mr. Osborn?

A SYMPATHETIC MINISTER

IN Mr. Hofmeyr the Indian community has found a very sympathetic Minister of the Interior. The reply given by him to the representations recently made by the Transvaal Indian Congress deputation referring to Immigration and condonation is ample proof of it. In so far as Immigration matters are concerned we have always found ourselves against a stone wall. Mr. Hofmeyr has, however, promised to remove grievances which have caused a great deal of heart-burning for very many years. The Indian community will no doubt be very grateful to him.

While fully appreciating the generous action of the Minister of the Interior in granting relief in many matters referred to by the Transvaal Indian Congress we would venture to appeal to Mr. Hofmeyr in regard to some matters where he could, and we think, should go a little further. We refer to the question of the condonance. We do not at all find it pleasant to discuss condonation. We have no sympathy with the action of those who have entered this country illegally. If we are at all led to advocate their cause it is not because we admire their act. Far from it. We are led to do so only because of the circumstances which drove

them to adopt that course. Harsh measures often lead to criminality. And in this instance the illegal entry has been due to harsh measures. Then again such entry was not in all cases merely the result of an individual act. The Immigration office itself may have been responsible for many such cases. In view of all these circumstances and also in view of the fact that the only crime of such persons has been of entering the country illegally but that otherwise they have not been a burden to this country there is room in their case for justice to be tempered with mercy. We do not agree with the view expressed by the Congress that the Smuts-Gandhi Agreement of 1914 conveyed an assurance to Indians who entered illegally that no action would be taken against them on account of their illicit entry. What, however, was understood was that domiciliary rights of those holding the Transvaal Registration Certificates would never be challenged and even the Court had decided that once the Transvaal Registration Certificate was granted it could not be taken away from the holder. The position was changed only after the passing of the 1927 Immigration Act.

What we feel now is that now that the Government has been pleased to condone the action of Indians who had originally entered the country illegally the act should not be half-hearted. After all, the number of the condonees is not very great and would it be unreasonable to expect that those who have been condoned and six years have passed since, would be placed on the same footing as the legally entered Indians? Having condoned them why should they still be penalised? We do strongly feel that condonees as a separate class should no longer exist and that all those who have been condoned should be given the full rights that are enjoyed by their other brethren. All the other grievances which have grown as a result of condonation will then have automatically disappeared. We would much rather that this step were taken than expect the Government to further condone those who have hitherto failed to apply for condonation.

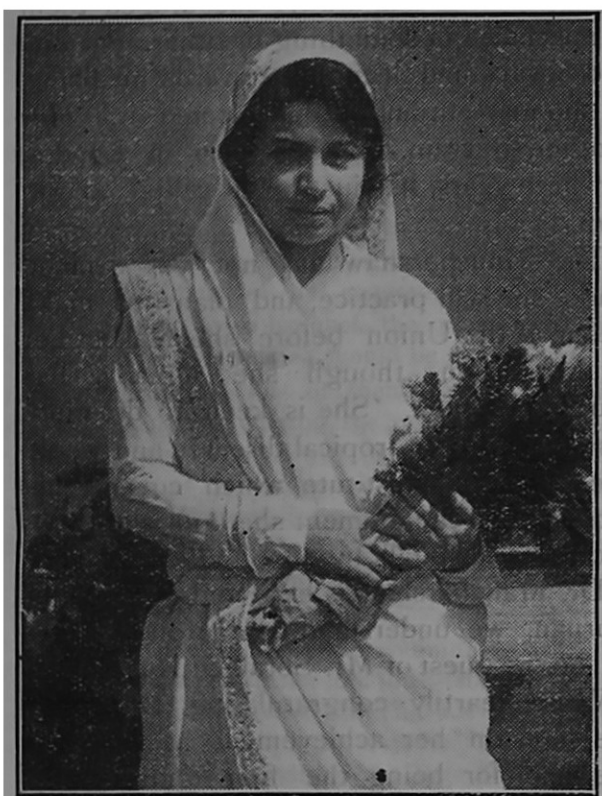
The treatment of Indian passengers at Komatipoort has been a serious cause for complaint for many years. Representations made for relief in the past have invariably failed and we are happy to feel that Mr. Hofmeyr has agreed to take steps to do away with the present practice of turning men, women and children indiscriminately out of their compartments and marching them to the Immigration office for examination.

There are other minor grievances in regard to which Mr. Hofmeyr has promised redress and the community appreciates with grateful thanks this kindly act of the Minister of the Interior.

First South African Indian Lady Doctor

DR. FRENI MANCHERSHAW, L.R.C.P., M.R.C.S., D.T.M., is the first South African Indian lady to qualify as a doctor. A fortnight ago after seven years' study she returned from England to Capetown to her parents Mr. and Mrs. D. Manchershaw, leaving her younger brother who has been called to the Bar still in England.

Dr. Manchershaw, who qualified about a year ago, is a Parsee lady only 24 years of



Dr. Freni Manchershaw, L.R.C.P.,
M.R.C.S., D.T.M.

age. Although born in Calcutta she was brought to South Africa by her parents when she was only two years old. She received all her education in this country passing her matric before she left, seven years ago, to study medicine in London.

She studied at the London School of Medicine (the Royal Free Hospital for Women). The first year her subjects were physics, chemistry and biology; the next year and a half she studied anatomy and physiology; following this up with practical clinical work in the hospital before she took her exams.

She did post-graduate work at the Glaptham Maternity Hospital, for which she was

awarded the D.T.M. And in Liverpool studied and secured a special diploma in tropical medicine.

She was extremely interested in midwifery she said in an interview to the *Cape Argus*, until she commenced the study of tropical disease, which she infinitely preferred. She enjoyed the whole course of study, however, and said that the English people were always extremely kind to her. She worked very hard most of the time, but the hours varied, depending on what work she happened to be doing.

When asked what prompted her to select medicine as a career, Dr. Manchershaw said that her father had always encouraged them to specialise in something or other, and she had always had leanings towards medicine, so she just automatically selected it. Her brother, Beyram, who has been in London for three years, has just been called to the Bar.

Dr. Manchershaw has not yet decided where she will practice, and plans to make a tour of the Union before she makes her final decision, though she already has Durban in mind. She is keen to do more research work in tropical diseases and would like to join an institute which covers this subject. At the moment she knows nothing about the hospitals here.

Dr. Manchershaw is expected to arrive in Durban, we understand, on Monday and will be the guest of Mr. Sorabjee Rustomjee.

While heartily congratulating Dr. Manchershaw on her achievement at an early age and for being the first Indian lady doctor in South Africa, we wish her a bright and a successful future career.

Mrs. Sarojini Naidoo in a speech has said that the secret of Gandhi's greatness lay in 'practising what he preached—in the transparent sincerity underlying all his words and deeds.

History was repeated when Mahatmaji, while crossing the Nerbada at Ramaghat during his tour was approached by the boatmen with a prayer to allow them to walk his feet first and refused to row unless the prayer was granted. It was a touching scene which reminded the incident in the Ramyana when Rama, while in exile, was crossing the Ganges and was similarly approached by Nishadraj Gubak.

Sgt. Devadas Gandhi was recently released from the New Central Jail, Muztap. He will be joining the management staff of the *Hindustan Times* (Delhi).

Colonial-Born And Settlers Indian Association

Correspondence On Prince George's Visit

THE following correspondence in connection with Prince George's forthcoming visit to Durban is sent by the Colonial Born and Settlers Indian Association for publication:—

From the Colonial Born and Settlers Indian Association to the Town Clerk, Durban, dated January 6:—

Dear Sir,—With reference to the visit of H. R. H. Prince George to Durban, we are directed by our Executive to write and advise you that we feel that the Indian community as a whole should be given an opportunity of meeting him. For this purpose it is our intention to arrange a large gathering of the community at the Indian Recreation Grounds. At this gathering we are arranging for the School children to be present and in this connection the Indian Teachers' Society is co-operating with us.

We shall be pleased therefore if you will include this item on your programme.

We may mention that except through a gathering of the nature, which we propose to arrange, the Indian farmer, worker, returned soldier and the poorer members of our community will not have an opportunity of meeting His Royal Highness.—We are, Yours faithfully (sgd.) D. S. CHETTY for self and co-Secretaries.

From the Colonial Born and Settlers Indian Association to the Secretary to the Prime Minister, Rt. Hon. J. B. M. Hertzog, dated January 6:—

Sir,—We beg to enclose herewith copy of letter which we have addressed to the Town Clerk of Durban, ament the visit of H. R. H. Prince George:

As you are in charge of the arrangements for the Royal visit, our community of South African born and permanent Indian settlers will be pleased of the inclusion of the item on the programme.—We beg to remain, Sir, Yours obediently, (Sgd.) D. S. CHETTY for self and co-Secretaries.

From the Prime Minister's Office, Capetown, to the Hon. Secretaries, Colonial Born and Settlers Indian Association, P. O. Box 1905, Durban, dated Jan. 10:—

VISIT OF H. R. H. PRINCE GEORGE

Sir,—I have the honour to acknowledge receipt of your letter of the 6th instant enclosing a copy of a letter dated 6th instant, addressed by you to the Town Clerk, Durban, on the subject noted above.

All arrangements in connection with the reception and entertainment of His Royal Highness Prince George on the occasion of his visit to Durban, are in the hands of the local authorities and you will no doubt hear from the Town Clerk in due course whether it is possible to include the suggested item on their programme. I have the honour to be, Sir, Your obedient servant, (Sgd.) W. J. E. FARRELL, Manager of the Royal Tour.

From the Colonial Born and Settlers Indian Association to His Worship the Mayor, Durban, dated January 22:—

Sir,—With reference to the interview that Mr. A. Christopher and other officials of our Association had with you the other day, we beg to enclose herewith for your information, copy of telegram sent by us to the Manager Royal Tour and his reply to our Association.

We also enclose letter from him of the 10th instant which was mentioned to you in the course of our interview. We remain, Sir, Yours obediently, (Sgd.) D. S. CHETTY, for self and co-Secretaries.

Telegram to Manager Royal Tour Prime Minister's Office Cape Town, from Mr. Christopher, President Colonial Born and Settlers Indian Association:—

"Interview Mayor who has excluded Association and given two Indian functions to Congress acting on your letter to him as request deal with Congress only—Association represents South African Born Indians and Settlers who are also burgoesses and Rate payers and includes Indian returned soldiers, Sportmen, Farmers whose organisations are in co-operation with Association— anxious co-operate welcome express loyalty Highness and help avoid any communal frictions—feel your request misunderstood Mayor giving body preference which at most can claim a section of community—we suggest Mayor give Indian at home to Congress and Indian celebrations park to Association—Mayor refers Association to letter to him from you—Appeal you not exclude large majority Association represents according loyal welcome Highness.

To Mr. Christopher, President Colonial Born and Settlers Indian Association, from Manager Royal Tour:—

"Your telegram 20th instant—all matters in connection with reception and entertainments of H. R. H. Prince George are in hands of Mayor—am not prepared to interfere with his discretions."

From the Colonial Born and Settlers Indian Association, to His Worship the Mayor, Durban, dated January 23:—

Sir,—We shall be pleased to be favoured with a reply to our letters of the 6th and 22nd instant as we are holding a meeting on Sunday the 28th inst.—We remain, Sir, Yours obediently, (Sgd.) D. S. CHETTY, for self and co-Secretaries.

From the Corporation of the Borough of Durban Municipal Buildings, Durban, to Mr. D. S. Chetty, Hon. Secretary, Colonial Born and Settlers Indian Association, P. O. Box 1903, Durban, dated Jan 27:—

Dear Sir,—I duly received your letter of 6th inst. on the subject of the visit of H. R. H. Prince George.

In reply I have to state that provision has been made in the programme, forwarded to the Prime Minister for approval, for Indian celebrations to be held at Albert Park on Wednesday, 7th March 1934.

As already mentioned to your President these celebrations will be arranged by the Town Council in co-operation with the Natal Indian Congress. Yours faithfully, (Sgd.) A. GRAHAM COOK, Acting Town Clerk.

From the Colonial Born and Settlers Indian Association to His Worship the Mayor, Borough of Durban, Municipal Buildings, Durban, dated February 16:—

Sir,—We beg to acknowledge receipt of your letter of the 27th ultimo.

We are directed by our Executive to express their surprise at the terms of your letter.

As you read us the letter from the Prime Minister's Office as a request to deal with the Congress only though the terms of that letter referred only to an "At Home" at the request of the Agent of the Government of India on behalf of the Congress and asking you to communicate with the Congress, we at your suggestion communicated with the Prime Minister's Office and received a wire of which you are aware, that all matters in connection with the reception and entertainment are in your hands and that he was not prepared to interfere with your discretion.

We desire to place on record that the application from our Association was dated the 6th January 1934, three days before the application of the Congress.

In view of the fact that there is division in the Indian community and that the majority of our people are with us, we have tried to help you to overcome difficulties by suggesting that as the Congress is to have a banquet, the outdoor functions for which we had applied should be given to us.

By ignoring the fact of such division of which you are aware and giving the outdoor function to the Congress, the result will be the exclusion of a large section of the community who are also rate-payers in the Borough from such function.

It will be a matter of regret that the Royal visit to Durban should be marred by this unfortunate incident.

There is such feeling in the community over this matter and many will not join the celebrations under the aegis of the Congress. It is not too late yet for Your Worship to give the outdoor function to Indian non-political bodies—The Natal Indian Teachers' Society and the Durban Indian Athletic and Cycling Association to control and in this way neither of the Indian political bodies would have a say in what is after all a social function in which children and sportsmen predominate and thus ensure happy and successful outdoor function.

It is a pity the Congress is trying to bolster itself up by doing everything possible to control the function from the top in the hope that Indians might hesitate to boycott such a function lest they be taken to be disloyal.

We can assure Your Worship that this will not prevent our demonstrating to His Royal Highness Prince George but not under the Congress our profound sense of loyalty to His Majesty the King.

We may mention that we are publishing copies of our correspondence.—We beg to remain, Yours faithfully, (Sgd.) D. S. CHETTY, for self and co-Secretaries.

From the Colonial Born and Settlers Indian Association to The Secretary, Natal Indian Teachers'

Society, Pembroke Chambers, Durban, dated February 20:—

Dear Sir,—We understand that you have under consideration the co-operation of your Society with the Natal Indian Congress in the Albert Park celebrations in honour of the visit of H. R. H. Prince George.

We desire to remind you that there is a strong feeling in our community against any participation in any celebrations under the aegis of the Congress. As the children attending the schools are mostly of Colonial Born parents we hope in considering your Society will not lose sight of this fact as your co-operation will be a direct cause in creating a strong opposition.

Our Association has no objection to the control of the Albert Park celebrations being handed to your Society.—Yours faithfully, (Sgd.) D. S. CHETTY, for self and co-Secretaries.

CURRENT TOPICS

COMMENTS AND CRITICISMS

(BY BHUSMASOOR)

Congress Statement

THE Natal Indian Congress now-a-days takes a narrow view of things. Although the officials consist of some modern young men yet their outlook seems to be very conservative whether it is due to self, pelf or pugnacity it is hard to tell. One thing is certain that they are daily losing ground and it seems a pity that the elders are being swayed by those who have yet a long way to go to gain that experience of judging white from black, wrong from right. The Congress shouts from housetops of its activities and achievements but the man in the street wants to know what it has done to inform the Indians of South Africa of the statement re the colonisation question on which there is a sharp division among the Indian community. Could the Congress officials with their hands on their hearts, says that, now the Indians of South Africa know the views of the Congress on the colonisation question and that the views tally with those of its representative who sat on the Inquiry Committee. If not, why not?

Congress Climb Down

Having been ignored by the Durban Corporation the representatives of the Indian Teachers' Society started their sounding process at other quarters and have succeeded to a certain extent if one were to judge from the overtures made by the Congress group in allowing them to participate in the function to honour Prince George at the Albert Park not under their wings but on an equal footing. This, if true, is a climb down for the Congress. The teachers on the other hand had resolved to work under their own banners whether they will decide to join the Congress, I am not at present able to say. In all probability they will stick to their guns and yet accord with the school children a hearty welcome to Prince George. The teachers have so far

triumphed and if principles count for anything the teachers will not join the Congress.

The C. B. and S. I. Association are more definite in their attitude and they do not intend to co-operate with the Congress. They will act only if the function is entirely in their own hands, but would accord a hearty welcome to the Prince through other channels.

Market Congestion

It is only a fortnight ago that I brought to the notice of my readers the unfavourable conditions at the new Morning Market in Warwick Avenue. I stated then among other defects, the Market was congested with hardly any room to turn about and that there was no protection from sun, rain and storm. This, no doubt, was a great handicap to the buyers and sellers particularly to the latter as they have to remain there with their wares for hours at a stretch. I am glad to note that the Market Master has not allowed the grass to grow under his feet, as it were, in taking prompt action by making strong representations to the Chairman of the Market Committee to remedy these defects. It is now in the laps of the gods to see that the improvements are immediately made. I have no doubt that with a little patience things would be so adjusted as to give pleasure to the buyers and sellers.

Hertzog-Malan 'Meelao'

I want my readers to know that *Meelao* is not Afrikaans but a Hindi word meaning fusion. The leader of the centre party, Dr. Malan, who held a portfolio in the last Cabinet is about to join the present Coalition Government under certain conditions, those conditions it would appear from newspaper reports are to be the basic understanding of the two leaders. What surprises me is the fact that General Hertzog in the present negotiations is not taking General Smuts into confidence. I thought as the leader of the S.A.P., he would have been consulted in such great matters, but General Hertzog has thought otherwise. Mr. Tielman Roos on the other hand is wagging his tail to be admitted in the family kennel of the Prime Minister, the latter no doubt sees the division and is playing his trump card by getting them to yield to his way of thinking. How all these changes are going to affect the Indians might reasonably be asked and the answer is not far to seek, if one has studied the past history of these leaders I know and know well Dr. Malan as Minister of Interior and his anti-Asiatic legislations of the past; I know and know well Mr. Tielman Roos as the Minister of Justice and his anti-Indian laws of the past and now for them to join the present Government would mean the death-knell of the Indian community in South Africa. It is true they are out for fusion among the white rulers of this country and could we not take a leaf from their books and close our ranks and stand at ease ready for action. Or, are we going to be led by the reactionaries amidst us who care a jot for our interests, so long as they get some titular distinction for services rendered. There is a lesson to be learnt from our Dutch contemporaries on this fusion or *meelao*.

At Last Hindustani And Tamil

It might seem paradoxical to note that this journal which was founded by Mahatma Gandhi has now again included Hindi and Tamil in its columns. The bulk of the Indian population in South Africa speaks these two languages and yet to-day there is not one journal to cater for their wants. Not wishing to be pulled down by my friends, but it would not be wrong to state that it is the Madraei and the Hindustanee people who are the real settlers of this country, others might be classed as the floating population or the migratory birds, and yet we find their taste for newspaper reading is not encouraged. I know individual efforts were made in the past and it is told for want of support they all failed. I hope the Tamil and Hindi speaking people would see that a like fate does not meet our new columns.

Transvaal Indian Congress

Memorandum To Minister Of The Interior

THE following is the text of the memorandum submitted to the Minister of the Interior, Mr. Hofmeyr, by a deputation of the Transvaal Indian Congress while they were in Capetown to welcome H. R. H. Prince George:—

1. It is intended to expound certain anomalies existing in the Immigration Laws of South Africa which affect our community adversely and also to express some of the hardships to which we are subjected. Before discussing in detail the sections of law and the administrative orders against which we are submitting seeking redress, it will be best to explain shortly on what grounds we now appeal to the Minister to accord his sympathetic consideration to our requests.

2. In the first place it will be seen that some of our complaints are directed against the practical results of the so-called Condonation Scheme of 1928. We beg to remind the Minister that the South African Indian Congress and its constituent bodies in the various Provinces of the Union have always discountenanced illicit entry into this country and that such success as the scheme obtained was largely due to the strenuous efforts made on its behalf by the Congress in the face of strong opposition from a considerable proportion of the Indian community. Moreover, these efforts were made in spite of the fact that the Union Government did not accept the interpretation which Congress have always placed upon the Smuts-Gandhi Agreement of 1914 that all illicit entrants prior to the date of that agreement had already been condoned and that there was no need for them to apply under the 1928 scheme. We think that the Union Government should recognise the fact that Congress carried out its undertaking in this matter. In the result certain very real hardships have been inflicted upon the Indian community which in our opinion do not accord with the spirit of the Capetown Agreement of 1927, and in view of what has been said above we think that in this matter we are entitled to a generous and humane consideration of our grievances.

Deserve Special Consideration

3. In the second place the Government has maintained its principle of no further immigration from India, with the result that the Indian community to-day forms an integral part of the permanent population of the Union. The present position is that over 80 per cent. of

the Indian population of the Union have been born in this country, and while it is true that a number of us maintain close relations with India and have a deep interest in the country of our origin, the vast majority of us only look upon South Africa as our permanent home. The absolute prohibition of immigration from India therefore makes the Immigration Laws affect us in a very special manner, and in view of the fact that one of the avowed objects both of the Congress and of the agreement arrived at between the Government of India and the Union Government in 1927 was to encourage and enable the Indian community here to conform to western standards and lead a happy family life in this country, we feel that we deserve special consideration where the Immigration Laws tend to prevent that desirable consummation.

4. There is one further general consideration which we wish to urge. Our community is subject to many restrictions. We cannot own land in the Transvaal; even our occupation and residence are confined. The only means of livelihood open to us, trade, is hedged around with restrictive enactments, and we have no hesitation in declaring that though some of these enactments are not racial in character their administration undoubtedly is so. In fact it is hardly conceivable that it should be otherwise when absolute discretion to decide our fate is placed in the hands of our competitors of other races. The Union Government have accepted full responsibility for providing educational and other facilities for the permanent Indian population of the Union and for uplifting them to the full extent of their capacity and opportunities. This affirmation of policy by the Union Government—now six years old—has been so often quoted that we need not dilate upon it. But we must again refer to the fact that we are the permanent Indian population here and that we attach the highest importance to the policy quoted. When in other matters we see our opportunities being limited instead of extended we feel that we can claim in no uncertain manner that it is the duty of the Union Government to examine with the utmost sympathy our complaints against laws and regulations which adversely affect the everyday amenities of life, and that we have a right to expect the Government to afford us relief from the restrictions which militate against the establishment by us of happy and contented homes in this country.

The Condonation Scheme, 1928.

5. The Minister must be well aware of the position which has arisen under the Condonation Scheme with regard to wives and children of condonees. Figures supplied by the Commissioner for Immigration and Asiatic Affairs in December, 1930, show that the numbers then adversely affected by the refusal to allow entry were estimated as follows:—

	Wives.	Boys.	Girls.	Total.
Cape	176	121	100	397
Natal	298	304	311	913
Transvaal ..	322	169	211	702
Grand Total				2,012

We may mention that the Indian population of the Union is now approximately estimated to be 190,000. To admit the whole of these 2,000 persons would therefore mean an increase of only a little over 1 per cent. At the time of the Condonation Scheme the then Minister of the Interior stated that if it were shown that the number of wives and children adversely

affected was small he would be prepared to consider the question of their admission to the Union. We must now point out that various circumstances taken in conjunction must have considerably reduced the number. Some of those who took condonation have died, some have returned to India and lost their domicile. In these cases their families have no claim to come to this country and probably no desire to do so. Further, some of the children included in this number have by now attained their majority and so will have forfeited any claim to come to the Union, and in particular a considerable number of the girls will have already married in India and consequently have given up the idea of leaving that country. It is usual for an Indian girl to be married by the time she reaches the age of 16. There is the additional consideration that a certain number of condonation certificates have been cancelled, and we submit that, taking all these factors into account, there must be a substantial reduction now in the number of those adversely affected. We have no means of estimating what the reduction would amount to, but we should be grateful if the Minister would have the position re-examined in the light of the remarks we have made, and so far as figures are available, forth and communicate to us an estimate of what the position now is.

6. There is, in addition to the above general considerations the specific point which we would like to place before the Minister. We refer to the compulsion placed upon major sons of condonees to take out condonation permits on their own account, whether they were born in South Africa or elsewhere, whereas minor sons were accepted upon the condonation permit taken out by the father. The distinction drawn between major and minor sons in this case has never been clear to us. So far as we have been able to understand, it arose over the question whether minor sons were to be allowed registration certificates, which would give them a right to trade, or protection certificates only, which would give them no such right. It appears never to have been suggested that minor sons should themselves take out condonation permits. Major sons had all already obtained registration certificates and the question could not arise in their case, but we believe that the records in the Immigration Department will show that the question was actually raised whether major sons, who had been introduced into the Union as minors, need apply for condonation and that the answer was in the affirmative. That ruling gave rise to the extraordinary position that two sons of the same father who had entered the Union under precisely similar circumstances, judged quite possibly on the same day and by the same board, were differently treated solely on account of a difference in age. The elder boy, although absolutely no fault of his own, was not subsequently compelled, if he had married a girl in India, to abandon all hope of setting up a home in South Africa. In all probability his livelihood and his interests demanded the maintenance of a separate establishment in India to which he could only pay fleeting visits as and when his business permitted. We urge that such a result was not contemplated by Congress and we venture to doubt whether the implications of the ruling against which we offer our protest were fully realised by the Union Government.

7. With regard to the results of the Condonation Scheme therefore our earnest request is

that the Minister should favourably consider the following three points:—

- (i.) We have always held that by the Smuts-Gandhi Agreement of 1914 an assurance was conveyed to illegal entrants before that date that no action would be taken against them on account of their illicit entry. The number of these cases cannot now be very large and we now ask that the Minister should direct that the residence of such people should be legalised.
- (ii.) We must impress upon the Minister that those who took condonation and were married are now expected to lead unnatural lives separated from their families. We do not believe that any Government would wish to encourage such a life or to contemplate with equanimity the direct incentive which it affords to loose and immoral living which cannot be for the good of any section of the population. This, we think is a consideration which should always be present in the mind of the Minister when he examines the case of these unfortunate people. We may add that sympathetic consideration of these cases will be welcomed by the Indian community as a real endeavour to implement the promise of the Capetown Agreement of 1927.
- (iii.) For the reasons which we have explained we think it is not unreasonable to ask that the condonation permits issued to the major sons of condonees should be cancelled, whether they were born in this country or introduced by parents or guardians when minors.

Immigration Law.

8. We have previously tried to show why in our opinion we are entitled to special consideration in the administration of the Immigration Laws of South Africa. Not only is the great majority of our community a permanent section of the population but also the policy of prohibited immigration makes these laws apply to us in a special manner. We wish now to refer to certain specific matters either in the laws or in their administration which cause us undue and unnecessary hardship.

- (i.) Before the Acts of 1927 and 1931 were passed the holder of a Transvaal Registration Certificate had the right to leave the Transvaal and re-enter it at any time, however long his absence. Many Indians who had such certificates looked upon that document as proof of domicile in the Transvaal and did in fact introduce children on their return after long absences, the Immigration authorities raising no objection. In 1929 it was decided in the Rashid Ahmed case that these certificates did not of themselves establish domicile and after that case parents not domiciled in the Union were not allowed to bring their children with them. There were, however, instances where parents relying on a Transvaal Registration Certificate and the previous practice of the Immigration Department had themselves stayed away for a lengthy period and for educational or other purposes kept their children in India. Under the Terms of Act 87 of 1927 these persons had to return to the Union within three years of the passing of the Act in order to be able to re-acquire the domicile or quasi-domicile which they had lost. Through the new interpretation placed on domicile, however, they could not bring their children with them. Many did so return but it happened that while they were in the process of re-

earning their domicile by three years' residence in the Union their sons reached the age of sixteen and so were permanently debarred from coming to the Union. It may be noted that this position arose not only for those who had an established domicile but were adjudged to have lost it by long absence. The position to-day is clear and it is well known to us that absence from the Union for three years involves loss of domicile though those of us born here of parents lawfully resident are at liberty to return after long absence and re-earn domicile, not being considered prohibited immigrants. But that position was not so clear in the year 1927. And it was still less clear and certainly less easy for us to understand that those who had been long absent even though they returned immediately to the Union might lose the chance of introducing their families because their children would attain the age of sixteen before it was possible for the parents to re-earn their domicile. It will be apparent that in such cases a man is precluded from establishing his home here and we feel some doubt, in view of the three years' grace allowed to such people, whether it could have been the intention of the Legislature that the man himself should be allowed to re-earn his domicile only at the expense of permanent separation from members of his family. We have no figures to show how many cases there are of this nature but we request the Minister where this hardship exists to afford relief.

Illegal Entrants Not Condoned

(ii.) There are in the Transvaal a limited number of Indians who were originally illegal entrants and who did not take out condonation permits. In some cases these people held Transvaal Asiatic Registration Certificates and for that reason thought it was unnecessary for them to take condonation. In other cases, owing to the strong opposition which arose to the Condonation Scheme, they were advised by people whom they regarded as their leaders not to take advantage of it. We wish to point out two factors in connection with such people. In the first place, they could have taken condonation permits in 1928 but did not do so for the reasons given above. It seems that those who relied upon their Registration Certificates should now be protected and their domicile in this country legalised. In the second place it will be found that in the majority of cases the men who now find themselves liable to deportation had no hand personally in their illegal introduction into the Union. They were introduced as minors by their parents or guardians and had no knowledge of what the law required. In addition we may point out that owing to the absence of proper records in many cases an Indian born in India literally does not know what his age is and that the relationships of father, grandfather and guardian are apt to get confused in recorded evidence. We believe that reference to any official in India with administrative experience will confirm our statement. It appears to us to be unnecessarily strict to punish a man for an offence or mistake committed by his parents or guardian after a lapse of a number of years when the man himself has settled in this country and made his home here and we request the Minister to afford relief to these people.

(iii.) It was at one time the practice to allow the wife and children of a man earning his domicile to enter the Union on temporary permit, the permit being cancelled when the

father had completed his three years' continuous residence. This practice, however, appears to have been discontinued and a man's wife and children are not normally permitted to enter until the man himself has acquired his domicile. The law being what it is we submit that there can now be only a few such cases. Since 1930 certificates of identity have been issued only to persons domiciled in the Union and if there were any cases of such certificates being issued before 1930 to persons not domiciled those persons must by now have returned to the Union or have forfeited their right to return. Our request, therefore, that the wives and children of Indians earning a domicile should be admitted on temporary permits during the probationary period cannot lead to any large influx and, moreover, will only antedate their lawful arrival. We feel that this is not a large concession to seek and that in the few cases involved it will relieve a real hardship which is not imposed upon the members of any other race.

South African Birth Right

(iv.) Until a few years ago it was the practice in the Immigration Department to treat any child born in this country as a South African national so long as one of the parents had a domicile here. This practice has, however, been abandoned and in the Ismail Rantjeomia case it has definitely been laid down by the Supreme Court that unless both parents have a domicile in the Union a child born here has no domicile until it is acquired by three years' continuous residence. We would like to point out the practical results of this ruling. There are at present a number of Indians, either domiciled or South African born, who for various reasons marry in India. The position of their first children appears to us illogical in the extreme. They are born in this country, their father has either South African nationality or a settled domicile, their settled home is South Africa, but if they are born before their mother has been three years in the country they have no nationality here and can only acquire their own domicile by three years' residence, with its accompanying restrictions, while their younger brothers and sisters, born after their mother has resided for three years continuously, become automatically South African nationals. This distinction by itself seems enough to indicate the illogicality of the position but we may suggest another illustration which will make it even more clear. We will suppose the case of a boy born to a South African born Indian by a mother who has not resided for three continuous years. After 20 years' residence in South Africa this boy commits an offence and is ordered to be deported. We cannot see to what country the boy should be sent or what country would be willing to accept him as a national. We believe that the intention of the law is to prevent the acquisition of a birth-right by children whose parents never had any intention of making a permanent home in this country. What we have stated above show that the law goes far beyond that and creates unnecessary and illogical difficulties for those who have already made their permanent home here.

There are further difficulties which arise in this connection. At present and for some time to come reasons must arise which necessitate mothers taking their children to India at a very early age. Unless these children are born to parents both domiciled in South Africa they are perpetually in danger of being refused

entrance on their return. In addition it has been ruled that if such children do go to India they must on their return be accompanied by their mothers. It will at once be obvious that this ruling involves not only inconvenience and discomfort but also expense which a number of us are not well able to bear.

Our request, therefore, is that the Minister should examine the relevant section of Act 22 of 1913, as amended, in the light of what we have said above and make such provision that all children born here shall be treated as South African nationals and freed from the restrictions of an acquired domicile.

Rights Of Those Condoned In 1915

(v.) By virtue mainly of the Condonation Scheme of 1915 there are now in the Transvaal certain Indians who are not prohibited immigrants. Some of these persons hold documents specifically stating that act while some do not but all have been in the Transvaal for a considerable number of years and are admittedly now lawful residents. In spite of their lawful residence, however, a number of these persons do not hold and never have held Transvaal Asiatic Registration Certificates and for that reason cannot obtain licences to trade. It is well known to the Minister that for all practical purposes trade is the only means of livelihood open to the Indians in the Transvaal and we submit that the people to whom we are now referring, besides being admittedly lawful residents, have shown by their long residence in this country that South Africa is their home. To continue to deny them the right to trade will result either in their becoming a charge upon the country or the community or in turning their thoughts in the direction of evading the law. What we ask on behalf of these people is either that Section 14 of Act 36 of 1908 should be suitably amended or repealed or that the records of all such cases should be examined and that the Minister should afford relief in such manner as he thinks fit.

(vi.) Another administrative point that has occasionally arisen is with reference to applications for D.I. 91 certificates for the purpose of bringing wives and children from India. The procedure demands an exhaustive enquiry in India before such a certificate can be completed and the result has been in more than one case that before the enquiry has been completed a boy has passed the critical age and cannot be admitted. We submit that where this occurs and where the result of the enquiry shows that the statement with regard to the boy's age has been correct in the first application the date of that application should be considered as the deciding factor and not the date on which the boy actually sets foot in the Union. We realise that in many cases such applications can and should be made in time to avoid the possibility of such a complication but it is easy to conceive of circumstances arising which make an early application impossible. There is also the consideration that it is impossible to guarantee how long the enquiry in India will take and that we have come across cases where it has taken as much as twelve months. Where the evidence shows that there has been no misstatement of fact and that the application is bona fide we hope the Minister will be ready to accord his sympathetic consideration to our request.

Visiting Permits

(vii.) Our next request relates to visiting permits. These are at present freely issued by

the Immigration Department but normally carry a deposit of £2. It is a fact that this deposit and the administrative machinery connected with its payment and refund deter many Indians from taking short holiday and business trips. In the Union such restriction on movement means a loss to the Union in railway fares and other expenses which such visits involve, and, considering the large proportion of Indians who are now South African born and have no permanent ties outside this country we feel justified in asking that visiting permits should be freely issued without deposit.

(viii.) We must refer also to another difficulty which we experience in regard to bringing wives from India. When a domiciled or South African born Indian goes to India and marries, the machinery for the introduction of his wife is cumbrous in the extreme. He must first return to South Africa alone and complete the D.I. 90 form upon which depends the issue and completion of the D.I. 91 form in India. Before all these formalities are completed there is frequently a lapse of a year or more. The husband has then to arrange for his wife's journey or incur the expenses of another visit to India to fetch her. This, however, is not all. It is possible that by the time the forms are sent to India for scrutiny and completion the wife may have given birth to a child, in which case the whole process has to be gone through again. We suggest that in these cases the wife should be permitted to accompany her husband on his first return to the Union and that upon production of proof of the marriage she should be allowed to enter with him and the necessary forms should be completed here.

(ix.) We have one further point to make. According to present practice all Indians entering the Union through Komatipoort are compelled to leave the train at that station and to pass through the Immigration Office while the papers of Europeans are examined on the train in their compartments. We can see no reason for this differential treatment and we can assure the Minister that it entails extreme discomfort for our wives and children. We only ask that the present practice should be replaced by a courteous examination of our papers in our compartments.

In conclusion we trust that the relief asked for will receive your sympathetic and favourable consideration.

The Minister's Reply

The following is the text of the reply to the above memorandum from the Secretary for the Interior dated Capetown, February 14, 1934—

Gentlemen,—With reference to the interview which the deputation of officials and executive members of the Transvaal Indian Congress, supported by officials and executive members of the South African Indian Congress, had with the Honourable the Minister of the Interior on Tuesday, the 6th instant, I am directed to inform you that the Minister has given very careful consideration to the representations made to him then and that his decision on the various points raised in the memorandum is as follows:—

PARAGRAPH 5.

The Minister regrets that he is unable to agree to the proposal put forward in the memorandum, for the admission to the Union of the wives and minor children of all condonees. Mr. Hofmeyr understands, however, that it is the wish of the Congress to consider the matter further with a view to the submission to him of alternative proposals in this connection, and he will be

willing to give full consideration to any such alternative proposals as may be submitted to him.

PARAGRAPH 6.

The Minister has agreed to the cancellation of condonation permits issued to the major sons of condonees who were born in the Union or were introduced into the Union when they were minors and thus to place such major sons on the same basis as minor sons in respect of the admission of their wives and families.

PARAGRAPH 7 (1).

The Minister does not agree with the view held by the Congress that the Smuts-Gandhi Agreement of 1914 conveyed an assurance to Indians who entered illegally before the date of that agreement that no action would be taken against them on account of their illicit entry. Mr. Hofmeyr recognises, however, that a number of Indians may have decided not to apply for condonation in 1928 because of the protection which they believed was afforded them under that Agreement by the Transvaal Registration Certificates which they held. He is, therefore, prepared to give a further opportunity of legalising their residence in the Union, to those Indians who entered the Transvaal illegally and were the holders of Transvaal Registration Certificates issued to them prior to the date of the Smuts-Gandhi Agreement, viz. the 30th June, 1914.

Applications by such Indians for condonation must be submitted to the Commissioner for Immigration and Asiatic Affairs, Pretoria, not later than the 31st August, 1934, and the issue of condonation permits to such Indians will be subject to the same conditions as apply in the case of persons whose illegal entry was condoned under the 1928 condonation scheme.

PARAGRAPH 7 (2).

See the Minister's decision in regard to paragraph 5 above.

PARAGRAPH 7 (3).

See the Minister's decision in regard to paragraph 6 above.

PARAGRAPH 8 (1).

With regard to the admission of sons who were debarred from entering because they had reached the age of 16 years before the father had re-acquired domicile, the Minister will be prepared to deal sympathetically with cases where there were legitimate grounds for misunderstanding of the legal position. It must be clearly understood, however, that each case will be dealt with on its merits.

PARAGRAPH 8 (2).

The Minister is not prepared to go beyond the decision conveyed under paragraph 7 (1) above.

PARAGRAPH 8 (3).

The Minister has agreed to the request that wives and children of Indians earning domicile be admitted on temporary permit during the time the husband or father, as the case may be, is acquiring domicile, except that children who will attain the age of 16 years before the father has acquired domicile will not be admitted under this arrangement.

PARAGRAPH 8 (4).

While the Minister recognises that anomalies do occur under the present law which requires both parents to be domiciled in the Union in order to give a birthright to a child born in the Union; he is not prepared to recommend any alteration of the law in this respect. He is, however,

prepared to give sympathetic consideration to any case of hardship provided the circumstances of the case are such as to indicate that the interruption of the acquisition of domicile was due to circumstances not under the control of the person concerned.

PARAGRAPH 8 (5).

The Minister will await the information promised by the Congress as to the number of Indians who, although protected by documents issued under the condonation scheme of 1915, are unable to obtain Transvaal Asiatic Registration Certificates enabling them to obtain licences to trade. On receipt of that information he will consider whether it is possible to afford any relief to those Indians.

PARAGRAPH 8 (6).

The Minister has agreed that in cases where a child, owing to protracted enquiries in connection with the completion of the D.I. 91 form, attains the age of 16 years before the enquiries are completed and the enquiries when completed shew that the child had a right of entry, the child shall be permitted to enter provided that—

- (a) the application was made not less than nine months before the child attained the age of sixteen years; and
- (b) entry to the Union takes place not later than six months after the completed form D.I. 91 is issued by the Department.

The Minister desires me to make it clear to the Congress that his decision in this matter is intended to apply to the exceptional cases rather than as a rule, and that each case will be dealt with on its merits on the lines indicated.

PARAGRAPH 8 (7).

In terms of the Regulations under the Immigrants' Regulation Act, 1913, Immigration Officers have discretion in exceptional cases to issue visiting permits without deposits. The Minister has authorised Immigration Officers to exercise this discretion more freely in future, but he wishes it to be clearly understood by the Congress that where any Indian who has received a visiting permit without a deposit fails to surrender the permit to the issuing officer forthwith upon the expiry of its validity, the privilege of a visiting permit without a deposit will not be extended to that Indian in the future.

PARAGRAPH 8 (8).

The procedure in regard to the completion of the Form D.I. 91 in the case of wives will be modified so as to obviate the difficulties complained of.

PARAGRAPH 8 (9).

The examination of Indian passengers entering the Union at Komatipoort will as an experimental measure be performed in the compartments while the train is proceeding from Ressano Garcia to Komatipoort and beyond. The result of this experiment will be carefully watched and if it is found that the work of examination can be carried out satisfactorily under these arrangements, the procedure hitherto followed, of requiring Indian passengers to leave their compartments at Komatipoort and proceed to the Immigration Office for examination, will be definitely discontinued.

I have the honour to be, Gentlemen,

Your obedient servant,

(Sgd.) P. L. HOOGENDOORN,
Secretary for the Interior.

Transvaal Indian Women's Social Centre Annual Election

(From Our Own Correspondent)

The annual general meeting of the Transvaal Indian Women's Social Centre took place in the Springbok Hall, Johannesburg. The secretary intimated that the chair-lady Mrs. K. M. Pillay who was unable to be present at the meeting to preside expressed her regret that she will not be able to stand for re-election owing to a number of deaths occurred recently in the family, and the meeting unanimously decided upon Mrs. S. D. Chetty one of the vicepresidents to preside. The presiding chairlady expressed her deepest regret at the death of the late Mrs. Perumal Naidoo, the youngest sister of Mrs. K. M. Pillay, and an active worker of the Social Centre and also to the bereaved relatives of the late Mrs. Billy Pillay and the late Mrs. Bob Pillay. As a mark of respect for the deceased, the gathering rose in silence.

The annual report of the Social Centre and the financial report in connection with the recent Christmas Tree function and entertainment were duly submitted and approved. The annual report reflected some good work done by the Committee in the past.

Both the joint secretaries, Miss Beatrice Francis and Mrs. Baikum Chetty were thanked for their services and congratulated for the success of their undertakings in organising a Christmas treat for the Indian children.

The secretary further intimated that six delegates were required from the Social Centre at the request of Mrs. Laura Ruxton to be represented in a joint committee of the Indo-European Women's Council. After an important discussion, the matter was referred to the committee to invite nominations for the post.

The following were elected office bearers for the ensuing year:—Patron: Mrs. E. Vogl, Vice Patrons: Mrs. M. Chetty and Mrs. V. Pather, President: Mrs. S. D. Chetty, Vice Presidents: Mrs. C. Godfrey, Mrs. K. Singh, Mrs. J. M. Peters, Mrs. D. M. Nuroo, Mrs. Krishna Pillay and Mrs. Saldhna, Joint hon. secretaries: Mrs. Baikum Chetty and Miss Beatrice Francis (re-elected), Committee: Mrs. K. M. Pillay, Mrs. Matilda Royeppen, Miss Shangamall Naidoo, Mrs. R. C. Peters, Mrs. George Naidoo, Mrs. R. Govindasamy, Mrs. Thomas, Mrs. John Peters, Mrs. K. G. Chetty, Mrs. Bob, Mrs. Harry Pillay, Mrs. Marie, Mrs. M. Naidoo, Miss B. Saldhana, Miss S. V. Naidoo, Mrs. Martha Naidoo, Mrs. Annasamy, Evelyn Naidoo, Mrs. Samsia Padayachee and Miss Katie Francis.

Indian Child Welfare Society Centre 150, BROOK STREET, DURBAN

Open daily, Monday to Saturday 8-30 a.m. to 11 a.m. Infants, young children, nursing and expectant mothers.

Lady doctors give free attendance.

Tuesday, morning 8-30 o'clock. Friday afternoon 2 o'clock.

Maritzburg Notes

(From Our Correspondent)

Colonial Born And Settlers Indian Association

MARITZBURG INDIANS OPPOSE HAWKERS AND PEDLARS BYE-LAWS

At a meeting held under the auspices of the Colonial Born and Settlers' Indian Association (Maritzburg Branch) at the H.Y.M.A. Main Hall, Church Street, on last Sunday the following resolution was moved by Mr. B. R. Naidoo, and seconded by Mr. K. Soobramoney and passed unanimously:—

"That this meeting of Indians of Maritzburg assembled under the auspices of the Colonial Born and Settlers' Indian Association (Maritzburg Branch) at the H.Y.M.A. Main Hall, on Sunday the 18th February 1934, reiterates its strong disapproval and protest against the existing Bye-laws with regard to the defined areas for hawkers and pedlars as being unreasonable and unjust, and with a view to seeking redress it is hereby resolved (a) that the executive committee of the said Association be empowered to devise ways and means to approach the authorities concerned on the subject, and to do everything needful to test the validity of the Bye-laws, and (b) that a subscription list be opened to collect funds for the purpose of defraying all expenses connected therewith."

Market Gardeners' Protest

A meeting of the Maritzburg and District Market Gardeners' and Producers' Association was held at the H.Y.M.A. Main Hall, recently. The business of the meeting was to consider the excessive market commission of 4d. per lot on vegetables, and 1d. per bunch on flowers; and the confirmation of the provisional election. Resolutions against this flat rate was passed. It was also pointed out that the Market does at this rate works out very excessively averaging 25 to 30 per cent. sometimes higher when the poor grower gets practically nothing for his labour. It would satisfy all concerned if the growers were charged commission at so much in the pound sterling and not on lots or bunches.

The following officials were elected:—Patron: Mr. A. V. Moodley, President: Mr. L. Zimmerman, Vice-Presidents: Messrs. J. M. David, A. A. Moodley, K. Moodley, S. Matha, R. N. Moodley, V. Kristy, J. O. Martens, K. K. Francis, F. Canaba, S. Crouch, Hon. secretary and treasurer: Mr. K. Soobramoney, Auditors: Mr. S. Muthray, Committee: Messrs. S. Rajcoomar, V. S. Naidoo, T. Jack, J. Ram, Parbhoo, J. Jantoku, Coopasamy Govender, R. Maharaj, Vedi Govender, B. Bhugwan, P. Reddy, A. Teseheraj, Jack Moodley, and J. A. Pinhoe.

A meeting of the Higher Grade School Football Club will be held at 7 p.m. on Sunday at Mr. D. Sigamoney's, Church Street.

New Institution Formed

A meeting convened by Mr. B. Ramsay took place at the residence of Mr. B. Nagaser, Hathorn's Hill, Maritzburg, on Sunday last, and was attended by a number of prominent members of the Indian community.

Mr Ramsay explained that the meeting was called for the purpose of forming an association where lectures and debates may be arranged for one's mutual

benefit. It was time he felt that some thing was done for the large number of young men who do not know their mother tongue (Hindi). He also advocated that a night school be opened where they could study their own religion also.

The meeting decided to name the institution the 'Hathorn's Hill New Yuvak Pracharane Sabha.'

The following are the officials and members:—

Patron, Mr. B. Ramcharan; President, Mr. B. Ramsay; Vice-Presidents, Messrs N. V. Soni; M. R. Singh; and B. Mittal; Hon. Sec., Mr. B. Nagassar; Assistant Sec., Mr. A. Sookram; Treasurer, Mr. M. S. Nunan; Auditor, Mr. R. Harinarain; Members: Messrs R. Bridgemohan, R. Bhrandaw, A. Ragnunuan; M. Jugunanan, P. R. Krishna, H. Bedesee, K. Rajcoomar, S. Mahaberr, N. Samalal, R. Chandra Deo, B. Jugmohan, G. J. Kalika, S. Soni, M. Nunan, N. Hariprasad, S. Deo, R. Seoprasad, N. Bharat, K. Kalicharan, and S. Bahadur.

R. B. Bambata Dead A Great Indian Golfer

By the death of R. B. Bambata, the Indians, particularly the sporting section of the community, have lost a redoubtable champion and teacher of golf in Natal. He was well liked by the Europeans many of whom he coached in the art of playing golf. This is evidenced by the fact that the *Natal Mercury* and the *Natal Advertiser* have paid glowing tributes to him. His charm and courtesy overrode barriers of race and colour, winning him many friends amongst the hundreds of European and Indian golfers in Natal who have passed through his hands. In happier circumstances and a different environment he might have become a famous golfer and brought distinction to his country in that sphere.

In 1929 he was sent to England to play in the British Open. The weather, the unfamiliar conditions, as well as the almost complete lack of experience in big competition golf, were against him, and while he acquitted himself well he did not succeed in capturing any honours. The organising of the trip for him by European members of the local golf clubs was as much a tribute to his personality as to his golf.

Golf had been Bambata's life. Born in 1906 at the time of the Bambata rebellion—whence he got his name—he was caddying at a very early age. He had been caddying about two years when, it is recorded of him, he got an opportunity to play round the course at Greyville, and with three clubs did a 76. The clubs were an ancient putter, an iron and a driver which was little more than a rough approximation fashioned from an ordinary hard stick on which he had spliced a head.

As a caddy he soon became regarded as a personality for he was of those who seem to be born with an instinct for, or an intuitive of, golf.

Knack For Teaching

Bambata had a knack for teaching that which he had learned purely through observation and self-teaching. Added to that was an unflinching, smiling patience and a respectful courtesy which helped to

draw many pupils. He achieved a measure of fame as a teacher, especially for the more delicate shots and for the correct use of the wrist. A "wristy" supple player himself, he was able, though of slight build, to get a tremendous amount of power into his strokes, a power combined with direction that hundreds of beginners have envied.

In addition to teaching he snatched whatever opportunity occurred for playing a round. Sometimes an enthusiastic student would take him for a round at one of the courses outside the town—a thing which Bambata loved. Though the round would be nominally a lesson it became a matter of the student watching admiringly an absorbed exponent trying to beat par.

He had an extraordinary indifference to money, and many is the student who has had to insist most emphatically that he accept a reasonable fee. It was the game he loved, and those who knew him will probably agree that if he had been given the choice he would have starved in order to play regularly in genuine games or competitions.

On his return from England he was able to continue his teaching and was still in close association with the game, but his heart was always on the fairways and the greens, the freedom of which never became his. With no opportunities for consistent competitive golf he was yet a fine golfer; having enjoyed no teaching he was yet a good teacher, and will be remembered as such. But Bambata will be remembered most of all by hundreds in this province for his personality and charm. He was a widower and leaves one child. The sympathy of the whole Indian community will go out to the bereaved.

Request To Town Council Sports Ground Wanted

The Finance Committee of the Durban Town Council gave sympathetic consideration to the plea by the Mayville District Indian Football Association, that a permanent recreation and sports ground be provided for the Indian population of Mayville. The association's application was a sequel to the breakdown of negotiations initiated by the municipality for the acquisition of nine acres of ground at Cato Manor owned by Mr. I. A. Mehzer, and which hitherto has been as an Indian sports ground.

The Finance Committee recommended that offers be invited for the sale to the Council of a 10-acre site in the Mayville area suitable for recreation purposes. It was further agreed that tenders be asked to include, in their offers, the cost of levelling the ground.

The committee also recommended that competitive tenders be called for levelling portion of the Corporation's Cato Manor estate—hilly land which is situated not far from Mehzer's property, and conveniently sited for purposes of a sports field. Estimates submitted by the Borough Engineer of the cost of levelling this ground departmentally were felt to be on the high side, and councillors held that the work might be done cheaper if private contractors were asked to tender.

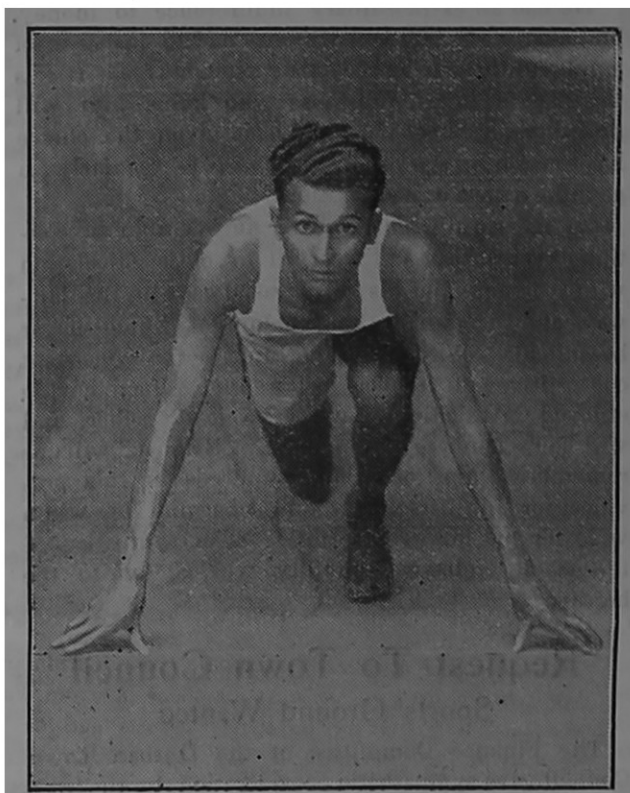
SPORTING NEWS

(BY SPORTSMAN)

Athletics

The attention of athletes is drawn to the coming meeting which will be held on Sunday, March 4th at Currie's Fountain. The meeting is being held under the auspices of the Durban Indian Athletic Union. As no sports meeting has taken place for some time keen competition is anticipated in the different events.

Already enthusiastic athletes are hard at practice and though it is only a Durban meeting a large number of entries is expected.



J. Sunassie Naidoo
A local champion Indian Sprinter.

Wrestling Coming Durban Show

Although arrangements are merely provisional it is quite probable that a wrestling show will be staged in the open air, at Currie's Fountain, on March 17. There are many minor bouts, and in the star bout will figure S. Puckree Pillay and N. C. Naidoo, for the South African non-European Welter Weight and Heavy Weight Championship. S. Puckree Pillay is the present holder of both titles. The programme will be varied as to include one or two boxing contests.

Tennis

"B" Division League Final

SYDENHAM TO PLAY MOONLIGHTERS

Though the "A" division league fixtures were completed some time ago the final for the "B" division will be played at the Plaza Court, Raudies Road, Sydenham,

on Sunday, February 28, between the Moonlighters and the Sydenham Tennis Club. Both clubs have been beaten. The Moonlighters have, in fact, previously been beaten by the Sydenham Club. But this cannot be taken as a deciding factor in predicting the winners of the League Championships.

The match commences at 9-30 a.m. Mr. M. K. Naidoo will officiate as referee.

Manick Shield Competition

CENTRALS BEAT MOONLIGHTERS

The Centrals court was the scene of a very interesting semi-final for the final of the S. Manick Shield on Sunday, February 18, when the Centrals inflicted a fairly easy defeat on the Moonlighters of Sydenham. Despite the suffocating and sultry weather some very keen tennis was witnessed.

The Spes Bona were dated to play Maritzburg at Maritzburg but it transpires that the latter team has cancelled all future club fixtures. The Spes Bona are fortunate in this respect, for it is the second occasion on which they have been awarded such an easy victory. This brings them into the final with the Centrals. The Court on which the match is to be played has not yet been decided upon but the date has been fixed for the 3rd March.

Boxing

A Challenge

YOUNG RAMLAGAN THROWS DOWN THE GAUNTLET

At a recent tournament Young Govender beat D. D. Naidoo on points. The aftermath of this contest is a challenge that has been thrown by Young Ramlagan. He desires to fight the winner, in the near future.

Bud Gengan—Reggie Kay

RETURN FIGHT

At a recent boxing tournament staged by the promoters Messrs. Mohamed and Panday, Reggie Kay of Port Elizabeth knocked out Bud Gengan in the first round of their contest. All who witnessed the fight expressed the opinion that it was not only a surprise but a matter of misfortune on the part of the local champion.

A return fight, however, has been arranged as the star bout for March 10, and in view of the previous decision it ought to prove a more spirited contest. Bud Gengan, for one, certainly will not for a moment entertain the possibility of a similar occurrence taking place.

Mr. V. D. Maistry is promoting the fight which will be supported by five other minor bouts. Frankie Naidoo of Mafeking will also be one of the other contestants. The venue of the show will be the Victoria Picture Palace, Durban.

Kid Singh's Exhibition At Umzinto

As was intimated in last week's issue Kid Singh will travel to Umzinto on Saturday, Feb. 24 and will give an exhibition 8 rounds with the promoter Young Ramlagan. This is the first occasion on which a show is being staged at Umzinto and in consequence a big crowd of country enthusiasts are expected to see Kid Singh in action. The programme commences at 7-30 p.m.

Cricket

Panday Shield Final

In the final for the Panday Shield cricket which took place at the Indian sports grounds, Maritzburg, on Saturday and Sunday last, between the Oriental Cricket Club of Maritzburg, and the Ottoman Cricket Club of Durban, in the first innings Orientals were all out for 102 runs. The Ottomans were 4 for 4 wickets, when the captain asked his men to walk out of the field, owing to a decision given by one of the umpires against the Durban for a catch. This incident has been reported to the Natal Indian Cricket Union by the Maritzburg District Indian Cricket Union. It is hoped some action will be taken against the Ottomans for their unsporting behaviour.

At Dundee

A friendly cricket match was played at Dundee Indian sports ground on Sunday last, between the Dundee United and a Combined School XI, which included teachers and ex-scholars. The following are the scores:—Dundee United first innings, 169, (Fred Kallie 37 and P. Titus 68). Schools XI first innings, 29 all out. Schools XI second innings followed on 100, (M. C. Peer 33), the United Schools winning the match by an inning and 40 runs.

Soccer

Last Sunday the annual general meeting of the County Indian Football Association was held and the following officers were appointed:—

Patrons: Messrs. A. Iyappah and S. C. George, president: Mr. Kitty Samuels, vice-presidents, Messrs. M. T. Moodley, R. A. Naidoo, R. K. Reddy, N. Madaree, R. V. G. Singh and B. K. Naidu, hon. secretary: Mr. A. Harry, hon. treasurer: Mr. M. J. S. Naidoo, hon. record clerk: Mr. A. G. Moodley, hon. auditor: Mr. N. Sullaphen.

General Items

In the All-India Wrestling Tournament Inam Bn, Gama's brother, in the presence of more than 6,000 defeated Ishwar Singh, the Sikh wrestler hailing from Kolhapur within 8 minutes.

India beat Western Australia in the Tennis Tests by 5 matches to one.

Notice

INDIAN UNEMPLOYMENT

Will employers of Indian labour kindly notify the undersigned of any vacancies in their establishment.

WRITE: - Hon. Secretary, Sir Kurma Reddi Unemployment Relief Committee, Indian Sports Ground, Durban.

News In Brief

The annual general meeting of Sri Vishwaroop Temple and Dharmashala of Tongaat will be held at the Gokhale Memorial Hall on Sunday March 11, at 2 p.m. All are invited by the secretary Mr. V. P. Desai to attend. The following is the agenda: Minutes, Financial Report, Secretary's Report, Chairman's Report, Election of Trustees and officials and general.

The secretaries of the Sydenham Association have made representations to the Corporation on the following matters: Roads, sports ground, water fountain, Indian cemetery and the naming of the roads. A sub-committee is appointed to deal with the matter of sports grounds and Indian cemeteries. The association is still in correspondence on all these matters and is anticipating a favourable reply in due course. Mr. L. Panday who is the chairman seems to be on the move.

A letter was sent to the Stanger Town Board by the secretary of the Indian Ratepayers Association, asking the board to repair the road or rather the extension of Jackson Street leading through the Mavivana stream to the Agricultural Hall, Indian Government School and Stanger sports grounds. Upon a proposal by Mr. Thompson, seconded by Dr. Haysom, it was resolved to make representation to the Education Department and to forward a copy of the letter received to the Engineer-Superintendent of Roads.

The first issue of *Bombay Sentinal*, (Mr. Horniman's new paper) says, it will, as its name indicates, keep watch and ward over the country's interests and be on the alert to give warnings of the approaching danger and the movements of the enemy, undeterred by vested interests, without fear or favour.

MR. S. A. Brelvi who was recently released from prison has again assumed the editorial control of the *Bombay Chronicle*.

THE late Sir M. Bhownagree has left property in England of the gross value of £13,819 leaving an annuity of £800 to Jessie and the remainder of the property to his wife, son and daughter.

The opinion that *sari* is the most graceful dress for women in the world and the Indian women are lovely and their dress makes them more graceful than the women of any other country was expressed by Mlle Renee Florigny, the celebrated French pianist, in the course of a press interview. Mlle Florigny, who is now in Calcutta, is widely known to many countries as the "Femidite Paderewski."

India Institute Of The Deutsche Akademie

Dr. Franz Thierfelder, hon-secretary India Institute of the Deutsche Akademie (Maximilianenm) Munchen, Germany writes as follows :—

It is with great pleasure we read the following extract from an editorial, entitled "Germany," published in one of the foremost Indian dailies of Calcutta :—

"We repeat that, however perplexing the recent course of events has been, the people of India have always entertained friendly feelings towards the German people. In the field of culture, the co-operation between them has always been both cordial and welcome. We sincerely hope that this co-operation will not be interrupted. As regards commercial relations, India is fettered in many ways. But we cannot help feeling that there is ample scope for Indo-Germany trade, if Germany takes proper steps in this direction."—Forward, Calcutta, November 15, 1933.

This welcome comment prompts us to extend our greetings on behalf of India Institute of the Deutsche Akademie, which is engaged in prompting Indo-German cultural co-operation and furthering this cause of Indo-German friendship, to the cultural world of India. We wish to assure that the Deutsche Akademie which enjoys the closest association with German Universities and institutions for higher education will continue to do its best to help deserving Indian scholars to carry on higher studies in German institutions. We wish to assert that although the year of 1933 has been a year of Revolution and unusual stress for Germany, yet the work of India Institute of the Deutsche Akademie in aiding Indian scholars has not suffered in any way. Indeed we could not carry out all our cherished ideas regarding Indo-German cultural co-operation owing to financial difficulties, but we are very happy to observe that our work has not in any way been disturbed, due to the changed condition in Germany.

The Deutsche Akademie is a purely cultural organisation and it does not take any part in German commerce and politics; therefore it may say something of the future attitude of the German people, only in matters of cultural co-operation. We wish to assure the Indian public that India Institute of the Deutsche Akademie will do all that is possible to aid Indian scholars to acquire greater efficiency through German co-operation. We also hope and pray that Indian cultural leaders will strengthen our humble but sincere efforts by adopting such measures as will be proper and adequate.

BOOKS FOR SALE

NOTE. Remittance should accompany the order. V. P. ORDERS will not receive attention. Postal Orders to be made payable to "INDIAN OPINION" at Phoenix Postage free on all books.

Address:— Indian Opinion, PHOENIX, Natal.

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THREE GREAT ACHARYAS

Sankara, Ramanuja and Madhwa are the three Great Acharyas whose teachings hold sway over the bulk of the Hindus all over India. They are equally appreciated by the best thinkers of the day even among the Oriental scholars of Europe and America. An attempt is made in this book to give critical sketches of their life and times together with an exposition of their respective philosophies. CONTRIBUTORS: Pandit S. Tatyabushan, Dr. S. Krishnaswami Aiyangar, Prof. Rangacharya, Mr. C. N. K. Aiyar, Prof. T. Rajagopalachari, Prof. Subba Rao. 4s.

મહેર વિનંતિ

શ્રી. જી. બી. પટવર્ધન શાસ્ત્રી એમ. એ. વી. સ્કુલના 'નિભાવ' અર્થે સફરકુ વિદ્યાલયના આનરરી સેક્રટરી શ્રી. નાથુભાઈ મકનજી નાયક સ્કુલ ફન્ડ કરવા દાંડવાલ, નારાણ તથા કેપ પ્રાવીનસ તેમજ રોડસીયા વિગેરે ભાગમાં ફરવાના છે તે આશા રાખવામાં આવે છે કે સફરકુ વિદ્યાલયના કાર્યમાં ફરક સાથે આક્રમણ કરીને ભાગ્યે પીતાનો હાથ લાંબાવી ઉદારતાથી મદદ કરશે. સફરકુ સ્કુલ મરોલી બી. બી. એન્ડ સી. આઈ. રેલવે લાઇનના સ્ટેશન ઉપર આવેલી છે. શાળા માં શિક્ષણ સહ આજે કેરનાક વિદ્યાર્થીઓ કેલેજમાં અભ્યાસ કરે છે. તે આજા વિદ્યાલયના કાર્યમાં ફરક કરીને ભાગ્યે ઉદારતાથી પીતાના સરકારી મદદ કરવાનું ચુકશે નહિ એવી નમ્ર પ્રાર્થના છે.

નાથુભાઈ મકનજી નાયક, પ્રમુખ. રૂડીપુટ હાંકુ સેવા સમાજ. વધુ ફાળો.

આથી ઉચ્ચ લંડન, મોટ પ્રીન્સિપલ, કેપટાઉન, ડી. આર. કીન્ગમ્બી, મેકડોનલ્ડ વિગેરે સ્થળોએ વસ્તી દાંડીયાને નમ્ર વિનંતી છે કે જો આવી આક્રમણમાં ઉપર જણાવેલા સ્થળોએ ફરવાના છીએ તે આશા રાખવામાં આવે છે કે આ વિદ્યાલયના કાર્યમાં પીતાના સરકારી મદદ કરવા ચુકશે નહિ.

શ્રી. સેવક, નાથુભાઈ મકનજી નાયક, બી. કે. મહેલ.